

U. H. sequence first that the words I am Charged to speake were
 Journal spoken & soe is Charged to be in open Court now M^r dent &
 1659-69 other Members of the Court as also M^r Jarboe M^r Turner &
 p. 205 others bystanders att leaste six or seaven who hath declared
 to me they can & will if need be declare vpon oathe they being
 p^rsent att the same tyme that they heard noe such thing or in
 that forme as most of the others my Adversarys hath proved
 ag^t me make mencōn of he haveing procured foure oathes
 the persons of all which had as I can prove perfect pre-
 judice ag^t my person except M^r Hide whose oathe is nothing
 soe desperate or jnvective ag^t me as the others are nay yo^r
 pet^r dare venture all he hath that the said Spinke cannot gett
 the like oathe of any Credible person as either of the other
 three hath taken all over the Province the men being of very
 slender Repute in Comparison of the persons p^rsent whose
 oathes if need be I can produce who only testefy of my taxing
 her of a whorish or lascivious Carryage while she was my
 servant & in perticular with Thomas Hughes which is most
 true & vpon which I forwarning her of this fellowes Company
 she impudently receives him into my howse when my wife and
 I was gone to S^t Marys Lodgeing him in my wifes bed & lying
 all night in the Roome with him as my serv^{ts} told me att my
 returne & which she did not deny when I gave her Correccōn
 for itt before M^{rs} Reynolds telling her att that very tyme I
 gave her Correccōn for those her whorish Carryages to which
 she answered not a word.

Ordered that Judgem^t and determinacōn in this Cause be
 respitted till to morrow morn.

Henry Spinke p^{lt} } The p^{lts} pet^r & the def^{ts} answered
 doctor Luke Barker def^t } thereto & this charge ag^t the p^{lt}
 being read over the p^{lt} Ellinor Spinke her husband being
 p. 206 absent by her Attorney Coll W^m Evans sayth that whereas the
 def^t haveing taxed the p^{lt} in open Court Affirming that her
 oathe was false & malicious is matter of fact & therefore
 desireth the board to deliver their opinion & judgem^t in the
 same And after some debate in the Cause the Judgm^t of the
 board is that if doctor Barber vttered these words after the s^d
 Ellinor had taken & given in her oathe in Court itt ought to
 be judged & esteemed as matter of fact.

Then the p^{lt} craves a Jury which was granted Warr^t to
 Sherr. to impannell a Jury ret. forthwith

Edward Clarke sworne & examined in open Court sayth that
 after Ellinor Spinke had delivered in her oathe doctor Barber
 threw itt to M^r Hall & bid him Record them for they were
 false & malicious & he did not question but to proue her per-
 jured And further sayth not.