

## THE EXECUTION OF LADY WARRISTON.

Few events of its kind have ever made a deeper or more lasting impression on the public mind than the execution of the Lady of Warriston, on the 5th of July, 1600, for the murder of her husband. The property of Warriston lies about a mile north of the old city of Edinburgh, and now

contains a portion of the northern suburb of the New Town. The laird of it, who was murdered by his lady, and who, in the courtesy of the age, was sometimes called Lord Warriston, was John Kincaid, a person of considerable consequence in Edinburgh, and nearly related to the ancient family of Kincaid of Kincaid in Stirlingshire; and his lady was Jean Livingstone, the daughter of John Livingstone of Dunipace, and the relative of many of the most aristocratic families in Scotland. She was only about twenty years of age at the time of the murder; and she is highly celebrated in several popular ballads of the period for her graceful appearance and uncommon beauty. She conceived a deadly hatred against her husband on account of some alleged ill-treatment of her person or of some aspersion upon her honour; and, at the instigation of her nurse, and with her zealous assistance, she employed a man of the name of Weir and one or two other accomplices to destroy him. Weir entered his bed-room about midnight, and strangled him. The news immediately reached the proper authorities; and the Lady Warriston, 'the fause nourice,' and two 'hyred women,' were taken 'red-hand,' and speedily brought to trial and condemned. Weir escaped for a time, but was eventually caught and executed. The Lady Warriston was beheaded at the foot of the Canongate; the nurse and one of the female accomplices were burnt on the Castle Hill; and Weir was 'broken on ane cart-wheel with ane coulter of ane pleuche in the hand of the hangman.'

The Lady Warriston was speedily overwhelmed with most poignant and true repentance, and is said to have declined all efforts for saving her life. A portion of one of the best of the extant ballads upon her says:

" They've ta'en the lady and fause nourice,  
 In prison strong they ha'e them boun';  
 The nourice she was hard o' heart,  
 But the bonny lady fell in swoon.

In it came her brother dear,  
 And aye a sorry man was he;  
 I wou'd gie a' the lands I heir,  
 O bonny Jean, to borrow thee.

O borrow me, brother, borrow me,—  
 O borrow'd shall I never be;  
 For I gart kill my ain gude lord,  
 And life is nae pleasure to me.

In it came her mother dear,  
 I wyte a sorry woman was she;  
 I wou'd gie my white monie and gowd,  
 O bonny Jean, to borrow thee.

Borrow me, mother, borrow me,—  
 O borrow'd shall I never be;  
 For I gart kill my ain gude lord,  
 And life's now nae pleasure to me.

Then in it came her father dear,  
 I wyte a sorry man was he;  
 Says, ohon! alas! my bonny Jean,  
 If I had you at hame wi' me.

Seven daughters I ha'e left at hame,  
 As fair women as fair can be;  
 But I wou'd gi'e them ane by ane,  
 O bonny Jean, to borrow thee.

O borrow me, father, borrow me,—  
 O borrow'd shall I never be;  
 I that is worthy o' the death,  
 It is but right that I shou'd dee.

Then out it speaks the king himself  
 And aye as he steps in the floor;  
 Says, I grant you your life, lady,  
 Because you are of tender year.

A boon, a boon, my liege the king,  
 The boon I ask, ye'll grant to me.  
 Ask on, ask on, my bonny Jean,  
 Whate'er ye ask it's granted be.

Cause take me out at night, at night,  
 Lat not the sun upon me shine,  
 And take me to yon heading hill,  
 Strike aff this dowie head o' mine.

Ye'll take me out at night, at night,  
 When there are nane to gaze and see,  
 And ha'e me to yon heading hill,  
 And ye'll gar head me speedilie."

An extremely interesting account of her behaviour in prison and on the scaffold, written seemingly by one of the contemporary ministers of Edinburgh, was preserved among Wodrow's Manuscripts in the Advocates' Library, and is reported on in Pitcairn's Criminal Trials. Its title is, 'A Worthy and Notable Memorial of the great Work of Mercy, which God wrought in the Conversion of Jean Livingston, Lady Warristoun; who was apprehended for the vile and horrible murder of her own husband, John Kincaid; committed on Tuesday, July 1, 1600; for which she was execute, on Saturday following: Containing an Account of her obstinacy, earnest repentance, and her turning to God; of the odd speeches she used, during her imprisonment; of her great and marvellous constancy; and of her behaviour and manner of her death: Observed by one who was both a seer and hearer of what

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was spoken.' A great portion of this Memorial, says Mr. Pitcairn, is occupied with a very affecting account of the state of her mind, and a faithful and striking delineation of its gradual opening and development, through the patient and affectionate attentions of her spiritual advisers, from a state of perfect callousness and indifference to every thing connected with religion and the awful situation in which she was placed, to perfect resignation to her fate, and a cheerful but unfeigned repentance for all her past offences and crimes. So far as relates to her confession, it cannot be better related than by quoting her own energetic words:—"I think I hear presently the pitifull and fearfull cries which he gave when he was strangled! And that vile sin which I committed, in murdering mine own husband, is yet before me. When that horrible and fearfull sin was done, I desyred the unhappy man who did it, (for my own part, the Lord knoweth I laid never my hands upon him to do him evil; but as soon as that man gripped him and began his evil turn, so soon as my husband cryed so fearfully, I leapt out over my bed, and went to the Hall; where I sat all the time, till that unhappy man came to me and reported that mine husband was dead;) I desired him, I say, to take me away with him; for I feared Tryall; albeit flesh and blood made me think my father's moen\* at court would have saved me! As to these weemen who was challenged with me, I will also tell you my mind concerning them. God forgive the nurse, for she helped me too well in mine evill purpose; ffor when I told her that I was minded to do so, she consented to the doing of it; and upon Tuesday, when the turn was done, when I sent her to seek the man who would do it, she said, 'I shall go and seek him; and if I get him not, I shall seek another! and if I get none, I shall do it myself!' As for the other two weemen, I request that you neither put them to death, nor any torture,

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\* Fr. 'moyen,' influence, interest.

because I testify they are both innocent; and knew nothing of this deed before it was done, and the mean time of doing of it: and that which they knew, they durst not tell, for fear; for I had compelled them to dissemble. As for mine own part, I thank my God, a thousand times, that I am so touched with the sense of that sin now: for I will confesse this also to you, that when that horrible murder was committed first, that I might seem to be innocent, I laboured to counterfeit weeping; but do what I could, I could not find a tear: and so now I suffer; for the Lord would not have that high sin concealed, but would have it manifest, as it is his gracious will to be done."

Owing to the rank of Lady Warriston, and the powerful influence of her father and friends, the manner of her death was, on their intercession, mitigated to decapitation by the well-known 'Maiden.' The usual form of death, for females, in such cases, was of the most ignominious and shocking description,—burning after being strangled at a stake,—and in atrocious instances, the criminal was 'brunt quick!' A very unbecoming zeal was displayed by her relations, to have her executed as privately as possible, and at such a time as would be unknown to the populace. They had first intended and applied for the unusual hour of 9 o'clock on Friday evening, as the time for her execution; which, however, was overruled. The 'Memorial' states, that, "After three o'clock in the morning, upon Saturday, the magistrates wer brought into prison by her friends,\* to take her forth to suffer. Amongst them, some were too earnest to hast her away, that she might be execute, before any should know of it; albeit she was far otherwise minded herself; for she purposed not to have gone furth till between 5 and 6 in the morning. On this, many, whom I will not name, came and said, 'Will you deprive God's people of that comfort which they might have, in that

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\* Relations.

poor woman's death? and will you obstruct the honour of it, by putting her away, before the people rise out of their beds? You do wrong in so doing; for the more public the death be, the more profitable it shall be to many; and the more glorious, in the sight of all who shall see it,' &c. The magistrates granted also, that she might stay till sun-rising; but her friends\* were so importunate that it was not granted! Although she was but a woman and a bairn, being the age of 21 years, in the whole way, as she went to the place of execution, she behaved herself so chearfully, as if she had been going to her wedding, and not to her death! When she came to the scaffold, and was carryed up upon it, she looked up to the Maiden with two longsome looks, for she had never seen it before, &c. This I may say of her, to which all that saw her will bear record, that her only countenance moved,† although she had not spoken a word! For ther appeared such a majesty in her countenance and visage, and such a heavenly courage in her gesture, that many said, 'That woman is ravished with a higher spirit than a man or woman's!' The summ of her confession, which almost was in a form of words, upon the four parts of the scaffold, to which she presented herself, was this :‡—'The occasion of my coming here, is to shew that I am, and have been a great sinner, and hath offended the Lord's majesty; especially, of the cruell murdering of mine own husband; which, albeit I did not with mine own hands, for I never laid mine hands upon him all the time that he was murdering; yet I was the deviser of it, and so the committer! But my God hath been alwise mercifull to

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\* Blood-relations.

† Her countenance alone would have excited emotion, although, &c.

‡ That is, she repeated her declaration or confession at each of the four corners of the scaffold; which was a stage or platform erected in the centre of the street, at the foot of the Canongate, near the Girth-cross.

me, and hath given me repentance for my sins ; and I hope for mercy and grace at his Majesty's hands, for his dear-Son Jesus Christ's sake. And the Lord hath brought me hither to be an example to you, that you may not fall into the like sin as I have done: and I pray God, for his mercy, to keep all his faithfull people from falling into the like inconvenient as I have done! And therefore, I desire you all to pray to God for me, that he would be merciful to me!"

Her conduct on the scaffold appears to have been most heroic. After her devotional exercises were completed, "then came to her one of her friends, with a clean cloath, to bind about her face." To the fastening thereof, she took out of her mouth a pin, and gave it out of her own hand. The minister, after receiving her last farewell, "could not abide longer beside her; but immediately left the scaffold and departed. But she, as a constant saint of God, humbled herself on her knees, and offered her neck to the axe, laying her neck, sweetly and graciously, in the place appointed; moving to and fro, till she got a rest for her neck to lay in. When her head was now made fast to the Maiden, the executioner came behind her, and pulled out her feet, that her neck might be stretched out longer, and so made more meet for the stroak of the axe; but she, as it was reported to me by him who saw it, and held her by the hands at this time, drew her leggs twice to her again, labouring to sitt on her knees, till she should give up her spirit to the Lord! During this time, which was long, for the axe was but slowly loosed, and fell not down hastily; after laying in of her head, her tongue was not idle, but she continued crying to the Lord, and uttered with a loud voice, those her wonted words, 'Lord Jesus, receive my spirit! O, Lamb of God, that taketh away the sins of the world, have mercy on me! Into thy hands, Lord, I commend my soul!' When she came to the middle of this last sentence, and had said, 'Into thy hand, Lord,' at the pronouncing of the word 'Lord,' the



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axe fell ; which was diligently marked by one of her friends, who still held her by the hand, until this time, and reported this to me.”