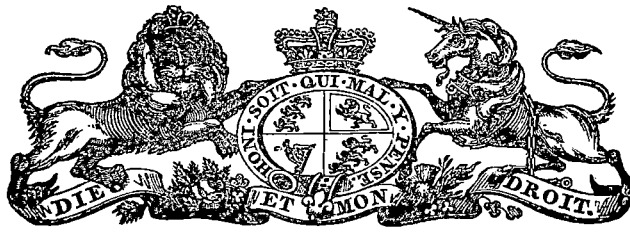


(No. 125.)



1878.

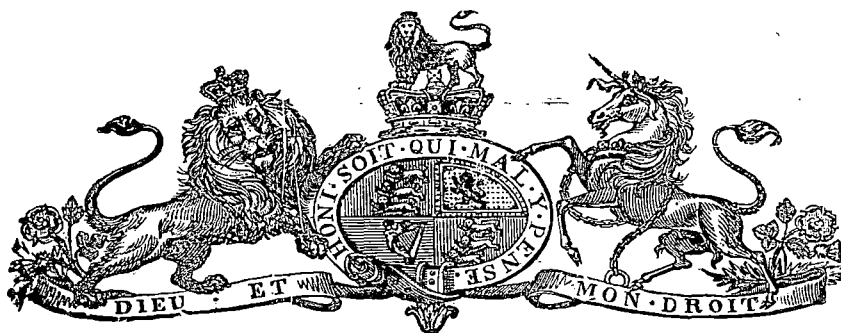
TASMANIA.

LEGISLATIVE COUNCIL.

THE SOCIAL EVIL:

REPORT BY DAVID BLAIR, ESQUIRE.

Laid upon the Table by Mr. Crowther, and ordered by the Council to be printed,
June 4, 1879.



Melbourne, 5th February, 1873.

SIR,

HEREWITH I beg to hand you the Report on the Social Evil considered with a view to Legislation, which you commissioned me to prepare for the use of the Government. I have done my best to include in the Report every fact which is needful to be known in order to a full consideration of the subject, and I have carefully omitted all that was superfluous or irrelevant. In particular I have taken much pains to condense the entire history of the legislation recently introduced into the English Parliament on the subject of the contagious diseases springing from the evil, with a summary of the arguments on both sides of the question, and a digest of all the ascertained facts relative to the operation of those Acts. The Report, as it stands, will render unnecessary a reference to any printed book or printed document on the subject, with the exception of the Acts themselves, and the text of the regulations in force at Malta and in Paris, which are specified in the body of the Report. There are no speculative views of any kind quoted, nor any personal opinions: facts alone are dealt with. If I may be allowed to suggest the thing, I may say that there appears to me to be no reason why the Report should not be printed just as it is. The gravity of the subject entirely removes from the treatment of it all ideas of impropriety.

I may add that I think it will be necessary, in order to complete the Report, that there should be some inquiry made, but very privately, into the actual character and extent of the evil in Melbourne and the colony generally. The information would, of course, be best furnished by the police, but it would require to be digested after the form adopted in the Report. A few days—say a week—would suffice for the task; and if the Government should deem it advisable, I shall be willing to undertake it.

I am, Sir,

Your very obedient Servant,

DAVID BLAIR.

The Honorable J. G. FRANCIS, Chief Secretary.

REPORT ON THE SOCIAL EVIL.

I.—PERMANENT FACTS.

First fact : its
universality.

1. There are certain permanent facts connected with the Social Evil, the knowledge of which is necessary to any consideration of the subject with a view to legislation. The first of these facts is its *universality in human society*. It has existed in every country of the world, in all conditions of civil society, and in all ages, from the earliest antiquity down to the present times. Nor does there appear to have ever been any material difference in its extent relatively to the population. It has been alike prevalent, to the same general extent, in civilized as well as in savage nations, amongst Christian as amongst Pagan populations, and at the most enlightened as at the most barbarous periods of history.

Second fact :
its ineradic-
ableness.

2. The second fact is its *ineradicable nature*. In no instance has it ever been found to yield, on any considerable scale, either to moral, religious, or legislative methods of treatment. There is no case on record of its ever having been completely and permanently suppressed in any community. The conclusions drawn as to this point, by competent investigators of the subject, are to the following effect :—That, “under forms which vary according to climate and national manners, prostitution remains inherent in great populations ;”¹ that it is “an inevitable attendant on civilized and especially closely-packed populations ;”² that it is “a constant fact, a social datum which we have to deal with, an evil inseparable from the agglomeration of large numbers in one locality ;”³ that “the necessity of this chronic ulcer of humanity, recognised by the philosophers and ancient poets, is avowed by Saint Augustine himself ; neither the moralists nor the hygienists place it in doubt ;”⁴ that, stripped of the veil of secrecy which has enveloped it, there appears a vice arising from an inextinguishable natural impulse on the part of one sex, fostered by confiding weakness on the other, which it is a mere absurdity to assert can ever be eradicated. Strenuous and well-directed efforts for this purpose have been made at different times, and still the evil exists. History proves that it cannot be suppressed.”⁵ The same opinion was expressed by the majority of the witnesses examined before the recent select committees of the Houses of Lords and Commons, and the Royal Commission of 1871, on the Contagious Diseases Act ; and it is tacitly assumed as a demonstrated fact in the several reports of these official bodies. On the other hand, no fact can be adduced from the entire range of human experience in support of the opposite view.

Third fact : its
inaccessibility
to moral and
religious in-
fluences.

3. The third fact is its *inaccessibility to moral and religious influences*. The universal and constant prevalence of the evil in all Christian countries affords obvious and sufficient proof of this fact. It has, indeed, been frequently found to prevail most extensively where religious agencies and institutions have been most numerous. Experience abundantly proves that moral and religious influences can only reach vice in the individual ; they are by themselves ineffectual to deal with social evils on the large scale. In many Pagan nations prostitution was, and still is, not merely a recognised public institution, but an established religious rite ; and although Christianity expressly prohibits every form of the vice, it appears to have always been as common amongst Christian as amongst Pagan populations. “The teachings of morality and virtue,” it has been justly remarked, “have been powerless here : in some cases they restrain individuals, upon the aggregate they are inoperative.”⁶ This is the uniform testimony of history ; or rather, it is a self-evident fact not admitting of question. In Europe, in the middle ages, when ecclesiastical rule was supreme, and amongst the ecclesiastical order itself, the state of morals, as to this point, was perhaps even worse than it ever was in any political condition of European society. Mr. Lecky, whose authority as a historian of public morals is unimpeachable, says :—“The writers of the middle ages are full of accounts of nunneries that were like brothels, of the vast multitude of infanticides within their walls, and of that inveterate prevalence of incest among the clergy which rendered it necessary, again and again, to issue the most stringent enactments that priests should not be permitted to live with their mothers or sisters.”⁷ At the present time the evil abounds, and is either tacitly or legally sanctioned in every Christian country in the world. The English penal laws, it is true, formally proscribe it ; but even in England the number of common women known to the police, in the year 1864, was no less than 49,370 ;⁸ London alone being supposed to have 18,000.⁹ These figures do not include the class of women, which is known to be also very large, who clandestinely traffic in vice. Mr. Acton is of opinion that “if all these were also enumerated the result would be such as even to throw into the shade the estimate of those who believe there are 80,000 common women in London alone.”¹⁰

¹ Duchatelet.

² Acton.

³ *Westminster Review*.

⁴ Jeannel.

⁵ Sanger.

⁶ Sanger.

⁷ *History of European Morals*, vol. 2, p. 351.

⁸ Police Statistics for 1864, quoted by Lecky, vol. 2, p. 303.

⁹ Dr. Simon in *Westminster Review*, vol. 36 (N.S.), p. 558.

¹⁰ Quoted in *Westminster Review*, vol. 36, p. 185.

4. The fourth fact is, *that all direct attempts to suppress the evil, whenever or wherever they have been made, have only resulted in aggravating its intensity.* This is admitted by all writers on the subject, even by those who are the most strongly opposed to the policy of legal toleration. The Westminster Reviewer, who condemns toleration in every form, sums up a careful historical review of the operation of repressive laws in various countries by this admission:—"If these statements be true, the conclusion is inevitable that the policy of repression, considered with respect to its intended effect on the moral and the physical life of the people, has proved not only a total failure, but alike disastrous to both."¹ Dr. Sanger, as to the same point, says:—"The whole power of the church, where it possessed not merely a spiritual but an actual secular arm, has been in vain directed against it. Monarchs victorious in the field and unsurpassed in the council chamber have bent all their energies of will, and brought all their aids of power to crush it out; but before these vice has not quailed. The guilty women have been banished, scourged, branded, executed; their partners have been subjected to the same punishment, held up to public opinion as immoral, denuded of their civil rights, have had their offences visited upon their families, have been led to the stake, the gibbet, and the block; and still prostitution exists."² This testimony might be illustrated by numerous examples taken from history. Several of the Christian emperors of Rome (including Justinian) vainly endeavoured to suppress the vice by imposing the most rigorous penalties on those who practised it. Charlemagne issued edicts against it, subjecting common women, and those who harbored them, to imprisonment, flogging, and exposure in the pillory; but the execution of these edicts was soon abandoned as impracticable or useless; for, during the four following centuries, brothels abounded everywhere in France, and the greatest immorality prevailed throughout all classes of society. In 1254 Louis the Ninth of France (Saint Louis) promulgated a decree of banishment from the kingdom against all common women, and subsequently confirmed and extended it; "but the rigorous execution of these ordinances quickly proved to their author that he had only aggravated the disorder which he wished to remedy, and that its complete destruction was an impracticable work."³ In Spain similar attempts have been followed by similar results. In Rome, Austria, and other Catholic countries, the same experience has been verified. In the year 1845 a number of petitions, signed by the principal inhabitants of Berlin, were presented to the King of Prussia, praying him to suppress the "tolerated houses," which had become, it was alleged, an insufferable public nuisance. The king accordingly issued an order to the police to close the houses, and to stop all registration of common women. The result was that illicit prostitution spread more rapidly than before, disease became more prevalent and more virulent, and public morals evidently more abandoned. In 1851 the king, by a royal ordinance, repealed the edict of 1845, and restored the old system of toleration and regulation. "The experiment of crushing out had been fairly tried. The king and his ministers lent all their energy and inclination to the task, and after six years' attempt it was admitted to be a futile labor, and entirely abandoned."⁴

Fourth fact :
repressive
legislation
only aggra-
vates the evil.

To these instances might be added that of our own country, where the evil has never been legally tolerated; and yet the uniform testimony of all witnesses is that in England it is even more openly prevalent, more shameless, and wears a more degraded aspect than in any other country in Europe.⁵

5. The obvious and irresistible inference from the foregoing facts is, that if the evil is to be dealt with effectually, so as to mitigate the mischievous consequences, both social and physical, which spring from it, there must be a legal recognition of its existence as an incurable moral malady, and an acknowledgment of the impossibility of effecting anything more by legislation than circumscribing and lessening those consequences. "Legislation is powerless against prostitution, but it is not powerless against the physical mischiefs which accompany it."⁶

Inference
from the fore-
going facts.

II.—CAUSES.

6. The causes of the prevalence of the Social Evil in European countries have been carefully investigated by competent inquirers, and are found to be, principally, the following:—First, poverty and want of employment; secondly, seduction; thirdly, love of idleness, vanity, and vicious inclination; fourthly, evil example of parents and want of proper training in youth.

Causes of the
evil in Europe.

7. Of these causes the first is by far the most powerful. The uniform result of all inquiries shows that, in the great cities and large towns, the proportion of girls who resort to the practice as their only refuge from absolute destitution, or as a means of supplementing inadequately small wages, is so very large as to leave only a comparatively small number of cases due to other causes. The following testimonies may be cited in proof:—Duchatelet states that, "of all causes of the evil in Paris, and probably in all great towns, there are none more influential than the want of work and poverty resulting from insufficient earnings."⁷ Of 5183 cases investigated, he found 2785—or more than one-half—alleged to be due to abandonment by parents, poverty, or complete destitution,

Poverty the
most powerful
cause.

¹ Westminster Review, vol. 37, p. 134.

² Sanger, p. 96.

³ Duchatelet.

⁴ Sanger, p. 250.

⁵ Duchatelet and Dr. Vintras, quoted by Lecky, vol. 2, p. 302.

⁶ Pall Mall Budget, vol. 1871, p. 371.

⁷ Duchatelet, vol. 1, p. 103.

whilst 2398 pleaded seduction.¹ He also ranks idleness and vanity amongst the primary causes of the evil in Paris. Seduction he believes to be an effective cause in the provinces, but not in Paris. The evil example of parents comes next in order. It is to be observed that, in France, every woman who presents herself for registration is obliged to state the cause of her embracing the vocation. The *Westminster Reviewer* testifies that hard necessity, grinding poverty, approaching to actual want, is, by unanimous testimony, declared to be the most prolific source of the evil in England and in all other countries.² And, again, "the first, and perhaps the largest, class of common women, are those who may fairly be said to have had no choice in the matter—who were born and bred in sin—whose parents were thieves and prostitutes before them."³ Mayhew states that probably a fourth of the needlewomen of London are driven to the streets to eke out a living, their earnings being wholly inadequate for their maintenance.⁴ Dr. Tait testifies that, in Edinburgh, "it is utterly impossible to give anything like an accurate idea of the extent to which the evil is caused by poverty. In the winter season, when many individuals are thrown out of employment, it is believed to be very common."⁵ He also remarks, "That the want of employment is frequently a cause, is obvious from the fact that whenever the least depression of trade takes place in any of the manufacturing towns, a great number of girls come to Edinburgh, where they abandon themselves to a licentious course of conduct."⁶ Lecky says that "the statistics of prostitution show that a great proportion of those who have fallen into it have been impelled by the most extreme poverty, in many instances verging upon starvation."⁷ Dr. Sanger gathered the statistics of 2000 cases in New York, and in 525 of these destitution was pleaded as the cause, whilst in 666 cases vicious inclination or idleness was confessed as the motive, and in 258 cases seduction was assigned.⁸ He gives 6000 as the ascertained number of common women in New York in 1858, and specifies want of employment and inadequate wages as amongst the most effective causes of the evil in that city.⁹

Evil example
the next most
powerful
cause.

8. The percentage of girls who fall into evil courses as victims of seduction can never, of course, be accurately ascertained, but it is certainly very small. A much larger proportion voluntarily abandon themselves to vice from sheer vicious inclination, vanity, and love of idleness. But, next to poverty, the evil example of parents and the want of proper training in early youth is the most effective cause. The alliance between this cause and poverty itself is, however, so very close, that the two may almost be reckoned as identical. Children born and brought up amongst the criminal class are, as a rule, subjected to the worst forms of poverty, and for the females prostitution becomes an almost inevitable vocation. In families, on the other hand, where there is any reasonable amount of education given to the children, there obviously cannot be a state of hopeless poverty, and therefore there will not be a resort to vice to ward off destitution. Hence it follows that, although ignorance cannot be assigned as an effective cause of the evil—excepting as it is the inevitable accompaniment of extreme poverty—it is nevertheless a fact that the mass of common women everywhere are wholly uneducated. The police statistics of London, carefully analysed for eighteen years—from 1837 to 1854 inclusive—show that, out of every 10,000 common women arrested for various offences, only 373 could read and write well, and but 22 were of superior education.¹⁰ The same general proportion holds true also of Paris. The result of Dr. Sanger's investigations in New York was of a similar kind. He states that, as a class, "education is at a very low standard with them."¹¹ There can be little doubt that the same fact holds true everywhere.

Probable
causes in this
country.
Poverty not
one of them.

9. The several causes here specified, however, are certainly not operative in an equal degree in this country. It is not credible, nor even possible, that women are here driven to vice by poverty, or from want of employment, or from insufficient wages. In every European country, the female population is in excess of the male, whilst in Victoria the case is reversed. The demand for female servants of all classes at very high wages is incessant, and there is a dearth of female labor in every department of manufacturing industry. These circumstances afford sufficient guarantees of an ample maintenance to any woman who is able and willing to work. In cases of either temporary or permanent destitution relief may be readily had from one or other of the public or private charitable institutions which abound. Actual starvation, or long-continued privation, excepting it be deliberately chosen, is unknown. The plea of poverty could not, therefore, be accepted here as an excuse for adopting a life of vice, and it is even extremely doubtful whether, upon investigation, such a plea would be offered in a single instance.

Seduction no
cause.

10. Nor is it at all probable that seduction (using the word in its ordinary acceptance) is a common cause of the evil in this country. The practice of deliberately seducing and then abandoning girls is one that prevails most in countries where women are redundant in numbers, where marriage is actually unattainable by very many women in the humbler ranks of life, and where a wealthy and idle aristocratic class exists. But chiefly seduction is peculiarly a military vice. "Soldiers," says Dr. Tait, "are more frequently guilty of this crime than any class of the community." It is in large garrison towns, where masses of unmarried men in the very prime of life are stationed, that falls from female virtue are most common. Even when married,

¹ Duchatelet, vol. 1, p. 107.

² *Westminster Review*, vol. 53, p. 460.

³ *Ibid.*, p. 457.

⁴ Quoted by Acton, p. 26.

⁵ P. 164.

⁶ P. 155.

⁷ Vol. 2, p. 303.

⁸ P. 488.

⁹ P. 676.

¹⁰ Duchatelet, vol. 2, p. 600.

¹¹ *Ibid.*, p. 676.

moreover, soldiers are often compelled by military rule to leave their wives behind them, and in that case the wives too often betake themselves to vice for a livelihood. The same facts hold true of sailors and large seaport towns. Now, as there is in this country neither a wealthy and idle aristocratic class, nor masses of soldiery, nor a large resort of foreign sailors; and as, in addition, the paucity of adult females in proportion to adult males is a very marked feature of the population, so that a girl's chances of marriage in her own rank of life are by many times greater than in older countries, it is clear that seduction can scarcely ever, if at all, be the real cause of a girl's ruin. It is no doubt the plea which the majority of common women in this country would assign, but only in a very rare instance here and there could it be truthfully pleaded.

11. Setting aside poverty and seduction, there remain only the other two causes, namely vicious inclination and evil example, as the effective causes of the evil here. It is beyond doubt that by far the larger number of fallen women in Victoria have become so of their own deliberate choice, either from a love of idleness and luxurious habits, or from an inherent propensity to vice. The victims of the evil example set by profligate or criminal parents, and of vicious associations in very early life, are also, no doubt, comparatively numerous. But it is demonstrably certain that these two classes make up the entire bulk of the professional prostitutes in this country.

12. Amongst the former class would probably be found a large proportion of immigrant or imported common women, who have come to this country with the express object of plying their infamous vocation. To this number doubtless belongs the whole tribe of procuresses and keepers of houses of ill-fame; for it is hardly conceivable that any woman who had not been following these criminal practices elsewhere would deliberately betake herself to them from mere motives of gain in a country where the means of obtaining an honest livelihood are so abundant.

13. The foregoing facts and deductions clearly show that the effective causes of the evil in Victoria are reducible within a very small compass, and are therefore capable of being the more effectually dealt with. But probably on that very account the evil itself, morally considered, takes a deeper and more vicious type than it presents in older and less prosperous communities. The less delicacy should therefore be felt in dealing with it by direct legislation. It would, however, be desirable, and even necessary, prior to framing any such legislation, to test the correctness of the foregoing inferences by an inquiry into the actual extent and causes of the evil in this country.

III.—PHYSICAL EFFECTS.

14. The diseases incident to the Social Evil are of so terribly destructive a nature, and are so widely prevalent amongst all large populations, that they might justly be considered, for legislative purposes, as a *permanent epidemic pestilence*, not less fatal in its effects on the public health, and on life itself, than small-pox or cholera, or any other plague against the spread of which sanitary precautions are always most carefully maintained by express statute. At various times, indeed, it has appeared in Europe as "a contagious disease of horrible virulence," producing the most desolating consequences. In one or other of its protean forms it seems to have been observed in every age and country of which we have any record.

15. The Westminster Reviewer, who is a strenuous opponent of all direct sanitary legislation for the suppression of these diseases, writes thus of the present aspects and extent of syphilis in Europe:—Though no longer compelling general attention by its horrible and wide-spread loathsomeness, or by striking the inhabitants of great cities with sudden terror, it continues to exercise its fatal power silently and secretly, its effects being inconceivably extensive and deadly, precisely because of the insidiousness with which they are achieved. Its ravages, unlike those of other plagues, are ceaseless, and consequently it counts a greater number of victims than all those added together who from time to time have fallen as sacrifices to the scourges which have swept over and filled mankind with dread. It is in the midst of us; it pervades every rank of society; its traces may be discovered in almost every family; its protean and ever-changing forms are too numerous to be computed, and often elude detection even by the most experienced eyes. It attacks by preference the young and vigorous; the strength of manhood in the prime of life it reduces to weakness; the healthy blood of blooming womanhood, designed to nourish the coming generation into vigorous life, it converts to poison; it blights the infant in the womb, and contaminates the milk drawn by the child from its mother's breast. It respects neither virtue, nor purity, nor innocence, which are alike defenceless against its indiscriminating and corrupting influence."¹ The same writer adds:—"Authentic statistical evidence of the extent of venereal disease, in its primary and most recognisable forms, in the United Kingdom, is unfortunately unobtainable. But were such evidence accessible, it would utterly fail to convey an approximately correct idea of the power exerted by that disease as a degenerative agency continually operating to deteriorate and debilitate the physical constitutions of the community."² Summing up the medical evidence as to the extent to which syphilis, in its various forms, comes under professional treatment, he further states:—"If the foregoing statement be true, and we believe no one conversant with the fact on which it is based will dispute it, it justifies the conclusion that syphilis creates conditions most favourable for the

¹ Westminster Review, vol. 36, p. 201

² Ibid., p. 220.

advent of nearly every form of ordinary disease; that it directly or indirectly originates a vast proportion of diseases; that when they occur independently of its originating agency in persons tainted with its poison, it profoundly modifies their character, often increases their force and extent, and generally adds to their duration and danger.”¹ A writer in the *Medico-Chirurgical Review* calculates that at least a million and a half of cases of syphilis occur every year in England, and this number he believes to be far below the true total. “How enormous then,” he says, “must be the number of children born with secondary syphilis! How immense the mortality amongst them! How vast the amount of public and private money expended in the cure of this disease!”² A French writer on the same subject says, “The results of these vices have everywhere signalled the decay of empires, by the multiplication of celibates and of illegitimate children, the greater part abandoned, and vast numbers perishing. Moreover, in all countries this vice shortens life; enervates and physically degenerates the race; undermines health, vigour, and courage; multiplies low and cowardly vices, at the same time that it extends social disorder, lawlessness, and poverty.”³ Dr. Sanger estimated, in 1858, that at least 74,000 cases of syphilis occurred every year in New York; that a capital of four millions of dollars was invested in the traffic in vice; and that it directly and indirectly entailed an annual expenditure of seven millions of dollars. “Venereal poison,” he adds, “is as destructive, although not so suddenly fatal, as yellow fever; and every motive of philanthropy and economy urges the necessity of effective means for its counteraction.”

Testimony of
the Medical
Committee on
Venereal
Diseases.

16. In the year 1864 a Medical Committee was appointed by the Admiralty to inquire into the best means of diminishing venereal diseases in the army and navy. This committee examined sixty-four witnesses, of whom fifty-six were medical men of the largest experience, and their report forms an official volume of 700 folio pages. Their recommendations relative to the prevention of disease were at once adopted by the Government, and were embodied in the amended Contagious Diseases Act of 1866. The committee state that “the existence of a virus or poison capable of producing syphilis is conclusively proved; that the disease is as specific as small-pox; that both these diseases are the product of external agency; in both the absorption of a poison into the blood is followed at a given interval by constitutional derangement, succeeded by eruption; and both leave their mark on the constitution, the influence of which is felt for a period of more or less uncertain length; that syphilis is a disease of the general system; not of a part only; that many medical men hold the opinion that, under favoring circumstances, the disease may be generated spontaneously; that it may be hereditarily transmitted, giving rise to a large number of cases of abortion and stillbirths, and of debased constitutions in infants who survive; and that no period can be with certainty fixed as safe for marriage, in the case of a man who has once had the disease and subsequently recovered.”⁴

Prevalence of
venereal
disease in
British army
and navy.

17. The committee further state that the number of admissions into the military hospitals on account of venereal diseases, in 1864, amounted to 291 per 1000 of the men serving in the United Kingdom; and that the loss of service arising from these diseases was equal to that of the whole force for an entire week. In the navy the proportion was 125 per 1000 men; the loss of service amounting to about 586 men per day, which was about equal to the loss of the services of the whole complement of an iron-clad frigate of the largest size.⁵ Nor does this waste of strength show the total amount of injury done to the public service, since various other diseases, on account of which a considerable number of men are discharged as unfit for service, have their origin in syphilis, or in the waste of health which results from it. In recommending measures of prevention, the committee repeat with emphasis the evidence of the many distinguished authorities they have examined, “strongly confirming the opinion, which has of late years been increasing in strength amongst the profession, as to the fatal effects of syphilis on the human offspring.” They testify to its “prevalence amongst all classes of society, its insidious nature, the frequent failure of all but men of great experience to recognise it, and, moreover, to the most important fact that the poisoned *fetus in utero* is no infrequent cause of miscarriage in women.”⁶ It is not needful to specify the measures of prevention recommended by the committee, as these are embodied (as before stated) in the Contagious Diseases Act of 1866.

Further testi-
mony of com-
mittee.

18. The same committee appointed a sub-committee to inquire into and report upon prostitution in Paris and the laws there in force for its repression. This sub-committee preface their report by the following extract from Duchatelet:—“Of all contagious diseases to which the human species is liable, and which cause to society the greatest evils, there are none more serious, more dangerous, nor so much to be dreaded as syphilis; and I am not afraid of being accused of exaggeration in saying that its ravages far surpass those of all the plagues which at different times have terrified society. Thousands have been spent every year, for more than a century, to stop the progress of the plague, which, although existing permanently at Constantinople, has not yet depopulated it; the same is done for yellow fever, which, however terrible, has not prevented the increase of the American towns; but nothing has been done to arrest the progress of syphilis—the worst and most frightful of all plagues—which for nearly 300 years has been raging amongst us. Such neglect

¹ *Westminster Review*, vol. 36, p. 224:

² Quoted by Sanger.

³ *Dictionnaire de la Conversation*, Art. “Prostitution.”

⁴ Report of Committee on Venereal Diseases, House of Lords Papers, 1867-8, vol. 53.

⁵ *Ibid.*, pp. 27, 28.

⁶ *Ibid.*, p. 28.

could hardly be believed, and will, I am sure, astonish future generations. If legislation cannot render men virtuous, if it cannot correct their judgment and repress the impetuosity of passions which appeal to their senses too loudly to leave them the consciousness of duty, at least it may meet the danger to which the imprudent expose themselves, and for the sake of these men's wives and children look after the health of the guilty *in order to preserve the innocent*. I will go farther; for I maintain that it ought to do so, and that those who have neglected this important duty have been unfaithful to their trust, and can only be excused by their ignorance of the benefits of the sanitary surveillance of prostitution."¹

19. These sentiments of the eminent French physician and philanthropist are the true practical inference from the preceding facts and statements. The Medical Committee adopt them unreservedly, and they have also been adopted and carried into effect by the Imperial Legislature, as the passing of the Contagious Diseases Act proves. The Committee quote the evidence of Major-General Sir Henry Storks, K.C.B., as to the eminent success of regulations made by him, whilst holding the office of Lord High Commissioner for the Ionian Islands and Malta, in preventing venereal disease and diminishing prostitution in those localities. They further state that the Report on Prostitution in Paris "affords evidence that much can be done (by legislation) not only to prevent disease, but to repress prostitution and even to reclaim the women engaged in it."

Testimony as to the benefits of legislative measures against these diseases.

20. The duty of a Government to make legal provision for limiting, so far as legislation can accomplish it, the prevalence of syphilitic diseases is so manifest as hardly to admit of discussion. The Westminster Reviewer himself is constrained, upon a full survey of the whole question, to admit that the physical consequences of the policy of Repression and of Indifference consist of the vast amount of venereal disease which prevails in Europe; that the great magnitude and continuance of the evil have produced a resolute reaction in the minds of statesmen and sanitary reformers in almost every European country; and that these men who are earnestly intent on promoting, according to their lights, the work of social amelioration, say, in effect, by their proposals and practice, that these two methods of policy have been fully tried, and have been found to conduce to the development and spread of a horrible disease on an enormous scale, and therefore they now advocate the application of a method which is based on ideas exactly opposite to those which dictated the methods in question.²

Duty of a Government to frame such legislation.

21. It does not lie within the scope of the present Report to dwell upon the moral, social, and economical mischiefs accruing to any community from the prevalence of the Social Evil. But it may be allowable to remark, in concluding this most painful summary of its physical consequences, that in a country where the elements of prosperity abound, where, of all the various sources of national wealth, a healthy and vigorous population stands first in order, and a country, moreover, whose population is still so scanty in relation to its resources, it seems an unpardonable neglect of duty on the part of the Government to take no steps to repress and, if possible, to extinguish a hideous secret pestilence which destroys infant life; generates, perpetuates, and spreads the most loathsome diseases; saps the strength of manhood, blights the bloom of womanhood, ruins domestic happiness, blasts the purest natural affections, increases poverty and destitution, and wastes the national wealth by wasting its most productive force.

Imperative necessity for such legislation in this country.

IV.—METHODS OF LEGISLATION.

22. There are three methods of dealing legislatively with the Social Evil. It may be made a penal offence, and punished by direct enactment; or secondly, it may be recognised as an existing and ineradicable evil, and so dealt with as to circumscribe and lessen the mischievous consequences resulting from it; or, thirdly, it may be permitted to exist and spread unchecked, while yet it is made the subject of formal but inoperative penal restrictions. These three methods have been named respectively the Policy of Repression, of Forceful Regulation, and of Indifference.

Three methods of dealing with the evil.

23. The first of these methods, as has already been shown, has been frequently tried, and has in every instance failed. The second is the method now adopted in almost every European country, with results to be subsequently specified. The third is the method that existed in England prior to the year 1864, and which, it must be admitted, is most in consonance with English ideas and feelings. Theoretically, the evil is prohibited as a crime; practically, it is connived at and tacitly tolerated, and is thus most effectually encouraged.

Results of these several methods.

24. The arguments both in defence and condemnation of the English method are very ably set forth by Mr. Lecky. He says:—"In dealing with this unhappy being (the common woman), and with all of her sex who have violated the law of chastity, the public opinion of most Christian countries pronounces a sentence of extreme severity. In the Anglo-Saxon nations, especially, a single fault of this kind is sufficient, at least in the upper and middle classes, to affix an indelible brand, which no time, no virtues, no penitence can wholly efface. This sentence is probably in the first instance simply the expression of the religious feeling on the subject, but it is also sometimes

Arguments for and against the English method.

¹ Report of Committee on Venereal Diseases, House of Lords Papers, 1867-8, p. 51.

² Westminster Review, vol. 37, pp. 120-144.

defended by powerful arguments drawn from the interests of society. It is said that the preservation of domestic purity is a matter of such transcendent importance, that it is right that the most crushing penalties should be attached to an act which the imagination can easily transfigure, which legal enactments can never efficiently control, and to which the most violent passions may prompt. It is said, too, that an anathema which drives into obscurity all evidence of sensual passions is peculiarly fitted to restrict their operation; for, more than any other passions, they are dependent on the imagination, which is readily fired by the sight of evil. It is added, that the emphasis with which the vice is stigmatized produces a corresponding admiration for the opposite virtue, and that a feeling of the most delicate and scrupulous honor is thus formed among the female population, which not only preserves from gross sin, but also dignifies and ennobles the whole character. In opposition to these views, several considerations of much weight have been urged. It is argued that, however persistently society may ignore this form of vice, it exists nevertheless, and on the most gigantic scale, and that evil rarely assumes such inveterate and perverting forms as when it is shrouded in obscurity and veiled by a hypocritical appearance of unconsciousness. The existence in England of unhappy women sunk in the very lowest depths of vice and misery, and numbering certainly not less than fifty thousand, shows sufficiently what an appalling amount of moral evil is festering uncontrolled, undiscussed, and unalleviated under the fair surface of a decorous society. In the eyes of every physician, and indeed in the eyes of most Continental writers who have adverted to the subject, no other feature of English life appears so infamous as the fact that an epidemic, which is one of the most dreadful now existing amongst mankind, which communicates itself from the guilty husband to the innocent wife, and even transmits its taint to her offspring, *and which the experience of other nations conclusively proves may be vastly diminished*, should be suffered to rage unchecked because the Legislature refuses to take official cognizance of its existence, or proper sanitary measures for its repression. . . . Infanticide is greatly multiplied, and a vast proportion of those whose reputations and lives have been blasted by one momentary sin, are hurled into the abyss of habitual prostitution, a condition which, owing to the sentence of public opinion and the neglect of legislators, is in no other European country so hopelessly vicious or so irrevocable.”¹

Change of
public opinion
as to this
subject in
England.

25. That the really irresistible force of these latter arguments is beginning to be felt and acknowledged in England is evident from the remarkable change in public opinion which has recently enabled the Government to introduce that partial adaptation of the Continental method which is embodied in the Contagious Diseases Acts. It is true that this line of policy has evoked the strenuous and powerful opposition of large and respectable sections of society; but the general course of public opinion is unmistakably shown in the twice-repeated confirmation and extension of the original Act. The opposition, after seven years of ineffectual struggle, appears to be at length abating. But even if the Contagious Diseases Acts were repealed, it is by no means certain that the old traditionary—and most inconsistent and mischievous—method would be resumed. The necessity of recognising the evil as an incurable moral malady, and of making some legal provision for its forcible regulation, has already become a settled principle in the social government of the country.

Military
sanitary regu-
lations.

26. It should, however, be stated that the main object of the Continental method is to protect the national military force, rather than the civil population, from the terrible physical consequences accruing from the vice. This kind of legislation might, in fact, be more fitly termed military sanitary regulations, which the very nature of the circumstances renders imperatively necessary. In countries maintaining large and costly standing armies, the preservation of health amongst the troops becomes an object of the highest national importance, since the very safety of the nation depends in some degree upon it. It is a well-known fact, for instance, that in the recent war between France and Prussia, the effective fighting strength of the French army was seriously impaired by the lowered physical standard of the soldiers, arising from their free indulgence in the vices of large towns; whilst the superior morality and harder habits of the Prussian soldiers gave them an immense advantage over their enemies. Considered in this relation, the argument in justification of the Continental method is simply unanswerable; and the English Parliament has thrice practically affirmed this by passing the Contagious Diseases Acts. But by thus acting, the Parliament admitted and adopted the whole principle of the policy of Forcible Regulation. The extension of these Acts to the civil population thus becomes a natural and necessary step; for surely it cannot be alleged that a sanitary provision which is proper and beneficial for the military is improper and injurious for civilians.

V.—RESULTS OF LEGISLATION.

Legislation on
this subject
always
prevalent.

27. In almost every civilized country, and in all ages, the Social Evil has been made the subject of legislation of various kinds, with a view to lessen, or, if possible, to prevent, the spread of the terrible disorders, whether moral or physical, incident to it. But in some countries—as in England, for example—the policy of Indifference has generally prevailed. As has been before stated, the utmost that legislation of any kind has ever effected was the mitigation of the evil, never in any instance its complete extinction.

¹ *European Morals*, vol. 2, pp. 390-392.

28. The practice of registering common women, so as to subject them to police supervision and control, appears to have originated in the ancient Roman Republic. This practice, according to Tacitus,¹ was in existence from time immemorial. Every woman who was desirous of adopting the profession was required to enter her name on a public register, with her age, place of birth, and (if she adopted one) her assumed name, and to pay a tax to the State. The public officer whose business it was to keep the register, usually tried to persuade the woman to abandon her intentions; but failing in this, he issued to her a licence, and enrolled her name. All the women found following the vocation, and not enrolled, were apprehended and banished. In spite of the legal sanction, however, the vocation was held under the Republic to be indelibly infamous, and not even subsequent repentance and marriage could wipe out the stain from the woman and her descendants. It is certain, from the testimony of the old Roman writers, that during the Republic, domestic morals were remarkably pure. Adultery was almost unknown, and the law of divorce was scarcely ever brought into use. But, on the other hand, the practice of concubinage was recognised by law, although it does not seem to have been very prevalent. Under the Emperors, the old laws were retained on the Statute Book, but they do not appear to have been enforced; and with the spread of affluence and luxury public morals became more depraved than perhaps they ever were in any country before or since. With the introduction of Christianity, the policy of Forceful Regulation passed away, and that of rigorous Repression was adopted; but although the grosser vices of Paganism were abated, and morals were pure within the Christian community itself, there does not seem to have been any approach made towards suppressing the evil on the broad scale.² The testimony of Roman civil history is certainly, on the whole, in favour of the older method.

29. In modern Rome the policy of Repression has always been theoretically but not avowedly in force, from the establishment of the Papedom down till the present time. The religious theory of Catholicism with reference to the relations of the sexes renders it impossible that the Church could openly recognise or tolerate the evil in any shape. At Rome, accordingly, prostitution is legally ignored, there being no ordinances whatever for its regulation or control, or even for its repression.³ The testimony of all competent inquirers, however, is that the evil is not less prevalent in Rome than elsewhere. It is alleged to pervade almost all classes of society. It is also stated to assume in that city, and in Italian society generally, a still worse, and, if possible, more demoralizing form than elsewhere—the form, namely, of domestic prostitution tolerated by the husband.⁴ This practice is said to be so notoriously common as almost to be looked upon as an established custom of society. It is further testified that houses of assignation are numerous in Rome, and are “the secret laboratories where syphilis is perpetuated and intensified, and where inexperienced girls are allured for the purpose of seduction;” that houses of this character are much frequented by married women; that secret prostitution is very extensively practised, and that it is very generally made a matter of traffic in the families of the poorer classes for the purpose of supplementing their scanty earnings.⁵ There are, of course, no authentic statistics of the number of common women of all classes in Rome; but medical investigators testify that syphilitic disease is widely spread, that its development is peculiarly rapid and intense, and that what are called the tertiary forms of the malady manifest themselves much oftener than in France—that is to say, in about two-thirds of the cases. The conclusion drawn by the Westminster Reviewer, from a consideration of the facts in reference to Papal Rome, is, that these “demonstrate beyond the possibility of dispute that the experiment of forcibly repressing or prohibiting the evil is in every respect a complete failure.” Dr. Jacquot, an eminent Roman physician, similarly expresses himself:—“As the consequence of these fatal laws at Rome, prostitution is spread everywhere, and is exercised, unhappily, under the very eyes of the parents as a common and avowed calling.”⁶

30. In Vienna the same policy is in operation. Mr. Wild, in his work on the medical institutions of Austria, states that “public brothels are not tolerated by the police, and public women are sent into the houses of correction. All persons considered of an improper character, when found in the streets after a certain hour, are conducted to the police office.”⁷ But, he adds, “though it has been stated that, owing to the present condition of morality, such persons are not required in Austria, yet the lowest calculation allows the number of public females in the capital to be 15,000, while the total population is 546,000, or less than a fifth of that of London!” In the same city, the number of illegitimate births bears to legitimate births the enormous proportion of 5 to 6, and in the Viennese hospitals there are 600 beds occupied by syphilitic patients. This testimony is equally decisive as the former one against the repressive system.

31. In Sweden there are no tolerated houses, and the policy of Repression prevails. Yet Mr. Taylor, an American traveller, testifies that Stockholm is called, with most perfect justice, the most licentious city in Europe.⁸ Vienna may surpass it in the amount of conjugal infidelity, but certainly not in general incontinence. Very nearly half the registered births are illegitimate, to say nothing of the illegitimate children born in wedlock. In no city in Europe, he alleges, is profligacy more open, more universal, or more repulsively cynical. This is a third testimony against the repressive policy.

¹ Quoted by Sanger.

² Sanger, *passim*.

³ Westminster Review, vol. 37, p. 137.

⁴ Ibid., pp. 138-140.

⁵ Ibid., as above.

⁶ Duchatelet, vol. 2, p. 558.

⁷ Quoted in Westminster Review, vol. 37, p. 140.

⁸ Quoted by Sanger.

In Spain.

32. In Spain, as being a Catholic country, the method of repression has, as a rule, been until recently most rigorously enforced. So long ago as the sixth century the severest edicts were issued against it. Flogging and banishment were the punishments inflicted on women who practised the vice. The severest penalties, including even hanging, were again and again legally enacted against those engaged in the traffic. "But these rigorous measures, while revealing the great and general licentiousness of these times, failed utterly to effect the object intended. As remedies they were worse than the disease to which they were applied; for they actually augmented it, and, while suppressing the most obvious symptoms, caused the disease itself to become more profoundly and more extensively rooted in the social system, and more incapable than ever of eradication."¹ A reaction at length set in against the system of repression, and from about A.D. 1500 to 1623 the plan of toleration and control under royal authority was substituted for it. At the latter date the old system was again adopted, and with similar results as before. About the beginning of the eighteenth century all legal repression or even restraint was abandoned, and in 1865 the policy of Forcible Regulation was adopted, and is still in existence. For more than twelve centuries the former method was enforced, at times with the extremest severity, and the result was confessed failure and the adoption of the milder system.²

In France.

33. In France, also a Catholic country, the policy of Repression was severely enforced so early as the time of Charlemagne (ninth century), and again by Louis the Ninth in the thirteenth century. But in both cases the failure was complete, and Louis the Ninth, after several years' experiment, reverted to the system of partial toleration. This fact is a remarkable instance of failure confessed; for this king "had a strong will, and he is celebrated not only on account of his institutions and his sagacity, but still more on account of his piety, which caused the Church to place him amongst its saints."³ For three centuries repressive measures remained in desuetude, but in 1560 there was a new attempt made to enforce the system of prohibition. It failed, as did the previous attempts, and was again and again renewed, until the celebrated "ordinance of Lenoir," issued in 1778, re-established the system of toleration. This system, confirmed and extended, is the one still in existence.

Present
system in
France.

34. The system of registration and police supervision at present existing in Paris will be found detailed at length in the Appendix to the Report of the Committee on Venereal Diseases, presented to both Houses of Parliament in 1868.⁴ It is not needful to re-copy them here. It will be sufficient to say that they comprise—(1) Inscription in a special register; (2) Sanitary visitation; (3) Confinement, whether for prevention, discipline, or medical treatment. The sub-committee who drew up the report express themselves as satisfied that the regulations, which have been in operation since 1778, are very valuable, have received unanimous assent, and that public opinion has constantly appreciated both their advantage and necessity. They quote official statistics to show that syphilitic diseases had diminished from 1090 cases in the year 1861 to 660 in the year 1864. Even amongst clandestine prostitutes apprehended, the decrease had been from 540 to 251 cases. As to the success of the system, in a sanitary point of view, all witnesses are agreed.

In Berlin.

35. In Berlin the policy of toleration was in operation for a long period prior to the Reformation. A strong religious reaction then set in against it, and for a short time the town was almost wholly cleared of the traffic. "But the consequences of this puritanism, laudable no doubt from the purely moral point of view, but little accordant with the existing conditions of social life, soon made themselves felt. The multiplicity of intentional abortions, of exposures of children, and of adulteries, forced even those who had professed the most austere principles to return to more moderate views."⁵ Not only was the ancient state of things re-established, but it was recognised that the number of common women being insufficient for the population it was necessary to have more." In 1700 the system of Forcible Regulation was formally established, and continued in existence until 1845, when it was summarily set aside by order of the King. The results of this step have already been mentioned. During the six years the system of repression was in operation, there was an extreme development of private vice, and of other forms of demoralization more odious even, as well as more degrading and injurious, than prostitution itself. The proportion of illegitimate to legitimate births increased. But the most decisive proof of all, that in adopting the policy of Repression the Government had at once stultified itself and had worked a great amount of evil, consists in the established fact that syphilis was propagated far more rapidly and more generally than before.⁶ The disease, moreover, assumed a more virulent form. These undeniable facts forced the Government to revoke the decree of suppression, and in 1854 a Commission of Public Morals was created, and a new and more complete code of regulations, to which all the common women of Berlin are now subjected, was established by law. The sanitary effect of these new regulations, in a military point of view, is remarkably evidenced by the fact that, in the year 1856, out of an army of 30,000 men stationed in Berlin, less than 200 cases of syphilis occurred.⁷ For sanitary purposes they are said to be the best in Europe, periodical inspection of the registered women being rigorously maintained. The system is essentially the same as that in operation in Paris; but all private prostitution is, upon detection, punished as an offence against the law, which expressly declares that the vice is "tolerated but not permitted."⁸

¹ Dr. Guardia in Duchatelet, vol. 2, p. 769.

² *Westminster Review*, vol. 37, p. 133.

³ Sanger.

⁴ *Lords Papers*, 1867-8, vol. 53, p. 51.

⁵ Dr. Behrend in Duchatelet, vol. 2, p. 669.

⁶ *Westminster Review*, vol. 37, p. 135.

⁷ Sanger.

⁸ *Ibid.*

36. In several of the other cities and large towns of Europe—as in Bordeaux, Marseilles, Strasbourg, Hamburg, Brussels, Turin—the French system of registration and supervision is established; and the results in every case show that under this system syphilitic diseases diminish in extent and virulence, the public health is materially improved, whilst public decency is much more carefully preserved than in those cities where the system of Repression or Indifference exists. The four cities in which the repressive system is carried out from the religious principle—namely, Vienna, Rome, Stockholm, and London—are by universal admission much more openly profligate and vicious than in those where vice is kept in check by police regulations. Sir Edward Sullivan, writing in 1868, says:—“The first sight a foreigner is taken to see in London is the Haymarket by night. Why is this? Because London is the only city in the civilized or uncivilized world where prostitution is allowed to crowd a populous thoroughfare, flaunting and soliciting, unrestrained by the authorities. This is one of those cases in which personal liberty is degraded into the most disgraceful license. Of course it is acknowledged by all sensible people that prostitution is an inevitable evil—none but fools and hypocrites would attempt to suppress it; but it is the bounden duty of every citizen who cares for public decency to see that it is controlled and restrained, and prevented from forcing its meretricious arts and attractions on the respectable and the virtuously inclined. In every well-regulated city in the world prostitution is banished from the streets, and confined to houses more or less controlled and regulated by law and the police. The common sense of every man who will take the trouble to think on the subject for five minutes tells him that our duty is to deal with this subject as a necessary evil—to try and regulate and mitigate it, as we do pauperism, crime, or anything else—not to ignore it and pretend to shut our eyes to its existence.”¹ Dr. Acton, in 1857, writes:—“The streets of London are an open book, and he who walks in them can read and think for himself.”² Dr. Ryan, in 1839, calculated that 400,000 persons were directly or indirectly connected with the vice in London, and that a sum of eight millions sterling per annum was directly or indirectly expended on it there.³ Similar testimonies to the excessive palpable prevalence, cynical shamelessness, and scandalous indecency of the evil in the streets of London, when compared with those of other cities, might be cited to almost any extent.

VI.—RECENT LEGISLATION IN ENGLAND.

37. Up till the passing of the Contagious Diseases Act in 1864 there was in England no legislation dealing directly with the Social Evil. The law implicitly condemned the practice as immoral, and refused to recognise any contracts founded on it; and there were penal provisions against the keeping of disorderly houses, public acts of indecency, solicitation in the streets, &c.; but these were rarely enforced. Practically the condition of things in this regard was exactly the same as if there were no legislation respecting the evil on the Statute Book. The consequences were that a most extensive and widely-ramified traffic in prostitution was almost openly carried on in London and other large towns; brothels abounded; vice prevailed to such an extent that the number of common women in the United Kingdom known to the police was about 50,000; and the Westminster Reviewer—a strong opponent of all toleration by law—calculates that if the number of women of the clandestine class bears the same relation to the total population of Great Britain as it does in France, the number of women in the United Kingdom who live wholly or in part by means of vice must be about 368,000!⁴ Without further citation of facts, it may be again affirmed that, viewed in every aspect, whether as regards public morals, health, or decency, the long-established policy of Indifference has produced in England a state of things highly disgraceful to it as a civilized and professedly Christian country, and extremely injurious to its material and social position amongst the nations of Europe.

38. These, however, were not the considerations that first led the Imperial Government to introduce the Contagious Diseases Acts. The first of these Acts was avowedly tentative in its character, and its operation was restricted to a few large garrison and seaport towns. Its adoption had been forced upon the Government by the prevalence of syphilitic disease in the army and navy. It was ascertained, for instance, that in the year 1860 one in four of the Foot Guards in London suffered from syphilis, while in the same year only one in 56 of the troops in Brussels suffered from the same cause. In 1863 there were 1842 cases of venereal disease admitted into Haslar Hospital alone.⁵ The Registrar-General's returns showed, moreover, that the deaths from this disease in the general population, principally children, had increased from 67 in a million in 1861 to 94 in a million in 1865.⁶ In 1864 a Bill to check the prevalence of the disease was introduced into the House of Commons by the First Lord of the Admiralty; it was referred to a select committee, adopted, and passed, without any discussion taking place. It was similarly carried through the House of Lords and received the Royal Assent on 29th July. In October following the Government appointed the Medical Committee (already referred to in this Report) “to enquire into the pathology and treatment of the venereal disease, with the view to diminish its injurious effects on the men of the army and navy.” The committee reported, after an exhaustive enquiry, occupying more than two years, that “in one most important point the Act of 1864 had proved successful, and in just that particular in which it might *a priori* have been expected to fail; namely, that which relates to the feelings of the

¹ Ten Chapters on Social Reform, pp. 76-7.

² Acton, p. 105.

³ Ryan, quoted by Acton, p. 192.

⁴ Westminster Review, vol. 36, p. 185.

⁵ Report of Lords Select Committee, session 1867-8, vol. 28, p. 3.

⁶ Ibid.

unfortunate women with whom it has to deal; so far from opposing its operation, they appear to appreciate its value to themselves. Magisterial interference in its operation is the exception. Out of 752 informations laid, all the women attended voluntarily but six; and there is evidence to show that they would be tolerant of even further interference, having their health for its object." The committee enumerated several defects of detail in the Act, and earnestly recommended its amendment in many of the main provisions, and its extension to other localities; a recommendation which the Government carried into effect by introducing and passing the Amended Act of 1866.¹ It is proper to add that the views of the Committee as to Forcible Regulation were dissented from by one member—Dr. Graham Balfour, Deputy Inspector-General of Military Hospitals—who expressed himself as opposed to any system of registration and medical inspection, as "involving the legislative recognition of prostitution as a branch of industry." But he concedes that "every one who has paid any attention to the subject must admit the impossibility of putting down the evil," although "this cannot be held as a reason for fostering it;" and he recommends that the Contagious Diseases Act should be amplified in its provisions so as to include the police enactments against disorderly houses and women, and in that form should be extended to all garrison and seaport towns.²

Debate on the
Act of 1866.

39. The enlarged Act of 1866 was the direct result of the labours of this committee. It was read a second time on the 22nd March, when a brief debate took place—the first that had been raised on the subject in Parliament. Mr. Henley characterised the Bill as a "very queer Bill on a very queer subject;" as an "endeavour to remove all the penalties which a higher Power had imposed upon sin, and to give the opportunity of sinning without the punishment;" and the principle of the legislation he stigmatized as "vicious, if unaccompanied by any attempt at reclamation." But he offered no opposition to the measure. Mr. Ayrton also spoke strongly against the Bill in similar terms. The Chancellor of the Exchequer vindicated in a few words the motives of the Government as having exclusive reference to the efficiency of the forces.³ The Bill was, without a division, referred to a select committee, whose report in favour of it was taken into consideration on the 26th April. Mr. Henley and Mr. Ayrton again said a few words of objection to the principle of the measure, and were answered by Sir George Grey and Mr. Percy Wyndham, the latter of whom said there was a mutual understanding that the Bill was not to be publicly discussed in the House.⁴ It was reported to the House, read a third time without discussion, passed through the House of Lords in a similar way, and received the Royal Assent on the 11th June.

Select com-
mittee of the
Lords.

40. A select committee of the House of Lords was appointed on the 19th May, 1868, "to consider the Act of 1866." This committee examined nineteen medical and other witnesses; and in their report they dwelt upon the prevalence of syphilitic diseases, both in the army and navy and amongst the general population. They quote the evidence of Sir William Jenner to the effect that syphilis is one of the most fatal diseases existing in the home country, that it is entirely preventible, and that, as children and other persons suffer largely from it, without any sin of their own, it ought to be prevented; and also, that of other medical witnesses to the effect that, from the action of the disease upon the general system and upon the vital organs, the progress of physical degeneracy amongst all classes may be apprehended in the absence of preventive measures. They further report that the operation of the Act at Aldershot, Devonport, and Sheerness had been markedly successful in diminishing disease and reducing its virulence; whilst, in Malta and the Ionian Islands, the principle of it had been applied with complete success. Its operation had also produced a markedly beneficial moral effect upon the women themselves, in deterring many from a vicious life, giving them time for reflection, and bringing them under religious instruction and the softening influence of kindly treatment, and thus leading many of them to abandon evil courses altogether. In Chatham, during the year 1866, about 23 per cent. of the women, and in Devonport 30 per cent., had returned to their friends or gone into reformatories. Further, in none of the places where the Act had been in operation had any objection been raised against it, while public meetings had been held in many important towns—as Newcastle, Cheltenham, Gloucester, Liverpool, Exeter, Reading, and Bath—in favour of its introduction and application to the civil population. Defects in its working had arisen mainly from its limited scope, and the consequent intrusion of unregistered and infected women into the scheduled districts, and also from some unsuitable minor details in the machinery. But the witnesses were unanimously agreed as to the practicability, and the actual necessity, of extending the Act, if done with great caution. The committee therefore recommended its cautious extension to all the naval and military stations, and also to any locality the inhabitants of which should apply to be included in its operation.⁵ They add, that a similar power of extending the Act had already been given, at the suggestion of the Imperial Government, by the authorities in Jamaica, Ceylon, and Barbadoes; and that amendments of already existing Acts had recently been carried into operation at Hong Kong.⁶ The appendix to the report contains papers from the Governors of the Ionian Islands and Hong Kong, setting forth the beneficial effects of specific legislation in those localities. The law of Malta, it is stated, is very simple and easily applied, amounting merely to registration and enforced visitation from a medical officer three times a month, with a penalty of three months' imprisonment for obstinate refusal to be visited, and a summary committal to hospital of any woman

¹ Report of Committee on V.D., Lords Papers, 1867-8, vol. 53.

² *Ibid.*, p. 37.

³ *Hansard*, 3rd series, vol. 182, p. 815.

⁴ *Ibid.*, p. 2176.

⁵ Lords Papers, 1867-8, vol. 30, pp. 89, 90.

⁶ *Ibid.*, 91.

found infected. Of the strikingly effective working of this law no doubt at all can be entertained. Sir Henry Storks, its author, gave personal evidence before the committee, and testified that in all the Islands, and in Malta, the law was attended with the happiest results, the latter place being now singularly free from the disease, although it is a large naval and military station.¹

41. A select committee of the House of Commons was appointed in 1869 "to inquire into the working of the Act of 1866, and to consider whether, and how far, and under what conditions, it may be expedient to extend its operation." This committee reported that "the question of whether it could or would not be advisable to extend the operation of the Act to the whole population is one which involves considerations of such magnitude, both social and economical, and would necessitate an inquiry so lengthened and so elaborate," that they deemed it inadvisable to enter upon it at so late a period of the session. They therefore confined their investigation to, first, the operation of the Act in the scheduled districts; secondly, the alterations which might be necessary to secure more satisfactory results; thirdly, its further extension for military and naval purposes to other districts. They reported that, during the two and a half years the Act had been in operation, much benefit had accrued both in a moral and sanitary point of view; that, "prostitution appeared to have diminished, its worst features to have been softened, and its physical evils abated." They recommended that another committee should be appointed "with the view of ascertaining whether it would be practicable to extend to the civil population the benefits of an Act which had already done so much to diminish prostitution, decrease disease, and reclaim the abandoned." They had evidence that, in the first four months of the year 1869, out of 700 women of ill-fame in Devonport, 41 were undoubtedly restored to a virtuous life by the direct and indirect influence of the Act, and 29 more left the district. The practical recommendations of the report consist of, first, an extension of the topographical limits of the Act in garrison towns; secondly, a more rigorous application of its provisions as to registration and inspection; and thirdly, sending of all children found practising the vice at the instigation of their parents to industrial schools, at the charge either wholly or partially of their parents.²

42. Of the witnesses examined before this committee, Dr. Sloggett, staff surgeon at Devonport, Testimony of medical witnesses. testifies:—"During my two and a half years' experience the amount of actual good which has been done is more than I ever anticipated could have been done. Many of the women are prostitutes from sheer starvation. Syphilitic diseases are being to a great extent cleared out, and if we could only prevent the importation of fresh cases, I believe we should clear it out entirely. A very large number of common women within my knowledge have given up the practice. I trace this fact to the operation of the Act. In 1864 there were 2000 known public women in Devonport and Plymouth; there are now only 770. No case was ever known to me of the operation of the Act inflicting serious injury on any respectable woman."³ Dr. Parsons, of the Portsmouth Lock Hospital, states:—"There cannot be the slightest doubt that the Act has produced an enormous amount of good, both in the diminution of disease and unquestionably in the amendment of its character and violence; and I hold that it has done great good in the reduction of prostitution." He thinks "it has very much reduced the number of common women." "With the general public the Act has always been very popular."⁴ Dr. Secales testifies:—"The Act has been exceedingly beneficial in Sheerness, both as respects the number of cases and the character of the disease itself. There is no doubt that we could have entirely got rid of the disease if we had not had it imported at various times. Of sixty-five women under the surveillance for the disease at first, ten have gone away."⁵ Dr. Leonard, Inspector of Certificated Hospitals, states:—"I think that the Act has been most successful. It is my opinion that it has reduced the number of common women immensely. Certainly with the young it has a deterrent effect."⁶ Dr. Barr, of Aldershot, states:—"The Act has produced a very notable improvement in the character and condition of the women brought under its operation. About 100 women, we have every reason to believe, have abandoned the practice. Both the severity and the extent of the disease have been most decidedly lessened. Crime of a general kind has amongst this class been greatly reduced."⁷ Dr. Waylen states:—"Venereal diseases have been on the decrease since the Act came into operation. The Act has been successful in Colchester."⁸ Police-Inspector Smith, of Aldershot, states that the Act had been of very great benefit there.⁹ Dr. Balfour, Deputy Inspector of Military Hospitals, states that the working of the Act had been attended with marked advantage to the health of the forces.¹⁰

43. On the recommendation of this committee an amending Act was passed in August, 1869, Extended Act of 1869. extending the law to every garrison and naval town in England and Ireland. No discussion took place on this Act in either House of Parliament.

44. On the 24th May, 1870, Mr. W. Fowler moved in the House of Commons for leave to bring in a Bill to repeal the Acts of 1866 and 1869. The galleries were cleared of strangers, but a long debate (reported in *Hansard*) ensued. The mover complained of the Acts having been hastily smuggled through Parliament, and took objection to them on medical, constitutional, and moral Debate in the Commons. Argument against the Acts.

¹ Lords Papers, 1867-8, vol. 30, p. 229.

² Lords Papers, session 1868-69, vol. 30, p. 97.

³ Lords Papers, session 1868-69, vol. 30, p. 97.

⁴ Lords Papers, session 1868-69, vol. 30.

⁵ *Ibid.*

⁶ *Ibid.*

⁷ *Ibid.*

⁸ *Ibid.*

⁹ *Ibid.*

¹⁰ *Ibid.*

grounds. He asserted that the Acts had not diminished disease to the extent alleged by their advocates, and in fact had rather, by tending to increase clandestine vice, spread and intensified disease than lessened it; the French system, from which the Acts were borrowed, was itself a failure; the medical examination of women under compulsion is cruel and degrading; and it is unjust to them not to apply compulsion equally to the other sex. On constitutional grounds he objected that the law was bad, oppressive, and subversive of personal liberty; at least two cases of wrongful arrest of women had occurred from it; it established a system of hateful espionage, and made of the police spies and false accusers. On moral grounds he objected that the Acts were based on the false assumption that prostitution is a necessary evil; their operation degrades the sexual relation; they made of the Social Evil a legalised institution; the money expended in carrying them out would be better applied in privately attempting moral reform amongst the women; and the argument as to their necessity for the army and navy was a dangerous one, since the State itself was responsible for the enforced celibacy of its soldiers and sailors.

Argument
for the Acts.

45. Dr. Lyon Playfair, in reply, rebutted the charge of hasty and secret legislation; the Acts had been passed deliberately after three public inquiries and elaborate reports. The extreme prevalence of disease in the forces had compelled the Government to introduce them. The constant average loss of service from this cause, prior to 1864, was equal to two whole regiments and one fully-manned iron-clad frigate. The State was bound to preserve its combatants from deterioration by disease. The working of the Acts for three years had been very satisfactory, as Dr. Balfour, who had been a strenuous opponent of them at first, now admitted. Dr. Balfour was now in favour of them, and had furnished him (Dr. P.) with statistics proving that within the scheduled districts, during the five years from 1864-9, the average of syphilitic cases had fallen from 93 to 58 per 1000 men, whilst at the other stations there had been an actual increase from 107 to 111 per 1000 men. The type of the disease had also become much milder, the average duration of illness amongst the men affected having fallen from 85½ days to 37 days. The Acts were the greatest achievement in sanitary legislation since the Compulsory Vaccination Act was passed. Amongst the registered women at Chatham the average of those diseased had fallen from 70 to 6 per cent. The Acts are not unjust in their application to women only, for women alone carry on a trade in the traffic. Regulation is not legal recognition, as crimes of all kinds are equally "regulated" by law, but not recognised. The liberty of the subject is equally infringed by every penal enactment, and instances of wrongful arrest always will happen, even in charges of murder. The allegation that the operation of the Acts degrade women is not alone unsupported, but it is totally opposed to all evidence. The chaplains, medical officers, and police, all testify unanimously to the great improvement, both morally and physically, produced in the women. This class of women has decreased in some of the districts by one-half, and one-fourth of the whole number have been restored to respectable life. Of 7766 registered women, no less than 4750 had either been restored or had left the districts; 27 per cent. of the whole number are known to have been certainly reclaimed from infamy. It is known that the Acts deter numbers of women from entering on a life of vice. The decrease of open prostitution is a direct proof, not of the increase, but of a corresponding decrease in clandestine vice, since it is from the latter source that the former class is supplied. No real cases of hardship had occurred to women under the Acts; the enforcement of the Act is conducted with the utmost caution by a select number of police officers, and not indiscriminately by all policemen. And lastly, both in their sanitary and moral effects, the Acts had been entirely and eminently successful.

Mr. Henley
against the
Acts.

46. Mr. Henley condemned the Acts as immoral legislation and licensing prostitution; they were also very unpopular, seeing that petitions with 270,000 signatures had been presented to the House against them. Mr. Jacob Bright also spoke strongly against the Acts on the same grounds, and stated that 500,000 signatures had been appended to the petitions against them.

Result of
debate.

47. The rest of the debate was for the most part a repetition of the foregoing arguments, and it was adjourned *sine die* upon the promise of the Government to appoint a Royal Commission of Inquiry.¹

Royal Com-
mission of
1871.

48. This Commission consisted of twenty-five members, of whom twenty-three signed the report, which was presented to the Queen in December 1871. The Commissioners were much divided in opinion. Two-thirds of them were in favour of a qualified system of compulsory registration, and seven were in favour of strengthening rather than weakening the terms of the existing Acts. Six were in favour of repealing all compulsory legislation; but all were in favour of further legislation, with a view to so modifying the law as to make it applicable to the whole country. They reported that, after minute and searching inquiry, they had found that no real cases of hardship had arisen under the Acts, and that the statements of an opposite kind had either been gross exaggerations or sheer inventions.² The main recommendations of the report were—that the periodical examinations ordered by the Act of 1866 should be discontinued, and a return made to the system in force under the Act of 1864; that the power to detain women in hospital should be extended, as in the Acts of 1866 and 1869, to those who had voluntarily submitted themselves for examination; that the new Act should be applied to any place in the United Kingdom, except

¹ *Hansard*, 3rd series, vol. 201, pp. 1306-47; ditto, vol. 202, pp. 574-607.

² Mr. H. A. Bruce, in House of Commons, *Hansard*, vol. 209, pp. 330-346.

London and Westminster, which should make a request to that effect; and that the administration of the law should be transferred from the Admiralty and the War Department to the Home Office. "All the medical witnesses engaged in the administration of the Acts concur," says the report, "in representing the periodical examinations as essential to their efficiency;" and though it is added, that few of these witnesses had seen the Act of 1864 in operation, or had "sufficiently discriminated between what was due to that Act and to its successor," the report concedes that the frequent examination of women is "the most efficacious means of controlling the disease."¹ The Commissioners state, that they "attach great importance to the maintenance of a system which, if it cannot altogether annul, may at least materially mitigate a pestilence which is not, like other contagions, of occasional occurrence, but one of perennial growth. The offenders who bring this affliction upon themselves by their own vicious indulgence may have no claim to the compassionate care of the State, but the numerous innocent persons who suffer from the disease are surely entitled to consideration. We venture to express our hope, therefore, that whilst due consideration is paid to the sentiments of the people in regard to prostitution, no misapprehension as to the real moral bearings of the question, and no want of courage, will be suffered to prevent the application of such remedy as may be practicable to this great evil. The firmness of a former Parliament withstood the storm of clamour with which the discovery of vaccination was assailed by the ignorance and prejudice of the day, and relieved posterity from a scourge which was the terror of earlier generations; and we would fain hope that an attempt to stay the progress of a plague scarcely less formidable in its ravages is not to be hastily abandoned."²

49. The divided character of this Commission, and the persistent agitation against the Acts carried on by a considerable section of the public outside, induced the Government to bring in a Bill in April 1872 repealing the Acts of 1866 and 1869, and substituting for them an entirely different system. Under the new Bill—which was but an extension of the Vagrant Act—it was provided that the act of importuning persons in the streets should bring a woman under its operation, even though the importunity does not cause annoyance or create disorder, and though it be not proved by the evidence of the persons importuned. Any common woman soliciting persons in a public street should be rendered liable to three months' imprisonment for the first offence, six months' for the second, and twelve months' for the third. If, during her imprisonment, she is found to be suffering from a contagious disorder, she may be removed at the expiration of her sentence to a certified hospital, and detained there for nine months, or until cured. Besides this, a magistrate, in all summary cases, where he is satisfied that a woman is leading a disorderly life, is to certify the fact, and she will then be liable to detention for the same purpose and during the same period. The Bill, in addition, gave power to the parish authorities to prosecute the keepers of disorderly houses of their own motion; the landlord of any such house being made liable to punishment if he knew it to be used for immoral purposes, although he may have taken no part in the management; and keepers of common lodging-houses were similarly made liable if they knowingly permitted them to be frequented by persons of immoral life.³ Mr. Bruce's new Bill of 1872.

50. The new Bill did not seem to meet with much favour either from the House of Commons or the Press, and it was withdrawn by the Government before it had come to the second reading. The announcement of withdrawal was received with loud cheers. The Acts of 1866 and 1869 are therefore still in force. The new Bill withdrawn.

51. The "Statistics of the Metropolitan Police, showing the operation of the Contagious Diseases Acts down to the 31st December, 1871,"⁴ show that, in Portsmouth, of 2453 women registered, 1809 had left the district, married, or been restored to friends, and 58 had died; that 1355 common women were known to the police when the Act of 1864 was passed, and only 586 were known at the end of 1871. And this ratio of decrease, or even a greater, is shown to have occurred at all the seventeen stations included in the Acts. The total numbers were:—

Women registered.....	11,995
Left the districts	5324
Married	578
Entered refuges	907
Restored to friends	2574
Died	201
	<hr/> 9584
Remained on registers	2411
	<hr/> 11,995
Number of common women known before passing of Acts	4852
Ditto on 31st December, 1871.....	2411
	<hr/> 2441
Decrease	<hr/> <hr/> 2441

¹ *Pall Mall Budget*, for 8th December, 1871, pp. 9-10.

² Quoted in *Pall Mall Budget*, 29th December, 1871, p. 8.

³ *Ibid*, 23rd February, 1872, p. 4.

⁴ House of Commons Papers, 18th March, 1872.

These statistics clearly prove that the Acts have tended greatly to diminish the number of professional common women, the ratio of decrease being no less than seven-eighths in seven years. These figures corroborate the statement made by several medical men examined before the select committees of the Lords and Commons, namely, that the operation of the Acts would in time completely stamp out disease, and extinguish the profession within the included districts, if there were no accessions of stranger women from outer districts to fill up the blanks caused by departure, restoration, and death.

Medical testimony.

52. A memorial to the Home Secretary, signed by many hundreds of the principal medical men in the United Kingdom, including every physician of high official standing, as well as all those in most extensive private practice, was presented early in 1872. It set forth that the memorialists, "firmly convinced of the deteriorating influence exercised by syphilitic diseases on the public health, and painfully familiar with the serious suffering which they entail on large numbers of innocent individuals, are most anxious that, in any forthcoming measure, nothing should be done to weaken the beneficial sanitary operation of the existing Acts, which can be shown to have reduced the more serious form of disease by considerably more than one-half in the districts where they are in operation." They also protest against the "erroneous supposition that a personal examination is deemed by the women themselves either so degrading or repulsive as had been represented," and that there was "no difficulty in obtaining their voluntary attendance for even public examination, when sick and incapable of further struggle with disease." They further declare themselves "warranted, by recorded facts, in the belief that the temporary seclusion of diseased women in a more healthy moral atmosphere has been found to contribute, in no unimportant proportion of them, to their restitution to the paths of virtue, and that both physically and morally they have been thereby raised in the scale of humanity."¹

Popular opposition to the Acts.

53. On the other hand, a powerful opposition to the Acts has been kept up by public agitation from the first inception until the present time, under the direction of the National Association for the Repeal of the Contagious Diseases Acts. The secretary to that association states, in a memorial to the Premier, dated 24th March, 1871, that whereas only four petitions with 340 signatures attached had been presented to Parliament in favor of the Acts, no less than 873 petitions with 622,258 signatures had been presented against them; and that another petition, signed by a quarter of a million of the women of the United Kingdom, was ready for presentation. The Acts, moreover, had been condemned by many influential religious bodies, including the Wesleyan Methodists, the Congregationalists, and the Society of Friends. The opposition had made itself effectively felt at several elections, and the success or defeat of a candidate was made to depend on his promise to support or to repeal the Acts.

Grounds of popular opposition.

54. The grounds of this powerful opposition are summarily stated to be that "the system established by the Acts has an inevitable tendency to lower the moral and social character of the people, by familiarising their minds with vice in some of its worst forms, and practically under the sanction of the Government of the country; that no legislation that is opposed to any clear moral law can produce permanent physical benefit; and that no scientific opinion, and no statistics which appear to point to an opposite conclusion, can ever afford a safe basis for the action of a statesman."² These arguments have been persistently met by the counter arguments set forth in previous parts of this Report. It is certain that, notwithstanding the admitted unpopularity of the Acts amongst the religious sections of the community, they are in favour with a large majority in both Houses of Parliament, and any attempt to repeal them would be defeated.

VII.—LEGISLATION IN BRITISH COLONIES.

Legislation in India.

55. In several of the British colonies, where there are large naval or military stations, the Contagious Diseases Acts have been put into operation, and in every case with great success. The case of Malta and the Ionian Islands has already been mentioned. In India, also, they have been attended with success. At Calcutta the decrease in the number of cases of disease has been fully one-third, and at Madras the hospital records show a marked diminution of a like kind. Nor has there been any complaint raised in any quarter against the Acts; on the contrary, the local press is calling for their extension to the civil population, and to localities not yet included in their operation.³

In Queensland.

56. The experiment has been tried in Queensland, but information is wanted as to its latest results.

In South Australia.

57. Attempts to carry sanitary legislation into effect have been made in South Australia from time to time; but, so far as known, without success. An adaptation of the English Act of 1819 was introduced into Parliament by the Government in October of that year, and passed the Legislative Assembly, but was rejected at the third reading by the Legislative Council. (Documents herewith appended.)

¹ House of Commons Paper, 5th March, 1872.

² House of Commons Paper, 25th April, 1871.

³ *Pall Mall Budget*, 20th September, 1872, p. 9.

VIII.—CONCLUSIONS.

58. The practical conclusions to which the preceding review of the subject seem clearly to point are these :— Practical conclusions.

1. It is unquestionably the duty of every Government to make provision for the protection of the lives and health of the population from the effects of the destructive diseases engendered by prostitution.
2. This can only be done effectively by means of legislation dealing directly with the agents in spreading contagion.
3. The simplest kind of legislation is that which compels every such agent, by forcible arrest, to abstain from spreading contagion, and detains her in custody until her cure is effected.
4. Moral and religious means should be employed, during the woman's detention, to induce her, if possible, to abandon her vicious course of life, and to restore her to society.

59. The foregoing conclusions involve the principle of Forcible Regulation, on which the existing English Acts are founded. But a simplification of those Acts, to suit the exact circumstances of this country, might readily be made. The regulations in force at Malta (already cited), being so few in number and so simple in their working, may be mentioned as offering a good model to follow. Perhaps it would be desirable, in order to save a probably acrimonious and certainly unprofitable public discussion, that such regulations should be inserted as a clause in an amended Police Act rather than made the matter of a separate legal measure. Principle of Forcible Regulation.

60. In any case, the existing police restrictions on all such incitements to vice as notoriously disorderly houses, street solicitation, dancing saloons, and other resorts of bad characters, breaches of public decency, the sale of indecent books and prints and the like, should be rigorously enforced, and, if necessary, the penalties increased. But beyond this it does not appear the duty of a Government to make provision for protecting the morals of the population. Suggestions as to improved police restriction.

61. Clandestine prostitution appears to be a practice of which, from its very nature, it is not possible for the law to take any direct cognisance. No law can deal with clandestine vice.

62. The police provision for apprehending all children found either pursuing vicious courses openly or haunting houses of ill-fame, or who are being notoriously trained to vice by profligate parents, and sending all such children to the industrial schools, should likewise be rigorously carried out. Children found with vicious parents.

63. It only remains to be further stated that the single practical suggestion offered by those persons who profess a desire to lessen the evil and its consequences, but who on moral grounds are opposed to forcible regulation by law, is the establishment of Lock Hospitals, at the public expense, for both male and female patients suffering from venereal diseases. The objection to this plan, however, is very conclusive, namely, that the State would, under such a system, be offering not alone a direct sanction, but a direct premium, to vice. Sole practical suggestion of opponents of Acts.

APPENDIX OF WORKS CONSULTED.

1. Acton on Prostitution, 1857 (and 2nd edition, 1870).
2. Sanger's History of Prostitution. New York. 1858.
3. Westminster Review. Vols. 53 O.S. and 36 and 37 N.S.
4. Chambers's Encyclopædia (Art. "Prostitutes Law of"). 1865.
5. Sir A. Helps's Companions of my Solitude. 1854.
6. Greenwood's Seven Curses of London. 1869.
7. Quarterly Review. Vol. 83 (Art. "Female Penitentiaries").
8. Mayhew's London Labour and London Poor. Vol. 4.
9. Reports of Social Science Association. 1868--1872.
10. Laing's Observations in Europe. Chapter 12. 1850.
11. Lecky's History of European Morals. 1870.
12. Pall Mall Budget. 1868--1872.

PUBLIC DOCUMENTS.

1. Hansard (English). 1865 to 1872.
2. Contagious Diseases Acts of 1865, 1866, 1869.
3. Report of Select Committee of Lords on Contagious Diseases Act, 1868.
4. Report of Select Committee of Commons, 1869.
5. Report of Medical Committee on Venereal Disease, 1866.
6. Report of Royal Commission on Contagious Diseases Act, 1871.
7. Statistics of Metropolitan Police on Working of Acts. (Parliamentary Paper, 1872.)
8. Letters to First Lord of Treasury on ditto. (Parliamentary Paper, 1871.)
9. Memorial of London Physicians in favor of Acts. (Parliamentary Paper, 1872.)

FRENCH.

1. Duchatelet: de la Prostitution dans la Ville de Paris. (3rd edition.) 1857.
2. Bérard: Les Filles Publiques de Paris. 1839.
3. Frégier: Des Classes Dangereuses. 1840.
4. Dulaure: Histoire de Paris. 1824.
5. Dictionnaire de la Conversation. (Art. "Prostitution.")

NOTE.—Annexed are the following documents :—

- (1.) Copy of the rejected South Australian Act of 1869.
- (2.) Copy of Reports on Lessening the Evils of Prostitution. (South Australia.)