

THE JOURNAL.

LOWELL.

TUESDAY, SEPT. 26, 1837.

Reported for the Journal.

LOWELL POLICE COURT.

Sept. 25, 1837.

Commonwealth v. Dr. William Graves.

The Police Court this day commenced the examination of the complaint made by Nancy G. Wilson against the deft for the murder of her sister in law, Mary Anne Wilson, by attempting to produce an abortion.

Counsel. For the prosecution, Samuel H. Mann and Tappan Wentworth, Esq; for the deft, Geo. F. Parley, Seth Awer, and Thomas Hapkinson, Esq.

The examination is likely to continue several days, twenty six witnesses having been sworn to testify in behalf of the commonwealth.

Dr. James S. Dart—I live near the factory village in Hancock, N.H. Sometime in May latter part, 1837, I was in Greenfield and was called to see Mrs. Wilson. After examining her as usual, I told her there were no symptoms which required medicine. She said she was in a family way and wished to get relieved of her burthen. I told her I had rather not give medicine for that purpose, that it would injure health or life. She said she had sent to Lowell for medicine and got a box of pills for that purpose. I asked her to let me see them. She rose to get them, but seeing a young man coming in, she said she guessed she wouldn't go and I went away.

Sometime in July I was again in Greenfield and there was an auction there and was sent for by her to call in, under pretence of sending an errand to Hancock, to her brother. I saw her and asked her how the medicine operated. She said it didn't have the desired effect, acted powerfully as physic, and weakened her and that was about all it did. I asked her to let me see it—she brought forward the box—I examined it—there were about 2 or 3 dozen common sized pills—she said it had been full. I told her she was injuring her health by doing so, and she had better not take any more of them—I also advised her to see the young man who had done it, tell him her situation and he would do the thing that was right. She said she had, but he seemed to be foolish or ugly and wouldn't do anything. I asked her how long she had been in this situation and she said about 4 months. She then said she would call in 3 or 4 days to see me. I told her she needn't—she said then she would go to Lowell, for she was informed there was a physician there who would perform this operation with safety. I asked her how she came by her news or information and she said she heard it from good authority and that it could be performed without danger and that in 4 or 5 days she could go about her daily employ. I then told her this is all folly—it will endanger your life, your health at any rate, and I advise you not to go—it may be done but not without danger. I then said death is your portion if you do go, in my opinion, and you had better not go. I have known her for 15 or 20 years, her family for 30 years. She was the youngest. I hadn't been her physician. Her health was good generally, and "at such times" she told me it was good; she got about seven. She was rather a smallish size, very good looking girl, dark and bright eyes—rather thick set and light complexion. I have seen her since her decease, at the examination by the physicians—I should not have known her she was so altered.

Cross examined—I told her that death would be her portion if she had the operation performed—these were the words.

I have practiced 13 or 14 years—I formerly lived in Vermont. It is about 8 or 9 years since I practiced in Society land. I was born in Andover, Mass. We moved from Tewksbury to Hancock, N.H. near where I now live—my father died there. I studied medicine with Dr. Luther Smith of Hillsborough Bridge, one year, and attended a course of lectures at Castleton, Vt. I also studied with Thomas B. Preston the most part of two years. He lives there now and is out of practice. He lived in Dering a part of the time.

I commenced practice where I now am and continued 2 or 3 years before I went to Vermont. I then went to Londonderry and continued about 1 1/2 years, nearly that, and then came back to Hancock about 9 years ago. I was 46 last April.

The auction sale at Greenfield was at Mark Dickey's house—a sheriff's sale as I understood—English goods were sold—remaining part of a store of goods, cloth, &c. There were 2 auctioneers I believe—the Deputy sheriff of Frances town, Lewis is his name, I believe, and Esquire Ames of Peaborough. I have not attended any other lectures except those at Castleton, Vt.

In chief again. I have no means except the action to fix the time. I did not attend any other action, where those two men acted as auctioneers. I made no charge against her—I dealt her no medicine. I might have made charges against some others that day.

Cross examined again. I don't know whose stock of goods that was—there are 1 or 2 dry goods dealers in Greenfield.

Mary Jean Pettit. Dr. Graves called upon me this summer, I couldn't tell what month it was, and wanted me to take a boarder. I didn't ask him whether male or female. I understood was coming out of the country. (I don't know from whom, in answer to Mr. Ames). I don't know as I had any conversation with any one about this at that time except with my family.

Dr. Graves said, Mrs. Pettit will you take a boarder. I says to him, what boarder; he says, a boarder from the country, as near as I can recollect; I says, I don't want any to come into my family, I don't want to take her; he said I could as well not, but I said I don't want to take any; he said it was a person of high respectability and I should be well paid for my trouble. I refused to take such a boarder. (Nothing said about the length of time that board was wanted, to my recollection, in answer to the Court.) Dr. Graves has not since July last or during July made any other application to me to take boarders. There was nothing said about the time when she was expected. I have no means of fixing the time when this conversation took place. I

was absent a number of days last summer, in July, I think, at Boston. I left on Monday and returned on Monday a week. I left my oldest daughter at home to take care—she is now in Michigan—I should think it was in latter part of July. She left for Michigan about Aug. 24 or 25. I cannot tell whether it was before or after my return from Boston that Dr. Graves spoke to me. I don't know that I ever spoke to any one about this about that time except my oldest daughter. I thought his intentions were to have a suitable boarding place for this person. I don't know as he said that he had confidence in my taking care of such a person—he said he didn't know where he could recommend this boarder to if I didn't take her. He didn't say or intimate that this boarder was to be sick at my house, as I know of. I was taking boarders—they generally work in the mill—F sometimes take others besides factory boarders. I didn't want his boarders—I didn't want strangers. When he spoke to me, he said money was no object, and I said money was no object to me. I couldn't tell you precisely what I said. I don't know as Dr. Graves said this person was to be sick—I don't know as I understood so; and I suppose that was my reason for saying that money was no object to me. I took tea at Dr. G.'s in Aug. I think, before Mrs. G. went her journey, and this was before he asked me to take the boarder. There was there at tea a gentleman and lady whom I didn't know. That gentleman (Dr. Dickey) was the gentleman. I was not introduced to the lady, and do not know who she was. She had the appearance as though her health was not very good. I had no conversation with her—and have not seen her since. This was in July I think. She was a small person—dark blue eyes. It didn't occur to me then that this was the person whom he wanted boarded. Never told any one that I had seen the person. Dr. Graves was at tea—She was pleasant—her appearance was pleasant. I am on terms of intimacy with his family I suppose—I frequently go there. He never applied to me to board any one else. My native place Stratham—I lived in Exeter and moved to Lowell—I was not acquainted with Dr. G. before I came to Lowell.

My daughters didn't want me to take boarders—I can't tell upon any word whether they objected to my taking this boarder or not. I don't know as I told them exactly what Dr. G. had said. I cannot tell how many days before my daughter started for Michigan that I told her what Dr. G. said to me. It was after she went to New Hampshire and returned—she returned latter part of July—I told her on the very day that Dr. G. was there. I went to Boston the next Monday after she came home from New Hampshire I think; my daughter was in New Hampshire, I believe, when I went to Dr. G.'s to tea—I can't tell positively. I have not been present at Dr. G.'s at the delivery of a woman. This last week I called in there to Dr. G.'s to see a letter which he had. I have not seen any sick person there for the last six weeks.

Cross-examined.—Dr. G. used language which led me to think the proposed boarder was a female. I never take any male boarders. I took the impression that the boarder was a female from reports about his character—and also from his words. I don't know as he said anything about the boarder's being sick or about to be sick. He asked me in the spring to board a man who had a cancer.

In chief again.—No such conversation as that this person was to come and be delivered of a child passed between Dr. G. and myself. (Continued in our next.)

FOR THE JOURNAL.

Calloun is backed by almost the entire South.—Boston Herald & Reformer, Sept. 22.

Yes, Calloun is backed by all the slaveholding population of the South. This is according to previous agreement with Van Buren, that if he, Van, would take sides with slavery, they, Calloun and his state nullifying party, would unite in prostrating the currency of the whole country.

"Never was times more equally. State street is a painful failure." "Such men in Congress are worth more for democracy when fairly resisted in his cause, than all the elections that have taken place in Rhode Island and Maine these two years."—Idid.

Yes, slavery, in the estimation of the South, is of paramount importance to any other institution, sufficiently so to justify the league entered into between Van and Calloun to sustain it and pull down the banks, annex the Florida, and then Texas, and then nullify the Union of the states entered into by the federal constitution, and have a scramble to see who shall be king over the blacks, Van or Calloun. Thus you see, Mr. Leo Foco, the great achievement won by getting a man into your ranks, who though a great man, will not stick at the final overthrow of the nation in order to sustain slavery—and your President is not a whit behind. Nothing is plainer than that Van Buren was given to understand, that if he would come out in favor of slavery, he should receive as a compensation, the votes of the South, at least enough to make him President—matter of rejoicing indeed. The Whigs in State street may be astonished that men in high places will submit to be used as cat's paws to effect such glorious purposes, but they never will regret that such political timeservers were and then show themselves up to public disgrace.

It is now a little more than eight years since Andrew Jackson began experimenting upon the great interests of the nation, and we are already brought into a state of bankruptcy, and ere we get our eyes fairly open, we shall be thrown into a civil war or a division of the Union, or both, and God only knows what it is to become of the dearest interests of the republic. B. M.





