LOCAL AFFAIRS.

THURSDAY MORNING.....APRIL 3.

The Seduction Case.

Court of Common Pleas.—Judge M'Clure. Mary S. Murray vs. Wm. A. Greatrake.

The defendant is charged with seduction and fornication and bastardy, on the oath of the prosecutrix. The Court room was crowded to excess all day.

THIRD DAY.

John Murray—*Sworn.*—Am the father of this prosecutrix; she was 18 years of age at the time of her misfortune; she was then working at the *Dispatch* office; Greatrake visited my house in the latter part of May, 1854; he continued to visit until Mary left for Mrs. Derby's; the visits were frequent; as often as two or three times a week; he stayed not later than 11 o'clock; the attentions of Greatrake to my daughter were such as to warrant me in believing that he was sueing for her hand; her general character for chastity and virtue were excellent at the time; Greatrake frequently walked out with her and took her to church.

Cross-examined.—Do not know that my daughter was ever at a ball at Wilkins or Cargo's Hall; Greatrake never took her to parties of that kind.

John Kelly, Jr., *sworn.*—[It was proposed by this witness to identify the hand-writing of a note alleged to have been written by Greatrake to Mrs. Murray, for the purpose of corroborating the promise of marriage. The letter is dated October 17th, 1854.] Col. Black objected, as the note was dated subsequent to the seduction, and had no bearing upon the alleged promise prior to the seduction. The Court decided that the note was admissable. The note was then read:

["Will" to "Molly."]

CITY HOTEL Oct. 7th, 1854.

My Dear Penny.—Never doubt me! I was sent for this evening by some Tennessee friends, and was (presuming on your good nature) compelled to be with them. I write this at 9 o'clock at night, for the purpose of assuring you of my unblemished affection, and entire devotion to yourself. Penny, I would not dare disappoint you if I did not know that you are sure of my love, which nothing short of death will extinguish.

Reese C. Flocson, *sworn.*—Know Miss Murray; her general reputation I consider good; she was vain and fond of admiration, but her character for chastity was fair; she was employed in our office (the *Dispatch*;) we are careful about the reputation of the girls whom we employ; Mary came to my house one night about eleven o'clock; she was sobbing and crying; she told my wife that she had a quarrel with her step-mother, and had been turned out of the house.

Cross-examined.—Do not recollect the exact time of year that she came to my house; she remained there, four or five days; heard of Pogliani having taken her to the opera; the propriety of her conduct was impeached from her association with that man; she had quite a number of beaux, and was fond of being admired.

Wm. A. Lare, *sworn.*—Know Miss Murray; can't say that I am acquainted with her character for chastity.

Daniel O'Neil, *sworn.*—Know the prosecutrix; became acquainted with her at the time she worked at the *Dispatch* office; considered her reputation good; thought her a little wild and a little vain; compositors sometimes received free tickets to places of amusement; had a conversation with Mr. Greatrake shortly after Miss Murray's return from New Orleans; he introduced himself to me; he asked me to use my influence to have Mary re-instated in the office; Greatrake spoke of Mary, and spoke kindly, and asked if there was any possibility of her getting back; I told him unless she could explain her conduct there was no hope of her getting back; he said her conduct could be explained satisfactorily; that she had been married, and had gone down the river to see her husband; I told him if he could produce the evidence of that marriage, or if she could, I would use my influence to get her back to the office, and I had no doubt the proprietors would take her back; he said there would be no trouble in doing that; that she had been married by Alderman Rinehart; I had another conversation with Greatrake some time in the fall of '55; I was stopping at the City Hotel at the time; he spoke to me in the reading room of the Hotel, and the conversation turned upon this case; this was before his arrest; he brought the conversation down to the evening, when he alleged he had connection with her; he spoke of that as the first connection he had with her; he detailed the circumstances under which the connection took place; he said he made the attempt and she drew a dagger on him, but finally he succeeded; he spoke of the gratification he had; it appeared to me that evening that he had drank.

Cross Examined.—In the second conversation he was sensible, but under the influence of stimulants; I never saw him but twice in my life before he was arrested; I don't know whether one drink would make him drunk; this last conversation was sometime in the summer, before the 12th of July, 1854. At the time of the conversation about the connection, he said she had represented herself to him as a married woman; he did not say he had promised to marry her; my impression is he stated it was at the time she took the laudanum she represented herself to be married; he did not say he was astonished to find out she was a married woman; he was expressing his fears that she was going to kill herself; he said at the first conversation that this man, her affianced husband, was in New Orleans.

Benjamin Singerly, *sworn.*—I have known the prosecutrix since she came to the *Dispatch* Office; I saw her more or less every day; during her stay there, I never heard any thing spoken against her character, nor ever heard anything that might be termed indelicate.

Cross Examined.—My business was in the basement; she worked in the fourth story; I saw her frequently; was often up stairs.

James B. Moore, *sworn.*—I am not acquainted with Miss Mary Murray; I know her when I see her, but am not acquainted with her.

Commonwealth closes for the present.

Defence opened by Col. S. W. Black. He spoke about an hour; he said he would produce a letter written at New Orleans, after she alleged she had received one from Mr. Greatrake giving her directions how to act, in which she upbraids him, and says she has received no letter at all from him. He would also produce two credible witnesses to completely invalidate the testimony of Mrs. Murray. They are, to be sure, the witnesses of this defendant; but the jury will remember they do not bear any nearer relationship to the parties interested—nor so near—as the prosecution's witness.

The jury can hardly fail to convict the defendant of fornication on the testimony of Mr. O'Neil, a witness of unexceptionable standing in the city, but they will consider a long time before they will bastardize an innocent child. For, to convict the defendant of seduction, would imply that the prosecutrix was not married, and not simply non-access of her husband; whereas, to convict of simple fornication, would still leave the child under the guardianship of the Comm-onwealth legitimate, for the law of the Commonwealth presumes every child born in wedlock to be legitimate.

Mr. Swartzwalder replied on the part of prosecution. He said, from the remarks of the opposing counsel he understands these letters are to be offered to show that she was a married woman: before, they were objected to as being written prior to this seduction. He said a registration act was passed in 1851 requiring all marriages before justices of the peace to be recorded in the Recorder's office. If this marriage took place let them produce this testimony and there will be an end to our case.

Mr. Black said he should insist on their production. He should offer the letter to contradict her statements here.

The Court ruled that they were admissable. It is dated —

[From "Molly" to "Will."

Wednesday Morning.

Dear Will.—I seem to find excuse for my conduct. I have none. I am grieved, deeply grieved, that we must be separated; but do not judge me too severely. I am weak; I am selfish, and I am unfortunate. I know not what indached me to *take my own life.* I have forgotten everything that passed between us Sabbath evening but your promise that you would never love another as you loved me. I never let—that is, what I called loved—until I saw you. Yours was the first voice that woke my heart to its true life, and hereafter you will never if I am taken from another. It is hard to part with you now; but remember that I am yours only. I swore to love you, and that I never would prove false. It was no idle vow. Have no fears that I shall break it.

You have spoken to me and expressed a fear that perhaps some day I would fall. Have no fear for that. Let me assure that, weak creature that I am, I shall never stoop to that. I have had forgotten my first step into freedom and shame, nor shall I ever forget my second one. I hope you will not either. It was the happiest of the two. While it lasted I had the visions and night-dreams of future hopefulness, and oh! that I could write them down, and let you see that all my thoughts have not been selfishness. I have frequently studied your happiness, and looked forward and hoped, and my hope will paint ever to the future, perhaps far away, perhaps near at hand, when you, dear Will, will come once more to my side, an——

How I wish I had taken your advice, and went home. I now regret the step which I have taken. Oh! that I were home once more. Will you not come and take me there? I begin now, even but a few short weeks since I left, to feel the want of a home. The world is a cold and bitter place to live in, unless you have a home to stay in, or plenty of money to buy one, in this cold, heartless world. You are the only real friend, and the only person I have ever looked upon as a friend in this world. You advised me to go home and I took your advice in the wrong way. I begin to think that you were doing it for your own interests—that you wished me to go home, so that you would have no more trouble with me, and when you got me there to leave me and my love for some one else. I can hardly get the impression out of my heart, and I know not what prompted it. For weeks past I imagined that you loved some one else, and my jealousy was excited, and the evening I last saw you, (oh! dreadful night!) my suspicions again took hold of me, and I took that awful step which I hope you will forgive me for doing. I did not look at the matter in all its lights, and the many things into which the world would have construed my foolishness. I did not for a moment think of the trouble it would cause you, the only being I cared for. I will never do anything of the kind again. Do not think that I am writing this to cause you to come to see me, by my promising to be a better creature, &c. That is not my design. I have written merely to let you know why I wished to leave this world of sorrow, for a sorrow it is the most that I have seen, perhaps all I shall ever see, but I am also giving you an invitation to come to see me. You must, if you have ever loved me. Come—I *must* see you—that is, if you think it best that we should see each other again. I hope you will will it so. If you do, send me word. I shall not appoint a time, for fear that you will not come, and you do not know how dreadful I feel when I send for you and you do not come; and please, if you think it best, send me word when we shall again meet, and please let it be soon, if it be at all, for I long to see you again.

I am writing and weeping, alternately; my mind is very much discomposed. At times I know not what I do, but I feel some better now. I have resolved that I will weep no more. Oh! why did not God let my poor kind mother live. What a blessing it is to have a mother. Oh! if I had but her breast whereon to weep. Is it not strange that I can find no happiness; such is the case that I cannot find.

You must not think that I was trying you; not so. I wished for death. None knew the quantity that I had taken until the next morning. I suffered much during the night and next day. I shall never forget how I longed to die, but now I wish to live, and also to go home, but you will have something to do about that matter. I am fully convinced of my error in one way, but not in another; but I shall wait until you deem it prudent to visit me, if you ever do so, and then I will tell you as much as I could write in a year. You have reason to be angry and out of all patience with me, I know. Do not think me a trifler, for I am not; judge me not too quickly or harshly, for I am not so much to blame as you, I know, imagine. I am not very good at wording my thoughts and feelings, and I am apt to take things that are not meant for me. But enough of this; this is the second, and I think the last invitation that I shall send you; I shall at least look for a letter of goodbye from you. Oh! remember forget and remember your love. In all troubles and all life's changes, I am still, as ever, your own devoted MOLLIE.

P. S.—Excuse the length.

Mrs. Rhodes, *sworn.*—I have only known Greatrake lately: I became acquainted with Mary Murray on the Saturday after Thanksgiving Day, 1854; I met her in that day on Hand street; she was her and thought I ought to speak to her; asked her if she had no umbrella; she said she had no umbrella nor home. I asked her whether it was because she had joined the church; (I am a member of the Baptist church;) she said it was because of difficulty with her step-mother; she then went to Mr. Fleeson's; I tried to get her a place in Allegheny; she then went to Mrs. Derby's; Mrs. Hazen was boarding at Mrs. Derby's; I saw her after she was at Mrs. Derby's; she was in the habit of stopping; Mrs. Hazen is a sister of Mrs. Derby's; Mary was then working at the *Dispatch*: I have often talked to her about being so wild, light and trifling, as she was a member of church; she talked about no body but Will; she said she was engaged to be married to him, and he was urging her to marry him: I told her I wished she would marry him, as it would relieve her friends of anxiety; she said she would if she had $100: I told her she had better enter his family plainly, and they would receive her better than if she was dressed up; the next time I saw her she asked me to lend her $100: I told her I had not the money, but I would lend her clothing, and that I would give her up to the 1st of Feb. to get married; the next time I saw her was after she took the laudanum: it was the second Sabbath of January; I saw her on the next Tuesday after that: she was in the parlor: she said her mother had persecuted her; I told her the only relief she could give her friends was to marry Mr. Greatrake; she told me she could not; there was a something a great ways off that was not come at able for two years: I rose to go, and she asked me if I wished to go with me up street: she did not go: I saw her afterward; the Court then adjourned until 2 o'clock P. M.

AFTERNOON SESSION.

Mrs. Rhodes' examination continued. I gave Mary some change, 25 cents: I received two letters, one from Mary, the other from Miss Ada Woodworth, also a compositor in the *Dispatch* office; do not know Mary's step mother; have never seen her; she called me out after Mary had gone away on Monday to where she had gone: told her she had gone to Mrs. Derby's; she represented herself at the time to be an intimate friend of Mrs. Murray's; I answered Miss Murray's letter; remember when Mary made application to the Baptist church: it was in the fall of '54; many of the members, as well as myself, were opposed to receiving her; the objection to her was that she was a light, trifling girl, and in the habit of visiting ball rooms wherever invited; was considered a bold, forward girl: her reputation was against her.

Cross examined by the prosecution.—Mr. Greatrake got those letters from her that she received: it was in summer: I gave it to her on the road to her: a short time; gave it to Mr. Greatrake upon his application; had no particular reason for giving it to him; no one but herself was interested in getting her admission into the church; her sister felt friendly toward her; her character for modesty and propriety previous to her church membership was not good; do not know what her character for virtue and chastity was: do know her character for modesty and propriety, but not for chastity and virtue; as a church member going to see dramatic exhibitions is inconsistent: I do not consider it a harm to dance; Mary told me she took the laudinum because her mother abused her, and also those who should be her friend.

[From Mrs Murray to Mrs Rhodes

Dear Sister Rhoda and Aunt Emeline.—For I suppose you will permit me to call you so, should I feel inclined, I am writing against the wishes of my better judgeient city, being a man better than me life, and at the same time was a married woman. Aunt Emeline, please, I ask your pardon. Rhoda, for I know you have, I have been a fool, and how deserted. My husband is here in this place, but I am not living with him, nor never will, for him I hate. Mr. Greatrake came to Pittsburgh, but I shall send him the amount I owe you. I took work myself back again, and I hope to be able to pay you. I shall be able to pay you, living is expensive, and I shall have to earn money to take me back, as my brute of a husband will not give me a single cent, although I have been compelled to support him through with, but I did not know his design: Give my love to Nettie, Sarah, Mary, Lucy, and Mr Taylor and sister, yourself. If you answer, direct to Mary Murray, 3 Camp New Orleans.

MARY.

Here a letter was read from

[Mary to Will.]

New Orleans March 19th.

Dearest dear Will.—I am in despair. I know not what to do. I have been to consult two doctors, and to-day to the small amount (forty dollars) of relief to my embarrance. I suppose you have received my first letter written on my arrival here, informing you of my safety and asking your advice in regard to my future course. As I consulted the Doctor before, without asking your permission, as that is why I have waited till I would receive your answer. My time is up, and I am afraid to stay, as I could wait no longer, so I went to the Doctors yesterday after using all the means and ways that I knew of to prevent my having a child, but they have failed. The doctors told me that I was in the family way, so plain I thought that I knew it was out of my power to do so, and I was in a fine fix. I did not think when I started away that I should arrive at this place and find myself enceinte; but it is now true that I am in such a fix, and I feel like Will shall do nothing more until I hear from you.

It seems very strange to me that I have not yet received a letter from you. This is the fourth letter I have written here, that I have written; you must surely have received it you have not, why, we are both exposed; for in my first letter I told you what I thought was the best and only way in view. You see, Will, you are going to desert me—to leave me to myself, you will not allow me to call me your wife, in search of you not to desert me now. I have been fool enough—so thinking from the future, if you will only prove a friend to me, I will be a good mother and a true wife to you. Will, what sure I for that. I love you, and all I want is for that love to be returned. You know Pleasure, Will—for you do not know what I have suffered on your account—what I will do, depends wholly upon your conscience. Do not think that I shall degrade myself. No, I am too proud, and rather than degrade myself in that way, will die. But, Will, you must not, you must not, leave me in this way. You can get divorced, and then you are at liberty to marry again. I will be a good mother—but what about the altar, where I claim to stand, if you soon desert me with a most need your support. I feel that I am to blame, but only I shall do something wrong. You do not know me. You have looked upon me as an unbalanced child. I am not going to become a woman [sic.] for you, and if you have no fear not for me, if you marry, but rather for myself. It is only lately that I feel conscious of what I have lost as a woman. Before my child was born I never thought of my husband. Had I never known you, I should never have been so bad. I am likely to become a mother. But as I said you are my deserter—you left me in debt, and it will be left