

M James Broth meeting and Arraigning Judgment the 28th day
of Aug: last in behalfe of his wife Ann Broth and now
appearing before he may have Council Assigned him to plead
to such reasons as he shall offer, in Griffiths bond one of the
Attornies of this Court is accordingly appointed who produceth
the following reasons that Judgment ought to be arrested

Simon W. M. [Signature]

Reason In the head of the Indictment it thus contained viz the Just for
our Sovereign Lord and Lady the King and Queen and the body
of this County upon their Oath do profess Ann Broth wife of
James Broth that the said Ann &c by which words of the Indictment
it may plainly appear that the Alias status which should have been
therein inserted or all for the quality, mystery or profession of the party
or her husband, for reason within the year of her return and wholly
omitted all which is against the common Law and positively
ag the Stat: of the 1st of H: 5: Cap: 2: wherein it is enacted that upon
Commission of attor one the aforesaid parties which are or ought to
be observed in Arrests personal Apprais or Indictment with Arrows &
personal Apprais or Indictments shall be void frustrate and
inaccon for none

Reason In the Body of the Indictment it thus contained for that the said Ann
on the 28th day of June last past at the house of William Brode
at Langford was killed within the Jurisdiction of this Court
with several others Riotously assembled did threaten and upon the
Body of Alice Stodons Wife of Thomas Stodons with Sir Henry Stones
and others an Assault did make &c

In every Indictment the Special part thereof ought to containe certainty
and expressly the contrary of which renders it void and utterly frustrate
that the said Indictment is unresained may appear by these words
with several others &c Neither Naming any the place nor the Number
of them which ought to have been inserted Impossibilities and they
excepted as when persons in Armes or disguise appeared with intent
to commit a Riot or the Number of such persons for unincapable
assembled for great or not easily to be knowne &c but not otherwise
therefore not to be colored or in accon for sufficient in the said
Indictment for the persons in the said Indictment supposed
to