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Mayor's Court of Survey Cruise "Swan Upping"

Under a Charter of Queen Elizabeth I, dated 4 December 1559, the Queen's Town of Maidstone was granted liberties in the River Medway extending from East Farleigh to Hawkwood in Burham. A Court was held annually to inspect the condition of the River Medway, to redress any disorders and remove any nuisances. The Corporation used to attend in their barges what was then called The Mayor's Fishing Court.

These liberties were augmented in a Charter of King James I, dated 12 July 1619, which granted the privilege of keeping swans and cygnets on this stretch of the Medway and marking them. From time to time, since 1559, the Mayor has traversed the River between these limits and held a Court of Survey.



The duties are listed in Burghmote Book 3, under the date 2 May 1629, amongst “addicions to our liberties”:

“To have liberty to keepe Swans from East Farleigh Bridge to Hawkewood, and a Swan marke, and to alter and change the same at our pleasure, And to seise and marke all white Swans as our owne not lawfully marked, And to preserve them straying, And retake and rehave them.”

The practice was revived in 1975 and the Mayor of Maidstone’s Court of Survey Cruise has been held biannually since. A Swan Master was appointed and the swans are now marked by means of a numbered ring put on their leg. Since 1981 Bob Tuthill and the Hampstead and Yalding Cruising Club have organised the event.

A writer with the initials “S.C.L.” who wrote a history of Maidstone in 1834, had this to say of the bridge:

“...commonly called the Great Bridge to distinguish it from the lesser one over the Len in Stone Street...the building is old and unsightly and though some years ago it was widened and repaired, it is fast falling into decay. The western end seems of greater antiquity than the rest of the work, and is probably part of the bridge erected here by one of the Archbishops of Canturbury in the 14th Century. Till late in the last century this bridge was encumbered with several small houses. At its eastern end is the town watchhouse, a neat building in stucco with an iron railing before it.”



The “small houses” on the bridge were, in fact, six alms-houses maintained by the fraternity of Corpus Christi, a religious guild of considerable importance in the town. Each comprised a room on the ground floor and a garret above.

As the Medway was so important to the prosperity of the town, the bridge and its immediate vicinity naturally formed the focus for all public activities and pageants connected with the river. For example “the Mayor being Conservator of the River, it was customary for him to annually hold a court for inspecting the Condition it is in, and to redress any disorders, and remove any Nusances relating to it; at which Time, the Corporation used to attend in their barges, etc., and it was called the Mayor’s Fishing: upon these publick Fishings in King James the First’s Time (when Stephen Heely was Mayor in 1606), a great Tempest happened whilst they were at Millhale, and a Messenger came to acquaint the Mayor and Attendants, that the town was set on Fire by Lightning in the Middle-Row, to their great Consternation.”

It is somewhat curious that in this short account of the Mayor’s Fishing Court, no reference was made to swans or an annual Swanmarking, for these birds have always frequented the river and do so today. In the second charter of James I, 1619, Maidstone was given a grant of swan rights from the Crown, worded in the following manner:

“And that also the aforesaid mayor, jurats and commonalty and their successors, may likewise have, by the waters aforesaid (i.e. the Medway), from the aforesaid bridge called East-Farleigh Bridge unto Hawke wood (on the boundary of Rochester) the liberty and privilege of keeping swans, cygnets, and a swan-mark for the same, and to change and alter the same swan-mark at their pleasure; and also to sign and mark all and singular the swans and cygnets by the water aforesaid, or within the metes and limits aforesaid, and the banks and soil of the same, building, breeding or resorting, and not lawfully signed or marked with the swan-mark aforesaid, and full power and authority, the swans and cygnets aforesaid swimming or straying out of the limits and metes aforesaid, by water and land, to pursue, retake, bring back and have again, without the impediment of us, our heirs or successors or of any other of our officers or ministers or other whatsoever.”

These rights were confirmed and continued by two later charters in 1682 and 1747. What swanmark was adopted does not seem to be recorded.

