

Somerset County: ss:

Att. a. County Court: held the 12th Day of June in the second year of the Dominion of His Majesty Charles over Maryland & Annoq. Domini 1677 before his Excellency Justices therunto assigned & authorized: . . .

M^r: William Stevens:

present { Col^l: William Colebourne: M^r: John Winder:
M^r: James Jones: M^r: James Dastick:
M^r: George Johnson: M^r: William Bickton: } County

William Furnis p^t } Thomas Poole & p^t plaintiffe
ag^t }
Capt: Thomas Jones def^t }

Somerset ss: Capt: Thomas Jones late of this County was summoned to answer unto William Furnis in an action of assault & Battery: . . .

And whereupon it said Furnis by his attorney Thomas Poole saith & hee it said Jones in this month of June & upon the sixth day of the month aforesaid in the year of our Lord God 1677: did upon his Excellency high way against the plantation of William Furnis in this County make assault & him it said Furnis & his wife did beat wounded & with intreated that of their lives they did despair & both names hee did them to a great damage of the plaintiff & contrary to the peace & government of the Proprietary whereupon the plaintiff saith it lye is damaged & that damage to the value of two thousand nine hundred pounds of Tobacco & hereupon brings his suit: /: . . .

And the said Thomas Jones in his proper person cometh & defendeth the cause when he saith & hee it said William his action ought not to have by reason it said Thomas hath neither forme nor sense to answer unto the Court: Somerset there is not such place in this Province: /: . . .

It in an action of an assault & Battery which is not English words & it agrees not with the original being assault & Battery: . . .

It hee ought to have expressed the year & Dominion of his Lordship & not by name of Proprietary: . . .

It hee ought to have expressed what weapons the assault was committed & in what manner acted for it is not assault without force & arms: . . .

It hee calls himselfe the plaintiff there being not such term in Law nor is it an English word: . . .

It hee calls his Excellency peace by the name of peace by reason of which non sense & mistakes it def^t: saies that there is not ground in Law for him to answer therunto the which hee is ready to aver & therefore prays a nonsuit with his costs & charges in this case had & illegally sustained: /: T: Jones: /: . . .

The Court orders the hearing of this cause be the next County Court: /: . . .

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Gilbert Pembroke p^t } Thomas Poole & p^t p^t:
ag^t }
William Keene: def^t }