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George A. Dorsey's Role in the Luetgert Case: A Significant Episode in the History of Forensic Anthropology

At the 1976 Annual Meeting of the American Anthropological Association (AAA) in Washington I gave an invited evening lecture on the history of physical anthropology [1]. Actually, I spoke only about the history of physical anthropology as I saw it reflected in the history of forensic anthropology. Among the pioneers of forensic anthropology in the United States, I included George A. Dorsey (1868-1931), mentioning that while a student at Harvard in the early 1890s he might have known Thomas Dwight, the father of forensic anthropology in the United States, and that after joining the staff of the Field Columbian Museum in 1896 he served as an expert witness for the prosecution in the sensational Luetgert murder trials in Chicago. Unfortunately, on the basis of the limited information about these trials available to me in 1976, I misjudged the nature of Dorsey's testimony and made the mistake of saying that he "tripped up badly in the process." Since this error did not get corrected before the paper appeared in print, I would like to set the record straight.

Although most of Dorsey's professional life was spent in Chicago, he had an important early connection with St. Louis. In fact, this connection can be said to have had its genesis in the same year—1898—in which the second Luetgert trial was held (the first trial in 1897 ended in a hung jury).

In St. Louis in 1898 a site then on the outskirts of the city (now Forest Park) was selected for the exposition to celebrate the 100th anniversary of the purchase of the Louisiana Territory from France. When the exposition opened in 1904, Dorsey was a member of its Anthropology Department and in charge of the native habitation displays. In the latter connection he read a paper on "The Problems of Somatology" [2] at a session of the Congress of Arts and Sciences held in one of the exposition buildings. This paper was his 16th in a ten-year period on a subject in the field of physical anthropology. So far as I can discover, he never again contributed to physical anthropology.

Why did Dorsey turn away from physical anthropology this abruptly? Did his experience in the Luetgert trial, his only foray into applied physical anthropology, really have anything to do with it? Let us look further into his career up to 1904.

During the 14 years between 1890, when Dorsey began his graduate work at Harvard, and 1904, when he appeared on the exposition platform in St. Louis, his career had been meteoric. While still a graduate student, he was made honorary commissioner and superin-

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tendent of archaeology in the Department of Anthropology at Chicago's 1892-1893 World's Columbian Exposition celebrating the 400th anniversary of the discovery of America. It was this experience that led to his appointment later in St. Louis. Anyway, one of his responsibilities at the Chicago exposition was to assemble a novel archaeological exhibit. To this end he was sent in 1891 to the west coast of South America. His main effort there was an extensive excavation at Ancon, Peru.

Parenthetically, until I learned about Dorsey's South American trip while preparing this paper I had assumed that Hrdlička's visit to Ancon in 1910 was the first by any North American physical anthropologist. I did not get there myself until 1941, 50 years after Dorsey, and 31 years after Hrdlička.

Dorsey's South American collections, particularly the mummies and other prehistoric objects from Ancon, provided one of the main attractions in the exposition's anthropological pavilion. The Ancon material also served as the basis for Dorsey's doctoral thesis at Harvard [3], and the Ph.D. degree that he received in 1894 was the first awarded by Harvard in the field of anthropology (actually archaeology). Then in 1896 Dorsey joined the staff of the Field Museum in Chicago as its first assistant curator of anthropology. In 1898 he was made full curator.

I first connected Dorsey with forensic anthropology several years ago when I came across his 15th and next-to-last paper in the field of physical anthropology, published in 1899 [4]. Entitled "The Skeleton in Medico-Legal Anatomy," it is actually a third-person report of what Dorsey told the Medico-Legal Society of Chicago about then-current identification methods in an invited address on 3 Dec. 1898; that is, nearly ten months after the conclusion of the second Luetgert trial. What Dorsey said on that occasion is notable mainly because of the indication it gives of his indebtedness to Dwight's forensic contributions. Of more interest here are the five pages of discussion devoted not to what Dorsey said in his address, but to the testimony he gave at the Luetgert trials.

The principal discussant, W. H. Allport of Northwestern University Medical School, had been one of the expert witnesses for the defense in the Luetgert trials and had contradicted Dorsey's testimony at almost every point. Whereas Dorsey had identified four tiny bits of bone of the supposed victim as human and female, Allport had claimed that they could not be identified or possibly were of animal origin. Considering that, according to a contemporary analysis [5], these four bits of bone could be contained within the rim of a 25-cent piece (see Fig. 1), Allport's opinion seemed to me, from what little I knew of the trials at the time, to make sense. If I had been in Dorsey's place, I think I would have been wary of making such a positive identification.

Yet from the nature of the discussion of Dorsey's paper it is apparent that Allport, especially, held an enmity toward Dorsey that had more behind it than can be deduced from the language used. For example, referring at one point [4, p. 175] to the Webster-Parkman trial in Boston in 1850, Allport said:

It is to be noted that the papers of the day congratulated the Harvard faculty on their skill in identifying, placing and restoring Dr. Parkman's skeleton, some 156 bones being present. The advance made in teaching at this institution is remarkable, for a recent graduate of the same school now identifies a woman from four fragments of bone the size of peas.

Dorsey, of course, was the recent Harvard graduate. The discussion section of the paper is silent on whether or not Dorsey replied to the criticisms.

Having only this much of the record to go on when I prepared my AAA paper, perhaps it is understandable why I tended to interpret Allport's criticism of Dorsey as the sort of public embarrassment that could cause the latter to turn away from further participation in physical anthropology. The fact that after 1899 Dorsey published only one other paper in this field (a general one at that) seemed to confirm my initial interpretation.

To learn more about the testimony concerning the supposedly human bones introduced in the Luetgert trials, I arranged to have inquiries made at the Circuit Court of Cook

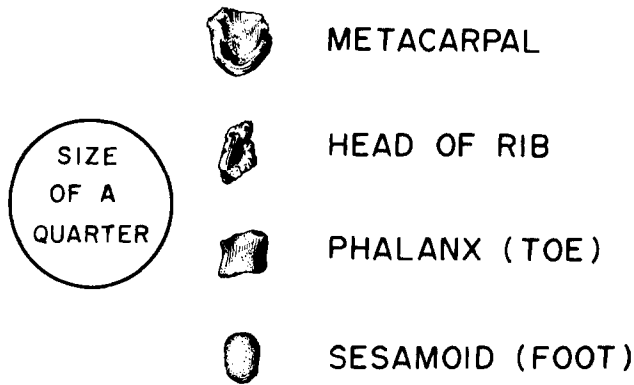


FIG. 1—Four small pieces of bone introduced in the Luetgert trial, with the outline of a 25-cent piece for scale (after Christison [5], pp. 144–145).

County, Illinois, as to whether or not the original court records still exist. A check of the old docket sheets there revealed that the Luetgert case bore the number 47702. But no transcript of the court testimony was found in the file under this number. The reason for this deficiency seems to be explained by a document in the file dated just before the second trial. It is a petition to the court from Luetgert for funds to defray the cost of transcribing the shorthand notes of the first trial then in the hands of a private firm of stenographers. The petition was denied. I did not extend the search to the office of the state's attorney general.

Failing in this matter of access to the official trial records, I turned to the Library of Congress' microfilm copies of the *Chicago Daily Tribune* for 1897–1898. There, among accounts of the Spanish-American War and the Klondike gold rush, I found a wealth of recorded testimony taken down by reporters and commentators who seemingly either were trained shorthand writers or had access to some form of daily court record.

The nature of the Luetgert case is best explained by a quotation from an unidentified newspaper clipping found in the Luetgert file at the courthouse:

The way the sausage-maker, Adolph Luetgert, disposed of his wife, Louisa—in what was one of Chicago's most notorious murder cases in 1897—was to kill her in their home, then take her body, at night, in a carriage, to his five-story factory at Diversey and Hermitage and dissolve it in a vat filled with a caustic solution containing 375 pounds of potash. . . . Evidence at his trial indicated that he sat beside the vat stirring the solution all through the night. In the morning he was found sleeping in his office, with the vat overflowing and a greasy substance all over the floor. He reported her missing, but after a few days her brother began to suspect otherwise, and police found her ring and a piece of human bone in congealed sediment in the vat, by then drained. The defense based its case on the fact that there was no corpus delicti, but [the prosecutor] . . . convinced the jury that the greasy substance was the corpus delicti. . . . Luetgert was convicted and sentenced to life. And because the case left a bad taste in people's mouths, his factory closed down.²

The newspaper account of the testimony and cross-examinations of Dorsey and Allport indicate that each had a distinctive courtroom style. Dorsey (who was said to have just returned from Alaska) went to great lengths beforehand to compare the supposed human bones with specimens of all sorts in the Field Museum, and then on the stand answered questions about them in a succinct and clear manner (Fig. 2). Allport, on the other hand,

²In the matter of the corpus delicti it should be noted that before the first trial the authorities tested the destructive action of a hot potash solution on human tissues. Following Luetgert's reported procedure, they found that a cadaver ended up as a greasy substance containing nothing of a solid nature except bits of bone.

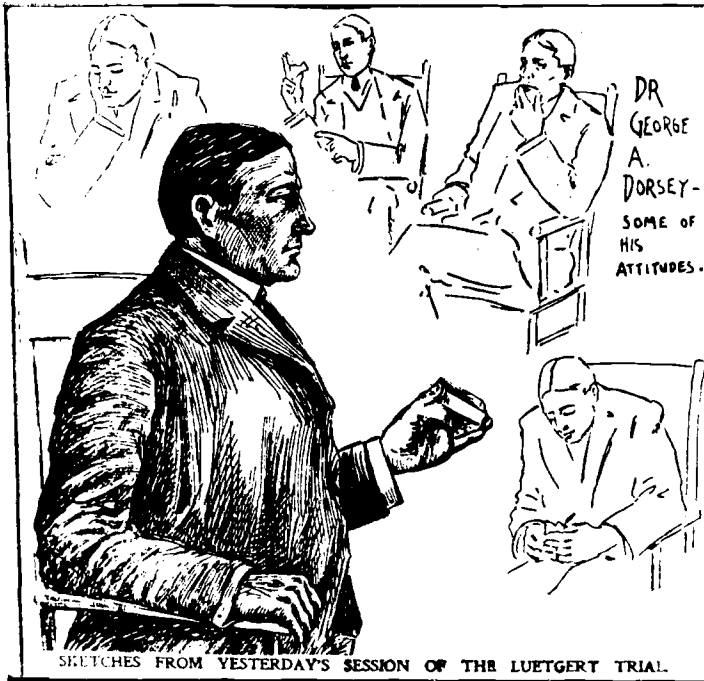


FIG. 2—Illustration from a newspaper account of the first Luetgert trial (*Chicago Tribune*, 17 Sept. 1897).

tried to give the impression that his general knowledge of bones was sufficient for the purpose. In addition, Allport lectured the jury and often contradicted himself.

The effect of these different methods of testifying are best seen in the comments of Julian Hawthorne, whose *New York Journal* column also appeared in the *Chicago Tribune*. Writing under date of 17 Sept. 1897 about Dorsey's cross-examination in the first trial, Hawthorne said in part:

Professor Dorsey was generally admitted to have made the strongest showing of any of the many strong witnesses of the State. He was as fresh when the day was over as when it began, and perhaps even more alert and poignant. Every statement he made helped the case against the prisoner, and yet it was abundantly evident that his sole concern was to present the exact truth as he knew it, exaggerating naught, and setting down naught in malice. His voice was distinct and his exposition so clear that even the technical character of many of them did not prevent them from being understood by the jury. His knowledge was so well systematized, so well in hand, so sound, precise, and broad, that it was a pleasure to listen to him; it is not often one comes in contact with a brain of so fine fiber, so vigorous, and so sane.

Later, on 1 Oct. when it came time for Allport's cross-examination, Hawthorne wrote in part:

It began very quietly yesterday morning. . . . But it gave us time to prepare our minds for what we knew must be coming. Dr. Allport was to be offered up as a sacrifice; his time was ripe. He sat in the chair looking resolute but somewhat pensive; McEwen [the prosecutor] and Professor Dorsey sat side by side with bones all about them. Dr. Allport had been at the trigger end of a cross-examination on sesamoids a couple of weeks ago; now he was to take his turn in front of the muzzle. . . .

He was presented by his agreeable interlocutor with a bone of some animal's leg, which he immediately identified as that of a monkey. He explained to the jury, in an interesting discourse, its various characteristic points, when Mr. McEwen gently said "I am informed by Professor Dorsey that that is the leg of a dog."

The jury looked embarrassed, and a passing shade of despair crossed the doctor's features. At last he said:

"There is a class of dog monkeys."

But I shrink from the task of following this dissection into all its details . . . [Eventually Dr. Allport] became nervous, confused, and angry, and no one could blame him, for nothing is better calculated to make a man angry than to be exposed in this manner, after having professed to know everything about a given subject.

Judging from these reportorial samples, Dorsey acquitted himself credibly on the stand during the Luetgert trials. Besides, his identification of the small bits of bone seems not to have influenced the outcome of the trial. "It is hardly possible to assert," said Wigmore [6, p. 200] in his contemporary analysis of the case, "that any of the bones were fully proved to be human; yet it certainly was not made out (nor even, perhaps, seriously claimed) that they could not be human." Dorsey seems to have believed in the correctness of his testimony; and if this was so, he had no reason to be embarrassed by Allport's criticism during the Medico-Legal Society meeting. Quite likely those attending that meeting realized that Allport was smarting from his unfavorable press.

These arguments convince me that Dorsey's abandonment of physical anthropology around 1900 must have resulted from something other than his experience at the Luetgert trials and at the Medico-Legal Society meeting that followed. As a matter of fact, his



FIG. 3—*Photograph of George A. Dorsey made probably 24 years after the Luetgert trials* [8].

full bibliography indicates a tapering off of interest in physical anthropology by 1900 and a growing interest in ethnology.³

I noted earlier that when he first entered the Luetgert case he had just returned from Alaska. His trip that summer lasted four months and took him barely as far as the southernmost extension of Alaska. Yet during the course of it he visited the Blackfeet, Flatheads, Kutenais, Haidas, and Tsimshians. In December 1897 he visited the Southwest United States and spent some time with the Hopi. Then from 1900 to 1906 he studied the Caddoan tribes with the aid of a grant from the Carnegie Institution of Washington. As a result of these and perhaps other field activities he published at least 18 ethnographic reports between 1901 and 1904. This left no time for either archaeology or physical anthropology.

To conclude the story, only eleven years after the St. Louis exposition Dorsey resigned from his positions in Chicago and for all practical purposes left anthropology. In Hrdlička's history of physical anthropology published in 1919 there is a footnote on page 133 to the list of positions in Chicago from which Dorsey resigned [7]. It reads, "In 1915, regrettably, he gave up all these positions to devote himself to travel, journalism, and motion pictures of primitive peoples. Recently he has been commissioned in the Intelligence Service of the United States Army."

The only portrait of Dorsey I have been able to locate (Fig. 3) shows him in the dress uniform of a lieutenant commander and bearing on his chest two Spanish orders awarded for his services as advisor on Spanish problems to the American commission at the 1919 peace conference in Paris [8]. The picture probably dates to 1921 when he served as naval attaché in Lisbon. All things considered, I feel that the profession can be proud to count this remarkable man among the pioneers of forensic anthropology in the United States.

References

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³In the absence of anything better, I took the listing of Dorsey's publications in the printed catalogue of the Peabody Museum at Harvard to represent his full bibliography.