

# The Legal Genealogist



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## Wiggles and squiggles

by Judy G. Russell | Aug 26, 2019 | Legal definitions | 1 comment

### *That curly thing on documents*

Reader Kate Trigger Duffert needed some help with a symbol that appeared on an ancestor's will and, in searching for an answer, came across an older blog post about the marks our ancestors often used to sign documents.



"Found this blog in searching for that squiggly symbol there to the right," she said, about the 2012 blog post "[X \(or W\) marks the spot.](#)"<sup>1</sup> "It is on a document 'signed' by my ancestor directly to the right of his name. I thought it may be a mark, but I am seeing it elsewhere on documents online. What is this squiggly circle?"

Great question.

First off, it's not a **mark**. By definition, that's a substitute for a signature by a person who couldn't write:

A character, usually in the form of a cross, made as a substitute for his signature by a person who cannot write, in executing a conveyance or other legal document. It is commonly made as follows: A third person writes the

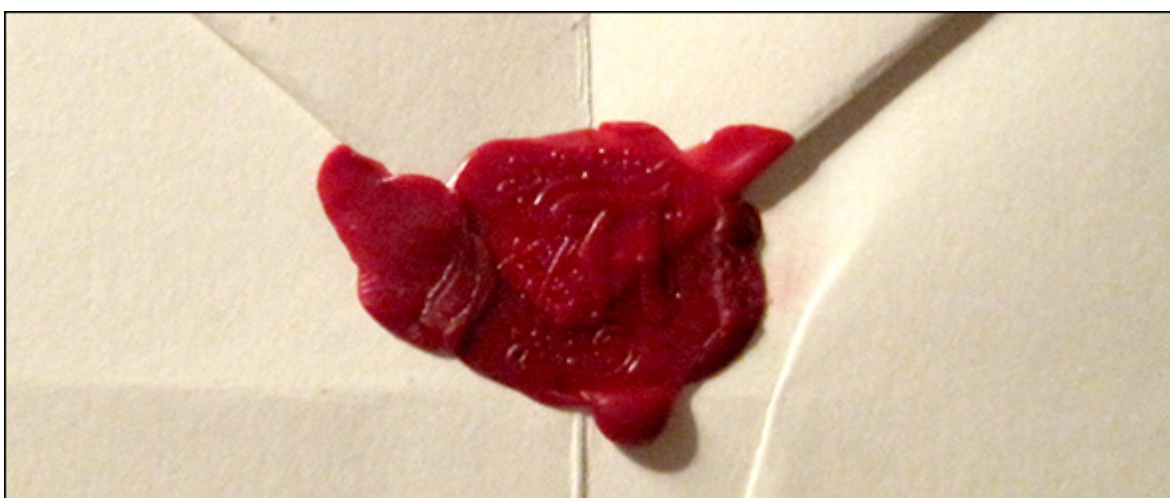
name of the marksman, leaving a blank space between the Christian name and surname; in this space the latter traces the mark, or crossed lines, and above the mark is written "his," (or "her,") and below it, "mark."<sup>2</sup>

In Ephraim Hampton's case, there's no mark at all. Apparently he could sign his name, and even if this is a clerk's copy of the will, it's intended to show that he signed, rather than used a mark.

So what is it?

The clue to the answer comes right inside the squiggle itself. It's the word **seal** that the squiggle is around.

Originally, a seal was "an impression upon wax, wafer, or some other tenacious substance capable of being impressed."<sup>3</sup>



Over time, however, the wax seal fell into disuse, replaced by a "mark which is to supply the place of a seal, made with a pen or other instrument on a writing."<sup>4</sup> And rather than requiring a wax impression, the seal was simply "a particular sign, made to attest, in the most formal manner, the execution of an instrument."<sup>5</sup>

Yeah, yeah, yeah. But what about the squiggle around the word?

It really does have a name, too. It's a **scroll**: "A mark intended to supply the place of a seal, made with a pen or other instrument of writing."<sup>6</sup> In some states, according to Black, it may be called a scrawl.<sup>7</sup>

Oh, and by the way... the particular place where the scroll appears also has a name, in legal Latin. It's the *locus sigilli*: "The place of the seal; the place occupied by the seal of written instruments. Usually abbreviated to 'L. S.'"<sup>8</sup>

So while not every wiggle or squiggle on a legal document will have meaning, this particular squiggle does: it serves the function of the old wax seal, is called a scroll (or scrawl), and is placed at the *locus sigilli* in order to formally or officially verify or attest to the signing of the document.

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## SOURCES

**Image** (wax seal): [Wikimedia Commons](#), user Contrafool, CC-BY-SA-3.0.

1. Judy G. Russell, "[X \(or W\) marks the spot](#)," *The Legal Genealogist*, posted 5 Apr 2012 (<https://www.legalgenealogist.com/blog> : accessed 26 Aug 2019). ↩
2. Henry Campbell Black, *A Dictionary of Law* (St. Paul, Minn. : West, 1891), 755, "Mark." See also John Bouvier, *A Law Dictionary Adapted to the Constitution and Laws of the United States*, rev. 6th ed. (Philadelphia : Childs & Peterson, 1856), 2: 108, "Mark" ("a sign traced on paper or parchment, which stands in the place of a signature, usually made by persons who cannot write"). ↩
3. Black, *A Dictionary of Law*, 1068, "seal." See also Bouvier, *A Law Dictionary...*, 2: 502, "seal" ("wax, with an impression... is the common law definition of a seal"). ↩
4. Bouvier, *A Law Dictionary...*, 2: 502, "seal." ↩
5. Black, *A Dictionary of Law*, 1068, "seal." ↩
6. *Ibid.*, "scroll," 1067. ↩
7. *Ibid.*, "scrawl." ↩
8. *Ibid.*, "*locus sigilli*," 731. ↩

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**Melissa Middleswart** on August 26, 2019 at 9:50 am

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