

the left side of his head growing did Cutt off to the deformeing of him the said Richard so that amongst the good people of this province he could not without disgrace and contempt converse". The charge in the indictment that his assailants "did beate wound and evil entreat him so that of his life he did despaire", and "other enormities to him did then and there do contrary to the peace of the Lord Proprietary his rule and dignity", are doubtless to be taken merely as the legal formulae usually found in the phraseology of indictments for assault, rather than as the real measure of the injuries suffered by the good sheriff. Certainly there must have been extenuating circumstances as a fine of only six shillings, eightpence was imposed by the court (p. 453). Whether or not Tilghman recovered personal damages the record does not disclose.

There is also an instance to be found of an assault upon a justice of one of the county courts. Hubert Lambert Clump, an Anne Arundel County planter, was indicted by the grand jury at the June, 1668, court for an assault upon Thomas Besson, one of the justices of Anne Arundel County. The indictment reads that Clump "a certain nine pin did lift up with intent to strike" the justice and "did pull by the Arm with intent to draw him Over the fence to fight with him", and that Clump further "did resist John Taylor the Constable of the place . . . in execution of his Office at that time endeavoring to keepe the Peace", who may have been trying to arrest him. At first Clump pleaded not guilty but later changed his plea to guilty, and in open court "Craved the Clemency of the Court", and asked "Captain Thomas Besson forgiveness", and gave security for his good abearance during the court's pleasure. No damages seem to have been awarded to Besson, but Clump was required to pay all the costs in case (pp. 309-310).

Great violence and sword-play marked the fight between Thomas Oakley of Charles County and George Thompson of the same county at the house of Edmund Lindsey on Oct. 5, 1668. The cause of the affair is not clear, but a civil suit for damages, filed after the criminal action had been heard and determined, gives us details of the fight. Thompson, the clerk of the Charles County Court, and described as "gentleman", had barred himself up in a room in Lindsey's house, and when Oakley tried to enter, Thompson declared if he came in he would kill him with drawn rapier. Oakley broke in the door and when the witnesses entered with a light they found him wounded and Thompson holding him in one hand and in the other his naked rapier with hilt downward (pp. 427-429). There seems to have been no actual trial on a criminal charge, although Thompson was brought before the court at its December, 1668, session and bound over to be on his good behaviour; and at the next court held in February, 1669, was cleared by proclamation (pp. 362, 381, 414). At the June, 1669, court Oakley by his attorney John Morecroft sued Thompson for 40,000 pounds of tobacco for beating, wounding, and evil handling him, "so that his life he did despair and other enornitees to him did doe to the great damage of him the said Thomas", following the usual formula in such damage suits. Thompson by his attorney William Bisse "puts himself upon the country", and the jury finding that Thompson had acted in self-defense assessed the costs of 740 pounds of tobacco against Oakley (p. 455). The details of the fracas