

**Legislation and 'contagious diseases' : an extract from the inaugural address delivered before the American Medical Association at its 27th Annual Meeting in Philadelphia, June 6, 1876 / by J. Marion Sims.**

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LEGISLATION AND 'CONTAGIOUS DISEASES'

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AN EXTRACT

FROM THE

INAUGURAL ADDRESS DELIVERED BEFORE THE  
AMERICAN MEDICAL ASSOCIATION

AT ITS

*27th ANNUAL MEETING in PHILADELPHIA, June 6, 1876*

BY

J. MARION SIMS, M.D.

PRESIDENT OF THE ASSOCIATION

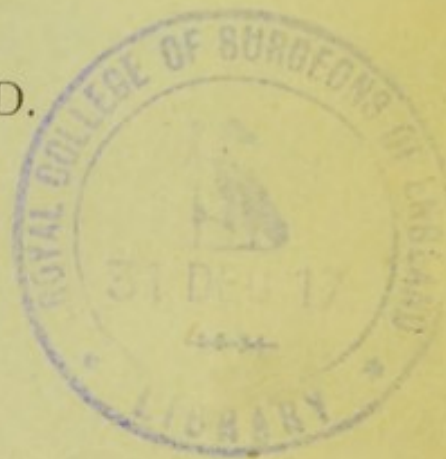
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1876



REGISTRATION AND CONTAGIOUS DISEASES

AN EXTRACT

FROM THE REPORTS OF THE  
AMERICAN MEDICAL ASSOCIATION

FOR THE YEAR 1900

J. MARION SMITH, M.D.

CHIEF OF BUREAU

OF THE BUREAU

PUBLISHED BY THE AMERICAN MEDICAL ASSOCIATION

1901

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On June 9, in General Session of the American Medical Association, it was unanimously voted that 5000 copies of that portion of the President's Address relating to State Medicine and Contagious Diseases be printed for public distribution.

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THE SUBJECT of syphilis is rarely mentioned in polite circles, even by medical men, and then only in whispers. It is our duty to enlighten the public upon all questions of public health, and particularly upon this one. Indulge me then for a short time while I say a few words on this subject—words addressed nominally to you, but really intended for those behind and around you who live in darkness and utter ignorance of the dangers that threaten them.

So far as the well-being of the human race is concerned, I look upon the subject of syphilis as the great question of the day. It was formerly a question of treatment, of mercury or no mercury. But that time has passed, and now it is a question of prevention, of eradication, of the protection of the well against the contamination of the sick. In other words, it is no longer a question for the therapist, but one for the sanitarian, the philanthropist, the legislator, the statesman. It is one of public hygiene and public health, and as such we are bound to meet it. The time has come when we can no longer shut our eyes to its evil influences, and we must deal with it precisely as we deal with other great evils that affect the general health of the people.

If yellow fever threatens to invade our precincts, we take steps to arrest its progress at once. If cholera sounds the alarm, we immediately prepare to defend ourselves against its ravages. If small-pox infests our borders, we circumvent and extinguish it. But a greater scourge than yellow fever and



cholera and small-pox combined is quietly installed in our midst, sapping the foundations of society, poisoning the sources of life, rendering existence miserable, and deteriorating the whole human family.

Does any one for a moment think I exaggerate the evil consequences of this dread disease? To the medical profession the truth, as I state it, is well known ; but, as I said before, the public at large are ignorant on this subject, and it is our duty to enlighten them, to point out the danger, to show the means of protection, and to lead the way of escape. Let us hear what a few of the most eminent medical men now living say on the subject.

Sir Thomas Watson says : ' It counts its victims not only in the ranks of the vicious and self-indulgent, but among virtuous women and innocent children, by hundreds and thousands.'

Sir William Jenner says : ' I cannot too strongly express my conviction of the gravity of syphilis at the present time. It is one of the most fatal diseases we have in this country. I think it a disease *entirely preventable*. Children and others suffer largely from it without any act of their own, and I think it ought to be prevented.'

Mr. Prescott Hewitt also testifies to its ravages among innocent children, and says he knows of no disease more terrible, and that it should be prevented by legislative action.

Mr. Simon (Medical Officer of the Privy Council) said that the infections of the brothel were oftentimes carried into simultaneous or subsequent wedlock, in some cases fixing their obscene brand even on the offspring of such marriages.

Sir James Paget says : ' It would be difficult to overstate the amount of damage that syphilis does to the population ;' and that ' a number of children are born, subject to diseases which render them quite unfit for the work of life.' He further said : ' We now know that certain diseases of the lungs, the liver, and the spleen, are all of syphilitic origin,



and that the mortality from syphilis, in its later forms, is every year found to be larger and larger.' Sir James Paget further said that he had seen five surgeons die, and fifty others suffer more or less, from the infection received from patients.

The facility with which syphilis is communicated is marvellous. It is often given in a kiss. French medical literature teems with examples of this sort. Prof. Goss has seen many such cases. Among them was a young lady who had a hard chancre on the lip contracted by kissing. In a few weeks her blood was completely poisoned; subsequently she married, and in due time she gave birth to a child that died in eight weeks, covered with syphilitic sores on the vulva and nates.

Prof. Gross also tells us that an 'endemic of syphilis occurred in Brives, a little town in France, in 1873, fifteen women, nine children, and ten men having been affected in rapid succession. Great excitement for a time prevailed, wife accusing husband, and husband wife, of conjugal infidelity, when it was at length ascertained that the cause of all the trouble was a midwife, who had a chancre upon one of her fingers, contracted in the exercise of her profession, and who had thus carried the poison from house to house.'

A short time ago a healthy-looking young man obtained a situation in a glass factory in the north of France. A few weeks afterwards a dozen or more of the glass-blowers had syphilis in some form or other, and were unable to tell how they got it. But the attending physician soon traced the disease to the new comer, who was found to have a syphilitic ulcer in his mouth, and the others were inoculated by using the same blower that he did.

I have known two medical men infected with this disease by patients, while in the discharge of their professional duties. Each had a slight scratch or abrasion of skin on the fingers, and by this channel the poison was carried into the blood. One of them died most horribly in a mad-house from disease



of the meninges of the brain induced by this accidental syphilisation; while the other is still eking out a miserable existence, his whole system being pervaded by the deadly poison. Nurses are frequently infected by children born of parents, one of whom (always the father) has had syphilis; and diseased nurses often infect innocent sucking babes, born of perfectly healthy parents. I have known a drunken vagabond husband to contract syphilis in a low brothel, and communicate it to his wife, who unwittingly gave it to her four children simply by using the same towels and wash-bowl.

The nature of the disease, and the manner of its propagation, were not recognised till eruptions and putrid sores, and ulcerated throats, and agonising pains, and blindness in two of the children indicated too plainly the unmistakable character of the disease.

Some years ago, a handsome, dashing young fellow captivated the heart of a beautiful and accomplished young girl, the daughter of one of our wealthy merchants. The sensible father opposed the marriage. But the foolish girl would have her own way, and they were married. While on their bridal tour this innocent girl and confiding wife, not seventeen years old, was syphilised by her husband, and her blood was soon poisoned. In due time she became a mother. One of her children had syphilitic eruptions, one lost the bones of the nose, and two others were variously affected with symptoms of a loathsome disease that circulates in their blood, and which will lay the foundation of disease in their offspring, if they should live to have any.

The blood of the loving wife is often poisoned by the seminal fluid of the husband, infected before marriage. I have seen an innocent young wife with the vagina full of venereal warts, only a few weeks after marriage with a man who supposed he had been cured six months before. Many years ago I knew a rich widow who married a man socially beneath her station in life. It was a great grief to her family.



But a greater was in store for them. The husband, who seemed vigorous and healthy, had had syphilis a few months before marriage, but thought he was cured. Six months after marriage his wife had syphilitic iritis, and other symptoms of constitutional infection, and she soon became perfectly blind, and in the course of a year she died in the greatest agony from disease of the membranes of the brain, accompanied by nodes and other symptoms of constitutional syphilis; and yet the husband, who, by his kisses and his embraces, poisoned his wife's blood, and thus murdered her, had only a slight scaly eruption on the scalp and in the palms of the hands.

I have seen a cook and a chamber-maid with syphilitic ulcers on the fingers. Think for a moment of the danger to innocent people from such a disgusting thing.

I feel that I should apologise for presuming to lay these details of personal observation before you. My apology is found in the fact that it is only by specific information that we can hope to create a sound public opinion on this subject. Generalities are absolutely useless. Facts, and facts alone, constitute living evidence. But if I, who have never been in the way of seeing and treating this disease, have had such an experience, what must be that of the general practitioner, and what that of the specialist who gives his time wholly to this department of human suffering?

You know that primary syphilitic ulcers are not generally painful. Hence the subjects of them think they are little accidental sores, or abrasions, that will soon get well. These sores often remain stationary for a while, and then heal up. Again they degenerate into a sloughing state, attended with great suffering. But it is when the disease becomes constitutional, invading every part of the system, producing ulcers in the throat, warty vegetations or eruptions on the skin, or thickening of the periosteum, nodes on the long bones or on the os frontis, or disease of the liver, spleen, and other diges-



tive organs, or ulceration and loss of the bones of the nose, or blindness and disease of the meninges of the brain, or even softening of the brain ; in short, when its ravages are traced in every part of the human frame—then can we realise the nature of this terrible scourge, which begins with lamb-like mildness, and ends with lion-like rage that ruthlessly destroys everything in its way. Skin, mucous membrane, the blood, viscera, bones, brain,—all are saturated with a poison which is ineradicable ; and death comes at last, a merciful messenger of relief from such a disgusting and wretched existence. I need not add another word to show the loathsomeness of the disease, nor to prove that we are at every turn met with the danger of infection.

Give me a moment to inquire into the relative frequency of this disease in localities where registration brings out reliable statistics.

In the out-patient department of Guy's Hospital 25,800 cases of venereal disease are annually registered in that one institution, being 43 per cent. of the total number of out-patients registered ; in the Hospital for Diseases of the Skin, 10 per cent. ; in the Throat Hospital,  $15\frac{1}{2}$  per cent. ; in Moorfields Hospital for Diseases of the Eye, 20 per cent. ; in the Workhouse Infirmary, 10 per cent. Among the poor in London applying for relief at the hospitals, there are upwards of one hundred thousand annually affected with syphilis in some of its forms. And this is but a moiety of the whole amount of syphilis found in that great Metropolis. If such a large percentage of British blood is thus poisoned with this loathsome disease, how is it with us English-speaking Americans ? Our sanitarians will tell you that New York and Philadelphia, Boston and Buffalo, Chicago and St. Louis, Cincinnati and Louisville, New Orleans and Mobile, Savannah and Charleston, Norfolk and Richmond, Baltimore and Washington, are all relatively as rotten as London, Glasgow, Dublin, Liverpool, or any city on the Continent.



And from recent developments it appears that San Francisco is worse off than we are. In an able speech delivered by Senator Sargent, in the United States Senate, on the 1st of May, on the existing treaty between China and this country, he brings forward testimony to show, that of the hundred and fifty thousand Chinese on the Pacific slope, there are not a hundred families, and that ninety-nine hundredths of the Chinese women imported into California are sold and held as slaves—slaves to be used wholly and solely for the purpose of prostitution—and that their presence necessarily breeds moral and physical pestilence.

According to the evidence of Dr. Toland, even boys eight and ten years old have been syphilised by these degraded wretches, who are allowed to openly solicit in the streets, tempting old and young alike.

Shall it be said that we, the representatives of the medical profession of a great nation, the custodians of the health of forty millions of people, cognisant of all these facts, will longer let the people remain in ignorance of the dangers that surround them? No, my friends! We must be up and doing. We must follow in the footsteps of our illustrious leader, Professor Gross. We must sound the alarm. We must no longer whisper, but we must boldly proclaim the truth, and scatter it broadcast over the length and breadth of the land. We must call to our aid the Press, the pulpit, yea, the women of the country. To do all this, we must show the world that we are in earnest. We must here issue our orders, and call upon our State and County Medical Societies to do our bidding and to co-operate with us. We must keep the subject not only before the profession, but we must keep it before the people, and we must appeal to legislation to give us the power to blot out this blight from among us.

I have not time to speak of what has been done in France and England for the prevention of the spread of syphilis. Suffice it to say, that the plan adopted there is not the one



for us. We want no legislation that looks to licensing prostitution as in France, and we want no such partial legislation as we find in the 'Contagious Diseases Act' of England. We would not outrage religious sentiment by adopting a system of fostering vice; nor should we subject the hardy soldier, even for his own good, to invidious restrictions not imposed upon others in the community. Besides, how absurd would the English system work with us when we have but a nominal army, and that scattered over the frontier, away from the pale of civilisation and its worst vices! Class legislation in any shape, and for any purpose, is distasteful to the people of any country, and especially of ours.

We know that cholera has a home where it is perpetually generated; that transplanted, it flourishes for a while, then dies out, and seldom reappears, except by fresh importations from its original source of supply. But syphilis, unlike cholera, originating when and where it may, always fixes itself in great populous centres, taking up its abode in the haunts of ignorance, poverty, squalor, filth, and vice. From these low conditions of life, it mounts gradually higher and higher, and sometimes to the highest, so that in the end whole communities, so to speak, may become contaminated.

To protect the public against its ravages, we must strike at the root of the evil. We must seek it out in its hot-beds, and circumvent it with such regulations as to prevent its transmission. We must ask for such laws as will confer upon us the power of dealing with this disease as we already possess with regard to cholera and small-pox.

The carriers of trade between nations, and between great commercial centres in the same nation, are the carriers of syphilis. Syphilis is carried from city to city by men, and women scatter it far and wide in communities. One man may inoculate half a dozen women during the few days his ship lies in port, and these half-dozen degraded women may transmit the disease not only to scores of men, but hundreds



and thousands may trace their ruined health, directly or indirectly, back to the half-dozen women who were infected by one man. We must then manage to get the control of the men who are likely to import the poison, and we must get equal control over the women who will assuredly disseminate it through the community. How is this to be done? is a question that has been asked over and over again, but never answered to the satisfaction of both religionists and philanthropists.

There can be no difference of opinion among us regarding the two following propositions :

1st. We want a system of sanitary inspection and control that will enable us to prevent the importation of syphilis from abroad.

2nd. We want a system of sanitary inspection and control that will enable us to take charge of the subjects of syphilis at home, and prevent them from spreading it through the community.

Every well-organised city government has its Board of Health. This Board has or ought to have the power to protect the public health against all contagious or infectious diseases. It already has the power of quarantining vessels, having on board cases of cholera, small-pox, or yellow fever. Whenever small-pox is found in a city, the Health Board has the power of dealing with it in the most summary manner, of isolating it, and preventing its spread ; in other words, of extinguishing it.

Now what I propose in regard to syphilis, is simply to give to the already existing Boards of Health, in the various cities, the same power over syphilis that they now possess over cholera, small-pox, and yellow fever. They now have the power of ferreting out small-pox, and of sending it to hospitals for treatment ; and they should have the same power of searching out the abodes of syphilis, and of sending its victims to hospitals for treatment.



On all steamers or sailing vessels, whether foreign or coastwise, entering port, the surgeon of the vessel should be required to make affidavit that he had examined personally every seaman, and every male steerage passenger, on the day preceding their arrival in port, and that there was no case of cholera, small-pox, yellow fever, syphilis, scarlatina, or other infectious disease aboard. If there should be syphilis, then the subjects of it should be taken in charge by the Board of Health, and sent to hospital for treatment, to be retained there till cured, or to be returned to the vessel from which they were taken, whenever said vessel should be ready to sail from port again. If said vessel had no surgeon aboard, then it should devolve upon the quarantine officer to examine every sailor and every steerage passenger, before landing, and to send any and every case of syphilis to hospital for treatment. On all vessels, foreign and coastwise, the quarantine officer should possess the same power of personal inspection and detention.

For stamping out the disease in towns and cities, their Boards of Health must have plenary powers of an absolute character over syphilis ; not more so, however, than they now possess over small-pox.

Thus you see that I would simply include syphilis in the great family of contagious or communicable diseases, and make it subject to the same laws and regulations that we already possess for their management.

Do this, and we cannot be accused of licensing vice, or of fostering adulterous intercourse. In cholera and yellow fever, and in small-pox and syphilis, we recognise cruel and fatal diseases, easily communicable, each attacking the human family in its own peculiar deadly way ; and we propose to deal with them all in the same manner, taking the surest, safest, and quickest method of protecting the community against their pestiferous presence, and of preventing their spread among the well.

Now let me show you how easy it will be to do all this in



the great city of New York ; and, if practicable there, it will certainly be more so in other places.

The passage of the Metropolitan Health Law was accomplished after years of agitation, not unlike that which occurred in England preceding the enactment of the sanitary laws which now give to that country pre-eminence in the care of the public health.

The Metropolitan law, though modelled after the English, is much more perfect in its details. It invests authorities with arbitrary powers to meet every emergency when the public health is in peril ; and yet, it fully protects the public from any abuse of those powers.

For example, the Health Board may declare any matter or thing a nuisance detrimental to health, and dangerous to life ; but the person proceeded against may demand a hearing before a referee, and bring evidence to prove that the matter complained of is not a nuisance. Then the case receives careful consideration by experts, and the final action of the Board is governed by the decision of the referee. The Metropolitan law was passed in 1866 ; and immediately after the organisation of the Board, cholera made its appearance in New York.

In all former epidemics, this pestilence ravaged the city without 'let or hindrance.' Now it was met at the very outset with organised resistance, and never attained the proportion of even the mildest epidemic.

The plan adopted to control it was perfect in all its details.

Acting upon the belief that cholera is a communicable disease from the sick to the well, by a contagium, the rule in every case was to isolate the patient, and destroy the excreta immediately. A well-organised corps of men, trained to handle the sick and use disinfectants, was in waiting night and day to attend at once upon every reported case.

The cases were reported by telegraph, and frequently patients seized with cholera were in charge of these sanitary



officials within an hour after the attack, and every precaution was taken to prevent the spread of the disease.

So effectually was this work done, that scarcely a second case occurred in the same family.

In the same manner, the Board, acting upon the same principle, stamped out relapsing fever and small-pox; the sound sanitary principle underlying its action being, that *contagious diseases can be controlled by isolation of the sick, and the destruction of contagia.*

So much for the efficiency of a Board of Health that knows its duty, and, having the legal power, dares to do it.

But how are we to bring syphilis under such easy subjection as we have cholera and small-pox? It is the simplest thing in the world. I have told you that the Metropolitan Board of Health possesses arbitrary powers over these; and all we have to do is to get the Legislature to amend the 'Act creating a Metropolitan Board of Health,' so as to give it the same arbitrary power over the subjects of syphilis that it has over other contagious diseases.

The thing is so simple, so self-evident, that I only wonder it was not done long ago. It requires no complex legislation no cumbrous machinery, no irksome detail. In the Metropolitan Health Board, we find everything already prepared for engrafting this amendment upon its organic laws.

Let us here pledge ourselves never to relax our efforts till we accomplish this great and good work.