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November Court 1714

The Lord properly by his Atty ofd prays that the
defendants ofd may prove the charge to the Jurie
This Court thereupon adjudges that the charge
shud be proved to the Jurie ofd

Thereupon the Atty for his Lordship prays a bill
of Exception which is granted and is as follows
Viz

Such Francis Atty of the ~~Right Honourable~~ Lord
properly for the Lord properly prays the Court to direct
the Jurie that it is Incumbent on the defendant
to prove to the Jury that he the defendant did read
the said Act of Assembly within the time in the Inform
ofd mentioned according to the said Act to wit between
the twenty first day of April Anno Domini seven teen
Hundred thirty and three and the twenty second
day of April Anno Domini seven teen Hundred thirty
and four and that if he the defendant did not
make such proofs that the Jurie ofd did not
know the same by matters within their own knowledge
only that then they should find the said defendant
guilty of the matter in the said Information against
him charged but the Court ofd did refuse to do the same
and did direct the Jury that unless the said Atty
did produce Evidence to the said Jury to prove the
Def^t guilty of the matter ofd in the said Information
mentioned or that they knew the same to be true of
of their own knowledge that then they shud find
the said defendant not guilty thereof Wherefore
the said Atty excepts thereto and prays the Court
to Signe him a bill thereof

Such Francis

And the same M^r Swell now here afterwards
came and appeared and the Jurors ofd to say the
truth in the premises upon their oath & a Jury