

Ruford Chamberlaine. Thomas. Larramers. John. Ellison. John. Broughton. Matthew. Dorman. Wm. Sumner. Thomas. Cull. Benjamin. Starks. William. Clamoz. Junio. John. Cantler. Michael. Williams. Richard. Jefferson were being legally summoned and duly sworn attend the Court and Evidence. — then was this following Indictment read. —

Somerset County for their Ma<sup>ties</sup> at a grand Jury held for the body of said County the second Tuesday in good last past being sworn upon the holy Evangelists, do present and find that Thomas Oxford of Mattapony hundred within the Jurisdiction of this Court at 1690 and upon the Sabbath or Lords day not having the fear of God before his eyes, but incited and assisted by the devil, did go to the house of John Saunders of the above said County and hundred, and finding Sarah Saunders, the wife of the said John Saunders in her said husbands absence, did first attempt to allure, seduce and entice the said Sarah with most wicked abominable, prophane and unchristian like words, and further proceeded to unchastity and strumpetries by exhibiting his privities to the said Sarahs view, and then and there, not regarding the foulness of the fact, the heinousness of the sin, or the day whereon it was perpetrated or the person on whom being his near kinswoman, and one whom he had brought up from her Infancy, and especial another mans wife, did forcibly and violently lay hands on the said Sarah and did throw down, her clothes did pull up, and her body most insolently forcibly and unhumanly did abuse, and what in time the said Oxford did lay, and endeavour to commit upon her a Rape, untill the said Sarah, through cryes and strugglings, did send by Gods favour, some noise of a person as is supposed to her assistance, whereupon the said Oxford could hardly be kept from his intended willam, now their Ma<sup>ties</sup> Attorney Com<sup>rs</sup> and says, that the said Oxford being so wicked prophane and shameless as he violats both the laws of God and man, abusing his own body in a shameful manner and endeavouring a Rape upon the body of the said Sarah with shameful and unchast full lust, ought to suffer the paines of punishment due to such heinous and grievous offences being taken and by the help of God diverted from that his intended offence intended act of the same kind according to the Law Maxim: *Justitiae punitione licet non aequalis effectus* direct. the intent is punishable though the effect doth not follow. points at the very same case in all its circumstances. Therefore the judges judgement may be entered according to law &c. *Pa. Sanc. s. in Ca. h. d. b.*

The Examination of Sarah Saunders being a Married Wife near five years she declares that not long before she was married her Kinsman Thomas Oxford, did tempt her to commit fornication with her and to be wife her, the which she utterly refused, she farther saith that the said Thomas Oxford, did again attempt the said filthiness since she was a married wife, that he came to her house upon a sabbath day as he was either going to church or looking a horse in order to go, about the month of August last was two years for the said Sarahs husband being gone to Wall's Island and her self being in the said house alone, the said Kinsman did then and there make his wicked profer and bold motion to be wife her urging and pressing the same with many fair promises and soft words tarried in the proffer of non effect, he then profered to give her the said Sarah a Rape gown and petticoat in case she would consent to gratifie his lustfull desires, the which offering, the said Thomas then laid violent hands on me struggling and striving with me strongly pursuing his said wicked design, that not prevailing he then let me go Sarah by force and strength and threw me upon my own bed, and not withstanding my crying out and threatening to tell my husband when he came home, he still persisted his lustfull enterprise, until some person, but who I know not, came near the door of the said house and made a perfort humming noise, the said Oxford then came his further proceeding as aforesaid and not till then. Taken before me November 6. 1690 Sam<sup>l</sup>. Hopkins

The Deposition of John Saunders (Husband of the above Sarah aged about twenty six) years, this deponent saith that in August last was two years he had business over to Wall's Island, and at his return home he found his said wife Sarah, in a very bad melancholy and distressed condition otherwise than ever he had