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Naming the dead: the identification of the unknown body in England and Wales 1800-1934

Fraser Joyce (2012)

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Naming the Dead:

The Identification of the Unknown Body

in England and Wales, 1800-1934

Thesis submitted for the degree of

Doctor of Philosophy

by

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Naming the Dead:

The Identification of the Unknown Body in England and Wales, 1800-1934

Abstract

The identification of the unknown dead in England and Wales has received little scholarly attention from historians, and this thesis – covering the years 1800 to 1934 – represents its first dedicated study. It engages with, and introduces new perspectives on, the histories of sudden death investigation, the modern bureaucratic state, forensic medicine, the place of the dead, and personal, social and legal identities. It situates and studies identification procedure within the context of the inquest, but argues that this inquiry was entirely independent to that into the cause and circumstances of death.

This thesis examines the ways in which this medieval investigation was adapted to satisfy the socio-economic and administrative demands of the industrial age, and its development as a legal process in parallel with the rise of the modern bureaucratic state. At the heart of the project – and reflecting its position in identification inquiries – lies the unknown body itself. Using inquest records supported by newspapers and medico-legal literature as a methodological foundation, the thesis analyses the ways in which a range of agents – including coroners, law officers, medico-legal practitioners, the general public, and the press – engaged with the corpse during the investigation, and how their roles and responsibilities developed over the period.

Fraser Joyce, December 2012

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BJP – British Journal of Photography

BMJ – British Medical Journal

MLCR – Medico-Legal and Criminological Review

MLJ – Medico-Legal Journal

TMLS – Transactions of the Medico-Legal Society

Wrexham Advertiser – following its launch in 1854, the *Advertiser* underwent 13 name changes; the dates provided represent the first year in which each title was encountered

- *The Wrexham Advertiser, Denbighshire, Flintshire, Cheshire, and North Wales Register* (1863-)

- *The Wrexham Advertiser, Denbighshire, Flintshire, Shropshire, Cheshire & North Wales Register* (1866-)

- *The Wrexham Advertiser, Denbighshire, Flintshire, Cheshire, Shropshire, Merionethshire, and North Wales Register* (1870-)

- *The Wrexham Advertiser, and North Wales News* (1882-1900)

Currency

12 pence (d.) = 1 shilling (s.)

20 shillings = 1 pound (£ or l.)

1 Guinea = 21 shillings

Modern equivalents, where given, have been calculated using the National Archive currency converter: http://www.nationalarchives.gov.uk/currency. The converter uses the 2005 exchange rate.

Introduction

…he examined the corpses as though hoping to identify them out of the multitudinous thousands of faces that for ten years had been passing them at full speed, leaving only the blurred impression of a crowd, here and gone like a flash of lightning. No, still nothing more than the unknown stream of people on the move: death, brutal and accidental, was still as anonymous as the hurrying life that tore past on its way to the future. They could not attach any name or precise bit of information to the horror-struck faces of these poor creatures, cut down on their travels, trampled on and crushed…[1]

This thesis explores the developments in the methods used to identify – or name – the unknown dead body in England and Wales between the years 1800 and 1934. As well as considering the identification process on its own terms, the project will locate it within inquest procedure as a distinct but parallel line of inquiry alongside the wider investigation into the cause and circumstances of death. The thesis will determine how the roles of participants developed individually and within the context of the collective, and will examine the evolving rationales behind these processes in light of a range of socio-economic, medico-legal, and political issues encountered in the industrial age. It will study the effects of regional variations in policing and medico-legal practice, the place of the stranger within a community, and changing attitudes towards the place of the

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[1] É. Zola, *La Bête Humaine* (London, 1977 [1890]) pp.297.

dead. This thesis will also introduce the absent figures of the missing person and the unknown dead body to the fields of social and medical history.

Post-mortem identification practices have not hitherto received dedicated historical study and this thesis represents the first systematic attempt to examine the persons responsible for the identification of the dead, the processes they used, and the institutional frameworks in which they operated. The wider historiography of identification is a vibrant topic, but by introducing the unknown body to the historiography and placing it at the centre of the project, this thesis offers original methodological and theoretical perspectives on the changing socio-cultural and administrative place of the dead and the living in British state and society. It also introduces new approaches into the histories of the coroner and the medico-legal profession, the modern bureaucratic state, and the comparative roles of scientific and opinion-based evidence in legal inquiries.

The period 1800–1934 witnessed significant changes to the identification process as traditional practices were updated to meet the new demands of the industrial age. The Industrial Revolution saw the introduction of significant socio-economic changes to British society which necessitated the creation of the 'modern' bureaucratic state,[2] and thus provided both the impetus and the administrative mechanisms for post-mortem identification. The facilitation of these investigations was also affected by significant coronial reforms and the rise of forensic medicine as a specialist discipline. Identification is a complex topic and its appreciation requires a focused, dedicated study. Consequently this thesis will adopt both a *longue durée* and a localised approach,

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[2] E. Higgs, *Identifying the English: A History of Personal Identification 1500 to the Present* (London, 2011) pp.97-119; S.A. Cole, *Suspect Identities: A History of Fingerprinting and Criminal Identification* (London, 2001) pp.9-10.

drawing on examples from across England and Wales. To maintain a coherent narrative across this wide chronological and geographical range, the unknown body itself will provide a methodological focus for the reader to follow throughout the thesis. Using coroners' records as the empirical foundation, this thesis is structured to reflect the path of the corpse through the identification process: beginning with the anonymous death of the individual in Chapter One, the reader 'accompanies' the body during the investigation, culminating with the act of formal recognition in Chapter Five. This unusual device is well-suited to a topic which does not follow a clear chronological narrative, and where local practices varied greatly.

The agents of the identification process can be divided into two groups. The first can be termed active 'investigators' responsible for managing the investigation and carrying out inquiries. At the fore was the coroner who took responsibility for holding the inquests, which Ian Burney defined as 'inquiries into deaths deemed worthy of inquiry': those from violent, accidental or suspicious causes, as well as those where the cause and circumstances of death were unknown.[3] Coroners had legal possession of the unknown body and wielded the authority to order police and medico-legal inquiries to be made into the death. They corresponded with those attempting to identify the corpse, and liaised with the officials responsible for registering the death. Consequently, they were central figures in identification investigations. Law officers – a term encompassing parish constables, watchmen, and county or borough policemen – were responsible for conducting inquiries on behalf of the coroner. Medical men, ranging from local

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[3] I.A. Burney, *Bodies of Evidence: Medicine and the Politics of the English Inquest, 1830-1926* (London, 2000) p.3.

practitioners and surgeons to police surgeons and medico-legal specialists examined the body from a medical perspective.

The second tier of agents participated at the request or behest of these primary investigators were predominantly laymen. The 'first-finders' of the body, the relatives of the decedent, and the general public required to interact with the body in order to assist the investigators in their inquiries, and to give evidence at the inquest. Newspaper reporters and editors were tasked with spreading information about the investigation to the wider public. Finally, parish clerks and district registrars were responsible for formally registering the death and identity of each individual found dead.

Valentin Groebner warned historians that 'Any attempt to write a history of identification will necessarily result in a book where a great deal is missing',[4] and there have been two limitations to the scope of this project. First, the identification of 'infants' or 'children' unknown will not be systematically explored. A pilot study based on the inquest records of Western Middlesex and the Duchy of Lancaster revealed that identification evidence was virtually non-existent in these cases; efforts focused on the cause of death and whether the identity of the mother was known.[5] Second, although the period covered by this thesis includes the First World War in which 187,682 unknown British and Commonwealth troops were interred only as 'A Soldier of the Great War Known unto God',[6] the identification of military personnel will not be discussed. This was conducted separately by the War Office and the Graves Registration Commission (later

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[4] V. Groebner, *Who Are You? Identification, Deception, and Surveillance in Early Modern Europe* (New York, 2007) p.10.
[5] Respectively, LMA, MJ/SP/C/W (1829-30); LMA, MJ/SP/C/LAN (1884-9).
[6] This figure includes those interred since the armistice: *Commonwealth War Graves Commission Annual Report 2010-2011* (2011) p.43.

the Imperial War Graves Commission). However, the actions taken upon the discovery of naval personnel washed ashore and thus into the custody of coroners will be of interest.[7]

This Introduction will serve a number of purposes. First, it will outline the socio-cultural, legal and bureaucratic rationales behind post-mortem identification. In light of these, it will ask – given the matter's significant implications for state and society – why the topic has never warranted dedicated historical research. Next, the project will be placed into the context of existing historiographies of the modern bureaucratic state, the coroner, and forensic medicine. It will then detail the source materials used in this study and their methodological values.

Following this, the Introduction will consider the identification of the decedent as a component of inquest procedure parallel to inquiries into the cause and circumstances of their death. To do so, it will first examine the legal origins of the identification process within the Norman law of *Lex Murdrorum* and its subsequent evolution into the medieval coronial system. It will then discuss identification's place in nineteenth and early twentieth century inquest procedure, and the coroner's role in overseeing the investigation.

The rationales behind post-mortem identification

The presence of the unknown body represented two problems. On a physical level it posed a moral and sanitary threat to the public for which the decedent's family, unaware

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[7] Pat Jalland and Joanna Bourke have examined the identification and burial practices of servicemen in the First World War, as well as the efforts that some families made to repatriate their sons' bodies: P. Jalland, *Death in War and Peace: A History of Loss and Grief in England, 1914-1970* (Oxford, 2010) pp.35-59; J. Bourke, *Dismembering the Male: Men's Bodies, Britain and the Great War* (London, 1996) pp.35-59. See also D. Cannadine, 'War and Death, Grief and Mourning in Modern Britain' in J. Whaley (ed), *Mirrors of Mortality: Studies in the History of Death* (London, 1981) pp.212-17.

of its existence or location, could not take responsibility. Second, and perhaps more importantly, it represented an absence, a social and administrative 'gap in society' left vacant by a missing person.[8] The formal identification of the body, then, had important implications for both state and society; in its broadest terms, it stood for proof of death of that individual, the certification of which would facilitate a number of socio-cultural and bureaucratic processes.

At a personal level, the possibility of identification mitigated the anxiety of post-mortem anonymity,[9] but it also had wider civic implications. Angelo Calvello theorised that 'as named, I can be "more than human"; I can become a person',[10] and the same can be said of the corpse: Vanessa Harding suggested that the anonymous 'corpse' and the personalised 'body' appear to have been two very different objects.[11] Identification, then, transformed a troublesome object into one with inherant social value. Anthropologist Douglas Davies argued that each member of a community acted as a node in a social network, and that following the death of a member, everyone reassessed their position, reinforced weakened social links, and potentially adopted the decedent's prior responsibilities.[12] In this context, the community entered a form of limbo when a person was unaccountably missing from a group, lacking a particular link but unable to re-forge it until the individual was returned or definitive proof of loss was recieved. The manifestation of this anxiety is particularly well-documented in the subject of missing

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[8] This phrase was used in a discussion of an 1881 case in which a woman's body was found in a barrel: P.B. Spurgin, 'The Harley Street Mystery', *TMLS*, XXV (1930-1) p.134.

[9] C. Quigley, *The Corpse: A History* (London, 1996) p.11.

[10] A.A. Calvello, 'Lived Body and Personal Name: A Philosophic Description of the Constitutive Structures of a Person's Sense of Identity' (unpub. PhD thesis, DePaul University, 1983), cited in D. Bering, *The Stigma of Names* (Cambridge, 1992) p.186.

[11] V. Harding, 'Whose Body? A Study of Attitudes Towards Death in Early Modern Paris' in B. Gordon and P. Marshall (eds), *The Place of the Dead: Death and Remembrance in Late Medieval and Early Modern Europe* (Cambridge, 2000) p.172.

[12] D.J. Davies, *Death, Ritual and Belief* (London, 1997) p.4.

servicemen during the First World War,[13] but it applied equally to those studied in this thesis: coroners were aware that identification acted as an acknowledgement of death for relatives, who could attain from it what (in modern parlance) is often termed 'closure'.[14]

Sociologists Scott, Terhranian and Mathias noted that names allowed government officials to locate an individual within local or state bureaucracies,[15] and confirmation of death of a named individual allowed (and demanded) a number of administrative and legal processes to take place. This became particularly important after the passing of the 1836 Births and Deaths Registration Act, which aimed to bring the lives of citizens under the gaze of the state from the cradle to the grave. For national and local government, this allowed officials to remove the deceased from lists of those eligible to vote or receive charity, or those required to pay taxes. Under civil law there were financial benefits: a certified death allowed the decedent's estate to enter probate,[16] and families could claim insurance monies[17] and uncollected wages.[18] The surviving spouse could also be formally widowed and permitted to re-marry.[19]

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[13] This limbo is well illustrated by the official War Office telegrams sent to families of lost servicemen. In her letter to the *Times* in 1917 Mary McLeod Moore noted that in these '"Killed" is final... but "Missing" is terrible. In that one word the soldiers' friends see him swallowed up behind a cloud through which pierces no ray of light': Bourke, *Dismembering the Male*, p.230. See also Cannadine, 'War and Death', p.214.

[14] For example, see *The Shipwrecked Mariner*, XXIX (1882) p.213; *North Wales Chronicle*, 1 Apr 1899, p.8.

[15] J.C. Scott, J. Terhranian and J. Mathias, 'The Production of Legal Identities Proper to States: The Case of the Permanent Family Surname', *Comparative Studies in History and Society*, 44 (2002) p.4.

[16] For example, see TNA, MEPO 3/159b, cuttings from *Morning Advertiser*, 26 Mar and 7 Apr 1903 [unpaginated].

[17] G. Pernet, 'Remarks on the Teaching of Medical Jurisprudence in Paris and London', *TMLS*, IV (1906-7) p.121. The issue of insurance monies will be examined in Chapter Five.

[18] *The Shipwrecked Mariner*, XVI (1869), p.172.

[19] A.S. Taylor, *The Principles and Practice of Medical Jurisprudence* (London, 1865) p.119.

For the coroner, establishing the identity of a body found drowned (for example) might lead investigators to those who witnessed the individual entering the water, or to those who could testify as to the decedent's state of mind preceding their immersion.[20] In criminal law, establishing the identity of a murder victim contributed to the *corpus delecti*: a known victim might guide police inquiries towards a certain suspect, tightening the circumstantial evidence or suggesting a motive.[21] In the *History of the Pleas of the Crown* Matthew Hale stated that 'I would never convict any person of murder or manslaughter unless the facts were proved to be done, or at least the body found dead';[22] this was particularly important when an indictment named a specific victim, a consideration raised at the trials of Kate Webster (1879), H.H. Crippen (1910), and Patrick Mahon (1924).[23] However, anonymity was no obstacle to the charge of murder itself: at the trial of Henry Wainwright in 1875 the Lord Chief Justice told the jury

> The law throws its protection alike around the unknown and the known as
>
> far as it can, and makes him who takes human life amenable to its
>
> penalties. If then, it is shown that the life of the veriest stranger or outcast

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[20] Liverpool, M347 COR/L/11, *Coroners' Society Annual Reports*, 1897, p.259.

[21] Spurgin, 'The Harley Street Mystery', p.136. In the 1892 trial of Andrew McCrae the circumstantial evidence against the prisoner was so weak that the case hinged on the identity of his victim: R.S. Deans, *Notable Trials: Difficult Cases* (London, 1932) p.18.

[22] M. Hale and S. Emlyn, *Historia Placitorum Coronae: The History of the Pleas of the Crown*, Vol II (London, 1736) p.290. The importance of this observation had been demonstrated to best effect in 1660, when one John Perry disappeared while collecting rents. William Harrison was indicted for his murder and pressed to confess, whereon he accused his mother and brother as well, despite no body having been found. The three were hanged for Perry's murder, but in 1676 their supposed victim returned alive, having been kidnapped by highwaymen and sent to sea! J. Collie, 'The Case of John Perry, 1660', *TMLS*, XX (1925-6) 105-22.

[23] E. O'Donnell (ed), *Trial of Kate Webster* (London, 1925), pp.183-4; F. Young (ed), *Trial of Hawley Harvey Crippen* (2nd edn) (London, 1950) pp.148, 153; E. Wallace (ed), *The Trial of Patrick Herbert Mahon* (1928) p.251.

has been taken, he who takes it will be responsible as though it was the life

of the highest in the land.[24]

Indeed, although the victim of Alfred Arthur Rouse was *never* identified, Rouse was

executed for the murder of 'a certain man, whose name is unknown' in 1931.[25]

Thus, post-mortem identification had a range of socio-cultural, administrative,

financial and legal implications for the state and the community. For the family of the

deceased, reclaiming a body (or at least accounting for the death) provided a locus for

grief and financial support, while allowing wider community relationships to be reformed

in the wake of a lost member. For the state, it confirmed that the file on the individual

could be closed, and in a legal context it set the mechanisms of civil law in motion and

focused the force of criminal law. Under common law, an individual had to have been

missing for at least seven years before they could be presumed dead and these processes

completed.[26]

These rationales do not lose their validity, even after a prolonged period of time.

Indeed, modern DNA analysis is used to retrospectively identify the bodies of unknown

servicemen[27] and civilians[28] killed in consequence to wars or ethnic cleansing over the

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[24] H.B. Irving (ed), *Trial of the Wainwrights* (London, 1920) pp.206-7.

[25] See H. Normanton (ed), *Trial of Alfred Arthur Rouse* (London, 1931)

[26] Taylor, *Principles and Practice* (1865) p.118; H.N. Stafford, 'The Coroner and Civilian War Deaths', *MLCR*, 10 (1942) p.26.

[27] The Defence Prisoner of War/Missing Personnel Office (DPMO) aims to identify American servicemen killed in both World Wars, Korea and Vietnam, www.dtic.mil/dpmo/. Scientists are making similar efforts in conjunction with the Red Cross archives for British soldiers killed in the First World War: B. McIntyre, 'Mourn not the Passing of the Unknown Soldier', *The Times*, 7 May 2009, p.19. See also M. Sledge, *Soldier Dead: How we Recover, Identify, Bury, and Honor our Military Fallen* (New York, 2005) and M. Weiss, 'Forensic Medicine and Religion in the Identification of Dead Soldiers' Bodies', *Mortality*, 13 (2008) 119-131.

[28] L. Ríos, J.I.C. Ovejero and J.P. Prieto, 'Identification Process in Mass Graves from the Spanish Civil War I', *Forensic Science International*, 199 (2010) e27-e36; S. Anđelinović *et al*, 'Twelve-year

course of the twentieth century. DNA technology has even been used to re-examine the original evidence of identity in the 1910 Crippen murder investigation.[29] Such efforts demonstrate that the social, economic and legal imperatives of post-mortem identification remain important for many years after death, and that new technologies have opened up fresh methodological approaches to investigators.

Historiography

Although several historians have briefly mentioned the subject of post-mortem identification in England and Wales, the topic has not hitherto received dedicated historical research. The following section will outline the fields that have shown interest, and will use the methodological and historiographical limitations of past studies to account for this notable absence. Following this, it will discuss how this project draws upon, and contributes to, wider histories of the modern bureaucratic state, the coroner and forensic medicine.

Malcolm Gaskill briefly discussed the matter in his 2000 work *Crime and Mentalities* in the context of early-modern murder investigations, exploring how local communities used 'common sense' and medico-legal techniques to examine the body, and the ways by which findings were spread to the wider public. In doing so, Gaskill established post-mortem identification as a component of the wider investigation into a suspicious death, but did not pursue the topic further nor study it in a non-criminal

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Experience in Identification of Skeletal Remains from Mass Graves', *Croatian Medical Journal*, 46 (2005) 530-9; S.E. Wagner, *To Know Where He Lies: DNA Technology and the Search for Srebrenica's Missing* (London, 2008).
[29] D.R. Foran *et al*, 'The Conviction of Dr. Crippen: New Forensic Findings in a Century-Old Murder,' *Journal of Forensic Sciences*, 56 (2010) 233-40.

setting.[30] Edward Higgs in his 2011 book *Identifying the English* again considered the identification in passing within the framework of coronial and medico-legal practice, but not within its wider narrative context. However, Higgs' ability to convey the subtleties of such a complex set of developments was limited by elements of his approach, particularly the book's enormous chronological sweep.[31] These attempts suggest that given their intricacies and local variation, the history of post-mortem identification in England and Wales warrant – and indeed require – a focused, dedicated study. Why has this not happened sooner?

One of the most likely explanations is the lack of an institutional focus: practices in Paris have enjoyed significant scholarly attention grounded in the study of the Basse-Geôle and the Morgue, two establishments expressly designed to facilitate post-mortem identification by exposing the bodies of the unknown dead to the general public. As well as detailing the procedural apparatus of admitting, examining, documenting and displaying these bodies, the histories of these facilities have concurrently studied how the unknown dead and their identification impacted upon wider issues in social, legal, police and medico-legal history. Richard Cobb explored Parisian bodies and community structures by examining the physical descriptions recorded at the Basse-Geôle and the formal declarations of identification.[32] Vincent Denis' excellent chapter in his *Une Histoire de L'Identité* located the identification of the dead within the context of France's emergent bureaucratic state.[33] Allen Mitchell outlined how the Morgue provided the necessary material for civil registration, demographic studies, Durkheimian sociology and

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[30] M. Gaskill, *Crime and Mentalities in Early Modern England* (Cambridge, 2000) pp.258-9, 267-8.
[31] Higgs, *Identifying the English*, pp.86-8, 116-18, 158-63, 165-6.
[32] R. Cobb, *Death in Paris 1795-1801* (Oxford, 1978).
[33] V. Denis, *Une Histoire de L'Identité: France, 1715-1815* (Seyssel, 2008) pp.333-82.

the rise of France's modern medico-legal profession, labelling it a 'shrine of positivism'.[34] The public's fascination with the Morgue has become a topic of historical interest in its own right.[35] Finally, Andrew Brown-May and Simon Cooke have used a similar morgue located in the Australian city of Melbourne to investigate how attitudes towards identification practices were affected by notions of 'decency' in an environment where corpses deteriorated quickly.[36] This rich body of historiography shares many themes with practices discussed in this thesis, but because a similar facility was never built in Britain,[37] historians have been unable to construct an equivalent institutional history which would provide a convenient point of access to the topic.

The identification of servicemen killed in action, although not an area covered by this thesis, has attracted interest from historians of death and dying. Studies predominantly focus on the role of the body as a locus for grief rather than the practices themselves, though identification is presented as a ritual which transformed the anonymous corpse into the body of a missing family member. This 'closure' – which allowed families to begin the mourning process – is juxtaposed with the 'limbo' of anxiety for those missing in action.[38] Pat Jalland has extended this historical theme to the

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[34] A. Mitchell, 'The Paris Morgue as a Social Institution in the Nineteenth Century', *Francia*, 4 (1976) 581-96.

[35] V. Schwartz, *Spectacular Realities: Early Mass Culture in Fin-de-Siècle Paris* (London, 1998) pp.45-88; P. Veyriras, 'Visiteurs Brittanniques à la Morgue de Paris au Dix-Neuvième Siècle', *Cahiers Victoriens & Edouardiens*, 15 (1982) 51-61; P. Vita, 'Returning the Look: Victorian Writers and the Paris Morgue', *Nineteenth-Century Contexts*, 25 (2003) 241-256.

[36] The authors use the debates surrounding the Morgue's construction and utilisation as a means to explore the principles of sanitation and decency: A. Brown-May and S. Cooke, 'Death, Decency and the Dead-House: The City Morgue in Colonial Melbourne', *Provenance*, 3 (2004) 4-20.

[37] Veyriras in 'Visiteurs Brittanniques' argued that this accounted for the British fascination with the Parisian Morgue. Chapter Two will discuss this absence in more detail.

[38] Bourke, *Dismembering the Male*, pp.210-53; Jalland, *Death in War and Peace*, pp.35-59. See also Cannadine, 'War and Death', pp.214, 223-14, and J. Strange, *Death, Grief and Poverty in Britain, 1870-1914* (Cambridge, 2005), p.268

identification of miners lost in accidents as well as civilians killed during the Blitz, where

identical fears and anxieties were encountered.[39]

The medico-legal aspects of post-mortem identification have attracted only

passing historical attention. Under the heading 'Other Forensic Medical Problems',

Thomas Forbes in his work *Surgeons at the Bailey* briefly outlined the evidence submitted

in several notable murder trials in which the identification of the victim was of particular

significance. His book was arranged by medico-legal discipline (for example, toxicology,

psychiatry, or pathology) and the topic's position in this final miscellaneous section

suggests that it may have been marginalised simply because it did not fit under any one

convenient heading.[40] This historiographical position is juxtaposed by the histories of

medico-legal sub-disciplines such as forensic anthropology or odontology; usually written

by practicing members of the field, these have a distinctly narrow focus and although

their methodological content is valuable, they are often little more than collections of

notable case studies without wider historical, medical or policing contexts.[41] The only

group to have demonstrated sustained interest in this medico-legal topic have been 'true

crime' writers who thrive on the grisly or sensationalist elements of the most complex

cases.[42]

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[39] Jalland, *Death in War and Peace*, pp.83-92, 128-32. For contemporary insight into the management of bombing fatalities, see Stafford, 'The Coroner and Civilian War Deaths'.

[40] The trials were those of Elizabeth Ross (*alias* Cook, 1831), and Henry Wainwright (1875): T.R. Forbes, *Surgeons at the Bailey: English Forensic Medicine to 1878* (London, 1985) pp.219-21, 224-9.

[41] R.M. Bruce-Chwatt, 'A Brief History of Forensic Odontology since 1775', *Journal of Forensic and Legal Medicine*, 17 (2010) 127-30; C.C. Snow, 'Forensic Anthropology', *Annual Review of Anthropology*, 11 (1982) pp.99-107.

[42] B. Lane, *The Butchers: A Casebook of Macabre Crimes and Forensic Detection* (London, 1992); D. Whitelaw, *Corpus Delicti: An Enquiry into the Various Methods by which Famous Murderers have Disposed of the Bodies of their Victims* (Geoffrey Bles, 1936); C. Wilson and D. Wilson, *Written in Blood: The Story of Forensic Detection* (London, 2003) pp.170-244.

Introduction

It appears that the identification of the unknown dead in England and Wales has not been subject to prolonged historical scrutiny because it has been difficult to determine the exact nature of the historical inquiry. Identification lacked an institutional focus, and was too broad a topic to be grouped alongside any one established medico-legal field while remaining too specific for a general history of identification. However, what little work exists engages with several other topics of historical interest: the modern bureaucratic state, the coroner, and forensic medicine.

Identification and the modern bureaucratic state

In the context of the modern bureaucratic state, identification techniques can be broadly defined as the observation, classification and documentation of the body in order to render individuals visible to government institutions.[43] Existing historiography in this area deals overwhelmingly with the living and Vincent Denis' study stands alone in considering post-mortem identification as a key component of the (French) modern bureaucratic state. Given its importance for death registration, this is somewhat surprising.[44]

The history of individual registration and documentation is a major area of interest.[45] Gwenda Morgan and Peter Rushton conceptualised the nineteenth century as 'the age of official identities' for civilians, and argued that official databases had their origins in eighteenth-century efforts to render the bodies of wanted criminals and absconders 'visible' to the public.[46] On a national scale, Edward Higgs has explored the

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[43] J. Caplan and J. Torpey, 'Introduction' in J. Caplan and J. Torpey (eds), *Documenting Individual Identity: The Development of State Practices in the Modern World* (Woodstock, 2001) p.7.

[44] Denis, *Une Histoire de L'Identité*, pp.333-41.

[45] For a comprehensive overview, see Caplan and Torpey (eds), *Documenting Individual Identity*.

[46] G. Morgan and P. Rushton, 'Visible Bodies: Power, Subordination and Identity in the Eighteenth-Century Atlantic World', *Journal of Social History*, 39 (2005) p.54. Allan Sekula has also

mechanics of efforts to identify the individual across a range of legal, civil and professional spheres.[47] He claimed that the centralisation of birth and death registration was an attempt to consolidate civil society by legally authenticating paternity at a time when the middle-classes were concerned about property rights.[48] However, unlike Denis, Higgs did not situate post-mortem identification alongside the needs of civil registration. Within these contexts, the registration and regulation of personal names has also merited historical attention: sociologists Scott, Terhranian and Mathias argued that for the state, the practices of giving and recording names were designed to 'conquer illegibility' by 'identifying unambiguously persons… in many [bureaucratic] localities using standardised administrative techniques'. The regulation of names became one of the distinguishing features of the modern bureaucratic state.[49] The lack of a centralised administrative body established to make inquiries into the unknown dead prevented an institutional history of identification from having been written.

The development of scientific methods of personal and collective identification in lieu of fallible human judgement has also been seen in the context of the emergent modern bureaucratic state. Historians have studied the cases of doppelgangers[50] and

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examined the creation and purpose of the criminal record as a document in the context of early databases: A. Sekula, 'The Body and the Archive', *October*, 39 (1986) 3-64.

[47] Higgs, *Identifying the English*; E. Higgs, *The Information State in England: The Central Collection of Information on Citizens since 1500* (Basingstoke, 2004); E. Higgs, *Life, Death and Statistics: Civil Registration, Censuses and the Work of the General Record Office, 1836-1952* (Hatfield, 2004).

[48] Higgs, *The Information State*, pp.78, 82.

[49] Scott, Terhranian and Mathias, 'The Production of Legal Identities'. See also J. Caplan, 'This or That Particular Person: Protocols of Identification in Nineteenth-Century Europe' in Caplan and Torpey (eds), *Documenting Individual Identity*, pp.49-66.

[50] For example, Arnaud de Thil or Arthur Orton: N. Zemon Davis, *The Return of Martin Guerre* (Harmondsworth, 1985); C.A. Kent, 'Victorian Self-Making, or Self Unmaking? The Tichborne Claimant Revisited', *Victorian Review*, 17 (1991) 18-34; R. McWilliam, *The Tichborne Claimant: A Victorian Sensation* (London, 2007).

mistaken identities[51] to demonstrate the implications of memories clouded by grief or long-term separation, and how these compelled states to seek 'scientific' methods to certify individual identities through authenticated documentation or corporeal signifiers.[52] Similar themes are seen in histories of criminal identification: Peter Becker has studied how nineteenth-century police forces adopted principles of scientific objectivity by standardising systems of observation and documentation of prisoners.[53] Meanwhile Terry Stanford and Simon Cole explored how 'scientific' technologies based on corporeal signs such as registers of distinguishing marks, Bertillonage and fingerprinting replaced memory-based identity parades.[54]

Building upon these studies, this thesis breaks new ground by presenting post-mortem identification practices as a component of the emergent British modern bureaucratic state. In addition, it will explore how naming practices, corporeal and administrative identification technologies were adopted for the dead. Finally, the conflict between memory- and science-based techniques will be a recurring component of this study.

The coroner and the inquest

Despite a growing interest in the history of the coroner and his inquest, very little attention has been granted to the matter of identifying the body upon which the inquiry was held. The most likely explanation is that the issue was hidden in plain sight; unless

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[51] For example, the unfortunate Adolf Beck: *The Strange Story of Adolf Beck* (London, 1904 [abridged 1999]).
[52] See Cole, *Suspect Identities*, pp.6-7; Groebner, *Who Are You?* pp.171-221.
[53] P. Becker, 'The Standardized Gaze: The Standardization of the Search Warrant in Nineteenth-Century Germany' in Caplan and Torpey (eds), *Documenting Individual Identity*, pp.139-63.
[54] Cole, *Suspect Identities*, pp.6-31; T. Stanford, 'Who Are You? We Have Ways of Finding Out! Tracing the Police Development of Offender Identification Techniques in the Late Nineteenth Century', *Crimes and Misdemeanours*, 3 (2009) 54-81.

the body was unknown, identification was no more than a formal statement – 'I identify the body as A.B.' – before proceedings passed to the cause and circumstances of death. To date, only sociologists Hallam, Hockey and Howarth have (fleetingly) considered the matter as part of their discussion on how the corpse was perceived by the agents interacting with it. Relatives saw identification as an emotional trial, for the body was 'not an object, but a person... a person they recognise'. Medical men clinically considered the body as an impersonal collection of characteristics, signifiers and signs of identity. The coroner, meanwhile, considered identification a routine question.[55]

Current historiography, led by Ian Burney's *Bodies of Evidence*, presents the coroner as a figure torn between his responsibilities as agent to the modern bureaucratic state and his role as community guardian. The state demanded a respectable inquiry based on scientific medico-legal principles in order to facilitate civil registration, detect homicides, and provide accurate mortality statistics; the community required an inquest which alleviated their anxieties following a local unnatural death. Battlefields included the choice of inquest venue (public house or coroner's court?), the most suitable medical man for the post-mortem (local practitioner or impersonal 'expert'?), and the place of the body (to view or not to view?).[56]

Historians have demonstrated considerable interest in the inquest's purpose as a community safeguard, particularly when investigating dangerous working practices,[57] or suspected cases of neglect or maltreatment under the Inspectorates of Anatomy (1832),

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[55] E. Hallam, J. Hockey and G. Howarth, *Beyond the Body: Death and Social Identity* (London, 1999) p.97.

[56] Burney, *Bodies of Evidence*; see also I.A. Burney, 'Viewing Bodies: Medicine, Public Order, and English Inquest Practice', *Configurations*, 2 (1994) 33-46.

[57] E. Cawthon, 'Thomas Wakley and the Medical Coronership – Occupational Death and the Judicial Process', *Medical History*, 30 (1986) 191-202.

Factories (1833), and Prisons (1835),[58] and the 1834 Poor Laws.[59] Thomas Laqueur argued

that once inquests had exposed these worrying issues, new public sympathies could then

ignite a desire for change or for justice against those responsible.[60] Havard argued that

the inquest became a medico-legal inquiry and thus a component of the modern

bureaucratic state in the wake of the Birth and Deaths Registration Act, and the Medical

Witnesses Act (both 1836). The former directed that deaths had to be certified by a

doctor, while the latter made it easier to pay for medical witnesses to give evidence.

Together, these laws were designed to deter murder while facilitating accurate mortality

statistics.[61]

The coroner himself has also been a topic of dedicated study, most notably

regarding his relationships with those who had an investment in his inquiry,[62] including

the public (who also elected him to office),[63] the county magistrates (who until 1860

controlled his fees and thus his caseload),[64] the medical profession (who provided

accurate cause of death),[65] and the press who acted as his public mouthpiece.[66] Elizabeth

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[58] J. Sim and T. Ward, 'The Magistrate of the Poor? Coroners and Deaths in Custody in Nineteenth-Century England' in M. Clark and C. Crawford (eds), *Legal Medicine in History* (Cambridge, 1994) pp.245-267.

[59] K.D.M. Snell, *Parish and Belonging: Community, Identity and Welfare in England and Wales, 1700-1950* (Cambridge, 2006) p.291.

[60] T. Laqueur, 'Bodies, Details, and the Humanitarian Narrative' in L. Hunt (ed), *The New Cultural History* (London, 1989) pp.193-200.

[61] J.D.J. Havard, *The Detection of Secret Homicide: A Study of the Medico-legal System of Investigation of Sudden and Unexplained Deaths* (London, 1960) p.47.

[62] For a comprehensive overview, see P.J. Fisher, 'The Politics of Sudden Death: The Office and Role of the Coroner in England and Wales, 1726-1888' (unpub. PhD thesis, University of Leicester, 2007).

[63] G.H.H. Glasgow, 'The Election of County Coroners in England and Wales *circa* 1800-1888,' *Legal History*, 20 (1999) 75-108.

[64] P. Fisher, 'Getting Away with Murder? The Suppression of Coroner's Inquisitions in Early Victorian England and Wales', *Local Population Studies*, 78 (2007) 47-62.

[65] D. Zuck, 'Mr Troutbeck as the Surgeon's Friend: The Coroner and the Doctors – An Edwardian Comedy', *Medical History*, 39 (1993) 259-287.

[66] I. Burney, 'Making Room at the Public Bar: Coroners' Inquests, Medical Knowledge, and the Politics of the Constitution of Early-Nineteenth-Century England' in J. Vernon (ed), *Re-Reading the*

Hurren argued that coroners had to placate each group in order to retain authority over the body and to gather support for reform proposals.[67] Because the coroner had to interact with so many agents, this was not always possible and these relationship studies sometimes expose the inherent weaknesses in the coronial system.[68]

As well as providing the methodological foundation for this thesis, the history of the coroner and his inquest provides an exciting historiographical point of departure for this study of post-mortem identification practices. Following similar themes to investigations into the cause and circumstances of death, the coroner had to manage the expectations and contributions of the agents involved in the identification inquiry to satisfy the needs of both the state and the local community. Consequently, as well as covering new methodological ground, this thesis aims to add a fresh perspective to a well-established field.

Forensic medicine

Historians of forensic medicine, too, have shown only a fleeting interest in post-mortem identification practices, even though the epistemologies of forensic medicine and criminology (the spiritual home of identification practices)

Constitution: New Narratives in the Political History of England's Long Nineteenth Century (Cambridge, 1996) pp.123-53.

[67] E.T. Hurren, 'Remaking the Medico-Legal Scene: A Social History of the Late-Victorian Coroner in Oxford', *Journal of the History of Medicine and Allied Sciences*, 65 (2009) 207-52; see also E.T. Hurren, 'Whose Body is it Anyway? Trading the Dead Poor, Coroners' Disputes and the Business of Anatomy at Oxford University, 1885-1929', *Bulletin of the History of Medicine,* 82 (2008) 775-819.

[68] M.B. Emmerichs, 'Getting Away with Murder?: Homicide and the Coroners in Nineteenth-Century London', *Social Science History*, 25 (2001) 93-100; P. Fisher, 'Edmund Whitcombe and the Detection of Homicide in Georgian Shropshire', *Family & Community History*, 14 (2011) 3-23.

overlap conceptually and chronologically, in that they represent two strands of the discourse of identity in the nineteenth century. Both were sciences of bodies, signs and interpretations, and both served police purposes in the widest sense of the term.'[69]

However, the topic remains too broad to consider under any one medico-legal discipline,[70] and the role of the medical man, though at times important, was rarely the lynchpin of the investigation. However, the current position of the field may have acted as the primary obstacle for a history of identification from a medico-legal perspective.

Current historiography focuses primarily on the role of medical practitioners in the courtroom, where 'the results of actual forensic medicine were revealed'.[71] In these adversarial environments, historians have presented doctors as legal weapons, pushing the 'expert' medical witness to the forefront of the field. 'Experts' were medical or scientific witnesses who on the basis of professional knowledge, skill and qualification, were invited to voice their professional opinions on the factual evidence they had presented.[72] Histories of 'experts' tend to revolve around the fields of psychiatry,[73]

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[69] J. Caplan, '"Speaking Scars": The Tattoo in Popular Practice and Medico-Legal Debate in Nineteenth-Century Europe,' *History Workshop Journal*, 44 (1997) p.127.

[70] In modern practice the discipline of forensic anthropology assumes responsibility for these inquiries: see T. Thompson and S. Black (eds), *Forensic Human Identification: An Introduction* (Boca Raton, 2007).

[71] Forbes, *Surgeons at the Bailey*, p.2.

[72] C.A. Jones, *Expert Witnesses: Science, Medicine, and the Practice of Law* (Oxford, 1994) p.97-117.

[73] R. Smith, *Trial by Medicine: Insanity and Responsibility in Victorian Trials* (Edinburgh, 1981); F.R. Freemon, 'The Origin of the Medical Expert Witness: The Insanity of Edward Oxford', *Journal of Legal Medicine*, 22 (2001) 349-73; J.P. Eigen, *Unconscious Crime: Mental Absence and Criminal Responsibility in Victorian London* (Baltimore, 2003).

toxicology,[74] and pathology,[75] where the evidence existed at a subconscious, molecular or microscopic level and so required a specialist to examine and interpret this for a lay audience.[76] Wider histories of 'experts' in the criminal courts[77] or the inquest[78] have also been written. Particular emphasis has been placed on issues of criminality and deviance including murder, suicide,[79] infanticide[80] and homosexuality,[81] but there is a growing literature on the role of medical evidence in civil cases too.[82]

Writing a history of post-mortem identification using experts or crimes as a focus would produce an unrepresentative picture of the personnel and procedures used, as well as the circumstances in which they were required.[83] Furthermore, post-mortem

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[74] N.G. Coley, 'Alfred Swaine Taylor, MD, FRS (1806-1880): Forensic Toxicologist', *Medical History*, 35 (1991) 409-29; K.D. Watson, 'Medical and Chemical Expertise in English Trials for Criminal Poisoning, 1750-1914', *Medical History*, 50 (2006) 373-90.

[75] W.D. Foster, *A Short History of Clinical Pathology* (Edinburgh, 1961); V. McMahon, 'Reading the Body: Dissection and the "Murder" of Sarah Stout, Hertfordshire, 1699', *Social History of Medicine*, 19 (2006) 19-35; I. Burney and N. Pemberton, 'Bruised Witness: Bernard Spilsbury and the Performance of Early Twentieth-Century Pathology', *Medical History*, 55 (2011) 41-60.

[76] See particularly T. Golan, *Laws of Men and Laws of Nature: The History of Scientific Expert Testimony in England and America* (London, 2004), and J. Pugliese, '"Super Visum Corporis": Visuality, Race, Narrativity and the Body in Forensic Pathology', *Law and Literature*, 14 (2002) 367-96.

[77] Forbes, *Surgeons at the Bailey*; S. Landsman, 'One Hundred Years of Rectitude: Medical Witnesses at the Old Bailey, 1717-1817', *Law and History Review*, 16 (1998) 445-94.

[78] G.I. Greenwald and M.W. Greenwald, 'Medico-legal Process in Inquests of Felonious Deaths: Westminster, 1761-1866', *Journal of Legal Medicine*, 2 (1981) 193-264.

[79] O. Anderson, *Suicide in Victorian and Edwardian Britain* (Oxford, 1987); V. Bailey, *'This Rash Act': Suicide Across the Life Cycle of the Victorian City* (Stanford, 1998).

[80] M. Jackson (ed), *Infanticide: Historical Perspectives on Child Murder and Concealment 1550-2000* (Aldershot, 2002); T. Ward, 'The Sad Subject of Infanticide: Law, Medicine and Child Murder 1800-1938', *Social and Legal Studies*, 8 (1999) 163-80.

[81] I. Crozier, '"All Appearances were Perfectly Natural": The Anus of the Sodomite in Nineteenth-Century Medical Discourse' in C.E Forth and I. Crozier (eds), *Body Parts: Critical Explorations in Corporeality* (Oxford, 2005) pp.65-84.

[82] D. Mendelson, 'English Medical Experts and the Claims for Shock Occasioned by Railway Collisions in the 1860s: Issues of Law, Ethics and Medicine', *International Journal of Law and Psychiatry*, 25 (2002) 303-29; D.M. Dwyer, 'Expert Evidence in the English Civil Courts, 1550-1800', *Journal of Legal History*, 28 (2007) 94-118; E. Hasson, 'Capacity to Marry: Law, Medicine and Conceptions of Insanity', *Social History of Medicine*, 32 (2010) 1-20.

[83] The first pilot study for this project attempted to study identification from a purely medico-legal perspective: F. Joyce, 'The Medico-Legal Aspects of Establishing the Identity of the Victims of "Trunk Murders" in England, 1829-1936' (unpub. MA thesis, Oxford Brookes University, 2008).

identification usually relied on the visible – not the invisible – signs of identity. Clearly, a broader approach to this field is required, but as Michael Clark and Catherine Crawford have argued, the study of medico-legal matters allows the historian to concurrently examine – among others – policing practices, systems of sudden death investigation, the production of government records, and the body, all of which are important matters in identification inquiries.[84]

Rather than the doctors themselves, the unknown body on which they practiced their art provides a more convenient focal point of study. This approach builds on the work of Ivan Crozier, who argued that specific body parts could become imbued with medico-legal significance because they bore the distinctive marks of the prisoner's deed. However, it was the jury's responsibility to determine whether the prisoner was to be branded a criminal or deviant; to the medico-legal practitioner concerned only with the body, the individual himself was not considered to be important, nor was his crime.[85] Crozier's findings translate neatly to identification investigations: practitioners similarly focused upon the most distinctive and individualising corporeal identifiers, but were unable to appreciate their true worth; this lay in the hands of the family or the lay jury. Although medical evidence was perhaps the most reliable, it did not *necessarily* determine the verdict.

This thesis, then, offers a departure from familiar medico-legal historiography by presenting a body-centric study of usually mundane cases in which the cause of death was not the primary issue, and by focusing on the co-operation between doctors and the other agents of the investigation rather than the work of a few highly-specialised

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[84] M. Clark and C. Crawford, 'Introduction' in Clark and Crawford (eds), *Legal Medicine in History*, p.1.
[85] Crozier, '"All Appearances were Perfectly Natural"', pp.65-84.

practitioners in a courtroom setting. Overall, it takes a multi-faceted approach to offer a new historical perspective on identification in the context of the modern bureaucratic state, the coroner and his inquest, and forensic medicine over an age that witnessed significant developments across the three fields. It draws on a number of well-established shared themes: the relationships between the body, the individual and the state; the desire for scientific methods and levels of certainty; and teamwork between a range of agents.

<u>Scope, chronology and sources</u>

The period under study experienced a number of profound changes which impacted on the rationale behind, and the processes necessary for, the identification of the unknown dead. These included the foundation of the modern bureaucratic state in the 1830s,[86] the establishment of a national police force in 1856,[87] significant coronial reforms in 1836, 1860, 1887 and 1926,[88] the rise of forensic medicine as a professional discipline,[89]

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[86] The Births and Deaths Registration Act (1836) centralised the old system of registration based on parish registers. This brought the lives of citizens within the bounds of state knowledge from the cradle to the grave, as well as providing the grounds for accurate demographic study: Higgs, *Identifying the English*, p.12.

[87] Prior to the County and Borough Police Act practices were based on the constable system, schemes established under the 1833 Lighting and Watch Acts, or under other legislative measures such as the 1829 Metropolitan or Cheshire Police Acts: J. Hart, 'The County and Borough Police Act, 1856', *Public Administration*, 24 (1956) 405-17. From the 1860s the police took on greater responsibility for conducting inquiries following unnatural deaths, though the coroner retained control of the overall investigation: K.D. Watson, *Poisoned Lives: English Poisoners and their Victims* (London, 2004) pp.183-4.

[88] The 1836 Attendance and Remuneration of Medical Witnesses at Coroners' Inquests Act permitted coroners to pay for a doctor to make a post-mortem examination, transforming the inquest into a medico-legal inquiry: Havard, *The Detection of Secret Homicide*, p.44. The 1860 County Coroners Act awarded coroners financial independence from county justices, allowing them greater freedom to decide whether to hold an inquest: Parliamentary Papers, 23 & 24 Victoria, c.116. The 1887 Coroners Act ruled that coroners should be informed of all sudden, unnatural or suspicious deaths, as well as those in custody; this increased the number of inquests held, and increased the likelihood that those culpable – by design or by neglect – would be brought to justice: Parliamentary Papers, 50 & 51 Victoria, c.71. The 1926 Coroners (Amendment)

continuous socio-economic change arising from the industrial revolution,[90] and shifting

socio-cultural attitudes towards the dead.[91] Consequently, the project begins in 1800 in

order to investigate the effects of these developments, and to study how pre-industrial

identification procedures were adapted to meet the challenges of the industrial age.

The project's chronological sweep concludes with the 'Brighton Trunk Crimes' of

1934. In June of that year a woman's body was found in a locked trunk at Brighton

Railway Station's left luggage office, and in October a second body was discovered in

another trunk in the apartment of one Tony Mancini; these became known as 'Brighton

Trunk Crime No.1' and 'No.2' respectively. By December both investigations had petered

out. The first body was never identified, despite a vast press campaign and the

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Act permitted the coroner to dispense with the jury and the view in certain circumstances, and allowed inquests to be held on absent bodies if they had been destroyed or could not be recovered: Parliamentary Papers, 16 & 17 George V, c.59.

[89] The field in England and Wales consistently lagged behind those of Scotland and Continental Europe: the first original medico-legal work published in English was George Male's *Epitome of Judicial or Forensic Medicine* (London, 1816), although translations of Continental and American medico-legal literature could be obtained. Courses in medico-legal matters became widely available from 1831 when the Society of Apothecaries made it a prerequisite for license holders, but they did not become a compulsory part of the medical curriculum until 1867. For an overview of the period, see K.D. Watson, *Forensic Medicine in Western Society: A History* (Abingdon, 2011) p.57, and C. Crawford, 'A Scientific Profession: Forensic Medicine and Professional Reform in British Periodicals of the Early Nineteenth Century' in R. French and A. Wear (eds), *British Medicine in an Age of Reform* (London, 1991) pp.203-30.

[90] Census returns reveal that between 1800 and 1851 the British population grew from 8.6 million to 16.7 million. In 1801 a third of the population lived in towns, rising to around half in 1848: S. King and G. Timmins, *Making Sense of the Industrial Revolution: English Economy and Society 1700-1850* (Manchester, 2001) pp.209-10. Urbanisation was accompanied by the creation of a vast transient workforce: see Chapter One.

[91] Pat Jalland argued there were three significant phases. First, early nineteenth-century improvements in public health and clinical medicine caused a decline in mortality rates, which reduced the quantitative presence of the dead in the community. Second, the rise and fall of evangelicalism over the mid-to-late nineteenth century created the distinctively melodramatic 'Victorian way of death'. Finally, the mass slaughter of the First World War introduced Britain to the concept of bereavement with an absent body, overturning Victorian notions of the corpse as the locus of grief: Jalland, *Death in War and Peace*, pp.4-10. See also Strange, *Death, Grief and Poverty*. To this can be added the threat of the pauper funeral and the risk of dissection under the 1832 Anatomy Act, which fundamentally altered how the medical fraternity as well as society valued the corpse as an object with cultural, medical and commercial value: E.T. Hurren, *Dying for Victorian Medicine: English Anatomy and its Trade in the Dead Poor, c.1834-1929* (Basingstoke, 2012) and R. Richardson, *Death, Dissection, and the Destitute*, 2nd edn (Chicago, 2000) pp.3-72.

contributions of medico-legal specialists including the famous Home Office pathologist Sir Bernard Spilsbury. The second woman was identified as Violette Kaye, but Mancini was acquitted of her murder at the Old Bailey.[92] These twin cases reflected many of the changes to identification procedure which had been adopted by the inter-war period.

The Brighton murders can be considered as the last high-profile investigation of this type until the Ruxton case of 1935–6, in which the bodies of two badly-mutilated Lancashire women were identified by a team of Scottish and English medico-legal and police specialists to great public and medico-legal acclaim. The case is considered to have heralded in a new era of medico-legal teamwork,[93] but falls outside the remit of this thesis because the remains were dumped just outside Moffat in Dumfriesshire, and as such were subject to the Scottish system of sudden death investigation.

Methodology and sources

The records generated by 1088 individual inquests held on persons unknown – those who remained unidentified at the opening of their inquest – provide the empirical foundation for this project. These inquests have a distinct advantage over those held on named persons: although just 114 of the bodies examined in this thesis were ultimately identified, at these inquests evidence was presented which detailed the body's physical appearance, as well as the efforts made to identify the decedent.[94] Records have been drawn from the original depositions (852 cases), detailed synopses from Cardiff City

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[92] TNA, MEPO 3/1692 [Body No.1]; MEPO 3/1691 [Body No.2].

[93] A textbook was produced based on the evidence from the case: J. Glaister and J.C. Brash, *Medico-Legal Aspects of the Ruxton Case* (Edinburgh, 1937). For an historical appreciation see M.A. Crowther and B. White, *On Soul and Conscience: The Medical Expert and Crime* (Aberdeen, 1988) pp.84-92.

[94] This was revealed in the pilot study: see n.5, above.

Police inquest books (98 cases), and newspaper reports (138 cases). These are tabulated below:

Table 1 – Type and location of records consulted

Region (districts)[95]	Inquest depositions	Newspaper reports	Total number of cases
Bath (1)	12	-	12
Cardiff (1)	98 synopses	-	98
East Sussex (5)	47	-	47
Gloucestershire (4)	41	-	41
Hertfordshire (2)	8	8	16
Hull (1)	114	-	114
Lancashire (5)	72	-	72
Lincolnshire (5)	59	-	59
London (2)	194	-	194
Middlesex (2)	17	-	17
Northumberland (1)	130	-	130
Oxfordshire (2)	8	11	19
Suffolk (1)	138	-	138
North Wales	-	34	34
South Wales	-	85	85
Wolverhampton (1)	12	-	12
TOTAL	**950**	**138**	**1088**

In addition to these cases, a small number of murder trials in which the identity of the victim was in doubt will be examined, along with a select number of disasters in which the efforts taken to identify multiple victims were noteworthy. These cases are not included to stand as representative examples, but they encapsulate wider themes in the identification process and demonstrate how the procedures and relationships encountered in more mundane cases could be employed in different contexts. Notable murder cases were those in which the victim's body had been rendered unidentifiable at the hands of their killer by dismemberment or burning, or by putrefaction after a

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[95] See Bibliography for full list of individual districts and sampling methods.

prolonged burial. In light of these additional obstacles, investigators sought assistance from members of the medico-legal field who used their specialist training to uncover signs of identity otherwise hidden to lay observers. Their contribution to the investigation will be examined specifically in Chapter Four, but past work suggests that employing these examples too prominently across the thesis as a whole will produce a misleading picture.[96] The identification practices employed in the aftermath of disasters – in terms of observing and documenting the unknown body – were identical to those used in cases of single individuals, but with the additional complexity of having to apply them to large numbers of people simultaneously in a regimented fashion. This logistical component, combined with the catastrophic nature of such deaths, meant that these investigations were very different entities to those that followed more mundane deaths. As such, they fall beyond the immediate scope of this thesis.

The 1,088 inquest cases were drawn from 33 coroners' districts across England and Wales, selected to cover a range of socio-economic, medico-legal and topographical environments while taking into account record survival.[97] This scope provides an opportunity to examine how social and physical environments impacted upon the likelihood of post-mortem anonymity, and to explore regional variations in identification practices arising from local police priorities and available medico-legal resources.[98]

As a judicial court of inquiry the inquest generated a considerable amount of paperwork, the most important documents being the inquisition (the formal summary of

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[96] See Joyce, '"Trunk Murders"', pp.61-2.

[97] This figure excludes cases from newspapers (below). District boundaries remained relatively stable over the period, and were marked out in the *Atlas of Coroners Districts* in the wake of the 1887 Coroners Act: TNA, HO 84/3. See also *Coroner's Jurisdictions in England and Wales* (London, 1909).

[98] Pamela Fisher revealed that a great many factors affected the manner of the inquest procedure, including the priorities of local law officers, the attitudes of county magistrates, and the needs of the local community: Fisher, 'The Politics of Sudden Death'.

each inquest) and the witness depositions (the written transcripts of the submitted evidence).[99] Inquisitions contained only the salient points and are well-suited to statistical analysis,[100] while depositions reliably logged the actions and attitudes of witnesses exposed to the victims of an unnatural death. As well as law officers and medical men, 'unremarkable' persons also provided evidence; the lives of the decedents and the lay witnesses who shared their worlds were seldom recorded elsewhere.[101] Barbara Hanawalt suggested that depositions be considered as collective oral narratives to which each participant contributed his or her perspective; the coroner may have prescribed the official format by organising and questioning witnesses so as to best reconstruct the course of events, but the evidence of each witness was personalised to reflect individual or community experiences, agendas or concerns.[102] These become clearer from the early 1830s when the third-person report was transformed into a first-person narrative, allowing individual 'voices' to be heard.

In this thesis the most important documents are the witness testimonies of laymen, law officers and medico-legal men who recounted the body's discovery, the efforts made to identify it, and its physical appearance. The levels of detail vary between cases, but in addition to outlining identification methodologies used, these descriptions allow the historian to reconstruct something of the decedent's corporeal and social

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[99] For the manner in which depositions juxtaposed humanitarian values and impassive expression, see Laqueur, 'Bodies, Details, and the Humanitarian Narrative', pp.198-200.

[100] Most notably in the work of Thomas Forbes: T.R. Forbes, 'Coroners' Inquests from the County of Middlesex, 1819-42', *Journal of the History of Medicine and Allied Sciences*, 32 (1977) 375-94; T.R. Forbes, 'Crowner's Quest', *Transactions of the American Philosophical Society*, 68 (1978) 1-50; T.R. Forbes, 'Coroners' Inquisitions from the County of Cheshire, England, 1817-39 and 1877-78', *Bulletin of the History of Medicine*, 59 (1985) 481-94; T.R. Forbes, 'Coroner's Inquisitions from London Parishes of the Duchy of Lancaster: the Strand, Clapham, Enfield, and Edmonton, 1831-1883', *Journal of the History of Medicine and Allied Sciences*, 43 (1988) 191-203.

[101] See B.A. Hanawalt, 'The Voices and Audiences of Social History Records', *Social Science History*, 15 (1991) 159-75.

[102] *Ibid*, p.173.

identity in a manner similar to that originally intended by investigators and witnesses. In addition, the wealth of incidental detail contained in witness testimonies can be used to reconstruct and populate the physical and social environments of the period. Rather than comparing this process to 'painting a picture', the richness of the evidence suggests live theatre – and in such detail that 'one feels awed at the overwhelming sense of being at the scene'.[103] Depositions conjure exterior landscapes and interior scenery, and are sometimes supplemented by police schematics of the scene of the crime or accident.[104] Sensory details enrich these tableaux: sounds, smells and tactile sensations were all vividly recounted by witnesses.

In addition to depositions, some inquest bundles contain an abundance of additional material, including constables' warrants and jury lists, quarterly accounts of fees and expenses, police and post-mortem reports and photographs, 'crime-scene' sketches, circulars appealing for information, correspondence between the coroner and members of the public or state bureaucracy, press cuttings, statements of formal identification, and even small pieces of evidence such as pocketbooks, tickets and letters. These provide additional insights into the identification and inquest processes which may not have been recorded in the depositions. It is astonishing that comparatively little of this has been examined before.

Some historians have used these depositions to study matters of medico-legal interest. Gary Greenwald and Maria Greenwald studied 2,687 depositions from the City of Westminster to investigate the processes of sudden death investigation and the

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[103] B.A. Hanawalt, *The Ties that Bound: Peasant Families in Medieval England* (Oxford, 1986) p.14. Thomas Forbes used depositions to examine Cheshire's working environments, but did not fully appreciate the possibilities of reconstructing the environment itself: Forbes, 'Coroners' Inquisitions from the County of Cheshire'.
[104] Just a few of these have survived in the records examined, all from early twentieth-century London.

contribution of medical men.[105] Victor Bailey used 729 inquests from Kingston-upon-Hull (1837–99) and Olive Anderson used 158 from Victorian and Edwardian London and East Sussex to investigate social and medico-legal attitudes towards suicide.[106] Lionel Rose has used them to study infanticide.[107] Michelle McGoff-McCann analysed a coroner's casebook containing summaries of inquests held in County Monaghan, Ireland,[108] and single inquest case-studies have also been undertaken.[109] However, these projects place emphasis on the cause and circumstances of death; a systematic survey based on the 'type' of decedent has not been attempted before, and in this respect this project aims to break new methodological ground.

Most strikingly, Barbara Hanawalt has reconstructed entire medieval communities by examining the incidental minutiae contained in the depositions. For example, evidence from an inquest held on a death following a ploughing accident revealed information about agricultural techniques, while a cooking accident allowed insights into methods of food preparation. Using these sources, Hanawalt explored family and neighbourhood structures, leisure activities, the working day, the layout of the home, and many other aspects of community living.[110] Her novel approach has been adopted in Chapter One of this thesis.

However, there are some drawbacks to using these sources. The discovery of unknown bodies was a relatively rare occurrence, and practices used to ascertain their identities cannot be considered to be perfectly representative of identification procedure

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[105] Covering 1761–5, 1800–3, 1835–8, 1865–6: Greenwald and Greenwald, 'Medicolegal Process'.

[106] Bailey, *'This Rash Act'* (Bailey used those with verdicts of 'suicide', as well as those with 'open' verdicts which contained evidence which strongly *suggested* suicide); Anderson, *Suicide*.

[107] L. Rose, *Massacre of the Innocents: Infanticide in Great Britain 1800-1939* (London, 1986).

[108] M. McGoff-McCann, *Melancholy Madness: A Coroner's Casebook* (Cork, 2003).

[109] F. Young, *Public and Unpublic Houses: An Inquest and a Verdict* (London, 1926).

[110] Hanawalt, *The Ties that Bound*. See also B. Hanawalt, 'Seeking the Flesh and Blood of Manorial Families', *Journal of Medieval History*, 14 (1988) 33-45.

as a whole: under normal circumstances, this would be a matter of simple visual recognition. In addition, records have been subject to different levels of archival preservation[111] and are spread comparatively thinly across the geographical and chronological range (see Appendix I).[112] Finally, it cannot be assumed that this collection represented every unknown body found dead or brought to the attention of the authorities (see p.42, below). Consequently, the extensive and detailed collection used in this thesis remains unsuitable for all but the most basic forms of quantitative analysis.

This thesis argues that despite being frequently dismissed as difficult sources of lesser significance, inquest records can offer the historian a great deal. For this project, they detail the actions taken following the discovery of an unknown body, and offer a unique perspective into the relationships that existed between a community and its local officials, doctors and law officers.

Local and national newspaper reports offer an alternative perspective on the inquest and identification process. Coroners and law officers were keen to foster good relations with the press to secure a means of communicating with the public. Reciprocal relationships were established: in exchange for publicising case developments and

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[111] From 1826 depositions only needed to be taken and preserved for cases of homicide and manslaughter: Parliamentary Papers, 7 George IV, c.64. A 1921 Public Records Office schedule permitted coroners' records over 15 years old to be destroyed; since then, space-saving exercises have led to further administrative culls by both coroners (who inherited their predecessors' records) and modern archivists: H.M. Walton, 'Destruction Schedules: Quarter Sessions', Magistrates' Courts' and Coroners' Records', *Journal of the Society of Archivists*, 3 (1965) p.73. Consequently, most record series have several or even many years missing, and relatively few inquisitions retain their supporting depositions. Emmison pessimistically labelled coroners' records 'so rare that nothing need be said about them', which may have discouraged historians from seriously considering their value: F.G. Emmison, *Archives and Local History* (Chichester, 1974) p.31. However, those remaining are still numerous enough to dissuade archivists' attempts to catalogue them beyond box number, district, or date, but this situation is improving and some record officers have begun to index their collections.

[112] Large-scale studies from well-preserved record sets can permit a range of quantitative methods: Forbes, 'Crowner's Quest'; M.W. Greenwald and G.I. Greenwald., 'Coroners' Inquests: A Source of Vital Statistics: Westminster, 1761-1866', *Journal of Legal Medicine*, 4 (1983) 51-86.

appeals for assistance, law officers supplied editors with newsworthy stories, and coroners allowed reporters to attend inquests and even granted them access to the depositions afterwards.[113] Consequently, the contents of reports regarding unknown bodies can be considered factually reliable. In addition, they allow the historian to examine how local inquiries were spread further afield, and to study their contents in the format in which they were originally presented to the wider public. The level of detail ranges from column-length accounts containing verbatim witness statements, editorial comment and emotive language, to short pieces that covered only the salient points: the place, date and circumstances of the body's discovery, and the jury's verdict. Bernard Heathcote has used these reports to great effect to investigate inquests held in Nottinghamshire public houses.[114]

Despite these variations reportage has some benefits over original inquest records. Reporters often recounted the coroner's introductory remarks and summary, the questions asked of witnesses, and sometimes the events following the inquest such as the burial of the body; these details rarely featured in the original depositions.[115] In addition, because newspapers were intended for public consumption, reporters' style and language revealed local concerns and prejudices which were typically absent from more objective inquest reports. Ian Miller has used this commentary to reveal how communities often reflected upon an individual suicide in light of local cultures of

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[113] R.M. Morris, '"Crime does not Pay": Thinking again about Detectives in the First Century of the Metropolitan Police' in C. Emsley and H. Shpayer-Makov (eds), *Police Detectives in History, 1750-1950* (Aldershot, 2006) pp.97-8; B.V. Heathcote, *Viewing the Lifeless Body: A Coroner and his Inquest Held in Nottinghamshire Public Houses during the Nineteenth Century 1828 to 1866* (Nottingham, 2005) p.5.

[114] Heathcote, *Viewing the Lifeless Body*.

[115] For example, *The Wrexham Advertiser*, 5 Jan 1895, p.6.

respectability.[116] However it is not possible to ascertain the true extent of editorial license unless the original depositions also survive.[117]

The national preservation of newspapers can (to some extent) mitigate the issue of poor record survival among coroners' records, and many titles are now available wholly or in part via searchable online databases such as *19th Century British Library Newspapers*. Three different approaches were used to gather reports for this thesis, partly as a result of methodological constraints but also as an experimental sampling exercise. The largest collection covering Wales (119 cases) was gathered using an advanced search on *19th Century British Library Newspapers* with two in-text searches for 'inquest' and 'unknown', and the place of publication set as 'Wales'. This approach attempted to compensate for the poor survival rate of original Welsh inquest records.[118] Eight Hertfordshire cases were gathered from an indexed list compiled by archive staff and local volunteers, and 11 from Oxfordshire's Central district were located by cross-referencing the coroner's register of deaths with *Jackson's Oxford Journal*.[119] Although using the online database was time-efficient and provided a greater number of cases over a wider area, it is impossible to estimate exactly how many other reports, which may have contained different keywords, remained undiscovered. The register, although confined to a single district, allowed a more targeted approach.

Using reportage as a means to study identification investigations entails a significant risk in that inquiries continued after the verdict had been reached. The results

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[116] I. Miller, 'Representations of Suicide in Urban North-West England c.1870-1910: The Formative Role of Respectability, Class, Gender and Morality', *Mortality*, 15 (2010) 191-204.

[117] Fisher, 'The Politics of Sudden Death', p.20. For more on the effects of editorship, see J. Golby, 'Newspapers' in M. Drake and R. Finnegan (eds), *Sources and Methods for Family and Community Historians: A Handbook*, 2nd edn (Cambridge, 1997) pp.99-100.

[118] http://newspapers.bl.uk/blcs.

[119] *Oxfordshire Central District: Coroners Notebook 1877-1905* (Aylesbury, 2002).

rarely featured in the original articles and it is difficult to locate the successful conclusion to the inquiry (if there was one) in the weeks and months following the case.[120] Deposition bundles revealed these post-inquest developments in margin notes or attached papers, but these are near-impossible to locate from reportage alone. Newspapers' suitability for qualitative analysis makes them an important source for the study of the unknown dead, but while they have several benefits over the original inquest reports – better preservation, revealing editorial slants, and a reflection of local concerns – the difficulty of reconstructing the complete inquiry means that where possible they should be supported by the original records.

Further details on the practicalities of identification investigations are provided in more complex cases where there was also a criminal case to answer. The records of murder investigations in which the identity of the victim was called into question offer an opportunity to examine the machinery of identification practices in the most difficult situations, specifically cases in which bodies were exposed to high levels of corporeal violence. The files of London's Metropolitan Police (from 1829) detail investigations into the identification of the decedent alongside internal correspondence which reveal unsuccessful lines of inquiry which may not have been presented at the inquest or trial.[121] The records of the Central Criminal Court contain transcripts of the inquest, police court hearings, and the criminal trial, and from 1880 those of the Department of Public Prosecutions preserve the prepared case for the Crown. The transcripts of several trials of particular note have been reproduced as part of the *Famous Trials* and *Notable British*

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[120] This issue is discussed in greater detail later in this Introduction.

[121] For example, the investigation into the victim of Brighton Trunk Crime No.1 failed to uncover the identity of the deceased, nor was a suspect ever tried for her murder. Thus other than the inquest, there was no official 'outlet' for this vast accumulation of evidence, much of which was discovered after the inquest had been concluded: TNA, MEPO 3/1692.

Trials series,[122] and others are available via *The Proceedings of the Old Bailey Online*.[123]

Records of criminal investigations, like coroners' depositions, recorded witnesses and investigators describing their actions and experiences in their own words.[124] But while at the inquest the unknown body was the locus of inquiry, at an adversarial trial it was relegated to a secondary position as the victim while the murderer took centre-stage.[125] The proceedings of criminal trials were also more complex than inquests held on mundane deaths; the prisoner could challenge pre-established identification evidence as a means to undermine *corpus delicti*. These challenges, whether directed at medical or lay witnesses, showed the strengths and weaknesses in previously accepted identification evidence which may be harder to appreciate from inquest depositions alone. However, it must be remembered that cases of this nature were very rare, and although the rationales remained valid, these cases did not represent the norm for identification investigations.[126]

These trials present a highly selective opportunity to study the more complex medico-legal techniques at the disposal of investigators, but medico-legal textbooks and journals provide a more consistent overview of the responsibilities and abilities of the medical field. As well as outlining methodological principles, textbooks provided case-studies to demonstrate their application in practice. These sources, then, provide an unrivalled view of the collective capabilities of the medico-legal field across the period and as such form the backbone to the analysis presented in Chapter Four. However, there

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[122] Including, Irving (ed), *The Wainwrights*; F.T. Jesse (ed), *Trial of Samuel Herbert Dougal* (London, 1928); Young (ed), *Crippen*.

[123] www.oldbaileyonline.org.

[124] See M. Gaskill, 'Reporting Murder: Fiction in the Archives in Early Modern England', *Social History*, 21 (1998) pp.1-3.

[125] This was mirrored in Victorian crime fiction: J. Dinski, 'Toxic Lozenges', *London Review of Books*, 8 Jul 2010, p.14.

[126] I have previously detailed this problem elsewhere: Joyce, '"Trunk Murders"', pp.61-2.

are limitations to their utility: the contents of these works do not represent the day-to-day realities of medico-legal practice. Many of the more complex techniques such as skeletal analysis demanded specialist medico-legal training, something which local surgeons (the practitioners most commonly consulted in these investigations) lacked. Consequently, this literature will be supported by the contents of inquest records to provide a more accurate picture of the doctor's role.[127]

Post-mortem identification and the inquest

Before beginning the thesis proper, it is necessary to examine the complex relationship between the inquest and the identification process. This thesis seeks to revise this area of historiography by reconsidering the inquest as the formal proceedings of not one inquiry, but two: the inquest aimed to determine the cause and circumstances of death of a particular individual, but investigations into the cause and circumstances of death, and those into the identity of the deceased, were two independent lines of inquiry. Evidence for both was presented in parallel, often by the same witnesses, and the conclusions of both investigations were (usually) reached concurrently and submitted through the same administrative frameworks, yet there was no causal link between the identity of the decedent and the cause and circumstances of their death. The identification inquiry has hitherto been taken for granted by historians, for it is only when one is confronted by an unknown body that this disparity becomes apparent.

Upon issuing a warrant ordering an inquest, the coroner had legal possession of the unknown body until he issued a second warrant for its burial. During this interval he exercised absolute authority over the corpse and could order inquiries to be made into its

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[127] *Ibid*.

death and identity. But to understand the legislative roots of his role in the identification process, it is necessary to begin with the *Lex Murdrorum* dating from the time of the Norman Conquest.

The origin of identification legislation

Introduced by the Norman conquerors between 1110 and 1135 as part of the *Articuli Willelmi I*, the *Lex Murdrorum* ('Law of Murder') was an attempt to bring the native population under Norman control. Following the Conquest, the application of 'exquisite torments' had failed to dissuade the subjugated English from killing stray Normans, so the *Murdrorum* imposed a financial disincentive instead: a crippling fine of 46 marks on any hundred in which the corpse of a Norman was discovered.[128] To avoid payment, 12 reputable men of the hundred were required to prove the 'Englishery' or 'Welshery' of the deceased before a court, though one man would suffice if he were able to prove that the deceased had an English or Welsh father.[129] In the context of the *Murdrorum* the identification of the unknown dead became of paramount importance, for if the deceased was a stranger the community was not given the benefit of the doubt.[130] By punishing the hundred and relying on its inhabitants to identify the body, the identification of the dead legislatively became a matter for the community to resolve both in terms of responsibility and practicality.

Within this context, the position of the coroner was established in 1194 – at a time of financial uncertainty – under the Articles of Ayre as a means to safeguard the

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[128] H.E. Yntema, 'The Lex Murdrorum: An Episode in the History of English Criminal Law', *Harvard Law Review*, 36 (1922) pp.148-9.

[129] This was particularly important once Normans began to integrate into the population and take Anglo-Saxon wives.

[130] Yntema, 'Lex Murdrorum', p.163.

pleas of the Crown (the monies owed to the Treasury). To supervise the lucrative source of income provided by the *Murdrorum*, three Norman knights ('Crowners') supported by a clerk maintained the law in their districts by holding inquests on suspicious or unexplained deaths under its terms.[131] It was in this period that these figures entrenched themselves into a position of authority over the dead body, and in so doing took responsibility for overseeing the identification of the dead under the *Murdrorum*.

But within 150 years of the Murdrorum's passing, its weaknesses as a legal instrument had become apparent. No village could possibly afford 46 marks, and the law was criticised for not being applied fairly with regard to all subjects: it only applied to the deaths of freemen, not those in service, and certain districts and noblemen were exempt from the fine. It also became unworkable in practical terms. Famines – such as the one that followed the failure of the 1257 corn harvest – swiftly killed thousands, and there were too many bodies on which inquiries had to be held. In addition, because communities often scattered in search of better conditions elsewhere, it became harder to find a jury of persons able to prove Englishery, particularly when the deceased himself was found away from home. By 1267 the law remained in force only with respect to felonious killings in which the perpetrator was unknown and the deceased was demonstrably not of English or Welsh descent,[132] and the *Murdrorum* along with the

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[131] These replaced the unpopular and allegedly corrupt county sheriffs. For an authoritative history of the coroner from his Norman origins to the Middle Ages see R.F. Hunnisett, *The Medieval Coroner* (Cambridge, 1961), and R.F. Hunnisett, 'The Origins and Office of Coroner', *Transactions of the Royal Historical Society*, 8 (1958) 85-104. Before the position of the coroner was established, serjeants were responsible for viewing, moving and burying dead bodies found in their jurisdiction, but as the coroner increased his powers over the four subsequent decades the serjeant was relegated to the position of his common-law officer, notifying him of suitable cases and assembling the jury: Hunnisett, 'The Origins and Office of Coroner', pp.92-103; Havard, *Detection of Secret Homicide*, p.16.

[132] Women, infants, and peasants came under this legal umbrella.

need to prove Englishery was fully abolished in 1340.[133] The Crowners, however, remained.

In 1276 their position was cemented by the apocryphal statute *De Officio Coronatoris* ['Of What Things a Coroner Shall Inquire'][134] which ruled that whenever the coroner was informed of any person 'that be drowned, or suddenly dead, or slain, or strangled... or [if] upon any other Hurt [is] found upon their bodies' he was to hold a view of the body and take evidence from witnesses to ascertain when, where and how the deceased came to his death, and whether anyone could be held culpable.[135] The coroner was to value the property of the deceased and those responsible for the death, as well as any items (such as weapons or horses) which had caused it, known as 'deodands'. This is considered to be the origins of the coroner's formal role in sudden death investigation,[136] but more important for this thesis, however, is the clause which relates explicitly to identification:

> If it fortune any such Man be slain in the Fields or Woods, and be found there... it shall be inquired... if the dead Person were known, or else a Stranger.[137]

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[133] Havard, *Detection of Secret Homicide*, pp.12-13; Yntema, 'Lex Murdrorum', pp.168-79.

[134] Parliamentary Papers, 4 Edward I, c.2.

[135] The view of the body was introduced 'in order to establish the fact that there actually was a body whose death was to be investigated, otherwise an inquest would have been held upon a person who had merely disappeared, and his property seized by the Crown': W.A Brend, 'The Necessity for Amendment of the Law Relating to Coroners and Inquests', *TMLS*, X (1912-13) p.178.

[136] Havard noted that this instrument, which was declaratory of common law and not a statute proper, was the single most important obstacle for the development and acceptance of a fully medico-legal inquest: Havard, *Detection of Secret Homicide*, p.39.

[137] Parliamentary Papers, 4 Edward I, c.2, s.5-7.

This was the earliest legislative measure regarding the need to identify the dead body, but it did not stipulate that the coroner should be personally responsible for ascertaining the name of the deceased or even that inquiries should be made, but merely whether he was known to the community. This can be seen as a continuation and expansion – in spirit if not in legal practice – of the *Murdrorum*'s ruling that the community should provide evidence to assist in the identification of the body as that of a native. The coroner's role was to facilitate this by holding an inquest, and by ordering that evidence of identity was to be searched for and presented to him and a local jury.

Over the fourteenth and fifteenth centuries the power of the coroner decreased as the *Murdrorum* was abolished, escheaters (administrative tenants-in-chief) took charge of the pleas of the Crown, and keepers (Justices of the Peace) performed the preliminary inquiries into deaths. However, the coroner's responsibility for holding inquests increased in importance.[138] An Act of 1509 ruled that the coroner was to be fined if he did not view the bodies of persons found slain, drowned or dead from misadventure when requested to by the officials or public in his jurisdiction; but if following this view he found the body had *not* been feloniously killed, he was forbidden to hold an inquest.[139] After this Act there were 'no developments of any importance' in inquest or coronial procedure until 1751 when coroners were awarded a fixed rate for inquests 'duly held' as well as their travel expenses. This was designed to encourage (but not enjoin) coroners to hold inquest on persons killed in suspicious or unexplained circumstances and could be seen as a further incentive to hold preliminary examinations

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[138] Hunnisett, *The Medieval Coroner*, pp.147-8.
[139] Parliamentary Papers, 1 Henry VIII, c.7: Havard, *Detection of Secret Homicide*, p.36.

as stipulated under the 1509 Act.[140] This position remained virtually unchanged until the 1887 Coroners Act.

Identification at the inquest, 1800–1934

The conduct of nineteenth- and early twentieth-century inquests was affected by several factors over the period, including the rise of the police, who gradually assumed responsibility for gathering evidence, the role of the Justices who controlled coroners' fees, the provision of mortuaries and coroners' courts, the availability of medical evidence, and a number of legislative changes to inquest procedure. However, the procedural core remained relatively unchanged over the period studied in this thesis.

The coroner was forbidden to proactively seek out cases to investigate, and so relied on a network of local informants – including searchers of the dead, law officers, and local gossips – to notify him of bodies found dead in unnatural, suspicious or unexplained circumstances.[141] The coroner's officer would then be dispatched to conduct further inquiries before submitting a preliminary report.[142] If the coroner deemed the circumstances of death to be 'worthy of inquiry', he would issue his warrant to have a

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[140] *Ibid*, p.37.

[141] Searchers of the dead were appointed in the sixteenth century to examine the dead and dying for signs of plague, but they continued to examine the bodies of those found in more suspicious circumstances – particularly infants – until they were made redundant by the 1836 Medical Witnesses Act: R. Munkhoff, 'Searchers of the Dead: Authority, Marginality, and the Interpretation of Plague in England, 1574-1665', *Gender History*, 11 (1999) 1-29; K. Siena, 'Searchers of the Dead in Long Eighteenth Century London' in K. Kippen and L. Woods (eds), *Worth and Repute: Valuing Gender in Late Medieval and Early Modern Europe: Essays in Honour of Barbara Todd* (Toronto, 2011) pp.123-52.

[142] Burney, *Bodies of Evidence*, p.4. The Coroner's Officer, usually a local constable or police officer, was officially appointed and was tasked with assembling the jury, making inquiries, and searching the deceased and the 'scene of the crime' for evidence. Havard calls these officers as 'oft as not, a person of the lowest intellect and integrity,' but many appeared to be highly capable: Havard, *Detection of Secret Homicide*, p.141; Liverpool, M347 COR/L/11 pp.207, 360.

jury assembled and full inquiries made.[143] However, citing financial concerns, magistrates

in some counties forbade law officers to report these unknown bodies to the coroner.[144]

Nor did every coroner regularly hold inquests on the bodies of unknown persons; even

after the 1860 County Coroners Act and in flagrant disregard of the 1887 Coroners Act,

some coroners refused to hold inquests on bodies found drowned unless they had been

identified first.[145]

Inquests often took place at very short notice, usually one or two days after the

body had been discovered, though some took place on the same day.[146] This meant that

identification inquiries had to be made quickly and could continue right up until the

inquest commenced; one policeman testified in a 1901 inquest that 'I have searched the

clothing a few minutes ago.'[147] Consequently, inquests held on unknown persons usually

took place while investigators awaited the results of their as-yet incomplete inquiries,

often leaving major questions unanswered. Adjournments were therefore common

occurrences.

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[143] Exactly what 'worthy of inquiry' entailed changed over the period. During the 1830s and 1840s, Justices in several counties refused to reimburse coroners for inquests they had held on bodies that did not return a verdict of felonious death. Faced with the possibility of being left out of pocket, coroners were understandably reluctant to hold inquests in questionable circumstances. This was remedied by the County Coroners Act which provided them with financial independence in the form of a fixed salary: P. Fisher, 'Getting Away with Murder? The Suppression of Coroner's Inquisitions in Early Victorian England and Wales', *Local Population Studies*, 78 (2007) 47-62; Havard, *Detection of Secret Homicide*, pp.39, 64.

[144] BPP, *Coroners' Inquests. Returns of all Orders and Regulations… since the year 1850* (1860), p.260; Liverpool, M347 COR/L/11, *Coroners' Society Annual Reports*, 1897, p.259.

[145] In 1896 one coroner reported that 'I was summoned to one at Whitton on the Humber last week and refused to go unless the body was identified, but as soon as identified I held an Inquest': Liverpool, M347 COR/L/11, *Coroners' Society Annual Reports*, 1897, pp.259-60

[146] See *Western Mail*, 13 Nov 1889, p.3.

[147] LMA, CLA/042/IQ/01/86/157 – 4 Aug 1897.

At the designated time and place, the coroner swore in a jury of between 12 and 23 reputable local men[148] before the assembled parties, which would include members of the public, local reporters, and the family and friends of the deceased (if known). Although juries were supposed to be objective and impartial, their position in the local community sometimes allowed them to act as material witnesses; one juryman in 1897 stated that the decedent had come into his public house, had acted strangely, and 'gave him on Saturday last an engineer's rule with W/S/CROSS engraved on it' which tallied with other marks on his clothing.[149] In another case, an Oxfordshire juryman testified that the decedent had previously told him that he was walking to Thame and slept in hedgerows – nobody else offered any information.[150] In a roundabout way, these incidents display parallels with the role of local juries under the *Murdrorum*.

The jury was then taken to 'view' the body of the deceased lying in an adjoining space, where an associate (ideally a relative) would identify it, and a medical man would point out any marks of violence. The view was mandatory under the 1276 Act (above) and remained so until 1926. As the bodies considered in this thesis were unknown, identification was usually performed by the first-finder, who testified that the corpse before the jury was the same one that he or she had discovered. In the absence of a name to act as a reference point, this ensured that the inquest was being held on the

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[148] During the First World War the size of the jury was reduced to between 7 and 11 men, and under the 1918 Juries Act the coroner had the power to dispense with the jury altogether except in specific circumstances: respectively, Parliamentary Papers, 7 & 8 George V, c.19 and Parliamentary Papers, 8 & 9 George V, c.23, s.7 respectively). This was extended to 1923, and finally made permanent under the 1926 Coroners (Amendment) Act: Parliamentary Papers, 16 & 17 George V, c.59, s.13. Throughout this period, the coroner was required to view the body himself.

[149] *Western Mail*, 11 Feb 1897, p.7. Publicans were apparently useful witnesses for this reason; another was able to testify that a decedent who had come to his house had appeared in poor health: Lancashire, DDHD/CR – 14 Sep 1915.

[150] *Jackson's Oxford Journal*, 7 Apr 1900, p.4.

correct body.[151] As formal identification stood for proof of the decedent's death, after the view the body could be released for burial.

In 1926 the Coroners' (Amendment) Act permitted coroners to hold inquests even when the view was impossible 'owing to the destruction of the body by fire or otherwise or to the fact that the body is lying in a place from where it cannot be recovered', so long as other proof of death was forthcoming.[152] In such cases where identification was impossible, it had to be established that the body was discovered in a place where the supposed deceased was last seen.[153] The first practical application of this clause occurred in the wake of the Charfield Railway Disaster of October 1928, in which the death of one Goodwin Phillip Jenkins was confirmed despite the complete destruction of his body: he was seen shortly before the accident in a carriage which was subsequently consumed by fire.[154] Over the previous century there had been several examples of uncertain identifications being established through a similar 'common sense' approach: in 1839 a pauper fell into a vat of boiling water at Hendon Union Workhouse and at the inquest officials complained that his body had not been identified; the coroner Thomas Wakley retorted 'If it is not the body of the man who was killed in your vat, pray, Sir, how many

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[151] The most common declarations were 'I found the deceased...', 'I identify the deceased as the man/woman I found dead...', or 'the body is the same [as the one I found]'. In 1905 the coroner for Westminster, John Troutbeck, noted it 'curious' that only on the inquisitions for executed felons was 'special attention directed to the importance of correct identification': J. Troutbeck, 'Modes of Ascertaining the Fact and Cause of Death', *TMLS*, III (1905-6) p.101. See also Brend, 'The Necessity for Amendment of the Law'.

[152] Parliamentary Papers, 16 & 17 George V, c.59, s.18.

[153] This requirement shared similarities to the apocryphal story of the classical poet Simonides, who left a banqueting hall shortly before the roof collapsed, killing everyone inside; Simonides identified each of the guests by recalling who was sitting in which seat: F. A. Yates, *The Art of Memory* (London, 1992) p.1.

[154] Northumberland, NRO 5776/14 *Coroners' Society Annual Report*, 1928-9, p.15. Other cases were soon forthcoming; see 'Verdict of Murder Without Evidence of a Corpse', *The Lancet*, 29 Sep 1934, 710-11.

paupers have you boiled?'[155] Similarly, at the Sidney Street siege of 1911 two anarchists sealed themselves alone into a building which then caught fire; one was conclusively identified by his fractured leg, the other by logical elimination.[156] However, the 1926 Act was particularly radical in that – in some circumstances at least – it removed the need to identify the body altogether.

Following the view, the assembled party returned to the inquest room. Before proceeding with the evidence the coroner provided a brief précis of the investigation thus far and raised any points (such as the question of culpability) which the jury would have to consider when reaching their verdict; in some instances the coroner noted that the identification of the body might be impossible.[157] Evidence was then heard from the first-finder, those who recovered the body and removed it to a safe location, those who examined it in a medical or lay capacity, those who had made inquiries, and those who could provide relevant information relating to these inquiries. The coroner, jurymen or representatives of the deceased could ask questions of the witnesses, whose evidence was recorded in the form of written depositions and signed.

The inquest was an inquisitorial proceeding held to gather information and so there were no set rules of evidence; the coroner was even permitted to question those indicted for a criminal action that had caused the death.[158] Indeed, *any* information that the coroner felt relevant to the case was admissible; as the barrister John Jervis stated, the Victorian coroner

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[155] Burney, *Bodies of Evidence*, p.42.

[156] C.G. Grant, 'The Sidney Street Affair in its Medico-Legal Aspects', *TMLS*, IX (1911-12) p.26.

[157] For example, see *The Wrexham Advertiser*, 27 Jun 1891, p.7.

[158] At the inquest into the *Princess Alice* disaster the coroner Charles Joseph Cartter stated that 'I am often questioned as to what right I have to put a man in the box who may be assumed to be guilty and ask him a lot of questions. I have that power and it is the only Court in England that has that power': LMA, COR/PA/10, p.7.

is not fettered by any stated allegations in pleading, which require particular proof, and also that it may frequently be desirable for the coroner to hear statements which are not, strictly speaking, evidence, with the object of affording a guide in the examination of subsequent witnesses.[159]

Within these parameters, rumours were permissible as evidence, but the jury were to be reminded that they should consider anything of this kind with care. Evidence regarding the identification of the unknown dead was often scant, so local gossip was particularly important. For example, watermen and dockers frequently testified to having heard of persons lost at sea or in harbour despite being unable to supply any evidence to support their statements. For example, at one Suffolk inquest in 1836 a coastguard testified that he had heard that a man had been lost from a Dutch galley-yacht a fortnight previously 'and it is therefore possible the body of the man the Jury have just now viewed may be the body of that man, but of course I cannot speak with any degree of certainty about that'; he had reached his conclusion from the dress and the level of decomposition of the body.[160]

After all the evidence had been presented, the coroner summed up the case for the jury to consider, before asking them to reach a verdict on the cause and circumstances of death as well as the name of the deceased if conclusive evidence on the matter had been provided. This information was entered into the inquisition – the formal

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[159] R.E. Melsheimer, *Treatise by Sir John Jervis on the Office and Duties of Coroners or The Coroners Act, 1887*, 5th edn (London, 1888) p.37.
[160] Suffolk, HB 10/9/50/25 – 11 Oct 1836.

record of the inquest – and signed by the coroner and jury. The Christian name and surname of the deceased, or the name by which he or she was usually or supposed to be known, was recorded; if neither was known, the name was entered as man or woman 'to the jurors unknown'.[161] Sometimes these could be very specific: for example, at one Gloucestershire inquest the inquisition was issued for a

> male person apparently of the age of forty five to fifty years about five foot eight inches in height with dark hair moustache and whiskers no beard and dressed in a grey mixture cloth coat and waistcoat and dark grey cloth trousers, long black silk neck tie woollen shirt and new boots and with two small red cotton spotted handkerchiefs and an old fashioned pair of spectacles two [illegible] and a lead pencil only [illegible] in his pockets much decomposed[.][162]

For persons unknown proceedings were often very quick; one Oxfordshire coroner swore in and briefed his jury, took them to view the body, heard the evidence of two witnesses, summed up, and approved the verdict, all within thirty minutes.[163] More complex inquests in cases of murder, suicide, or large-scale accidents could take place over several days.[164] Inquests held on unknown persons were often adjourned to await

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[161] J. Jervis, *Practical Treatise on the Office and Duties of Coroners* (London, 1829) pp.250-1.

[162] Gloucestershire, CO3/I/13/A/27 – 19 May 1879. This is a rare but by no means unique example.

[163] Oxfordshire, City – 19 Jul 1907. This inquest was held at the Settling Room at Gloucester Green at 2pm, and another (on a second unknown body) at 2.30pm.

[164] Some took even longer. The inquest held on the body of Cora Crippen took place over five days spread over a period of nine weeks; this was due to the on-going police investigation which was continually bringing new evidence to light: CRIM 1/117/23. From start to finish, the inquest into

the results of further inquiries; these were not always forthcoming,[165] but there were examples in which the deceased was identified between the opening day of the inquest and the adjournment. After the inquest, the coroner was then responsible for registering the death by sending to the relevant authority (parish clerks before 1836, registrars thereafter) details of the time of death, the name and surname of the decedent (if known), their sex, age, rank or profession, and the cause of death.[166]

Identification, then, was a vital component of the inquest and one entirely separate from the cause and circumstances of death. Coroners were commended for their roles in facilitating identification by relatives and the press,[167] and many were conscious of this duty. In the chaos that followed the 1868 Abergele railway disaster, the coroner for Denbighshire Dr. Evans Pierce tasked three medical men to draw up descriptions of each body, providing them with a tried-and-tested template he had produced during his inquiry into the sinking of the *Ocean Monarch* in 1848. Afterwards, he released this statement:

> Now, it is quite clear that it was not imperative upon the coroner to do this. It was a great deal of trouble to me, and the cause of much anxiety, but I did it for the satisfaction of the bereaved relatives, and to secure that the inquiry should be carried on in a proper way. I considered that course necessary, although all that is required by a foreman's oath is that the jury

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the sinking of the *Princess Alice* in 1878 took over six weeks due to the sheer mass of evidence accumulated and presented before the court: LMA, COR/PA.

[165] Among others, the only evidence recorded at an adjourned inquest in April 1848 read 'The advertisement appeared in the paper on Tuesday last but there have been no applicants or enquiries': LMA, CLA/042/IQ/01/11/49 – 5 & 13 Apr 1848.

[166] 6 & 7 William IV c.86, s.18; Schedule B.

[167] For example: Suffolk, EC5/34/20 – 4 Dec 1891; LMA, COR/PA/31/24 – correspondence, 9 Sep 1878.

should pronounce their verdict upon the body of A.B., lying dead, or on the body of a person unknown, or on the body of a man, woman, or child unknown to the jury; but so anxious was I to do what was right and proper, and for the satisfaction of those who had lost relatives, I had the most careful examination made.[168]

This suggests that despite the 1276 Act which ruled that they were not required to facilitate identification themselves (merely 'if the dead Person were known, or else a Stranger'), coroners understood that their role as public officials sat alongside their responsibility to consider the needs of the family and friends of the deceased.

Chapter outline

To present the most comprehensive overview of the identification process and its developments, the remainder of this thesis has been structured so as to allow the reader to 'accompany' the body from the moment of death or discovery to the conclusion of the inquiry.[169] Each chapter will cover a particular set of procedures or the role of a participatory group, and will discuss how these developed across the period in question while addressing a number of wider historiographical issues.

Chapter One will explore the origin of the unknown body by considering how individuals were able to remain anonymous after death. By adopting Barbara Hanawalt's approach of narrative inquiry alongside sociologist Gary Marx's model of anonymity, inquest depositions will be used to recreate the social and professional world of the

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[168] *North Wales Chronicle*, 12 Sep 1868, p.2.
[169] Elizabeth Hurren has used this method to follow the anatomy cadaver through the dissection process: Hurren, *Dying for Victorian Medicine*.

decedents and to reconstruct their relationships with those around them.[170] This chapter represents the first attempt to study the lives of strangers at an individual level, and will demonstrate that the place of the individual within the community – rather than the cause or circumstances of death – was the determining factor in facilitating post-mortem anonymity.

Chapter Two – the largest of the thesis – examines how investigators facilitated the recognition of the unknown dead by exposing the corpse to the public. This aspect of the investigation underwent enormous change over the period, and was affected by a range of external influences including policing, coronial, sanitary and medico-legal reform, the rise of the press, and shifting socio-cultural attitudes towards the dead body. The chapter covers five key areas. First, the actions taken between the discovery of the unknown body and its examination, including how it was brought to the attention of the necessary authorities and how it was prepared so as to render it visible to investigators and onlookers. Second, the methods by which investigators disseminated information regarding the body's discovery and appearance to the general public.

Third, the relationship between the body and the public in the context of mortuary spaces will be examined. On occasion, the need to allow the public access to the body occasionally sat uncomfortably alongside the emerging principles of medico-legal, coronial and sanitary reformers who advocated distancing the corpse from the public, and this section explores how investigators navigated these conflicting viewpoints. The following section will detail late nineteenth-century attempts to construct a Morgue (along the lines of that in Paris) in the heart of London. As well as providing an

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[170] Hanawalt, *The Ties that Bound*; Hanawalt, 'Voices and Audiences'. Similarly, see also Gaskill, 'Reporting Murder'; G.T. Marx, 'What's in a Name? Some Reflections on the Sociology of Anonymity', *The Information Society*, 15 (1999) 99-112.

astonishing counterpoint to the established perception of British views on the public place of the dead, these failed propositions illustrate the changing perception of the importance of identification. These debates also led to the spate of mortuary building from the 1890s, the impetus for which has never before been satisfactorily explained.

Finally, the impact of the new technology of photography will be assessed. Altogether, this chapter will argue that in an age in which the corpse was increasingly distanced from the community, investigators had to encourage public engagement with the unknown body in new ways in order to facilitate its recognition. Debates reflected wider concerns about the corpse as an object infused with moral, sanitary and medico-legal meaning. These issues will introduce the unknown dead body itself into current historiography, and situate developments in the identification process alongside those in policing and medico-legal procedures.

Chapters Three and Four discuss the ways in which the unknown body was scrutinised from two very different epistemic perspectives, which were necessary to 'make sense' of the corpse. Chapter Three will use the contents of over 1,000 personal descriptions created during the investigations to explore how the body's surface appearances – its immediately visible aspects – were examined and collated to serve as identifying characteristics and signs. In terms of their evidential value, non-corporeal items such as clothing and personal possessions were inseparable from the body itself, and these will also be discussed here. By assessing the significance of a wide range of general and distinctive identifiers, this chapter will demonstrate that nineteenth- and early twentieth-century conceptions of personal identity were based on the observable elements of the human body. Many (but not all) of the actors constructing these descriptions were laymen: law officers, mortuary keepers, or first-finders. This offers a

unique opportunity to examine how these persons, who rarely served a purpose beyond their roles as material witnesses, could play an active part in medico-legal inquiries; their roles have hitherto remained unexplored by historians of forensic medicine. Although descriptions often lacked uniform structure or a standardised terminology, their unscientific nature was no barrier to their utility: the act of recognition was based on surface appearances alone.[171] This provides a counterpoint to the nineteenth-century quests for scientific methods of criminal identification.

Chapter Four assesses the changing role of the doctor in these inquiries, and will chronicle the growing interest in post-mortem identification as a specialist medico-legal topic within the context of the rise of forensic medicine as a professional discipline. In doing so, it will assess attempts to recast the identification process as a medico-legal inquiry which demanded a scientific approach and assistance from specially-trained medical men. Medico-legal literature will be used to chronicle how the awareness of the doctor's responsibilities emerged, and to explore the growing collection of techniques which made use of the body's exterior and interior appearances. Inquest depositions and a select number of murder investigations will be used to evaluate how these were used in practice, to discuss how different types of doctors were able to contribute and co-operate, and to assess the limits of their participation. This chapter aims to make a significant contribution to the history of forensic medicine by investigating an as-yet unexplored area of medico-legal practice alongside more familiar developments in the field.

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[171] R.F. Da Silva, 'Recognition x Identification', *Journal of Forensic and Legal Medicine*, 18 (2011) p.43.

Introduction

To conclude the narrative of the unknown body, Chapter Five will explore the ultimate stages of the processes examined throughout the thesis: the formal recognition of the corpse and its aftermath. As well as the act of identification itself, it will consider the administrative implications of the inquiry, and use the disposal of the body as a means to assess socio-cultural attitudes towards the unknown dead. Whereas earlier chapters have focused primarily on the efforts of the investigators, this final chapter will consider the relative contributions from both the investigators and the decedent's community.

The Conclusion will tie together several thematic threads encountered across the course of this thesis, and will consider the effects of two complex interpersonal and interdisciplinary relationships. First, the triadic relationship between the investigators, the decedent's community, and the unknown body; second, the necessary juxtaposition between scientific and opinion evidence that emerged as a result of the teamwork between investigators and laymen. The conclusion will also review the extent of continuity and change across the period under study, taking into account developments in technology, the place of the unknown body, working relationships between actors, and medico-legal practice. Finally, it will make several methodological proposals and suggest avenues of future research.

In summation, this thesis introduces the figure of the unknown dead to the historiographical canon, examines a vital but hitherto neglected set of investigative practices, and considers their implications for state and society. In doing so, it argues that this neglected area can add new dimensions to many well-established areas of historical interest, such as the histories of the body and the dead, community and belonging, forensic medicine and sudden death investigation. It proposes the concept of the inquest

as two separate inquiries running in parallel, and supports the model of officially-organised investigations based on co-operative networks between the lay, medical, police and administrative spheres. By engaging with established themes including notions of official and community identities, the relationship between the state and society, and the place of the body within the socio-cultural and medico-legal spheres, this thesis aims to make a significant contribution to the fields of social and medical history.

Chapter One

Lost and Found

This opening chapter introduces the figure of the unknown body to the thesis and explores how it was possible for people to remain anonymous after death. By doing so, it sets up a new way of thinking about identity and belonging, since unknown persons were by definition unlikely to be rooted in the community in which they died. Although this chapter touches on many topics of interest to historians of the modern bureaucratic state such as the place of the stranger, economic mobility and the rise of centralised record keeping, it does not intend to explore the changing rationales for and means of verifying official identities in the face of shifting social structures. Rather, it focuses on how it remained possible to *lose* one's identity.

The chapter will begin by considering some concepts of anonymity to act as a set of thematic framework to act as a focal point for historical discussion. This will be followed by an historiographical critique of the 'society of strangers', a social structure which many historians consider defined interpersonal interactions over the industrial age. Using these two discussions to place anonymity into its theoretical and historical contexts, the remainder of the chapter will explore how particular elements of society were rendered anonymous after death. These included not only those who deliberately avoided revealing their identities, but also certain occupational and social groups who regularly interacted with others but did not necessarily integrate. The chapter will conclude that throughout the period under study, post-mortem anonymity originated from a person's social marginality, regardless of whether they had died in the company of others or in total isolation.

Evidence submitted before the coroner by those who engaged with the unknown decedent will be used to reconstruct the lives of historically-elusive strangers, establish their social place, and examine their interactions with the world around them.[1] This method of using inquest depositions to study anonymous lives (and deaths) owes a great deal to the methodologies of two historians: Barbara Hanawalt, who used the minutiae contained in depositions to recreate the physical and social worlds of medieval communities;[2] and Richard Cobb, who used the recorded testimony of those who came to identify the unknown dead at the Basse Geôle in the eighteenth century (the precursor to the Parisian Morgue) to reconstruct community ties between family members, colleagues, and neighbours.[3] Elizabeth Hurren, too, used this approach of investigating the 'lived experience' through the reconstructed narrative of the medical cadaver.[4] Together, these historians demonstrated that recorded testimonies regarding the corpse could reveal a great amount about the lives of ordinary people. Witnesses at inquests held on unknown persons included the travelling companions, room-mates, co-workers, landlords and employers of the unknown dead; their testimonies revealed the mundane aspects of life which contributed to their anonymity after death.

Two barriers to personal identity stand out in this history of post-mortem anonymity. On the surface the 'unknown body' was simply a corpse without a name, but behind this immediate issue lay a second: the difficulty of tracing the decedent's social 'place', which could be necessary in order to reveal this name. Before considering how their effects were manifested, it is worth exploring these ideas further.

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[1] As the discussion below will argue, anonymity was a two-way process.

[2] B.A. Hanawalt, *The Ties that Bound: Peasant Families in Medieval England* (Oxford, 1986). See also the Introduction to this thesis, p.30.

[3] R. Cobb, *Death in Paris 1795-1801* (Oxford, 1978) esp. 57-69.

[4] E.T. Hurren, *Dying for Victorian Medicine: English Anatomy and its Trade in the Dead Poor, c.1834-1929* (Basingstoke, 2012).

In her study of state naming practices, historian Jane Caplan quoted legal theorist Franz Rainer Enste who argued that 'the task of the name is to guarantee, at least approximately, the exact identity of the person'.[5] Sociologists Scott, Terhranian and Mathias argued that a name rendered an individual 'legible' to a community by providing a linguistic hook on which to hang their social or administrative identity.[6] Thus a person – or corpse – without a name lacked this crucial social reference which linked the individual to their personal or community identity. But unlike criminals trying to hide their identities behind false names, comparatively few individuals encountered in this study voluntarily imposed namelessness upon themselves. Some may have used aliases or nicknames rather than their 'official' (baptismal or registered) names in order to disguise, reinvent or reconstitute their personal identity, but seldom did they use anonymity to disassociate themselves from society altogether. Indeed, the cases outlined below will demonstrate that namelessness was no bar to social or business transactions: employers did not always take the names of their casual workers nor did many lodging-house keepers require their guests to register their names on arrival, but both relationships could function smoothly. Naming practices – both giving and receiving – were fluid.

Thus an additional level of complexity is introduced: the role of the Other with whom the decedent interacted. Namelessness could arise from the actions of the individual (who might prefer not to give his name) or the host (who might choose not to ask for it). Sociologist Gary Marx argues that anonymity is a 'fundamentally social' state of being which depends on the relationships (or lack thereof) between the subject and an

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[5] J. Caplan, 'This or That Particular Person: Protocols of Identification in Nineteenth-Century Europe' in J. Caplan and J. Torpey (eds), *Documenting Individual Identity: The Development of State Practices in the Modern World* (Woodstock, 2001) p.54.
[6] J.C. Scott, J. Terhranian and J. Mathias, 'The Production of Legal Identities Proper to States: The Case of the Permanent Family Surname', *Comparative Studies in History and Society*, 44 (2002) p.4.

observer; only those unknown in company can be considered 'anonymous'.[7] Marx's theory of anonymity is reinforced by anthropologist Mary Douglas's theory of 'dirt' which she conceptualised as 'essentially disorder' or 'matter out of place'. Her model also relies on two elements: the object or subject in question, and the framework within which it is considered.[8] Within this context unknown persons who did not occupy a proper social, administrative or physical position in their host community could be considered 'dirt', and their bodies 'out of place'. These conceptual frameworks allow the historian to consider anonymity not simply as namelessness but rather as a social state based on the place of an individual in a community. This is not the only way to conceptualise the issue but it is an interesting vehicle for gaining insight into the relationships between the unknown dead and the world around them. In addition, it provides an opportunity to test these theoretical models against historical events.

In this context, four groups of unknown persons provide the background for this chapter: those who deliberately hid their identities from prying eyes, those who died on the roads, those who died at work, and those who died in inns (the closest approximation to 'home' encountered in the records). Trends in the cause and circumstances of death will be examined, alongside the relationships forged by the decedent with those around them. The chapter will conclude that anonymity was the product of the decedent's actions (for example, a wish for privacy) alongside the attitudes of the wider community (such as indifference). The likelihood of anonymity within each group was exacerbated by members' distance from their home communities, so first it will be useful to outline the

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[7] For example, one is 'anonymous' in a busy street but simply 'alone' on a mountaintop: G.T. Marx, 'What's in a Name? Some Reflections on the Sociology of Anonymity', *The Information Society*, 15 (1999) p.100.

[8] M. Douglas, *Purity and Danger: An Analysis of the Concepts of Pollution and Taboo* (London, 1966) p.2.

concept of the 'society of strangers' in order to place personal anonymity into its historical context.

Introducing the 'society of strangers'

At a meeting of the Medico-Legal Society in 1906 John Troutbeck, the coroner for South-West London, mused 'I imagine that having a jury who were neighbours was a satisfactory means of checking identification in the old days, but it is not so now'.[9] His observation raises two points. First, before a trained medical and legal audience he acknowledged that the identification process, which rested between the realms of medicine and law, relied on the participation of the lay public. Second, he indicated that changes in community structure, and particularly the concept of neighbourhood, had altered between the 'old days' (specifically the pre-industrial era) and the early 1900s, having a direct effect on the ease with which a body could be identified.

Michael Ignatieff is credited with coining the term 'society of strangers' to describe the shifting social structures which arose as a product of the industrial age, and although his theories have proven rather limited they have nevertheless endured. He argued that in the pre-industrial age people tended to remain in the village or region of their birth, thereby becoming physically and socially entrenched in their home community. Everybody knew everybody else, which allowed social and business interactions to be based on a system of personal acquaintance and mutual trust. In the

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[9] J. Troutbeck, 'Modes of Ascertaining the Fact and Cause of Death', *TMLS*, III (1905-6) p.101.

industrialised age, however, these communities became fragmented and people interacted increasingly with strangers.[10]

By the end of the eighteenth century, the growth of towns and the gradual mechanisation of industrial and agricultural practices meant that traditional societies 'no longer constituted effective communities or labour markets'. More people left their home parishes to seek work, either 'on the tramp' or more permanently in new factory towns; it became increasingly common for people to encounter strangers in their everyday lives.[11] This was notably exacerbated when the British government returned the economy to a peacetime footing following the Napoleonic Wars. The 1815 Importation Act prohibited the importation of corn until prices reached 80 shillings per bushel,[12] but keen to maintain their profits, farmers dismissed long-term workers and increasingly relied on seasonal part-time help, fuelled by the many thousands of men recently demobilised from Wellington's armies.[13] Faced with rural unemployment and greater competition for the fewer jobs available,[14] labourers moved their families to urban areas to seek work, further breaking up their traditional communities.[15]

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[10] M. Ignatieff, 'State, Civil Society and Total Institutions: A Critique of Recent Social Histories of Punishment' in S. Cohen and A. Scull (eds), *Social Control and the State: Historical and Comparative Essays* (Oxford, 1983) pp.87-8.

[11] L.H. Lees, *The Solidarities of Strangers: The English Poor Laws and the People, 1700-1948* (Cambridge, 1998) p.351.

[12] Parliamentary Papers, 55 George III, c.26 (1815); E. Hobsbawm, *The Age of Revolution, 1789-1848* (London, 1975) pp.40-2.

[13] Ignatieff, 'State, Civil Society and Total Institutions', pp.87-8.

[14] Many men returned to find that during their absence they had been replaced by women workers, who required half the pay and often produced better results than their male counterparts: I. Pinchbeck, *Women Workers and the Industrial Revolution, 1750-1850* (London, 1969) pp.62-3.

[15] S.A. Cole, *Suspect Identities: A History of Fingerprinting and Criminal Identification* (London, 2001) pp.7-9; E. Higgs, *The Information State in England: The Central Collection of Information on Citizens since 1500* (Basingstoke, 2004) p.22.

However, this portrayal of the 'society of strangers' as a nineteenth-century urban phenomenon is increasingly challenged as simplistic.[16] Edward Higgs in *Identifying the English* argued that only through a *longue-durée* approach can the effects of nineteenth-century urbanisation and industrialisation be placed into a wider historical context.[17] In doing so it becomes clear that the 'society of strangers' was not unique to the nineteenth century, but rather the latest in a long line of shifting social structures arising from the movement and re-settling of individuals. As discussed in the Introduction to this thesis, the power of the *Lex Murdrorum* was partly undermined by famine-induced mass migration which made it harder for communities to identify the corpses of displaced persons found in their midst.[18] Barbara Shapiro argued that by 1500 mobility had increased to such an extent that local people no longer understood the inner workings of their own communities, necessitating the transformation of the trial jury from a panel of witnesses testifying to the facts of the case to impartial third parties.[19] Elizabethan authorities passed legislation to push 'dangerous' masterless strangers – primarily vagrants – back into their parishes of origin.[20] Perhaps most strikingly, the 1662 Poor Relief Act protected parish coffers from outsiders by prohibiting strangers from remaining for more than 40 days without legal permission. However, in towns it was harder to keep track of evasive new arrivals, so the Settlement Act of 1692 made it mandatory for newcomers to notify the parish authorities upon their arrival, and the period of 40 days' grace began only after a public interview established whether or not the stranger might

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[16] Most notably, K.D.M. Snell, *Parish and Belonging: Community, Identity and Welfare in England and Wales, 1700-1950* (Cambridge, 2006).

[17] E. Higgs, *Identifying the English: A History of Personal Identification 1500 to the Present* (London, 2011) pp.8-9.

[18] See Introduction, p.37.

[19] B.J. Shapiro, *'Beyond Reasonable Doubt' and 'Probable Cause': Historical Perspectives on the Anglo-American Law of Evidence* (Oxford, 1991) p.6.

[20] Z. Bauman, *Life in Fragments: Essays in Postmodern Morality* (Oxford, 1995) pp.94.

later become a burden on the parish. Those permitted to stay were awarded a certificate of settlement; others were moved on.[21]

It is clear that the fragmentation of 'traditional' communities due to migration – as well as the development of registers, certificates and identity documentation required to manage the problem – was not confined to the industrial era. However, the scale on which it occurred and the kinds of people involved (workers moving for employment, rather than vagrants and refugees moving for relief) distinguishes its nineteenth-century manifestation from those of earlier periods. This increase in the number of mobile persons led to a greater chance of a social or business interaction with a stranger, and thus by reflecting on Marx's arguments above it is clear that the potential for nameless encounters – and thus personal anonymity – was significantly increased. During the era of industrialisation, almost *anybody* could become part of the 'society of strangers'.[22]

As will become clear over the following pages, the 'society of strangers' was not an exclusively urban phenomenon; inhabitants of rural areas, too, encountered strangers in the form of an enormous mobile workforce of urban and rural dwellers who travelled the countryside taking short-term positions at planting and harvest times. Throughout the year, skilled and unskilled workers roamed the country seeking work wherever it could be found, and the growth of maritime trade meant that British ports were flooded with a steady and ever-changing stream of sailors and dockers both native and foreign. In

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[21] Parliamentary Papers, 13 & 14 Charles II, c.12 (1662); Parliamentary Papers, 3 & 4 William and Mary, c.11 (1692); Lees, *The Solidarities of Strangers*, pp.29, 48; B. Hawley (ed), *Miscellany of Salisbury City Records: Strangers in Salisbury & Relief of the Poor* (Devizes, 1997) pp.1-2. The question of settlement was of particular importance to the migrant worker, as will be explored further below.

[22] From the 1880s, a second kind of 'society of strangers' was formed following the development and expansion of the suburbs, as well-to-do city dwellers moved to cleaner, quieter communities away from their workplaces. Colleagues no longer lived alongside one another and the place of local businesses (those which served their immediate neighbours) was eroded: Higgs, *The Information State*, p.107.

all areas of England and Wales – not just in the cities – individuals could encounter, and even become part of, a whirling mass of unfamiliar faces.

Perhaps the most significant flaw in the traditional conception of the 'society of strangers' is that it is socially unsustainable. Lawrence Friedman argued that even a 'society of strangers' is built on 'trust, shared norms, on common understandings, [and] on basic expectations',[23] principles which will ultimately lead to the forging of new community ties. When an individual left a neighbourhood those remaining re-forged the links broken by his departure; for example, when a miller left a village his customers had to patronise a different mill, his staff would find jobs elsewhere, and local life would continue. Likewise, newcomers integrated into their new communities; the miller would seek out a new customer base, and existing members might come to him for work. This required basic human relationships to be more fluid and porous, but the old structures of family, neighbourhood and workplace would survive in order to 'face the crises of life', even though new members might share different values and backgrounds.[24] Adam Smith argued that a society formed of strangers who lacked the 'mutual love and affection' characteristic of more intimate communities would not necessarily dissolve into dysfunctional misery. Although they might be 'less happy and agreeable', mercantilism, he argued, would bind society together and allow it to thrive economically and morally despite the absence of friendly community ties.[25] It is important to consider, then, that newcomers did not have to remain strangers for long.

Although migration took place on a far grander scale and involved a wider range of people, the term 'society of strangers' is perhaps more fitting to describe a transient

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[23] L.M. Freidman, *Crime and Punishment in American History* (New York, 1993) p.201.
[24] Higgs, *The Information State*, p.67.
[25] A. Smith, *The Theory of Moral Sentiments*, 2nd edn (London, 1761) pp.146-7.

population which one could join and leave at will, rather than an all-encompassing national structure. Membership, it seems, was merely a temporary phase of one's life cycle, and in this sense the notion of anonymity is highly flexible. The study of the actions and relationships of the anonymous dead provides a singular opportunity to examine the lives and movements of this transient 'society of strangers'.

Talking to strangers

The rest of this chapter will examine how the actions of newcomers and long-term community members made it possible for an individual to remain unnamed after death. Given that broken or unforged social links were the key to anonymity, the 'society of strangers' and its effects on post-mortem anonymity are best examined in places where proximity, shared experience, and relationships with other human beings would be anticipated or desired: at work, at 'home', and on the move. Each unknown person found dead within these contexts represented a failure to establish community bonds. The discussion will begin with an examination of those who chose anonymity as a way to operate within society, before considering elements of the wider population and how they might come to be anonymous at the point of death. This will cover life on the roads, specifically the migratory habits and practices of the transient workforce; working relationships between employees, employers and co-workers; and domestic arrangements. These three areas will demonstrate that it was possible to live and work on the periphery of a community – often for very long periods – without integrating to the extent of providing one's full or 'legal' name. It must be remembered that the following examples form but a tiny and unusual sample of the 'society of strangers' and cannot be considered statistically representative; not every tramp, farm-worker, lodger

or sailor followed the social practices discussed here or remained unknown after death. Nor can these examples be considered representative of working and living relationships among the wider public. However, they do reveal that anonymity was a real possibility if the decedent moved or worked in a particular fashion, or if a community chose to keep him or her on the periphery. The exploration of these issues offers much to the field of social history, and reveals many facets of nineteenth- and twentieth-century life which have hitherto gone unnoticed and unrecognised by historians.

Embracing anonymity

The first group to be considered are those who used the 'society of strangers' to hide their true identities from prying eyes. These figures, although comparatively rare, indicate the ease with which anonymity could be achieved if one so desired. Some used false names: at an inquest in 1873 on an unknown man found dead on the roadside at Holywell it was revealed that 'it was known that he went through the country under three different names'.[26] Another at Llandaff, more mischievously, had told his landlady that he was a 'thought reader' and allowed the clientele of the local inn to think he was a detective, 'but he added that he was not, and seemed to pride himself on the idea that he was hoodwinking the people as to his identity'.[27] Yet, an individual who moved and integrated into a strange community but concealed his real name from the population, for whatever reason, could only maintain this if the community was unable or unwilling to confirm his credentials, or considered it unnecessary. Thus these peculiar cases share many of the same themes found in the histories of identity documentation,

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[26] *Wrexham Advertiser*, 31 May 1873, p.2.
[27] *Western Mail*, 11 Feb 1897, p.7.

doppelgangers and identity theft.[28] Fittingly, then, the discussion will begin with the deaths of persons unknown in police custody.

In these cases, the rationales and histories of criminal and post-mortem identification overlapped. Until centralised scientific methods of criminal identification were developed in the late nineteenth century, law officers were often unable to ascertain the identities of their charges, who could refuse to give a name or hide behind a false one.[29] Prior to this, the identification of criminals relied primarily on their recognition by specialist police and prison officers, supported by indexed registers and (from the mid-nineteenth century) photographs.[30] But when an individual had recently arrived in the region from afar, it was virtually impossible for the local police to identify him themselves.[31]

Three examples demonstrate the difficulties faced by law officers before the adoption of these schemes. In 1872 a man was apprehended for begging at Kirton, Lincolnshire, and was taken to the House of Correction. There he was registered as 'a man who refuses to give his name', and he barely spoke a word until he died from tertiary-stage syphilis in the infirmary a few days later.[32] In 1884 another man suspected

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[28] See Introduction p.15.

[29] Cole, *Suspect Identities*, p.8. Systems based on Bertillonage were introduced in 1894 and were superseded by fingerprinting in 1901.

[30] T. Stanford, 'Who Are You? We Have Ways of Finding Out! Tracing the Police Development of Offender Identification Techniques in the Late Nineteenth Century', *Crimes and Misdemeanours*, 3 (2009) p.57.

[31] One smuggler shot dead in a pitched battle with officers remained unidentified, and his colleague evidently refused to identify him by the time the inquest opened: East Sussex, PEV/430/1 – 19 Nov 1833. Printing descriptions of the prisoner on posters or in the *Hue and Cry* or *Police Gazette* was one way by which law officers could increase the search area: G. Morgan and P. Rushton, 'Visible Bodies: Power, Subordination and Identity in the Eighteenth-Century Atlantic World', *Journal of Social History*, 39 (2005) pp.39-64; J. Styles, 'Sir John Fielding and the Problem of Criminal Investigation in Eighteenth-Century England', *Transactions of the Royal Historical Society*, 55 (1983) pp.127-49. This approach as it applied to unknown bodies will be revisited in depth in Chapter Two.

[32] Lincolnshire, Kirton – 26 Feb 1872.

of being intoxicated at the Cardiff horse fair was taken to the police station but he too refused to give his name to the arresting officer. He was placed in the cells, where he died the following morning apparently from heat exhaustion sustained the previous day.[33] A third refused to give his name or address when he was arrested, tried, convicted and imprisoned in Chester Castle for the theft of a coat at Wrexham in 1878. He was assigned the name 'John Jones' for administrative purposes but died (still unknown) behind bars.[34] Disciplinary and administrative systems relied on the personal name in order to guide the official observer through the official records,[35] but administrative systems could be foiled by the absence of a name, or the lack of a system which linked the individual's body to the relevant entry.[36]

Disappearing acts

Although these cases indicate that anonymity could be self-imposed, its biggest facilitator was movement. In the long-term, the growth of industry and rising rural unemployment forced workers away from the countryside into towns, while in the short-term seasonal workers travelled from urban areas into the countryside to assist farmers with planting and harvests. In addition, skilled and unskilled workers continually tramped the country taking employment where they found it and departing when opportunities diminished, while drifting vagrants sought relief from neighbouring parishes and homeowners. The following sections will examine how post-mortem anonymity could arise by studying the different types of people who relied on migration for their livelihoods: how they

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[33] *Western Mail*, 18 Sep 1884, p.3.
[34] *Wrexham Advertiser*, 2 Nov 1878, p.4.
[35] Scott, Terhranian, and Mathias, 'The Production of Legal Identities Proper to States', p.4. See also M. Foucault, *Discipline and Punish: The Birth of the Prison* (London, 1991 [1975]).
[36] Methods of criminal identification will be briefly discussed in Chapter Four.

travelled, what they did when they arrived, and how they interacted with those with whom they came into contact.

Today it may seem unfathomable that so many people were able to go missing without causing significant anxiety, but it appears that throughout the period disappearances were occasionally accepted with very little comment. Some people appeared to be impetuously mobile: in 1817 a man was found dead after an eleven-month absence, after 'telling his host that if he returned not to dinner, not to expect him until seen'.[37] In January 1866 the body of one James Davis was discovered after a four-month absence; his father testified that although he had made inquiries at the police station, 'a keener search' was not made because it was thought that the exploits of his seafaring cousin had 'tempted Davis to run away from his plodding habits of a blacksmith and see the world'.[38] In 1928 Rhoda Kate Platt testified that her husband James

> had been in the habit of leaving home for weeks at a time in search of
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> work... I did not take any notice of it when he failed to return as he was so
>
> apt to go off on the road looking for work. He never wrote to me whilst he
>
> was away from home.[39]

These cases suggest that travel plans were often flexible which meant that if circumstances permitted, an individual's movements could be difficult to predict and thus make them harder to 'place' in a social or geographical context. The lack of communication between the traveller and home apparently complicated matters. Such

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[37] J.G. Smith, *The Principles of Forensic Medicine, Systematically Arranged And Applied for British Practice*, 2nd edn (London, 1824) p.506.
[38] *Wrexham Advertiser*, 13 Jan 1866 p.8.
[39] Gloucestershire, CO6/1 – 30 Apr 1928.

examples demonstrate that individual mobility remained a persistent factor in facilitating anonymity throughout the period 1800–1934.[40]

If the general public sometimes appeared indifferent, coroners and police officers were painfully aware of such problems. In 1871 the body of a young woman was found in London's Regent's Canal, and at the adjourned inquest 'The coroner said it was one of the painful features of the metropolis that... [n]umbers of girls ran away from home; some took to an evil life and others committed suicide, and when a body was found no one came forward to claim it.'[41] In 1931 while discussing a case from the late 1880s in which a woman's body was found in a barrel (having been there for around two years), one Dr Moran stated that 'No-one appears to have noticed the gap in society… It seems strange indeed that in a civilised society a person to whatever stratum of society he or she belongs can disappear without such comment or remark as would filter through to the notice of an inquiring police'.[42]

And yet at the dawn of the twentieth century – an age of civil registration, indexed databases and registers, scientific methods of identification, an efficient police force and an established public press – the problem persisted. In 1931, the murderer Rouse stated in his confession that he had met his victim in a pub:

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[40] The factors which facilitated anonymity also facilitated bigamy, as men were able to maintain multiple wives in different regions without being detected: see B. Capp, 'Bigamous Marriages in Early Modern England', *The Historical Journal*, 52 (2009) 537-56 and L.M. Freidman, 'Crimes of Mobility', *Stanford Law Review*, 43 (1991) 637-58.

[41] *Western Mail*, 12 Oct 1871 p.4. The *Pall Mall Gazette* viewed the lack of concern on the part of her unknown associates with suspicion, reporting that: 'she must be "missing" somewhere, and there must be a strong reason for the absence of any inquiry respecting her': *Pall Mall Gazette*, 11 Oct 1871, p.4.

[42] P.B. Spurgin, 'The Harley Street Mystery', *TMLS*, XXV (1930-1) pp.134-5.

He did not tell me his name, but he did say that he had no relations, and was looking for work… He was the sort of man no-one would miss… I never asked him his name. There was no reason to do so.[43]

Despite a vast nationwide search, his victim was never identified. Finally, the police investigating the first Brighton Trunk Crime in 1934 found that there were some 800 missing women on their books, only 730 of whom were traced during the course of the investigation. Most worryingly of all, it was discovered that in many cases parents had not reported their own children as missing.[44]

These cases allow an insight into how it was possible for some (but by no means all) persons to disappear. People made decisions to move suddenly or impulsively without giving notice to their communities, and in turn, communities often failed to make sufficient inquiries to trace them, perhaps in the knowledge that communications were not to be expected. However, for every unremarked disappearance, there was another in which anxious relatives and friends made frantic inquiries. The history of missing persons has yet to be written, but the identification of the dead and the stories that emerged from these investigations form an excellent point of departure for such a study.

Anonymity on the roads

Travellers on the roads risked remaining anonymous after death for two reasons. First, their movements took them away from their home communities where they were known. Second, they stood a greater chance of meeting and dealing with strangers who,

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[43] H. Normanton (ed), *Trial of Alfred Arthur Rouse* (London, 1931) pp.296-7.
[44] TNA, MEPO 3/1692/5a.

when giving evidence at the inquest, would be unable to testify to their identity. In the Victorian period, the numbers of persons circulating or drifting across Britain for work at any one time was consistently vast: a 1906 Departmental Committee calculated that during the nineteenth century 30–40,000 people were on the move in times of brisk trade, but during recessions this figure increased to an incredible 70–80,000.[45] This figure is reflected in the inquest records: witnesses and police reports frequently suggested that the decedent was a 'tramp', a travelling worker who followed a route around the country looking for employment.[46] Formal or informal labour migration was an established means of finding work and depositions reveal that people from a variety of occupations used such a system, from manual labourers (colliers, dock workers, farmhands, general labourers and workmen), tradesmen (peddlers, hawkers or 'small buyers'), a wide range of skilled craftsmen (carpenters, joiners, masons, painters, shipwrights, shoemakers, tailors, cabinet-makers), seafarers (general sailors, stokers or firemen), odd-job men (musicians, sandwich-board men), and vagrants.[47]

Two styles of tramping were used: one based on a series of set routes established and maintained by an organisation (similar to a trade union), and more flexible

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[45] Jones identifies the most affected periods as 'the early 1830s, the early and late 1840s, the very late 1850s and much of the 1860s, and in the depressions of the late 1870s, early 1880s and mid 1890s': D. Jones, *Crime, Protest, Community and Police in Nineteenth-Century Britain* (London, 1982) p.181. Even periods of economic growth could cause high unemployment; mechanisation may have remedied a slump in the shoemaking trade in the late 1880s, but it made thousands of workers redundant: E.T. Hurren, *Protesting about Pauperism: Poverty, Politics and Poor Relief in Late-Victorian England, 1870-1900* (Woodbridge, 2007) pp.148-9, n.95.

[46] David Jones and R. Samuel warned that the boundaries between the tramp, casual worker, beggar and vagrant could be fluid: D.J.V. Jones, 'A Dead Loss to the Community: The Criminal Vagrant in Mid-Nineteenth Century Wales', *Welsh History Review*, 8 (1977) p.318; R. Samuel, 'Comers and Goers' in H.J. Dyos and M. Wolff (eds), *The Victorian City: Images and Realities*, Vol I (London, 1973) pp.123-60. By 1927–8 definitions had merged to describe vagrants who drifted across London along officially-controlled routes: G. Orwell, *Down and Out in Paris and London* (London, 2003 [1933]), Chapters 24-38.

[47] Such occupations can be ascertained when witnesses hazarded a guess at the profession of the decedent ('he appeared to me to be a fireman') as well as those given by the witnesses when giving their evidence (for example: 'John Smith, carpenter, on his oath deposes...').

arrangements chosen by the individual. Tramping was established for many trades at the end of the eighteenth century and by 1824 the system 'could be taken for granted' for many crafts, enjoying several decades of widespread use before declining in the 1860s in favour of standardised unemployment relief, although large numbers continued to tramp into the 1930s. In its heyday tramping represented a vital financial and administrative lifeline for many thousands of workers across the country, particularly in times of economic hardship.[48] Industrial disputes also discharged many more workers onto the roads: for example during the first fortnight of the 1900 Bridlington carpenters' strike, dozens apparently left the town each day.[49]

Organised in a similar fashion to a trade union, formalised tramp systems were arranged around a series of 'houses of call' in the principal towns and cities particular to each trade. A paid-up member wishing to travel for work collected a reference from his nearest house which acted as an identity document entitling him to food, shelter and a tramping wage (paid either by the day or by the mile) at his next station. It also acted as a reference of good character in his interview before the Settlement Acts committees. If work was available he was obliged to take it; if there was none he was sent to the next house on the circuit. Each house maintained records to monitor this method of labour exchange, permitting clerks to direct men to areas with the most opportunities.[50] Some circuits were based on traditional trading routes while others were designed to manage the flow of labour: tramps were forbidden from revisiting a house more than once in a six-month period to prevent members from simply claiming their tramping wage without

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[48] E.J. Hobsbawm, 'The Tramping Artisan', *Economic History Review new series*, III (1951) pp.300-2, 314-16.
[49] *Birmingham Daily Post*, 2 Apr 1900, p.10; *Leeds Mercury*, 9 Apr 1900, p.3.
[50] Hobsbawm, 'The Tramping Artisan', pp.299-300.

taking any work.[51] A circuit could take many months to complete and some were over 1,000 miles long.[52] Tramping produced the ideal conditions to facilitate anonymity: it was the practice of young, unattached men who could travel across the country over a season. Furthermore, none of the tramps on whom inquests were held possessed union documentation, so it can be supposed that most of these persons tramped at their own accord and their movements were not formally recorded.

However, many wayfarers apparently welcomed company. Some travellers met companions on the roads by chance[53] while others travelled together from one town to another,[54] and it was also common for groups of between 20 and 30 tramps from a variety of trades to travel collectively along the more popular routes.[55] Most of those found dead and supposed to be on the tramp were found to have travelled alone, but many inquest witnesses testified that they had accompanied decedents for a short while, though rarely for any significant length of time.

There appears to have been something of a 'tramping fraternity' based on mutual support and shared experience or hardship, but this did not necessarily mean that members revealed their names to each other; some preferred to use aliases.[56] At an inquest in 1870 one Edward Calnan gave evidence that he had met his companion at Newport – apparently by accident – having met him on a prior occasion in London. The

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[51] H.R. Southall, 'The Tramping Artisan Revisits: Labour Mobility and Economic Distress in Early Victorian England', *Economic History Review*, XLIV (1991) pp.281-2.
[52] Using union records, Southall mapped out the routes of four tramps in graphical form, presenting a fascinating glimpse of the paths and distances covered by the migrant worker: *ibid*, p.289.
[53] *Wrexham Advertiser*, 23 May 1885, p.6.
[54] Lincolnshire, Spalding 1850/1774 – 26 Dec 1850.
[55] Hobsbawm, 'The Tramping Artisan', p.307.
[56] Jones, *Crime, Protest, Community and Police*, pp.187-8. The phrase 'tramping fraternity' is borrowed from a police constable who mentioned that the decedent appeared to be a member: Lincolnshire, Spilsby – 5 Jul 1913.

two shared a drink and slept under a hedge together, but Calnan was unable to provide the decedent's name when questioned by police.[57] Nevertheless, unspoken trust clearly existed between members of the tramping community regardless of names: Calnan's companion offered him his old pair of boots, and another travelling musician entrusted his comrade (later found dead at the bottom of a quarry) with his bagpipes overnight.[58] Given that tramps relied on stout footwear for their journeying, and the bagpipes represented a source of livelihood, these were both particularly significant gestures. While in each others' company tramps also bought food and drink together, sought work, lodging or shelter, and shared sundries.

These figures also faced the dangers of a possible unnatural death; the bodies of unknown tramps found dead from exhaustion or exposure, for example, testified that the practice was tiring and even dangerous if one was in poor health. Post-mortems and jury verdicts revealed that tramps died from 'exposure' or from the 'inclemency of the weather',[59] often accelerated by 'want of nourishment'.[60] In addition to the elements, the arrival of the motor vehicle made the roads more hazardous for wayfarers and tramps, particularly after dark.[61]

Travelling alone along isolated and seldom-used paths across mountaintops or moorlands could also be risky. In August 1869 the body of a man last seen weeks earlier as he sought directions across the mountains was found wedged in a mound of rocks on

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[57] *Western Mail*, 8 Jul 1870, p.4.

[58] *Wrexham Advertiser*, 15 Apr 1893, p.6.

[59] Usually during the coldest months of the year: Suffolk, EC5/22/42 – 22 Nov 1879 and EC5/7/27 – 26 Dec 1864; Northumberland, COS/3/41/1 – 10 Jan 1918. One poor woman was found to have died from 'exhaustion and the inclemency of the weather, aided by Mortification [frostbite] which had taken place in her Feet': LMA, MJ/SP/C/W/1108 – 12 Dec 1829.

[60] Lancashire, DDX 103/CR/31 – 20 Jan 1926.

[61] East Sussex, COR/3/2/1924/85 – 29 Jul 1924 (police reports only) and COR/3/2/1925/86 – 8 July 1925; Gloucestershire, CO1/1/6/54 – 22 Sep 1925.

Cader Idris, Merionethshire, having fallen into a crevice.[62] In June 1900 another was found skeletonised on the mountainous Merionethshire-Montgomeryshire border, and in November 1900 another (last seen in July) was found dead on open moorland on the Northumberland-Cumbria border.[63] Exposed to the elements and wildlife, the three bodies were frightfully decomposed. In towns or on the highways bodies or accidents were quickly spotted[64] but on paths less travelled it was possible for corpses to lie undiscovered for weeks or months, allowing decomposition to set in and render the body unrecognisable. This applied similarly to those found in dense woodland or empty buildings where they had sought shelter from the weather.[65]

Life on the roads, then, could be dangerous, and coupled with social conventions that did not demand the provision of names to one's companions it was relatively easy to remain anonymous both while on the move and after death. The highways and byways were a kind of 'no-man's-land' which made it difficult to 'place' deceased persons found there in their correct geographical space. Consequently, law officers investigating these deaths were particularly interested in the prior movements of the decedents, as it allowed them to reconstruct the routes they had taken from their home or place of work. This will be re-examined in Chapter Three.

Anonymity in the workplace

The potential for anonymity continued into the workplace, and the next part of this chapter examines two workforces which throughout this period experienced high levels

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[62] *North Wales Chronicle*, 11 Sep 1869, p.6.

[63] *Wrexham Advertiser*, 30 Jun 1900; Northumberland, COS/3/25/38 – 22 Nov 1900.

[64] Gloucestershire, CO1/I/17/C/18 – 10 August 1871; Northumberland, COS/3/39/5 – 27 Mar 1916.

[65] Suffolk, EC/5/11/22 – 13 Aug 1868; Smith, *The Principles of Forensic Medicine*, 2nd edn, p.506.

of mobility and thus the potential for social isolation: those in the maritime trades (sailors and dockhands) and the agricultural sector. Thomas Forbes's work on nineteenth-century Cheshire concluded that the dockside, factory and street environments and the 'health and safety' measures therein, produced distinct mortality patterns.[66] Using a similar approach, new research in this study supports his conclusions by engaging with the records of maritime and agricultural deaths to examine distinctive patterns of anonymity.

By exploring the working relationships between the transient worker, his employer and colleagues, the ways in which working relationships exacerbated the irregular worker's already marginal social position can be observed. Communities regularly required the assistance of strangers to perform certain tasks, but the relationship between the stranger and his host did not have to be 'personal' or familiar.[67] Adam Smith (above) had predicted that members of a de-localised mercantile society would base their working relationships on trust and mutual gain, and during the industrial age a greater proportion of these working relationships had to be formed and maintained between strangers.

The maritime sector is a particularly important area to consider due to its large and constantly changing workforce, coupled with the ever-present threat of sudden death as a consequence of the work itself. Britain's nineteenth-century maritime trade was vast and labour intensive (most of the loading was done by hand until the 1950s), and so required a great number of manual workers. In this thesis the inquests of three

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[66] T.R. Forbes, 'Coroners' Inquisitions from the County of Cheshire, England, 1817-39 and 1877-78', *Bulletin of the History of Medicine*, 59 (1985) p.494.

[67] In his study on the 'uses' of strangers, Nedim Karakayali argued that 'outsiders' had a special place in a society as they could bring in goods and services unavailable to the host community (such as a travelling knife grinder) or perform hard, boring or 'dirty' jobs which the native population were unwilling to do themselves: N. Karakayali, 'The Uses of Strangers: Circulation, Arbitration, Secrecy, and Dirt', *Sociological Theory*, 24 (2006) 312-30.

major port cities (London, Kingston-upon-Hull and Cardiff) and two coastal districts (Southern Northumberland and Suffolk's Liberty of St Etheldreda) which encountered heavy marine traffic are particularly valuable, but the rest of the country was riddled with navigable rivers and canals too.[68] The large number of unknown bodies found in these localities (70% of all cases were found in or adjoining bodies of water) provides ample opportunity to study the extent of stranger integration within host communities, and allows the historian to ascertain patterns in working and living conditions which may have contributed to post-mortem anonymity.

Docksides and the wharfs, warehouses and streets surrounding them were busy places. In their book *London: A Pilgrimage* (based on their journeys between 1869 and 1872) Gustave Doré and Jerrold Blanchard created some of the most evocative images of the dockside environment:

Glimpses of the Thames to the left, through tangles of chains, and shafts, and ropes, and cranes; and to the right crowded lanes, with bales and boxes swinging at every height in the air, and waggon-loads of merchandise waiting to be warehoused; and, in this thoroughfare itself immense vans and drays in hopeless confusion to the stranger's eye, yet each slowly tending to its destination:– a hurly-burly of clanking hoofs and grinding wheels, and clinking chains, and wheezing cranes, to a chorus of discordant

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[68] The tiny Liberty of St Etheldreda on the Suffolk coast included the northern bank of the Orwell estuary and encountered heavy marine traffic from Ipswich, Felixstowe and Harwich harbours, traffic between London and the North, and foreign traffic from the Continent. South Northumberland covered the trading route along the northern bank of the River Tyne and its estuary into the North Sea (excluding Newcastle) and a small stretch of the north-east coast.

human voices, broken by sharp railway whistles, and the faint thuds of

paddles battling with the tide.[69]

Inquests reveal that docksides and waterways remained one of the most significant sites

of occupational death throughout the period,[70] and this vibrant setting concealed many

dangers lurking for the unwary worker: suspended loads could fall, vehicles could crush

bodies beneath their wheels, horses could rear or bolt, ropes and chains could cause

someone to trip, and the water itself was a constant threat.

In these dangerous, busy and labour-intensive environments, how was it possible

for maritime workers to remain officially anonymous after death? The key to answering

this question lies in the manner of workplace relationships between employees, co-

workers and employers, which were influenced by the working and migratory patterns of

the transient workforce. During the industrial era Britain's shipping volume increased

significantly, and the workforce required to crew, load, and unload vessels similarly

expanded. To cater for these workers, the port districts of towns provided them with

lodging, food and entertainment, which gave docks their own socio-cultural rhythm – one

not always agreeable to outsiders. Josef Konvitz observed that this meant that dock

workers were often strangers to the wider town or city because the port districts in which

they lived and worked were – socially and economically – almost self-sufficient.[71]

Like the impulsive wanderers examined above, seafarers often went missing and

the masters of vessels did not necessarily assume the worst, but supposed that the

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[69] G. Doré and J. Blanchard, *London: A Pilgrimage* (Newton Abbot, 1971 [1872]) pp.21-2.

[70] See also T.R. Forbes, 'Crowner's Quest', *Transactions of the American Philosophical Society*, 68 (1978) pp.1-50: more precise page references cannot be given because he arranged his study by cause of death rather than location.

[71] J.K. Konvitz, 'The Crises in Atlantic Port Cities, 1880-1920', *Comparative Studies in Society and History*, 36 (1994) p.306.

individual had deserted.[72] Both before and after the 1836 Registration Act captains were responsible for registering all deaths on board their vessel, but some avoided this administrative hassle by omitting to notify the authorities;[73] instead, sailors were known to surreptitiously lower the bodies of their deceased shipmates overboard. This was a reasonably common practice in later nineteenth-century Liverpool, where local authorities spent little effort on investigating these deaths in the knowledge that inquiries would prove fruitless if the ship had already left port, and particularly if the decedent was foreign.[74] The same appears to have occurred in Penarth in 1891.[75] The traditional 'burial at sea' (in which bodies were bound up in hammocks or rough coffins, weighted, and lowered overboard) only added to this problem, as insufficiently-ballasted bodies of unknown sailors (whose deaths may well have been registered) were cast up on unfamiliar shores.[76]

But as with the travellers discussed above, the most important factor remained the transient and ever-changing nature of the workforce, which was affected by the berthing and embarkation of vessels as much as fluctuations in regional economies. When Doré and Blanchard visited a dockside warehouse they encountered

> The solid carters and porters; the dapper clerks, carrying pen and book; the
>
> Customs' men moving slowly; the slouching sailors in gaudy holiday clothes;
>
> the skipper in shiny black that fits him uneasily, convoying parties of

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[72] Glamorgan, DCONC/4/1/7/91-2 – 26 May 1906 and DCONC/4/1/18/157 – 7 Dec 1922. Military authorities also took this line of thinking: Lancashire, DDHD/CR – 19 Apr 1916.

[73] *Western Mail*, 4 Dec 1891, p7.

[74] J.E. Archer, 'Mysterious and Suspicious Deaths: Missing Homicides in North-West England (1850-1900)', *Crime, History & Societies*, 12 (2008) p.55.

[75] *Western Mail*, 4 Dec 1891, p.7.

[76] For example: Suffolk, HB10/9/28/21 – 10 Oct 1812, HB10/9/46a/26 – 6 Oct 1832; East Sussex, SHE 2/7/168 – 11 Apr 1863.

wondering ladies; negroes, Lascars, Portuguese, Frenchmen; grimy

firemen—and (shadows in the throng), hungry-looking day labourers

landing the rich and sweet stores of the South, or the breadstuffs of the

generous West.[77]

It is worth noting the international makeup of the workers in this scene. Trade with the

colonies, the Americas and Europe filled British docks with foreign vessels and their

crews, transforming ports and their neighbourhoods into international hubs. This is

reflected in the inquest depositions where witnesses surmised the nationalities of

decedents: in addition to the multitude of unidentified British sailors and dockhands,

those of Finnish, Swedish, Norwegian, American, Belgian, German or Prussian, Russian,

French and Dutch origin were discovered. Some regional trends are evident: many

inquests in Cardiff, for example, were held on the bodies of Scandinavian sailors, whereas

districts on the east coast had a broader European range. Experienced sailors appear to

have been able to differentiate between nationalities: in 1860 one fireman recalled his

recent voyage to the Russian port of Riga where he conversed (in English) with a sailor

later found dead in Hull:

I thought he was a German from his appearance. He was not a Russian. I

have been to Russia many times. Other men belonging to Riga were

working with him – they appeared to be Germans.[78]

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[77] Doré and Blanchard, *London*, pp.27-8.
[78] Hull, C CQB/276/148 – 1 Dec 1860.

Establishing a decedent's country or region of origin – usually based on their physical appearance, clothing or personal articles – was a useful point of departure for identification inquiries,[79] but ascertaining the names of unknown foreign seafarers certainly entailed additional complications. Correspondence with diplomatic and police authorities of the relevant nations was necessary, especially if any documentation was found on the body, and on occasion the port city police sent information to the consulates of Denmark, Germany, Norway and Russia in the hope of securing further assistance.[80] If contact could not be made, the likelihood of the body remaining anonymous was greatly increased.

Most importantly, throughout the nineteenth and early twentieth century the majority of the unknown dead appeared to be Jerrold's 'hungry day labourers': members of Britain's vast irregular maritime workforce who moved constantly in and out of port. In the late 1850s and early 1860s, London's seven docks employed an estimated 20,000 men,[81] and by the First World War the British maritime fleet required a workforce of 300,000 dockside and warehouse labourers alone.[82] Henry Mayhew wrote that these men required no skills other than 'brute force' and the job was thus 'precisely the office that every kind of man is fitted to perform, and there we find every kind of man... who wants a loaf, and is willing to work for it', including those from 'higher' professions fallen on hard times.[83] For example, one unknown man who hanged himself in Gloucestershire in 1867 was described as 'an invalid soldier [who] was going off to work on a steamer'.[84]

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[79] See Chapter Three.

[80] Hull, C CQB/266/084 – 4 & 7 May 1858; Northumberland, COS/3/7/8 – 6 May 1878; Glamorgan DCONC/4/1/12/21 – 29 Dec 1912.

[81] H. Mayhew, *London Labour and the London Poor* (Vol III) (New York; 1968 [1861]) p.301.

[82] Konvitz, 'The Crises in Atlantic Port Cities', p.300.

[83] Mayhew, *London Labour* (III) p.301.

[84] Gloucestershire, CO1/I/13/C/19 – 8 Oct 1867.

This is not to say that dockers were unskilled: regular workers specialising in one task (trimming coal in the hold, for example) sometimes refused to work in other areas,[85] but the casual transient labourer had to be more flexible. Thus alongside considerable physical strength, they needed to understand how the port environment, its ships, cargoes and labour force were woven together, how to load cargoes in the most efficient manner, and how to follow administrative protocol.[86] Consequently, these transferrable skills meant that like the anonymous tramps, dockers were not tied to one port and could migrate to find work elsewhere, fragmenting communities and arriving as strangers.

The practices of hiring these irregular labourers was another important factor affecting post-mortem anonymity, as they exacerbated the effects of the workforce's transient nature at a local level. Delays in port cost the ship owner money, so vessels and wharfs employed large numbers of men to complete the job quickly. A side-effect of such practices was that most of the work available was short term; dockers could be hired by the hour. In addition, haste certainly contributed to some workplace accidents (see below).

H.A. Mess's work *Casual Labour at the Docks* outlined the methods used to hire these workers. Those seeking employment gathered daily in their hundreds at a central location where foremen selected the numbers required for each vessel or wharf, starting with the familiar groups of reliable 'preference men' and then picking other hardy-looking individuals. Their names were recorded in logbooks and each man was provided with a metal check or ticket which allowed him to draw pay after his shift.[87] Many foremen were able to identify scores of familiar men from memory – one claimed he

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[85] P.J. Leng, *The Welsh Dockers* (Omskirk, 1981) pp.7-8.

[86] Konvitz, 'The Crises in Atlantic Port Cities', p.306.

[87] H.A. Mess, *Casual Labour at the Docks* (London, 1916) pp.19-22. The docks of New York used a similar system: C.B. Barnes, *The Longshoremen* (New York, 1915) pp.59-61.

could recognise around 400 by name or nickname[88] – which would have made them indispensable figures when port authorities were confronted with an unknown body. Indeed, one Suffolk deposition from 1903 recorded that 'A foreman [of the Felixstowe dock] had been over but could not identify the body.'[89] However, in only one case was an unknown dock worker known to have provided his name to a foreman,[90] and there was no explicit mention of hiring en-masse in any of the records. It is possible, however, that a number of dockers found drowned could have been missed from organised work gangs.

Although simple to effect, this system was chaotic and workers were not guaranteed a position every day. Regular attendees could be hired as a group, but for most these practices created and fragmented relationships between co-workers on a daily basis, preventing social cohesion and increasing the likelihood of anonymity. Those unable to secure work as part of larger gangs circulated the docks looking for employment individually. Masters of larger craft commonly hired, paid and discharged seafarers,[91] but in port they were responsible for hiring dockers too. The following three examples suggest that men regularly applied to masters themselves and that informal hiring practices meant that dockers, seafarers and bargemen could easily remain unidentified after death.

In October 1876 waterman John Mason testified that he had hired a docker when his vessel arrived in Hull laden with coal:

> the deceased came on board in the basin + asked me to employ him to
> deliver + load the vessel... I engaged deceased to help me... I was to pay

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[88] Mess, *Casual Labour at the Docks*, p.20.
[89] Suffolk, EC/5/46/21 – 10 August 1903.
[90] Hull, C CQB/432/061 – 2 Sep 1899.
[91] R.H. Dana, *The Seaman's Manual* (London, 1841) pp.137-8.

him by the week. We did not quite settle his wages. He was to live on board

if he liked. He did not give me his name... He was evidently a man

accustomed to vessels + seemed to know how to work on board.[92]

This incident is revealing of the processes used for hiring temporary help: the

unemployed docker approached the owner hoping to use his previous experience to

secure work, negotiations took place regarding wages, and then the owner allowed his

new employee access to his vessel, perhaps with additional benefits and freedoms

(lodgings or food). Despite this informal arrangement in which both parties must have

trusted the other to uphold their side of the agreement, Mason's hired hand did not offer

his name, nor did Mason insist he do so as a prerequisite of employment. This casual

arrangement was the primary reason why the man's body remained unidentified after

the boat sank at her moorings during the night.

Crew members could be hired in a similarly casual fashion although masters and

seafarers had to comply with the 1835 Merchant Shipping Act and the 1844 Merchant

Seamen Act.[93] The former ruled that masters draw up a Crew Agreement for the voyage

containing the details of each individual crew member: their name, age, place of birth,

onboard role and the names of other ships they had served on. Each seaman was then

issued with a numbered 'seaman's ticket' and the Agreements were sent to the Board of

Trade.[94] Before this Act there was no systematic way of registering crews. Under the

terms of the 1844 Act every seaman leaving Britain had to carry a registry ticket which

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[92] Hull, C CQB/339/405 – 13 Oct 1876.

[93] Respectively: Parliamentary Papers, 5 & 6 William IV, c.19 (1835); Parliamentary Papers, 7 & 8 Victoria, c.112 (1844). See also Higgs, *The Information State*, p.52.

[94] Examples of the documentation can be seen at http://www.poheritage.com/our-archive/research-guides/crew/crew-agreements-lists-official-log-books (accessed 5 Jan 2012).

acted as a badge of office, identity document, employment history and professional reference combined. Several bodies were found in Cardiff with such documents on their persons, and their value as identifiers will be examined in Chapter Three.

There is evidence to indicate that these rules were not necessarily followed. In 1876, one Samuel Hunt, master of the ketch *Kate and Jane* of Goole, told the landlord of the King's Arms in Hull that he wanted to hire a strong boy to help aboard his vessel. Soon afterwards a sixteen-year-old arrived at Hunt's mooring with his mother, who negotiated his wage of 30 shillings per month (plus keep) for folding sails and other jobs. The boy proved to be a poor and weakly worker, and died of dropsy and congestion just over a week later. At the inquest it emerged that he was known as Charles, that his mother had said they lived in the Whitehouse area of Hull, and the boy had originally been a brushmaker but was sent to sea 'because he did not earn enough to please his mother'. There was no mention of seafarer's tickets or registration documents and the master and crew could supply no further information.[95]

Casual hiring practices also took place on inland waterways: in 1897 an unknown man was employed at Wolverhampton to go before a barge to open the lock gates on the Birmingham Canal but fell into the water when guiding the horses along the towpath; his employers were unable to provide his name at the subsequent inquest.[96] Decades later, another case at Gloucester was particularly illustrative of the persistence and trouble of a transient workforce: in early November 1930 a Gloucester bargeman named John Stokes hired a companion known only as 'Ragtime' to accompany him on a return voyage to Birmingham, a journey which would have taken at least a week exclusive of time spent in

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[95] Hull, C CQB/339/098 – 1 Aug 1876. The wreck of the *Hero* on a sandbar off Harwich is also of note: of the crew of six, only one was saved, but he was unable to identify two of his crew mates brought ashore at Felixstowe: Suffolk, Liberty of Etheldreda HB10/9/58/44-45 – 10 Dec 1844.
[96] T-CR/1897/4 – 21 Jun 1897.

port. Between hiring him and returning to Gloucester, Stokes was only able to ascertain that Ragtime lived in Cheltenham and had done some gardening in nearby Maisemore. On their return on the 22nd Stokes went home but let Ragtime sleep on the boat for a few days, and found him gone on the 26th. Stokes testified to having paid his wages on their return, and when he found Ragtime absent he had 'made no enquiries as he thought he had gone as quick as he came'. On 7 December Ragtime's body was pulled from Gloucester dock.[97]

These unknown workers of the maritime industries display all the hallmarks of an irregular and transient way of life, and demonstrate that the factors that allowed workers to remain anonymous existed right across the period. The strangers were hired at short notice, contracts were flexible (Mason paid by the week and Stokes for just one job) and uncomplicated by a formal written agreement. It is also clear that certain liberties such as accommodation on the vessel were offered by the masters of the craft even though names were not provided. On completing his task the worker would leave for another position, as Ragtime's sudden but not necessarily suspicious absence indicated. Crucially, it is also evident that although the names given would have been insufficient for official purposes ([man unknown], Charles, Ragtime) they were apparently satisfactory to the employer who appeared to be interested in their experience and capabilities rather than their names. Altogether, these cases suggest that some employers and employees preferred to keep their working practices casual and flexible, a theme that will be encountered again in the next section on agricultural workers.

In summary, then, the chaotic port environment as well as the established hiring procedure made dockside work irregular and workers could remain strangers to their

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[97] Gloucestershire, CO6/1/30/102 – 22 Dec 1930.

employers (and each other) in a number of ways. First, because employment relied on the availability of vessels in port and the tides,[98] opportunities were sporadic and when one post ended there was no immediate guarantee of another. Second, dockyards experienced endemic underemployment as large numbers of men vied for available positions with the result that some missed opportunities each day and so were even less likely to become known to foremen, employers and co-workers. Third, working hours themselves were irregular: depending on the task and the number of men working on a vessel, a job could take hours or days and the lack of routine – with respect to the wider community – was isolating. These conditions meant that dockers constantly moved around ports working or seeking work, and when searches proved fruitless those without families could leave by land or ship and try their luck elsewhere. These irregular hours and changing work placements meant that dock workers often had no set 'place' in their working environment and their social interactions with employers and co-workers were also fragile. The lack of a fixed place in society was the central factor in the anonymization of the worker at the point of death.

The movement of members of the agricultural sector was another chief component of the nineteenth-century 'society of strangers', and inquests into occupational deaths of unknown farmhands revealed many of the life-cycle trends leading to anonymity: migration, short-term integration into the community, and peripheral living and working conditions. As with dock work, before the widespread adoption of mechanisation the labour-intensive agricultural sector relied on huge numbers of unskilled itinerant workers who travelled across parts of the country during the harvest and planting seasons, taking work at short notice and for brief periods before

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[98] Leng, *The Welsh Dockers*, p.7.

moving on to the next farm.[99] After the 1815 Importation Acts and military demobilization (above), temporary positions became more common but were highly sought-after. Again, as inquests carried out on the bodies of 'unknown' agricultural workers testified, taking the names of these transient workers did not appear to be of particular importance to many employers.

Surviving records do not reveal any persons unknown found to have been killed by machinery or even by animals. Three inquests, at Winterton in Lincolnshire, at Woodbridge in Suffolk, and at Haydon Bridge in Northumberland, were held on old men (aged 66, 70 and 62 respectively) who had died while at work on farms, each from heart failure.[100] The level of detail contained in the depositions from these cases reveals much about the nature of casual farm work in terms of hiring practices, working patterns, and the place of the agricultural worker in the 'society of strangers'. There were no cases of casual women labourers dying in similar circumstances despite their regular presence on these circuits; perhaps they were less likely to travel alone, or were more sociable than their male counterparts.[101]

At each of the three inquests, the farmer or foreman testified that their unknown employee had arrived at the farm and enquired in person about the possibility of work. The two labourers at Winterton and Woodbridge were complete strangers to the areas in which they had died, having travelled some distance to reach their destination: the former had travelled that day from New Holland, 15 miles away, and the latter from

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[99] Samuel, 'Comers and Goers', pp.133-5. Turnaround was necessarily quick: one man in Lincolnshire had occupied two posts in a fortnight: Lincolnshire, Spalding 1826/448 – 9 Aug 1826.

[100] Respectively: Lincolnshire, Kirton – 10 Oct 1907; Suffolk EC5/42/34 – 29 Jul 1899; Northumberland COS/3/25/14 – 20 Nov 1899.

[101] For a detailed appraisal of the female agricultural day labourer, see N. Verdon, *Rural Women Workers in Nineteenth-Century England: Gender, Work and Wages* (Woodbridge, 2002) pp.98-131.

Bulcamp (about 24 miles away) the previous day, but had originally come from Skipton in Yorkshire (around 220 miles away). The man at Haydon Bridge, however, was an Irishman known as 'Jimmy' who had attended the farm at 'turnip time' for twelve of the previous thirteen years, and he was also known to have worked on other local farms at hay-making time. It is not clear whether Jimmy travelled to Northumberland specifically for the harvest or whether he was based elsewhere in England, but it was common for workers to travel from Ireland each year for the harvests, particularly during the early nineteenth century before English urban dwellers adopted the practice themselves.[102] The other two men appeared to tread the line between casual work and vagrancy: the possessions of the deceased at Winterton were 'the usual outfit of a man tramping the roads' and although the deceased at Woodbridge had said he was staying at a nearby lodging house, he had previously stayed at the Bulcamp Union workhouse, an unpopular but common choice for travellers on the poverty line.[103] Jimmy slept on the farm (another customary practice), suggesting that he did not have permanent lodgings in the area. While away from home in unfamiliar territory, workers were usually well cared-for by their employers: in addition to their pay, they often received food and drink, basic accommodation (single men slept in haybarns), washing and laundry facilities, and a ride to and from the fields.[104] These practices encouraged migrant workers to the area as the inability to fend for oneself would have been a major obstacle to seeking work; for the farmer, providing such hospitality would ensure that labourers returned the following year.

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[102] Samuel, 'Comers and Goers', p.138. One unknown ploughman found on a Lincolnshire highway was found to be in possession of a reference from Ballyshannon: Lincolnshire, Spalding 1826/463 – 11 Nov 1826.

[103] Jones, *Crime, Protest, Community and Police*, p.188-9.

[104] Pinchbeck, *Women Workers*, p.55.

Like maritime workers, the three men were hired for short periods (Jimmy was known to move on after he had completed his post, and the man at Woodbridge was hired for two days only) but they exemplified the different kinds of itinerant agricultural worker. Jimmy was on his regular annual circuit round the farms, though it is unknown how large his 'patch' was. The other two were almost certainly the poorer type of labourer taking jobs where they could be found.[105] All three were part of the unskilled workforce; the farmers testified that their jobs involved physical labour (such as potato picking). The short-term nature of their work, like that of maritime workers, would have had some impact on whether the farmer thought it necessary to take his employees' names: none of the three men offered their full names, nor did their employers feel the need to ask. Throughout this period the casual workforce was largely unconstrained administratively as well as physically, benefitting both the workers and employers who required cheap, part-time seasonal labour for physical work.

Anonymity in domestic spaces

The third environment in which the nature of anonymity can be explored is the domestic space, where it is possible to examine the close-quarters relationship between anonymous persons and their fellow residents. The approximation of 'home' to a stranger on the move was the inn, which in this project is used as a collective term that includes lodging houses, common or 'low' lodging houses, hotels, hostels, homeless shelters and taverns, all of which catered for itinerant or semi-itinerant persons. It is difficult to assign to each establishment its respective 'class': occasionally a police report

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[105] Samuel, 'Comers and Goers', p.134.

provides a clue ('It is a weekly lodging house + quite a respectable house'[106]), but judging from the clientele and the sleeping arrangements, particularly the number of persons sharing a room or bed, most appeared to be common (or 'low') lodging houses or those of middling respectability, and there were a small handful of Salvation Army shelters. Some decedents occupied private rooms, but these were rare.[107] During an investigation in Cardiff the police mentioned that they had checked Norwegian and Russian boarding houses, which suggests that when travelling overseas foreigners preferred to lodge among persons with whom they were culturally if not personally familiar.[108]

In addition to accommodating those travelling for work, inns also catered for town-dwellers too poor to rent their own rooms. Like the dockside environments, the ebb and flow of persons can be seen to some extent as a microcosm of the wider 'society of strangers'. It was not a stable social environment due to a high rate of turnover in residents, but it was a stable physical environment to which the unknown dead could be traced and socially re-contextualised through acquaintances and co-workers. Personal interaction between individual lodgers, relationships between lodgers and staff, and the administration of the establishments themselves meant that within these intimate domestic spaces it was possible – as the bodies of their unknown lodgers testified – to remain almost entirely anonymous if one so wished.

The industrialisation of Britain over the nineteenth century and the urbanisation of its workforce meant that millions of people required accommodation in its towns, and it is unsurprising that most of the cases of deaths of unknown persons in inns encountered in this study occurred in the cities of London and Hull, although rural areas

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[106] Lancashire, DDHD/CR – 5 Jul 1897.
[107] For example, LMA, MJ/SP/C/LAN/116 – 2 Feb 1886; DCONC/4/1/23/14 – 21 Aug 1931. One man at Rhyl rented two rooms: *Wrexham Advertiser*, 23 Jul 1870, p.6.
[108] Glamorgan, DCONC/4/1/12/21 – 29 Dec 1912.

also played host to such deaths. Depositions reveal that residents included general labourers, carriers, bricklayers, carpenters, sandwich-board men, hawkers, farmhands, musicians, sailors, and discharged soldiers, but there were occasionally members of the skilled trades such as shipwrights or shoemakers. They also housed the marginal and dispossessed members of society including tramps, 'scavengers', beggars, petty criminals, and the recently unemployed, including an unknown woman in Hull who had lost her situation in 1844.[109] It is particularly significant that this list of semi-permanent persons and the list of economic migrants discussed in the section above are virtually identical. Prostitutes, who were common figures in 'low' lodging houses, are noticeably absent, but this may be because they were often well-known in their local communities.[110] Collectively, these people formed a mixture of permanent and semi-permanent residents (those 'settled' for work in the area, and those staying for a brief time on a short-term work arrangement), as well as visitors 'passing through' *en route* to elsewhere.

The predominance of short-term, seasonal and unskilled work meant that workers required their accommodation to be similarly flexible. Depositions reveal that beds could be found at very short notice and could be let for short periods of time. Some residents returned to the same lodging house after travelling elsewhere: one man found drowned in Cardiff was known to have stayed in a Manchester lodging house on-and-off for 11 years, while another in London had been known to frequent a Salvation Army shelter for two years.[111] With few exceptions, when questioned about the rent landlords testified that the deceased had paid for his or her board up front whether by the night or week, a practice that allowed lodgers to travel between jobs with relative ease while protecting

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[109] Hull, C CQB/211/471 – 15 Oct 1844.

[110] In the collection of cases, only one unknown woman was ever identified as a prostitute, and that was by a policeman: C CQB/301/182 – 30 Jan 1867.

[111] Glamorgan, DCONC/4/1/13/145 – 7 Jan 1915; LMA, CLA/041/IQ/04/2/31/112 – 6 Sep 1912.

the house income from notoriously unpredictable (or dishonest) guests.[112] A landlord in

Hull and a landlady in Rhyl testified that their deceased houseguests had outstanding bills

of 9s. 6d., and 15s. respectively, but these appear to be the exceptions.[113]

Once payment had been taken, the management apparently took little interest in

their guests and it was often hard for bodies of deceased residents to be identified by

staff, as documents recording their personal details were evidently not uniformly kept.

Innkeepers may have been able to provide law officers with information regarding the

arrival of the deceased, how much rent they had paid and sometimes their movements

around the establishment, but the cases of unnamed lodgers found dead suggest that

names were not routinely taken. The 1851 and 1853 Lodging House Acts made no

provision for the keeping of such documentation, something the police noted as an

obstacle when attempting to identify the body of a lodger in 1866,[114] and the appearance

of such bodies into the early 1930s indicates that the problem was never fully addressed.

Reasons for this could stem from low literacy levels (residents giving evidence regularly

signed their depositions with an 'X'), the absence of a formal legislative necessity, and an

understanding of residents' wishes for privacy. The Rhyl landlady (above) testified that

her guest 'did not tell her his name, and when he was asked for his name [in order] to

publish in the *Visitor* [book] he objected to giving it'.[115] She clearly did not pursue the

matter.

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[112] For example, Hull, C CQB/264/070 – 5 Nov 1857 and Lincolnshire, Kirton – 26 Nov 1869. Lodgers sometimes carried references from old landlords testifying to their reliability: Suffolk, EC5/42/34 – 29 Jul 1899.

[113] The deceased had spent a week at his house, missed his steamer home and had returned for a few more days; he was apparently trustworthy: Hull C CQB/263/087 – 12 Aug 1857. See also *Wrexham Advertiser*, 23 Jul 1870, p.6.

[114] 'This is a registered Lodging House under the Act – no name is taken when a person comes to lodge,' LMA, CLA/042/IQ/01/31/213 – 26 Dec 1866.

[115] *Wrexham Advertiser*, 23 Jul 1870, p.6.

Without this documentation, relevant identification had to be gleaned by interviewing those with whom the decedent had conversed. These testimonies revealed it was common for short-term lodgers to remain entirely anonymous,[116] and some keepers were unable to identify even their long-term residents. One housekeeper stated in 1838 that 'I know the deceased by sight... I did not know his name or trade, he looked like either a porter or Carrier from his dress... I have never talked to him except saying how do you do.'[117] Others knew even less: in 1909 Anna Farina identified her lodger of two months but said 'I do not know his friends, I do not know his name or anything about him... I have no knowledge how he got money to live'.[118] An initial police report regarding a man found dead in a London street – ultimately identified as Arthur Vernin – reported that the body had been traced back to a lodging house in Billingsgate, where the manager had stated that:

> [The] deceased has resided at that address for quite 12 months, he says deceased was a very reserved man, never mixed with other lodgers, and never had any letter from anyone, and he really cannot say what he did for a living, and he informed me that the Police had visited the premises but had failed to find any friends of deceased.[119]

These two examples not only demonstrate the gap in the management's knowledge, but also the absence of known friends or relatives inside or outside the establishment. Living conditions in inns were close, particularly in the cheaper lodging houses where residents

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[116] Wolverhampton T-CR/1874/2/9 – 10 Feb 1874.
[117] LMA, CLA/041/IQ/03/01/23 – 3 Feb 1838.
[118] Oxfordshire, Oxford City – 17 Nov 1909.
[119] LMA, CLA/041/IQ/04/03/06/81 – 20 Sep 1922.

shared beds, but personal relationships between lodgers were not guaranteed. Some witnesses could recall the occupation and home-town of a decedent and even details of their family or work life, without ever knowing their name:

> I have known the deceased only for a week. I do not know his name – he has slept in the same bed as me for a week... He told me ... his father and mother were dead and that his little brother was at a station in Bishopgate facing Bishopgate Church [illegible] for about 18d a week... his employ was playing music at fairs.[120]

Contemporary social investigators found that the close environment of 'low' lodging houses encouraged social interaction, particularly in the communal areas such as the kitchen. Eating, singing, discussions and flirtations were common in busy places where 'little could be relied upon' except themselves,[121] but it is clear from the above examples that it was possible – if a resident desired – to remain distant. One inquest from Hull provides a notable example: a bricklayer stated that he forged a brief friendship with the deceased when he was asked to assist in finding him lodgings. The decedent (who was rather the worse for drink) bought beer and dinner for them, then asked his new comrade to share a bed, but the deponent insisted on having his own in the same room. Despite this intimacy, at the inquest the bricklayer said that the deceased 'did not talk

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[120] LMA, CLA/041/IQ/02/48/153 – 18 & 20 Sep 1833.
[121] T. Crook, 'Accommodating the Outcast: Common Lodging Houses and the Limits of Urban Governance in Victorian and Edwardian London', *Urban History*, 35 (2008) pp.425-7.

about himself'. He did not give his name at the lodging house either and he remained, like the others, unidentified.[122]

Although these examples cannot be viewed as entirely representative of life in inns, they demonstrate that they could become anonymizing spaces through the administration of the house and the actions of the tenants. Residents of these houses often stayed for brief periods of time according to the availability of work, and many thousands left the cities to work in the agricultural sector over the spring and summer months.[123] In addition, it was clear that many of those staying there did not feel the need to forge strong friendships with other guests, perhaps because there was little guarantee that they would be there for any length of time. This meant that although residents could be physically 'close', the living space was effectively populated by strangers. Many were also strangers – by name if not by sight – to their landlords, who did not keep suitable records to allow the deceased to be named immediately when discovered on the premises. Thus in a similar manner to the lives of maritime and agricultural workers explored above, lodgers could remain anonymous after death through the irregularity of their work and the possibility of departure at short notice, the imposition of privacy surrounding their lives, and an administrative system which did not require their presence to be registered or documented.

Conclusions

This chapter has prepared the ground for those that follow by identifying the underlying problems that faced those dealing with the bodies of unknown persons across this

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[122] Hull, C CQB/264/070 – 5 Nov 1857.
[123] Samuel, 'Comers and Goers', pp.123-60.

period: namelessness and a lack of 'place'. Mary Douglas's model of dirt as 'matter out of place' provided the framework to consider the social interactions between members of the 'society of strangers', and it was by examining this social structure through the experiences of the unknown dead – and those they encountered – that it became possible to ascertain the primary issues that caused this isolation. This new research then, informs Marx's concept of anonymity by applying his model to the historical body.

The inquest depositions revealed that the most significant facilitator of anonymity was the movement of persons, and the cycles of forging and breaking social and business ties such practices entailed. However, within this context (and resulting from it) three secondary factors are also evident. First, post-mortem anonymity could be achieved by the decedent if they elected to keep their full name from their associates. Second, those with whom the decedent came into contact such as employers or landlords did not always demand that they provide their names. In these two scenarios, anonymity was ensured simply through the failure to exchange names, combined with a sudden and unexpected death. The habits of exchanging names were dependant on local customs (such as hiring casual labourers) or wider administrative structures (such as the rules in lodging houses). Unknown bodies found in environments where social interaction would be expected or required – at work, on the move, when seeking lodging, and even in custody – stand as testament to the shortcomings of such fluid naming practices for administrative or social purposes. The third way was more incidental; those found dead or drowned may have simply been lost to local memory, but the fact that they were not missed suggests that such persons were already on the periphery of a community.

However, this chapter also raises questions for further study, particularly surrounding the use of personal names and especially the use of aliases. Witnesses, even

those who had known the deceased for days, weeks, months or even years were often unable to provide a full name. Some people were known by their first names or surnames only, others still by nicknames that referred to physical attributes (Ginger), localities (Frenchy, Southampton George, Cockney Bob) or for more arbitrary reasons (Ragtime, Pony). This latter category is particularly interesting because their personal and social meanings have been entirely lost to the historian.

But more important than these names themselves are the practices of using them. The names found in this chapter were the ones which were provided by the decedent when introducing themselves to others and can be seen as a form of etymological embodiment. Names of this nature were sufficient at a grassroots level to allow the stranger to gain employment and lodging, as well as interact with those they encountered, but they were entirely inadequate for official purposes, including formal identification. This work, then, strongly supports that of Scott, Terhranian and Mathias on the official and local necessities of names. The authors argue that for administrators, names were signposts to guide the official 'stranger' to the correct person and thus had to be fixed or updated in order to facilitate tracing them through their records. However, for local people able to interact with the same person on an individual level, the needs were less rigorous and so naming practices could be more fluid; like Adam Smith predicted, transactions appear to have been agreed based on what the decedent could offer, rather than who they were.[124] The relationships between the stranger and the state in this thesis were re-established only when the deceased was formally identified. Meanwhile, at a grass-roots level, relationships between members of the 'society of strangers' as well as those on whom they depended for work, shelter and friendship

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[124] Scott, Terhranian and Mathias, 'The Production of Legal Identities', pp.8, 10-11.

could flourish without the use of a proper name, which was ultimately the primary contributory factor to rendering persons unknown after death. If anonymity was the result of social isolation, then identification aimed to use information gleaned from the unknown body to re-contextualise the anonymous individual into his or her social and spatial sphere, thus returning the person to the social 'place' from which he or she had been lost.

Chapter Two

Exposing the Unknown Body

In his work *Une Histoire de L'Identité* Vincent Denis noted that the most important element of the post-mortem identification process was the formal recognition of the corpse by a third party in the presence of the authorities.[1] This chapter will take a *longue durée* approach to explore the changing methods used by investigators to expose the corpse to the wider community – specifically the family and friends of the decedent – in order to facilitate this recognition. It will discuss the preparations made for the unknown body's examination and presentation, the means by which the corpse was brought to the attention of the public, and how physical access to the object of inquiry was controlled through the effective use of mortuary space. The unknown body as a physical entity sits at the heart of this chapter; as well as representing a mystery which had to be solved,[2] it provided the body of evidence which would facilitate its solution.[3] It also had a tangible physical presence which could not be ignored, especially when the corpse began to deteriorate. Over the course of the investigation it had to be lifted, moved, stored, stripped, scrutinised, displayed and disposed of, and any developments and local

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[1] This is equally relevant for the identification of the living: V. Denis, *Une Histoire de L'Identité: France, 1715-1815* (Seyssel, 2008) p.382.

[2] In Victorian crime fiction, the dead body was presented merely as a puzzle which had to be solved; the reader's interest was captured by the actions of the detective rather than the state of the corpse: J. Dinski, 'Toxic Lozenges', *London Review of Books*, 8 Jul 2010, p.14.

[3] Zoë Crossland argued that the corpse became considered as the 'body of evidence' between the seventeenth and nineteenth centuries: Z. Crossland, 'Of Clues and Signs: The Dead Body and its Evidential Traces', *American Anthropologist*, 111 (2009) p.75.

variations in the identification process had at their heart considerations over how to manage the unknown body, literally *what to do with it*.[4]

Over the period under study in this thesis, the ease with which investigators could expose the unknown body to the public for the purposes of recognition was affected by shifts in sanitary, political and socio-cultural attitudes regarding the appropriate place of the corpse in the legal process and the wider community. For investigators and anxious relatives, the unknown body was a vital component of the inquiry,[5] but others saw 'displaced' or decomposed bodies as dangerous objects that posed a moral and sanitary threat to the community.[6] Investigators had to negotiate this difficult territory: permitting the public to engage with the unknown body in order to facilitate recognition on the one hand, while on the other placating external agents and working within the frameworks of wider shifting policing and medico-legal practices. Consequently, debates surrounding the space in which the unknown body resided as well as its distance from the public are crucial to this chapter.

This debate draws on a recent historiography which argues that the relationship between the judicially-administered body and the public (particularly from the late nineteenth century) was not one of exclusion,[7] but rather one of controlled interaction.[8]

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[4] Ruth Richardson also noted that 'the physicality of the corpse demands attention' from historians: R. Richardson, *Death, Dissection, and the Destitute* (2nd edn) (Chicago, 2000) p.26.

[5] For the different perceptions of the body at the inquest, see E. Hallam, J. Hockey and G. Howarth, *Beyond the Body: Death and Social Identity* (London 1999) pp.87-103.

[6] V. Harding, 'Whose Body? A Study of Attitudes Towards Death in Early Modern Paris' in G. Gordon and P. Marshall (eds.), *The Place of the Dead: Death and Remembrance in Late Medieval and Early Modern Europe* (Cambridge, 2000) p.172. Sally Powell argued that 'the displaced corpse had a palpating and thrilling presence… at once a highly sensational and deeply anxious entity': S. Powell, 'Black Markets and Cadaverous Pies: The Corpse, Urban Trade and Industrial Consumption in the Penny Blood' in A. Maunder and G. Moore (eds.), *Victorian Crime, Madness, and Sensation* (Aldershot, 2007) p.45.

[7] Most notably, Phillipe Ariès argued that between 1800 and the present day, western attitudes evolved from a culture of death in which the body was conspicuous and grief publically

For example, to encourage relatives to remove corpses from domestic properties, dead-houses run by sanitary authorities had to accommodate grieving relatives for a few hours each day.[9] Similarly, the 'democratic' requirements of the inquest meant that the lay jury's view of the body was retained until the early twentieth century in spite of reformers labelling it indecent, unhygienic and lacking medico-legal value.[10] Thus instead of totally segregating corpses from the community, authorities sought to place distance between them by dictating the circumstances under which access could be granted.

This large chapter covers a significant amount of ground and will be divided into five sections preceded by a discussion of the four essential principles of effective identification practice outlined by Vincent Denis for the French context: centrality, accessibility, visibility and organisation.[11] Section I (Preliminaries) will examine how the unknown body was readied for identification, beginning with how it was brought to the attention of the relevant authorities. It will then explore the techniques used to render the corpse visually legible to investigators and those attempting to identify it, including stripping and washing it, restorative or reconstructive work where required, and the methods used to preserve it in a recognisable state. The persons responsible for these roles will also be of interest.

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manifested, towards a medicalised 'hidden or 'invisible' death which took place behind hospital walls: P. Ariès, *The Hour of Our Death* (Harmondsworth, 1981 [1977]), pp.419-601. Recent critiques of this ground-breaking work see it as somewhat simplistic and lacking economic or demographic context: see J. Whaley, 'Introduction' in J. Whaley (ed.), *Mirrors of Mortality: Studies in the History of Death* (London, 1981) pp.1-14. See also David Cannadine's excellent 'War and Death, Grief and Mourning in Modern Britain' in Whaley (ed.), *Mirrors of Mortality*, pp.187-242.

[8] C. Graham, *Ordering Law: The Architecture and Social History of the English Law Court to 1914* (Aldershot, 2003) pp.238-62.

[9] P. Fisher, 'Houses for the Dead: The Provision of Mortuaries in London, 1849-1889', *The London Journal*, 34 (2009) 1-15.

[10] I.A. Burney, *Bodies of Evidence: Medicine and the Politics of the English Inquest, 1830-1926* (London, 2000) pp.165-72.

[11] Denis argued that recognition depended on the adequate display of the body, to the proper persons, in an organised and accessible space: V. Denis, *Une Histoire de L'Identité*, pp.355-6, 364.

Section II (Paper Bodies) will consider the methods by which investigators brought the unknown body to the attention of the wider public. This involved the use of the 'paper body', the literary abstraction of the corpse formed of words, codes, signs and images, summarised in the physical descriptions presented at the inquest and published in the media. This served to render it visible and legible to readers in the absence of the corpse itself, and allowed information to be spread widely and quickly to interested parties. The public's reaction to these documents in light of evolving readerships and police practices, and how these impacted upon the overall investigation, will also be discussed. The examination of the corpse and the construction of the 'paper body' itself will be subject to dedicated study in Chapters Three and Four.

Sections III and IV will consider the use of mortuary space as a forum for identification procedure wherein the unknown body was examined and presented. These two sections will contrast two very different aspects of these practices. Section III (Presenting the Unknown Body) will ask how *ad hoc* and dedicated mortuary space were suited to the needs of identification, and how the investigators and relatives interacted with the corpse therein. The changing nature of these interactions was dictated by debates over the control of the space in which the body was situated, which focused on the conflicting issues of segregation and accessibility, decency and visibility, convenience and sanitation. This section asks how the needs of identification investigations sat alongside those of wider medico-legal inquiries and sanitary concerns.

In light of these debates, Section IV (A Morgue for London?) will explore for the first time the late nineteenth-century attempts to construct a morgue dedicated to the reception and processing of unknown bodies found dead in the capital. This important development has hitherto remained undiscovered. Although these negotiations were

ultimately unsuccessful, they were indicative of changing attitudes towards the needs of identification inquiries within the context of shifting medico-legal and sanitary requirements. Identification was rarely at the forefront of wider debates on mortuary provision, and the fact that London never had such an institution has been frequently noted by historians.[12] These debates offer a fresh perspective on British attitudes towards the place of the dead, and also help to explain the sudden spate of mortuary building in London from the 1890s.

Section V (Photography) will continue with the forward development of ideas and practices, by examining the use of the photographic medium in identification investigations. This technology was developed and refined from the mid nineteenth century and adapted by the police to assist in their inquiries. When integrated into the 'paper body', photographs promised to document the unknown corpse with unrivalled accuracy, and for the first time offered a solution to the difficulty of representing the face in a manner that was instantly recognisable to those attempting to identify the decedent. This section asks how investigators were able to utilise the medium, and how far this technology revolutionised the identification process.

As well as identification practices themselves, the changing public and medico-legal place of the body will also be of interest throughout this chapter. Sociologist Lindsay Prior argued that 'The body represents our primary and most fundamental source of contact with death', and that because the dead body was subject (and receptive) to the cultural influences of a society, it reflected the requirements and beliefs of people and

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[12] See the Introduction to this thesis for an overview of this literature, pp.11-12.

institutions who interacted with it.[13] Historians use discourses surrounding the place and role of the corpse as a prism through which to view societies' self-perception, and in the words of Bruce Gordon and Peter Marshall, 'how they articulated and negotiated religious, social and cultural developments and conflicts'.[14] Anthropologists, too, consider the social and material cultures of death – particularly the treatment of physical remains – to be one of the key points of reference when examining a structured society,[15] and archaeologists (who consider material remains and artefacts) share almost identical interests.[16] Thus by considering the corpse as a passive object open to socio-cultural, administrative and medico-legal influences, the shifting place of the unknown body in the identification process can be used to monitor the changing needs and attitudes of those agents required to engage with it.[17]

By the end of this chapter, the developments in the methods available to investigators used to expose the unknown body to the wider public will have been established, together with an analysis of the strengthening relationships between the agents of the inquiry and the place of the corpse in the public and medico-legal spheres.

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[13] L. Prior, *The Social Organisation of Death: Medical Discourse and Social Practices in Belfast* (Basingstoke, 1989) p.21, 17.

[14] B. Gordon and P. Marshall, 'Introduction' in Gordon and Marshall, *The Place of the Dead*, p.3. See also Harding, 'Whose Body?', p.171. For example, Katherine Park noted that against the grain of wider Western European attitudes, medieval Italians were unusually tolerant of dissection, reliquaries and heart burials. This, she argued, reflected their unique belief that the soul departed the body *immediately* after death, leaving just a commodifiable shell: K. Park, 'The Life of a Corpse: Division and Dissection in Late Medieval Europe', *Journal of the History of Medicine and Allied Sciences*, 50 (1995) 111-32.

[15] Funerary practices and the social manifestation of grief are of particularly revealing: M. Kijak and M.L. Palento, 'Mourning in Certain Situations of Social Catastrophe', *The International Review of Psychoanalysis*, 13 (1986) pp.463-4.

[16] M. Cox, *Grave Concerns: Death and Burial in England 1700 to 1850* (York, 1998); C. Daniell, *Death and Burial in Medieval England 1066-1550* (London, 1997); Y. Hamilakis, M. Pluciennik and S. Tarlow (eds.), *Thinking Through the Body: Archaeologies of Corporeality* (London, 2002); R.A. Joyce, 'Archaeology of the Body', *Annual Review of Anthropology*, 34 (2005) 139-58; K. Rebay-Salisbury, M.L.S. Sørensen and J. Hughes (eds.), *Body Parts and Bodies Whole: Changing Relations and Meanings* (Oxford, 2010).

[17] Funereal practices for the unknown decedent will be examined in Chapter Five of this thesis.

Over the period, it will be shown that the picture presented lacks a national uniformity and a clear teleological narrative; investigators utilised whatever resources were at their immediate disposal, producing the appearance of *ad-hoc* inquiries even though there may well have been localised standard practices which remain hidden due to the process of record selection in this thesis. Nevertheless, despite lacking an institutional framework akin to the Parisian Morgue or even a set of nationally standardised 'best practice' guidelines, the identification investigations outlined here did produce a reasonable rate of success.

Historians have argued that case studies and institutional histories can offer great insights into how people interacted with and managed the physical and practical matters of death,[18] and to begin this discussion, two well-documented but wildly different modes of identification – those of the Parisian Morgue and the 1726 Hayes investigation – will provide a succinct overview of the four principles necessary to facilitate formal recognition. Despite their methodological differences they shared a number of core principles which were equally relevant over the period covered in this thesis: the centrality, accessibility, and visibility of the unknown body, and the organisation of the inquiry.

These two cases have been chosen to act in this capacity to succinctly demonstrate that identification procedures followed these principles regardless of the chronological or national scope of the historical study. And even though the methodologies of these two modes of investigation were polar opposites – the regimented Morgue contrasts strongly with the gruesome spectacle of the Hayes case –

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[18] E.T. Hurren, *Dying for Victorian Medicine: English Anatomy and its Trade in the Dead Poor, c.1834-1929* (Basingstoke, 2012) pp.44-9; A. Mitchell, 'The Paris Morgue as a Social Institution in the Nineteenth Century', *Francia*, 4 (1976) 581-96. See also A. Brown-May and S. Cooke, 'Death, Decency and the Dead-House: The City Morgue in Colonial Melbourne', *Provenance*, 3 (2004) p.6.

and were not *practically* representative of British practices in the period covered by this thesis, these core principles remained equally applicable. These disparate but illustrative examples will act as springboards to examine the identification process in a nineteenth- and early twentieth-century English and Welsh contexts.

The Parisian Morgue and the Hayes case

The Paris Morgue originated as a dark, cramped, poorly ventilated cellar under the Paris Châtelet known as the Basse-Geôle, to which the unclaimed dead found in the River Seine and the Louvre District were routinely taken from the early 1700s.[19] Although the facility's bureaucracy was administratively efficient,[20] the impracticalities of viewing the bodies – visitors had to peer through a small window or enter the corpse-filled cellar with a lamp – made the difficult task deeply unpleasant.[21] After the Châtelet's destruction in 1793 plans were drawn up for the construction of a new 'healthy, clean and airy' public facility specifically designed to facilitate the identification of unknown bodies. This new institution, known as the Morgue, opened in 1804 on the Quai de Marché-Neuf on the Ile de la Cité, and it was enlarged and relocated behind Notre Dame Cathedral in 1864.[22] Each had access to its own quay to land corpses found in the Seine.

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[19] The Morgue and its precursor the Basse-Geôle have attracted significant historical attention, most notably in V. Denis' excellent *Une Histoire de L'Identité*, pp.347-65, 373-82. For a singular study on the operation and documentation of the Basse-Geôle see R. Cobb, *Death in Paris 1795-1801* (Oxford, 1978). For the public fascination with the Morgue see V. Schwartz, *Spectacular Realities: Early Mass Culture in Fin-de-Siècle Paris* (London, 1998) pp.45-88, and for reactions of British visitors see P. Vita, 'Returning the Look: Victorian Writers and the Paris Morgue', *Nineteenth-Century Contexts*, 25 (2003) 241-256, and P. Veyriras, 'Visiteurs Brittanniques à la Morgue de Paris au Dix-Neuvième Siècle', *Cahiers Victoriens & Edouardiens*, 15 (1982) 51-61. For the institution's impact upon the French state and wider society, see Mitchell, 'The Paris Morgue'.
[20] See Part I in Cobb, *Death in Paris*, pp.1-28.
[21] Denis, *Une Histoire de L'Identité*, pp.347-9.
[22] *Ibid*; p.362; Schwartz, *Spectacular Realities*, p.55.

On 'admission' bodies were assigned unique numbers to act as references throughout the Morgue's bureaucracy. They were then stripped, washed and examined by mortuary keepers, who produced a detailed physical description and an inventory of personal effects; these were filed in an extensive records department for future consultation.[23] Clothing was washed in the attached laundry, and 1877 corpses were also photographed and copies affixed to each file. Then, if in a suitable condition, the bodies were laid out on public display.[24]

What distinguished the Morgue as particularly special (in both its 1804 and 1864 incarnations) was the principle of unrestricted access. In order to facilitate recognition the public was offered free admission from dawn to dusk, and both institutions were deliberately situated on busy routes over the Seine to exploit heavy pedestrian traffic. City authorities actively encouraged visitors to attend as part of their civic duty.[25] Reports of new and existing cases were displayed on boards in the lobby as visitors entered. The light and airy main hall contained a vast window behind which were displayed the naked bodies on individual stone slabs tilted towards the viewer; the clothing taken from each was hung from overhead racks. To keep them presentable while on display, bodies were constantly sprinkled with cold water and tended by stewards; refrigeration was introduced in 1878.[26] Visitors recognising a body gave a statement in the adjoining offices; those left unidentified for too long were removed and buried.

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[23] 'The Morgue', *Once a Week*, 17 December 1864, p.716.
[24] *Ibid*, for the workings of the pre-1864 Morgue see D. Costello, 'Dead Reckoning at the Morgue', *Household Words*, 1 Oct 1853, 112-16.
[25] Schwartz, *Spectacular Realities*, p.49.
[26] N.J. Porter, 'Mortuary Reform (I)', *Sanitary Record*, 15 Jul 1890, p.9. As early as 1840 preservatives were used for 'important' bodies from *causes célèbres* which allowed them to be displayed for six weeks: T.H. Blench, 'Crime Investigation in Paris', *TMLS*, XXV (1930-1) p.179.

The Parisian police also made extensive use of the press to circulate information and generate interest, and the Morgue was enormously popular both as a 'spectacular' display and as a civic institution for Parisians and tourists alike.[27] Its popularity impacted upon its success and identification rates were high over its period of operation, between 66 and 90 per cent.[28] Dudley Costello recounted in 1864 that each body took, on average, one day and 54 minutes to be identified.[29]

In 1907 a decree ruled that in order to increase the Morgue's efficiency access was to be restricted 'only to those people who might be able to provide useful information about the identity of the displayed corpse'; curious sightseers were no longer welcome.[30] It was integrated into the Institut Médico-Légale, where an agreement was reached stipulating that in exchange for medico-legal assistance, the Morgue would offer unclaimed bodies to the Institut for medical training. This represented a shift from a public institution to a medical one, and the recasting of the identification process as a medico-legal problem.[31]

Contrast the organised practices at the Morgue with a very different approach. In March 1726 the head of a man was found lying in the mud of London's Westminster dock, whereupon:

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[27] Vanessa Schwartz provides the most detailed analysis of the crowds: Schwartz, *Spectacular Realities*, pp.62-76. For a vivid portrait of curious visitors, see Chapter 13 of É. Zola, *Thérèse Raquin* (Harmondsworth, 1962 [1867]) pp.106-13. Its alien nature particularly appealed to British visitors who had no equivalent institution: see Vita, 'Returning the Look', pp.241-2 and Veyriras, 'Visiteurs Brittanniques'.

[28] Porter, 'Mortuary Reform (I)', p.9.

[29] 'The Morgue', p.717.

[30] Schwartz, *Spectacular Realities*, p.83.

[31] Although the Morgue was not specifically a training facility, post-mortems were performed before students there from 1879: G. Pernet, 'Remarks on the Teaching of Medical Jurisprudence in Paris and London', *TMLS*, IV (1906-7) pp.114, 117.

The magistrates directed that the head should be washed clean and the hair combed; after which it was put on a pole in the church-yard of St. Margaret, Westminster, [so] that an opportunity be afforded for its being viewed by the public. Orders were likewise given that the parish officers should attend this exhibition of the head, to take into custody any suspicious person who might discover [i.e. reveal] signs of guilt upon the sight of it.

The head being exposed on the pole, so excited the curiosity of the public, that immense crowds of people, of all ranks, went to view it...

After the head had been exhibited for four days, and no discovery made, a surgeon named Westbrook, was desired to put it in a glass of spirits to prevent its putrefying, and keep it for the further inspection of all who chose to take a view of it, which was accordingly done.[32]

Several attendees noted similarities between the head and one John Hayes who had recently gone missing, and his wife Catherine was arrested, tried, and convicted of petty treason. This macabre display appears wildly dissimilar to the regimented practices at the Morgue, but the operating principles of the exercise were, in fact, identical.

Whether on the busy foot-routes over the Seine or in the parish churchyard, unknown bodies were situated at the *centre* of the community. The bodies were rendered *visible* by washing and then displaying them in a prominent fashion; this allowed visitors to view them with ease. Both systems permitted near-unrestricted public

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[32] G.T. Wilkinson, *The Newgate Calendar*, Vol. I (London, 1965) pp.103-4. The exhibition as a trap for 'suspicious persons' bears similarities to the medieval practice of cruentation, the longevity of which was due in part to the corpse's ability to frighten the guilty party into confessing to his crime: R.P. Brittain, 'Cruentation in Legal Medicine and Literature', *Medical History*, 9 (1965) p.85.

access to the body and members of the local community were actively encouraged to attend.

The crucial difference between the two methods was the scale and regimentation of the operation; bodies taken to the Morgue followed a tightly *organised* path through the institution's machinery between admission and disposal, and the paperwork generated meant that these principles remained valid even after the body had been disposed of. The Westminster investigation was a single ad-hoc event which only required parish officers to take statements. It is clear, then, that effective identification practices did not necessarily have to follow one particular format to be successful. Rather, these guiding principles acted as a framework around which an enormous variety of local practices could be built.

Within the context of investigations in England and Wales between 1800 and 1934, these same four principles were unspokenly adhered to. Developments in identification procedure can be conceptualised as resulting from shifting medico-legal, coronial, policing and sanitary concerns which altered the place of the body in the investigation, in turn affecting the ease with which these principles could be applied. The remainder of this chapter will examine how investigators in England and Wales negotiated the application of these principles (albeit in an uncodified fashion), starting at the very beginning of the investigation, just after the body was discovered.

Section I – Preliminaries

The first-finder

The unwitting 'first-finder' of an unknown body assumed certain responsibilities, some legislative, others based on common sense or decency. Immediately upon discovery the

corpse had to be 'recovered' or secured; on land this could entail cutting it down from a tree or moving it to the side of the road, but if it was found in water it could necessitate tying the corpse to the bank or a boat, or lifting it on to dry land.[33] Most importantly, it was also their responsibility to notify the authorities.

In addition to the process of notifying the coroner of a dead body, financial incentives encouraged public participation in keeping the peace and to ensure the body was buried 'with all possible haste'. The 1808 Burial of Drowned Persons Act awarded 5s. to individuals who brought the bodies of persons found drowned on the seashore to the attention of the parish overseer or churchwarden within six hours of discovery, and issued a penalty of five pounds to those who did not.[34] Accordingly, depositions from Suffolk's Liberty of St Etheldreda recorded fifteen such payments between January 1823 and June 1850.[35] In 1887 the Act was extended to include those found in, or on the shore of, 'any tidal and navigable waters' including rivers and canals, and stipulated that the first-finder should contact a police constable, who would in turn inform the relevant authorities.[36] This alteration reflects the growing responsibility of the police for matters of keeping the peace in this period.[37]

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[33] For a particularly evocative depiction of the discovery and securing of a man found drowned, see C. Dickens, *Our Mutual Friend* (London, 1865) pp.1-5.

[34] Parliamentary Papers, 48 George III, c.75, s.3-4. The reward could also be divided between several persons; two shepherd boys shared the proceeds of their joint discovery in 1845: Suffolk HB10/9/59/26 – 20 Aug 1845.

[35] Suffolk, HB10/9. Few other depositions from across the country record such rewards, but this does not mean they were not awarded.

[36] Parliamentary Papers, 49 Victoria, c.20.

[37] In November 1935 the Commissioner for the Metropolitan Police issued a memorandum which stated that under the 1808 Burial of Drowned Persons Act the county should bear the expense of removing the body: police forces in England and Wales had erroneously been performing this valuable service, for free, for the better part of a century! LMA, LCC/CO/GEN/1/6, memorandum 18 Nov 1935.

The reward served to recompense the first-finder for their efforts and any inconvenience caused, but importantly for identification purposes, these small rewards may have preserved the integrity of the chain of evidence by dissuading first-finders from taking any items or money found on the dead body as they searched for identifying articles. Valuables such as watches, jewellery and other distinctive property could be recognisable to family or friends and it was vital that such items remained with the body.[38] In 1833 a young dockhand testified at Southwark that he had helped recover a body from the Thames and found five pence in the clothing: 'I have spent the money,' he stated, 'but I can make it up.' Presumably he had considered this as money rightfully earned.[39] Because a corpse cannot own property such actions were not technically theft, but money found on the bodies was sometimes used to offset costs incurred by the burial board, and as much as possible would be retained and returned to the family when the body was finally identified.[40] After three months, property was sold and the proceeds sent to the Treasury.[41]

Rewards were not standardized across the country: aside from the 5s. reward, the Coroners' Society reported in 1890 that 10s. was awarded to those who recovered a body from the River Medway, and that 'For removing Dead Body to proper receptacle presumably for Inquest' most counties and boroughs allowed between 2s.6d. and 5s.,

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[38] Liverpool, M347 COR/L/11, *Coroners' Society Annual Reports*, 1897, p.208.

[39] LMA, CLA/041/IQ/02/48/85 – 1 May 1833. Not everyone was so acquisitive: the population of Point Ayr in Flintshire were reportedly grateful to the people of Harrington, Cumberland, for returning the purse of a lifeboat-man untouched: *North Wales Chronicle*, 2 May 1857, p.8.

[40] Glamorgan, DCONC/4/1/11/131 – 15 May 1912. Cash could also be used to reimburse any expenses incurred in preparing or searching the body: Coroners' Society Minutes, 1 Dec 1903, p.61.

[41] TNA, MEPO 2/5192/1A; Liverpool, M347 COR/L/11 *Coroners' Society Annual Reports*, 1897, p.208.

though in some jurisdictions no fee was awarded.[42] In 1918 at Whitley, Northumberland, 5s. was awarded to a carting contractor for transporting a body from the seashore to the local deadhouse, and at Trimley St Mary, Suffolk, 7s.6d. was paid plus a shilling for two men who assisted.[43] The Burial of Drowned Persons Acts remained in force until repealed by the 1948 National Assistance Act.[44]

After a cursory examination of the clothing, the body would then be taken to a place to await full examination and inquest, and where it would remain until released for burial. The condition and utility of these mortuary spaces varied greatly across the country and period, and could range from empty cottages, the outbuildings of farms or public houses, church property, parish dead-houses, and (from the late nineteenth century) mortuaries equipped for medico-legal examinations. The factors dictating the choice of space and the ways the public were granted access to the body will be investigated in detail as part of Section III.

Preparing the body

At the chosen location the first steps of the formal identification process were the rituals of stripping, washing, and examining the corpse; together, these procedures rendered the body visible to investigators and the public. These bore similarities to the 'laying out' practices performed on 'known' bodies[45] but they also carried a vital medico-legal function: the physical description and inventory were documented and formally submitted as evidence to the inquest. Washing removed grime to reveal the skin's

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[42] Liverpool, M347 COR/L/11, *Coroners' Society Annual Reports*, 1890, pp.3, 5.
[43] Northumberland, COS/3/41/4 – 5 Sep 1918; Suffolk, EC/5/55/44 – 1 Oct 1912.
[44] Parliamentary Papers, 11 & 12 George VI, c.29.
[45] For more on 'laying out' see J. Strange, *Death, Grief and Poverty in Britain, 1870-1914* (Cambridge, 2005) pp.73-4, and P. Jalland, Death in War and Peace: A History of Loss and Grief in England, 1914-1970 (Oxford, 2010) pp.3, 94-5.

surface and rendered the corpse less offensive to the senses, and aside from the customary search of the pockets on its discovery, this process marked the first time that the body was seen naked and fully exposed to close scrutiny.

A study of the persons and practices used to prepare the unknown body for examination and inquest suggests that there was no nationwide, uniform procedure. Law officers and the coroner used locally available resources, and in some instances lay members of the local community were recruited to provide assistance. It is also clear that these duties did not require the assistance of a qualified medical practitioner; careful observation and common sense were the only qualifications necessary. Although it was clear that surgeons were not always at the forefront of these inquiries, from the mid-Victorian period there was a growing belief among the medico-legal community that a qualified medical practitioner *should* participate; this matter will be examined in detail in Chapter Four.

There does not appear to be any consistency in practice between districts or even a clear sense of change over time, but these tasks were nearly always performed by – or at least in the presence of – an officer of the law: a constable, beadle, overseer, or police officer. In the early nineteenth century, examples can be found of members of the local community lending assistance in preparing the unknown dead. For example, some Lincolnshire parishes relied on pre-existing traditions, using the services of local women who were called upon to wash and lay out bodies for their neighbours. As well as their skill and care in handling and preparing the dead, their familiarity with post-mortem appearances (at least in an educated lay capacity) rendered them invaluable to the investigation. Although it is unlikely that they wrote the report themselves, these witnesses testified to the body's condition and appearance, and also noted the presence

or absence of any marks of violence or struggle.[46] Forensic medicine was primarily a male profession with women remaining on the periphery, but such cases indicate that women could also have active roles in the local medico-legal sphere. Local authorities would rarely have access to a qualified specialist (see Chapter Four), but in cases where careful observation and experience were key, local women appeared to be ideal persons to fulfil these investigative roles.[47] This was primarily an early nineteenth-century occurrence which probably dated back centuries, but in some Northern districts this continued into the late 1920s at least.[48] In some cases the first-finder of the body also leant assistance, which further suggests that such straightforward tasks did not necessarily rely on the input of a specialist and that the choice of examiner was dictated by the immediate circumstances of the case.[49]

Throughout the period covered by this thesis the vast majority of cases from across England and Wales record that law officers – whether constables, beadles or policemen – performed the search and provided evidence before the inquest regarding the appearance of the body. However, there was not necessarily a uniform procedure. A survey of 1903 reported that coroners' officers for 13 Metropolitan Police Divisions

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[46] Women examined the bodies of three decedents in Lincolnshire's Spalding district: 1819/237 – 1 Sep 1819 (she saw no bruising), 1826/463 – 11 Nov 1826 (the decedent had apparently died 'in the natural way'), and 1831/665 – 28 Feb 1831 (she saw no bruises but 'an old scar on the chest as if from the jab of a sharp instrument').

[47] Richelle Munkhoff and Kevin Siena have also noted that the female 'searcher of the dead' also possessed the ability to diagnose a range of illnesses and afflictions from her frequent exposure to the bodies of those suspected to have died of plague: R. Munkhoff, 'Searchers of the Dead: Authority, Marginality, and the Interpretation of Plague in England, 1574-1665', *Gender History*, 11 (1999) p.12; K. Siena, 'Searchers of the Dead in Long Eighteenth-Century London' in K. Kippen and L. Woods (eds), *Worth and Repute: Valuing Gender in Late Medieval and Early Modern Europe: Essays in Honour of Barbara Todd* (Toronto, 2011) p. 137.

[48] Lancashire, DDHD/CR – 10 May 1927; see also Northumberland, COS/3/11/8 – 17 Sep 1883. Both women washed and laid out the body at the request of and accompanied by a police officer.

[49] For example, Edward Dixon, a fisherman, pulled the body of a man from the Thames, and later testified 'I helped to take his things off and to wash him', before describing the clothing and his general appearance in some detail: LMA, CLA/041/IQ/03/11/52 – 15 & 22 Apr 1846.

delivered bodies to the mortuary, where the keeper prepared the body for inquest without police help. In eight others, some parish officers would assist the mortuary keeper while others would not. In D Division the coroner's officer merely instructed an undertaker to remove the body to the mortuary where it was prepared by the mortuary keeper; the police were apparently absent from these proceedings. And at Dagenham (where there was no mortuary) a 'private person' was employed to make the necessary preparations.[50]

People were sometimes recompensed for their assistance: in 1890 the Coroners' Society noted that for cleaning and laying out the body, some counties paid between 2s. and 5s.; Leeds authorities paid 5s., and in Portsmouth 'a reasonable amount' was offered. No other districts reported such payments.[51] From 1889 Metropolitan police officers were awarded 5s. to search decomposed bodies found drowned in the Thames, but this was extended in 1890 to include all bodies found dead.[52] No explanation was offered for the amounts given, but it is likely that in districts where no money was awarded it was taken for granted that officers or undertakers would fulfil these tasks as part of their general responsibilities. From the mid nineteenth century almost every case records a police officer or doctor performing the search, reflecting the increasing responsibilities of the police and medico-legal sphere within the identification process.

Sometimes washing was insufficient to render the body presentable, and restorative work – which required considerably more medical skill – was required to facilitate recognition. These grim procedures were not common, and were mostly used in *causes célèbres* or cases in which the deceased had died violently. In one 1863

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[50] TNA, MEPO/7170, report 18 Aug 1903.
[51] Liverpool, M347 COR/L/11 – *Coroners' Society Annual Report*, 1890, pp.3, 6.
[52] TNA, HO 45/9704/A50528.

experiment, the doctor attempted to restore a natural appearance to the decomposed body of a drowned man by covering it with a sheet soaked in weak hydrochloric acid and methylated alcohol, and by applying chlorine water and chlorine gas to bring colour to the face. The results were not perfect, but 'it was a face which a witness could swear was not that of any particular person he remembered.'[53] Other attempts were more reconstructive: after portions of a woman's body were discovered in the Thames in September 1873, Dr. Thomas Bond stretched the skin of her face over a butcher's block, the results of which would have been recognisable to anyone 'intimately acquainted with the physical characteristics of the deceased'.[54] It appears that even here medical intervention was not always required: in November 1932 a man's body was found mutilated on a Gloucestershire railway line, and the coroner's officer Sgt Wickham reported that

> The mask of the face that was left I cleaned up, clearing away rough ends and bone, stitched up the lips[,] blocked and padded out the face to what appeared to be its natural position, mounted it on a board making the whole presentable with cotton wool around it, and I have preserved it in spirit.[55]

The face was photographed, too, but the body was never identified. The results of these attempts were certainly not perfect, but they at least made the body 'recognisable'.

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[53] Perfection was not necessary here; the investigation centred on discovering whether the decedent was a suspected murderer, so it would only be shown to those well-acquainted with the individual: B.W. Richardson, 'An Account of an Attempt to Restore to its Natural Appearance a Putrefied Dead Body, in Order to Prove its Identity', *The Lancet*, 16 May 1863, p.551.

[54] The skull itself had not been found: *The Times*, 16 Sep 1873, p.3, and 22 Sep 1873, p.10.

[55] Gloucestershire, CO6/1/32/84 – 7 & 15 Nov 1932.

Because identification often took weeks to achieve, efforts were sometimes made in important cases to preserve portions of the body for future consultation. In 1837 the head of Hannah Brown was 'preserved in spirits, and viewed by many individuals who were in search of missing relatives and friends', a move which ultimately provided an identification.[56] In his 1843 *Treatise on the Law of Coroner* Richard Clarke Sewell cited T.R. Beck's *Medical Jurisprudence*, advising that the body be placed in a cool place and covered with ice, or 'sprinkled with spirituous or aromatic substances.' Washing with salt and alum was also used.[57] After female human remains were found scattered around the Norwich area in 1851, the magistrates ordered that some portions be preserved in wine and kept at the Guildhall 'for some considerable time' before being disposed of.[58] Strands of hair discovered under a cellar floor in 1910 were stored in glass jars and shown to witnesses who attempted to recognise them as those of a missing woman. In this case another portion of the remains, a scar on a piece of flesh, was also preserved, but this remained a medical specimen and was not shown to lay witnesses. This suggests that in some cases vital, even recognisable evidence was not always deemed suitable for public viewing.[59] Unusually, though, a body found in the River Thames in 1927 considered 'Too far gone for finger printing or photo' was nevertheless stored in a formalin preserving apparatus 'for identification'; presumably the torso provided further data.[60] By 1934,

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[56] *The Paddington Tragedy: A Circumstantial Narrative of the Lives and Trial of James Greenacre, and the Woman Gale, for the Murder of Mrs Hannah Brown* (London, 1837) p.11.

[57] If all else failed, wafting chlorine or tobacco through the room would mask the smell: R.C. Sewell, *A Treatise on the Law of Coroner: With Copious Precedents of Inquisitions and Practical Forms of Proceedings* (London, 1843) p.32.

[58] Incredibly, when the murderer eventually confessed in 1869, the remains were exhumed from a rubbish heap, washed, and restored to be used as evidence! *The Bury and Norwich Post, and Suffolk Herald*, 26 Jan 1869, p.7.

[59] TNA, CRIM 1/117, Police Court transcript, 16 Sep 1910.

[60] LMA, CLA/041/IQ/04/03/16/94 – 28 Jul 1927.

refrigeration units had been installed in a few mortuaries across the country to increase the longevity of the investigation; their use will be examined later in this chapter.

Preparation practices, then, served to render the body *visible* to onlookers, by making it suitable (or indeed possible) for an examination to begin. Not only did they render distinctive signs more apparent, these rituals also served as an aid and opportunity to gather material for the 'paper body'. Preservation techniques allowed the body to remain presentable (to a point) over the course of the investigation, but written descriptions and items of clothing (and later, photographs) acted as more permanent substitutions if it was impossible to retain the remains for any length of time. The chapter will now turn to the ways in which the unknown body, now visible, was brought to the attention of the community in order to facilitate its recognition.

Section II – Paper bodies

Presenting the body to the public in order to locate those able to identify it involved the construction and circulation of a literary and pictorial representation of the original corpse, which will be known here as the 'paper body'. More than just a collection of identifying characteristics or signs, this synopsis of the salient points created a recognisable reconstruction of the deceased individual. In the absence of the body itself, these representations stood as its substitute. In 1842 the *Provincial Medical and Surgical Journal* argued that if it was undesirable to construct a morgue and display corpses in the Parisian fashion 'Advertisements, drawn up under the direction of the coroners, should be sent to the newspapers, and placards to the police offices, before the inquests were

held, which would enable the parties concerned to identify the dead'.[61] Similarly, in December 1892 – just after London County Council had rejected plans for a central mortuary – the *Sheffield and Rotherham Independent* argued that if such an institution was not to be built, then 'in default' identification had to be made easier by circulating the particulars of inquests daily.[62] These two articles, separated in time by 50 years, demonstrated the importance of the accurate construction and proper circulation of the paper body for the purposes of identification, particularly if there was no single central, accessible space in which to view the body itself.

Although the original body was irreplaceably valuable as a piece of evidence, the paper body had three primary advantages over its corporeal counterpart. First, while the corpse was effectively immobile, the paper body could be transcribed, duplicated and circulated to all interested parties via posters, handbills, newspapers or police circulars. Dissemination was thus a more proactive technique than exhibiting the corpse itself, which relied on the public coming *to* the body. The phrase 'the body has been circulated' occurred in inquest witness statements throughout this period, suggesting that the paper body and the corpse were seen as equivalent.[63] Such practices forged a link between the body and the public to encourage their participation. The extent of circulation determined the range and scope of the wider investigation – and as Schwartz noted –

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[61] *Provincial Medical and Surgical Journal*, 5 Mar 1842, p.61.

[62] *The Sheffield and Rotherham Independent*, 10 Dec 1892, p.5.

[63] Valentin Groebner noted that on official documentation 'An individual's body was supposed to be an ineffaceable double of what had been recorded about him or her in writing': V. Groebner, *Who Are You? Identification, Deception, and Surveillance in Early Modern Europe* (New York, 2007) pp.115-6.

could even turn an otherwise mundane discovery into 'something ephemeral: current events' worthy of national interest.[64]

Second, the paper body could act as a bureaucratic 'filter' to aid the search for missing persons. As will be examined below, relatives could spend days touring the local deadhouses seeking a likely corpse, and the circulation of accurate information could help to narrow down their search. In addition, on attending the police station or mortuary, law officers could use the description as an administrative gateway through which visitors had to pass; if the description matched that of a missing person, access to the body itself could be granted. Third, whereas the corpse was subject to decomposition the paper body could be kept indefinitely. This allowed relatives and law officers to examine it even after the corpse had been buried or had been damaged by putrefaction or the post-mortem examination. To facilitate this, an organised bureaucracy was required to index and retrieve the relevant data.

The use of print media for disseminating information about the bodies of 'troublesome' persons had flourished during the seventeenth century as part of the expanding machinery of law and order. The medieval 'hue and cry' – raising the alarm before pursuing wanted criminals across the country – evolved to rely on the spread of written warrants (including the miscreant's description) between neighbouring jurisdictions.[65] From the late seventeenth century Britain's growing print culture was regularly used by law officers to circulate descriptions of criminals, deserters and runaway slaves in the press; it was hoped that advertising the presence of troublesome

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[64] Schwartz used this phrase to describe the spectacle of the bodies at the Morgue: Schwartz, *Spectacular Realities*, p.49.

[65] The original system had been in place since 1285 Statute of Winchester: E. Higgs, *Identifying the English: A History of Personal Identification 1500 to the Present* (London, 2011) p.90.

persons to the public would facilitate their recognition and recapture.[66] John Fielding's

General Preventative Plan of 1772 established the first centralised national network for

disseminating information about crimes and criminals; using Bow Street as a central

repository of information received from across the country, details were re-distributed to

law officers and the general public. Improvements in roads, the growth of newspapers

and the increasing number of printing presses available allowed the medium of print to

travel faster and further than ever before.[67] These mechanisms could be adapted to deal

with the bodies of the unknown dead, and Malcolm Gaskill cites several seventeenth-

century examples in which news and descriptions of unknown bodies were disseminated

by town criers and in the newspapers.[68] By the early nineteenth century, law officers

were familiar with using police and public media to identify troublesome bodies.

This section, then, will explore how these three benefits were manifested over the

period in question and how they allowed the general public to participate in identification

investigations. Media discussed will include methods of local dissemination such as

handbills and posters, as well as the popular press and police journals which had the

capacity to disseminate information to a wider audience.

Bills

Handbills and posters were cheap and quick to produce, and could be rapidly circulated

to target specific locales of interest to the case.[69] For identification investigations, this

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[66] See G. Morgan and P. Rushton, 'Visible Bodies: Power, Subordination and Identity in the Eighteenth-Century Atlantic World', *Journal of Social History*, 39 (2005) pp.39-42.

[67] See J. Styles, 'Sir John Fielding and the Problem of Criminal Investigation in Eighteenth-Century England', *Transactions of the Royal Historical Society*, 55 (1983) 127-49.

[68] M. Gaskill, *Crime and Mentalities in Early Modern England* (Cambridge, 2000) pp.267-8.

[69] J. Styles, 'Print and Policing: Crime Advertising in Eighteenth-Century Provincial England' in D. Hay and F. Snyder (eds.), *Policing and Prosecution in Britain 1750-1850* (Oxford, 1989) pp.70-1. Depositions discussing 'bills' rarely specified which sort were used.

generally meant the parish in which the body had been discovered and the areas from which it was supposed to have originated. Handbills could be distributed in the street, and posters pinned in cases outside watch houses or police stations. They were especially important in the early nineteenth century before later technological and logistical developments made it easier to disseminate information further afield, but their convenience meant that they were still being used in the early years of the twentieth century alongside press reportage.

Despite being able to reach a relatively narrow section of the public, one correspondent wrote in 1864 that:

the public do not, as a rule, hear much about [unknown bodies], unless they are given to reading the dismal notices posted outside the police-stations, the headings of which 'Body Found' are followed by a description, reading like a passport to another world.[70]

This suggests that posters acted as a vital dissemination technique at a local level, but also that readers who expressed a casual interest in them could be seen as morbid. The notion that they acted as 'passports to another world' emphasises that the body was out of sight of the general public, visible only to those with an active role to play in the investigation.

Bills and posters are most commonly mentioned in the depositions from London, where the population density meant that even a limited local investigation could still reach a huge number of people. In March 1830 bills were printed the morning after the

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[70] 'The Morgue', p.719.

body of a man was recovered from the River Thames, and in May 1838 the parish beadle for St John's, Southwark reported that 'I have made every enquiry and have stuck up bills to try and find out who the deceased was'. Both statements mention bills in plural which indicates that the information was spread to more than one area, but neither attempt was successful in producing an identification.[71]

Very few original bills survive in the records, but those that do are revealing. One commissioned by the Norwich magistrates from June 1851 read:

CITY OF NORWICH.– SUPPOSED MURDER.– Several parts of a human body, belonging to a person supposed to have been recently murdered, and to be that of a young female aged between 16 and 26 years, having been within the last four days found in the environs of the City of Norwich, information is requested to be given to the chief constable, at the police office, Guildhall, Norwich, of all females who may have been recently missed, together with any particulars which may lead to the detection of the person or persons who committed such supposed murder. The portions of the body already found comprise the right hand and foot and several bones, and numerous pieces of skin and flesh. Further search is making [sic] for the head and remaining parts of the body.[72]

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[71] Respectively: LMA, CLA/041/IQ/02/43/68 – 22 Mar 1830 and CLA/042/IQ/01/01/136 – 3 & 8 Oct 1838. Thomas Forbes also noted that local authorities circulated handbills containing the description of a woman found in the River Thames, again without success. He does not provide a location date but his records are from the period 1788-1829: T.R. Forbes, 'Crowner's Quest', *Transactions of the American Philosophical Society*, 68 (1978) p.23.

[72] Reprinted in *The Morning Post*, 30 Jun 1851, p.2.

The Morning Post also reported that readers could view the body, though only with the express permission of the doctors.[73]

In 1862 another specially-commissioned poster headed MELANCHOLY ACCIDENT was clearly designed to facilitate identification alone and carried no specific information regarding the death:

Figure 2 – Poster advertising discovery of a body, London 1862
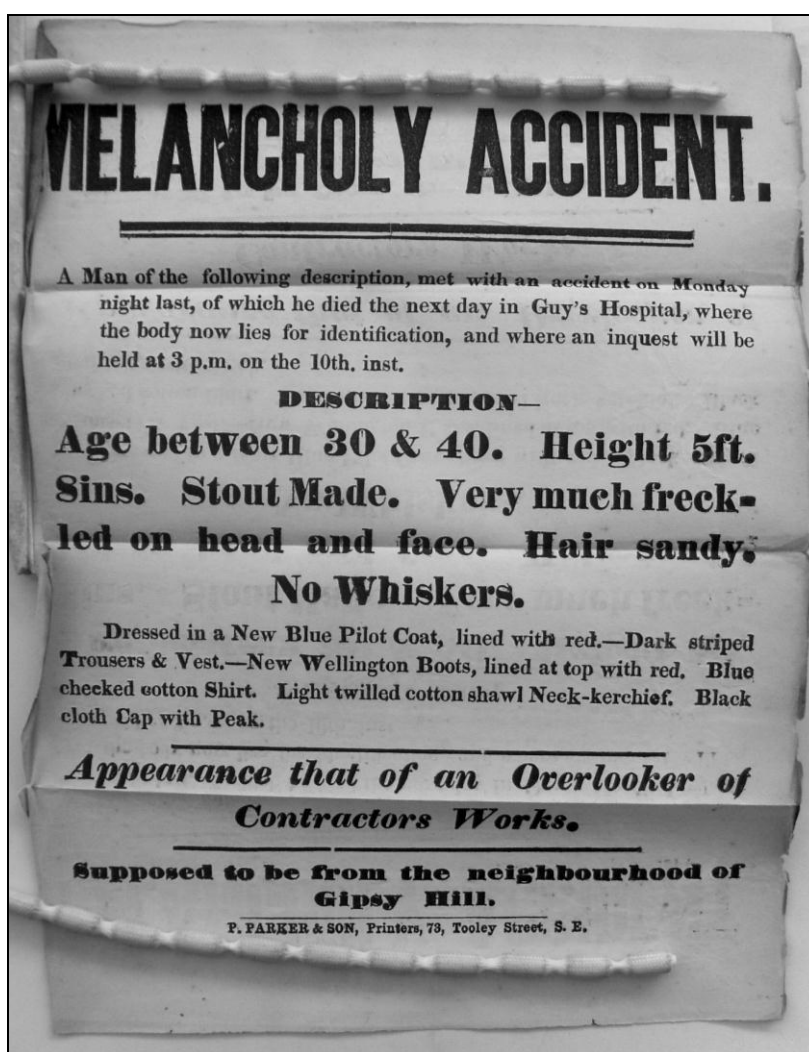
The poster noted the deceased's general appearance and provided detailed descriptions of his person and clothing. Information allowing readers to participate in the investigation – the location of the body, and the date and time of the inquest – was also provided.[74] As well as being posted in public, such bills were also circulated to neighbouring police stations for officers and anxious relatives to examine.[75]

Around the turn of the century printed forms, such as the one below, are more commonly found in London's inquest records:[76]

Figure 3 – Metropolitan Police DEAD BODY FOUND poster, London 1904

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[74] The man had struck his head as he leaned from a train window: LMA, CLA/042/IQ/01/26/189 – 10 Oct 1862.

[75] 'The description has been printed in a hand Bill and sent round from Scotland Yard to all the stations by land and water' reported one officer in 1863: LMA, CLA/041/IQ/03/31/182 – 8 & 15 Sep 1863.

[76] CLA/042/IQ/02/06/132 – 20 May 1904.

These Metropolitan Police BODY FOUND bills contained a list of headings pertaining to the discovery of the body ('where' and 'when') and spaces for each element of the physical description: sex, apparent age, 'length', 'proportion' (build), hair colour, 'particular (distinguishing) marks on person' and 'dress and marks thereon'. In addition, there were spaces to enter the body's current address, and the location of the issuing police station to which inquiries could be forwarded.[77] Peter Becker identifies the standardised police document as a vital component of the modern, objective police bureaucracy, particularly when seen alongside a prescribed nomenclature for corporeal descriptors.[78] Bills remained a convenient format for information dissemination between police stations into the early twentieth century, although it cannot be ascertained whether these were circulated in public too.[79]

The bill's format allowed large amounts of information to be distilled down to the salient points. In the wake of the 1878 *Princess Alice* sinking, one E.C. Clayton wrote to the coroner proposing that the descriptions of the property of the as-yet unidentified unknown dead (numbering in their hundreds) could be collated and printed 'on a broadsheet, or a paper similar to that issued by the police to pawnbrokers describing lost or stolen property', to be posted at police stations or sold to members of the general

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[77] The use of the term 'length' rather than 'height' is notable; corpses are resolutely horizontal: *Ibid*. See also LMA, CLA/042/IQ/02/06/131 – 20 May 1904; CLA/041/IQ/04/2/11/80 – 21 May 1904.

[78] Unfortunately because so few examples survive it is not possible to ascertain whether standardised nomenclature was used: P. Becker, 'Objective Distance and Intimate Knowledge: On the Structure of Criminalistic Observation and Description' in P. Becker and W. Clark (eds.), *Little Tools of Knowledge: Historical Essays on Academic and Bureaucratic Practices* (Ann Arbor, 2001) p.211.

[79] LMA, CLA/042/IQ/02/11/127 – 4 Aug 1906.

public.[80] This plan was never carried out, but although stolen goods and unknown bodies were two very different problems, his suggestion indicated that bills were considered to be a most direct method of communication, and that the police and public alike were familiar with their use.

The cost of advertising dead bodies was not recorded in depositions, but some districts provided a small allowance to advertise the discovery and presence of unknown bodies. In 1890, investigators in Devon, Middlesex and the City of London could expect to be reimbursed for any costs incurred (presumably for printing notices or placing newspaper advertisements), and other allowances were made in Leeds, Southampton and Great Yarmouth. No other districts recorded that any payments were regularly made, but this suggests that when deciding to advertise a body, free options were preferable, namely the press.[81]

The press

As a medium for disseminating information about the unknown body, the press had some advantages over the handbill and poster: information could reach a much wider audience, and unlike bills which had to be written, printed and circulated, investigators could simply rely on reporters and editors to publish press releases for them. Throughout the period law officers and coroners recognised the importance of fostering good relations with the press in order to facilitate communication with the wider public. These relationships were reciprocal: editors offered law officers a means to appeal for leads in on-going cases, for which they received a steady flow of newsworthy stories to ensure

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[80] LMA, COR/PA/31/31 – correspondence 11 Sep 1878.
[81] Liverpool, M347 COR/L/11 – *Coroners' Society Annual Report*, 1890, pp.3, 6.

sales.[82] Coroners nurtured similar relationships: Nottingham coroner Christopher Swann told the *Nottingham Mercury* in 1840 that

> I have never kept any inquest back from the newspapers, except in cases of murder and manslaughter... I have at all times, and without the slightest partiality, allowed them to have free access to the depositions in my office... without the slightest interference on my part.[83]

This obviously impacted on the likelihood of publication: Bernard Heathcote discovered that almost every inquest held by Swann was reported in the local press. Similarly, the coroner for Central Oxfordshire, William Wharton Robinson, held 18 inquests on unknown persons between 1877 and 1905, 17 of which could be found in *Jacksons Oxford Journal*.[84] His City colleague, Edward Law Hussey, also rigorously pursued a public platform by issuing weekly notices and reports of inquest proceedings to the local press.[85] If closed inquests were held without a press presence, these were perceived as secretive and undemocratic.[86]

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[82] See R.M. Morris, '"Crime does not Pay": Thinking again about Detectives in the First Century of the Metropolitan Police" in C. Emsley and H. Shpayer-Makov (eds.), *Police Detectives in History, 1750-1950* (Aldershot, 2006) pp.97-8.

[83] B.V. Heathcote, *Viewing the Lifeless Body: A Coroner and his Inquest Held in Nottinghamshire Public Houses during the Nineteenth Century 1828 to 1866* (Nottingham, 2005) p.5. Details of suicides were, however, often published; the choice of evidence in these reports will be examined in Chapter Three.

[84] The notebook has been transcribed as *Oxfordshire Central District: Coroners Notebook 1877-1905* (Aylesbury, 2002).

[85] Elizabeth Hurren found that Hussey also used these reports to promote his position in the community, thus creating a support base for his proposals for coronial reform: E.T. Hurren, 'Remaking the Medico-Legal Scene: A Social History of the Late-Victorian Coroner in Oxford', *Journal of the History of Medicine and Allied Sciences*, 65 (2009) pp.225-6.

[86] See the obituary of John Troutbeck, who forbade the press to attend several of his inquests, including that for the Duke of Bedford in 1891: *Evening Post*, 9 Apr 1912, p.8. See also the debates surrounding the Peterloo Massacre inquest of 1819 in I. Burney, 'Making Room at the

When dealing with unidentified bodies investigators could expect to engage with the press on two occasions: immediately on discovering the corpse (the 'Body Found' notice), and again after the inquest when further details had been established. The period between discovery and the inquest was short, so weekly newspapers often merged the two reports. However, because their contents and objectives differed, each will be examined in turn.

'Body found' reports varied in style and content depending on the circumstances of their discovery. Headlines could be either mundane ('Body Found'; 'Found Drowned at Lancaster'[87]) or sensational ('Singular Discovery of a Dead Body'[88]). Reporters often termed these stories 'mysteries' in order to spark and maintain interest in their readers,[89] and perhaps to capitalise on the possibility that a case might evolve into something more sensational.[90] As an example, coverage of the 'Llandaff Mystery' ran across three issues of the *Western Mail* between 11 and 15 February 1897, the final headline triumphantly proclaiming 'LLANDAFF MYSTERY SOLVED'.[91]

There is great variety in these reports from across the period studied here; those from the first half of the nineteenth century were often limited to a brief summary of the

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Public Bar: Coroners' Inquests, Medical Knowledge, and the Politics of the Constitution of Early-Nineteenth-Century England' in J. Vernon (ed.), *Re-Reading the Constitution: New Narratives in the Political History of England's Long Nineteenth Century* (Cambridge, 1996) pp.123-53.

[87] Lancashire, DDHD/CR – 21 May 1902.

[88] *North Wales Chronicle*, 21 Jun 1856, p.6.

[89] For example, 'The Llandaff Mystery' or 'The Brighton Sea Mystery': respectively, *Western Mail*, 11 Feb 1897, p.7; East Sussex, COR/3/2/1934/98 – 24 & 31 Oct 1934.

[90] For a case in point, the 'Barnes Mystery' of March 1879 was compared to the 'Waterloo Bridge Mystery' of 1857 (see Chapter Four): E. O'Donnell (ed.), *Trial of Kate Webster* (London, 1925) p.4. Other notable examples include the Harley Street Mystery (1888) and the Brighton Trunk Mystery (1934).

[91] *Western Mail*, 15 Feb 1897, p.5.

death or discovery and were not intended to facilitate identification,[92] but others were longer and contained more complete descriptions.[93] In a similar fashion to the 'MELANCHOLY ACCIDENT' poster above, 'Body Found' notices sometimes provided information to allow the public to attend and examine the body. For example, in April 1900 the *Western Mail* reported that following the discovery of a body at Ifton 'Mr Roberts-Jones, coroner, will hold an inquest at one o'clock at the Roggiett Hotel, Severn Tunnel Junction, to-day (Tuesday). Information can be given to Mr M. Lewis, Chepstow.'[94] Others stated that the body lay at a particular location 'to await identification and inquest', while some merely stated that an inquest would be held.

In any given newspaper during the nineteenth and early twentieth century, whether local or national, metropolitan or provincial, readers could expect to find at least one such report. But on a case-by-case level, only Cardiff's police recorded the number of issues in which these notices had appeared; between 1892 and 1934 information was sent to both the daily and evening city papers for between two and four editions, although in some cases they remained for up to five. Speed was clearly of the essence, particularly if bodies were decomposing: in September 1908, one body discovered at 3pm was removed to the mortuary, examined, documented, and the results transmitted to the Cardiff press in time for the evening papers.[95] Tyneside police, too, used several newspapers to disseminate information over as wide an area as possible: when a man

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[92] For example, *The Morning Chronicle* reported that a body was pulled from the Thames in Middlesex, and described it as 'a man about five feet six inches in height' without any papers and his clothing in a 'wretched state'. No further distinguishing information was provided: 11 Nov 1841, p.2.

[93] For example, the body of a woman found on the shore at Birchington, Kent, was described in detail as was her clothing, jewellery, and possessions found in her pockets and purse: *The Standard*, 11 Sep 1846, p.3. The contents of these reports will be examined in Chapter Three.

[94] *Western Mail*, 17 Apr 1900, p.6.

[95] Glamorgan, DCONC/4/1/8/158-9 – 28 Sep 1908.

was found in the river in November 1897, details were immediately circulated to 16 police stations and six local newspapers.[96]

'Body found' notices in newspapers fulfilled the same function as the bills discussed above, but could cover a much wider area. Both were used as preliminary investigative tools, designed to bring the body to the attention of the public and appeal for further information. Ultimately, they both aimed to facilitate identification before the inquest opened; this would allow further circumstantial evidence to be uncovered regarding the cause and circumstances of death, and prevent the retrospective alteration of official documentation.

The second opportunity for reporting the unknown body occurred after the inquest itself. Ian Burney argued that the 'theoretical core' of the inquest process was the desire to quash destabilising rumours and gossip generated by an unexplained death, and by presenting information before the community at the inquest the truth of the matter could be resolved through official channels with verifiable evidence.[97] 'Mysteries' could breed potentially dangerous rumours; an illuminating case in point can be found at Chester in May 1848, where a man's body was discovered in the River Dee:

> Various rumours have been circulated respecting the deceased. Some
>
> persons stated that he had lost a large sum of money on the cup race, and
>
> had purposely committed suicide; others that he had been robbed and
>
> thrown over the walls into the river; but all these rumours are fabulous, as

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[96] *Newcastle Evening Chronicle*, *Newcastle Daily*, *Newcastle Daily Journal*, *Newcastle Daily Leader*, *Blyth Bi-weekly News*, *Blyth Scribe*: Northumberland, COS/3/23/22 – 12 Nov 1897. This document is the only example of such a list included in the records consulted for this project, so it is not possible to ascertain whether news was normally circulated this widely.

[97] I.A. Burney, 'Viewing Bodies: Medicine, Public Order, and English Inquest Practice', *Configurations*, 2 (1994) p.34.

the body has not been identified, and nobody can know anything

respecting the circumstances under which death ensued.[98]

The jury returned a verdict of 'found drowned'. Such cases indicated that although the

vast majority of deaths right across the period and country arose from the most mundane

of circumstances, the public could be quick to construct their own conclusions if offered

the opportunity. In order to prevent this, the press remained the coroner's most

important means of disseminating his jury's verdict.[99]

Reporting the proceedings of inquests held on persons unknown had additional

significance, however. At the conclusion of the inquest the cause and circumstances of

the death may have been established, but so long as the identity remained unascertained

the investigation was far from over. Publishing the sum total of the identification

evidence presented at the inquest usually marked the final opportunity to appeal for

information, and unless the inquest had been adjourned, this marked the limit of the

authorities' role; the remainder lay in the hands of the public. As a reflection of the

importance of facilitating identification at this stage, in some cases descriptions of the as-

yet-unidentified decedents were more detailed than the cause and circumstances of

death.[100]

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[98] *North Wales Chronicle*, 16 May 1848, p.2.

[99] Sometimes newspapers exacerbated such rumours by running headlines that may have been technically true but did not represent the official verdict, for example, heading a report 'Melancholy suicide' even if an open verdict had been returned: I. Miller, 'Representations of Suicide in Urban North-West England c.1870-1910: The Formative Role of Respectability, Class, Gender and Morality', *Mortality*, 15 (2010) p.194.

[100] For example, see *North Wales Chronicle*, Tuesday, 13 Jun 1837, p.3.; *Wrexham Advertiser*, 21 Aug 1858, p.3.; *Jackson's Oxford Journal*, 15 Dec 1877, p.5.; *Hertford and Ware Chronicle*, 9 Sep 1893, p.7. Others, particularly from the early nineteenth century, were considerably less detailed: *North Wales Chronicle*, Tuesday, 7 Jul 1835, p.4.

How effective were these press reports in attracting readers or effecting identification? Victorians and Edwardians of all classes enjoyed reading sensational news stories as well as crime or mystery stories featuring unknown bodies,[101] so one would assume that coverage was effective; but in fact the results of inquiries appear to be a mixed bag due to the habits of both publisher and reader. Failures were common: the only evidence recorded at an adjourned inquest in April 1848 read 'The advertisement appeared in the paper on Tuesday last but there have been no applicants or enquiries', and this was by no means an isolated occurrence.[102] In the early nineteenth century, low literacy rates and readership figures meant that print culture was secondary to oral culture as a means of disseminating information.[103] But even when literacy and readership figures were on the rise over the following decades, and local newspapers increasingly covered local matters from the 1850s,[104] other more significant complications remained.

As discussed in Chapter One, an increasingly mobile and urbanised population, the growth of short-term, sporadic employment opportunities and infrequent contact with home communities made it very difficult to notice if somebody had actually gone missing.[105] Unless an absence was spotted quickly, relatives could easily miss the 'body found' notice and the inquest reports published in the press. This was known to exist as a problem in the early nineteenth century[106] and it remained so until the early twentieth century: in 1908 the Coroners' Society reported that newspaper reports of inquests could

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[101] Powell, 'Black Markets and Cadaverous Pies', p.46; W. Collins, *The Woman in White* (Stroud, 1992 [1859-60]) pp.481-3; Dickens, *Our Mutual Friend*.

[102] LMA, CLA/042/IQ/01/11/49 – 5 & 13 Apr 1848.

[103] J. Black, 'Newspaper and Politics in the 18th Century', *History Today*, 36 (1986) p.38.

[104] J. Golby, 'Newspapers' in M. Drake and R. Finnegan (eds), *Sources and Methods for Family and Community Historians: A Handbook*, 2nd edn (Cambridge, 1997) p.99

[105] See pp.67-70 of this thesis.

[106] See *Provincial Medical and Surgical Journal*, 5 Mar 1842, p.61.

easily '[be] overlooked or quite forgotten before the person is missed.'[107] In addition, the

amount of coverage and its placement in an issue was dictated by editors, who would be

more likely to dedicate column inches to exciting cases rather than the more mundane

ones.[108]

But publicising details of these sensational 'mysteries' could also backfire,

generating speculation and thus more work for investigators: news of unknown bodies

could draw huge and inconvenient crowds of thrill-seekers to small dead houses where

they might attempt to gain entry to see the 'sensational' corpse, preventing the access of

'genuine' visitors.[109] Crowds could be turned away, but by the early twentieth century the

public had come to engage with investigations in a new way which threw up unforeseen

problems. Crime stories and macabre cases had always made for popular reading, but the

interwar era saw the rise of armchair 'amateur detectives' – members of the public who

closely followed (and speculated upon) police investigations via the newspapers, which

thrived on stories addressing middle-class anxieties.[110] This was usually a harmless

pastime, but the participation of a small sub-set of this group could present real

obstacles. During the Brighton Trunk Murder investigations of 1934 the police appealed

for public assistance by launching an extensive media campaign in an attempt to identify

the first victim and reconstruct her last known movements. But investigators were swiftly

inundated with vast amounts of low-grade information from an eager albeit misguided

public, perhaps tempted by the number of private rewards offered by newspapers.

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[107] Liverpool, M347 COR/L/11/2, Reports Presented at Annual Meeting 1907-8, p.403.

[108] A. Crew, 'Proof of Identity of Persons in Criminal Cases in its Medico-Legal Aspect', *MLCR*, 4 (1936) p.264.

[109] *North Wales Chronicle*, 24 Oct 1857, p.3.

[110] S. D'Cruze, 'Intimacy, Professionalism and Domestic Homicide in Interwar Britain: The Case of Buck Ruxton', *Women's History Review*, 16 (2007) p.715. The example of the man found drowned in the Dee at Chester (above) suggests that this had been a trait of newspaper readers for decades.

Consequently, a great deal of effort was spent chasing false leads, and in order to keep these 'armchair detectives' on the right track, the police had to issue frequent statements to rectify misleading rumours.[111]

However, despite the many practical shortcomings of these methods, successes were forthcoming across the period studied here and coroners voiced their appreciation of the press' contributions. In January 1899 one coroner at Rhyl was reported as saying that although the investigation to ascertain the dead man's identity had been unsuccessful 'He thanked the press for the publicity given to the unfortunate matter, and as a result of the publication of the details he had [over 40] letters and telegrams from all parts of the country asking for information'. The man was identified a few days later.[112] The public response, too, reveals that these advertisements were sometimes helpful. For example, a 'body found' report regarding a man at Newport in July 1874 was published in the *Western Mail*, where it was recognised by his employer who telegraphed the man's father at Chepstow.[113] Relatives writing to apply to identify the body often cited newspapers as their first point of contact. Most of these examples come from the late nineteenth and early twentieth century, but it is unclear whether this was due to more comprehensive reportage, an increase in newspaper readership, or the increased reliance on this medium as a way to disseminate information. It is most likely to be a combination of all three.

Some long-distance identifications were facilitated by publishing reports in the national newspapers, or in local papers' coverage of Metropolitan events. For example, Mrs Wood of Birmingham and Mrs Owen of Sheffield independently wrote to the coroner

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[111] TNA, MEPO 3/1692/5a, pp. 20, 25, 31-2; MEPO 3/1691/4a.
[112] *North Wales Chronicle*, 21 Jan 1899, p.7.
[113] *Western Mail*, 10 Jul 1874, p.4.

for the City of London after reading reports that an inquest had been held on a man who had committed suicide, each suggesting that it may have been her husband.[114] On another occasion one E. Bullock of Ipswich wrote to another London coroner having read about an inquest on a man in January 1909.[115] Reports of a man found drowned at Morecambe, Lancashire were published in a Belfast paper and read by Mr Joseph Carr of Ballynahinch, Northern Ireland, who recognised the body as that of his son. In this case, the advertisement appears to have been targeted specifically to Belfast: the man was found to have military papers stating that he was travelling from Belfast to Caterham, Surrey.[116]

The use of local and national print media, then, allowed the coroner and law officers to forge a vital link between the body and the public, permitting the community access to the body in its abstracted form. The 'paper body' can be likened to Ian Burney's conception of the post-mortem report in that information presented in a 'symbolically and operationally purified format' physically disengaged the corpse from the public, which, for investigators at least, helped to create an 'efficiency-oriented system of death management.'[117] It was both an active and passive investigative tool: investigators had to create and disseminate the material to ensure good coverage for the right audience, but then had to wait for the public to act on their leads. Posters and handbills were well suited to spread news quickly across a local area but they lacked the capacity to appeal to the wider community. Newspapers appeared to provide the answer, as they could reach all corners of the country, were easy to organise and, once a story was running, editors

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[114] LMA, CLA/041/IQ/04/2/31/109 – 4 Sep 1912.
[115] LMA, CLA/042/IQ/02/16/27 – 4 Feb 1909.
[116] Lancashire, DDHC/CR – 19 Apr 1916.
[117] Burney, 'Viewing Bodies', p.41.

could continue to publish details and appeal for information. There were shortcomings, however. Some cases might slip past unnoticed, for example if a family did not miss an individual until after the reports had appeared in the press. Mundane cases could be sidelined in favour of more sensational ones, though in such instances it was possible to retain audience interest by portraying the case as a 'mystery'. Finally, they could elicit too many responses which required careful management to eliminate incorrect suppositions. The next section will examine how the body itself, now brought to the attention of the public, was stored and viewed to facilitate identification.

Section III – Presenting the Unknown Body

The chapter now turns to the exhibition of the corpse itself, a procedure which involved a significant negotiation between the different agents of the investigation regarding the principals of *centrality*, *accessibility* and *visibility* of the corpse.[118] This discussion will consider the use of mortuary space as a venue in which the unknown body (and thus the investigation) was situated. The place of the body dictated the nature of the investigation, and changing practices reflected the shifting attitudes of law officers, medical officers for health, medico-legal practitioners, and the British public regarding the place of the corpse in the community. This Section will examine the venues used to house the unknown body, the ways in which the public were granted access to the corpse, and how late nineteenth-century developments in mortuary provision began to incorporate the needs of identification in their designs. Practices were not uniform across the country, but nevertheless consistently adhered to the principles outlined above.

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[118] 'Exhibition' was the term used to describe public displays at the Morgue: 'The Morgue', *Once a Week*, 17 December 1864, p.716.

The unknown body on show

The practice of exposing the unknown body to public view sat at odds with the nineteenth- and early twentieth-century model of the 'good death' which required a level of privacy: families preferred to keep the bodies of loved ones at home in order to allow the community to pay their last respects, and access was restricted to a select group of family, friends, colleagues and neighbours.[119] In contrast, identification exhibitions dispensed with familial privacy in order to allow the judicial process to operate unimpeded. This loss of privacy was closely associated with one's status as an outcast, for the bodies of criminals were exposed before the public after execution,[120] and the bodies of 'unclaimed' paupers were dissected before strangers under the Anatomy Acts.[121] Indeed, British commentators drew parallels between the public exhibition at the Morgue and the 'humiliating' display of criminals' bodies,[122] and Hayes' head mounted atop a pole strongly resembled the display of traitors' heads on pikes above London Bridge.[123] Despite these comparisons, identification exhibitions were part of the on-going investigative process – akin to the inquest – rather than demonstrations of state-sanctioned retribution.

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[119] P. Jalland, *Death in the Victorian Family* (Oxford, 1996) pp.15-58; Strange, *Death, Grief and Poverty*, p.66.

[120] See M. Foucault, *Discipline and Punish: The Birth of the Prison* (London, 1991 [1975]) pp.3-69; H. Potter, *Hanging in Judgement: Religion and the Death Penalty in England from the Bloody Code to Abolition* (London, 1993) p.8. Around 25,000 people viewed the dissected body of the murderer William Burke at Edinburgh in 1829, not including medical students who went separately in groups of fifty: R. Penfold-Mounce, 'Consuming Criminal Corpses: Fascination with the Dead Criminal Body', *Mortality*, 15 (2010) p.256.

[121] Richardson, *Death, Dissection, and the Destitute*, p.32.

[122] Vita, 'Returning the Look', p.246. For some, this association continued in the present day: P. Koudounaris, *The Empire of Death: A Cultural History of Ossuaries and Charnel Houses* (London, 2011) p.10.

[123] 'London Bridge', *The Illustrated Magazine of Art*, 3 (1854) pp.327-8.

Exhibitions were relatively straightforward procedures: law officers circulated the case details via bills or newspapers and awaited the arrival of friends or relatives of the decedent. Those who believed they could identify the body were granted access and if successful, their statements were taken.[124] Unfortunately, inquest depositions do not detail the conditions under which access was granted, although the variety of visitor numbers (below) indicates that practices were tailored to meet the specific needs of each locality and individual investigation: 'common sense' appears to be a governing factor. For example, following the discovery of the mutilated body of a woman in April 1842 at Roehampton, the parochial constable permitted a huge crowd of people access to the body, but when Inspector Busain of the Metropolitan Police took charge, he refused access to all but those who had a personal connection with the absconded suspect Daniel Good. In contrast to the constable's method, Busain adopted a detective-based approach.[125]

It is not possible to ascertain just how common it was for people to visit dead-houses and mortuaries to examine the bodies of unknown persons, but occasionally records provide some detail. Exact visitor numbers are rare (apparently records were not kept), but they could range from one or two,[126] to 'several',[127] 'a good number'[128] or 'a lot'.[129] There was also evidence that the police, on discovering a body, contacted the 'Friends of persons missing anything like [i.e., resembling] the Deceased'.[130] Some visitors

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[124] The experiences of identifying the body will be examined in more detail in Chapter Five of this thesis.

[125] *Morning Herald*, 8 Apr 1842, p.6; See also A. Moss and K. Skinner, *The Scotland Yard Files: Milestones in the History of Crime Detection* (Kew, 2006) p.24.

[126] LMA, CLA/041/IQ/03/36/106 – 17 Jun 1867.

[127] Wolverhampton, T-CR/1895/2 – 22 Jan 1895.

[128] Gloucestershire, CO6/1/30/102 – 22 Dec 1930.

[129] LMA, CLA/041/IQ/02/53/19 – 30 Jan 1837.

[130] Glamorgan, DCONC/4/1/7/3 – 28 July 1905.

travelled great distances to view a body; one resident from Eyemouth in Scotland travelled over 70 miles to North Shields, Tyneside to examine a fisherman's body in 1881.[131]

There are several notable instances in which bodies were seen by scores or even hundreds of people, which suggests that in some cases, practices were adapted to facilitate high visitor numbers. Between the discovery of a man's body on 17 January 1837 and the inquest held the following day, 'perhaps four hundred people have seen him'.[132] Similarly, 'between 200 and 300 persons who have relatives missing' viewed the body of a woman over the space of a week in November 1841.[133] Gloucestershire constabulary permitted crowds to view unknown bodies *en masse* into the late 1860s; between its discovery on 5 October 1867 and the inquest three days later 'several hundred people' went to see a man found hanged in a wood at Horfield, though none could identify him.[134] It is highly unlikely that every visitor had a genuine need to locate a missing relative.

If the body of the deceased was not suitable for exhibiting, clothing and personal articles could still draw a crowd, particularly if they were associated with sensational investigations. In 1857 the mutilated remains of a man found in a sack on London's Waterloo Bridge attracted huge numbers to the police station to which they were taken, and where the blood-stained clothing bearing a stab wound was displayed to the public. The exhibition was only curtailed when doctors arrived to examine the remains, 'in consequence of which the station was for a long time besieged by an immense crowd of

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[131] Northumberland, COS/3/9/12 – 22 Dec 1881.
[132] LMA, CLA/041/IQ/02/53/8 – 18 Jan 1837.
[133] LMA, CLA/041/IQ/03/06/200 – 10 Nov 1841. See also *The Standard*, 11 Nov 1841, p.3.
[134] Gloucestershire, CO1/I/13/C/19 – 8 Oct 1867.

disappointed idlers, who could hardly be persuaded that their wait was in vain.'[135] These

substantial figures suggest that either the number of persons missing at any one time was

enormous, or that thrill-seekers gave false accounts in order to gain access.[136] As seen at

the Morgue and in the Hayes case, investigators exploited the sensationalist corpse to

draw crowds, and the larger the crowd, the greater the chances of recognition. But they

could sometimes be disruptive to the investigation.

However, these exhibitions had several shortcomings. The onset of decomposition

limited the length of time the body could be placed on show. The onus of participation

was on the public; like the newspaper advertisements discussed above, it was possible

that individuals would not be found missing until *after* the body had been buried.

However, swift information dissemination, effective preservation practices, and rapid

inquiries early in the investigation could remove some of these problems.

Housing the unknown body

The place of the body in the community had significant influence on the identification

process with regard to facilitating (or restricting) *access* to the unknown body.

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[135] *North Wales Chronicle*, 24 Oct 1857, p.3.

[136] If given the opportunity, many Victorians enjoyed gazing at dead bodies: when a corpse was discovered at Brighton in 1831 and placed in a barn to await burial, 'hundreds paid for the view of it from which under any other circumstances they would perhaps have turned away with disgust and horror': J.W. Holloway, *An Authentic and Faithful History of the Atrocious Murder of Celia Holloway* (Brighton, 1832) pp.159-60. After an inquest at Roehampton in 1842 (see next paragraph) the coroner released the body for burial but wished for it to remain unburied for as long as possible to offer further aid to the investigation. The farmer in whose barn it was left charged Londoners an entry fee, much to the disgust of the locals: *The Examiner*, 16 Apr 1842, p.242; TNA, MEPO 3/45 – cutting from *Morning Advertiser*, 15 Apr 1842. Ruth Penfold-Mounce interpreted the public's fascination with the (criminal) corpse as the manifestation of Mark Seltzer's model of 'wound culture' within the context of nineteenth- and twentieth-century consumer culture: Penfold-Mounce, 'Consuming Criminal Corpses', p.255. This fascination has not subsided in the present day: see M. Seltzer, 'Wound Culture: Trauma in the Pathological Public Sphere', *October*, 80 (1997) 3-26.

Throughout the period under study here common law dictated that parish officers should provide a suitable place for the body to be deposited before burial, but until the mid to late nineteenth century – and in some places even into the early twentieth century – many communities lacked spaces designed to house the bodies of the dead. Investigators used whatever facilities were at their disposal, creating a patchwork of different approaches across the country at any one time. Before deadhouses and mortuaries were widely available, unknown bodies were placed in any convenient building which offered shelter and security, and, as a small nod to sanitary considerations, protected the sensibilities of the community.[137]

The use of mortuary space (in the widest sense of the word) provides a forum to examine the principle of the body's *accessibility* for identification purposes. As outlined in the introduction to this chapter, public access to the body was controlled but not prevented, and mortuary space can be seen to embody these principles. The architectural historian Clare Graham argued that the exclusion model is too narrow to apply to the coroners' courts and mortuaries; instead, she suggests that individuals and groups were guided around the space to meet other agents of the inquiry in controlled circumstances.[138] The negotiation of mortuary space has also featured in the work of Ian Burney in the context of conflicts surrounding the jury's view of the body, which manifested themselves through questions regarding access to the body in medico-legal mortuary space.[139] Pam Fisher also noted that in order to encourage the use of public dead-houses, access had to be granted to families paying their respects; therefore,

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[137] This may have been the result of the predominance of the miasma theory of contagion.
[138] Graham, *Ordering Law*, p.2.
[139] Burney, *Bodies of Evidence*, pp.94-6.

ecclesiastical motifs were used to create a peaceful, reverential environment.[140] This section, then, aims to contribute to this topic by examining how ideal sanitary and medico-legal practices had to grant concessions to the needs of identification procedure and, when this became untenable, how such difficulties were resolved.

Until coroners' courts became widely available, the majority of nineteenth-century inquests were held in public houses and the unknown body was placed in the adjoining stable, barn or outhouse to await examination, inquest and identification. In 1890 the Coroners' Society reported that landlords were compensated between 1s.6d. and 5s. for any inconvenience caused, paid *per diem* or as a single amount.[141] Although inquests could be held in public houses free of charge, the publican was not legally bound to accommodate the body itself; if they did so, it was out of 'courtesy and kindness'.[142]

Those calling for coronial reform argued throughout the nineteenth century that the inn was an inappropriate venue for the inquest, particularly after the Temperance movement 'narrowed' their clientele to the less salubrious elements of society from the 1830s.[143] But in the absence of dedicated coroners' courts, little change occurred until the 1902 Licensing Act forbade the holding of inquests in public houses 'where other suitable premises have been provided'.[144] It was left to the individual coroner to interpret 'suitable'. Despite this, it was clear that not all districts had 'other suitable premises' in the early twentieth century: in 1927 two inquests on unknown persons were held in

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[140] Fisher, 'Houses for the Dead', pp.10-11.

[141] Liverpool, M347 COR/L/11 – *Coroners' Society Annual Report*, 1890, pp.3, 6.

[142] Liverpool, M347 COR/L/11 – *Coroners' Society Annual Reports*, 1903-4, p.32.

[143] Graham, *Ordering Law*, p.241. The fact that jurors were able to drink 'on duty' did not help matters: Burney, *Bodies of Evidence*, p.85.

[144] Parliamentary Papers, 2 Edward VII, c.28, s.21.

public houses in the Rape of Hastings, Sussex, and the bodies kept in the adjoining stables.[145]

Church property – including graveyards, crypts, bonehouses and even the church itself – were also used; under the Burial of Drowned Persons Acts, churchwardens were bound to receive these bodies for burial and it was convenient to hold the body nearby for the duration of the inquest.[146] Although the inquest itself could not be held on consecrated ground, church property, like the public house, was conveniently positioned at the geographical and social heart of a community. The practice of depositing the body there was primarily an early nineteenth-century one, but rural police forces still removed bodies to church property in the early twentieth century if mortuaries were inconveniently distant.[147] In other cases, perhaps when the body was not in a fit state to be transported far, law officers simply commandeered a safe space near the spot it was discovered; these could include sheds, outbuildings, workshops, chaff houses, empty cottages, or dock warehouses. In the first decades of the nineteenth century, the coroner for the City of Bath held his inquests at the Guildhall; bodies themselves were unwelcome, so constables left corpses under cover near where they were found.[148]

These spaces acted merely as a place of storage, without suitable facilities to prepare the body for examination or perform a post-mortem. From the mid nineteenth century mortuary spaces were constructed with sanitary and medico-legal purposes in mind, which fundamentally altered how the unknown body was considered within the identification process. Calls for the construction of spaces dedicated to receiving the dead

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[145] East Sussex, SHE 2/7/318 - 26 April 1927 and SHE 2/7/322 – 2 Aug 1927.

[146] For eample, LMA, CLA/041/IQ/02/43/68 – 22 Mar 1830; Lincolnshire, Spalding 1810/24 – 27 Nov 1810.

[147] Lincolnshire, Spilsby – 5 Jul 1913; Lancashire, DDHD/CR – 10 Jul 1924.

[148] The body of one woman was left in the Guildhall, but she had died in the Beadle's room there: Bath, City Coroner's Book 3, p.245 – 17 Oct 1819.

were made from the 1840s on the grounds of sanitation and public decency, but it was only in the wake of the 1866 Sanitary Act that any real progress was made. The Act permitted (but did not order) nuisance authorities across England and Wales to use public money to fund the erection of dead-houses, as well as facilities for performing post-mortems. In addition, justices could issue orders for bodies to be removed to these places if it was thought that they presented a threat to public health.[149] Less than a quarter of sanitary authorities exercised their right to build mortuary spaces under this Act,[150] and after a decade of public pressure and campaigning by sanitary and medico-legal figuesa and groups, the 1875 Public Health Act awarded Local Government Boards the power to order their construction, as well as the construction of coroners' courts.[151] This Act did not apply to London, and it was not until the 1891 Public Health (London) Act that mortuaries became mandatory for each sanitary authority there. These Acts were intended to create a network of dead-houses in which bodies could be hygienically stored away from the public, while providing a medico-legal environment which aimed to reconfigure the inquest along scientific principles, far from the disorderly public house.[152]

In August 1890, Neville J. Porter provided a singular study into mortuary provision across the British Isles in the wake of the 1866 and 1875 Acts when he compiled the results of a nationwide survey in the *Sanitary Record*, the most comprehensive hitherto compiled.[153] The report was published in the midst of negotiations about the construction of a morgue in London (see Section IV, below) and in this context, the matter of identification – alongside public health and medico-legal issues – was of

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[149] Parliamentary Papers, 29 & 30 Victoria, c.90, s.27-8; Fisher, 'Houses for the Dead', p.5.
[150] Graham, *Ordering Law*, pp.343-4.
[151] Parliamentary Papers, 38 & 39 Victoria, c.55, s.141-3. See Burney, *Bodies of Evidence*, pp.86-8.
[152] *Ibid*, pp.87-8.
[153] Porter, 'Mortuary Reform (I)' pp.5-9, and 15 Aug 1890, pp.57-60 (II). To gather material, Porter circulated a questionnaire to every Medical Officer of Health in the country.

particular concern to the author.[154] Discussing the facilities provided by sanitary authorities including both dead-houses and mortuaries proper, this document affords the historian an unrivalled view of the quality of mortuary space available to the public and the medico-legal field.

Mortuary spaces were often deliberately situated where bodies were commonly found – often near rivers or docksides – in order to make transporting them swift. However, due to the number of bodies expected, venues needed to be well-equipped; many were not. The dead-house on the Thames at Wapping (near where an eddy gathered river debris and the bodies of drowned persons) was particularly poor,[155] while Plymouth's quayside mortuary was described as a 'shed'.[156] In 1884 and again in 1895, Welsh juries attached riders to their verdicts advocating the construction of a suitable mortuary; one from Cardiff 'expressed the opinion that a mortuary should be built in the neighbourhood of the docks, as so many fatalities were occurring there.' As a result, the Police Station Mortuary was built in Bute Street close to the harbour.[157] The location of the mortuary was also a factor determining its use: in 1931 the Gloucester police, 'failing to find [another] convenient place wherein to place the body' of an unknown man took it to the city's mortuary, apparently as a last resort. It appears that in general practice, the sanitary and medico-legal merits of such a facility were outweighed by its distance from the place of discovery.[158]

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[154] Indeed, and an accompanying piece reported the news that 'London Council have on foot a movement to establish one or two central stations where facilities for the identification of bodies upon which inquests have been held, and which then remain unidentified': *Sanitary Record*, 15 Jul 1889, p.23.

[155] Porter, 'Mortuary Reform (I)', pp.6-7.

[156] Porter, 'Mortuary Reform (II)', p.59.

[157] *Western Mail*, 30 Jan 1884, p.3; *Western Mail*, 8 Nov 1895, p.6.

[158] The nauseating condition of this particular body may also have swayed the decision: Gloucestershire, CO6/1 – 10 & 28 Jul 1931.

It is apparent that the results of the 1866 and 1875 Acts were mixed but on the whole unsatisfactory: while some districts erected mortuaries along sanitary and medico-legal principles, others merely provided a room in which bodies could reside and provided no medico-legal facilities or equipment to ease recognition.[159] Indeed, Porter found that in London it was often preferable to use tavern space to deposit unknown corpses for identification and inquest rather than use the 'ill-lighted, badly ventilated [and] dirty' mortuaries provided by sanitary authorities which were 'quite unfit for purpose'.[160]

Porter also made note of some of the more commendable practices used to facilitate the identification of unknown bodies. In Sheffield, for example, each unidentified body was photographed and the clothing exhibited to visitors.[161] The facilities at Marylebone mortuary and coroner's court (opened in 1889) were particularly praiseworthy. In a special 'inspection lobby' a plate-glass window looked onto the well-lit inquest mortuary where two bodies could be displayed on twin sloping stone slabs; this allowed visitors to view bodies with ease, yet remain apart from the smell. Clothing and personal effects were displayed in glass cabinets at the end-wall of the lobby. Visitors were guided through the space with no room for deviation: the photolithograph accompanying the facility plans published in *The Builder* (below) showed two adjacent doors separated by a wooden barrier; visitors entered in one door, along and around the barrier, and out the other door, passing the window and cabinet *en route*. This simple

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[159] Porter, 'Mortuary Reform (I)', pp.6-7.
[160] *Ibid*, pp.5-6. For a particularly scathing account of a visit to the dead-house between Chelsea and Barking, see E. Walford, *Old and New London: A Narrative of its History, its People, and its Places* (London, 1887) pp.303-5.
[161] Porter, 'Mortuary Reform (II)', p.58.

layout ensured that it was impossible for visitors to miss vital evidence, while ensuring an efficient flow of foot-traffic.[162]

Figure 4 – Inspection lobby at Marylebone Coroner's Court, London 1889
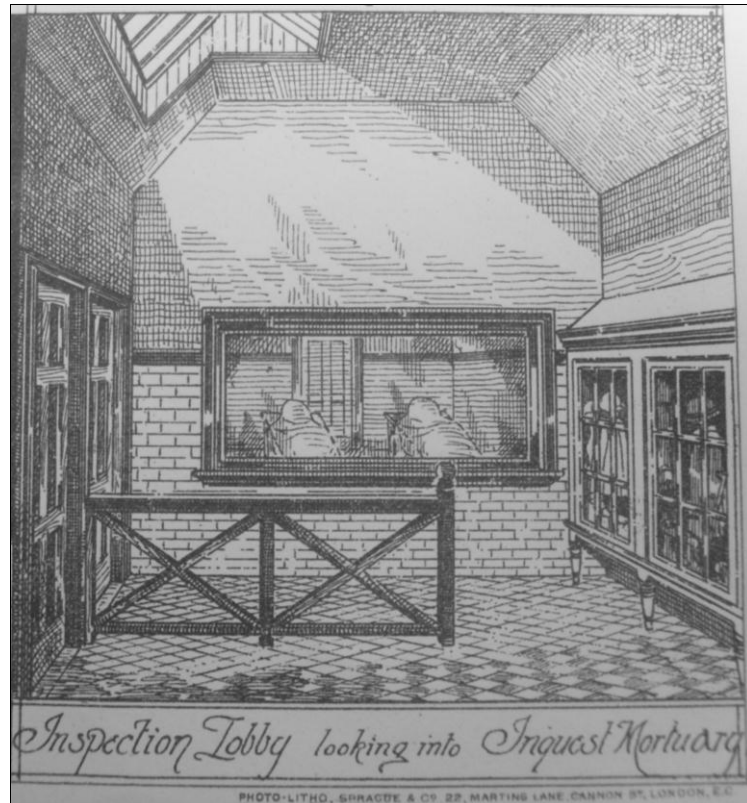
Marylebone's mortuary clearly impressed Porter, who went on to outline the facilities a mortuary would require in order to facilitate the identification of any unknown bodies deposited there. He identified two problems which rendered identification difficult: 'the short time that these bodies remain unburied, and the lack of facilities of

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[162] Porter, 'Mortuary Reform (I)', p.8; *The Builder*, 2 Feb 1889 [no pagination]. The Parisian Morgue used an identical system for larger crowds; visitors entered by one door, walked along the window and wheeled around to exit by a second door: Mitchell, 'The Paris Morgue', p.585. In her only examination of identification aids, Clare Graham noted that the measures at Marylebone resembled the Morgue on a smaller scale: Graham, *Ordering Law*, p.244.

access to the public to view at inquest mortuaries corpses which are unrecognised.'[163] He advocated that at least four 'judicial mortuaries' be constructed across London for the use of coroners and the police, where bodies must be made available for view 'under conditions which would be the least calculated to gratify morbid curiosity'. Each would be equipped with refrigeration units, and he suggested that descriptions of all bodies in these mortuaries should be circulated to the police and public on a weekly basis.[164] Porter suggestions indicate that the needs of identification should be taken into careful consideration when designing mortuary buildings alongside post-mortem facilities. Although an apparently radical decision given the condition of existing institutions, Porter's comments appeared during the consultation period for the construction of a facility akin to the Parisian Morgue, to which the discussion will now turn.

Section IV – A Morgue for London?

Between its opening in 1804 and its closure to the public in 1907, the Parisian Morgue drew enormous attention from British visitors and commentators.[165] Although many were repulsed by its 'scandalous' display of human remains, many lay visitors were impressed by its ethos, efficiency, and civic worth, and some even wondered whether a similar institution might be useful in London.[166] The medico-legal community, too, was interested; coroner John Troutbeck called it a 'logical and complete' system for

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[163] Porter, 'Mortuary Reform (I)', p.9.

[164] *Ibid*.

[165] Veyriras argued that this fascination arose from the lack of a similar British institution: Veyriras, 'Visiteurs Brittanniques'. One was established in the Australian city of Melbourne, however, from the 1850s to the 1890s: Brown-May and Cooke, 'Death, Decency and the Dead-House'.

[166] 'The Morgue', p.719; 'Dead Reckoning at the Morgue', *Household Words*, 1 Oct 1853, 112-16. See also Vita, 'Returning the Look', pp.241-2, 247.

identification,[167] and one commentator, when discussing New York's new Bellevue Morgue in 1869, argued that 'a metropolitan Morgue is among the wants of this ill-governed city [i.e., London]'.[168]

This section will explore the plans to build a mortuary in London along similar lines to the Parisian Morgue, a development which has hitherto remained undiscovered by historians. This proposed facility stood apart from the others discussed in the previous section: it was specifically designed to house the bodies of the unknown dead, and its operation would have been dedicated primarily to facilitating their identification. Two sets of proposals were seriously entertained: the first in 1882 suggested a floating mortuary on the Thames, while the second discussed between 1888 and 1893 recommended erecting a central mortuary at Charing Cross, but neither was successful. However, the debates surrounding such a construction were indicative of wider concerns regarding the need to identify the unknown dead in the capital, as well as the place of the body within these investigations. Their failure nevertheless provided the catalyst for the sudden rush of mortuary building in London during the early 1890s, which has until now not been appreciated.

On 2 March 1882 the *Pall Mall Gazette* suggested in its leading article that a central mortuary along the lines of the Morgue would be a welcome addition to London. Under the present arrangements, it related, upon hearing the news of a 'body found', persons searching for missing friends and relatives had to tramp between the many dead-houses scattered across London, and quickly, because bodies could not be kept for long. 'If there were urgent need of a strong argument in favour of a single great morgue,' it

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[167] Liverpool, M347 COR/L/11/2 – Minutes of the Coroners' Society, p.435.
[168] *BMJ*, 20 Feb 1869, p.171.

argued, 'it might be found in the difficulties entailed on those who are compelled to visit the mortuaries of London when seeking for their lost friends.' Such a facility would allow bodies to be identified quickly, wider inquiries to be made, and the circumstances of death established before the inquest; this would lead to fewer 'open' verdicts.[169] Given the medico-legal and sanitary concerns of later campaigners for mortuary reform, this community-centred approach was particularly notable to contemporaries, and thus also to historians.

It is not possible to ascertain whether the *Pall Mall Gazette* was responsible for subsequent events, but the article had evidently tapped into the wider political consciousness. In June 1882 MP Henry Baron de Worms asked the Home Secretary Sir William Harcourt before the Commons, in light of the great number of bodies discovered in the River Thames in recent years, if he 'would consider the question of erecting a central public Morgue' in London to house them? Harcourt replied that he would,[170] and later that month a Home Office report suggested that a floating mortuary, moored just below Waterloo Bridge, could provide the ideal solution.[171]

The proposals appeared promising: Mr Stoward of the Metropolitan Police noted that unknown corpses could be landed there directly from the river so as to avoid residents and pedestrians. It would be simple to acquire the site, an 'abundance of water would be close to hand' for washing bodies, and it would be cheap to run. Public access could be prevented, while persons wishing to view bodies for the purposes of identification, as well as the inquest jury, would be ferried across by the police. The Local Government Board, too, was encouraged by its potential efficiencies: the Metropolitan

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[169] *Pall Mall Gazette*, 2 Mar 1882, p.2.
[170] *Hansard*, Vol 270, Commons debate, 12 Jun 1882, cc.809-10.
[171] TNA, HO 45/9570/77252A/7. Unfortunately, files /1-6, which presumably held the initial consultation on the matter, have been destroyed.

Police could run and maintain the facility, it could be linked to the telegraph network to circulate news to other stations, and the nearby police headquarters would provide a suitable inquest venue.[172]

However, there were significant administrative and legislative impracticalities associated with this plan. First, it was feared that coroners in riverside districts would oppose relinquishing control of 'their' unknown bodies to another coroner with authority over the Thames mortuary (though it was noted that Mr Bedford, coroner for the busy City and Liberty of Westminster, 'would not think of making objections'). Second, if bodies were removed from one parish to another for the purposes of inquest, the new parish would have to bear the cost of interment. Given the scores of bodies found drowned in the Thames every year, this would be prohibitively expensive.[173]

In September a second report noted that although the suggestion was 'admirable', it was unfeasible: funding the facility would be too complex, and officers at Paddington and Bethnal Green could not be expected to send corpses several miles across London to Waterloo. These two parishes were a considerable distance from the Thames, which indicates that plans had evolved to cater for unidentified bodies found on land too. The report also noted that the proposals had revealed to London's governing bodies that the city was woefully undersupplied with suitable mortuary premises. Finally, echoing the *Pall Mall Gazette*'s comments in March, it recommended that the practice of depositing bodies in 'Drink houses' be stopped, thereby 'preventing the necessity of poor

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[172] *Ibid*. The pair had evidently not considered the fact that bodies decompose a great deal faster in damp conditions.
[173] Ibid.

persons losing a whole day in ascertaining whether the dead person is a missing relative, and attending to give evidence on inquests.'[174]

Faced with an unworkable proposal, official interest in the idea of a central mortuary for unidentified bodies apparently waned at this point; only in September 1888, when the capital was gripped by the Whitechapel murders, was the issue was revived by the popular and medical press. Approaching the problem from a slightly different angle, there were calls for the construction of a Morgue-like facility in order to exhibit the bodies of the victims to the public; this, it was hoped, would allow people to recall whether they had seen the women prior to their deaths. To fend off fears of sensationalist exploitation, it was suggested that police could simply bar entry to all but those with a legitimate inquiry, as Busain had done at Roehampton.[175] However, this approach would have isolated the corpses from the general public on whom recognition depended and would have defeated the point of such a facility. This almost schizophrenic attitude had prevented the Morgue's adoption in Britain thus far: its function was admirable, but its modus operandi abhorrent.

Nine months later, in June 1889, the debate leaped forward again when Edwin Hughes MP proposed before the London County Council (LCC) 'That the Sanitary and Special Purposes Committee be requested to consider the question of establishing in a central situation a mortuary to which all unidentified bodies may be removed.'[176] As in 1882, Hughes' suggestion indicated that current mortuary provision under the 1866 Sanitary Acts still failed to adequately serve the needs of relatives seeking missing persons. To consider and overcome the legislative obstacles previously encountered, the

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[174] TNA, HO 45/9570/77252A/8.
[175] *The Lancet*, 15 Sep 1888, p.527. See also *The York Herald*, 17 Sep 1888, p.4.
[176] *The Standard*, 19 Jun 1889, p.3

matter was passed to the Parliamentary Committee which would make recommendations.[177]

It appears that the Whitechapel murders had shocked Londoners into taking action, and events moved swiftly. In 1890 the London Council (General Powers) Act contained the following clause:

22. It shall be lawful for the Council to provide and fit up within the administrative county of London one or two suitable place or places to which dead bodies found within the administrative county and not identified[,] together with any clothing[,] articles[,] and other things found with or on such dead bodies may on the order of a coroner be removed and in which they may be retained and preserved with a view to the ultimate identification of such dead bodies.[178]

Exactly how it was supposed to operate was not detailed, only the division of responsibility. The Home Secretary was to determine the circumstances in which bodies could be sent there, how much could be paid to the keepers, how the bodies were to be disposed of and when this could happen. The LCC were to be responsible for providing staff and 'all such appliances... for the reception and preservation of bodies'. The facility could be funded from County rates, and even the concerns about coroners losing jurisdiction over 'their' corpses were placated: if a coroner had a body removed to this mortuary, he was permitted to hold the inquest in his own district (as per normal

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[177] *The Morning Post*, 19 Jun 1889, p.3.
[178] Parliamentary Papers, 53 & 54 Victoria, c.243, s.22.

procedure) *or* in the district in which the mortuary was situated.[179] When one considers

that at this time the LCC was under no legal obligation to provide mortuary

accommodation or coroners' courts, these proposals to create a specialised institution for

unknown bodies separate from existing dead-houses were particularly radical. In

addition, these provisions appeared to have work circumnavigated the issues which had

foiled the 1882 proposals.

In 1891 the central mortuary for identification became part of the re-imagined

machinery of sudden death investigation under the Public Health (London) Act, which

repealed the 1890 Act but retained clause 22 in full.[180] The 1891 Act also ruled that 'every

sanitary authority shall provide and fit up a proper place of reception of dead bodies'

(s.88), for the first time making it mandatory to provide mortuary accommodation in

London. The LCC was also given the power to construct coroners' courts (s.92) and order

sanitary authorities to construct post-mortem facilities (s.90), potentially in the same

building complex. Whereas the 1890 General Powers Act had used the identification

mortuary as a solution to the dead-houses being filled with unknown bodies, this second,

more extensive piece of legislation considered identification as a vital medico-legal task

alongside the inquest and post-mortem.

After a two-year hiatus the Sanitary and Special Purposes Committee finally

presented their report at an adjourned meeting of the LCC in December 1891, which

concluded – in line with the 1891 Act – that the identification rate of unknown bodies in

London would be improved by a central mortuary. Police returns from 1890 had found

that of the 5,989 inquests held in London, 5,740 bodies were identified by the time of

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[179] *Ibid*.

[180] Parliamentary Papers, 54 & 55 Victoria, c.76, s.93. Aside from some small changes to the wording the clause remained essentially identical.

inquest (96 per cent) and a further 54 were subsequently identified, with 195 remaining

unidentified (3.3 per cent). A visit to the Morgue in Paris by the Medical Officer for Health

found that success rates there were actually lower; between 4 and 5 per cent of all

bodies taken there remained unidentified.[181] In their analysis of the report, the *British*

Medical Journal hoped that refrigeration units in the Morgue might advance London's

rates even further, but the *Lancet* counselled caution, stating it was impossible to predict

how far a central mortuary could improve on these figures. It remained eager, however,

that this facility should be constructed.[182] The Coroners' Society also enthusiastically

supported the proposals, for the mortuary promised a secure and sanitary location for

the custody, reception and preservation of unknown bodies, and offered a suitable venue

for inquests and post-mortems. In addition, the report implied that the mortuary would

also provide for 'the furtherance of medico-legal inquiries, experimental or other',

suggesting that the mortuary would also provide cadavers for research or teaching as the

Parisian Morgue had done for the Institut Médico-Légale from 1879.[183]

Charing Cross at the heart of the capital was suggested as the most suitable site,

and the matter was passed to the Public Health and Housing Committee to ascertain

whether this institution offered a practical solution to London's unidentified bodies.[184]

From here on, plans began to fall apart. On 5 July 1892 the committee reported back to

the LCC, having concluded that

there is necessity for some better means than at present exists in London

for the purpose of [the] identification of dead bodies, but that this would

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[181] LMA, LCC minutes, Jul–Dec 1891, p.1279.
[182] *BMJ*, 12 Dec 1891, p.1293; *The Lancet*, 19 Dec 1891, p.1407.
[183] LMA, LCC minutes, Jul-Dec 1891, p.1279.
[184] *Ibid*.

be better met by the extension of mortuary accommodation in those districts where such accommodation is likely to be required than by the establishment of a central mortuary.[185]

The Chairman was disappointed and requested that the proposal be considered again,[186] and on 27 July a second report was issued bolstered by further consultation with London's medico-legal and sanitary communities. This one concluded that 'it is necessary to provide a mortuary in London for the preservation of unidentified bodies, and that it is practical to do so in connection with a local mortuary and coroners court.' The matter was passed on to a joint committee of the Public Health and Housing Committee and the Public Control Committee for consideration.[187] In its January 1893 report on the state of mortuaries in the capital, it concluded that the situation across London was deeply unsatisfactory, but that 'we think it desirable to seek an improvement of the present buildings rather than to press for any radical alterations or new buildings'.[188]

This was the final chapter in the story of the central public mortuary: the relevant sections in the 1891 Public Health (London) Act were never realised and the issue was for all practical purposes dropped; there was no further discussion in the report by the Joint Committee on Coroners' Courts and Mortuaries in 1894.[189] However, the clause remained on the statute books, renewed by the 1936 Public Health (London) Act[190] and it was only repealed under the London Government Act of 1963.[191] Attempts to build a

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[185] LMA, LCC minutes, Jul–Dec 1892, p.635.
[186] *Daily News*, 6 Jul 1892, p.7.
[187] LMA, LCC minutes, Jul–Dec 1892, pp.765-6, 780.
[188] LMA, LCC minutes, Jan–Jun 1893, p.101.
[189] LMA, LCC/MIN/12,623/2.
[190] Parliamentary Papers, 26 George V & 1 Edward VIII, c.50, s.239.
[191] Parliamentary Papers, 1963, c.33.

morgue for the unknown dead may have ended in failure, but the debates had acted as a catalyst for the improvement of mortuary provision in the capital, whether by renovating existing buildings or building new ones.

The matter did not rest easy, however; inquest juries required to examine decomposed corpses expressed their dissatisfaction at the lack of refrigeration units in use: at two London inquests in July and August 1908 the juries even recommended that Section 93 of the 1891 Public Health (London) Act be put into effect.[192] In 1909 the *British Medical Journal* expressed its disbelief that nearly 20 years after the 1891 Act, efforts had not been made to tackle the problem of preserving unidentified bodies.[193] And in 1925 in the wake of the Thorne murder trial, Drs. Spilsbury and Willcox argued that refrigeration units were still required to preserve the body's appearance and to keep it free of contagion.[194]

Although these institutions were never built by London's authorities, the debates surrounding both the 1882 and 1888–93 proposals revealed the difficulties encountered when negotiating the needs of identification alongside sanitary and medico-legal considerations. The management of space was at the forefront of debate, specifically the questions of centrality and accessibility. Debates in both periods began with the suggestion that a Morgue-like facility would help meet the ends of justice. In 1882 it was seen to offer a solution to the difficulties encountered on a near-daily basis by those attempting to identify the bodies found in the Thames. The 1888 proposals, however, can be seen as a knee-jerk reaction to the Whitechapel murders. Here, the primary purpose

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[192] *BMJ*, 22 Aug 1908, p.22. The deputy police surgeon at the August inquest said that refrigeration units in place in some London Hospitals 'would be an excellent thing' for medico-legal purposes: LMA, CLA/041/IQ/04/2/21/119 – 11 Aug 1908.

[193] *BMJ*, 2 Jan 1909, p.69.

[194] I. Burney and N. Pemberton, 'Bruised Witness: Bernard Spilsbury and the Performance of Early Twentieth-Century Pathology', *Medical History*, 55 (2011) pp.57-8.

of the public display was not necessarily for the purposes of identification, but rather the desire to spark the memory of the public.

Both sets of proposals argued that any facility should be centrally situated to facilitate access for the bodies and the public. The 1882 planners took pains to ensure that a riverside position would mean that corpses could be taken and stored there with minimum disruption to the public. The later proposals situated the mortuary in the heart of London in order to make it easier to deliver corpses, as well as making it more convenient for those seeking the bodies of missing relatives; this, of course, would necessitate taking the bodies through the streets. Neither proposal offered unrestricted public access to the bodies, despite the conscious comparisons to the Parisian Morgue; this would have tempered the institution's efficiency. The only access to the floating mortuary would have been by boat from the nearby police headquarters, and the later proposals did not mention the possibility of an open-door policy akin to the Morgue's, but it is highly unlikely given the sanitary and medico-legal climate in which it would have been built.

So despite promising to provide the panacea to the issue of London's unidentified bodies, why were these Morgues never constructed? The 1882 proposals were foiled by legislative restrictions which dissuaded coroners from relinquishing bodies from under their charge and made it prohibitively expensive for the host parish to bury the steady stream of corpses placed in their care. By the second wave of proposals these problems had been addressed to some extent: county, rather than parish coffers could be used to dispose of the bodies, and London's coroners could send corpses to the institution without losing their jurisdiction over them. But simultaneously, improvements were (very gradually) being made to the city's existing facilities with a view to creating a network of

sanitary mortuaries suitable for medico-legal purposes. In this new environment, it was hard to see where a specialist new facility would fit in, even if it was equipped with the latest in medico-legal and preservation equipment.

But most crucially, the identification rates between the Parisian Morgue and London's non-institutional approach showed that although the identification process in London may have been slow, unpleasant, and relatively disorganised, the measures in place actually worked. As well as the techniques discussed in Sections II and III, from the 1880s mortuaries were gradually adapting to the needs of identification, and architects included features which allowed the corpse to be visible to the coroner's jury (where required) and to those applying to identify the body, whilst maintaining distance between the body and its observers.

The facilities of Marylebone mortuary apparently acted as a blueprint for others.[195] Mortuaries built from the 1890s included double-glazed 'inspection windows' and 'viewing lobbies' to facilitate examination without exposing onlookers to smells and contagion, while separating laymen from the medico-legal space of the mortuary itself.[196] Such corridors were usually placed between the mortuaries for infectious and non-infectious cases to save room, though those at Limehouse and Fulham were entirely separate. The majority of plans labelled such areas 'viewing corridors' in light of their importance for the inquest jury, but the first plan for the mortuary at Rotherhithe labelled this space as an 'identification corridor' to emphasise its dual role. On the second draft it was re-named 'viewing lobby' but several other features designed to assist in the identification of the dead were also included, including two glass cabinets for clothing

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[195] The architectural plans in Appendix II are a sample taken from the minute books of the Joint Committee on Coroners' Courts and Mortuaries: LMA, LCC/MIN/12, 622-5.

[196] Graham noted that these were similar to the facilities at the Morgue, but on a smaller scale: Graham, *Ordering Law*, p.244.

and personal effects, and three coffins mounted before each window, apparently supported under the 'shoulders' to tilt it towards observers.[197] Special cabinets for clothing inspection were also included in mortuaries at Limehouse, Hammersmith, Poplar, Battersea, Lewisham and Woolwich. By 1906 the mortuaries at St Lukes, Hackney and Newington had installed glass-topped coffins to allow onlookers to get close to the body without being exposed to smells or infection.[198]

The form and function of mortuary space, then, is an ideal medium in which to study the importance of the physical *centrality* of the unknown body in the investigation as well as the need to allow *access* to it for the purposes of identification. The guiding principles of mortuary spaces were dictated by those agents of sudden death investigation who were required to use it. Consequently, there were a range of conflicting requirements which had to be negotiated. The two dominant groups investing in mortuary provision were sanitary authorities (who used mortuary space to separate potentially dangerous bodies from the wider public) and the medico-legal sphere (who required a space in which post-mortems could be carried out). The failed construction of a morgue for London indicated that the city authorities had hitherto considered the task to be of lesser importance, and that present circumstances required a 'special' solution.

The development of mortuary space suggested that the role of the corpse as an expression of official power had changed; instead of its visible presence being used as a symbol of state authority, control over the body was manifested through the right to act as its gatekeepers. This had a secondary effect: by situating the unknown body in a

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[197] LMA, LCC/MIN/12,622/1 (first draft); LCC/MIN/12,622/2 (second draft).
[198] W.W. Westcott, 'Twelve Years Experiences of a London Coroner', *TMLS*, IV (1906-7) p.15.

mortuary equipped for medico-legal purposes and making it accessible to practitioners of forensic medicine, mortuary space helped to reconfigure the corpse as being of medico-legal interest. Allowing the public access to the body was an important investigative technique but the conditions in which it was placed were often poor. Consequently the more flexible, transportable and hygienic 'paper body' remained at the forefront of the investigation.

Section V – Photography

This final section will examine the use of photography as an investigative technology in post-mortem identification inquiries. This visual medium was able to overcome the difficulties of making the corpse's face – the most distinctive part but also the hardest to describe – 'visible' within the context of the literary 'paper body'. Thus as pieces of judicial evidence, these photographs offered the investigation greater flexibility by providing a representation of the decedent second only to the physical corpse itself, while acting as a component of the abstracted 'paper body'.

In their work on nineteenth-century photographic portraiture, Peter Hamilton and Roger Hargreaves conceptualised 'social' or 'celebrity' photography and 'scientific' photography as two sides of the same coin: both offered Victorians the means to categorize the world around them and to secure the subject's place within it. Social photographs were supposed to be viewed and circulated amongst friends and family, while the aim of scientific photography was to render the empirical world a more visual and thus more accessible place.[199] The practice of photographing unknown bodies

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[199] P. Hamilton and R. Hargreaves, *The Beautiful and the Damned: The Creation of Identity in Nineteenth Century Photography* (London, 2001) pp.4-5, 7, 14.

occupied a peculiar place between the two, particularly two genres commonly termed 'post-mortem photography', and judicial or criminal photography. 'Post-mortem' photography was a specialist sub-discipline of 'social' photography which served to provide a *memento mori* following the death of a family member by capturing the image of the dead body.[200] Judicial or criminal photography – under the control of the police – followed the principles of 'scientific' photography and attempted to capture the likeness of prisoners in custody in order to provide a record with which to identify them at a later date. But how did these ideals translate across to photographing the unidentified corpse?

Photographs of the unknown dead were examined in a way that resembled judicial *memento mori* rather than traditional criminal photographs. Those of criminals stored in archives and registers served as the point of reference for police to compare against the bodies of prisoners in custody, but those of the unknown dead were compared to the memory of an observer; the body itself was absent from proceedings. A memorial and identifier in equal measure, this is a fascinating but hitherto unexplored topic for both the histories of identification and photography.

'Social' post-mortem photographs became popular from the 1860s. Images were stored in the family album to convey the impression that the recently deceased still had a social presence in the family unit, if only in memory.[201] The subjects were usually dressed in their Sunday finest, and arranged in a 'natural' position to give the impression of being in a deep, peaceful sleep; any injuries or signs of decay were masked by make-up. This beautification served to maintain the impression that the deceased had died a 'good

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[200] Jay Ruby's history of the practice remains the cornerstone of the field: J. Ruby, *Secure the Shadow: Death and Photography in America* (London, 1995).

[201] J. Ruby, 'Post-Mortem Photography in America', *History of Photography*, 8 (1984) p.201.

death', making and make the loss easier for the family to bear.[202] Following the wider

philosophy of the 'good death', these images were to be shared with family and close

friends in a domestic setting: when a Paris photographer began displaying his

commissioned post-mortem photographs in his studio window, the *British Journal of*

Photography labelled it 'a horrible exhibition' and 'disgusting'.[203]

While post-mortem photographs were staged to portray the subject's personality

and to produce emotions in the viewer, judicial photographs aimed to provide a more

objective perspective. Here, photographic portraiture was adopted by the police as a tool

to record the bodies of criminals in order to detect recidivists. Peter Becker argued that

for judicial purposes, the camera represented the epitome of the objective gaze, free

from the subjective bias inherent to the writer or artist; consequently, photographs were

seen as the ideal medium to support (but not replace) the written description.[204] Jens

Jäger identified three distinct phases of judicial photographic practices over the second

half of the nineteenth century: experimentation, adoption, and reconstruction. Between

the early 1850s and the late 1860s some prison governors photographed their charges on

an experimental basis. Photography was adopted on a national scale under the 1871

Prevention of Crimes Act, which ordered that photographs of arrested criminals were to

be affixed to their records for archiving in 'rogue's galleries' and be circulated between

police stations.[205] In the early 1890s judicial photography underwent a sea-change as it

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[202] A. Linkman, 'Taken from Life: Post-Mortem Portraiture in Britain 1860-1910', *History of Photography*, 30 (2006) pp.323, 347. For more on the 'good death' see Jalland, *Death in the Victorian Family*, pp.17-38.

[203] 'Photographing the Dead', *BJP*, 5 May 1865, p.236.

[204] Such images were also said to remain in one's memory for longer than a description: Becker, 'Objective Distance and Intimate Knowledge', pp.213, 215. For a wider account of the genesis of scientific photography, see Hamilton and Hargreaves, *The Beautiful and the Damned*, pp.57-63.

[205] Parliamentary Papers, 34 & 35 Victoria, c.112. See S.A. Cole, *Suspect Identities: A History of Fingerprinting and Criminal Identification* (London, 2001) p.20.

was reconfigured as a technology facilitating objectivity under the Bertillonage system; this incorporated two pictures – one full-face and one profile – alongside anthropometric analysis and a written description.[206] Bertillonage was discontinued from 1901 in favour of fingerprints (see Chapter Three) but the format for photographing the criminal subject remained in use, even to the present day.[207] But as a policing tool, how far does this narrative correspond with practices designed to capture the likeness of the unknown dead body?

Financial considerations played an important role in the adoption of photography in post-mortem identification investigations, and as a series of memoranda from 1907 revealed, the practice was viewed as a financial risk. Regardless of the increasingly cheaper technologies available, the cost of commissioning, developing, reproducing and distributing the image always had to be weighed against its possible utility. Depending on the circumstances of the case it was possible that the body would be identified *before* the plates were developed and circulated, thus wasting any costs incurred. Decisions had to be made regarding whether photographs should be taken immediately (producing a fine but potentially expensive image), or after waiting for as long as possible (thereby risking the onset of decomposition) in order to save money. Considering the number of bodies found each year, this was no trivial matter.[208] This concern almost certainly resulted in the slow adoption of post-mortem photography as a routine practice.

Photography was executed on an *ad-hoc* basis as the police hired local commercial photographers willing to take on the unsavoury task well into the twentieth

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[206] *Ibid*, p.41.
[207] J. Jäger, 'Photography: a Means of Surveillance? Judicial Photography, 1850-1900', *Crime, History & Societies*, 5 (2001) p.4 [online pagination].
[208] TNA, MEPO 2/1119 re. Photographing Dead Bodies, Minutes. When one weighs the cost of taking and duplicating the photograph against the number of times it was 'usefully' examined, these images were perhaps the most expensive ever taken by the police.

century; candidates were invited to enter bids for the contract.[209] The coroner had no power to order a photograph, a situation considered to be grossly unsatisfactory.[210] In April 1906 one coroner complained that when photographs *were* taken, the job was given to an amateur, a policeman or a 'third or fourth rate professional living close at hand', but rarely a specialist. Consequently, photographs were not particularly lifelike, and sometimes subjects appeared to be barely human.[211] The *Lancet* complained that although it was a matter of some practical importance, the medical field was not taking this insufficiency seriously enough.[212] Some of the surviving photographs reveal that these comments were not unfounded.

It is not known when photography was first used to identify a corpse, but the *Times* recorded that an unknown body found at New Brighton was photographed as early as the summer of 1869: four weeks later this was used to identify him as one Elijah Sutton.[213] The *Western Mail* records that another was taken at Newport in July 1874, but the body was apparently identified just before burial and it is unclear how, or even if, the photograph was used.[214] The two earliest cases found in the depositions which mention the use of photographs came from London in July and November 1875, but there are only four other such cases until 1901, when more frequent mention is made of them. Two bodies were photographed in Middlesex's Duchy of Lancaster (both 1886), and Cardiff's inquest registers, the second largest complete run of records, include four cases from 1895–99, although two more entries recorded that the body was too decomposed to be

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[209] In June 1931 the Metropolitan Police photographer went bankrupt, prompting a hasty search for a replacement: MEPO 2/7216.

[210] J. Troutbeck, 'Modes of Ascertaining the Fact and Cause of Death', *TMLS*, III (1905-6) p.102.

[211] 'Photographing the Dead – A Coroner's Remarks', *BJP*, 27 Apr 1906, p.322.

[212] 'Method of Photographing the Dead for Purposes of Identification', *The Lancet*, May 5 1906, p.1258.

[213] *The Times*, 17 Aug 1869, p.10.

[214] *Western Mail*, 10 Jul 1874, p.4.

photographed. Wolverhampton Police photographed a body in 1897, and Lancaster two in 1896 and 1899. From the early 1900s the number of bodies photographed rose steadily across the country, but a study of the images themselves reveals that there was little uniformity in style, pose or artistic quality.

London was at the forefront of developments in the practical and technical elements of judicial photography, and also held the major photographic archives at New Scotland Yard's Convict Supervision Office. Photographs are relatively well-preserved among the inquest depositions, and debates regarding their production and use are found in the National Archives. Thus to prevent a generalised London-centric perspective, London practices will be examined first, before moving on to wider practices across England and Wales.

Unlike criminal or prison photography, until the dawn of the twentieth century there do not appear to have been any standardised guidelines for such practices, but on 2 November 1899 new Metropolitan Police General Orders stipulated that

> When dead bodies are found and not identified, and their features are not distorted or the body decomposed, the Superintendent is, if he considers it necessary, to make special arrangements for obtaining, without delay, a photograph of the body with a view to inture [sic] identification... not more than 25 copies, at a cost not exceeding 21s., are to be printed, unless there are special circumstances connected with the case.

Copies were to be sent to the coroner and each Town division, and two were to be sent to the central Executive Branch along with the full details of the case. Photograph albums

were also supplied to each Division as a register for those searching for missing persons.[215]

These rules were open to interpretation: the phrase '...and not identified' suggests that although a photographer had to attend 'without delay', police *could* make lengthy inquiries before calling him. Fearful of incurring costs, Superintendents inevitably attempted to hold off photographing the unidentified body for as long as possible: R. Lang Sims, photographer for the Metropolitan Police R Division, wrote that under these Orders he was required to take photographs at short notice, often in cramped and dingy surroundings. These difficult and unpleasant conditions made him so 'fed-up with the tasty jobs' that he gave it up as a source of income.[216]

In October 1907 these Orders were revised, probably in light of similar concerns:

[I]n case of drowning or cases where the body is likely to decompose

quickly, it is desirable that the photographs be obtained *without awaiting*

the result of any enquiry as to identification. If practical, the body should be

photographed with the clothes in which it was found and so far as possible

in a lifelike and natural position.

In addition, 30 copies were to be produced for the original price.[217] These revisions indicated a significant change in police attitudes towards photographing the unknown

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[215] TNA, MEPO 2/1119 re. Photographing Dead Bodies General Orders 2 Nov 1899.
[216] He also noted that to keep bodies fresh before the introduction of refrigeration, they were sprinkled with water 'from an old beer can' while they were photographed, which may account for some bodies' damp appearance: 'Correspondence: Photographing the Dead', *BJP*, 11 May 1906, p.379.
[217] Italics in text: TNA, MEPO 2/1119 re. Photographing Dead Bodies, General Orders, 8 Oct 1907.

dead, suggesting that the practice was increasingly considered to be a useful tool and that incurring the expense was a risk worth taking.

From the poses used and styles of the images taken between 1900 and 1909, it appears that bodies were photographed in a manner which suggested that police practices were guided, in the words of Jens Jäger, by 'popular notions about photography and by the *practical gaze* representing the experience of everyday police work'.[218] Images did not adhere to a standardised two-print 'Bertillonage' format then in common use: of the eight sets of depositions from London containing photographs between these dates, only two contained both full-face and profile reproductions; the other four contained single full-face or three-quarters-view shots, which resembled the interested gaze of the viewer. This was at odds with the practice of photographing criminals and suggests that police post-mortem photography practices did not merit the standards or efforts required in other branches of judicial photography.

However, in January 1910 the Orders were again amended to remove the limits to price, and added that photographs should be taken in two positions, 'one full-face and one profile', which brought practices in line with the objective view characteristic of criminal photography.[219] Although the format had emerged from the Bertillonage system (which had been obsolete for a decade) to display the distinctive shape of the ear, the two shots offered examiners an approximate three-dimensional view of the body.[220] Hereafter, all 17 sets included in the depositions used this method; additionally, the

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[218] Jäger, 'Photography: a Means of Surveillance?', p.10 [online pagination].
[219] TNA, MEPO 2/1328 re. Photographing Dead Bodies, General Orders 8 Jan 1910.
[220] The value of this method can be seen at an inquest in Rhyl, where a witness testified that he had 'been shown a photograph of the body showing the face sidewise, and he recognised the features as that of a boarding-house keeper of Douglas, Isle of Man, but on seeing full-faced photograph of the deceased he was not prepared to say that it was that of the same person': *North Wales Chronicle*, 21 Jan 1899, p.7.

heads of the decedents were framed in dark cloths, which focused attention on the features.

On the surface, photographing the unknown dead was not a particularly challenging task. Unlike 'social' post-mortem portraiture, the bodies merely had to appear recognisable, and unlike criminals, who were known to shake their heads to 'cheat' the plate's slow development,[221] the subjects were more stable. 'Dead men tell no tales,' wrote Marston Moore in 1887, 'and also possess the inestimable virtues of keeping still and wearing a natural expression, so that a post-mortem photograph might be at least depended upon for accuracy of resemblance and freedom from movement.'[222] However, as the photographs themselves testify, the abilities and methods of the photographer could greatly affect the utility of his work in aiding identification.

The photographs from Cardiff (12 examples from 1895–1912) were particularly notable for their stylistic inconsistencies and lack of artistic merit. Judging from the backdrops of fencing and brickwork, all but one of the pictures were apparently taken with the corpse propped upright; in four examples, the hands of the policemen keeping it in position are in plain sight, while in others the body is evidently strapped to a stretcher. This position was probably dictated by the camera equipment available; commercial photographers were unlikely to own a specialist tall tripod for vertical shots. The early examples are particularly poor: some are so dark that features can barely be discerned, while one shrouded figure is so out of focus as to be almost ghostlike. From 1907 the pictures are sharper and the bodies more recognisable, and from April 1911 clothing was

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[221] Prisoners were known to ruin attempts at photographing them by shaking their heads or contorting their expression; J. Traill, 'How We Photograph the Thieves', *BJP*, 15 Oct 1863 p.412.

[222] M. Moore, 'Memento Mori', *BJP*, 30 Dec 1887, p.827. Consequently, Linkman noted that post-mortem photographs were notably sharp for the period: Linkman, 'Taken from Life', p.334.

covered in a sheet to reveal only the face in a style similar to that seen in London, although the Bertillonage technique was not used.[223]

Four examples from Lancashire (1906–9) were single shots of the face, while a further one from 1923 used the same Bertillonage pose. However, because no other examples were found it is not possible to ascertain whether Lancashire Police comprehensively adopted this in line with London. Two further examples (Wolverhampton 1924 and Gloucestershire 1927) suggest that these ideals of objectivity were not applied uniformly across the country even towards the end of the period. Both single shots, the example from Wolverhampton shows the face without a sheet, and that from Gloucestershire is of a body so decomposed that the rationale behind its commission can only be guessed at.[224]

These pictures can probably be best described as judicial 'memoranda'.[225] They lacked the artistic merit of post-mortem portraiture and objective presentation methods were adopted a quarter century after their introduction in prisons (1886),[226] and in some districts not until a decade after that. Instead, these photographs represented a practical gaze rather than a medico-legal one.[227] However, these images were never intended to be used in isolation, but were supposed to supplement the contents of the written description, similar to Bertillon's technique.

To facilitate recognition these images were circulated between police stations and entered into albums and identification registers. Photographs were also regularly printed in the *Police Gazette* under the section 'Persons or Bodies Found', a practice which

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[223] The next entry with a photograph affixed was in 1936 which did not use the 'Bertillonage' poses either.

[224] Wolverhampton, T-CR – 1 Jul 1924; Gloucestershire, CO1/1/7/10 – 2 Feb 1927.

[225] 'Identification by Photography', *BJP*, 18 Oct 1901, p.660.

[226] 'Prison Photography', *BJP*, 17 Apr 1886, p.242.

[227] Jäger, 'Photography: a Means of Surveillance?', p.10 [online pagination].

circulated the body around official channels away from the public sphere.[228] By spreading

the image across a wider area as part of the 'paper body', relatives could simply travel to

their nearest station to examine the corpse. But success rates were not high: of the 79

cases found across the country in which photographs were reportedly taken, in just 19

were bodies reportedly identified with their help.[229] In 1931 the Thames Division

Superintendent reported that 'No case is known to have occurred during the last three

years in which any useful result has followed the distribution and retention of

photographs [of unknown bodies] in other Divisions'; he argued that the expensive

practice of circulating photographs to all stations should be discontinued. Accordingly,

the Police Orders of 10 July 1931 ruled that henceforth only five copies would be

provided: one for the coroner, two for the coroner's officer (who dealt with the inquiries)

and two retained at the Division's headquarters.[230]

Images of the unknown dead were on occasion sent into the public sphere. The

first recorded instance of this practice occurred in the summer of 1885, where as part of

efforts to increase the rate of identification of bodies found in the Thames, a photograph

of an unidentified male corpse was placed on the blackboard of London's K Division

headquarters at Bow Street.[231] Within a decade similar images were also circulated in the

public press, but although the halftone process (which allowed newspapers to print

photographs) was in general use, they were sanitised to protect the unsuspecting

reader's sensibilities. For example, in August 1895 the *Western Mail* included a simple but

distinctive   three-quarters-view   sketched   portrait   of   an   infant   found   in   the

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[228] For examples, see *Police Gazette*, 10 Apr 1865, p.3; East Sussex, COR/3/2/1934/21; Oxfordshire, City - 21 & 30 Apr 1934.

[229] Two at Cardiff, three in London, one in Middlesex, and two in Lancashire. This figure might have been affected by the self-selecting nature of the cases, however.

[230] TNA, MEPO 2/7216.

[231] 'Identifying the Dead', *BJP*, 4 Sep 1885, p.576 [Reprinted from *Daily News*].

Glamorganshire Canal.[232] In 1906 the body of an eighteen-month-old girl dressed only in socks and with weights tied to its feet was found in the River Lea in Hertford, and three full-length photographs were taken from a three-quarters vertical position of the child lying prone. The first recorded the body in the condition in which it was found, a second showed the child washed and its head turned towards the camera, and a third with her head turned away to show the profile. The presence of 'before' and 'after' shots strongly suggests that the mortuary to which the body was taken was equipped with photographic equipment, or that a police photographer was quickly called to assist. After a week of fruitless inquiries the *Star* reported that 'In order to assist the Herts constabulary in the work of establishing its identity' it would publish a photograph of the child, whose face the police said was 'so characteristic that she can be identified in death by one who had known her living.' Above a caption 'CAN YOU IDENTIFY HER?' the 'photograph' was actually a sketch of the second image.[233] These sketches may have lacked the clarity and objectivity of the photograph, but such reproductions allowed the original image of the body to be presented to the public in an acceptable format.[234]

Photography, then, offered investigators a means to visually display the unknown body for the purposes of identification without the need to exhibit the corpse itself. The technology was particularly valuable for portraying the face, the most recognisable part of the body but the hardest to portray in written form. This visual medium was able to overcome the difficulties of making the face 'visible' within the context of the 'paper body'.

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[232] *Western Mail*, 12 Aug 1895, p.3.
[233] Hertfordshire, Off ACC 1376 – 18 Apr & 16 May 1904; extract from *The Star*, 26 Apr 1904.
[234] Modern day practices similarly protect public sensibilities by using computer-generated images.

Despite its ability to portray the unknown body in a more objective manner than the written description there were limits to its utility. The photographer's perspective may not necessarily have married with the gaze of the person attempting to recognise the decedent, thereby omitting what relatives considered to be the more distinctive signs of identity. The objective 'Bertillonage' poses can be seen as an attempt to provide a comprehensive view of the body without placing too much emphasis on any one area. Consequently, the photograph remained – as it did for criminal records – as a piece of supporting evidence intended to be used to compliment or confirm the contents of the more thorough written description.

Although practices developed within the context of increasingly sophisticated post-mortem and criminal portraiture, they did not strictly adhere to the guiding principles of either field. Post-mortem portraiture was essentially an artistic medium unsuitable for police work, but the delay in adopting objective 'Bertillonage' styles suggests that practices designed to facilitate the identification of the dead were based on a different set of standards to wider judicial procedures, instead reflecting the everyday 'practical' gaze. The variations in photographic quality and style demonstrate that practices were not standardised across the country for much of the period, and even when the Bertillonage method was more widely adopted, the surviving examples demonstrate that these principles were not consistently applied in all districts.

Conclusions

The four principles of effective identification practices – embodied by the Parisian Morgue and the Hayes case – can be seen to be manifest in the practices examined throughout this chapter, both in relation to the corpse itself and its literary abstraction.

Stripping, washing and restoring the body rendered its distinguishing signs *visible* to investigators documenting the corpse and compiling its 'paper body', while disseminating this information on bills or newspaper reports made the body abstractly visible to the wider public. By circulating this documentation freely, the body was also made *accessible* to the friends and relatives of the missing decedent. However, the body itself was not always available for public examination, and admittance was controlled by the coroner, the police, or the doctors.

The issue of *centrality* was similarly divided between the corpse and the 'paper body'. Bodies had to remain in the parish in which they were found, which kept them central to the immediate community, and small movements towards centralising corpse accommodation can be seen with the construction of parish dead-houses and borough mortuaries. The two proposed central morgues in London would have been the real achievement. However, in lieu of these facilities, the practice of circulating descriptions – and later, photographs – between neighbouring police stations of bodies found dead effectively made each station a small central repository for information to which relatives could direct their inquiries.

The issue of *organisation* and the standardisation of descriptions and documentation, however, have been much harder to establish. The records used to study the identification process are too greatly dispersed across the period to recognise particular trends in the bureaucracy of the inquiry, though it is possible that with additional research on the deaths of named persons these may become clearer.

By placing the unknown body at the heart of this chapter it has been possible to examine the cooperation between different agents of the investigation through the ways they negotiated the interactions between the unknown body and the public. The crucial

element of this relationship was teamwork: the coroner and police, aided at times by the medical sphere, first-finders and local helpers were responsible for preparing, observing, documenting, disseminating and exhibiting the corpse. These actions allowed the family and friends of the decedent to ultimately identify the body. Each agent had a role to play, which was in turn dependent on how successfully others were able to fulfil theirs. However, British sanitary and socio-cultural concerns threw up obstacles to prevent the most direct forms of identification practice – that of open display – and which had to be circumnavigated. The use of the paper body maintained the interactions between body, public and investigators without offending public morals or threatening public health. The next two chapters will use the paper body to explore the importance of the corpse itself in identification processes, both in terms of its surface appearance, and its more complex embodiment as a collection of medico-legal evidence.

Chapter Three

Surface Appearances

This chapter is the first of two which will use the physical descriptions of the decedent's body and the inventory of their possessions as a means to examine how investigators constructed and conceptualised the personal identity of the unknown dead. These descriptions allow the historian to reconstruct something of the decedent's identity in a manner similar to that originally intended by witnesses and the coroner. Chapter Three will explore the role of surface appearances – the body's outermost characteristics and signs – which were visible to all regardless of professional training or medico-legal skill. As identification investigations aimed to facilitate formal recognition, surface appearances acted as a visible interface between the body and its onlookers.

However, because recognition based on surface appearances was considered opinion evidence,[1] the principle of the multiplicity of evidence was required.[2] By collecting and cataloguing a range of visible characteristics, signs and articles, the corpse was artificially reconstructed as a 'paper body', its literary counterpart suitable for submission as evidence before the inquest. The contents of these descriptions and inventories will be used to reconstitute the unknown body, and to assess the values of a range of signifiers and signs of personal identity.

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[1] R. Munday, *Evidence* (4th edn) (Oxford, 2007) p.349.

[2] '[S]upposing one witness or fact testifies to a certain thing, or points to a certain conclusion, then if a second *independent* witness or fact testifies in the same direction the probability of the conclusion being correct is more than doubled; and if a third *independent* person or piece of evidence corroborates the first two, the probability of the conclusion being correct has a yet still higher multiplying factor, and in ordinary cases may be accepted as a certainty. This principle has a wide field of application in all medico-legal questions, but some especially typical examples will be noted amongst the following points in identity.': A.S. Taylor, *The Principles and Practice of Medical Jurisprudence* (5th edn; Fred. J. Smith) (London, 1905) p.102 [italics in text].

The chapter is divided into two sections, the first addressing corporeal characteristics and signs, and the second examining the role of artefacts – articles and clothing – found on the corpse. Each section is structured thematically by identifier rather than by the occupation or perceived social class of the persons exhibiting them. The first section will discuss the body's general characteristics: sex, age, stature, and colouring. Following this will come occupational marks: physical changes that the deceased's profession left on their bodies in the course of their work. Finally, malformations and tattoos will be discussed. The second section will study the role of the decedent's material goods including books and papers, clothing, miscellaneous personal articles, and items inscribed with codes and numbers. Such items could provide or suggest the decedent's name, or present investigators with leads which could reveal further evidence or witnesses.

As discussed in previous chapters, there was a predominance of members of particular groups whose occupation or lifestyle was more likely to facilitate anonymity, in particular seafarers and members of the migrant workforce. In this chapter, new social and professional groups including soldiers, the middle and leisured classes will also have a presence.

It will become clear that right across the period in question, the examination of the unknown body did not require expert knowledge or specialist skills; this allowed the lay community to participate in the frontline of medico-legal investigations, an area usually restricted to the medical profession alone (see Chapter Four). As such, post-mortem identification procedures are a unique opportunity to study the methodological crossover between the lay and medico-legal fields.

Section I – The Body

General characteristics: sex, age, stature, ethnicity and complexion

The importance of the four most general identifying features of the body – sex, age, stature and ethnicity – is a curious paradox given their generic nature.[3] Identification based on these general characteristics alone was insufficient proof to establish who the decedent was. However, the real power of these characteristics lay in their ability to prove *negative* identity (i.e., the decedent was *not* a particular person): one incorrect characteristic was enough to dispel any notion that the corpse could be that of the supposed individual. Given its importance, this evidence was heavily contested in trials where the identity of the decedent was in question, often requiring medical evidence to support the claims of each side.

The sex of the body was simple to establish on physiological grounds, but difficulties were occasionally encountered when genitalia was lost or soft tissue misshapen by decomposition or violence. In such circumstances the role of sex-specific clothing or articles was vital, and it was not surprising that investigators found the sex of nude decomposed bodies harder to determine.[4] In such cases, the contribution of a doctor might have been necessary – their role will be examined in Chapter Four. If sex remained entirely unascertainable, the coroner was permitted to hold an inquest on 'a person unknown' as opposed to a 'man' or 'woman unknown'.

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[3] The medico-legal community of the period considered sex, age and stature to be the most important general identifiers but modern practice argues that ethnicity ranks alongside them: A. Cavard *et al.*, 'Forensic and Police Identification of "X" Bodies. A 6-years French Experience', *Forensic Science International*, 204 (2011) p.140; P.V. Guharaj, *Forensic Medicine* (2nd edn, M.R. Chandran) (Hyderabad, 2006) pp.9-10. Evidence from the inquests studied in this thesis also bears this out.

[4] For example, Northumberland, COS/3/48/1 – 5 Jan 1925; East Sussex, COR/3/2/1933/24 – 20 Mar 1933.

Ages were notoriously difficult to establish with any precision and were primarily reached by educated guesswork. Individuals experienced the onset of puberty, the loss or discolouration of hair or teeth, and the formation of facial wrinkles at different points in their lives, and medico-legal textbooks from across this period warned readers that estimating age from surface appearances was not an exact science.[5] To provide an acceptable margin of error the vast majority of given ages were estimated in multiples of five around a fixed point ('about thirty five years' or 'about 50 years') or within a period of five to ten years ('45-50 years' or '60-70 years'). Common terms such as 'middle aged' or 'boy' were even more vague,[6] although 'boy', 'lad' or 'youth' were apparently used to refer to males between childhood and their early teenage years.[7] The youngest recorded numerical age was 14 years;[8] hereafter ages were estimated within a smaller range ('about 17 years'[9]), perhaps from clues afforded by signs of puberty. Some adults received more exacting estimations (for example, 'about 43 years'[10]) but these were certainly in the minority. The potential for inaccuracy becomes apparent when decedents were identified: the corpse of a man thought to be about 40 was identified as a 30-year-old, another supposed to be between 38 and 40 was in fact 52, a third thought to be 58 was actually 46, and perhaps most strikingly, the body of a man believed to be between

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[5] W.A. Guy, *Principles of Forensic Medicine* (London, 1844) p.31. Frederick Smith noted that after puberty 'pretty nearly every scientific proof of age' in the living is lost: Taylor, *Principles and Practice* (5th edn) pp.191-2.

[6] One woman was even described as being in the 'prime of life': LMA, CLA/041/IQ/03/56/124 – 20 Jul 1883.

[7] Respectively: LMA, CLA/041/IQ/02/18/61 – 27 Jul 1805; LMA, MJ/SP/C/W/1069 – 13 Nov 1829; Lincolnshire, Spanding 1826/440 – 25 Jul 1826.

[8] Hull, C CQB/222/114 – 3 Jun 1847.

[9] *Ibid*.

[10] Oxfordshire, City – 19 Jul 1907.

20 and 30 years old turned out to be a boy of 15![11] Other examples, however, reveal that on occasion estimates could be reasonably accurate to within a few years.[12]

Short of opening the body and examining the ossification of the bones or skull sutures, the only reliable way to ascertain the age of an individual was to consult official documentation found on the body; the lawyer Stanley Atkinson argued that only the birth certificate (issued in the wake of the 1836 Registration Act) could provide the age of the deceased with any accuracy.[13] None of the unknown persons examined in this project was found in possession of his or her birth certificate, but this information could easily be found on other items of documentation: for example, the age of one man was established by his old-age pension card,[14] and others by seafarers' discharge papers. Seamen's papers will be examined in more detail below.

The given statures of corpses were usually rather vague; measurements were sometimes accompanied by a margin of error of an inch, and such inexactness may have been calculated to widen the field for missing persons. However, it is equally if not more likely that again guesswork played a part. As noted in the previous chapter, mortuaries and deadhouses were woefully under-equipped, with many lacking a water supply or even lighting, so it is unlikely that measuring instruments were on the inventory.[15] Until 1870, not even British police stations were supplied with standardised measuring

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[11] Respectively: Gloucestershire, CO1/I/13/C/19 – 8 Oct 1867; LMA, CLA/042/IQ/01/46/43 – 12 Mar 1879; Bath, City Inquest Register, p.8 – 17 Aug 1914; Wolverhampton, T-CR/1897/4 – 4 & 10 Dec 1897.

[12] Northumberland, COS/3/17/7 – 27 Jun 1891; Hull, C CQB/431/045 – 15 May 1899; Lancashire, DDHD/CR – 16 Nov 1923.

[13] S.B. Atkinson, 'Some Limitations of Medical Evidence', *TMLS*, IV (1906-7) p.37. For the origins of birth certification, see E. Higgs, *Identifying the English: A History of Personal Identification 1500 to the Present* (London, 2011) pp.100-1.

[14] LMA, CLA/041/IQ/04/2/31/112 – 6 Sep 1912.

[15] The height of one woman was recorded thus: 'She was of an average height over five feet in height': CO1/I/15/A/4 – 21 Jan 1869.

equipment.[16] Mortuaries built and equipped expressly for medico-legal purposes would have included them, however. The use of adjectives used to describe height ('tall' or 'short') were less common than those describing physical build ('thin', 'stout', 'strongly built', or 'rather full in habit'). Very few descriptions included the weight of the decedent, although those that did were apparently the result of educated guesswork.[17]

Ethnicity and facial complexion were the final general identifiers, and both featured in personal descriptions. Both Emily Cockayne and Erving Goffman argued that the face, as the most exposed part of the human body, was at the centre of social interaction and thus recognition.[18] Ethnicity was only noted when the decedent was demonstrably not Caucasian: 'Malay', 'mulatto', 'of Jewish appearance', 'Japanese', 'negro' or 'nigger-coloured' were all used to describe these 'different' or 'foreign' bodies.[19] Although it is not possible to state whether 'foreigners' were easier to identify than the 'native' population, noting the decedent's 'otherness' suggests that in a society less ethnically-diverse than modern-day Britain, such differences were highly distinctive. One particularly illustrative example came from Bath where an inquisition on a boy drowned in the River Avon in Bath was simply headed 'a Black boy called Jack,' marking his body out as peculiar.[20] When applied to modern medical practice, Joseph Pugliese

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[16] T. Stanford, 'Who Are You? We Have Ways of Finding Out! Tracing the Police Development of Offender Identification Techniques in the Late Nineteenth Century', *Crimes and Misdemeanours*, 3 (2009) p.58.

[17] For example: Northumberland, COS/3/1/14 – 13 Aug 1870; Suffolk, EC5/46/12 – 29 Sep 1903; Glamorgan, DCONC/4/1/8/158-9 – 28 Sep 1908.

[18] E. Cockayne, *Hubbub: Filth, Noise & Stench in England, 1600-1770* (London, 2007) pp.22-3; E. Goffman, *Interaction Ritual: Essays in Face-to-face Behavior* (New Brunswick, 2005).

[19] Respectively: LMA, CLA/041/IQ/02/28/56 – 26 Jul 1815; Lincolnshire, Kirton – 6 Aug 1894; Hull, C CQB/430/403 – 20 Mar 1899; East Sussex, COR/3/2/1912/69 – 17 May 1912; Northumberland, COS/3/42/13 – 10 Nov 1919.

[20] It is also noticeable that Jack's ethnicity formed a central component of his formal identity as listed on his inquisition: Bath, Coroner's Book 2, pp.109-111 – 15 May 1804.

argues that only recording 'other' ethnicities is indicative of 'scientific racism' because observers and administrators inherently assumed bodies would be white.[21]

Complexion, as opposed to ethnicity, could be described in either exacting or subjective terms. Some descriptions noted the decedents' distinctive complexions: one man in Oxfordshire 'showed signs of being sunburnt, as if he had been in foreign parts',[22] while another in Flintshire was found to be marked with smallpox.[23] References were made to heavy freckling but the presence of light freckling was apparently not distinctive enough to warrant mention.[24] Otherwise, complexions were categorised in general terms: expressions such as 'pale', 'light', 'fresh', 'fair', 'sandy', 'sallow', 'swarthy', 'ruddy', 'dark', and 'very dark' were indicative but inexact. One woman was even subjectively described by a lay witness (who provided the description at the inquest) as having a 'fine' complexion.[25] Complexion was also used as an identifier by relatives, who sometimes mentioned it in their correspondence appealing for or offering information.[26]

Excepting the presence of extensive deep-tissue trauma from violence, decompositon or burning, the changes to the complexion wrought by decomposition affected the appearance of the body more than any other characteristic, as darker blotches could disfigure the countenance and make the age of the body harder to

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[21] J. Pugliese, '"Super Visum Corporis": Visuality, Race, Narrativity and the Body in Forensic Pathology', *Law and Literature*, 14 (2002) pp.337-9.

[22] *Jackson's Oxford Journal*, 16 Apr 1892, p.8.

[23] *Wrexham Advertiser*, 16 Jun 1860, p.3.

[24] LMA, CLA/042/IQ/01/26/189 – 10 Oct 1862, and CLA/041/IQ/04/2/51/38 – 15 & 17 Sep 1919.

[25] LMA, CLA/041/IQ/03/06/132 – 16, 23 & 30 Jul 1842. Although this example suggests her skin was free from blemishes, it is objectively useless; Cockayne reminds us that 'nothing is so subjective as beauty': Cockayne, *Hubbub,* p.22.

[26] For example, Northumberland, COS/3/9/4 – 9 Mar 1881, in which a correspondent noted that the missing man had a 'ruddy complexion'.

estimate.[27] As such, the standards of evidence for this characteristic were more flexible than those concerning the body's sex, age or stature. Because of their power as negative identifiers, if a body was found not to match the corresponding characteristics of these latter three the case for identity could be overturned, even if more distinguishing marks did tally. For this reason defence lawyers at murder trials attempted to cast reasonable doubt over this evidence. For example, at the trial of Kate Webster in 1879 her defence argued that because the doctors could not agree on the age of the body, there was a strong case for 'reasonable doubt' that it was that of her missing lodger.[28] Similarly, at the trial of Hawley Harvey Crippen in 1910, the case for the Crown rested on whether it was possible to establish that the decedent was female.[29] In both these high-profile cases medical expertise was consulted to gather and bolster the immediately-observable evidence, but the principle applied in equal measure to the multitude of mundane cases across England and Wales from 1800 to 1934.

The *Lancet* warned that general characteristics, although vital to establish, were alone entirely insufficient grounds upon which to base identification. Instead, more individualistic or distinctive signs had to be pinned to this basic framework to create an accurate representation of the body in question.[30] It is to these that the discussion now turns.

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[27] Bodies could be recovered from water in near-perfect condition, but would quickly begin to darken in colour when exposed to the air.

[28] E. O'Donnell (ed), *Trial of Kate Webster* (London, 1925) p.184.

[29] F. Young (ed), *Trial of Hawley Harvey Crippen* (2nd ed) (London, 1950) p.149.

[30] 'Three Cases of Mistaken Identity', *The Lancet*, 22 March 1890, p.663.

Occupational marks and malformations

Occupational marks – telling physical changes wrought on the body in the course of one's profession – acted as distinctive identifiers while simultaneously offering investigators a broader glimpse into the life of the decedent. Many trades produced on the body distinctive patterns of calluses, burns, scars and discolourations, and among communities centred on particular industries these signs were familiar to both locals and investigators who examined the bodies.

At its most basic level, palms and fingers bearing patches of tough callused skin were considered as 'signs of hard work,' suggesting that the decedent was a manual labourer.[31] The marks on mariners' hands were particularly distinctive: one man in Cardiff was said to have 'the appearance of a seaman, there being marks of tar on the hands and corns on fingers caused by rope pulling which sailors' hands always show'.[32] Stokers and firemen on board steamships often bore scorch marks on the arms and lower legs inflicted by flying sparks from low boiler doors.[33] Muscular structure was indicative of occupation: one man was supposed to be a stoker from his strongly built hands and arms.[34] Artisans also possessed a great variety of occupational marks; for example, a coroner's officer in Oxfordshire observed that a decedent's 'left hand is marked with black dots, and from the appearance of his hands I should say he was either a shoemaker

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[31] Scores of such examples exist: for example Hertford – Off ACC 1376 – 16 May 1870; Hull, C CQB/324/023 – 19 Oct 1872.

[32] Glamorgan, DCONC/4/1/5/62 – 23 Nov 1901. Similarly, a London lighterman (who would be familiar with these signs) voiced the opinion that a man drowned in 1842 worked on a vessel 'from the condition of his hands': LMA, CLA/041/IQ/03/06/234 – 31 Dec 1841 and 7 & 20 Jan 1842. At another inquest a police constable noted that 'I think he had been a sailor, his hands were hard': LMA, CLA/042/IQ/01/16/179 – 19 Dec 1853.

[33] Hull, C CQB/430/359 – 7 Mar 1899.

[34] Hull, C CQB/431/034 – 4 May 1899.

or a tailor.'[35] As Chapter Four will investigate, these signs became of great interest to the medico-legal field from the late nineteenth century.

The bodies of working-class women were also shaped by their work. In his memoirs the police surgeon Graham Grant recalled the case of a woman found drowned, in which 'The fingers, the arch of the foot... the thickness of the wrists and remaining ankle, all pointed to the working class'; supporting evidence came in the form of an absence of dental work and her poor-quality clothing.[36] Using the principle of multiplicity in evidence (see note 2, above), when viewed alongside clothing the conclusions drawn from these occupational marks became stronger. For example, at an inquest into the death of a woman in 1871 the examining constable testified that her hands 'showed hard work, [and] her linen showed a deal of kneeling', evidently surmising that the physiological stresses on her hands and the material damage to her clothing had arisen from the same cause: housework.[37]

Conversely, smooth or delicate hands suggested that the decedent was a member of a 'bookish' profession such as clerking,[38] or that they had not performed manual labour for some time.[39] A man dressed as a labourer but with soft hands was supposed to be a works foreman, rather than a navvy.[40] Social class could also be surmised: from the good condition of her hands and feet, one woman in Oxfordshire was thought to have 'not been in a very humble condition of life'.[41]

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[35] Oxfordshire, City, 17 Aug 1908.
[36] G. Grant, *The Diary of a Police Surgeon* (London, 1920) pp.44-5.
[37] LMA, CLA/042/IQ/01/36/93 – 27 Jun 1871.
[38] LMA, CLA/041/IQ/04/2/51/11 – 16 & 23 Jul 1919.
[39] For example, LMA, CLA/041/IQ/03/31/105 – 14 & 19 May 1863; Wolverhampton, T-CR/1910/21 – 4 Mar 1910; *Jackson's Oxford Journal*, 24 Oct 1885, p.7.
[40] *Jackson's Oxford Journal*, 16 Apr 1892 p.8.
[41] *Ibid*, 6 Feb 1886, p.6; see also Northumberland, COS/3/57/4 – 4 & 5 Jun 1934.

Occupational marks, then, could act as individual identifiers or general ones; indicative enough to allow investigators to target their searches to certain occupational groups, but also distinctive enough to individualise the decedent.[42] The value of these signs could be reinforced by other items associated with work – such as occupational clothing or tools – that were discovered with the body.

Physical irregularities such as missing teeth, fingers or toes, scars, warts and marks of illness were both noticeable and distinctive, which afforded them particular value within physical descriptions.[43] Some were obvious to onlookers: for example, one man's head was described as 'too large in proportion to the size of the body'[44] while another description noted that 'There appeared to have been an abscess under one of the lower teeth which had eaten through the bone and made a mark on the chin. There was no other mark of identification.'[45] A woman at Cardiff was found to be missing her thumb.[46] Other signs were more discrete and could only be seen when the body was stripped for examination, for example, deformed toes[47] or wasted genitals.[48]

Warts and moles were considered distinctive as were their locations on the body, such that their positions were often recorded with notable care. One London investigator logged '[a] wart on belly left side, 3 inches below naval [sic], wart above right buttock, wart left ankle,'[49] and another in Gloucester described 'A small pimple, wart or mole one

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[42] LMA, CLA/042/IQ/01/16/179 – 19 Dec 1853.

[43] See also Cockayne, *Hubbub,* pp.22-3.

[44] Bath, City Coroner's Book 3, pp.359-45 – 24 May 1825.

[45] *Western Mail*, 8 Nov 1895, p.6

[46] *Ibid*, 8 Aug 1889, p.3.

[47] These were not uncommon: Hull, C CQB/431/045 – 15 May 1899; LMA, CLA/O41/IQ/04/02/11/50 – 31 Mar 1904; Bath City Coroner's Register, No.35 – 17 Jul 1905.

[48] Hertfordshire, Off ACC 1376 – 22 Dec 1879.

[49] Bath, Bath City Coroner's Register, 1900-23, 55 – 19 Oct 1907.

inch underneath left eye and close into the nose'.[50] Such information clearly paid off; a week after her discovery, one unknown woman was identified by the presence and position of a wart on the left side of her abdomen.[51]

With regard to the presence of scar tissue, the history of the mark was also a useful clue to investigators. For example, Harriet Louisa Lane was known to have a small burn scar on her leg caused by a childhood accident with a hot poker; her family were able to corroborate the presence of the mark in parallel with the medical men examining the remains.[52]

Tattoos

Tattoos occupied a position of particular significance in identification investigations. Like the signs of old injuries or occupational marks they were permanently inscribed on the body, but because they were voluntarily inflicted they became imbued with additional value, 'typically connected to permanent statuses (for example, gender, maturity), [and] life-long social connections (for example, clan or tribal membership)'.[53] Tattoos could thus act as recognisable distinguishing marks, as permanent mementos from the bearer's life, or indicate their profession, social class, responsibilities or beliefs. The following examples are primarily found in late nineteenth- and early twentieth-century cases which reflects their increased use as identification evidence, but it is not possible to ascertain from the records on which this study is based whether this prevalence was due to the

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[50] CO6/1/32/84 – 7 & 15 Nov 1932.
[51] LMA, CLA/042/IQ/02/11/127 – 4 Aug 1906.
[52] H.B. Irving (ed), *Trial of the Wainwrights* (London, 1920) pp.48, 51.
[53] C.R. Sanders, *Customizing the Body: The Art and Culture of Tattooing* (rev. edn) (Philadelphia, 2008) p.6.

popularisation of tattooing,[54] or an increased awareness of their medico-legal value to identification inquiries.

Although it is impossible to envisage these designs accurately, they do present the historian with a collection of motifs from which it is possible to identify some common themes and trends in popular tattooing culture, how these were depicted on their bearers, and how they contributed to identification investigations. Only one set of depositions included a sketch of the tattoo in question alongside its description:[55]

Figure 5 – Sketch of a tattoo found on the body of a drowned man, Hull 1899
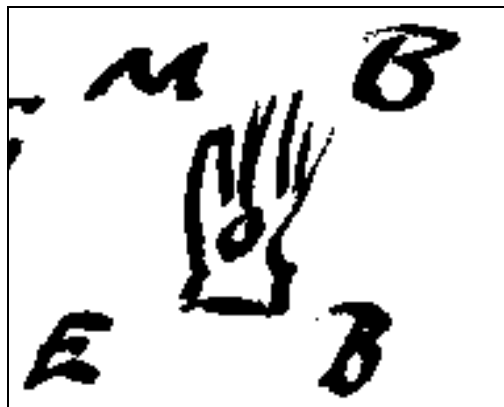
The remainder were translated into written descriptions detailing inked words, letters, motifs, pictograms and more complex images in just enough detail to allow the reader to conjure them in his mind's eye.[56] It was even possible to discern how the tattoos were applied to the body: in two cases it was noted that the designs had been 'pricked' into

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[54] See J. Bradley, 'Body Commodification? Class and Tattoos in Victorian Britain' in J. Caplan (ed), *Written on the Body: The Tattoo in European and American History* (London, 2000) pp.136-55.

[55] The image was accompanied by the description 'A hand in blue with red centre the letters [picture: hand with M B B E, clockwise in corners from top-left]': Hull, C CQB/431/057 – 29 May 1899.

[56] Of the sizable collection of tattoos, just one description is particularly vague: 'On the left forearm there is the letter R and several other individual tattoo marks': Wolverhampton, T-CR – 26 Apr 1913.

the skin. That this technique was noticeable to onlookers suggests that these designs were inscribed by amateurs rather than professional artists;[57] other designs were simply 'inked' or 'written' on the skin.

Throughout the nineteenth and early twentieth centuries tattoos were closely (but not exclusively) linked with criminal identification in two ways. In a *criminological* context, nineteenth-century criminal anthropologists 'discovered' a predominance of tattooing on the bodies of criminals and dangerous tribes in imperial territories, suggesting that those who bore them fitted a 'criminal type'.[58] In a *criminalistic* context tattoos were documented and used as distinctive marks to identify individual suspects at a later date.[59] Jane Caplan argued the latter approach was more prevalent in Britain where policing practices were based on a preventative model rather than the European system of surveillance and registration. Consequently, in British criminal inquiries tattoos were primarily considered as distinguishing marks of individual identity, rather than being indicative of group membership.[60] However, in post-mortem identification practices these two approaches became intrinsically linked. Not only were tattoos used as distinctive, individualistic marks, but designs also identified the bearer as belonging to a

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[57] Suffolk, EC5/21/15 – 22 Apr 1878; *Western Mail*, 13 Sep 1879, p.3.

[58] Most famously, C. Lombroso, *Criminal Man* (M. Gibson & N. Hahn Rafter, eds) (London, 2006 [1874]). Clare Anderson argued that the British practice of indelibly branding and tattooing colonial prisoners cemented the physical and symbolic legacy of the practice as a sign of imposed 'non-freedom': C. Anderson, *Legible Bodies: Race, Criminality and Colonialism in South Asia* (Oxford, 2004) pp.15, 17-18.

[59] Tattoos were an important element of the British government's Distinctive Marks Register developed in the 1870s. The register was a vast list of names indexed under particular signs; for example, if a prisoner had a tattoo of a ship on the left forearm, the officer would turn to the section 'tattoos', look under 'left forearm' and then under 'ship or flag', where there would be a list of persons who bore that particular mark. This laborious process prompted the 1894 Troup Committee to search for a more effective method of criminal identification: S.A. Cole, *Suspect Identities: A History of Fingerprinting and Criminal Identification* (London, 2001) pp.27-9. Tattoos were also an essential part of Bertillon's *portrait parlé*: *Ibid*, pp.40, 44.

[60] Caplan, '"Speaking Scars"', p.125.

particular professional or social group; consequently, the following discussion will examine the two approaches in tandem.

British medico-legal writers throughout the nineteenth and early twentieth centuries rarely associated tattooing with the criminal fraternity, so reinforcing the field's image as scientific and evidence-based. However, authors widely acknowledged that tattoos were found on the bodies of particular persons more frequently than others, namely soldiers and sailors. William Guy went so far as to conclude that tattoos were 'so common on soldiers, sailors and the idler classes, and so rare on other persons'.[61] By way of explanation, Frederick Smith in 1905 suggested that getting a tattoo was simply a popular way to pass the time when off-duty, and to stave off barrack-room boredom or monotony at sea.[62] Inquest depositions suggest that law officers and other lay witnesses also viewed tattoos as signs of professional or personal responsibilities, rather than indicators of the bearer's 'idle' or 'troublesome' status.

Tattooing appealed to a wide cross-section of the population, and became so common in Britain that the medico-legal and criminological fields did not consider it a topic worthy of detailed scientific study until the Tichborne trials of the early 1870s.[63] In addition to soldiers and sailors, depositions reveal that general and skilled labourers, engineers and artisans also bore these marks, and James Bradley noted that as tattooing became fashionable during the Victorian period even women, members of the middle

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[61] Guy, *Principles of Forensic Medicine*, p.8. See also A.S. Taylor, *The Principles and Practice of Medical Jurisprudence* (London, 1865) p.92; J. Dixon Mann, *Forensic Medicine and Toxicology* (London, 1893) pp.60-1.

[62] Taylor, *Principles and Practice* (1905 edn, Smith), p.154.

[63] On the Continent, the 1849 Ebermann-Schall murder case made tattooing an area of such interest, but it had apparently little impact on British studies: Caplan, '"Speaking Scars", p.121. This matter will be explored further in Chapter Four.

classes and aristocracy sported inked designs.[64] For example, two unknown women were found to bear inked letters (initials), rather than the more elaborate motifs which were the purview of male bodies.[65]

Unlike other indelible marks which the individual bore involuntarily such as scars, occupational marks or punitive tattoos, personal tattoos were used to commodify the body and thus the choice of design reflected the life-cycle of the bearer. These permanent marks represented some of the strongest links possible between the individual's body and his social, familial or professional life.

In the inquest depositions studied, mariners were those most likely to bear tattoos. Along with inked letters and jewellery such as bracelets and rings (more secure than their metal equivalents), seafarers sported nautical motifs including ships, anchors and chains, lighthouses, fishes, knots, stars (important for navigation), and in one notable case a 'sailor's grave' and lifebuoy.[66] These nautical motifs were often juxtaposed with images symbolising love or relationships, reflecting the distance their occupation put between them and their families. For example, one badly decomposed sailor found washed up in Suffolk was found to be extensively tattooed with a number of designs relating to his professional and family life, namely 'a Ship with sails, clasped hands, and [']hands across the sea['] in writing'.[67] One seafarer was extensively tattooed with a wide range of motifs denoting his professional, social, national and local position, as well as ones which appealed to his aesthetic tastes:

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[64] Bradley, 'Body Commodification?' in Caplan (ed), *Written on the Body*, pp.146-50. The real Sir Roger Tichborne was known to have an elaborate tattoo along the length of his left forearm: A.S. Taylor, *The Principles and Practice of Medical Jurisprudence* (3rd edn; T. Stevenson) (London, 1883) p.626.

[65] Lincolnshire, Kirton – 22 Apr 1869; Lancashire, DDHD/CR – 23 Mar 1921.

[66] Suffolk, EC5/58/73 – 14 Sep 1915.

[67] Suffolk, EC5/58/13/1 – found 21 Sep 1915.

Tattoo marks inside left forearm, woman in tights standing on a ball holding a Norwegian flag in right hand, back of left wrist, clasped hands across heart. Back of left hand JET and flower. Ring on third finger of left hand. Right forearm, cross and anchor, star, Swedish and Norwegian banner. Back of right hand pierced heart, heart pierced with anchor ARENDAL. Ring on third finger of right hand.[68]

Tattoos of national flags and banners were apparently intended to reinforce one's national identity, particularly for those working abroad. Flags often stood alone but others were 'flown' from the masts of inked ships in full sail. As a port with much marine traffic from Scandinavia, flags of Norway and Sweden were the most common in Cardiff, but others bore tattoos of American or British flags,[69] and some wore those of two or more nations. Those indicative of nationhood allowed law officers to ascertain which consul they should approach for further information, particularly if supported by documentation.

The most common tattoos, however, were initials or names. Women's names were most commonly found on men's bodies,[70] but it was not unheard of for sailors to be tattooed with their own names alongside other designs.[71] Such self-referential tattoos

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[68] From seamen's documentation found on the body he was supposed to be one Johan Tellefsen of Norway; Arendal is a town in the south of the country: Glamorgan, DCONC/4/1/10/149 – 22 Mar 1911.

[69] Glamorgan, DCONC/4/1/2/156 – 13 Nov 1896; DCONC/4/1/4/36 – 3 Oct 1899; DCONC/4/1/13/40 – 27 Apr 1914.

[70] For example, Northumberland, COS/3/19/17 – 25 Nov 1893.

[71] For example, one Patrick Duffy was tattooed with his own name, which was confirmed as such from documentation on the body and at the Board of Trade offices: Glamorgan, DCONC/4/1/10/24 – 16 May 1910.

were intended to allay fears of anonymity after death should the individual be lost at sea and washed up on unfamiliar shores. K.D.M. Snell noted that unknown sailors found in coastal districts were occasionally identified by tattoos bearing the names of their home parishes,[72] but alongside the man from Arendal (above) just one other unknown person was found with such a design:[73]

Figure 6 – Tattooed inscription found on body of drowned man, Suffolk 1904
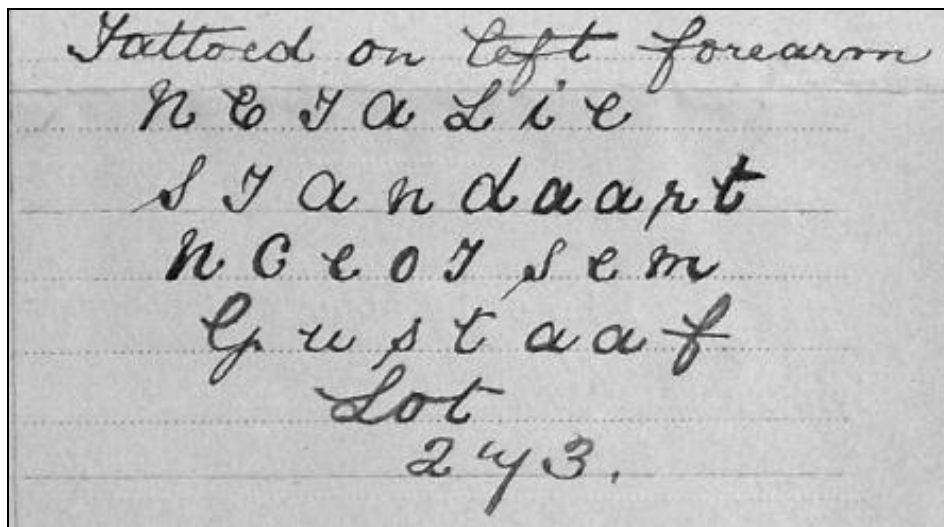
Although it was not stated in the deposition, Lot is a town near Beersel in present-day Belgium, and the spelling of the name suggests that the deceased was Flemish.

Inquests held on unknown soldiers were much rarer than those held on seafarers, but their bodies were often similarly tattooed with the motifs and insignia of military service. At the inquest on a man who fell in the street the examining surgeon testified:

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[72] K.D.M. Snell, 'Gravestones, Belonging, and Local Attachment in England 1700-2000', *Past and Present*, 179 (2003) p.109.
[73] Suffolk, EC5/47/50 – 6 Jan 1904.

There was nothing to indicate his profession except the tattoo marks on

chest + arms. He had the appearance of a trained soldier... Tattoo marks:–

On chest, Prince of Wales Feathers surmounted by a butterfly on

each side; and above two sprays of cross roses. Prince of Wales motto '*Ich*

Dien' below. On right arm, Prince of Wales feathers and flags:– (white

ensign + Jack) on each arm two womens figures [sic] dressed as dancers.

All very excellent tattooing.[74]

Another man found at Brighton was tattooed with the words 'Boer War 1899', suggesting

in no uncertain terms that he had seen military service.[75] Tattoos could reveal past

experiences: for example, a man dressed in the 'uniform' of a seafarer pulled from a dock

in Hull was found to have tattoos of 'crossed rifles over crown with crossed swords

below', a 'full length picture of a soldier smoking a pipe' and 'an anchor + crossed swords

below'. This juxtaposition between marine and military imagery suggested to the

examining surgeon that 'I think he had been a soldier, but more recently a fisherman'.[76]

Through the eyes of Continental criminologists tattoos were seen as a symbol of

criminality, but British soldiers and sailors bore them as badges of a reputable, even

noble profession.

Relatives of missing persons, when hearing of bodies found dead or drowned,

mentioned tattoos in their inquiring letters. For example, a woman on hearing of a man

found dead in the River Thames tattooed with the letters 'E.M.' communicated with the

coroner via her solicitor to say that she thought it might be her husband. In his reply the

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[74] Hull, C CQB/427/104 – 3 Jun 1898.
[75] East Sussex, COR/3/2/1925/89 – 11 Jul 1925.
[76] Hull, C CQB/431/057 – 29 May 1899.

coroner stated that she had not been able to give any more verifying information other than the tattoo, which alone, he feared, would not be strong enough to secure identification.[77]

Thus not only were tattoos distinctive and individualistic, they could place the unknown body into a social, national or professional group, thereby narrowing the field of potential missing individuals. However, distinctive though they may have been, tattoos had to be supported by other identifiers, demonstrating again the importance placed on the cumulative nature of identity evidence.

As a single artefact, the unknown body contained all the information necessary to reconstruct it on paper, but exactly how much was noted and recorded was determined by the physical state of the corpse and the abilities of the observer. Physical descriptions were often vague and unscientific; as the site and source of the primary body of evidence this left plenty of room for error. But this simultaneously widened the search area for those seeking missing persons, whose formal recognition ultimately drew identification procedures to a close.

However, the physical body itself was not the sole means of identification available to investigators. Personal possessions such as documentation, suits of clothes, labelled boots, engraved watches and jewellery could be just as recognisable or distinctive as bodily signs and just as or suggestive of an occupational or social group. Some items, such as paperwork, even provided direct proof. They also revealed or reflected much about the social and professional life of the decedent, including their gender, age, class, nationality, occupation, religion, and social circles.

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[77] LMA, CLA/041/IQ/04/03/26/8 – 26 & 31 Oct 1932.

If the unknown body was deemed unsuitable for display or had been buried, these articles fulfilled a vital function by 'standing in' for the corpse. As explored in Chapter Two, body parts were rarely retained for identification purposes unless they had been dismembered in some way,[78] but articles could be kept indefinitely alongside the written description and shown to anxious relatives. When listed alongside the description of the corpse, personal possessions became part of the larger body of evidence and revealed more about the life-cycle of the decedent. The following discussion will evaluate the importance of a range of articles, including documentation, clothing, jewellery and occupational tools.

Section II – Artefacts

Official documentation – identity cards and travel documents

Unless the decedent was found alive or was seen shortly before death, documentation was the only way the individual could actively 'speak' to investigators rather than rest as a passive body to be examined and transcribed by others. Witness depositions from across the period and country contain phrases such as 'no papers were found on the deceased' or 'there was nothing to identify the body – no papers or marks', indicating that searches were carried out specifically for these important items. Private and professional papers served two purposes: first and foremost, some documents contained the bearer's name or address. Second, other information contained therein could allow investigators to trace the decedent across space and time by using the contents to reconstruct their migrations or social networks.

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[78] See pp.119-20 of this thesis.

Unlike their continental cousins, British citizens were not issued with internal passports or identity cards for much of the period. Civilian identity cards were only issued for a brief period during the First World War for the purpose of monitoring the numbers of men available for conscription, but they were seen as 'uncomfortably Prussian' by the public, and were quickly discontinued after the armistice.[79] However, documentation *was* more regularly issued to regulate the movement of potentially troublesome persons, including the influx of foreigners under the Aliens Acts (introduced from the early nineteenth century),[80] and members of other groups who relied on migration for their livelihood and were thus difficult for law and parish officers to monitor: tramps and vagrants. As discussed in Chapter One, settlement certificates were issued to those of good character leaving their home parish in search of work; these acted as references to the overseers of the host parishes, as well as a declaration of one's right to travel.[81] Vagrants, however, were a different matter. In an effort to tackle rising levels of cross-county vagrancy in the 1860s, some local authorities introduced ticketing systems which entitled vagrants to food and shelter provided they followed a set path and timetable. By these measures they were kept moving and thus reduced the potential burden on parish coffers.[82] However, in this project's sample data neither settlement documents nor vagrancy tickets were found on the bodies of the unknown dead, and it can be safely assumed that those travelling with these official papers were thereby identified before

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[79] They were re-introduced in the Second World War to control rationing: J. Agar, 'Modern Horrors: British Identity and Identity Cards' in J. Caplan and J. Torpey (eds), *Documenting Individual Identity: The Development of State Practices in the Modern World* (Woodstock, 2001) p.118-19.

[80] See Higgs, *Identifying the English*, pp.111-12; J. Torpey, *The Invention of the Passport: Surveillance, Citizenship and the State* (Cambridge, 2000) pp.69-71.

[81] See pp.61-2 of this thesis.

[82] D.J.V. Jones, *Crime, Protest, Community and Police in Nineteenth-Century Britain* (London, 1982) p.191.

the inquest was opened. The paperwork found in the possession of the unknown dead tended to relate to their professional, financial or personal obligations.

Employment documents

Documents relating to employment – including references or testimonials – were among the most valuable items one could possess, particularly for those travelling in search of work. Several examples were found on the bodies of travellers right across the period: for example, in November 1826 one unknown man in Lincolnshire was found to possess a testimonial stating that the bearer James Smith had served as a ploughman 'soberly, Honestly[,] Faithfully and attentive[ly]' for two years at Croagh, Ireland, having left the post at his own request six month prior to his death.[83] Another man was found drowned at Cardiff in May 1910 with the following testimonial in his possession:

> S/S [steamship] *Eton*. Cardiff 24th December 1910. To whom it may concern.
> This is to certify that the bearer P Duffy brought the above named ship by
> the run from Tyne to above Port and found him a first class fireman and can
> recommend him as such. Signed E.L. Ashton. Chief Engineer.[84]

Such documents clearly influenced the outcomes of identification investigations. The first man's inquisition was for 'a man name unknown... and that from a Paper Writing found in his Pocket his name appears to have been James Smith and that he was a native of

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[83] Lincolnshire, Spalding 1826/463 – 11 Nov 1826.
[84] Glamorgan, DCONC/4/1/10/24 – 16 May 1910.

Ireland.' The second was registered under the name Patrick Duffy.[85] These two examples demonstrate that so long as efforts were made to regulate or monitor the migrant workforce, investigators could attempt to trace the deceased bearer across space and time using the available documentation.

However, possession of such papers (or any form of documentation) did not automatically guarantee the bearer was the person named thereon: in 1892 a man's body pulled from Cardiff's Roath Dock was found with two discharges for the steamship *Sussex* in the name of John Espagnola. Inquiries aboard the *Sussex* revealed that Espagnola was alive and well, but that his discharges had been stolen. The decedent was also in possession of a set of skeleton keys, and it was 'conjectured that [the] deceased had not followed regular employment.'[86] Such episodes reveal the dangers of taking the possession and content of documentation at face-value. As a security measure against fraudulent use, documentation sometimes utilised a visual link between the bearer and the issued item. Where modern documents use photographs, their nineteenth- and early twentieth-century counterparts used written physical descriptions.[87] In 1819 a Lincolnshire woman searching the body of a man found drowned at Gedney found a document with the following inscription:

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[85] The identification of Patrick Duffy is of particular interest as a prime example of the collective strength of accumulative evidence, and will be re-examined in full below.

[86] *Western Mail*, 4 Apr 1892, p.5.

[87] Valentin Groebner's study of early modern European identification documentation revealed that personal descriptions of the bearer gradually came to supplement the official seal of the issuing body as a mark of authenticity for these same reasons: V. Groebner, *Who Are You? Identification, Deception, and Surveillance in Early Modern Europe* (New York, 2007) pp.171-221. For the decline of the written description in favour of modern-day biometrics, see D. Lyon, 'Under my Skin: From Identity Papers to Body Surveillance' in Caplan and Torpey (eds), *Documenting Individual Identity*, pp.291-310.

No.40 M.L.   3.^d Class

These are to certify that Charles Littleboy has served as Private on Board his

Majesty's Ship Owen Glendower under my Command from the first Day of

March one thousand eight hundred and eleven to the 21st of May one

thousand eight hundred and sixteen. He is [empty space] inches high is of a

[empty space] complexion and aged [empty space] years and is entitled to

share for all captures made between the above Dates.

[Illegible] Hodgson

Captain

By Virtue of the Act of the Thirty second of George the Third.[88]

A satisfactory comparison between the physical body and its documented attributes –

height, complexion and age – was a means to authenticate ownership. However, perhaps

because of the peculiar blank spaces, the woman searching the body was recorded as

describing the paper as 'purporting to be a certificate from Captain Hodgson', suggesting

a measure of caution.[89] The inquisition did not formally record a name.

Due to the number of seafarers found drowned, seamen's papers were among the

most commonly-encountered documents in this study and those of most immediate

value to identification investigations. In addition to the uses outlined above, these

included official registration documents for the Board of Trade. The frameworks for the

registration of merchant seamen were redesigned several times between 1835 and 1934.

In 1835 the Merchant Shipping Act attempted to create a system for the registration of

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[88] Lincolnshire, Spalding 1819/237 – 1 Sep 1819.
[89] *Ibid*.

sailors eligible for service in the Royal Navy, and stipulated that all crew lists (written and kept by ships' masters) were to be submitted to the General Register Office of Merchant Seamen. Each numbered entry recorded the seafarer's name, age and place of birth, his 'quality' (rank or role on-board ship) and 'how disposed of' (how or why he left the ship).[90] In 1844 the Merchant Seamen Act ruled that every seaman leaving the United Kingdom was to carry an officially-issued Register ticket which not only contained the information required under the 1835 Act, but also a personal description consisting of the bearer's height, complexion, hair and eye colour, and distinguishing marks.[91] The Registers were discontinued between 1856 and 1913, but on their reintroduction the new tickets contained space for additional identifying information: National Insurance number and next of kin. Perhaps most strikingly, 'Tattoo Marks' became a separate field of entry below the personal description, and as a parallel visual medium, a photograph was affixed to the rear of the card.[92] This series of improvements secured the body of the bearer to the document, while the national insurance number linked the document (and thus the bearer himself) to the government records. After each voyage the master 'signed-off' the sailor's service, in his cardboard book containing his particulars, or by issuing him a ticket to be affixed therein.

To illustrate the value of linking document and bearer through the body as well as the importance of accumulative evidence, the identification of Patrick Duffy is worth further investigation. Duffy's (as yet unidentified) body was found in Cardiff's West Dock on 13 May 1910 with a bundle of papers in the clothing. Alongside the testimony from

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[90] Parliamentary Papers, 5 & 6 William IV, c.62; http://www.nationalarchives.gov.uk/records/research-guides/merchant-seamen-registers-1835-1857.htm (accessed 2 Mar 2012).
[91] Parliamentary Papers, 7 & 8 Victoria, c.112.
[92] http://www.poheritage.com/our-archive/research-guides/crew/merchant-seamen-general/NextPage?pageIndex=1 (accessed 2 Mar 2012).

the S/S *Eton* (above), a Shipping Federation ticket was found containing his name and a home address in Liverpool. Another unspecified 'paper' also bore Duffy's name and a Bristol address. The body itself sported a tattoo of his name, and the whole collection of evidence tallied with a discharge book which had been deposited with the Board of Trade offices. As a final piece of the puzzle, Duffy had signed on to a ship on 30 April which had sailed from Cardiff on 2 May without him; the corpse was supposed to have been in the water for two to three weeks. Altogether, five supporting pieces of information linked the body to the missing Duffy, each of which could be verified by the official records held by the Board of Trade. The strength of such evidence was plain: although Cardiff police were unable to trace Duffy's associates in Liverpool or Bristol and thus secure a formal recognition, given the weight and quality of the evidence the jurymen were 'perfectly satisfied' that the body was that of Patrick Duffy.[93]

Pawn tickets

Pawn tickets were also discovered on the bodies of the unknown dead. By the nineteenth century the well-established system of pawnbrokers provided people with a simple way of raising money by divesting themselves of a particular item. Goods were 'pledged' for a sum of money relative to their value and a ticket issued by the broker in receipt. This included a list of the items pledged, the sum of money received, and the details of the broker and customer. At a later date, the bearer of the receipt could return, repay the sum (plus a fee) and reclaim his or her belongings.[94] The system was used to raise money

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[93] Glamorgan, D CONC/4/1/10/24 – 16 May 1910.

[94] With close links between household economies, poverty and local business, pawnbroking has been of interest to financial and social historians alike: see J. Hoppit, 'Attitudes to Credit in Britain, 1680-1790', *Historical Journal*, 33 (1990) 305-22; P. Johnson, 'Conspicuous Consumption and Working-Class Culture in Late-Victorian and Edwardian Britain', *Transactions of the Royal*

quickly until the next payday and could act as a vital financial lifeline to those fallen on hard times.[95]

It is clear that there was an overlap between the pawnshop's customer base and the kinds of marginal persons most likely to be found unknown after death, particularly those on the tramp. One man found drowned in Lincolnshire was reported to have had his 'bundle' in pawn in order to pay for his lodgings and victuals, and an unknown woman in Hull had pawned some of her clothes to pay for her journey home to Leeds.[96] Tickets found were primarily for items of clothing (according to season), watches or jewellery (for a more substantial sum), but other miscellaneous items including pencil cases, handkerchiefs, umbrellas and footwear were also pledged.

Law officers were able to identify the broker through the ticket and thus re-trace the decedent's prior movements and transactions. In some cases they reported that they had made inquiries at the establishment in person,[97] or if further away had contacted the nearest police force to enquire on their behalf, a process made easier by the advent of the telegraph.[98] The value of pawn tickets in identification investigations is clearest when searches based on these items proved fruitful: in one Oxfordshire case from 1877 the deceased was found to have a ticket from a local pawnbroker and the manager Alexander Groombridge was called to give evidence, testifying that he recognised the deceased as

the man who had pledged a frock coat, leather purse and silk umbrella. Groombridge was able to inform the jury that the man, evidently a foreigner, spoke in broken English, gave the name of Anderson and his residence as Charles Street, Oxford.[99] However, in the absence of more concrete evidence, the man remained unidentified.

A possible explanation for this was that pawnbroker shops were notorious venues for 'fencing' (passing on or disposing of) stolen goods and brokers must have been aware that their customers might give false names, potentially posing a further obstacle to the investigation.[100] Consequently, the names on pawn tickets needed to be supported with additional evidence – particularly other items with names inscribed – but even these were sometimes insufficient. For example, a ticket found on the body of a man in Hertfordshire bore the name John Webb, which corresponded to a letter also found in his possession; another man's was supported by an outpatients' letter bearing the same name Charles Fairthorpe, but neither body of evidence was considered strong enough to formally identify them.[101] The same applied to duplicates, or receipts; in May 1830 an inquest was held at London's St Thomas's Hospital on the body of a 'woman unknown', despite the fact that she had in her possession 14 duplicates bearing the name of Jane Elton.[102]

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[99] *Jackson's Oxford Journal*, 15 Dec 1877, p.5.

[100] Raymond, 'Pawnbrokers and Pawnbroking', p.17. One man employed as a cook had five such tickets but also a pair of gold studs in his possession; perhaps these were stolen? *North Wales Chronicle*, 2 Nov 1867, p.8.

[101] Respectively, *Hertfordshire Advertiser and St Albans Times*, 16 Aug 1890, p.8.; Hull C CQB/431/049 – 20 May 1899.

[102] LMA, CLA/041/IQ/02/43/97 – 17 & 19 May 1830.

Personal correspondence

Unlike the issued documentation explored above, items of informal or personal correspondence could not be verified with centrally-registered data. However, it could provide investigators with unprecedented access to the decedent's private life, revealing elements of home life, familial or social ties, routes travelled, and personal wishes and needs. Law officers used them to direct inquiries towards members of particular social and geographical circles in order to locate a trustworthy third party to formally identify the body. In 1867 London police found a letter on a charwoman supposedly named Columb and traced another woman mentioned therein. However, this woman was unable to confirm Columb's identity. Nevertheless, the inquest verdict was entered against 'A Woman called Columb'.[103] Another letter found on a drowned man in Cardiff led the police to a Liverpool address, where the occupant testified to writing the letter to one James Cox on behalf of Ada Sutcliffe. Sutcliffe was traced and recognised the decedent's description as that of Cox.[104] In 1915 a man in Lancashire was identified by his brother after police used the letter to trace their father in the workhouse.[105] Some leads, however, were less productive. Inquiries at three addresses in Leeds and County Durham found on a man in Hull were unsuccessful, as were those carried out in Bournemouth led by addresses found on a man at Brighton.[106] Details contained in personal correspondence could also be used to confirm an identity: in late 1923, one woman was asked whether she could identify several names and an address written in a letter found on the body of a man she supposed was her son.[107]

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[103] LMA, CLA/041/IQ/03/36/60 – 20 Mar 1867.
[104] Glamorgan DCONC/4/1/13/95 – 7 Sep 1914.
[105] Lancashire, DDHD/CR – 14 Sep 1915.
[106] Hull, C CQB/432/061 – 2 Sep 1899; East Sussex, COR/3/2/1902/41 – 24 Apr 1902.
[107] Lancashire, DDHD/CR – 16 Nov 1923.

Details were also discussed in public: to advertise the body of a man found dead on a mountainside in 1870, the *Western Mail* printed a letter found on his person containing a distinctive family structure but no mention of an address.[108] But despite their value as evidence coroners were encouraged to use their discretion when deliberating whether to read out a letter in court, particularly in cases of suicide where to disclose the decedent's private concerns would have been inappropriate or distressing to survivors.[109] However, it was not unheard of for newspapers to publish suicide notes: for example, Hertfordshire's *County Press* printed two suicide notes in 1831, one from 'a sexagenarian' and another from an unemployed man who shot himself because business was poor.[110] It was apparent that their potential as identification evidence outweighed the need to preserve the sensibilities of an as-yet-unknown family. By publishing such letters it was hoped that a reader would recognise the names, addresses or other details therein.

Despite their obvious value as identification evidence, caution was still exercised. The coroner at one Cardiff inquest introduced the case by stating that although two letters were found on the body addressed to Mr S. Laird of Everton, and that one Samuel Laird had been reported missing in the area, 'in the absence of actual evidence, the case was treated as that of an unknown person.'[111] Unlike seafarer's papers, personal correspondence and pawn tickets did not contain descriptions to confirm proper ownership, but their contents could lead investigators to those able to provide more

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[108] 'William and George, and Joseph and your sister sends their Kind Love to you and Mary, and Expect the Same from your affectionate father and Mother, John and --- [sic]': *Western Mail*, 21 Jan 1870, p.4.

[109] Liverpool, M347 COR/L/11/3, *Annual Reports of the Coroners' Society*, 1909 p.7.

[110] Respectively: *County Press*, 23 Aug 1831, p.3 and 15 Nov 1831, p.3. See also *North Wales Chronicle*, 13 Jun 1837, p.3; *The Wrexham Advertiser*, 22 Sep 1883, p.6.

[111] *Western Mail*, 22 Oct 1892. p.7.

concrete detail based on their professional or social relationships with the bearer. Only when this had been ascertained could the link between the document and bearer be established with absolute certainty.

Clothing

After the surface of the body itself, clothing was undoubtedly one of the most valuable identifiers available to investigators; it acted as an uppermost or outermost visual layer to the body. To onlookers, clothing became intrinsically linked with the surface of the individual and in an abstracted capacity became part of the visible body itself.[112] Descriptions of unknown corpses detailed clothing for precisely this reason: only family and close friends possessed knowledge of the signs written on the skin, but anyone in the wider community could observe and recall items of dress, particularly in an age when people owned fewer suits of clothing.

What is immediately striking when examining the descriptions of clothing is the number of layers worn: corpses were clad in combinations of coats, jackets, Guernsey and Jersey jumpers, vests, waistcoats, shirts, body flannels, trousers or skirts, stockings, corsets, chemises and drawers, and adorned with handkerchiefs, neckties, mufflers, scarves, shawls, gloves and hats. Layers served a variety of purposes; part fashion, part protection against the elements, particularly for those working on the water or on the roads. Even in summer, people still wore several layers,[113] particularly the poor or mobile who had no other way to carry, store or keep items of clothing safe from theft other than

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[112] Morgan and Rushton make similar observations in their study of advertisements for absconded troublesome persons: G. Morgan & P. Rushton, 'Visible Bodies: Power, Subordination and Identity in the Eighteenth-Century Atlantic World', *Journal of Social History*, 39 (2005) p.42.

[113] For example, one woman in Lincolnshire was found to be wearing a serge bodice, three shirts and a chemise in mid-June: Lincolnshire, Kirton – 11 Jun 1903.

on their persons.[114] Care was taken to document these items (from the outermost articles working inwards towards the skin) noting their fabric, colour, and condition in the hope that they would be recognisable to somebody.[115]

Law officers were placed at an immediate disadvantage if the unknown body was discovered nude. Not only did nudity deny investigators clues afforded by the quality, condition and style of dress, but it also had the capacity to remove one's visual identity entirely; to quote Mark Twain, clothes – quite literally – made the man, and the loss of distinctive or familiar items of clothing could render a body unrecognisable to onlookers. Valentin Groebner's exploration of the anonymous battlefield dead of medieval Europe noted that bodies stripped of clothing became entirely indistinguishable from one another.[116] When Charles the Bold was killed in 1477, his naked corpse lay unrecognised amongst his soldiers' until discovered by his physician and footman, and only when his corpse was bedecked in his royal finery was his own court able to recognise him.[117] His identification illustrates that while only a few possessed knowledge of the more intimate and distinctive marks on a body's surface, for the rest, the boundary between body and clothing could be indistinguishable.

Similarly, persons wearing the clothing of others could lead to some problematic identifications. For example, two Dragoon guards who deserted from their Abergavenny post in 1836 were easily tracked to the hills by their distinctive military uniforms, but when they were finally discovered they had changed into civilian attire whereupon 'the

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[114] R. Cobb, *Death in Paris 1795-1801* (Oxford, 1978) p.22.

[115] The level of detail contained in these descriptions offers a unique insight into the clothing habits of nineteenth- and early twentieth-century society; however it is beyond the scope of this project to document or evaluate changing attitudes or styles of dress.

[116] V. Groebner, *Defaced: The Visual Culture of Violence in the Late Middle Ages* (New York, 2004) p.133.

[117] Groebner, *Who Are You?,* p.96.

transformation when stripped of their gawdy plumage rendered them almost unknown.'[118] The Edinburgh detective James McLevy wrote that bathers who had their clothes stolen had to return home in a borrowed suit 'in which his friends cannot recognise him'.[119] When investigating the drowning of a naval man found in the River Tyne in 1915, police were misled by his collar marked 'C.W. Limb'. Inquiries revealed that Limb was alive and serving aboard his vessel, but that another crewman Mills was missing. It was ascertained that Limb had loaned Mills his collar, which was said to be common practice.[120] In this instance, confusion arose as a result of the uniformity of naval dress coupled with individualistic marks. A similar case occurred later that year when one Joseph Flanagan mistakenly identified the body of a drowned man as his brother James on the strength of the clothing; the body was too decomposed to identify directly. However, in March of the following year James returned from Scotland alive and well, prompting a re-examination of the case. He informed the police 'that about the latter end of August last whilst staying in a Lodging House at Gateshead he sold to a man on tramp there a Corduroy Vest and a pair of Corduroy Trousers identical with the ones worn by the man who was found drowned'.[121] The ease with which suits or items of clothing could be changed, exchanged, loaned, swapped, bought or sold meant under certain circumstances their strength as identification evidence was undermined by their instability.

Suits or items of clothing were the articles most commonly retained by coroners and law officers to await future identification. For example, a suit of clothes worn by a man found dead on a ship in 1861 was taken to the workhouse on the order of the

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[118] *North Wales Chronicle*, 9 Feb 1836, p.3.
[119] J. McLevy, *The Casebook of a Victorian Detective* (Edinburgh, 1975) p.199.
[120] Northumberland, COS/3/38/9 – 28 May 1915.
[121] Northumberland, COS/3/44/7 – 21 Oct 1921; NRO 5276/11.

coroner 'in case any one might make inquiry, and also to assist in the identity of the deceased.'[122] Even if the item itself had virtually disintegrated, keeping a sample of cloth could prove valuable.[123] From the body of a man found dead in Heysham, Police Sergeant John Johnson retained the boots, a piece of trousers, and one stocking, from which the decedent's widow was able to confirm the identity of her husband by producing a corresponding swatch.[124]

The most distinctive types of clothing were uniforms, which can be divided into official and unofficial types. Official uniforms were those issued to (or imposed upon) the employees (or charges) of state and local authorities, such as military personnel or workhouse inmates. 'Unofficial' uniforms were those typically worn by a group of workers with work-specific needs, for example oilskins and wellington boots for sailors, or protective 'lobster tail' headwear for miners. Unlike official uniforms these were worn voluntarily out of practical necessity, but nevertheless produced uniformity between members.[125] As anthropologist Steven van Wolputte argued, uniforms did not merely act as a badge of belonging, but made 'some body part of a larger social and moral community'.[126] Investigators used uniforms to re-place the unknown dead back into their social context because such distinctive clothing immediately associated the wearer – to both 'insiders' and 'outsiders' – with a particular group. Each type will be examined in turn.

Military uniforms were among the most visible types encountered. For much of the nineteenth century British Army uniforms consisted of a distinctive scarlet tunic, but

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[122] *The Standard*, 24 Apr 1861, p.6.
[123] Lancashire, CR18/6 – 8 Mar 1926.
[124] Lancashire, DDHD/CR – 6 Dec 1906.
[125] The desire to conform through the uniformity of fashion is not of interest in this discussion.
[126] S. Van Wolputte, 'Hang on to Your Self: Of Bodies, Embodiment, and Selves', *Annual Review of Anthropology*, 33 (2004) p.258.

khaki dress became standard issue for overseas deployment in 1896, and for home service from 1902.[127] Throughout the period under study servicemen were identified by their uniforms and associated paraphernalia such as insignia, issue numbers, and medals. One unknown man found in 1808 on the shore of the River Orwell in Suffolk was supposed to be 'a Soldier of and belonging to His Majesty's Forty Third Regiment of Foot lately embarked at Harwich for Foreign Service' from his dress; he had evidently fallen into the harbour when boarding his ship. However, because the inquest was opened the day after the discovery, his name had not been hitherto ascertained.[128] Even civilians were able to distinguish between regiments: in 1867 a Bristol outfitter recognised the jacket of a discharged member of the 33rd Regiment of Foot who had previously come into his shop.[129] During and following the First World War, foreign servicemen were distinguishable from their British counterparts by their uniforms: a Royal Navy Petty Officer recognised an American sailor 'by the Formation of the Buttons on the Monkey Jacket, his jumper had the usual American pockets, the American Navy do not wear a single Dickey [a detachable shirt front], as we do.' He was also able to testify that two hands had been lost from an American cruiser moored at Felixstowe eight weeks previously.[130]

When a uniform identified the wearer as a member of a particular organisation, distinguishing signs thereon could suggest the individual identity of the wearer. For example, one man found drowned in the livery of the Royal Horse Artillery in 1878

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[127] T. Newark, *Camouflage* (London, 2007) pp.45-6.

[128] Suffolk, HB10/9/24/21 – 22 Nov 1808.

[129] CO1/I/13/C/19 – 8 Oct 1867. See also *Western Mail*, 11 May 1897, p.6. Such occurrences indicate that former soldiers continued to wear their uniforms after military service. One man found in 1922 possessed a khaki handkerchief and army penknife: Lancashire, DDHD/CR – 31 Aug 1922.

[130] Suffolk, EC5/63/18 – 7 Apr 1920.

(complete with spurs) was identified by his furlough chit, the details of which married with the inscription '1419 E Fox A R.H.A. 4/77' in his clothing.[131] Another dressed in khaki uniform in April 1916 was clearly identified as Pvt. James Fallon of the Durham Light Infantry, although formal identification did not happen until three days later when the Staff Sergeant and Quartermaster identified him by his collection of medal ribbons and Army identification number stamped inside one boot.[132] Even single items of uniform could be telling: one man found in Lancashire wore an old leather army belt (a common enough occurrence) but he was supposed to have been a soldier 'not from the belt alone, but his skin was very clean + he had been a well set-up man.'[133] Another wore the belt of the 1 Madras Infantry Regiment, but no further evidence of service was forthcoming.[134]

Workhouse uniforms were also found on the bodies of unknown persons, which prompted investigators to call the local superintendent to give evidence. In 1871 a man was found dead in the Thames wearing a City of London Union Workhouse shirt marked '2BR'. The parish officer stated that '2BR' referred to 'bedridden', but the master stated that inmates were not supposed to wear shirts like these outside the workhouse.[135] By 1895 workhouses across the country were re-styling their uniforms to resemble civilian clothing. Standardized items of dress were still issued, but there was nothing on them (patterns, badges, numbers) to identify inmates as such to outsiders.[136] The 'old' uniforms were distributed to the poor; in April 1900 a man known to have spent time in a workhouse was found dead in Oxfordshire dressed in a workhouse uniform comprising a

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[131] Decoded, this reads Army number 1419, E. Fox, A Company, Royal Horse Artillery, April 1877; it was not recorded whether this evidence was accepted: Suffolk, EC5/21/15 – 22 Apr 1878.

[132] Northumberland, COS/3/39/10 – 25 May 1916.

[133] Lancashire, DDHD/CR – 4 Nov 1901.

[134] Hull, C CQB/428/465 – 30 Jul 1898.

[135] LMA, CLA/042/IQ/01/36/92 – 23 Jun 1871.

[136] V. Richmond (ed), *Cothing, Society and Culture in Nineteenth-Century England, Vol 3: Working-Class Dress* (London, 2011) p.426.

waistcoat, pair of braces, and a coat marked No.33. The master of the Woodstock Union

workhouse testified that he did not recognise the man as having been an inmate, and

stated that uniforms had been discontinued at his institution four years previously and

gifted to needy tramps. In addition, the current inmate 33 had been there for two and a

half years.[137] Neither the man in London nor the man in Oxford was identified. These

examples demonstrate that distinctive uniforms could only act as identifiers if the

relationship between the uniform and wearer was valid; that is, if they were worn by the

correct person within the proper context. Those used out of context – here worn outside

the workhouse walls by non-inmates – prevented the rules of reference from being

applied. If clothing and associated badges or insignia did not refer to the bearer, the

purpose of official uniforms was defeated.[138]

'Unofficial' uniforms or occupational clothing were similarly distinctive. It appears

that unless the decedent was respectably dressed for leisure or the bookish trades,[139] he

was assumed to be a navvy or labourer of some kind. From these foundations, distinctive

articles or items of clothing were further used to place the decedent into their former

occupational roles. For example, a white apron could suggest a market porter when

teamed with a cap[140] or a joiner if additional clues were afforded by items such as pencils

or rulers.[141] Carpenters' trousers were also distinguished by their wide and deep pockets

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[137] *Jackson's Oxford Journal*, 7 Apr 1900, p.4.

[138] For the official line on the prohibited practice of civilians wearing military uniform during the First World War, see L. Ugolini, 'The Illicit Consumption of Military Uniforms in Britain, 1914–1918', *Journal of Design History*, 24 (2011), pp.126-8.

[139] For example, *Jackson's Oxford Journal*, 13 Nov 1886, p.5. One man killed by a train in 1934 was supposed to be a clerk from his dress: COS/3/57/3 – 17 Apr 1934.

[140] LMA, CLA/041/IQ/03/01/23 – 3 Feb 1838.

[141] Skilled tradesmen tended to carry their own tools from job to job: Lancashire, DDHD/CR – 11 Jun 1900.

used for carrying rules, protractors and set-squares.[142] Engineers and boilermen wore

dungaree smocks.[143] Sailors and fishermen wore layers of warm heavy clothing –

sometimes including oilskin trousers or jerkins – and high-topped wellington boots,

rather than the stout military-pattern blucher boots favoured by tramps and general

labourers.[144]

Migrant workers could be identified as such by their 'different' styles of dress; one

witness giving evidence at an inquest on a man found dead on a Lincolnshire highway

testified that 'From his dress [I] judged him to be an Irishman', which married with

paperwork found on his person.[145] Coastal traffic around the British Isles allowed many

people from different parts of the country to meet, which came in useful when

identifying the bodies of seafaring strangers. A sailor found in the Thames was supposed

to be a foreigner 'by the look of the dress', and the unusual style of dress on another

body found in the River Tyne meant that 'some of the Jury thought he must have been a

[W]est [C]ountry sailor'.[146] The womenfolk of some coastal regions knitted their mariner

husbands jumpers based on local patterns and using knitting stitches unique to the

region.[147] Some of these could be as distinctive as tartans.

Cobb dedicated a great deal of space to the importance of clothing in his study of

post-mortem identification practices at the Basse-Geôle. He argued that clothing may not

have provided the biography of the decedents but was among the most fruitful indicators

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[142] East Sussex: SHE 2/7/12 – 17 Apr 1848.
[143] Suffolk EC5/46/21 – 10 August 1903; Lancashire, DDHD/CR - 12 Jan 1915, and 25 Jun 1928.
[144] East Sussex, WIN 570 – 25 Sep 1837; Gloucestershire, CO1/I/18/D/21 – 23 Dec 1872; Hull, C CQB/384/060 – 21 Jul 1887; Glamorgan, DCONC/4/1/19/28 – 31 Jul 1923.
[145] Lincolnshire, Spalding 1826/463 – 11 Nov 1826.
[146] LMA, CLA/042/IQ/01/16/179 – 19 Dec 1853; a West Country vessel had recently been lost in a gale: Northumberland, COS/3/6/3 – 20 Jan 1877.
[147] Snell, 'Gravestones', p.109.

of their social class or home regions, as well as acting as distinctive identifiers.[148] The same can be said for the English and Welsh experience. The care taken to document suits of clothing clearly indicated that investigators acknowledged that dress contained a great deal of information about the wearer and demonstrated that individuals were marked out from one another by its distinctive, individualistic characteristics.

Codes – keys, medals and corks

Items inscribed with numbers or codes – rather than words – occupied a curious position as identification evidence. Like documentation, they were articles issued or produced by a third person and carried on the body, but the private meanings behind the codes thereon were out of reach to the untrained or uninitiated observer. Consequently, investigators needed to track down the issuing party who in turn had to examine their records to determine the name of the person corresponding with the item. Items explored here include key fobs and medals, but the potential use for these codes was limitless.[149] Launderers' marks were used to stop mix-ups between the loads of different customers and so the identifying codes only had to apply in-house, but items issued for consumption in the wider community required signs that identified the item as having originated from a specific group or organisation.

One of the most important items of this type were seafarers' medals. The Shipwrecked Fishermen and Mariners Royal Benevolent Society (known as the Shipwrecked Mariners' Society) was founded in 1839 as a charitable organisation to provide relief to the dependents of those lost at sea. For an annual subscription of a few

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[148] Cobb, *Death in Paris*, p.73.

[149] Because of their capacity for uniqueness and to remove the possibility of duplication, numbers and codes – rather than names – provide the ordering system for modern-day identification systems: see D. Lyon, 'Under my Skin', pp.291-310.

shillings, members were assured that their families would receive relief and their uncollected wages in the event of their deaths; survivors of shipwrecks were fed, clothed and their journey home paid for. Most importantly for this thesis, though, members were issued with a small medal. On one side was an image of a storm-tossed ship, and the inscription 'SHIPWRECKED MARINERS' SOCIETY' with the year of issue; on the reverse was a profile of Admiral Nelson, the motto 'ENGLAND EXPECTS EVERY MAN WILL DO HIS DUTY', and a serial number scratched into the metal.[150] The medal – worn on a ribbon around the neck – acted not only as a membership token, but was designed to act as an identifier should the mariner die at sea and his body be washed up on unfamiliar shores.

With these coded items, identification was a two-part process which split the responsibility between the law officers and the Society clerks. First, law officers used the medal to trace the issuing body (a simple process) whereupon the clerks used the medal's number as a key to locating the corresponding individual in the Society's registers. Law officers testified at inquests in Hull and Cardiff that inquiries had been made at the Society's offices, although the lack of results suggests that liaison and checking the registers took longer than the brief period between discovery and inquest.[151]

In their journal *The Shipwrecked Mariner*, the Society unashamedly promoted subscriptions with stories of drowned sailors being identified – against all odds – through these medals, while using the experiences of grieving families as an emotional lever:

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[150] Tokens issued in the Society's early years did not feature the pictures: for examples, see http://collections.rmg.co.uk/collections.html#!csearch;agentReference=agent-148432;authority=agent-148432.

[151] '[On him was found] a Shipwrecked Mariners' Society Medal, the number apparently 14661, dated 1861': Hull, C CQB/280/023 – 23 Oct 1861; 'He has not yet been identified, but it may be mentioned, as a means of identification, that a medal was found in his pocket, which denoted that he belonged to the Shipwrecked Mariners' Society. Upon the face of the medal was scratched No.46,553 – probably the number against which the name of the deceased was entered in the society's books': *Western Mail*, 19 Sep 1879, p.3.

With the essential medal-number for a key, Mr. Taylor quickly opened

communications with the Society, enabling him 'relief to give and downcast

hearts to cheer.' Expressions of thanks soon came from bereaved parents

and friends, whose feelings... were now soothed by attending their

relatives' decent burial, the few shillings subscribed by the deceased at

once securing (what thousands neglect to secure) some provision by the

Society for needy dependents.[152]

With financial, cultural and spiritual implications, the fear of post-mortem anonymity was

thus employed as a means recruiting members to the Society. Stories strongly indicated

that should seafarers pass up the opportunity to join or renew their subscription, they

would not receive the medal and thus run the risk of remaining unidentified after death,

denying their families any comfort and themselves a decent burial.[153] The approach was

apparently effective; in addition to high membership rates,[154] witnesses at coastal

inquests (particularly those in Suffolk) frequently testified that they had searched for such

medals without success, indicating that witnesses, juries or the coroners were familiar

with their presence and aware of their value.

Although this is not the place to examine the history of battlefield identification in

detail, coastal coroners' juries did search for naval identification discs from the early

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[152] *The Shipwrecked Mariner*, XVII (1870) p.40. Another story concluded 'Had it not been for the possession of this medal the body might never be identified.': *The Shipwrecked Mariner*, XVI (1869) p.45.

[153] Although there is no reason to believe this was maliciously contrived, the Society's journal was awash with dramatic and heart-rending accounts of men being swept overboard or shipwrecked, and laced with themes of self-sacrifice and strong Methodist principles.

[154] In 1868, 50,810 persons paid the 3 shilling subscription fee, and since its formation, the Society had provided relief for 182,313 persons: *The Shipwrecked Mariner*, XVI (1869) p.149.

twentieth century. From 1907, army and navy personnel were issued with a single red identification disc bearing their name, military number, and unit, which was to be recovered after death and returned to the War Office. However, during the First World War the Commission of Graves Registration and Inquiries complained that once these were removed, army personnel lost their verifiable identifier and so had to be buried as 'unknown'. In response, a second green disc was issued in September 1916 which was to remain on the body at all times as a post-mortem identifier.[155] Although few discs were found on naval personnel, the records demonstrate that the inhabitants of coastal districts specifically searched for and noted the absence of these discs.[156] If discovered, the investigators needed only to contact the War Office and quote the numbers and letters thereon to set the administrative wheels in motion. However, just one body was found to possess such a disc, but there was no record of any subsequent identification.[157]

Placing a third party between the object and owner could also provide security, for example in the context of key retrieval systems. Such schemes were established to return lost keys to their owners, but rather than attaching the owner's name and address, (thus offering a golden opportunity to thieves), a tag was affixed with instructions to post them to a trusted third party who would then forward them to the owner. In the aftermath of the 1868 Abergale railway disaster one Mr Lund was identified by a set of keys found in the wreckage

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[155] Respectively, under Army Order 9 of January 1907, and Army Order 287 of September 1916: http://www.westernfrontassociation.com/great-war-on-land/73-weapons-equipment-uniforms/1033-identifying-dead-short-study-identification-tags-1914-1918.html (accessed 28 Mar 2012).

[156] For example: Lincolnshire, Spilsby – 13 Mar 1916; and Suffolk, EC5/58/12 – 22 Sept 1915 and EC5/63/18 – 7 Apr 1920.

[157] Suffolk, EC5/58/74 – 14 Sep 1915. One man in Gloucester was found with a similar disc 'bearing the letters and numbers W.C.C.266' in 1930, but there was no other evidence submitted to suggest naval service: Gloucestershire, CO6/1/30/102 – 22 Dec 1930. Of course, it is likely that many others found with these discs were successfully identified.

which has a small steel locket attached with a number on, and a notification that in case of loss the finder of the keys will be rewarded on taking them to Messrs Chubb's establishment... on telegraphing to Messrs Chubb for the number which stood against Mr Lund's name in their directory, it was found to be identical with that upon the keys picked up.[158]

Another man at Bolton le Sand, Lancashire, was found to have a set of keys to which was affixed the label 'Scottish Natural Key Registration + Insurance Association Edinburgh E3,338'; he was successfully identified as a native of Fifeshire.[159] Not only were these items distinctive to the owner (Lund's was a present from his brother) but their allocated numbers allowed the item to be linked to a registered individual.

On occasion, items were discovered which clearly indicated membership in a society, but the lack of distinguishing details such as numbers prevented investigators from ascertaining any further information. For example, one man found dead on a London railway line was found to have in his possession a cork stamped 'C.C.C.', which the police officer surmised made him a member of a 'cork club'. However, this was the only tangible lead, and in the absence of any evidence as to the nature or location of the club, the man was never identified.[160]

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[158] *North Wales Chronicle*, 29 Aug 1868, p.2.
[159] Lancashire, DDHD/CR – 12 Oct 1901.
[160] LMA, CLA/041/IQ/04/02/46/69 – 31 May 1917. Cork clubs were informal drinking societies to which one paid a subscription and received a cork as a membership token. Members had to carry their cork at all times and could be fined if they could not present it when challenged. Fines were also imposed on the use of bad language, and the money raised was used to pay for a club dinner or holiday: *The Times*, 21 Jun 1912, p.3.

Conclusions

In identification investigations, surface appearances acted as a visual boundary between the unknown body and those required to engage with it: the investigators responsible for its documentation and the relatives who attempted to recognise it. Although the paper body was usually inexactly documented using unscientific terminology, its simple language allowed relatives to understand and consider these signs and characteristics when presented with the investigators' reports.

As seen in Chapter Two, lay investigators included law officers, mortuary workers and local women who laid out the dead, all of whom would have had experience of post-mortem appearances and a familiarity with the corpse. In addition, first-finders without administrative responsibility for the corpse were occasionally present at these examinations and in some cases even searched the corpse themselves.[161] Expert knowledge was unnecessary when gathering information from surface appearances: patience, a keen eye, and the ability to recognise which signs held the most potential as identification evidence were the only requirements.

General indicators such as sex, age, stature and complexion, corporeal or inanimate indicators of occupation and social class (such as tattoos or clothing) placed the decedents within social, regional or occupational groups, narrowing down the fields of inquiry for investigators. British law enforcement may not have embraced the Continental schools of criminology but using the body to divide and sub-divide the population into ever-smaller categories permitted investigators to focus their inquiries on the elements of society most likely to be relevant. Having established this position, distinctive individualistic indicators could be used to 'flesh out' the general descriptors

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[161] See pp.115-17 of this thesis.

and guide the inquiry towards specific individuals. Identifiers which indicated both group and individual identity such as occupational marks or tattoos, clothing and personal possessions were clearly held in high regard by investigators.

Some items actively guided investigators towards their intended targets. Personal papers, professional documentation, and seamen's medals all had the capacity to link the bearer with a third party, for example a past employer, the club or society issuing the medal, or members of the decedent's social circles. Items permitting these links to be established quickly were sought after as a matter of urgency, as they offered the best chance to allow the coroner to open the inquest on a named individual.

The laymen's creation of the paper body using surface appearances was a curious cross-over between the realms of community responsibility, keeping the peace and medical investigation. But surface appearances could be damaged and rendered unintelligible to investigators and relatives, whereupon the assistance of the medico-legal community was required. The increased interest of this group was not merely born out of a need to assist in difficult cases, but was a conscious attempt to instil the common-sense approach of the lay investigators with the technical ability and scientific principles of forensic medicine. By introducing rigorous and standardised investigative methods calculated to eliminate margins of error, the medical community portrayed themselves as the most capable group for the task and thereby 'claimed' post-mortem identification practices for their field. The next chapter, then, must be seen as a scientific continuation and medico-legal appropriation of the lay common-sense approach examined in this chapter.

Post-mortem Identification and the Medico-legal Sphere

This chapter will assess the role of forensic medicine in identification investigations and its impact upon the nature and outcome of the inquiry. As discussed in the two preceding chapters, attempts to document and recognise the unknown body relied primarily on the use of surface appearances which were gathered, collated, presented and interpreted at their face value by laymen. These acted as a shared visual and linguistic territory for investigators and anxious relatives, but their use had several shortcomings. First, distinctive signs of identity, or even the body's more general physical characteristics, could be concealed if the body had become damaged through natural process (decomposition), accident (for example, burning) or human interventions (dismemberment). Second, laymen were sometimes unable to ascertain the medical or legal significance of a given indicator beyond its immediately visible characteristics, and third, their opinion-based evidence was at the mercy of fallible human memories. This chapter will argue that the medical practitioner's specialist knowledge and professional position offered an opportunity to rectify these weaknesses, and that between 1800 and 1934 doctors assisted in identification investigations with increasing capability.[1]

The advantages of this participation were threefold, each mirroring the shortcomings of the layman. First, medico-legal men[2] provided the investigation with a

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[1] This chapter is in part based on my Masters dissertation 'The Medico-Legal Aspects of Establishing the Identity of the Victims of "Trunk Murders" in England, 1829-1936' (unpub. MA thesis, Oxford Brookes University, 2008).

[2] At a professional level the field of forensic medicine was dominated by men; consequently the male pronoun will be used throughout this chapter when referring to practitioners. However, women did take part; one Mrs Bainbridge acted as the pathologist Bernard Spilsbury's assistant, accompanying him on his assignments: D.G. Browne and E.V. Tullett, *Bernard Spilsbury: His Life*

more 'thorough' perspective on the unknown body, both in the epistemic and literal sense. His manner of observation adhered to the idea of the 'medico-legal gaze' which impersonally considered the body and its signs as anatomical components with medical and legal significance.[3] In addition, his medical training and professional experience equipped him with knowledge of morbid anatomy both on and beneath the skin; no other participatory group had the ability to comprehend identifying signs or characteristics at a deep-tissue or skeletal level if the body had significantly deteriorated.[4]

Second, a familiarity with post-mortem appearances coupled with dedicated training allowed doctors to consider or interpret the deeper medical and legal implications of immediately visible identifiers. For example, was a scar the result of a burn or a cut? Was a missing tooth the result of an accident or surgical procedure, and was it a recent, longstanding, or post-mortem loss? The significance of these small details would only become apparent when presented to those searching for missing persons.

Third, doctors were able to present their evidence as empirical, scientific and free from uncertainty, in direct contrast to the opinion evidence of those attempting to recognise the body from its surface alone. This was due to a combination of standardised methods and taxonomies, but also a growing professional self-identity and the understanding that existing lay systems should be improved.

Over the period 1800–1934 these three aspects of the medico-legal practitioner's role in identification procedures evolved within the context of changing medical, legal

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and Cases (London, 1951) pp.154-5. There were other more prominent exceptions: in the early twentieth century Dr. Letitia Fairfield was vice-president of the Medico-Legal Society, and co-edited its journal: *The Times*, 2 Feb 1978, p.16.

[3] For more on the flexibility of Foucault's concepts of the 'gaze' and 'glance' see D. Armstrong, 'Bodies of Knowledge/Knowledge of Bodies' in C. Jones and R. Porter (eds), *Reassessing Foucault: Power, Medicine and the Body* (London, 1994) pp.17-27.

[4] For the doctor, 'death… opens up to the light of day the black coffer of the body': M. Foucault, *The Birth of the Clinic: An Archaeology of Medical Perception* (London, 2003 [1973]) p.204.

and investigative environments. These included the specialisation and professionalisation of forensic medicine – particularly pathology – as a discipline, but also changing policing practices, coronial reform, medical research, improved mortuary provision and the increasing legal expectations regarding standards of evidence. This chapter will study how the three roles outlined above operated within these shifting boundaries, and how this affected the nature of the identification process.

In order to offer an overview of the development and use of techniques and technologies available to medical investigators over the period, this chapter will supplement inquest records with a body of medico-legal literature, as well as a small but important collection of murder cases in which the identity of the victim was in question (thus necessitating the assistance of a medico-legal practitioner). This material focuses primarily on the more extraordinary and complex cases and contains numerous examples of mutilated murder victims, skeletonised remains and instances of mistaken identity. Their contents are in no way representative of the typical caseload of the average medico-legal practitioner, but they do reveal to the historian the self-perceived responsibilities of the field as well as a more comprehensive synopsis of the methods and tools at its disposal.

Section I will provide a brief overview of how forensic medicine developed into a specialist field in England and Wales. This will focus on the availability of education in medico-legal matters as well as the legal and investigative frameworks which facilitated the participation of doctors in sudden death investigation. Major advances in these areas occurred in the 1830s and 1860s, decades behind Scottish and Continental developments, but it was within this context of gradual professionalisation and

specialisation that medico-legal practice became sufficiently reliable to merit its regular use in identification inquiries.

Section II will examine developments in the canon of identification techniques and technologies available to medico-legal practitioners. Doctors had participated in identification investigations in a piecemeal fashion for centuries prior to this period, but specific interest in this area appeared during the early nineteenth century, alongside the rise of forensic medicine as a specialist field. From the mid nineteenth century, sufficient interest was shown amongst the medical profession to reconfigure identification as a medico-legal specialism worthy of dedicated study. Surface appearances were examined in a methodical fashion and described using medical nomenclatures which transformed these otherwise mundane indicators of identity into objects of medico-legal significance. In addition, new investigative territory was 'carved out' within the body itself at its deep-tissue and skeletal levels. By promoting itself as the only investigative group with the capacity to examine the entire body for signs of identity scientifically, the medical sphere appropriated the question of post-mortem identification – usually a layman's investigation – and reconfigured it as a specialist medico-legal matter. The role of fingerprints will also be examined here; although they were considered a criminalistic technology rather than a medico-legal one, they cannot be considered as visible 'surface appearances' alongside those studied in the previous chapter.

In light of these epistemic and technical developments, Section III will examine the types of practitioners consulted in identification investigations, from unremarkable local surgeons to 'able specialists' such as police surgeons, anatomists and pathologists. As well as their roles as individuals, this section places particular emphasis on the growing importance of teamwork between doctors, which was only possible once sub-specialisms

had been established within the medico-legal field. It will explore how different types of

practitioners cooperated and will discuss the advantages of these working relationships.

In this section a conscious decision has been made to shift focus away from the

'expert' medical witness. In a medico-legal context 'experts' were those permitted, on

the strength of their professional ability and authority, to give an opinion on matters of

fact before a court,[5] but it is an inappropriate term to use in this context for two reasons.

First, I argue that the term 'expert' is too fluid. The toxicologist William Willcox noted that

in criminal cases, every doctor closely involved in the case 'who goes into the witness

box, generally is asked for his opinions. He is then an expert'.[6] Under Willcox's

categorisation, *any* medical practitioner could act in an 'expert' capacity. The barrister

Francis Temple Grey disagreed, and stated that there was a stark division between

'experts' and 'non-experts'. 'The real number of experts in any country is not large' he

argued, and suggested that to prevent juries from trusting a witness too much, 'non-

experts' should make themselves known to the courtroom.[7] Meanwhile, throughout the

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[5] This was a special addition to the four principle rules governing the conduct of nineteenth- and early twentieth-century medical and scientific witnesses designed to preserve the integrity of their position and evidence in the eyes of the jury. These witnesses could only testify on what they had seen with their own eyes, they could not comment on the ultimate issue of the case (to do so would place too much emphasis on the testimony of one man), they could only testify on their own work and not speak for others, and they could not hypothesise. See C.A. Jones, *Expert Witnesses: Science, Medicine, and the Practice of Law* (Oxford, 1994) pp.97-117; R. Smith, 'Forensic Pathology, Scientific Expertise, and the Criminal Law' in R. Smith and B. Wynne, *Expert Evidence: Interpreting Science and the Law* (London, 1988) pp.56-92; K.D. Watson, *Forensic Medicine in Western Society: A History* (Abingdon, 2011) pp.47-50. See also 'The Doctor in the Law Courts: Joint Discussion Between the Medico-Legal Society and the West London Medico-Chirurgical Society', *TMLS*, XXIV (1929-30) p.106.

[6] 'The Doctor in the Law Courts', p.106.

[7] *Ibid*, p.118. Juries could be swayed by the appearance of famous 'celebrity' experts, a point raised during the Palmer poisoning trial: I.A. Burney, 'A Poisoning of no Substance: The Trials of Medico-Legal Proof in Mid-Victorian England', *Journal of British Studies*, 38 (1999) p.82. Dr (later Sir) Bernard Spilsbury has been seen as the personification of the dangers of the medico-legal 'celebrity': I. Burney and N. Pemberton, 'Whodunit: The Rise and Fall of Celebrity Pathology', *BMJ*, 341 (2010) 1319-21; A. Rose, *Lethal Witness: Sir Bernard Spilsbury, Honorary Pathologist* (London, 2007).

period in question here the medico-legal community continually voiced concerns that at an inquest *any* qualified medical practitioner giving evidence – the vast majority of whom certainly did not possess medico-legal 'expertise' – was permitted to voice an opinion which under Willcox's definition made him an 'expert'.[8] Thus the terms 'expert' and 'expertise' are not necessarily synonymous.

Second, I argue that the historical focus on the 'expert' has consigned the medico-legal practitioner to the criminal courtroom, right at the end of an investigation and where relatively few ever appeared.[9] This chapter will study how the practitioner worked 'on the ground' with the unknown body, rather than on the witness stand before a trial jury. Although Thomas Forbes argued that the courtroom (where 'the results of actual forensic medicine were revealed') was the ideal place to study the history of forensic medicine,[10] I argue that the same can apply to the inquest despite their problematic rates of record survival.[11]

In light of these shortcomings, the 'expert' will be reconsidered as the 'able specialist,' a term borrowed from Westcott's discussion of police surgeons but one which more accurately personifies and encapsulates the ethos of medico-legal practice.[12] This will also focus attention on their practical abilities rather than their roles in an adversarial setting, and removes the ambiguity of the terms 'expert' and 'expertise'. One theme shared by the 'expert' and the 'specialist' is his ability to communicate complex medico-

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[8] R.E. Melsheimer, *Treatise by Sir John Jervis on the Office and Duties of Coroners or The Coroners Act, 1887* (5th ed) (London, 1888) p.224. For details on the kinds of medical practitioners giving evidence at inquests, see G.I. Greenwald and M.W. Greenwald, 'Medicolegal Progress in Inquests of Felonious Deaths: Westminster, 1761-1866', *Journal of Legal Medicine*, 2 (1981) 193-264.

[9] See Introduction to this thesis for a brief literature review, pp.19-22.

[10] T.R. Forbes, *Surgeons at the Bailey: English Forensic Medicine to 1878* (London, 1985) p.2.

[11] The role of the doctor at the inquest has received less historical attention than his court-based counterpart: see Greenwald and Greenwald, 'Medicolegal Progress'.

[12] W.W. Westcott, 'Twelve Years Experiences of a London Coroner', *TMLS*, IV (1906-7) p.19.

legal information to laypersons.[13] He was required to translate physical evidence into written evidence in his report, and then present this verbally to the assembled court in a form which the lay audience responsible for determining the outcome of the case (judge, coroner or jury) could understand.[14]

This chapter will conclude that alongside the changes to the working practices of coroners and law officers, the professionalisation of and specialisation within the field of forensic medicine allowed the medico-legal community to assume a greater responsibility for the identification of the unknown dead in both mundane and complex cases. However, the doctor was but one strand in an investigation designed to facilitate recognition; the coroner and law officers handled the body and directed inquiries, and the layman remained ultimately responsible for the act of formal identification. Thus in a mirror image of the previous chapter, because the unknown body acted as a shared investigative territory the medico-legal interest in post-mortem identification practices offers the historian the opportunity to examine how forensic medicine was used to assist in an investigative process that relied upon lay participation for its ultimate success.

This work will contribute to the existing historiography of forensic medicine in a number of ways. First, it will use identification as a means to examine the professionalisation and specialisation of forensic medicine, and in so doing will trace the earliest days of the field of forensic anthropology, which in modern day practice provides

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[13] Carol Jones argues that experts were specifically called to explain complex intangible knowledge which the judge and jury 'could not see, feel, hear or touch': Jones, *Expert Witnesses*, pp.62-3.

[14] J. Pugliese, '"Super Visum Corporis": Visuality, Race, Narrativity and the Body in Forensic Pathology', *Law and Literature*, 14 (2002) 368-9; T. Golan, *Laws of Men and Laws of Nature: The History of Scientific Expert Testimony in England and America* (London, 2004) p.53; Smith, 'Forensic Pathology', p.90.

the specialists responsible for post-mortem identification inquiries.[15] Alongside Chapters Two and Three, it places identification practices firmly within a medico-legal context, and finally, thanks to the shared investigative territory of the unknown corpse, it provides a rare opportunity to examine how the lay and medico-legal communities differed in their epistemic views of and responsibilities for the unknown body.

Section I – The Professionalisation and Specialisation of Forensic Medicine, 1800–1934

Alongside the evolution of the coronial system, policing practices and mortuary provision, the professionalisation and specialisation of forensic medicine was affected primarily by the availability and quality of medico-legal training, and the legal frameworks facilitating the use of medical practitioners in sudden death investigation. From 1800 to 1934 the availability of formal medico-legal training for medical students in England and Wales trailed behind that of Scotland and the European continent. During the first three decades such teaching was almost non-existent; as a result, medical men often performed poorly on the witness stand, combining non-standardised medical language with 'home-spun' imagery which fell short of the courts' requirements. It became desirable for medical students to receive proper training in forensic medicine in preparation for public court appearances.[16]

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[15] For the most complete synopsis of the field, see T. Thompson and S. Black (eds), *Forensic Human Identification: An Introduction* (Boca Raton, 2007). Other useful introductions can be found in B. Bass and J. Jefferson, *Death's Acre: Inside the Legendary 'Body Farm'* (London, 2003) and C. Snow 'Forensic Anthropology', *Annual Review of Anthropology*, 11 (1982) 97-131. This should not be confused with the field of forensic anthropometry, the practice of measuring the human form – most famously the Bertillonage system (see Chapter Three). However, the analysis of such measurements for the skeleton (forensic osteology) is a key component to forensic anthropology.

[16] C. Crawford, 'A Scientific Profession: Forensic Medicine and Professional Reform in British Periodicals of the Early Nineteenth Century' in R. French and A. Wear (eds), *British Medicine in an*

Progress occurred first in Scotland, which followed a different medical curriculum to England and Wales: extra-curricular lectures were delivered at the University of Edinburgh from 1801, and a Chair in Medical Jurisprudence and Medical Police (teaching forensic medicine alongside public health) was established in 1807.[17] Levels of interest in England rose over the 1810s and 1820s but advocates for reform were frustrated by the apparent stagnation in real improvements.[18] The first major sign of progress came only in 1831 when the Society of Apothecaries ruled that every student was required to attend a course of lectures on forensic medicine in order to qualify. London's medical schools promptly appointed lecturers in the subject but formal examinations were not set. Forensic medicine remained peripheral until the 1860s, when the University of London made the subject a separate topic for examination in 1863, and the General Medical Council finally incorporated it into the compulsory medical curriculum in 1867. This latter decision was made in response to fears that medical men, now common courtroom figures, were still performing poorly as a group.[19] By 1875 all 23 medical colleges in Britain offered students training in medico-legal matters, and dedicated courses in the subject were available at the Universities of Oxford, Cambridge, Edinburgh and Dublin.[20]

Age of Reform (London, 1991) pp.205-6; Forbes, *Surgeons at the Bailey*, p.3; M. Gaskill, *Crime and Mentalities in Early Modern England* (Cambridge, 2000) pp.273-4.

[17] M.H. Kaufman, 'Origin and History of the Regius Chair of Medical Jurisprudence and Medical Police Established in the University of Edinburgh in 1807', *Journal of Forensic and Legal Medicine*, 14 (2007) 121-3; B. White, 'Training Medical Policemen: Forensic Medicine and Public Health in Nineteenth-Century Scotland' in M. Clark and C. Crawford (eds), *Legal Medicine in History* (Cambridge, 1994), pp.145-7.

[18] Crawford, 'A Scientific Profession', pp.203-4.

[19] Forbes, *Surgeons at the Bailey*, pp.8-9; Watson, *Forensic Medicine*, p.57.

[20] Watson, *Forensic Medicine*, p.57. In 1914 Henry Littlejohn noted that although England's medical schools had been undeniably slow to begin such programmes, once forensic medicine had been recognised as a specialist subject the community had responded quickly to calls for improvements: H.H. Littlejohn, 'The Teaching of Forensic Medicine: A Presidential Address,' *TMLS*, XII (1914-15) pp.4-6.

The 1830s also marked a sea-change in the legal frameworks governing the use of medical men at inquests. The 1836 Medical Witnesses Act permitted the coroner to pay for any qualified medical practitioner to make a surface examination of the body, perform a post-mortem, or carry out toxicological analysis.[21] The Act was passed in response to fears that the current inquest system was insufficiently equipped to prevent 'secret' murders from being hidden in plain sight by passing the victim through the inquest and death registration systems undetected. Havard argued that by freeing the coroner from this financial burden, this statute opened the way for the inquest to be reformed as a medico-legal inquiry.[22] However, frugal Justices were reluctant to pay for so many inquests with the additional expense of the medical witness, and over the 1840s and 1850s the inquest process in some counties changed considerably – fewer inquests were held, and fewer doctors were called to perform examinations. The situation was not rectified until coroners became salaried in 1860, although in some areas tensions remained until the 1888 Local Government Act finally severed all administrative links between the coroner and the Justices.[23]

But despite optimistic advances, even in 1902 Henry Littlejohn lamented that circumstances still 'left much to be desired': lecturers skimmed over the finer points of pathology and the examinations were insufficient, while legislation still permitted a graduate to carry out post-mortems 'without any regard to his knowledge, his previous

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[21] Parliamentary Papers, 6 & 7 William IV, c.89.

[22] J.D.J. Havard, *The Detection of Secret Homicide: A Study of the Medico-legal System of Investigation of Sudden and Unexplained Deaths* (London, 1960) pp.9, 44.

[23] Parliamentary Papers, 23 & 24 Victoria, c.116; Parliamentary Papers, 51 & 52 Victoria, c.41, ss.5, 34. The events of this period have been well documented elsewhere, see particularly P. Fisher, 'Getting Away with Murder? The Suppression of Coroner's Inquisitions in Early Victorian England and Wales,' *Local Population Studies*, 78 (2007) 47-62, and Havard, *The Detection of Secret Homicide*, pp.51-65.

experience, or his capacity to fill his duty thus imposed upon him'.[24] Concerns continued to be voiced throughout the 1920s and the matter became a serious issue for the Home Office during the 1930s.[25] Throughout the period the quality of training available to students in forensic medicine was never fully addressed to the satisfaction of the medico-legal community.

However, by the end of the nineteenth century semi-official measures *were* in place to provide coroners and the police with more reliable alternatives. The ability to specialise in forensic medicine had created a small group of 'able specialists' in the fields of anatomy and pathology, and police forces across England and Wales had access to a police surgeon. These will be explored in greater detail in Section III, but for the present it is enough to say that although every medical graduate was qualified to carry out a post-mortem, a readily-available pool of more experienced practitioners could instead be relied upon to do so. Even in isolated rural districts without such facilities, specialists could be brought in from outside via the country's newly-expanded railway network.[26]

Throughout this period the medico-legal community of England and Wales, generally under-trained and professionally decades behind its Continental counterparts, appeared poorly prepared for the demands placed upon it; the law, meanwhile, allowed these practitioners to participate in legal procedure. This was famously problematic where cause of death was concerned, but how did this state of affairs affect the doctor's role in identification procedures? As Chapter Three demonstrated, identifications could

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[24] H.H. Littlejohn, 'Medico-Legal Post-Mortem Examinations, *TMLS*, I (1902-4) pp.18, 22; W.C. Collins, 'Inaugural Address,' *TMLS*, I (1902-4) p.6.

[25] N. Ambage and M. Clark, 'Unbuilt Bloomsbury: Medico-Legal Institutions and Forensic Science Laboratories in England between the Wars' in Clark and Crawford (eds), *Legal Medicine in History*, pp.293-4.

[26] K.D. Watson, 'Medical and Chemical Expertise in English Trials for Criminal Poisoning, 1750-1914', *Medical History*, 50 (2006) p.386; A. Crew, 'Some Functions and Duties of a Medical Practitioner in Criminal Courts', *MLCR*, 1 (1933) p.265.

be achieved through the examination and analysis of surface appearances alone; even the most incapable doctor had the ability to participate in such investigations. More complex investigations, however, required additional skills.

Section II – The Medico-legal Field and the Unknown Body

This section will discuss the techniques and technologies of post-mortem identification available within the medico-legal sphere across this period, and in so doing will examine how the unknown body became imbued with medico-legal significance. It will be divided into three areas of concern. The first will explore the rising interest in post-mortem identification as a specialist medico-legal topic: the field carved out its investigative role by offering scientific 'protection' against the fallible memories of potentially distraught lay participants, whilst acknowledging practitioners' limitations as impartial observers. The second will study how the surface appearances investigated in Chapter Three – the foundation of lay participation – became objects of medico-legal interest. This further negated the role of the layman while promoting forensic medicine as progressively scientific. Third, an examination of the identification of skeletal or fragmentary remains will be used to discuss how new investigative territories were mapped out *inside* the body. Here, the impossibility of lay observation placed the unknown body firmly within the medico-legal sphere.

These technical and epistemic developments served to draw the unknown body within the medico-legal sphere, simultaneously thrusting laymen away by raising the standards of scientific medical evidence. This can be situated within the wider theme of professionalisation of forensic medicine (above), a key part of which was the claiming of

the dead body as a site of knowledge.[27] In identification procedure this was both an inclusive and exclusive gesture.

Two interrelated theories on the production of scientific knowledge may offer further insight into the period's developments. First, Anne Joseph and Alison Winter argued that throughout the nineteenth and twentieth centuries, identification technologies which utilised the smallest available signs of identity carried the most power. For example, identity parades (which observed the entire body) were replaced by Bertillonage (based on accurate bodily measurements) as the most reliable means of identification, which was in turn replaced by fingerprinting (which analysed tiny ridges of skin on the fingertip). In modern practice, fingerprinting has been surpassed by DNA which uses the genetic 'essence' of an individual as identifier. The 'truth' of individual identity became locked within the body's individual minutiae, which got smaller but more powerful with each generation.[28] Valentin Groebner and David Lyon also observed a similar shift in their studies of personal identification documentation.[29]

Second, Nicholas Jewson, building on Foucault's study on the development of the impersonal clinical gaze, argued that over the first half of the nineteenth century, the site of medical knowledge shifted from the figure of the sick patient ('bedside medicine') to his organs, which were used to classify and diagnose disease ('hospital medicine'). From

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[27] I. Burney and N. Pemberton, 'Bruised Witness: Bernard Spilsbury and the Performance of Early Twentieth-Century Pathology', *Medical History*, 55 (2011) p.44. In 1914 Littlejohn proclaimed that 'It is with the dead that our most important duties lie. The dead body is to the medical jurist what clinical material is to the physician and surgeon, what "subjects" are to the anatomist, and what pathological theatre is to the pathologist': Littlejohn, 'The Teaching of Forensic Medicine', p.6.

[28] A. Joseph and A. Winter, 'Making the Match: Human Traces, Forensic Experts and the Public Imagination' in F. Spufford and J. Uglow (eds), *Cultural Babbage: Technology, Time and Invention* (London, 1996) pp.194-203.

[29] V. Groebner, *Who Are You? Identification, Deception, and Surveillance in Early Modern Europe* (New York, 2007) pp.102-3; D. Lyon, 'Under my Skin: From Identity Papers to Body Surveillance' in J. Caplan and J. Torpey (eds), *Documenting Individual Identity: The Development of State Practices in the Modern World* (Woodstock, 2001) pp.291-310.

the mid nineteenth century this altered again, as the specimens from the patient's body became the focus at a cellular level ('laboratory medicine'). As a result, the patient himself became almost superfluous to the investigation.[30] Like Joseph and Winter's theory, the indicators of disease got smaller, while the subject became more distanced from his or her body as a point of interest.

In post-mortem identification practices these theories can be applied to discuss the growing specialisation in the topic. Medico-legal literature emphasised that whole-body recognition was an ineffective method and instead located and analysed individual corporeal characteristics and signs in the manner described by Joseph and Winter. In doing so, the decedent (as an individual) had to be separated from his or her body, a process made easier by anonymity; in this respect the development of medico-legal practice shares parallels with the rise of Hospital and Laboratory Medicine.[31]

Inquest depositions alone are insufficient to examine the more complex techniques which were so rarely used in mundane cases, so this section relies on the increasingly specialised medico-legal literature of the nineteenth and early twentieth century. The first original textbook published in English was George Edward Male's 1816 *Epitome of Medical Jurisprudence*,[32] and over the next decade several others including J.G. Smith's *The Principles of Forensic Medicine* (1821), Paris and Fonblanque's *Medical*

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[30] N.D. Jewson, 'The Disappearance of the Sick-Man from Medical Cosmology, 1770-1870', *Sociology*, 10 (1976) pp.227-31.

[31] See also the discussion of Crozier's work in the Introduction to this thesis, p.22. R. Richardson, *Death, Dissection, and the Destitute* (2nd edn) (Chicago, 2000) pp.30-1. For a similar approach in policing practices, see P. Becker, 'Objective Distance and Intimate Knowledge: On the Structure of Criminalistic Observation and Description' in P. Becker and W. Clark (eds), *Little Tools of Knowledge: Historical Essays on Academic and Bureaucratic Practices* (Ann Arbor, 2001) p.198.

[32] Translations of continental works were readily available. Brown-May and Cooke note that the lack of English textbooks was never a barrier to actual medico-legal practice: A. Brown-May and S. Cooke, 'Death, Decency and the Dead-House: The City Morgue in Colonial Melbourne', *Provenance*, 3 (2004) pp.14-15.

Jurisprudence (1823) and an English publication of T.R. Beck's *Elements of Medical Jurisprudence* (1825) followed in its wake. Longer-running series included seven editions of William Augustus Guy's influential *Principles of Forensic Medicine* (1844-95), Alfred Swaine Taylor's *Elements* (later *Manual*) *of Medical Jurisprudence* (1836-91) and nine editions of his seminal *Principles and Practices of Medical Jurisprudence* (1865-1934).[33] As well as technical details, sections discussing the identification process reveal much about the perceived abilities and limitations of the medico-legal field. The contents of these works will now be used to examine how the question of post-mortem identification was addressed within the medico-legal community.

Increasing awareness of the role of forensic medicine in identification investigations

Medical men had participated in identification procedures at a somewhat primitive level since the early seventeenth century,[34] but until the mid-nineteenth century there is little evidence to suggest a widespread awareness amongst the medical community that they had a specialist role to play. This reflected the marginal position of forensic medicine in sudden death investigations. Such a pessimistic view of medico-legal ability evolved throughout the mid to late nineteenth century towards a more confident position by the dawn of the twentieth century, in line with wider attempts to professionalise the medico-legal field and establish practitioners of forensic medicine as the scientific group responsible for these investigations.

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[33] These works are just a few of particular note; Forbes, *Surgeons at the Bailey*, pp.231-3, provides a more detailed list.

[34] Such investigations could be structured around a basic comparison between the unknown body and another body *similar to* the supposedly deceased! See Gaskill, *Crime and Mentalities*, pp.258-9.

Male's 1816 work contained nothing of interest regarding identification,[35] but the three editions of Smith's *Principles of Forensic Medicine* from the 1820s contained a brief chapter on the subject of personal identity, the contents of which suggested that while medico-legal men were aware of their responsibilities there was a lack of confidence in their practical abilities. In his first edition (1821) Smith wrote: 'That the subject is one of real importance no one will deny; but that [the medical profession] possess peculiar means of throwing light upon it, is more than questionable', particularly when faced with dismembered or putrefied remains.[36] Covering both the identification of the living and the dead, his notes focused almost exclusively on the importance of comparisons between the body in question and the individual he or she was supposed to be. He argued that 'bodily peculiarities' (distinguishing marks or disfigurations) were 'the real characteristics of one individual' and would be most useful in ascertaining identity. Such comparisons fell to the layman, but by citing cases of mistaken identity Smith made it clear that lay testimony was deemed unreliable. In his second edition (1824) he wrote that the 'obscurity' of bodies found dead was the real obstacle to identification practices, again suggesting that the layman had more of a claim to them than the doctor.[37] When the surface of the body was illegible to the layman, the medical man was apparently still unable to assist and was as powerless as the layman in observing bodily peculiarities. In his second and third (1827) editions, Smith expanded his discussions to include the case of a clothed male skeleton at Huntingdon in 1817, but noted that its sex and identity

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[35] G.E. Male, *Epitome of Judicial or Forensic Medicine for the Use of Medical Men, Coroners, and Barristers* (London, 1816). Among the subjects addressed were poisons, obstetrics and infanticide, marks of violence, insanity, malingering and impotence.

[36] J.G. Smith, *The Principles of Forensic Medicine, Systematically Arranged and Applied for British Practice* (London, 1821) pp.501-2.

[37] This marries with the findings of Chapter One of this thesis; J.G. Smith, *The Principles of Forensic Medicine, Systematically Arranged and Applied for British Practice* (2nd edn) (London, 1824) pp.504-5.

were afforded by the examination of the immediately obvious (and entirely non-medical) signs: the clothing and personal possessions.[38]

Paris and Fonblanque (1823) adopted a more optimistic position than Smith's. Among the first to take a dedicated interest in the identification of the dead, they portrayed the medical man as relatively capable, able to examine the body's surface appearances *and* to delve beneath the skin's surface to study the skeleton. The authors instructed their readers to note the body's characteristics when carrying out a post-mortem examination, including its stature, bulk, muscular prowess, and thickness of the neck, as well as non-corporeal indicators including dishevelment and the contents of the pockets. Based on thorough visual observation and common sense, viewing and recording these signs brought this usually lay task firmly within the medico-legal sphere.[39] However, they also recommended that should the body remain unidentified before burial 'the head ought to be preserved in spirits, in as natural a state as possible, that it might be recognised by the friends of the deceased.'[40] Thus Paris and Fonblanque struck a balance between the level of assistance the medical man could offer and recognition that the ultimate responsibility for identification rested on the lay community. Unlike Smith, they implied that doctors could compensate for their inability to recognise the body themselves by making it as visible as possible for the laymen, either by noting its surface marks or preserving it in a state fit for view.

William Guy's *Principles of Forensic Medicine* (1844) dedicated a chapter to 'Personal Identity, Age and Sex', but rather than basing it around the signs of the body and applying them to investigations into the living or the dead, Guy split his chapter into

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[38] *Ibid*, p.506.
[39] J.A. Paris and J.S.M. Fonblanque, *Medical Jurisprudence* (Vol III) (London, 1823) p.2.
[40] Ibid, p.73. The authors cited the 1726 case of Catherine Hayes as inspiration (see Chapter Two of this thesis, pp.109-10).

three sections: personal identity (in general), sex, and age, and then each of these into

subsections dealing separately with the living and the dead. He advised that the sex and

age of an unknown body should be ascertained first, and afterwards 'identify the

individual by some marks known to be peculiar to him'.[41] Both subsections were

dependent on bodily observations, but Guy structured his work according to the different

legal implications: the identification of the living was essential for cases of fraud, and the

dead for proof of death. The six sections were followed by illustrative case studies. He

also set out the rules of medico-legal observation for practitioners:

> The medical man should never content himself with the mere passive
>
> exercise of his senses or judgement. It is not enough to see the objects
>
> which actually present themselves to the eye; he must look for such as
>
> are not obvious at the first glance. To the correctness of a good observer
>
> he must add the intelligence and invention of an experimenter.[42]

Guy considered the ability to observe and deliberate on pieces of evidence to be as

important as technical skill; by following these guiding principles, a doctor tasked with

seeking signs of identity could fulfil his duties. He was careful to point out that difficulties

could arise when laymen failed to do this, as relying on visual recognition and fallible

human memory alone was insufficient. The bodies of two persons could share several

distinctive marks of identity but never all of them, and investigators were expected to

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[41] W. A. Guy, *Principles of Forensic Medicine* (London, 1844) p.15.
[42] *Ibid*, p.278.

continue searching until enough differences were discovered to remove confusion.[43]

Nevertheless, he too placed emphasis on comparison and resemblance, which he

acknowledged were beyond the limits of the doctor's participation.[44] Guy's approach

demanded a focused, scientific and detailed manner of investigation, one which matched

the new ideals of medico-legal practice.

Alfred Swaine Taylor took these principles further still: quoting the judge in an

Aberdeen murder trial from April 1855, Taylor wrote that 'A medical man, when he sees a

dead body, should notice *everything*'.[45] This simple idea was placed at the forefront of

medico-legal thinking for the remainder of the period under study, and was a step

beyond instructions to merely look out for signs important to the investigation, or even a

list of specific indicators. If the medical man was aware of his task to assist in

identification, he should view not just the body (which he would do with diligence) but its

clothing, possessions and surroundings too. In doing so, he could ascertain the cause and

circumstances of death (by linking the body with its environment) but also locate many

signs of identity on the body and amongst its personal effects. This, then, was the

ultimate manifestation of the 'clinical gaze' as it applied to medico-legal practice: the idea

of the all-encompassing gaze reflected the understanding that the medical man could be

called upon to testify to anything relating to the deceased.

From the first edition Taylor's *Principles and Practice* was particularly thorough in

its coverage of identification techniques and included a chapter dedicated to the

identification of mutilated remains, richly illustrated by case studies supported by clinical

notes and practical advice. In 1905 under the editorship of Frederick Smith the book was

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[43] *Ibid*, pp.16-26.
[44] *Ibid*, p.17.
[45] Emphasis mine: A.S. Taylor, *The Principles and Practice of Medical Jurisprudence* (London, 1865) p.xxiii.

significantly re-structured along the lines of John Glaister's 1902 *Medical Jurisprudence, Toxicology and Public Health*.[46] Smith rearranged the chapter into 24 sections, each addressing a separate general or specific indicator of identity which would be of interest to the medico-legal investigator.[47] In contrast to the thematic arrangements of Guy and Taylor which required the reader to search through the chapter to find the relevant point buried amongst overlapping sub-sections and case studies, Smith's well-structured editions allowed readers to quickly locate the anatomical details of each individual identifier and their medico-legal significance. The move from anecdotal case studies to dedicated sections indicated a transition towards a more scientific and structured way of thinking about post-mortem identification. By grouping surface and internal identifiers together, Smith demonstrated that the medico-legal field had the capacity to take full charge of all aspects of post-mortem identification practice.

The post-mortem report submitted at an 1869 Gloucestershire inquest on the body of a woman found downed in the River Avon can be considered an archetype of the medico-legal examination at this crucial time and suggests that guidelines for good practice were being followed outside the capital. The surgeon Dr. Grace made particular efforts to record every indicator of general or specific identity available to him, and included her sex, age and stature, a detailed examination of her clothing (starting at the

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[46] J. Glaister, *A Text-Book of Medical Jurisprudence, Toxicology and Public Health* (Edinburgh, 1902).

[47] With regard to the means of identifying the living only he highlighted mental power, memory, education, speech, gait, and handwriting. For the living and the dead the points of interest were complexion, likeness of features, occupation marks ('permanent organic change'), race, 'deformities, birth marks, peculiarity of nails, etc', injuries leaving permanent results, clothes, jewellery, and articles in pockets, Bertillon measurements, 'Galton's thumbmarks', 'stains, smears, etc' (including occupational stains), stature and weight, teeth, scars and tattoo marks, sex, hair, and age. The identification of mutilated and fragmentary remains and skeletal remains were addressed in two separate extended sections: A.S. Taylor, *The Principles and Practice of Medical Jurisprudence* (5th edn; Fred. J. Smith) (London, 1905) p.102.

outermost garment and working his way towards the skin), the personal effects, the state of her teeth, and the condition of her hands. He also examined her womb and genitalia to conclude that she was a virgin.[48] Clearly, a doctor's methodical manner of observation was considered to be as important as his ability to interpret his findings.

The medico-legal practitioner was not expected to work isolated from the facts of the case,[49] and in some instances corroborating information provided by lay participants proved vital. If there was any suggestion that the decedent was known, their distinguishing signs could be passed on to the doctors to allow them to locate them on the body. For example, in the Wainwright and Crippen investigations, details of scars known to be on the bodies of the two missing women were given to the investigating police officers, who then passed them on to the doctors performing the post-mortem examinations.[50] Armed with this knowledge, the scars, which were not found during the first examination due to the condition of the bodies, could be located.

Having explored the rise of interest in post-mortem identification, this chapter will move to study the techniques and technologies required to do so. In the following discussion a range of identifiers of particular interest to the medico-legal community will be examined, both at a surface and at a deeper level. As discussed in Chapter Three, the general characteristics of sex, age and stature were easily ascertained except in the most complex cases involving decomposed or fragmentary remains; consequently, these will be examined in the context of forensic anthropology alone.

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[48] See Appendix III for a copy of the report: Gloucestershire, CO1/I/15/A/4 – 21 Jan 1869.

[49] Thomas Harris advised that before conducting a post-mortem examination, the surgeon should be equipped with as many facts as he might require to perform his duty: T. Harris, *Post-Mortem Handbook: or, How to Conduct Post-Mortem Examinations for Clinical and for Medico-Legal Purposes* (London, 1887) pp.3-4.

[50] H.B. Irving (ed), *Trial of the Wainwrights* (London, 1920) p.44; F. Young, *The Trial of Hawley Harvey Crippen* (London, 1950) pp.54, 65-6.

Surface marks

Surface marks such as occupational marks, tattoos and scars were clearly visible to lay investigators (see Chapter Three), but as identification was pulled beneath the umbrella of forensic medicine a more detailed knowledge of their anatomies and causes was desired. This section will discuss how this shift took place to transform mundane surface appearances into marks with real medico-legal significance.

The examination of occupational marks was placed on a firm academic footing in 1862, when Max Vernois published *On the Hands of Workers and Craftsmen from the Perspective of Hygiene and Forensic Medicine*, in which he described the marks, calluses, stains and anatomical peculiarities distinctive to over 150 different trades from potters to pianists.[51] A similar dedicated study was not published in English until undergraduate Edward P. Cathcart of the University of Glasgow (1895-1900) examined the city's working population, including masons, carpenters, bakers, coachmen, miners, and chemists.[52] Each trade involved repetitive action with tools and materials, which he linked to the calluses or stains on the fingers and hands. Those who worked with hammers, chisels, saws and planes had hardened skin on the palms where the tools were grasped. Coachmen had calluses between the thumb and forefinger, and between the third and fourth fingers, caused by holding the reins all day. The hands of chemists, photographers and dyers were stained by their chemicals, and blacksmiths' muscular hands were

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[51] M. Vernois, *De La Main des Ouvriers et des Artisans au Point de Vue de l'Hygiène et de la Médecine Légale* (Paris, 1862).

[52] G.M. Wishart, 'Edward Provan Cathcart, 1877-1954', *Obituary Notices of Fellows of the Royal Society*, 9 (1954) p.36. I have not been able to locate the original study, but Cathcart's work was incorporated in John Glaister's 1921 *A Text-Book of Medical Jurisprudence and Toxicology* (below).

covered with tiny burns from flying sparks.[53] But by 1928 mechanisation had obviously

had an effect on the hands of British workers: the brief paragraphs on the subject in

Taylor's Principles and Practice were removed, and a note added that 'In modern

tradesmen there is less tendency to the formation of trade marks and deformities' than

was found in former times when the majority of labour was done by hand.[54]

Cicatrices and tattoos appeared in Continental medico-legal textbooks as early as

the sixteenth and seventeenth century[55] and enjoyed something of a revival in the mid

nineteenth century thanks to the Ebermann-Schall murder case,[56] but they attracted little

academic attention from British writers until the last decades of the nineteenth century.

In 1821 Smith noted that in fraud cases such marks could be examined by a doctor to

assess their 'reality' – to ascertain whether the mark had been caused in the way that the

suspect claimed it had; for Smith, the 'truth' of a mark lay in its anatomy. He also noted

that this was the only part of the investigation which demanded the assistance of a

medical man.[57]

In the wake of the Ebermann-Schall case British medico-legal literature included

brief summaries of Ludwig Casper's findings on tattoo longevity; Guy, for example, wrote

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[53] J. Glaister, *A Text-Book of Medical Jurisprudence and Toxicology* (4th edn) (Edinburgh, 1921) pp.115-6.

[54] A.S. Taylor, *Taylor's Principles and Practice of Medical Jurisprudence* (8th edn; Sydney Smith, W.G.H. Cook) (London, 1928) p.121.

[55] Groebner, *Who Are You?*, p.102.

[56] A body supposed to be that of Schall was found murdered in the Spee marshes outside Berlin in 1849, but circumstantial evidence suggested that Schall was actually the murderer and another, Ebermann, was the victim. Ebermann's family stated that he had not borne tattoos and there were none on the corpse, but Ebermann's surgeon stated that he *had* sported some years previously. Pathologist Ludwig Casper was commissioned to investigate the matter, and by examining tattoos on old soldiers and sailors he concluded that some tattoos did fade over time, which would explain why none were found on the corpse. Schall was convicted. The full story of the case can be found in J. Caplan, '"Speaking Scars": The Tattoo in Popular Practice and Medico-Legal Debate in Nineteenth-Century Europe', *History Workshop Journal*, 44 (1997) pp.107-8.

[57] Smith, *The Principles of Forensic Medicine* (1821)*, p.503.

that as a rule all forms of scar tissue were indelible but that some inks could wear out over a period of time. He also cited the research of Tardieu who had concluded that only one in 25 tattoos would fade, and that tattoos could not be removed without leaving another scar.[58]

However, a wave of interest followed the second trial of the Tichborne Claimant in 1873. The imposter Arthur Orton had imitated Sir Roger Tichborne – who had been shipwrecked off Brazil and presumed dead many years before – in an attempt to inherit his estate. The court was tasked to determine whether the accused was Tichborne or not, but attempts to recognise 'Sir Roger' were confused. Tichborne's traumatised mother believed that the man was her son, whereas others – supported by photographic evidence – were certain that the overweight man who had forgotten many details of his early life could not possibly be the same dapper man. In order to provide more certain evidence, doctors examined the Claimant's scars and tattoos.[59]

Tichborne was known to have acquired a tattoo which ran the length of his left forearm, and was also known to have a scar on his eyelid inflicted by a fishing hook. The Claimant possessed neither, but sported a mark on the wrist which had the appearance of a scar. Orton was known to have had 'A.O.' tattooed on his wrist, and doctors concluded that this scar had resulted from a clumsy attempt to remove it. In light of this issue the question of the indelibility of seemingly-permanent marks resurfaced in medico-legal literature. The types of ink used in tattoos, the depths to which the needles applied it and the placement on the body all came under scrutiny. Taylor's 1873 edition of *Principles and Practice* was published a little too early to include the Tichborne case in

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[58] W.A. Guy, *Principles of Forensic Medicine* (3rd edn) (London, 1868) p.4.

[59] For a full exploration of the case see C.A. Kent, 'Victorian Self-Making, or Self Unmaking? The Tichborne Claimant Revisited', *Victorian Review*, 17 (1991) 18-34 and R. McWilliam, *The Tichborne Claimant: A Victorian Sensation* (London, 2007). The Claimant was exposed and jailed.

full, but noted that many interesting questions had been raised. He included a brief paragraph on the anatomy of tattoos and a summary of Casper's findings, even going so far as to note which colours and inks faded most quickly.[60] After the case was closed, the details of this *cause célèbre* featured prominently in medico-legal literature. Guy detailed included the proper method for examining scar tissue: under bright natural light, the observer should measure its dimensions, note its colouring and examine its form (whether raised above the skin, for example). A light slap would redden the skin and make older or shallower scars more visible. If the body was decomposed, evidence of the ink could be found in the lymphatic glands below the skin.[61]

These questions prompted further investigation into the nature of scar tissue. Although scars were accepted as indelible marks and were thus invaluable as identifiers, it was acknowledged that they could become fainter with time. New textbooks discussed the size, shape and form of scars acquired from a range of causes including cupping, burns, vaccinations, surgical operations, or disease, which would allow investigators to link the scar with its history in relation to the supposed decedent.[62] Taylor even noted that cupping scars were becoming less common as the practice died out.[63] The type of scar tissue was useful in a number of trials, including those of Wainwright (in which a scar on the leg supposed to be that of Harriet Louisa Lane corresponded with one Lane had sustained after being accidently burned by a poker)[64] and Crippen (in which the scar

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[60] A.S. Taylor, *The Principles and Practice of Medical Jurisprudence* (2nd edn) (London, 1873) pp.603-4

[61] W.A. Guy and D. Ferrier, *Principles of Forensic Medicine* (4th edn) (London, 1875) pp.7-8, 686-98; A.S. Taylor, *The Principles and Practice of Medical Jurisprudence* (3rd edn; Thomas Stevenson) (London, 1883) pp.622, 626.

[62] Taylor, *Principles and Practice* (1883 edn), pp.3-8; Guy and Ferrier, *Principles of Forensic Medicine* (6th edn) pp.12-13; Taylor, *Principles and Practice* (1905 edn) pp.147-9.

[63] Taylor, *Principles and Practice* (2nd edn), pp.602-3.

[64] Irving, *The Wainwrights* pp.44, 118.

corresponded with that of an ovariotomy or hysterectomy). This latter investigation is of particular interest because efforts were made to locate the American surgeon who had performed the operation, and to ascertain whether he would be willing to travel to London with his records to testify at the trial; he was never found, however.[65]

Within several decades of Smith's emphasis on the medical man's duty to ascertain the 'reality' of distinguishing marks, efforts had been made to place the study of these marks on a firm medico-legal footing. Moving beyond observing the outward appearance of scars, tattoos and occupational marks, trained medico-legal men could examine and comprehend their minute subcutaneous anatomies. Less able practitioners were given guidance on how to study and document such marks in a scientific, methodical manner. The knowledge of some signs such as occupational marks appears to have been gathered through dedicated research, while interest in scars and tattoos developed in an *ad hoc* fashion, excited by court cases.[66] In Chapter Three it was observed that lay investigators could note the existence and appearances of these identifiers, but only medical specialists could locate and comprehend them if the body was damaged in some way. By acting as translators between the corpse and the decedent's relatives, the medico-legal profession distanced the unknown body from those responsible for its ultimate identification and transformed it into a medico-legal object.

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[65] TNA, MEPO 3/198, report of New York Police Department, 22 Jul 1910; CID report 9 Aug 1910.
[66] Caplan argued that the medico-legal interest in tattooing rose alongside its criminological interest, but because British policing practices focused on detection rather than surveillance (the Continental model) this put distance between the tattoo and the idea of latent criminality: Caplan, '"Speaking Scars"', p.125.

Fragmentary and skeletonised remains

The identification of the unknown body by using the skeleton required specialist medico-legal knowledge and technical skill beyond the capabilities of lay investigators. In his work *Birth of the Clinic* Michel Foucault wrote that for the medical examiner 'That which hides and envelops, the curtain of night over truth, is, paradoxically, life; and death, on the contrary, opens up to the light of day the black coffer of the body.'[67] David Hillman's examination of the interior of the early modern body argued that the truth of the individual lay *within* the body – behind its opaque surface – in the viscera. Quoting from Psalms ('Behold, thou desirest truth in the inward part; and in the hidden part thou shalt make me to know wisdom') Hillman suggested that early modern societies believed that the corporeal truth was a hidden secret known only to God.[68] Thus in order to ascertain the 'truth' of an individual, specialist, even divine knowledge was necessary to observe and contemplate this information.

Jonathan Sawday noted that although hidden to all but the privileged few, the invisible interior of the body was as unique as the visible exterior:

> [Interior signs are] to an extent at least comparable with the visible signs of differentiation carried on our surfaces. The crucial difference is that those interior marks are largely unknown – signatures of the difference that we cannot hope to observe in ourselves, and rarely in others. Even those who are trained to explore the interiority of others are rarely called

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[67] Foucault, *The Birth of the Clinic*, p.204.
[68] Psalms 51:6, quoted in D. Hillman, 'Visceral Knowledge: Shakespeare, Skepticism, and the Interior of the Early Modern Body' in D. Hillman and C. Mazzio (eds), *The Body in Parts: Fantasies of Corporeality in Early Modern Europe* (London, 1997) pp.82, 86.

upon to categorize the signs of individuality – to name an individual, say,

by the peculiarities of the trachea.[69]

Identification by the skeleton was more likely than by the trachea, but this position encapsulates the second advantage of the medical specialist in identification inquiries: his ability to venture into the body to seek evidence otherwise out of the reach of lay investigators. The medical field already enjoyed a monopoly on the body's interior as a field of knowledge, and developments arose from the increasing abilities of medico-legal practitioners to navigate and understand it. By discussing how the medico-legal value of the skeleton was realised, the historian can examine how the medical field could transcend lay viewpoints and reveal an entirely new dimension to the body in identification procedure.

The modern field of forensic anthropology is said to have developed relatively recently, in the aftermath of W.M. Krogman's 1939 article 'A Guide to the Identification of Skeletal Human Remains'.[70] However, practical interest in the subject can be traced back to well before the period studied here. Malcolm Gaskill in his work *Crime and Mentalities in Early Modern England* cites several cases of interest from the early seventeenth century where communities attempted to identify skeletal remains using 'common sense' or 'traditional wisdom' in the absence of codified scientific knowledge. These include an incident from Suffolk in 1620 when two skeletons were measured and found to correspond to the age and height of two missing persons, and a skull was identified through two missing teeth. Another from the Isle of Ely in 1636 concerned

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[69] J. Sawday, *The Body Emblazoned: Dissection and the Human Body in Renaissance Culture* (London, 1995) pp.7-8.
[70] W.M. Krogman, 'A Guide to the Identification of Skeletal Human Remains', *FBI Law Enforcement Bulletin*, 8 (1939) 1-29.

bones discovered in the garden of a house from which an eleven-year-old boy had disappeared nine years earlier. Along with other circumstantial evidence, the parish gravedigger observed that from their condition the bones had not been buried long, and the local constable testified that the thigh bone had been compared to the leg of another eleven-year-old boy. Although Gaskill noted that such proof was to some extent self-confirming with regard to subjective circumstantial and (somewhat crude) forensic evidence, the case nevertheless demonstrated that evidence from the examination of bones carried weight in the eyes of the law and in the imagination of the community.[71]

Osteology was earmarked as being of medico-legal interest in the work of Paris and Fonblanque but did not become a field of dedicated research until the latter half of the nineteenth century. At the beginning of the nineteenth century the medico-legal field had virtually no ability to identify skeletal remains, although the prospect was desired by many. J.G. Smith had noted that the ordinary doctor called to assist in such cases would be virtually powerless to help if the body was badly decomposed or skeletonised, but that a skilled anatomist might be able to assist by ascertaining the sex of the skeleton; however, even he would encounter difficulties unless the skeleton was complete and in a good condition.[72]

Although Smith's 'admission' that medical men would not be of use in such investigations suggested that he lacked faith in the practitioner's abilities in the field of forensic osteology, basic guidance was available. Paris and Fonblanque's textbook included a simple discussion on skeletal analysis, which advised how to determine the age and sex of the deceased. Their advice was simplistic and almost entirely comparative:

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[71] Gaskill, *Crime and Mentalities*, pp.258-9.
[72] Smith, *Principles of Forensic Medicine* (1824 edn) pp.506, 509.

for example, the bones of females were more slender than those of males, and the bones of the elderly were more calcareous than those of the young, and their sutures had fully closed. The authors also noted that bones could reveal the marks of old injuries or disease, which could offer additional evidence with regards to the deceased's life history as well as suggest the cause or circumstances of death. A synopsis of the 1758 trial of Eugene Aram in which the study of the skeleton was central to the case completed the section; although the skeleton of Aram's victim Clark was identified primarily on circumstantial evidence, by including it here the authors attempted to bring the unknown skeleton, regardless of its role in the investigation, firmly within the jurisdiction of medico-legal practice.[73]

In the early nineteenth century cases did arise in which skeletal remains were examined by surgeons. In November 1838 a workman sinking a hole for a sewer in Southwark came across portions of a human skeleton four feet below the pavement. They were examined by surgeon William Miskin who determined that they were those of a young adult woman and had been lying there for at least fifty years. Although the inquest depositions make no mention of any identifying marks, establishing sex and age would have assisted in determining whether they could have been the bones of anyone known to be missing from the area.[74]

Guy's chapter on personal identity also discussed skeletal evidence, but warned readers to approach their examinations with caution as the field was still fraught with difficulties. Guy included comparative tables from Mateu Orfila to explain how to calculate the skeleton's age from the extent of ossification (which gets more extensive as

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[73] Paris and Fonblanque, *Medical Jurisprudence* (III), pp.74-82.

[74] Inquiries were also made to ascertain whether there had been any unexplained disappearances from the area; a local man who had lived in the parish for seventy years testified that he had never heard of anyone going missing: LMA, CLA/042/IQ/01/01/149 – 2 Nov 1838.

the individual ages), but his guides to ascertaining sex were less than helpful. Guy discussed male and female bones through comparatives alone ('smaller,' 'wider,' 'deeper,' 'more concave,' and 'shorter') which reflected his general approach based on visual inspection and recognition. He also included the dimensions of one well-formed (apparently female) pelvis.[75] But, due to the enormous variation in the human body and the lack of statistical support, such information had little practical use when his readership encountered a single unknown body. And although he included tables by Orfila and Sue for calculating stature, Guy warned his students that using these calculations could produce results with margins of error ranging from 1¾ to 5 inches![76] Despite their obvious shortcomings Guy continued to include these tables in all seven editions, though he later added more up-to-date research from Taylor (in the 1875 edition), Humphrey (1881 edition) and Quain (1895 edition). By 1875 forensic osteology had reached a turning point: Guy and Ferrier claimed that there was 'no medico-legal case in which [bones] would not be found in a state fit for examination.'[77]

Much of this newfound optimism can be attributed to Alfred Swaine Taylor's 1865 *Principles and Practice of Medical Jurisprudence*, which contained the chapter 'Identity of Mutilated Remains' encompassing bodies in a fragmented or skeletal state. Packed with illustrative examples from Britain, America and the Continent (including some from his own case files) Taylor's book remained the standard text for decades, and he was frequently cited as an authority on the matter.[78] Taylor included two landmark cases: the Webster-Parkman case of 1849-50 and the 'Waterloo Bridge Mystery' of 1857 which he

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[75] Guy, *Principles of Forensic Medicine* (1844 edn) p.37.
[76] *Ibid*, pp.23-6.
[77] Guy and Ferrier, *Principles of Forensic Medicine* (1875 edn) p.15.
[78] Among many others see J. Abercrombie, *The Student's Guide to Medical Jurisprudence* (London, 1885) pp.38-9, 46-8; F. Ogston, *Lectures on Medical Jurisprudence* (London, 1878) p.71.

himself investigated. As well as providing a demonstration of the potential of skeletal anthropometric analysis, for Taylor, the Webster-Parkman case heralded a new era of methodical medico-legal practice. Harvard Professor of Chemistry and Minerology Webster murdered his colleague Dr. Parkman over an unpaid debt and then dismembered the body, burned some parts in his laboratory and concealed the rest in a trunk and in a privy. The team investigating the remains (about which more will be said below) followed a methodical rubric which was laid down as the ideal practice. Medical men were instructed to determine whether the remains were human and if so how many persons there were, the time since death or disposal, the age, sex, race, stature and physique of the individual, whether there were any peculiarities or deformities, and the cause and circumstances of death. The case was also noticeable for producing a schematic for skeletal remains which was used throughout the period in question and beyond: a skeleton with the missing parts coloured black. This provided a quick visual précis to the much lengthier post-mortem report.[79]

Taylor adopted this methodological approach and schematic in the 'Waterloo Bridge Mystery'. The body of an unknown man was found in a sack on a Waterloo Bridge buttress, and Taylor and the police surgeon Mr. Painter were called to examine the remains. The pair followed the same scientifically-structured methodology and found that the remains were those of a male aged 30-40 years, at least five feet nine inches tall, with a dark, hairy appearance, and by his clothing he was supposed to be a Swedish sailor.[80]

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[79] Taylor, *Principles and Practice* (1865 edn), pp.86-8. For the 'Report of the Medical Committee on the Investigation of the Remains' see G. Dilnot, *The Trial of Professor John White Webster* (London, 1928) pp.53-4. See also Snow, 'Forensic Anthropology' pp.102-4.
[80] A.S. Taylor, 'Report of Examination of the Remains of a Body found on Waterloo Bridge', *Medical Times and Gazette*, Oct 31 1857, 445-8

These two methodically scientific cases emphasised that the standardised investigative approach to unknown fragmentary or skeletal remains could be applied regardless of the circumstances of the individual case. Readers were made to understand the importance of gathering these identifiers for even the most obscure signs in a damaged body could serve an important legal purpose. There is also evidence that the schematic entered wider use: it appeared in the trial of Kate Webster in 1879 (below), and an updated version by John Collie was used in the 1936 Ruxton case.[81]

Hereafter osteology and the identification of fragmentary remains became of significant interest to the field of forensic medicine. Simple calculations were developed using fragmentary remains: for example, the height of the body could be calculated as twice the length of the arm and hand plus six inches for each clavicle plus 1.5 inches for the gap in the sternum. If the skeleton was complete, it could be laid out, measured, and 1.5 inches added to compensate for the lost soft parts to the heel and top of the head. The relative length of the femur was found to be 0.275 of the total body height.[82] More reliable calculations were developed in the early twentieth century, most notably through the work of the English statistician Karl Pearson.[83]

As Joseph and Winter suggested, a common goal for many fields of science was to find the locus of truth in the smallest object or space possible, and post-mortem identification in the medico-legal field was no different. At the 1879 trial of Kate Webster (below) the Solicitor General enthused 'Thanks to the great performance of surgical science, from a small bone of a body one could almost put together the whole fabric of

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[81] E. O'Donnell (ed), *Trial of Kate Webster* (London, 1925) p.169; TNA, DPP/2/306. Pugliese has examined its modern manifestation: J. Pugliese, '"Super Visum Corporis"', pp.375-6.

[82] J. Dixon Mann, *Forensic Medicine and Toxicology* (London, 1893) pp.73-4.

[83] K. Pearson, *A Study of the Long Bones of the English Skeleton* (London, 1917).

an animal', but he may have overstated the case somewhat.[84] The calculations of French doctor de S. Luca published in the journal *Cosmos* in 1863 argued that by using basic mathematics and extrapolating from the body's proportions, it was possible to calculate the body's dimensions from the smallest fragments. For example, the length of a finger could be calculated from the length of its phalanxes, the length of a hand from the length of a finger, the arm from the length of the hand, and the height from the length of the arm. Similar calculations were given for the foot and leg.[85] Given the enormous variation between individuals, a simple demonstration will reveal the inaccuracies in this method! Such a large margin of error would render them unreliable in court: John Dixon Mann warned his readers that in order to ascertain the height of a skeleton correctly, the investigator would need to examine as many of the long bones as possible, otherwise such calculations were merely 'guess-work'.[86]

By the early twentieth century anthropometric analysis of bones was well established as a field of expertise, spurred on by Bertillon's developments in criminal anthropometry in France. By the early twentieth century findings were also being used in mundane non-criminal cases too, even in rural areas. In 1910 the body of a woman 'practically mummified' was found drowned in the River Trent in Lincolnshire missing its head, arms below the elbows and legs below the knees. Lacking any long bones for anthropometric analysis the doctor ascertained that she was middle aged but estimated her height to be between 5ft 7 and 5ft 10 inches, a significant margin of error which would have caused controversy had the case been presented in a criminal court. Despite

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[84] O'Donnell, *Kate Webster*, p.200. Strangely enough, his observation did not apply to Webster's victim who was found in several large portions rather than smaller fragments.
[85] Taylor, *Principles and Practice* (1865 edn) pp.109-10.
[86] Dixon Mann, *Forensic Medicine and Toxicology* (1893) p.74.

this, the results of an examination even without the vital long bones would have at least narrowed down the potential search field.[87]

In December 1929 a skeleton tumbled out of a ballast heap from which workmen were loading a wagon in Willington, Northumberland. The men gathered up the pieces and placed them in a shed before informing the police. The coroner ordered them to be examined by one Dr. Bradenock of Willington. Bradenock first reassembled the jumbled skeleton, and the structure of his report (see Appendix IV) indicated that his detailed examination started at the skull and worked down the body, noting the bones' appearance but making no conclusions at this initial stage. Only when he had gathered all the necessary information did he surmise that the slender bones suggested a female whose height – from the length of the femur – was approximately 4 feet 10 inches. Her age, ascertained from the extent of the united bones, was probably 17–18yrs. She was also missing some teeth although the remainder were in very good condition. [88]

Fingerprints

The fingerprint occupies a curious position in the history of post-mortem identification techniques.[89] As a scientific tool designed to identify and re-identify the criminal in an age

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[87] Lincolnshire, Kirton – 26 Feb 1910.

[88] Northumberland, COS/3/53/1 – found 31 Dec 1929, report dated 1 Jan 1930.

[89] Fingerprinting now enjoys considerable historical attention; the central work is Simon Cole's *Suspect Identities: A History of Fingerprinting and Criminal Identification* (London, 2001) but see also A.M. Joseph, 'Anthropometry, the Police Expert, and the Deptford Murders: The Contested Introduction of Fingerprinting for the Identification of Criminals in Late Victorian and Edwardian Britain' in Caplan and Torpey (eds), *Documenting Individual Identity*, pp.165-83. On its development and use in colonial India, see C. Sengoopta, *Imprint of the Raj: How Fingerprinting was Born in Colonial India* (London, 2003); C. Anderson, *Legible Bodies: Race, Criminality and Colonialism in South Asia* (Oxford, 2004) pp.141-80, and G.T. Trelease, 'Time's Hand: Fingerprints, Empire, and Victorian Narratives of Crime' in A. Maunder and G. Moore (eds), *Victorian Crime, Madness, and Sensation* (Aldershot, 2007) pp.195-206. For its place in the public consciousness, see Joseph and Winter, 'Making the Match', and R.R. Thomas, *Detective Fiction and the Rise of Forensic Science* (Cambridge, 1999) pp.201-19.

where it was possible to hide identity behind false names, the system could claim to be more reliable and efficient than the old registers of personal descriptions. If fingerprints taken on arrest matched another set already on file, the criminal could be identified with certainty and be sentenced as a reoffender, regardless of alterations in his appearance or his use of an alias. Despite its criminalistic power fingerprinting was poorly suited to the identification of the dead due to its dependence on retrospective indexes, but depositions do reveal that the police attempted on a number of occasions to utilise this new technology.

The fingerprint shot to prominence as the dominant scientific method of identification during the last decades of the nineteenth century but its genesis cannot be attributed to any single individual. In 1877 the colonial civil servant William Herschell started to collect prints from his subjects (who to his Western eyes appeared homogeneous) in order to stem the proliferation of fraudulent contracts. Those of prisoners were also collected as inmates were known to exchange identities (for a price) in order to escape longer sentences. Herschell also began to develop a cataloguing system but never achieved a working model.[90] In 1880 Henry Faulds suggested in *Nature* that such a system could be used to identify criminals, but when he approached Scotland Yard with his proposals to introduce a workable systematic register of such marks, he was turned down.[91] Francis Galton was the first to calculate the statistical significance of fingerprints in 1892, concluding that the likelihood of two people sharing the same ten prints was one in 64 billion against. He recognised that this statistical improbability could form the basis of a new identification procedure, but he too was unable to create an

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[90] Trelease, 'Time's Hand', pp.197-9.
[91] Herschell then claimed that he had been using the system to do so for years: S.A. Cole, *Suspect Identities*, pp.73-4.

effective indexed database.[92] This administrative shortcoming meant that the Troup Committee – set up in 1893 to consider the future system for criminal identification in Britain – concluded that Bertillonage, with its complex but workable system of registers, indexes and file-cards, would be the primary method of identification. Fingerprints were to provide conclusive secondary proof. However, thanks to Edward Henry's development of a working system for cataloguing prints, a second committee in 1901 under Lord Belper rejected Bertillonage and installed fingerprinting as the sole method of criminal identification.[93] Within a year New Scotland Yard's Fingerprint Bureau – the central repository for fingerprint records – had used the system to identify 1,722 criminals, and by 1904 350 were being identified every week. By 1920, the registers held the prints of around 300,000 individuals.[94]

The fingerprint's potential use in the identification of the dead was recognised by its developers and used to gather support for the technique. Galton suggested in 1888 that fingerprints could be used to verify the identity of unknown corpses that had been

> partly destroyed, or so disfigured as to be hardly recognisable from a sudden or violent death due to crime, accident, shipwreck or battle... [or] when it is a question of identifying living persons who are living at a great distance, and after the lapse of a considerable time, when the

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[92] *Ibid*, pp.75-80.

[93] Joseph, 'Anthropometry', pp.168, 173. Henry had routinely used such a system in India from 1894 but only when he became Metropolitan Police Commissioner was it accepted in Britain: Anderson, *Legible Bodies,* pp.166-7.

[94] Cole, *Suspect Identities*, pp.94, 221.

physiognomy, [and] the features... may have changed from natural or

artificial causes.'[95]

Henry Faulds in his 1912 book *Dactylography* demonstrated that such an approach could

work 'where records existed'. He cited the earliest case of a corpse identified by his

fingerprints, where a man had been killed and his body badly mutilated on the railway

line at Slough in 1910. His prints were taken from his severed arm and sent to Scotland

Yard, where he was identified as one Walter James Downes.[96] Throughout the early

twentieth century medico-legal figures enthusiastically suggested that fingerprints should

be taken – along with Bertillonage measurements and a photograph – if the body could

not be identified immediately.[97] The rise in popularity can perhaps be seen most clearly in

Taylor's Principles and Practice, where in the 1905 edition Frederick Smith wrote that

'Galton's thumb marks' were of use to the police in catching criminals but there was 'no

further medical interest'; in Sidney Smith's 1928 edition, 'dactylography' was described as

the 'only absolute and infallible method' of identification, but it retained its status as a

police tool.[98]

The power of the fingerprint suggested that it could act as a universal system of

identification in all circumstances of questionable identity, even when the individual was

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[95] Quoted in Trelease, 'Time's Hand', p.196.

[96] H. Faulds, *Dactylography, or, the Study of Finger-Prints* (Halifax, 1912) p.115; *Hawera and Normanby Star*, 13 Jun 1910, p.5.

[97] J. Troutbeck, 'Modes of Ascertaining the Fact and Cause of Death', *TMLS*, III (1905-6) pp.101-2, and S.B. Atkinson, *The Law in General Practice: Some Chapters in Every-Day Forensic Medicine* (London, 1908) p.56. Alphonse Bertillon demonstrated the efficiency of his new method by successfully applying it to unknown corpses at the Paris Morgue: E.R. Spearman, 'Criminals and their Detection', *The New Review*, 9 (1983) pp.81-2. See also J. Thorwald, *The Marks of Cain* (London, 1965) p.40.

[98] Taylor, *Principles and Practice* (1905 edn) p.107; Taylor, *Taylor's Principles and Practice* (1928 edn) p.124.

geographically isolated from their own community or their body disfigured. But as Faulds noted, the system was severely limited by the comprehensiveness of the available records; for identification to be possible, the individual's prints needed to be on file from a prior encounter with the police. The Fingerprint Bureau's vast database contained just a fraction of the population: only those with a record of arrest. The chances of the anonymous dead appearing therein were proportionally slender.

In only three cases (Lancashire 1931, Oxfordshire 1933, and Brighton 1934) did depositions reveal that the unknown deceased had been fingerprinted,[99] though testimony in two further cases (both London, 1927) noted that the poor condition of the bodies rendered them unsuitable for prints to be taken.[100] At one of the 1927 inquests, a detective sergeant testified that although prints were not taken in this particular case 'The taking of fingerprints after death *has* led to identification when the prints of criminals have been taken in life + deceased has been known to Police.'[101]

Of the three attempts to identify bodies by their fingerprints, two were unsuccessful: those of an unknown signwriter found dead in the River Thames in 1933 and those of a woman found washed ashore on Brighton beach in 1934 failed to match any records held by the police.[102] A Lancashire coroner was successful, however: in August 1931 fingerprints of a man found with a cut throat were sent to New Scotland Yard for analysis, where they revealed that the deceased had previously been fingerprinted at Wath in Yorkshire after being arrested for stealing a pair of boots in 1915. The court records revealed him to be one Thomas Duggan, originally of Liverpool.

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[99] Respectively: Lancashire, CR18/6 – 1 Aug 1931; Oxfordshire, City – 7 & 21 Jan 1933; East Sussex, COR/3/2/1934/21 – 27 Feb & 6 Mar 1934.
[100] LMA, CLA/041/IQ/04/03/16/113 – 25 & 30 Aug 1927, CLA/041/IQ/04/03/16/94 – 28 Jul 1927.
[101] Italics mine: LMA, CLA/041/IQ/04/03/16/113 – 25 & 30 Aug 1927.
[102] Oxfordshire, City – 7 & 21 Jan 1933; East Sussex, COR/3/2/1934/21 – 27 Feb & 6 Mar 1934.

On receiving the information, the police attempted to locate his family 'throughout various parts of the country' without success.[103] However anecdotal this case may be, it shows that fingerprinting *could* fulfil Galton's vision of its use as a universal identification tool. Although Duggan was never formally identified by family or friends, the weight of fingerprint evidence was sufficient to formally identify him without the need for visual recognition.

Fingerprinting represented the only time when the unknown body itself guided the observer to the correct record. Unlike the rest of the paper body which was constructed – often in uncertain terms – by the observer whose views were subjective, the fingerprint was taken directly from the body. In this manner, it ranked alongside the photograph as an accurate representation of the body 'taken from life', but the interpretation of prints was much more scientific and thus carried more weight as evidence than the opinion evidence of photographic comparison.

Thus, over the period under study the medical man adopted an increasingly important role in identification inquiries by examining the unknown body and locating the evidence necessary to facilitate recognition via the paper body. Although early nineteenth-century authors of medical literature recognised the limited technical and epistemic abilities of the medico-legal specialist, professional confidence grew in tandem with the rise of forensic medicine as a discipline. Practitioners increasingly conceptualised themselves as observant and methodical actors able to locate signs of identity even if they later relinquished control of the body to others attempting to recognise it. The anatomical structures of surface appearances such as occupational marks and tattoos were studied

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[103] Lancashire, CR18/6 – 1 Aug 1931.

in order to bring them under the umbrella of forensic medicine, while the interior of the body, previously unintelligible to both laymen and medico-legal investigators, was examined in order to permit specialist practitioners to ascertain general characteristics of identity from even the most decomposed or fragmentary remains. In these respects, the unknown body became firmly entrenched as a site of medico-legal knowledge. However, despite the growing abilities of the medical community in these matters, it was recognised that the lay community retained the task of identification itself, and that the medico-legal community was primarily responsible for making these signs visible for their contemplation.

Section III – Medical Practitioners

In his examination of 'the post-mortem question' (who best to perform the post-mortem examination for the coroner?) Ian Burney identified two important medical figures: the inexpert local surgeon and the impersonal expert pathologist. The practitioner chosen to attend affected the character and outcome of the overall inquiry; selecting the local surgeon contributed to placing the needs of the community at the heart of the inquest process, while the expert pathologist offered an objective and scientific inquest which would serve the needs of the modern bureaucratic state.[104] Burney does not study these practitioners' roles in the identification process – except in the most complex cases, identification remained a secondary concern after the cause and circumstances of death – but the post-mortem question certainly had an effect on how the body was examined for identifiers. Each will be discussed in turn.

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[104] I.A. Burney, *Bodies of Evidence: Medicine and the Politics of the English Inquest, 1830-1926* (London, 2000) pp.107-36.

In cases of unnatural death, coroners usually selected local surgeons on the strength of their professional relationship with the decedent: the doctor attending the patient before or immediately after death was familiar with the case history and therefore understood its medical aspects. But if death was sudden or the decedent was unknown, the nearest qualified practitioner was selected instead.[105] His local connections meant that his community (and client-base) trusted him to perform his medico-legal duties with care and discretion. There were disadvantages, though: fearful of losing business local practitioners were sometimes reluctant to delve into the body any further than was absolutely necessary. And if the case came to trial, their poor education in medico-legal matters would not serve well on the witness stand.[106]

How did this translate to identification inquiries? Convenience was certainly an issue for consideration when calling for medical assistance. Coroners investigating deaths as a result of industrial accidents summoned the surgeon of the works,[107] and if the bodies of unknown persons were taken to a hospital, prison or workhouse, in-house staff performed the examination.[108] Across England and Wales the nearest competent practitioner – preferably a surgeon – sufficed. After a body was found buried under a kitchen floor in Bermondsey in August 1849, a surgeon named Lockwood, 'not currently practicing my profession,' gave the following testimony at the inquest:

I was in the neighbourhood of New Weston-street on Friday last, and some information I then received caused me to go to No. 3 Minver-place,

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[105] *Ibid*, p.109.
[106] *Ibid*, pp.109-10, 115.
[107] *Western Mail*, 26 Dec 1883, p.3.
[108] In one case from Middlesex in 1829 a workhouse apothecary examined the body: LMA, MJ/SP/C/W/1108 – 12 Dec 1829. See also Hull, C CQB/432/063 – 11 Sep 1899; Glamorgan, DCONC/4/1/7/143-4 – 4 Dec 1906.

about half-past one o'clock p.m. I saw two policemen at the door, and on

my announcing myself as a surgeon, they admitted me.[109]

He then helped to excavate the body, and the divisional surgeon was called at 3pm. It is

not clear whether Lockwood was sent for (in policing terminology the phrase 'received

information' was deliberately non-committal) or whether he proceeded to the scene on

his own initiative. Nevertheless, Lockwood's evidence at the inquest and trial suggested

careful observation and medical competency. In dozens of other cases, local doctors were

'called' by the police or 'fetched' by first-finders.

The local practitioner's community ties could serve a vital, if unforeseen, purpose.

As part of inquest proceedings the coroner asked each witness, including doctors,

whether he or she knew or had seen the unknown decedent before death, and

depositions regularly recorded medical men testifying 'I did not know the deceased'. The

chances of the doctor knowing the unknown decedent were slim,[110] but in a small

number of cases some testified that they possessed information which could directly

assist in the identification of the body. At the inquest on a man found drowned in a well

at Hertford, one Dr. Garlike testified:

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[109] *The Bermondsey Murder: A Full Report of the Trial of Frederick George Manning and Maria Manning, for the Murder of Patrick O'Connor, at Minver-Place, Bermondsey, on the 9th of August, 1849* (London, 1849) p.14.

[110] These instances appear to be exceptionally rare, partly due to the self-selecting nature of these cases, although the size of the practitioners' jurisdiction would also play a part.

I heard deceased [was] a tramp and visited round the neighbourhood at

haytime – He was called Joe and had the nickname of [P]ony. I heard he

had been drinking a lot + probably had delirium tremens.[111]

The coroner had the authority to request that any evidence pertaining to the case be

presented before the court, even – as demonstrated here – second-hand or hearsay

testimony. The doctor-patient relationship, too, yielded results; Dr. Timothy of London

testified that he recognised a drowned woman as one who had attended his surgery for

asthma and heart disease while in a state of intoxication.[112] Although Garlike and Timothy

appeared in the capacity of medical witnesses to outline cause of death, their

contributions revealed that doctors also provided inexpert evidence in identification

matters in a similar manner to lay witnesses. Such cases also demonstrated the value of

local community ties in identification inquiries.

On occasion, doctors were able to recognise individuals not from their faces but

from medical procedures they had performed with their own hands; in these instances

such knowledge of their client base conceptually overlapped with the impartial role as a

medico-legal witness. For example, after the explosion at Monmouthshire's Llanerch

colliery in 1890, one doctor called to examine the dead and wounded recognised a badly-

damaged body by a scar which had been the result of an operation he himself had

performed some years before, and he identified another man by a recently-healed

wound in his side.[113] By recognising their own work, doctors – albeit perhaps

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[111] Hertfordshire, Off Acc 1376 – 12 Jun 1884.

[112] Timothy stated that he had heard her name was Hannah, but it is not clear whether he ascertained this when she attended his surgery or was told by the relieving officer after her death: LMA, CLA/041/IQ/02/26/138 – 25 Oct 1859.

[113] *Tragedies of the Mine: Explosions in South Wales, 1875-1905* (London, 1905) p.22.

unintentionally – played the roles of third party laymen responsible for recognising a decedent.

Conversely, Burney's figure of the 'expert' pathologist possessed the training, knowledge, technique and experience to perform a thorough examination because he dealt almost exclusively with corpses and was intimately acquainted with post-mortem appearances. Unlike the local practitioner, he was not afraid to cut into the body, nor was he exposed to or corrupted by community loyalties. He offered an entirely scientific, neutral position, as he had 'neither prior knowledge of the corpse nor any interest in the findings... which mapped directly onto the interests of truthful inquiry.'[114] But despite embodying the principles of medico-legal practice, he was an unpopular choice for local communities: his professional habitat was the mortuary, and his impersonal 'outsider' status lacked the 'warmth' of the local practitioner.[115]

As the discussions above demonstrate, such figures did take part in more complex identification inquiries throughout the period but these practitioners were by no means the norm. Medico-legal specialists were relatively rare in England and Wales until the later part of the nineteenth century, and located mostly in cities with teaching hospitals or large enough to produce sufficient demand for their medico-legal skills. In addition, mortuaries equipped for medico-legal purposes were a mid to late nineteenth-century development. Thus until the end of the nineteenth century only large city police forces would have enjoyed regular access to such a valuable resource as a skilled (and fully provisioned) 'expert'.

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[114] Burney, *Bodies of Evidence*, pp. 117.
[115] *Ibid*.

In many ways the figures of the local practitioner and the 'expert' pathologist are polarised ideals: inexpert and expert, local and 'outsider', 'human' and clinical. In practice, there was a significant professional gulf between them, one which was filled by the figure of the 'able' surgeon, best exemplified by the police or Divisional surgeon. The police surgeon was local but not necessarily a social pillar, he dealt with both corpses *and* living persons, and was highly specialised in medico-legal matters but became so from practical experience rather than specific training. He enjoyed close relations with the coroner, police and medical community, and became the practitioner of choice for inquests and criminal cases for both known and unknown bodies. His position on the frontline of medico-legal practice and his busy but usually mundane caseload made him a recurring, even familiar figure in identification investigations.[116]

Most police forces across the country adopted police surgeons out of habit rather than statute. Before the mid nineteenth century when law officers required the services of a doctor to examine new recruits or wounded persons, they frequented the local surgeon. Over time, these reliable men habitually became the first port of call whenever medical assistance was required by the force. The first officially-appointed divisional surgeon was attached to the London Metropolitan Police in April 1830, and others were employed by provincial forces following the County Police Act of 1839.[117] They were paid a salary to inspect new recruits and treat officers, but for 'station calls' – examining

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[116] The police surgeon has enjoyed surprisingly little historical attention given his extensive and varied caseload; this may be due to his subordinate position to the 'expert' specialist. The most useful works on his role are R.D. Summers's pamphlet, *History of the Police Surgeon* (London, 1988) and Jennifer Ward's brief section in Ward, 'Origins and Development of Forensic Medicine and Forensic Science in England, 1823-1946' (unpub. PhD thesis, Open University, 1993) pp.34-8. For a contemporary account of a police surgeon's work, see G. Grant, *The Diary of a Police Surgeon* (London, 1920). See also F.G. Crookshank, 'On the Examination of Bodies Found in the River', *TMLS*, VII (1909-10) 11-33; P.B. Spurgin, 'The Harley Street Mystery', *TMLS*, XXV (1930-1) 120-39; T.H. Blench, 'A Police Surgeon's Problems', *MLCR*, 3 (1935) 247-73.

[117] Summers, *History of the Police Surgeon*, pp.2-3.

persons wounded or found dead, including persons unknown – they were awarded a separate pro-rata fee.[118] Despite their varied workload, police surgeons still approached every subject – alive or dead – as they would a clinical patient.[119] These divisional surgeons would have relished the additional experience and the income received from station calls, and although they had not necessarily received specialist medico-legal training outside their compulsory lectures, their learning curve was steep. Their caseloads and abilities varied between regions, with those working in urban areas receiving the most work. In 1875 divisional surgeon Thomas Bond was also assistant surgeon and lecturer in Forensic Medicine at the Westminster Hospital,[120] while others, such as Dr. Thomas Marshall in 1910 (also in London), were employed in the role full-time.[121] In quieter rural jurisdictions law officers relied upon the services of a dependable and competent local surgeon.

From the mid nineteenth century it is apparent that the police surgeons were the first port of call for law officers faced with an unknown body, particularly in larger cities. Not every police surgeon identified himself as such at every inquest at which he gave evidence, but it is possible to see that some doctors were called more frequently than others. Between 1837 and 1899 depositions record that Hull's police force regularly called upon the services of several men including Drs. McMannus, Wilkinson, Fraser, Fullerton and Kilrington.[122] In late nineteenth- and early twentieth-century Cardiff the city police most frequently called upon the services of Dr. John Wallace and Dr. Buist, both of whom were identified in the records as police surgeons, as well as the assistant police

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[118] *Ibid*, p.5.
[119] This meant they also had to respect patient confidentiality: Blench, 'A Police Surgeon's Problems', p.272.
[120] Irving (ed), *The Wainwrights*, p.123.
[121] Young (ed), *Crippen*, p.64.
[122] Kingston-upon-Hull series, 1837-99: Hull, C CQB.

surgeons Drs. Arnold and Wynne.[123] Dr. Ernest Colwell Maguire carried out 10 examinations for the Brighton police between 1904 and 1914, and Dr. Herbert John Pulling apparently succeeded him during the period 1918–33.[124] In other jurisdictions, these figures are harder to identify using these atypical cases.[125]

Through constant exposure to police matters, each became closely acquainted with a vast range of corporeal signs, particularly those associated with violence including the wounds produced by bullets and sharp and blunt instruments.[126] William Westcott commented that police surgeons were 'able specialists' and with five years of experience had 'in most cases, learned more about wounds from actual personal examination than any lecturer in forensic medicine in London.'[127] Henry Littlejohn observed that police surgeons possessed the additional advantage of being trusted by their respective coroners to do a good job; this confidence would then be conveyed to the jury.[128]

Thus police surgeons were certainly qualified to examine the bodies of unknown persons found dead and, as the following examples demonstrate, their conceptual position between the local surgeon and expert pathologist afforded the coroner and law officer flexibility in terms of choosing their practitioner. Police surgeons could be used to

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[123] Cardiff Police inquest books, 1892-1934: Glamorgan DCONC/4/1.

[124] Brighton series, 1901-34: East Sussex, COR/3/2.

[125] This arises from a number of factors, including a poor level of detail regarding the role of medical men (Suffolk), the small number of cases relative to jurisdiction size (Hertford and Lincolnshire), and sampling methods (City of London and Southwark).

[126] Dr. Graham Grant noted that police surgeons also became experienced at dealing with drunks, persons or bodies found in rivers, and the victims of fire or traffic accidents: Grant, *The Diary of a Police Surgeon*, p.14.

[127] Westcott, 'Twelve Years Experiences', p.19. This may have been a professional snub at a group of authoritative medico-legal authors who produced textbooks and lectured students but had very little practical experience: see Ward, 'Origins and Development' pp.71-2 and 'Obituary: John Dixon Mann, M.D., F.R.C.P.', *BMJ*, 27 Apr 1922, 982.

[128] Littlejohn, 'Medico-Legal Post-Mortem Examinations', p.22.

bolster the abilities of a less-experienced practitioner, or to perform a preliminary examination to ascertain whether specialists such as pathologists needed to be called in.

On 5 March 1879 a box containing the dismembered and boiled remains of a woman – minus the head, one foot and other soft parts – was pulled from the River Thames at Barnes. A young German maid had recently been reported missing and the local surgeon called to the remains, Dr. Adams, estimated that they were those of a female aged between 18 and 30. However, when the police surgeon Dr. Bond examined the remains one week later, he found them to be of a woman aged at least 50, matching the description of a second missing woman Juliet Martha Thomas. Her landlady Kate Webster was brought to trial for her murder, where Adams testified that he had 'heard the rumour' of the German girl, exposing his judgement as open to suggestion and his evidence to attack from Webster's defence counsel. Bond's evidence was undeniably stronger.[129] This case is illustrative of the established positions of the local and specialist doctors: Adams, the local, poorly-skilled and somewhat over-enthusiastic surgeon was juxtaposed with Bond, the professionally experienced, clinically detached and scientifically-rigorous specialist.

Two alternative examples further demonstrate the police surgeon's flexibility. During the 1857 'Waterloo Bridge Mystery', police surgeon Dr. Painter initially examined the remains but Prof. Taylor joined the investigation when the Home Secretary requested that a specialist also examine the body. Although Painter was capable of examining the body himself, he became Taylor's assistant.[130] The same can be seen in the 1910 Crippen case, when mutilated remains were initially examined by police surgeon Dr. Thomas

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[129] O'Donnell (ed), *Kate Webster* pp.153, 159, 170-2, 183-4.

[130] *North Wales Chronicle*, 24 Oct 1857, p.3; Taylor, 'Remains of a Body', pp.445-8.

Marshall. The remains were in such poor condition that the Home Office pathologist Mr.

Augustus Pepper was ordered to join Marshall the following day for the exhumation and

post-mortem examination. Although a highly experienced police surgeon, Marshall lacked

Pepper's skills as an anatomist and like Painter he acted as his colleague's assistant.[131] In

these two complex cases the skills of the police surgeon had to be supplemented by a

more specialised practitioner. Together, these three cases show that by occupying the

middle ground between local and expert practitioner, the police surgeon's professional

flexibility was as much of an asset to the investigation as his practical skill. He was able to

work alone, with others to provide a preliminary report for a more qualified specialist, or

to bolster the testimony of less-capable surgeons.

These cases also introduce the concept of medico-legal teamwork. Although

teamwork between specialists has been considered to be a twentieth-century

development,[132] teams of doctors had been examining the unknown body as early as the

1840s, though apparently only in the most difficult cases. During the 1842 Roehampton

Murder inquiry, the body of a woman found dismembered and burnt in a stable fireplace

was examined by four surgeons, beginning with the local surgeon Dr. Allen who was

immediately summoned by police when the body was discovered. The following day the

coroner ordered a second surgeon, Dr. Ridge of Putney, to make the post-mortem

examination. Dr. Tatham, assistant surgeon at London's St Thomas's Hospital, later

examined the remains to ascertain the cause of death, and Dr. McMurdo of Newgate

Prison examined the burns on the bones.[133] Judging by their qualifications, their

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[131] TNA, CRIM 1/117: Dr. Marshall at Bow Street Police Court, 6 Sep 1910.

[132] M.A. Crowther and B. White, *On Soul and Conscience: The Medical Expert and Crime. 150 Years of Forensic Medicine in Glasgow* (Aberdeen, 1988), p.92.

[133] *Morning Herald*, 8 Apr 1842, p.6; *The Standard*, 21 Apr 1842, p.2; Old Bailey Sessions Papers online, Trial of Daniel Good (t18420509-1705) pp.241-5.

professional positions and the standards of evidence presented before the court, each of the four men possessed the necessary skills and experience to perform a detailed post-mortem examination, but most crucially, it appeared that each man was selected to perform a particular specialist function.[134]

Teamwork gained new prominence in the wake of the 1850 Webster–Parkman case. The anatomist Dr. Wyman headed a team of eleven doctors, totalling six surgeons and anatomists, three chemists, and – perhaps most importantly given the value of their evidence – two dentists. Together, the anatomists pieced together the remains, the dentists identified Parkman's jawbone and false teeth, and the jury were convinced that the body was that of the missing man.[135] This early example of medico-legal teamwork by specialists was upheld as the ideal (if practically unattainable) working model for many British practitioners and was eventually adopted as standard practice in the early twentieth century. The team assembled for the identification of Cora Crippen in 1910 similarly included specialists: as well as police surgeon Dr. Marshall and pathologist Mr. Pepper, the microscope expert Dr. Spilsbury was consulted to examine a supposed scar; the toxicologist Dr Willcox also studied it for good measure and gave evidence to this fact.[136]

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[134] As an aside, by this period McMurdo had also become a regular expert witness in insanity cases; his position as prison surgeon allowed him to observe those awaiting trial in order to ascertain whether or not they displayed signs of madness, and if so, whether these were genuine or feigned: J.P. Eigen, *Unconscious Crime: Mental Absence and Criminal Responsibility in Victorian London* (Baltimore, 2003) p.11.

[135] Dilnot, *Professor John White Webster*, pp.52-6. See also Taylor, *Principles and Practice* (1865 edn) pp.87-8; Guy, *Principles of Forensic Medicine* (1868 edn) pp.24-5; Snow, 'Forensic Anthropology', p.104.

[136] F. Joyce, 'Experts, Laymen, and the Identification of Cora Crippen: An Exercise in Medicolegal Cooperation', *MLJ*, 79 (2011) pp.58-63. Photographs of the medico-legal team featured on the front page of the *Weekly Dispatch*: J. Goodman (ed), *The Crippen File* (London, 1985) p.58.

Other references to the wisdom of seeking assistance from specialists can be found throughout the period in the medico-legal literature; these were relative to the task in hand and the practitioner entrusted with the examination. In 1824 J.G. Smith wrote that when the body was in too poor a condition for the ordinary medical practitioner to examine, he should consult the services of a skilled anatomist.[137] Similarly, by 1934 Sydney Smith in the re-edited textbook of Alfred Swaine Taylor advised that an 'ordinary practitioner' should never attempt to guess the race of a badly decomposed or skeletonised body but seek the advice of an anthropologist.[138] Although standards of practical competency had shifted over the period, both examples suggest a growing specialisation in the field of forensic medicine.

However, the practical aspects of teamwork did not always live up to the ideal, as was demonstrated in 1930 at a retrospective lecture before the Medico-Legal Society. Discussing a murder case of 1880 in which the unidentified body of a woman was found in a barrel, Dr. Morgan Finnacue commented that there was no mention of teamwork between specialists which was 'now' expected in complex cases. However, he noted that these teams could only be established once the facts of the case were gathered: professional networks between such doctors, specialists and the police had not yet been established.[139] British teamwork finally achieved prominence in the wake of the Ruxton investigation of 1935-6, in which a team of Scottish pathologists, anatomists, fingerprint

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[137] Smith, *The Principles of Forensic Medicine* (1824 edn), p.509.

[138] A.S. Taylor, *Taylor's Principles and Practice of Medical Jurisprudence* (9th edn; Sydney Smith, W.G.H. Cook) (London, 1934) p.115. This is the earliest example I have found stressing the importance of the anthropologist in the identification process. Modern post-mortem identification practices fall under the remit of the forensic anthropologist: see Thompson and Black (eds), *Forensic Human Identification*; C.E. Snow, 'The Identification of the Unknown War Dead', *American Journal of Physical Anthropology*, 6 (1948) 323-8, and Bass and Jefferson, *Death's Acre*.

[139] Spurgin, 'The Harley Street Mystery', pp.132-3.

experts, photographers and dentists worked together with the Lancashire Police to reconstruct and identify two severely mutilated bodies. Anne Crowther and Brenda White argued that this investigation was a showcase for the potential of teamwork which became *de rigueur* in its wake; by this period medical knowledge, professional networks and legal infrastructure between specialists were well-established.[140] However, the excitement generated by this investigation indicated that teamwork on this scale remained exceptional enough to be of note, and that the Webster investigation seven decades earlier had evidently failed to inspire British practitioners to adopt it regularly as an example of good practice.[141]

Far from being a conscious development of best practice, the rise of medico-legal teamwork appears to have been adopted on an ad-hoc basis and specialists chosen to assist as circumstances demanded. Its history can be traced back to at least the early nineteenth century, but only in the most complex of cases. It was more common to find pairs of doctors – one surgeon and one more specialist medico-legal practitioner – examining the bodies of unknown persons. The concept and practicalities of teamwork between specialists (and also non-specialists) was as important as the role of each individual practitioner, but it only became possible after the field of forensic medicine became sufficiently established to produce specialists in the smaller corporeal signs, the appreciation of which remained beyond the capabilities of general medico-legal practitioners.

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[140] Crowther and White, *On Soul and Conscience*, p.92; see also G. Slot, 'Identification, Especially in Cases of Dismemberment', *MLCR*, 8 (1940) p.136.

[141] In many ways this team had been born from convenience: the team members were drawn from Harvard's medical faculty, an immediately available pool of medical specialists whose roles saw them acting in the capacity of medico-legal investigators.

Conclusions

This chapter has examined how the medical profession participated in identification inquiries over the period 1800–1934. Unable to formally identify the decedent themselves (although this did occur on rare occasions), the doctor's primary role was to assist in the facilitation of recognition by observing and documenting the signs of identity which were then presented to friends and family of the supposedly deceased in the form of the paper body. The nature of this responsibility was fundamentally altered by two distinct but interrelated shifts: the first within the administrative and legal frameworks dictating the use of medical men in identification inquiries, and the second as a result of the rise of forensic medicine as a specialist medical field.

As outlined in Chapter Two, these shifts were due in part to factors external to technical developments in the field of forensic medicine. Changing policing practices and improved mortuary provision increasingly excluded the general public from investigations, and as such the doctor became the primary investigator of the unknown body by default. In addition, the 1836 Medical Witnesses Act further encouraged coroners to call upon doctors to ascertain the unknown decedent's cause and circumstances of death, and when examining the bodies of unknown persons the scrutiny of the signifiers and signs of identity became a subsidiary but nevertheless vital task. Within these changing frameworks, forensic medicine was concurrently transforming into a specialist field of study through an emphasis on thorough and systematic observation coupled with an increasing range of practical techniques in the medico-legal arsenal. In parallel with a growing awareness of the medico-legal practitioner's role in identification inquiries, doctors could methodically examine the unknown decedent for signs of identity. Unlike techniques of criminal identification which developed entirely new

technologies with which to scrutinise the body, the medico-legal approach attempted to locate the 'truth' of individual identity by re-examining pre-existing signs in light of a new medico-legal mindset. In this respect, the field attempted to raise standards of evidence by replacing 'traditional' identification procedures based on the 'practical gaze' of everyday experience, with the 'clinical' or 'medico-legal gaze' of the trained specialist.

Although interest was slow to take hold, from the mid nineteenth century identification emerged as a particular interest to authors and lecturers on forensic medicine. An increasing number of surface appearances such as scars, tattoos and occupational marks were conceptualised in terms of their anatomy rather than at their face value, which strongly contrasted with the untrained 'gaze' of lay investigators. Research into the body's interior, most notably the skeleton, allowed medico-legal specialists to draw conclusions relating to the body's general characteristics even when the body had been damaged beyond recognition. Thus by the early twentieth century the medico-legal field had firmly secured the unknown body – both inside and out – as its own investigative territory.

Recalling the theories of Joseph and Winter, over the period research into identification techniques centred on the smaller, more exact anatomies of the human body. For example, a cross-section of 'a scar' could tell the trained observer whether it had resulted from a burn, cut or lanced boil. Hands 'which showed signs of work' could be examined more closely to determine exactly which parts of the hands bore calluses and from what cause. Likewise, the skeleton, as the internal structure of the body, held particular fascination for investigators because personal identity could be ascertained by the (usually invisible) impersonal bones. As Joseph and Winter suggested, the power of an identifier lay in its diminutive size or in its hidden nature. As signifiers and signs of

identity became more important, the decedent himself became absent, a development which shares similarities with Jewson's model.

The ultimate responsibility for the identification of the unknown body remained within the hands of laymen, namely the friends and family of the supposed decedent. Identification investigations, then, relied on the close cooperation between the lay and medico-legal spheres. The medico-legal practitioner's role was to observe and document any distinctive and general signs found on the body with the potential to be useful for identification, not to consider their significance as evidence of identity. Such post-mortem reports were presented to relatives to recognise. In turn – and if the situation permitted – details of missing persons could be fed back to the doctors to locate signs on the body; because the body might not have been presented to family members, this would have been the only way such distinctive marks could be found and recognised. This relationship was overseen by the coroner and facilitated by law officers responsible for passing information back and forth. Thus as an investigation based on shared investigative territory, identification practices have provided a unique opportunity to examine the working relationships between doctors and laymen, two groups traditionally seen to be at odds in the context of medico-legal practice.

Chapter Five

Naming the Dead

This brief final chapter will examine the ultimate act of the inquiry which concluded the narrative of the unknown body: the formal recognition of the deceased. It will be divided into two sections. The first will cover the act of identification itself and focus on the triadic relationship between the unknown body, the investigators tasked with facilitating its recognition, and the decedent's friends and relatives who were ultimately responsible for this recognition. The efficacy of the investigators' efforts to identify the unknown corpse, the relationship between the decedent and the person formally identifying their body, and the evidence on which they based their opinions will also be of interest here. These discussions reflect upon the now-familiar actions of the investigators (examined in Chapter Two) and the contents of the 'paper body' (from Chapter Three).

The second longer section will explore the aftermath of the inquiry, and in doing so will review the rationales of the identification process (outlined in the Introduction to this thesis) in a practical context. Areas of interest include the formal registration of the decedent and the financial and socio-cultural implications this had for their relatives and community. It will also ask – in the event of an unsuccessful inquiry – how funereal practices were adapted to cater for those without friends or family to mourn their passing or pay for a 'decent' burial. This is a notable departure from the material already discussed in this thesis, for it is only within this context that it becomes possible to examine the socio-cultural place of the unknown dead body beyond its immediate role as an object of medico-legal inquiry.

Section I – The formal act of identification

How effective were the identification procedures of investigators?

This first question attempts to quantify the success of the investigators' efforts to facilitate the identification of the unknown body. As discussed in the Introduction to this thesis, the nature of the sources make it difficult to ascertain just how statistically representative these cases are: newspaper coverage of inquests may have been useful when examining the actions of investigators, but the results of their inquiries (which may have appeared in later issues) are much harder to ascertain.[1] Consequently, the 950 cases gathered from inquest depositions and Cardiff's City Police books have been used as a base figure on which to make some tentative conclusions regarding procedural efficacy.

Of these 950 inquests, just 114 recorded that the body was ultimately identified,[2] which represented a crude success rate of just 12 per cent over the 135-year period of study. But as discussed in Chapter Two, rates in some localities could be much higher: for example, in 1891, it was calculated that 96 per cent of bodies found in London were identified before the inquest, with 249 remaining unknown. Of this group, 54 were subsequently identified, which provides an equivalent figure of 21.6 per cent.[3] Without annual figures as to the total number of inquests held on adults in each district covered by this thesis, it is impossible to ascertain the true rate at a national level. But within reason, one could surmise that if investigators in the districts examined in this thesis used these methods of examination, documentation and dissemination on each corpse found dead, then a result of just 950 unknown bodies in the surviving records indicates that these practices were considerably more effective than these figures initially suggest.

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[1] See Introduction to this thesis, pp.25-36.

[2] Including three whose deaths were investigated as 'persons unknown' but were identified the day preceding the inquest.

[3] LMA, LCC minutes, Jul–Dec 1891, p.1279.

The speed with which recognition was facilitated may provide a more reliable measure. In 82 cases, witness depositions and statutory declarations recorded the length of time between the inquest's opening and the formal recognition of the body:

Table 2 – Time taken to identify unknown bodies

Time elapsed between inquest and statement of identification	Number of cases
day preceding inquest[4]	3
on day of inquest	10
+ 1 day	14
+ 2 days	8
+ 3 days	7
+ 4 days	4
+ 5 days	2
+ 6 days	3
+ 7 days	0
at the adjourned inquest (i.e., within 7 days)	6
8 ≤ 14 days (second week)	15
15 ≤ 21 days (third week)	2
22 ≤ 28 days (fourth week)	2
29 ≤ 56 days (fifth to eighth weeks)	1
> 56 days (more than eight weeks)	5
no data	32
TOTAL	**114**

Discounting the three cases in which the body was identified just prior to the inquest, it can be seen that the period immediately following the inquest – when the case was still considered a 'current event' worthy of press attention – was the most crucial.[5] The first 24 hours were particularly important with 24 identifications; one Lincolnshire man even identified his brother-in-law a mere hour after the inquest had concluded.[6] Another 30 bodies were identified within seven days, including six cases in which relatives identified

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[4] These cases were those in which the police reports and ultimately successful inquiries referred to 'persons unknown'.

[5] Indeed, several relatives stated that they had heard about the body from news reports: for example, LMA, CLA/042/IQ/02/11/116 – 19 Jul 1906; Lancashire, DDHD/CR – 19 Apr 1916.

[6] Lincolnshire, Kirton – 14 Jul 1888.

the body at the adjourned inquest. A further 15 were identified in the second week, and just four were identified between the third and fourth weeks. However, six bodies were identified with a gap of at least two months, including one which was identified nine months after the inquest, and another after two years.[7]

Where figures exist, they reveal that approximately two-thirds of identifications occurred in the first week, suggesting that mechanisms used to disseminate the findings of the investigation were effective in reaching their target audience. But this was not a one-way process; some families notified the authorities of missing relatives, although it has not been possible, within the scope of this project, to ascertain the tangible effects of their efforts. At the other end of the scale, the five bodies which were identified after a period of at least two months demonstrated that there was a chance – however slim – that the inquiry could be successfully resolved well after the inquest's conclusion. They also illustrate the practical implications of the 'presumption of death' rule, which stated that a missing individual's death could not be registered until a period of seven years had elapsed.[8]

Who identified the bodies?

The table below presents a summary of the persons who identified unknown bodies and their relationship to the decedent:

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[7] Respectively: Bath, Bath City Register 1900-23, p.55 – 19 Oct 1907; Glamorgan DCONC/4/1/1/169 – 2 Oct 1894.

[8] Medico-legal author Francis Ogston reminded his readers that 'there is no period after death at which this investigation ceases to be requisite': F. Ogston, *Lectures on Medical Jurisprudence* (London, 1878) p.65. See also Taylor, *Principles and Practice* (1865 edn) p.118; H.N. Stafford, 'The Coroner and Civilian War Deaths', *MLCR*, 10 (1942) p.26.

Table 3 – Relation of person identifying the body to the decedent

Relationship to decedent	Number of cases
Sibling	28
Spouse	22
Child	14
Parent	13
In-laws	6
Colleague	7
Landlord	5
Central records	3[9]
Institution	2[10]
Friend	2
No data or relationship given	30
TOTAL	**127**[11]

The most common group of persons to formally identify the decedents were family members: 77 'immediate' relatives and six in-laws took responsibility for recognition. This is not surprising: they would be most likely to be looking for a missing person, and would be most familiar with the body's appearance.

However, on occasion members of the decedent's wider community also fulfilled this task. The barrister and lecturer on forensic medicine William Brend argued that this might be preferable in some instances; he recalled an occasion when the bodies of married policemen killed by anarchists in December 1910 and January 1911 were identified by their wives (one of whom was pregnant) while unmarried officers were identified by their commanders. Was it necessary, he asked, to require these women to undertake such an ordeal when other qualified and responsible persons could be trusted

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[9] One by his fingerprints, one through paperwork, and one through numbered trousers.
[10] One known to a workhouse master, one known to a local policeman.
[11] The total number of cases is greater than 114, as some bodies were identified by more than one person.

to do so?[12] Similarly, the bodies of military personnel were reliably identified by their commanding officers or staff sergeants.[13] Lodging-house landlords were sometimes the only persons capable of identifying their lodgers; as discussed in Chapter One, decedents found in lodging houses were often a long way from home and some existed with very little social interaction with others.[14]

What evidence was cited as important?

The table below outlines the number of occasions upon which a particular corporeal identifier or personal artefact was cited as recognisable or distinctive during formal identification procedure:

Table 4 – Corporeal or material evidence used to confirm identity

Reference point used to confirm identity	Number of cases
Body	46
Clothing	32
Articles	18
Photograph	19
Papers	7
Description	3
Central records	3
No data	34
TOTAL	**162**[15]

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[12] W.A. Brend, 'The Necessity for Amendment of the Law Relating to Coroners and Inquests', *TMLS*, X (1912-13) p.179.

[13] Northumberland, COS/3/39/10 – 25 May 1916; in this case the body was identified by the Quartermaster (who maintained records of issued kit) and the Company Staff Sergeant (who would be familiar with every soldier under his officer's command). See also Lancashire, DDHD/CR – 17 Aug 1918.

[14] Hull, C CQB/213/064 – 1 Mar 1845; LMA, CLA/O42/IQ/02/02/11/113 – 12 Jul 1906.

[15] The total number of cases is greater than 114, as some identifications were based on two or more points of reference.

Unsurprisingly, the most common means by which the unknown decedent was recognised was the body itself. While some depositions noted this fact without elaboration, others recorded the distinctive points of reference used by witnesses to support their judgements. These included a crooked thumb,[16] a big toenail in the left foot,[17] a wart and missing teeth,[18] and a missing eye from a woodcutting accident.[19] One man simply qualified his opinion as the 'shape of the mouth, chin, nose, and generally facial expression'.[20] In a further 32 cases clothing (either with the body or stored separately) was cited as important, including particular items such as dresses,[21] clogs[22] or suits.[23] Distinctive home-made garments or those which had been embroidered[24] or repaired[25] at home were also recognisable. Some witnesses could also recognise the ways in which particular items had been worn.[26] In 21 cases the 'paper body' (photographs and descriptions) was used to identify the corpse in its stead, and in 18 personal possessions such as jewellery, watches and tools were used.

Identification by central records was a rare but nevertheless important procedure. As well as the identification of Thomas Duggan by his fingerprints (see Chapter Four, pp.263-4),[27] Kenneth MacLeod was identified at Heysham when his name was found stamped on his trousers, which was then cross-referenced with naval records by the Chief

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[16] Lancashire, DDHD/CR – 19 Jul 1913.
[17] Lancashire, DDHD/CR – 12 Nov 1906.
[18] LMA, CLA/042/IQ/0211/127 – 4 Aug 1906.
[19] LMA, CLA/041/IQ/04/03/16/79 – 28 Jun & 5 Jul 1927.
[20] Lancashire, DDHD/CR – 7 Sep 1915.
[21] Hull, C CQB/258/416 – 15 May 1856.
[22] Lancashire, DDHD/CR – 6 Jan 1919.
[23] Northumberland, COS/3/44/7 – 21 Oct 1921.
[24] Lancashire, DDHD/CR – 28 Nov 1912.
[25] LMA, CLA/041/IQ/03/06/132 – 16 Jul 1842; Wolverhampton, 1897/4 – 4 Dec 1874.
[26] One man's drawers were said to have been worn in a particular way: Lancashire, DDHD/CR – 19 Jul 1913.
[27] Lancashire, DDHD/CR – 1 Aug 1931.

Petty Officer.[28] Patrick Duffy, as noted in Chapter Three, was identified by his extensive

collection of paperwork.[29]

Negative identification and mistaken identities

Incidences of and debates surrounding difficult or erroneous identifications can be just as

revealing to historians as those which were successful, for they reflect the wider needs of

the state and community to decisively draw the investigation to a close. Negative

identifications were a rare but necessary procedure designed to quash destabilising

rumours.[30] In these cases, relatives of missing persons attended an inquest on a person

unknown and testified that the decedent was *not* that of the supposed individual. For

example, in an 1887 case at Alkborough, Lincolnshire, Joseph Lamming gave evidence

that despite his neighbour's strong convictions, the body of a young woman she spoke to

in the street and who was later found drowned was not that of his daughter Emily.[31] At

another in Gloucestershire in 1921, a woman testified that the body of a labourer was not

that of her brother.[32] Although these negative identifications did not advance the

investigations towards a particular individual they informed the coroner and law officers

that this particular avenue of inquiry was a dead end.

Erroneous identifications – when relatives incorrectly recognised an unknown

body – also revealed a great deal about the interaction between investigators and the

public, particularly their perceived roles and responsibilities. When the *Lancet* discussed

the matter in 1890, it placed the blame for such instances squarely at the feet of the

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[28] Lancashire, DDHD/CR – 17 Aug 1918.
[29] Glamorgan, DCONC/4/1/10/24 – 16 May 1910.
[30] For more on the inquest's role in this matter, see Chapter Two of this thesis, pp.133-4.
[31] Lincolnshire, Kirton – 10 Sep 1887.
[32] Gloucestershire, CO1/1/4/14 – 7 Mar 1921

relatives. While the correspondent admitted that decomposition could hide or distort corporeal signs of identity, he argued that mistaken identities were more likely to be the result of 'careless inspection' and from having too much faith in the laws of probability: just because a body was discovered near to where somebody had gone missing, it did not necessarily mean that it was *their* body. There was no suggestion that the team of investigators could have made any mistakes during their examination and documentation of the body.[33]

Some choice examples bear out the criticisms of the article: families and local communities were apt to jump to conclusions if a corpse was discovered after news had been received that somebody had fallen overboard, or that their ship had been wrecked.[34] Other families made incorrect identifications when there was no news of a death, only an ominous silence.[35] In both events, errors occurred when families assumed the worst and claimed the body while under the effects of intense stress, even though physical, circumstantial and medico-legal evidence was inconclusive. This phenomenon has also been observed in modern studies of identification practices.[36] In the wake of shipping or mining disasters such mistakes could prove ruinous: erroneously identifying a body prevented the rightful family from claiming it themselves.[37]

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[33] 'Three Cases of Mistaken Identity', *The Lancet*, 22 March 1890, p.3. This reflected wider views among medico-legal writers, who included similar demonstrations in their textbooks: see Chapter Four of this thesis, p.240.

[34] For example: *North Wales Chronicle*, 15 Jun 1847, p.2; *North Wales Chronicle*, 23 Aug 1856, p.3.

[35] Northumberland, NRO 5276/11 – correspondence 22 Nov 1891 and statement 24 Nov 1891; *Western Mail*, 2 Oct 1899, p.6.

[36] A study of mothers identifying the remains of their sons killed in the 1991-5 Croatian War showed that intense grief and pressure could lead people to identify and claim a body even if it was not possible to identify it conclusively: S. Jurcevic, I. Urlic and M. Vlastelica, 'Denial and Disassociation as Coping Strategies in Mothers' Postmortem Identification of the Sons', *American Imagio*, 62 (2006) pp.413-14.

[37] For example: LMA, COR/PA/3, pp.3-5; *The North-Eastern Daily Gazette*, 18 Jun 1883, p.3; Lancashire, CR18/7 – coffin 112.

By a circuitous route the Lancet's position encapsulated the essence of identification procedures: however strong the investigators' collated body of evidence may have been, its ultimate use rested in the hands of untrained laymen operating under great emotional strain. Unable to identify the body themselves, investigators had to accept this evidence, with due diligence, at face value. But un an effort to guard against these mistakes, some depositions noted that investigators and relatives alike took measures to authenticate their convictions. Good practice dictated that relatives provide a description of the supposed decedent to investigators before they were permitted access to the corpse or 'paper body',[38] but some relatives provided more concrete evidence such as suits of clothing[39] or swatches of fabric[40] which could be compared to similar items retained by investigators explicitly for this purpose. This was particularly effective in an age when clothing was primarily produced, altered and repaired in the home. In more complex murder cases, too, prosecutors called upon tailors and craftsmen to identify their work when it was found on the victim's person.[41]

From the late nineteenth century, photographs of the supposed decedents were used in this capacity. In one 1906 case the landlord of a man found drowned offered the police a pamphlet of press reviews for 'Mr Ralph Stuart, the Eminent Pianist' which

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[38] J. Troutbeck, 'Modes of Ascertaining the Fact and Cause of Death', *TMLS*, III (1905-6) p.102.

[39] In the aftermath of the *Princess Alice* sinking in 1878, a dispute between two men as to the identity of a young girl was only resolved when one man produced other items of clothing which corresponded to that found on the corpse: A London Journalist, *The Wreck of the Princess Alice: or, The Appalling Thames Disaster, with Loss of About 700 Lives* (London, 1878) p.14.

[40] In 1906 a woman brought a sample of cloth she had used to make her husband's trousers, and her mercer also identified the cloth as identical to the type she had purchased: Lancashire, DDHD/CR – 6 Dec 1906.

[41] In 1903 the cobbler George Mold identified Camille Cecile Holland's distinctive small boots as his handiwork, and produced the wooden lasts on which he had crafted them: TNA, MEPO 3/159b – Statement of George Mold, 16 May 1903.

contained a publicity portrait of his musical lodger.[42] The utility of photographs resulted

in a peculiar reversal of roles between relatives and investigators. For example, seven

months after the inquest and burial of a man unknown in Middlesex, a statutory

declaration of identification dated 13 September 1887 recorded that the prior landlady of

one George Asmus produced his photograph to the police, and stated it to be 'a true and

correct photograph' of her lodger. However she did *not* formally identify the body, its

clothing or possessions. Instead, William Bell, the coroner's officer who had handled the

body testified – using nomenclature identical to the statutory declarations of relatives

examined below – that 'I verily believe the Photograph… to be a true and correct likeness

of the said man whose dead body I saw on several occasions and who is described in the

said Certificate as "a man unknown"'. In normal cases, investigators provided the

information to relatives to identify, but in this instance, a member of the public facilitated

identification for the investigator.[43]

<u>Section II – Following identification</u>

This second section will investigate the aftermath of formal recognition, including the

bureaucratic process necessary to retrospectively register the death of the decedent, the

importance of the death certificate for family members, and – if the inquiry was

unsuccessful – how the unknown body was disposed of. In doing so it will assess the

importance of identification for both state and society, and reflect upon the place of the

unknown dead in the community in which it was found.

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[42] LMA, CLA/O42/IQ/02/02/11/113 – 12 Jul 1906.
[43] LMA, MJ/SP/C/LAN/116 – 2 Feb 1887.

State and family bureaucracy

Since being legally codified under the *Lex Murdrorum*, the identification of the unknown

body remained a central component of the process designed to establish proof of death

to reinstate the decedent in his or her rightful social and administrative 'place'. Vincent

Denis considered this act to be of equal importance to the registration of births: the state

could only assess which citizens it was responsible for if it knew who was alive and who

was dead. Without this legal confirmation, state records remained incorrect or 'open' in a

state of administrative limbo.[44] Prior to 1836 deaths were registered at a parish level, but

the Birth and Deaths Registration Act stipulated that deaths be registered centrally at the

General Records Office too. Edward Higgs argued that this marked a new epoch of

record-keeping as the individual citizen fell beneath 'the state's all-encompassing gaze'.[45]

In addition to monitoring the very existence of its population, the registration of deaths

was required to maintain registers of individual rights: between 1800 and 1934 citizens

were awarded a number of new political, financial and social privileges such as the right

to vote, eligibility for poor relief, and national insurance schemes. Each of these entailed

the creation and maintenance of administrative frameworks, including the removal of

deceased citizens from the lists of those eligible to receive such entitlements.[46]

    To make an individual's death official, and thus permit the file on him or her to be

closed, a formal declaration of recognition had to be made and documented; this in turn

allowed a death certificate to be issued in the name of that individual. When a corpse

was identified before the death had been registered this was a straightforward matter,

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[44] V. Denis, *Une Histoire de L'Identité: France, 1715-1815* (Seyssel, 2008) p.15.

[45] E. Higgs, *Life, Death and Statistics: Civil Registration, Censuses and the Work of the General Record Office, 1836-1952* (Hatfield, 2004) pp.1-2.

[46] E. Higgs, *Identifying the English: A History of Personal Identification 1500 to the Present* (London, 2011) pp.115-16, 152-3; M. Pugh, *State and Society: A Social and Political History of Britain since 1870*, 3rd edn (London, 2008) p.124.

but retrospective identification was more complex and required the amendment of existing state records. In such cases, relatives presented new evidence of identity along with circumstantial evidence relating to the decedent's death or disappearance to the coroner who deliberated its reliability and legal strength. If he was satisfied, he submitted a formal request to his district registrar that the existing death certificate (issued in the name of a 'person unknown') be withdrawn, and that a new one for a named individual be issued in its place.[47] Registrars would then return the invalid certificates to coroners for their records.[48] While acting in this capacity, the coroner exercised an enormous amount of administrative and medico-legal authority: as well as interacting with registrars, he was permitted to consider identification evidence and reach a conclusion without the support of a jury. Considering that the identification process was a component of inquest procedure, this was a particularly significant departure from normal practice.

Testimonies of formal identification entered under the 1835 Statutory Declarations Act[49] reveal that retrospective identifications fulfilled two administrative functions: first, they recorded the fact that an unknown decedent had finally been formally identified; second, they stated that the official records generated by the case were incorrect. For example in 1879 Eliza Harrington stated that:

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[47] See Northumberland, COS/3/17/7 – 27 Jun 1891.

[48] LMA, MJ/SP/C/LAN/116 – 2 Feb 1886.

[49] Parliamentary Papers, 5 & 6 William IV, c.62, s.8. The Act allowed people to make formal declarations without having to swear a formal oath. The appended Schedule read 'I A.B. do solemnly and sincerely declare, That [blank space] and I make this solemn Declaration conscientiously believing the same to be true, and by virtue of the Provisions of an Act made and passed in the [blank space] Year of the Reign of His present Majesty, intituled An Act [here insert the Title of this Act].'

I have inspected the Register Book of Deaths for the Sub District of S^t. Olave's in the County of Surrey and find that the entry N° 223 on a Certificate found by William John Payne Esquire Coroner for London and Southwark 'on the body of a man unknown' is not correct I having identified the same as my husband.[50]

The Act could also be used to correct records if relatives had erroneously identified a body, but unfortunately it has not been possible to explore the substantial administrative complexities – beyond simply amending the registers of death – which must have been necessary to restore an (officially) dead person back into active society.[51]

After the declarations had been given and formally recorded, the newly-issued death certificate could be used to facilitate a number of further administrative procedures designed to tend to the needs of the decedent's dependents and the wider community. Specifically, it permitted the release of the decedent's estate and insurance monies, and allowed the family to claim and bury the body. If the decedent's death could not be authenticated, under common law death could not be presumed until a period of seven years had elapsed.[52]

The release of the decedent's estate was one of the most significant acts following the verification of identity.[53] Edward Higgs argued that the centralisation of death registration in 1836 was part of the British modern bureaucratic state's efforts to 'consolidate civil society' by ensuring that estates were rightly given to the proper

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[50] LMA, CLA/042/IQ/01/46/43 – 12 Mar 1879.
[51] For example, see Northumberland, NRO 5276/11.
[52] See n.8, above.
[53] See Taylor, *Principles and Practice* (1865 edn) p.119.

beneficiaries.[54] Coroner John Troutbeck even raised the issue before the Medico-Legal Society in 1907, reflecting that the lack of identification guidelines laid down for medical men (thus causing delays) 'was an important matter where insurance monies were involved.'[55] Alternatively, if a supposed beneficiary was missing but had not been identified as deceased, an estate could not be divided according to the will until their death had been established.[56] Relatives writing to the coroner following an identification frequently referred to the immediate need for a corrected death certificate for the purposes of claiming insurance policies, as friendly societies would not release funds without one.[57] Nor could the Shipwrecked Mariners' Benevolent Society (see Chapter Three) arrange to forward outstanding wages to the families of drowned sailors.[58]

However, on occasion the prospect of collecting insurance monies was seen as a corrupting influence on identification procedure. In mid-February 1920 a Mr and Mrs Hughes went to identify the body of a man found drowned in the River Irwell, supposed to be Mrs Hughes' tramping step-brother Alfred Nuttall, whom she had not seen for 11 years. The visitors were unable to recognise the corpse, and they did not attend the subsequent funeral. However, in late March Nuttall's step-mother was 'sent' to the police station by Mrs Hughes to look at the photograph the police had taken of the body. After her visit, Police Sergeant Abbott informed the coroner that

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[54] E. Higgs, *The Information State in England: The Central Collection of Information on Citizens since 1500* (Basingstoke, 2004), p.78.

[55] G. Pernet, 'Remarks on the Teaching of Medical Jurisprudence in Paris and London,' *TMLS*, IV (1906-7) p.121.

[56] For example, see Gloucestershire, CO6/1 – correspondence re. missing man, 6 Jul 1923.

[57] For example, see Suffolk, EC5/34/20 – 4 Dec 1891; Lancashire, DDX CR/11 – 17 Apr 1905.

[58] *The Shipwrecked Mariner*, XVI (1869), p.172.

> Mrs Nuttall is 72 years of age and is very weak both mentally and physically and before I could show her the photograph she kept saying "It is him" as if she had been impressed what to say, and she is unable to understand anything further. I had to send a policeman on the way home with her, as I was afraid something might happen to her... Mrs Nuttall appears to be the only one who says she can identify him.
>
> In my opinion, if there had been no insurance money to draw (viz. about £20) we should never have heard from these people.[59]

Abbott clearly believed that the Hugheses had attempted to use the frail and possibly grief-stricken woman to secure the insurance money by erroneously identifying the corpse. It was perhaps incidents like these that prompted the Coroners' Society to suggest in 1923 that 'a statutory declaration should always be required to be made not only by the presumed relatives or identifying persons, but also by some other person not beneficially or otherwise interested.'[60] In the Nuttall case the police prevented an instance of potential fraud by noting the strange behaviour of the family, but such incidents again demonstrated that identification ultimately depended on the actions of relatives, and that investigators were often unable to ascertain with certainty whether their convictions were correct or not and were required to take evidence at face value.

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[59] Lancashire, CR/18 - 11 Feb 1920. This £20 accounts to a modern equivalent of over £1,000.
[60] Liverpool, M347 COR/L/11/5, *Coroners' Society Reports*, 1923, p.199.

Disposal – burial, exhumation and dissection

The disposal of the unknown dead offers an unparalleled opportunity to examine anonymous corpse beyond its immediate role as an object of legal inquiry. As outlined in Chapter Two, historians and social scientists have argued that the manners in which the dead body was treated reflect wider socio-cultural attitudes towards death and dying, as well as the place of the individual within a community.[61] Vannessa Harding in her study of funeral and burial arrangements in early modern Paris argued that the corpses of social outcasts (such as murderers or suicides) and those 'in some way not full members of society' (such as stillborn children) could expect to be treated differently to those of community members.[62] With no family members available to arrange a Christian burial and pay for a memorial stone, how were the bodies of unknown persons considered?

To answer this it will be useful to return to Mary Douglas's theories of 'dirt' first discussed in Chapter One ('matter out of place') and to examine its second component. Depending on the observer's relationship with the subject – in this case the unknown body – 'dirt' was either considered as an anomaly (different and dangerous) or an ambiguity (different but special or symbolic).[63] In his poem *Elegy to the Memory of an Unfortunate Lady* (1717) Alexander Pope presented a romanticised portrait of the burial of a woman who had died among strangers:

> By foreign hands thy dying eyes were closed.
>
> By foreign hands thy decent limbs composed,

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[61] See pp.104-5 of this thesis.

[62] V. Harding, 'Whose Body? A Study of Attitudes Towards Death in Early Modern Paris' in B. Gordon and P. Marshall (eds), *The Place of the Dead: Death and Remembrance in Late Medieval and Early Modern Europe* (Cambridge, 2000) pp.174-5.

[63] M. Douglas, *Purity and Danger: An Analysis of the Concepts of Pollution and Taboo* (London, 1966) pp.38-40.

By foreign hands thy humble grave adorned,

By strangers honoured, and by strangers mourned![64]

Pope used her anonymity as a dramatic device to afford her special status, presenting an ideal in which unknown bodies were treated with dignity and respect even if they were not attended on by their own friends or family. Perhaps the most famous example is the symbolic Unknown Soldier buried in Westminster Abbey following the First World War.[65] Contrast this with Edgar Allen Poe's 1844 short story *The Premature Burial*, where the narrator, having made extensive and lavish preparations for his own burial, awakes from a trance to find that he has apparently been buried alive

while absent from home— while amongst strangers… and it was they who had buried me as a dog— nailed up in some ordinary coffin— and thrust, deep, deep, and for ever, into some ordinary and nameless *grave*.[66]

Here his body, anonymous and friendless in a foreign land and posing a threat to the population, was (he supposed) disposed of 'as a dog' in an 'ordinary' grave. These polarised treatments of the unknown body further demonstrate that Douglas's theories can be applied not just to the anonymous living (as in Chapter One) but also to the dead. But how does this translate into practice? The following discussion will examine how

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[64] Alexander Pope, 'Of an Unfortunate Lady', in *The Works of Alexander Pope*, Vol II (London, 1871) pp.213-14.

[65] J. Bourke, *Dismembering the Male: Men's Bodies, Britain and the Great War* (London, 1996) pp.236-7; D. Cannadine, 'War and Death, Grief and Mourning in Modern Britain' in J. Whaley (ed), *Mirrors of Mortality: Studies in the History of Death* (London, 1981) pp.223-4.

[66] E.A. Poe, *Tales of Mystery and Imagination* (London, 1971 [1908]) p.342.

burial customs were adapted to accommodate the unknown dead, and how the anonymous corpse was treated as a potential subject for dissection.

Prior to 1808 local communities were under no obligation to provide a decent burial for unknown bodies cast up by the sea. However, the shipwreck of HMS *Anson* at Porthleaven in December 1807 prompted a significant legislative change after 100 naval crewmen were drowned and most of their bodies buried at the edge of the village without shrouds or coffins.[67] In April 1808 the MP John Hearle Tremayne told the Commons that action must be taken, as he had been informed of

some very disgusting scenes that had been witnessed in consequence of some legislative provision not being in existence. It frequently happened that human bodies were washed ashore in districts inhabited by the poor and ignorant, where the parish officers were deterred by the expense from decently interring them, and consequently where they were allowed to remain in a state of putrefaction, until washed off at the next high sea, or buried in a disgraceful and unchristianlike manner.[68]

The resultant Burial of Drowned Persons Act of 1808 ruled that bodies were to be removed to 'some convenient Place, and with all convenient Speed… be decently interred in the Church-yard or Burial Ground.' The customary funeral rites were to be appropriately performed, and the whole expense paid from the county rates which

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[67] F. Hitchens and S. Drew, *The History of Cornwall, From the Earliest Records and Traditions, to the Present Time*, Vol II (William Penaluna, 1824) pp.604, 607.
[68] *The Lancaster Gazette and General Advertiser*, 30 Apr 1808, p.3.

removed the financial burden on individual parishes.[69] In doing so, it forced coastal parishes to consider the unknown dead as worthy of Christian charity, and not merely as a problem to be ignored, or disposed of without feeling.

Keith Snell in his work on gravestones noted that areas of some local churchyards (such as Stranger's Hill in Hartland, Devon), were specifically reserved for the bodies of unknown seafarers.[70] Although information is relatively scanty in the depositions, newspaper reports occasionally offered details regarding the burial practices of unknown persons. In some parishes these were apparently carried out with considerable dignity: at Rhos-on-sea in Denbighshire, an unknown sailor was interred in the parish churchyard with the jury in attendance in lieu of his friends and family. The jury even contributed their fees to the purchase of a headstone, which read 'Here lieth an unknown sailor, who was washed ashore near this place on the last day of 1894, this being the first funeral of an unknown person in Llandrillo churchyard'.[71] Affording the unknown body a Christian burial indicated that the passing of the unknown dead was still worthy of commemoration, even though the decedent's family was unable to arrange it themselves. Such practices also gave comfort to relatives who – if they did learn of the death – could be assured that their loved ones had received a decent burial in their absence.[72] This was not afforded to all, though: when the bodies of two unidentified suicides were buried at Mold in 1872 'none of the people of Mold assisted at the

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[69] Parliamentary Papers, 48 George III, c.75, ss.1, 2. The act was extended to include those found washed ashore from tidal and navigable waters in 1886: Parliamentary Papers, 49 Victoria, c.20.

[70] K.D.M. Snell, 'Gravestones, Belonging, and Local Attachment in England 1700-2000, *Past and Present*, 179 (2003) p.109.

[71] *Wrexham Advertiser*, 5 Jan 1895, p.6.

[72] See *The Shipwrecked Mariner*, XVI (1869), p.45; Suffolk, EC5/36/51 – 11 Aug 1893; *North Wales Chronicle*, 1 Apr 1899, p.8.

ceremonies, and the services even of a clergyman was dispensed with'.[73] That this was noteworthy suggests that the community declined to attend due to the cause and circumstances of death,[74] and that the funerals of other unknown persons were generally better attended.

Other districts had different standard arrangements for funerals. In Cardiff, for example, the inquest registers recorded that bodies were given a simple and inexpensive burial at the City's expense, although any money found in the clothing could be used to defray costs.[75] Others contracted private undertakers, which was usually a reliable practice, but it carried its risks. For example, one body found at Gloucester in 1931 was so decomposed that 'it had caused several to vomit and the people living near to the City Mortuary complained of the smell'; no city undertaker was willing to take the contract at the standard rate, and an additional fee had to be paid to finally convince one to take responsibility for its disposal.[76]

The burial of the unknown body usually marked the end of the corpse's narrative, but on very rare occasions, exhumations could be ordered for the express purpose of identification. The conditions under which this happened were strict, but an application could be made if it was suspected that the body had been buried under the wrong name, or had been buried as a 'person unknown' but new evidence as to its identity had come to light. Families had to apply to the relevant coroner or County bench with supporting evidence, which would then be presented to the Home Secretary for approval.[77] Several inquest reports noted that exhumations were necessary, some several years after the

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[73] *North Wales Chronicle*, 16 Nov 1872, p.8.
[74] For more on the burials of suicides, see V. Bailey, '*This Rash Act': Suicide Across the Life Cycle of the Victorian City* (Stanford, 1998) p.67.
[75] Glamorgan, DCONC/4/1/11/131 – 15 May 1912. This is about £105 in modern currency.
[76] Gloucestershire, CO6/1 – 10 & 28 Jul 1931.
[77] R. Burrows, 'The Law of Exhumation', *TMLS*, VI (1908-9) pp.197-8.

inquest.[78] In 1923 Jenina Sabin's solicitor wrote to the coroner for Lancashire asking for an exhumation of a man unknown – supposedly her husband – as it was to be reburied elsewhere. However, he also noted that 'it is desirable to have direct evidence of identification if possible,' and asked that in order to ascertain whether it was worth opening the coffin and exposing it to the family, whether the body could have been identified by means other than the clothes and personal possessions.[79] During the 1831 Elizabeth Ross murder investigation, the body of her supposed victim had to be exhumed in order to identify it; in a similar fashion to the Lamming case (above), this was a necessary precaution in a set of extraordinary circumstances.[80] Exhumation for the purposes of identification was a rare practice and one which required significant administrative effort on behalf of the family, coroner and state officals. However, that the act was permitted at all strongly indicates how important a correct identification – recorded on official records as well as on the tombstone – was considered to be.

The cultural value afforded to unknown bodies is perhaps best appreciated when viewed in the context of their potential utility as cadavers for medical training. As early as 1497 the Italian anatomist Alessandro Benedetti noted that 'only unknown and ignoble bodies can be sought for dissection, from distant regions without injury to neighbours and relatives'.[81] Dissecting or dismembering the corpse was thought to prevent the soul's entry into heaven, so the only 'acceptable' subjects for dissection were those of executed

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[78] Glamorgan, DCONC/4/1/1/169 – 2 Oct 1894.

[79] Lancashire, DDHD/CR - 27 Oct 1923.

[80] Such were the similarities between Caroline Walsh (missing, presumed murdered), and one Caroline Welsh (found dying in the street and later buried) whom Ross claimed was the missing Walsh, police exhumed Welsh's body to allow her granddaughters to examine it: A.S. Taylor, *The Principles and Practice of Medical Jurisprudence* (London, 1865) p.105. For a full synopsis of the case, see pp.103-5.

[81] K. Park, 'The Life of a Corpse: Division and Dissection in Late Medieval Europe,' *Journal of the History of Medicine and Allied Sciences*, 50 (1995) p.130. See also J. Sawday, *The Body Emblazoned: Dissection and the Human Body in Renaissance Culture* (London, 1995) p.3.

criminals; since it was believed they had already forsaken salvation, the spiritual implications of damaging these corpses were negated. It is interesting to note that Benedetti's criteria overlapped with the conceptual keystones of anonymity outlined in Chapter One of this thesis: namelessness, and social or geographical isolation. Together, these ensured that complaints would not be voiced on behalf of the decedent with regard to the spiritual consequences.

Similar concerns were voiced in Britain, where since the early fourteenth century medical schools were awarded the right to dissect the bodies of executed criminals only,[82] but by the early nineteenth century it became clear that the numbers acquired were insufficient to equip the growing number of students. Consequently, the 1832 Anatomy Act ruled that any person 'having lawful possession of any deceased Person… [may] permit the Body of such deceased Person to undergo Anatomical Examination'.[83] This meant that if a body remained unclaimed by family or friends in a workhouse or hospital, it remained in the hands of the authorities and could – should they permit – become subject to dissection. This was very unpopular with the British public, so again the bodies of the unknown dead offered a solution. Thomas Laqueur noted that to avoid conflict, contemporaries believed 'the fittest person in society for dissection... [were] those that died friendless': the bodies of the unknown – or at least unclaimed – members of society.[84] In this context, the Anatomy Act echoed Benedetti's proposals from four centuries before.

Although this Act was particularly important for poor law overseers who had legal possession of those dying in the workhouse, coroners were also known to give 'their'

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[82] R. Richardson, *Death, Dissection, and the Destitute*, 2nd edn (Chicago, 2000) pp.32.
[83] 2 & 3 William IV c.75, s.7.
[84] T. Laqueur, 'Bodies, Death, and Pauper Funerals,' *Representations*, 1 (1983) p.123.

bodies to local schools for dissection. Elizabeth Hurren noted that Oxford City Coroner Edward Law Hussey reported that the corpses of 'the nameless and friendless' were 'handed over', so long as no bad press had been generated by the inquest.[85] However, the Coroners' Society noted that coroners had no legal right whatsoever to provide hospitals with these unknown bodies; once they had issued a burial order, the corpse was no longer in their custody and they had no authority to dictate its fate. The Society also noted that many unknown persons were identified some time after inquiries had concluded (as shown above), 'and their friends would probably resent the Coroner's action very strongly if he had disposed of the bodies for anatomical purposes.' Instead, it was suggested that it would be safer to use the bodies of people who had stated before dying that they had no friends or family![86]

Despite the perceived socio-cultural benefits of using the corpses of anonymous persons as cadavers rather than those of the destitute, none of the bodies studied for this project were reportedly sent to the anatomy schools. The possibility of a future identification or even a request for exhumation apparently dissuaded investigators from doing so. The brief period in which the body was most fresh and thus suitable for dissection was also the period in which identification was most likely: in the immediate aftermath of an inquest or after the case had been reported in the local press. This also corresponded with the point at which when emotions among surviving relatives were at their highest.[87] These practices differed from those of the Parisian Morgue, where which bodies remained unidentified for a prolonged period of time were offered as cadavers to

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[85] E. Hurren, 'Whose Body is it Anyway? Trading the Dead Poor, Coroners' Disputes and the Business of Anatomy at Oxford University, 1885-1929,' *Bulletin of the History of Medicine,* 82 (2008) p.809.

[86] It was not recorded whether the decedents were supposed to be informed of their fate: Liverpool: M347 COR/L/11/2, *Coroners' Society Annual Report, 1906-7*, pp.193-4.

[87] Richardson, *Death, Dissection and the Destitute*, p.78.

the Institut Medico-Légale.[88] This final aspect suggests that in addition to the obvious methodological difference of identification, the French and British perspectives on the unknown dead body as a medico-legal object and socio-cultural entity were also dissimilar.

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[88] Pernet, 'Remarks on the Teaching of Medical Jurisprudence', pp.114, 117.

Conclusions

This Conclusion will draw together some of the longer thematic threads encountered across the course of this thesis in order to assess the level of continuity and change in the identification process between 1800 and 1934. It will cover the triadic relationship between the investigators, relatives and the unknown body, the physical place of the corpse in the inquiry, and the impact of external developments in the coronial system, the modern bureaucratic state, and the medico-legal profession. Finally, it will reflect on some of the methodological innovations of the project, and propose some avenues for future research.

The levels of continuity and change in identification procedure are characterised by a juxtaposition between gradual evolution and a series of rapid advancements. The period 1800 to 1934 witnessed significant developments (both legislative and procedural) in the coronial system, the modern bureaucratic state, and the medico-legal sphere, but those specifically relating to the identification process are harder to isolate. Consequently, the glacial rate of change, which arose as a result of external developments, can only be appreciated when one adopts the *longue durée* approach.

The continuous relevance of the identification process is one of its most striking elements. Since the Norman Conquest the coroner had been charged with facilitating the recognition of unknown bodies, and the task never ceased to be significant. However, during the industrial age the identification of persons reached a new level of complexity. In the pre-industrial age the 'society of strangers' was chiefly made up of those seeking poor relief, but from the mid eighteenth century industrialisation led to urbanisation and

rural underemployment, which forced people from disparate backgrounds together in towns, enticed large numbers of foreign sailors and labourers to Britain's port cities, and created a vast transient workforce. People could expect to interact with strangers on a daily basis, and so it became easier for individuals to remain anonymous. Although the period 1800–1934 revealed the intricacies of anonymity in the industrial age, to understand their roots and the period of transition it may be necessary to study practices from the eighteenth-century, an era which straddled the industrial and pre-industrial ages.

The second continuous thread from across this thesis is the triadic relationship between the unknown body, the investigators responsible for facilitating its recognition, and the relatives of the decedent who were tasked with the ultimate act of recognition. Regardless of the procedures used across the country and time period, this remained at the heart of the inquiry. Between the two groups of actors lay the unknown corpse, which at once represented a moral, legal and sanitary problem which needed to be solved, and provided the body of evidence required to facilitate its solution.

The identification of the body promised to fulfil several administrative, socio-cultural and legal functions, which encouraged the actors of the inquiry to work collaboratively towards a common end. The unknown body was 'out of place' in the community in which it was found, so local investigators took custody of the body and assumed responsibility for gathering post-mortem data, which was then disseminated to the public. Using this information, relatives of missing persons were then responsible for notifying the authorities of any likely leads, and if possible, provide the appropriate ante-mortem data regarding the appearance of the decedent when seen alive. Thus the roles

of the two groups were determined by the limitations of their participation as much as the evidence they were able to provide.

The comparative role of scientific and opinion evidence is surely unique to the history of sudden death investigation. The nineteenth century was characterised by an increased interest in scientific modes of corporeal identification, including criminal technologies such as Bertillonage and fingerprinting (as opposed to identity parades), and medico-legal ones including skeletal and scar tissue analysis. However, the identification of the dead remained resolutely dependent on the evidence of recognition, an opinion reached through the subconscious consideration of one's memory and personal experience. Even though this evidence could not always be substantiated with scientific data, it was accepted by coroners and registrars nevertheless. However there were attempts from the medico-legal field to reconfigure identification as a more scientific inquiry; this will be examined below.

Given the teamwork necessary to identify the unknown body across this period, it suggests that the term 'medico-legal' could be expanded to refer not only to the coroner and medical men, but to all those who interacted with the corpse to facilitate its identification. This included first finders, lay witnesses, law officers, and relatives, whose roles have hitherto been marginalised by studies of the traditional medico-legal actors.

As a result of developments in the fields adjacent to post-mortem identification practices the inquiry was subject to enforced change, both in the short-term and the *longue durée*. First and foremost, while the corpse remained figuratively at the heart of the investigation, in practical terms it was increasingly segregated from the general public. This was due in part to shifting socio-cultural attitudes towards the dead body: over the course of the nineteenth century the idea of post-mortem 'decency' grew in

appeal, which necessitated that the corpse be afforded a level of privacy. This was common for community burial practices, but it posed a problem for identification procedure which demanded that the body remain accessible and visible to the public who needed to examine it for the purposes of recognition. In addition, from the mid nineteenth century sanitary authorities called for the segregation of corpses from the public on the grounds of public health. Despite the abhorrence many commentators felt towards the public display of the unknown body, the volume of people (sometimes in their hundreds) who visited the corpse demonstrated that investigators were willing to disregard dominant socio-cultural and sanitary attitudes for the purposes of conducting an efficient legal inquiry. By the late nineteenth century mortuaries were constructed with design features specifically intended to assist identification. Most strikingly, this included two proposals to build a Morgue in London, but following their failures, subsequent designs included cabinets for clothing, tilted coffins, identification lobbies and large viewing windows. Thus throughout this period, although the body was increasingly segregated from the general public, architectural efforts were made to ease the task of recognition for the relatives.

As the physical corpse was hidden from public view, the 'paper body' allowed it to re-emerge and reach the widest possible audience. The inquiry could be carried out in an efficient and sanitary fashion, without offending the sensibilities of the public or compromising the solemnity of the legal enterprise. New methods of disseminating information – such as the emergent local press and the telegraph – allowed the body to be quickly duplicated and circulated across the country. This was especially important as many individuals were found dead far from home. The greatest advance in the paper body was the advent of photography, which promised to flawlessly replicate the

appearance of the decedent in a visual format. But as the surviving records demonstrate, their utility was initially marred by their cost, and it was only in the twentieth century that it became a viable tool for investigators, although it was clear guidelines laid down for its use were not uniformly applied across England and Wales. These conclusions remain tentative, as only a few photographs have survived in the records; a study of its adoption over a longer timeframe may reveal more uniform procedures.

Finally, the rise of the medico-legal sphere had a significant impact the identification procedure over the period of study. Although textbooks reveal that early nineteenth-century doctors showed a passing interest in the identification process, it was only from the mid nineteenth century – at a time when the medico-legal sphere was developing a distinct professional identity – that the topic was deemed worthy of dedicated study. Henceforth, efforts were made to transform the identification process from a lay investigation based on fallible human memory to a medico-legal one based on scientific fact, but post-mortem medico-legal evidence was unable to replace lay ante-mortem data and as such the doctors remained a tool of the coroner. Nevertheless, the attempt to claim the unknown body as a site of professional knowledge from the laypersons was a calculated one.

To summarise, then, although the identification process did experience changes over the period 1800–1934, they came as the result of external developments which opened up new avenues of inquiry for investigators. The task of the decedent's relatives was also made easier: information on which to base their opinions became more accurate and easier to access, and in some cases new mortuaries made their assigned role less unpleasant. However, at its core the identification process remained relatively stable: every investigation was necessarily based on the centrality, accessibility, visibility

of the corpse, the organised nature of the inquiry, and the teamwork between the investigators and the public over the problematic figure of the unknown body.

Methodological considerations

Due to the lack of an institutional focus and the difficulty of identifying a set of representative case studies based on uniform procedure, the path of unknown body has been invaluable as a narrative device in order to allow the reader to follow the course of identification process. This method has illustrated how individuals were able to remain anonymous after death (Chapter One), and by acting as a focus of investigators' efforts to facilitate its recognition, it has enabled the deconstruction of the identification process into its constituent stages (Chapters Two and Five). It has allowed the corpse to be reconstructed as a physical object (Chapter Three) and (re)conceptualised as a site of medico-legal knowledge (Chapter Four).

This focus does not overshadow the roles of other actors, however: as a passive object the unknown body's place in the investigation can only ever be appreciated through the testimony of the active agents of the inquiry who gave testified as to their interactions with the corpse. By assessing the roles of participants as they related to the unknown body itself, it was possible to reach a balanced appraisal of their responsibilities and conclude that identification was by necessity collaborative. I propose that using the corpse as a methodological core to study the roles of actors can translate into other fields of historical interest.

One of the subsidiary aims of this thesis has been to demonstrate that inquest records, considered by many to be particularly troublesome due to their patchy survival rate and the absence of indexes or catalogues, can be of great value to the patient

historian. In addition to demonstrating the practical aspects of inquest procedure, depositions were used to narrate the actions and experience of a range of lay and medico-legal witnesses, portray the appearance of the corpse, reveal individual or community concerns, and provide a wealth of incidental detail concerning everyday life and personal relationships. As such, they have a limitless value to social and medical historians.

Avenues of future research

This thesis has established the groundwork for further research, and four key areas have been identified as showing particular promise. First, it may be possible to achieve a more reliable portrait of the identification process by extending the research net to include inquests held on named persons. The vast majority of cases examined here were ultimately unsuccessful, and a study based on these other inquests – which may discuss how identification procedures *were* successful – will undoubtedly reveal new trends, uniform practices, and permit a more reliable analysis as to the efficacy of the inquiry. The pilot projects for this thesis demonstrated that this method was too research-intensive to be of practical use here, but this approach, perhaps focused on one or two districts, would allow these 'unknown' cases to be considered within the context of 'normal' practices.

Second, the examination of anonymous individuals discussed in Chapter One might act as a springboard to further study in the history of missing persons. Areas of interest would include the procedures carried out upon recognising that an individual was missing, and the actions taken to locate them. Were there similarities between the practice of taking and circulating the descriptions of missing persons and the practices

discussed in Chapter Two? In addition, a more detailed historical examination of the legal issue of death *in absentia* would also provide an interesting legal and socio-cultural counterpoint to the presence of the unknown body. Together, these would establish anonymity in its wider social, legal and historical contexts.

Third, the examples of identification procedures utilised in the wake of mine, rail and shipping disasters illustrate that these cases are worthy of dedicated study in their own right. Unlike investigations held on individual bodies, these investigations required rescuers and overseers to develop and maintain standardised methodologies in order to immediately deal with a large number of bodies simultaneously. These include the practicalities of recovering and laying out bodies to await identification, but also the methods of observation and the bureaucracy required to maintain an administrative grasp on such a monumental task. This topic offers a more direct approach to an historical appreciation of the fourth identification principle of *organisation*, the mechanics of which has been harder to ascertain using individual inquests.

Finally, and perhaps most importantly, the four operating principles of post-mortem identification practice – with the unknown body as their narrative focus – offer the historian a stable framework within which to explore the subject in a wider historical context. Though originally conceived to study the early nineteenth-century Parisian Morgue, this thesis has demonstrated that they can be equally effective when applied to non-institutional practices. If these principles act as a unifying point of departure, it may be possible to introduce a comparative approach to the history of post-mortem identification in order to examine procedures from an international or interdisciplinary perspective.

Appendices

Appendix I – Graphs illustrating geographical and chronological distribution of inquests held on persons unknown

a. Total number of cases examined, 1800-1934

b. Number of cases from Bath Record Office

c. Number of cases from East Sussex Record Office

d. Number of cases from Glamorgan Archives

e. Number of cases from Gloucestershire Archives

f. Number of cases from Hertfordshire Archives and Local Studies

g. Number of cases from Hull History Centre

h. Number of cases from Lancashire Record Office

i. Number of cases from Lincolnshire Archives

j. Number of cases from London Metropolitan Archives (City of London and Southwark)

k. Number of cases from London Metropolitan Archives (Middlesex)

l. Number of cases from Northumberland Archives

m. Number of cases from Oxfordshire Record Office

n. Number of cases from Suffolk Record Office

o. Number of cases from Wolverhampton Archives and Local Studies

p. Number of cases from North Wales (newspapers)

q. Number of cases from South Wales (newspapers)

Figure 1a – Total number of cases examined, 1800–1934

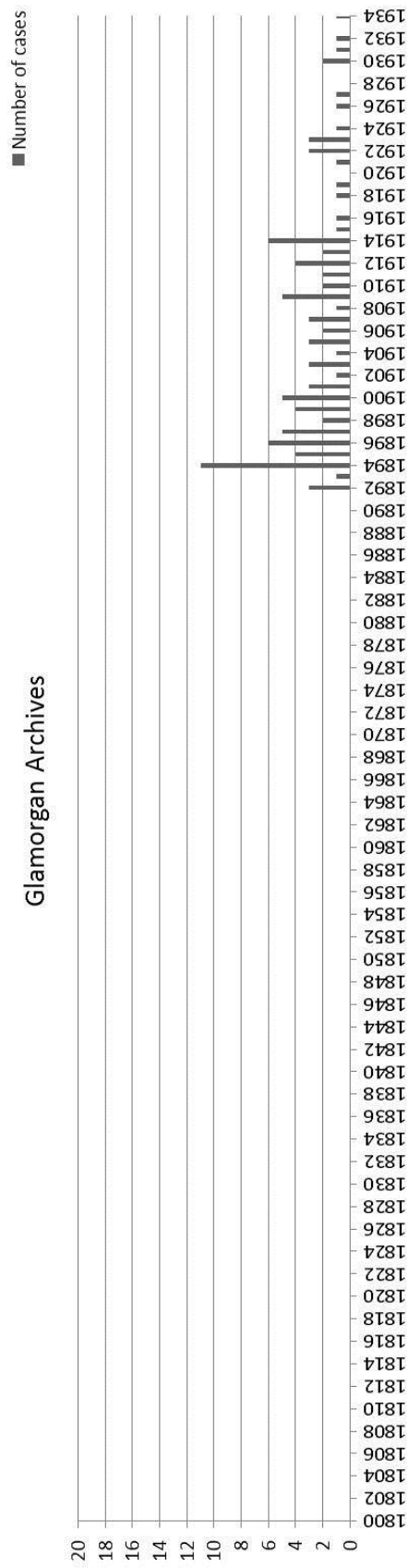Total number of cases examined, 1800-1934
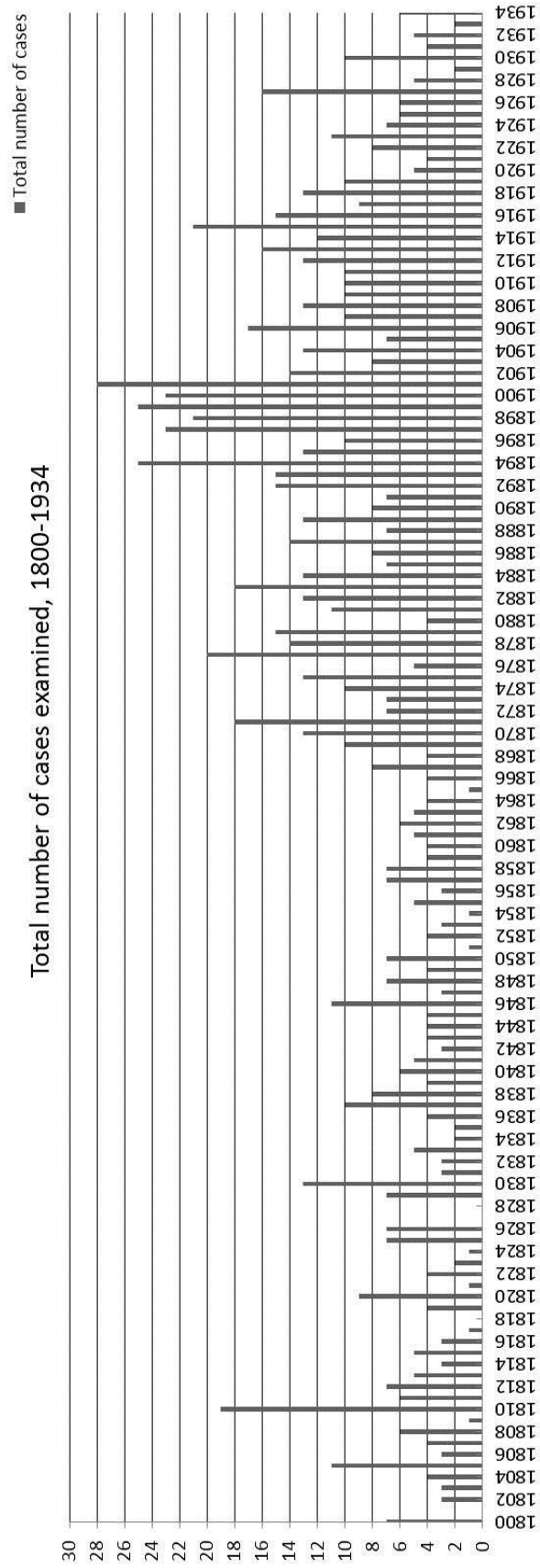
Figure 1b – Number of cases from Bath Record Office
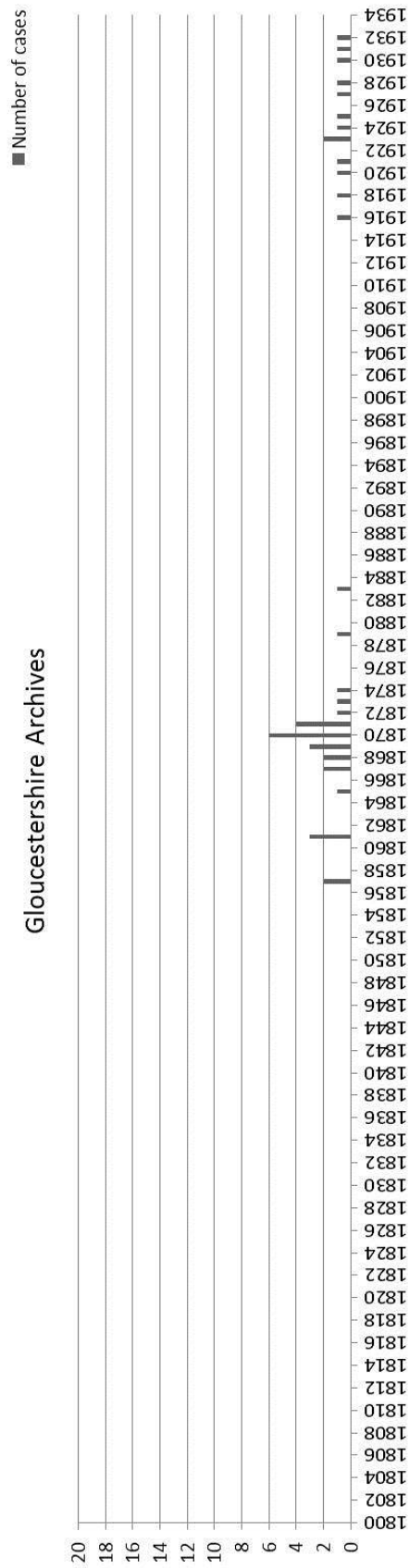
Figure 1c – Number of cases from East Sussex Record Office
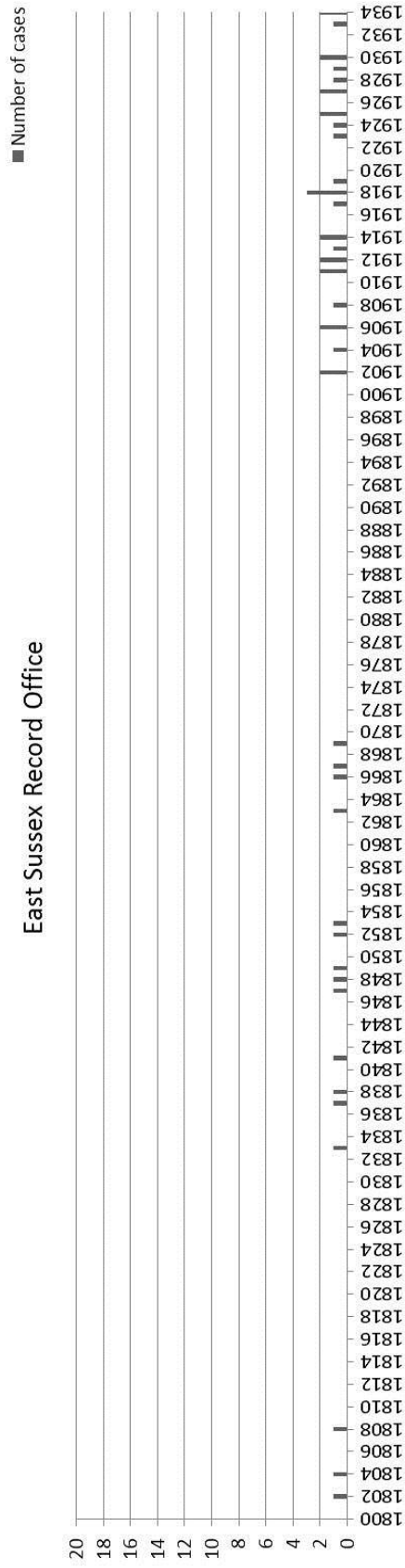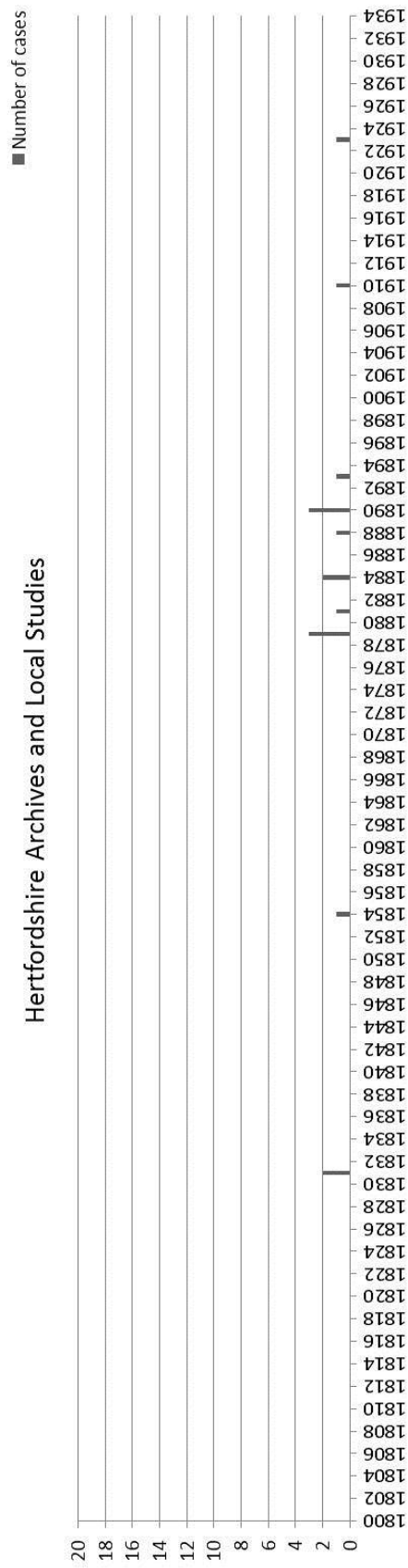
Figure 1d – Number of cases from Glamorgan Archives
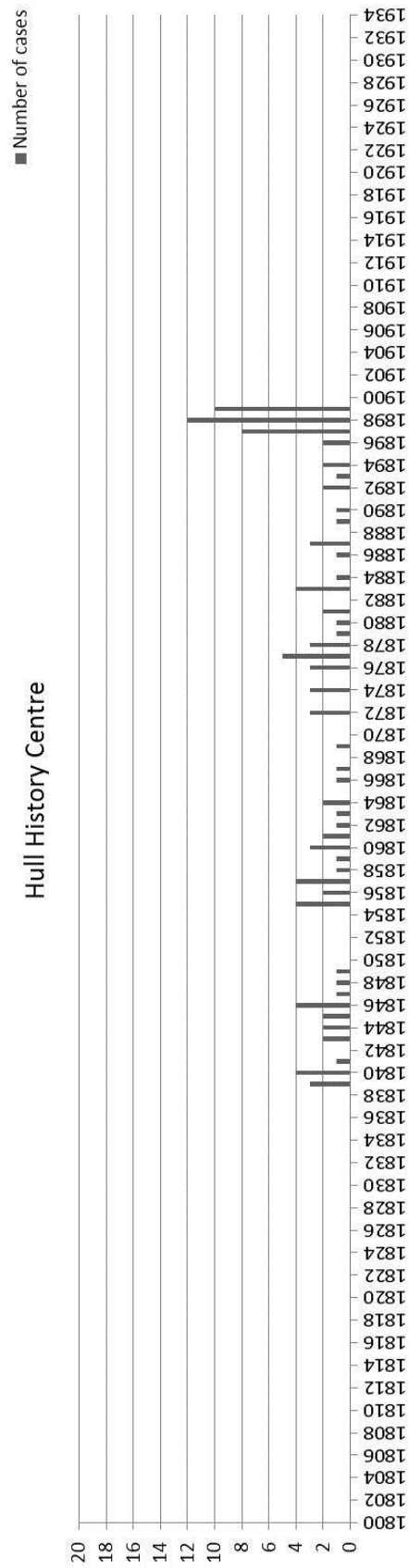
Figure 1e – Number of cases from Gloucestershire Archives

Figure 1f – Number of cases from Hertfordshire Archives and Local Studies

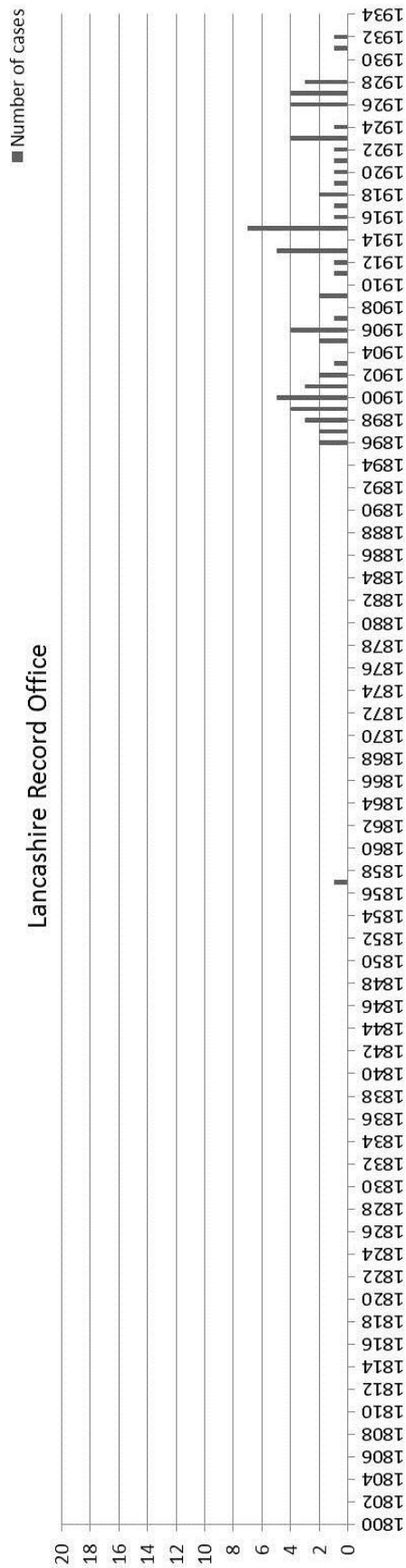Figure 1g – Number of cases from Hull History Centre

1h – Number of cases from Lancashire Record Office

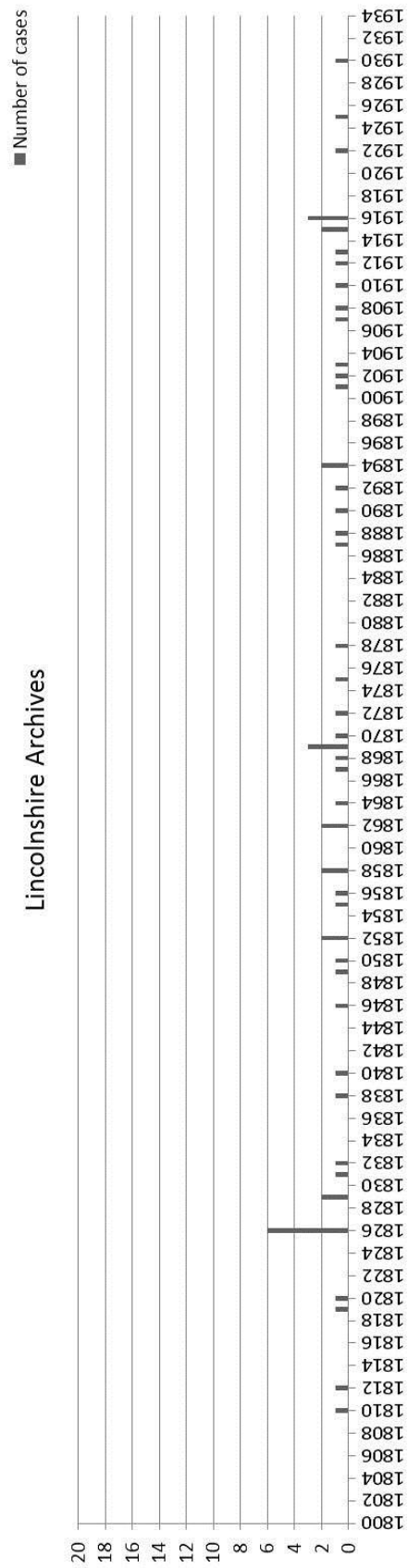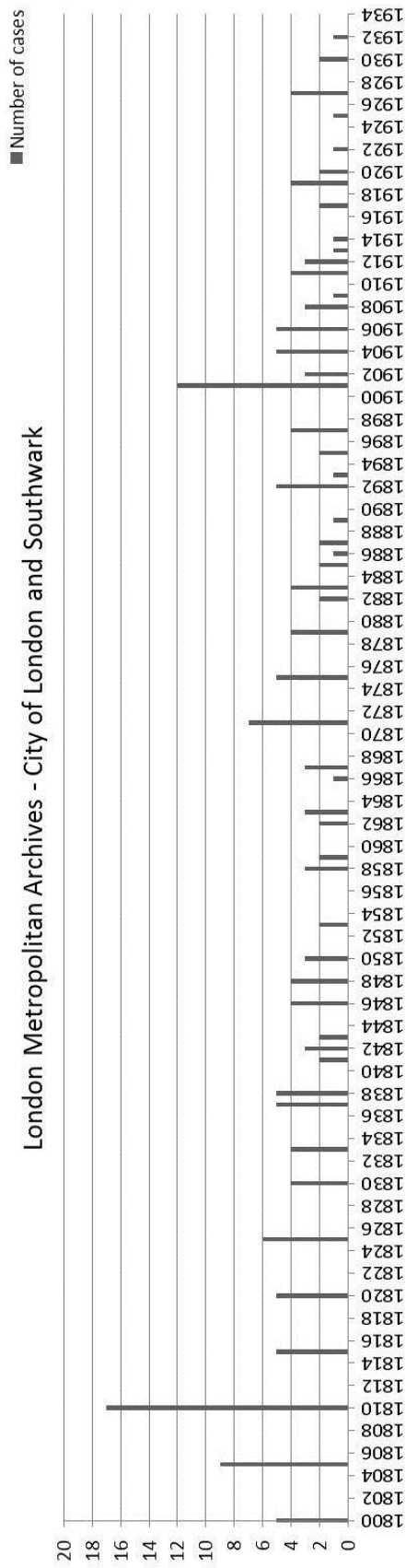## Figure 1i – Number of cases from Lincolnshire Archives
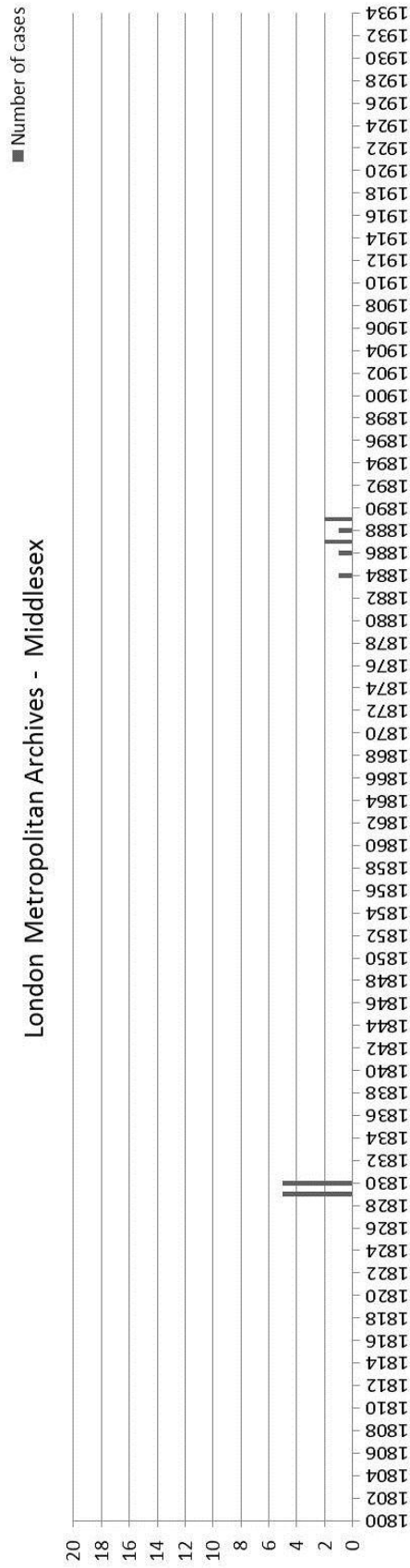
Figure 1j – Number of cases from London Metropolitan Archives (London and Southwark)

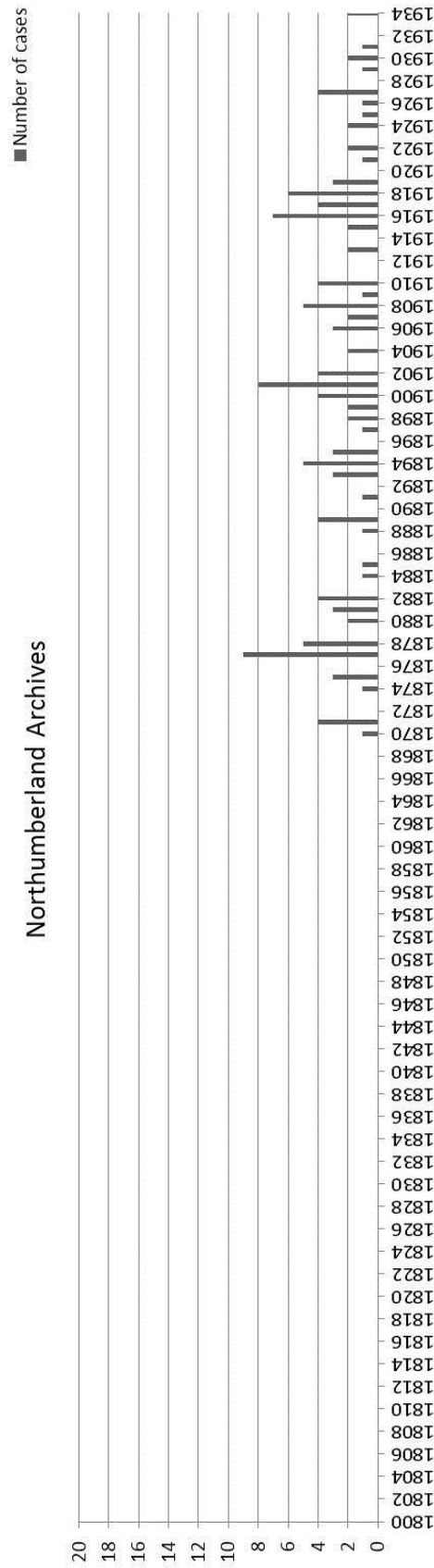Figure 1k – Number of cases from London Metropolitan Archives (Middlesex)

Figure 1l – Number of cases from Northumberland Archives

Figure 1m – Number of cases from Oxfordshire Record Office
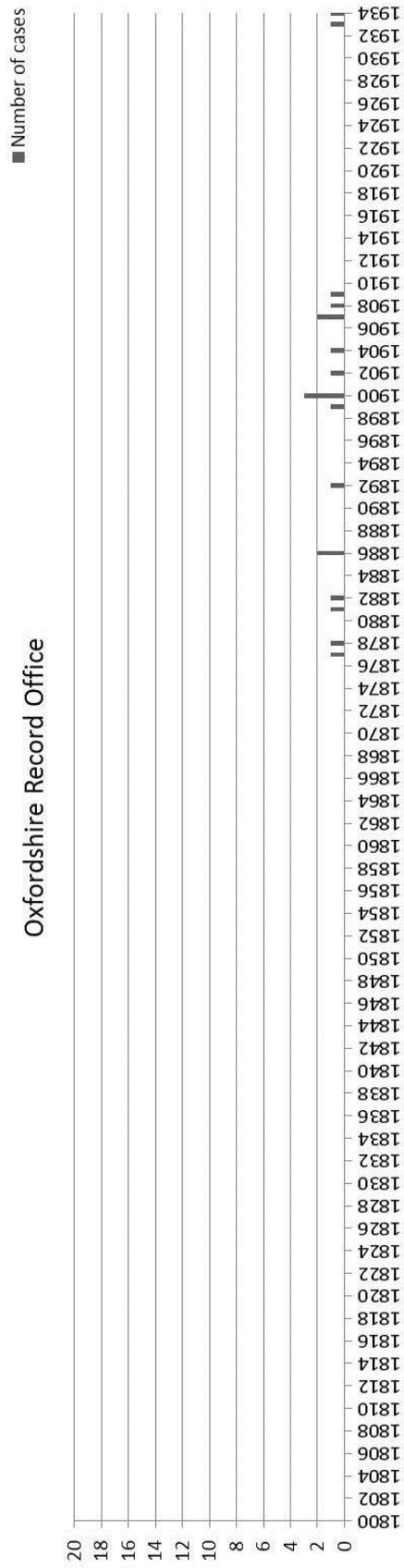
Figure 1n – Number of cases from Suffolk Record Office
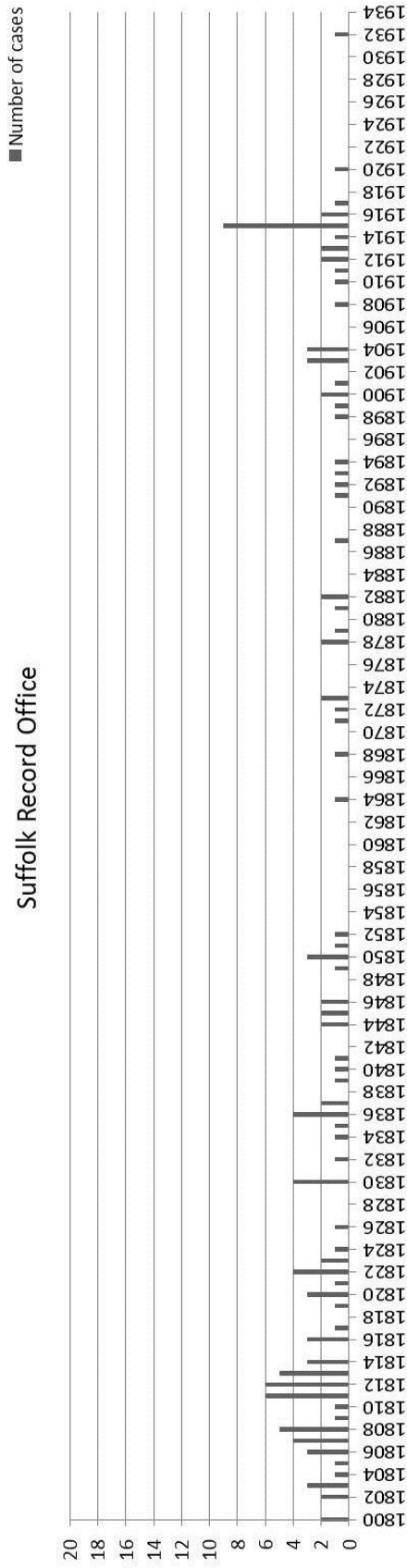
Figure 1o – Number of cases from Wolverhampton Archives and Local Studies
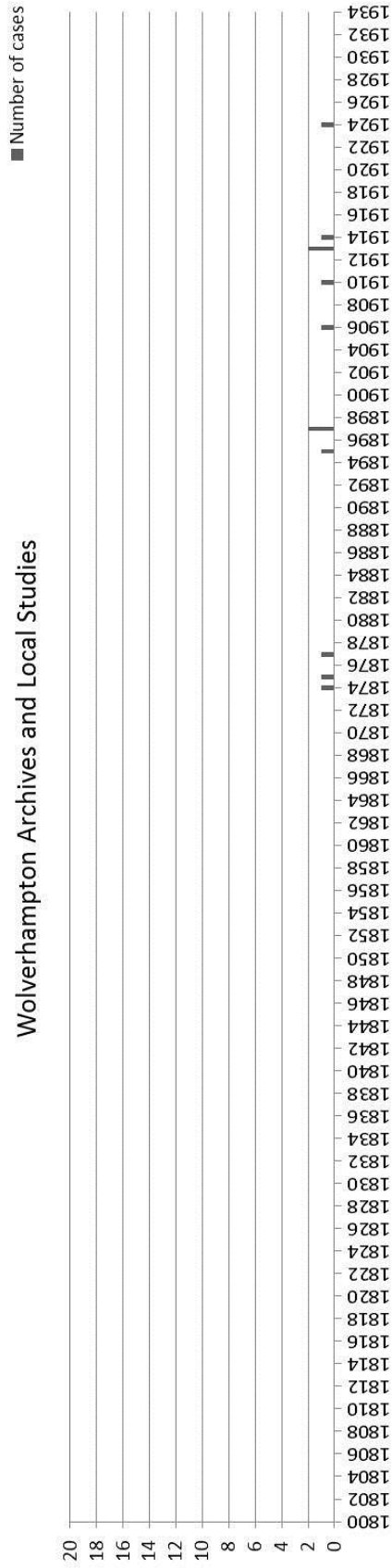
Figure 1p – Number of cases from North Wales (newspapers)

North Wales - newspapers
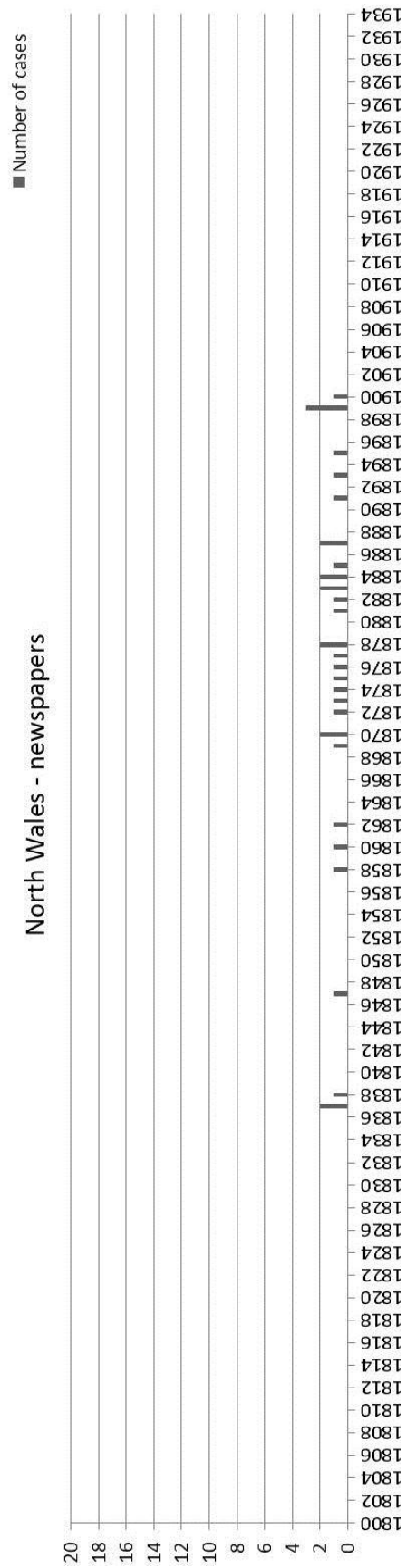
Figure 1q – Number of cases from South Wales (newspapers)

South Wales - newspapers
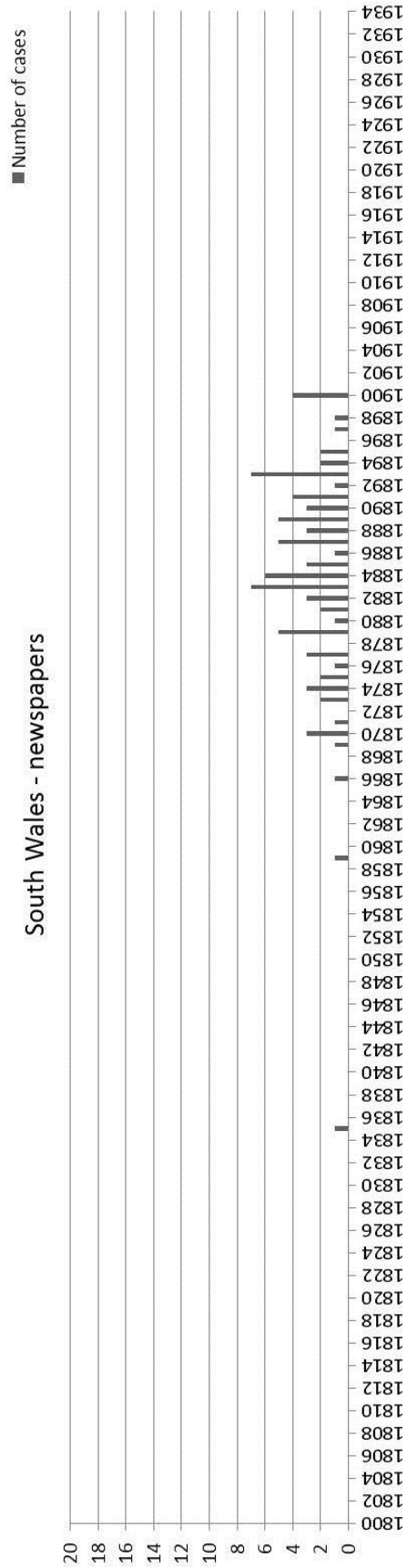
Appendix II

A selection of London mortuary plans, 1893–1900 (LMA, LCC/MIN/12 series)

Figures 7a (above) and 8b (below)

Plans of Rotherhithe mortuary, 1893 (12, 622) and 1894 (12, 623)

Figure 7c – Plan of Hammersmith mortuary, 1896 (12, 624)

Figure 7d – Plan of Woolwich mortuary, 1897 (12, 625)
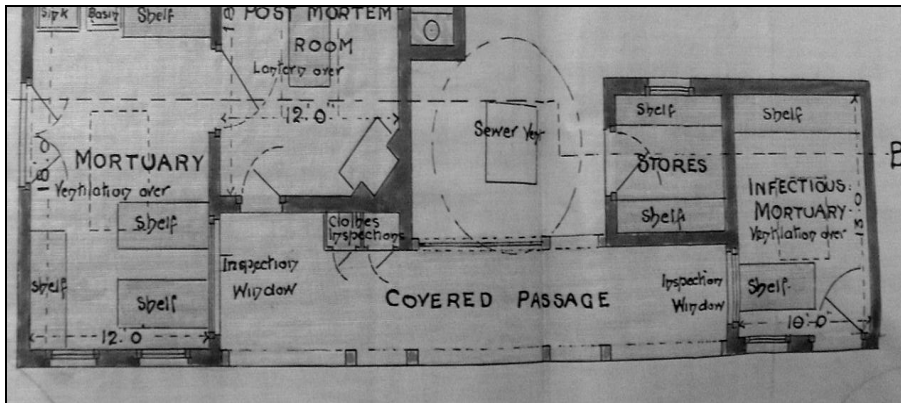
Figure 7e – Plan of Battersea mortuary, 1900 (12, 625)
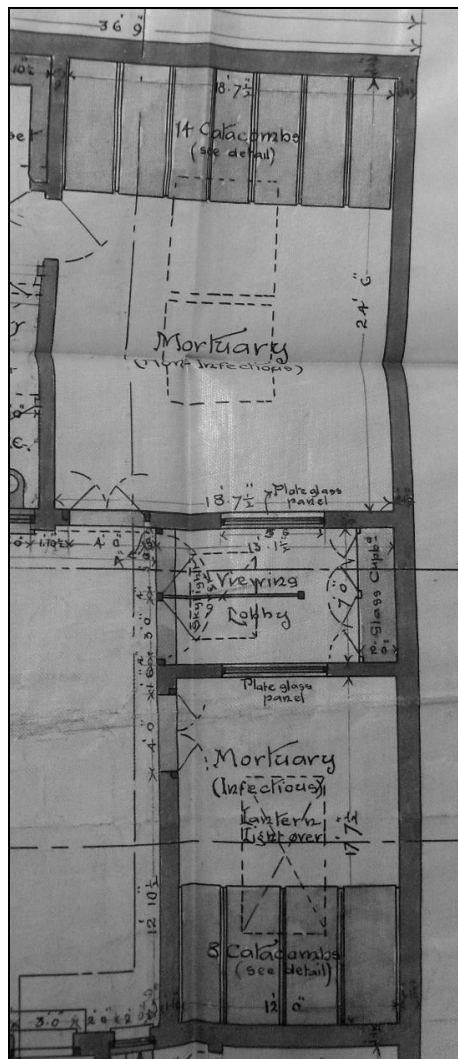
Appendix III

Post-mortem report on the body of an unknown woman, January 1869[1]

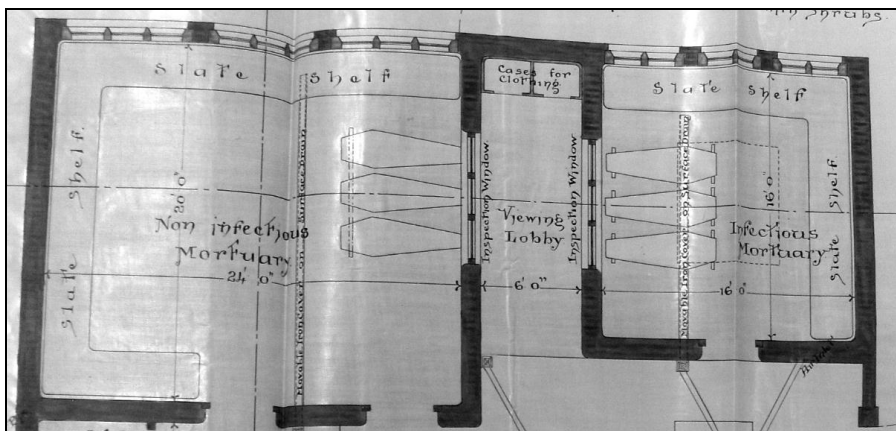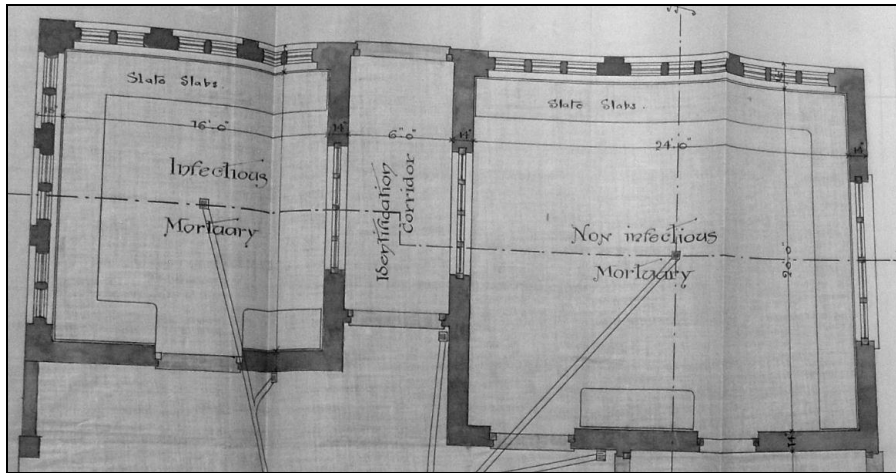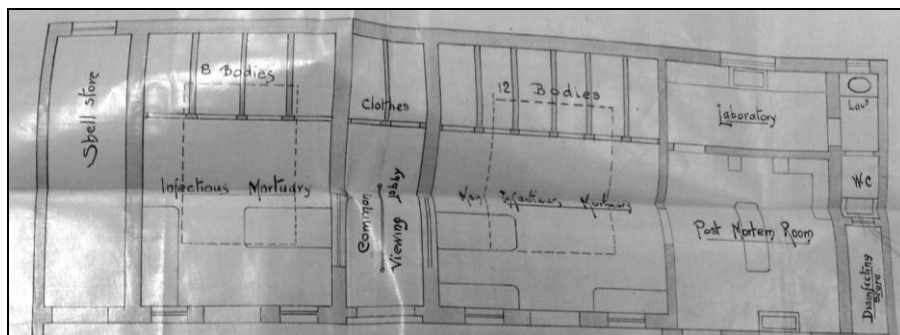I should think she was about 30 years of age – She had on an old black silk body the skirts of which had been torn from it probably whilst in the water... she had on a black apron – a bonnet black silk with blue trimming and I think there was blue trimming on the body of the dress... Her hair was dark brown very thick and about two feet ten in length... I opened the mouth and found the tooth next to the eye tooth on each side of the upper jaw was decayed away to the gum but had not been extracted and the corresponding tooth on the right side of the lower jaw was also decayed in the two point teeth of the upper jaw there were small holes close to the Gums. She was of an average height over five feet in height. There were no marks on her face. The hands were in good preservation and no marks of her having worn a ring and free from scratches... [in cutting open the clothes I] found four shillings and two halfshillings pieces tied in a corner of her pocket handkerchief and placed near her bosom next to her skin. She had on a chemise old and an old pair of stays bright colour and a skirt the upper part woollen and the lower part striped and the remnants of a crinoline. The other clothes all appeared to be old – her stockings and boots were good – side sprung boots. She had the appearance of a domestic servant in a superior position... I examined the womb. She was a virgin and had no sign of disease and had never been in the family way – and from all the external appearances I do not think she had had communion with any man... I have measured her she is 5 feet three.

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[1] Gloucestershire, CO1/I/15/A/4 – 21 Jan 1869.

Appendix IV

Post-mortem report on a skeleton found in a ballast heap, 1 Jan 1930[2]

2 Northumberland, COS/3/53/1 – found 31 Dec 1929, report dated 1 Jan 1930.

335
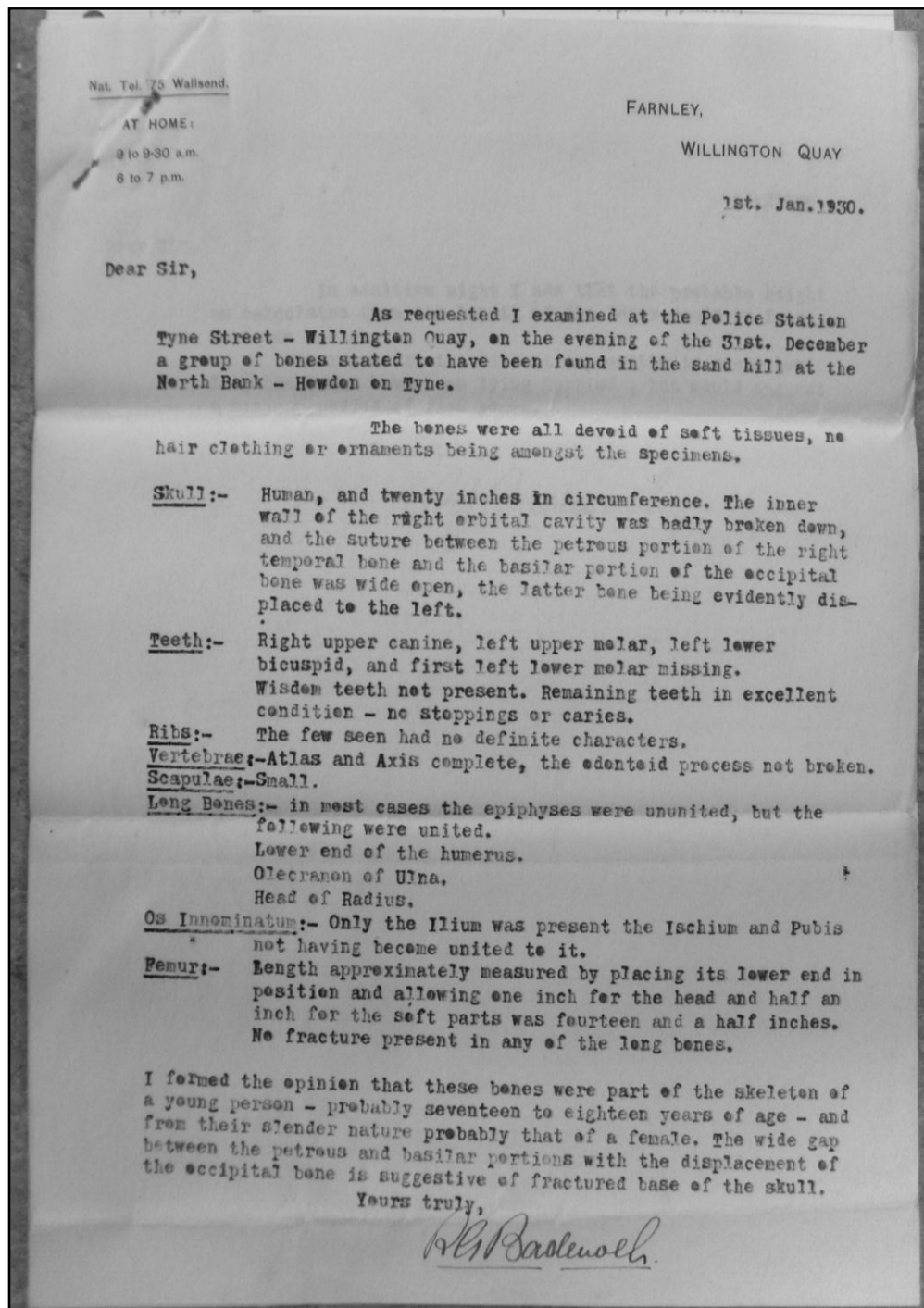
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/02, 1800-37

/03, 1838-92

04/02, 1901-19

04/03, 1920-34

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/01, 1838-1901

/02/02, 1901-19

/02/03, 1920-32

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DPP – Department of Public Prosecutions files

MEPO – Metropolitan Police files

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13 & 14 Charles II, c.12	1662	Poor Relief Act (Settlement and Removal Act)
3 & 4 William and Mary, c.11	1692	Settlement Act
48 George III, c.75	1808	Burial of Drowned Persons Act
55 George III, c.26	1815	Importation Act
7 George IV, c.64	1826	Criminal Law Act
2 & 3 William IV, c.75	1832	Anatomy Act
5 & 6 William IV, c.19	1835	Merchant Shipping Act
5 & 6 William IV, c.62	1835	Statutory Declarations Act
6 & 7 William IV, c.86	1836	Births and Deaths Registration Act
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9 Victoria, c.20	1886	Drowned Persons (Discovery & Internment) Act
50 & 51 Victoria, c.71	1887	Coroners Act
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