

the date of this illegal marriage, to wit, on the 28d of March following, she conveyed to Mitchell absolutely, for the nominal consideration of five dollars, the whole of her estate of every kind and description whatever. In this deed the grantor is described as Henrietta A. Mitchell, otherwise called Henrietta A. Bedford. From this circumstance, and from the absence of a privy examination of the grantor, it has been inferred that doubts were then entertained of the validity of the marriage. But on the day following, another deed was executed by Mitchell and the said Henrietta A., as his wife, conveying the same property to Thomas A. Wright, which was acknowledged by her as a married woman, and on the succeeding day, that is, on the 25th of March, 1825, Wright, the grantee, reconveyed to Mitchell, thus so far as the forms of law are concerned, vesting the whole estate of this female in the man who had been the husband of her mother, and who consequently stood towards her in a relation of affinity which forbade his being her husband.

Looking at this transaction independent of the parol proof which had been excepted to, and I think no court of justice on earth would hesitate to condemn it, and if it could be done without prejudice to the rights of innocent third parties, restore to the injured and deluded female the property wrongfully taken from her. What possible motive can be attributed to Mrs. Bedford in the execution of these conveyances (conceding that no undue influence was exerted towards her), but a desire or a willingness to vest in the man to whom she supposed she was lawfully married, the property which belonged to her? If she had been convinced of the invalidity of the marriage, and we are to judge of her conduct and suppose her to be influenced by the feelings and motives which usually actuate the human heart, we must be brought to the conclusion that Mitchell was the person of all the world to whom she would have been least likely to make a gratuitous conveyance of her estate. The wrong he had inflicted upon her was of that character which admits of no expiation. Neither time or repentance, so far as this world is concerned, could restore her