

Contagious Diseases Acts (1866-1869) Repeal : summary of the debate on Mr. W. Fowler's motion, "That leave be given to bring in a Bill to repeal the Contagious Diseases Acts (1866-1869)", Tuesday, May 24, 1870.

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CONTAGIOUS DISEASES ACTS (1866-1869)

REPEAL.

Summary of the Debate on Mr. W. FOWLER's Motion, "That Leave be given to bring in a Bill to Repeal the Contagious Diseases Acts (1866 — 1869)."

TUESDAY, MAY 24, 1870.

From "Hansard's Parliamentary Debates," Vol. cci.

HOUSE OF COMMONS,

Tuesday, May 24, 1870.

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### CONTAGIOUS DISEASES ACTS (1866— 1869) REPEAL.

MR. W. FOWLER rose, pursuant to Notice, to move, "That leave be given to bring in a Bill to repeal the Contagious Diseases Acts (1866—1869)"—

### STRANGERS ORDERED TO WITHDRAW.

MR. CRAUFURD: Mr. Speaker, I see Strangers present.

After a short pause—

MR. BOUVERIE said, that if the hon. and learned Member persisted in calling attention to the presence of Strangers they must be ordered to withdraw.

MR. SPEAKER: I beg to suggest that on re-consideration the hon. and learned Member for Ayr will not insist

on excluding Strangers. Does the hon. Member persist?

Several hon. MEMBERS were understood to call upon the hon. Member for Ayr to withdraw his Motion.

MR. BOUVERIE: There is no Motion.

MR. SPEAKER: Does the hon. Member persist?

MR. CRAUFURD: I do, Sir.

MR. SPEAKER: The Galleries must be cleared.

Those parts of the House to which Strangers are admitted were accordingly cleared by the officers of the House.

On Strangers being again admitted the House was proceeding with the next Notice of Motion.

The following is believed to be an accurate representation of the opinions of the several Members who addressed the House on the Motion, so far as they can be ascertained:—



MR. W. FOWLER: Sir, in rising to move for leave to bring in the Bill mentioned in my Notice, I must observe how sincerely I regret the course taken by the hon. Member for Ayr. I think we had too much of secrecy in this matter last year. This Act was passed without discussion, when most of us were out of town, and it is high time that the whole question was thoroughly discussed here. The origin of these Acts is easily explained. Some years since attention was drawn to the state of the camps, arising in the main from the enforced celibacy of so great a body of men. I do not deny the importance of the evil. My doubt is as to the character of the remedy. I will state on this question the views of a very distinguished surgeon, Mr. Holmes Coote. He says—

“The few earnest men, who, some years ago, assembled together to originate the movement which terminated in the passing of the Contagious Diseases Act of 1866, had little idea of the use which would be made of their labours and advice. As one of those who took an active part in all that then transpired, I loudly maintain that the idea of the compulsory examination of women, their enforced subjection to the police, their exposure to the penalties of registration and imprisonment, were views which would have been scouted by the few quiet gentlemen who met to devise means of giving shelter and protection to many unfortunate females, whose outcast and neglected state was bringing a scandal upon the nation.”

I must next state the character of the Acts, for I am satisfied that many hon. Members are ignorant of their provisions. I will read an extract from *The Westminster Review* for April, 1870—

“In 1864 the English Parliament signalized itself for the first time as the protector of men from the baneful physical consequences of their own profligacy, by enacting what was called ‘The Contagious Diseases Prevention Act, 1864.’ This was a merely tentative measure, and was wholly superseded by ‘The Contagious Diseases Act, 1866,’ which is entitled ‘An Act for the better prevention of contagious diseases at certain naval and military stations.’ This Act was amended, and, as we shall see, its application was greatly extended, by virtue of ‘An Act to amend the Contagious Diseases Act, 1866,’ which received the Royal Assent, 11th August, 1869.

“By these Acts the Metropolitan police employed in each of the 18 named districts, have virtually the power within these districts, or within ten miles of the limits of them, as defined by the Act of 1869, of designating any woman they choose as a common prostitute, and of causing her to be submitted to medical examination as such. The words of Section 4 of the Act of 1869, are as follows:—‘Where an information on oath is laid before a justice by a superinten-

dent of police, charging to the effect that the informant has good cause to believe that a woman therein named is a common prostitute, and either is resident within the limits of any place to which this Act applies, or being resident within ten miles of those limits, or having no settled place of abode, has within 14 days’ before the laying of the information, either been within those limits for the purpose of prostitution, or been outside of those limits for the purpose of prostitution in the company of men resident within those limits, the justice may, if he thinks fit, issue a notice thereof, addressed to such woman, which notice the superintendent of police shall cause to be served on her.’ ‘Moreover, any woman who, on attending for examination, or being examined by the visiting surgeon, is found by him to be in such a condition that he cannot properly examine her, shall, if such surgeon has reasonable grounds for believing she is affected with a contagious disease, be liable to be detained in a certified hospital, subject and according to the provisions of the Contagious Diseases Act, 1866 to 1869, until the visiting surgeon can properly examine her, so that she be not so detained for a period exceeding five days.’

“When a woman has been constrained to submit herself to a medical introspection by a ‘visiting surgeon’ or his assistant, and has been found free from disease, she is allowed to return home; but is ordered to present herself again for examination, ‘from time to time as occasion requires,’ and is given ‘a notice in writing of the time and places’ at which she is to attend for that purpose. If, notwithstanding that she is found free from disease, she ‘temporarily absent herself in order to avoid submitting herself to such examination on any such occasion, then, and in every such case such woman’ is held ‘guilty of an offence against this Act, and on summary conviction’ is ‘liable to imprisonment, with or without hard labour, in the case of a first offence for any term not exceeding one month, and in cases of a second, or any subsequent offence, for any term not exceeding three months.’ But if, on examination, ‘the woman examined is found to be affected with a contagious disease,’ she is at once ‘liable to be detained in a certified hospital,’ when she is, to all intents and purposes, a prisoner during the long period of nine months. The power of thus detaining her during any period not exceeding nine months, ‘under one certificate,’ is exercised by the visiting surgeon or his assistant. After receiving from him ‘a certificate to the effect that she is affected with a contagious disease,’ and ‘naming the certified hospitals in which she is to be placed,’ she may, ‘if she thinks fit, proceed to the certified hospital named in the certificate, and place herself there for medical treatment; but if she neglects or refuses to do so, the superintendent of police, or a constable acting under his orders,’ may be called upon to ‘apprehend her, and convey her with all practicable speed to the hospital.’ Moreover, just as prisoners are conveyed from one prison to another, she may be conveyed in the custody of the police, from one hospital to another. ‘The inspector of certified hospitals may, if in any case it seems to him expedient, by order in writing, direct the transfer of any woman, detained in a certified hospital for medical treatment, from that certified hospital to another named in the order.’”



"By virtue of a clause in the Act of 1869, a woman who thus voluntarily subjects herself to medical treatment puts herself in exactly the same position as if she had been forcibly subjected to examination by order of a justice of the peace! 'Such submission,' it is ordained, 'shall for all the purposes of the Contagious Diseases Acts, 1866 to 1869, have the same effect as an order of the justice subjecting a woman to examination,' and all the provisions of the principal Act, respecting the attendance of the woman for examination, and her absenting herself to avoid examination, and her refusing or wilfully neglecting to submit herself for examination, and the force of the order subjecting her to examination after imprisonment for such absence, refusal, or neglect, shall apply and be construed accordingly."

Now, Sir, I consider that there are three main arguments against these Acts—the medical, the constitutional, and the moral. I will take them in their order. We are constantly told that the Acts have done much to reduce disease in the Army and Navy. Now, I maintain that this reduction began before the Acts were passed, and I can show that the reduction was much greater before the Acts passed than after; and, therefore, I defy my hon. Friends to show that the Acts have caused diminution of disease. I quote from the figures of Dr. Balfour. In the stations to which the Act has been applied, they are as follows:—Men affected in 6,000—in the year 1860, 2,433; in the year 1864, 1,729; in the year 1868, 1,628. So that the reduction in the four years before the first Act was 704, and in the four years afterwards 101. I maintain, therefore, that it is impossible to say that the Acts have caused the diminution. As to the year 1869, I have the authority of Dr. Balfour to say that there are no reliable statistics as to the increase or decrease of the really important disease. But I would point out to the House that these figures are, in one sense, deceptive. There is much disease not set forth in the Returns of the hospitals. Take the evidence of Inspector Smith (Commons Committee, 1869, p. 53.)—

"1007. Can you tell the Committee whether you have any grounds for believing that there are many diseased soldiers going about who have not given themselves up, and who are not under treatment in hospital for diseases of this class?—Yes; I have for a very considerable time been impressed with the belief that many men are at large who are diseased, and who ought to be in hospital, from seeing them so frequently in the chemists' shops at Aldershot. I have taken some trouble to see what they were doing and bringing out; and I thought I could see, by what they were taking out, what they were having; so I

asked one of the chemists if he would be kind enough to take the number of the men whom he served with the particular medicine during one week; and he did so, and he very kindly gave it to me.

"1008. Have you that with you?—I have.

"1009. Will you read it, if you please?—On Monday, 14th June, 1869, there were 16; on Tuesday, 15th June, there were 13; on Wednesday, 16th June, there were 17; on Thursday, 17th June, there were 18; on Friday, 18th June, there were 11; on Saturday, 19th June, there were 23; the total being 98 in one week."

But, even if we admit that there is a decrease in the disease, we must not forget that, while for many years we despised or neglected these poor women, we have now provided them with accommodation in hospitals, and this is quite sufficient to account for an improvement in their condition, and a diminution of the disease. The existence of hospitals is one thing, the passing of such Acts as these is another. But I should observe that this diminution in the intensity of this disease would seem to have been going on elsewhere. I would refer to the evidence of Mr. Acton. At page 89, he says—

"Since the last edition of this book appeared, venereal diseases must have become much modified. Mr. Callender, in charge of Mr. Paget's wards, has kindly furnished me with the following observations:—He says—'That at the present day the system of competition (to which I alluded at page 138 of my former edition) for admission to the female venereal ward has ceased. It often-times happens that there are not enough applicants for the empty beds. The cases are comparatively slight: a warm bath, rest in bed, and a little lotion, causes a complaint which looked very formidable on entering the hospital, to become a relatively mild affection.'"

Take, too, the evidence of Mr. Skey, given to the House of Lords in 1868—

"617. The disease is by no means so common or so universal, I may say, as is represented in that article, in my opinion; and I have had an opportunity of communicating with several leading members at the College of Surgeons, and they are all of the same opinion that the evil is not so large as is represented by the Association (for extending the Acts)."

"628. I think the reports are too highly drawn. I think, if you took the impression of any individual in reading these reports, you would infer an extent of syphilis in society far beyond the truth—very decidedly beyond the truth: it is not so common, and it is not so severe."

Let us take the evidence of another witness, Surgeon Wyatt of the Coldstreams. He says—

"700. You do not refer that (the milder character of the disease) to the operation of the Act?—No: I think certainly not in London. The class of syphilitic diseases which we see are of a



very mild character, and, in fact, none of the ravages which used formerly to be committed on the appearance and aspect of the men are now to be seen.

"701. And you do not think that that is rightly to be attributed to the operation of the Act?—I think not: I think that the whole type has changed, and that hygienic considerations are better known by the people who have intercourse with those persons, and by the women themselves. It is an undoubted fact that in this country and in France the character of the disease is much diminished in intensity."

"708. I understand you to say that, in your opinion, the venereal disease has generally, independent of the Act, become more mitigated, and of a milder type?—Yes: that is the experience of all surgeons, both civil and military."

Again, it is a remarkable fact, that, according to Mr. Acton, the health of prostitutes is really far better than that of other women of their own rank. He remarks—

"All that I have said on the chances of contracting disease to which prostitutes are exposed, confirms the truth of the position taken by surgeons and others who have had their charge—namely, that, notwithstanding all their excesses and exposure to so many causes of disease, their health resists all attacks better than that of the ordinary run of women, who have children, and lead ordinary lives. They have (as some one has remarked) iron bodies, which enable them with impunity to meet trials such as would prove fatal to others."

"If we compare the prostitute at 35 with her sister, who, perhaps, is the married mother of a family, or has been a toiling slave for years in the over-heated laboratories of fashion, we shall seldom find that the constitutional ravages, often thought to be necessary consequences of prostitution, exceed those attributed to the cares of a family, and the heartweary struggle of virtuous labour."

Now, if this be so, it is really hard to suppose that the disease can be so alarming as some would have us believe. But this is not all. However bad the disease may be, it is perfectly clear that these examinations are no safeguard against it. These medical tests are entirely imperfect and unsatisfactory. A woman may have the disease, and the doctor may be entirely unable to prove it or disprove it. I have, on this point, the evidence of Mr. Simon and Mr. Holmes Coote, and their view is entirely confirmed by that of Dr. Taylor and by the French statistics, which are truly astonishing. Dr. Fournier says—

"That out of 873 cases where the disease was traced, in 625 the disease had been taken from public prostitutes, registered and examined."

Now, I say that, this being so, the examination is utterly worthless—as a cer-

tain test of disease or no disease. What, then, becomes of the system on which these Acts are founded? But further, I assert that the title of the Act is a "misnomer." You call them "Contagious" Diseases Acts, and there are two parties to the contagion, one of whom only you affect by your law. It is notorious that the men spread the disease as much or more than the women, and you have given up the examination of the men, and put the whole burden on the women. And why do you do this? Because the men, and the officers, and the surgeons, are alike disgusted with the examination. Now, I ask, if it would be disgusting for a man to be examined by a man, is it not far worse for a woman to be so examined by a man? It is needless to quote evidence to show to how serious an extent the disease is spread by the men. Dr. Leonard says—"Unless it (inspection) is done, I do not believe we can expect to get rid of disease at any station." Dr. Barr says—

"589. A large portion of those women present themselves voluntarily for examination; but some of them, I apprehend, are brought up by the police?—Some of them are brought up by the police."

"610. I gather from the answer that you do not think that this Act can be completely successful, if the examinations are confined entirely to females?—I certainly should strongly advise such an inspection of men; no doubt, that is absolutely required, at any rate, for a considerable time."

"617. Would you, therefore, suggest that the system of examining soldiers periodically in the Army be resumed?—If I may be allowed, I will read a short paragraph upon that subject, from the Report—'The first and most obvious measure to be adopted is the practical application of periodical examination to the whole body of troops, resident in the district and at other stations. This should be conducted strictly and carefully, without exception, and be of sufficiently frequent occurrence.' I am of opinion that every soldier should, for some time to come, be examined once a week."

The thing requires no further proof, and if proof is needed, the Blue Books are full of it. I will only add, on this point, that there can hardly be a doubt that the superior state of health of the French and Belgian Armies is largely due to the constant examination of the men. I now go on to assert that the forced examination of the women tends directly to increase clandestine prostitution, and to increase the amount and the intensity of the disease. This may be said to be admitted by those who are conversant with the subject; but I will mention



one or two authorities. Dr. Chapman says—

"It seems to us that anyone studying those regulations will be prepared to expect that the women who are subjected to them will resist and evade them by every means in their power. Whether well or ill, they are compelled to submit themselves at the ever recurring periods prescribed to an examination, which, in a large proportion of cases, is at once so distressing and repulsive, that, as stated by the great advocate of the system, Duchâtelet himself, many women only approached the dispensary with a kind of horror!"

Again, Dr. Simon says—

"1300. There would be, I think, no possibility of dealing with clandestine prostitution?—I believe, so far as I can judge from the Paris information on this subject, that what they call clandestine prostitution breaks down their system. They catch a number of specially flagrant, unregistered prostitutes, and bring them before the police; but the quantity which evade is enough to defeat them."

But I have a more powerful witness. I will read a few words recently written by M. Lecour, the head of the Paris police. After referring to the statistics of the matter, he says—

"All these results prove that prostitution is increasing, and that it is now more dangerous than ever to the public health. Has the action of the police been relaxed? No; on the contrary, it has constantly more powerfully organized its means of repression, by surveillance, and sanitary control. It has never been more active than now. This is proved by the fact that the number of daily arrests of unsubmitted girls, *filles insoumises*, is on the increase; while the sanitary state of the registered women is satisfactory. The evil is a moral and social one, and cannot be controlled by the police, who can neither restrain nor destroy it. The number of permitted houses (brothels) is diminishing. This sounds well; but now let us see. The fact is this—women leave the permitted houses to swell the list of solitary prostitutes, *filles isolées*, whom it is much more difficult to bring under police control. These *filles isolées*, with difficulty brought under control, are again from year to year being diminished by going over to, and augmenting the ranks of the *filles insoumises*, clandestine prostitutes. The numbers of these are continually increasing, and are a great danger to public health; and the difficulties encountered by the police are insurmountable. I have shown you what we have done by science. I have shown that the evil is increased and increasing. I have indicated the cause. I have portrayed the work of the police, and the limits of their mission. The evil must be overcome, not by legislative, but by moral means."

Nor is this all. Lefort, another great French authority, says that 40,000 more women ought to be put on the register, and that the examinations ought to be made twice a week, or even, according to one eminent doctor, every other day.

The French system has utterly failed, after long experience and full trial; and we are asked to begin the same wretched system by men who, in their evidence before the House of Lords, confessed they knew hardly anything of the working of the plans adopted on the Continent. I ask with confidence, why should we make this beginning, and why should we not rather take warning by the failure of others? Depend on it we shall have to go back and not forward in this matter. I cannot conceive why we should expect to succeed where others have failed so signally. But, remember, if you are to do any general good, you must go forward. Much is said about the "innocent women and children;" but you are doing very little for them while you confine your operations to these garrison towns. These poor miserable women have very few children as the fruit of their wretched lives. I should like to see the man who would propose to extend these Acts to the general population, for the sake of the women and children. And now I must say a word about the cruelty of these examinations. The doctors say there is no pain. For my part, I would rather take the evidence of the patient than the doctor on that point. But I have a doctor's evidence which I will read to the House. This very day I have received a letter from Mr. Baxter Langley, which I will read to the House—

"50, Lincoln's Inn Fields, W.C.  
"23rd May, 1870.

"William Fowler, Esq., M.P.

"Dear Sir,—As a surgeon who, when in practice, had an opportunity of seeing a great deal of obstetric, and what is called 'special' practice, I desire to convey to you my impressions as to the cruelty and impropriety of some of the clauses of the Contagious Diseases Acts, more especially those relating to the use of the *speculum vaginæ*.

"In cases of health or disease great discretion is required by the surgeon in the use of such an instrument, or great pain, and even permanent injury may be inflicted on the person examined. And from what I know of the rapid manner in which the examinations are conducted by the examining surgeons under the Contagious Diseases Act, I should say that such care and discretion could not be exercised, and is not attempted, for want of time. (I have heard of one a minute being examined.)

"Moreover, I am prepared to declare from experience that, in a very large number of cases, it is quite impossible to decide, after such painful examination as may be sometimes necessary, whether the woman is suffering from contagious disease or not; and it is a manifest injustice to compulsorily demand or take doubtful evidence when the examination of the men would give



positive and certain proof of the existence of disease, and this without any painful examination of any kind.

"In cases of women who have not borne children, the examination is by the same instrument as that used in the cases of mothers, and there is great cruelty in the application of any uniform instrument.

"It is said that there is no more degradation or pain inflicted on a prostitute when examined than upon a modest woman who is subjected to a similar process in consequence of uterine disease. Women, under any circumstances, shrink from the ordeal, which is conducted in the most private manner, in the presence of a mother or near female relative; and the fact is most studiously concealed from all the patient's friends and acquaintances, and even from her husband.

"The case is wholly different with an 'unfortunate.' She is brought publicly to the place, and the constables know for what purpose. The days of examination are publicly known—the women are herded together for a purpose known to each other (good, bad, and indifferent), and when they leave it is with a consciousness that all the officials know what has been done. This is calculated to blunt and destroy all sense of modesty, and notoriously does so. Moreover, the women are conscious in the one case of the necessity of an examination for their own benefit, and that it will be conducted with the most delicate care by the confidential adviser of the family. In the other case the women are conscious that they are subjected to a revolting introspection for the benefit and advantage of others who do not hesitate to pollute them when healthy; and they undergo this at the hands of a public official in a public place.

"Under all these circumstances, I declare that the promiscuous examination of women with the *speculum vaginae* is cruel, because it is often very painful, and because it cannot be properly conducted without time, caution, and care; that it is degrading because it is publicly known, and in that sense it is demoralizing; and lastly, the evidence it affords is uncertain in a very large number of cases.—I am, dear Sir, yours faithfully,

"J. BAXTER LANGLEY, M.R.C.S., &c."

The examination of the men is easy and painless, and yet you put the whole burden on the women, and can you expect that they will take it patiently? I will only repeat, on this part of my argument, that you do not know what you might have effected by other means, and that you ought not to have adopted such means as those I have described till other plans had had a full and fair trial. You have gone to work ignorantly and hastily, and we see the result. But I must just add that the examination of women tends to increase disease by causing men to frequent them more often than they would otherwise do; and it is obvious that this must be attended with danger if the examination be as I have shown an uncertain test of health. Now,

that men are tempted in this way by the hope of immunity, I will prove from the evidence of Mr. Acton himself. He says (119, N.)—

"I was informed that on the day after their inspection the houses are specially frequented by the public, in the belief that there is then less chance of contracting disease. It is therefore reasonable to suppose that, under the French system, many yield to indulgence whom the fear of the natural penalty would otherwise deter."

Sir, I must now turn to the second head of my argument. I object to these Acts on constitutional grounds. What is the general effect of the Acts? It is to subject poor women to arrest on mere suspicion. The magistrate need not take corroborative evidence as to the character of the woman. He may make the order on the oath of the policeman. An hon. Member tried to have a clause introduced compelling the magistrate to demand other evidence, but this was refused by this House. The result is, that the poor woman is handed over to the tender mercies of the police, absolutely. Last week I found the following remarks in *The Daily Telegraph*, on the present bearing of the police:—

"He would be a foolish person indeed who would enter into conflict with the police, unless by accident—we should rather write by miracle—he had the most overwhelming proofs upon his side. Independently of direct evidence of the kind named above, we assert, without fear of contradiction, that there is a universal complaint amongst Londoners as to the tyrannous and masterful bearing of the police on our streets."

These are the words of a man writing about the police; but I am speaking of poor helpless women, utterly unable to protect themselves, and I say that this Act has put them entirely in the power of the police, without any appeal whatever. To show that I do not exaggerate, I will call a witness who is a strong supporter of the Acts. Mr. Parsons, in his evidence last year, says, in reply to questions put to him—

"399. Supposing that a woman is brought up by the police, who is a modest woman, surely she would decline to sign the paper, would she not?—No; for this reason: the police, believing the correctness of their own impressions, say—'Very well, if you do not sign that, you go to the bench;' and then the woman says, in order to avoid that—'I do not mind going into a private room and speaking to Mr. Parsons;' and she will sign the voluntary submission.

"400. Therefore they sign a voluntary submission, under the fear of being taken before the magistrate?—Unquestionably."



Now, mark the ingenuity of this machinery. The more innocent the woman is the more determined she is not to go before the magistrate, lest she should lose her character for ever; and if she signs the submission, she is liable to be called up at the will of the surgeon for a whole 12 months, to go through this disgusting examination as a common prostitute. I do not care whether any cases have or have not occurred where women have been oppressed by this law; I say that it is an utterly unjust and scandalous law, and unworthy of the British Parliament. Observe, that no proof of prostitution is required, and further, that no definition of the word "prostitute" is given in the Act. Mr. Parsons says, it is "a question of mannerism." I heard the other day of two English ladies being locked up in Paris on suspicion, and I suppose that with them, too, it was a "question of mannerism." Mr. Parsons tells us more. He is asked—

"375. Must she be making a livelihood by it?—Yes, she ought to be; but if you confine yourself to that definition, all I can tell you is, that your Act will never succeed. The amount of clandestine prostitution is very large. Unless the Act includes every class of that sort, you cannot possibly hope to extirpate disease."

I should like to read to the House a few words of Lord Hardwicke as to this arrest on suspicion—

"Facts only are admitted as proofs by our laws, and by these facts a judge and jury are to form their opinion of the character of the accused. A great security for our liberties is this—that no subject of the realm can be imprisoned unless some felonious and high crime be sworn against him, or her. This, with respect to private persons, is the very foundation stone of all our liberties; and if we remove it, if we but knock off a corner, we may probably overturn the whole fabric."

But it is said that there have been no cases of hardship. This I deny. Take the case mentioned by Mr. Parsons himself—

"345. How do you obtain the information of a woman not being guilty of prostitution being brought before you as a public prostitute?—I knew one instance of my own knowledge, by my happening to know the woman as a respectable married woman. She had been guilty of a little indiscretion; she had, I believe, even accosted one of the police officers themselves, not for the purpose of prostitution, as he admitted, but she was, to use his own term, 'larking about the streets;' and he concluded that she was a prostitute."

"346. What injury occurred in consequence of that case being brought up to you?—No injury, except to her feelings, at having been brought there."

"Oh, oh!" The hon. Member says "Oh, oh!" but I say that, even if the woman had been indiscreet, it would have been a terrible punishment to subject her to this disgusting examination for twelve months. But the evidence does not end here. I will read one or two other cases to show what is going on. Both are authenticated by the Rev. W. Heritage of Canterbury. I give them as they are given to me—

"Mrs. Baker, a respectable married woman, had one evening gone to fetch her husband home from a public house, and met the detective. He asked her name, and ordered her to go to Hawkes Lane for examination. Her husband enquired at the police station to know if anything could be done to the officer for assaulting and annoying his wife, and was informed he could take out a summons for him, stating the case before a magistrate; but if the inspector had ordered her up, he would try to prove she was a prostitute. The whole thing was so disgusting to them, and the exposure she could not endure, so they immediately left the town."

The right hon. Gentleman (Mr. Bruce) shakes his head. I am not responsible for the statement. I give my authority, and he can make his own investigations. I will read the second case—

"Mrs. Dodds, the wife of a pig-dealer, residing at 21, Best Lane, says that she has four grown-up daughters residing at home with her, and that they are all respectable girls. About three months ago the two officers came to her house and insisted on seeing her daughters. They said they were sent there by girls in the town. They said her two eldest daughters must go to Hawkes Lane to be examined. She said they should not go, and they have not done so, and no proceedings have been taken to make them. One of her daughters went out one evening after this, and the next day one of the officers came again to the house, and told her of every place she had been to, showing that she had been followed all the time she was out. He also demanded the names of two acquaintances (men) she had spoken to in the High Street, and again ordered her to go to Hawkes Lane for examination. She again refused to go. Some of the neighbours, however, seem to have been aware of the visit of the officers to Mrs. Dodds, and she and her daughters have since this been frequently called after in the streets, being asked if they had been to '—— Fair,' if they had 'just come back from Shorncliffe.' These expressions refer to Hawkes Lane, where the examinations are carried on, and to the hospital at Shorncliffe, where most of the women found to be suffering from disease are sent to. In consequence of this her daughters are afraid to go out, and one of them has not been out for two months. In one instance the annoyance to Mrs. Dodds was so great that she was obliged to appeal to the police for protection."



There are many other cases where the same sort of injustice is alleged to have taken place. I repeat that if there were not one, my objection to the law would be just the same. It is an oppressive law, and therefore a bad law. And now, Sir, I will ask the House to observe how the evidence is got up in these cases. The police must have evidence. Mr. Mallallieu tells us where they get it. (Lords, 1868. Q. 147.)—

“Our sources of information are these—we have the military and naval hospitals, and our men visit them, and ascertain from the patients themselves from whom they contracted the disease. . . . We get information from the men themselves, and frequently from private sources. Gentlemen, for instance, or persons of a superior class, who have been so unfortunate as to become tainted, will denounce the women in writing, and send their address, and the police look out for them. . . . The brothel-keepers, who are subject to penal consequences if they harbour diseased women, are also very valuable sources of information to us. It is becoming well known that a woman in a state of disease is not to be tolerated even by the person who keeps the house, and they give information to the police.”

So we see the police are put *en rapport* with the keepers of houses which ought to be suppressed by them. These men are the agents of the police. They give “valuable information.” And what shall we say of the generosity of the man in a higher rank who reports his partner in sin to the police? What an exhibition of chivalrous feeling! I must here refer to one other part of the Act. By a section introduced last year the surgeon can detain any woman who is brought to him and cannot be examined owing to natural causes for five days. So the poor creature is in fact imprisoned, although it is quite impossible for anyone to say that she is suffering in any way. Such a clause involves a most gross violation of liberty. But this is not all. I say that the system I have described must lead to a most hateful espionage which is most obnoxious to our feelings as Englishmen. No woman will be able to walk out alone under such police regulations. Such is the case now in Paris. [“Oh! oh!”] The hon. Member dissents, but I will read what Mdlle. Daubié says on this matter—

“We have been enabled to see what a mistake it is to pretend that our Government toleration is necessary for the protection of modest women. If that were the case, we may be sure they would reject this annihilation of their sisters for their benefit; but it is proved, on the contrary, that the insecurity of every woman results from the

prerogatives granted to vice in France. Are we not aware that nations, which have not our monstrous measures of preservation, permit the girl to go out, to travel, and live by herself, for the purpose of either the secondary or the higher course of instruction; whilst in Paris more than 100,000 regulars and soldiers of the National Guard, and a numerous body of police, fail to inspire the young woman of the middle class with sufficient confidence to allow her to venture a single step without a protector, or the lower-class young woman with a security sufficient to keep her from being made a merchantable article.”

I do not want to see any such state of things here, and I would observe that its existence would be especially hard on the wives and daughters of working men. They are often compelled to be out late, and are they to be dogged and watched by police and to be suspected? Moreover, I say that such a system causes the whole atmosphere to be tainted. A mother has very early to warn her daughters about things respecting which the longer she is ignorant, the better,—and this is no fancy of mine, I will call in Mr. Parsons again as witness. He says—

“It must be borne in mind that the practical execution of the Act is confined to a class of men who probably are not the best versed in using judgment as to their selection: they see a woman out late of an evening, and they are very liable to jump at the conclusion that she is a prostitute.”

The policeman “jumps at the conclusion.” That is the very thing I object to. I will only add on this head that I understand the French system is much more careful than ours in protecting women from false accusations. A policeman who reports falsely is severely punished; whereas, here, a poor woman who is so injured has to bring an action against the policeman who is backed by the Government. She gets no costs if she succeeds, unless the Judge certifies, but pays them if she fails, under this merciful Act. What a mockery of a remedy for a poor woman! And now I come to the third head—the moral argument. I assert, Sir, that these Acts are based on the theory that prostitution is a “necessity.” It is impossible to understand them on any other theory. I deny that this assumption is true. With my whole soul I deny it. But it is said it is an evil that has always existed and we must recognize it. Well, stealing is an evil which has always existed; but we do not recognize it with a view to regulate it. We seek to get rid of it. We punish it. The law tries to put it down.



I say, Sir, that if once you assume an evil to be necessary you lose your power over it. We are here dealing with what is a sin according to our law, and according to the law of God; and I agree with John Milton, that when we fall to regulating a sin, we make a great mistake. I will read the words of this great man—

“As for sin, the causes of it cannot consist with rule; and if the law fall to regulate sin and not to take it utterly away, it necessarily confirms and establishes sin. To make a regularity of sin by law, either the law must straiten sin into no sin, or sin must crook the law into no law.”—(Works, iv. 96.)

I think, Sir, that so far from this indulgence being necessary, it is simply degrading, and that these Acts are based on a false view of the sexual relation between man and woman. When I consider, Sir, that the whole family life of our countrymen is based upon this relation, and when I think that thus we owe to it all that is noblest, and holiest, and purest in our lives; and when I consider how, in this ghastly system, this relation is degraded into a source of mere animal indulgence, I cannot but deplore that any Act of Parliament should sanction that which is so utterly repugnant to my best feelings and my firmest convictions. I have asserted that the direct effect of these Acts must be to increase the license of profligate men and women, and I have proved it by the evidence of a great supporter of these Acts. It is certain, in my opinion, that men will argue—if the State recognizes and regulates our proceedings in these matters, there cannot be any inherent evil in them. I am told there is a difference between regulation and license, but, surely, such a position is wholly illogical. I find in the evidence laid before the House that, under this system of regulation, the doctors instruct the women how to make their vocation more easy and less harmful by all sorts of medical appliances, and to prove my position on this head, I will call a professional witness. Dr. Balfour, in the Committee of the House of Commons last year, was asked—

“With regard to putting lavatories in these places, would not that be legalizing or supposed to be legalizing prostitution?” “I am afraid” says he “that you have legalized it under the present Act.”

And I would further observe that in France the *carte* carried by the women

is no more a formal licence than the summons which is used by women under the present Acts. The French *carte* is merely a record of the times of examination, with certain regulations as to what a woman is not to do on the back; and I hold in my hand a summons under this Act given to a woman, and which has been used by her as a means of soliciting the patronage of men. In truth, Sir, the statute says—“Come, I will cure you; then you may go on with your trade again: as long as you are not diseased, it does not matter what you do.” For the first time in our history prostitution has become a “legalized institution,” and a woman is made a chattel for the use of men. We hear a great deal about the “innocent women and children” who are injured by this disease and by this sin. But if that argument means anything, it means this—that the Chancellor of the Exchequer is to find money to provide clean women for married men. And let me add, that we hear very little anxiety expressed on account of the victims—the innocent women and children who are the victims—of the drunkenness of husbands and fathers, and we hear very little said respecting the children of criminals. They are left to take care of themselves. In my opinion, Sir, the title of these Acts ought to have been different. The Act ought to have been called—“An Act to provide clean women for profligate soldiers,” and then it would never have passed this House. But, Sir, in reply to all that I have said, it is sometimes asserted that a great moral improvement has obtained among these women by reason of their entrance into hospitals, and the care that is taken of them. Now the fact is, that what good has been done has been done by the fact that hospitals have been established where care has been taken of these poor creatures, and not by the peculiar provisions of the Acts to which I have objected. Moreover, it is beyond dispute that hundreds are yearly turned away by the Rescue Society for want of funds; and I feel confident that the money spent by the Government, if spent by others, would have reformed a far larger number than have been reformed by the agency of the Government. I find the following statistics as to the number said to be reformed between the 1st of April, 1868, and the 1st of April, 1869.



The total number taken into the hospitals during that period was 4,864, of whom there had entered homes 177, and returned to their friends 214, making a total of 391. Now, in my opinion, at least double that number ought to have been reclaimed, and not merely "returned to their friends," had the agency of these hospitals been anything like as successful as that of the ordinary societies. Much more might be said on this point, but I must draw to a conclusion. One other argument I will refer to, and I have done. In answer to everything that is alleged, it is said that these Acts are necessary for the Army and Navy. I must say that I think this a dangerous argument. If this argument be pressed, people will be apt to say—that, if the existence of the Army and Navy involves so great a breach of the moral law, it is high time to consider whether the system of the Army and Navy as at present established be not unsound and unwholesome. But I will not, on this point, use my own words. I will quote to you from a speech delivered only last week, at a great meeting at Birmingham, by a clergyman, who made use of the following language. He said:—

"He, who had been in the 73rd Regiment for two years, refused emphatically to say that it was a noble Army. He knew better. As long as they would keep so many thousands of poor, miserable, ignorant, homeless, unmarried soldiers and sailors, they would have this evil with them. They left these poor young men, full of health and vigour, in comparative idleness, shifted them about continually, and refused to allow them to marry, while at the same time they supplied them with drinking shops in every barrack. Was there any wonder that they were a curse to society, that they were the cause of prostitution and disease. The real source of the evil, then, was the standing forces of this and other countries. Many years ago, in Birmingham, they had opposed the idea of making it a garrison town, and so they had kept it comparatively pure and healthy; but other places in the land were suffering, and it was as well they should know the real cause. In the matter of standing armies, they might well take a lesson from across the Atlantic, and imitate America. There they had no standing army; and yet they had recently shown—especially the North—that they were capable of defending their wives, homes, and hearths."

At length, Sir, I have come to the end of this long and intricate discussion. I assert, as the result of my argument, that these Acts offend against common sense, against justice, and against morals; and, therefore, in the name of common sense,

and of justice, and of morals, I ask this House to tear from the statute book this disgusting page, and I ask you to obey, as an Assembly, that command which is addressed to each of us, as individuals, not to make provision for the flesh to fulfil the lusts thereof.

DR. LYON PLAYFAIR said: The hon. Member for Cambridge (Mr. Fowler) makes so many grounds of impeachment against these Acts that it is difficult to know with which we should begin. None, however, appear to me more unwarrantable than the allegation that Parliament passed them hastily and inconsiderately. In 1864 an experimental Act was passed, and, in the following year, an excellently constituted scientific Commission was appointed by the Government to investigate all questions relating to these contagious diseases. In 1866 the experimental Act was made more comprehensive. In 1868 the House of Lords appointed a Select Committee to inquire into the working of that Act, and in the following year this House appointed another Select Committee for the same purpose. The Scientific Commission of 1865, having occupied a long time in its investigations, now published its elaborate Report. Fortified by three inquiries and Reports, Parliament passed an amending Act last Session. Few subjects have received such full and exhaustive inquiry before being legislated upon. The complaint then limits itself to the fact that, though the subject was well considered, it was not fully debated. But there are subjects which Select Committees can consider more calmly and thoroughly than a large Assembly, and, doubtless, the House thought that this question belonged to that class. I agree in that view, though I think it is right, in the present state of public opinion, that we should now discuss it, and I hope to do my part in a way that will not prove offensive to any hon. Member. The very existence of the Acts carries us beyond the stage of proving their original necessity. Previous to 1864, the diseases, to which they relate, prevailed to such an extent in the Army, that Dr. Parkes says they prove "equal to the loss of two regiments constantly." As regards the Navy, I think it is the Scientific Commission which states that, even on our home service, the loss is "equal to the complement of an iron-clad." No



doubt much of the opposition, which is now manifested, is due to the fear that the Acts may be extended to the civil population. This would be a serious question; but it is not before us. What the hon. Member for Cambridge asks us to do is to deprive our soldiers and sailors of certain sanitary safeguards which these Acts afford to them. In order to keep our Army unencumbered, State policy enforces celibacy on about 90 per cent of the soldiers. The Navy, by the nature of its occupation, acts in a like way. Now, these contagious diseases are certainly largely promoted by celibacy, and the State is bound to preserve its combatants from the consequences of an abnormal position. But we are told that the Acts passed for this purpose do not accomplish their end, and if this be true, I allow that they should be repealed. If the assertion simply means that they have not stamped out disease, as the cattle plague was stamped out, I admit that they have not done so, nor were they ever expected to act in this way. An epizootic can readily be dealt with; for it is easy to prevent the movement of cattle, and even to kill infected animals. But when human beings are the subject of disease, the case is very different, and it is rare that you can stamp it out, though you may largely mitigate it. Though the Acts have only been three years in force, yet the results obtained in this limited period are conclusive as to their efficacy. Before describing these, it is necessary that I should remind the House that two main diseases are included in the general term. The one is a minor form, and has existed from early periods; for it is frequently referred to by classical authors. It inconveniences the individual affected, but only rarely injures his constitution; it is local in its character, and is not transmissible to his offspring. Though the Acts have mitigated the severity and duration of this minor disease, they have had little influence on its frequency. The second, or major disease, is that which we chiefly aim to subdue. It is comparatively new, for Europe did not know it till the end of the 15th century. Of all diseases it is one of the most loathsome and terrible; it often saps the constitution of its victim, and is readily transmissible by descent to his innocent offspring. Upon this major form, the Acts have had a most

beneficial effect. The statistics, which I shall quote in proof, have been furnished to me by Dr. Balfour, the eminent statistician at the head of the Statistical Department of the Army. It is well known that he was not favourable to the introduction of these Acts, and that at first he doubted their success; but now I am authorized by him to state that he can no longer resist the favourable evidence which the Returns afford of their efficiency. In 1869, there were seven protected stations and 15 unprotected stations of our home Army. The first Act of 1864 had thrown a partial protection over the former, and this is seen in the period of three years ending 1866, for the ratio of disease in the protected towns was, in the case of the major disease in its primary form, 93 cases per 1,000 men, while in the unprotected places, it was 107. But it was only in 1866 that an effective Act was passed, and it did not come into operation till towards the close of the year. In the next period of three years, ending 31st December, 1869, we find a large reduction of the major disease; for the protected stations had now a ratio of 71 cases per 1,000 men; while the unprotected stations increased to 111. This fact renders all doubt impossible. During the last three years there is no diminution at all, but some increase in the unprotected stations; while at all the protected stations there is a steady diminution until, in 1869, the ratio was only 58 to the 1,000, or nearly half the number found where the Acts are not in force. The mean reduction during the three years has been quite steady, in one direction, in the protected districts. In the first year, the ratio was 86; in the second year, 70; in the third year, 58. You will observe that this mode of comparison between protected and unprotected districts eliminates all chances of error as to a natural decrease in the disease down to 1866, which my opponents make much of, but which must tell equally upon both; nor was this decrease maintained up to 1869, for in 9 out of the 15 unprotected stations the ratio was higher in the latter year than in the preceding years. I have confined myself to Dr. Balfour's statistics of the major disease in its primary form, because I believe that they are strictly and scientifically accurate. Perhaps you may think that



I ought to state the proportions of all enthetic diseases. For this purpose I must use the Returns of the police, which are no doubt approximatively correct, though they can scarcely claim the rigid accuracy of those to which I have referred. By these Returns, owing to an increase in the number of cases of the minor disease, Portsmouth has neither gained nor lost by the Acts, and it may, therefore, be classed as a case of failure, though as regards the major disease this is not true. The Acts have been applied to the various stations at different dates, but if we take the mean ratio in the year preceding the application it was 22·8, and in the last quarter it was only 11·27, or less than half. This refers to all enthetic diseases. If we take two special cases, by way of illustration, the difference between a protected and unprotected station will be better understood. Last year a battalion of Guards left London for Windsor on the 1st of March. Windsor has only recently been brought under the Acts, but formerly was notorious for its unhealthiness. During their stay of four months, thirty cases of sickness occurred. The battalion then returned to London, which is unprotected, and in the corresponding period of four months there were 108 cases, or three and a-half times more. Again, the 5th Fusiliers were at Aldershot, a protected station, for the first eight months of last year, and their average daily roll from these diseases was  $3\frac{1}{2}$ ; they then went to the unprotected stations of Glasgow and Ayr, and in the last four months of the year the daily roll was  $7\frac{1}{2}$ , or more than double. I have hitherto treated only of the quantity of the disease, but the quality of it has been much changed in the protected stations. By this I mean that the severity and duration, both of the major and minor diseases, have been much lessened. Thus, in the first year of the Act, at Devonport, the duration of treatment of the major disease was  $85\frac{1}{2}$  days; in the second year,  $66\frac{1}{2}$  days; in the third year, 53 days; and in the last quarter of 1869, 37 days. So that, if the experience of Devonport is general, while the quantity of disease has been reduced by a little less than a-half, the actual duration of what remains has been also lessened by more than a-half. In the Metropolitan Female Lock Hospital there are patients sent by Govern-

ment from military and naval stations, and ordinary patients from London. It is pitiable to visit this hospital, and see the ravages of disease among the latter, as compared with the former. Mr. J. R. Lane, the surgeon to the hospital, has kindly given me the periods for cure on an average of three years. As regards the major disease, a Government patient is cured in 45 days, while an ordinary patient requires 56 days; and, as regards the minor disease, a Government patient is cured in 25 days, while an ordinary patient requires 39 days. Surely I have said enough to prove how successful these Acts have been. Since 1846, when I acted as a Royal Commissioner on Public Health, sanitary laws have been to me an incessant object of interest; but, with the exception of the compulsory Vaccination Acts, I know no such achievements of legislation as have been performed by the Acts under discussion. Before leaving this part of the subject, I ought to refer to the effects of the Acts in diminishing disease among fallen women. For this object the statistics available to me are limited; but I possess them for several stations. At Chatham, for instance, when the Act was first applied, 70 per cent were found to be diseased; last quarter only 6 per cent were in this condition. This is, no doubt, the most marked case; but we are assured that the amelioration at every station has been great. Perhaps we may get a fairer view if we compare the state of common women at Winchester, in which the Act came into force last January, with that of Devonport, where it has been in operation since 1866. In Winchester, in the two first months of the year, 43 per cent of the unfortunates were found to be diseased; while, in the corresponding months, at Devonport, only 14 per cent were in that condition. In our foreign stations similar Acts are in operation. At Malta traders in vice have been inspected since the time of the Knights, though by custom merely, for a law enforcing it was passed only in 1859. That law made the custom efficient, and its results are stated in Mr. Inglott's evidence. He says—

"The operation of the law has had the effect of checking public prostitution to a great extent, besides of almost annihilating the disease."

In almost like terms Sir Henry Storks describes its effects in the islands of Corfu, Zante, and Cephalonia, before



our connection with them was severed. If we go beyond the experience of our own Army, and take that of foreign nations, which pursue a like system, the evidence is conclusive. In England our troops lose seven days of service; while those of France lose only four days, and those of Belgium only three days. Hitherto I have confined myself to answering the allegations that the Acts have failed in their sanitary aspects. But this is a small part of the issue raised. The main contention is, that the Acts are opposed to religion, justice, morality, and public liberty. The religious objection belongs more to a past than to the present age, but must still be combated, because even now a few men of knowledge are influenced by it. Thus a distinguished surgeon, a Fellow and Member of Council of the Royal College of Surgeons, announces his belief that this disease is not an evil but a blessing, and "that it was inflicted by the Almighty to act as a restraint upon the indulgence of evil passions;" and the right hon. Member for Oxfordshire (Mr. Henley) whose honest and outspoken opinions are always valued by this House, seems to share these sentiments. I do not pause to remind him that it is strange thus to characterize a modern disease, only three and a-half centuries old, as the special punishment for profligacy; because it would follow that ancient profligacy, which was certainly not less, escaped the infliction. But I prefer to remind the House that similar opinions in regard to disease have constantly prevailed from remote antiquity, and have as constantly been refuted by the progress of knowledge. It is a very old notion that diseases should not be combated because they are Divine punishments for sins, relevant or irrelevant. Such views have become more rare in modern times, because we are constantly reminded, in the progress of science, that there is far more of mercy than of wrath in Divine arrangements. The angel who stood in the path of the prophet had a sword; but still we are told it was an angel of mercy. Yet, whenever we reach a stage when a disease is proved to be preventible, it is found that a few religious enthusiasts cling to the wrath and spurn the mercy. We need not go further back than Jenner's great discovery for a proof of this. Vaccination gave us a protection against a disease

only less abhorrent and repulsive than that under consideration. But its introduction was fiercely opposed, because it was alleged to be repugnant to religion, morality, law, and humanity. Large associations were formed to resist its extension; the pulpits resounded with attacks on the impious and presumptuous man who dared to interfere with a visitation from God. The introduction of a disease from a cow into the body of a man was thought to give him bovine and beastly propensities. Excited by this clamour, the people rose in riots and pelted the vaccinators with stones—just as the Scotch peasantry pelted their first benefactor who introduced potatoes with his own tubers, as being an irreligious crop, for they were nowhere mentioned in the Bible. We have lived down all this clamour, and 80,000 lives of our present population are annually saved by Jenner's discovery. Misdirected religious zeal of this kind opposes many great benefits. When my lately deceased friend, Sir James Simpson, introduced chloroform—that great boon to suffering humanity—he, too, was denounced as irreligious, because he was interfering with a Divine punishment for woman's primeval sin, that in sorrow and travail should she bring forth children. And so was it also in regard to these very contagious diseases in the 15th and 16th centuries. The afflicted patients, smitten, as it was thought, by Divine punishment, were refused admission into hospitals. This refusal, as a traditionary usage, prevails to the present day, and has led to the special class of Lock hospitals. This special provision shows that we have advanced somewhat in Christian humility since those times, and that few dare to express the arrogant conceit that they are entitled to be exponents of Divine retribution by excluding any class of the afflicted from mercy and compassion. But though the religious argument fails entirely, when examined by the light of past experience, the allegations of injustice and immorality brought against the Acts are not affected by it. The injustice is said by my hon. Friend to rest in the fact that they apply restrictions upon women and not on men, although both are equally propagators of the disease. Unquestionably both are, though my hon. Friend, in his leaning to women, thinks men are the worst. To discuss



which sex is most effective in the dissemination would be as little profitable as to debate which side of a pair of scissors is most useful in cutting, or whether the upper or lower jaw is most useful in chewing. But the law does not deal with things in this abstract fashion. A purchaser is as necessary as a vendor in the carrying on of a trade; but the law always regulates the trade through the vendor. The fact that these Acts compel the inspection of fallen women and not of vicious men, simply depends upon the circumstance that the former alone are traders in this sinful traffic. There is another law as to the regulation of this particular traffic which will explain my meaning. The general police law authorizes a policeman to arrest, without a warrant, any common woman who is seen to solicit a man. No one says the law is unjust because a man is not arrested for soliciting a woman; and the reason is, that the law is not framed on any abstract principle of morality, but simply for the regulation of a traffic, which it has never been able to repress, though it has often tried to control. Nor does the extension of law to sinful trades recognize these in any way. Thus, in 1430, the Bishop of Winchester was specially charged by ordinance with the regulation of 18 houses of bad repute, which stood then, and for centuries after, on Bankside, Southwark. But no one on that account has contended that they had episcopal sanction. The form of immorality, which we are dealing with, is certainly not an abstract necessity, but it is a notorious fact, just as drunkenness is a fact impossible to be ignored; and when the law intervenes to regulate the traffic in both cases, so that the public may be as little injured as possible, it does not stamp these sins as virtues. You might as well say that when the law regulates the sale of poisons, it thereby sanctions the poisoner. Regulation is not recognition. When, then, you pass a law for the inspection of fallen women and not of vicious men, you introduce no new principle into legislation, but carry out your usual practice of regulating injurious trades through the vendors. It is altogether a different contention, if you put the case on sanitary grounds. Our combatants contract with the State to give efficient personal service, and anything that interferes with their personal

efficiency may be regulated by law. A more frequent inspection than that now given may be advisable, but only as a sanitary safeguard, and not on the grounds of unequal treatment of sexes; and this personal examination is already enforced in the Guards, and is being rapidly extended to every regiment. A further contention of my hon. Friend is that the Acts infringe the liberty of the subject. Undoubtedly they do, and so do a hundred other Acts, when a subject uses his liberty to the public detriment. If a parent put his child, suffering under scarlatina, into a cab, in order to convey him to an hospital, the law punishes him; if a lunatic run through a town with a firebrand he is locked up; if the Irish Press disseminate political poison, the law intervenes; and if a woman spread physical poison through our troops, we prevent it also. It is when liberty becomes license that you interfere. This argument about liberty is much used in the Petitions and communications from Scotland. Why we Scotch had the credit, as I think it, or the discredit as the opponents would deem it, of discovering how to prevent the spread of these diseases, and they applied the discovery to the civil population which these Acts do not. In 1497, when these diseases were supposed to spread as an epidemic, like cholera or scarlatina, the sagacious magistrates of Aberdeen thought differently, and shut up diseased women in their houses, branding them on the cheek with a red-hot key if they came out before being cured. This was found so effective, that, six months after, the Privy Council ordered the Town Council of Edinburgh to gather all diseased women, along with their doctors, on the sands of Leith, when boats were provided to transport them to the island of Inchkeith, and, if either they or their physicians returned before being cured, the branding iron was to be applied. Hence the Scotch are really the fathers of these Acts, and should not be so indignant with their gentler Southern progeny. Now we have to answer the serious charge that the Acts tend to degrade and not to uplift the fallen women. For my own part, this would be their thorough condemnation in my eyes, and if I believed it, I would not be here as their advocate. But this charge is not only unsupported by, but is totally opposed to all evidence. And that evidence



is unimpeachable, for it consists of the concurrent testimony of chaplains, medical men, and the police, all of whom cannot be in league to pervert facts. Thus, speaking of Aldershot, Dr. Barr describes the condition of the unfortunates in terms, which are actually painful to read. After stating that they were dirty, starved, covered with vermin, and clad in unwomanly rags, he says—

“Thus less than two years ago, in a terribly morbid condition, with the habits of beasts and the appearance of beggars, the majority of these outcasts of society were alike endless sources of sickness among the troops and disgust among the respectable inhabitants of the neighbourhood.”

This was their state before the Act. Now, we are told that they have acquired habits of cleanliness; that diseases, such as itch, arising from filth have disappeared; that the use of profane language in the wards occurs very seldom—

“And that the chaplain has on several occasions mentioned the pleasure with which he has noticed their uniformly decent behaviour, as well as their quiet attention to his ministerial addresses during the religious services held by him.”

Captain Harris, speaking of the women at all the protected stations, describes the general improvement as follows. I quote from his report to the Chief Commissioner of Police—

“The improvement which has taken place in the persons, clothing, and homes of common women, as regards cleanliness and order, is most marked. Many of the women formerly looked bloated from drink, whilst others were greatly emaciated and looked haggard through disease. Their language and habits are greatly altered. Swearing, drunkenness, and indecency of behaviour have become quite exceptional. The women now look fresh and healthy, and are most respectful in their manner. In fact, these poor creatures now feel that they are not altogether outcasts from society, but that there are people who still take an interest in their moral and physical welfare.”

Like testimony, less graphically described, perhaps, but in substance similar, reaches us from each of the protected districts. It is surely more hopeful for the reformation of these unhappy creatures—especially if cleanliness be akin to godliness, that they should be redeemed from a state of savagery to something approaching civilization, even if they are not reclaimed to virtue. But if evidence be worth anything, there is not the slightest doubt that large numbers of them have been reclaimed from vice and now lead virtuous lives. In Malta, where the experience has been longest,

this reclamation is described as one of the most marked and happy features of the Act. And in every protected district in England the evidence is concurrent and decisive. In some of them the actual decrease of unfortunates has been more than half; while about a quarter of the whole have been restored to a respectable life. At the whole of the stations 7,766 common women were registered, of whom only 3,016 now ply their vocation in these districts. So that 4,750 have passed from the registers. What has become of them? The answer is most satisfactory. Of this number only 107 are known to be dead, 385 are married, 451 have entered homes or refuges for fallen women, 1,249 have been restored to their friends. Hence 27 per cent have been rescued from infamy. Of the 2,558, or 32 per cent, who have left, all that is known is that they are no longer in the districts, and that their places have not been supplied. Doubtless, many of them are pursuing evil courses elsewhere; but many also, as the police believe, and as charity compels us to hope, have returned to their own homes. These are most striking results of the moral effects of these Acts, and dwarf all voluntary and philanthropic efforts to reform these fallen women. The opponents of these Acts meet such statistics by saying that the women have simply been driven from open to clandestine practices. But this is inconsistent with their allegations that the police have exercised an effective spy system, which is dangerous even to respectable women. It is wonderful, then, that the police know nothing of this increase of clandestine practices. On the contrary, they aver that there is a large diminution of them, and their explanation is this—There are always some women on the verge of vice, and the fear of the Acts has exercised a wholesome restraint on such persons. Afraid of being classed among the fallen, they have withdrawn from attendance at singing saloons and other places of resort, and are thus removed from dangers to which they were exposed. But common sense tells us, that the open and concealed profession of this sinful traffic are bound together. The first class gives the chief supply to, and fast merges into the second class. The large and positive diminution in the number of the open fallen is a proof that there must be a corresponding less-



ening in the sources of their supply—the clandestine fallen. Nor is this reform surprising when we recollect the humanizing and religious influences under which these unfortunates are brought; for you will recollect that the Act permits no hospital to be certified, till ample provision has been made for the moral and spiritual instruction of the inmates. From the unattractive sensational literature, which has been, with more zeal than discretion, put upon our tables for the last few months, one would be inclined to believe that the hospitals under these Acts are prisons and places of torture. Well, in former periods of history, when an excited and false public opinion on such subjects was allowed to prevail, Lock hospitals deserved this description, but now the hospitals are conducted with kindness and consideration to the fallen. Medical men, chaplains, and nurses gladly aid them in their attempts at reform. So little are these poor creatures accustomed to such humanizing influences, that their hearts become touched, and, in enforced leisure, they are awakened to the shame and misery of their lives. If you will not credit the Return of the police, at least let us believe the chaplains who testify to these results. Were it not that I am unwilling to detain the House, I should read to you the strongest letters in support of this, from clergymen of all persuasions in the protected stations, none of whom have official connection with the Acts. What do the opponents say in reply to such united testimony? They simply murmur their fears that the inspection of such women must have a tendency to degrade and not to elevate them. Well, I would treat those fears with the respect which is due to all sincere convictions, especially as they are the offspring of virtuous minds, who cannot conceive the degradation of the fallen. Unquestionably, modesty in a woman is at once her glory and protection, and I hope it is not wholly extinguished among unfortunates. But traders in immorality, whose bodies are the subject of commerce, have not those feelings of delicate susceptibility which are claimed for them. I admit that it would be a terrible thing if any innocent woman could, by a miscarriage of law, fall under the operation of the Acts. But women, as a class, are as much outside legislative interference, as their vir-

tue and goodness are outside and far removed from the sins of the fallen of their sex. In the operation of all laws there have been isolated cases of miscarriage of justice. I shall leave to the Home Secretary the defence of the police, who seem to me to have exercised a really marvellous tact and discretion in carrying out these Acts, and I will admit, for the sake of argument, though I do not believe it, that there may have been one or two cases of mistakes in the character of the women who have been summoned. But even for robbery or murder, innocent persons have been tried and convicted. When a misadventure occurs in the application of a law, it is a subject of deep regret, and a warning that our safeguards against such contingencies should be multiplied; but it forms no argument for the abolition of a salutary law. The law, as it stands, is singularly careful. It takes no notice of individual immorality, but only of the immoral trader who plies her trade to the detriment of the public forces. It does not allow a common policeman to be an indicator of the trader; but reserves that power to a skilled and responsible superintendent or inspector. No such woman need come under the Acts, if she choose to abandon her courses, or even to leave the district, and in no case need she, without being brought before a magistrate, in public or private as she prefers. So that the constant statements made that any woman can be arrested, detained, or inspected, at the mere will of the police, are utterly without foundation. In conclusion, I trust that I have treated this delicate subject as little offensively to the House as its nature permits. I have tried to show dispassionately that these Acts, viewed as sanitary measures, have been successful, and are becoming progressively still more effective. I have endeavoured to show that they are not unjust, inasmuch as they deal only with traders in a vicious and injurious traffic; and, so viewed, that they are consistent with our usual habits of legislation. So far from degrading the unfortunates subject to them, they have largely ameliorated both the physical and moral condition of the women who have been brought under their operation, alike out of mercy to our forces and of mercy to themselves. For three centuries and a-half these diseases have been the scandal of civilization, and nei-



ther philanthropy nor religion have stopped their growth. It is long since that Parliament became cognizant of their serious character. In the year 1529 it arraigned Cardinal Wolsey, *inter alia*, for daring to go into the presence of the King while he was afflicted with the major disease, when he ought to have isolated himself from one in whom the State was interested. This enforced isolation we now extend to the forces which are kept up for the protection of the State. For three years and a-half this active policy of prevention has substituted the do-nothing policy of three and a-half centuries; and the undoubted result has been largely to mitigate disease and to lessen immorality. I trust, therefore, that the House will not repeal Acts, whose past history has answered our expectations, while their future history is full of promise.

MR. HENLEY—

MAJOR ANSON said: Whatever the opinion of individual Members of this House may be with regard to the Contagious Diseases Acts, we must all agree that it is a matter of the greatest importance, and one, moreover, upon which the people of this country would be justified in feeling extremely jealous as to any action which might be taken with regard to it, either by the House or by the Government. It is, therefore, not only to be regretted that the speeches to which we have already listened should have been delivered in the absence of the only channel of communication between this House and the general public; but it is also of the deepest importance that the general views of Members of the House on this subject, and the evidence which they may advance, whether for or against the working of the Acts, should be laid before all classes in the country, in order to enable them to form a sound opinion on the subject. It is with this object in view that, in the absence of the usual means of spreading this information, I beg to move the adjournment of the debate.

Motion made, and Question proposed,  
"That the Debate be now adjourned."  
—(Major Anson.)

MR. BRUCE announced that the Government were prepared to authorize the issue of a Royal Commission.

SIR JOHN PAKINGTON said, he had heard the decision of Her Majesty's Government with very great regret. He thought it a weak and most unfortunate course, especially at a moment when the fair trial of a great experiment was only just commencing, and when a great majority, both in Parliament and the country, was prepared to support the Government in resisting a premature demand for a change of policy.

MR. CARDWELL said, that the granting of a Commission was no proof of weakness on the part of the Government in their support of the system in force under the present Acts. On the contrary, if the discussion had proceeded, he should have been prepared to bring forward proofs of the great advantages—moral as well as physical—which had resulted from the system. But was it desirable that such a discussion should proceed? Were they not under great disadvantages in discussing such a subject in that House? If they discussed it, as they had to-night, with the Galleries cleared, they excluded those whose representatives they were from the knowledge of the proceedings they took on their behalf. If they discussed it with the Galleries open, then a subject—which, until this year, there was a very natural indisposition on the part of everybody to discuss at all—was made painfully familiar to the young as well as to the old, and brought next morning under the notice of ladies, perhaps, as well as of men. It seemed to him, then, that this dreadful subject ought to be thoroughly examined, but not in Parliamentary debate; and that a Commission afforded the best means of probing it to the bottom without giving needless offence to public decency.

MR. LIDDELL hoped the House would, even at this protracted period of the debate, agree to the Motion for Adjournment. It was most desirable that a debate upon this subject should take place; and, above all, that constituents and the public generally should be informed of the reasons for or against maintaining the Acts now under discussion. So strongly had he felt this conviction that he had risen an hour and a-half ago, quite early in the debate, to make a similar Motion. He was not in favour of the repeal of these Acts upon an imperfect knowledge of their working and effect; but he was fully aware that,



rightly or wrongly, wisely or unwisely, the public mind had been deeply stirred by the agitation of this question out-of-doors. He believed the public were ill-informed upon this question, and that much misapprehension and no small exaggeration prevailed respecting it. He had no fear of inquiry, because he believed it would confirm the policy of these laws; but it was precisely for these reasons that he had so deeply regretted the injudicious course adopted by an hon. Member earlier in the evening. He regretted that this painful subject had been discussed with closed doors and empty Galleries. He thought the step taken to secure secrecy for this discussion was, to say the least of it, inexpedient. What the public wanted to know, and had a right to know, was—if these laws were to remain in force—why? They were waiting to hear what the Home Secretary had to say on behalf of the "Police;" what the War Secretary had to tell them for the "Soldiers;" and the First Lord of the Admiralty for the "Sailors" of this country—and regretting, as he did, that much had already been said in secret which ought to be heard openly, he trusted they would, with one voice, assent to the adjournment.

MR. RUSSELL GURNEY said, he was exceedingly glad to hear of the determination at which the Government had arrived. In consequence of the great interest taken in this question in the town which he had the honour to represent, he had felt it to be his duty to take great pains to ascertain what was the right course to pursue with reference to the Motion of his hon. Friend the Member for Cambridge. He had carefully read the evidence given before the Committee of this House, as well as the numerous pamphlets which had been published on the subject; and the only conclusion at which he had been able to arrive was, that further inquiry was absolutely necessary. The evidence of Mr. Simon was, to his mind, perfectly conclusive upon this point. He had pointed out what the points were on which further evidence was necessary, and the manner in which it could be obtained. There was only one other matter which he wished to press, and that was that, until this further information was obtained, there should be no extension of the area over which the Acts now in

force should have operation. It being admitted that further inquiry was necessary, it was exceedingly undesirable that any district should be brought under the operation of the Acts until the information was furnished which it was hoped would satisfy the public of the groundlessness of the objections which had been urged with so much force by the opponents of the Acts.

MR. CRAUFURD—

MR. M'LAREN said, he had risen to address the House for a few minutes, only to correct a misapprehension on the part of the right hon. Gentleman the Secretary for War, who appeared to think that the numerous public meetings, and the 270,000 petitioners who had addressed this House, desired only an investigation into the operation of these Acts. Now, this was a most erroneous opinion. He (Mr. M'Laren) had presented many Petitions, and had read the resolutions and proceedings of many meetings; and, as a rule, they did not ask for any inquiry, nor would the petitioners be satisfied with the result of any inquiry, however favourable it might appear to be to the operation of the Acts. The petitioners took up the question on the ground that these Acts were a violation of justice and of civil liberty—a contrivance to oppress weak and defenceless women for the gratification and supposed benefit of men; and being already satisfied with the inquiries which had been made, they held mainly to the moral aspects of the question, and called for the total repeal of these iniquitous Acts. None knew this to be the general feeling of the petitioners better than his right hon. Friend the Home Secretary; for he had received a very large deputation, consisting of gentlemen and ladies, appointed by a conference of the delegates from all parts of the kingdom recently held in London, and who had stated to him their views, and had left with him their memorial, which had since been printed. He (Mr. M'Laren) would, with the permission of the House, read from it a short passage to show that he had correctly represented the views of the petitioners—

"We unhesitatingly adopt an ancient sentiment, that an injustice to the meanest citizen is an insult to the whole community. Grant that a woman who trades in her person is the meanest of citizens, yet she does not cease to be a citizen,



much less to be a woman. In our belief we are speaking truthfully and soberly in pronouncing the treatment of the women indecent, depraving, and barbarous. Moreover, the Acts overthrow legal safeguards for all women, as is stated below in detail. To us it seems that the phrase 'instrumental rape,' applied by a leading physician to that which is by the Acts called medical examination, is strictly correct. The examination is made not because disease exists, nor for the purpose of curing disease, but merely to ascertain whether the woman may be pronounced by the authorities fit for prostitution. The process is used even against wives and against women who recently have been, or are about to be, mothers. Such violation of the person is in our judgment an intrinsic wickedness; and we feel called on to avow this judgment plainly."

In these sentiments he (Mr. McLaren) entirely concurred. It had been argued by his hon. Friend the Member for the University of Edinburgh that disease had, in some cases, been diminished 50 per cent under the operation of these Acts. Even if this were conceded, in place of being controverted, and even if it could be shown that the diminution was 90 per cent, this would not alter the views expressed by the petitioners, for they did not regard the question as one of sanatory statistics, or of medical knowledge, but of moral justice; and therefore they desired no farther inquiry, and nothing would satisfy them but the entire repeal of these Acts, in which views he most cordially concurred.

MR. NEWDEGATE: Sir, I desire to tender to the hon. Member for Cambridge (Mr. W. Fowler) a very simple piece of advice, and this is, that he should divide the House against the Motion for the adjournment of this debate. It is quite obvious, that if this debate is adjourned and again renewed, that it is very improbable that the hon. Member for the Ayr Burghs (Mr. Craufurd) or any other Member will move that strangers should again be excluded from the House. During the absence of the reporters on this occasion the hon. Member for Cambridge has made a most able speech in moving for leave to introduce his Bill. He was followed by the hon. Member for Edinburgh (Dr. Lyon Playfair) in a speech, of which I will only say that its purport was very materialistic. My right hon. Friend the Member for Oxfordshire (Mr. Henley) has made a very able speech in the sense of the Member for Cambridge, impugning the highly immoral character and tendency of this contagious diseases statute. I feel strongly on this subject

with the hon. Member for Cambridge and the right hon. Member for Oxfordshire. In my opinion, the sooner the House gets quit of this nauseous, this noisome piece of legislation, of this aping of foreign police espionage, of this unconstitutional system of foreign police, the better for the country and the better for the reputation of this House. It is obvious that there is an intention to extend the sphere of the operation of this noxious statute beyond the already wide limits of its operation around the garrison towns and camps in which it already prevails. The right hon. Gentleman the Secretary of State for War has intimated, since the Adjournment was moved, that the Government intend to issue a Commission to inquire into the operation of this statute, while expressing approval of its operation. [Mr. CARDWELL here rose, as though to make some explanation, but sat down again without uttering a word.] If Her Majesty's Government are contented with the operation and effects of the Contagious Diseases Acts and do not intend to extend the sphere of their operation, why, I repeat, do they propose to inquire? No one could doubt, after hearing the speech of the hon. Member for the University of Edinburgh—who appeared armed with privileged statistics unknown to Members in general—that there is an intention to extend the operation of this statute, and of the police system it enacts, to the general population of this country. What did the hon. Member say? He said that the operation of the Acts in and around Windsor had, in his military sense, been so successful that he hoped they would be extended to the metropolis; and, again, he cited what he considers the success of the statute in and around Aldershot (I think), and that, therefore, he desired the extension of the operation of the statutes to Glasgow. There can be no doubt of the intention to extend the operation of this noisome legislation, to which the people object. I advise the hon. Member for Cambridge to divide the House against the adjournment of this debate, as the only means by which he can avoid being taken advantage of. He spoke very ably in moving for leave to bring in his Bill; he spoke in the absence of the reporters; so has my right hon. Friend the Member for Oxfordshire. The Government—Her Majesty's Minis-



ters—have not spoken; neither the hon. Member for Cambridge nor the right hon. Gentleman the Member for Oxfordshire can, according to the rules of the House, speak again upon the Main Question. If, therefore, this debate be now adjourned, and when it comes on again the reporters be not excluded, the speeches of Her Majesty's Ministers and of other Members, in defence of this noisome statute and in answer to the Members for Cambridge and Oxfordshire, will be reported, while their able speeches will not be reported; this would be obviously unfair, and tend to the misinformation of the public. It is obvious that this debate ought in fairness to be concluded, as it began, in the absence of the reporters and of other strangers.

MR. CLAY said, that the hon. Member for Edinburgh (Mr. M'Laren) asserted, with truth, that the very numerous petitioners in favour of this Bill asked for a repeal, and not for inquiry; but it did not follow that they would not be, at least, partially satisfied by the latter course. The hon. Member had mentioned a very influential deputation which had waited on the Home Secretary to urge upon him repeal; but the hon. Gentleman was either ignorant of the fact, or had forgotten to mention it, that that deputation expressed satisfaction at hearing the intention of the Government to appoint a Commission. But the hon. Gentleman the Member for North Warwickshire (Mr. Newdegate) insisted that it was the intention of the Government to extend the operation of this obnoxious law, and he used this singular argument—"If this is not so, why inquire?" Why inquire! In order to enable us to decide whether it is right to support such a Bill as the hon. Member for Cambridge (Mr. W. Fowler) seeks to introduce to-night. Inquiry was asked for not with the view of extending the operation of the present law, which, in the present state of feeling in the country, would be madness, but in order to know whether it is right to repeal it.

MR. BAINES said, that as a member of the deputation which had waited upon the Home Secretary, he could bear witness that the deputation expressed gratitude to his right hon. Friend for having received them with his wonted candour and courtesy, but not for his promise of

a Commission. He did not know whether an individual or two might have spoken in that sense; but, certainly, the deputation in general signified no approbation or acceptance of the proposition, which was quite new to them, and on which they had no authority to speak. He had one remark to make—namely, that he had heard with pleasure that evening from his right hon. Friend that, if a Commission were appointed, it would inquire into the moral bearings of the question, as well as its physical bearings. He was sure that, in the present state of public feeling on the subject, the moral question could not safely be disregarded.

MR. GLADSTONE said, his object would be to widen the scope of the Commission; and he could assure the hon. Member (Mr. Baines) that the moral aspect of the question should not be lost sight of. And he could further promise that those selected for the Commission should be persons of knowledge and authority, and enjoying the confidence of the community. He must say that he protested against the course taken by the hon. and learned Member for Ayr (Mr. Craufurd)—he thought it was an unhappy course, and that the subject was one from which public advantage would result from its being openly discussed. The public were already distrustful on the subject, and ought to have every opportunity of being reassured by public discussion.

MR. MUNDELLA: Sir, the Motion for the adjournment of the debate prevents me from submitting to the House my reasons for supporting the Bill of my hon. Friend for the repeal of these Acts. I have arrived at the conviction that they ought to be repealed from different reasons to those already advanced; and I could have wished that a full discussion of this important question had been permitted, and that it should have gone forth to the country through the ordinary channels. This, I regret, has been prevented by the Motion of my hon. Friend the Member for the Ayr Burghs. I hoped that one result of this debate would have been a cessation of this agitation, and a stoppage of that stream of offensive literature which has flooded our houses for several months past. This desirable result, however, has been frustrated by the injudicious exclusion of reporters



from the House. And the discussion of this disagreeable question, which has penetrated into the kitchens and factories, will be prolonged, and the agitation intensified, by the conviction on the mind of the country that investigation has been stifled in this House. In our present position those of us who are opposed to these Acts have no alternative but to vote against the Adjournment and accept the Commission offered by the Government. But the House may be assured we have not heard the last of this question. It will meet us in a less decorous form than it has done to-night. These Acts are opposed to the sacred family life which is the glory of this country; and I was prepared to show that in those countries where they had been most stringently enforced, they had most signally failed. At the commencement of this debate, two intelligent foreign merchants of my acquaintance, were under the Gallery. I inquired of them the effects of these Acts on the health and morals of their respective countries. One answered he believed they operated injuriously to both. The other objected. He said—"They are favourable to health, but as for morals—we have none."

MR. BONHAM-CARTER—

SIR JAMES ELPHINSTONE—

MR. GILPIN: Sir, I respectfully protest against the course just taken of advocating the Acts which have been under discussion while speaking on the subject of the adjournment of the debate. I submit that it is quite out of Order. Referring to the subject to which several hon. Members have alluded—the exclusion of the public upon the Motion of the hon. Member for Ayr—I have shown my opinion of that exercise of a questionable privilege by placing in your hands a Notice of Motion restricting such privilege in future to the majority of Members in this House.

MR. W. FOWLER, in reply, said, he objected to the decision of the House being taken upon a side issue. The appointment of a Commission would not remove the difficulty which he felt, which was one of principle.

Question put, "That the Debate be now adjourned"—The House divided: Ayes 229, Noes 88; Majority 141.

Debate adjourned till Tuesday 21st June.

# AYES.

|                            |                          |
|----------------------------|--------------------------|
| Acland, T. D.              | Enfield, Viscount        |
| Agar-Ellis, hon. L. G. F.  | Ennis, J. J.             |
| Amcotts, Colonel W. C.     | Eykyn, R.                |
| Amory, J. H.               | Feilden, H. M.           |
| Amphlett, R. P.            | Finch, G. H.             |
| Anson, hon. A. H. A.       | Finnie, W.               |
| Archdall, Captain M.       | FitzGerald, right hon.   |
| Ayrton, rt. hon. A. S.     | Lord O. A.               |
| Bagge, Sir W.              | Fitzmaurice, Lord E.     |
| Bailey, Sir J. R.          | Fletcher, I.             |
| Baker, R. B. W.            | Foljambe, F. J. S.       |
| Ball, J. T.                | Forster, rt. hon. W. E.  |
| Barnett, H.                | Fortescue, hon. D. F.    |
| Bass, M. T.                | Galway, Viscount         |
| Beaumont, Captain F.       | Garlies, Lord            |
| Bentall, E. H.             | Gladstone, rt. hn. W. E. |
| Bentinck, G. C.            | Gladstone, W. H.         |
| Blennerhassett, Sir R.     | Goldney, G.              |
| Bolckow, H. W. F.          | Goschen, rt. hon. G. J.  |
| Bonham-Carter, J.          | Grant, Col. hon. J.      |
| Bourke, hon. R.            | Graves, S. R.            |
| Bouverie, rt. hon. E. P.   | Gray, Sir J.             |
| Bowring, E. A.             | Greaves, E.              |
| Brassey, T.                | Gregory, G. B.           |
| Brewer, Dr.                | Greville, hon. Captain   |
| Bruce, Lord C.             | Grey, rt. hon. Sir G.    |
| Bruce, right hon. H. A.    | Grosvenor, hon. N.       |
| Bruen, H.                  | Grove, T. F.             |
| Burrell, Sir P.            | Gurney, rt. hon. R.      |
| Buxton, C.                 | Hamilton, Lord G.        |
| Cameron, D.                | Hamilton, Marquess of    |
| Campbell, H.               | Hanmer, Sir J.           |
| Cardwell, right hon. E.    | Hardy, right hon. G.     |
| Carnegie, hon. C.          | Hartington, Marquess of  |
| Carter, Mr. Alderman       | Hay, Sir J. C. D.        |
| Cave, right hon. S.        | Henley, Lord             |
| Cavendish, Lord G.         | Herbert, rt. hon. Gen.   |
| Cawley, C. E.              | Sir P.                   |
| Cecil, Lord E. H. B. G.    | Hildyard, T. B. T.       |
| Chadwick, D.               | Hoare, Sir H. A.         |
| Chambers, M.               | Hodgson, W. N.           |
| Childers, rt. hn. H. C. E. | Hornby, E. K.            |
| Cholmeley, Sir M.          | Hoskyns, C. Wren-        |
| Clive, Colonel E.          | Howard, hon. C. W. G.    |
| Clive, Col. hon. G. W.     | Howard, J.               |
| Clowes, S. W.              | Hughes, T.               |
| Cogan, rt. hon. W. H. F.   | Hunt, right hon. G. W.   |
| Colebrooke, Sir T. E.      | Hurst, R. H.             |
| Cowper-Temple, rt. hn W    | Kavanagh, A. MacM.       |
| Craufurd, E. H. J.         | Kay-Shuttleworth, U. J.  |
| Crawford, R. W.            | Kekewich, S. T.          |
| Crichton, Viscount         | Kennaway, J. H.          |
| Cross, R. A.               | Kingscote, Colonel       |
| Cubitt, G.                 | Kinnaird, hon. A. F.     |
| Dalrymple, D.              | Kirk, W.                 |
| Davenport, W. B.           | Knatchbull - Hugessen,   |
| Dease, E.                  | E. H.                    |
| Denman, hon. G.            | Lea, T.                  |
| Dickinson, S. S.           | Lefevre, G. J. S.        |
| Dickson, Major A. G.       | Lewis, J. D.             |
| Dillwyn, L. L.             | Lewis, J. H.             |
| Dowse, R.                  | Liddell, hon. H. G.      |
| Duff, M. E. G.             | Lindsay, hon. Colonel C. |
| Duff, R. W.                | Lindsay, Colonel R. L.   |
| Du Pre, C. G.              | Locke, J.                |
| Eaton, H. W.               | Lorne, Marquess of       |
| Edwardes, hon. Col. W.     | Lowther, J.              |
| Egerton, Capt. hon. F.     | Lubbock, Sir J.          |
| Egerton, hon. W.           | Lush, Dr.                |
| Elphinstone, Sir J. D. H.  | Lyttelton, hon. C. G.    |



M'Lagan, P.  
Magniac, C.  
Mellor, T. W.  
Melly, G.  
Milles, hon. G. W.  
Mills, C. H.  
Monk, C. J.  
Monsell, right hon. W.  
Montgomery, Sir G. G.  
Morgan, G. O.  
Morrison, W.  
Mowbray, rt. hon. J. R.  
Murphy, N. D.  
Noel, hon. G. J.  
Ogilvy, Sir J.  
Onslow, G.  
Otway, A. J.  
Pakington, rt. hn. Sir J.  
Palk, Sir L.  
Palmer, J. H.  
Palmer, Sir R.  
Parker, Lieut.-Col. W.  
Parry, L. Jones-  
Patten, rt. hon. Col. W.  
Pease, J. W.  
Peek, H. W.  
Peel, A. W.  
Phillips, R. N.  
Phipps, C. P.  
Playfair, L.  
Plimsoll, S.  
Plunket, hon. D. R.  
Pollard-Urquhart, W.  
Potter, E.  
Power, J. T.  
Price, W. P.  
Rathbone, W.  
Rebow, J. G.  
Ridley, M. W.  
Roden, W. S.  
Rothschild, N. M. de  
Russell, A.  
Russell, H.  
St. Aubyn, J.  
Samuda, J. D'A.  
Samuelson, B.  
Sartoris, E. J.  
Selater-Booth, G.  
Scourfield, J. H.

Selwin - Ibbetson, Sir  
H. J.  
Shaw, W.  
Sherriff, A. C.  
Simonds, W. B.  
Smith, E.  
Stacpoole, W.  
Stansfeld, rt. hon. J.  
Stapleton, J.  
Stone, W. H.  
Strutt, hon. H.  
Stuart, Colonel  
Sturt, H. G.  
Talbot, C. R. M.  
Talbot, J. G.  
Talbot, hon. R. A. J.  
Taylor, P. A.  
Tipping, W.  
Tollemache, hon. F. J.  
Tollemache, J.  
Torrens, W. T. M'C.  
Tracy, hon. C. R. D.  
Hanbury-  
Trelawny, Sir J. S.  
Trevelyan, G. O.  
Turner, C.  
Turnor, E.  
Vandeleur, Colonel  
Villiers, rt. hon. C. P.  
Vivian, H. H.  
Vivian, Capt. hon. J. C. W.  
Walker, Major G. G.  
Waters, G.  
Welby, W. E.  
Whatman, J.  
Williams, C. H.  
Williams, W.  
Williamson, Sir H.  
Willyams, E. W. B.  
Wingfield, Sir C.  
Winterbotham, H. S. P.  
Woods, H.  
Wyndham, hon. P.  
Wynn, Sir W. W.  
Young, G.

## TELLERS.

Adam, W. P.  
Glyn, hon. G. G.

## NOES.

Allen, W. S.  
Anderson, G.  
Arkwright, R.  
Armitstead, G.  
Aytoun, R. S.  
Backhouse, E.  
Baines, E.  
Brinckman, Captain  
Bristowe, S. B.  
Brown, A. H.  
Buckley, Sir E.  
Butler-Johnstone, H. A.  
Candlish, J.  
Cholmeley, Captain  
Corbett, Colonel  
Cowen, J.  
Davie, Sir H. R. F.  
Davies, R.  
Davison, J. R.  
Dilke, Sir C. W.  
Dimsdale, R.  
Dixon, G.  
Downing, M'C.  
Duncombe, hon. Col.  
Eastwick, E. B.  
Edwards, H.  
Ewing, A. O.  
Ewing, H. E. C.  
Fawcett, H.  
Fielden, J.  
Figgin, J.  
Forster, C.  
Fowler, R. N.  
Gallwey, Sir W. P.  
Gilpin, C.  
Goldsmid, Sir F. H.  
Gore, J. R. O.  
Gourley, E. T.  
Graham, W.  
Greene, E.  
Grieve, J. J.  
Grosvenor, Capt. R. W.  
Hadfield, G.  
Hambro, C.  
Hamilton, Lord C. J.  
Haviland-Burke, E.  
Henley, rt. hon. J. W.  
Henry, J. S.  
Herbert, hon. A. E. W.  
Hermon, E.  
Hick, J.  
Hill, A. S.  
Hodgkinson, G.  
Holms, J.  
Jones, J.  
Lancaster, J.  
Lusk, A.  
M'Arthur, W.  
M'Clure, T.  
M'Combie, W.  
M'Laren, D.  
Matthews, H.  
Miall, E.  
Milbank, F. A.  
Miller, J.  
Mitchell, T. A.  
Morgan, hon. Major  
Mundella, A. J.  
Newdegate, C. N.  
North, Colonel  
Pell, A.  
Pim, J.  
Potter, T. B.  
Reed, C.  
Richard, H.  
Russell, F. W.  
Rylands, P.  
Seely, C. (Nottingham)  
Shaw, R.  
Simon, Mr. Serjeant  
Smith, F. C.  
Smith, R.  
Stevenson, J. C.  
Whalley, G. H.  
White, J.  
Whitwell, J.  
Whitworth, T.  
Winn, R.

## TELLERS.

Bright, J. (Manchester)  
Fowler, W.







