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# **Cartes de visite and the first mass media photographic images of the English judiciary: Continuity and change**

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## **Introduction**

The goal of this chapter is to explore the impact that the invention of a particular type of photographic image, the carte de visite, had on visual images of the judiciary in England from the 1860s. The carte de visite is widely regarded as an innovation that helped widen access to photography. It is also associated with the birth of photography as a form of mass media.

Evidence that the English judiciary were caught up in the frenzy of production and consumption that accompanied these developments, what contemporary commentators called ‘carteomania’ and ‘cardomania’,<sup>1</sup> is to be found in a number of sources. A catalogue dating from 1866, the height of the ‘carteomania’ craze, entitled ‘Carte de Visite Portraits of the Royal Family Eminent and Celebrated Persons’ lists over 1000 different cartes, the vast majority of which are portraits.<sup>2</sup> Included in the list are portraits of judges, Lord Chancellors, Chief Justices and Justices of the High Courts. They sit alongside members of the royal families of various nations beginning with Queen Victoria and her large extended family, Lords, Ladies, Dukes, Duchesses, from the United Kingdom and beyond, members of the clergy (particularly bishops), military figures (domestic and overseas) and politicians. Artists (past and present), theatre and music hall performers, sporting personalities and beauties are also prominent. Another source of evidence is London’s National Portrait Gallery. A search of the Gallery’s collection of portraits of senior English judges in post between the 1860, the start of the ‘carteomania’ craze and the early 1880s when the carte format was superseded reveals many carte portraits. In numerous cases cartes de visite are the only photographic portraits of the judicial sitters in the Gallery’s collection. In several cases there are multiple

carte de visite portraits of the same sitter in different poses all of which date from the same time.<sup>3</sup> Another archive, the library of one of the Inns of Court, Lincoln's Inn, also has a collection of over 400 such portraits in several albums that date from the 1860s to 1870s. Many sitters are judges, and some appear several times in different (but nonetheless very similar) carte portraits.<sup>4</sup> While this is far from being a systematic survey of the appearance of the judiciary within the format, it does point to a degree of judicial engagement with this new type of portraiture.

The goal of this chapter is to examine some of the effects that the encounter between the English judiciary and the technological and media innovations that come together in this format had upon the visual representation of the judiciary in the nineteenth century. How if at all did this encounter affect what appears within the frame of judicial portraiture? What impact if any did it have on other pictures of judges? These questions will be answered by way of a case study, focusing on Sir Alexander James Edmund Cockburn. He became Chief Justice of Common Pleas in 1856, Chief Justice of Queens Bench in 1859 and in 1875 he took up the post of Lord Chief Justice in the newly reformed courts. He died in post in 1880.

Many portraits of Cockburn were produced during his lifetime. London's National Portrait Gallery (NPG) has 11 portraits of him in its collection.<sup>5</sup> All are dated as being produced during the period 1860-1880. The majority of these, six portraits, are photographs. Five are carte photographic portraits. Four, all showing him in his ceremonial robes, were produced by one studio, the London Stereoscopic Company. All are dated 'circa 1873'.<sup>6</sup> It is difficult to differentiate one from another: there is little variation between them. The many similarities, the pose, costume, props, lighting, backdrop, physical characteristics of the sitter, suggests they could well have been produced in a single sitting. The remaining carte portrait shows

him in civilian clothing. He is also shown in civilian dress in the final photographic portrait which is in the slightly larger format known as a ‘cabinet card’ popularised in the late 1870’s. The remaining portraits, all of which show Cockburn in his robes of office, are made using a variety of other methods. One is an undated painted portrait by Alexander Davis Cooper. A second portrait, a black and white mezzotint is the work of the engraver Thomas Lewis Atkinson and is dated 1871. A caricature by Carlo Pellegrini that was published by the society magazine *Vanity Fair* is from 1869.<sup>7</sup> All incorporate captions; ‘The Lord Chief Justice’. The remaining two portraits take the form of sketches of Cockburn on the bench made by Sir Leslie Ward, another well known caricaturist who worked for *Vanity Fair*. They date from 1873-4.

The carte portraits of Cockburn in the NPG collection are not unique to that archive. Examples are also to be found in other collections in a variety of locations. I have found them for example in the library of Lincoln’s Inn in London, the State Library of New South Wales in Australia,<sup>8</sup> and in the John Rathbone Oliver Criminological Collection of the Harvard Medical Library.<sup>9</sup> A search of Ebay or a Google Image search generates other copies of these, plus other carte portraits of Cockburn not replicated in any of these collections. In some he wears the robes of office, in others he is dressed in civilian clothing. At times it is difficult to differentiate one regalia or civil dress portrait from another. But they can be separated by way of minor variations of composition, for example offering a three quarter body pose in judicial robes rather than a half body, or in those in which he is in civilian dress, in addition to different variations of posture they can be separated by reference to minor changes in his clothing; in some his cravat tie has a polka dot pattern in others it is striped. Props also show slight variation; some desks and chairs are more elaborate than others.

The carte shown in Figures 1 and 2 below will be used to examine the impact that the technological innovations that come together in this form of photography had on what appears within the frame of these two portraits of Sir Alexander James Edmund Cockburn about the time he was ‘The Lord Chief Justice’. Both are from my own collection. Figure 1.1 is an example of one of the many variations in which Cockburn poses in his robes of office. It also appears in all of the archives referred to above.



Figure 1.1 Carte de visite of Lord Chief Justice Cockburn in his robes of office, by the London Stereoscopic and Photographic Company. Author's collection.

Figure 1.2 is an example of a carte portrait, again there are a number of variations, in which Cockburn is portrayed in civilian dress.<sup>10</sup>



Figure 1.2 Carte de visite of Lord Chief Justice Cockburn in civilian dress, studio of F.R. Window. Author's collection.

Both cartes follow the standard format. They are approximately 89 mm x 58 mm (3 1/2 in. x 2 1/4 in) which is about the size of a visiting card. Each one is made up of a thin photographic paper print mounted on card. In common with many such portraits the robed portrait includes the name of the studio that produced the portrait on the front: ‘Stereoscopic Coy’, an abbreviated reference to the ‘The London Stereoscopic and Photographic Company’. Both cartes carry the name and branding of the studio that produced the portraits. The civilian dress portrait was produced by the F. R. Window studio.<sup>11</sup>

Before embarking on the analysis of what appears within the frame of these portraits, drawing on some of the scholarship on cartes de visite, I want to add some background detail about the nature, production and impact of this type of picture.

### **Introducing cartes de visite**

The carte de visite is a photographic picture that came into being during the 1850s as a result of new developments in chemistry and camera optics. The chemical innovation known as the albumen print process enabled the production of the first cheap and relatively easy to use, commercially viable method of producing a photographic print from a negative plate onto paper.<sup>12</sup> The other key invention occurred in 1854 when a multiple lens camera was patented by an enterprising French photographer, Andre Adolphe Eugene Disdéri. Different lenses could be opened to the light at different times to capture the sitter in a variety of poses on a single negative in a single sitting. Together these developments enabled the production of a photograph (and more specifically a photographic portrait) at a fraction of the cost of any other method of portraiture.<sup>13</sup> The repeated use of the negative also allowed for the manufacture of an almost endless supply of copies of the portraits. The carte was introduced into England in 1857.

The lower costs of production of carte portraits potentially widened access to portraiture for purposes of self fashioning by those in society who had sufficient disposable income to expend on this new picture format. As such cartes enabled and enhanced the capacity of individuals to make and shape their visibility in wider society.<sup>14</sup> Scholars have described this as the democratising effect of this photographic format.<sup>15</sup> The format also introduced a much cheaper means of producing multiple copies of individual portraits for circulation.

By the mid 1860s, the height of the ‘carteomania’ craze, there were 300 studios producing carte de visite portraits in London; 35 were on one street in the West End, Regent Street.<sup>16</sup> One estimate is that between three and four hundred million cartes were sold in England between 1862 and 1866.<sup>17</sup> Individuals with enough disposable income commissioned studios to make their portraits for distribution to family and friends. This is described as the primary market. Some portraits, such as those in the carte de visite catalogue referred to above, were commissioned by the studios for sale to members of the public with an interest in the sitter and sufficient surplus income to indulge their curiosity. Studios were proactive in offering their services for free to sitters with an established or emerging public profile. Scholars describe this as the secondary market.<sup>18</sup> Hacking explains that this market was driven by the zealous pursuit of established members of the elite and other contemporary eminent and famous people by studios for purposes of their commercial exploitation.<sup>19</sup>

Carte portraits that were for sale to the public appeared in window displays surrounding the entrance to the studios. These were also spaces used to advertise the services of the studio to potential clients.<sup>20</sup> Other outlets for cartes included fine art dealers, booksellers and stationary

stores. Prices for cartes in the secondary market varied from a shilling to one and sixpence depending on the fame of the sitter.

Also known as ‘album portraits’, carte portraits were designed not as standalone portraits but to be used as part of a display of many such images collected and organised in a bound volume that was available for viewing in the home.<sup>21</sup> The practice of making albums of the portraits of eminent and popular figures was not a pastime invented for these portraits.

Collecting graphic reproductions of portraits of eminent and celebrated historical and contemporary figures had emerged as a popular pastime in the middle of the eighteenth century. A book by James Granger, Rector of Shiplake in Oxfordshire, produced a set of principles and rules to guide the men (and it was largely a male activity) who collected and displayed these prints of portraits in albums.<sup>22</sup> Carte collecting followed in the footsteps of this eighteenth-century pastime but used a different picture format that reduced the cost and thereby widened access to it.

Acquisition of new cartes was connected to a variety of activities; shopping, social events such as birthdays and New Year’s Day celebrations, when it became fashionable to give cartes as gifts. Other formal and informal social events and activities provided opportunities for obtaining new cartes and negotiating swaps.<sup>23</sup> While many albums have been broken up and their contents destroyed or dispersed, some of the albums that do survive offer evidence of the appearance of carte portraits of judges, sometimes in their ceremonial robes and sometimes dressed less formally in a business suit, they appear in a variety of types of albums. Some appear in albums commissioned by family members, possibly by the sitter as an album that documents the membership and the rising fortunes of the family. In other albums, the provenance of the portraits is less clear; some may have been commissioned by

the sitter to record and cement friendships and professional relationships. At the same time others in the same album might have been purchased from one of the outlets that offered cartes of eminent people for sale. As Sarah Perry notes, one problem facing researchers is that it is now difficult if not impossible to differentiate between those pictures in these albums that were commissioned by an individual for personal use and those made by a studio to be sold to the public and incorporated in an album as a significant figure in the album curator's circle of significant others.<sup>24</sup> Most of the albums in the Lincoln's Inn collection are made up of carte portraits of barristers, judges and law officers and are shaped by professional and friendship networks as well as by the wider legal institutional landscape. In other collections there are albums made up entirely of pictures of high profile public figures and celebrities of the day. It seems likely that these were populated mainly if not exclusively by cartes produced for sale to the public.<sup>25</sup> With all these points in mind, I now want to return to the carte portraits of Cockburn shown above to consider what is to be found within the frame of these two portraits, Figures 1 and 2 above.

### **What appears within the frame?**

Judicial portraits in London's National Portrait Gallery and the various Inns of Court in London show that painted portraits of judges in their robes of office were being produced from the sixteenth century.<sup>26</sup> A variety of graphic techniques were used to make copies of these portraits for wider circulation. Across the centuries judicial portraits show remarkable consistency in their composition with the effect that many of the sitters look remarkably similar. The explanation for this is that they follow a form of portraiture that is known as 'state portraits'.<sup>27</sup> Much of the surface of this type of portrait is taken up with the symbols of judicial office; the cap and coif or wig, the multiple fur-lined garments that make up the judicial robes and when worn, the chain of office draped around the sitter's shoulders and

chest. The detail of the sitter's body is largely obscured by the robes. The face makes up a small part of the portrait. When wigs are worn the full bottom wig in particular obscures much of the detail of the sitter's head and some of the face. The plain backdrop and the lack of furnishings or props are compositional techniques that focus the eye to the ceremonial regalia. This is a type of portrait that depicts the judge's two bodies; natural and institutional. This is realised through the preoccupation with the symbols of office. This subordinates the natural body of the judicial office to the institutional body. The individual sitter is fashioned as the very embodiment of the values and virtues represented by the symbols of the institution.

The carte portrait of Cockburn in his robes of office, Figure 1.1, has much in common with this tradition of portraiture. It is a half body portrait showing the sitter in his robes of office. The caption, 'The Lord Chief Justice of England' adds a textual prompt that resonates with this compositional format. One conclusion that might be drawn from the Figure 1.1 portrait is that the technological innovations that have produced this example of a new type of mass media portrait of a senior judge have been put to service a well established aesthetics of institutional portraiture. This 'new' portrait might best be described as a new bottle containing old wine.

The appearance of informal carte portraits such as that show above (Figure 1.2) accompanied by a caption that names the sitter by reference to his institutional position; 'The Lord Chief Justice Cockburn' suggests that this different composition has also been offered as a different style of institutional 'state' portrait.<sup>28</sup> All traces of the archaic ceremonial judicial regalia have disappeared. He is now dressed in a respectable business suit. The stiff formality of the state portrait tradition has been replaced by a new informality. The composition suggests a

private setting and an intimate moment. Rather than the stiff upright pose Cockburn performs a more relaxed pose. He sits adjacent a small domestic writing desk resting his right arm on it. The pose shows him looking up from an open book on the desk on which he rests his hand. He gazes into the camera. His body and face turn slightly away from the desk and the note to the viewer's right. The backdrop adds little to the composition; a heavy, dark curtain dissects the background. It is a composition that appears to eschew the formality of the state portrait tradition replacing it with one that gives emphasis to the 'private' rather than the institutional subject.

John Plunkett's work on the media image of Queen Victoria and her family suggests that the informality should not necessarily be read as antithetical to the portrayal of an institutional authority figure. He notes that a key feature of Queen Victoria's multimedia engagement, including the use of cartes, was portraits of herself and other senior members of the royal family that had no trace of the usual royal regalia.<sup>29</sup> It was replaced with costumes and props associated with everyday bourgeoisie respectability; what Perry suggests connoted a Victorian bourgeois domestic afternoon.<sup>30</sup> While the origins of this transformation in how social and political elites self fashioned and presented themselves through portraiture predated the invention of cartes de visite and the reign of Victoria,<sup>31</sup> its adoption by the royal family and its dissemination via cartes popularised this more informal image of established authority figures. So while the second portrait of Cockburn is visibly very different from the style and composition of the long tradition of state portraiture seen in Figure 1.1 the second portrait also portrays an institutional figure of authority but in a style and a form of composition that became popular in the nineteenth century. Now the regalia of authority are the robes and manner of bourgeois respectability.

One thing that both of these Cockburn portraits share is that they exhibit what contemporary commentators called, the failings of this type of portraiture.<sup>32</sup> One of the ‘failures’ attributed to this format is the capacity of the technological innovations to capture the physicality of the sitter in sometimes unflattering and idiosyncratic detail. This is perhaps more apparent in the first carte portrait of Cockburn (Figure 1.1). His appearance is rather unkempt. His ceremonial robes are creased. The inner lining of his wig sticks out beneath the curls. Beneath his horsehair wig the camera has captured details of the fleshy undulating surface of his face; the wrinkles under his eyes; on the bridge of his nose; between his eyebrows; his fleshy jowls. The stiff collar appears to cut into his face. These features of the portrait of Cockburn in his ceremonial regalia go against the tendency of state portraiture to idealise the sitter. More specifically bringing the untidy and fleshy humanity of the office holder within the frame of visibility and legibility of a state portrait is contrary to an aesthetics that emphasises the transcendent aspects of the sitter’s institutional personae.<sup>33</sup>

Perhaps contrary to expectations, some of these ‘failings’ were also acknowledged as innovations and qualities to be exploited for their potential to make visible a break with tradition. Plunkett’s study of the English copyright records during the first ten years of production suggests the Queen and other members of the royal household didn’t so much avoid these flawed portraits as embrace them with some enthusiasm.<sup>34</sup> In one year alone, 1866, 44 different cartes de visite of Queen Victoria, 77 of the Prince of Wales, the heir to the throne, and 70 of Princess Alexandra of Denmark, the Prince’s young wife, were produced for sale by studios. They were all produced for mass circulation. Roger Hargreaves has estimated that between 1860 and 1862 up to four million cartes of Queen Victoria were sold to the public.<sup>35</sup> This royal interest was closely linked with the ability of the optics of the camera to represent the idiosyncrasies of the sitter, and thereby in its capacity to humanise the

subject.<sup>36</sup> These characteristics of the format were again used as part of an initiative to modernise the representation of established institutional authority. The signs of the sitter's humanity were an antidote to the archaic regalia of monarchy, symbols associated with aristocratic authority that were being superseded as the power of the urban bourgeoisie increased.

The carte state portrait of a Cockburn (Figure 1.1) brings together the highly formal style of portraiture that involves the display of antiquated symbols of legitimate authority together with a new aesthetics of realism that draws attention to the fleshy humanity of the sitter. The interweaving of regalia and veracity in the portrait provides the viewer with a new experience of the judicial sitter's presence as an ordinary human that was difficult if not impossible to achieve via the other media available at the time. Plunkett's study of Queen Victoria suggests that it is important that the undulating surface of the face with all its idiosyncrasies functions as part of the symbolic assemblage that is within the frame. The veracity of the representation produces symbols that link the authenticity of the representation to the sitter's embodiment of virtues such as openness and transparency. In the carte portrait, these new symbols come together with the more traditional symbols of authority and legitimacy represented by the judicial regalia. The end result is a state portrait that has significant differences.

If the costume and composition of second carte portrait of 'The Lord Chief Justice Cockburn' draw the eye more readily to a break with the conventions of portraying an established authority figure by abandoning the trappings of archaic pomp and alienating rituals associated with aristocratic modes of representation it shares in common with the first carte portrait the incorporation of the fleshy fleeting humanity of the sitter as symbols of the sitter's status as the embodiment of legitimate authority for the bourgeois epoch. The portrait in Figure 1.2

makes visible and renders legible an assemblage of signs that can be linked to the democratising dynamic of cartes de visite; making authority figures look more commonplace, more like the bourgeois viewer in an emerging bourgeois democracy.<sup>37</sup>

Before leaving what lies within the frame it is also important to acknowledge the impact of the size and scale of both portraits. In general the small scale portrait is one that had long been associated with what Lloyd describes as the commemoration of, ‘friendship, love … and feelings of intimacy with the absent [sitter].’<sup>38</sup> The size and scale of the carte portraits of Cockburn also offer the viewer with an intimate encounter with the sitter. The viewer potentially has a close physical relationship with the sitter; holding Cockburn close to the body, in the palm of the hand. In conjunction with the fidelity of the picture this provides an opportunity for viewers to have a novel and a more vivid experience than was possible through graphic portraits, of intimacy with and proximity to one of the highest judicial office holders in the land. Thompson describes the form of viewer interaction that is enabled by technologies such as those found in the carte as mediated quasi interaction.<sup>39</sup> This mediated intimacy has a potential to generate experiences and perceptions in the view of the transparency, openness and the truth of the authority figures that other forms of image making would struggle to achieve to the same degree. Plunkett describes the ‘insinuating and sensuous realism’<sup>40</sup> of the carte photographic portrait that the mediated quasi-interaction generates as part of the magic, the allure, of this type of portraiture that attracted not only viewers but also sitters.<sup>41</sup>

### **Changing the bigger picture**

From this examination of what appears within the frame of these two carte portraits I want to turn to consider the impact they might have had on other forms of portraiture, particularly

those that were produced and circulated via other technologies of mechanical reproduction available at the time. Is there any evidence that the distinctive features of the carte portraits examined above had an impact on the way Cockburn was portrayed in other media at the time? The short answer is ‘yes’. Evidence is to be found in the portraits of him that appear in a variety of contexts; illustrated newspapers, book illustrations and prints.

The impact of the carte portraits on other portraits of Cockburn in other media appears to have been immediate. But this was not through the reproduction of the photographic portraits in other print media. The technology that enabled photographs to be included in newspapers, books etc did not exist at the time. The carte portraits were copied using a variety of graphic techniques. One example of this is a portrait that appeared in the *Illustrated London News* on 27 March 1875. A supplement to that edition includes an engraving of portrait of Cockburn that is copied from Figure 1.1. The facial expression, pose and costume, are all remarkably similar. The details of his hooded upper eyelids, the wrinkles around his eyes and on the bridge of his nose are all faithfully copied. The fleshy folds of his face are plain to see. There are also some changes. The graphic portrait produced for and reproduced in the *Illustrated London News* has been slightly cropped. The bottom of the frame now sits just below Cockburn’s chain of office. The frame cuts closer to the top of his shoulders and head. Overall the composition is now an upper body portrait. One effect of this is that the face now makes up a larger proportion of the plane of the picture; about a third of it. The compositional changes and the larger scale are important aspects shaping and enhancing the viewer’s experience of intimacy with the sitter. Other changes moderate the veracity of the photographic original. The stiff collar no longer cuts into his face. The white tabs below his chin are no longer off centre, facing to the viewer’s left, but have been centred creating a more balanced and harmonious display of the judicial regalia. Some of the ‘failings’ of the

carte portrait have been excised enabling this portrait of Cockburn to return him to a more perfect embodiment of order. The edges of his wig have also been tided leaving a wig that sits more neatly on his head: it more gracefully surrounds his face. Its appearance in the newspaper doesn't seem to be connected to any surrounding story; it stands alone.

However, this is not the case when the same portrait is appears in a later edition of the same newspaper, published 27 November 1880. On that occasion it accompanies Cockburn's obituary. The death of Cockburn is also the context in which I have found the same graphic portrait being used in other illustrated newspapers. One example is the edition of the *Penny Illustrated* also published on the 27 November 1880. This is a poorer quality reproduction. The frame of the portrait has also been changed. In this case it has an oval frame. The effect is that this further crops the portrait. While the wig and other parts of the judicial regalia still dominate the face, again with all its flaws, the face with all its humanity on display, now makes up half the plane of the portrait.

The evidence of the impact of carte portraits on other portraits of judges is not limited to the illustrated news. For example, a copy of the Figure 1.1 portrait appears in a graphic representation of a triptych of judges. Cockburn occupies the centre position, flanked by portraits of two other judges, Mr Justice Mellor and Mr Justice Lush. The triptyc appeared as the frontispiece to a volume, *Famous Trials* by John T. Morse Jr.<sup>42</sup> Published in 1874 and made up of reports of six trials, two thirds of the book is dedicated to one case; the Tichborne claimant case.<sup>43</sup> The frontispiece is a reference to that case; all three judges took part in the second case relating to the 'Tichborne claimant'; a sensational criminal case. The graphic is a copy of a mount with carte portrait inserts produced by the London Stereoscopic Company. The mount includes the caption, 'The great Tichborne case. Trial at bar Court of Queen's

Bench'. The original appears to be a standalone memento of the three judges who were involved in the second criminal case in the Tichborne claimant dispute that has been described as 'the greatest trial in English legal history'.<sup>44</sup> Dozens of different portraits of all the key players in these legal proceedings were made by studios for sale to the public. The London Stereoscopic and Photographic Company seem to have been particularly keen and successful in exploiting popular interest in the case.<sup>45</sup>

Last, but by no means least, there are examples of standalone graphic portraits of Cockburn that are copies of this same carte portrait. One takes the form of a chromolithograph. It is similar in its composition to the oval portrait that is found in the *Penny Illustrated* newspaper. But it adds a pinky grey tone to the face, using colour to enhance the reality effect of the graphic portrait.

All of these examples illustrate the way the portrait of Cockburn in Figure 1.1 above shaped other portraits of him. Is there any evidence that the informal portraits had a similar impact? The results of a Google image search using 'Alexander Cockburn' again suggests that the answer to this is 'yes'. One example taken from this search shows some similarity with portrait in Figure 1.2 above. But there are also some differences. For example the use of an oval frame turns the graphic portrait into a head and shoulder composition. In it Cockburn has been repositioned; he sits more upright in the centre of the frame. The focus now is his head and shoulders. It shows Cockburn's broad brow and high hairline. He is dressed in the same or similar buttoned business suit with waistcoat. Round his neck he wears a polka dot cravat tie. A monocle has been added. It emerges from inside his coat and hangs down coming to rest on the edge of the oval frame. All the other props and furnishings have disappeared.

Despite all the compositional and substantive changes there remains a remarkable similarity between the civilian carte portrait and the graphic portrait.

The speed with which the new photographic image of Cockburn was translated into a form of picture that could be incorporated by other technologies into the print media, particularly the illustrated news outlets, is not surprising. One explanation for this is to be found in the address made at the opening of the *Illustrated London News*. One of the claims made in order to separate the *Illustrated London News* from graphic news papers that preceded it is that the purpose of the newspaper was to provide a new transparency. Illustrations played a key role in achieving this. Illustrations will be accurate depictions of people, events and places. The illustrations provide the reader/viewer with the visible evidence of reality that provides the truth of the news report.<sup>46</sup> In the absence of Cockburn sitting for a portrait that was to be produced for the newspaper, and the NPG catalogue suggests that he rarely agreed to do this, the best alternative document that offered visual evidence of Cockburn that was readily available was his carte portraits.<sup>47</sup> The turn to the carte portraits of Cockburn by the illustrated press is thus perhaps not a surprise. The graphic translation harnessed the ‘visual evidence’ of the carte for the purposes of the news under the conditions of mechanical reproduction that were then available for the production of news.

## Conclusion

The case study of carte portraits of Cockburn provides an opportunity to consider the impact that the encounter between the English judiciary and the technological innovations that come together in the carte de visite had upon judicial portraits from the 1860’s. Judicial portraits were not the only pictures of judges being produced during this time, the NPG collection of Cockburn pictures includes two courtroom sketches. In most courtroom sketches the judge is

a marginal character; much of the attention in the tradition of courtroom sketches focuses on the accused and the people assembled in the body of the court. The two courtroom sketches of Cockburn in the NPG collection break with this convention and show more characteristics of judicial portraiture. Judicial portraits put the judge at the centre of the picture. This study suggests that the impact of carte de visite upon pictures that put the judge at the centre of the picture covers a spectrum ranging from little obvious impact to something that is much more dramatic. As a new bottle for old wine the technological innovations appear to be put to use to service a long and well established aesthetics that portrays the individual sitter as the embodiment of the institution of legitimate authority. The more informal portrait of Cockburn considered above, suggests that the technological innovations of cartes were also harnessed to already existing changes that were taking place in the symbols that were being used to symbolise legitimate authority in changing social and political times. Authority under the conditions of the rising power of the bourgeoisie and an emerging democracy had already adopted a different set of symbols that are reproduced in the carte format. However the veracity of images produced through the camera optics used in the making of carte portraits not only widened the availability of a whole new set of signs of the humanity and authenticity of the sitter but through cartes these were connected to portraits of the holders of high judicial office. Thereby symbols of authenticity, humanity, openness and transparency were incorporated into the symbolic assemblage that is the surface of judicial portraiture. The seductive charm of cartes worked on judicial sitters. Evidence of this is to be found not only in the number of different portraits of Cockburn but also in the multiple carte portraits of other judges that can be found in a variety of archives today. Their seductive charm is also worked on a variety of audiences who commissioned, bought and curated judicial cartes into their albums.

While the frenzy of production and consumption of this particular type of picture was relatively short lived, its legacy had a longer duration. First it changed forever access to photography. Judges were one of the early uses of this new type of picture because they already had access to sufficient disposable income to commission their own pictures. They were also sufficiently in the public eye for studios to offer to make photographic images of them for later sale. The carte is the start of a yet unbroken practice of photographic pictures of judges that continues in the age of digital photography. Second, the evidence presented here suggests that cartes also impacted upon portraits made by other means. Graphic artists sought to emulate the veracity of the photographic portrait in the portraits they produced and did so by copying carte portraits. They provided easy access to the visible evidence of senior judicial figures that could meet the demands of illustrated newspapers.

It may be the case that Cockburn is something of an exception in terms of the number of portraits that were made of him and in the variety of formats used to make and circulate his portrait. One factor might be the length of time he held high judicial office; over 25 years. Another factor might be his own interest in the media and his public image. His obituary in *The Spectator* includes the comment, ‘he had a weakness for sensational cases’.<sup>48</sup> This may well have ensured that his media profile was distinctive. His involvement in the Tichborne claimant case and that case’s profile in the media is certainly some evidence that he had an exceptional media presence at the time the portraits considered here were being made and circulated. But he was certainly not the only judge in a senior position who made use of carte portraits. A search of the archives used in the production of this article revealed many other examples. Nor was his the only carte that appears to have shaped judicial portraits in other mass media outlets. Picture searches reveal that the translation of Cockburn’s carte portraits into graphic portraits used in other media was not unique to him. The findings generated by

way of this case study are indicative of more general developments that impacted upon the production and circulation of judicial images more generally. The changes this chapter explores continue to shape our experience of judges in and through visual culture today.

## Notes

<sup>1</sup> R. Teukolsky, ‘Cartomania: Sensation, Celebrity, and the Democratized Portrait’, *Victorian Studies*, 57: 3 (2015), pp.462-475.

<sup>2</sup> S. B. Beal, *Carte de Visite Portraits of the Royal Family Eminent and Celebrated Persons* (London: Victoria and Albert Museum, 1866).

<sup>3</sup> For example the National Portrait Gallery has a collection of 34 portraits of Roundell Palmer, 1<sup>st</sup> Earl of Selborne, who held the office of Lord Chancellor in the 1870s. Twelve of these images are carte de visite portraits. See ‘Roundell Palmer, 1st Earl of Selborne (1812-1895), Lord Chancellor; lawyer’,

<https://www.npg.org.uk/collections/search/person?LinkID=mp04030&wPage=1> [accessed 26 January 2018]. Of the gallery’s nine portraits of Mr Justice William Baliol Brett, who was a judge in the Court of Common Pleas, three are carte de visite portraits. See ‘William Baliol Brett, 1st Viscount Esher (1815-1899), Judge’,

<https://www.npg.org.uk/collections/search/person/mp86064/william-baliol-brett-1st-viscount-esher> [accessed 26 January 2018].

<sup>4</sup> See L. J. Moran, ‘Carte de visite; photography, mass media and the production and consumption of judicial pictures’, *International Journal of Law in Context* (forthcoming 2018).

<sup>5</sup> See ‘Sir Alexander James Edmund Cockburn, 12th Bt (1802-1880), Judge,’ <https://www.npg.org.uk/collections/search/person/mp00944/sir-alexander-james-edmund-cockburn-12th-bt> [accessed 26 January 2018].

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- <sup>6</sup> The London Stereoscopic and Photographic Company was one of the 35 studios on Regent Street. It also had a base in the City of London, on Cheapside. For more on the studio's locations see L. J. Moran, 'Carte de visite of "The Lord Chief Justice of England" (Sir Alexander James Edmund Cockburn, 12<sup>th</sup> Baronet) by London Stereoscopic and Photographic Company. Circa 1873', *Northern Ireland Legal Quarterly*, 68:3 (2017), pp.245-257.
- <sup>7</sup> Pellegrini was a regular contributor to the magazine. The National Portrait Gallery has a collection of 482 portraits by this particular artist. See 'Carlo Pellegrini (1839-1889), "Ape"; caricaturist', <https://www.npg.org.uk/collections/search/person/mp03493/carlo-pellegrini?role=art> [accessed 26 January 2018].
- <sup>8</sup> Anon. *The great Tichborne Trial, ca. 1874* / The London Stereoscopic & Photographic Company. State Library of New South Wales Sydney, Australia, <http://archival.sl.nsw.gov.au/Details/archive/110337279> [accessed 26 January 2018].
- <sup>9</sup> Anon., *Tichborne Justices, Center for the History of Medicine: OnView*, Harvard Medical School, Harvard University, New Haven, <https://collections.countway.harvard.edu/onview/items/show/13096> [accessed 23 January 23 2018].
- <sup>10</sup> A similar portrait of Cockburn dating from the same period (this time in the larger cabinet card format) with an institutional caption can be seen in the National Portrait Gallery's collection. See Alexander Bassano, *Sir Alexander James Edmund Cockburn, 12th Bt*, albumen cabinet card, 1875-1880, 6 5/8 in. x 4 1/4 in. (167 mm x 109 mm) overall, National Portrait Gallery, London. Available at <https://www.npg.org.uk/collections/search/portrait/mw249766/Sir-Alexander-James-Edmund-Cockburn-12th-Bt?LinkID=mp00944&role=sit&rNo=6> [accessed 26 January 2018]. The other carte portrait in which he is shown in civilian dress is a cameo portrait

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that shows little more than his head. There is no caption. See Hennah & Kent, *Sir Alexander James Edmund Cockburn, 12th Bt*, albumen carte-de-visite, 1860s, 3 1/2 in. x 2 1/4 in. (90 mm x 56 mm) image size National Portrait Gallery, London. Available at <https://www.npg.org.uk/collections/search/portrait/mw178952/Sir-Alexander-James-Edmund-Cockburn-12th-Bt?LinkID=mp00944&role=sit&rNo=1> [accessed 26 January 2018].

<sup>11</sup> The studio on Baker Street in central London opened in 1863.

<sup>12</sup> D. C. Stulik and A. Capman, *Albumen: The Atlas of Analytical Signatures of Photographic Processes* (Los Angeles, CA: Getty Conservation Institute, 2013).

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[http://www.getty.edu/conservation/publications\\_resources/pdf\\_publications/atlas.html](http://www.getty.edu/conservation/publications_resources/pdf_publications/atlas.html) [accessed 26 January 2018].

<sup>13</sup> E. A. McCauley, *A.A.E. Disdéri and the Carte de Visite Portrait* (New Haven: Yale University Press, 1985).

<sup>14</sup> L. Perry, ‘The Carte de Visite in the 1860s and the Serial Dynamic of Photographic Likeness’, *Art History*, 35:4 (2012), pp.728-749.

<sup>15</sup> J. Plunkett ‘Celebrity and Community: The Poetics of the Carte-de visite’, *Journal of Victorian Culture*, 8:1 (2003), pp.55-79.

<sup>16</sup> O. Matthews, *The Album of Carte de Visité and Cabinet Photography 1854-1914* (London: Reedminster Publications Ltd, 1974), p.29.

<sup>17</sup> W. C. Darrah, *Carte de visite in Nineteenth Century Photography* (Gettysburgh: Darrah, 1981), p.4.

<sup>18</sup> Perry, ‘The Carte de Visite in the 1860s’, p. 738.

<sup>19</sup> J. Hacking, ‘Camille Silvy’s Repertory: The *Carte-de-Visite* and the London Theatre’, *Art History* 5 (2010), pp.856-885, (p.871).

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- <sup>20</sup> R. Hargreaves, ‘Putting faces to the names: Social and celebrity portrait photography’ in *The Beautiful and the Damned: The Creation of Identity in the Nineteenth Century*, ed. by P. Hamilton and R. Hargreaves (London: Lund Humphries in association with the National Portrait Gallery, 2001) pp.17-56, (p. 43). See also Moran, ‘Carte de visite of “The Lord Chief Justice of England”’.
- <sup>21</sup> Moran, ‘Carte de visite: photography, mass media...’.
- <sup>22</sup> The long title of the book outlining his approach, published in 1769, highlights the importance Granger gave to the role of system in the organisation of portraits and thereby in the use of portraits and the production of their meaning. See J. Granger, *A Biographical History of England from Egbert the Great the Revolution: consisting of Characters disposed in different Classes and adapted to a methodical Catalogue of Engraved British Head intended as an Essay towards reducing Biography to System, and a Help to the knowledge of Portraits, with a preface showing the utility of a Collection of Engraved portraits to supply the Defect and answer the various purposes of Medals* (London: Printed for T. Davies, in Russell Street, Covent Garden, 1769). The system is basically one of classification dedicated to the formation and display of sitters identified as the embodiment of legitimate institutional and established social hierarchies. See also Marcia Pointon, *Hanging the Head: Portraiture and Social Formation in Eighteenth-Century England* (New Haven: Yale University Press, 1993), p. 54.
- <sup>23</sup> See McCauley, A.A.E. *Disdéri*, and G. Batchen, ‘Dreaming of ordinary life: carte de visite and the bourgeois imagination’ in *Photography: Theoretical Snapshots*, ed. by J. Long, A. Noble and E. Welch (Abingdon: Routledge, 2009), pp.80-97.
- <sup>24</sup> Perry, ‘The Carte de Visite in the 1860s’, p.738.
- <sup>25</sup> Moran, ‘Carte de visite: photography, mass media...’.

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- <sup>26</sup> L. J. Moran, ‘Imagining the judge: fragments of a study of judicial portraiture’ in *Legal staging: Visualisation – Mediatisation – Ritualisation: Legal Communication through Language, Literature, Media, Art and Architecture* ed. by Å. Modéer and M. Sunnqvist (Copenhagen: Copenhagen University Press, 2012), pp. 205-236.
- <sup>27</sup> L. J. Moran, ‘Judging pictures: a case study of portraits of the Chief Justices Supreme Court New South Wales’, *International Journal of Law in Context*, 5: 3 (2009), pp.61-80.
- <sup>28</sup> One example is to be found in Album 2 in the Lincoln’s Inn Collection. Another example is in the National Portrait Gallery’s collection of Cockburn portraits.
- <sup>29</sup> J. Plunkett, *Queen Victoria; First Media Monarch* (Oxford: Oxford University Press, 2003), pp.68-109.
- <sup>30</sup> Perry, ‘The Carte de Visite in the 1860s’, p.729.
- <sup>31</sup> For example see J. J. Zoffany, *George III, Queen Charlotte and their Six Eldest Children*, 1770, Oil on canvas, 104.9 x 127.4 cm (support, canvas/panel/str external), RCIN 400501. Available at <https://www.royalcollection.org.uk/collection/400501/george-iii-1738-1820-queen-charlotte-1744-1818-and-their-six-eldest-children> [accessed 26 January 2018].
- <sup>32</sup> Perry, ‘The Carte de Visite in the 1860s’, p.730.
- <sup>33</sup> The lower production values and cheaper materials (paper and card) of carte portraiture are another dimension of their ‘failure’.
- <sup>34</sup> Plunkett, ‘Celebrity and Community’.
- <sup>35</sup> Hargreaves, ‘Putting faces to the names’.
- <sup>36</sup> Plunkett, ‘Celebrity and Community’, p.68.
- <sup>37</sup> Perry, ‘The Carte de Visite in the 1860s’.
- <sup>38</sup> S. Lloyd, ‘Intimate viewing: The private face and public display of portraits in miniature and on paper’ in *The Intimate Portrait: Drawings, Miniatures and Pastels from Ramsay*

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*to Lawrence* ed. by S. Lloyd and K. Sloan (Edinburgh: National Galleries of Scotland and the British Museum, 2009), p. 18.

<sup>39</sup> J. Thompson, *The Media and Modernity* (Cambridge: Blackwell Publishers Ltd, 1995).

<sup>40</sup> Plunkett, *Queen Victoria*, p.145.

<sup>41</sup> Plunkett, ‘Celebrity and Community’, p.45.

<sup>42</sup> J.T. Morse Jr., *Famous Trials* (Boston: Little, Brown and Company, 1874).

<sup>43</sup> Anon. ‘Famous Trials by John T. Morse’, *The North American Review*, 119 (1874), pp.247-249.

<sup>44</sup> R. McWilliam, *The Tichborne Claimant: A Victorian Sensation* (London: Continuum, 2007).

<sup>45</sup> Jennifer Tucker’s work explores the ways in which the Tichborne case had a dramatic and wide-ranging impact on visual culture in general, and the position of photography in society more specifically. See J. Tucker, ‘Moving pictures: Photographs on trial in the Sir Roger Tichborne affair’ in *Documenting the World: Film, Photography, and the Scientific Record*, ed. by G. Mitman and K. Wilder (Chicago: University of Chicago Press, 2016), pp. 23-44.

<sup>46</sup> C. Fox, *Graphic Journalism in England during the 1830s and 1840s* (New York: Garland Publishing Inc., 1988), p.269.

<sup>47</sup> As Tucker notes, the documentary nature of photography was both well established by the 1870s but also contested, especially in the courts. See Tucker, ‘Moving pictures’, pp. 36-7.

<sup>48</sup> ‘Sir Alexander Cockburn’, *The Spectator*, 27 November 1880.

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