

Another chance for the last man hanged in Dundee?

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Credit: University of Dundee

A re-examination of the medical evidence which led to the execution of William Bury, the last man hanged in Dundee 129 years ago, will be staged at a public mock trial next month, organised by the University of Dundee.

Bury was found guilty of the murder of his wife Ellen, and hanged on

April 24, 1889. In his initial confession he made a claim to be Jack the Ripper.

His conviction rested largely on [medical evidence](#) which drew some uncertainty from the jury at the time. Now students from the Mooting Societies at the Universities of Dundee and Aberdeen will take part in a re-consideration of the information that was available at the time and will present evidence by today's forensic science standards.

The mock trial will be overseen by The Hon Lord Matthews, a Judge of Scotland's Supreme Courts. The prosecution case will be led by the Dundee University Mooting Society, who will be mentored by Alex Prentice QC and Dr. Stuart Hamilton will be called as their expert witness. Defence of William Bury will be led by Aberdeen University's Mooting Society, who will be mentored by Dorothy Bain QC and they will call Professor Richard Shepherd as their forensic witness.

The jury who will decide on the verdict will be drawn from the local public, with an appeal for 15 people to take part.

The event will be held in Dundee Sheriff Court on Saturday February 3 and is being staged as part of the celebrations to mark the 130th anniversary of the establishment of the Cox Chair of Anatomy at the University of Dundee.

Unfortunately, due to limited space there is no access for the public to the court on the day. The event is being filmed for a planned documentary by HistoryHit TV—Dan Snow's new online History Channel, and there will be social media updates throughout the day, with a verdict expected by 5pm on February 3.

"The William Bury trial and his subsequent execution is a fascinating story in so many respects, from the reaction of the Dundee public, who

were very much against the death sentence at the time, to the claims linking him to the Jack the Ripper case, and the circumstances of the death of his wife," said Professor Dame Sue Black, Director of the Centre for Anatomy and Human Identification at the University of Dundee.

"We have excellent records of the original case, through documents held in the National Records of Scotland and press reports of the time. William Bury's body was transported to the University for anatomisation and the bones from his neck remain in my office. He had been hanged and his neck snapped at his second cervical vertebra – the classical hangman's fracture.

"When the jury returned the first time they found Bury guilty but asked for mercy as they found the medical evidence to be conflicting. However they could only return with one of three verdicts – guilty, not guilty or not proven. On the second return to the courtroom they found him guilty and he was sentenced to death by hanging. We will now look at this evidence again in the light of modern thinking and see what the jury decides – will he still be found guilty? We will find out on February 3."

In the original trial the Crown alleged that Mr Bury strangled his wife Ellen with a piece of rope he had bought, then cut her abdomen open, disembowelling her, possibly whilst she was still alive or very shortly thereafter. He then crammed her mutilated body into a wooden trunk, breaking both the bones in her leg in the process. The defence alleged that it was suicide and that she 'self-strangulated' and that the cuts to her body were made after her death.

William Bury – the story

William Henry Bury was born in Hill Street, Stourbridge, Worcestershire, on 25 May 1859. Little is known of his early life, except

that his mother, Mary, had become insane after suffering from depression, and after a nervous breakdown was confined to Worcester County and City lunatic asylum in May 1860, where she remained until her death at the relatively young age of 33, on 30 March 1864.

William's father, Henry, was a hardworking fishmonger, who died in August 1859 when William was only three months old. He was the youngest of three children, having an older brother and sister, and was raised not by his uncle as some reports have claimed, but a close family friend. She took pity upon the children and provided them with a solid education, and at the age of 16, helped William to find work as a factors clerk in a local warehouse.

In the 1881 census he is listed under the surname Berry, co-incidentally the surname of the man who would later hang him for murder. There is no record in the census of his brother and sister, and their whereabouts at that time are unknown. Bury, prior to moving to London, went to live with his uncle in Wolverhampton, and made a precarious living hawking, selling items such as lead pencils and toy rings.

He arrived in London at the age of 28 in October/November 1887, and found work as a sawdust collector for James Martin, who was described as a general dealer. Martin ran, what to all intent and purposes was a brothel, at 80 Quickett Street, Arnold Road, Bromley-by-Bow. Bury moved in with the Martins, and it was here that he met Ellen Elliot, a 32-year-old barmaid and prostitute and the daughter of a London publican, George Elliot.

Ellen was well known and respected among family and friends as a quiet inoffensive woman, who had seemed very happy until she married Bury. She was described as a neatly dressed woman, fair haired, slim and of genteel appearance. She had been left a legacy of bank and railway shares from an aunt, to the value of £300. Ellen invested the money

wisely, purchasing shares in the Union Bank of London. After a brief courtship of only one month the couple were married, at Bromley Parrish Church on Easter Monday 2 April 1888. The newlyweds settled in Bow, and took up lodgings with Elizabeth Haynes at 3 Swaton Road.

On 7 April, only five days after they were married, Haynes, hearing Ellen screaming, rushed to her aid to find Bury kneeling on her attempting to cut her throat with a table knife which he was holding in his left hand.

Around this time Ellen confided to the Martins that her husband often stayed out until the early hours, sometimes disappearing for a couple of days, before reappearing, worse the wear for drink, where upon he would proceed to take his temper out on her. Exactly where he went and what he got up to she did not know. James Martin, on at least two occasions, witnessed William Bury assault his wife in public, and Ellen would often be seen displaying the facial marks resulting from a beating. Ellen also told the Martins that her husband slept with a pen-knife under his pillow, and that he had infected her with a venereal disease. She also believed, prophetically, her husband would kill her.

It was around this time that Bury stole money from James Martin, and was sacked. With the help of Ellen's money, he bought a pony and cart, and became self employed as a sawdust merchant. He would purchase sawdust from various mills and sell it onto pubs in the East End and restaurants in the City. This however is how it was meant to work in theory. In practice, he would arrive at a pub with the intention to sell sawdust, have a beer, and stay there drinking all day.

In August, the couple left Swaton Road, and moved to 11 Blackthorne Street, Bow. Their stay there, however, was brief. In December, they took up lodgings with William Smith, a builder/bricklayer, at 3 Spanby Road, Bow. Bury stabled his pony and cart, at this address.

The next we hear of their movements is 19 January 1889, when Bury told Ellen's sister he had found manufacturing work for himself in Dundee at £2 per week, and Ellen at £1 per week, if she wanted it. He told his landlord, William Smith, a different tale, that they were emigrating to Brisbane, Australia. When asked by Smith which dock they were sailing from, Bury replied, 'Ah, that's what you want to know, like a lot more'.

Bury asked Smith to build him a strong trunk to transport his belongings, and was very particular about the measurements of the box he wanted. Smith was surprised he wanted such a large trunk, as the only possessions he noticed the couple had were clothing, though he did notice Bury always appeared to have plenty of money and jewellery about his person. Smith later told the police that Bury had been lately, 'Rather strange in his manner'.

On 19 January 1889, the Burys travelled to Dundee on the London packet steamer 'Cambria', which was lying at London dock. The couple occupied a second-class cabin and stayed on board overnight. During the crossing, the other passengers noticed the couple appeared to be on good terms with one another, although were hesitant in revealing details about their past. During the trip, it was noticed Bury seemed most anxious about a large heavy whitewashed case he had taken on board.

On first arriving in Dundee, the couple found accommodation with Mrs Robinson, at 43 Union Street, which was a little more expensive than other lodgings in the area. They left after one week, claiming the rent was too high. It has been suggested that the real reason for their sudden departure was that Mrs Robinson, the elderly landlady, had feared Bury, and thought him rather odd. Bury, it was said, had a tendency to walk rather quietly and often frightened people with his silent approach.

They then moved into a two-roomed basement house at 113 Princes

Street, the basement being at the bottom of a four-storey house. The building was squalid in appearance and the apartment dirty and cold with several broken window panes, though was described as in a quite area. It was at this address, seven days later, that Bury murdered his wife. Neighbours at Princes Street rarely saw the couple, though on the occasions when they did, they noted were often the worse for drink.

Ellen was only spotted sporadically at night, whenever she would venture out to draw water from the communal pump. William Bury ran all other errands, such as replenishing candles, firewood and bread. On 4 February, Bury went to Janet Martin's provisions store, and asked if she had a length of rope, for what purpose she did not ask. A short while later Ellen Bury disappeared, and was not seen again. Her husband, however, was spotted on two or three occasions, always in a drunken state.

At approximately 7.00 p.m. Sunday 10 February 1889, William Henry Bury walked into Bell Street police station and announced to Lieutenant Parr, 'I'm Jack the Ripper, and I want to give myself up'. Parr, not sure if he was dealing with a drunk or a madman, then asked the man why he called himself Jack the Ripper. 'I'm him all right', Bury replied, 'And if you go along to my house in Princes Street, you'll find the body of a woman packed up in a box and cut up'. He gave officers the key to the property, telling them, 'You will know it at once, because there are red curtains on the front window'. He gave no further information, other than the number of his house, his name and occupation.

Police officers visited Princes Street and began a search by candlelight. The apartment was bare of possessions, the only items in the two rooms were a small bed piled high with clothing, and a large white-washed packing case. Opening the box, by raising two loose boards on the lid and pulling back a piece of sheeting, they revealed the leg and foot of a female. Proceeding no further, they summoned Doctors Templeman and

Stalker, who proceeded to examine the contents of the 3ft 3in long, by 2ft 4in across, and 2ft 1in deep trunk. They discovered the naked and mutilated body of Ellen Bury, she had been strangled and her abdomen had been ripped open by a wound beginning 1½ inches from the pubis and extending upwards for 4 ½ inches, a wound so severe that 12 inches of intestines were protruding through her stomach. Apart from the wound to the abdomen there were a total of nine other knife wounds to the body. The box, which was clearly too small to accommodate the body, had also been packed tightly with books and clothing. Ellen's head had been forced to one side of the shoulder, the left leg was broken and twisted to such a degree that the foot rested on the left shoulder, the right leg had been smashed in order to fit it into the box, the body was lying on its back on a petticoat and a piece of cloth. A long-bladed knife, which had been used to commit the crime, lay nearby, along with a rope, complete with strands of hair still attached.

It later transpired that Bury had lived with the box, and its contents, for several days, and along with some male friends had used it as a table to play cards upon. It also became clear while in court that, prior to his confession, he had gone to visit a friend and drinking partner, David Walker, where the subject of Jack the Ripper had arisen on at least several occasions during their conversation.

In the days following the murder, he had tried unsuccessfully to borrow a chopper from his neighbour, Marjory Smith, who joked to him, 'You're not Jack the Ripper are you?' to which he replied, 'I do not know so much about that'. Police officers also discovered at Princes Street two chalk written messages, one behind a tenement door, stating, 'Jack Ripper is at the back of the door', and one on a stairwell wall leading down to the flat, 'Jack Ripper is in this seller'. The newspapers attributed the handwriting to a small boy, though did not offer an explanation why they considered this to be the case. Presumably it was due to the poor grammar displayed. The writing, however, was said to be old, and

predated the tragedy.

Bury was detained on suspicion of having taken the life of his wife, by either strangulation or stabbing, this information, it was noted, he received calmly. A search of his person revealed his wife's bankbook, showing several pounds in credit, a watch and some jewellery.

Bury, while awaiting trial, told the police that on Monday 4 February 1889, he and his wife had been out having a good time, so good a time, that they could not remember going to bed. The following morning Bury awoke to find his wife dead on the floor, having been strangled with a cord. Having no recollection of whether he had committed the crime or not, and frightened and fearing he would be apprehended as Jack the Ripper, he was suddenly seized with a mad impulse, and he picked up a large sharp and finely ground knife, which happened to be lying conveniently nearby, and plunged it into her abdomen. He then decided to conceal the body in the trunk.

The post mortem revealed that Ellen Bury had been dead for several days. Dr. Templeman's opinion was that she had been murdered, strangled and her body cut possibly whilst still alive.

Bury, despite his initial confession, pleaded not guilty to his wife's murder and genuinely believed he had a chance of a reprieve. His solicitor asked for a second post mortem.

Dr. David Lennox, an experienced Dundee surgeon, carried out the second post mortem, assisted by Dr. William Kinnear, and presented a comprehensive 14 page report. His conclusion was that Ellen Bury had committed suicide and that the cuts to her abdomen were made after death.

This was a huge blow to the police, who now called in Dr. Henry

Littlejohn to perform a third post mortem. His findings were that Ellen had in fact been murdered, though he was unable to ascertain if the mutilations had taken place after death.

Bury's trial commenced on 28 March, the judge was Lord Young, Dill Kechnie led the prosecution case, William Hay appearing for the defence. The trial lasted about thirteen hours.

A neighbour at Princes Street, David Duncan, on the night of the murder, heard three loud screams come from the direction of Bury's flat. Little was said in Bury's defence throughout the trial, though the defence attempted to question the morals of Ellen Bury. Under the rules of evidence, Bury was not permitted to speak in his own defence.

The jury returned a verdict of guilty, saying, 'We strongly recommend him to mercy'. Lord Young seemed to be surprised by their recommendation, 'May I ask', he inquired, 'On what grounds you recommend the prisoner to mercy'. It was explained to the court that the jury viewed the medical evidence as conflicting. Lord Young refused to accept such a verdict and instructed the jury to retire once more to consider if they had doubt. They returned some 5 minutes later, with a unanimous verdict of guilty, with no recommendation for mercy.

Bury, throughout his trial, was said to have remained calm and slept soundly each night. The Dundee Advertiser 29 March 1889, described him as, 'Brainless and heartless'.

He was hanged on 24 April 1889 at 8.00 a.m. and was the last man to be hanged for murder in the City of Dundee. 5000 people waited outside for the hoisting of the black flag, and the body was buried within the precincts of the prison after he had been anatomised.

Just before his execution, the hangman, James Berry, tried to obtain a

confession for the Whitechapel murders. Bury turned to the hangman and said, 'I suppose you think you are clever to hang me', with the emphasis firmly placed on the word, 'Me', before continuing, 'I suppose you think you are clever because you are going to hang me, but because you are going to hang me you are not going to get anything out of me'. Although Bury never actually confessed to the Ripper crimes, the hangman James Berry, always remained convinced that he was Jack the Ripper.

According to Berry the detectives sent from London to investigate Bury's movements asked Berry for his opinion, he replied, 'I think it is him right enough', 'And we agree with you', replied one of the detectives, 'We know all about his movements in the past, and we are quite satisfied that you have hanged Jack the Ripper, there will be no more Whitechapel crimes' – and indeed there were not.

Provided by University of Dundee

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