

**MURDERERS.**

How now! Ye secret, black, and midnight Fiends!  
What's this ye do?

A deed without a name!—*Shakespeare.*

Wi' mair o' horrible an' awfa'  
That even to name would be unlawfu'!—*Burns.*

HIGH COURT OF JUSTICIARY.—July 12 1830.

A full, true, and particular account of the Trial of, and Sentence upon, the great Gilmerton Criminals, David Dobie and John Thomson, for the Violation, Robbery, and Murder of Margaret Paterson, in a way so cruel, barbarous, and inhuman, as makes the heart of the most obdurate melt with pity, and the very blood freeze with horror. Together with the Indictment against the Prisoners, the names and evidence of the principal witnesses, and an inventory of the articles produced on the Trial, consisting, amongst other things, of the unheard of and murderous implements by which poor Margaret Paterson's destruction was accomplished.

**THE TRIAL.**

The indictment of the Prisoners was read. After the customary preamble, it went on as follows:

That albeit, by the laws of this and every other well governed realm, Rape; as also Assault, more especially when committed with intent to Ravish; as also Murder; as also Robbery; are crimes of an heinous nature, and severely punishable: yet true it is and of verity, that you the said John Thomson and David Dobie are both and each, or one or other of you, guilty &c., in so far as, the deceased Margaret Paterson, having, on the 17th day of April, 1830, met with you the said John Thomson and David Dobie, or one or other of you, within the house at Cellar bank or Cellar Park, in the parish of Liberton and shire aforesaid, &c., and you the said John Thomson and David Dobie, or one or other of you, having agreed to convey the said deceased Margaret Paterson to the said village of Gilmerton; and the said deceased Margaret Paterson having accordingly left the said house, and having proceeded in company with you, or one or other of you, along the road leading from the said house to the village of Gilmerton aforesaid, &c., you the said John Thomson and David Dobie did, time aforesaid, &c., wickedly and feloniously attack and assault the said deceased Margaret Paterson, and did both and each, or one or other of you—[Here the indictment particularly specified the first charge, viz., that of the prisoners having wickedly and feloniously violated the person of Margaret Paterson, which it would be improper more particularly to publish. The indictment then went on to vary the charge in the usual way, by charging an assault with intent to Ravish.]—LIKEAS, you the said John Thomson and David Dobie did, both and each, or one or other of you, time aforesaid, at or near the part of the road, &c. &c. wickedly and feloniously attack and assault the said deceased Margaret Paterson, and did strike her several severe blows with your fists, and kick her on the head and sides, and other parts of her body, whereby she was rendered insensible, and did—[Here again the words of the indictment are unfit for publication. They describe particularly the soul harrowing atrocities of the monsters, in forcing into the body of their already brutally maltreated and insensible victim, three rough cornered pieces of stone! a number of pieces of small coal! a quantity of coal dust! a quantity of hay! and the bone of the corsets of the deceased!!! or some other instrument to the Prosecutor unknown! And having mentioned the dreadful lacerations and wounds thus produced, the Indictment went on.]—Of the injuries so inflicted, or of one or other of them, the said deceased Margaret Paterson languished till her death, which took place in the house in Amos Close aforesaid, then and now or lately occupied by the said William Paterson, her father, on the 22d day of April, 1830; and the said deceased Margaret Paterson was thus cruelly murdered by you the said John Thomson and David Dobie, or by one or other of you: LIKEAS, you the said John Thomson and David Dobie did, both and each, or one or other of you, time aforesaid, &c. &c. wickedly and feloniously rob the said deceased Margaret Paterson, and did take from her by force and violence, a gold ear ring, a small tin box, two pawn tickets for gowns, one pledged for 3s. 6d. and the other for 4s. the more particular description of the said pawn tickets being to the prosecutor unknown, three shillings and sixpence or thereby in silver money, a key, a checked cotton or muslin handkerchief, a green shawl, a coarse towel, some pieces of card or pasteboard and some pieces of bread and meat, being all the property or in the lawful possession of the said deceased Margaret Paterson:—

**Inventory of Articles Produced in Court.**

A green shawl, a woman's bonnet, a small tin box, a gold ear-ring, a key, a handkerchief, a coarse towel, three angular pieces of stone, a small quantity of hay, a corset stick, a pair of scissors, a woman's pocket.

When the prisoners were brought out of jail to be conveyed over to the Lock up house, Dobie recognized a person whom he had known, and said to him, 'This is an awfu' condition for me to be brocht till.'—'It is, Dobie,' was the reply,—to which he rejoined, 'Weel,—I'm as innocent as the child that's

unborn!' Thomson said nothing. Both the men were rather meanly, but decently and cleanly dressed; and had the usual appearance of carters in their Sunday clothes that had already been well worn. Both are of slender but athletic make,—Thomson about 5 ft. 10 in. high.

The declarations emitted by the prisoners were of great length, and chiefly consisted of rambling, inconsistent, and unimportant statements.

Colin Pentland and his wife were called to prove the accidental meeting of the deceased and the prisoners at their house on the night of the 17th of April, and their subsequent departure together, with the carts for Gilmerton.

Walter Dingwall, residing at Gilmerton, was called to prove that Thomson's horse had brought his cart into the village of Gilmerton without his master. This witness, and the wife of one Bamberry, a slater in Gilmerton, and others, found the shawl of the deceased, her bundle of bread, &c. in Thomson's cart.

Alexander Denham and a young man named Wright, and others, in consequence of Thomson being missing, set off on the road to Edinburgh in search of him. On their return, they were attracted by the groans of the deceased to the spot where she was lying, near the third milestone; and finding her to be in a very deplorable state, they carried her to the house of Bamberry, into which she was humanely received. In mean time, a person had met Thomson coming into the village, and had said to him, from the circumstance of the shawl being found in the cart, 'You have had a woman with you to-night.' To which he replied, 'Yes, she's juist behind me.'

Drs Renton and Morrison, of Dalkeith, proved the frightful nature of the injuries inflicted on the deceased,—her extreme sufferings,—her death in consequence of those injuries,—the appearances of the truly horrid and shocking lacerations and wounds and the consequent mortification, after death,—and also the finding of the stones, &c. within the body of the ill-fated woman.—The same Gentlemen also, and other witnesses, proved that the deceased had declared, while in the prospect of death, that both the prisoners had committed the crimes to which she fell a victim.

Several witnesses from Greenend and other places, proved that the prisoners had made their treatment of the deceased a subject of ribald jest and boasting to their companions.

The tin box, belonging to the deceased was traced to the possession of Dobie; and her handkerchief was taken from Thomson's pocket, when he was apprehended.

**Second Edition, Further Particulars.**

The Jury retired between one and two o'clock in the morning; and after an absence of about ten minutes, returned and pronounced by their Chancellor the following verdict:—'My Lords, the Jury unanimously find both the pannels Guilty of the Robbery, the Murder, and the Assault with intent to Ravish, and find the charge of Rape Not Proven.'

After the two Learned judges seated on the Bench with the Lord Justice Clerk, had severally expressed their full concurrence in the verdict of the Jury, and their unqualified horror of the dreadful and unparalleled atrocity of the guilt of the prisoners,—whose brutality had been such, that the unfortunate woman would have been comparatively safe, had she been left to wander amongst the rudest and most barbarous savages of the most barbarous portion of the earth,—

The Lord Justice Clerk in an awfully solemn address to the Prisoners, told them that if ever there was a case in which there was no hope of mercy, that case was theirs, and in which he exhorted them to prepare for eternity, sentenced them to be hanged in the Lawnmarket, on Wednesday the 18th of August, between eight and ten in the morning; and thereafter their bodies to be given to Dr Monro, to be by him publicly dissected and anatomized.

Thomson evidently quailed under the observations of the Judges.

Dobie addressed the Lord Justice Clerk in these words, 'My Lord I have one thing to say, if you please.—They cannot dissect the soul!'

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