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# 4      **The Bonnie and Clyde of the Blackout:**

## **The Short Criminal Careers of**

### **Gustav Hulten and Elizabeth Jones.**

Clifford Williamson

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I

On 23<sup>rd</sup> of January 1945 a verdict of guilty was handed down at the Old Bailey in London to Karel Gustav Hulten and Elizabeth Marina (Maud) Jones for the murder of George Edward Heath in October 1944. Hulten and Jones had killed Heath in the pursuit of robbery. It was known at the time as ‘the cleft chin murder’ due to a physiological facial characteristic of Heath’s. Both Hulten and Jones were figures in the *demi monde* of wartime London; Hulten was an American deserter and Jones was a stripper. They had hooked up only shortly before and after a few previous sometimes-violent acts of criminality graduated to homicide.

The case was typical yet unusual. It was typical, as it seemed just another crime during wartime that exploited the characteristics of the blackout. But it was unusual first in that the prosecution of Hulten was in the English courts of law rather than under the aegis of the Judge Advocate General (JAG) of the US as was customary as a result of the 1942 *United States (Visiting Forces) Act* (VFA). It was also unusual in that after the verdict and following an appeal for clemency to the Home Secretary only one of the two: Jones had her death sentence commuted to life.

The criminal career of both was brief but spectacular and the case highlights a whole series of judicial, moral and diplomatic issues. First it illuminates the sexual and gender politics of wartime; Jones was portrayed as both victim and culprit due to her sex, her age and her perceived vulnerability. The case also brought to the fore concerns about the role of deserters in criminality. However it also highlighted aspects of the special relationship between Great Britain and the USA, as it was a unique example of the English criminal law being allowed to take precedence over the US military criminal code. We can also see in this case a foretaste of the emerging debate on the Death Penalty, alongside evidence of the discretionary role of the Home Secretary in appeals for clemency and its application.

Although Hulten and Jones's crime noir is in one sense a glaringly clichéd piece of pulp fiction turned fact it is also an important and complex episode in the history of crime and punishment. As such this event is really befits from the micro-historical approach as by offering an 'intensive historical investigation' to use the words of Magnússon and Szijártó we can present the main advantages of this methodological approach to extract meaning from the past.<sup>1</sup>

First we can discuss micro-history as 'threefold unity of time place and action'.<sup>2</sup> The period setting is the Second World War a conflict where macro level experience predominates in terms of human and economic cost, but where individual experience is equally valuable to examine the response of people to the unique demands of this epoch. The place is London and its suburbs - the city of the blitz, the blackout and the black market where opportunities for crime

and misbehaviour were legion. The criminal action itself is that of homicide and we are persuaded to ask precisely how are individual examples of murderous behaviour understood in an era where mass killing was commonplace?

The second aspect of micro-history addressed by this case is the 'search for answers to large questions in small places' as Joyner suggests.<sup>3</sup> The great historical question here is how do the circumstances of wartime shape behaviour? This is relevant since there is no doubt that the crimes of Hulten and Jones were influenced by the conflict. Firstly neither of them would have had the means, motive or opportunity without the special circumstances of wartime. Hulten would still have been in New England making house with his wife. Jones would arguably not have gravitated to the sleazy underworld of London's Soho, without there being the demand created by the massive number of young men in services descending on London with cash on the hip.

The third main feature identified by Magónsson and Szijártó in micro-histories is that of agency. They argued: 'For micro-historians, people who lived in the past are not merely puppets on the hands of great underlying forces of history, but they are regarded as active individuals, conscious actors.'<sup>4</sup> The crime perpetrated by Hulten and Jones was premeditated and this is acknowledged by the verdict at their trial that found them both guilty of murder in the first degree. For whatever reason, best known to themselves, they did what they did knowing that it was against the law. Yet they broke through the normal processes of empathy and fear of retribution to do it. It is not my intention here to offer a speculative psychological diagnosis of the motivations of both, but the issue of agency is clearly evident in this event.

Agency also becomes especially pertinent in another crucial aspect of this case and that is over the prerogative of mercy. Since the early nineteenth century the prerogative of mercy has been a power vested in the post of the Home Secretary. Put simply it this minister has the power to decide which, if any, of the death sentences handed down by the courts in England and Wales should be enacted and which should be respited to a long-term prison sentence. It is a responsibility that is carried out purely at the discretion of the office holder; there are no official rules, no stated criteria and little guidance on the matter. It is therefore based on largely on agency and micro history is arguably one of the best ways to illuminate the history of this prerogative and its use.

The main sources used in this chapter are derived from contemporary primary sources such as newspapers, government publications such as *Hansard* as well as a suite of secondary sources ranging from scholarly texts to popular true crime histories. A significant amount of information has been drawn from the 1953 *Royal Commission on Capital Punishment*.<sup>5</sup> It may seem problematic to use a report that is dated after the events discussed to shed light on, in particular, the use of the Prerogative of Mercy. However this can be explained through the following points. First it is contemporary, it fits into an era in the history of the death penalty where there was a general political consensus on retention, where voices for abolition though growing were still in the minority. Second the report is primarily reflective of current practice in the operation of the death penalty. It gathered evidence via interviews with, amongst others senior Home office civil servants some retired others still in place as well as senior politicians who had to had to administer the law, it therefore reflected the

application of the prerogative in this period. Third the report has the most detailed statistical evidence that provides the basis for much of the analysis of the use of the prerogative in section VIII.

## II

In his 1945 essay *The Decline of the English Murder* for the *Tribune* newspaper George Orwell argued that 'it is difficult to believe that any recent English crime will be remembered so long and so intimately' as those murders and murderers 'whose reputations have stood the test of time.'<sup>6</sup> He was referring specifically to the 'Cleft Chin' murder however his slightly wistful nostalgia was misplaced. It has been a crime that has had considerable longevity and a dark appeal for denizens of true crime histories, the history of the home front in the Second World and those who study all manner of aspects of criminality and deviance.

Ironically it was Orwell himself who would rather inadvertently start the process off with his *Tribune* essay. The appeal of the murder as a late wartime *cause celebre* would inevitably lead to others attempting to cash in. The first and in many respects the definitive account of the Hulten/Jones crime spree was by R. Alywn Raymond who wrote the unimaginatively titled *The Cleft Chin Murder* later on in 1945.<sup>7</sup> The author styled his work 'A gripping authentic account of the lives of two people, ordinary young people, brought together by chance.'<sup>8</sup> It is largely a narrative account written in the style of detective pulp fiction with most of the information drawn from the transcript of the trial, This format was followed by C.E. Bechofer Roberts in his edited volume *The Trial of Hulten and Jones* also from 1945.<sup>9</sup> After a hiatus of over forty years interest in the case was piquet

in 1989 when a motion picture appeared loosely based on the case called *Chicago Joe and the Showgirl*, but it would be in the early 21<sup>st</sup> century that it would be revived as both a popular as well as scholarly focus of concern. Two works in 2003 Donald Thomas's *An Underworld at War* and Maureen Waller's *London 1945: Life in the Debris of War*<sup>10</sup> would use the case to highlight, in the case of Thomas aspects of criminality in wartime, and for Waller providing a 'prime example of a young women being led astray and indulging in the sort of violent, immoral behaviour the war had fostered.'<sup>11</sup> In 2015, Edna Gammons published *A Fatal Pick Up* that is largely a verbatim transcript of the trial of Hulten and Jones.<sup>12</sup>

Aside for the popular histories of the murders there have been two significant scholarly studies of the case both published in 2013. The first by Matthew Grant in his chapter for *Moral Panics, Social Fears, and the Media: Historical Perspectives* edited by Nicolas and O'Malley. The second by Carol Dyhouse as part of her monograph *Girl Trouble*.<sup>13</sup> Grant characterised the importance of the case as revealing 'the process by which normative notions of family, national identity, and citizenship were established by exposing errant behaviour and juxtaposing it with established notions of "correct" conduct...'<sup>14</sup> He saw the case as having 'all the hallmarks of a moral panic' but that it did not escalate into one in the 'classic model' due to the influence of the press in restraining the usual process of recrimination since this could have undermined wartime unity by 'questioning the sexual morality and participation of a far larger number of women.'<sup>15</sup>

For Dyhouse the case was part of an evolving discourse about the nature of the types of deviance associated with adolescent females. The 'Good Time Girl' as she became known was a prominent folk devil during wartime that was

'...no better than she ought to be.' She had probably had her head turned by watching too many Hollywood movies. She was likely to wear cosmetics and cheap perfume and to own a fur coat.<sup>16</sup>

The Cleft Chin murders, Dyhouse argued, 'brought into sharp focus' fears about young women in wartime that were to carry on into the post war period.<sup>17</sup> These anxieties would culminate in a joint Magistrates Association and British Medical Association report *The Unstable Adolescent Girl* published in 1946.<sup>18</sup>

### III

Karl Gustav Hulten was born in Stockholm Sweden in 1922. His mother and father separated the following year. With his mother, Karl emigrated the same year to the US eventually settling in the less obvious location of Cambridge in Massachusetts rather than Worcester, where the bulk of New England's Swedish-Americans lived and worked.<sup>19</sup> This may have been due to the fact she was a single mother working as a domestic, unlike the Worcester based diaspora recruited into the heavy manufacturing industries which dominated the city. There is no evidence of delinquency in the early life of Hulten, his mother claimed that he was not a bad boy; he even worked for the Salvation Army.<sup>20</sup> He was a lorry driver by trade, married an undistinguished local girl Rita Pero and they had a child. Hulten was called into the armed forces in May 1942 and arrived in England in January 1944 as part as the 101 Airborne Division which

was based in Newbury in Berkshire where he served in the motor pool. While in England he had occasional run-ins with the US Military police mainly for going absent without leave.<sup>21</sup> In late September 1944 Hulten stole a military truck that had been parked outside of Reading train station and drove off with it. Hulten eventually made his way to London where on the 3<sup>rd</sup> October he met, through a mutual friend, Elizabeth Maud Jones at the Black and White Café near Hampstead tube station.<sup>22</sup>

Of the two it has been Jones who has garnered the most scholarly and cultural attention, notably from Grant and Dyehouse. Whereas Hulten is often portrayed as a Walter Mitty-esque, inept, gangster wannabe, the picture painted of Jones is very different. It is her participation in the 'Cleft Chin' murder that would elevate her to representing *sine quo non*, the 'good time girl' as folk devil. She was born Elizabeth Marina (later Maude) Baker in Neath in South Wales in 1926. She was an incorrigible adolescent running away from home for the first time at the age of 13 and was subsequently sent to an approved school in Sale, Cheshire. Baker was amongst the disproportionate number of girls as compared to boys (50% of females as opposed to only 10% in 1936 alone) who were sent to approved schools as a result of the 'moral danger' clause of the 1933 Children and Young Persons Act.<sup>23</sup> This allowed for young persons to be sent to approved schools not as a result of criminal offences but for their protection as a result of moral concerns. Baker, however, on one occasion absconded from the school with another pupil to journey to London. At the age of 16 she returned to Neath where she met and married Stanley Jones a corporal in the Airborne Forces, a man ten years her senior. She claimed that he assaulted her on their

wedding night and she promptly left him, though they were reconciled for a short time afterwards.<sup>24</sup>

A measure of how she has been portrayed in popular literature can be found in Gannon's description of Baker's, reason for marriage 'in the cunning mind of Baker, Jones was going to be the means to get her away from the life she was leading...'<sup>25</sup> She is seen as manipulative, conniving and immoral, Donald Thomas also emphasised this by using in his monograph a contemporary description of her as a 'graceless blonde waif of little appeal or presence.'<sup>26</sup> She left permanently for London in January 1943, initially seeking out a career as a dancer, but ultimately gravitating towards the strip clubs of the capital. She was in George Orwell's words an 'unsuccessful stripper' only making one attempt at burlesque, before quitting after she was booed off the stage.<sup>27</sup> Jones thereafter worked as a party host and there is some suspicion as a prostitute as well, but her main income was the 32s per week that she received as a marriage allowance from the army.<sup>28</sup> When she met Hulten who now went by the name of Ricky Allen, Jones had similarly fashioned herself as 'Georgina Grayson.'

Between the 4<sup>th</sup> and 9<sup>th</sup> October 1944 'Allen' and 'Grayson' went on a haphazard but violent crime spree which would culminate in the murder of George Heath between the late night of 6<sup>th</sup> and early hours of the morning of 7<sup>th</sup> October.<sup>29</sup> The first incident that they would be involved in was on the second night after they met when Hulten knocked a female bicyclist off her bike and robbed her, leaving her dazed on a country road outside of Reading.<sup>30</sup> The next evening the couple would attempt to rob a taxi driver in south London, but it was foiled due to the intervention of the passenger in the cab who was a US officer.

After this they turned their attention to another victim a woman by the name of Violet May Hodge. This eighteen-year-old had been walking home alone and was offered a lift and, after a short journey into Berkshire, the car stopped and all three got out and Hodge was attacked with an iron bar, robbed, dumped in a ditch and left for dead. She managed to raise the alarm at a local farmhouse, got medical help and survived the ordeal.<sup>31</sup>

George Heath was a private hire cab driver hailed by Jones on the evening of the 6<sup>th</sup> and he agreed to take the couple to a location near Staines in the suburbs of London. On reaching the destination Heath was shot, robbed, shoved out of the car and left fatally wounded.<sup>32</sup> The precise chain of events that led up to the shooting of Heath was the source of most of the dispute at the subsequent trial, as was Jones's role as co-conspirator. On Sunday 8<sup>th</sup> their final attempt at robbery was foiled when Hulten tried to steal a fur coat from a woman outside the Berkeley Hotel in Piccadilly, but when a policeman turned up they drove off in Heath's vehicle. The next evening Hulten would be arrested as the result of an observant policeman noticing the stolen car and the police cornered him as he was leaving the flat of another lady friend near where the car was parked.<sup>33</sup>

#### IV

The rules governing the prosecution of criminal acts committed by US military personnel while on active service in the UK were established with the passing of the *United States of America (Visiting Forces) Act of 1942 (VFA)*.<sup>34</sup> The act came about ostensibly as a result of an exchange of letters between the British

Foreign Secretary Anthony Eden and John G. Winant, the American Ambassador to Great Britain on 27<sup>th</sup> July 1942.<sup>35</sup> The Act was something of a departure for the UK as under the 1933 *The Visiting Forces British Commonwealth Act* it had sought to retain the right to prosecute Foreign Service personnel in British service courts who committed crimes that targeted civilians or civilian property.<sup>36</sup> However, the *Allied Forces Act* passed in 1940 which established the right of exile nations to create armed forces in Great Britain out of exiled troops allowed for extra-territorial authority of these nations with personnel in the UK to be extended to their own military justice system, rather than be subject to the legal systems of the host nation. This was done via an Order in Council and was based on pre-existing treaty arrangements between 'H.M.G and the Allied Governments' in exile.<sup>37</sup> However, on a number of occasions, there were limitations to this extraterritoriality with the right to prosecute major crimes such as murder, manslaughter and rape retained by the UK authorities. To begin with this was the case with US service personnel.

The US and British authorities sought to reach a clearer understanding of the rules relating to sovereign rights and extraterritoriality. The need for the act was expressed by Herbert Morrison, the British Home Secretary, in opening the debate on 4<sup>th</sup> August 1942 when he said that 'the American members of the American Armed Forces are, of course, accustomed to their own procedure and the principles of their own law...they are more familiar in dealing with their own in their own customary way.'<sup>38</sup> Further to this Morrison argued that by passing extraterritorial rights to the US JAG they would have 'a freer hand to see that the appropriate punishments are inflicted on their own violation.'<sup>39</sup> He also argued that the VFA was 'in the interests of good feelings between the two countries,,

and particularly in the matter of good feelings between our own population and our own authorities and the American Forces'.<sup>40</sup> He concluded that 'we anticipate no friction' between the two authorities.<sup>41</sup> He justified this by saying so far 'the American Authorities have been exceedingly helpful and co-operative.'<sup>42</sup>

In the exchange of letters by Eden and Winant, it was made clear that any American serviceman accused of an offence against a British civilian would be heard in open court.<sup>43</sup> The issue of murder figured prominently in the debate on the VFA especially what would happen if the victim were a British civilian. Previously this power had been reserved to British courts but the VFA would surrender this right and place it under the JAG. There were concerns expressed that in doing so it would cause a degree of grievance and upset, expressed most notably by the MP for Southampton Dr Russell Thomas.<sup>44</sup> Morrison sought to reassure members over this matter by pointing to similarities in the law and also in terms of the punishment handed down for homicide in the US *Articles of War*.<sup>45</sup>

A further area where there was also some degree of concern expressed in Westminster was over offences that were not capital crimes under English and Scots Law, but that under the US *Articles of War* became such crimes, with the offence of rape being one such crime.<sup>46</sup> This issue was raised during the debate when Mr Garro Jones, MP for Aberdeen North, drew attention to the potential problems of differential punishment.<sup>47</sup> There was a mechanism under the Act for the resolution of such anomalies<sup>48</sup> and the Attorney General sought to allay fears on this by pointing out that death was not an exclusive form of punishment for rape and that life imprisonment could also be imposed instead by a US

military court martial.<sup>49</sup> This would be a source of real dispute and much scholarly debate most notably in the case of Leroy Henry an African American who in 1944 was accused of raping a woman from Combe Down near Bath. He was condemned to death by the military authorities, but a local outcry over the sentence resulted in the United States Supreme Commander Dwight D. Eisenhower not just commuting the sentence but quashing the entire conviction freeing Henry completely.<sup>50</sup> Six of the eighteen capital sentences handed down during the war would be exclusively for rape, all of the people executed were either African Americans (four) or Mexican Americans (two) none were white.<sup>51</sup> However, two white Americans would be executed for crimes that involved both rape and murder.<sup>52</sup> Lilly and Thomson would characterise the practice as 'sexual racism.'<sup>53</sup>

## V

The decision to commit Hulten for trial alongside Jones under English Law and waiving the *Visiting Forces Act* was controversial. There is little in the way of extant documentary evidence as to the rationale behind the move. There is some evidence, often asserted most notably by Gammon and Bilbow, that it was because the US Government and in particular President Roosevelt were embarrassed that an American soldier had behaved in such a disgraceful way and that to restore confidence he should face British justice, and that it should 'serve as a warning to English girls hobnobbing with flashy yanks'.<sup>54</sup> This is a problematic interpretation as up until the 'Cleft chin' murder there had been no compulsion to try and execute thirteen American servicemen in military tribunals for murder and/or rape of British civilians. So why should this case be different?

Thomas has a different interpretation of the decision. He saw it as down to the possible legal implications of trying the two defendants separately.

He said:

'At first, it was announced that Hulten's court martial would be postponed until the girl's trial was over. Unfortunately, this might have resulted in her case being hanged before she could be called as a witness in the later case. In these circumstances, the United States asked the British Government to try both accused.'<sup>55</sup>

This is a more substantial and potentially realistic interpretation as it was based on legal argument rather than sentiment. Two roughly simultaneous trials for the same crime by two defendants had a whole host of potential difficulties; what would have happened if Hulten had been acquitted of murder by the Judge Advocate General but at the same time Jones had been also acquitted? Having both committed for trial would remove any such potential problems.

A final reason, not put forward by either Gammon or Thomas, is one that goes back to the exchange of letters between Winant and Eden and missed during the passing of the *Visiting Forces Act* in Parliament. At no time did anyone consider that there was going to be a criminal conspiracy that involved a civilian and a serviceman and it was completely overlooked in the discussions. It is almost always the case that defendants are tried together if they are indicted for the same offence. There may be separate verdicts but that was a matter for the jury to decide. In examples where servicemen from different national armed

forces were indicted for involvement in a criminal conspiracy they would be court martialled separately. This was understood and expressed during the passing of the VFA and also accepted under the *British Commonwealth Visiting Forces Act* of 1933 and the *Allied Forces Act* of 1940. This unprecedented case came about due the indictment of Elizabeth Jones, who was a civilian. As there was no provision in the VFA, or an agreed procedure, the only solution to this dilemma was to hand over Hulten to the English Courts.

Hulten was handed over to the US Provost Marshals and the JAG on 10<sup>th</sup> October. While in custody he surrendered the name and address of Jones and she was arrested on the 11<sup>th</sup> October and appeared at Feltham Police Court on 14<sup>th</sup> October to be remanded in custody until November 3<sup>rd</sup>.<sup>56</sup> In the meantime the decision was made to try both together and the VFA subsequently was waived.<sup>57</sup> At a second hearing that took place at the Magistrates court in Feltham on 27<sup>th</sup> November both entered a plea of not guilty to the charge of murder.<sup>58</sup> They were both committed for trial at the Old Bailey on December 3<sup>rd</sup> 1944 and the trial was set to begin on 16<sup>th</sup> January 1945.

The trial of Hulten and Jones was to last for six days from the 16<sup>th</sup> until the 23<sup>rd</sup> January 1945. Everyday crowds waited for many hours until the opening of the court to grab a place in the public galleries.<sup>59</sup> The first day saw the trial brought temporarily to a halt as the defence counsel for Hulten tried to have two statements signed by his client declared inadmissible, as Hulten had not read them and that they were not his words but the words of the chief investigator for the JAG Lieutenant De Mott.<sup>60</sup> After careful consideration the presiding Judge Mr Justice Charles decided to allow for them to be submitted in evidence., This

decision occurred not least because, despite claiming not to have read them, there were witnesses who said that Hulten had read them very carefully and even made corrections to the spelling.<sup>61</sup> The reason for the attempt to have the statements removed became clear as the trial progressed. In his statement to De Mott Hulten had said that he had intended to intimidate Heath by firing through the door of cab, but that just as he was about to do so Heath had moved to his right and straight into the sights of Hulten's firearm as he fired it.<sup>62</sup> The defence wanted to push the argument that Hulten had discharged the weapon by accident when he attempted to free his hand from the armrest on the door of Heath's taxi and had snagged it on a leather strap that protruded from the door. Not surprisingly this change of evidence was to be a major focus of both the prosecution and defence.

The first of the defendants in the witness box was Jones. She admitted to having been with Hulten on the night of the murder and had observed the crime. Her only action, she said, during the murder of Heath was to hand Hulten a handkerchief, and she denied having helped to move Heath's body from the car or of rifling through his pockets. Jones claimed to have been constantly in fear of Hulten, on their first meeting he had 'showed her a gun and said he 'would use it on her' if she told anyone about it. Immediately after the murder Hulten had, she alleged, brandished the firearm and said 'I'll do the same to you' if she did not co-operate.<sup>63</sup> When cross-examined by Hulten's KC she claimed that when she got into the taxi with Hulten she assumed that he was going to take her home.<sup>64</sup> She later modified the answer by claiming that she was suspicious about Hulten's intentions when he first told her to get a taxi.<sup>65</sup> The Judge when questioning Jones got her later to admit that when Hulten had said to get a taxi

she knew he meant 'Let's go and rob a taxi...'<sup>66</sup> Within the first couple of days of the trial both defendants had seriously compromised their defence cases, Hulten as a result of a botched attempt to have his earlier statements ruled inadmissible and by changing his story as to the course of the events. Jones's defence had slowly been undermined by her inability to stick to her story as well gradually acknowledging the truth of incriminating evidence.

Hulten in the witness box also immediately started to revise his second version of the events that led up to the death Heath, but also he sought to pass on the blame for the murder on to Jones. The first thing he attempted to do was to discredit Jones's defence that she was afraid of him. He denied having threatened her, or that he had lifted his hands to her, or that she was at all dominated by him. Instead he claimed that it had been Jones who had come up with the idea of robbing someone for cash.<sup>67</sup> He then sought to describe the shooting of Heath as an accident, but first added to previous statements by claiming that he did not know the gun was in fact loaded. When challenged on having changed his story he claimed that the original statement had been arrived at through De Mott asking a series of questions, and Hulten replying, but the Lieutenant putting his own answer to it on the statement and not Hulten's.<sup>68</sup>

The Judge addressed the jury on the 23<sup>rd</sup> of October and summed up the case. He said 'If the shot was fired during, and in the forwarding of, the commissioning of robbery, and this caused death that was murder.' He continued and that even if it was fired during the felony 'in order to frighten. That still would be murder.'<sup>69</sup> As far as a plea of manslaughter was concerned he told them that the jury would have to believe that Hulten did not know that the gun was loaded and that it had

it was an 'accident unconnected with the intended robbery. As for Jones, Justice Charles said that the jury could acquit her 'if they found that she entered into the matter against her will, as she would not be an accomplice in law.'<sup>70</sup>

## VI

It took one and half-hours for the jury to return a verdict of guilty on both Hulten and Jones on 23<sup>rd</sup> January 1945.<sup>71</sup> In addition the jury recommended mercy for Jones but not Hulten.<sup>72</sup> Mr Justice Charles had little to say to the two convicted beyond the passing of a sentence of death on both, though he did say that the recommendation would be passed on to the Home Secretary.<sup>73</sup> The only comments from the convicted came from Jones who was heard to shriek 'Oh! Why didn't he tell the truth?' as she was taken down from the dock.<sup>74</sup>

Shortly after being convicted, both Jones and Hulten appealed the verdict.<sup>75</sup> In Massachusetts Hulten was able to call upon the services of important state and federal figures. His family counsel was the state senator Charles Inness and he recruited both US senators for the State, Leverett Saltonstall and David L Walsh, to lobby the Secretary of State Edward Stettinius.<sup>76</sup> Innes outlined the basis of the appeal was with regard to Hulten's mental state. Saying that was there was 'proof beyond doubt' that Hulten 'obviously was suffering from battle shock' as result of his experiences as part of the D-day landings in Normandy.<sup>77</sup> He pointed out that no evaluation of Hulten's mental state was made prior to his trial and conviction.<sup>78</sup> If the appeal failed Inness said that he would submit to the Home Secretary a detailed legal argument, on behalf of Hulten's wife and mother, supporting commuting the sentence of death to life imprisonment.<sup>79</sup>

The appeal against Hulten and Jones's conviction was heard at the Court of Appeal on the 19<sup>th</sup> and 20<sup>th</sup> February 1945 with Justices' MacNaughten, Wrottersley and Croom-Johnston presiding. The K.C. for Hulten, John Maude, led off the proceedings and laid out four grounds for appeal.

(1)The Judge omitted to direct the jury adequately on the law related to manslaughter: (2) That he wrongly admitted in evidence two statements made by the appellant: (3) that he did not adequately assist the jury in his direction to them on law related to implied malice: and (4) that in summing up he did not put the defence adequately to the jury.<sup>80</sup>

On the first ground it was Hulten's counsel's argument that whilst in the dock Hulten had stated that he had never intended to use the firearm but that he had 'unwittingly pulled the trigger'. This would, in his counsel's opinion, 'constitute manslaughter and not murder because the mind of the man was not behind the gun.'<sup>81</sup> On the second ground of the appeal, over written statements presented in the name of the appellant, Maude argued that although Hulten had voluntarily made statements, they had been 'elicited as the result of questions put to him... which was contrary to the rules laid down by the Judge.'<sup>82</sup> Similarly the second written statement was arrived at via means similarly at odds with judicial rules, and therefore should have been ruled inadmissible.

The lead counsel for Jones Mr Casswell presented three grounds for her appeal: '(1) That the crime was manslaughter not murder: (2) that the Judge's direction on the subject on what constituted aiding and abetting was totally inadequate: and (3) that he went out of his way to attack Jones's character.'<sup>83</sup>

He echoed Hulten's counsel's view that there was sufficient evidence for the death of Heath to be seen as manslaughter, and that the jury was 'entitled to be given proper direction on the subject'.<sup>84</sup> As far as aiding and abetting, Casswell claimed that it had not been established at all that Jones had assisted in any way in a 'common design' and therefore could not have been guilty of murder.<sup>85</sup> For Casswell, the crux of this aspect of the appeal was the issue of 'implied malice'.<sup>86</sup> If Hulten's statement that he had accidentally shot Heath was believed and it was therefore manslaughter, there can be no implied malice in his action, which is he did not consciously shoot the victim, and further no 'common design' that implicated Jones in the murder existed. On the third count Casswell decried comments from the bench, which impugned his client's reputation, and also that passages in Jones's original statement were not read in court that were of 'great materiality' to her defence.

Justice MacNaughten delivered the appeal verdict. He concentrated first on the admissibility of Hulten's written statements and was satisfied that the statements had been written in accordance with Home Office instructions.<sup>87</sup> On the question of manslaughter MacNaughten said 'that there was no evidence on which the jury could properly have arrived' at the said verdict, especially as Hulten had offered two different accounts of what had happened to cause the firearm to discharge.<sup>88</sup> On the appeal by Jones, MacNaughten rejected it. As the chief Justice had already rejected manslaughter as a possible verdict he concentrated on the issue of aiding and abetting. According to MacNaughten Jones was fully aware that by joining Hulten in his plan she therefore was involved in a criminal conspiracy, if that 'common design' had resulted in murder, as the verdict from the jury suggested, she was therefore culpable. On the suppression of parts of

her statement to police in which she claimed only to have participated as she was in fear of her life, the appeal court decided that 'there was nothing in support of that defence but her word, and her whole conduct before, during and after the event was inconsistent with it.'<sup>89</sup> She was therefore in MacNaughten's words a 'willing actor in the matter (and) having done these things was rightly convicted.'<sup>90</sup> On the third count the Justices said that they did not think that the interventions were open to the objections made against them'.<sup>91</sup> The only crumb of comfort for Jones was that appeal court justices offered the opinion that she was probably guilty of murder in the second degree.

Hulten and Jones planned a further appeal this time to the House of Lords. Oliver Locker-Lampson the M. P. for Birmingham Handsworth it was reported was to ask the Attorney General on their behalf on February 26<sup>th</sup> 1945 to 'issue his fiat' so that the appeal could be heard by the law lords.<sup>92</sup> On March 6<sup>th</sup> the Attorney General announced that he had refused to issue a certificate for the appeal to proceed and therefore the execution of both would go ahead on 8<sup>th</sup> March.<sup>93</sup>

## VII

The application of the Prerogative of Mercy illuminates the issue of agency, a key theme in micro-history. In that we see the role of individual actions and how they shape events. The Home Secretary had, up until the abolition of the death penalty in 1965, the responsibility to decide which persons convicted of a capital crime would be executed. On one of the walls in the office of the Home Secretary in Whitehall there was a board on which was written the names of all

those who were currently condemned to death. It was a permanent and grisly reminder of one of the tasks that came with such high office. Roy Jenkins, who was Home Secretary from 1965 to 1967, described the room as a place of 'immense gloominess.'<sup>94</sup>

The 1949-53 *Royal Commission on Capital Punishment* set the context under which recommendations of mercy and the royal prerogative operated. In the first instance it is, as the royal commission pointed out, entirely on the juries 'own initiative' and that the 'judge never prompts them and does not even remind them to do so if they wish' to recommend mercy.<sup>95</sup> There is no obligation to offer a reason behind the decision, though in 426 out of 460 recommendations one was advanced.<sup>96</sup> The commission advanced the view that an appeal to enact the royal prerogative was 'occasionally added only in deference to the scruples of a juror opposed to capital punishment or as a compromise between a verdict of murder and one of manslaughter.'<sup>97</sup>

After the recommendation is forwarded to the Home Secretary there is a further level of scrutiny before a decision is made. Although the exercise of the Royal Prerogative is in the hands of the Secretary of State, it is often the case that it is arrived at with the assistance of the head of the departmental civil service and this is further augmented through 'a broad-based body of doctrine' which was outlined in the 1949 Royal Commissions on Capital Punishment.<sup>98</sup> There were three categories of murder where a 'reprieve was a foregone conclusion'.<sup>99</sup> These were so-called mercy killings, survivors of genuine suicide pacts and women convicted of the murder of their child.<sup>100</sup> Aside from these there were other categories of murder that required 'special close scrutiny', in case of any

'extenuating circumstances'. Amongst these were murders 'committed by two or more people with different degrees of responsibility' - this proviso was especially relevant to the 'Cleft chin' murders.<sup>101</sup>

Between 1900 and 1949 there were 460 instances where a jury made a recommendation of mercy.<sup>102</sup> Amongst the totals 107 were on the ground of pitiable circumstances, 71 due to the youth of the convicted person, 60 due to provocation and 51 due to jealousy.<sup>103</sup> Of those recommended for a reprieve 349 would gain respite, which is roughly 75 per cent of the total. This shows that the recommendation for mercy was scarcely an automatic process. There was latitude for the Home Secretary to decide. In addition there could be mercy granted without a recommendation by a jury and, between 1900 and 1949, 207 would have their sentence commuted without such a recommendation.<sup>104</sup> In total 46 per cent of all convictions were commuted, however there was a huge disparity in terms of gender with 40 per cent of men and 91 per cent of women gaining a reprieve.<sup>105</sup> The Royal Commission expressed the opinion that there was a 'natural reluctance' to carry out the death penalty on a woman. Beyond that there was little in the way of explanation of why gender would be such a determinant in the exercise of the royal prerogative.<sup>106</sup> It is in this light that the decisions over Hulten and Jones should be viewed.

The decision over whether to apply the prerogative of mercy fell to Herbert Morrison as Home Secretary. Morrison was one of the key Labour Party figures in the wartime coalition government. We have a better idea as to the decision making process over the application of the prerogative, and specifically over Hulten and Jones, from Morrison than from most of his predecessors as he

described it in his autobiography, and his biographers have found further sources which revealed his thinking. More substantially the telegram that he sent to Hulten's mother, and also his wife, outlining his reasoning was reproduced in full in the *Boston Globe*.<sup>107</sup> However, Morrison maintained, during his time in the Home Office, the tradition of purdah so when Locker-Lampson MP asked him about clemency for Jones on 8<sup>th</sup> March 1945 he said nothing.<sup>108</sup>

His biographers summed up Morrison's attitude to the death penalty at the time suggesting that: 'his personal instincts were tough and punitive... he definitely believed in an "eye for an eye".'<sup>109</sup> On the quasi-judicial decisions, such as the prerogative, they wrote that Morrison acted with 'detachment' looking 'closely at extenuating circumstances which might justify a pardon.'<sup>110</sup> His autobiography added some significant detail on his approach and revealed the widespread high-level discussion on the Hulten and Jones case. He described the overall responsibility over capital punishment as a 'heavy one for any Home Secretary.'<sup>111</sup> 'I was,' he wrote, 'glad to be able to approve a reprieve in a number of cases.'<sup>112</sup>

On 6<sup>th</sup> March 1945 Morrison communicated his decision on reprieves for Jones and Hulten. Jones was to be spared the gallows but for Hulten, as *The Times* reported, it was decided 'that there are not sufficient grounds to justify...in recommending any interference in the due course of the law.'<sup>113</sup> Morrison was to say later that the decision was 'infinitely more difficult to decide' than many that had come before him.<sup>114</sup> A telegram was dispatched to Hulten's family, via Charles H. Innes, detailing more fully the Home Secretary's decision.<sup>115</sup> Morrison had sought guidance as to Hulten's mental state to see if there were

any grounds that could see the MacNaughten rules on insanity applied, but had concluded 'that there were no medical grounds for a reprieve.'<sup>116</sup> In addition Morrison was clear that the prosecution had proved intent on the part of Hulten and that the verdict of guilty was therefore safe and he 'found no grounds to dissent from this view.'<sup>117</sup> The sentence therefore was to be carried out the following day on 8<sup>th</sup> March 1945 at Pentonville Prison in London.

In New England the Hulten family was reportedly 'bitter' at the news of the reprieve for Jones saying 'that they both did wrong, and if they gave the girl clemency, he should have it too.'<sup>118</sup> The American Ambassador expressed similar sentiments when he visited Morrison on the day of the announcement of the reprieve.<sup>119</sup> Winant said to him 'you cannot hang my soldier if your British Girl gets off. Both are Guilty'.<sup>120</sup>

Morrison replied:

'Yes I agree...but there is only one reason for the decision; the girl was only eighteen at the time of the crime. Under British law we cannot hang under eighteen and the girl is only just over.'<sup>121</sup>

This is what we can call the unofficial 'Maxwell rule' after Morrison's chief civil servant who was most associated with the practice that came to set an age bar.<sup>122</sup> Section 53 of the 1933 *Children and Young Persons Act* had raised the age under which an execution could take place from 16 to 18 years of age.<sup>123</sup> The last eighteen-year-old to be executed before 1945 was in 1925, though the last to be executed before abolition was Francis Forsyth in 1960.<sup>124</sup> During his

time in the Home Office Morrison would reprieve all of those aged 18 at the time of their conviction, but he would nonetheless allow three men aged 19 to go to the gallows.<sup>125</sup> Age was, as previously mentioned, the second most often advanced plea in recommendations for mercy.<sup>126</sup> Another factor would almost certainly have been gender. Since 1900, the numbers of people executed who were under the age of twenty-one at the time was twenty-eight, none of whom were female.<sup>127</sup> There were seven women who were initially condemned but all were reprieved by the Home Secretary.<sup>128</sup> The 1949-53 Royal Commission records gender as a factor in clemency recommendations in thirteen cases.<sup>129</sup>

The US ambassador had, according to Morrison, 'fought hard for his man' but left the hour-long meeting 'more miserable than I had never known him.'<sup>130</sup> Later Winant would acknowledge that Morrison had been fair in his decision and equally patient in listening to him.<sup>131</sup> Morrison could have found himself in the midst of a major diplomatic constitutional and political crisis. Ernest Bevin had, even before the announcement of a reprieve for Jones, intervened on her behalf.<sup>132</sup> Morrison described this as a 'little naughty' on the part of the Minister for Labour.<sup>133</sup> Winston Churchill meanwhile told Morrison that he had been wrong to reprieve Jones.<sup>134</sup> Churchill had amassed some experience of the pressures over the prerogative during his own short time in the Home Office between 1910-1911, when there were twenty-five uses of the prerogative of which only one was for a female convicted of murder.<sup>135</sup> Morrison in his autobiography also mentioned that he had discussed the case with King George VI.<sup>136</sup>

In South Wales there was some evidence of hostility to the respiting of the execution with graffiti of a gallows appearing on a wall in Jones' hometown of Neath.<sup>137</sup> After her conviction Jones poured out her anger in letters: 'I would rather die than serve a prison sentence. God-what a jury! How I hate the London people. Hate them like poison.'<sup>138</sup> These were scarcely the words of someone grateful for a recommendation of mercy. When Jones was told of the reprieve from the Governor of Holloway Prison, she assumed according to one account of the event, that she was about to be released.<sup>139</sup> She asked for a pen and paper to write a letter to her mother asking her to bring her best clothes and organise a homecoming party.<sup>140</sup> The Governor then abruptly told her that she was not being released and that she was facing ten to twelve years in jail, prompting her to fall into hysterics and be placed in the prison hospital.<sup>141</sup> Elizabeth Maud Jones would serve nine years, initially in a borstal in Aylesbury, before being released on licence in 1954.

Hulten was executed on the 8<sup>th</sup> March 1945. His last act prior to his death was according to the *Boston Globe*, to convert to Catholicism, the religion of his wife.<sup>142</sup> Outside the gates of the prison Mrs Elsie Van der Elst, a noted campaigner for the abolition of capital punishment was overheard to have repeatedly cried 'You let the girl off, but you hang the man! It is a damned shame!'<sup>143</sup> She and another campaigner Charles Francis Smith were carted off to Clerkenwell police station and charged with 'being concerned in causing grievous bodily harm to a policeman.'<sup>144</sup> Following an investigation all charges were dropped against Mrs Van der Elst but Smith was fined £3, ordered to pay 10 guineas costs and had his driving licence endorsed.<sup>145</sup>

Hulten was one of 19 US servicemen executed in the United Kingdom during the Second World War.<sup>146</sup> He was not to be the last as four others would go to the gallows after him. The final execution was of Aniceto Martinez on 15<sup>th</sup> June 1945 for the rape of Agnes Cope, one of four men to get the death penalty for this offence under the American *Articles of War*. All but Hulten were tried, convicted and the sentence carried out under the auspices of the Judge Advocate General. This was as a consequence of the agreement reached between the British and US governments and written into law in the 1942 *United States (Visiting Forces) Act*. Hulten was the only US serviceman to be tried, sentenced and executed under English law in a civilian court and prison.

## VIII

The 'Cleft Chin Murder' provides the threefold unity of time place and action that is at the core of micro-history. With regard to time it allows for a discussion, in detail, of the unique context and circumstances of wartime, in this case the Second World War. Total war especially on the home front is a transformative phenomenon. It sees the interruption of normal patterns of life and behaviour, subversion of normative cultural and societal relations and the overthrow of entire patterns of living sometimes only temporarily and sometimes forever.

The London Blitz and the endurance of the terror bombing of the Luftwaffe by its population created a new personality for the city, as it was now the people's city at the heart of the people's war. In many ways it mixed time and place into a species of unique character and moment. Like Stalingrad, or even Berlin, it was a vision of the impact of war on urban life. It had always been the most attractive

location for those seeking the bright lights, even before the war. However the Second World War would further heighten the exotic character of the city. Elizabeth Jones's had imagined a glamorous London, as a stark alternative to provincial Wales, and moreover an opportunity especially in its burgeoning *demi monde* to metamorphose into Georgina Grayson. Hulten also had a vision of the British capital, like many of the thousands of deserters of all nationalities it was the place to gravitate towards, as it was vast enough and the blackout opaque enough to conceal him within. It too offered opportunity; for crime, for sex and (like Jones) to reinvent himself. In this he became something larger than a conscript private in the motor pool – instead he was Ricky Allen an officer and former Chicago mob gunman.

The actions of the two were extraordinary as they were such an extreme departure from acknowledged previous behaviour. There had been some indicators of deviance and delinquency in both prior to the spree. Jones had displayed it for the longest period first as an adolescent and latterly as an adult. Hulten's delinquency only manifested itself while on military service, but it quickly snowballed into murderous violence. The actions; theft, armed robbery, attempted murder, then murder are astonishing for their increasing seriousness but also for the rapidity of their escalation.

The most important element of micro-history displayed by this chapter is that of agency. It is impossible for a historian to truly get to the heart of the motivations of both Hulten and Jones during their short-lived crime spree, as it requires a deeper psychological knowledge of which, most are not qualified to provide. Likewise we do not have substantial enough in the way of primary sources to

seriously offer even tentative assessments. The decision making process for both of the main protagonists is thus annoyingly illusive, but the fact that they made them when they did are interesting as they offer a collision of time, place and action. In the midst of war, in a city transformed by conflict and presented with opportunity they did what they did.

The crime spree of Hulten and Jones pushed the boundaries of *demi monde* deviance beyond its traditional urban stomping ground and into the suburbs and the fringes of rural England in this case Staines, at that time a sleepy Epsom suburb. However, this was not Agatha Christie's Much Markle where poisoners carried out crimes amid manicured lawns or where little men such as Dr Crippen were the quintessential bourgeois sociopaths of the sort much lamented by Orwell in *The Decline of the English Murder*. The blitzed cities were a perfect location for criminality concealed by wartime restrictions but as the 'cleft chin murder' demonstrated it also allowed for opportunities to extend into London's Metroland.

The process of agency is more transparent when we look at the operation of the Prerogative of Mercy. Although it is meant to be a secret decision we have, in this case, far greater insight into the motivations and behaviour of the person at the heart of the process: the Home Secretary Herbert Morrison, than we do of any other case. In this respect separated from the immediate 'Cleft Chin Murder' context we have the chance to examine and see the prerogative in operation. We see agency in the interplay between personal attitudes towards capital punishment, established (if unwritten) procedure, diplomatic, legal and moral questions and pressures. We can discern in Morrison's decision subtleties over

the question of defendant maturity. Jones was eighteen years old and so it was permissible to execute her as had happened before and after to convicted persons of that age. However, the key aspect that allowed for the reprieve to be granted was that she had only just turned eighteen prior to involvement in the murder of George Heath. We can see deeply into the operation of the prerogative due to this case and therefore have another angle in which to view the whole debate around the death penalty.

This chapter has also sought to reclaim the 'Cleft Chin Murder' from the sensationalist school of true crime history and instead to integrate it into the main body of serious scholarly study of deviance through the prism of micro-history. It links to other chapters in this collection in two ways firstly by offering a single example of criminality as a vehicle to see larger questions around delinquency and misbehaviour but also alongside the chapters by Kilday and Watson to see how much of a factor gender is in the operation of the justice system and the treatment of offenders. It was George Orwell who was to help keep, rather inadvertently, the Hulten/Jones crime in the public eye but now it can be seen as a crucial academic case study in the interplay between war and criminality.

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<sup>1</sup> S.G. Magónsson and I.M. Szijártó (2013) *What is Micro-History? Theory and Practice* (London: Routledge), p. 4.

<sup>2</sup> *Ibid*, p. 5.

<sup>3</sup> *Ibid*, p. 5.

<sup>4</sup> *Ibid*, p. 7.

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<sup>5</sup> Parliamentary Papers, *Royal Commission on Capital Punishment, 1949-1953 – Report*, Cmd 8932 (1953).

<sup>6</sup> G. Orwell (2009) *The Decline of the English Murder* (London: Penguin), p. 16.

<sup>7</sup> R. Alwyn (1945) *The Cleft Chin Murder* (Claude Morris: London).

<sup>8</sup> *Ibid*, p. 1.

<sup>9</sup> C.E. Bechofer Roberts (1945) *The Trial of Hulten and Jones* (London: Jarrolds).

<sup>10</sup> D. Thomas (2003) *An Underworld at War* (London: John Murray) and M. Waller (2003 Kindle Edition) *London 1945: Life in the Debris of War* (London: Studio 28).

<sup>11</sup> M. Waller (2003) *London 1945*, Loc 3989.

<sup>12</sup> E.E. Gammon (2015 Kindle Edition) *A Fatal Pick Up* (London: Mereo Books).

<sup>13</sup> M. Grant (2013) 'Citizenship, Sexual Anxiety and Womanhood in Second World War Britain: The Case of the Man with the Cleft Chin' in S. Nicolas and T. O'Malley (eds) *Moral Panics, Social Fears, and the Media: Historical Perspectives* (London: Routledge), pp. 177-90 and C. Dyhouse (2013 Kindle Edition) *Girl Trouble, Panic and Progress in the History of Young Women* (London: Zed Books).

<sup>14</sup> Grant (2013) 'Citizenship, Sexual Anxiety and Womanhood', p. 178.

<sup>15</sup> *Ibid*. p. 180.

<sup>16</sup> Dyhouse (2013 Kindle Edition) *Girl Trouble*, Loc 1677.

<sup>17</sup> *Ibid*.

<sup>18</sup> 'The Unstable Adolescent Girl', *British Medical Journal*, 16<sup>th</sup> December 1946, pp. 909-12.

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<sup>19</sup> See E.J. Salomonsson (2015) *Swedish Heritage of Greater Worcester* [American Heritage] (Clemson: History Press).

<sup>20</sup> *Boston Globe*, 3<sup>rd</sup> February 1945, p. 1.

<sup>21</sup> Gammon (2015 Kindle Edition) *A Fatal Pick Up*, Loc 116.

<sup>22</sup> Thomas (2003) *An Underworld at War*, p. 243.

<sup>23</sup> S. D’Cruze, and L.A. Jackson (2009) *Women, Crime and Justice in England since 1660* [Gender and History] (London: Palgrave Macmillan), p. 152.

<sup>24</sup> Gammon (2015 Kindle Edition) *A Fatal Pick Up*, Loc 69.

<sup>25</sup> *Ibid*, Loc 69.

<sup>26</sup> Thomas (2003) *An Underworld at War*, p. 243.

<sup>27</sup> Orwell (2009) *The Decline of the English Murder*, p. 16.

<sup>28</sup> Thomas (2003) *An Underworld at War*, p. 243.

<sup>29</sup> *Ibid*, p. 245.

<sup>30</sup> Gammon (2015 Kindle Edition) *A Fatal Pick Up*, Loc 69.

<sup>31</sup> *Ibid*.

<sup>32</sup> Thomas (2003) *An Underworld at War*, p. 244.

<sup>33</sup> *Ibid*, p. 245.

<sup>34</sup> *United States of America (Visiting Forces) Act*, 5 & 6 Geo.6. (1942), Ch. 31.

This is a much-neglected aspect of law and the Second World War and is crying out to be reassessed.

<sup>35</sup> *Ibid*, pp. 4-7.

<sup>36</sup> N. Bentwich (1942) ‘The U.S.A Visiting Forces Act, 1942’, *The Modern Law Review*, Vol.6, No. 1/2, pp. 68-72 , p. 69.

<sup>37</sup> Hansard, *House of Commons Debates*, 382, 4<sup>th</sup> August 1942: 877.

<sup>38</sup> *Ibid*, col. 876.

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- <sup>39</sup> *Ibid.*
- <sup>40</sup> *Ibid*, cols 877-8.
- <sup>41</sup> *Ibid*, col. 878.
- <sup>42</sup> *Ibid.*
- <sup>43</sup> *United States of America (Visiting Forces) Act*, (1942), p. 5.
- <sup>44</sup> Hansard, *House of Commons Debates*, 382, 4<sup>th</sup> August 1942: 898.
- <sup>45</sup> *Ibid*, col. 876.
- <sup>46</sup> United States of America War Office (1920) *The Articles of War* (Washington: Government Printing Office), Article 92.
- <sup>47</sup> Hansard, *House of Commons Debates*, 382, 4<sup>th</sup> August 1942: 886.
- <sup>48</sup> *United States of America (Visiting Forces) Act*, (1942), p. 5.
- <sup>49</sup> Hansard, *House of Commons Debates*, 382, 4<sup>th</sup> August 1942: 921.
- <sup>50</sup> See G. Smith (1987) *When John Bull Met Jim Crow* (London: I.B. Tauris), pp. 185-6.
- <sup>51</sup> J.R. Lilly and J.M. Thomson (1997) 'Executing US Soldiers in England, World War II', *British Journal of Criminology*, Vol. 57, No. 2, pp. 262-88 at p. 268.
- <sup>52</sup> *Ibid*, p. 268.
- <sup>53</sup> *Ibid*, p. 262.
- <sup>54</sup> Gammon (2015 Kindle Edition) *A Fatal Pick Up*, Loc 3697 and *New York Times*, 3rd September 1989.
- <sup>55</sup> Thomas (2003) *An Underworld at War*, p. 246.
- <sup>56</sup> *The Times*, 16<sup>th</sup> October 1944, p. 2.
- <sup>57</sup> *Ibid*, 28<sup>th</sup> November 1944, p. 2.
- <sup>58</sup> *Ibid.*
- <sup>59</sup> Waller (2003 Kindle Edition) *London 1945*, Loc 3967.

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<sup>60</sup> *The Times*, 17<sup>th</sup> January 1945, p. 2.

<sup>61</sup> *Ibid*, 20<sup>th</sup> January 1945, p. 2 and 24<sup>th</sup> January 1945, p. 2.

<sup>62</sup> *Ibid*, 18<sup>th</sup> January 1945, p. 2.

<sup>63</sup> *Ibid*, 20<sup>th</sup> January 1945, p. 2.

<sup>64</sup> *Ibid*, 21<sup>st</sup> January 1945, p. 2.

<sup>65</sup> *Ibid*.

<sup>66</sup> *Ibid*.

<sup>67</sup> *Ibid*, 20<sup>th</sup> January 1945, p. 2.

<sup>68</sup> *Ibid*.

<sup>69</sup> *Ibid*.

<sup>70</sup> *Ibid*.

<sup>71</sup> *Ibid*, 24<sup>th</sup> January 1945, p. 2.

<sup>72</sup> *Ibid*.

<sup>73</sup> *Ibid*.

<sup>74</sup> *Ibid*.

<sup>75</sup> *Ibid*, 26<sup>th</sup> January 1945, p. 2.

<sup>76</sup> *Boston Globe*, 24<sup>th</sup> February 1945, p. 7.

<sup>77</sup> *Ibid*.

<sup>78</sup> *Ibid*.

<sup>79</sup> *Ibid*.

<sup>80</sup> *The Times*, 20<sup>th</sup> February 1945, p. 2.

<sup>81</sup> *Ibid*.

<sup>82</sup> *Ibid*.

<sup>83</sup> *Ibid*.

<sup>84</sup> *Ibid*.

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<sup>85</sup> *Ibid.*

<sup>86</sup> *Ibid*, 21<sup>st</sup> February 1945, p. 2.

<sup>87</sup> *Ibid.*

<sup>88</sup> *Ibid.*

<sup>89</sup> *Ibid.*

<sup>90</sup> *Ibid.*

<sup>91</sup> *Ibid.*

<sup>92</sup> *Ibid*, 26<sup>th</sup> February 1945, p. 2.

<sup>93</sup> *Ibid*, 6<sup>th</sup> March 1945, p. 2.

<sup>94</sup> R. Jenkins (1991) *A Life at the Centre* (London: Macmillan), p. 179.

<sup>95</sup> Parliamentary Papers, *Royal Commission on Capital Punishment*, (1953), pp. 8-9.

<sup>96</sup> *Ibid*, p. 313.

<sup>97</sup> *Ibid*, p. 9.

<sup>98</sup> *Ibid*, p. 12.

<sup>99</sup> *Ibid*, p. 11.

<sup>100</sup> *Ibid*, p. 11.

<sup>101</sup> *Ibid*, p. 12.

<sup>102</sup> *Ibid*, p. 313.

<sup>103</sup> *Ibid.*

<sup>104</sup> *Ibid*, p. 9.

<sup>105</sup> *Ibid*, p. 13.

<sup>106</sup> *Ibid*, p. 12.

<sup>107</sup> *Boston Globe*, 8<sup>th</sup> March 1945, p. 22.

<sup>108</sup> Hansard, *House of Commons Debates*, 408, 8<sup>th</sup> March 1945: 2207.

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<sup>109</sup> B. Donoghue and G. Jones (2001) *Herbert Morrison Portrait of a Politician* (London: Phoenix), p. 309.

<sup>110</sup> *Ibid.*

<sup>111</sup> Lord Morrison of Lambeth (1960) *Herbert Morrison - An Autobiography* (London: Odhams), p. 227.

<sup>112</sup> *Ibid.*

<sup>113</sup> *The Times*, 7<sup>th</sup> March 1945, p. 4.

<sup>114</sup> Lambeth (1960) *Herbert Morrison*, p.227.

<sup>115</sup> *Boston Globe*, 8<sup>th</sup> March 1945, p. 22.

<sup>116</sup> *Ibid.*

<sup>117</sup> *Ibid.*

<sup>118</sup> *Ibid.*

<sup>119</sup> Donoghue and Jones (2001) *Herbert Morrison*, p. 310.

<sup>120</sup> Lambeth (1960) *Herbert Morrison*, p. 228.

<sup>121</sup> *Ibid.*

<sup>122</sup> Donoghue and Jones (2001) *Herbert Morrison*, p. 310.

<sup>123</sup> *Children and Young Persons Act*, 23 Geo. 5 (1933), CH.12, Section 53.

<sup>124</sup> Parliamentary Papers, *Royal Commission on Capital Punishment* (1953), p. 308.

<sup>125</sup> *Ibid.*

<sup>126</sup> *Ibid*, p. 313.

<sup>127</sup> Hansard, *House of Commons Debates*, 408, 8<sup>th</sup> March 1945: 2207.

<sup>128</sup> Parliamentary Papers, *Royal Commission on Capital Punishment* (1953), p. 316.

<sup>129</sup> *Ibid.*

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<sup>130</sup> Lambeth (1960) *Herbert Morrison*, p. 228. Tragically Winant would take his own life in 1947 shortly after his return to the US from the UK.

<sup>131</sup> *Ibid*, p. 228.

<sup>132</sup> *Boston Globe*, 24<sup>th</sup> February 1945, p. 7.

<sup>133</sup> Lambeth (1960) *Herbert Morrison*, p. 228.

<sup>134</sup> *Ibid*.

<sup>135</sup> Parliamentary Papers, *Royal Commission on Capital Punishment* (1953), p. 316.

<sup>136</sup> Lambeth (1960) *Herbert Morrison*, p. 228.

<sup>137</sup> Dyhouse (2013 Kindle Edition) *Girl Trouble*, Loc 1736.

<sup>138</sup> Waller (2003 Kindle Edition) *London 1945*, Loc 4007.

<sup>139</sup> Gammon (2015 Kindle Edition) *A Fatal Pick Up*, Loc 3626.

<sup>140</sup> *Ibid*.

<sup>141</sup> *Ibid*.

<sup>142</sup> *Boston Globe*, 8<sup>th</sup> March 1945, p. 22.

<sup>143</sup> *Ibid*, 9<sup>th</sup> March 1945, p. 2.

<sup>144</sup> *The Times*, 9<sup>th</sup> March 1945, p. 2.

<sup>145</sup> *Ibid*, 4<sup>th</sup> May 1945, p. 2.

<sup>146</sup> R. Clerk (2009) *Capital Punishment in Britain* (Hersham: Ian Allen), p. 316.