

Case No. 16,425. UNITED STATES v. SWANN.
[1 Cranch, C. C. 148.]¹

Circuit Court, District of Columbia.

Dec. Term, 1803.

COMPETENCY OF WITNESSES.

A slave is not a competent witness for a free mulatto in a public prosecution.

[Cited in U. S. v. Mullany, Case No. 15,832; U. S. v. Gray, Id. 15,252.]

Indictment for theft [against Nancy Swann, a free mulatto].

Mr. Hewitt, for defendant, prayed for a summons for a negro slave as a witness for the defendant.

THE COURT inclined to think that the slave could not be a witness against her, and therefore not a good witness for her, and refused the summons.

¹ [Reported by Hon. William Cranch, Chief Judge.]