

Mary's County was sued for defamation of character by Elinor Spinke, who seems to have been a former servant of Barber. In a case which had been heard some time previously in the St. Mary's County Court in which Barber was the defendant, Mrs. Spinke had been a witness for the plaintiff, and had been called foul names by Barber, who also made serious charges against her moral character, and accused her of perjury. The case came up again at the February, 1664, session of the court, and Mrs. Spinke was awarded thirty thousand pounds of tobacco as damages. A curious feature of the trial was the demand of the jury, which the court agreed to, that they should be paid thirty pounds of tobacco each for their services in the case before rendering their verdict (pages 37, 78-80, 115-118, 145-146). Barber then appealed to the Upper House of the Assembly, where the case was heard and decided in September, 1664. Col. William Evans had been the attorney for Mrs. Spinke when the case was heard in the Provincial Court, but she was represented by William Calvert before the Upper House. Thomas Notley was Dr. Barber's attorney. On the ground that the differences between the writ and the declaration in the case amounted to serious error, the House reversed the decision of the Provincial Court, and set aside the judgment in favor of Mrs. Spinke on these grounds (Arch. Md. I, 509-522). Doubtless as the result of the ill feeling aroused by the suit just outlined the trustees for the wife of Dr. Luke Barber sued Henry Spinke for three thousand pounds of tobacco "due on a bill," at the June, 1664, session of the St. Mary's County Court. While the case was in this court Spinke appealed to the Provincial Court, where it was heard at the July, 1664, session, and decided that the "bill," which was originally due to Barber himself and had been assigned by him to the trustees of his wife without Spinke's consent, was null and void (pages 238-239). The trustees for Mrs. Barber then entered an appeal to the Upper House of the Assembly, but as no reference to it appears on the records of the House, it is probable that it was dropped when this body annulled the large award for damages against Barber noted in the last suit.

An early instance of forgery came before the court in September, 1663, when Elizabeth Green was indicted by the grand jury for offering a forged receipt which she had caused her servant boy to pen for her. At a later session she was found guilty by a jury and sentenced to be set in the pillory, to lose one ear, and serve twelve months in jail (pages 76, 77, 87). In September, 1663, Dr. John, or Jacob, Lumbrozo, a Jewish physician, and possibly the first Jewish citizen of Maryland, appeared as a witness against John Legatt, the minister charged with performing a marriage ceremony without license (page 84). Lumbrozo's name constantly appears in these records as physician, witness, litigant, and attorney. Lumbrozo, an interesting figure, was a Portuguese Jew from Lisbon, who had probably come to Maryland in the early fifties. He had been charged in 1658 with blasphemy, under the so-called Toleration Act of 1649, for having spoken in a way which was interpreted by a hearer as questioning the divinity of Christ. After his indictment, and before he was brought to trial, proceedings were stopped by the timely arrival of Cromwell's proclamation of amnesty prohibiting prosecutions for religious opinions. Denization papers had been issued to Lumbrozo in 1663, and at the time when he figures in the cases just mentioned, he was apparently in good standing and a prominent resident of Charles County.