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## COURT OF COMMON PLEAS, DUBLIN.

THURSDAY, DECEMBER 12, 1816.

CREIGHTON v. TOWNSEND.

THIS was a special action on the case, brought by the Plaintiff, to recover compensation in damages for the seduction of his daughter by the Defendant, *per quod servilium amisit*. The Defendant pleaded the general issue. The damages were laid at 6000l. It was tried before LORD NORBURY and a special Jury.

MR. PHILLIPS addressed the Court and Jury, on behalf of the Plaintiff, in the following eloquent Speech :

My Lord and Gentlemen,---I am, with my learned brethren, Counsel for the Plaintiff. My friend, Mr. Curran, has told you the nature of the action. It has fallen to my lot to state more at large to you the aggression by which it has been occasioned. Believe me, it is with no paltry affectation of undervaluing my very humble powers, that I wish he had selected some more experienced, or at least less credulous advocate. I feel I cannot do my duty; I am not fit to address you; I have incapacitated myself. I know not whether any of the calumnies which have so industriously anticipated this trial, have reached your ears; but I do confess they did so wound and poison mine, that to satisfy my doubts, I visited the house of misery and mourning, and the scene which set scepticism at rest has set description at defiance. Had I not yielded to those interested misrepresentations, I might from my brief have sketched the fact, and from my fancy drawn the consequences; but as it is, reality rushes before my frightened memory, and silences the tongue, and mocks the imagination.--- Believe me, Gentlemen, you are impanelled there upon no ordinary occasion; nominally, indeed, you are to repair a private wrong, and it is a wrong as deadly as human wickedness can inflict, as human weakness can endure; a wrong, which annihilates the hope of the parent and the happiness of the child; which in one moment blights the fondest anticipations of the heart, and darkens the social hearth, and worse than depopulates the habitations of the happy! But, Gentlemen, high as it is, this is far from your exclusive duty. You are to do much more. You are to say, whether an example of such transcendent turpitude is to stalk forth for public imitation---whether national morals are to have the law for their protection, or imported crime is to feed upon impunity; whether

chastity and religion are still to be permitted to linger in this province, or it is to become one loathsome den of legalized prostitution---whether the sacred volume of the Gospel, and the venerable statutes of the Law, are still to be respected, or flung into the furnace of a devouring lust, or perhaps converted into a pedestal, on which the mob and the military are to erect the idol of a drunken adoration? Gentlemen, these are the questions you are to try; hear the facts on which your decision must be founded.

It is now about five-and-twenty years since the plaintiff, Mr. Creighton, commenced business as a slate merchant, in the city of Dublin. His vocation was humble, it is true, but it was nevertheless honest, and though, unlike his opponent, the heights of ambition lay not before him, the path of respectability did---he approved himself a good man, and a respectable citizen. Arrived at the age of manhood, he sought not the gratification of its natural desires by adultery or seduction. For him the home of honesty was sacred; for him the poor man's child was unassailed. No domestic desolation mourned his enjoyment; no anniversary of woe commemorated his achievements. From his own sphere of life naturally and honourably he selected a companion, whose beauty blessed his bed, and whose virtues consecrated his dwelling. Eleven lovely children blessed their union, the darlings of their heart, the delight of their evenings; and, as they blindly anticipated, the prop and solace of their approaching age. Oh! sacred wedded love! how dear, how delightful, how divine are thy enjoyments! Contentment crowns thy board, affection gladdens thy fireside; passion, chaste but ardent, modest but intense, sighs o'er thy couch, the atmosphere of Paradise! Surely, surely, if this consecrated rite can acquire from circumstances a factitious interest, 'tis when we see it cheering the poor man's home, or shedding over the dwelling of misfortune the light of its warm and lovely consolation. Unhappily, Gentlemen, it has that interest here. That capricious power which often dignifies the worthless hypocrite, as often wounds the industrious and the honest. The late ruinous contest, having in its career confounded all the proportions of society, and with its last gasp sighed famine and misfortune on the world, has cast my industrious client, with too many of his companions, from competence to penury. Alas, alas! to him it left the worst of its satellites behind it; it left the invader even of his misery, the seducer of his sacred and unspotted innocent. Mysterious Providence! was it not enough that sorrow robbed the happy home in mourning---was it not enough that disappointment preyed upon its lovely prospects---was it not enough that its little inmates cried in vain for bread, and heard no answer but the poor father's sigh, and drank no sustenance but the wretched mother's tears? Was this a time for passion, lawless, conscienceless, licentious passion, with its eye of lust, its heart of stone, its hand of rapine, to rush into the mournful sanctuary of misfortune, casting crime into the cup of woe, and rob the parents of their last wealth, their child; and rob the child of her only