

Andrew May (4780) and John Fitzclarence (4861)

Burglary at Edinburgh, and Remarkable Heroism of a Young Lady.

At the High Court of Justiciary, Edinburgh, on Thursday, Andrew MAY, John FITZCLARENCE and James McCABE, were charged with housebreaking at Prestonfield, in the Parish of Duddington, Edinburgh, now occupied by Lady Harriet, relict of Sir Keith Dick Cunyngham, Bart.

Miss Mary Ann Dick Cunyngham, daughter of the Dowager Lady Harriet Dick Cunyngham, was the first witness called. She said: Prestonfield-house fronts to the westward. There is a porch in the front of the house, with an outer door, a window on either side, and an inner door entering the lobby. My own apartments are upstairs. My dressing-room enters from the staircase, and my bed-room enters from the dressing-room. I went to rest about 12 o'clock. I was awakened about 3, and saw a light reflected in the mirror opposite my bed. The light appeared to come from the dressing-room. There was a toilet-table quite close to my bed. Through the curtains I saw a man's hand remove a gold watch, with chain and seals attached, from the stand on the dressing-table, but I did not see the person in whose hand it was. The watch and seals were my property. I next heard footsteps pass into the dressing-room, but did not see any one. Heard the person go from the dressing-room into the staircase. I then got up, and looked over the staircase which the man went down. I went myself down a private staircase to the pantry. I knocked at the door of Paterson, the butler, and then went to the maid servants' room, and desired the cook to awaken the butler, as there were housebreakers in the house. I then went to the offices behind the house, at some little distance, where the coachman and gardener slept, and alarmed them both. I then went to where I could see the front of the house, and where I was shaded by the plantation, from being seen. I saw a man at the porch, walking backwards and forwards. I recognise the prisoner Fitzclarence as the man. I then went back to the offices, and got the coachman with me. We went up to the front of the house and I saw the prisoner Fitzclarence put his hand to the door, open it, and give an alarm inside. He then ran off. On coming up to the door the prisoner May was coming out of the house. I tried to shut the outer door upon him to prevent his escape but he burst out. He was seized by the coachman, but, taking out a weapon about six inches long, he struck the coachman with it on the head repeatedly, and wounded and stunned him, causing him to relax his hold, so that he got away. A third man then came out of the house and I called out "Thieves". I identify McCabe as the man. I picked up a coat lying on the grass beside the porch. I afterwards found that the entry to the house had been effected through the window of the porch. The glass was also broken off the inner door of the lobby, which would enable a person to turn the key. Saw marks of an attempt to break into the house in other places. I identify the work-box, the trunk and other articles shown me as my property.

As Miss Cunyngham left the box the Lord Justice-Clerk said: I cannot but express my admiration of the presence of mind and the courage and gallantry you have exhibited. – Scott, the coachman, was then called to prove that May struck him with a life-preserver and ran off, leaving him bleeding. – Paterson, the butler, stated that he pursued MAY for some distance when he snapped a pistol at him, on which he became terrified and desisted from pursuit. – Other witnesses spoke to the discovery and identification of a coat belonging to Fitzclarence, in addition to the coat found by Miss Cunyngham and identified as MAY's. Previous conviction were proved. – The jury found May and Fitzclarence Guilty, but case against McCabe not proven. – The Lord Justice-Clerk sentenced MAY to transportation for life, and Fitzclarence to transportation for 21 years.

May and Fitzclarence arrived on the *Lord Raglan* in 1858.

References and Notes:

News of the World, 09 November 1856

First Printed in *Convict Links*, Vol. 19, No. 3, June 2005 - Newsletter of the Convict Special Interest Group, Western Australian Genealogical Society Inc.