William Burke, drawn in the High Court at Christmas 1828.
Henry Cockburn, who represented Helen MacDougal at their trial, said of him:
"Except that he murdered Burke was a reasonable and respectable man."
Taken from Thomas Ireland, 1829.

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Introduction

It is impossible to grow up in Scotland without learning about the exploits of Burke and Hare. They were, we are told, body snatchers who robbed the graves of the recently dead and sold the corpses to anatomy lecturers at Edinburgh University. Legend has it that they visited graveyards the length and breadth of Scotland to ply this grisly trade.

Unfortunately, most of what we are told is incorrect. Burke and Hare never stooped to the hard work and danger of the resurrection men; this was a point William Burke was keen to reinforce in his interview with a journalist from the Edinburgh Evening Courant newspaper in the days immediately before his execution. They acquired all their bodies, with one exception, by murder. The one exception was their very first venture into the dead body supply business, an army pensioner known only as Donald who died of natural causes and opened their eyes to the financial possibilities of supplying the anatomists with suitable corpses.

Burke and Hare never supplied bodies to the university. Their one and only client was a private anatomy lecturer called Dr Robert Knox. Extremely popular with Edinburgh's medical students, Knox had more pupils (over 400 in 1828-29) than all the other private tutors put together and, as such, was in constant need of "subjects" with which to conduct his lectures.

So much for the legend. The real story of the so-called West Port Murders is much more interesting and has been covered by many authors: details of these works can be found in the "*Sources and Guide to Further Reading*" section on the last page. This booklet is not essentially about the murders, although they are of course at the centre of our story. We will be looking at one of the less well documented aspects – the many and varied connections between Burke, Hare and the Falkirk area, not least the fact that William Burke did not stand trial alone...

Acknowledgements

Many people have my grateful thanks for helping me put this booklet together. Among them are:

Val, Jan, Mike, Janice, Mel and Paula at Carrongrange School who were kind enough to read the draft text. There's nothing to beat having a group of teachers to check your spelling and grammar!

The staff and presenters of BBC Radio Scotland's *"Digging Up Your Roots"* programme, who allowed me to discuss my search for more information about Helen MacDougal in January 2010.

My son Andrew who regularly trekked around Falkirk and Edinburgh helping with photography.

In particular my "other half" Lynn, who has shared the house with Burke, Hare, Helen and Margaret for the last couple of years. Now there's a chilling thought...!

John Walker
Stenhousemuir
May 2011

Andrew beside one of the Airth Parish Church mortsafes on one of our photographic expeditions to Edinburgh, March 2011.

"Thank God You Are Safe"

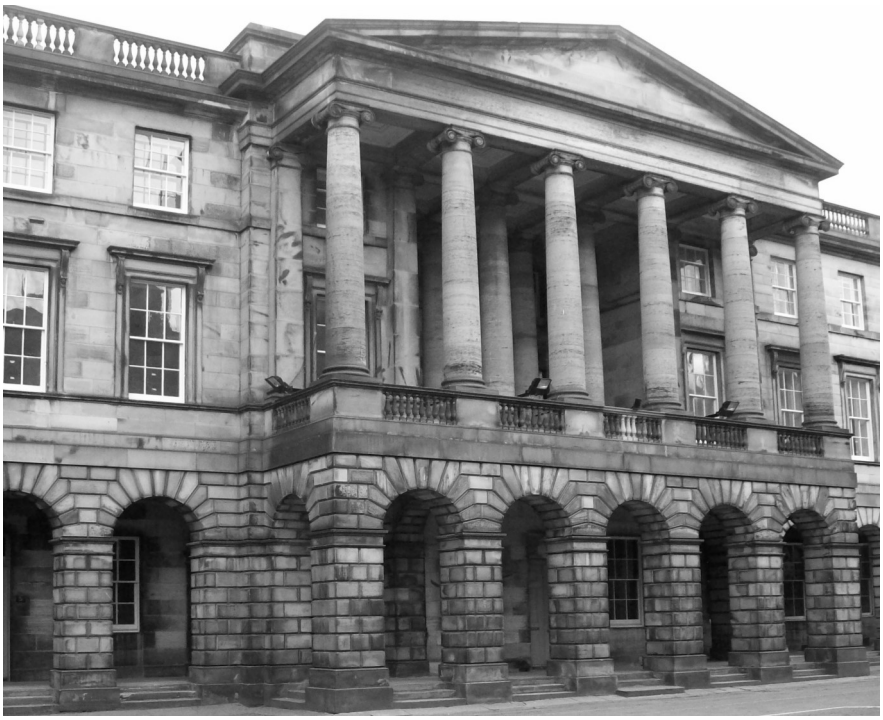
At precisely quarter past ten on the morning of Christmas Eve, 1828, four of Scotland's most learned judges took their seats on the bench of the High Court of Justiciary in Edinburgh. Lord Boyle the Lord Justice Clerk, Lord Pitmilly, Lord Meadowbank and Lord MacKenzie settled themselves and turned their attention to the man and woman who had been brought to the bar of the court. Lord Boyle addressed the accused, or pannels as they were known in Scottish criminal trials:

"William Burke and Helen MacDougal, pay attention to the indictment that is to be read against you." (1)

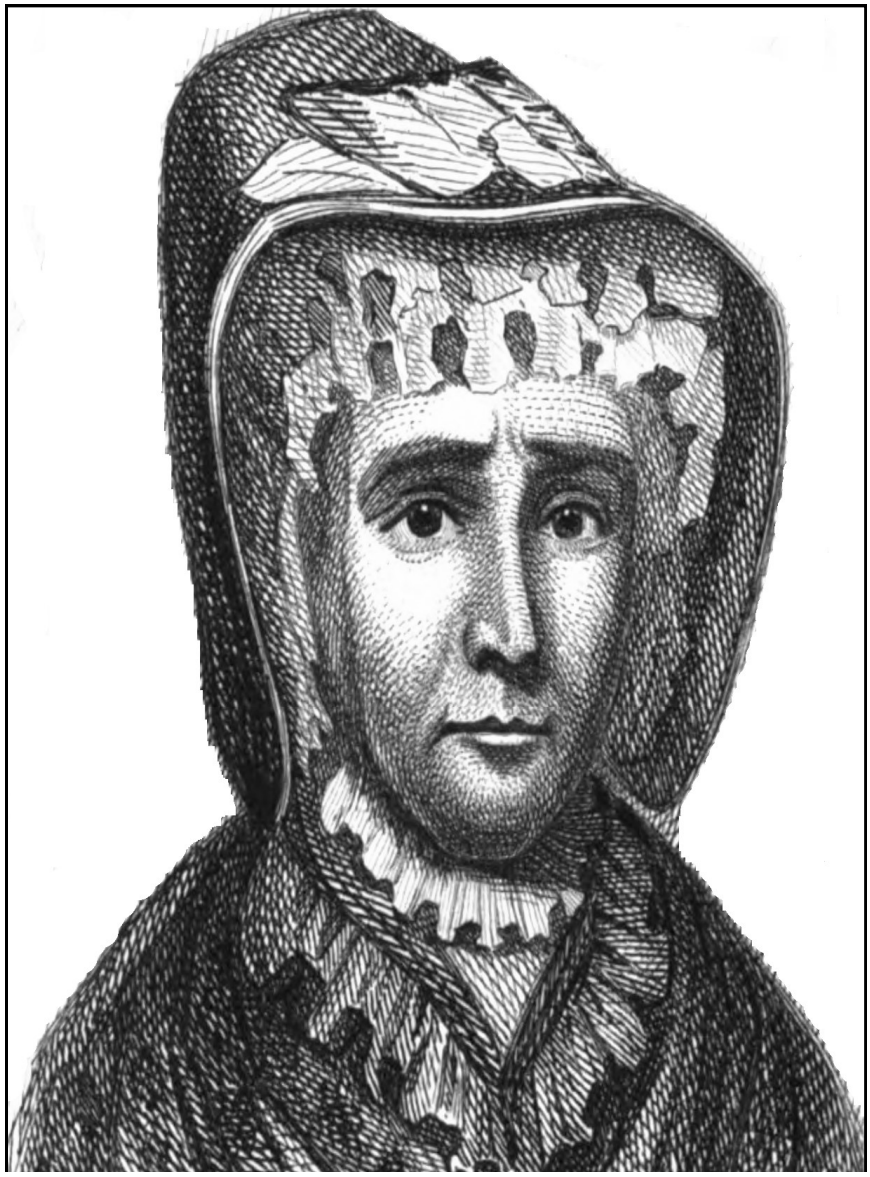
There followed a brief legal argument as Counsel for the accused argued that their case would be prejudiced if the indictment was read at that point in the proceedings but the view of their Lordships prevailed and Burke and MacDougal were ordered to stand.

The indictment read to the court was nothing short of sensational. The accused were charged with three murders, but the element that so excited the Edinburgh establishment was the allegation that Burke and MacDougal then sold their victim's bodies to anatomy lecturers for the purposes of dissection. But that wasn't all. In order to maximise his chances of a conviction the Lord Advocate, Sir William Rae, had granted immunity from prosecution to Burke's acknowledged partner in crime, William Hare. Hare would therefore become the Crown's star witness. Burke and MacDougal were on trial for their lives, with the rope being a certainty in the event of a guilty verdict. With so much at stake the big guns of the Scottish legal world had turned out for both sides. Rae himself led for the Crown, while Burke was represented by the Dean of the Faculty of Advocates, Sir James Moncreiff. Appearing for Helen was possibly the foremost legal mind of the time, Henry Cockburn.

Scottish criminal trials were uncompromising affairs in the early years of the 19th Century. In this particular instance the judicial process continued until a verdict was reached, which meant that proceedings continued throughout the 24th, into the night and on until about half past eight on Christmas morning, when the jury retired to con-



The old High Court building in Parliament Square, Edinburgh, where Burke and MacDougal stood trial



Helen MacDougal, drawn in the High Court at Christmas 1828.
The diarist Christopher North, pen name of Professor John Wilson of Edinburgh University, described her as "An Unfortunate Female of the Degraded Class."
Taken from Thomas Ireland, 1829.

sider their verdicts. Their deliberations took less than an hour and at around 9.30am their foreman William MacFie, rose and delivered a guilty verdict on one charge of murder against William Burke. The charges against Helen were found not proven; Cockburn had succeeded in his aim of saving her from the hangman. At that point Burke turned to MacDougal, threw his arms around her neck and said:

"Thank God, you are safe."

He then turned his attention back to the bench, from where only one sentence would be forthcoming. Lord Boyle, a black cap placed on his head, addressed himself to Burke:

"The Lord Justice-Clerk, and Lords Commissioners of Justiciary, in respect of the verdict before recorded, discern and adjudge the said William Burke, pannel, to be carried from the bar, back to the Tolbooth of Edinburgh, therein to be detained, and to be fed upon bread and water only, in terms of an Act of Parliament passed in the twenty-fifth year of the reign of His Majesty King George the Second, entitled "An Act for preventing the horrid crime of murder" until Wednesday, the 28th day of January next to come, and upon that day to be taken forth of the said Tolbooth to the common place of execution, in the Lawnmarket of Edinburgh, and then and there, between the hours of eight and ten o'clock before noon, of the said day, to be hanged by the neck, by the hands of the common executioner, upon a gibbet, until he be dead, and his body thereafter to be delivered to Dr. Alexander Monro, Professor of Anatomy in the University of Edinburgh, to be by him publicly dissected and anatomized, in terms of the said Act; and ordain all his moveable goods and gear to be escheat and inbrought to his Majesty's use, which is pronounced for doom. And may Almighty God have mercy on your soul."

Lord Boyle then turned to Helen:

"Helen MacDougal, the jury have found the libel against you not proven; they have not pronounced you not guilty of the crime of murder charged against you in this indictment. You know whether you have been in the commission of this atrocious crime. I leave it to your own conscience to draw the proper conclusion. I hope and trust that you will betake yourself to a new line of life, diametrically opposite from that which you have led for a number of years."

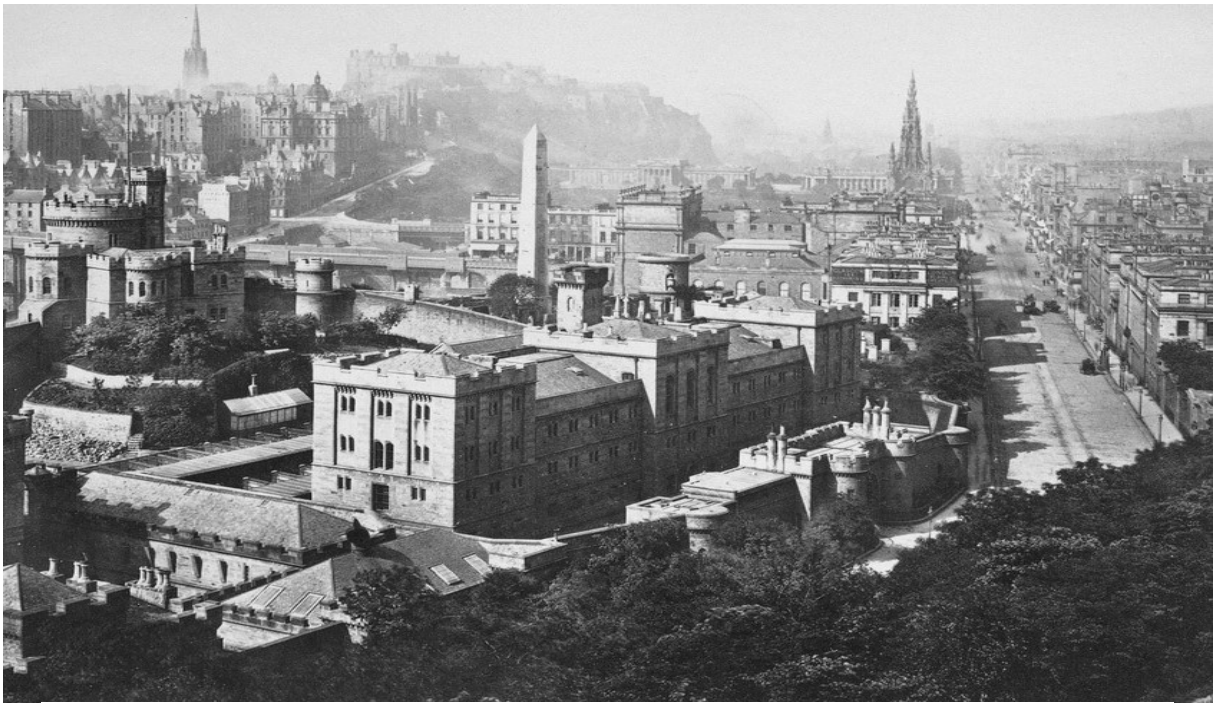
Helen was dismissed from the bar, the court rose and William was escorted to the Calton gaol to await his fate. Helen was not actually released at this point though. The authorities judged, probably wisely, that they would be better keeping her in custody for the time being for her own safety and was held until the following evening.

"An Unfortunate Female of the Degraded Class"

The chain of events which led to Burke and Helen MacDougal standing in the dock on that cold Christmas morning began some 10 years earlier. Helen was a native of the village of Redding but beyond the few facts about her life that can be found in the trial records little is known about her; in fact we can't even be sure of her real name.

At the time of the trial Helen was about 33 years old, placing her date of birth somewhere around 1795. At some point, probably in her later teenage years, she married or otherwise commenced a relationship with a sawyer named MacDougal and it would seem she had two children with him. It is recorded that they moved to Leith where MacDougal subsequently died and Helen was forced to return to her family home in Redding.

There would be no shortage of canal workers in the Polmont and Muiravonside area at this time. Work was progressing on the Edinburgh and Glasgow Union Canal, which was being dug from Falkirk to the centre of the city of Edinburgh. Although contractors were encouraged to use as much local labour as possible large numbers of both



Calton Prison, Edinburgh, about 1880.
Courtesy of Cornell University Library

Irish and Highland Scottish workers flocked to the area to take advantage of the regular, if backbreaking, work.

One of the immigrant labourers was William Burke. A former soldier, he had come to Scotland, he said, after a disagreement with his father-in-law. His wife, Margaret Coleman, had refused to come with him and had stayed in Ireland with their 2 children. Burke found work on the canal at Muiravonside and lodged in Maddiston. At some point he met Helen and they agreed to live together - Dishington has them setting up home in The Loan, Muiravonside but there is no corroboration of that.

When work on the canal finished, William and Helen travelled the country as agricultural labourers, although it would seem her children were left with their grandparents. In any event the children do not feature again in the story. William and Helen lived in Peebles for a while before moving to Edinburgh, where Burke's brother Constantine lived. While in the city Burke learned the trade of cobbling shoes. He would make and mend shoes which Helen would hawk around the streets. In 1827 they were living in a lodging house called "The Beggars' Hotel" in the West Port, run by another Irishman called Mickey Culzean. However there was still good money to be made at the harvest so they spent at least part of the summer and autumn of the year working on farms in the Penicuik area.

On their return to the city they met Margaret Hare in the street. Burke and Margaret evidently knew each other, and she suggested that they move into the lodging house that she ran with her husband. It had a cellar which Burke could use for his cobbling business. They agreed, and thus William Burke met William Hare. Excluding the time they spent in court and prison, the pair knew each other for just over a year.

On November 29th 1827 one of Hare's tenants, an army pensioner known only as Donald, died. He owed Hare a substantial amount of money which he would have repaid from the pension payment he was due at Christmas. Hare was £4 out of pocket and had no way of recovering the money. Somebody – Hare blamed Burke and Burke blamed Hare – suggested selling Donald's corpse to Professor Monro at the University.

The pair duly made their way to Old College and asked one of the students if he could direct them to the Professor's assistants. The student asked what they wanted of the Professor, and on explaining their business he suggested to them that they would get a better welcome at the rooms of Dr Knox, 10 Surgeon's Square. They did as the student had suggested, the deal was struck and they left Knox's door £7 10/- better off. Hare got his £4 back plus an extra 5/-, Burke and Helen got the balance.

The potential for profit was not lost on them. Another lodger, known as "Jospeh the Miller", contracted fever early in 1828. Fatally ill, it was decided to hasten his end and he was smothered with a pillow. He then went on his way to Dr Knox's rooms. Burke would later recall that Joseph was connected by marriage to someone in Carron Company. Another £7 10/- received.

Illness also seems to have played a part in the next killing, an anonymous Englishman from Cheshire who lodged with the Hares. Ill with jaundice, he was suffocated and sold to Knox's men.

Abigail Simpson was murdered on the 12th February, 1828, on the forenoon of the day. She came from Gilmerton and lodged with the Hares while she sold salt around the city. She was plied with drink and, when she fell asleep, was suffocated by Hare while Burke held her down.

Next was an elderly woman enticed into the house by the promise of drink. When she fell asleep Hare stuffed the bed sheet into her mouth and nose. By morning she was dead, and fetched £10 from Knox.

The action then moved to Burke's brother's house, where prostitute Mary Patterson was murdered. Inconveniently, Mary was well known to at least some of Knox's students and questions were raised. However nothing came of them and Mary raised £8 for the Burke and Hare coffers. She had been dead only 4 hours when she arrived at Knox's door. Knox apparently gave Burke scissors and ordered him to cut off her hair.

Back at the lodging house, the next victims were an elderly woman from Glasgow and her grandson. They were suffocated and stuffed in an empty herring barrel for onward shipment to Knox where they fetched £16 the pair.

Around this time it seems Margaret Hare became suspicious of Helen. Helen was the only Scot in the group and Margaret seems to have regarded her as a possible security leak. Burke, perhaps sensing the danger, brought Helen back to Redding, where they stayed with her father and spent some time working on the local farms. Suitably refreshed, they returned to Edinburgh and picked up more or less where they had left off.

While Burke and Helen had been in Falkirk Hare had carried out a transaction of his own. Perhaps because of this, or because he felt it was unsafe for Helen to remain at the Hares, Burke moved out. They didn't go far though, renting rooms in an adjacent building and business continued pretty much as before, with an elderly cinder gatherer named Effy, who was in the habit of selling Burke pieces of leather she had scavenged. She was given whisky and dispatched in what had become the usual way. Knox paid the sum of £10 for her corpse.

The next murder showed a streak of recklessness on a par with that of Mary Paterson. Burke met a local police officer escorting a drunk woman to the West Port watch house. Burke, who would seem to have known the policeman, offered to take the woman to her lodging and the offer was accepted. Another £10 from Knox.

The next victim is by far the most famous. James Wilson, or "Daft Jamie", was a young man who wandered the streets of Edinburgh. He was of limited intelligence and seems to have survived on the charity of the citizens, but he was undoubtedly a "weel ken't face". He was also not a drinker, so when Margaret Hare and William Burke tried

to get him drunk they met with little success. Burke and William Hare therefore tried to overcome him by force but, although Jamie may have been daft, he was also young and strong and he fought for his life. It was an unequal struggle though, and Jamie eventually succumbed. Jamie raised a further £10, while Burke gave his clothes to his brother's children.

At this point Burke and Helen were visited by Ann MacDougal, a cousin of Helen's first husband. She came through from Falkirk, no doubt in response to an invitation issued during Burke and Helen's summer holiday. Gallantly, Burke asked Hare to deal with her as she was a relative. Another £10 went into the coffers.

The next 3 victims were all dispatched by the now standard method. Mrs Haldane, a lodger of Hare's, was closely followed by her daughter Peggy. Both are described as "of idle habits, much given to drink". Mrs Hostler, a washer woman, followed them to Surgeon's Square soon after.

Finally, on Halloween 1828, they murdered Marjory Docherty, or Campbell in Burke's house. At that time Burke and Helen were also playing host to James Gray, his wife Ann and their child. Mrs Grey was apparently the daughter of Helen's first husband. Burke got them out of the house by sending them to the Hare's for one night, but they returned the following morning for breakfast. Mrs Gray asked after the old woman who had been there the night before. Helen told her she had become "ow'r friendly" with Burke, and that Helen had kicked her out. Of course the old lady was very much still in residence, under a pile of straw. Mrs Gray noticed that Burke was tense and behaving strangely, trying to distract her attention from the bed in the corner of the room and throwing whisky around to lessen the smell of the deceased. Burke finally went out, ordering his landlord's son to keep watch over the bed and let no-one near. However, the youngster must have had better things to do with his time and left the room. Seizing her chance, Mrs Gray investigated the bed and the pile of straw and very quickly uncovered the naked body of the old woman.

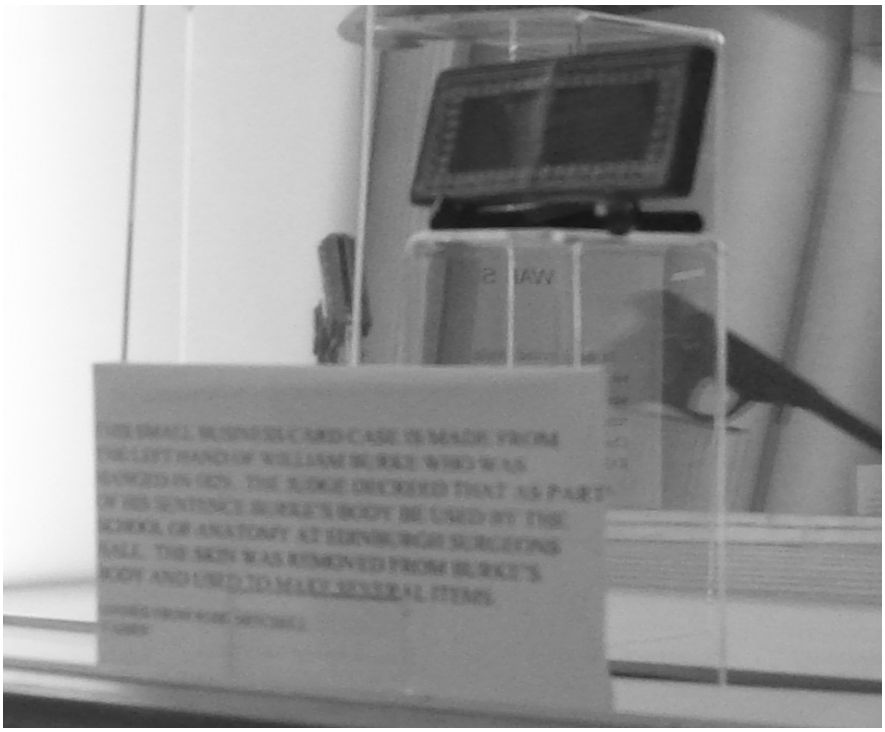
Mr and Mrs Gray fled the house, and ran straight into Helen. She tried to bribe them to stay quiet, saying that silence would be worth £10 a week to them, an astronomical amount. To their credit, they refused. In the street they encountered Margaret Hare, who suggested they retire to a tavern to discuss the issue. Again they refused and made their way to the West Port police watch house.

In the meantime Mrs Docherty or Campbell had been crated and transported to Dr Knox, so when the police arrived at Burke's house that night there was no sign of a body. Indeed Burke claimed to have spoken to her in the West Port earlier that very day, in fact at 7 o'clock that morning. Sergeant John Fisher of the city police then questioned Helen, who confirmed that she had seen the old woman at 7 o'clock that *evening*. Unhappy at the discrepancy, Fisher decided to detain William and Helen.

A more detailed search of their home uncovered clothing that matched that of the late Marjory, and blood in the straw where she had been hidden. In the early hours of the following morning the police visited Dr Knox's rooms and recovered a body, which James Gray and Burke's neighbours identified as the missing woman. Police Captain Stewart apprehended the Hares later that morning; they were still in bed. The short lived but extremely profitable partnership of Burke and Hare was over. They had murdered, between them, 16 people in just under 10 months.

The Remainder of William Burke

Sir William Rae originally set out to try Burke for the murders of Mary Patterson, James Wilson and Mrs Docherty (or Campbell). In the event, during the course of the trial the first two charges were dropped and as we have seen Burke was eventually convicted of the murder of Marjory Docherty (or Campbell). That was enough to gain him



A business card holder made from the skin of William Burke's left hand.
On display in Lothian and Borders Police Information Centre in the High Street, Edinburgh.

an appointment with Thomas Williams, the Edinburgh hangman, which he duly kept at 8 o'clock on the morning of the 29th of January 1829. A crowd of 25,000 is reputed to have witnessed his last moments. Sir Walter Scott watched from a window nearby.

Burke's body was then transported to Edinburgh University where it was publically dissected by Knox's great rival, Professor Alexander Monro. Finally his body was boiled, the bones extracted and his skeleton was reconstructed. It remains in the University Anatomy Museum to this very day. The skin was removed and tanned and the leather was used to make a variety of small trinkets like pocket books or business card holders. Some of it was simply cut into squares and sold to the curious.

Some years ago a company which was set up to offer guided walks in Edinburgh city centre acquired some of these leather items. They were in poor condition and needed specialist attention if they were to survive. The best leather conservators the company could find were located in Falkirk so once again William Burke, or at least parts of him, made the journey back along the route of the Union Canal to the place where his stay in Scotland had started. The leather was described by the conservators as being of very poor quality. Apparently human skin makes extremely fine leather, like pig skin, but these examples had been tanned very quickly and inexpertly. The skin had not been prepared before tanning and pores, hairs and skin blemishes could still be seen. However the experts were able to work their magic and restore the pieces.

"Horrid and Barbarous Murder of Helen MacDougal"?

What, then, became of Helen after she was freed? On her release from Calton gaol on the evening of December 26th, she made her way back to the West Port and the house she had shared with Burke. The following day she went out and tried to buy whisky in one of the local shops, where she was of course well known. The proprietor refused to serve her and word that she had returned to the West Port quickly spread. Fortunately the police arrived just in time to save Helen from the resulting riot, apparently having to make liberal use of their batons to clear a way through the mob to the

nearest watch house. The watch house was soon under siege by the enraged crowd and damage was being done to the structure and the windows. As a desperate last measure, the constables inside dressed Helen in men's clothing and smuggled her out of the building though a back window. When she was safely away, the police announced that she was being detained in order to give evidence against Hare. That seemed to satisfy the crowd, which gradually dispersed.

Someone, most likely Burke's brother Constantine, obviously took pity on Helen because she was still in Edinburgh and alive on the following Tuesday, December 30th. Helen and Constantine made their way to Calton Hill gaol and begged to be let in to see Burke. The request was refused but Burke was told of their presence at the gate. He duly sent out such money as he had and his pocket watch. This would prove to be the final communication between them.

The following day, or fairly soon thereafter, either Helen or whoever was looking after her decided she should leave the city. It seems they decided she should head for her family home in Redding, no doubt travelling along the very Union Canal that had brought them all together in the first place. However she was quickly recognised and the familiar pattern of mob, rescue and escape repeated itself once again.

This is essentially the end of Helen's documented story; all that follows from this point is rumour and legend. Ireland, in his account of the murders, has Helen wandering the country looking for shelter, being passed from one county police force to the next, spending time in the protection of burgh or county jails. He believes she made her way to Newcastle, from where she was handed on to officials from County Durham. Lonsdale, in his biography of Knox, places her in Australia and dying there in 1848. There is a local tradition that she went to the West Highlands and lived there anonymously until her death.

Another possible fate for Helen is detailed in a broadsheet held by the National Library of Scotland and entitled ***'An Account of the Horrid and Barbarous Murder of Helen M'Dougal'*** [(2)] published in Glasgow by D Glen on April 29th, 1829. The text reads:

> *Wife of the Miscreant BURKE, who was Strangled to Death by a number of Women at Deanstone Mills about a mile from Doune near Perth.*
>
> *Glasgow, 25th April, 1829.*
>
> *It appears that Helen McDougall wife of the miscreant Burke, after her liberation from Edinburgh, took her way to Glasgow where she remained for a number of days till the suspicion of the persons whom she lodged with, caused her repeatedly to shift, after which she bent her way to the Readon* (Redding)*, where her parents reside and holds a respectable situation, and where she remained for some time, but being greatly annoyed one night her parents were under the necessity of conveying her out of the back window in the middle of the night, and leave her to spent the remainder of her wretched life in the best way she could. She then took her way to Stirling where she stopt some time, and took up with a man of the name of Campbell, a native of Perth, where they dwelt there for about one month, being a stranger in the place, a suspicion arose, and she was recognised on Tuesday last, and was resolved to go to Deanstone Cotton Mills, her man being a Spinner, and on her arrival there, he had got employment for three days only, when she was totally discovered before she was aware of it, Campbell being absent at the time, on the morning of Thursday when the Mills were going in, she was attacked by a great number of Individuals most of them Females, who attacked her furiously, siezed her by the hair of the head and strangled her, one of the woman dispatched her by putting her foot on her breast, and crushed her se-*

verely, she was then carried to a neighbouring house, where she expired in the course of a few minutes. This put an end to the West-Port Murderers, except Hare's Wife, who escaped from Belltorbett, on the death of her Husband. (3)

This is a well detailed account which certainly has a ring of authenticity to it, although thus far it has been impossible to find any independent verification of the story. If these events did take place as recorded then someone was killed by the mob in Deanston. If it wasn't Helen it was an unfortunate innocent who had been mistaken for her. So much then, or so little, for Helen. What about the fates of the other principal characters?

Burke we know all about and, at least in part, he is of course still among us.

Hare survived an attempt at a private prosecution by Daft Jamie's relatives, but only by a majority vote of the judges hearing the case. He was released from gaol on the evening of 5th February and escorted to Newington by the Deputy Governor, John Fisher. There they awaited the southbound mail coach which Hare duly boarded, his intention being to travel to Dumfries and from there take the Galloway mail to Portpatrick, where he would sail for Ireland. To Hare's great misfortune, one of the passengers on the mail was E. Douglas Sandford, one of the Wilson family's legal team during the attempted private prosecution. Sandford refused to allow Hare to travel inside the coach, making him perch on the freezing exterior seating.

When challenged over his ungentlemanly behaviour by the other passengers, Sandford told them who their travelling companion was. Needless to say word spread quickly around Dumfries and once again the police were required to break up a riot. They repeated the trick of their Edinburgh colleagues and evacuated Hare from the Kings Arms inn via a back window. From there he was taken, for his own safety, to the town jail. The mob quickly congregated at the jail and the militia were needed to disperse them and save the building from serious damage. Once things had quietened down Hare was escorted from the town by a detachment of militia under the supervision of a sheriff's officer. They left him walking south towards Annan. He was last seen early on the following morning on the Carlisle to Newcastle road. From that point he vanishes from history, although the same broadsheet quoted above on the death of Helen MacDougal also has something to say about Hare:

MURDER of HARE.

On the night of friday the 10th April, about twelve o'clock, Hare took up his abode in the house of one Atkinson, who was one of his old accomplices. The house was surrounded by a large mob, who swore that they would Murder every person in the house if they did not give up Hare. In an instant they rushed forward, broke open the door, and searched every corner, some person on the outside observed him coming out of the top of the chimney, where in a moment of time he was brought to the ground, and in a few minutes his body was so much mangled that he was taken by the police to a surgeon's shop and his wounds dressed, but he died in the course of four hours. (4)

Unfortunately this account is lacking in the detail needed to draw any conclusions about its authenticity. There is, for example, no mention of a location for these events and as such can only really be noted as "interesting".

Margaret Hare was released from jail some time before her husband, on 19th January. As she crossed the North Bridge she was recognised and pelted with snowballs, stones and mud. Apparently the fact that she was carrying her child prevented a lynching. Yet again the police saved the day and Margaret was escorted to the watch house on Libberton's Wynd. After a few days respite arrangements were made for her to go to Glasgow, from where she hoped to sail for her native Ulster. She managed to stay in-

cognito in Glasgow but, inevitably, she was eventually recognised and once again the police had to rescue her from the mob and escort her to Calton (Glasgow this time, rather than Edinburgh) police office. From there she was taken to Greenock, where on February 12th she embarked on the "Fingal" and set sail for Belfast. At this point she, also, departs from the record.

It is interesting to contemplate that descendants of both Burke and Hare may well still be living in Ireland, or they may have followed their ancestor's lead and emigrated to other countries.

Five Helens?

As previously noted we know very little about Helen before her arrival at Hare's lodging house in the autumn of 1827. To recap what she told Sherriff George Tait in her deposition in November 1828 she was a native of Redding, was 33 years old, never married and had been with Burke for about 10 years. She had a previous relationship with a sawyer who had subsequently died and with whom she had two children. Burke's deposition and confessions fill in some details of their itinerant life between the completion of the Union Canal in 1822 and their arrival in Edinburgh around 5 years later.

In all the contemporary records, official and unofficial, her name is given as Helen MacDougal (or M'Dougal, in the style of the time), and that is certainly how she has come to be known to history. However it would appear that this is actually the name of the father of her children.

Her own family name remains unknown, but at least one contemporary writer suggested it might have been "Dougal". The parish records of the time, as maintained by the Scottish Government's "*Scotland's People*" website, confirm that there was a family named Dougal living in the Redding area at the beginning of the 19th century. In January 1804 Henry Dougal and Janet Halkets had a daughter named Elizabeth. There is, unfortunately, no sign of a Helen. If "our" Helen was not an unrecorded daughter of Henry, she may be one of the 3 Helens born within the Parish of Polmont between January 1794 and December 1795, with the family names of Brown, Gaff and Galloway. Another Helen was born in Muiravonside Parish with the family name of Nimmo. There are no records of any "Helen" dying in these parishes in the next 10 years, so we are probably safe in assuming all 4 of the girls survived until at least their teenage years.

There is a Helen Gaff listed as having died in the City of Edinburgh on the 4th of May 1818, aged 23, and since only "our" Helen Gaff fits the timescale, we are probably safe in assuming they are one and the same. We can probably also exclude Helen Nimmo, who seems to have had a child in 1819 to the son of a local farmer named Thomson. Helen Brown was the daughter of John and Barbara Brown, born on May 25th 1794. Helen Galloway was born to William Galloway and Jean Easton on the 24th of December 1794. This makes Helen Galloway slightly more likely to be Helen MacDougal as she would indeed have been 33 when interviewed by Sherriff Tait, whereas Helen Brown would already be 34. This means that if Helen Galloway and Helen MacDougal are one and the same, then she stood trial for her life on her 34th birthday.

This is, of course, speculation. If Helen's family were Catholic, her birth would not be recorded in the parish records. However there is a widespread view among researchers that she was brought up as a Presbyterian, but if her family adhered to one of the many other Presbyterian churches active around the district at that time their records may not be included in the Scotland's People database either. There is obviously more work, and a sizeable dose of luck, needed to firmly establish Helen's identity.

There is a final part of the Helen MacDougal story that needs examination – how much did she actually know about the activities of Burke and Hare? The majority of

writers, both at the time and since, have been clear that she must have been implicated and that the Not Proven verdict against her was a travesty. They point out that the Burkes and the Hares were living in very cramped accommodation so she must have seen and heard things to make her suspicious. Her desperate attempt to bribe the Grays into silence is also incriminating.

On the other hand, an objective viewing of the evidence does work in her favour. She was clearly not particularly capable; her action in trying to return to the house in the West Port after her release certainly supports this view. In addition Burke had told her that he was buying bodies from the resurrection men and selling them onwards, which would account for most of the comings and goings she witnessed.

What is beyond doubt is that Burke went to great lengths to ensure that his Nelly was not convicted and Helen remained faithful to her Will to the end. Before Lord Advocate Rae cut his deal with the Hares, he tried to get Helen to testify against Burke. In his words, she "positively refused". Burke certainly impressed her innocence on Henry Cockburn, Helen's advocate, who then worked assiduously for a Not Proven verdict. Not Proven was probably a fair verdict in light of the evidence the Crown actually had against Helen although, as we have seen, turning her loose into the community may well have been a death sentence anyway.

Merry Andrew

Although Burke and Hare were never in the business of harvesting graveyards, plenty of others were. Parish authorities put a number of measures in place to discourage the grave robbers. Watch houses were built in a number of local graveyards, while others were equipped with "mortsafes". These devices took a number of forms but all had the same purpose; to keep the body safely in its coffin until it was too decomposed to be of any use to the anatomists.

Airth Parish Church invested in solidly made cast iron mortsafes. A number survive, including an example which can be seen in the Museum of Scotland in Edinburgh. The Airth mortsafes take the form of plate iron coffins without a bottom. The wooden coffin would be placed inside the mortsafe and the lid chained shut. It would be reopened some time later when nature had taken its course.

Probably the best known of the Scottish Resurrection Men was Andrew Merrilees, or "Merry Andrew", who also supplied the Edinburgh anatomists. Andrew had gained a degree of notoriety among his fellow grave robbers by disinterring and selling the body of his recently departed sister. Very tall and thin with gaunt features and a sallow complexion, he haunted the closes and back courts of the Old Town like the Grim Reaper, always ready to come to an arrangement with the relatives of the dying. Bodies would be removed and disposed of, a sack of bark substituted in the coffin and a few shillings in the hand would ease the grief of the loss. Andrew, of course, would make a handsome profit from the deal. Robert Knox later claimed he thought this was how Burke and Hare were getting so many fresh bodies. He was never questioned at the trial though.

When natural causes could not be relied upon, Andrew and his gang would turn to the hard manual labour of digging up fresh graves. He was accompanied on these trips by an accomplice called Mowat and another known as "The Spune", who was presumably the excavation specialist.

Prospective targets had been marked by a third associate known as "Praying Howard", who posed as a minister and specialised in pauper funerals. Having arrived at the grave identified for them by Howard, they would dig rapidly down through the soft earth at the head end of the grave using wooden spades to keep noise to a minimum. When they reached the coffin the lid would be broken and the body pulled out. Any shroud or clothing would be thrown back in and, as quickly as possible, the grave

Mortsafe from Airth Parish Church on display in the Museum of Scotland. Note the date of 1831.

made good. The body would be extracted, sacked, over the wall and on its way to the anatomists in less than an hour, start to finish.

This is, presumably, more or less the sequence of events that took place in Larbert churchyard on the night of 13th/14th March 1822, when Thomas Stevenson, James Alexander and William Calderwood carried out the only well attested case of bodysnatching in the Falkirk area. This case serves both to illustrate the strength of feeling of those in the community to the resurrection men and the treatment they could expect if they were caught.

The bodysnatchers disinterred the body of a recently deceased girl named Janet Moir and loaded it on to a cart, which Stevenson then drove off for Edinburgh. The first leg of the trip took him as far as Polmont, where the body was concealed in a dung heap. During the course of the day carters arriving to collect the manure discovered the body and reported it to the farmer at Gilston. A careful watch was kept on the body and, when Stevenson arrived to collect it the following night, a swift horse was sent on before him to Linlithgow to alert the authorities. Travelling much more slowly in his horse-drawn wagon, the snatcher arrived at Linlithgow Bridge to find a substantial mob awaiting his arrival. He was thoroughly beaten up and only the intervention of the authorities saved him from worse. Janet's body was recovered and returned to Larbert, where it was reinterred. The bruised bodysnatcher was arrested and sent to Edinburgh to await his fate, where it quickly became apparent that his real name was Thomas Hodge and he was no stranger to the bodysnatching trade, or indeed to the courtroom.

On June 2nd 1823 the three found themselves before the High Court, charged with "Wickedly and Feloniously Stealing Dead Bodies" and "Violating the Sepulchres of the Dead". Somewhat optimistically, they pled Not Guilty. The jury disagreed and guilty verdicts were delivered. Hodge's lawyer asked that the treatment he had received from the citizenry of Linlithgow be taken into account when he was sentenced. The judge, the same Lord Pitmilly who would later sit in judgement on Burke and Helen, agreed that Hodge had been roughly handled and deplored the vigilantism but pointed out that they had met in court before and Hodge had been told what to expect if he was caught stealing bodies again. What he got was a sentence of transportation beyond the seas, most likely to the Australian colonies, for 7 years. James Alexander received 12 months imprisonment and William Calderwood was sentenced to 6 months and had to give surety of £40 for his good conduct for five years. They both had previous convictions.(5)

So ended the only recorded case of grave robbing in the Falkirk area. Of course, we don't know how many other emptied graves there may be in our cemeteries…!

Post Script – Helen, William and the Free Colliers

There is one other connection between William, Helen and the Falkirk area that is worth noting. We have already seen that, during the summer of 1828, William and Helen came back to the Falkirk area for a break, both to try to help William recover his deteriorating psychological equilibrium — Burke would later tell Professor Robert Christison, Chair of Medical Jurisprudence at Edinburgh University, who interviewed him after his trial that he needed a half bottle of whisky and a pint of opium just to get to sleep — and also to get Helen away from what he thought was a dangerous situation with Margaret Hare.

They stayed with members of Helen's extended family and helped out with the agricultural work on local farms. In his Edinburgh Evening Courant confession Burke recalls that, while they were in the area the there was a procession around a stone to commemorate a battle. Burke thought this was the Battle of Bannockburn. However, there is no local tradition of a Bannockburn commemoration "up the braes", but there is of course a longstanding march held every summer to mark both the emancipation of the Scottish colliers in 1799 and the defeat of Wallace and his army at the Battle of Falkirk in 1298. Since the march usually takes place around the anniversary of the battle in July, we can place the timing of the visit to the Falkirk area fairly accurately.

It is, therefore, at least a possibility that William Burke's confession is the first written account of the celebrations which would go on to become the annual Free Colliers march.

Deanston Cotton Mill
Possibly the location of Helen MacDougal's murder.
The site is now Deanston Distillery, owned by Burn Stewart Distillers.

Sources and Guide to Further Reading

Bailey, Geoffrey B *: "Locks, Stocks and Bodies in Barrels: A History of the Canals in the Falkirk Area"* Falkirk Council (2000)

Dishington, Denis R : *"Brightons and the Surrounding Area : From Pit to Pulpit"* Monument Press (1984)

Edwards, Owen Dudley : *"Burke and Hare" Birlinn* (3rd edition 2010)
Note: *This is the best single work on the West Port Murders and is highly recommended to anyone interested in the case. There have been 3 editions (1980, 1994 and 2010) but they all share the same body text, differing only in updated introductions and reviews of the literature on the case. This is a superbly well written, entertaining and thought provoking book.*

Ireland, Thomas : *"A report on the Trial of Burke and M'Dougal"* Edinburgh, (1829)

McNee, John : *"Trial of William Burke and Helen M'Dougal"* Robt Buchanan*, (*1829)

Polmont and Muiravonside Session Minutes, Falkirk Council Archives, Callendar House

Roughead, William, ed. : *"Notable British Trials - Burke and Hare"* Wm Hodge & Co. Ltd, (1921)

Online Resources

Scotland's People : http://www.scotlandspeople.gov.uk/
National Library of Scotland Broadsheets : http://digital.nls.uk/broadsides/

Notes

1. All quotes from the trial are taken from Ireland
2. See also : http://news.bbc.co.uk/1/hi/scotland/tayside_and_central/8472759.stm
3. Deanston Mills are still standing and is the site of Deanston Distillery: www.deanstonmalt.com
4. http://digital.nls.uk/broadsides/broadside.cfm/id/16805/
5. http://digital.nls.uk/broadsides/broadside.cfm/id/15327/transcript/1

The West Port today.
The photograph on the left looks down Lady Lawson Street. Tanner's Close, where the Hares had their lodging house, was to the right and a short distance downhill. The building was demolished in the early years of the 20th century. Argyle House, the large office block in the photograph on the right, was subsequently built on the site in 1968. It is widely regarded as one of the Edinburgh's ugliest buildings. It was for many years the Headquarters of the Department of Health and Social Security in Scotland.