

have been called in to give their opinions, and they almost unanimously declare that the defendant is not the father of the child, as it would be a deviation from the course of nature. Doctor Pascalis has fortified his opinion by some very able remarks; and Sir James Jay, a physician of great respectability, and of the longest standing in the city, has given a decided opinion to the same effect, and has particularly indicated the want of crisped hair as a conclusive circumstance against the testimony of the woman; and he has been supported in his opinion by the president of the Medical Society, and several professors and other distinguished physicians.

The only opinion which militates against the united voice of the profession is that of Doctor Mitchill, and this is more in appearance than in reality. That learned gentleman has explicitly admitted that the offspring of the mother and the defendant would, according to the ordinary laws of nature, possess a color lighter than that of the father, and darker than that of the mother; and that, on the presumption of their being the parents, the appearance of the present child would be an anomaly in the science of man, and a departure from the usual operations of nature.

If, therefore, nothing farther appeared before the Court, we would not hesitate to decide against the appellants; as we undoubtedly repose less confidence in the oath of the woman, than in the opinions of the medical gentlemen who have appeared here as witnesses, corroborated by every appearance, and by our own observations; and it cannot certainly be expected that we would have recourse to the miraculous to bear out and support the testimony of the mother. The rule in dramatic poetry will apply to cases of this nature—

*Nic Dens intersit nisi dignus vindicæ nodus,  
Inciderit—*

But the mother has reluctantly attested, and explicitly admitted, that she had connection with a white man as well as