

B. sides may it please yo^r honore when I
 spoke the words it was not for much as an
 Affidavit until sworn to nor affide it was
 from I was of my self before she had disposed
 lastly to give yo^r honore further satisfaction
 having as I humbly conceive sufficiently
 proved nothing in my adversarys Charge
 can be reasonable I shall now prove also
 under colour of this honore the Court shall
 grant they were reasonable in themselves yet
 as they are charged they can bring no action
 and that by the afore^d Shepard who by 44
 says they must be charged with the very
 words fals. and malicious fals. it malitiously
 or it is not reasonable both which words must
 be found by a Jury for if they find one of
 words not the other the action will not lie
 as in folio 85 Norman & Symonds case
 it brought an action for words & declared
 that they were spoken false & malicious the
 Jury find the words false & injurious
 it was adjudged the action would not lie
 because the finding of a Jury of not words
 the declaration in the substantial forms of
 it, 2 Will. 7 Cas. B. R.
 Now I leave it to yo^r honore to judge whether
 it is possible a Jury can find both or either
 of these words being not the other nor charged
 in any Adversarys declaration the^d Shepard
 calling them by the titles of the substantial
 forms of the declaration.
 Notwithstanding may it please yo^r honore
 the better to defend any self from the malitiously
 designed & seditious spirit of that light carriage
 woman Ethier Edwardo while she was my
 servant yo^r honore doth not deny any thing
 no Charge or declaration yet he humbly
 desires yo^r honore to consider the Legall
 first that the words I am charged to speak
 were spoken or for so charged to be in open