

West-Port Murders!

A Full and Correct Account of the

TRIAL OF WILLIAM BURKE,

AND

HELEN M'DOUGAL,

BEFORE THE HIGH COURT OF JUSTICIARY,

On Wednesday the 24th Dec. 1828, for the wilful Murder of
Mary Campbell or Docherty, with the felonious intent of sell-
ing her body to a Surgeon, as a subject for Dissection,

AND OF THE

SENTENCE, CONFESSION,

AND

**EXECUTION
OF BURKE.**

FALKIRK:

PRINTED BY T. JOHNSTON.

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NO trial in the memory of any man now living ever excited so deep, universal, and appalling an interest as that of William Burke and his female associate, which took place on Wednesday, Dec. 24, 1828. By the statements which had from time to time appeared in the newspapers, public feeling had been worked up to the highest pitch of excitement, and the case, in so far as the miserable pannels were concerned, prejudiced by the natural abhorrence which the account of a new and unparalleled crime was calculated to excite. This is an evil inseperable from the freedom, activity, and enterprise of the press, which was necessarily compelled to lay hold of the events of the passing hour, more especially when these are of an extraordinary or unprecedented kind; but it was more than atoned for by many counter-vailing advantages of the greatest moment to the interests of the community: and we are moreover satisfied that any prejudice or possession thus created, was anxi-

ously and effectually excluded from the minds of those by whom this singular case was tried, and that they were swayed by no consideration except a stern regard to the sanction of their oaths, and purity of justice, and the import of the evidence laid before them. These are without any precedent in the records of our criminal practice, and, in fact, amount to the realization of a nursery tale. The recent deplorable increase of crime, has made us familiar with several new atrocities, and murder has grown so common that it has almost ceased to be viewed with that instinctive and inexpressible dread which the commission of the greatest crime against the laws of God and society, used to excite. But this is the first instance of murder perpetrated with the aforethought purpose of selling the murdered body as a subject for dissection to anatomists: It is a new species of murder for hire, and was certainly calculated to make a deep impression on the public mind, and to awake feelings of strong and appalling interest in the issue of the trial.

So early as seven o'clock, a great crowd had assembled at the doors of the court, which increased during the day, while the utmost order was maintained by a strong body of police, and two regiments of military, &c. About ten o'clock, the prisoners were placed at the bar. Burke is a native of Ireland. He is rather below the middle size, but stoutly made, and of a determined, though not peculiarly sinister expression of countenance. His features are round, with high cheek bones, grey eyes, a good deal sunk in the head, a short snubish nose, and a round chin, but altogether of a small cast: his hair and whiskers, which are of a light sandy colour, comported well with the make of the head and the complexion, which is nearly of the same hue. He was dressed in a shabby blue surcoat, buttoned close to the throat, and had, upon the whole, what is called in this country a *waugh* rather than a ferocious appearance, though there is a hardness about the features, mixed

with an expression in the grey twinkling eyes, far from inviting. The female prisoner is fully of the middle size, but thin and spare made, though evidently of large bone. Her features are long, and the upper half of her face is out of proportion to the lower. She was miserably dressed, in a small grey-coloured velvet bonnet, very much the worse for the wear, a printed cotton shawl and cotton gown. She stoops considerably in her gait, and has nothing peculiar in her appearance, except the ordinary look of extreme poverty and misery common to unfortunate females of the same degraded class. But the prisoners, especially Burke, entered the Court without any visible signs of trepidation, and both seemed to attend very closely to the proceedings which soon were commenced.

The indictment was read as follows:—

William Burke and Helen M'Dougal, you are indicted and accused at the instance of Sir W. Rae, Bart, his Majesty's Advocate, of the crime of murder: insofar as between the 7th and 16th days of April, 1828, and within the house of Constantine Burke, scavenger, Gibb's Close, Canongate, Edinburgh; You the said William Burke did wickedly and feloniously place your body or part thereof, upon the breast or person and face of Mary Paterson, residing in Leith-street, Edinburgh, when she was in a state of intoxication, & did by the pressure thereof, and by covering her mouth and nose, forcibly compress her throat with your hands, and forcibly keeping her down, notwithstanding her resistance, strangle and strangle her; and this you did with the wicked intention of selling her body when so murdered, as a subject for dissection. And also between the 5th and 26th day of October, 1828, within the house of William Hare, labourer, Portsburgh, you the said William Burke, did assault and attack James Wilson, commonly called Daft Jamie, and did leap or throw yourself upon him when lying in the said house, and he having sprung up, you did

struggle with him, and did bring him to the ground, when by compressing his mouth, nose, and throat, you did suffocate or strangle him, notwithstanding of every resistance on his part. And this you did with the wicked intention of selling his murdered body to the doctors for dissection: And Farther, on Friday the 31st day of October, 1828, and within your own house in Portsburgh you did both and each of you wickedly murder Margery M'Gonegal or Docherty, when she was lying on the ground, and did in the manner above-recited, suffocate or strangle her, with the wicked intention of selling her body when so murdered, as a subject for dissection; all which or part thereof being found proven by the verdict of an assize, you and each of you ought to be punished with the pains of law, to deter others for committing such crime in all times coming."

The defences for Burke and M'Dougal were then read, and objections stated to the form of the indictment, but the Court ultimately overruled them, and ordained the public prosecutor to go to trial upon the three charges separately. His Lordship then stated his determination to proceed with the last charge, viz. for the murder of the woman Campbell or Docherty, which applied equally to both prisoners. and the trial proceeded accordingly, and the jury were impannelled. Both prisoners pleaded *Not Guilty*.

Ann Black lives in Waster Portsburgh. Her house is one room. Goes down a stair to it. At the foot of the stair there is a passage. Her house is on the right in going in, and is the first door. There is another door on the same side of the passage a little farther in, and it leads into another passage, at the end of which there is another room. In the last week of October last, Burke and his wife occupied that room. Knows Hare and his wife. There was a man named Grey, and his wife stopped there a few days with Burke in the last week of October; saw Burke pass with a woman on the 31st of

October, about one or two o'clock. They were going into Burke's. Was there in the afternoon, and saw the stranger woman sitting at the fire, and she was taking porridge and milk at the time. She had a napkin in place of a mutch on, but does not know if she had any thing else but her shift on. Asked M'Dougal if they had got a stranger, who said yes, it was a Highland woman, and a friend of her husband's. M'Dougal shortly after left the house. The stranger woman, who was a little intoxicated, said she was going to St Mary's Wynd, to see a boy who promised to get some word to her about her son, whom she was seeking, but did not go, as witness said she would not find her way back. She said Burke, whom she persisted in calling Docherty, had promised her supper and bed, as she had no money. Hare and his wife then came in with some whisky, which they drank, the stranger getting some also. Hare and the rest were dancing, and the whole party about ten or eleven o'clock, when Burke returned, followed him into his house. The woman seemed quite well. Witness did not sleep any in consequence of a disturbance which commenced shortly after, as if Burke and Hare were fighting. Rose next morning at eight, and went to Burke's, and found him, Mrs Law, M'Dougal, and a person named Broggan. Burke had a bottle of spirits, and gave her a glass. He then threw the spirits up to the roof of the house, and upon a bed at his back. Asked M'Dougal what had become of the old woman, to which she answered, that Burke and her were too friendly together, and she had kicked her out of the house. Burke asked her if she had heard Hare and him fighting, and remarked they were friends now. saw straw lying under the bed. Heard a report of murder, and Burke was apprehended by the police just after that.

Cross-examined.—Before he was apprehended, Burke said he would go and seek the man who had accused

him; and he met the man in the passage along with the police-men. They took him into his own house.

By the Court.—Witness's husband had told Burke that Grey said he had seen a corpse in his house, and Burke said he would go and seek Gray.

By a Jurymen.—She was alarmed, on going into Burke's, because she had heard tell of a murder. It was in consequence of what Mrs. Gray had told her.

Mrs. Law lived in the same passage with prisoners in October last. Was in Conway's house on the 31st October, about two o'clock afternoon. Saw Burke in the passage, and a little woman following him. They went into Burke's. Saw Hare and his wife there in the evening betwixt six and seven. The little woman was there also. Witness was not there long at that time. Went to bed about half past nine. Heard noise during the night, of fighting and scuffling.—There was a great noise. Was only sensible of Burke's voice among the rest. The noise lasted some time. Next morning Mrs. Burke, the prisoner, came in for a pair of bellows and asked if witness had heard Burke and Hare fighting in the night time. Witness asked what she had done with the little woman in the time of the fighting. She said she had kicked her to the door, because she had been using too much freedom with William, (meaning Burke.) Mrs. Burke came back to her house about nine o'clock. It was about eight o'clock when she was there first. She borrowed a dram glass, and asked witness to come into her house. She went, and found Hare and Burke there, also M'Dougal, and a man named Brogan. Grey and his wife, and Mrs. Connaway came in afterwards—before witness left. Burke took a bottle and some spirits, and sprinkled them on the roof of the house, and about the bed, and said it was because none of them would drink it. There was a good deal of straw about the foot of the bed. This was on the Saturday morning, and Burke was apprehended that night.

Was shown a dead body in the Police Office on the Sunday, which she knew to be that of the little woman she saw in Burke's on Friday night.

Cross-examined.—The straw has been used for some time for Grey and his wife.

Hugh Alston, Grocer, West-port, lives in the same land which Burke's house is, first flat above the shops—Burke lived in the flat below the shops. Recollects, on the night of the 31st October, between 11 and 12 o'clock of hearing a noise in Burke's house. Was then on the passage on a level with the street. It seemed as if two men were quarrelling; but what particularly took his attention was the cries of a woman of "murder." Went down to Burke's house. Went near to Conways door, and listened, and heard two men making a noise as if quarreling, and the woman crying murder; but not in a tone that he would have considered her as in imminent danger. That continued about a minute, the female calling out murder in a strong voice. There were then two or three cries something like as if a person or an animal had been strangling. Could not say he heard blows, or any noise upon the floor. After these strange noises subsided, heard the same female voice that called murder, call out for the police, and she appeared at the same time as if striking upon the door. Went immediately in search of a policeman, but did not get one. Returned to Burk's stair, and heard the men speaking, but now lower, and the cry of murder had ceased. Witness then went away. Did not perceive any thing like a noise of struggling on the floor. He was not over three or four yards from Burke's passage door, when listening. The door of the room is some yards farther in. It appeared to be on the outer door that the woman struck with her hand. Heard on Saturday evening that the body had been found, which fixed his recollection on what he has mentioned.

Cross-examined.—Only went to the street to look

for a policeman. When he returned, he did not consider it necessary to interfere farther. The voice that called "murder," was quite different from the one that uttered the strange sounds.

Re-examined.—The last cry was for the police, and that "there was murder here."

By the Court.—Heard both voices distinctly at the same time.

By Jury.—Have no doubt the cries of "murder" proceeded from Burke's house.

David Paterson, Keeper of Dr. Knox's museum, lives in 26, West-port. Knows Burke by sight. Went home about 12 on Friday the 31st on October. Found Burke at his door, knocking, who said he wished to see witness at his house. Went with him, and found men and women there. Saw two men, one besides Burke; but there might be more. Saw two women there. Burke told witness that he had procured something for the Doctors, pointing to a corner, either at the head or the foot of the bed, where there was some straw. The other persons might have heard it; he does not know. Burke spoke in an under voice, but not in a whisper.—There was no observation made by any of the other persons. Nothing was shown to witness at that time. Understood Burke meant a dead body, but saw none. His words were that he had procured something, or that there was something for the Doctor, to-morrow. A body might have been concealed under the straw. McDougal, at the bar, was one of the women. Hare and his wife are the other persons that were in Burke's. Had no conversation with Burke that night. Next morning sent his sister for Burke, who came about nine o'clock, alone. Witness then told him if he had any thing to give to Dr. Knox, to take it to himself personally. He meant if he had any subject for the Doctor.—Burke promised to do it, and went away. He saw Burke and Hare on Saturday forenoon, stand-

ing in one of Dr. Knox's rooms, in Surgeon's Square, along with Dr. Jones, one of Dr. K's assistants. This was between twelve and two. Either Burke or Hare told Dr K. that they had a dead body, which they would deliver there last night, and he was ordered by Dr K. to be in the way, and receive any package they might bring. Witness was at the proper place about seven o'clock, when Burke and Hare and a porter came with a package. Has seen the porter to-day. It was an old tea-box they brought, such as the one now shown him. They carried it to a cellar; Mr Jones was present, and after it was locked into a cellar, went to Newington, and told Dr. Knox that it had been brought. Burke, Hare, and the porter, had either gone before or followed. When witness came out of the Dr's house, he found them there. Dr. Knox gave witness five pounds to give them, with orders to divide it between them; and in order to do so, witness took them to a public house, got change, and divided the money, when each took his share, and gave something to the porter. It was understood they were to return on Monday, by which Dr. K. would have seen the subject, and they would get the remainder of the price, which witness believes is generally eight pounds. Saw no women along with the men at that time, nor afterwards. Next morning, Lieut. Paterson and Sergeant Fisher called on him, and went with him to the cellar, and gave them the package just as it had been received. It was then opened, and found to contain the body of an elderly female, fresh, and apparently never interred. The body was doubled up in the box—all the extremities doubled on the chest or thorax; and the head was pressed down on the breast, seemingly for want of room. Examined the body externally stretched upon a table. The face had a very livid colour, and blood flowing from the mouth. Appearance indicated strangulation, or suffocation from pressure. Found no ex-

ternal marks on the body which could have caused death. Her eyes were not projected nor her tongue hanging out, nor were there any marks about the neck, but the lips were soiled with blood. Knox had dealings with both Burke and Hare before, who seemed to act jointly. They frequently brought subjects which had not been interred. Sometimes they disputed.

John Broggan, Carter. The evidence of this witness was nearly the same as Connaways.

Ann Dougal or Gray knows the prisoners. Witness and her husband lodged five nights in their house in the end of October. Saw a stranger woman there on the last Friday of October. She had on a dark sort of gown, and a red stripped bed-gown under it. (Identified them.) She called herself Docherty. Was in the house with her till near dark on Friday. Burke said he met her in a shop, and brought her in about nine o'clock. Burke put witness and her husband out, because he said they quarreled. He ordered them out of the house directly. Witness left the house at that time, about five o'clock. Burke said they would pay their lodging for them that night, and told them to go to William Hare's. Went to Hare's with his wife, who was in Burke's at the time. Returned to Burke's about nine o'clock for some of her child's clothes, and found the old woman singing, and M'Dougal and Hare dancing. Left Docherty there; and next morning asked M'Dougal where the old woman was, who said she was impudent, and she had turned her out. Witness went to the corner where the straw was, to look for a pair of her child's stockings. Burke asked her what she wanted, and swore her to get out of that. He was then throwing whisky under the bed and about the house, and said he wanted it toom, to get more, and he also put some on his breast. Witness was ordered to go under the bed and get some potatoes to put on, which she did. The straw was in a corner, at the foot of the bed. Burke would not allow

her to search the straw for the stockings. Witness and her husband were afterwards left in the house with Mc-Dougal, who was lying on the bed. In the darkening, witness discovered a dead body in the house. The body was under the straw at the foot of the bed. Witness looked on purpose, as she was afraid from their proceedings that there was something wrong, and the first thing she got hold of, was the old woman Docherty's right arm. There was then no clothes on her, and her husband lifted the head and they saw that the face was a little over with blood, about the mouth and one side of the head; did not observe any wound about the body, which was lying on the right side. Witness flung the shawl over it, and her husband and she had left the house and met Mrs. Burke on the stair, and asked her about the body. She bade them hold their tongue, and she would give them a few shillings.—And if they would be quiet, they would be worth ten pounds a-week. Witness told her it was the old woman's body, who was well last night, singing on the floor, and she was dead to-night. She repeated her offer, to which witness replied, "God forbid that I should profit by such means." Her husband then gave information to the police. When witness spoke to M'Dougal about the body, she said "My God! how could I help it."

James Gray, Labourer, corroborated the chief parts of his wife's testimony.

John M'Culloch, porter, recollects of Hare employing him to carry a box to Surgeon's Square. Saw the body packed in the box. It was wrapped in a sheet. There was a good deal of pressing before the body was got in, which Hare assisted Burke in doing. He carried the box as directed, and Burke paid him five shillings.

Wm. Haire or Hare, a *socius criminis*, was warned to speak the truth, as severe punishment would be inflicted if he deviated from it. Became acquainted with the prisoners about a year since. Was in a public house

with Burke on Halloween day, who told him to go to his house to see the shot he had got for the doctors, meaning an old woman whom he had got off the street. Understood by a shot that Burke was going to murder her. Witness went, and found Gray, his wife, M'Dougal, and the old woman, who was washing her shortgown. Was there in the evening, when they had some whisky. Quarreled with Burke afterwards. While they were fighting, witness pushed the old woman over a little stool, and she was so drunk that she could not get farther than to sit. She called to Burke to quit fighting, which at last he did, and witness lay still on the bed. Burke then got on the top of the woman, who was lying on the floor, laid himself down upon her, with his breast upon her head. She cried, but not loud, but he held in her breath, and she only moaned a little after. He put one hand on her nose and mouth, and the other under her chin. He continued this for ten or 15 minutes, and said nothing all the while. He then got up from the woman, who did not move. Burke put his hand upon her mouth again for two or three minutes, when she appeared to be quite dead. Burke then stript off the clothes, and put them under the bed, and doubled the body up, and covered it with straw. M'Dougal and Hare's wife were in the bed when Burke threw herself on the woman, but they both ran out of the house when she gave the first cry, and did not return till all was over. None of them attempted to save the woman. When the women came in, Burke went out and remained about ten minutes, and brought Paterson along with him, whom he asked to look at the body, but he would not do so, and told him to put it into a box. Fell asleep when Paterson was there. He awoke between six and seven. The two women and Broggan were in the bed, and Burke was sitting at the fire. Assisted Burke next morning to get a box and put the body into it. Paterson paid them five pounds, of which he got two pounds seven and sixpence, and

they were to get five pounds more on Monday. Saw Burke taken up that night, and witness was taken up next morning. Has frequently been concerned in supplying doctors with subjects as mentioned. Declined to answer the following questions:—How often have you seen them doing it?—Was the murder of the old woman the first you were concerned in?—Was there a murder committed in your house in October last?—Hare afterwards admitted that he “never was concerned in none,” but he saw them done. Denied at the police-office that he ever knew the old woman. Sat on the chair for ten minutes while Burke was murdering the woman without moving hand or foot, and without crying murder or police.

Mrs Haire or Hare solemnly admonished to speak truth, corroborated the greater part of Hare's evidence. Was alarmed at what she saw on the night in question. Saw Burke on the woman, but could not say whether on her breast or mouth. Had some reason of suspicion, having seen a little trick of it done before. M'Dougal previously told her that there was a shot in the house, meaning the old woman, who she understood by this, was to be murdered. M'Dougal expressed no regret for the old woman. The reason she ran out was she would see the woman murdered. Did not expect she was to be murdered that night.

Dr. Black; was of opinion that the woman had died a violent death by suffocation. Described the appearance of the body.

Dr. Christison.—Examined the body minutely, and found some slight external contusions, a few internal injuries, but no sign of natural disease; and stated that death by violence was extremely probable.

This closed the case of the prosecution, and the declarations of the pannels were then read.

The Lord Advocate addressed the Jury in a speech of great length, and maintained that the joint testimony

of the witnesses established such a connected train of circumstances, as to leave no doubt, whatever as to the guilt of the prisoners. He recounted the evidence in the clearest manner, and concluded by craving a verdict of Guilty.

The Dean of Faculty spoke at great length on behalf of Burke, and contended that there was no other evidence of the fact of murder than that of Hare and his wife, who were so utterly polluted and contaminated, that they could not be relied on.

Mr Cockburn addressed them on behalf of M'Dougal. He also impugned the evidence of these miscreants. What could the jury think of the evidence of the man who came forward and said, I have been guilty of one murder, but want to free myself from blame by impeaching another who was not probably so guilty? They had seen the squalid wretch—the very picture of his revolting traffic—a visible spectacle of penury and profligacy.

The Lord Justice Clerk then commenced his charge to the jury, which lasted two hours and a half. He seemed to consider the libel clearly proven against both. At half-past eight the jury retired, and after an absence of fifty minutes returned a verdict finding William Burke *Guilty* of the charge; and the libel against Helen M'Dougal *Not Proven*.

The LORD ADVOCATE having moved for the sentence of the Court,

LORD MEADOWBANK said, after a trial of unexampled length—protracted to nearly twenty-four hours—a trial in which the minds of your Lordships has been excited to the uttermost, it would be improper in me to detain the Court with commenting on the circumstances of this atrocious case; and I feel that it is quite impossible for any one who has attended to the proceedings in this trial, to think that we have any thing left to do but to go through with the distressing duty, which has now fallen

to your Lordships to perform. But it is impossible, in considering the whole circumstances of this distressing case, not to advert to that extraordinary—that most unexampled, and that most atrocious system, which every one must feel has been developed by the evidence which has been brought forward. I am sure, and I speak in the presence of your Lordships, who can correct me if wrong, that in the whole history of the country—I may say in the history of civilised society—nothing has ever been exhibited that is in any respect parallel to this case. Murders have been committed before now; crimes of all descriptions have unhappily been too common; but we had flattered ourselves that our country was in a great measure free from the stigma of any great or heinous atrocity committed within its bounds. That there should have been found, therefore, not one but many, leagued and combined together, in order to sacrifice their unoffending fellow-creatures, for the wretched purpose of disposing of their bodies, is to the last degree humiliating. The very announcement of such a system is sufficient to raise ideas of horror which it would be vain to search for words adequately to express. When I take a view of the other features of this case, it exhibits a picture of iniquity which the greatest stretch of imagination can hardly take in, yet it was so clearly brought out in proof, that I am sure it must carry conviction to every one who heard the evidence. It is proved that the prisoner, in going up the street after some of his usual avocations in the morning, fell in with the poor, unprotected old woman, with whom it is quite clear that he was perfectly unacquainted before. Now began his arrangements for ensnaring his victim. With the immediate feeling upon him of the object which he had in view, he claims kindred with her by a fictitious name; and by pretence of kindness endeavours to gain on her affections. He entices her into his house, and there continued his friendship to her, insomuch that she

expressed gratitude to Mrs Connaway for the kindness with which he had treated her. He thus contrived so far to achieve his object, that she seems to have opened her affection and confidence to him—she looked to him for protection—she felt he had dealt kindly with her—she refused to enter the house until he entered with her. A struggle, or pretended struggle, ensued; and, when I recollect that the moment she felt the struggle ended I cannot rationally entertain a doubt that it was feigned, and got up for the purpose of entrapping her, and throwing her off her guard. What did the individual to whom she looked for protection now do? She is thrown down, and he, with the atrocity of a demon, instantly throws himself upon her, and extinguishes life in a few moments. I do not state this with any view whatever of exciting the feelings, or aggravating indignation against the unhappy prisoner, but really when such a system of crime, in which there are many actors, is developed in the midst of this great metropolis, I cannot resist stating the impression which it has made on my mind as one of the most monstrous exhibitions of atrocity ever disclosed in the annals of criminal jurisprudence in this or any other country. Sitting as I do in this place, there is little occasion to advert to certain matters that were pointed at, and eloquently pointed at, in course of the defence. I will only observe, that with matters of science we have nothing to do. We have but to administer justice, and God forbid that the claims of science should prevent us feeling that horror which such offences are calculated to excite. The prisoners must have been conscious that he was violating that great command of the Most High, "Thou shalt not commit murder." There is no doubt that the duty of the court is to condemn the prisoner, and I now suggest, that the prisoner be executed on the 28th day of January next, and his body given for dissection.

Lord Makenzie expressed his concurrence,

The Lord Justice Clerk then addressed the prisoner nearly as follows:—William Burke, you now stand convicted of the atrocious crime of murder, upon evidence which could not leave a doubt of your guilt on the mind of any one who heard it. I so fully concur in the view which has been so eloquently given by my Learned Brother of the nature of the offence, that I will not occupy the time of the Court with commenting on it.—A crime more atrocious, a more cold blooded, deliberate, and systematic preparation for murder, and the motive so, was really unexampled in the annals of the country. It is now my duty to inform you, that if ever it was clear beyond all possibility of a doubt, that the sentence would in any case be carried into full execution, this is one of these cases. You may rest assured that you have no other chance; and now I would solemnly warn you to prepare your mind in the most suitable manner to appear in a very short time, before the Throne of Almighty God to answer for this crime, and for every other with which you stand chargeable in your own conscience. The necessity of repressing crimes of this nature precludes the possibility of your entertaining the slightest hope of a remission of your sentence. The only doubt I have in my mind is, whether to satisfy the violated laws of your country and the voice of public indignation, your body ought to be hung in chains, to bleach in the winds, in order to deter others from the commission of similar offences. But taken into consideration that the public eye would be offended by so dismal a spectacle, I am willing to accede to a more lenient execution of your sentence, and that your body should be publicly dissected. I trust that if it is ever customary to preserve skeletons, yours shall be preserved, in order that posterity may keep in remembrance your atrocious crimes. I earnestly advise you to lose no time in humbling yourself in the sight of God, and that you will seek the aid of the ministers of religion, to whatever profession you

may belong. The present charges have been fully established against you, it is my duty to inform you that you have but few days to remain on the earth. His Lordship then pronounced, with due solemnity, the sentence of the law.

The scene altogether was singularly striking and impressive. The prisoner stood with unblenching firmness. Not a shade passed across his countenance, not a muscle of his features was discomposed during the solemn address of the Lord Justice Clerk consigning him to death. At this moment, as indeed throughout the whole trial, he betrayed that indifference to his situation which could only spring from utter recklessness of life, or be the calm of settled despair. — The female prisoner, on the other hand, was greatly agitated. During the whole of the trial she had betrayed great restlessness and anxiety. Her face was often deadly pale, and although the expression of her features was not upon the whole disagreeable, it frequently assumed a haggard and deathlike aspect. At the moment when sentence was pronounced on Burke, she was drowned in tears, and seemed to feel deeply for the wretch who had evidently no feeling for himself.

The streets in the vicinity of the Court were crowded till a late hour in the morning; but the police succeeded, throughout the whole day and night, in keeping the multitude at a distance from the doors of the Court, preserving the communication with it uninterrupted. At the same time every precaution was taken to preserve the public peace. The High Constables of the city and its dependencies mustered at six o'clock in the evening, and the police received a temporary reinforcement of upwards of three hundred men, who were on duty the whole time. In order, however, to express effectually any disturbance, the infantry in the castle and the cavalry at Piershill, were under orders to march at a moment's notice into the city. Notwithstanding, this, however, a mob assembled in the course of the night, and proceeded

to Surgeon's Square, with the intention of attacking the Lecture-room's. But a strong body of students armed with pistols, and flanked by two detachments of police, showed so formidable a front, that they were compelled to retreat without accomplishing their object, or, indeed, doing any mischief. Some pitiful ruffians then proceeded to the College, and broke several windows in Dr. Monro's apartments, from North College Street.

EXECUTION.

At four o'clock yesterday morning, Burke was conveyed in a coach from the Calton-hill Jail to the Lock-up House. The time of conveyance was such, that no one, but the instruments employed, were present at it. He was under shackles of a peculiar magnitude and strength. He preserved the composure of mind which belongs to him peculiarly; but upon his dead clothes—(a suit of sables, *very generously furnished to him at the expence of the city*)—being produced to him, he manifested very great emotions; and, by his own confession, he felt it. During the whole of the day he was perfectly composed. On being asked on the subject of Daft Jamie's murder, he said that Hare's wife decoyed him into Hare's house, and that Hare and his wife murdered him.

Such was the intense anxiety of the public with regard to the execution of Burke, that at a very early hour, this morning, people from very remote districts came in crowds to the Lawnmarket. Never, we believe, was such an assemblage seen—not even upon the occasion of the execution of Mary McKinnon, who, poor woman, had not the advantage of having such an indulgent jury as that which acquitted Helen McDougal. The tread of many feet, as of the rush-

ing of many waters, was heard so early as five o'clock in the morning. During the whole of last evening, Burke was unusually tranquil, and even slept soundly for some time. He said to those in attendance that he had committed no more murders than those which were comprised in the declaration he made, since his conviction, to the Sheriff. He exclaimed, at one time, "O that the hour were come, which is to separate me from the world!" He ascribed the commencement of his enormities to a *harvesting*, which, we presume, was meant to imply the formation of his intimacy with M Dougal.

Early in the morning, Burke was visited by two Catholic clergymen, the Rev. Messrs Reid and Stewart. At half-past five o'clock, he complained of the weight of his shackles, and expressed a strong desire, to have them struck off, which was at once complied with. Upon holding out his leg to the smith, and on the fetters falling from it, he exclaimed, turning up his eyes to Heaven, "So may all my earthly chains fall from me!" At seven o'clock, the culprit was brought into the keeper's room, attended by one of the priests; he walked with much firmness, nor was there the slightest agitation distinguishable about him. There were present at the time, three of the Magistrates, Bailies Child, Chrichton, and Small. What is somewhat singular, he exhibited no emotion on the executioner making his appearance. He coolly remarked, "I am not yet ready for you."

Precisely at eight o'clock, the procession began to move. When Burke, who was tightly pinioned, supported by the two priests, arrived at the place of execution, his face denoted great anxiety, as if uncertain of his reception from the immense mob, and he hurried on with his eyes half closed, seemingly eager to anticipate his fate. What was most terribly appalling, and yet most gratifying, the assembled crowd, which could not be short of 30,000 souls, rent the air with shouts of ex-

hortation, when the monster appeared upon the scaffold; and the same cheers were renewed at every striking feature of the horrible tragedy. When the first shout was raised, Burke threw a look of defiance upon the assembled multitude. The reverend Mr. Marshall then prayed with the criminal for sometime, after which, he quietly yielded himself to the executioner.—When the fatal rope was placed round his neck there was an universal cry of “Burke him,” and when the cap was drawn over his eyes the cheering was tremendous—and frequently repeated during the whole of the horrible process mingled with cries of “Hare, Hare,” “Knox,” &c. After a short conference with the Catholic clergyman he, precisely at a quarter past eight, impatiently threw away the handkerchief and surrendered his guilty soul to his Maker. His struggles were long and violent and his body was convulsively agonized. His fall was unusually short—scarcely more than three inches, and the noose instead of being as is usual immediately behind the ear was at the very summit of the vertebræ. At every struggle the wretch made when suspended, a most rapturous shout was raised by the mighty multitude. When the body was cut down, at $\frac{3}{4}$ past eight, the most frightful yell ever heard was raised by the indignant populace, who manifested the most eager desire to get the monster’s carcase within their clutches to gratify their revenge by tearing it in pieces even after the Law had been satisfied, and were only restrained by the bold effort presented by the police. The persons under the scaffold carried knives and seissars and were eagerly possessing themselves of part of the rope and even of shavings from the coffin. The scramble at this time was of the most extraordinary nature ever witnessed at an execution in this country.

As one among many proofs of the excited state of public feeling, this fact may be noticed—that in anxious expectation of the gibbet being erected, a crowd of people

assembled the previous day at the place of execution in the forenoon, and remained there the whole day, and when in the evening the fatal beam was placed upright, three tremendous cheers were given by a great crowd who waited on notwithstanding the heavy rain and snow. Windows adjoining were let at great prices, chiefly to wealthy foreigners. Thus perished this fiend in human shape.

CONFESSION.

On the 3d Jan. 1829, Burke confessed in presence of the Sheriff, that he had committed the following murders, viz:—1st, A woman from Gilmerton,—2d, Joseph the Miller,—3d, An old woman who lodged in his house in May 1828,—4th, An Englishman who was very ill of the jaundice,—5th, An old woman named Halden,—6th, a cinder-gatherer,—7th, 8th, A Highland woman with her son or grandson, about 12 years of age,—9th, A woman whom he brought to the house as a lodger,—10th, A woman whom Hare murdered in his absence,—11th, A woman named Margaret Halden, daughter of the woman Halden before-mentioned,—12th, the girl Paterson,—13th, A washer-woman named Ostler,—14th, A woman named M'Dougal, who came on a visit to his wife,—15, Duff Jannic,—16th, The old woman Docherty. They also sold the body of a man named Donald, who died in his house and for whose body they received 7l 10s from Mr Knox. He declared that the whole of these persons were suffocated as mentioned in the Trial, and that this mode of killing first occurred to Hare, and was afterwards continued, because it was effectual, and showed no marks. He also declared that Hare generally took the most active part in these murders.—That all the bodies were sufficiently cold to prevent suspicion, and that the whole were sold to Dr Knox, who never asked any questions concerning them.

FINIS