

to contradict a positive oath should be received with many grains of caution—the more so, as those opinions would probably be opposed by others of very great authority. But he thought unless the woman could be otherwise discredited, such opinions, opposed to positive testimony, were of little weight, and ought to fall to the ground.

THE EVIDENCE.

Lucy Williams. Know Alexander Whistelo; two years ago this August I first saw him; he then told me he was a married man, divorced from his wife, and never intended to live with her again; he wished to marry me; I refused; I did not love him; on April 13, 1806, he then carried me to a bad house, and locked the door; I scuffled with him a long time, but at last he worried me out; he went after that to sea, and after he came back I told him I was with child; on January 23, 1807, the child was born; Whistelo first took the child to himself, but afterwards, when they put it into his head that it was not his, he refused to maintain it.

Cross-examined. He did not say it was his child, but he took it at first; Whistelo went to sea 1st of May, 1806; I saw him next the 4th of August following; I first perceived that I was pregnant before his return; knew it by feeling life; near two months before he returned; he went a third time to sea, in October, and he was gone for the fourth time about eight days, when the child was born; did not go to a bad house knowingly with him; I thought he was taking me to his cousin, Mrs. Grough's.

Mr. Morton. Were you always constant to him in his absence;

were you never unfaithful to him when he was away; had you not a white man in bed with you?

Lucy Williams. I had a scuffle with one once; I knocked off his hat; such a person had been in bed with me; he had turned the black man out with a pistol, and taken his place; we had a connexion; am sure we had made no young one, for we fit all the while; I did not hallo; I bid him be quiet; my father was white; he was a Scotchman, a servant; and my mother was a dark sambo.

Mr. Morton. How did the scuffling end—you understand me—did you part friends with the white man?

Lucy Williams. He owes me four dollars which he would not pay, for wages.

Dr. Kissam. After examining those parts of the child which particularly indicate the color of the race, I should not suppose, judging from the general rules of experience, that it was the child of that black man, but on the contrary, of one of lighter complexion than the mother; black persons are almost white at their birth, but change soon after; the change is generally complete, and their true color decided in about eight or nine months; within the year it is complete.