

middle & that rogue Tom Hughes with his Breeches down & that he would take his oath of it, and that he did bring into the Country with him none but whores & whores some from Bridewell some from Newgate & some from the whipping Post, & then pointing to the said Ellinor he said and thou wert the impudentst whore of them all. And further he said that her oath was false & malicious & he made no Question but to prove her perjured & a great many other reviling Speeches

Sworn in Court before me

The mark of Peter Mills

Wm. Bretton Ck.

Henry Hyde aged 26 Years or thereabouts saith upon oath that in an open Court held at Newtown the 16th June 1685 he heard Doe Luke Barber call there Henry Spinke's wife Whore, & said he took her with her Coakup & Tom Hughes Breeches down & upon his wife's Bed & he said they were caught together & being demanded whether he would prove that he answered he would take his oath upon it & said it was very true for he immediately gave her Correction for it, & there were none but whores & Sluts that he brought into the Country such as were brought out of Bridewell & Newgate whereof she was the most impudent & furthest saith not

Henry Hyde

Sworn before me in Court

Wm. Bretton Ck.

German Gillett sweareth the same with Henry Hyde ut supra: and further that Doctor Barber said that she viz. Spinke's wife was not only a whore but that he would prove & maintain her a whore

Sworn in Court before me

The mark A of German Gillett

Wm. Bretton Ck.

Henry Spinke Pl.
Doe Luke Barber Def.

The Plaintiffs Petition being the same put in by him last Provincial Court now read in Court the Def. in answer thereto putteth in this his Answer & also the Charge which are as follow.

To the Rt Honble the Liut. General & Council of Maryland

The humble Petition of Luke Barber by way of answer to the Pet. or Declaration of Hen. Spinke

Sheweth — That whereas the said Spinke accuseth ^{af. pet.} of calling his wife Ellinor Whore, it is true he denyeth it, not nor an ^{or} parcel of the said Charge of immodest & lascivious Carriages of the said Ellinor as they are Charged & contained in the ^{af. pet.} petition or Declaration & relating in the least to the said Ellinor but pleas'd a special ^{of} cation as not actionable humbly throwing himself & ^{his} case upon the most honourable Court & their judgment whether any of the ^{sd.} words are actionable your Petitioner humbly conceiving with Submission to your Hon. they are not & then conceives under the Submission ^{af. pet.} not nor can have Cognizance thereof for ^{sd.} Questions