Palgrave Studies in Nineteenth-Century Writing and Culture

General Editor: Joseph Bristow, Professor of English, UCLA

Editorial Advisory Board: Hilary Fraser, Birkbeck College, University of London; Josephine McDonagh, Kings College, London; Yopie Prins, University of Michigan; Lindsay Smith, University of Sussex; Margaret D. Stetz, University of Delaware; Jenny Bourne Taylor, University of Sussex

Palgrave Studies in Nineteenth-Century Writing and Culture is a new monograph series that aims to represent the most innovative research on literary works that were produced in the English-speaking world from the time of the Napoleonic Wars to the fin de siècle. Attentive to the historical continuities between ‘Romantic’ and ‘Victorian’, the series will feature studies that help scholarship to reassess the meaning of these terms during a century marked by diverse cultural, literary, and political movements. The main aim of the series is to look at the increasing influence of types of historicism on our understanding of literary forms and genres. It reflects the shift from critical theory to cultural history that has affected not only the period 1800–1900 but also every field within the discipline of English literature. All titles in the series seek to offer fresh critical perspectives and challenging readings of both canonical and non-canonical writings of this era.

Titles include:

Eitan Bar-Yosef and Nadia Valman (editors)  
‘THE JEW’ IN LATE-VICTORIAN AND EDWARDIAN CULTURE  
Between the East End and East Africa

Heike Bauer  
ENGLISH LITERARY SEXOLOGY  
Translations of Inversions, 1860–1930

Laurel Brake and Julie F. Codell (editors)  
ENCOUNTERS IN THE VICTORIAN PRESS  
Editors, Authors, Readers

Luisa Calè and Patrizia Di Bello (editors)  
ILLUSTRATIONS, OPTICS AND OBJECTS IN NINETEENTH-CENTURY LITERARY AND VISUAL CULTURES

Colette Colligan  
THE TRAFFIC IN OBSCENITY FROM BYRON TO BEARDSLEY  
Sexuality and Exoticism in Nineteenth-Century Print Culture

Dennis Denisoff  
SEXUAL VISUALITY FROM LITERATURE TO FILM, 1850–1950

Stefano Evangelista  
BRITISH AESTHETICISM AND ANCIENT GREECE  
Hellenism, Reception, Gods in Exile

Margot Finn, Michael Lobban and Jenny Bourne Taylor (editors)  
LEGITIMACY AND ILLEGITIMACY IN NINETEENTH-CENTURY LAW, LITERATURE AND HISTORY

Laura E. Franey  
VICTORIAN TRAVEL WRITING AND IMPERIAL VIOLENCE

Lawrence Frank  
VICTORIAN DETECTIVE FICTION AND THE NATURE OF EVIDENCE  
The Scientific Investigations of Poe, Dickens and Doyle

Yvonne Ivory  
THE HOMOSEXUAL REVIVAL OF RENAISSANCE STYLE, 1850–1930

Colette Colligan  
THE TRAFFIC IN OBSCENITY FROM BYRON TO BEARDSLEY  
Sexuality and Exoticism in Nineteenth-Century Print Culture
Colin Jones, Josephine McDonagh and Jon Mee (editors)  
CHARLES DICKENS, A TALE OF TWO CITIES AND THE FRENCH REVOLUTION

Jarlath Killeen  
THE FAITHS OF OSCAR WILDE  
Catholicism, Folklore and Ireland

Stephanie Kuduk Weiner  
REPUBLICAN POLITICS AND ENGLISH POETRY, 1789–1874

Kirsten MacLeod  
FICTIONS OF BRITISH DECADENCE  
High Art, Popular Writing and the *Fin de Siècle*

Diana Maltz  
BRITISH AESTHETICISM AND THE URBAN WORKING CLASSES, 1870–1900

Catherine Maxwell and Patricia Pulham (editors)  
VERNON LEE  
Decadence, Ethics, Aesthetics

Muireann O’Cinneide  
ARISTOCRATIC WOMEN AND THE LITERARY NATION, 1832–1867

David Payne  
THE REENCHANTMENT OF NINETEENTH-CENTURY FICTION  
Dickens, Thackeray, George Eliot and Serialization

Julia Reid  
ROBERT LOUIS STEVENSON, SCIENCE, AND THE *FIN DE SIÈCLE*

Anne Stiles (editor)  
NEUROLOGY AND LITERATURE, 1860–1920

Caroline Sumpter  
THE VICTORIAN PRESS AND THE FAIRY TALE

Sara Thornton  
ADVERTISING, SUBJECTIVITY AND THE NINETEENTH-CENTURY NOVEL  
Dickens, Balzac and the Language of the Walls

Ana Parejo Vadillo  
WOMEN POETS AND URBAN AESTHETICISM  
Passengers of Modernity

Phyllis Weliver  
THE MUSICAL CROWD IN ENGLISH FICTION, 1840–1910  
Class, Culture and Nation

Paul Young  
GLOBALIZATION AND THE GREAT EXHIBITION  
The Victorian New World Order

---

**Palgrave Studies in Nineteenth-Century Writing and Culture**  
*(outside North America only)*

You can receive future titles in this series as they are published by placing a standing order. Please contact your bookseller or, in case of difficulty, write to us at the address below with your name and address, the title of the series and the ISBN quoted above.

Customer Services Department, Macmillan Distribution Ltd, Houndmills, Basingstoke, Hampshire RG 21.6XS, England
Legitimacy and Illegitimacy in Nineteenth-Century Law, Literature and History

Edited by
Margot Finn
Michael Lobban
and
Jenny Bourne Taylor
# Contents

**Acknowledgements** vii

**Notes on Contributors** viii

1 **Introduction: Spurious Issues**
   *Margot Finn, Michael Lobban and Jenny Bourne Taylor* 1

2 **The Barlow Bastards: Romance Comes Home from the Empire**
   *Margot Finn* 25

3 **On Settling and Being Unsettled: Legitimacy and Settlement around 1850**
   *Josephine McDonagh* 48

4 **Unauthorized Identities: The Impostor, the Fake and the Secret History in Nineteenth-Century Britain**
   *Rohan McWilliam* 67

5 **The Fauntleroy Forgeries and the Making of White-Collar Crime**
   *Randall McGowen* 93

6 **Commercial Morality and the Common Law: or, Paying the Price of Fraud in the Later Nineteenth Century**
   *Michael Lobban* 119

7 **Dirty Laundry: Exposing Bad Behaviour in Life Insurance Trials, 1830–90**
   *Timothy Alborn* 148

**Afterword** 173

*Margot Finn, Michael Lobban and Jenny Bourne Taylor*

**Bibliography** 175

**Index** 187
Acknowledgements

The editors are most grateful to the staff of the Huntington Library in San Marino, California, who in 2005 generously hosted the two-day conference on ‘Legitimacy and Illegitimacy: Law, Literature and History c. 1789–1914’, of which this volume is a distillation. Carolyn Powell and Susi Krasnoo provided first-rate organisational assistance from their base in the Huntington’s Research Division, encouraging us to imagine that the conference was in fact organising itself. Roy Ritchie, Director of Research at the Huntington, endorsed and supported our interdisciplinary analytical agenda and was an intelligent interlocutor throughout our visit. Both Roy and Louise Ritchie welcomed conference participants into their home for a delightful dinner with members of the southern Californian British studies community. Joe Bristow helped to galvanise the discussions that led to this volume, and was instrumental in ensuring that our papers would find a broader and collective audience through publication in this series. Finally, the editors thank the paper-givers, commentators and conference audience, not all of whom are represented here, but each of whom contributed to the production of this volume.

Margot Finn, Warwick University
Michael Lobban, Queen Mary, University of London
Jenny Bourne Taylor, University of Sussex
May 2009
Notes on Contributors

**Timothy Alborn** is Professor of History and Dean of the Division of Arts and Humanities at Lehman College, City University of New York. He has published extensively on British history, the history of science and business history, and is the author of *Regulated Lives: Life Insurance and British Society, 1800–1914* (2009) and *Conceiving Companies: Joint-Stock Politics in Victorian England* (1998). He is presently researching a cultural history of gold in Britain from 1780 to 1850.

**Margot Finn** is Professor of Modern British History at the University of Warwick. A former editor of the *Journal of British Studies*, she is the author of *After Chartism: Class and Nation in English Radical Politics, 1848–1874* (1993) and *The Character of Credit: Personal Debt in English Culture, 1740–1914* (2003). She is writing a monograph on British conceptions and strategies of family formation on the subcontinent under East India Company rule, c. 1760–1860.

**Michael Lobban** is Professor of Legal History at Queen Mary, University of London. He has written a number of works on the history of legal thought and law reform in England, including *The Common Law and English Jurisprudence, 1760–1850* (1991) and *A History of the Philosophy of Law in the Common Law World, 1600–1900* (2007). He is currently one of the team of authors writing volumes XI–XIII of *The Oxford History of the Laws of England*.

**Randall McGowen** is Professor of History at the University of Oregon. He is the author of numerous articles on legal and penal reform, which have appeared in journals such as *Eighteenth-Century Studies*, the *Journal of British Studies, Law & History Review* and *Past & Present*. With Donna Andrew, he is author of *The Perreaus and Mrs Rudd: Forgery and Betrayal in Eighteenth-Century London* (2001).

**Josephine McDonagh** is Professor of English Literature at King's College, University of London. A specialist in eighteenth- and nineteenth-century British literature and culture, McDonagh is currently researching a monograph on ‘Literature in a Time of


Jenny Bourne Taylor is Professor of English at the University of Sussex. Her work on nineteenth-century literature and culture includes the interconnection between Victorian psychology and fiction, and shifting concepts of illegitimacy in the nineteenth century. Her publications include In the Secret Theatre of Home: Wilkie Collins, Sensation Narrative and Nineteenth-Century Psychology (1988); ed., (with Sally Shuttleworth) of Embodied Selves: An Anthology of Psychological Texts (1998), and ed., with Martin Ryle George Gissing: Voices of the Unclassed. She has published articles on representations of the London Foundling Hospital, on legitimacy and nationality, and on bastardy in the works of Anthony Trollope, and is currently co-editing the nineteenth century volume of The Oxford History of the Novel in English.