

Extract from eighteenth Annual report of the Rescue Society : the Contagious Diseases Acts.

Contributors

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[Those who have not time to read all this pamphlet, are specially directed to pages 3-4, 13-14, and 20-24.]

EXTRACT

FROM EIGHTEENTH ANNUAL REPORT

OF THE

RESCUE SOCIETY.

(Office, 85 Queen Street, Cheapside, London. MR. DANIEL COOPER, Secretary.)

THE CONTAGIOUS DISEASES ACTS,

INCLUDING

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MARCH, 1872.

THE CONTAGIOUS DISEASES ACTS.

The Committee have received numerous communications from the Society's supporters respecting these Acts of Parliament. With but one exception, the writers have denounced the principles of these measures in the strongest terms, have approved the action of the Committee in exposing them, and, many of them, have forwarded special contributions to be used in assisting to procure the repeal of the Acts. Apart from their own strong convictions, based on very wide experience, both as regards the women subjected to these enactments, the wretched houses in which they live, and the character of the men who associate with them, it would have been impossible on general moral grounds for the Committee to have abstained from the discussion of this subject. It is regarded by the supporters of this Society as the greatest and gravest question in connection with the sexual vice which has ever been before the public. This question has, moreover, become the occasion of great public meetings in all the large towns of England and in many of those of Scotland and Ireland. It has occasioned a discussion of the Social Evil, its causes, and concomitants, in many circles and families, in which, up to the present time, its existence had been willingly ignored.

The Committee of this Society, from its bearings on public morals and its influence on the reclaimability of fallen women, have found themselves unable to pass the question by, and having studied it long and closely, and formed definite opinions on the principles and operations of the measures embodying and illustrating it, have, from a deep sense of duty, felt it incumbent on them to place from time to time before their supporters, the public, and the Legislature, the results of their experience.

In their last Report, the Committee informed their friends of the appointment by the Government, of a Royal Commission to investigate the whole subject, and they expressed their opinions freely of the composition of that body. Its report has since been elaborated and published, and partakes of the unsatisfactory, contradictory, and inconsistent character which was justly predicted of it. By a majority of two-thirds,

however, the Commissioners condemn those periodical examinations of common women, which have been so great an outrage to the moral instincts of the British people. By such a decision, this Committee, and the few earnest persons who have joined with them in their exertions, stand justified before the public for the unwilling task they undertook, to rouse the nation against the frightful evils of this system. These persons have a claim to public gratitude, in having so far checked the greatest moral calamity which ever threatened a people, and their task has had to be done in the face of obloquy, misrepresentation, and virulent abuse.

But it is very evident that the Commission made the concession named to public feeling, simply because it was wrung from it by the startling evidence produced before it; and the inability of its members as a body to grasp the great moral principles which are at stake, is painfully conspicuous throughout the whole of its inquiries, and is to be discovered in the halting, equivocatory, and contradictory periods of its report. That the gentlemen forming it do not shrink from offering even a

PUBLIC APOLOGY AND SANCTION OF VICE,
is evident by the distinction they draw between immorality in the sexes, and the excuses offered by them for misconduct of this character in *men*.

This assembly of noblemen, divines, legislators, and doctors have not hesitated to utter the extraordinary formula that "there is no comparison to be made between prostitutes and the men who consort with them. With the one sex the offence is committed as a matter of gain; with the other *it is an irregular indulgence of a natural impulse!*" The Committee have reason to believe that some of the members of the Commission are heartily ashamed of this clause of the report and of the position in which it stands, and that its presence is owing to the prolixity of the inquiry and that profound weariness of a nauseous subject which, with the limited time remaining for its preparation, led to a hurried acceptance of the report drafted and submitted for adoption, by the Chairman of the Commission.

But there the sentence stands to the eternal disgrace of the clergymen, statesmen, and men of intelligence who became signatories to a public document containing language which, brought to its logical result, is nothing short of an overt justification for the presence of the great Social Evil in our midst. It is not too much to say that the existence and operations of the Rescue Society and others like it are mainly owing to the immoral principles which are couched and scarcely veiled in

the phrases now animadverted on. It is this low estimate set in modern society upon male continency, this winking at the sexual "irregularities" of men, this easy condonation of their scarcely-concealed profligacies, this manufacture of euphemisms for their secret vices, which hardens them in their sins, causes them to regard seduction as a trivial thing, and their habit of consorting with fallen women a venial offence. What alteration can be expected in the tone of modern society with regard to the "fast" and immoral conduct of large numbers of men, in view of the pretty and delicate phrases used in relation to their conduct by these influential Royal Commissioners? Nothing short of dismay, as they read these mischievous deliverances, can be felt by those who were hoping for some improvement in public sentiment on this point.

Should this verdict be endorsed—nay, should it not be universally and indignantly repudiated—it will have to be esteemed one of the most overt and undisguised encouragements of public vice which has ever been expressed. Some feelings of compunction may at times have arisen in the mind of some hardened but gentlemanly profligate when passing at night—say up Regent street in this Metropolis—and beholding around him the young fair faces which once mantled with the blush of modesty, and are still beauteous in their ruin, and such an accomplished *roué* may have momentarily reflected with regret that he had added one or more sad units to the sad crowd. But now he will solace himself, as he passes on, that a bishop and several clergymen, among others, have told him that he is less guilty than these ruined females, that "there is no comparison to be made between him and them," that *they*, unmentionable outcasts! are there "for the sake of gain," and that his part in placing some of them there, or in occasionally seeking their company, is but the "inevitable" and entirely excusable "irregular indulgence of a natural impulse!" When, with such men, their crime seems to be extenuated in the use of subtle euphemisms and misleading phrases, it can only be expected that they will feel fortified in their low and self-exculpatory views of their sensual practices. Let it not be supposed that the men who indulge in such criminalities are not such as will ever read the opinion of these judges.

It is greatly to be feared that those who "consort" with and support these poor degraded women are largely composed of the "better classes"—men who do read, who will read this judgment. And be it remembered, also, that the supporters of these women are well known to be far more numerous than

the women themselves, and are of a class who not unfrequently boast of their many victories over female virtue. They will not be slow, in support or extenuation of their own evil lives, to seek—under the shelter of these mischievous apologies framed for their use—to infuse into society the leaven of their own loose doctrines. It is impossible but that the contaminating seed thus sown will grow and bear fruit many fold. It will be a fresh, subtle argument in their unholy lips, with which to beguile and betray new victims. What more insidious suggestion than that the passion so earnestly pleaded is a natural and legitimate one, equally innocent and to be equally gratified on both sides, when free from the sordid accompaniments of advantage or lucre ! Nor can other than the gravest apprehensions be entertained of the educational effect of such demoralising utterances upon the youth of our country. It is in this respect that a system of tolerated and regulated prostitution in our midst must be so greatly deplored. Laws and institutions are the greatest of all educators. The minds of men, and the principles which actuate them, become crystallised in their laws, and these again exercise a reflective effect upon their opinions and habits. Our passionate youth may now learn, at their entry on the solemn duties of life, that the State no longer expects sexual continency from them, but, anticipating, “the irregular indulgence of their natural impulses,” is more anxious about their health than their morals !

The ancient writer could say of the young man of his day,
 “Abstinuit vino et venere ;”

but our modern moralists encourage *our* model young man in profligate companionship by the comforting doctrine, that there is “no comparison” between his guilty female paramour and himself. She audaciously sins for “gain,” otherwise *bread*—he for excusable, if not legitimate, pleasure.

The Government of the land, and the Commissioners whom they appointed, in spite of protests, to investigate a system which was denounced as indefensible in its principles, and not to be justified by any inquiry into its operations, now stand in a position opposed to that of upholding and affirming *every man's individual accountability to moral law* ! The principle they have tolerated and enunciated here would, if generally carried out, shatter the framework of society, and turn communities into so many centres of cruelty, violence and bloodshed. In all the arrangements of social life, in all transactions of commerce, in all ideas of public order and regular government, in all the checks and restraints of legislation, in all the penalties and punishments attached to misconduct, the central prin-

ciple is the PARAMOUNT SUPREMACY OF MORAL LAW, AND THE RESPONSIBILITY OF THE INDIVIDUAL TO ITS DOMINION. A gaol or a madhouse would be the early refuge of the man who, in other matters, were to renounce his allegiance to this fundamental principle of his ordinary social life ; and if it be in the confession and adoption of these truths that a commonwealth can alone discern its hopes of stability, order, and peace, can its governors, without danger, do aught to diminish, to the consciences of the individuals composing it, their urgent, constraining sense of personal responsibility for the pursuit of a virtuous, self-restrained, cleanly life ? When men are encouraged, by the example or teaching of their rulers, to allow their lusts to become their masters, no slight apprehensions are to be maintained of widespread demoralisation, of approximate convulsions, and social anarchy.

Nor is the verdict of the Commissioners on the character of the man's offence more immoral and censurable than it is ignorant, selfish, prejudiced, and mistaken in reference to the woman's. *Is it then, that the woman's sin is wholly, actually, and exclusively for gain ?* This Committee, as men of experience in life, and as having enjoyed peculiar facilities for observation, ought to be able to express a correct opinion on that point. They have ever deprecated extreme opinions on the question of the relative responsibility of the sexes for the production of this great social cancer, and have endeavoured to hold well-balanced views of the character and conduct of unfortunate women. It would be as much a mere maudlin and unhealthy sentiment to hold these women to be universally or even generally the victims of artifice and seduction, as it would be opposed to hard fact and the fruits of large observation in life ; but on the other hand, to speak of their condition and its motives as the Commissioners do, in a manner as dishonouring to their own humanity, as it is false and mistaken in fact, would be to approach the consideration of the circumstances in a like splenetic, purblind, and merciless spirit.

Are there few of these women sinners in riper years because, from their lot in infancy, they have been cradled in vice, and have imbibed impurity, with their mother's milk ? Are there none of them what they now are because of wretched, dissolute homes, drunken parents, heartless stepmothers, or from being brutally overcome, when mere girls, by bad men "irregularly indulging their natural impulses" ?

Do none of them faintly go to the streets from those shambles of female innocence, the slopshops and workrooms of our large towns ? Are there none of them following their evil

trade in loathing and heart-sickness because some "gentleman's" bastard babe in the garret-lodging seeks in vain that nutriment from "Nature's great Nile," which the starving and deserted mother cannot replenish without eating the bread of shame? Are there no seductions, no illusions of fond and misplaced affections, no wakings up to bitterness, despair, the river, or the street? Do these women, as a class, sin for "gain" or for "bread?" Are *they* solely the tempters, and men the reluctant, the shrinking, the beguiled partners of their sin?

The Committee turn sickened from the cynical heartlessness of these Royal Commissioners, and ask others, more capable of justice and humanity, whether their "natural impulses" might not be found to be more "resistible" if *men* were publicly pilloried for their sexual "irregularities"—if the seducer, by a just public sentiment, were made to feel himself, like Cain, "a vagabond on the earth"—if unfaithful husbands, murdering the health and happiness of "innocent wives and children," were hounded, like dangerous animals, from society's highways and byeways—and if Royal Commissioners especially, by the universal condemnation of all virtuous and honourable minds, were brought to sit low on the stool of repentance, and made to do public penance for uttering partial, offensive, and immoral sentiments!

THE ADMINISTRATION OF THE ACTS AND THEIR ALLEGED DETERRENT EFFECTS.

The Committee having had under their care a large number of young women and girls from the various districts subjected to the Acts, and having visited those districts repeatedly, and watched very closely the operation of these laws, are able to speak authoritatively of the mode in which they are carried out. It must ever be borne in mind that this legislation is of the severest character, overriding, as it does, the common ordinary law of the land under which any woman, however degraded her state or position, may claim protection from insult and assault, alike with the most reputable of her sex. It may by some be remembered, that when in a case of rape, which occurred some years ago, the accused preferred in extenuation of his offence, or as a reason for exemption from its penalties, that the woman was a person of ill-fame, the Judge intimated that the crime was the same in the view of the law, whether committed on a virtuous woman or on a prostitute, and sentenced the man to a very severe punishment.

Also, in charging a woman with the offence of prostitution and solicitation, under the ordinary laws relating to such offences, the evidence necessary to conviction must be of a circumstantial and conclusive character. It is not enough to prove that the woman was seen entering a house of evil repute, or speaking with men in the street. The fact must be established that she accosted men for the purpose of prostitution, and in order to prove this, the men so accosted must complain of such an annoyance, or attend as witnesses.

All this is set aside under the new legislation now in question. Certain police officers, dressed in private clothes, are sent to a special district with unlimited discretionary powers; and upon these officers devolves the duty of forming a conclusion in all cases, whether women are common prostitutes or not. They have no definition afforded for their guidance, of what a common prostitute is, and all women therefore in the district are liable, on exciting the suspicion of these policemen, to an imputation of prostitution, and may be so charged. If a woman have courage enough to resist the ordinary process resorted to by the police for her subjection to the provisions of the Act, and chooses the alternative of going before the magistrate on the question whether she is or not of the class described, the officer has only to adduce grounds for his "belief," that the woman is a common prostitute, and these grounds are not, in any case that has come under the notice of this Committee, such as would have justified a conviction under ordinary statutes, nor are the magistrates required to call for any further testimony beyond the oath of the policeman to the correctness of his own belief. It comes to this, then, that there are certain persons—and they the most helpless and friendless in social rank of any—who, at the mere volition of subordinate agents of police, are classified and cut off from the protection under which society in general lives, and are subjected to arbitrary proceedings equal to a violent arrest, and made to submit to an ordeal, felt by even those who may be the most degraded among them, to be of an indecent and outrageous character:—this law, meanwhile, having reference only to certain districts, and having no application to other districts, or persons in other districts, who may be pursuing precisely the line of conduct alleged.

These remarks are intended only so far to be explanatory and introductory, and attention is now directed to a clause in the principal Act, which to the inexperienced may appear of little significance, but the practical consequences of which are

momentous. It has been shown that the law in question, in its bare provisions, is stringent, startlingly comprehensive, and over-reaching beyond ordinary statute law, but in its practical tendency and operation it is far more even than this. As if the Government had not gone far enough in its eagerness to bring the undefined class of persons in question completely and absolutely within the clutches of its agents, it reserved to itself—in the important clause 18 of the principal Act—the power to make regulations in respect to the times and places of medical examinations, and “*generally respecting*” the arrangements for the conduct of the examinations. These powers were vested in the Admiralty and Secretary of State for War respectively. It reserved to itself power to approve of regulations made by Hospital Managers, affording these managers full license to make regulations for the treatment of women detained therein.

It will be seen how fraught with consequences is this power, when it is affirmed that in most of the Hospitals the *Managers* are appointed by the Government itself. It is therefore a reservation of absolute power to itself to regulate the entire treatment of the women after it has arrested them, and imprisoned them in its own prison-walls. Would such treatment of ordinary offenders be sanctioned by the British public? To mention but one corrupt feature of this system, as an illustration of the fact; it must be premised that these women are liable to be pronounced to be in a state of disease, when such is not their state, by the examining or “visiting” surgeon, whose office and functions are in themselves wholly distinct from, and quite independent of, the Hospital; and it was on one occasion represented, in a published letter to the Admiralty, by the four honorary surgeons of the Royal Albert Hospital at Devonport, that HUNDREDS OF WOMEN had been sent as diseased into the Hospital by the examining-surgeon, and were found by them not to be in such a state, and were discharged accordingly without treatment! Now it will be readily understood, that if the examining surgeon had had the medical control also of the Hospital, and there had not been at its head surgeons of independent position and feeling, these women would, every one of them, have been compulsorily detained at discretion, though not in a state of disease. On the occasion referred to, the Admiralty found itself in a difficulty, and what did it do? In conjunction with certain persons whose interest it was that the Institution should receive a pecuniary profit by its wards being kept full—the pay of the Government being very large—the four honorary

surgeons were shelved for a surgeon in the pay of the Admiralty; and as the examining-surgeon out of the Hospital, and the surgeon in the Hospital, were both Government officials, there was no further discordance of view, and the beds were kept full; the Hospital itself thus realising a large profit from the Government, said to be in the past year about £2,000.

The four civil surgeons animadverted, in their published letter, on this principle of action in the following terms:—

“The point on which we feel most strongly is, that the Visiting Surgeon should remain as he now is—totally severed from all authority within the walls of the Hospital; and we urge this for the following reasons:—

“1st.—We believe that to place in the hands of one man the power of first examining a patient, and pronouncing her to be diseased, committing her to hospital, superintending her treatment while there, and then being the sole judge as to when she is cured, and therefore fit to be discharged, is in effect to constitute that one man both prosecutor, judge, and jailer; it is a power most liable to abuse, and if granted, must inevitably tend to interfere, in a most arbitrary and unnecessary manner, with the liberty of the subject. * * * *

“2nd.—We believe that should such power, as we have alluded to, be placed in the hands of the Visiting Surgeon, as suggested by Mr. Romaine” (*the Secretary to the Admiralty*), “it will inevitably be a death-blow to the further extension of the benefits of the Contagious Diseases Act to the civil population of our large towns. We cannot conceive that the British public, when aware of the fact, will ever consent to the placing of such excessive power in the hands of one man.”

The very system so strongly disproved in the foregoing extract, has been adopted everywhere by the Government. It was delayed in the Devonport district as long as possible, because there were surgeons, themselves in favour of the principle of this legislation, sufficiently independent in feeling to expose such an abuse, but at Chatham, Shorncliffe, Colchester, and elsewhere, where the Hospital establishments are exclusively in the hands of the Government, this system, in all its flagrant violation of the principles of English Constitutional law, is in full practice.

This is just a single illustration of the effect of the arbitrary powers reserved to itself in this legislation by the Government—but their scope and drift are of far wider extent. Little need be said of the effects on the poor women in the Hospital. Already it has been made known to the public, that underground cells, built for the incarceration of refractory patients, have been filled, under these Admiralty Regulations, with these women, sentenced without trial, and that a remonstrance against this practice had to be addressed by the magistrates of the district to the Home Secretary, [before these illegal proceedings were modified into something less

outrageous. These facts are known to the Rescue Society's Committee, whose agents have inspected the cells, and communicated personally with the magistrates on this point.

But another phase of the character and consequences of such extraordinary powers taken by the Government Departments, will be seen if the Committee present to their readers a copy of Regulations found by them hanging on the walls of the Royal Albert Hospital, Devonport, in June of last year, the actual illegality of some of which was at once pointed out to the official attendant present. It was printed in large type, and dated February, 1870, and, at the instigation of this Committee, copies of the same have been called for and obtained in Parliament. It will be difficult to avoid the conclusion, on investigating the bearing of these regulations, that the power the Government reserved to itself under the clause named in the Act of 1866, was little less than an entirely subsidiary Act in itself, equal in importance and effect with those which, in their minutest details, pass under the scrutiny of the whole Legislature.

The regulation No. 2, threatening the women with penal consequences if they refused to sign the "*voluntary submission*" form, was in such flagrant and conspicuous violation of right and justice, that its discussion in the Royal Commission eclipsed all consideration of the other regulations of which it formed a part, and the Commission seemed unaware of any other regulation than the one referred to, even after a Government witness had made the very doubtful admission on his examination that it was issued "in mistake!" They appeared greatly surprised when upon their examination of Mr. Cooper (the Secretary of this Society), he produced the series of regulations, of which the following is a copy:—

"WAR OFFICE ORDER AS TO EXAMINATIONS UNDER
THE ACTS.

"CONTAGIOUS DISEASES' ACTS 1866 TO 1869.

"Periodical Examinations of the Common Women, district.

"1. All women subject to the provisions of the above Acts are to be called upon to sign the Voluntary Submission Paper (vide 2nd Schedule, Form H. Act of 1869).

"Should any woman object to sign, she is to be informed of the *penal consequences attending the refusal*, and the advantages of a voluntary submission are to be pointed out to her.*

"3. Any such woman *still refusing to submit herself is to be proceeded against* under Section 4, Act of 1869, her name being first reported to the Commissioner of Police of the metropolis (in Ireland the Sub-Inspector of Constabulary), and his sanction obtained.

* Penal consequences follow on *submission*, not on *refusal to submit*. The very name of a voluntary submission, implies, as the fact is, that there are no penal consequences for not signing. The Secretary of State for War therefore cannot justify this order.

"4. A complete register is to be kept by the police of all women subject to the provisions of the Acts.

"5. Periodical examinations are to be made of such women at the time and place hereafter mentioned.

"6. Such examinations are to be made by the visiting surgeon in the presence of a female attendant, and no other person without special authority.

"7. All women are to be examined once a fortnight, and oftener in doubtful cases, if thought necessary.

"8. Absentees are to be *brought up* at the next examination to that which they ought to have attended, or earlier, if practicable.

"9. Should more women be found to be diseased than there are beds vacant in the hospital, a list is to be kept of such surplus cases in order that they may be sent to the hospital so soon as there shall be room for them.

"10. All *new comers* into the *district* are to be brought immediately under the operation of the Act.

"Place of examination_____.

"Time of examination_____.

"By order of the Secretary of State for War.

"*War Office, 1st December, 1869.*"

The clause of the Act under which it is supposed the Admiralty, adopting them from the War Office, issued these regulations runs as follows :—

"For each of the places to which this Act applies, either the Admiralty or the Secretary of State for War (but not both for any one place) may from time to time make regulations respecting the time and places of medical examinations under this Act at that place, and generally respecting the arrangements for the conduct there of those examinations."

It is observable that in the Clause (14) giving to the Managers of Hospitals, in conjunction with the Admiralty and War Office, power to make regulations for the management of Hospitals there is this reservation, that such regulations must not be "inconsistent with the provisions of this Act." There is no such limit, however, to the power referred to under the section above recited, and the Admiralty and War Office and the officers of these departments, appear to have entertained the opinion that the words under such section afforded them far wider scope and authority than merely to appoint the times and places of medical examination and the arrangements for such examinations.

The first of the string of regulations now under reference orders that the women be *called upon* to sign the voluntary submission. Does the spirit of the Act itself allow of such a regulation? Is it not inconsistent with that spirit that a policeman should call upon, request, or require a voluntary admission by which a woman unknowingly subjects herself to penalties as severe as if she had been proved before a magistrate on sufficient evidence to be a prostitute, and by him ordered to submit to periodical examination? It is worthy of

note that these regulations were not framed until after the 1869 Act had passed, which attached the same penalties to one who, having signed a voluntary submission, neglected to attend the periodical examinations, as if she had been brought under the Acts by the judicial decision of a magistrate. Immediately after the passing of that Act the regulations in question were formulated and enforced. The witness for the Government, as before named, submitted that the regulation No. 2 was a "mistake." It is a great marvel that the "mistake" was not discovered before. It was printed first on December 1st, 1869. It was again printed in February, 1870. How came it to be re-printed, if the first was an error? How came it to be hanging, under the full cognizance of surgeons and policemen intimately conversant with the whole Acts, and who must therefore have been aware of its illegality, in large type in the reception room of the Devonport Hospital? The conviction of this Committee is that the "mistake" was an *intentional* one, and that the design was to arm the police with a weapon too powerful for these poor women to resist, viz., *the threat of imprisonment if they did not sign*, in order that the system might be worked in privacy, without public attention being called to it, as would otherwise have been the case if the newspapers had been filled with reports of cases at the magistrates' courts! No. 3 is in strict harmony with, and confirmatory of the character of No. 2, and seems to indicate that only in exceptional instances did the threat contained in that shameful regulation fail in its object.

No 8 says that absentees are to be *brought up* at the next examination day to that upon which they ought to have attended. This, at Plymouth, would be the next day. Now, what is the inference from this? Is it not, that the police understand that they have powers to go to the woman and bring her up by force? That this is by them interpreted to be the meaning of this regulation, is plainly proved by the fact that, till protection was offered to these women by the public, the uniform practice of the police was to take this course. Women were frequently dragged to the examination-houses by physical force, and in no instance was the proper legal course pursued. In the event of a woman neglecting to attend for examination, the Acts require that she should, in this case, be summoned in the regular way, and have the opportunity of pleading, it may be, lawful excuse before the magistrate for her absence, on the ground of illness or other cause. This could not be done in a day, but would occupy several days, and therefore the regulation could not have meant

that these proceedings should be taken, but rather in its very terms overrides the regular judicial procedure, and treats with contempt the law of the land. How can the police, as individuals, be charged with any excess in the discharge of their duties, when they act in fulfilment of directions such as these? There is not a shadow of doubt that many thousands of arrests have taken place under this regulation, every one of which has been illegal, and where could have been found any remedy? The policeman of course would shelter himself under the War Office or Admiralty regulations, and of course these Departments would escape punishment, and there would be practically no redress!

But the regulation to which the Committee have from the first intended emphatically to refer, is that which stands last on the list. It is expressed in few words, but is very comprehensive and far-reaching in its meaning. It will be noticed that "prostitutes" are not specified—but all "new comers" are referred to. Here is an astounding license given to a set of policemen going about in private clothes, under no master, and clothed with all the authority of Government at their back to indemnify them against mistake or misuse! It has been alleged that the police have in numerous instances, by interference with respectable people, exceeded their duty. It may be well to ask, What is their duty? How is it circumscribed? What is the limit? If to ensure the conviction of a woman as a prostitute, the policeman has only to swear that he has "*good cause to believe*" her to be one, and if he is authorised by a Regulation of the Admiralty to *bring* all "new comers" under the Acts as speedily as possible, can it be considered by him or others an excess of duty to invite any suspicious-looking woman stranger to sign a voluntary submission? The Admiralty takes care not to limit the regulation to prostitutes only, but affords a wider license for its application. It is well known that "new comers" are found in the wake of a new regiment arriving in the town, but these are not necessarily to be assumed to be common prostitutes, and many of them are not so. Some of them may be women consorting faithfully with one man; many more the actual wives of soldiers "married without leave." "New comers" arrive from the country towns and villages in quest of situations. They are not necessarily prostitutes. They in their poverty are compelled to resort to low-class lodging-houses, the character of which is scarcely distinguishable from brothels, but it must not be inferred that they are prostitutes; and here the Committee must make a very practical remark.

It has been paraded by the special police (but only at Devonport, where a charming *couleur-de-rose* tint is given to all the operations of the Act) and their defenders and admirers, that as a fact, the Acts have tended to deter young women and girls on the borders of prostitution from taking the further fatal step. It is difficult to say how! But the police have, it is said, warned many young people whom they have found in houses of questionable character, and elsewhere, of the consequences attending a course of sin, and have thus persuaded them to return to their friends!

In reply to this statement, which has been made much of, the Committee feel bound to say, that in a very large experience during the last year or two in especial connection with the subjected towns—receiving under their care not the fallen only, but others in positions of temptation, through friendlessness or destitution—they have not heard of one single instance in which the police have warned a girl in the way described. Such a course on their part would at least have been inconsistent with the authoritative regulation requiring them to bring these new comers immediately under the Acts, to call upon them to sign, to point out to them the advantage of it, and to warn them illegally of the penal consequences of not so doing.

Not only have the Committee negative testimony that the police do not warn the girls from the houses where they find them, but they have had reiterated proofs that immediately a new-comer sets foot into one of these low lodging-houses or brothels, a message is sent to the special police, and at once an agent is on the spot to receive her submission, before the poor girl has time to realise her position. Thus the police and the keeper of the house work hand in hand, the latter to keep himself in the good graces of the police to avoid at any time being charged with an easily got-up offence against the Acts, and the former as dependent upon the latter (to use their own language) for “valuable information.” Moreover, the women who are subjected to the Acts have a keen sense of their rights and monopolies under the system, and “split,” as it is called, at once upon any strange woman, any new comer, who they may think has introduced herself on their domains without undergoing the ordeal to which they have to submit.

And thus it was that the inspector at Devonport had to admit that he brought under the Act 300 new comers during the past year, and the inspector of Portsmouth a still larger number; in fact, as large a number as under various

circumstances left the streets. How is this, if the police are so earnest in stopping young girls from entering a street life, and succeed, as they profess to do, in that object? Is it not clear that the Acts do not, in this form at least, act as a deterrent, but that they tend, on the contrary, to operate as feeders to prostitution? By giving the women a practical authority for their traffic, by assisting them to secure a more remunerative trade, enabling them, as the witnesses in favour of the Acts ingenuously admit, to dress better, to behave better, to be in every respect more attractive, this must be, as cannot but be acknowledged, to offer to young girls of weak principles an inducement to enter the life; and if it is so already, what would it not be if the system were matured? It would be to bring about in our social life an assimilation of the bad and the good, so as that the one could scarcely be distinguished from the other, resulting in the general laxity of morals which the same system has at least assisted to produce in France.

This must evidently be the tendency of this legislation, and because it is the conviction of this Committee that it will so operate, they have taken much pains to enquire into the entire subject and to expose its evils. They consider that they have effectively shown that the Acts, as a whole, cannot be deterrent, but the contrary; that the powers confided to the police make it next to impossible that they can go to any excess of mischief, inasmuch as the directions under which they pursue their duties are so indefinite, comprehensive, and unconstitutional, that they can scarcely proceed beyond them; and that the responsibility of this rests on the Government as the framers of these Acts, and on the great departments of the War Office and Admiralty in abusing the powers confided to them of making regulations.

The Committee have pursued their investigations with purely disinterested feelings, have endeavoured throughout to attach the responsibility to the right parties, and have shown, they think conclusively, by the foregoing arguments, that in the respects specially referred to, and none the less so in many others, the Acts are cruel, degrading, and demoralising, to an extent it is impossible to describe.

ALLEGED RECLAMATORY EFFECT OF THE ACTS.

The susceptibility to reformatory influences of women who have led a course of vice, is variously misunderstood by different persons. To some, looking at the deep degradation to which they have sunk from womanly modesty to extreme

abandonment of character and conduct, it seems all but an impossibility that they can ever rise permanently to respectability and virtue. To others it appears as if it were only necessary to give them a chance of reform and they would eagerly embrace it, and persist in the right course for the future. Both these views are extreme.

Some, little experienced in the undoubtedly difficult work of raising the fallen, would say it all depends on the state of mind under which the lost woman shall be when the opportunity to be saved is presented to her. That for such an opportunity to become available to her, she must be thoroughly penitent. Others would not wait for any symptoms of sorrow, but would urgently persuade the woman immediately to enter a Refuge, and against her natural inclination to do so. Both views are again, to a considerable extent, in error.

Again, some think that years of penitence and discipline in a Reformatory will alone fit such a woman to be received back into social life. Others that even a special policeman's word of advice or warning may accomplish the work of reformation. It need not be said, once more, that these are mistaken extremes of opinion. The *via media*, the judicious course to be taken, is not always easy to discover. Those who have had the largest experience in efforts to save and restore these women will most readily own that the task is far from being an easy or always successful one, or that the responsibility is of a light character. They will be the first to confess that fixed and unbending rules of management and discipline, adapted for each and all alike, are worse than the entire absence of all set rules of management. They will affirm that each case of mental, as of physical disease, must be diagnosed and treated separately. They will humbly confess, after all, that neither on rules, nor on personal efforts, nor on any degree of excellence in a system; but on God alone depends the success of the effort. It must be admitted, and this admission is cheerfully made by the Rescue Society, that so far as the observation of its members extends, not only in connection with their own Society, but with others of like character, there is no real success in this work where it is aimed at and sought for, independently of the special guidance and blessing of God. It is utterly impossible to exaggerate the gravity of the undertaking or its difficulties. At times, in striving for the good of even one individual, the obstacles seem insuperable. They commence at the period of the admission of the outcast one to a home, continue the whole

time that she remains an inmate, and last sometimes during many years after she has left its sheltering walls.

There is no question that the deep degradation implied in the very names given to these unhappy women, is a slough which, but for the strength and hope which religion inspires, few could extricate themselves from. The utter loathing, in many, of self and of society, is such as seems to hold out no promise of a way back to a respectable position; and it is this sense of degradation and of ever-recurrent despair which frequently constitutes the chief obstacle to efforts for their good.

Could hope be readily inspired in the breast, the way back would be rendered comparatively easy. Did repentance, "Godly sorrow," affect the heart, He who gave that bitterness would speedily heal the wound and point the way. It is this absence of true repentance, and the presence of a merely worldly sorrow which form the hard ground upon which the friends of humanity sow the seed, in hope that even here it will bear fruit.

Common modes of treatment will not do. Good rules, to habituate to regular and orderly habits, proper food, kind treatment, and such like, will be found good and necessary as supplements, but not these alone will raise a fallen woman to the permanent pursuit and practice of virtue. Those who enter this field of Christian effort will soon be disappointed if they hope fully, or in any worthy measure, to effect their object by these means.

Nothing short of a deep, Christ-like, and Christ-inspired love for the souls of the perishing will suffice for such a difficult enterprise. It must not be entered on capriciously, or relinquished hastily. Many years of service may be asked for before large fruits be given. But the reward in the end will be ample. These very remarks are suggested by the happy face of a young woman, once an inmate of one of this Society's Homes, now the mother of a family of children, who has just called on the writer. She had sunk very low; almost to the lowest depths of degradation and impurity. Once and again, after a temporary restoration to society, she fell back into her former infamous practices, but at length, when all human hope seemed to fail, she was, by the silent and unseen, but mighty and blessed power of God, brought to herself, and from that period her path became upward, and brighter and brighter. She is now a devoted and exemplary Christian woman, strenuously exerting herself to bring up her children in holy principles. She delights to teach them to pray and

read the Scriptures, and their infant lips seem to breathe already the spirit of piety and faith.

Her case is that of many whom the Rescue Society has been the means, though only instrumentally, of leading into the paths of virtue and godliness. The Committee could point to some who are engaged in going amongst the degraded and destitute classes, as Bible-women and Visitors, who were once themselves of the lowest dregs of society.

These great results have been brought about by the most persevering, patient, prayerful efforts. During many months and years these once-distraught ones have been under the influence of, or kept in view by the Society's devoted agents, and the Committee are confident in the expression of the conviction that any less exertion, or patience, or faith, would have failed in the purpose desired. They have never favoured any general emigration scheme for the removal to other countries of those who have lost hope and character in this. They have even been unwilling that their charges should, when prepared for employment and fit to be recommended to situations, go to any distance from them. They are invariably placed near to, or within a few miles of the Homes, so as to be visited by, or, in their turn, to have the opportunity of visiting the motherly and sisterly friends, by whose loving influence they have been benefited, and to whom they have become deeply attached.

By these and every other available means the teaching and influence of the Home has been kept up, and hence the results, under God, that have followed.

The Committee have very inadequately described some of the means by which the reclamation of fallen women has been, and is being effected.

They would now contrast with these labours the operations by which the agents employed in carrying out the Contagious Diseases Acts, are alleged to have reclaimed large numbers of "unfortunate" women in the districts subjected to the Acts, although, in fact, the plea has seldom been put forth as to any other district than Plymouth.

In the first place, serious consideration must be given to the circumstances under which these women are brought within the influence, good or bad, of the officers in question. This Committee have ever found that there must not only be a willingness on the part of the women to be rescued, but an earnest disposition for it, resulting from feelings very nearly allied to godly repentance, though not actually such, viz., distress of mind, compunction of conscience, and a longing for a

better life. Now, it is well known that women are only brought within the sphere of police influence at all, by the the force of the law, by the fear of penalties, exposure before magistrates, and imprisonment; and that but for threats of these penalties, no woman, however degraded, would offer herself to these officers to submit to the operations of the Acts; indeed many have suffered imprisonment on repeated occasions, rather than submit to the requirements of the Acts. The actual advantages to the women, the giving them papers to serve all the purposes of a license and clean bill of health, the increased custom and heightened gains which the operation of the law secures them;—not any nor all these results have secured the voluntary submission of the women.

By a method of extreme coercion, therefore, these women are brought under the influence of the special police, the examining-surgeons, and the Hospital nurses. By coercion are they made to listen to the advice tendered to them, and as actual prisoners in Hospitals, surrounded by high walls and under lock and key as securely as in a common gaol, are they compelled to bear the persuasions of the persons there. Giving every credit, as the Committee would desire to do, to the police, the surgeons, and the matrons of the Hospitals, they assert that these people have not the means of bringing about the reformation of the women. The great moral element is utterly wanting in the system. The freedom to accept or not the offer of a Home, the complete voluntariness of mind and will on the woman's part is absent, and as the reformation of such a woman is not effected by any system of restraint or rule, apart from her own will, but emphatically, only through acting upon that mind and will, or rather giving opportunity and help to that mind and will in its desires to escape from misery and sin, it is utterly impracticable that the object can be effected under such circumstances as are now in view.

It is found that even under ordinary circumstances the use of over-persuasion to induce these women to leave their sad life, not only fails of success, but actually places obstacles in the way of their reformation. This Committee require, as an absolute rule, in order to the admission of an applicant, that an assurance be given on the part of the benevolent persons making the application that they have not used any great persuasions on the woman to enter a Home.

These are strong statements. Confirmation of them cannot be found in the inexperience of those who have not laboured in this work; but the Committee unhesitatingly submit the

question to every one engaged in the work of rescuing the lost, whether they have exaggerated the truth. If over-persuasion will not do, coercion or restraint in any sense or degree certainly will not, nor will resort to other and still less justifiable means. To offer a young woman, whom other arguments have failed to induce to enter a Home, a speedier release from Hospital confinement, conditionally that she will enter a particular Home—a system adopted at the Hospital at Devonport, when the women were disinclined to enter the local Institutions—is sure to fail in its practical results.

On the face of it, the plan of rescuing women by means of the special police—towards whom, on the part of the [women, great bitterness of feeling and a cowed, if not overt, spirit of resistance exists—is so preposterous, as not to need any statement in disproof of the exaggerated assertions of the police, especially of Devonport and Plymouth. It is evident in itself that the framers of the Acts did not contemplate the rescue of the women even under the whole system, inclusive of Hospital treatment and the ministrations of the official chaplain, by the circumstance that no provision whatever was made for the reception of the women into Homes or Refuges after their release from the Hospital, or by the application of public funds for such a purpose. But if any hope had been entertained as to the reclamatory influence of the Acts, it would necessarily have been in that part which related to the Hospital treatment. It is only when a woman is in Hospital that the offer is made to pay her expenses to her friends—a stretch in itself of the provision which was originally inserted in the Act to authorise, as its actual terms indicate, the woman's return to her "residence," viz., the brothel from which she had come. The *police* have no power or facilities whatever of assisting a poor girl to return to her friends. Neither have those officers the legal power to say to any young woman whom they may find in a brothel, and known to be living a vicious life, "Go to your friends." The official instructions given to them are emphatic, that they are to "bring all women, and especially new comers, under the operations of the Acts as speedily as possible," and the Committee have extensive and demonstrable evidence that these instructions are severely carried out. It would be ludicrous, if it were not suggestive of more serious thoughts and feelings, to be informed by the police inspector at Plymouth that he and his officers have effected the reformation of 90 per cent. of the women on the register; or rather, that the combined endeavours of the Hospital and police had resulted in these vast reclamations. It has been

shown, in the published statistics of the Hospital, that the number reformed under its influence is but 3 per cent. of the whole number of common women in the district ; and when it is said reformed, this merely means that its authorities have induced this number of women to take the first step towards reformation, *i.e.*, to enter Homes, leaving it to voluntary effort to do the rest, that is, *to do all the work*. The other 87 per cent. is to be credited to the exertions of the *police*. It has, however, been shown though but feebly, what are the real requisites for effecting the reformation of fallen women, that they should be under no coercive influences, under no fears or extreme persuasions of any kind, that they should voluntarily and earnestly seek to be saved, that the well-tested means of rescue are Homes with godly matrons—women of eminent piety, full of pity and tenderness, that the process is the work of years of painstaking effort ; and that with all this, and after it all, it must by a patient and thoughtful faith, be left in the hands of God to do in these poor creatures the whole work of heart regeneration. Now, let it be asked, is the police agency the one at all calculated to effect the reformation of these women ? Can it do it in any degree ? Is it not totally at variance with every reasonable ground on which a hope of success can be raised, and if so, what reliance can possibly be placed on the professed power of the police to carry out this difficult, delicate, and great work ? It would have been quite unnecessary to dwell at so much length on this question, but that the statement referred to has been audaciously put forth, has been widely circulated by persons favourable to the Acts—has been endorsed in the public speech of a Cabinet Minister—and, by the ill-informed and unthinking, has been accepted as true. The Committee had regarded this statement of 90 per cent. of reclamations put forth by the inspector at Plymouth as wild utterances issuing from a pitiable mania of recklessness and untruthfulness, which it were better to have passed by in silence, but for the mischievous and unshamed prominence which has been afforded to the incredible assertion. They would urge that it is the paramount duty of every one engaged in the cause—since it is one—of rescuing the women and seeking the repeal of the Acts—to take pains to show the utter fallaciousness of the idea that the Acts have been instrumental in effecting to any appreciable extent the reformation of women ; and this, too, distinctly and apart from the great offence of the wholesale corruption of public morals, and of the encouragement of men and women in vice consequent upon the attitude taken by the State in its

dealings, under this law, with loose women and brothels, and and the practical licensing of prostitution thereby.

THE PROPOSED REMEDY.

The first Act which passed in 1864 took legal cognizance of a woman only when she was reported to be in a state of disease. Under the order of a magistrate she was liable to medical examination; and if found to be as reported, was consigned to a Hospital, and detained there as a legal prisoner till well. A certificate of health was then given to her, and she was discharged. With this certificate in her possession, she went forth as a tempter of men; and with just the results which might be expected.

But under this Act it was found impracticable to bring the entire number of the abandoned women within the district subjected under Hospital supervision and treatment. The Act of 1866 was then passed, and that of 1864 repealed. Under the new Act a register was kept of all women supposed to be of the class referred to, and these were compelled to appear for medical inspection—not as under the 1864 Act, only when alleged to be diseased, but whether in that state or not. These examinations were periodical, being performed once a fortnight, or oftener, at the discretion of the official surgeon.

So great has been the public outcry in reference to the examination of women periodically, and so clear has been the evidence, that it has acted as an inducement to vice on the part of men, that the Royal Commission, after hearing evidence for and against the principle, recommended that that portion of the Act of 1866 should be repealed, and that the principle of the original Act of 1864 should be adopted. It seemed to be felt that the objections to the detention of women in a state of disease were less strong than those to the enforced and indiscriminate examination of women, only a small percentage of whom were found to be diseased. It seemed also to have been the impression on the minds of the Commission that the system of periodical examination with a view to the protection of men, was more open to the charge of being regarded as a Government license to vice than the system which only dealt with the women when in a condition of actual disease.

Now comes the question—whether this important modification of the Act would remove the objections entertained on principle against this species of legislation?

Assuming that the practice of the periodical examinations will really be done away with—and this is a very wide

assumption, especially if, as is proposed, the voluntary submission principle be retained, and the brothel-keepers be placed in league with the police to secure that the women in their power are kept in health for the use of vicious men—will the removal of that most objectionable feature of the present Act satisfy the public mind?

The Committee of the Rescue Society unhesitatingly think *not*. For themselves, primarily responsible as they are for the origin of the present agitation against this legislation, they will never cease their endeavours until the Acts—in every particular in which they coerce the women subjected to them, and make provision for the lusts of men—be repealed. The voluntary Hospital system, which is one which can be maintained on the unimpeachable ground of compassionate help for individual suffering, without the responsibility of being accessory to the wilful misdoings of second parties, is the only principle this Committee can approve.

The arrest of women of ill-fame on the sole charge of being diseased, and their enforced detention in Hospital until cured, with their deliberate relegation again to a life of unmolested prostitution, is on the very face of it a sanction to vice. It is saying to the women, "Pursue your course without let or hindrance if you are well. You only offend against public law when you follow your trade in an unhealthy state." The Committee affirm, without a possibility of contradiction, that out of many thousands of women who as prostitutes have been brought under the law for the purpose of being cured of, or preserved from, disease—not one has been proceeded against as a prostitute or evil-doer simply. The present laws for the supervision and care of prostitutes are entirely subversive of such wise and salutary legislation as has hitherto existed for the suppression or discountenancing of prostitution. Exactly the same thing may be said of the houses of ill-fame—which hitherto have been regarded as one of the chief inducing causes and worst concomitants of prostitution—that while under these sanatory laws they have been all registered and constantly visited by the officers of the law, the keepers of them constantly communicated with and relied on for assistance in carrying out the provisions of the Act; not one house has been proceeded against either by the police carrying out these laws, nor at the instigation of, or with the help of these officers. Various prosecutions have been instituted against them, but they have—every one of them—been for offences relating to the sanatory state of the women; in fact, practically because they did not secure that the women

residing in the houses were free from disease! Here is a confession for an enlightened and professedly Christian Government—that it is of no use further warring against prostitution and sexual vice, that the evil is in itself to be regarded as a fixed and necessary element in the social life of the people! This confession is even broader. It is saying that not only is this evil a necessity, but that public law shall not further attempt to forbid or suppress it. It is a direct pandering to its presence by giving to the viciously-inclined a public guarantee and over-inducement to infringe those sanctions of moral law which are equally binding on the community and on its individual members.

The Committee of this Society have no hesitation in stating their conviction that the majority of the advocates of these Acts do virtually regard the gratification of the propensity to this vice in men to be a thing no longer to be forbidden, since it is openly proclaimed to be a necessity for them; if not, why has one of the most influential advocates and principal witnesses for the system, Sir Wm. Jenner, physician to Her Majesty the Queen, deprecated the suppression of "professional prostitution" in the interest of youths, on the ground that if it be not permitted for them, its absence may occasion "other and worse evils?" Why does another witness ask the question—"What are you to do with a body of men in the full vigour of manhood if you don't allow them to marry?" Why do other witnesses think the reduction of prostitutes beyond a certain number—compared with a certain number of troops—cannot be afforded? The Government, and those associated with them, are presumably actuated by the belief existing in the minds of many, that that which Christian men are taught to resist and forbid as an evil, is not an evil, but a needs-be; and if a needs-be, therefore, no longer a thing to be discountenanced.

That this is the conviction produced by a calm contemplation of this legislation is obvious. The provision of a Chaplain to give instruction to the inmates in the Hospital is seen to be a mere blind—the more conspicuously so as there is no provision made by the Acts for the women who may desire to relinquish their mode of life. If a certain number of women are needed in proportion to the criminal wants of the men, how can the advocates of the Acts desire the full reformation of the women, involving as this would their entire removal from the streets and from the use of the men? It would be only feasible in the hope that so many others would fill their place. This fact is clear to the most ordinary observer.

This legislation, therefore, in its foundation principle is a public retrogression from a position of national and legislative contention with evil, and an assumption of an opposite position—that of fellowship with or connivance at the dethronement of moral law.

And if it be so in character, it is eminently and demonstrably so in actual practice. In its working, in its details, it is as clear, direct, and overt an inducement to vice as it is possible to conceive an organised system to be.

Under the Act of 1864, as has been stated, a certificate was given to every woman on her discharge from Hospital, pronouncing, in actual terms, that she was free from contagious disease. On the evidence of Government witnesses themselves, the very evils occurred which the most ordinary thinker might suppose, and those to a frightful extent. The certificate became an instrument of vice; and consequently on the framing of the Act of 1866, the certificate was ordered to be retained by the police. This occasioned this strange anomaly—that if the woman were charged *by the police* with any offence which occasioned to her the need of the certificate to justify or defend herself through its production, she could only bring it forward by demanding it *from the police themselves!*

But when by the new Act, the women were debarred the use of the direct certificate of health, they immediately made use of what was equally serviceable to them, viz., the notice-paper, signed by the examining-surgeon on the occasion of each examination, which the law requires to be given to them specifying the date of the present examination and the period of the next one. This has been convincingly proved in evidence before the Royal Commission to have served all the purposes of a clean bill of health.

The administrators of the Acts have recently endeavoured to remove this admitted evil, by withholding the notice-paper referred to until within a few days of the time of examination, or by illegally withdrawing it from each woman after it has been served on her, so as to prevent its presentation to men as a temptation to vice.

Does this meet the evil? No; every day's continuance of the Acts, from 1864 to 1871, a period of seven years, has matured their objects and purport in the minds of the vicious. Their principles and details have been the subject of conversation in every publichouse and brothel, and are well known among all the inhabitants of the places where the Acts have been in force, and what is the result? The end is this—that the men who consort with these women know fully that the

women are subjected to the provisions of the Acts. The certificates first, and then the notice-papers, have done their work, and now, as the men know the objects and periods of the examinations, the mischief is completed. Nothing but the entire sweeping away of the Acts can undo it. Not only in its practice is it regarded as affording a guarantee of immunity from disease, but it has written upon the hearts of men the terrible lesson that the Government and those who in this matter uphold their action, no longer demand or expect the practice of virtue and morality by the people, but anticipating the contrary, have become careful to provide for vice by healthy prostitutes and well-regulated brothels!

Will the repeal of the periodical examinations remove this impression? Will it do it in any degree? Will it at all root up the pernicious doctrines lying at the root of this legislation? The answer of every candid mind will be "No." There is not a single principle or detail which underlies the old system which is not as obnoxious as those of the present one. The former are indeed identical.

The admission of the necessity of vice to men, the relegation to punitive treatment of one of the joint participants of a mutual moral offence, the immunity with which in the one case physical disease may be communicated as compared with the severity with which it is treated in the other, the infringement of civil right, the danger to womanly chastity from false accusation, with the obnoxious and excessive powers entrusted to the police, are flagrant features of both systems alike; whilst, if anything, the old system is the more contemptible of the two in the duties it gives to the police of prowling round Hospital wards, adjuring men to denounce their partners in guilt, lending their ears to the insinuations and hints of bawdyhouse-keepers, and affording "gentlemen who have been unfortunate enough to become infected" the opportunity of pouring in anonymous letters, intimating from their own position of secrecy the source of their "misfortune."

But the matter concerns the women also, whom the Acts subject to their rule. What will be the impression on their minds? Will the removal of the obnoxious and degrading periodical examination convey a different impression to them than that induced by the present system, that they are sanctioned in their evil ways? How can it be so, if they are allowed to pursue their course uninterruptedly, except when *diseased*? How can it be, when they are to be rendered only liable to be summoned before the magistrate when in a state *physically* dangerous to the community? How can it be, when

they are kept, and treated, and cared for at the expense of Government, the laws of which they are, in their own view, no longer breaking by the act of prostitution? Again, what would be the effect of the new system on the brothel-keeper? He is liable, under these Acts, to a heavy fine if he allow a woman to lodge in his house knowing her to be *diseased*. What does the Royal Commission propose to do in this matter? It proposes to take out the word *knowingly*, and to subject the brothel-keeper to the same penalty if, *knowingly or unknowingly*, he harbour a *diseased woman*. Here is a monstrous proposal. It amounts to this, that brothel-keepers, in order to satisfy the anxieties of the State, must guarantee to their male customers entire immunity from the risk of disease. Is it any stretch of imagination to suppose that each keeper of a house of ill-fame will either have his own paid medical attendant, or that he will be in closer accord with the police officials to secure the regular visitation of his women to the State surgeon, who will be at hand for their inspection. What will be the impression made by this legislation upon the keepers of these dens of infamy, and upon their frequenters of both sexes? Will it not convey as distinct an impression as it is possible to intimate to them, of Government approval and authorisation? It is impossible that it can be otherwise. Hence the Committee of this Society feel, that apart from the cruelty and degradation of the system upon the women subjected to the Acts, they cannot approve of any modification of the Acts such as that to which reference has been made.

But it will be well to glance a little more closely at the probable character of the intended Government proposals. The Committee do not pretend to an unusual prescience in this matter; but neither are their speculations wild nor unfounded. They have watched very closely the course of this question. They have been observant of the desperate pertinacity with which the officials have clung to the obnoxious system. They early denounced the constitution and objects of the proposed Commission, declared its design not to be to abolish the law, but to formulate a foregone conclusion merely to modify the system, and predicted its probable deliverance. They have been familiar throughout with the bias of its chairman, secretary, and chief members, and traced the course of its inquiries as it proceeded. They have weighed, too, the utterances of the various members of the Government as they have been from time to time expressed, and rightly estimated the action it took on the occasion of Mr. Fowler's motion for repeal. They have long and carefully discussed the meaning

and bearing of each recommendation of the Commissioners, and the pledges of the Government that it would be guided by them, and they venture now to announce that, unless compelled to do so by the pressure of public opinion, *it is the intention of the Government to relinquish neither the principles of this legislation, nor the offensive detail of the regular examination of the women!*

With an ingenious subtlety in its plans, which it is hoped the nation will not be discerning enough to penetrate, and an admixture of further good objects in the proposed measures, which it is anticipated the public will be eager to approve, the Committee believe that, so far as these plans of the Government are concerned, *all the details and objects of the present system will be simply revived in another shape!*

In compliance with the spirit of certain of the recommendations of the Commissioners, it is probable that, by the provisions of the new legislation, loose women will be driven from the practice of their calling in the streets and highways, and drawn together into houses well-known to the special police to be still employed under the new law. The repression of the scandals connected with street solicitation, which are at present such an offence to the public eye and ear, and the enforcement of public decency in this particular, will, it is anticipated, fully reconcile the public to the further and more hidden operation of the projected law. Once congregated in recognised houses (to which result the operation of the recommendations depriving publicans and common lodging-house-keepers of their licenses for *harbouring* merely will further tend), the unfortunate women will be at the utter mercy of their keepers, and the police agents acting conjointly. The Committee are able to avow that the police are in possession already of a terrible engine of coercion in the application of the clause which subjects the brothel-keeper to penalties for knowingly harbouring *diseased* women. Had it not been for the effect of this clause, the repugnance of the women to the examinations could never have been overcome; but the invariable argument of the policeman at present with recalcitrant women—and it is always a successful one—is, “If you are not up next time, *I shall send a summons to your landlady!*”

The women being very generally in the power of the brothel-keepers, whose fears of fine and imprisonment are thus appealed to, the helpless creatures have been literally driven like slaves by their keepers to the examination-stations. With the enlarged powers under this section to be granted to

the police, whose present doubtful right to enter the houses at their will the Commissioners recommend should be established and authorised, the screw will be so applied to the keepers of these houses that *compulsory and periodical examination* of the women, with more frequency even than now, with the secret approval of the Government officials, and probably by the instrumentality of the surgeons of the official Hospitals to be still maintained, will be in full operation, and the disastrous effect of the system on public morals will be continued.

The Committee have from the first pronounced that the result of these dangerous experiments in immoral legislation would be, step by step, the full establishment of the French system amongst us, with its *maisons tolérées*, its *billets de santé*, its hopeless depravation of the poor slaves of the system, its demoralising tendencies on the community, its development of clandestine prostitution, and its further spread of the disease sought to be controlled. Their first utterances on this subject, which will be found in an earlier report, seem likely now to receive an unhappy confirmation; and, as surely as this is the case, the nation will have entered on a career of moral and physical decadence which will warrant still further forebodings.

As a further flagrant instance of the *animus* of the Commission, and of the probable action of the Government, the monstrous proposal is made that on the conviction of any of these unfortunates for riotous behaviour or public solicitation, she shall, *in addition to her sentence for such offence*, be conveyed for examination to a Government Hospital, and if found diseased, *be detained there as a prisoner* till the Government officials declare her to be cured!

Nor can the Committee pass from these recommendations without expressing their indignation at another of a similar character. These gentlemen recommend that any inmate of a union workhouse found to be affected with syphilis should be passed to the custody of the Government officials in the certified Hospitals, to be there detained as a State prisoner for the period specified in the Acts. Hitherto this infringement of liberty has been sought to be justified on the ground of the well-established immoral character of the women brought under the law; but henceforth all civil rights are to be subordinated to the theories of medical *doctrinaires* and the dragooning interference of Government functionaries. In the experience of this Committee the affliction of syphilis is not always the well-approved mark of criminal immorality. Many hitherto chaste young girls, and even children of very

tender years, have they known to be seduced or violated by male wretches who have communicated to the sufferers this foul malady ; and, in the paucity of hospital-beds, the Committee have been glad to send the poor creatures to the workhouse infirmary. Not once nor twice have they likewise recommended to the same refuge married women who have so suffered from the misconduct of their husbands, and have been deserted by them. It is a monstrous intolerance on the part of a body of rich gentlemen, thus calmly to recommend the sacrifice to an evil system, whose principles they have persuaded themselves to espouse, of all the humanities and discriminative dealings with which the sorrows of the poor and desolate should ever be treated ; and the Committee recommend that the application of such an arrogant provision as this should be firmly resisted.

The Committee deeply deplore to find the Government of a Christian country, in its past and probable future dealings with the vices of its subjects, NO LONGER IN ACCORD WITH THE PRINCIPLES OF MORAL LAW ! It is a sad decadence from right principles of human government when rulers, from inferior considerations of expediency can stoop to participation with offenders in a violation of the supreme authority of the great Moral Governor of the universe. Whether His WILL be discovered in the pages of inspiration, traced in the dictates of reason, heard in the voice of conscience, or uttered in the teachings of nature, it is positive and uniform. It is ever *prohibitory*, and never exculpatory or affirmative of human transgression. The moral law of Christianity, whether heard in the Sinaitic thunders, expressed in the condemnation of secret lust uttered by the meek and gentle Saviour, or proclaimed in the bold and unstudied language of His Apostles, is in unison likewise with the teachings of reason and nature in respect to sexual vice. It does not allow for the "necessities" of the transgressor. THOU SHALT NOT—is its stern and unvarying utterance. It does not treat the moral agent as a machine to compel him to compliance, but it prohibits his rebellion, and warns him of awful penalties as the result of his transgressions. Our forefathers were wise enough to discern the teachings of the moral law, and our whole legislation has been hitherto instinct with its presence and influence. It has been reserved for a later and more enlightened generation to reverse the tendency and office of true legislation ; and descending from the maintenance of that high standard of public morals, and of individual responsibility, which it is the interest of commonwealths to preserve, in defiance of Scripture

and reason, to "make provision for the flesh to fulfil the lusts thereof."

If, in the forced and unwilling confession of the Royal Commissioners, "it is difficult to escape from the inference that the State, in making provision for alleviating its evils, has assumed that prostitution is a necessity," the only effect of further legislation in the same direction will be to confound the distinctions between virtue and vice, to benumb the public conscience, deprave the public morals, and introduce such a flood of licentiousness as will hurry the nation into a course of ruin which will speedily bring upon it the displeasure of Almighty God.

Such vaticinations as these are justified in the light of recent examples, and amid the utter confusion of right and wrong, of evil and good, of decency and indecency, of moral and immoral results, which are enshrined in these statutes, and are produced on the minds and conspicuous in the arguments of their supporters, the Committee implore all their subscribers to hold fast to *moral principles alone* as the safe guide in this controversy, and to assist them in banishing from these shores the foul plague of these immoral laws.

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