

Queen's Women: The Contagious Diseases Acts of 1866 and 1869

By

Melissa N. Bettes


A Thesis Submitted to the Graduate Faculty  
in partial fulfillment of the requirements for the degree of  
MASTERS OF ARTS IN HISTORY


University of Central Oklahoma  
Spring 2017


## THESIS APPROVAL

The abstract and the thesis of Melissa N. Bettes for the Master of Arts in History was submitted to the Joe Jackson College of Graduate Studies on 9 May 2017 and approved by the undersigned committee.

### COMMITTEE APPROVALS:

  
\_\_\_\_\_  
Jessica Ann Sheetz-Nguyen, Ph.D.  
Committee Chair  
Professor of History

  
\_\_\_\_\_  
Michael Springer, Ph.D.  
Member  
Professor of History

  
\_\_\_\_\_  
Erik Huneke, Ph.D.  
Member  
Assistant Professor of History

## TABLE OF CONTENTS

Acknowledgements	i
Abstract	ii
Introduction: An Introduction to the Crusade to Repeal the Contagious Diseases Acts of 1866 and 1869	1
Chapter 1: Crusade to Control Women: Contagious Diseases Acts of 1866 to 1869	28
Chapter 2: Crusade to Control "Queen's Women" in the Age of Victoria	48
Chapter 3: Crusade to Control Social Purity Led by Josephine Butler	75
Chapter 4: Stansfeld's "Hysterical Crusade" to Abolish Gendered Legislation	94
Conclusion	132
Bibliography	136
Appendix 1: Contagious Diseases Acts Submission Forms	148
Appendix 2: Table I. <i>Showing the Admissions into Hospital for Primary Venereal Sores and Gonorrhoea, at Twenty-Eight Stations Of Troops in the United Kingdom in each Year</i>	152
Appendix 3: Table I. <i>England and Wales. Number of Houses of Known Bad Character as Returned by the Police in each of the undermentioned Years.</i>	153
Appendix 4: London Rescue Society's Returns Regarding Clandestine Prostitution	154

## ACKNOWLEDGEMENTS

First, I would like to thank my advisors for their unflagging support and assistance from the development to the completion of this Master's thesis. Dr. Jessica A. Sheetz-Nguyen, my committee chair and mentor, provided a continual source of information and guidance. I am extremely grateful for her years of support during the research and developing of this project. Dr. Michael S. Springer has never failed to offer encouragement and constructive critiques. Through the benefit of his example, he enabled me to become a better researcher. I would also like to recognize Dr. Erik Huneke for agreeing to serve as a committee member with little notice. A scholarly work of this scope, which relies heavily on primary source material, would be impossible without acknowledging the Archives at the University of Liverpool. I am much obliged to them for providing copies of letters written by Josephine Butler. More particularly, I could not have accomplished this without the support, both financial and personal, of my husband, Robert Bettes, and my parents, Edward Kramp, Frances Zephir, and Steven Zephir. They, along with Katrina Carden's continued engagement in the pursuit of my continued education and their dedication in ensuring its completion, leaves me humbled by their love and support. As both a mother and scholar of women in the Victorian era, I am grateful to Sara Harlin for helping me manage my domestic and public spheres. Her loving and diligent care of my son, for her role of watching my son, Ethan Bettes, during the course of this project, significantly decreasing the difficulty of completing it. I would also like to thank Logan Swift for taking the time to edit and provide outside input for this thesis. I sincerely appreciate everyone who has assisted me over the years.

## Queen's Women: The Contagious Diseases Acts of 1866 and 1869

This thesis will examine the implementation of the Contagious Diseases Acts (CDA) of 1866 and 1869 and the process undertaken by those in and out of Parliament to repeal the legislation. This task will be accomplished by reviewing government documents such as the Hansard Parliamentary Debates and Sessional Reports, the personal papers of Josephine Butler, along with her other publications, pamphlets, newspaper articles, journal articles, medical reports, and secondary works pertaining to this topic. Parliament implemented the CDA in garrison and port cities with the intention of reducing the number of soldiers and sailors afflicted with gonorrhea and syphilis by targeting the prostitutes in those areas. The act required any woman suspected of this trade to undergo examinations and to obtain treatment if diseased. She then received a certificate of health, which some used to charge more for their services, calling themselves "Queen's Women," claiming the state insured their health for the men. The purpose of this work will show that while the arguments regarding the constitutional rights of the women affected and the moral question of the state legislating vice played heavily in influencing members of Parliament (MP) to repeal the Acts in 1886, the statistical data compiled by MP James Stansfeld, Halifax, proved the intention to reduce venereal disease failed.

## AN INTRODUCTION TO THE CRUSADE TO REPEAL THE CONTAGIOUS DISEASES

### ACTS OF 1866 AND 1869

In 1864, at the behest of the Army and Royal Navy, Parliament passed the Contagious Diseases Prevention Act, which extended to six port and garrison cities.<sup>1</sup> The legislation moved through both houses without public notice and with the intent to reduce venereal diseases, primarily syphilis and gonorrhea, which the soldiers and sailors contracted. The initial bill called for a voluntary submission by prostitutes to undergo gynecological examinations to determine whether they carried the disease or not. Two years later Parliament amended the Act, now called the Contagious Diseases Act (CD Acts), which made examinations for women mandatory and expanded the number of areas subject to compliance.<sup>2</sup> In 1869, the Parliament revised the bill again but only by extending the jurisdictions and the number of ports and garrison towns.<sup>3</sup> The legislation declared that any woman suspected of prostitution in the subject areas must submit to examination. If she refused to comply, she faced a sentence of three months in prison with or without hard labor.<sup>4</sup> Those who acceded to the process received a certificate, which indicated they were free of contagion.<sup>5</sup> Some even took this document, thinking the State justified and promoted their profession, and called themselves “Queen’s Women.”<sup>6</sup>

---

<sup>1</sup> Contagious Diseases Preventative Act, 1864, 27 & 28 Vict. c. 85.

<sup>2</sup> Contagious Diseases Act, 1866, 29 Vict. c. 35.

<sup>3</sup> Contagious Diseases Act, 1869, 32 & 33 Vict. c. 80.

<sup>4</sup> Contagious Diseases Act, 1869, 32 & 33 Vict. c. 80.

<sup>5</sup> Contagious Diseases Act, 1869, 32 & 33 Vict. c. 80.

<sup>6</sup> Mr. Sedley Wolfertan, Surgeon at the Royal Albert Hospital at Devonport, “Report of the Royal Commission upon the Operation and Administration of the Contagious Diseases Acts,” *Sessional Papers, 1871, Administration and Operation of the Contagious Diseases Acts, 1871*, Vol. 1 & 2, x. Hereafter: “Report of the Royal Commission.”

In an outrage at the violation of civil liberties, men and women formed coalitions to advocate for the repeal of the law. Their arguments varied but primarily focused on morality and constitutionality. One woman led the crusade and formed the Ladies Association for the Repeal of the Contagious Diseases Acts (LNA). Josephine Butler, a middle-class wife and mother, took prostitutes into her home to give them a chance to heal, or at least die outside of a workhouse. She gave them a chance to tell their stories, and she used these narratives to convince men of the evils of the CD Acts. Millicent Garrett Fawcett described Josephine Butler, amongst other prominent Victorian women, as one who performed “the most womanly of women’s duties,” which “are to be found in works of mercy to those who are desolate and miserable.”<sup>7</sup>

Although Butler knew the tales garnered sympathy with the men who held the privilege to vote, she was aware of the other arguments against the legislation and used those in her speeches and pamphlets. She centered her arguments on the constitutionality and the moral issues surrounding the Acts. Butler declared the Acts embraced a double standard; the laws emanated from men with the intent to restrict the rights of women while protecting men engaged in immoral deeds. She questioned why the women must comply with what some termed “instrumental rape” without the possibility of a trial by a jury of her peers to prove if she was a prostitute.<sup>8</sup> Josephine Butler, risking her husband’s career for speaking out on such a taboo subject, fought for the rights of these women, and all women, for more than twenty years before she saw the Contagious Diseases Acts

---

<sup>7</sup> Millicent Garret Fawcett, *Some Eminent Women of our Times* (London: Macmillan and Co., 1889), 10.

<sup>8</sup> Mr. W. Fowler, MP speech to the House of Commons, “Strangers Ordered to Withdraw,” 24 May 1870, *Parliamentary Debates*, Commons, 3d. ser., vol. 201, col. 1314.

repealed. Notable for this crusade and her dedication to helping women, Butler did not shy away from critiquing her own sex. She admonished women's dependency upon men and their unwillingness to speak out against their husband's fallacies. This became a precursor to one of the feminist movements, which can be illustrated by current events. Women today are giving voice, again, and standing for their rights and independence, as shown by the most recent Women's March on Washington on 21 January 2017, which became a global phenomenon. While Butler diligently fought for her fallen sisters, she did not fight this battle alone. Member of Parliament (MP) William Fowler of Cambridge and MP James Stansfeld of Halifax both advocated for the repeal in the House of Commons. The historiography of the Contagious Diseases Acts builds upon the work of Judith R. Walkowitz, but, while some authors give credit to Stansfeld, few explore his role in obtaining the repeal of the legislation.

1970s

In *The History of Sexuality*, Michel Foucault states, "Sexuality was carefully confined; it moved into the home.... On the subject of sex, silence became the rule. The legitimate and procreative couple laid down the law."<sup>9</sup> He illustrates how the bourgeoisie illogically and hypocritically viewed sex, "repression operated as a sentence to disappear but also as an injunction to silence, an affirmation of nonexistence, and, by implication, an admission that there was nothing to say about such things, nothing to see, and nothing to know."<sup>10</sup> He argues that the repression of all topics sexual masked the proliferation of

---

<sup>9</sup> Michel Foucault, *The History of Sexuality*, vol. 1, *An Introduction*, trans. Robert Hurley (New York: Vintage Books, 1978), 3.

<sup>10</sup> Foucault, *The History of Sexuality*, 4.



discourse. Although Foucault asserts this claim, the advent of the Contagious Diseases Acts proves the Victorians did have something to say publicly about sex and prostitution.

While there are many histories concerning prostitution stemming from the rise of social history and the changing ideas of sex and sexuality, scholars began to write seriously about prostitutes in Victorian England and the Contagious Diseases Acts during the 1980s. Walkowitz's monograph covers the broader social context of the legislation. Historians have expanded upon her generalities, focusing on the feminist aspect, interpreting the CD Acts in the expansive framework of the reform movement, from a medical standpoint, from a religious view, prostitutes as "other," or non-British, from a geographical perspective, and from a cultural standpoint. The extensive source material available on Josephine Butler and her contribution to the repeal campaign has placed her as the primary focus for historians, regardless of how they approach this history. Throughout the decades, the approach to this topic and its concentration on the feminist aspects has remained a constant theme, and the influences of the men to eradicate the CD Acts have been overshadowed.

Margaret Hamilton wrote "Opposition to the Contagious Diseases Acts, 1864-1886" in *Albion: A Quarterly Journal Concerned with British Studies* in 1978. She attempts to "explain the reason for the bitter opposition to the Contagious Diseases Acts and to show how those opposed succeeded in bringing about repeal."<sup>11</sup> She places the significance of the repeal within the context of the woman's emancipation effort. Hamilton takes a feminist stance, giving the ultimate credit to the women who advocated

---

<sup>11</sup> Margaret Hamilton, "Opposition to the Contagious Diseases Acts, 1864-1886," *Albion: A Quarterly Journal Concerned with British Studies* 10 (Spring 1978): 15.

for the abolition of the law, by declaring the “dedicated effort of a group of courageous women” is responsible for the abolition of the CD Acts.<sup>12</sup> Hamilton acknowledges the efforts of MP James Stansfeld by citing his arguments that showed the ineffectiveness of the legislation in reducing venereal disease within the military. This thesis serves to correct the oversight of the limited discourse on Stansfeld’s efforts. She balances her arguments regarding the reason for the repeal of the CD Acts by informing the reader of the debates that centered around keeping or even extending the jurisdiction of the Acts.<sup>13</sup> She concludes by attributing the women’s success to persistence, organization, and good publicity, which influenced public opinion toward changing the law. Her final argument is “Revocation of the Contagious Diseases Acts not only assured women at the lowest rung of society that their constitutional rights would be upheld. But it was also a landmark in the woman’s emancipation effort, for repeal signified that attitudes toward women were changing.”<sup>14</sup>

Francis Finnegan details the lives and circumstances of prostitutes in the city of York in her book *Poverty and Prostitution: A Study of Victorian Prostitutes in York* (1979), which Walkowitz consulted for her book. While York did not fall in the jurisdiction of the Contagious Diseases Acts, despite being a garrison city, the work provides an important insight into the lives of “streetwalkers” and is important for any scholar studying the lives of these women. Finnegan argues that poverty and prostitution, especially among the Irish women, caused most to turn to selling themselves as their bodies were their only commodity available. *Poverty and Prostitution* also argues that

---

<sup>12</sup> Hamilton, “Opposition to the Contagious Diseases Acts, 1864-1886,” 15.

<sup>13</sup> Hamilton, “Opposition to the Contagious Diseases Acts, 1864-1886,” 19.

<sup>14</sup> Hamilton, “Opposition to the Contagious Diseases Acts, 1864-1886,” 27.

many other factors, such as widowhood, desertion, illegitimate children, and the lack of education also contributed to the plight of these women. Giving voice to these testimonies enables scholars to understand why poor women, seeking to survive, turned to prostitution and gives an excellent background to those who study the Contagious Diseases Acts and those affected. Herbert Reinke, in a very short review, acknowledges Finnegan and her contribution to the rarity of work that looks at individual prostitutes during this time.<sup>15</sup>

1980s

Although Michel Foucault set the precedent in discussing the history of sexuality, Judith R. Walkowitz brought this topic to the forefront with her book, *Prostitution and Victorian Society: Women, Class, and the State*, published in 1980. Writing during the second wave of feminism, Judith R. Walkowitz, a professor at Johns Hopkins University and considered the leading scholar on the Contagious Diseases Acts, utilizes archival material, Parliamentary papers and debates, books, pamphlets, journal articles, and newspapers. Her book argues that Josephine Butler receives all the credit for the repeal campaign, but historians have overlooked the importance of Henry J. Wilson and James Stansfeld, which this thesis seeks to address. Curiously, she does not elaborate on either of these men's roles beyond a limited discussion of their participation in Parliament. Walkowitz focuses on the feminist campaign to repeal the Contagious Diseases Acts and examines how the legislation affected the prostitutes in the subjected districts. She asserts, "Because reformers and authorities drew upon older modes of social explanation

---

<sup>15</sup> Herbert Reinke, review of "Poverty and Prostitution: A Study of Victorian Prostitutes in York by Francis Finnegan," *Historical Social Research/Historische Sozialforschung* 14 (April 1980): 39.

in their response to regulation, it is important to place a discussion of the public debate over the acts along the continuum of social attitudes on prostitution in nineteenth-century Britain.”<sup>16</sup> She adds, “The history of registered women under the Contagious Diseases Acts needs to be seen within the context of the general social and political economy of Victorian prostitution.”<sup>17</sup>

Walkowitz segments her book into three parts: “Prostitution, Social Science, and Venereal Disease,” “The Contagious Diseases Acts, Regulationists, and Repealers,” and “Two Case Studies: Plymouth and Southampton under the Contagious Diseases Acts.” In the first section, she outlines the social profile of the prostitutes, defining them as women involved in casual sexual encounters with men for money.<sup>18</sup> Many had left their homes for financial reasons and supported themselves.<sup>19</sup> Walkowitz also asserts that most prostitutes began their work at the age of sixteen, owing to a need to survive when jobs were scarce.<sup>20</sup> She then discusses the early investigations into prostitution, or the “great social evil,” and concludes that these studies “represented more than a philanthropic duty to expose a moral evil and suggest its cure: it was a personal exposure to a sexual temptation, a test of their own moral fiber.”<sup>21</sup> Lastly, she examines the meanings attached to venereal disease and explains how “class prejudice and the double standard of sexuality influenced medical treatment.”<sup>22</sup> Walkowitz studies the effect of the early

---

<sup>16</sup> Judith R. Walkowitz, *Prostitution and Victorian Society: Women, Class, and the State* (New York: Cambridge University Press, 1980), 9.

<sup>17</sup> Walkowitz, *Prostitution and Victorian Society*, 9.

<sup>18</sup> Walkowitz, *Prostitution and Victorian Society*, 14.

<sup>19</sup> Walkowitz, *Prostitution and Victorian Society*, 16.

<sup>20</sup> Walkowitz, *Prostitution and Victorian Society*, 17, 31.

<sup>21</sup> Walkowitz, *Prostitution and Victorian Society*, 33.

<sup>22</sup> Walkowitz, *Prostitution and Victorian Society*, 48.

statistics regarding the prevalence of syphilis and gonorrhea amongst men in the military, which led to the insistence of passing the Contagious Diseases Acts.<sup>23</sup>

The second part of her book focuses on the repeal campaign as well as on those who advocated for an extension of the legislation and examines the public rationale for the bill. Walkowitz seeks to correct the previous oversights of those who had focused only on cultural importance of the Victorian social and sexual ideology.<sup>24</sup> She argues that the changing perspectives are attributed to the evolving political policies and to the local authorities' daily enforcement of the CD Acts. In her study of the abolition of this law, the author outlines the political highlights and analyzes their tactics and propaganda.<sup>25</sup> This segment examines the role of Josephine Butler, leader of the LNA, and one of most prominent advocates for the abolition of the CD Acts outside of Parliament. She also briefly discusses MP James Stansfeld's political strategy, as he resorts to medical and scientific data and how, in 1874, the fall of Prime Minister William Gladstone's party eventually contributed to Stansfeld's success.

In her focus on the repeal campaign, Walkowitz explains how "feminists" influenced the LNA and how they viewed their role as part of the larger women's emancipation movement.<sup>26</sup> She also examines the relationship between the medical reform movement and the leaders of the LNA. She argues that the "medical" examinations required by the legislation, which she referred to as "instrumental rape," were key in the "antimedical thrust of the repeal campaign."<sup>27</sup> The analysis turns toward

---

<sup>23</sup> Walkowitz, *Prostitution and Victorian Society*, 48-9.

<sup>24</sup> Walkowitz, *Prostitution and Victorian Society*, 69.

<sup>25</sup> Walkowitz, *Prostitution and Victorian Society*, 90.

<sup>26</sup> Walkowitz, *Prostitution and Victorian Society*, 125.

<sup>27</sup> Walkowitz, *Prostitution and Victorian Society*, 129.

the moral reform movement and women participating in rescue work. As stated previously, Josephine Butler served as a role model for others by taking prostitutes into her home and nursing them herself.

Part three, which centers on two cities subjected to the CD Acts, is an extension of an article published in the *Feminist Studies* journal in 1973 by Walkowitz and her husband Daniel J. Walkowitz titled, “‘We Are Not Beasts of the Field’: Prostitution and the Poor in Plymouth and Southampton under the Contagious Diseases Acts.” The book expands on this previous research and formulates a slightly different, broader argument. In *Prostitution and Victorian Society*, Walkowitz discusses the CD Acts in these two locations to:

demonstrate the impact of local political and social conditions on the practical outcome of the acts; it studies the institutions established under the acts; it investigates the experience of prostitutes brought under the acts; and it examines the actual encounters among repealers, regulationists, and the subject working-class population.<sup>28</sup>

In contrast, the article focuses more on the social and feminist history of women accused of prostitution, how they lived and responded to the legislation, and how the Acts affected their lives.<sup>29</sup>

Paul McHugh published *Prostitution and Victorian Social Reform* in the same year as Walkowitz. He aims to “reach a balanced assessment of the struggle for repeal, looking at Mrs. Butler and Stansfeld not as ‘makers’ of the movement...but as pressure group leaders with strengths and weaknesses.”<sup>30</sup> Whereas Walkowitz gives a broad overview of the CD Acts, McHugh focuses on the defeats the repeal campaign faced,

---

<sup>28</sup> Walkowitz, *Prostitution and Victorian Society*, 153.

<sup>29</sup> Judith R. and Daniel J. Walkowitz, “‘We Are Not Beasts of the Field’: Prostitution and the Poor in Plymouth and Southampton under the Contagious Diseases Acts” *Feminist Studies* 1 (Spring 1973): 74.

<sup>30</sup> Paul McHugh, *Prostitution and Victorian Social Reform* (New York: St. Martin’s Press, 1980), 13.

how they regrouped, and the tactical methods employed during the crusade. Unlike Walkowitz, he does go into more detail on Henry J. Wilson and James Stansfeld's role in advocating for the repeal, but does not go into depth regarding Stansfeld's statistical reports. Contrary to Walkowitz, McHugh incorporates the work Butler did on the continent and the assistance she had from international figures. He also discusses the organization and the methods employed by the associations formed with advocating the end of the legislation. McHugh utilizes archival source documents, many of the same utilized by Walkowitz, as well as secondary literature to formulate his argument. While he contributes to the field, his work receives little attention in comparison to Walkowitz. This is most likely a result of the narrowness of his focus whereas his contemporary offers a broad overview.

J.A. Banks compares Paul McHugh's *Prostitution and Victorian Social Reform* and Judith R. Walkowitz's *Prostitution and Victorian Society: Women, Class, and the State* in a review published in the *Victorian Studies* journal in 1981. The author calls attention to the differences in the books, which can possibly be attributed to the different sex of the authors. McHugh focuses on religion, the repeal campaign, and the more political aspects while Walkowitz addresses Ladies National Association case studies in Plymouth and Southampton. Walkowitz, according to the reviewer, overlooks the politics in favor of cultural analysis by examining the "great social evil" and the response of the clergy and professionals. Banks declares that both examples demonstrate how to write social history at its highest level.<sup>31</sup>

---

<sup>31</sup> J.A. Banks, "Prostitution and Victorian Social Reform by Paul McHugh: Prostitution and Victorian Society: Women, Class, and the State by Judith R. Walkowitz," *Victorian Studies* 24 (Summer 1981): 513-15.

In the same year Walkowitz published her groundbreaking work, she wrote an article, “The Politics of Prostitution.” In this essay, she discusses the historical precedents of the feminist movement against commercial sex as represented by the Women against Pornography campaign. She argues that the women’s suffrage movement could not have occurred without the earlier anti-vice campaigns. She elaborates on how these women rejected the social view of prostitutes and “depicted them instead as victims of male pollution; as women who had been invaded by men’s bodies, men’s laws, and by that ‘steel penis,’ the speculum.”<sup>32</sup> Walkowitz declares, “Prostitution served as the paradigm for the female condition,” that it established the relationship between men and women, and “the treatment of prostitutes under the acts epitomized this underlying misogyny” in which women were treated as objects to be sold by men.<sup>33</sup> She returns to this argument, in another article, in response to an interview of feminist writer, Susan Brownmiller. Walkowitz’s later work, *A City of Dreadful Delights: Sexual Dangers in Victorian England* (1992) briefly mentions the CD Acts but focuses primarily on Butler’s role in working with W. T. Stead in exposing the trafficking of children to raise the age of consent.<sup>34</sup>

In 1984, Jane Lewis, a British professor of Social Policy at the London School of Economics and Political Science, published *Women in England, 1870 – 1950: Sexual Divisions and Social Change*. Utilizing both primary and secondary sources, her book “attempts to make a contribution towards our understanding of the changing nature of the

---

<sup>32</sup> Judith R. Walkowitz, “Politics of Prostitution,” *Signs* 6 (Autumn 1980): 125.

<sup>33</sup> Judith R. Walkowitz, “Politics of Prostitution,” *Signs* 6 (Autumn 1980): 125.

<sup>34</sup> Judith R. Walkowitz, *City of Dreadful Delight: Narratives of Sexual Danger in Late-Victorian London* (Chicago: Chicago University Press, 1992), 82-3.



boundaries of women's lives and how their experience within them was constructed."<sup>35</sup> She divides her work into two parts; the first focusing on family, marriage, and motherhood and the second on employment. Lewis briefly mentions the Contagious Diseases Acts and does so from a feminist perspective, placing the Acts within the women's movement. She narrows in on Josephine Butler's role in the repeal campaign and discusses how the women responded negatively toward doctors. While Lewis places her emphasis on the overall feminist movement, many scholars tend to place the CD Acts within the context of the social reform movement during the Victorian era.

Similar to Foucault, in illustrating that they did write about sex and prostitution, Gertrude Himmelfarb's book, *Marriage and Morals among the Victorians*, seeks to "reflect a sense of the 'intellectual and moral nature' of nineteenth-century England."<sup>36</sup> Using Charles Dickens and his literature as an example, Himmelfarb demonstrates how this topic weighed on the minds of Victorians. She posits, "If some Victorians were rendered impotent by the prevailing sexual code and marital fetters, others, brought up under that same code and bound by the same ties, were evidently sexually stimulated to a degree that could not be contained within marriage."<sup>37</sup> In writing this, the author provides scholars with an intricate background and insight into the minds of Victorians regarding sex and morals.

---

<sup>35</sup> Jane Lewis, *Women in England, 1870-1950: Sexual Divisions and Social Change* (Bloomington: Indiana University Press, 1984), xiii.

<sup>36</sup> Gertrude, Himmelfarb, *Marriage and Morals among the Victorians* (New York: Alfred A. Knopf, 1986), xii.

<sup>37</sup> Gertrude, Himmelfarb, *Marriage and Morals among the Victorians* (New York: Alfred A. Knopf, 1986), 9.

Susan Kingsley Kent approaches this subject in conjunction with the suffrage movement in her book, *Sex and Suffrage in Britain, 1860-1914*, which she published in 1987. The author's unique combination of the two efforts provides the reader with a broader understanding of the events occurring in England regarding women's rights. In connecting the suffrage movement with the repeal campaign, Kent declares, "the demand for women's enfranchisement was a direct strike at the very seat and symbolic locus of patriarchal power."<sup>38</sup> While Kent writes that Josephine Butler had thought this fight for the political rights of women would have no real impact on their lives.<sup>39</sup> Butler later changed her stance and understood that "sexual autonomy and political rights could not remain separated from one another."<sup>40</sup> She maintains that, "all the women grappled with the same issues pertaining to sexuality, and though they might disagree fundamentally with one another over certain points, all involved themselves in an attack upon the ideology of separate spheres."<sup>41</sup>

Like Jane Lewis, Mary Poovey, a professor of English at New York University, examines the role of women within the social reform movement. Poovey, like Walkowitz, refers to the 1871 *Royal Commission* on the Administration and Operation of the Contagious Diseases Acts and the injustices women faced, as there were no repercussions for the men who solicited prostitutes.<sup>42</sup> She differs by scrutinizing the

---

<sup>38</sup> Susan Kingsley Kent, *Sex and Suffrage in Britain, 1860-1914* (Princeton: Princeton University Press, 1987), 13.

<sup>39</sup> Susan Kingsley Kent, *Sex and Suffrage in Britain, 1860-1914* (Princeton: Princeton University Press, 1987), 14.

<sup>40</sup> Susan Kingsley Kent, *Sex and Suffrage in Britain, 1860-1914* (Princeton: Princeton University Press, 1987), 13-4.

<sup>41</sup> Susan Kingsley Kent, *Sex and Suffrage in Britain, 1860-1914* (Princeton: Princeton University Press, 1987), 17.

<sup>42</sup> Shanley, *Feminism, Marriage, and the Law in Victorian England*, 84. Any further mention of the 1871 *Royal Commission on the Administration and Operation of the Contagious Diseases Acts* will be referred to as the *Royal Commission* for the rest of this paper.

literary aspects of the works by Caroline Norton, David Copperfield, and Charlotte Bronte. Her primary focus is on the system of ideas and institutions and its uneven development. She generally argues, “Both men and women were subject at midcentury to the constraints imposed by the binary organization of difference and the foregrounding of sexual nature.”<sup>43</sup> Her second chapter, “Scenes of an Indelicate Character: The Medical Treatment of Victorian Women,” she declares that the differences of women and men “would be formulated primarily in terms of morality or physiology constituted an important impediment to the professionalization of medicine at the same time that it exposed the contradiction written into the Victorian image of woman.”<sup>44</sup> In her chapter discussing *Jane Eyre*, Poovey claims the plight of governesses correlates to the feminist movement to improve the rights of women.<sup>45</sup> This work, while it only mentions Josephine Butler and the Contagious Diseases Acts once, suggests different insight into the overall reform movement during the nineteenth century.

Mary Lyndon Shanley, a professor of Political Science at Vassar College in New York, minutely discusses the Contagious Diseases Acts within the framework of marriage laws, property laws, and custody laws in respect to women in her book, *Feminism, Marriage, and the Law in Victorian England, 1850-1895*. She expands on Walkowitz’s section on the repeal arguments in *Prostitution and Victorian Society* that covers the issue of the political movement by linking her arguments to the legislation that inhibited women’s rights. Shanley’s primary argument, which differs from other historians who study prostitution in the nineteenth century, focuses on the feminist movement to show

---

<sup>43</sup> Mary Poovey, *Uneven Developments: The Ideological Work of Gender in Mid-Victorian England* (Chicago: University of Chicago Press, 1988), 3.

<sup>44</sup> Poovey, *Uneven Developments*, 25.

<sup>45</sup> Poovey, *Uneven Developments*, 127.

Parliament the inequalities women faced in the eyes of the law. She declares that the repeal campaign for the CD Acts “more clearly than any other legislation, revealed the multifaceted nature of women’s subordination to men.”<sup>46</sup> Shanley maintains, based on the primary sources, that the legislation legalized vice and thus had implications for marriage.<sup>47</sup> While a husband could commit adultery without legal repercussion, and with this regulation do so without fear of obtaining a venereal disease, a woman who committed the same act did not have such recourse.<sup>48</sup>

1990s

Like Poovey and Walkowitz, M.J.D. Roberts examines the Contagious Diseases Acts in the context of the feminist reform movement. While Walkowitz writes in a broad overview and Poovey links the legislation to reforms that granted women equal rights under the law, Roberts places his argument within the perspective of the “democratization of English political life.”<sup>49</sup> He explains that the extension of the CD Acts in 1869, without debate in Parliament, caused key feminists, in this instance Josephine Butler, to look upon state intervention with suspicion.<sup>50</sup> The author builds upon Walkowitz’s momentary discussion of the libertarian phase of the movement that, as he claims, had not been fully explored, which is the purpose of his article.<sup>51</sup> Roberts

---

<sup>46</sup> Mary Lyndon Shanley, *Feminism, Marriage, and the Law in Victorian England, 1850-1895* (Princeton: Princeton University Press, 1989), 83.

<sup>47</sup> Shanley, *Feminism, Marriage, and the Law in Victorian England*, 84.

<sup>48</sup> Shanley, *Feminism, Marriage, and the Law in Victorian England*, 84.

<sup>49</sup> M.J.D. Roberts, “Feminism and the State in Later Victorian England,” *The Historical Journal* 38 (March 1995): 85.

<sup>50</sup> Roberts, “Feminism and the State in Later Victorian England,” 85.

<sup>51</sup> Roberts, “Feminism and the State in Later Victorian England,” 85.

maintains that the Acts became the rally-point for the “action to ensure citizens liberties once thought secure were not qualified or withdrawn.”<sup>52</sup> He declares the repeal campaign served three functions: to reassert women’s rights to equality under the law, to right the wrongs to the men and women affected, and to cast doubt upon the medical professionals and their allies who endorsed the system.<sup>53</sup> According to Roberts, the far-reaching goal of the crusade to abolish the state regulation of prostitution aimed to free “the world from arbitrary exercise of power and from the constraints of hereditary sectional privilege and state-sanctioned monopoly.”<sup>54</sup>

While Walkowitz provides the reader with a broad overview of the medical arguments that surrounded the Acts, Anne Summers expands on this generalization from a feminist perspective by examining Josephine Butler’s essay, “The Constitution Violated,” published in 1871. She concentrates on Butler’s activism by examining her theories of the female body. The author argues, “Her [Butler’s] discussion of women’s relation to the state was inextricably bound up with her perception of the medical profession’s relation to the state; and it was a fusion between these set of perceptions which was decisive in forming her moral and political critiques of intimate and collective relationships between the sexes.”<sup>55</sup> Summers declares that the influence of the medical profession in politics caused representation within the government to cease. Similar to the article by M.J.D. Roberts, “Feminism and the State in Later Victorian England,” Summers acknowledges the similarities between Butler’s campaign and the sanitary

---

<sup>52</sup> Roberts, “Feminism and the State in Later Victorian England,” 87.

<sup>53</sup> Roberts, “Feminism and the State in Later Victorian England,” 87.

<sup>54</sup> Roberts, “Feminism and the State in Later Victorian England,” 90.

<sup>55</sup> Anne Summers, “‘The Constitution Violated’: The Female Body and the Female Subject in the Campaigns of Josephine Butler,” *History Workshop Journal* 48 (Autumn 1999):1-2.

movement but contends that the uniqueness of the crusade allowed a “complete identification between its subjects and objects.”<sup>56</sup> Of the most import, according to the author, is how Josephine Butler associated the practice of male midwifery with victimization and abuse. This article contributes to the plethora of information regarding the Contagious Diseases Acts because it expands on the medical aspect rather than the reform movement.

2000s

Paula Bartley, a professor of History at the University of Wolverhampton in the United Kingdom, focuses on the reform movement in her work, *Prostitution: Prevention and Reform in England, 1860-1914*, published in 2000. Her book builds on Walkowitz’s discourse on this movement and differs from previous scholars by concentrating on the attempts to eradicate prostitution from English society. Bartley centers her research on the changes in reform institutions and argues, “The prevention movement emerged as a result of the failure of these reform initiatives.”<sup>57</sup> She begins by evaluating the eighteenth-century penitentiary systems, such as the Magdalen Hospital, and criticizes historians for concentrating on this and losing sight of the religious revival in the nineteenth century as a new scheme.<sup>58</sup> Bartley examines the marked similarity between the establishments regarding the “working patterns, leisure facilities, and general lifestyle” of the women.<sup>59</sup> This perspective contributes to the history of prostitution in

---

<sup>56</sup> Summers, “The Constitution Violated,” 7.

<sup>57</sup> Paula Bartley, *Prostitution: Prevention and Reform in England, 1860-1914* (New York: Routledge, 2000), 2.

<sup>58</sup> Bartley, *Prostitution: Prevention and Reform in England*, 26.

<sup>59</sup> Bartley, *Prostitution: Prevention and Reform in England*, 46.

England and the Contagious Diseases Acts in its examination of the different institutions created to assist the poor.

Conversely, Kathryn Gleadle published a social history that focuses on British women during the nineteenth century. She declares, “Women’s involvement in community affairs was central to their public and private identities.”<sup>60</sup> Although the author spends very little space discussing the CD Acts, her arguments focus on how feminists formed an alliance with working-class radicals, which helped women preserve their identities within the movement. Judith R. Walkowitz asserts that the anti-vice campaign proved essential to the women’s suffrage movement in her article *The Politics of Prostitution*.<sup>61</sup> By contrast, Gleadle contests that the crusade to abolish the legislation interfered with the suffrage movement.<sup>62</sup> She makes little reference to the women affected by the Acts but primarily focuses on the working and middle classes’ joint effort to promote an end to the legislation.

Contrary to the literature published in previous years, Philippa Levine takes a completely different perspective on the Contagious Diseases Acts; she shifts the focus away from the legislation in England and instead examines it in the British Empire. She argues the law differed in that it did not only affect military areas but the entire imperial project. Enforcement was not only born of military necessity; it brought “to heel sexual disorder among colonized people.”<sup>63</sup> She examines this in the context of “colonialism, gender, and race” in Queensland, Australia, and the Straits Settlements in Singapore,

---

<sup>60</sup> Kathryn Gleadle, *British Women in the Nineteenth Century* (New York: Palgrave, 2001), 111.

<sup>61</sup> Walkowitz, “Politics of Prostitution,” *Signs* 6 (Autumn 1980): 125.

<sup>62</sup> Gleadle, *British Women in the Nineteenth Century*, 165.

<sup>63</sup> Philippa Levine, *Prostitution, Race, & Politics: Policing Venereal Disease in the British Empire* (New York: Routledge, 2003), 2.

Hong Kong, and India to find the connecting threads between the different ways of dissecting history.<sup>64</sup>

One cannot study Josephine Butler without understanding her deep faith and conviction in God. Although all of the authors who write about Butler and her struggle to abolish the legislation briefly mention her belief, few fully develop this subject, including Walkowitz. Lisa Severine Nolland addresses this, as she terms it, gross oversight in her book *A Victorian Feminist Christian: Josephine Butler, the Prostitutes, and God*. The author claims that she is not following a modernist or even a postmodernist approach but examines this history through Christianity. Nolland declares that Helen Mather's is the only other work that considers Butler's faith. She argues that Butler's campaign "related to a larger vision with goals of a morally-purified society (especially in relation to male sexuality) and spiritually-regenerated, 'Thy Kingdom-Come,' world order."<sup>65</sup> In addition, in differing from other historians, Nolland uses a "top down" perspective to contrast virtuous women to those who engage in prostitution.

Like Paula Bartley, M.J.D. Roberts discusses the associations formed to promote moral reform. He differs from Bartley by forming a general survey that links to precursors in the eighteenth century and early nineteenth century.<sup>66</sup> Looking at history from a cultural perspective, he seeks to "present the study of moral reform voluntary association as a contribution to the appraisal of middle-class ambivalence towards the

---

<sup>64</sup> Levine, *Prostitution, Race, & Politics*, 2.

<sup>65</sup> Lisa Severine Nolland, *A Victorian Feminist Christian: Josephine Butler, the Prostitutes, and God* (Carlisle, United Kingdom: Paternoster, 2004), 5.

<sup>66</sup> M.J.D. Roberts, *Making English Morals: Voluntary Association and Moral Reform in England, 1787-1886* (New York: Cambridge University Press, 2004), viii.



spread of a market-organized society.”<sup>67</sup> Roberts approaches this history by stating that it “effectively accepts the dismantling of the ‘labor history’ model of economic ‘base’ determining cultural ‘superstructure.’”<sup>68</sup> The first three quarters of the book examines the early movements, and the remainder looks at the CD Acts. In regards to the reform movement concerning the Contagious Diseases Acts, Roberts separates it into three networks of activists: the first group starting with the National Association for the Repeal of the Contagious Diseases Acts (NARCDAs), the LNA led by Josephine Butler, and H.J. Wilson’s Northern Counties League for Repeal. While he briefly discusses NARCDAs and Wilson’s association, he discusses the role of Butler more. He attributes her success to her “frequent rebalancing of her arguments” to engage different audiences.<sup>69</sup>

Phillip Howell studies the CD Acts, building upon Levine’s work but from a geographical perspective in England. This also builds upon Walkowitz’s case studies in Portsmouth and Southampton. Briefly mentioning Josephine Butler, the author focuses primarily on how the UK set up the regulations for prostitution. His primary goal was show the significance of where the government chose to enforce the legislation. He argues that the disasters that had occurred during the Crimean War directly correspond with the reason for passing the bill.<sup>70</sup> He acknowledges and agrees with Levine linking the legislation to not only military, but also imperial concerns.<sup>71</sup> He also contends that the regulation of prostitution within Britain and in its colonies is part of the same design.<sup>72</sup>

---

<sup>67</sup> Roberts, *Making English Morals*, viii.

<sup>68</sup> Roberts, *Making English Morals*, 14.

<sup>69</sup> Roberts, *Making English Morals*, 234.

<sup>70</sup> Phillip Howell, *Geographies of Regulation: Policing Prostitution in Nineteenth- Century Britain and the Empire* (New York: Cambridge University Press, 2009), 15.

<sup>71</sup> Howell, *Geographies of Regulation*, 15.

<sup>72</sup> Howell, *Geographies of Regulation*, 20.

Levine uses Hong Kong in her case study, as does Howell except he differs by comparing his findings there to those in England.<sup>73</sup> In his investigations of the garrisons and port cities in Britain, Howell found that CD Act administration varied across localities depending on who was enforcing the law.<sup>74</sup> These discrepancies in application of the law explain how the differences in the affected areas influenced the repeal process. To accomplish this aim, Howell rests his research on the significant value of historical geography – teaching us its extreme value by utilizing maps and graphs to illustrate his discoveries.

Ron Gardner, an Anglican priest and theologian, also examines Butler from a religious perspective. Contrary to most who study this remarkable woman, Gardner's sole purpose of his book, *Josephine Butler: a Guide to her Life, Faith, and Social Action*, is to provide Christians a role model to follow. He expresses his belief that “she should become more widely known not just as a social reformer but also as a singular and special human being with an extraordinary capacity for living and endurance.”<sup>75</sup> His book does not contain an argument but does provide researchers a religious perspective on the life of Josephine Butler.

2010s

Nina Attwood, like Roberts, examines the Contagious Diseases Acts from a cultural history perspective in her book, *The Prostitute's Body: Rewriting Prostitution in Victorian England*. She builds on Walkowitz's intention of her study to “counter the

---

<sup>73</sup> Howell, *Geographies of Regulation*, 20.

<sup>74</sup> Howell, *Geographies of Regulation*, 43.

<sup>75</sup> Rod Gardner, *Josephine Butler: a Guide to her Life, Faith, and Social Action* (London: Darton, Longman and Todd Ltd., 2009) viii.

predominant imagery of the prostitute and the inevitability of her downward trajectory with the social reality.”<sup>76</sup> Attwood expands on this by looking to the imagery Walkowitz presents and focuses on the “process of its construction and the multiple meanings projected.”<sup>77</sup> Attwood also looks to the burgeoning advances in cultural history and adds to the process by revealing the “symbolic potential of the prostitute.”<sup>78</sup> She uses the process influenced by the post-modernist emphasis on differing representations and the instabilities of text to create her narrative, challenging the stereotypical assumptions most historians make regarding prostitutes in the nineteenth century.<sup>79</sup>

Instead of focusing on the main primary sources available, Attwood only uses William Acton’s *Prostitution Considered* (1870), the *Royal Commission* (1871), Josephine Butler’s repeal literature, Wilkie Collin’s novel *The New Magdalen* (1873), and the “pornographic ‘memoir’” *My Secret Life* (c. 1890).<sup>80</sup> She utilizes these examples to gain an understanding of how Victorians refined the myth surrounding attitudes toward prostitutes.<sup>81</sup> She argues that Acton “challenges the conventional stereotype of prostitution... and did much to contest the myth of downward trajectory.”<sup>82</sup> The *Royal Commission*, Attwood declares, reveals the varieties of conflict contained within the canonical text.<sup>83</sup> In examining the repeal literature of Josephine Butler she contends, “Butler’s ideals of creating a society based on Christian morality and equality imposed

---

<sup>76</sup> Nina Attwood, *The Prostitute’s Body: Rewriting Prostitution in Victorian England* (Vermont: Pickering & Chatto (Publishers) Limited, 2011), 9.

<sup>77</sup> Attwood, *The Prostitute’s Body*, 9.

<sup>78</sup> Attwood, *The Prostitute’s Body*, 9.

<sup>79</sup> Attwood, *The Prostitute’s Body*, 12.

<sup>80</sup> Attwood, *The Prostitute’s Body*, 13.

<sup>81</sup> Attwood, *The Prostitute’s Body*, 13.

<sup>82</sup> Attwood, *The Prostitute’s Body*, 14.

<sup>83</sup> Attwood, *The Prostitute’s Body*, 44.

logic and coherence on a diverse representational repertoire in which no singular or unitary picture of prostitution was produced.”<sup>84</sup> Attwood maintains that Wilkie Collins’s *The New Magdalen* presents challenges to the conventional narratives of prostitution and engages the complexity surrounding these women. In the last of her case studies, *My Secret Life*, she explores the representation of prostitutes by considering the text as a historical document and as “pornographic source material” and claims his writing gives yet another definition of the Victorian streetwalker.<sup>85</sup>

Like Attwood, Richard Brown also writes his book *Sex, Work, And Politics: Women in Britain, 1830-1918*, from a gender history perspective, although Attwood includes a wider variety of different disciplines. He examines the roles of women, their representation in the Victorian era, and their relationship to work. He focuses on the Contagious Diseases Acts, like Shanley, as a part of the feminist movement. Although Brown only briefly mentions the legislation in his narrative, he argues, “Interest in Prostitution in late-Victorian Britain stemmed from the need to extirpate immoral behavior through tougher policing.”<sup>86</sup> When looking at the opposition to the Acts, Brown focuses on Josephine Butler and the Ladies National Associations role and declares the societies formed as a feminist cause because the law only targeted women.<sup>87</sup> Lastly, the author argues, “The timing of the Contagious Diseases Acts was important for British feminism and the campaign against the legislation absorbed women who might have

---

<sup>84</sup> Attwood, *The Prostitute’s Body*, 71.

Attwood, *The Prostitute’s Body*, 126.

<sup>86</sup> Richard Brown, *Sex, Work, and Politics: Women in Britain, 1830-1918* (n.p.: CreateSpace, 2012), 167.

<sup>87</sup> Brown, *Sex, Work, and Politics*, 172.

otherwise been attracted to the burgeoning temperance” because of the inevitable similarities with women being the victims of men’s vice.<sup>88</sup>

Linda Colley addresses the issue of the un-British or those considered “Other” in her book *Britons: Forging the Nation 1707-1837*. According to the author, this notion of not being British arose from the treatment of Catholics much as if one would a traitor to the country.<sup>89</sup> Judith Walkowitz also mentions this notion of the “Other” in *Prostitution and Victorian Society* when she discusses the failure of the law to define what constitutes a prostitute. Unable to express a concrete description, they referred to the women in this way, which denotes a negativity.<sup>90</sup> Dennis Grube expands upon this idea in his book, *At the Margins of Victorian Britain: Politics, Immorality, and Britishness in the Nineteenth Century* in which he only dedicates one chapter in his book to the Contagious Diseases Acts. He declares, “Prostitutes were targeted by the law for being morally ‘un-British.’”<sup>91</sup> Grube argues that the law “emphasized the degraded nature of prostitutes,” giving validity to the moral standards of the upper and middle classes, and “To be ‘British’ was to be pure of such stains.”<sup>92</sup>

Similar to Gardner’s focus on Butler’s faith, Helen Mathers, in her book *Patron Saint of Prostitutes: Josephine Butler and a Victorian Scandal*, seeks to “explain Josephine Butler’s complex personality, motivated as she was by both feminism and her deep Evangelical faith.”<sup>93</sup> Mathers provides her readers with an in-depth background of

---

<sup>88</sup> Brown, *Sex, Work, and Politics*, 175.

<sup>89</sup> Linda Colley, *Britons: Forging the Nation 1707-1837* (Connecticut: Yale University Press, 1992), 19.

<sup>90</sup> Walkowitz, *Prostitution and Victorian Society*, 87.

<sup>91</sup> Dennis Grube, *At the Margins of Victorian Britain: Politics, Immorality, and Britishness in the Nineteenth Century* (New York: I.B. Tauris & Co. Ltd., 2013), 109.

<sup>92</sup> Grube, *At the Margins of Victorian Britain*, 112.

<sup>93</sup> Helen Mathers, *Patron Saint of Prostitutes: Josephine Butler and a Victorian Scandal* (Gloucestershire, England: The History Press, 2014), 10.

the early life of Butler, enabling a better understanding of this courageous Victorian and continuing with her history up to her death in 1906. This work employs archival material, primary sources, government papers, secondary literature, and a plethora of other documents. The author contributes to this study of the Contagious Diseases Acts by illustrating Josephine Butler as a person on par with her famous contemporaries, such as Millicent Garrett Fawcett, Harriet Martineau, and Florence Nightingale, and as a woman who deserves more credit.

The diverse histories assembled here contribute to the study of Victorian prostitution and the Contagious Diseases Acts by giving readers and researchers numerous perspectives. While many place the legislation in the context of the social and moral reform movements, and most focus on the role of Josephine Butler and her repeal campaign, the historians only briefly mention the important role MP James Stansfeld played in convincing Parliament to abolish the Acts in 1886. Because the current historical literature has been largely shaped by feminists, the diligent and painstaking work of a politician like Stansfeld has, amazingly, been overlooked. Stansfeld's arguments to the House of Commons give the reasons for the repeal, but his article, "On the Validity of the Annual Government Statistics of the Operation of the Contagious Diseases Acts," does not appear in their works cited lists. He published this in the *Journal of the Statistical Society of London* in 1876, and he argues that the data gathered regarding the effectiveness of the legislation insufficiently supports its existence.<sup>94</sup> This is an oversight in the historiography of prostitution and the Contagious Diseases Acts.

---

<sup>94</sup> James Stansfeld, "'On the Validity of the Annual Government Statistics of the Operation of the Contagious Diseases Acts,'" *Journal of the Statistical Society of London* 39 (September 1876): 540.

Stansfeld puts forth a pragmatic, logical argument, that appealed to many of the educated members of Parliament, which contributed more to the repeal than has been acknowledged heretofore.

Chapter one will focus on the legislation, from its implementation with the Contagious Preventative Diseases Act of 1864, to its repeal and replacement with the Contagious Diseases Acts of 1866 and 1869. This chapter will provide an analysis of the reasons for the bill and its goals in reducing venereal disease amongst the nation's soldiers and sailors. Chapter two will delve into the *Report of the Royal Commission upon the Administration and Operation of the Contagious Diseases Acts* which Parliament published in 1871. The report affords an in depth examination of the legislation and records the testimonies of peoples of all professions, civilian or military, who had direct dealings with the Acts. The report also discusses the opinions of said witnesses regarding the effectiveness of the law, if they hold the belief that the government should repeal it, and it provided their reasoning.

Chapter three will follow the crusade of Josephine Elizabeth Butler and her steps taken to ensure Parliament repealed the Contagious Diseases Acts. The chapter will detail her written and spoken activities for more than twenty years. This segment will also illustrate her compassionate, Christian nature and unflagging devotion to assisting, rescuing, and reclaiming her fallen sisters. Chapter four will focus on MP James Stansfeld and his efforts to secure the repeal. It will analyze his writings that cite the statistical data that showed the ineffectiveness of the legislation, his moral stance, and his activities in Parliament that ultimately secured the abolition of the Contagious Diseases Acts. The histories written by so many scholars illustrate the desire to understand the

social, political, and economical ramifications of what the Victorians viewed as the lowest class of women. Each author contributes to this study in their various methods and furthers the study of gender and sexuality. This work seeks to add to this field, and, rather than solely concentrate on the efforts of the women involved, particularly Josephine Butler, will examine the role of James Stansfeld and his efforts, combined with those of his contemporaries' involvement, in this crusade to repeal the Contagious Diseases Acts.



## CHAPTER 1

### CRUSADE TO CONTROL WOMEN: CONTAGIOUS DISEASES ACTS OF 1866 TO 1869

They are favorable to health, but as for morals – we have none. - Unknown<sup>1</sup>

Eight years after the end of the 1856 Crimean War, commanding officers in the army and Royal Navy faced a new problem. Member of Parliament (MP), Sir John Pakington, had held a meeting in 1864 with the Duke of Somerset Edward Adolphus Seymour, Lord Clarence Paget, Secretary for War Earl de Grey, and other men who had connections to the military. They discovered that the equivalent of two to three regiments could not physically serve their country.<sup>2</sup> Medical personnel, treating outbreaks of venereal disease consisting primarily of syphilis amongst the soldiers and sailors, deemed them unfit for duty until cured. In an attempt to reduce contagion and keep their forces in peak condition, Parliament passed the Contagious Diseases Preventative Act in 1864.<sup>3</sup> This legislation provided willing prostitutes the option to undergo treatment in special Lock Hospitals on a voluntary basis. Outbuildings at reputable hospitals, previously used to quarantine leprosy patients, served to contain persons infected with syphilis, effectively “locking” away the victims from the social evil and inhibiting its spread to the more respectable members of society.<sup>4</sup> Created for the lower and poor classes who could

---

<sup>1</sup> This quote is taken from a speech made by MP Anthony Mundella who had quoted an unnamed foreign merchant. Mr. Mundella, MP, speech to the House of Commons, 24 May 1870, *Parliamentary Debates*, Commons, 3d. ser., vol. 201, col. 1314. Mundella served as MP for Sheffield, England.

<sup>2</sup> Sir John Pakington, MP, speech to the House of Commons, 21 May 1873, *Parliamentary Debates*, Commons, 3d. ser., vol. 216, col. 218-67. A regiment consists of 1,000 to 2,000 men. Sir John Pakington served as MP for Droitwich, England.

<sup>3</sup> Mr. Childers, MP, speech to the House of Commons, 23 June 1875, *Parliamentary Debates*, Commons, 3d. ser., vol. 225, col. 351-421.

<sup>4</sup> Maria Isabel Romero Ruiz, *The London Lock Hospital in the Nineteenth Century: Gender, Sexuality, and Social Reform* (New York, NY: Peter Lang AG, International Academic Publishers, 2014), 11.

not afford to visit the specialist hospitals, the Lock Hospitals provided care free of charge to those in need.<sup>5</sup> Unfortunately, the number of women suffering from venereal disease far outweighed the allotted amount of beds provided for the patients.<sup>6</sup>

Two years later, the Contagious Diseases Act of 1866 (CD Acts) replaced the previous law and made examination compulsory in certain districts in England.<sup>7</sup> In 1869, the government amended the bill and increased its jurisdiction from eleven to eighteen garrison and port cities.<sup>8</sup> It also equated a voluntary submission of a prostitute as the same as a forced attendance and subject to the same parameters.<sup>9</sup> Parliament approved the changes with little or no debate within the House of Commons, which caused contention amongst its members when they learned of the alterations. MP Henry Bruce provided the reason for no discussion concerning this act.<sup>10</sup> Contrary to those outraged by this, he defended his contemporaries stating, “It was not the fault of the government or of Parliament that these measures were not fully discussed. The subject was not of a character to invite discussion.”<sup>11</sup> He continued to validate the law and claimed the measures had cleared the streets of the more hardened and despoiled women and prevented the conscription and degradation of children as prostitutes.<sup>12</sup> Despite these altruistic claims, associations and MPs fought for the repeal of the Contagious Diseases

---

<sup>5</sup> Maria Isabel Romero Ruiz, *The London Lock Hospital in the Nineteenth Century: Gender, Sexuality, and Social Reform* (New York, NY: Peter Lang AG, International Academic Publishers, 2014), 17.

<sup>6</sup> Frederick Walter Lowndes, *Lock Hospitals and Lock Wards in General Hospitals* (London: J. & A. Churchill, 1882), 12.

<sup>7</sup> Contagious Diseases Act, 1866, 29 Vict. c. 35.

<sup>8</sup> Contagious Diseases Act, 1869, 32 & 33 Vict. c. 80. The Act of 1869 also increased the number of areas surrounding the districts subjected in the prior Act of 1866.

<sup>9</sup> Contagious Diseases Act, 1869, 32 & 33 Vict. c. 80.

<sup>10</sup> Henry Bruce, 1<sup>st</sup> Baron Aberdare of Duffryn, served as the MP for Renfrewshire, England.

<sup>11</sup> Mr. Henry Bruce, MP, speech to the House of Commons, 13 February 1872, *Parliamentary Debates*, Commons, 3d. ser., vol. 209, col. 220-46.

<sup>12</sup> Mr. Henry Bruce, MP, speech to the House of Commons, 13 February 1872, *Parliamentary Debates*, Commons, 3d. ser., vol. 209, col. 220-46.

Acts. MP William Fowler first called for its eradication in a debate held on 24 May 1870. His arguments centered on medical, constitutional, and moral grounds.<sup>13</sup> Josephine Butler pursued this cause, along with other associations, outside of the government and raised awareness among the public, which contributed greatly to the success of the crusade. While MP Fowler had introduced statistical data to support his stance, he did not succeed. However, his contemporary MP James Stansfeld, armed with additional concrete evidence that proved the law had not accomplished its aim over the years, convinced Parliament to suspend the Acts in 1883, with a full repeal occurring in 1886.

The legislation stipulated that if a superintendent of the police provided an oath to a justice of the peace or magistrate that declared sufficient evidence of the woman named was, in fact, a common prostitute and within the jurisdiction, the officer served her with a notice to appear at a named hospital and to undergo examination for a contagious disease.<sup>14</sup> Later in 1871, under the “Report of the Royal Commission upon the Administration and Operation of the Contagious Diseases Acts,” the lack of a decisive definition of a “common prostitute” became one of the grounds for contention among the witnesses. The woman then appeared before a magistrate and signed a submission form.<sup>15</sup> Many argued in the 1871 Commission that the women did not know or understand what their signature entailed.<sup>16</sup> If for any reason, the surgeon could not perform the inspection, he provided a certificate to verify his belief that the prostitute was infected; the law then authorized the detainment of said patient, not to exceed five days.<sup>17</sup> On occasion, the

---

<sup>13</sup> Mr. William Fowler, MP, speech to the House of Commons, 24 May 1870, *Parliamentary Debates*, Commons, 3d. ser., vol. 201, col. 1304-48.

<sup>14</sup> Contagious Diseases Act, 1869, 32 & 33 Vict. c. 80.

<sup>15</sup> Contagious Diseases Act, 1869, 32 & 33 Vict. c. 80. See appendix 1 for submission forms.

<sup>16</sup> Mr. William Shaen, Solicitor in London, “Report of the Royal Commission,” lviii.

<sup>17</sup> Contagious Diseases Act, 1869, 32 & 33 Vict. c. 80.

initial reason for retaining the woman was drunkenness, and the law required the offender to be detained for no more than twenty-four hours.<sup>18</sup> Once ordered to appear for periodical examination, the streetwalkers or ladies of the night remained under an obligation to appear when requested so long as she resided within fifteen miles of where she first received the mandate.<sup>19</sup>

The law also made provisions for those who went against the dictates of the CD Acts. If a person owned or occupied a dwelling and knowingly harbored a woman identified with a contagious disease for the purpose of prostitution, the perpetrators of this offense faced a fine of twenty pounds or imprisonment for up to six months with or without hard labor.<sup>20</sup> Should a detainee refuse or neglect to appear for the first or any subsequent examinations, she faced a prison sentence as well.<sup>21</sup> The first offense warranted a minimum of thirty days and a maximum of three months for noncompliance with the laws afterward, with or without hard labor.<sup>22</sup> The CD Acts contained a provision that no person would serve for a time longer than nine months under one certificate.<sup>23</sup> These mandates, if followed to the extreme, frequently continued in a circuitous manner until a surgeon issued a new document at the end of the maximum period. Medical knowledge of the contagious diseases, particularly syphilis, provides us with a better understanding of the reasoning behind this legislation and the consequences faced if one broke the law. In order to obtain a better grasp of the issues faced by the military and how

---

<sup>18</sup> Contagious Diseases Act, 1869, 32 & 33 Vict. c. 80.

<sup>19</sup> Contagious Diseases Act, 1869, 32 & 33 Vict. c. 80.

<sup>20</sup> Contagious Diseases Act, 1869, 32 & 33 Vict. c. 80.

<sup>21</sup> Contagious Diseases Act, 1869, 32 & 33 Vict. c. 80.

<sup>22</sup> Contagious Diseases Act, 1869, 32 & 33 Vict. c. 80.

<sup>23</sup> Contagious Diseases Act, 1869, 32 & 33 Vict. c. 80.

the diseases affected its men, the government ordered inquiries into the descriptions and treatment of syphilis and gonorrhea.

The Commission provided its findings in the “Report of the Committee Appointed 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,” which contained detailed descriptions of the diseases affecting the men.<sup>24</sup> Syphilis, similar in nature to smallpox, occurs from the “product of external agency” in which the “poison” is absorbed into the blood.<sup>25</sup> Both illnesses cause “constitutional derangement, succeeded by eruption, for which the harm done to the person continues for an uncertain length of time.”<sup>26</sup> The account separated the syphilitic sores into three categories: an indurated lesion, which is a localized hardening of the soft tissue, a soft eruption that later turns firm, and one, which remains soft, “followed by constitutional disease.”<sup>27</sup> The description then divided the different forms of induration: a cup-shaped cavity or ulcer, a shallow abrasion or excoriation (a scratch mark on the skin) that appeared ash-grey in color, and a “deposit of well-defined induration beneath unbroken skin.”<sup>28</sup> The abscesses typically formed twenty-five days after intercourse with an infected person.<sup>29</sup>

Four to ten weeks after the manifestation of syphilis, the primary sore appeared, followed by chills and a raised temperature.<sup>30</sup> The pulse then accelerated, and the infected

---

<sup>24</sup> House of Commons, “Report of the Committee Appointed 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, with Appendices, and the Evidence Taken Before the Committee,” *Sessional Papers*, 1867-68, v. Hereafter: “Report into the Pathology and Treatment of Venereal Disease.”

<sup>25</sup> House of Commons, “Report into the Pathology and Treatment of Venereal Disease,” v.

<sup>26</sup> “Report into the Pathology and Treatment of Venereal Disease,” v-vi.

<sup>27</sup> “Report into the Pathology and Treatment of Venereal Disease,” viii.

<sup>28</sup> “Report into the Pathology and Treatment of Venereal Disease,” vii.

<sup>29</sup> “Report into the Pathology and Treatment of Venereal Disease,” viii.

<sup>30</sup> “Report into the Pathology and Treatment of Venereal Disease,” ix.

person faced mental depression and debilitating lassitude.<sup>31</sup> The pain started affecting the joints and ligaments, in a similar nature to arthritis.<sup>32</sup> Two days after the manifestation of these symptoms, skin lesions appeared on the body. The worst cases of disease covered the entire person in rose-colored eruptions and left a copper-colored patch.<sup>33</sup> Although syphilis does not affect every individual, in the same manner, some victims suffered from degeneration of the body's tissues.<sup>34</sup> Unfortunately, for the women infected, this malady becomes hereditary and often ends in abortion, stillbirths, and, if the infant survives, it might take weeks for symptoms to appear on the newborn.<sup>35</sup> Roseola, snuffles, condylomata (small bumps on the genitalia), and inflammation in the eyes indicated the child had inherited the disease from its mother.<sup>36</sup> The newborn would also appear "puny, the forehead projects, the nose is flattened, the skin around the mouth is often puckered from old ulcerations."<sup>37</sup>

Doctors treated syphilis with mercury, a practice utilized by the army that could possibly, Dr. MacLoughlin thought, compromise the sailor or soldier's health.<sup>38</sup> Despite this opinion, medical officers assured him of their concerns in resorting to this cure. They took every precaution to ensure the constitution of the patient remained healthy.<sup>39</sup> The Commission declared the practice was "in accordance with the methods approved by the highest authorities in the profession... [and] have shown themselves to be thoroughly

---

<sup>31</sup> "Report into the Pathology and Treatment of Venereal Disease," ix.

<sup>32</sup> "Report into the Pathology and Treatment of Venereal Disease," ix.

<sup>33</sup> "Report into the Pathology and Treatment of Venereal Disease," ix.

<sup>34</sup> "Report into the Pathology and Treatment of Venereal Disease," ix.

<sup>35</sup> "Report into the Pathology and Treatment of Venereal Disease," xi.

<sup>36</sup> "Report into the Pathology and Treatment of Venereal Disease," xi.

<sup>37</sup> "Report into the Pathology and Treatment of Venereal Disease," xi.

<sup>38</sup> "Report into the Pathology and Treatment of Venereal Disease," v.

<sup>39</sup> "Report into the Pathology and Treatment of Venereal Disease," v.

impressed with the importance of a careful and judicious treatment of the disease.”<sup>40</sup> The application of mercury when provided more freely to a “strong and vigorous person” as opposed to a weaker individual, consisted of ingestion, topical application of an ointment, or vapor baths.<sup>41</sup> Once detected within the system, the usage decreased until cured.<sup>42</sup> The physician also prescribed “Bark, iron, wine, [and] good beer” as a means to bolster the patient’s constitution while undergoing treatment.<sup>43</sup>

The *British Medical Journal* published articles that provided alternative treatment methods, along with those who had advocated for the traditional use of mercury, to cure constitutional syphilis. James Paget, Fellow of the Royal Society of Surgeons (FRS) advocated for the use of iodide of potassium, taken as a tonic, to assist with curing the tertiary form of this disease. This chemical compound causes dehydration of the bacterial cells in a way similar to that of hydrogen peroxide.<sup>44</sup> Dr. Sigmund, a “syphilographer” [*sic*] from Vienna, Austria, found merit with the study of mercury as a remedy for syphilis but strongly cautioned the practitioner in its use.<sup>45</sup> The subcutaneous (underneath the skin) injections of the mineral at the site of the sore led to inflammation, abscesses, salivation, circulatory and respiratory problems, and caused the patient severe pain.<sup>46</sup> Dr. Sigmund found the negative effects of this method trivial in comparison to the overall

---

<sup>40</sup> “Report into the Pathology and Treatment of Venereal Disease,” v.

<sup>41</sup> “Report into the Pathology and Treatment of Venereal Disease,” xvii.

<sup>42</sup> “Report into the Pathology and Treatment of Venereal Disease,” xvii.

<sup>43</sup> “Report into the Pathology and Treatment of Venereal Disease,” xvii. The report does not elaborate on the type of bark.

<sup>44</sup> James Paget, FRS, “Part of a Clinical Lecture on the Use of Iodide of Potassium in Tertiary Syphilis,” *The British Medical Journal* 1 (9 May 1868): 450. Iodide of potassium is an antiseptic, and, if applied topically, dehydrates the bacterial cell wall, essentially killing the diseased area or inhibiting it from spreading. The application reacts in a similar manner to the modern hydrogen peroxide in its reactionary properties when exposed to a lesion. Interview with pharmacist Dr. Phong Hong, 15 March 2017, by Melissa Bettes.

<sup>45</sup> Dr. Sigmund, “The Treatment of Syphilis by the Hypodermic Injection of Mercury,” *The British Medical Journal* 2 (21 October 1871): 470.

<sup>46</sup> Dr. Sigmund, “The Treatment of Syphilis by the Hypodermic Injection of Mercury,” 470.

benefit to the patient.<sup>47</sup> William Acton, FRCS, admitted in his editorial that the medical field had gained little knowledge of the syphilis virus between 1842 and 1872.<sup>48</sup> He concurred with his colleague, M. Ricord, stating that relapses of the disease, after many years of good health, were common.<sup>49</sup> He suggested that concentrating on healing the symptoms was the first step in therapy, but, if the physician had prescribed mercury, the body must recover from the effects prior to the use of other remedies.<sup>50</sup> By contrast to Paget's opinion, rather than turn to the common use of the element, Acton utilized a tonic containing iodide of iron.<sup>51</sup> This chemical compound aids in improving one's digestion, fortifying and enriching the blood, and increasing appetite.<sup>52</sup> In regard to constitutional syphilis, the author declared the use of mercury as unnecessary, and he attempted to cure the invalid by other means, only resorting to the use of this mineral when faced with no alternative, and then with extreme caution.<sup>53</sup> Following the findings of this Commission and the articles written for the *British Medical Journal* regarding syphilis, public and government outcry gained momentum and the extended crusade to repeal the Contagious Diseases Acts began in earnest.

Growing awareness of the health risks, knowledge of the amended passage, and hopes that Parliament would extend the rulings to the larger population spurred the general populace into an

---

<sup>47</sup> Dr. Sigmund, "The Treatment of Syphilis by the Hypodermic Injection of Mercury," 470.

<sup>48</sup> William Acton, FRCS, "The Modern Treatment of the Advanced Stages of Constitutional Syphilis," *The British Medical Journal* 2 (17 August 1872): 186. The year, 1842, is based upon the publication of the aforementioned article.

<sup>49</sup> William Acton, FRCS, "The Modern Treatment of the Advanced Stages of Constitutional Syphilis," 186.

<sup>50</sup> William Acton, FRCS, "The Modern Treatment of the Advanced Stages of Constitutional Syphilis," 186.

<sup>51</sup> William Acton, FRCS, "The Modern Treatment of the Advanced Stages of Constitutional Syphilis," 186.

<sup>52</sup> George B. Wood, *A Treatise on Therapeutics and Pharmacology or Materia Medica*, Vol. 1 (Philadelphia, Pennsylvania: J.B. Lippencott & Co., 1867), 482.

<sup>53</sup> William Acton, FRCS, "The Modern Treatment of the Advanced Stages of Constitutional Syphilis," 187.



uproarious response. In 1869, men opposed to the law formed the National Association for the Repeal of the Contagious Diseases Acts. Ironically, at first, they did not allow women within their ranks, and, in response, Josephine Butler created the Ladies National Association for the Repeal of the Contagious Diseases Acts. Both groups actively advocated for their cause by educating the people through pamphlets, meetings, and newspapers, which cited their objections. MP William Fowler called for the first of many requests to repeal the Contagious Diseases Acts on 24 May 1870. He cited his objections on three principles: medical, constitutional, and the moral aspects of the legislation.<sup>54</sup> One of those protestations arose from the law not clearly providing the definition of a “prostitute.” Mr. William Shaen, a solicitor in London, voiced this issue when he testified before the Royal Commission upon the Administration and Operation of the Contagious Diseases Acts in 1871. He posited, “There is no clear definition of the term ‘common prostitute’ in the Acts” and gave witness to his apprehensions of innocent women facing the consequences under this law.<sup>55</sup>

Fowler began his argument by chastising Parliament for its secrecy in passing the CD Acts while many MPs were not in attendance.<sup>56</sup> He did not deny the need to address the issue of sexually transmitted diseases among the military; he simply doubted the “character of the remedy.”<sup>57</sup> He posited the reduction of syphilis had started and had shown more favorable results before the passage of the CD Acts.<sup>58</sup> Fowler quoted Dr. Edward Balfour’s statistics from the stations that had enforced the law to prove his claims. In 1860, venereal disease affected 6,000 men; in 1864, that

---

<sup>54</sup> Mr. William Fowler, MP, speech to the House of Commons, 24 May 1870, *Parliamentary Debates*, Commons, 3d. ser., vol. 201, col. 1304-48.

<sup>55</sup> Mr. William Shaen, Solicitor in London, “Report of the Royal Commission,” lviii.

<sup>56</sup> Mr. William Fowler, MP, speech to the House of Commons, 24 May 1870, *Parliamentary Debates*, Commons, 3d. ser., vol. 201, col. 1304-48.

<sup>57</sup> Mr. William Fowler, MP, speech to the House of Commons, 24 May 1870, *Parliamentary Debates*, Commons, 3d. ser., vol. 201, col. 1304-48.

<sup>58</sup> Mr. William Fowler, MP, speech to the House of Commons, 24 May 1870, *Parliamentary Debates*, Commons, 3d. ser., vol. 201, col. 1304-48.

number had reduced to 1,729, and to 1,628 by 1868.<sup>59</sup> With that evidence, Fowler claimed that “it is impossible to say that the Acts have caused the diminution.”<sup>60</sup> He declared the better hygienic practices of the prostitutes and those who had engaged in intercourse with them had caused a marked reduction in contagion.<sup>61</sup> He then attacked the examination process proclaiming the “medical tests are entirely imperfect and unsatisfactory. A woman may have the diseases, and the doctor may be entirely unable to prove it or disprove it.”<sup>62</sup> Fowler asserted that the forced inspection only served to increase the number of clandestine prostitutes.<sup>63</sup>

Knowing this argument would not convince his peers of the futility of the legislation, he provided evidence of the French system’s failure to eradicate the contagion. M. Lecour, head of the Paris police, had written of the statistical results in France, which indicated an increase in prostitution and danger to public health.<sup>64</sup> Despite an increase in the number of law enforcement officials working to organize a more powerful stance by “means of repression, by surveillance, and sanitary control,” the daily number of arresting “unsubmitted [*sic*] girls, *filles insoumises*” had increased substantially.<sup>65</sup> Lecour posited, “The evil is a moral and social one, and cannot be controlled by the police, who can neither restrain nor destroy it.”<sup>66</sup> He admitted the number of

---

<sup>59</sup> Mr. William Fowler, MP, speech to the House of Commons, 24 May 1870, *Parliamentary Debates*, Commons, 3d. ser., vol. 201, col. 1304-48.

<sup>60</sup> Mr. William Fowler, MP, speech to the House of Commons, 24 May 1870, *Parliamentary Debates*, Commons, 3d. ser., vol. 201, col. 1304-48.

<sup>61</sup> Mr. William Fowler, MP, speech to the House of Commons, 24 May 1870, *Parliamentary Debates*, Commons, 3d. ser., vol. 201, col. 1304-48.

<sup>62</sup> Mr. William Fowler, MP, speech to the House of Commons, 24 May 1870, *Parliamentary Debates*, Commons, 3d. ser., vol. 201, col. 1304-48.

<sup>63</sup> Mr. William Fowler, MP, speech to the House of Commons, 24 May 1870, *Parliamentary Debates*, Commons, 3d. ser., vol. 201, col. 1304-48.

<sup>64</sup> Mr. William Fowler, MP, speech to the House of Commons, 24 May 1870, *Parliamentary Debates*, Commons, 3d. ser., vol. 201, col. 1304-48.

<sup>65</sup> Mr. William Fowler, MP, speech to the House of Commons, 24 May 1870, *Parliamentary Debates*, Commons, 3d. ser., vol. 201, col. 1304-48.

<sup>66</sup> Mr. William Fowler, MP, speech to the House of Commons, 24 May 1870, *Parliamentary Debates*, Commons, 3d. ser., vol. 201, col. 1304-48.

brothels had decreased, but, rather than lower the count of prostitutes; the closures forced the women into working alone.<sup>67</sup> After presenting the testament of Lecour, Fowler declared:

The French system has utterly failed, after long experience and full trial; and we are asked to begin the same wretched system by men who, in their evidence before the House of Lords, confessed they knew hardly anything of the working of the plans adopted on the Continent. I ask with confidence, why should we make this beginning, and why should we not rather take warning by the failure of others. . . . I cannot conceive why we should expect to succeed where others have failed so signally.<sup>68</sup>

Later illustrating his disgust with the Contagious Diseases Acts in comparison to the unsuccessful French system, MP Fowler provided another reason for his objection to the law: the degrading and cruel examination process.<sup>69</sup> Despite the doctor's claim that the inspection was not painful, Fowler stated he would take the word of the patient over the physician's evidence and provided the written testimony of surgeon Baxter Langley.<sup>70</sup> He wrote, "In the cases of health or disease great discretion is required by the surgeon in the use of the instrument, or great pain, and even permanent injury may be inflicted on the person examined."<sup>71</sup> Langley expounded upon this by informing his audience that doctors used the same speculum on women who had born children and those who had not, which could also cause extreme discomfort.<sup>72</sup> He continued, "It is said that there is no more degradation or pain inflicted on a prostitute when examined than upon a modest woman who is subjected to a similar process in consequence of uterine disease."<sup>73</sup> The treatment of the "more

---

<sup>67</sup> Mr. William Fowler, MP, speech to the House of Commons, 24 May 1870, *Parliamentary Debates*, Commons, 3d. ser., vol. 201, col. 1304-48.

<sup>68</sup> Mr. William Fowler, MP, speech to the House of Commons, 24 May 1870, *Parliamentary Debates*, Commons, 3d. ser., vol. 201, col. 1304-48.

<sup>69</sup> Mr. William Fowler, MP, speech to the House of Commons, 24 May 1870, *Parliamentary Debates*, Commons, 3d. ser., vol. 201, col. 1304-48.

<sup>70</sup> Mr. William Fowler, MP, speech to the House of Commons, 24 May 1870, *Parliamentary Debates*, Commons, 3d. ser., vol. 201, col. 1304-48.

<sup>71</sup> Mr. William Fowler, MP, speech to the House of Commons, 24 May 1870, *Parliamentary Debates*, Commons, 3d. ser., vol. 201, col. 1304-48.

<sup>72</sup> Mr. William Fowler, MP, speech to the House of Commons, 24 May 1870, *Parliamentary Debates*, Commons, 3d. ser., vol. 201, col. 1304-48.

<sup>73</sup> Mr. William Fowler, MP, speech to the House of Commons, 24 May 1870, *Parliamentary Debates*, Commons, 3d. ser., vol. 201, col. 1304-48.

respectable lady” and the street-walker greatly differed. Nurses took the former to a private room with her mother or female relative present and concealed the process from any who knew her.<sup>74</sup> Authorities openly brought the “unfortunate” to the Lock Hospital, which made the days of the examination known to all and caused public humiliation.<sup>75</sup> MP M’Laren quoted an unnamed but leading physician who equated the inspection to “instrumental rape.”<sup>76</sup> After arguing his stance on the medical aspect of the CD Acts, Fowler turned his attention to what he considered the desecration of the British constitution.

He began his dispute by rhetorically asking what the general effect of the law was. He responded to his own question, and said “It is to subject poor women to arrest on mere suspicion” and only at the word of the police.<sup>77</sup> Previously, an unknown Member of Parliament had introduced a clause that would compel the magistrate to seek corroborative evidence, but the House of Commons refused his request.<sup>78</sup> As a result, the Act placed prostitutes or any suspected of the trade, wholly under the power of the officer and without appeal.<sup>79</sup> Fear of going before a magistrate to plead innocence, and thus making the alleged crime public, caused many women to sign the voluntary submission rather than lose their character and chance of decent employment.<sup>80</sup> Upon a woman’s entry into the register, whether she was innocent or not, a surgeon carried the authority to

---

<sup>74</sup> Mr. William Fowler, MP, speech to the House of Commons, 24 May 1870, *Parliamentary Debates*, Commons, 3d. ser., vol. 201, col. 1304-48.

<sup>75</sup> Mr. William Fowler, MP, speech to the House of Commons, 24 May 1870, *Parliamentary Debates*, Commons, 3d. ser., vol. 201, col. 1304-48.

<sup>76</sup> Mr. M’Laren, MP, speech to the House of Commons, 24 May 1870, *Parliamentary Debates*, Commons, 3d. ser., vol. 201, col. 1304-48.

<sup>77</sup> Mr. William Fowler, MP, speech to the House of Commons, 24 May 1870, *Parliamentary Debates*, Commons, 3d. ser., vol. 201, col. 1304-48.

<sup>78</sup> Mr. William Fowler, MP, speech to the House of Commons, 24 May 1870, *Parliamentary Debates*, Commons, 3d. ser., vol. 201, col. 1304-48.

<sup>79</sup> Mr. William Fowler, MP, speech to the House of Commons, 24 May 1870, *Parliamentary Debates*, Commons, 3d. ser., vol. 201, col. 1304-48.

<sup>80</sup> Mr. William Fowler, MP, speech to the House of Commons, 24 May 1870, *Parliamentary Debates*, Commons, 3d. ser., vol. 201, col. 1304-48.

call her in for “this disgusting examination” for an entire year.<sup>81</sup> With no firm definition of a prostitute contained within the legislation, MP Fowler vehemently voiced his objection to this gross violation: “I do not care whether any cases have or have not occurred where women have been oppressed by this law; I say that it is an utterly unjust and scandalous law, and unworthy of the British Parliament.”<sup>82</sup> He asserted the security of a person’s liberty was based upon the law “that no subject of the realm can be imprisoned unless some felonious and high crime be sworn against him or her. This, with respect to private persons, is the very foundation stone of all our liberties.”<sup>83</sup>

Fowler also expressed his anxiety regarding false allegations, the power granted to the police, and the repercussions, both mental and physical, faced by those subjected to the CD Acts. He cited one instance of a respectable, married woman he knew personally, whom an officer had accused, claiming she was “larking about the streets,” and thus concluded she was a prostitute.<sup>84</sup> Fortunately, she encountered no reprimands, but the mere thought of an innocent facing subjection to an examination for twelve months was reprehensible.<sup>85</sup> Reverend W. Heritage of Canterbury provided Fowler with two other instances in which this had occurred. A Detective accosted a Mrs. Baker while she walked to retrieve her husband from a public house, and, after obtaining her name, ordered her to go to Hawkes Lane for inspection.<sup>86</sup> Her spouse sought her release, complaining of his wife’s assault, and officials informed him that his only recourse was stating his case before the

---

<sup>81</sup> Mr. William Fowler, MP, speech to the House of Commons, 24 May 1870, *Parliamentary Debates*, Commons, 3d. ser., vol. 201, col. 1304-48.

<sup>82</sup> Mr. William Fowler, MP, speech to the House of Commons, 24 May 1870, *Parliamentary Debates*, Commons, 3d. ser., vol. 201, col. 1304-48.

<sup>83</sup> Mr. William Fowler, MP, speech to the House of Commons, 24 May 1870, *Parliamentary Debates*, Commons, 3d. ser., vol. 201, col. 1304-48.

<sup>84</sup> Mr. William Fowler, MP, speech to the House of Commons, 24 May 1870, *Parliamentary Debates*, Commons, 3d. ser., vol. 201, col. 1304-48.

<sup>85</sup> Mr. William Fowler, MP, speech to the House of Commons, 24 May 1870, *Parliamentary Debates*, Commons, 3d. ser., vol. 201, col. 1304-48.

<sup>86</sup> Mr. William Fowler, MP, speech to the House of Commons, 24 May 1870, *Parliamentary Debates*, Commons, 3d. ser., vol. 201, col. 1304-48.

magistrate, but if the inspector “had ordered her up, he would try to prove she was a prostitute.”<sup>87</sup> The exposure of the allegations to the public caused the couple to leave town.

The second case provided by the reverend involved Mrs. Dodds, the wife of a pig-dealer and mother to four respectable daughters. Two officers arrived at her residence and insisted on seeing her children. Women in the town had given the names of the two eldest, accusing them of prostitution, and demanded they go to Hawkes Lane for examination.<sup>88</sup> Mrs. Dodds refused to comply, but when her oldest went out the evening after, the police returned, stating they had followed her and commanded her appearance at the hospital. After multiple requests, the family’s neighbors became aware of the situation and began calling to the young woman on the streets asking if “they had just come back from Shorncliffe” or if they had been to “— Fair,” which all referred to the ward for venereal disease.<sup>89</sup> The taunting grew so unbearable that the mother had to appeal to the police for protection.<sup>90</sup> In giving these testimonies, MP Fowler reiterated his stance that he found the clause authorizing the detention of women for twelve months an inexcusable violation of liberty.<sup>91</sup> He then delivered the statement of Mademoiselle Daubié:

We have been enabled to see what a mistake it is to pretend that our Government toleration is necessary for the protection of modest women. If that were the case, we may be sure they would reject this annihilation of their sisters for their benefit; but it is proved, on the contrary, that the insecurity of every woman results from the prerogative granted to vice in France.... Whilst in Paris more than 100,000 regulars and soldiers of the National Guard, and a numerous body of police, fail to inspire the young women of the middle class with sufficient confidence to allow

---

<sup>87</sup> Mr. William Fowler, MP, speech to the House of Commons, 24 May 1870, *Parliamentary Debates*, Commons, 3d. ser., vol. 201, col. 1304-48.

<sup>88</sup> Mr. William Fowler, MP, speech to the House of Commons, 24 May 1870, *Parliamentary Debates*, Commons, 3d. ser., vol. 201, col. 1304-48.

<sup>89</sup> Mr. William Fowler, MP, speech to the House of Commons, 24 May 1870, *Parliamentary Debates*, Commons, 3d. ser., vol. 201, col. 1304-48.

<sup>90</sup> Mr. William Fowler, MP, speech to the House of Commons, 24 May 1870, *Parliamentary Debates*, Commons, 3d. ser., vol. 201, col. 1304-48.

<sup>91</sup> Mr. William Fowler, MP, speech to the House of Commons, 24 May 1870, *Parliamentary Debates*, Commons, 3d. ser., vol. 201, col. 1304-48.

her to venture a single step without a protector, or the lower-class young woman with a security sufficient to keep her from being made a merchantable article.<sup>92</sup>

Following this statement, Fowler moved to the moral aspect of his final objections to the CD Acts.

He alleged that Parliament passed this legislation on the supposition that prostitution was an essential trade and evil that had always existed.<sup>93</sup> He posited that stealing was a crime, but the government did not seek to regulate the offense but to punish it. Fowler expressed his opinion, “if once you assume an evil to be necessary you lose your power over it.”<sup>94</sup> To accentuate this point he quoted the poet and famous author of *Paradise Lost*, John Milton, “As for sin, the causes of it cannot consist with rule; and if the law fall to regulate sin and not to take it utterly away, it necessarily confirms and establishes sin, To make a regularity of sin by law, either the law must straiten [sic]sin into no sin, or sin must crook the law into no law.”<sup>95</sup> He accused Parliament and supporters of the law of sanctioning a repugnant vice as necessary and served only to increase the profligacy of men and women by providing prostitutes with the knowledge of how to make their vocation easy and less harmful.<sup>96</sup> He declared, “For the first time in our history, prostitution has become a ‘legalized institution,’ and a woman is made chattel for the use of men.”<sup>97</sup> Fowler addressed the rationale for the CD Acts as a policy to protect soldiers and sailors and stated this reasoning as dangerous: “if the existence of the Army and Navy involves so great a breach of the moral law, it is high time to consider whether the system of the Army and Navy as at present

---

<sup>92</sup> Mr. William Fowler, MP, speech to the House of Commons, 24 May 1870, *Parliamentary Debates*, Commons, 3d. ser., vol. 201, col. 1304-48.

<sup>93</sup> Mr. William Fowler, MP, speech to the House of Commons, 24 May 1870, *Parliamentary Debates*, Commons, 3d. ser., vol. 201, col. 1304-48.

<sup>94</sup> Mr. William Fowler, MP, speech to the House of Commons, 24 May 1870, *Parliamentary Debates*, Commons, 3d. ser., vol. 201, col. 1304-48.

<sup>95</sup> Mr. William Fowler, MP, speech to the House of Commons, 24 May 1870, *Parliamentary Debates*, Commons, 3d. ser., vol. 201, col. 1304-48.

<sup>96</sup> Mr. William Fowler, MP, speech to the House of Commons, 24 May 1870, *Parliamentary Debates*, Commons, 3d. ser., vol. 201, col. 1304-48.

<sup>97</sup> Mr. William Fowler, MP, speech to the House of Commons, 24 May 1870, *Parliamentary Debates*, Commons, 3d. ser., vol. 201, col. 1304-48.

established be not unsound and unwholesome.”<sup>98</sup> Fowler concluded his statement to the House of Commons by saying, “these Acts offend against common sense, against justice, and against morals; and, therefore... I ask this House to tear from the statute book this disgusting page, and I ask you to... not make provision for the flesh to fulfil the lusts thereof.”<sup>99</sup>

Dr. Lyon Playfair contradicted the allegations that the law sanctioned vice and accused MP Fowler of asking Parliament to deprive the soldiers and sailors of the “sanitary safeguards” that the CD Acts provided.<sup>100</sup> State policy enforced celibacy on approximately ninety per cent of the soldiers and sailors in order to keep the Army unencumbered, but this only served to ensure men indulged in this necessary vice, and according to the doctor, the “State is bound to preserve its combatants from the consequences of an abnormal position.”<sup>101</sup> Concerning Fowler’s objection on religious and moral grounds, Playfair declared this ideal as a thing belonging to the past and the notion of disease as a punishment sent from God an antiquated view.<sup>102</sup> In addressing the double standard, he compared prostitutes to the position of a vendor. The law regulated the purveyor, not the trade, and asserted, “The fact that these Acts compel the inspection of fallen women and not of vicious men, simply depends upon the circumstance that the former alone are traders in this sinful traffic.”<sup>103</sup> Lastly, in response to the allegations regarding the violation of liberty, Playfair maintained that this statute and numerous others did as well when “the subject uses his liberty to the

---

<sup>98</sup> Mr. William Fowler, MP, speech to the House of Commons, 24 May 1870, *Parliamentary Debates*, Commons, 3d. ser., vol. 201, col. 1304-48.

<sup>99</sup> Mr. William Fowler, MP, speech to the House of Commons, 24 May 1870, *Parliamentary Debates*, Commons, 3d. ser., vol. 201, col. 1304-48.

<sup>100</sup> Dr. Lyon Playfair, MP, speech to the House of Commons, 24 May 1870, *Parliamentary Debates*, Commons, 3d. ser., vol. 201, col. 1304-48.

<sup>101</sup> Dr. Lyon Playfair, MP, speech to the House of Commons, 24 May 1870, *Parliamentary Debates*, Commons, 3d. ser., vol. 201, col. 1304-48.

<sup>102</sup> Dr. Lyon Playfair, MP, speech to the House of Commons, 24 May 1870, *Parliamentary Debates*, Commons, 3d. ser., vol. 201, col. 1304-48.

<sup>103</sup> Dr. Lyon Playfair, MP, speech to the House of Commons, 24 May 1870, *Parliamentary Debates*, Commons, 3d. ser., vol. 201, col. 1304-48.



public detriment.”<sup>104</sup> MP Jacob Bright resorted to a different tactic to argue for the abolition of the legislation. He proposed the extension of the franchise to females who owned property and who “believed they had a constitutional right to influence the making of the laws which they had to obey.”<sup>105</sup> With the right to vote, they stood the chance of having their grievances redressed, but this did not become a reality until 1918.<sup>106</sup> Unfortunately for MP Fowler, his arguments during this meeting did not sway Parliament to repeal the CD Acts, but he, along with others, continued to force the House of Commons to return to this subject.

Three years later, on 21 May 1873, MP Fowler, expressing his distaste for the subject, put forth a motion for a second reading of the bill to repeal the law.<sup>107</sup> In this debate, he asked two questions regarding the facts of the system and the principle upon the foundation of the legislation.<sup>108</sup> In answering the first, he, after a painful perusal of the statistics, found the process of discovering the truth equitable to “what one meets with in the Court of Chancery in a lunacy or engineering case, when the scientific witnesses give evidence diametrically opposed to one another.”<sup>109</sup> He outlined the provisions of the CD Acts from the beginning, with the 1864 legislation calling for voluntary submission and concentrated solely on the disease, 1866 for mandatory examinations, and the final in 1869, which mandated any who fell under the jurisdiction, whether of their own free will or not, faced the same legal penalties.<sup>110</sup> Those who supported the

---

<sup>104</sup> Dr. Lyon Playfair, MP, speech to the House of Commons, 24 May 1870, *Parliamentary Debates*, Commons, 3d. ser., vol. 201, col. 1304-48.

<sup>105</sup> Mr. Jacob Bright, MP, speech to the House of Commons, 03 May 1871, *Parliamentary Debates*, Commons, 3d. ser., vol. 206, col. 63-123.

<sup>106</sup> Mr. Jacob Bright, MP, speech to the House of Commons, 03 May 1871, *Parliamentary Debates*, Commons, 3d. ser., vol. 206, col. 63-123.

<sup>107</sup> Mr. William Fowler, MP, speech to the House of Commons, 21 May 1873, *Parliamentary Debates*, Commons, 3d. ser., vol 216, col. 218-67.

<sup>108</sup> Mr. William Fowler, MP, speech to the House of Commons, 21 May 1873, *Parliamentary Debates*, Commons, 3d. ser., vol 216, col. 218-67.

<sup>109</sup> Mr. William Fowler, MP, speech to the House of Commons, 21 May 1873, *Parliamentary Debates*, Commons, 3d. ser., vol 216, col. 218-67.

<sup>110</sup> Mr. William Fowler, MP, speech to the House of Commons, 21 May 1873, *Parliamentary Debates*, Commons, 3d. ser., vol 216, col. 218-67.

statute concerned themselves with diminishing the disease rather than on the moral question, but these statistics did not coincide with the desired outcome.<sup>111</sup> Fowler criticized the power of the police, who, in performing their duties took on the role of a father figure and attempted to warn women away from engaging in prostitution, which was not in any provision in the CD Acts.<sup>112</sup> In reference to the “Report of the Royal Commission’s” claims that disease and the numbers of streetwalkers had diminished, the MP for Cambridge provided evidence that law enforcement contradicted these statements and this had not occurred in Plymouth and Devonport.<sup>113</sup> He related the findings of Mr. Swain, a surgeon, who refuted the assertion that the quantity of prostitutes had reduced in Bristol, England, from 2,000 in 1864 to 770 in 1873.<sup>114</sup> Mr. Swain declared, “It is believed impossible that the number represents the entire body of women who practice prostitution at the present.”<sup>115</sup> In regards to Devonport, England, the trade had actually increased.<sup>116</sup> As for clandestine prostitution, Fowler asserted the lessening “runs counter to everyone who has studied the subject, which is, that clandestine prostitution invariably increases with decreases in the number of women who gain their livelihood as public prostitutes.”<sup>117</sup> He then turned his attention to the principles of the law in its moral aspect. MP Fowler declared the women understood the reason for the legislation; it did not concern itself with her reclamation or the restoration of her virtue. Rather it was a form of a health insurance policy that guaranteed good health for sailors and soldiers, the

---

<sup>111</sup> Mr. William Fowler, MP, speech to the House of Commons, 21 May 1873, *Parliamentary Debates*, Commons, 3d. ser., vol 216, col. 218-67.

<sup>112</sup> Mr. William Fowler, MP, speech to the House of Commons, 21 May 1873, *Parliamentary Debates*, Commons, 3d. ser., vol 216, col. 218-67.

<sup>113</sup> Mr. William Fowler, MP, speech to the House of Commons, 21 May 1873, *Parliamentary Debates*, Commons, 3d. ser., vol 216, col. 218-67.

<sup>114</sup> Mr. William Fowler, MP, speech to the House of Commons, 21 May 1873, *Parliamentary Debates*, Commons, 3d. ser., vol 216, col. 218-67.

<sup>115</sup> Mr. William Fowler, MP, speech to the House of Commons, 21 May 1873, *Parliamentary Debates*, Commons, 3d. ser., vol 216, col. 218-67.

<sup>116</sup> Mr. William Fowler, MP, speech to the House of Commons, 21 May 1873, *Parliamentary Debates*, Commons, 3d. ser., vol 216, col. 218-67.

<sup>117</sup> Mr. William Fowler, MP, speech to the House of Commons, 21 May 1873, *Parliamentary Debates*, Commons, 3d. ser., vol 216, col. 218-67.

intended beneficiaries of the CD Acts.<sup>118</sup> Such women, hardened by this system, referred to themselves as “Government women” or “Queen’s Ladies.”<sup>119</sup> Rather than frighten prostitutes away from engaging in their trade, the law tended to aid them in pursuing their profession longer as the State maintained them in better health.

Fowler chastised Parliament for selecting a particular class of women for “special patronage.” The Acts made no provisions for these women until they became diseased, and afforded no protection for civilians, only soldiers, and sailors.<sup>120</sup> In short, these acts were in support of the national defense system. Rather than this declaration serving as an argument for the CD Acts, he called upon the testimony of Dr. Routh who stated: “Where you have prostitution under the superintendence of the State, you have a degree of immorality existing which is far greater than anything which occurs in England, I mean that it leads to the minds of people being habituated to this sort of thing, so that they fall into sexual excesses of every kind, and of the most revolting nature.”<sup>121</sup> Fowler elaborated on the injustice of the double standard to which the law subjected them. In fact, the military, medical community no longer required its members to undergo examinations because the physicians found the practice too disgusting, but the same did not apply to prostitutes.<sup>122</sup> Despite many testimonies of respected physicians asserting facts declaring diagnoses of syphilis as difficult if not impossible to discern, the illusory sense of security afforded to the men

---

<sup>118</sup> Mr. William Fowler, MP, speech to the House of Commons, 21 May 1873, *Parliamentary Debates*, Commons, 3d. ser., vol 216, col. 218-67.

<sup>119</sup> Mr. William Fowler, MP, speech to the House of Commons, 21 May 1873, *Parliamentary Debates*, Commons, 3d. ser., vol 216, col. 218-67.

<sup>120</sup> Mr. William Fowler, MP, speech to the House of Commons, 21 May 1873, *Parliamentary Debates*, Commons, 3d. ser., vol 216, col. 218-67.

<sup>121</sup> Mr. William Fowler, MP, speech to the House of Commons, 21 May 1873, *Parliamentary Debates*, Commons, 3d. ser., vol 216, col. 218-67.

<sup>122</sup> Mr. William Fowler, MP, speech to the House of Commons, 21 May 1873, *Parliamentary Debates*, Commons, 3d. ser., vol 216, col. 218-67.

enforced their belief they may indulge in vice safely.<sup>123</sup> In response to this declaration, Fowler stressed, “The Acts have not been passed for the protection of women and children; they were passed for the comfort and protection of the soldiers and sailors.”<sup>124</sup>

MP William Fowler worked diligently to prove to his peers in Parliament the ineffectiveness of the Contagious Diseases Acts. He argued against the numbers that had supposedly shown a decrease in prostitution and disease. He pleaded for the women affected, declaring they faced physical pain and degradation from the forced examinations; his peer, M<sup>r</sup> Lecour, cited a physician who had stated this practice was tantamount to instrumental rape. Fowler provided examples of accusations against innocent women, in what he considered a gross violation of their liberty under the constitution, causing these women to face the ruin of their reputation and possible prospects of decent employment. With these testimonies, he voiced his concern regarding the power the police assumed in carrying out the law. Fowler turned to his final dispute, the morality, or lack thereof, in which the CD Acts promoted legislating vice under the guise of protecting the soldiers, the sailors, and the women themselves. Despite Fowler’s passionate speeches before the House of Commons and the evidence he delivered to support his cause and the “Report of the Royal Commission,” the government did not repeal the Contagious Diseases Acts while he served as a Member of Parliament for Cambridge.

---

<sup>123</sup> Mr. William Fowler, MP, speech to the House of Commons, 21 May 1873, *Parliamentary Debates*, Commons, 3d. ser., vol 216, col. 218-67.

<sup>124</sup> Mr. William Fowler, MP, speech to the House of Commons, 21 May 1873, *Parliamentary Debates*, Commons, 3d. ser., vol 216, col. 218-67.

## CHAPTER TWO

### CRUSADE TO CONTROL "QUEEN'S WOMEN" IN THE AGE OF VICTORIA

The women consider that the Act recognizes them as it were; keeps them clean for the soldiers and sailors, and thus gives them a kind of status. They call themselves 'Queen's women.' – Sedley Wolferstan<sup>1</sup>

In 1871, one year after MP Fowler put forth his motion to repeal the Contagious Diseases Acts, Parliament requested a commission to examine the controversial legislation in order to ascertain whether or not the law actually benefitted the soldiers and sailors and reduced venereal disease. The "Report of the Royal Commission upon the Administration and Operation of the Contagious Diseases Acts" provided detailed accounts from witnesses of both sexes and multiple professions. These included police, doctors, clergy, and those in the general population who had reason to support or condemn the Acts. This document covers the divisive nature that arose from the debates on whether or not the Acts should extend to the general populace or if the government should repeal the law. The testimonies given vary in extreme degrees; some were completely in favor of the CD Acts, and others found it abhorrent and morally reprehensible. The Commission's inquiry lasted for forty-five days in which they examined eighty people.<sup>2</sup> Several of those questioned found no change in the number of prostitutes or a lessening of disease among the women, soldiers, and sailors. Others found the number of streetwalkers had actually increased, especially in clandestine

---

<sup>1</sup> Mr. Sedley Wolferstan, Surgeon at the Royal Albert Hospital at Devonport, "Report of the Royal Commission," x.

<sup>2</sup> Mr. Massey, MP, speech to the House of Commons, 23 June 1875, *Parliamentary Debates*, Commons, 3d. ser., vol. 225, col. 351-421.

prostitution.<sup>3</sup> Conversely, surgeons and police testified that syphilis had significantly decreased, as had the number of women soliciting in the streets.<sup>4</sup> The report also examined the question of whether or not the women found the examinations degrading or demoralizing and requested the witnesses provide their opinion on this matter the double standard it created. Historians such as Judith Walkowitz and Paul McHugh describe this report and utilize its content but do not fully explore the controversial themes contained therein. This chapter seeks to develop more fully the topics found within the document and explores its dichotomy between the various contentions, which historians that have written on this topic mention but do not fully explore the themes contained within the testimony. Along with the burgeoning rise of the middle class in light of the Industrial Revolution and the advent of factories the increased population in cities, this act created a new attitude toward this profession and changed how they viewed themselves.

One of the most controversial subjects of the “Report of the Royal Commission” was the view the Contagious Diseases Acts legally sanctioned vice. The National Anti-Contagious Diseases’ Act Association published a pamphlet, *Licensing Prostitution*, which discusses this very question. It passionately declared:

A legislation of this kind, which simply aims at securing that public women shall, while following their evil ways, be kept in health; secured solely for the sake of those resorting to their company from that which has ever been the attendant of such kind of sin; which aims at nothing less than this, desires nothing more, and indeed avows that such women must remain on the streets as a security for the virtue of others of their sex; — legislation of this nature, whatever other delusive schemes may be appended to it for the social improvement or ultimate reformation of the members of this class, can only produce one result, that of utterly

---

<sup>3</sup> Mr. Henry Richardson, Registrar of the Court of Probate at Cork, Ireland, “Report of the Royal Commission,” lv.

<sup>4</sup> Mr. Christopher Bulteel, Fellowship of the Royal College of Surgeons (FRCS), Surgeon at the Royal Albert Hospital, “Report of the Royal Commission,” xv.

brutalizing and crushing the forlorn creatures who compose the ranks of this literal army of martyrs.<sup>5</sup>

Mr. Sedley Wolferstan, a surgeon at the Royal Albert Hospital in Devonport, testified that proponents erroneously exaggerated the moral benefit of the Acts and the numbers reclaimed.<sup>6</sup> He provided evidence from the hospital registers that twenty-eight women had been “reformed” more than once.<sup>7</sup> Mr. Daniel Cooper, who served as the secretary for the Rescue Society, an evangelical assembly that attempted to reclaim “fallen women,” also objected to the Acts because he believed the legislation comparable to the French system, by licensing prostitution.<sup>8</sup> During his mission to assist streetwalkers in turning away from their current life of sin, prostitutes armed with their certificate from the Lock hospital, and under the impression that men expected to see proof of their cured state had accosted him twice.<sup>9</sup> Dr. Routh, a physician practicing in London, concurred with the view of the Acts legislating iniquity. He thought, “Wherever prostitution has been under the superintendence of the State, the greatest degree of immorality has existed, people becoming habituated to vice.”<sup>10</sup> In addition to the secular disagreements, the law, he argued, sanctioned and increased immoral behavior; moreover, the clergies agreed with this assessment.

---

<sup>5</sup> National Anti-Contagious Diseases’ Act Association, *Licensing Prostitution* (London: Unwin Brothers, Printers, 1869), 10.

<sup>6</sup> Mr. Sedley Wolferstan, Surgeon at the Royal Albert Hospital at Devonport, “Report of the Royal Commission,” x.

<sup>7</sup> Mr. Sedley Wolferstan, Surgeon at the Royal Albert Hospital at Devonport, “Report of the Royal Commission,” x.

<sup>8</sup> Paul McHugh, *Prostitution and Victorian Social Reform* (New York, New York: St. Martin’s Press, 1980), 46; Mr. Daniel Cooper, Secretary of the Rescue Society, “Report of the Royal Commission,” xlix.

<sup>9</sup> Mr. Daniel Cooper, Secretary for the Rescue Society, “Report of the Royal Commission,” xlix.

<sup>10</sup> Dr. Routh, Physician practicing in London, “Report of the Royal Commission,” li.

Reverend Issac Hawker, Chaplain at the Royal Albert Hospital, observed that religious instruction and moral influence carried less impact under the legislation because it forced women to listen to the Gospel. They did not do this of their own accord.<sup>11</sup> Reverend Joseph Webster, a Wesleyan chaplain to the forces at Portsmouth, considered the Acts immoral and affirmed he understood that fornication was inevitable. He held the government responsible for enabling provisions for the cure of sailors and soldiers but opposed said care under the law as it recognized prostitution.<sup>12</sup> Reverend Kell, a Unitarian minister at Southampton and the secretary of the Southampton branch of the Association for Procuring the Repeal of the Acts, objected to the statute purely on moral grounds because it had increased licentiousness.<sup>13</sup> While many, both religious and secular, envisioned the legislation as sanctioning prostitution, there were some who disagreed and thought the law actually helped with lessening sexual depravity.

Prostitutes, thinking the State endorsed their trade, referred to themselves as “Queen’s women, Government girls, Government women, and London girls.”<sup>14</sup> They thought the periodical examinations gave them license to charge more and, therefore, could increase the number of clients, as the Lock hospital had released them deeming them perfectly safe and free from disease.<sup>15</sup> One witness, Miss Brown, the matron at Colchester Lock Hospital, testified that those who considered themselves Government women, those who had been compelled

---

<sup>11</sup> Reverend Isaac Hawker, Chaplain at the Royal Albert Hospital, “Report of the Royal Commission,” xvii.

<sup>12</sup> Reverend Joseph Webster, Wesleyan Chaplain to the forces at Portsmouth, “Report of the Royal Commission,” xxxii.

<sup>13</sup> Reverend E. Kell, Unitarian minister in Southampton, “Report of the Royal Commission,” xlvi.

<sup>14</sup> “Report of the Royal Commission,” x, xviii, vi. This statement does not list an author.

<sup>15</sup> “Report of the Royal Commission,” lix. This statement does not list an author.



by the CDA, “were rougher and of a lower type than those from the voluntary side, or as they called themselves, the London girls.”<sup>16</sup> Receiving their certificate, declaring them free from disease instilled a sense of superiority with some women. Despite the scorn these women faced, some used this new law as a means of empowerment, a way to use the system for their own benefit. Mr. Henry Richardson, the registrar of the Court of Probate at Cork, Ireland, professed, “Another lady told him her servant was pushed off the pavement by a girl who said, ‘Make way for the Queen’s women.’”<sup>17</sup> Dr. Robert Bernard, Deputy Inspector-General of Hospitals, feared the CD Acts would turn this choice of professions into one considered as “well-to-do.”<sup>18</sup> In the streetwalker’s view that the state gave them license to practice prostitution, Mrs. Kell, the wife of a Unitarian minister, testified, “[Prostitutes] laugh at the idea that the State, in the passing of the Act, had any view to their reformation.”<sup>19</sup> Contrarily, Reverend Joseph Gelson Gregson, minister of Baptist Chapel, disagreed with the idea that these women felt justified or considered themselves attributed with a certain image of respectability by having their name placed on the registration list and recognized by the State as a prostitute. Instead, he thought they felt degraded by the label.<sup>20</sup> Along with these concerns, the witnesses voiced their objections, or their support, of those who carried out the precepts of the legislation.

---

<sup>16</sup> Miss Brown, Matron at Colchester Lock Hospital, “Report of the Royal Commission,” lii.

<sup>17</sup> Mr. Henry Richardson, Registrar of the Court of Probate at Cork, Ireland, “Report of the Royal Commission,” lv.

<sup>18</sup> Dr. Robert Bernard, Inspector-General to hospitals, “Report of the Royal Commission,” viii.

<sup>19</sup> Mrs. Kell, wife to a Unitarian minister, “Report of the Royal Commission,” xlvii.

<sup>20</sup> Rev. Joseph Gelson Gregson, Minister of Baptist Church, “Report of the Royal Commission,” xxiv.

One of the many fears regarding the power of police centered on jurisdiction in the form of possible disputes between the local or metropolitan branches of law enforcement and the military, discretion in detaining a suspected prostitute, and treatment of said women. Members of the committee objected to portions of the Act of 1864, primarily on the grounds “it gives discretionary power to the police to lodge information against any prostitute they ‘have good cause to believe’ is diseased.”<sup>21</sup> They also feared law enforcement would become “overzealous,” from which complaints and dissent may arise.<sup>22</sup> As with the many controversies surrounding the Contagious Diseases Acts, opinions on this subject varied immensely from citing no abuse of power or rivalries to extreme misuse of authority and ill-treatment of the detainees.

Mr. William Wakeford, Superintendent in the Metropolitan Police for Devonport and Plymouth, testified he had received no complaints of impropriety among his officers. He also emphasized the measures taken before apprehending a prostitute. He provided three examples of ascertaining whether a woman engaged in this trade: residing in a brothel, solicitation on the streets, and by the word of soldiers and sailors who had communicated venereal disease.<sup>23</sup> The Commission questioned him regarding his method of searching for infected women in areas where prostitutes were known to frequent and stated this was “small proof.”<sup>24</sup>

---

<sup>21</sup> “Report of the Royal Commission,” 21. John S. Parkington, Hardinge, J. Salusbury Trelawny, G.R. Paget, Samuel Wilks, T. Holmes, and G.W. Hastings signed their names to this objection. The names are listed as written in the report.

<sup>22</sup> “Report of the Royal Commission,” 21.

<sup>23</sup> Mr. William Wakeford, Superintendent in the Metropolitan Police for Devonport and Plymouth, “Report of the Royal Commission,” v.

<sup>24</sup> Mr. William Wakeford, Superintendent in the Metropolitan Police for Devonport and Plymouth, “Report of the Royal Commission,” 3.

Upon obtaining his agreement, they asked him whether or not this area would include the theater.<sup>25</sup> Wakeford quipped, “A brothel is hardly a theater.”<sup>26</sup> Silas Rendell Anniss concurred with Wakeford’s last step, ensuring that at least three to four men who had contracted a disease reported the same streetwalker.<sup>27</sup> He also assured the commission that the police never threatened a suspect with penal consequences if they refused to submit and considered this possibility as “an excess of duty.”<sup>28</sup> Jas. Westbrook, Inspector of Metropolitan Police at Portsmouth boasted that no common prostitute escaped their attention because women, illustrating their jealousy, would report fellow streetwalkers.<sup>29</sup> He continued with the clarification that his people would never perform their duties solely on this accusation but obtained other proof.<sup>30</sup> Mr. Smith, Inspector of the Metropolitan Police at Aldershot, concurred with his colleagues in receiving substantiated evidence before acting upon the knowledge obtained. He made sure that the accused understood the submission form prior to signing it.<sup>31</sup>

Captain Harris provided the testaments of ladies who posited they had been ill-used by the Acts. A young girl at Strood had stayed out all night and her father, upon confronting her, found she had been arrested by the police and taken

---

<sup>25</sup> Mr. William Wakeford, Superintendent in the Metropolitan Police for Devonport and Plymouth, “Report of the Royal Commission,” 3.

<sup>26</sup> Mr. William Wakeford, Superintendent in the Metropolitan Police for Devonport and Plymouth, “Report of the Royal Commission,” 3.

<sup>27</sup> Silas Rendell Anniss, Inspector of Metropolitan Police, “Report of the Royal Commission,” vi.

<sup>28</sup> Silas Rendell Anniss, Inspector of Metropolitan Police, “Report of the Royal Commission,” xxii.

<sup>29</sup> Jas. Westbrook, Inspector of Metropolitan Police at Portsmouth, “Report of the Royal Commission,” xxviii.

<sup>30</sup> s. Westbrook, Inspector of Metropolitan Police at Portsmouth, “Report of the Royal Commission,” xxviii.

<sup>31</sup> Mr. Smith, Inspector of Metropolitan Police at Aldershot, “Report of the Royal Commission,” xxxix.

in for an examination, which yielded nothing.<sup>32</sup> After further questioning and her subsequent application to the Lock Hospital, she confessed that she had been with a gentleman on the night in question.<sup>33</sup> Harris provided other instances in which the police comported themselves with discretion and dignity; in one such case, Anne or Sophia Brown, mistaken for another woman known to the law as a prostitute, underwent questioning, and, upon discovery of their mistake, was left alone.<sup>34</sup> These testimonies illustrate that law enforcement confirmed all allegations as truth before enforcing the CD Acts, but other witnesses cited many cases in which the police abused their power, or declared the legislation gave them too much.

According to Paul McHugh, the districts subjected to the Contagious Diseases Acts created a small force of Metropolitan Police, typically recruited from the dockyards where they had served as “water police,” who performed their duties in plain clothes.<sup>35</sup> By not wearing an identifying uniform, those in favor of repealing the legislation, accused them of being “spy-police,” and, although unable to provide concrete evidence, constantly monitored their behavior in enforcing the law.<sup>36</sup> Considering the police force, the relatively small areas to which they had been assigned, and their lack of uniform, one can draw two

---

<sup>32</sup> Captain Harris, Assistant Commissioner of Metropolitan Police, MR. William Square, Surgeon in private practice at Plymouth, “Report of the Royal Commission,” xxxvi.

<sup>33</sup> Captain Harris, Assistant Commissioner of Metropolitan Police, MR. William Square, Surgeon in private practice at Plymouth, “Report of the Royal Commission,” xxxvi.

<sup>34</sup> Captain Harris, Assistant Commissioner of Metropolitan Police, MR. William Square, Surgeon in private practice at Plymouth, “Report of the Royal Commission,” xxxvi.

<sup>35</sup> Paul McHugh, *Prostitution and Victorian Social Reform* (New York, NY: St. Martin’s Press, 1980), 43.

<sup>36</sup> Paul McHugh, *Prostitution and Victorian Social Reform* (New York, NY: St. Martin’s Press, 1980), 44.

conclusions. Either the patrol of their area, in which they would have become intimately aware of most happenings, would yield information on known prostitutes, or the awareness of the law enforcement officers would cause women to become more adept at hiding their trade. Judith Walkowitz posits that the police preferred to regulate prostitution rather than suppress the trade they thought inevitable and only became more vigilant when the public pressed the issue.<sup>37</sup>

Mr. Square responded to the question posed by Admiral Collinson regarding the authority of law enforcement, "It appears to me that the policeman has first of all the determination as to who is a prostitute, and what shall constitute a prostitute."<sup>38</sup> He continued by affirming he did not deem it fair to a woman to submit to the determinations of an uneducated officer.<sup>39</sup> Although Reverend Hardy, a Wesleyan minister at Aldershot, did not know of any circumstances of innocents coming to harm under the legislation, he thought the Acts should contain provisions to protect women who did not participate in this trade.<sup>40</sup> Mrs. Kell referred to instances that Reverend Hardy had mentioned but could not provide evidence for the Commission. She gave the example in which police "molested" a young woman who had no history of prostitution.<sup>41</sup> As a result, her

---

<sup>37</sup> Judith Walkowitz, *Prostitution and Victorian Society: Women, Class and the State* (Cambridge: Cambridge University Press, 1980), 80. Roger Swift discusses this change in the attentiveness of the police in his article "Urban Policing in Early Victorian England, 1835-86: a Reappraisal." His work examines the changes in three cities: York, Wolverhampton, and Exeter and how the Municipal Corporations Act of 1835 reformed the role and powers given to law enforcement. Roger Swift, "Urban Policing in Early Victorian England, 1835-86: a Reappraisal," *History* 73 (June 1988): 222.

<sup>38</sup> Mr. William Square, Surgeon in private practice at Plymouth, "Report of the Royal Commission," 229.

<sup>39</sup> Mr. William Square, Surgeon in private practice at Plymouth, "Report of the Royal Commission," 229.

<sup>40</sup> Reverend Hardy, Wesleyan minister at Aldershot, "Report of the Royal Commission," xxxix.

<sup>41</sup> Mrs. Kell, wife to a Unitarian minister at Southampton, "Report of the Royal Commission," xlvii.

lover, upon discovering this, left her and forced her to the very profession for which she had faced the accusation.<sup>42</sup> Reverend Kell testified to the knowledge of four to five such young girls subjected to the consequences of the CD Acts under false pretenses.<sup>43</sup> Mr. Cooper's testament presented many more occasions of unlawful detainment without signing the submission. He elaborated that law enforcement resorted to threatening brothel-keepers with incarceration or heavy fines to induce the owner to send notification of any new inhabitants. Intimidated women, fearing the intimation of the hospital closing, signed the forms under duress.<sup>44</sup> This change in status, sanctioned by Parliament, separated the prostitutes into different classes.

Although the "Report of the Royal Commission" gave light to the classification of streetwalkers, Henry Mayhew had already divided the women into three classes, with subdivisions, well before the implementation of the Contagious Diseases Acts. The first group belonged to those who had men of independent means and kept them as courtesans. Mayhew compared these ladies as women who lived closest to the state of matrimony with many who defended and supported this aspect of the trade.<sup>45</sup> Many of the mistresses had villas, carriages, horses, opera boxes, and behaved as though they belonged, albeit scandalously, in the wealthy, if not aristocratic, class.<sup>46</sup> Mayhew divided the first class, what he referred to as the "seclusives" [*sic*] who lived in superior style, into

---

<sup>42</sup> Mrs. Kell, wife to a Unitarian minister at Southampton, "Report of the Royal Commission," xlvii.

<sup>43</sup> Reverend Kell, Unitarian minister at Southampton, "Report of the Royal Commission," xlviii.

<sup>44</sup> Mr. Cooper, Secretary of the Rescue Society, "Report of the Royal Commission," 1-li.

<sup>45</sup> Henry Mayhew, *London's Underworld*, ed. Peter Quennell (New York, NY: Spring Books, 1950), 32.

<sup>46</sup> Henry Mayhew, *London's Underworld*, ed. Peter Quennell, 32.

two subcategories, mistresses, and prima donnas.<sup>47</sup> The latter, contrary to popular belief, had many friends and their own society, could act as though they had been educated, and lived entirely in the moment; they did not concern themselves with preparing for their future.<sup>48</sup> The former did not stay with just one customer, but were seen at fashionable places, such as parks, the theater, or concerts, and functioned as a sort of Victorian Era escort service.<sup>49</sup>

The second group lived in apartments and maintained themselves with their earnings. The highest class of this section, typically well dressed in the current fashion, stayed near Haymarket in London and was either better educated or more genteel.<sup>50</sup> Many had served as domestics in the West End of London and resorted to prostitution after they had been seduced and had their character ruined.<sup>51</sup> The next group of the Haymarket women came from the laboring class. These girls, some as young as thirteen, consorted with pickpockets and supplemented their income by thievery.<sup>52</sup> The final sub-classification, and the lowest, included the “worn-out prostitutes or other degraded women, some of them married, yet equally degraded in character.”<sup>53</sup> Mayhew further described the worst of this class as a “shameless hag, with her thick lips, sable black skin, leering countenance and obscene disgusting tongue, resembling a lewd spirit of darkness from the netherworld.”<sup>54</sup>

---

<sup>47</sup> Henry Mayhew, *London's Underworld*, ed. Peter Quennell, 33.

<sup>48</sup> Henry Mayhew, *London's Underworld*, ed. Peter Quennell, 33, 37.

<sup>49</sup> Henry Mayhew, *London's Underworld*, ed. Peter Quennell, 37.

<sup>50</sup> Henry Mayhew, *London's Underworld*, ed. Peter Quennell, 39.

<sup>51</sup> Henry Mayhew, *London's Underworld*, ed. Peter Quennell, 39.

<sup>52</sup> Henry Mayhew, *London's Underworld*, ed. Peter Quennell, 43.

<sup>53</sup> Henry Mayhew, *London's Underworld*, ed. Peter Quennell, 43.

<sup>54</sup> Henry Mayhew, *London's Underworld*, ed. Peter Quennell, 43.

The third and final class, encompassed the prostitutes who dwelt in brothels or on the streets. The primary distinction between the different types of streetwalkers lay in the fact that some women only served one man rather than any who paid them.<sup>55</sup> This last group also served the soldiers and sailors, which, because of numerous cases of syphilis, had caused a desire for the regulation of prostitution.<sup>56</sup> As men in the army received little pay, the streetwalker resorted to engaging in sexual relations with many in a single night to make a profit. If diseased, her probability of transmitting the contagion increased exponentially.<sup>57</sup> The absolute lowest classification belonged to “park women” who, “utterly lost to all sense of shame” walked along the paths in parks in search of anyone who would pay them a few shillings for their services.<sup>58</sup> Most were older and showed the effects of heavy drink and long-term employment in the trade.<sup>59</sup> In 1862, the same year Mayhew originally published his discoveries, James Augustus Hesse posed questions in his sermon to governors and committeemen that assisted in classifying un-wed mothers.<sup>60</sup> He asked whether or not the woman had been deceived, overcome by temptation, or become victims of circumstance.<sup>61</sup> While there is no evidence showing Mayhew or the Commission examined these queries, they serve to illustrate how one categorizes women who had succumbed to immoral actions.

---

<sup>55</sup> Henry Mayhew, *London's Underworld*, ed. Peter Quennell, 33.

<sup>56</sup> Henry Mayhew, *London's Underworld*, ed. Peter Quennell, 70.

<sup>57</sup> Henry Mayhew, *London's Underworld*, ed. Peter Quennell, 71.

<sup>58</sup> Henry Mayhew, *London's Underworld*, ed. Peter Quennell, 88.

<sup>59</sup> Henry Mayhew, *London's Underworld*, ed. Peter Quennell, 89.

<sup>60</sup> Jessica A. Sheetz-Nguyen, *Victorian Women, Unwed Mothers and the London Foundling Hospital* (New York, NY: Continuum International Publishing Group, 2012), 61.

<sup>61</sup> Jessica A. Sheetz-Nguyen, *Victorian Women, Unwed Mothers and the London Foundling Hospital*, 62.



Like Henry Mayhew, Silas Rendell Annis, Inspector of the Metropolitan Police, categorized streetwalkers into three separate classes in Plymouth, England.<sup>62</sup> The first belonged to those who dressed well, comported themselves well, and served gentlemen. The police referred to this sort as “lady girls.”<sup>63</sup> The second focus, and the largest of the three, targeted the soldiers, sailors, and the working population.<sup>64</sup> The third called the “tramp class,” consisted of those women who “inhabit the lowest kind of brothel, hang about the fields at night, and get hold of young men going home, and intoxicated soldiers and sailors – a very dangerous class.”<sup>65</sup> Mr. William Square, a surgeon in private practice at Plymouth, categorized these women in a different manner. The regular prostitutes encompassed those listed on the police register. The second was comprised of girls who worked in service as domestics or shops and who were not solely dependent upon selling themselves. Lastly, there were those who occasionally joined the trade, many wives of sailors for example, or those who needed money temporarily.<sup>66</sup> Mr. Thomas Pickthorn, a visiting surgeon to the Devonport district, recommended a change in the “waiting” or holding rooms, with a different areas “to separate the better class.”<sup>67</sup> Mr. W.R. Dunn, a Member of the Royal College

---

<sup>62</sup> Silas Rendell Annis, Inspector of the Metropolitan Police, “Report of the Royal Commission, 1871, vi. Dennis Grube, in his book *At the Margins of Victorian Britain: Politics, Immorality and Britishness in the Nineteenth Century*, claimed the law targeted prostitutes as morally “un-British.”

<sup>63</sup> Silas Rendell Annis, Inspector of the Metropolitan Police, “Report of the Royal Commission, 1871, vi.

<sup>64</sup> Silas Rendell Annis, Inspector of the Metropolitan Police, “Report of the Royal Commission, 1871, vi.

<sup>65</sup> Silas Rendell Annis, Inspector of the Metropolitan Police, “Report of the Royal Commission, 1871, vi.

<sup>66</sup> Mr. Wm. Square, Surgeon at Plymouth Hospital, “Report of the Royal Commission,” xvi.

<sup>67</sup> Mr. Thomas Pickthorn, visiting surgeon to the Devonport district, “Report of the Royal Commission,” viii.

of Surgeons (MRCS), also separated the women into a high and low class. Those in the former category rarely, if ever, faced police interference with their job as they held a higher, more respectable status despite engaging in the same profession. Dr. John Coleman Barr, the surgeon to the Lock Hospital at Aldershot, derogatorily observed that some of the young girls who frequently came to the hospital were “local tramps” or “bush-rangers” and suffered from neglect and lack of cleanliness.<sup>68</sup> All the various terms used to describe a prostitute served to split them into categories of their trade, some more desirable and accepted than others.

In addition to creating these new classifications, many of those associated with the hospitals also desired to separate the older prostitutes from the younger.<sup>69</sup> Many of the clergymen testified they wanted to divide the women into groups more receptive to their message and susceptible to reforming their lifestyles. Reverend Joseph Gelson Gregson concurred with this opinion as he thought the association with the aged and hardened women had a deterrent effect on the girls willing to change; instead, the relationship “confirms young girls in a vicious life.”<sup>70</sup> Reverend Henry Everett, Incumbent of Holy Trinity in Dorchester, agreeing with Reverend Gelson’s opinion of separating the women by age, testified, “the younger ones up to 18 sometimes seemed sensible of degradation; when older they were quite hardened.”<sup>71</sup> Reverend Isaac Hawker, Chaplain at Royal Albert Hospital, found the opposite attitude in the younger women; he

---

<sup>68</sup> Dr. John Coleman Barr, Surgeon to the lock hospital at Aldershot, “Report of the Royal Commission,” xxxvii.

<sup>69</sup> Mr. Christopher Bulteel, FRCS, Surgeon at the Royal Albert Hospital, “Report of the Royal Commission,” xv.

<sup>70</sup> Rev. Joseph Gelson Gregson, Minister of Baptist Church, “Report of the Royal Commission,” xxiv.

<sup>71</sup> Reverend Henry Everett, Incumbent at Trinity Church in Dorchester, “Report of the Royal Commission,” xiv.

observed their actions as behaving more shamelessly in their demeanor than their counterparts, and they largely reacted with indifference to the exhortations given by the clergy.<sup>72</sup> Reverend Alexander Lowry, Chaplain to the hospital at Portsmouth, discussed the issue of the youth who engaged in prostitution, many of whom were under the age of seventeen, some even twelve or thirteen. He confirms that these teenagers were the least hopeful cases for reform despite a slight decrease in the number diseased.<sup>73</sup>

Additionally, Mr. John William Walter Ryder, magistrate for the borough of Devonport, wished the law would place the adolescent girls under the Industrial Schools Acts and not send them to reformatories, which branded them as criminals and thus ruined any future prospect for a decent living.<sup>74</sup> Mr. William Littleton, a navy clothier and Registrar of Marriages for Devonport, had spoken with women who felt the law solidified their profession as a prostitute. They considered themselves bound by the voluntary submission to serve for the twelve months.<sup>75</sup> Miss Farrow, Superintendent of the Lock department of the hospital at Portsmouth, found the patients much worse than at her previous post at Bristol. She observed little in the way of regulations, and the older, hardened women mixed with the adolescents and contrived to influence the younger girls who had seemed more penitent and willing to reform rather than remain in the trade.<sup>76</sup>

---

<sup>72</sup> Reverend Isaac Hawker, Chaplain at Royal Albert Hospital, "Report of the Royal Commission," xvii.<sup>73</sup> Reverend Alexander Lowry, Chaplain at the hospital at Portsmouth, "Report of the Royal Commission," xxiii.

<sup>74</sup> Mr. John William Walter Ryder, Magistrate for the borough of Devonport, "Report of the Royal Commission," xx.

<sup>75</sup> Mr. William Littleton, Navy clothier and Registrar of Marriages for Devonport, "Report of the Royal Commission," xxi.

<sup>76</sup> Miss Farrow, Superintendent of the lock department of the hospital at Portsmouth, "Report of the Royal Commission," xxx.

Contrary to the testimonies declaring the juveniles more unruly, Miss Green, Matron of Portsmouth Hospital, thought those between fifteen and twenty-one open to changing.<sup>77</sup> Wishing to separate those of a “tender age,” fifteen to eighteen, Reverend Mr. Puckle, thought they should go to a reformatory if they could not return to their parents.<sup>78</sup> In light of these claims, that adolescents would do better if separated from the older and hardened prostitutes, many, both secular and religious, found the Acts objectionable on the grounds of morality. Facing these concerns, the questioning of the Commission turned to the issue of the effectiveness of the legislation, asking whether the witnesses thought they noticed a decrease or an increase in prostitution or venereal disease.

Opinions regarding this subject ranged from those who advocated for the extension of the CD Acts to the entire population to those who desired the total repeal of the law. Mr. Sedley Wolferstan’s sentiments lay with the former as he thought the arrival of the merchant ships brought the extensive spread of disease, and only by subjecting these men to the legislation would the statute yield the intended, favorable results.<sup>79</sup> Mr. William Henry Sluggett, FRCS, having viewed the differences between the government and voluntary wards, noticed a marked difference in the women who sought cures; the Lock Hospitals, not subjected to the CD Acts, treated or “entertained” as the Victorians would say prostitutes with more advanced stages of syphilis and gonorrhea.<sup>80</sup> Mr. Frederick William Parse

---

<sup>77</sup> Miss Green, Matron of Portsmouth Hospital, “Report of the Royal Commission,” xxvi.

<sup>78</sup> Reverend Mr. Puckle, Incumbent of the parish of St. Mary’s in Dover, “Report of the Royal Commission,” xliii.

<sup>79</sup> Mr. Sedley Wolferstand, Surgeon at Royal Albert Hospital, “Report of the Royal Commission,” x.

<sup>80</sup> Mr. William Henry Sluggett, FRCS, FRCS, Inspector-General of certified hospitals under the Contagious Diseases Acts, “Report of the Royal Commission,” xii.

Jago, MRCS and in private practice at Plymouth, concurred with Slugget. He had noticed that women tended to leave before cured especially with the arrival of a new ship in port or regiment.<sup>81</sup> Encouraged, Reverend James Metcalfe, Rector of Christchurch in Plymouth, concurred with the noticeable decrease in disease and the number of streetwalkers, but attributed it to the 1864 voluntary Act and not the current, mandatory legislation.<sup>82</sup> Conversely, Mr. Thomas Woolcombe, Chairman of the Royal Albert Hospital at Devonport, credited the lessening with the existing law, and he voiced his opposition to the prior regulation.<sup>83</sup> He declared, “Women will not come into hospital till they are reduced to such a state of disease as to make cure all but hopeless. In this condition, they spread disease extensively.”<sup>84</sup> Annis feared that, with the repercussions of the law driving prostitutes from the frequented streets and back alleys, more women would entertain in their private houses in a clandestine manner, but he thought there was an overall diminution.<sup>85</sup> While some may have observed a decline in contagion and prostitution, other witnesses disagreed.

Dr, Frederick Row, in charge of the lock wards in the Royal Albert Hospital at Plymouth, supposed the CD Acts assisted in diminishing disease, but remained uncertain about the amount of prostitutes, despite statements to that

---

<sup>81</sup> Mr. Frederick William Parse Jago, MRCS, private practitioner at Plymouth, “Report of the Royal Commission,” xvii.

<sup>82</sup> Reverend James Metcalfe, Rector of Christchurch in Plymouth, “Report of the Royal Commission,” xviii.

<sup>83</sup> Mr. Thomas Woolcombe, Chairman of the Royal Albert Hospital at Devonport, “Report of the Royal Commission,” xix.

<sup>84</sup> Mr. Thomas Woolcombe, Chairman of the Royal Albert Hospital at Devonport, “Report of the Royal Commission,” xix.

<sup>85</sup> Silas Rendell Annis, Inspector of Metropolitan Police, “Report of the Royal Commission,” vi.

fact.<sup>86</sup> Wolferstan expressed his belief that the number of women had not decreased, but, under implementation of the law, they scattered themselves, making capture more difficult.<sup>87</sup> Reverend Hawker testified that many had returned to this trade after leaving homes that were supposed to assist in their reformation, and those who married soldiers or sailors engaged in their profession when their husbands were away; the legislation served to send the women out of the subjected districts.<sup>88</sup> Mrs. Kell, remaining in communication with the streetwalkers in Southampton, stated in her report, “These women laugh at the idea that the Acts have caused any improvement in the state of the town or a decrease in the number of prostitutes. They are sure there is, on the contrary, a large increase.”<sup>89</sup> As Jago aptly declared, “The women are more than a match for the police.”<sup>90</sup>

Slugget contradicted the opinions of those who thought the law elicited little or no change to the counts of women on the streets. He cited the previous findings of 2,000 on the register and that under the CD Acts that number had decreased to no more than 600.<sup>91</sup> Bulteel concurred and declared that ninety per cent of the prostitutes he had examined were free of disease.<sup>92</sup> Woolcombe

---

<sup>86</sup> Dr. Frederick Row, in charge of the Royal Albert Hospital at Plymouth, “Report of the Royal Commission,” viii.

<sup>87</sup> Dr. Frederick Row, in charge of the Royal Albert Hospital at Plymouth, “Report of the Royal Commission,” viii.

<sup>88</sup> Reverend Isaac Hawker, Chaplain at Royal Albert Hospital at Plymouth, “Report of the Royal Commission,” xvii.

<sup>89</sup> Mrs. Kell, wife of a Unitarian Minister, “Report of the Royal Commission,” xlvii.

<sup>90</sup> Mr. Frederick William Parse Jago, MRCS, private practitioner at Plymouth, “Report of the Royal Commission,” xvii.

<sup>91</sup> Mr. William Henry Sluggett, FRCS, Inspector-General of certified hospitals under the Contagious Diseases Acts, “Report of the Royal Commission,” xli.

<sup>92</sup> Mr. Christopher Bulteel, FRCS, Surgeon at Royal Albert Hospital, “Report of the Royal Commission,” xv.

posited his hospital had 163 beds in March 1869, but the amount of occupants had lessened considerably as “Shop girls, &c., are afraid of being brought under the Act.”<sup>93</sup> Annis attributed the decline solely to the legislation and not the actions of local police.<sup>94</sup> Mr. Miller, an undertaker in Portsmouth, testified, “Disease is much mitigated. Women look now like strong healthy girls. They formerly went about like ghosts, often disfigured and mutilated by disease.”<sup>95</sup> Along with these assertions, witnesses also voiced their apprehensions regarding the double standard the edict had created.

As the Contagious Diseases Acts only applied to women, or those suspected of prostitution, those who testified expressed concern with the unjust separation of the sexes and their treatment. In the beginning of the report, Lord Sandhurst and Sir Richard Airey addressed the concern of examining the soldiers and the sailors for venereal disease. Both men disagreed with this suggestion declaring:

We may at once dispose of this recommendation, so far as it is founded on the principle of putting both parties to the sin of fornication on the same footing by the obvious but not less conclusive reply that there is no comparison to be made between prostitutes and the men who consort with them. With the one sex the offence is committed as a matter of gain; with the other it is an irregular indulgence of a natural impulse.<sup>96</sup>

Dr. Stallard, MRCS and a physician, testified that men had undergone weekly examinations in the past, but the military discontinued the practice and did not think they had done any good. He explained how easily a man could shirk

---

<sup>93</sup> Mr. Thomas Woolcombe, Chairman of the Royal Albert Hospital at Devonport, “Report of the Royal Commission,” xviii.

<sup>94</sup> Silas Rundell Annis, Inspector of the Metropolitan Police, “Report of the Royal Commission,” xxii.<sup>95</sup> Mr. Miller, Undertaker at Portsmouth, “Report of the Royal Commission,” xxviii.

<sup>96</sup> “Report of the Royal Commission,” 17. The quote does not provide an author.

attending a physical. The soldier could “contrive to be on sentry or to be sent somewhere. It is easy, too, to conceal the appearance of disease if slight.”<sup>97</sup> Dr. Stallard viewed the entire situation with disdain and observed the process as demoralizing for the men.<sup>98</sup> Dr. Ross, a surgeon to the Thirty-Second Highlanders, concurred with his associate’s opinion, as did the medical officers, and added that the procedure would take a significant amount of time.<sup>99</sup> Sir Richard Airey, Knight Grand Cross of the Order of the Bath (GCB), Lieutenant-General and Adjutant-General of the forces, provided another deterrent, the loss of pay. Losing ten pence per day at a hospital served as yet one more reason for a soldier’s adverseness to inspections.<sup>100</sup> Likewise, Dr. T. Graham Balfour, Fellow of the Royal Society (FRS), Inspector-general of hospitals, and head of the statistical branch of the medical department of the army, objected to the examination of the men as “they are on a different footing from prostitutes who follow a dangerous trade, that examination is a great hardship to the moral, well conducted men.”<sup>101</sup> He also concurred with the opinion that the inspections had never shown any effectiveness and they imposed “a disgusting duty unnecessarily on the medical officers.”<sup>102</sup> While he, and others, did not think physicians should subject soldiers and sailors to this practice, some argued for examination.

Sedley Wolferstan, disagreeing with these opinions, did not think any benefit could arise from inspecting and treating women only. He proposed to

---

<sup>97</sup> Dr. Stallard, MRCS, and physician, “Report of the Royal Commission,” xxxv.

<sup>98</sup> Dr. Stallard, MRCS, and physician, “Report of the Royal Commission,” xxxv.

<sup>99</sup> Dr. Ross, surgeon to the Thirty-Second Highlanders, “Report of the Royal Commission,” xlii.

<sup>100</sup> Sir Richard Airey, GCB, Lieutenant-General and Adjutant-General of the forces, “Report of the Royal Commission,” xlv

<sup>101</sup> Dr. T. Graham Balfour, FRS, “Report of the Royal Commission,” xlvi.

<sup>102</sup> Dr. T. Graham Balfour, FRS, “Report of the Royal Commission,” xlvi.



repeal the current legislation and replace it with one that would punish any offender who knowingly communicated venereal diseases.<sup>103</sup> He expanded on this by illustrating that these men had sold their services to their country, and their health was of great concern. He thought the people, whom the soldiers and sailors served, had the right to ensure illness did not detain any in the military from performing their duties.<sup>104</sup> Mr. Thomas Woolcombe testified that both sexes should undergo examinations and they should extend to the militia. He stated, “Militia regiments always bring a great blaze of disease into the towns.”<sup>105</sup> Mr. Thomas, secretary of the London Female Preventative and Reformatory Institution, objected to the double standard. He thought men who could not prove without any doubt that they did not fornicate or visit prostitutes should undergo examinations.<sup>106</sup> All of the testimonies that favored the application of the legislation to both sexes thought singling out women unjust and ineffective. These arguments called attention to whether those brought under the CD Acts found the examination process degrading or not.

The Commission questioned forty-nine witnesses who had dealings with the law regarding the possible debasement and found the responses almost equally divided. Thomas Pickthorn described the process in which he would observe the external area, and, if there was no visible sign of contagion, he used a speculum for an internal examination. If he still found no disease, he released the patient

---

<sup>103</sup> Mr. Sedley Wolferstan, Surgeon at Royal Albert Hospital, “Report of the Royal Commission,” xi. <sup>104</sup> Mr. Sedley Wolferstan, Surgeon at Royal Albert Hospital, “Report of the Royal Commission,” 98.

<sup>105</sup> Mr. Thomas Woolcombe, Chairman of the Royal Albert Hospital at Devonport, “Report of the Royal Commission,” xix.

<sup>106</sup> Mr. Thomas, Secretary of the London Female Preventative and Reformatory Institution, “Report of the Royal Commission,” liii.

and gave them the notice to return in two weeks.<sup>107</sup> Sluggett elaborated on the details prior to the procedure, in which, once satisfied the accused was a prostitute, he instructed an attendant to lead the woman to the table where she received “a clean towel to cover her face if she likes.”<sup>108</sup> This condescension provided the patient with an opportunity to hide her shame while serving as a reminder of her immoral state. Mr. McDonald, Superintendent of Metropolitan Police at Portsmouth, never noticed any unwillingness or sense of repugnance from the streetwalkers but found they objected to detainment in the hospitals if deemed necessary by the physician.<sup>109</sup> Miss Green succinctly stated she had never heard any objections, in fact, “She thinks they are really so low that they do not mind it.”<sup>110</sup> Mr. Lane, FRCS and Senior Surgeon of the London Lock Hospital, declared he could not “conceive periodical examinations have any degrading effect on a woman who will prostitute herself with any man for hire.”<sup>111</sup> Despite the evidence given above, others testified that women harbored feelings of violation and debasement from the process, some going as far as attempting suicide rather than submit.

Although she did not testify before this commission and published her thoughts years later, Ellice Hopkins, a social purity campaigner, passionately advocated for women in her plea to prevent further degradation:

---

<sup>107</sup> Mr. Thomas Pickthorn, Visiting surgeon to the Devonport district, “Report of the Royal Commission,” vii.

<sup>108</sup> Mr. William Henry Sluggett, FRCS, Inspector-General of certified hospitals under the Contagious Diseases Acts, “Report of the Royal Commission,” xi.

<sup>109</sup> Mr. McDonald, Superintendent of Metropolitan Police at Portsmouth, “Report of the Royal Commission,” xxvi.

<sup>110</sup> Miss Green, Matron of Portsmouth Hospital, “Report of the Royal Commission,” xxvi.

<sup>111</sup> Mr. Lane, FRCS and Senior Surgeon at the London Lock Hospital, “Report of the Royal Commission,” xl.

What I crave is some agency that would infuse into young men a good, strong passionate sense of the pitiful meanness of it all; the utter unmanliness of crushing and degrading women, inflicting a curse which they do not share with so much as their little finger; going back to their own jolly lives, their pleasant homes, their friends, their career, their power of marrying and leave the unhappy girl to become an outcast, cutter *her [sic]* off from ever being an honorable wife and mother, exposing her to a hideous disease, dooming her to live a degraded life and die a godless, Christless [*sic*], hopeless death!<sup>112</sup>

Mr. Hopgood, a resident surgeon at the Lock Hospital in Portsmouth, personally did not think the procedure demeaning, as it tended toward cleanliness, but supposed the subject might feel demoralized as the exam pronounced her fit for prostitution.<sup>113</sup> In one case, Mrs. Lewis, a home missionary in Birmingham, “met a girl escaping from a brothel, prepared to drown herself rather than go up for examination.”<sup>114</sup> Mrs. Kell, in concurrence with her husband, testified that the streetwalkers felt as though the practice had taken their modesty and self-respect.<sup>115</sup> One woman, although diseased for months, went to prison twice rather than submit.<sup>116</sup> Mr. W.R. Dunn disagreed with Mr. Lane as he perceived no benefit to the process and he thought “it decidedly more degrading to a woman than prostitution; a woman is not degraded by prostitution; it is her business.”<sup>117</sup> With the descriptions of what prostitutes faced, the demoralization and the examination itself, the arguments for and against the legislation sanctioning vice,

---

<sup>112</sup> Ellice Hopkins, *A Plea for the Wider Action of the Church of England in the Prevention of the Degradation of Women* (London: Hatchards, Piccadilly, 1879), 14.

<sup>113</sup> Mr. Hopgood, Resident surgeon at the lock hospital in Portsmouth, “Report of the Royal Commission,” xxx.

<sup>114</sup> Mrs. Lewis, Home missionary in Birmingham, “Report of the Royal Commission,” xxxiii.

<sup>115</sup> Mrs. Kell, wife of a Unitarian Minister, “Report of the Royal Commission,” xlvii.

<sup>116</sup> Reverend Kell, a Unitarian minister, “Report of the Royal Commission,” xlviii.

<sup>117</sup> Mr. W.R. Dunn, MRCS, “Report of the Royal Commission,” lvi.

and the issues of jurisdiction and power, the Commission addressed the question of the constitutional rights of these women.

Reverend Joseph Webster vehemently objected to the police taking a woman prisoner on mere suspicion of engaging in this trade without proof of her being diseased.<sup>118</sup> He declared that this action infringed upon their personal liberty “except in cases where the individual is actually doing mischief.”<sup>119</sup>

Josephine Butler also gave testimony, professing her outrage at the violation of rights, which she expounded upon in her essay, *A Constitution Violated*. When questioned, she protested against only a single magistrate, with no trial by a jury of peers, marring a woman’s character and giving a single man authority under the CD Acts to ruin their reputation.<sup>120</sup> Dr. Charles Bell Taylor, a physician in Nottingham, objected to the first legislation of 1864, despite the provision of voluntary submission as opposed to the later law that made examinations compulsory, as “a gross violation of the liberty of the subject.”<sup>121</sup> He posited that Parliament had “no more right to restrain a prostitute, when diseased, in the practice of her calling, than any man in the same condition.”<sup>122</sup> Mr. William Shaen, a solicitor in London, likened the regulation to a trap because those subjected did not understand what they signed, the nature of the inspection of her person for disease, nor the ramifications of her name placed on the registry as a

---

<sup>118</sup> Reverend Joseph Webster, Wesleyan Chaplain to the forces at Portsmouth, “Report of the Royal Commission,” xxxiii.

<sup>119</sup> Reverend Joseph Webster, Wesleyan Chaplain to the forces at Portsmouth, “Report of the Royal Commission,” xxxiii.

<sup>120</sup> Mrs. Butler, “Report of the Royal Commission,” xxxiv.

<sup>121</sup> Dr. Charles Bell Taylor, Physician at Nottingham, “Report of the Royal Commission,” Ivii.

<sup>122</sup> Dr. Charles Bell Taylor, Physician at Nottingham, “Report of the Royal Commission,” Ivii.

known prostitute.<sup>123</sup> Mr. John Stuart Mill, a well-known philosopher and advocate for women's rights, testified, "his chief objection to the system is on the score of the infringement of personal liberty."<sup>124</sup> Throughout the deliberations of the Commission and its findings, the press ensured the public had knowledge of its proceedings and the divisive nature the law created.

*The Daily News* reported the change in public opinion, which the House of Lords had stated they had received little outcry regarding the CD Acts prior to 1868.<sup>125</sup> Associations that protested the legislation formed shortly after the implementation of the amended statutes in 1869.<sup>126</sup> James Stansfeld, MP, wrote an editorial in the same newspaper, in which he assured the community that the Commission paid great attention to the moral question.<sup>127</sup> He then quoted Prime Minister William Gladstone: "If the Acts can be shown to be... 'immoral in their principles and tendency,' no supposed physical advantages, consequent upon their operation, can justify their continuance, and they must be repealed."<sup>128</sup> After the completion of the testimonies, the *Pall Mall Gazette* published an article detailing the findings. Parliament found the question of police negligence or misconduct insubstantial and groundless.<sup>129</sup> As to the necessity of medical examination of common prostitutes, the verdict of the report deemed this action essential to the

---

<sup>123</sup> Mr. William Shaen, Solicitor in London, "Report of the Royal Commission," Iviii.

<sup>124</sup> Mr. John Stuart Mill, "Report of the Royal Commission," lx.

<sup>125</sup> *The Daily News*, "The Report of the Royal Commission on the Contagious Diseases Acts," 9 July 1871.

<sup>126</sup> *The Daily News*, "The Report of the Royal Commission on the Contagious Diseases Acts," 19 July 1871, 1.

<sup>127</sup> James Stansfeld, *The Daily News*, "The Royal Commission on the Contagious Diseases Acts," 9 February 1871, 1.

<sup>128</sup> James Stansfeld, *The Daily News*, "The Royal Commission on the Contagious Diseases Acts," 9 February 1871, 1.

<sup>129</sup> *Pall Mall Gazette*, "The Contagious Diseases Commission," 19 July 1871, 10.

workings of the CD Acts, which in fact, had decreased the number of women engaging in this profession.<sup>130</sup> Numerous news agencies reported similar findings, and the Commission, despite the controversies, still found the legislation a requisite law that must remain in force to ensure the wellbeing of the military.

The “Report of the Royal Commission upon the Administration and Operation of the Contagious Diseases Acts” illustrated the differing opinions of those associated with the bill in some form. The men of the medical profession disagreed on the effectiveness of the examinations, whether or not the practice degraded the subjected women, and if the military should face a similar process. The members of the local or metropolitan police declared no jurisdictional problems and professed, despite the testimonies of others, that they conducted themselves with dignity, never abusing their power, and took great pains to ensure a suspected prostitute was indeed practicing her trade. On the grounds of the State promulgating vice, many of the clergy voiced their objections to this action and the “Queen’s women” viewing their receipt of clean health as a license to continue their profession with government approval. Other witnesses provided proof that the CD Acts had either increased clandestine prostitution and some had shown a diminution in the subjected areas. Despite the variance in testimonies that served to illustrate how controversial the legislation had become, Parliament concluded that the law was necessary to ensure the health and well-being of the sailors and soldiers. In light of this blow to those who adamantly opposed the

---

<sup>130</sup> *Pall Mall Gazette*, “The Contagious Diseases Commission,” 19 July 1871, 10.

Contagious Diseases Acts, the crusade for its total repeal continued, from which Josephine Butler emerged as a strident, vociferous leader.

### CHAPTER 3

#### CRUSADE TO CONTROL SOCIAL PURITY LED BY JOSEPHINE BUTLER

Slavery and License lead to degradation, political ruin, and intellectual decay.  
– Josephine Butler<sup>1</sup>

Josephine Elizabeth Butler lived from 1828 to 1906 and served the lowest class of women, prostitutes, by taking some into her home, even if only to have a more pleasant place than a work house or the streets to die, or, when possible, to lift them out of their profession and into a better position. This desire to aid her fallen sisters arose from the depression she faced after watching her daughter fall down the stairs and, hours later, dying from the injuries.<sup>2</sup> After learning of the passage of the Contagious Diseases Act (CD) of 1866, she abhorred its contents so vehemently that she immediately sought ways to promote its total repeal; nothing less could satisfy her.<sup>3</sup> Butler relied heavily on her faith in God and in the precepts of his commandment to help those in need. She followed the example of her inspiration, Saint Catherine of Siena, who had lived in Italy during the latter part of the fourteenth century. St. Catherine came from a large, lower middle-class family and took orders with the Dominican Tertiaries when she turned sixteen.<sup>4</sup> She dedicated her life to assisting the poor and diseased and leading them to Christ.<sup>5</sup> These precepts shaped the manner in which Josephine Butler pursued her life as an advocate for justice and as a voice for women who had none. She worked diligently for more than

---

<sup>1</sup> Josephine Butler, *Personal Reminiscences of a Great Crusade* (London: Horace Marshall, & Son, 1910), 62.

<sup>2</sup> Josephine Butler, *An Autobiographical Memoir* (Bristol, England: J.W. Arrowsmith, 1912), 46.

<sup>3</sup> Josephine Butler, *Personal Reminiscences of a Great Crusade*, 62.

<sup>4</sup> Catholic Encyclopedia, "St. Catherine of Siena," <http://www.newadvent.org/cathen/03447a.htm>, accessed 2 November 2016.

<sup>5</sup> Catholic Encyclopedia, "St. Catherine of Siena," <http://www.newadvent.org/cathen/03447a.htm>, accessed 2 November 2016.



twenty years to ensure prostitutes and poor women retained their constitutional rights in the face of this legislation.

Judith R. Walkowitz brought this topic to the forefront with her book, *Prostitution and Victorian Society: Women, Class, and the State*, published in 1980. Her monograph covered the broader social context of the legislation. Historians have expanded upon her generalities, and the extensive source material available on Josephine Butler and her contribution to the repeal campaign has placed her as the primary focus for historians, regardless of how they approach this subject. Walkowitz focuses on the feminist campaign to repeal the Contagious Diseases Acts and examines how the legislation affected the prostitutes in the subjected areas.<sup>6</sup> She asserted, “The history of registered women under the Contagious Diseases Acts needs to be seen within the context of the general social and political economy of Victorian prostitution.”<sup>7</sup>

Susan Kingsley Kent approached this subject in conjunction with the suffrage movement in her book, *Sex and Suffrage in Britain, 1860-1914*, published in 1987. The author’s unique combination of the two efforts provides the reader with a broader understanding of the events occurring in England regarding women’s rights. In connecting the suffrage movement with the repeal campaign, Kent declared, “the demand for women’s enfranchisement was a direct strike at the very seat and symbolic locus of patriarchal power.”<sup>8</sup> While Kent writes that Josephine Butler had thought the fight for the political rights of women might not have any real impact on their lives; Butler later

---

<sup>6</sup> Judith R. Walkowitz, *Prostitution and Victorian Society: Women, Class, and the State* (New York: Cambridge University Press, 1980), 9.

<sup>7</sup> Judith R. Walkowitz, *Prostitution and Victorian Society: Women, Class, and the State*, 9.

<sup>8</sup> Susan Kingsley Kent, *Sex and Suffrage in Britain, 1860-1914* (Princeton: Princeton University Press, 1987), 13.

changed her stance and understood that “sexual autonomy and political rights could not remain separated from one another.”<sup>9</sup> Kent maintained, “All the women grappled with the same issues pertaining to sexuality, and though they might disagree fundamentally with one another over certain points, all involved themselves in an attack upon the ideology of separate spheres.”<sup>10</sup>

Helen Mathers, in her book *Patron Saint of Prostitutes: Josephine Butler and a Victorian Scandal*, sought to “explain Josephine Butler’s complex personality, motivated as she was by both feminism and her deep Evangelical faith.”<sup>11</sup> Mathers provides her readers with an in-depth background of the early life of Butler and continues with her history until her death in 1906. By using Butler as a lens through which to view the Contagious Diseases Acts in this chapter, one gains a better understanding of the legislation through the eyes of one woman who made fighting for the repeal of the law and the betterment of females her object in life. This thesis seeks addresses the influence of religion in Butler’s crusade to repeal the Contagious Diseases Acts, but it also examines her devotion to her “fallen sisters” and the methods she employed to further the cause by influencing public opinion and her attempts to sway male voters, through educating them on the legislation, to elect liberal members of Parliament.

Butler, in a letter to her niece Edith Leopold, provided an example of her unflagging compassion for helping and caring for her fallen sisters and her devotion to bringing sinners to Christ. She recounted the story of a woman named Mary, whom she declared is just like them and “yet she can grasp the whole sad subject of prostitution like

---

<sup>9</sup> Susan Kingsley Kent, *Sex and Suffrage in Britain, 1860-1914*, 13-4.

<sup>10</sup> Susan Kingsley Kent, *Sex and Suffrage in Britain, 1860-1914*, 17.

<sup>11</sup> Helen Mathers, *Patron Saint of Prostitutes: Josephine Butler and a Victorian Scandal* (Gloucestershire, England: The History Press, 2014), 10.

a man, calmly, and philosophically, and yet with a deep indignant tenderness of a Christian.”<sup>12</sup> It is interesting to note how Butler, living in an age when women had begun to advocate more forcefully for equality in mind and law, referred to calmness and philosophy as traits belonging to men. Mary had moved to Liverpool from Derbyshire to seek a position of service in a household. Once gainfully employed, she, being “witty and popular,” formed an attachment to a sailor named Will.<sup>13</sup> He went to sea and deserted her, which caused her to engage in reckless behavior and to stay out too late one evening. This disregard for propriety caused her termination from her position and her parents refused to assist her until she had redeemed her character.<sup>14</sup> In Victorian England, society emphasized respectability and morality and measured an individual’s worth by the appropriateness of their personal behavior.<sup>15</sup> In most cases, the culture of morals publicly held women to a higher standard than men.

Butler recounted the rest of Mary’s tragic tale, in which a madam, Mrs. Mandiville, entrapped her into “a splendid wicked club.”<sup>16</sup> The owner placed guards to bully the women into compliance with the assistance of drugged spirits in a sort of “moral terrorism.”<sup>17</sup> Mary’s uncle travelled to Liverpool, seeking his niece, and, once he located her at the brothel keeper’s house, the madam advised him she was not there. All

---

<sup>12</sup> Letter to Edith Leopold, 8 March 1867, Letters, JB 1, Josephine Butler Collection, University of Liverpool, Liverpool, England. Butler had underlined “man” in her letter to place an emphasis on her statement.

<sup>13</sup> Letter to Edith Leopold, 8 March 1867, Letters, JB 1, Josephine Butler Collection, University of Liverpool, Liverpool, England. The letter does not give the last name of the sailor called Will.

<sup>14</sup> Letter to Edith Leopold, 8 March 1867, Letters, JB 1, Josephine Butler Collection, University of Liverpool, Liverpool, England.

<sup>15</sup> Anna Clark, *The Struggle for the Breeches: Gender and the Making of the British Working Class* (Los Angeles: CA, 1997), 43-4.

<sup>16</sup> Letter to Edith Leopold, 8 March 1867, Letters, JB 1, Josephine Butler Collection, University of Liverpool, Liverpool, England.

<sup>17</sup> Letter to Edith Leopold, 8 March 1867, Letters, JB 1, Josephine Butler Collection, University of Liverpool, Liverpool, England.

the while, this terrified girl sat, stuffed into an empty broiler by the hired thugs, not daring to utter a sound for fear of her life.<sup>18</sup> Afterward, being a favorite of the gentlemen, her position forced her into continued slavery, facing severe beatings if she tried to resist, and then plied with jewelry and new dresses later as if nothing had occurred.<sup>19</sup>

Mary came down with consumption soon after her involuntary employment, and, as the men complained she did not speak with them, Mrs. Mandeville kicked her out saying, “You are of no use to me now, you may go and make your own living.”<sup>20</sup> This occurred in the middle of a cold night in November. Mary, sick, penniless, and cold tried to crawl down the street, stopping at a doorstep to rest. Many young men passed by her, and rather than help, they looked at her and said, “You’ll soon be in your grave; Goodbye!”<sup>21</sup> From here, she made her way to a workhouse and, in her misery, attempted suicide twice, but the nurses there prevented her. The next morning Josephine Butler visited and, taking pity on this poor soul, declared, “You shall come home with me dear, and I shall nurse you in my own home, and you shall be my daughter.”<sup>22</sup> This action did not only affect her family, but association with and taking in an “undesirable” could have held negative ramifications on her husband’s career. Despite this risk, George Butler openly and actively supported his wife’s desire to help these women.

---

<sup>18</sup> Letter to Edith Leopold, 8 March 1867, Letters, JB 1, Josephine Butler Collection, University of Liverpool, Liverpool, England.

<sup>19</sup> Letter to Edith Leopold, 8 March 1867, Letters, JB 1, Josephine Butler Collection, University of Liverpool, Liverpool, England.

<sup>20</sup> Letter to Edith Leopold, 8 March 1867, Letters, JB 1, Josephine Butler Collection, University of Liverpool, Liverpool, England.

<sup>21</sup> Letter to Edith Leopold, 8 March 1867, Letters, JB 1, Josephine Butler Collection, University of Liverpool, Liverpool, England.

<sup>22</sup> Letter to Edith Leopold, 8 March 1867, Letters, JB 1, Josephine Butler Collection, University of Liverpool, Liverpool, England.

With the passing of the 1869 legislation, Josephine Butler recounted her spouse's reaction to pursuing her campaign to repeal the Contagious Diseases Acts. In a biographical memoir of him, she related, "And that good and noble man, foreseeing what it meant for me and for himself, spoke not one word to suggest difficulty or danger or impropriety in any action which I might be called to take."<sup>23</sup> Despite risking his position as a professor of Geography at Liverpool College, he openly and actively participated, when time allowed, in his partner's crusade. In a letter addressed to Josephine Butler on 1 June 1870, he eloquently praised her work assisting her "outcast sisters" as a "task which well benefits you, and I bless God that you have been able to raise your voice with such good effect in so holy a cause."<sup>24</sup> Earlier that year he wrote of his feelings on the moral sense of Parliament, lamenting that the question of the CD Acts "should be treated with aristocratic indifference."<sup>25</sup> Although his position prevented him from attending a meeting his wife had held at Birmingham, he petitioned the working class to lead the way in this and "stir up the conscience of their rulers by just and constitutional remonstrance."<sup>26</sup> Again, he demonstrated his unflagging devotion to this cause by introducing Josephine Butler's work, *Some Thoughts on the Present Aspect of the Crusade against the State Regulation of Vice*, in 1874. He expressively declared:

To demand that all this shall be reversed is our right, and we are bound to demand it, even by rude and unpolitic methods, when none others are open to us. Our demand for justice, for equality before the law, and for the removal of the scandal of legalized harlotry and protected profligacy cannot long continue to be called a 'crotchet,' except by the most shallow and most frivolous.<sup>27</sup>

---

<sup>23</sup> Josephine Butler, *Recollections of George Butler* (London: Simpkin, Marshall, Hamilton, Kent and Co. Limited, n.d.), 164-5.

<sup>24</sup> Josephine Butler, *Recollections of George Butler*, 172.

<sup>25</sup> Josephine Butler, *Recollections of George Butler*, 171.

<sup>26</sup> Josephine Butler, *Recollections of George Butler*, 171.

<sup>27</sup> Josephine Butler, *Some Thoughts on the Present Aspect of the Crusade against the State Regulation of Vice* (Liverpool: T. Brakell, Printer, 1874), 2.

This is but one example of his powerful eloquence in the face of what he believed a great evil on the part of the government.

Henry Mayhew, as previously mentioned, spent many years investigating the “underworld” of London, England. He sought a better understanding of why people lived in such squalor and the reason they turned to unsavory practices for money. He interviewed men and women of the lowest class, with their various professions, hoping to find a solution to this social problem and alleviate or lessen the vices of these people.<sup>28</sup> In this quest for answers, he questioned numerous prostitutes, which he divided into three classes: “those kept by men of independent means; those women who live in apartments... and thirdly, those who dwell in brothels.”<sup>29</sup> In one such foray, Mayhew went to a house in Victoria Place, London, where he found the dwelling “a wretched tumble-down hovel.”<sup>30</sup> He passed through one room, which he saw a Lascar, a sailor from India or Southeast Asia, high from the opium he had smoked, and a filthy woman who tried avail herself of the remnants.<sup>31</sup> He walked to yet another “hole” within the building where he discovered another person lying on the floor; she had nothing to sleep upon and only a shawl for covering, “but which might have been taken for the dress of a scarecrow feloniously abstracted from a corn-field.”<sup>32</sup> Mayhew exposed the common plight of many women who fell to prostitution as a means to support themselves, and this cycle of poverty and vice became one of the reasons men and women fought for the repeal of the Contagious Diseases Acts.

---

<sup>28</sup> Henry Mayhew, *London's Underworld*, ed. Peter Quennell (London: Spring Books, 1950), 30.

<sup>29</sup> Henry Mayhew, *London's Underworld*, ed. Peter Quennell, 32.

<sup>30</sup> Henry Mayhew, *London's Underworld*, ed. Peter Quennell, 67.

<sup>31</sup> Henry Mayhew, *London's Underworld*, ed. Peter Quennell, 67.

<sup>32</sup> Henry Mayhew, *London's Underworld*, ed. Peter Quennell, 67-8.

In light of the extension of the bill in 1869, men who opposed the legislation formed the National Association for the Repeal of the Contagious Diseases Acts, and, owing to its scandalous nature, did not allow women to attend until after its first meeting.<sup>33</sup> The civilians against the law voiced their outcries to the proposal of Parliament to extend the statute to the entire population. In response to this exclusion, Elizabeth Wolstenholme, a well-known women's rights activist, contacted Josephine Butler and requested she form a female campaign.<sup>34</sup> Butler responded by establishing the Ladies National Association for the Repeal of the Contagious Diseases Acts (LNA) and served as its leader throughout. She created a manifesto, detailing the protests, which she had published in the *Daily News* newspaper. The remonstrations begin by admonishing Parliament for passing the CD Acts without a full discussion or disclosure to the entire country.<sup>35</sup> She continued with her objections to the violation of personal security, the lack of clear, identifying terms in the legislation, the double standard that punished women and not men, the act of State-sanctioned vice, cruelty toward women, the failure of similar systems to remove venereal diseases, and the moral question the CD Acts brought to light.<sup>36</sup> Among the 2,000 who signed this manifesto, notable women, such as Harriet Martineau, Florence Nightingale, Elizabeth Wolstenholme, and of course, Josephine Butler, put their names on this petition against the law.<sup>37</sup> The article, as well as Butler's memoir, entreated others to join their cause, exclaiming its vital importance as other

---

<sup>33</sup> Judith R. Walkowitz, *Prostitution and Victorian Society: Women, Class, and the State*, 93.

<sup>34</sup> Judith R. Walkowitz, *Prostitution and Victorian Society: Women, Class, and the State*, 93.

<sup>35</sup> Josephine Butler, *Personal Reminiscences of a Great Crusade*, 9-10; "The Ladies' National Association for the Repeal of the Contagious Diseases Acts," *The Daily News*, 31 December 1869.

<sup>36</sup> Josephine Butler, *Personal Reminiscences of a Great Crusade*, 9-10; "The Ladies' National Association for the Repeal of the Contagious Diseases Acts," *The Daily News*, 31 December 1869.

<sup>37</sup> Josephine Butler, *Personal Reminiscences of a Great Crusade*, 9-10; "The Ladies' National Association for the Repeal of the Contagious Diseases Acts," *The Daily News*, 31 December 1869.

societies sought an extension of the law to the whole of England, not just the eighteen cities the 1869 bill listed.<sup>38</sup> Her activism and bold assertions provided opportunities to speak out and further her cause, not only to the public but to Parliament as well.

As discussed in chapter two, the government commissioned an inquiry into the Contagious Diseases Acts in 1871 in which people from all positions who had dealings with or opinions on the legislation testified on its effectiveness, or lack thereof, moral concerns, and any other issues.<sup>39</sup> The House of Lords, seeking to gather all pertinent evidence, called Josephine Butler to London to give her testimony on 18 March 1871.<sup>40</sup> Unbeknownst to his wife, George Butler, whose duties at Liverpool College made him unable to travel to the capitol with her, wrote to the Chairman of the Commission, Mr. William Nathaniel Massey, commending her “to his kindly consideration.”<sup>41</sup> The letters she had received the morning before her testimony, offered sympathy and prayers from associations of working-men across Britain and Scotland and bolstered her resolve.<sup>42</sup> She faced a largely hostile assembly of “Peers, Bishops, members of Parliament, representatives of the military and naval services, doctors, and others,” who questioned her on this difficult and taboo subject.<sup>43</sup> Throughout the course of the day, her interrogators asked Butler more than 200 questions, in which they sought to undermine

---

<sup>38</sup> Contagious Diseases Act, 1866, 29 Vict. c. 35. These cities include: Aldershot, Canterbury, Chatham, Colchester, Dover, Gravesend, Maidstone, Plymouth and Devonport, Portsmouth, Sheerness, Shorncliffe, Southampton, Winchester, Windsor, and Woolwich. The Act also extended into Ireland at the Curragh, Cork, and Queenstown.

<sup>39</sup> “Report of the Royal Commission,” 437.

<sup>40</sup> “Report of the Royal Commission,” 437.

<sup>41</sup> Josephine Butler, *Recollections of George Butler*, 173.

<sup>42</sup> Josephine Butler, *Recollections of George Butler*, 174.

<sup>43</sup> Josephine Butler, *Recollections of George Butler*, 174.



her knowledge and ideals, and, quite possibly, snuff her determination to seek the total repeal of the CD Acts.<sup>44</sup>

The inquisitions began with determining how long Butler had worked with prostitutes and the actions she and her husband had taken to assist them prior to the implementation of the law in 1869. She had received these fallen women into her home, “as friends, patients when ill, and keeping them until they died,” for the past fifteen years.<sup>45</sup> She had found them in the poorer parts of town, in Lock Hospitals that specialized in treating venereal disease, workhouses, in the streets, and occasionally in the brothels, which she visited when her familial duties allowed.<sup>46</sup> In response to an inquiry regarding the success of permanently reforming these women into leading a virtuous life, Butler answered, “I have not generally failed to do that; but this frequently happens, that I do not succeed in placing them in situations which they are fit for, on account of their not having had industrial training.”<sup>47</sup> Many of the people she helped ended up making their lives as immigrants to Canada and other places in England, successfully “brought back to womanly dignity and virtue.”<sup>48</sup> Massey then inquired whether the efforts of those privately assisting these prostitutes served to lessen this evil adequately, to which Butler declared, “If there were a sufficient number of private persons to act as I do you would require no government machinery at all.”<sup>49</sup> She went on to profess that her works, showing others the example of Christ, served as model for people to follow in reclaiming streetwalkers.<sup>50</sup>

---

<sup>44</sup> “Report of the Royal Commission,” 437-51.

<sup>45</sup> “Report of the Royal Commission,” 437.

<sup>46</sup> “Report of the Royal Commission,” 437.

<sup>47</sup> “Report of the Royal Commission,” 437.

<sup>48</sup> “Report of the Royal Commission,” 437.

<sup>49</sup> “Report of the Royal Commission,” 437.

<sup>50</sup> “Report of the Royal Commission,” 438.

The commission turned the conversation toward Josephine Butler's objection to the Acts, verifying that nothing but their total repeal was satisfactory, and requested she provide a suggestion to solve this issue of vice and disease.<sup>51</sup> She accused Parliament of addressing the resulting problems of contagion and not the original concern, prostitution itself.<sup>52</sup> She expounded upon her idea in saying that the legislators must punish seduction, especially as the law declared that a child of twelve years was a woman and many had been led into a path of sin because of this.<sup>53</sup> Butler then challenged the bastardy laws declaring, "At present the responsibility of illegitimate children is thrown on the mothers only, the fathers are irresponsible.... But we know that nothing can be done until the vices of men are attacked and checked."<sup>54</sup> She continued her defiance in the face of the social norm by attacking the double standard that embodied the Contagious Diseases

Acts:

It is quite the fashion, I find, in London, among the upper classes, to talk of this subject as if women were tempters, harpies, devils, while men are wholly innocent; and in every case the tempted, and legislation, following out this idea, has in almost all cases been protective for men and punitive for women. It cannot be said that men, in our own days, are entirely innocent and entirely the victims, while women are the sole assailants of purity.<sup>55</sup>

Massey then, in what could be construed as a demeaning manner, requested they "descend from the high views" given by Butler, and questioned her "extensive experience with these women" by asking if temptation into vice always occurred because of

---

<sup>51</sup> "Report of the Royal Commission," 438.

<sup>52</sup> "Report of the Royal Commission," 438.

<sup>53</sup> "Report of the Royal Commission," 439.

<sup>54</sup> "Report of the Royal Commission," 439.

<sup>55</sup> "Report of the Royal Commission," 439.

seduction.<sup>56</sup> She retorted by describing the state of the people, those of the poor and lowly educated class, who led unchaste lives without necessarily turning to prostitution for their living. She expanded on this statement by citing the number of young girls who had flocked to the home she had opened to flee from this peril. Butler then asserted, “I can tell you of these girls, none of whom were prostitutes by any means, though they were not chaste, that it was a common thing that their own fathers, in a fit of intoxication, had violated them.”<sup>57</sup> While this remained the case for many, those who turned to the vile profession did so, many because of seduction, but others from passionate affection, a love affair that ended poorly, negligence of parents, for nice clothing, wantonness, or starvation.<sup>58</sup> The commissioner then brought up the desire for some to see the CD Acts extended to the whole country, to which Butler rebutted, “But those who are dealt with are women – not soldiers and sailors, but civilians.”<sup>59</sup> After numerous inquiries along the same lines, she refused to give up her desire to have the legislation repealed in its entirety. And, despite the Commission’s attempts to convince her of the benefits, she continued her condemnation and efforts to garner support for the abolition of this heinous law.

Shortly after her testimony, Butler published an essay, *The Constitution Violated*, in which she discussed her views on how the CD Acts violated a woman’s constitutional rights. She began by declaring that the “Magna Carta is in everybody’s lips but in nobody’s hands. The careful study of the Acts in question leads me to the conclusion that

---

<sup>56</sup> “Report of the Royal Commission,” 439.

<sup>57</sup> “Report of the Royal Commission,” 439.

<sup>58</sup> “Report of the Royal Commission,” 439.

<sup>59</sup> “Report of the Royal Commission,” 439.

the latter part of this saying must be eminently true of their framers.”<sup>60</sup> She continued with her argument that although Parliament intended the legislation to limit or eradicate venereal disease amongst soldiers and sailors, the Acts applied exclusively to the civil population and the only connection to the military was the proximity to their housing.<sup>61</sup> Butler posited that the application of the law applies only to women who “are in no case members of these honourable services, the Acts do not even profess in any way whatsoever to apply particularly to those women who associate with soldiers and sailors, but distinctly leave us to infer the opposite.”<sup>62</sup> Her primary objection centered on the assumption of guilt placed upon the party concerned, and her honor, condemned without a trial by a jury of peers, and the only judgement lay in the hands of one justice of the peace.<sup>63</sup> Butler expounded upon this question of a woman’s integrity by declaring the Act “both outlawed and imprisoned [her] in the strict meaning of these terms as used in Magna Charta.”<sup>64</sup> This incarceration of prostitutes, while not necessarily placed in an actual prison unless refusing to comply, detained them for a full year without an order from a justice or an affidavit while the law ensured they were free from contagion.<sup>65</sup> Butler equated this practice with slavery in the sense that these women had no rights to their person and were deprived of their freedom.<sup>66</sup> The Magna Carta also makes provisions regarding a person’s liberty and property, which cannot be removed without a trial by jury.<sup>67</sup> Butler asserted that “the honour of a poor woman is her only capital; it is

---

<sup>60</sup> Josephine Butler, *The Constitution Violated* (Edinburgh, Scotland: Thomas and Archibald Constable, 1871), 4-5.

<sup>61</sup> Josephine Butler, *The Constitution Violated*, 14.

<sup>62</sup> Josephine Butler, *The Constitution Violated*, 15.

<sup>63</sup> Josephine Butler, *The Constitution Violated*, 16-7.

<sup>64</sup> Josephine Butler, *The Constitution Violated*, 17.

<sup>65</sup> Josephine Butler, *The Constitution Violated*, 17.

<sup>66</sup> Josephine Butler, *The Constitution Violated*, 18.

<sup>67</sup> Magna Charta, 1297, *Statutes of the Realm*, clause 29, 25 Edw. I.

in fact that part of her property loss of which is ruin to her.”<sup>68</sup> The Act required prostitutes to submit their names to a register, which, in turn, deprived them of good character and any possibility of obtaining honest work. This essay detailed the convincing arguments against the legislation on the grounds of constitutionality. After publishing this tract, she continued campaigning and ensuring the arguments, she had lain out in this work, spread.

Amidst all her endeavors, Mrs. Butler remained aware of events outside England, and, rather than concentrate all of her efforts locally, she expanded her crusade to encompass caring for and ensuring fallen women internationally did not face the same injustice, as did the unfortunates in England. In a letter to a Mrs. Ryley, Butler requested she copy a letter for print in the United States, pleading for women not to allow this new type of slavery to take hold.<sup>69</sup> She proclaimed, “In the house of freedom and of virtue, I pray you to use all your influence not to allow this horrible system to gain a footing in the States. For I can assure you, from our own bitter experience here, it is hard to eradicate.”<sup>70</sup> In the face of a failure to gain the repeal, set forth by MP William Fowler in the House of Commons, Butler despaired of working another year to obtain her goal. She passionately wrote of her feelings on the matter in a letter to Miss Estlin, Miss Wigham, and Mr. Ryley:

My heart burns with wrath and shame when I think of these men in power permitting these abominations to go on for another year. Yet on the other hand I think it is better for the Country and for the world that this struggle should be prolonged and should become hotter – until this seven times heated fire has more completely separated the dross and the Gold, and

---

<sup>68</sup> Josephine Butler, *The Constitution Violated*, 19.

<sup>69</sup> Letter to Mrs. Ryley, 19 February 1871, Letters, JB 1, Josephine Butler Collection, University of Liverpool, Liverpool, England.

<sup>70</sup> Letter to Mrs. Ryley, 19 February 1871, Letters, JB 1, Josephine Butler Collection, University of Liverpool, Liverpool, England.

purified the moral atmosphere. This conflict is not for England alone. The eyes of Europe are upon us, and the spirit manifested among us is so full of significance to many who have long mourned of this Evil in other countries.<sup>71</sup>

The precepts of Christianity remained the driving force for Butler's fight against the Contagious Diseases Acts. In a short pamphlet, *Some Thoughts on the Present Aspect of the Crusade against the State Regulation of Vice*, she cautioned her fellow crusaders to recall constantly the religious ideals they championed.<sup>72</sup> She declared, "Without this watchfulness we shall fall into the error into which human beings so often have fallen, of failing to bring into prompt union a revived spirituality and the work of practical social reform."<sup>73</sup> Butler then laid an admonition upon the clergy to include in their sermons women who had sinned by prostituting themselves and to address directly the false belief that men engaging in this vice do so out of necessity.<sup>74</sup> In her impassioned address to the people, Butler called for an uncompromising, religious stand, "one which shall boldly attack the gigantic sins of the day... and that conspiracy of avarice and lust by which is accomplished the destruction of tens of thousands of the daughters of our people."<sup>75</sup> She then asserted that women remained better suited for fighting against this evil and cited the words of a satirical American writer who posited, "In a moral fight woman is simply dauntless." He continued by giving the example, "that from the day that Adam ate of the apple and told on Eve down to the present day, man, in a moral fight, has pretty

---

<sup>71</sup> Letter to Miss Estlin, Miss Wigham, and Mr. Ryley, 27 July 1871, Letters, JB 1, Josephine Butler Collection, University of Liverpool, Liverpool, England.

<sup>72</sup> Josephine Butler, *Some Thoughts on the Present Aspect of the Crusade against the State Regulation of Vice* (Liverpool, England: T. Brakell, Printer, 1874), 7.

<sup>73</sup> Josephine Butler, *Some Thoughts on the Present Aspect of the Crusade against the State Regulation of Vice*, 7.

<sup>74</sup> Josephine Butler, *Some Thoughts on the Present Aspect of the Crusade against the State Regulation of Vice*, 7.

<sup>75</sup> Josephine Butler, *Some Thoughts on the Present Aspect of the Crusade against the State Regulation of Vice*, 12.

uniformly shown himself to be an arrant [*sic*] coward.”<sup>76</sup> Butler concluded her discourse on this topic by exclaiming, “Women of England! The time is ripe for revolt; rebellion, now, is holy.”<sup>77</sup> Despite this call for insurrection, Parliament refused to repeal the CD Acts.

Five years after this address, Butler, while maintaining diligence in promoting an end to this evil, took to her pen after a request to tackle the subject of social purity. With trepidation, she sought to explain this topic with reserve and acknowledged her fallacies.<sup>78</sup> She began with a clarification to what she believed the root of the evil, “the unequal standard in morality; the false idea that there is one code of morality for men and another for women.”<sup>79</sup> She cited that the only instance that illustrated equality between the sexes appears through Christ and his teachings; yet, soon after his crucifixion, “Christian society and the Church itself began to be unfaithful to his teaching.”<sup>80</sup> Men, through speech, positions of power, and laws, relegated women who err as irreversibly tainted, but similar actions by the opposite sex are excusable.<sup>81</sup> This truth applied directly to the workings of the Contagious Diseases Acts. Society shunned any women, regardless of reason, who turned to prostitution to support themselves. While ostracizing streetwalkers, class issues also arose, and those of the higher classes remained protected from the knowledge of their fallen sisters and their continued purity protected within their sphere of domesticity.<sup>82</sup> With the application of this double standard, social opinion

---

<sup>76</sup> Josephine Butler, *Some Thoughts on the Present Aspect of the Crusade against the State Regulation of Vice*, 15. Butler does not provide her readers with the name of the American author.

<sup>77</sup> Josephine Butler, *Some Thoughts on the Present Aspect of the Crusade against the State Regulation of Vice*, 18.

<sup>78</sup> Josephine Butler, *Social Purity* (London: Morgan and Scott, 1879), 1.

<sup>79</sup> Josephine Butler, *Social Purity*, 2.

<sup>80</sup> Josephine Butler, *Social Purity*, 3.

<sup>81</sup> Josephine Butler, *Social Purity*, 3.

<sup>82</sup> Josephine Butler, *Social Purity*, 4.

allowed licentious men to indulge in their immoral proclivities without facing detrimental damage to their character.<sup>83</sup>

Butler illustrated the excuse provided, that men must sow their “wild oats,” and how the populace and the religious orders accepted this immoral act as a necessity, but simultaneously condemned a female for the same.<sup>84</sup> Exploring the double standard further, she described the separation of the sexes, in which refined ladies must remain “good,” must not face exposure to their fallen sisters, and ignore the sinful inclinations of their partners.<sup>85</sup> Rather than place the blame for this unacceptable behavior solely on the offending male sex, she admonished women for not speaking out against their counterpart’s profligate tendencies.<sup>86</sup> To address this issue and, perhaps, remove the acceptance of such behavior, Butler advised the Christianization of public opinion and called for the recognition of the “fundamental truth that the essence of right and wrong is no way dependent upon sex, and shall demand of men precisely the same chastity as it demands of women.”<sup>87</sup> The only way, according to Butler, for one to accomplish such a lofty goal, lay in changing public opinion by being just and thorough in investigating any charges. One must also learn to doubt all assertions of male society regarding immorality, as falsehoods remain the cause of cruelty and wrong.<sup>88</sup>

Continuing in her address to the people, Butler accused her countrymen’s sense of justice as having generally grown weak, and men, when brought together, tend to go wrong; their desires lay only with their interests.<sup>89</sup> She blamed her counterparts for

---

<sup>83</sup> Josephine Butler, *Social Purity*, 4.

<sup>84</sup> Josephine Butler, *Social Purity*, 4.

<sup>85</sup> Josephine Butler, *Social Purity*, 5.

<sup>86</sup> Josephine Butler, *Social Purity*, 6.

<sup>87</sup> Josephine Butler, *Social Purity*, 7.

<sup>88</sup> Josephine Butler, *Social Purity*, 9.

<sup>89</sup> Josephine Butler, *Social Purity*, 10-1.



throwing “the sacred mantel of the Scriptures over the vile thing against which we are leagued.”<sup>90</sup> Butler called for women to speak out, and, despite her earlier admonishment of not speaking out against this problem, praises those who had given voice to their disgust at the Contagious Diseases Acts. She declared, “These blasphemies have at last been called upon for judgement before the tribunal of the public conscience, and an open denial has been given to the ‘old and chartered lie.’”<sup>91</sup> Butler thought that by voicing one’s outrage change could occur by influencing the public mind, and, once one challenged the public authorities, the people’s conscience might awaken.<sup>92</sup>

Josephine Butler proved herself a compassionate woman who sought to bring “fallen women” out of despair and into a Christian lifestyle. Even before the implementation of this heinous law, she took it upon herself to visit prostitutes in their homes, workhouses, and even at brothels. Although she could not save all of the women, she opened her home to as many as she could to nurse them and provided them a better living, or a comfortable, safe place to die.<sup>93</sup> She travelled extensively across England to spread knowledge of the legislation and its failure to protect women constitutionally, the immorality it promoted, and the double standard it espoused.<sup>94</sup> She led the LNA in garnering public support through meetings and media exposure, risking her husband’s career by his attachment to such a scandalous topic.<sup>95</sup> By influencing the public to support the LNA’s cause, Butler’s work led to the removal of conservative members of Parliament and replaced them with men more sympathetic and likely to vote against the

---

<sup>90</sup> Josephine Butler, *Social Purity*, 12.

<sup>91</sup> Josephine Butler, *Social Purity*, 13.

<sup>92</sup> Josephine Butler, *Social Purity*, 19.

<sup>93</sup> “Report of the Royal Commission,” 437.

<sup>94</sup> Josephine Butler, *Personal Reminiscences of a Great Crusade*, 16.

<sup>95</sup> Josephine Butler, *Recollections of George Butler*, 172.

CD Acts. This was evident in the election at Colchester, in which Henry Storks lost his constituency in 1871 to a more liberal MP.<sup>96</sup> She also used her writing skills to publish numerous works to promote the abolition of the law. Despite concentrating on defending women in England, she took the time and effort to remain aware of events around the globe, warning other women to forestall any such legislation in their country.<sup>97</sup> At great personal expense, she ruthlessly fought for decades to convince Parliament to repeal the Contagious Diseases Acts, which she fortunately lived to see in 1886 when MP James Stansfeld convinced the government with his statistical data that proved the ineffectiveness of the law.

---

<sup>96</sup> Josephine Butler, *Personal Reminiscences of a Great Crusade*, 36.

<sup>97</sup> Josephine Butler, *Mrs. Butler's Appeal to the Women of America* (New York, New York: The Philanthropist, 1888). No page number is listed as this statement encompasses the whole of the pamphlet.

## CHAPTER 4

### STANSFELD'S "HYSTERICAL CRUSADE" TO ABOLISH GENDERED LEGISLATION

Never will I desist and never will they desist from this sacred agitation until these degrading laws are blotted out from the Statute Book forever. – James Stansfeld<sup>1</sup>

Sir James Stansfeld, Member of Parliament for Halifax, lived from 1820 to 1898 and devoted himself and his resources to the betterment of the poor and women's rights. After MP William Fowler lost his constituency for Cambridge, England, in 1874, Stansfeld took up his contemporary's cause and pursued the repeal of the Contagious Diseases Acts. He came from a family of Nonconformists, and his father, after severe losses of fortune during the French War, established a lucrative law firm in Halifax, England.<sup>2</sup> The stellar and respectable business made the family more prominent and served as a means for his son to seek a career in the same field, which furthered his prospects working for the government as a public servant.<sup>3</sup> In 1859, the people elected him as their representative for the House of Commons. He began his new profession as a champion for the less fortunate and took part in the struggles for progress rather than attach himself to a particular cause until he took up the crusade against the CD Acts.<sup>4</sup> Unfortunately, in recent histories, his contributions to repealing the legislation fall under the shadow of Josephine Butler. Judith Walkowitz admits this fault in her book *Prostitution and Victorian Society: Women, Class, and the State*. She wrote,

---

<sup>1</sup> J.L. and Barbara Hammond, *James Stansfeld: A Victorian Champion of Sex Equality* (London: Longmans, Green and Co., 1932), 189.

<sup>2</sup> J.L. and Barbara Hammond, *James Stansfeld: A Victorian Champion of Sex Equality*, 3.

<sup>3</sup> J.L. and Barbara Hammond, *James Stansfeld: A Victorian Champion of Sex Equality*, 3.

<sup>4</sup> J.L. and Barbara Hammond, *James Stansfeld: A Victorian Champion of Sex Equality*, 16.

“Traditionally, feminist repeal efforts have been entirely subsumed under the charismatic personality of Josephine Butler... It ignores the role of male leaders, notably Henry J. Wilson and James Stansfeld.”<sup>5</sup> While Paul McHugh spent more time on his discussion of Stansfeld, he sought to illustrate Butler and Stansfeld as “pressure group leaders with strengths and weaknesses” rather than place these historical characters on a pedestal.<sup>6</sup> The author touched on the mathematical contribution of Stansfeld but did not discuss the impact of its results. This chapter seeks to redress this issue and bring to light the importance of the MP’s argument regarding the statistical data, which proved the ineffectiveness of the CD Acts and finally convinced Parliament to repeal the law.

Despite no active participation in the debates against this law until 1875, Stansfeld ensured the voices of his constituents, which condemned the legislation, reached Prime Minister Gladstone.<sup>7</sup> The MP himself held reservations and waited to form an opinion until the results of the “Royal Commission upon the Administration and Operation of the Contagious Diseases Acts” issued its findings in 1871.<sup>8</sup> Supporting this stance in an editorial in the *Daily News* (London), Stansfeld declared, “When the time has come for a positive and final conclusion that the tendency of these Acts of Parliament is immoral, I should not be a member of the Government to support these Acts; I should, rather, undoubtedly, oppose them.”<sup>9</sup> Three days after this statement, he acknowledged the discussion of the law in the House of Commons but regretted the removal of “strangers”

---

<sup>5</sup> Judith Walkowitz, *Prostitution and Victorian Society: Women, Class, and the State* (Cambridge, Cambridge University Press, 1980), 6.

<sup>6</sup> Paul McHugh, *Prostitution and Victorian Social Reform* (New York: St. Martin’s Press, 1980), 13.

<sup>7</sup> J.L. and Barbara Hammond, *James Stansfeld: A Victorian Champion of Sex Equality*, 184.

<sup>8</sup> J.L. and Barbara Hammond, *James Stansfeld: A Victorian Champion of Sex Equality*, 184.

<sup>9</sup> James Stansfeld, “Mr. Stansfeld, MP, On the Contagious Diseases Acts,” *Daily News* (London), 19 January 1871, 3.

and the closed session.<sup>10</sup> For the next four years, Stansfeld kept apprised of the repeal cause but did not enter into the debate in Parliament until 1875.

The session in the House of Commons on 23 June 1875 began with Liberal MP for Scarborough Sir Harcourt Johnstone's motion to repeal the Contagious Diseases Acts. He opened his argument by stating he found the subject "revolting and loathsome" and each subsequent Act as "more intensely despotic in character as they advanced."<sup>11</sup> Despite his obvious dislike for the topic, he gave credit to the women who, in championing the liberty of their sex, forced Parliament into the discussion and ensured their protests did not go unheard.<sup>12</sup> Johnstone then turned to the injustice and cruelty faced by Mrs. Percy of Aldershot who committed suicide rather than submitting to the law.<sup>13</sup> An article in the *Examiner* (London) conveyed, "We do not exaggerate the state of public feeling when we say that her case brings to an end the kind of legislation of which she was the victim."<sup>14</sup> The editorial objected to virtuous women obtaining orders to place themselves on the register as a prostitute, and if she refused, "be literally hunted to death by a trained corps of Metropolitan picked police."<sup>15</sup> According to author Benjamin Bright, the duty of the special police assigned to enforce the CD Acts was "to become acquainted with every poor woman in the towns within the Acts, and in plain clothes to dog her footsteps until they find a flaw in her virtue."<sup>16</sup> He accused the authorities of

---

<sup>10</sup> James Stansfeld, "Mr. Stansfeld at Halifax," *Reynolds's Newspaper* (London), 22 January 1871, 5.

<sup>11</sup> Sir Harcourt Johnstone, MP, speech to the House of Commons, 23 June 1875, *Parliamentary Debates*, Commons, 3d. ser., vol. 225, col. 351-421.

<sup>12</sup> Sir Harcourt Johnstone, MP, speech to the House of Commons, 23 June 1875, *Parliamentary Debates*, Commons, 3d. ser., vol. 225, col. 351-421.

<sup>13</sup> Sir Harcourt Johnstone, MP, speech to the House of Commons, 23 June 1875, *Parliamentary Debates*, Commons, 3d. ser., vol. 225, col. 351-421.

<sup>14</sup> Benjamin Bright, "The Aldershot Suicide," *The Examiner* (London), 10 April 1875, 405.

<sup>15</sup> Benjamin Bright, "The Aldershot Suicide," *The Examiner* (London), 10 April 1875, 405.

<sup>16</sup> Benjamin Bright, "The Aldershot Suicide," *The Examiner* (London), 10 April 1875, 405.

ruining women's reputation and, consequently, their loss of employment, which, in turn, forced them into the very position of which they were suspected.<sup>17</sup>

After mentioning the fate of Mrs. Percy, MP Johnstone listed the reasons of those who supported the total repeal of the Contagious Diseases Acts. He posited the State had no business providing "the means of self-indulgence" for soldiers and sailors or any other class of society.<sup>18</sup> The responsibilities of the government lay with suppressing brothels through local authorities, and the House should ensure that no legislation "carry out regulations that are inconsistent with the liberty of the people, and with constitutional law."<sup>19</sup> Johnstone turned his arguments to the CD Acts and how they only concerned themselves with the examination of women, which he reminded his contemporaries that the "Report of the Royal Commission" had recommended the discontinuance of inspecting men as they regarded it as "utterly repulsive to all natural feeling."<sup>20</sup> He maintained that Parliament would never pass a bill to arrest men who had entered a brothel and then require they sign a "voluntary" submission under the same penalties for refusal as the women faced. As the application of the law to both sexes seemed impossible, Johnstone declared, "that in common justice and equity they ought to be repealed."<sup>21</sup> The military forbade soldiers and sailors, especially the lower ranks whom the law supposedly attempted to protect, from marrying and then proceeded to fine those

---

<sup>17</sup> Benjamin Bright, "The Aldershot Suicide," *The Examiner* (London), 10 April 1875, 405.

<sup>18</sup> Sir Harcourt Johnstone, MP, speech to the House of Commons, 23 June 1875, *Parliamentary Debates*, Commons, 3d. ser., vol. 225, col. 351-421.

<sup>19</sup> Sir Harcourt Johnstone, MP, speech to the House of Commons, 23 June 1875, *Parliamentary Debates*, Commons, 3d. ser., vol. 225, col. 351-421.

<sup>20</sup> Sir Harcourt Johnstone, MP, speech to the House of Commons, 23 June 1875, *Parliamentary Debates*, Commons, 3d. ser., vol. 225, col. 351-421.

<sup>21</sup> Sir Harcourt Johnstone, MP, speech to the House of Commons, 23 June 1875, *Parliamentary Debates*, Commons, 3d. ser., vol. 225, col. 351-421.

unfortunate enough to contract venereal diseases. Johnstone likened this to saying, “It is very desirable to steal, you have only to take care that you are not found out... That really is the morality of this system.”<sup>22</sup>

Johnstone then alluded to the inability to force virtuous ethics upon a person, especially prostitutes who had become more hardened because of the painful examination process. He conceded these women might appear more prosperous and improved in their physical attributes but this did not preclude their quitting their vocation. Instead they claimed, “I am a Queen’s Woman. I am at liberty to follow this trade!”<sup>23</sup> Their imprisonment, for there is no other term, did not stem from “motives of kindness, but to give security to men; and you cannot effect your purpose by these Acts, which by attempting on the one hand to remove the consequences, on the other hand directly stimulate the cause.”<sup>24</sup> He passionately declared, “You may cover it with a cloak of spurious morality or with a coating of State varnish; you may make it more specious, but you cannot make it more moral or more worthy of the consideration of the people of England.”<sup>25</sup> Johnstone ended his speech with the entreaty to repeal the Contagious Diseases Acts, “because they are injurious to private liberty and public morality and repulsive alike to Christianity and civilization.”<sup>26</sup>

---

<sup>22</sup> Sir Harcourt Johnstone, MP, speech to the House of Commons, 23 June 1875, *Parliamentary Debates*, Commons, 3d. ser., vol. 225, col. 351-421.

<sup>23</sup> Sir Harcourt Johnstone, MP, speech to the House of Commons, 23 June 1875, *Parliamentary Debates*, Commons, 3d. ser., vol. 225, col. 351-421.

<sup>24</sup> Sir Harcourt Johnstone, MP, speech to the House of Commons, 23 June 1875, *Parliamentary Debates*, Commons, 3d. ser., vol. 225, col. 351-421.

<sup>25</sup> Sir Harcourt Johnstone, MP, speech to the House of Commons, 23 June 1875, *Parliamentary Debates*, Commons, 3d. ser., vol. 225, col. 351-421.

<sup>26</sup> Sir Harcourt Johnstone, MP, speech to the House of Commons, 23 June 1875, *Parliamentary Debates*, Commons, 3d. ser., vol. 225, col. 351-421.

Colonel Alexander answered with a rebuttal to Harcourt's claim that the CD Acts sanctioned and recognized the necessity of prostitution. He reminded his peers of the Vagrancy Act and the Police Clauses Acts, which punished streetwalkers who behaved in an indecorous manner while in public.<sup>27</sup> He maintained these women had continued to break the law and resulted in the State implementing stricter measures to counterbalance the effects. In speaking for the government, Alexander declared, "We do not recognize you more than before, but, we must place you under further regulations."<sup>28</sup> In essence, prostitutes had brought this legislation upon themselves, and the State held the responsibility of ensuring their soldiers and sailors did not contract venereal diseases because of their "immoral occupation."<sup>29</sup> The colonel quoted Josephine Butler's statement before the "Report of the Royal Commission" where she had held the law amounted to the tyranny of the upper class against the lower.<sup>30</sup> In a difference of opinion, he upheld the CD Acts served to protect the "simple country lads" from the temptation they faced when removed from their prior lives.<sup>31</sup> He then addressed the arguments that centered on the violation of the constitution and the examination.

Colonel Alexander did not hold the view the law abused a prostitute's right to personal liberty; instead, he cited numerous other instances in which this occurred, such as the Vaccination Act or the Poor Law that allowed for the detainment of paupers

---

<sup>27</sup> Colonel Alexander, MP, speech to the House of Commons, 23 June 1875, *Parliamentary Debates*, Commons, 3d. ser., vol. 225, col. 351-421.

<sup>28</sup> Colonel Alexander, MP, speech to the House of Commons, 23 June 1875, *Parliamentary Debates*, Commons, 3d. ser., vol. 225, col. 351-421.

<sup>29</sup> Colonel Alexander, MP, speech to the House of Commons, 23 June 1875, *Parliamentary Debates*, Commons, 3d. ser., vol. 225, col. 351-421.

<sup>30</sup> Colonel Alexander, MP, speech to the House of Commons, 23 June 1875, *Parliamentary Debates*, Commons, 3d. ser., vol. 225, col. 351-421.

<sup>31</sup> Colonel Alexander, MP, speech to the House of Commons, 23 June 1875, *Parliamentary Debates*, Commons, 3d. ser., vol. 225, col. 351-421.



suffering from contagious diseases, and pointed out the public voiced no objections to these instances.<sup>32</sup> Callously, he questioned how a woman, who sold herself to four or five men a night, could consider that the examination had removed their sense of modesty or self-respect.<sup>33</sup> He quoted Miss Farrow, the superintendent of the Lock Department at Portsmouth, England, who thought, “Is it not rather the part of true friendship to point out to her that she is defiled and degraded – not by examination – but by the sin which entails the necessity of examination?”<sup>34</sup> In fact, according to Dr. Barr, the Contagious Diseases Acts served to lift prostitutes out of despair. In recounting his experience in Aldershot, England, prior to the implementation of the law, he found the women “were very dirty – in fact, filthy, covered with vermin, like idiots, in their manner, very badly diseased; they almost burrowed in the ground like rabbits, digging holes for themselves in the sandbanks.”<sup>35</sup> However, once he reasoned with them along with the assistance of a chaplain, they acquiesced to the inspection and their lot improved shortly after; unfortunately, this was not the case for Mrs. Percy, about whom the colonel gave a very different account.<sup>36</sup>

According to Colonel Alexander, Mrs. Percy’s portrayal by the media and Johnstone was completely inaccurate and, from the testimonies of her late husband, she

---

<sup>32</sup> Colonel Alexander, MP, speech to the House of Commons, 23 June 1875, *Parliamentary Debates*, Commons, 3d. ser., vol. 225, col. 351-421.

<sup>33</sup> Colonel Alexander, MP, speech to the House of Commons, 23 June 1875, *Parliamentary Debates*, Commons, 3d. ser., vol. 225, col. 351-421.

<sup>34</sup> Colonel Alexander, MP, speech to the House of Commons, 23 June 1875, *Parliamentary Debates*, Commons, 3d. ser., vol. 225, col. 351-421.

<sup>35</sup> Colonel Alexander, MP, speech to the House of Commons, 23 June 1875, *Parliamentary Debates*, Commons, 3d. ser., vol. 225, col. 351-421.

<sup>36</sup> Colonel Alexander, MP, speech to the House of Commons, 23 June 1875, *Parliamentary Debates*, Commons, 3d. ser., vol. 225, col. 351-421.

had led an immoral life and had “trained up her daughter in the same evil way.”<sup>37</sup>

Authorities had observed Private Miller of the forty-seventh Regiment and Corporal Hogg of the eighty-fourth Regiment acting in an indecent manner with both the mother and daughter. At midnight on 9 March 1875, both women went home with police disguised in their plain clothes, one of whom stayed in the house until the next day. After obtaining this damning evidence, the officers decided to bring them under the authority of the CD Acts and ordered them to undergo the examinations; they refused and left Aldershot.<sup>38</sup> Subsequently, a three-time deserter of the Royal artillery, who had faced discharge for his bad character, had received permission from the inspector to bring Mrs. Percy back under the stipulation she would live with him.<sup>39</sup> When she returned the police did not harass her in any manner until, on 27 March, she left a public house with a soldier of the sixty-fifth Regiment who, when stopped by military police, returned to his quarters.<sup>40</sup> A private in the Army Service Corps, the last to see her alive, had observed her on a towing-path on the other side of the canal.<sup>41</sup> Colonel Alexander’s testimony provided a different perspective of the late Mrs. Percy, and, given the exactness of detail, served to counterbalance Johnstone’s recital of events and those found in the newspaper. Alexander felt justified in his beliefs in the effectiveness of the Contagious Diseases Acts and begged the House to consider the effect of these degraded, immoral women carried to

---

<sup>37</sup> Colonel Alexander, MP, speech to the House of Commons, 23 June 1875, *Parliamentary Debates*, Commons, 3d. ser., vol. 225, col. 351-421.

<sup>38</sup> Colonel Alexander, MP, speech to the House of Commons, 23 June 1875, *Parliamentary Debates*, Commons, 3d. ser., vol. 225, col. 351-421.

<sup>39</sup> Colonel Alexander, MP, speech to the House of Commons, 23 June 1875, *Parliamentary Debates*, Commons, 3d. ser., vol. 225, col. 351-421.

<sup>40</sup> Colonel Alexander, MP, speech to the House of Commons, 23 June 1875, *Parliamentary Debates*, Commons, 3d. ser., vol. 225, col. 351-421.

<sup>41</sup> Colonel Alexander, MP, speech to the House of Commons, 23 June 1875, *Parliamentary Debates*, Commons, 3d. ser., vol. 225, col. 351-421. A towing-path is a path alongside a river used by horses towing barges.

future generations. He quoted Horace, “*Mox daturos Progeniem Vitiosiore?*,” which translates as, “shortly to raise a progeny more vicious than ourselves.”<sup>42</sup> Colonel Alexander ended his speech before the House with a plea not to “violate the commands or disregard to the injunctions of One who took these poor women under His especial protection and who taught us by His example to seek and save that which was lost.”<sup>43</sup> He did not care if the actions required to meet this demand debased the perceived principles of the Magna Carta.<sup>44</sup>

After the eloquent closing of the colonel, Mr. Childers proposed a compromise between the two factions. He suggested the abolishment of the examination and the registration of prostitutes, which the repealers most vehemently protested. He advised the continuation of the Lock Hospitals in special districts under the condition that, if a physician found the streetwalker diseased, she must remain until cured or declared incurable.<sup>45</sup> He recommended stricter penalties for harboring prostitutes, public solicitation, and for soldiers and sailors concealing contagion.<sup>46</sup> Lastly, he stated the administration of the law should become the responsibility of the Home Office and

---

<sup>42</sup> Colonel Alexander, MP, speech to the House of Commons, 23 June 1875, *Parliamentary Debates*, Commons, 3d. ser., vol. 225, col. 351-421; EUDict: Latin-English Dictionary; Horace, Odes III. vi. 46. It is interesting to note that the MP had total command of Horace and resorted to the Roman poet as a form of substantiation for his point of view. The entire passage states: *ætas parentum pejor avis tulit nos nequiores, mox daturos progeniem vitiosiore*, which translates as: “The age of our fathers, which was worse than that of our ancestors, produced us, who are shortly to raise a progeny even more vicious than ourselves.”

<sup>43</sup> Colonel Alexander, MP, speech to the House of Commons, 23 June 1875, *Parliamentary Debates*, Commons, 3d. ser., vol. 225, col. 351-421.

<sup>44</sup> Colonel Alexander, MP, speech to the House of Commons, 23 June 1875, *Parliamentary Debates*, Commons, 3d. ser., vol. 225, col. 351-421.

<sup>45</sup> Mr. Childers, MP, speech to the House of Commons, 23 June 1875, *Parliamentary Debates*, Commons, 3d. ser., vol. 225, col. 351-421.

<sup>46</sup> Mr. Childers, MP, speech to the House of Commons, 23 June 1875, *Parliamentary Debates*, Commons, 3d. ser., vol. 225, col. 351-421.

administered by the metropolitan police.<sup>47</sup> Despite placing these options before the House, his suggestions did not satisfy either party. MP James Stansfeld spoke next, attempting to provide proof the CD Acts did not effectively accomplish their design.

Stansfeld began by informing Parliament:

What we object to is this – and the House will, indeed, be dull-sighted if it is unable to grasp this distinction – we approve of hospitals and reclamatory [*sic*] agencies, but we disapprove of the registering of the examination of women, of the periodical examination, and of the Government guarantee.

He accused the authors of this law of regulating women in order to return them to their profession in good health for the indulgence of men, making way for the provision of “Queen’s women.”<sup>48</sup> He then moved to a topic that none of his peers had mentioned throughout this debate, the hygienic failure of the Contagious Diseases Acts to promote efficiency in the Army and the Navy and removing a disease that affected future generations.<sup>49</sup> Stansfeld brought this aspect of the legislation to the attention of his peers to give them an indisputable accounting for the ineffectiveness of the law. According to the Army Medical Returns, contagion consisted of two categories, the “less serious,” (gonorrhoea) and the “more serious” (syphilis) class, referencing social and political rankings of Victorian life.<sup>50</sup> The latter, according to the data compiled by Stansfeld, had shown no reduction. He illustrated, by the “false expectation of physical immunity from the consequences of vice, you have stimulated vice, and if you stimulate vice, you

---

<sup>47</sup> Mr. Childers, MP, speech to the House of Commons, 23 June 1875, *Parliamentary Debates*, Commons, 3d. ser., vol. 225, col. 351-421.

<sup>48</sup> James Stansfeld, MP, speech to the House of Commons, 23 June 1875, *Parliamentary Debates*, Commons, 3d. ser., vol. 225, col. 351-421.

<sup>49</sup> James Stansfeld, MP, speech to the House of Commons, 23 June 1875, *Parliamentary Debates*, Commons, 3d. ser., vol. 225, col. 351-421.

<sup>50</sup> James Stansfeld, MP, speech to the House of Commons, 23 June 1875, *Parliamentary Debates*, Commons, 3d. ser., vol. 225, col. 351-421.

increase the danger and probability of disease.”<sup>51</sup> According to the statistics the MP compiled from the Returns, the numbers, in fact, showed an increase in the second, and more serious, class.<sup>52</sup> Between 1868 and 1872, the number of reported cases of venereal disease escalated from 54 to 72 per 1,000 men, with a surge of 90 per 1,000 in 1869.<sup>53</sup> The data also represented false or misleading information because only 50,000 of the 85,000 men resided in the subjected districts.<sup>54</sup> He elucidated on this topic outside of his Parliamentary duties and published speeches made in Bristol, Bradford, Scarborough, Liverpool, Edinburgh, Birmingham, and London on the Contagious Diseases Acts’ validity.

In the preface to his speeches, James Stansfeld provided his audience with the principal statement of Captain Harris’s report, which asserted, “Respectable persons residing within a protected district have been known to say they would gladly pay a special rate for the maintenance of the Acts, so much do they contribute towards the peace and quietness of the town.”<sup>55</sup> Claiming the authority of a public man of good character whose knowledge of the Contagious Diseases Acts’ operations exceeded those of the captain, he declared “there is falsehood latent in that statement – that there is nothing within the four corners of these Acts enabling the Metropolitan Detective Police

---

<sup>51</sup> James Stansfeld, MP, speech to the House of Commons, 23 June 1875, *Parliamentary Debates*, Commons, 3d. ser., vol. 225, col. 351-421.

<sup>52</sup> James Stansfeld, MP, speech to the House of Commons, 23 June 1875, *Parliamentary Debates*, Commons, 3d. ser., vol. 225, col. 351-421.

<sup>53</sup> James Stansfeld, MP, speech to the House of Commons, 23 June 1875, *Parliamentary Debates*, Commons, 3d. ser., vol. 225, col. 351-421. For the purpose of clarity and readability, all statistical data will use numbers unless directly quoted.

<sup>54</sup> James Stansfeld, MP, speech to the House of Commons, 23 June 1875, *Parliamentary Debates*, Commons, 3d. ser., vol. 225, col. 351-421.

<sup>55</sup> James Stansfeld, *Substance of the Speeches of the Rt. Hon. James Stansfeld on the Contagious Diseases Acts* (London: The National Association for the Repeal of the Contagious Diseases Acts, 1875), 1.

to maintain order and quiet in a town.”<sup>56</sup> Stansfeld then attacked the statement that the administrators of the law made every effort to reclaim the women, for which the legislation made no provisions.<sup>57</sup> He opened his discussions with asserting the firm conviction of all opposed to the statute’s conviction to continue to seek the complete repeal of the Contagious Diseases Acts.<sup>58</sup> Stansfeld then took responsibility for Parliament passing the legislation, even though he had not been aware of its contents, and desired to divest himself from all accountability.<sup>59</sup> He professed his belief regarding the law as:

Immoral, unconstitutional, and calculated to degrade and debase the manhood and the womanhood of this country. I have watched this insidious materialism creeping over the country, and entangling in the meshes of its wide and sweeping net, many good men and good women, blinded and unconscious whither they were going, and deceived by appeals made to them in the name of benevolence and for the sake of diminishing physical suffering.<sup>60</sup>

He acknowledged he neither favored the bill nor addressed the faults until recent years and had chosen to reserve judgement until the Royal Commission of 1871 published its findings.<sup>61</sup> After reading the report, Stansfeld voted in favor of MP Fowler’s proposal to repeal the law, which failed to pass.

---

<sup>56</sup> James Stansfeld, *Substance of the Speeches of the Rt. Hon. James Stansfeld on the Contagious Diseases Acts*, 1.

<sup>57</sup> James Stansfeld, *Substance of the Speeches of the Rt. Hon. James Stansfeld on the Contagious Diseases Acts*, 1.

<sup>58</sup> James Stansfeld, *Substance of the Speeches of the Rt. Hon. James Stansfeld on the Contagious Diseases Acts*, 1.

<sup>59</sup> James Stansfeld, *Substance of the Speeches of the Rt. Hon. James Stansfeld on the Contagious Diseases Acts*, 1.

<sup>60</sup> James Stansfeld, *Substance of the Speeches of the Rt. Hon. James Stansfeld on the Contagious Diseases Acts*, 2.

<sup>61</sup> James Stansfeld, *Substance of the Speeches of the Rt. Hon. James Stansfeld on the Contagious Diseases Acts*, 3.

Stansfeld informed his audience of the basis on which he and others established their opposition: the medical and hygienic failure of the CD Acts, its “cruel, arbitrary, and unconstitutional” provisions and its contribution to societal immorality.<sup>62</sup> Stansfeld boldly accused those “worldly men” of providing themselves with women free of disease for their own sexual gratification by means of stealthily introducing this law.<sup>63</sup> He then moved to the heart of his argument, the sanitary failure of the Contagious Diseases Acts and the misleading reports provided to Parliament from the beginning.<sup>64</sup> The system used in the subjected districts in England copied the one installed in Paris, which divided prostitutes into three categories: those who resided in brothels inside the city, those who lived in public houses outside the city, and those who inhabited private lodges.<sup>65</sup> According to the report with the statistical data showing the number of streetwalkers who had contracted venereal disease, 3,400 located in Paris in 1864; approximately 1 in 101 in the capital, 1 in 33 in rural areas, and only 1 per 196 who dwelt in homes.<sup>66</sup> As for women who engaged in clandestine prostitution, the figures of those diseased were 1 out of every 7.5.<sup>67</sup> These records served to convince those members of Parliament who put forth the bill that the laws in Paris suggested “to their minds that the amount of disease amongst English prostitutes could be diminished from proportions such as one in seven

---

<sup>62</sup> James Stansfeld, *Substance of the Speeches of the Rt. Hon. James Stansfeld on the Contagious Diseases Acts*, 3-4.

<sup>63</sup> James Stansfeld, *Substance of the Speeches of the Rt. Hon. James Stansfeld on the Contagious Diseases Acts*, 4.

<sup>64</sup> James Stansfeld, *Substance of the Speeches of the Rt. Hon. James Stansfeld on the Contagious Diseases Acts*, 4-5.

<sup>65</sup> James Stansfeld, *Substance of the Speeches of the Rt. Hon. James Stansfeld on the Contagious Diseases Acts*, 5.

<sup>66</sup> James Stansfeld, *Substance of the Speeches of the Rt. Hon. James Stansfeld on the Contagious Diseases Acts*, 5.

<sup>67</sup> James Stansfeld, *Substance of the Speeches of the Rt. Hon. James Stansfeld on the Contagious Diseases Acts*, 5.

and a half, to proportions of one in 33, or one in 101, or one in 196.”<sup>68</sup> Contrary to the misleading figures and according to French authorities, the estimated number of clandestine prostitutes was 30,000.<sup>69</sup> The police in Paris arrested women in the streets at night for drunkenness, theft, or other offences, and those “recognized or *supposed* to belong to the class of clandestine prostitutes.”<sup>70</sup> They were then taken in for examination for venereal disease where the above ratio of 1 in 7.5 appeared.<sup>71</sup> The actual number of apprehensions did not exceed 200 per month; many of the offenders faced arrest several times.<sup>72</sup> Given his findings, Stansfeld acquired this data, examined it, declared the statistics discreditable, and “calculated to impose, as they did impose, upon the imaginations and the judgements of men.”<sup>73</sup> Armed with this knowledge, the MP renewed his efforts to enlighten the public of the actual purpose of the Contagious Diseases Acts, which included more than protection for the soldiers and sailors.

Stansfeld posited the intent of the legislation, under the guise of the hygienic benefits, existed to extend to the entire population, not just certain ports or garrison towns.<sup>74</sup> He asserted the medical arguments centered on the premise “that diseases consequent upon vice are the scourge of society; that they affect largely and permanently

---

<sup>68</sup> James Stansfeld, *Substance of the Speeches of the Rt. Hon. James Stansfeld on the Contagious Diseases Acts*, 5.

<sup>69</sup> James Stansfeld, *Substance of the Speeches of the Rt. Hon. James Stansfeld on the Contagious Diseases Acts*, 5-6.

<sup>70</sup> James Stansfeld, *Substance of the Speeches of the Rt. Hon. James Stansfeld on the Contagious Diseases Acts*, 6.

<sup>71</sup> James Stansfeld, *Substance of the Speeches of the Rt. Hon. James Stansfeld on the Contagious Diseases Acts*, 6.

<sup>72</sup> James Stansfeld, *Substance of the Speeches of the Rt. Hon. James Stansfeld on the Contagious Diseases Acts*, 6.

<sup>73</sup> James Stansfeld, *Substance of the Speeches of the Rt. Hon. James Stansfeld on the Contagious Diseases Acts*, 6.

<sup>74</sup> James Stansfeld, *Substance of the Speeches of the Rt. Hon. James Stansfeld on the Contagious Diseases Acts*, 7.



the constitutions of men; that they injure the innocent as well as the guilty, and that they convey an hereditary taint to generations yet unborn.”<sup>75</sup> This belief directly ties to the previous argument of Colonel Alexander and his reference to Roman poet Horace, and the idea that what benefits the whole, even at the expense of others, remained the primary objective. Stansfeld, in his explanation to his audience, reminded them of the political machinations of a government, which provided its people with perceived “facts” before obtaining the empirical data to support certain claims.<sup>76</sup> He informed them of Parliament’s intent to familiarize the populace with the Contagious Diseases Acts, “so as to weary and deaden their minds on the subject,” and amend the law to extend to the whole of the country without dissent.<sup>77</sup> Given the content of the law, which applied to women only, the MP maintained the objective to rid England of the vile contagious diseases would utterly fail, as no provision existed for the other sex who assisted in spreading the consequences of their licentiousness.<sup>78</sup>

This “benevolent law” professed to benefit the nation and boasted a reduction in the number of registered prostitutes in the subjected areas. Stansfeld quoted FRCS Mr. Lane’s testimony before the Royal Commission who had stated, “This *evil* will cure itself, as more women will enter the profession.”<sup>79</sup> This declaration contradicts itself in that an increase in the number of prostitutes would logically escalate the probability of

---

<sup>75</sup> James Stansfeld, *Substance of the Speeches of the Rt. Hon. James Stansfeld on the Contagious Diseases Acts*, 7.

<sup>76</sup> James Stansfeld, *Substance of the Speeches of the Rt. Hon. James Stansfeld on the Contagious Diseases Acts*, 8.

<sup>77</sup> James Stansfeld, *Substance of the Speeches of the Rt. Hon. James Stansfeld on the Contagious Diseases Acts*, 8.

<sup>78</sup> James Stansfeld, *Substance of the Speeches of the Rt. Hon. James Stansfeld on the Contagious Diseases Acts*, 8.

<sup>79</sup> James Stansfeld, *Substance of the Speeches of the Rt. Hon. James Stansfeld on the Contagious Diseases Acts*, 9.

spreading venereal disease while Parliament intended for the Contagious Diseases Acts to decrease the number of streetwalkers.<sup>80</sup> He provided evidence signed by managers of the Metropolitan Reformatories that exposed the false statistics provided by the Metropolitan Police who had claimed a reduction in the number of brothels, a matter for which they held no lawful authority under the CD Acts.<sup>81</sup> The law enforcers also professed the decline in juvenile prostitution and the reclamation of known offenders occurred because of their interference. Stansfeld rebutted these claims and declared, “We regard this simply as an ingenious device to impose on the nation, under a surreptitious plea of benevolence, a system of State-regulated vice from which its moral sense revolts.”<sup>82</sup> He condemned the legislation as a promotion of sexual indulgence and as harsh and unjust toward the women it targeted.<sup>83</sup> Passionately asserting his thoughts on this manner, he proclaimed:

I confess that, much as I view with horror the cynical, immoral conception from which these laws have sprung, I view them with something below horror, with a sensation of sickening disgust – the hypocrisy of the supporters of the Acts when they prate about morality and religion; above all, when I remember that it is the men, whom they refrain to touch, who alone communicate disease to the innocent, and that it is through them alone that future generations, for whom these people pretend to have care, can be damnified.<sup>84</sup>

After such a fervent declaration, Stansfeld deconstructed and disproved the assumption that the Contagious Diseases Acts had decreased the number of prostitutes.

---

<sup>80</sup> James Stansfeld, *Substance of the Speeches of the Rt. Hon. James Stansfeld on the Contagious Diseases Acts*, 9.

<sup>81</sup> James Stansfeld, *Substance of the Speeches of the Rt. Hon. James Stansfeld on the Contagious Diseases Acts*, 9.

<sup>82</sup> James Stansfeld, *Substance of the Speeches of the Rt. Hon. James Stansfeld on the Contagious Diseases Act*, 9.

<sup>83</sup> James Stansfeld, *Substance of the Speeches of the Rt. Hon. James Stansfeld on the Contagious Diseases Acts*, 10.

<sup>84</sup> James Stansfeld, *Substance of the Speeches of the Rt. Hon. James Stansfeld on the Contagious Diseases Acts*, 10.

Citing the experience in Europe under similar laws, primarily France, Stansfeld rejected the notion that the statutes assisted in the lessening of streetwalkers; rather, those who engaged in this profession became more adept at hiding from and evading the police.<sup>85</sup> In parallel to Josephine Butler, he quoted a higher authority, God, whose commandments forbade such an immoral attempt of the government to regulate and promulgate vice.<sup>86</sup> He accused medical men of training women as instruments for fornication, available at all times for “lustful men,” and for the physician’s guarantees of disease-free women.<sup>87</sup> Those men who advocated for the CD Acts, under the assumption they understood and lauded the science and medicine that would accomplish its aims, spoke “in a very vulgar ignorance of what true science is and means.”<sup>88</sup>

Consulting army and navy medical reports from those who were invested in this legislation, Stansfeld sought to disabuse the notion that the statistical returns were correct and indicated a working system.<sup>89</sup> Returning to the division of serious and less serious classifications of disease, the latest report from 1874 indicated an actual increase of contagion, and, from 1866 to 1872, the protected districts under the law illustrated a greater number of cases versus the vulnerable areas not subjected.<sup>90</sup> In the second class of disease, the less serious cases reported was 90 in 1000 men in 1866. By 1872, the number

---

<sup>85</sup> James Stansfeld, *Substance of the Speeches of the Rt. Hon. James Stansfeld on the Contagious Diseases Acts*, 10.

<sup>86</sup> James Stansfeld, *Substance of the Speeches of the Rt. Hon. James Stansfeld on the Contagious Diseases Acts*, 10.

<sup>87</sup> James Stansfeld, *Substance of the Speeches of the Rt. Hon. James Stansfeld on the Contagious Diseases Acts*, 10.

<sup>88</sup> James Stansfeld, *Substance of the Speeches of the Rt. Hon. James Stansfeld on the Contagious Diseases Acts*, 11.

<sup>89</sup> James Stansfeld, *Substance of the Speeches of the Rt. Hon. James Stansfeld on the Contagious Diseases Acts*, 13.

<sup>90</sup> James Stansfeld, *Substance of the Speeches of the Rt. Hon. James Stansfeld on the Contagious Diseases Acts*, 13.

had decreased to 54 in 1000, which supporters of the legislation cited as proof the system performed in a positive manner.<sup>91</sup> In using the same returns as the advocates, Stansfeld arrived at a different conclusion; rather than utilize the figures supplied of men admitted to the hospital, he used the average of soldiers constantly in the hospital for contagion.<sup>92</sup> Afflicted with the second class of sickness, 5.5 in 1000 of those in the military in 1866 constantly sought medical treatment; this amount reduced to 4.5 per 1,000 by 1872, and, essentially, only improved the efficiency by 1 per 1,000.<sup>93</sup> The home army had consisted of 85,000 men, of which only 50,000 resided in protected districts. Essentially, concerning the productivity of the army, the Contagious Diseases Acts in its six years of enforcement had saved, or decreased the number who had contracted venereal disease, by only fifty men.<sup>94</sup>

The early accounts provided to Parliament to smooth its passage had declared the equivalent of one ironclad, or between 630 to 860 men depending on the vessel, suffered from a contagious disease that left them permanently incapacitated.<sup>95</sup> In 1866, the amount of sailors that suffered from both class of contagion was 89 per 1,000; that number rose to 126.7 per 1,000 by 1872.<sup>96</sup> Using the same method from the army returns, the average

---

<sup>91</sup> James Stansfeld, *Substance of the Speeches of the Rt. Hon. James Stansfeld on the Contagious Diseases Acts*, 14.

<sup>92</sup> James Stansfeld, *Substance of the Speeches of the Rt. Hon. James Stansfeld on the Contagious Diseases Acts*, 14.

<sup>93</sup> James Stansfeld, *Substance of the Speeches of the Rt. Hon. James Stansfeld on the Contagious Diseases Acts*, 14.

<sup>94</sup> James Stansfeld, *Substance of the Speeches of the Rt. Hon. James Stansfeld on the Contagious Diseases Acts*, 14.

<sup>95</sup> James Stansfeld, *Substance of the Speeches of the Rt. Hon. James Stansfeld on the Contagious Diseases Acts*, 15; Winfield, Rif, *British Warships in the Age of Sail, 1817-1863; Design, Construction, Careers, and Fates* (Yorkshire, England: Seaforth Publishing, 2014), 33, 37.

<sup>96</sup> James Stansfeld, *Substance of the Speeches of the Rt. Hon. James Stansfeld on the Contagious Diseases Acts*, 15.

seamen hospitalized equated to 8.6 per 1,000 in 1866 and 9.6 per 1,000 by 1872; complete disablement increased from 22 out of the total in the home navy of 21,200 in 1866 to 51 out of 23,000 in 1872.<sup>97</sup> In essence, according to the interpretation of Stansfeld, the Contagious Diseases Acts did not affect the efficiency of the Royal Navy in any respect. In fact, the opposite appeared to have occurred, the number of sailors who unable to perform their duties had increased. The following year after his speeches in 1876, the MP and his fellow supporters returned to their crusade in Parliament.

Sir Harcourt Johnstone opened the session with yet another request for a second reading of a bill to repeal the CD Acts. He repeated the findings of the “Report of the Royal Commission” in 1871 and its recommendation, which Parliament had chosen not to implement, to end the ineffective, periodical examination of women.<sup>98</sup> He declared that had the Government acted upon the advice given, the “Acts themselves would disappear.”<sup>99</sup> He posited the prior and voluntary legislation of 1864 would meet the objectives of the current law more efficiently than “any system of State interference, espionage, and despotism, most repulsive to the feelings of many of us.”<sup>100</sup> He gave the opinion of 3,000 people who had attended a meeting in Leeds, England, two days prior in which he provided facts, not the misleading or exaggerated information the opposition tended to utilize to convince the public of the effectiveness of the legislation.

---

<sup>97</sup> James Stansfeld, *Substance of the Speeches of the Rt. Hon. James Stansfeld on the Contagious Diseases Acts*, 15.

<sup>98</sup> Sir Harcourt Johnstone, MP, speech to the House of Commons, 18 July 1876, *Parliamentary Debates*, Commons, 3d. ser., vol. 230, col. 1556-616.

<sup>99</sup> Sir Harcourt Johnstone, MP, speech to the House of Commons, 18 July 1876, *Parliamentary Debates*, Commons, 3d. ser., vol. 230, col. 1556-616.

<sup>100</sup> Sir Harcourt Johnstone, MP, speech to the House of Commons, 18 July 1876, *Parliamentary Debates*, Commons, 3d. ser., vol. 230, col. 1556-616.

Unanimously, the individuals pronounced their dissent.<sup>101</sup> Johnstone asserted the tyranny and the morality of the law horrified him the most; he declared, “The despotism attempts first to cajole, and then threatens and terrifies into an organized hypocrisy, which varies from abject involuntary submission, to constant evasion and escape.”<sup>102</sup> Voicing his protest against the Contagious Diseases Acts as “fatal to national life and national liberty,” he requested that the House repeal the law.<sup>103</sup>

James Stansfeld entered into the argument, again addressing the fact the law gave no power to the police to reclaim prostitutes, suppress brothels, or exert any influence an officer deemed fitting.<sup>104</sup> He reiterated the demoralizing effect, both in the sense of sexual morality and the damage to liberty cited by authorities in Europe who had operated under a similar system.<sup>105</sup> In response to a request for a substitution or different bill to replace the CD Acts, the MP maintained they would not provide Parliament with a new law, not when he and others deemed the existing scheme as evil.<sup>106</sup> In fact, the opposition did not confine itself to Britain but had reached a global level. Other countries had banded together under one cause, abolishing the State sanctioning and regulation of sexual vice. Despite the enormity of the task before them, people in the British colonies,

---

<sup>101</sup> Sir Harcourt Johnstone, MP, speech to the House of Commons, 18 July 1876, *Parliamentary Debates*, Commons, 3d. ser., vol. 230, col. 1556-616.

<sup>102</sup> Sir Harcourt Johnstone, MP, speech to the House of Commons, 18 July 1876, *Parliamentary Debates*, Commons, 3d. ser., vol. 230, col. 1556-616.

<sup>103</sup> Sir Harcourt Johnstone, MP, speech to the House of Commons, 18 July 1876, *Parliamentary Debates*, Commons, 3d. ser., vol. 230, col. 1556-616.

<sup>104</sup> James Stansfeld, MP, speech to the House of Commons, 18 July 1876, *Parliamentary Debates*, Commons, 3d. ser., vol. 230, col. 1556-616.

<sup>105</sup> James Stansfeld, MP, speech to the House of Commons, 18 July 1876, *Parliamentary Debates*, Commons, 3d. ser., vol. 230, col. 1556-616.

<sup>106</sup> James Stansfeld, MP, speech to the House of Commons, 18 July 1876, *Parliamentary Debates*, Commons, 3d. ser., vol. 230, col. 1556-616.

the United States of America, Italy, and Switzerland had all joined the cause.<sup>107</sup>

Returning to his statistical arguments, Stansfeld declared the returns misled its readers and “not worth the paper on which they are written.”

The Army Reports supplied for 1873 provided a comparison between the districts subjected to the legislation and a sample of those who were not. The documents used London and Dublin as examples for the unprotected districts misconstrued the data, albeit “unintentionally,” concerning the number of admissions to a hospital for venereal disease, as both are highly populated areas and capital cities and gave the illusion of a significantly higher rate of venereal disease than the subjected areas.<sup>108</sup> The MP for Halifax posited the selection illustrated 4.45 per 1,000 men suffered from the more serious class of disease in the areas subject to the CD Acts, whereas the other professed a ratio of 8.86 per 1,000.<sup>109</sup> In removing London and Dublin from the model, the number reduced to 4.90 per 1,000 men; essentially, the elimination portrayed a more accurate and equitable ratio.<sup>110</sup> The same occurred for the year 1874, in which the protected towns illustrated a ratio of 3.11 per 1,000, and the comparative locations a proportion of 6.89 per 1,000. Again, in removing London and Dublin, that statistic decreased to “4 and a small decimal.”<sup>111</sup> According to Stansfeld, the figures Inspector General Lawson presented to the Secretary of State for War gave the illusion the Contagious Diseases

---

<sup>107</sup> James Stansfeld, MP, speech to the House of Commons, 18 July 1876, *Parliamentary Debates*, Commons, 3d. ser., vol. 230, col. 1556-616.

<sup>108</sup> James Stansfeld, MP, speech to the House of Commons, 18 July 1876, *Parliamentary Debates*, Commons, 3d. ser., vol. 230, col. 1556-616.

<sup>109</sup> James Stansfeld, MP, speech to the House of Commons, 18 July 1876, *Parliamentary Debates*, Commons, 3d. ser., vol. 230, col. 1556-616.

<sup>110</sup> James Stansfeld, MP, speech to the House of Commons, 18 July 1876, *Parliamentary Debates*, Commons, 3d. ser., vol. 230, col. 1556-616.

<sup>111</sup> James Stansfeld, MP, speech to the House of Commons, 18 July 1876, *Parliamentary Debates*, Commons, 3d. ser., vol. 230, col. 1556-616.

Acts worked and “saved 387 men daily; but he arrived at that conclusion by a method of calculation which appears to me to be erroneous.”<sup>112</sup> The MP also informed the House of the newly implemented regulation in late 1873, which halted any pay to a soldier in the hospital with venereal disease and effectively produced a significant decrease in reported cases.<sup>113</sup> Despite providing statistical evidence to Parliament that essentially debunked the Returns, the government still refused to repeal the law. Unhindered by this setback, he continued to examine the data provided and published a more comprehensive evaluation of his findings in the *Journal of the Statistical Society of London*.

Stansfeld wrote his discourse regarding the statistical data supplied by Government Returns with the intent to deconstruct and illustrate the invalidity of the information provided to Parliament concerning the workings of the Contagious Diseases Acts. He opened his speech before the Statistical Society of London by reiterating his premise that he absolutely opposed the legislation from the hygienic point of view.<sup>114</sup> He posited the information supplied did not support the proposed conclusions from a scientific standpoint and listed his criteria for impartial tests to gather and provide accurate accounts.<sup>115</sup> The first requirement, he maintained, was the information must tackle the main issue and dismiss insignificant problems.<sup>116</sup> Next, the report necessitated exact terms and logical, consistent classifications so as not to mislead or confuse the

---

<sup>112</sup> James Stansfeld, MP, speech to the House of Commons, 18 July 1876, *Parliamentary Debates*, Commons, 3d. ser., vol. 230, col. 1556-616.

<sup>113</sup> James Stansfeld, MP, speech to the House of Commons, 18 July 1876, *Parliamentary Debates*, Commons, 3d. ser., vol. 230, col. 1556-616.

<sup>114</sup> James Stansfeld, “On the Validity of the Annual Government Statistics of the Operation of the Contagious Diseases Acts,” *Journal of the Statistical Society of London* 39 (September 1876): 540.

<sup>115</sup> James Stansfeld, “On the Validity of the Annual Government Statistics of the Operation of the Contagious Diseases Acts,” 540.

<sup>116</sup> James Stansfeld, “On the Validity of the Annual Government Statistics of the Operation of the Contagious Diseases Acts,” 540.



reader.<sup>117</sup> The last two points concerned the reliability of the statistics and the findings “must be in reality results of the legislation whose effects they propose to demonstrate, and not mere coincidences which may be due to other causes.”<sup>118</sup> Armed with these foundations, Stansfeld declared the Government Returns did not meet this criterion.<sup>119</sup>

He reminded his audience of the double object of this law: to increase the strength of the army and navy by eliminating or, at the very least, preventing venereal diseases and to reduce the spread of hereditary syphilis.<sup>120</sup> He argued the figures provided only illustrated the minor issues and failed to provide a complete accounting of the working of the law. The statements could not address the hygienic question sufficiently without referring to the civil population in the subjected districts along with the army and navy statistics.<sup>121</sup> Legislation of this sort, the MP upheld, tended to, by its very nature, lead to an extension to the public, a matter that already proposed to the House.<sup>122</sup> Stansfeld espoused that statisticians could not accurately assess the validity of this type of legislation without generations of data, but, while a temporary reduction of disease gave the appearance of positive results, the policy itself served to stimulate vice.<sup>123</sup> With this thought, he professed the Government Returns supplied misleading information

---

<sup>117</sup> James Stansfeld, “On the Validity of the Annual Government Statistics of the Operation of the Contagious Diseases Acts,” 540.

<sup>118</sup> James Stansfeld, “On the Validity of the Annual Government Statistics of the Operation of the Contagious Diseases Acts,” 540.

<sup>119</sup> James Stansfeld, “On the Validity of the Annual Government Statistics of the Operation of the Contagious Diseases Acts,” 541.

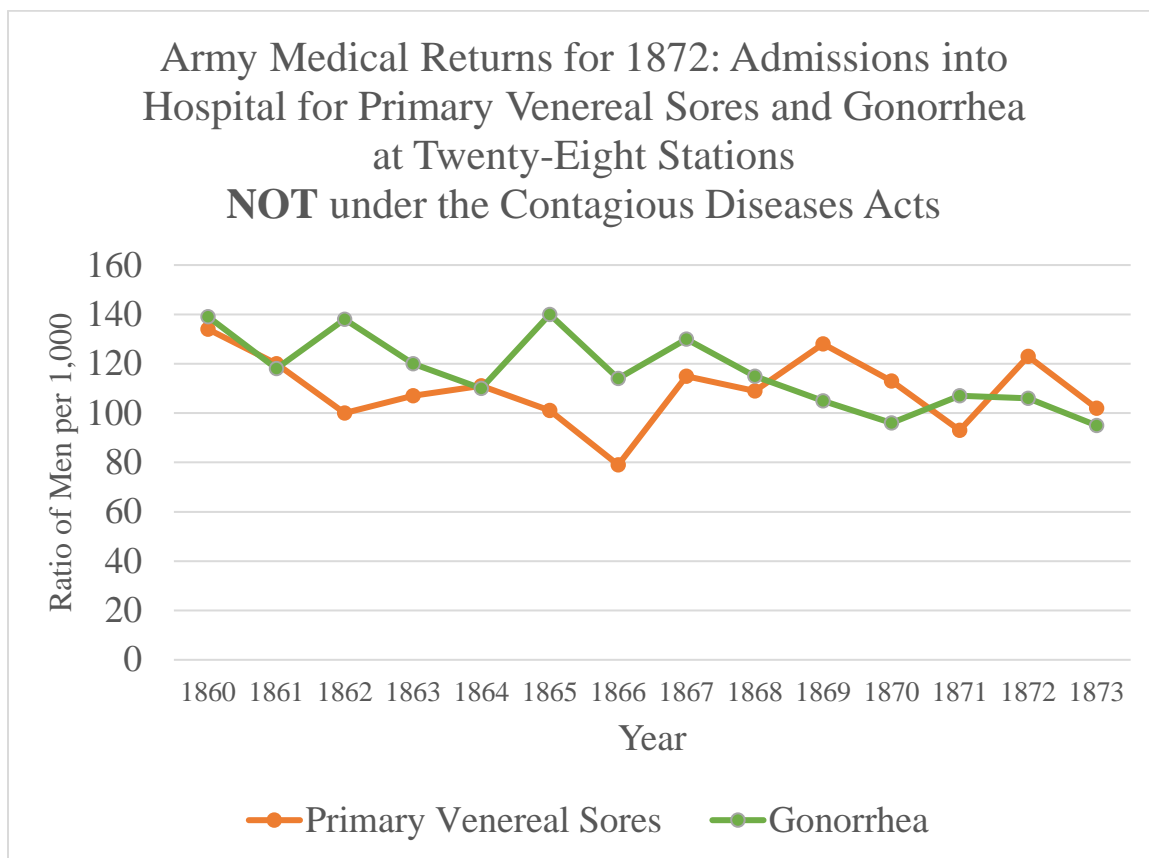
<sup>120</sup> James Stansfeld, “On the Validity of the Annual Government Statistics of the Operation of the Contagious Diseases Acts,” 541.

<sup>121</sup> James Stansfeld, “On the Validity of the Annual Government Statistics of the Operation of the Contagious Diseases Acts,” 541.

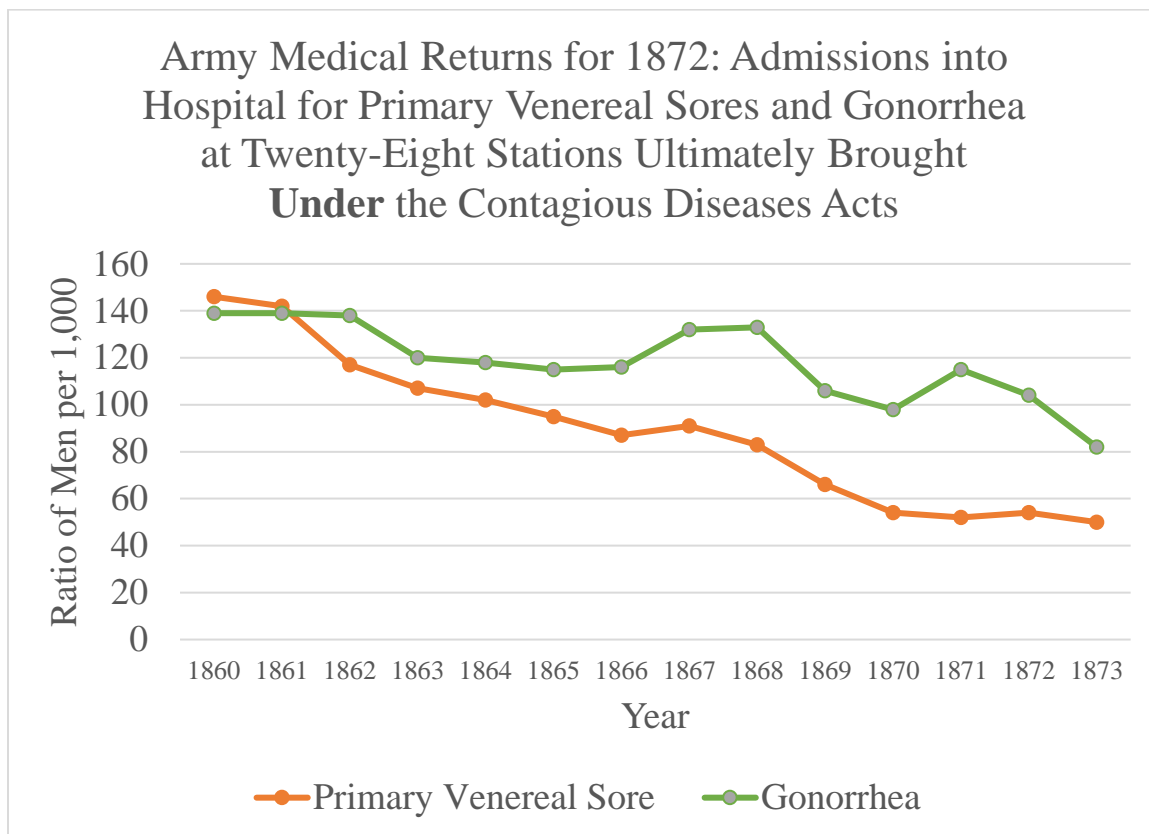
<sup>122</sup> James Stansfeld, “On the Validity of the Annual Government Statistics of the Operation of the Contagious Diseases Acts,” 542.

<sup>123</sup> James Stansfeld, “On the Validity of the Annual Government Statistics of the Operation of the Contagious Diseases Acts,” 542.

calculated to produce favorable impressions to induce Parliament to continue, if not extend the scope of, the Contagious Diseases Acts.<sup>124</sup>



<sup>124</sup> James Stansfeld, "On the Validity of the Annual Government Statistics of the Operation of the Contagious Diseases Acts," 542.



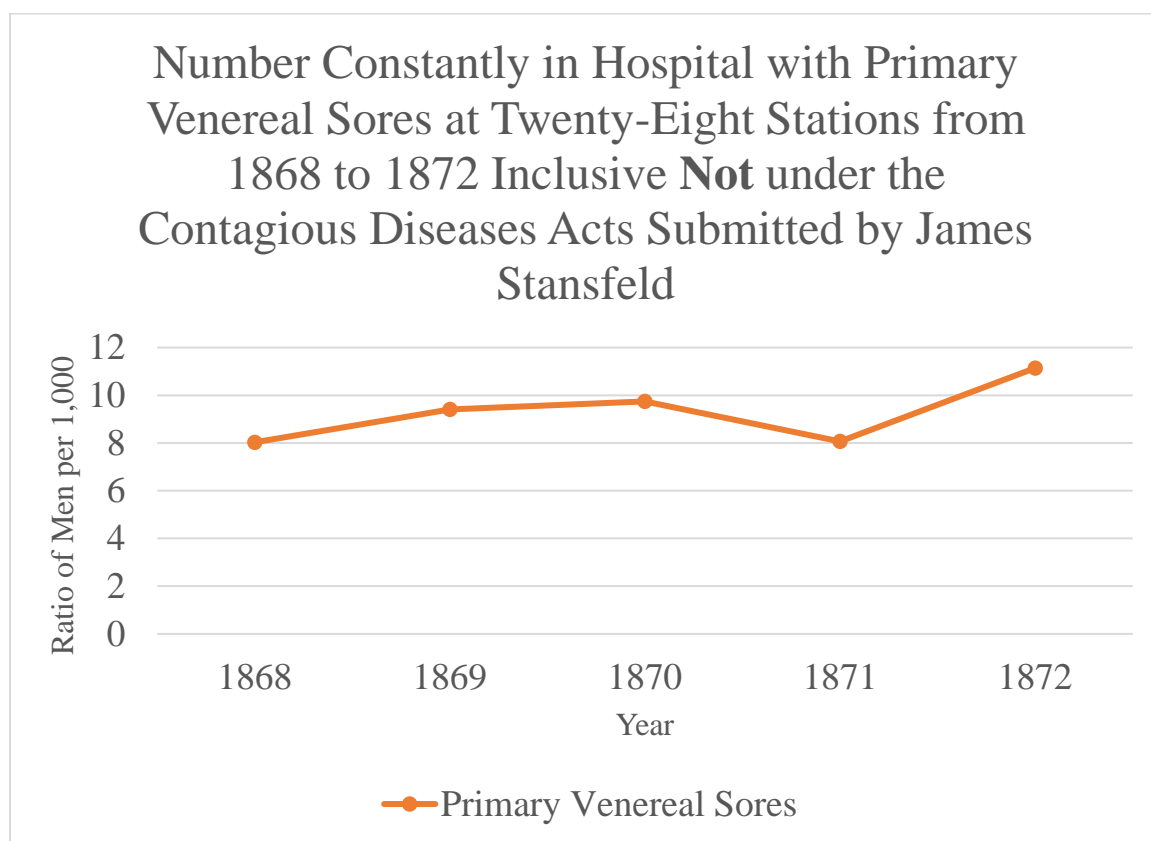
The medical reports supplied in 1872 contained two categories for disease, primary venereal sores and gonorrhoea, which the former proved completely ineffective under the operation of the legislation, and divided the data into the areas under the protection of the legislation and those not.<sup>125</sup> According to the table provided, the number of men in the army with primary venereal sores showed a reduction from 108.6 per 1,000 in 1864 to 54.4 per 1,000 in 1872.<sup>126</sup> Essentially, the calculations, according to Stansfeld, suggested a marked decrease in contagion, which he maintained as unscientific and exaggerated.<sup>127</sup> In addition, the statistician providing these figures began the calculations

<sup>125</sup> James Stansfeld, "On the Validity of the Annual Government Statistics of the Operation of the Contagious Diseases Acts," 544.

<sup>126</sup> James Stansfeld, "On the Validity of the Annual Government Statistics of the Operation of the Contagious Diseases Acts," 544. See appendix 2 for the original table.

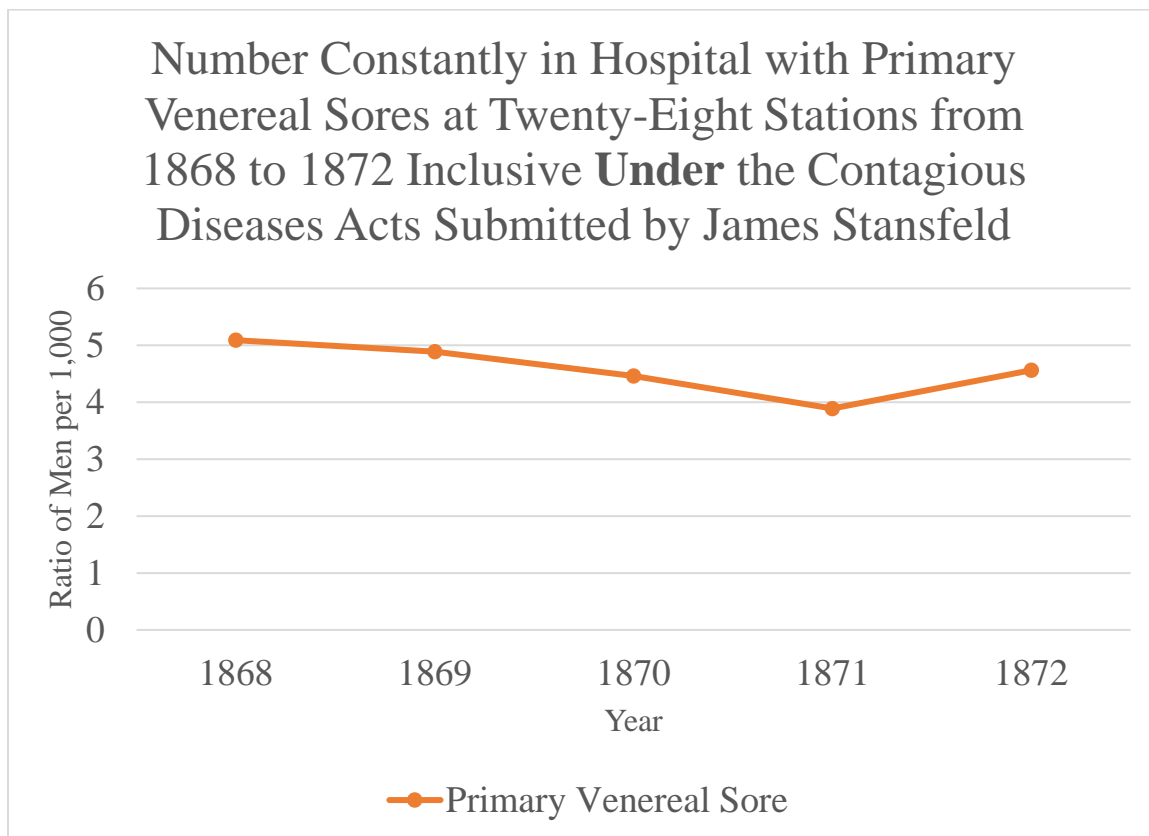
<sup>127</sup> James Stansfeld, "On the Validity of the Annual Government Statistics of the Operation of the Contagious Diseases Acts," 544.

in the year 1864 when the CD Acts had a very limited jurisdiction, no more than 7,393 men, and no provisions for registering a prostitute or for periodical examinations.<sup>128</sup> Instead, he asserted the compilation of data, in order to provide more accurate returns, should have started in 1867, as the replacement and compulsory law did not go into effect until the end of 1866.<sup>129</sup>



<sup>128</sup> James Stansfeld, “On the Validity of the Annual Government Statistics of the Operation of the Contagious Diseases Acts,” 545.

<sup>129</sup> James Stansfeld, “On the Validity of the Annual Government Statistics of the Operation of the Contagious Diseases Acts,” 545.



Stansfeld reiterated his criticism of the statistics, which arose from the misleading information afforded in the tables submitted to the Government.<sup>130</sup> The figures illustrated the number of men in 1866 hospitalized for contagion was 87 per 1,000 out of 39,476 men, when in fact only 10,161 resided in the subjected districts, which the 1872 return showed. Given only one third of the military came under the legislation, the actual ratio was 90.5 per 1,000.<sup>131</sup> Returning to the same records in 1868, the proportion of soldiers constantly in the infirmary was 5.09 per 1,000 and 4.56 per 1,000 in 1872.<sup>132</sup> In essence, the operations under the Contagious Diseases Acts only “saved” twenty-five men in the

<sup>130</sup> James Stansfeld, “On the Validity of the Annual Government Statistics of the Operation of the Contagious Diseases Acts,” 547.

<sup>131</sup> James Stansfeld, “On the Validity of the Annual Government Statistics of the Operation of the Contagious Diseases Acts,” 547.

<sup>132</sup> James Stansfeld, “On the Validity of the Annual Government Statistics of the Operation of the Contagious Diseases Acts,” 547. See above graphs for Stansfeld’s data.

entire army, or 0.5 per 1,000 in five years and only fifty in the navy.<sup>133</sup> He then moved to another serious charge against the facts portrayed, the object of the legislation to increase the efficiency of the military and reduce, or “*stamping out*” [sic] hereditary syphilis.<sup>134</sup>

Stansfeld sought the true figures and had to find the information for himself. He posited, “Surely statistics do not fully perform their functions, which do not attempt to throw any true light on the more important of the two allied problems which they profess to elucidate.”<sup>135</sup> He maintained that the calculations supplied in the Army Return in 1872 erroneously and falsely conveyed positive evidence of an increase in efficiency amongst the soldiers and failed to take account of those permanently incapacitated from syphilis.<sup>136</sup> According to the data Stansfeld obtained, in 1866 the number of disabled men in the home army of 60,000 was 43, but only 10,000 of the men fell under the protected districts. In 1872, 50,000 of the total 85,000 served within the jurisdiction of the CD Acts and those no longer able to remain in the army numbered 96.<sup>137</sup> On average, “the invaliding for secondary syphilis for the years 1863 to 1866 inconclusive was 11 per 10,000 men, and for the years 1867 to 1872, 12 per 10,000.”<sup>138</sup> The navy returns regarding the same issue showed no change before or during the operation of the law and

---

<sup>133</sup> James Stansfeld, “On the Validity of the Annual Government Statistics of the Operation of the Contagious Diseases Acts,” 547.

<sup>134</sup> James Stansfeld, “On the Validity of the Annual Government Statistics of the Operation of the Contagious Diseases Acts,” 548.

<sup>135</sup> James Stansfeld, “On the Validity of the Annual Government Statistics of the Operation of the Contagious Diseases Acts,” 548.

<sup>136</sup> James Stansfeld, “On the Validity of the Annual Government Statistics of the Operation of the Contagious Diseases Acts,” 549.

<sup>137</sup> James Stansfeld, “On the Validity of the Annual Government Statistics of the Operation of the Contagious Diseases Acts,” 549.

<sup>138</sup> James Stansfeld, “On the Validity of the Annual Government Statistics of the Operation of the Contagious Diseases Acts,” 549.

went so far as to apologize for a significant increase of gonorrhoea at the home stations.<sup>139</sup> Stansfeld declared the admission of the statistics proving the legislation had no effect on the lesser class of diseases damaged the reliability of the reports, and, if this was the case with one form of contagion, how could one give validity to the data supplied concerning syphilis?<sup>140</sup> The MP then introduced an even more detrimental fact that undermined the presented information. In October 1873, the army issued a royal warrant, which directed the suspension of a soldier's pay while hospitalized for venereal disease, which, presumably, greatly contributed the sharp decrease in reported cases.<sup>141</sup> The MP asserted, "You will be of the opinion that these suggestions of past or present concealment of disease in the army and navy are admissions, which rob of all reliable validity the Government Returns."<sup>142</sup> He then turned his attention to the information provided in the police reports and their claims regarding the effectiveness of the Contagious Diseases Acts.<sup>143</sup>

The statements issued by law enforcement showed a decline in the number of brothels, streetwalkers, and clandestine prostitutes in the protected districts and clearly attributed this positive effect to the legislation.<sup>144</sup> Stansfeld disagreed and reminded his audience the law carried no provision giving the police authority to suppress the number

---

<sup>139</sup> James Stansfeld, "On the Validity of the Annual Government Statistics of the Operation of the Contagious Diseases Acts," 550.

<sup>140</sup> James Stansfeld, "On the Validity of the Annual Government Statistics of the Operation of the Contagious Diseases Acts," 551.

<sup>141</sup> James Stansfeld, "On the Validity of the Annual Government Statistics of the Operation of the Contagious Diseases Acts," 551.

<sup>142</sup> James Stansfeld, "On the Validity of the Annual Government Statistics of the Operation of the Contagious Diseases Acts," 552.

<sup>143</sup> James Stansfeld, "On the Validity of the Annual Government Statistics of the Operation of the Contagious Diseases Acts," 554. See Appendix 3 for Police Returns.

<sup>144</sup> James Stansfeld, "On the Validity of the Annual Government Statistics of the Operation of the Contagious Diseases Acts," 554.

of brothels.<sup>145</sup> In essence, the decrease indicated by the Metropolitan Police did not occur because of the CD Acts, which operated “solely to secure the registry of prostitutes, their periodical examination, and their treatment in hospital when found diseased.”<sup>146</sup> Stansfeld, working on the assumption the figures presented an accurate account, offered another reason why the supposition the legislation directly or indirectly affected these presented facts was false. He declared that a general lessening of these institutions had already begun prior to the installation of this law.<sup>147</sup> The MP cited Dr. J. Birkbeck Nevins of Liverpool, who had posited that these misleading claims furthered the agenda of those who favored the Contagious Diseases Acts, as the results indicated a substantial improvement in the moral welfare of the people, and their extension to the civil population.<sup>148</sup>

Dr. Nevins examined the tables presented by the police and accurately recalculated the figures; law enforcement claimed, out of a population of 740,000 in 1874 in the protected districts, the number of brothels, clandestine prostitutes, and streetwalkers had reduced from 953 to 439 since the implementation of the legislation. Whereas, in the unprotected districts during the same period with a population of nearly 4,000,000, local police had effectively lessened the number from 3,758 to 2,135, which actually indicated a decrease mostly on par with the subjected areas.<sup>149</sup> After providing

---

<sup>145</sup> James Stansfeld, “On the Validity of the Annual Government Statistics of the Operation of the Contagious Diseases Acts,” 555.

<sup>146</sup> James Stansfeld, “On the Validity of the Annual Government Statistics of the Operation of the Contagious Diseases Acts,” 555.

<sup>147</sup> James Stansfeld, “On the Validity of the Annual Government Statistics of the Operation of the Contagious Diseases Acts,” 555.

<sup>148</sup> James Stansfeld, “On the Validity of the Annual Government Statistics of the Operation of the Contagious Diseases Acts,” 556.

<sup>149</sup> James Stansfeld, “On the Validity of the Annual Government Statistics of the Operation of the Contagious Diseases Acts,” 557.



this testimony, Stansfeld affirmed that a system such as the CD Acts would only diminish the amount of registered women and increase those who engaged in clandestine prostitution.<sup>150</sup> He then declared:

It is not easily to be believed that legislation which raises the status of sexual vice, and which professes to provide for its safe indulgence, should do otherwise than stimulate the demand for prostitutes, and I fear that I am only too well entitled to assume that in such case the usual economic rule would apply, that demand would in some form or other beget a corresponding supply.<sup>151</sup>

Stansfeld, in providing further proof for his claims against the Government returns, opined that women would simply move from the newly subjected districts to avoid the police, which would illustrate a decrease in the number of known prostitutes in the area. He also objected to the figures supplied prior to the implementation of the CD Acts, as there was no formal registry or manner of accurately counting the number of streetwalkers; the statistics gave estimated values, which skewed the data.<sup>152</sup> The outrageous information provided for the district of Devonport gave the impression that one out of every eight unmarried women between the ages of fourteen and thirty-five “was a notorious and public prostitute.”<sup>153</sup> In referring back to Dr. Nevins’s records, it demonstrated a nearly identical reduction of streetwalkers in towns not under the jurisdiction of the law from 1866 to 1874.<sup>154</sup> Returning to the issue of clandestine

---

<sup>150</sup> James Stansfeld, “On the Validity of the Annual Government Statistics of the Operation of the Contagious Diseases Acts,” 557.

<sup>151</sup> James Stansfeld, “On the Validity of the Annual Government Statistics of the Operation of the Contagious Diseases Acts,” 557.

<sup>152</sup> James Stansfeld, “On the Validity of the Annual Government Statistics of the Operation of the Contagious Diseases Acts,” 558.

<sup>153</sup> James Stansfeld, “On the Validity of the Annual Government Statistics of the Operation of the Contagious Diseases Acts,” 558.

<sup>154</sup> James Stansfeld, “On the Validity of the Annual Government Statistics of the Operation of the Contagious Diseases Acts,” 558-9.

prostitution, Stansfeld sought the assistance of the managers of the reformatories and rescue societies to prove the police returns did not accurately portray their evidence.<sup>155</sup>

These charities disagreed with the information supplied by law enforcement and emphatically declared, “It is that this system of police espionage and interference... is becoming productive here, as it has everywhere else, of a large amount of clandestine prostitution.”<sup>156</sup> These women successfully eluded the officers and registration, and, according to the managers, spread venereal disease amongst the population.<sup>157</sup> Between 1870 and 1874, the table provided by the Rescue Society of London, which was more specific and compiled by impartial witnesses, revealed that of the 346 clandestine prostitutes received under their care, at minimum 134 were unknown to police.<sup>158</sup> Sixty-six of the unidentified women were aged seventeen or younger; this information also served to discredit the claims of a reduction in juvenile prostitution.<sup>159</sup> Again, as Frederick William Parse Jago had previously declared in his testimony before the Royal Commission in 1871, “The women are more than a match for the police.”<sup>160</sup> Stansfeld concluded his speech, restating his declaration that he found the statistical data

---

<sup>155</sup> See Appendix 4 for the original table.

<sup>156</sup> James Stansfeld, “On the Validity of the Annual Government Statistics of the Operation of the Contagious Diseases Acts,” 559.

<sup>157</sup> James Stansfeld, “On the Validity of the Annual Government Statistics of the Operation of the Contagious Diseases Acts,” 559.

<sup>158</sup> James Stansfeld, “On the Validity of the Annual Government Statistics of the Operation of the Contagious Diseases Acts,” 559.

<sup>159</sup> James Stansfeld, “On the Validity of the Annual Government Statistics of the Operation of the Contagious Diseases Acts,” 560.

<sup>160</sup> Mr. Frederick William Parse Jago, MRCS, private practitioner at Plymouth, “Report of the Royal Commission,” xvii.

scientifically unsound, biased, and calculated to give an appearance of how well the Contagious Diseases Acts accomplished its goals.<sup>161</sup>

FRS Dr. T. G. Balfour rose to address Stansfeld's accusation regarding the inaccuracy of the returns and the lack of proper classification. The doctor had compiled the figures since the law's inception until 1872 and had forty years of experience as a statistician for the army.<sup>162</sup> He defended his calculations and asserted he had remained unbiased throughout his years of service, and, concerning the terminology, he posited he had purposely remained vague because he had not known how the legislation would operate.<sup>163</sup> He agreed with Stansfeld in reference to the assertions that venereal disease had not lessened or had shown little change in the individual stations, but he reminded the MP that accurate statistical compilation must derive from a large sample, since a small number would not yield reliable results.<sup>164</sup> Dr. Balfour, in response to Stansfeld's declaration that the insignificant decrease in secondary syphilis did not justify the legislation, posited the returns would not appear favorable as the army continually moved between districts both protected and unprotected, thereby making it difficult to obtain the proper data.<sup>165</sup> While unintentional, this declaration served to prove the Army Returns could not provide accurate information, thus negating any benefit of calculating the value of the CD Acts. Mr. Robert Lawson, Inspector-General, contradicted the allegation laid

---

<sup>161</sup> James Stansfeld, "On the Validity of the Annual Government Statistics of the Operation of the Contagious Diseases Acts," 561.

<sup>162</sup> James Stansfeld, "On the Validity of the Annual Government Statistics of the Operation of the Contagious Diseases Acts," 562.

<sup>163</sup> James Stansfeld, "On the Validity of the Annual Government Statistics of the Operation of the Contagious Diseases Acts," 562.

<sup>164</sup> James Stansfeld, "On the Validity of the Annual Government Statistics of the Operation of the Contagious Diseases Acts," 563.

<sup>165</sup> James Stansfeld, "On the Validity of the Annual Government Statistics of the Operation of the Contagious Diseases Acts," 563.

against a royal warrant in 1873, which decreed a suspension of pay while a soldier sought treatment for disease in the hospital, and the coinciding sharp decline of admissions to the infirmary had occurred because the men had concealed their condition.<sup>166</sup> He maintained that if these soldiers had in fact hidden the signs of contagion then the symptoms would persist and worsen until matters reached the point where they must seek medical attention, thus negating Stansfeld's assumption.<sup>167</sup> While many concurred with the Inspector-General, the MP for Halifax attempted to discredit the former's claims, citing his counterpart's use of statistics not supplied by the government and repeated his stance on the date supplied as "being unscientific in their construction from a statistical point of view."<sup>168</sup> While Stansfeld's speech before the London Statistical Society may have convinced more men that the Contagious Diseases Acts did not accomplish its goals, he still had to persuade enough of his contemporaries to repeal the law.

Two years after this debate with the London Statistical Society, Sir Harcourt Johnstone opened yet another session of Parliament with the request for a second reading of a bill to repeal the CD Acts. He had refrained from bringing the matter before the House the previous year in 1877, but the increased agitation among the civil population, presented in the form of a petition signed by eminent women such as Florence Nightingale and Josephine Butler, convinced him to return to the topic.<sup>169</sup> These renowned women who were concerned and outraged at the further subjection of their sex

---

<sup>166</sup> James Stansfeld, "On the Validity of the Annual Government Statistics of the Operation of the Contagious Diseases Acts," 566.

<sup>167</sup> James Stansfeld, "On the Validity of the Annual Government Statistics of the Operation of the Contagious Diseases Acts," 566.

<sup>168</sup> James Stansfeld, "On the Validity of the Annual Government Statistics of the Operation of the Contagious Diseases Acts," 571.

<sup>169</sup> Sir Harcourt Johnstone, MP, speech to the House of Commons, 22 May 1878, *Parliamentary Debates*, Commons, 3d. ser., vol. 240, col. 474-90.

and the powerless and destitute prostitute's inability to fight this injustice, pressured their MPs to continue the crusade within Parliament to repeal the law. He concurred with James Stansfeld's grievance regarding the figures not illustrating a station by station comparison and maintained the data supplied to the Government easily misled its readers into thinking the legislation was effective.<sup>170</sup> He then addressed the allegations of fanaticism and referred to the opinions of Mr. Henley, who "was one of those old-fashioned Gentlemen who are rather out of date. In the House of Commons there used to be a great many men of that kind 25 years ago; but I am afraid they may soon become as extinct as the dodo."<sup>171</sup> Mr. Henley had declared, "But I do not think 'that in any system of heathen ethics' you can find that those who tempt are less blamable than those who are tempted."<sup>172</sup> In all actuality, both sexes must face the consequences of their actions by undergoing examinations for a system such as this to work.<sup>173</sup> The question of the double standard employed by the CD Acts had evolved into a greater disparity between the classes; the poor women suffered more as the targets of this legislation.<sup>174</sup> Mr. Lecour, head of the police in Paris, lamented his inability to apprehend the higher classes of courtesans, or even those engaging in clandestine prostitution, and place them on the register. He declared he could cure all the women on the list; "He wished – Caligula like, who desired that all his people had but one neck that he might destroy them with a single

---

<sup>170</sup> Sir Harcourt Johnstone, MP, speech to the House of Commons, 22 May 1878, *Parliamentary Debates*, Commons, 3d. ser., vol. 240, col. 474-90.

<sup>171</sup> Sir Harcourt Johnstone, MP, speech to the House of Commons, 22 May 1878, *Parliamentary Debates*, Commons, 3d. ser., vol. 240, col. 474-90.

<sup>172</sup> Sir Harcourt Johnstone, MP, speech to the House of Commons, 22 May 1878, *Parliamentary Debates*, Commons, 3d. ser., vol. 240, col. 474-90.

<sup>173</sup> Sir Harcourt Johnstone, MP, speech to the House of Commons, 22 May 1878, *Parliamentary Debates*, Commons, 3d. ser., vol. 240, col. 474-90.

<sup>174</sup> Sir Harcourt Johnstone, MP, speech to the House of Commons, 22 May 1878, *Parliamentary Debates*, Commons, 3d. ser., vol. 240, col. 474-90.

blow.”<sup>175</sup> Harcourt ended his speech to the House of Commons by reminding his peers of a woman who had served her country and its soldiers more than twenty years before at the expense of her own health.<sup>176</sup> Miss Florence Nightingale, who knew soldiers so well from her time in the Crimea, was one of the first to sign the petition against the Contagious Diseases Acts and “felt sure that the system of Government regulation of vice and examination of women is contrary not only to the right of woman, but to the general liberty of the State.”<sup>177</sup> Parliament refused to concede.

Three years later, on 19 July 1882, Stansfeld briefly spoke against the law in defense of his petition to repeal the legislation. He understood the House desired the returns from another committee, which had sat for almost four sessions of Parliament. In light of lacking that information, he returned to removing any misconceptions of his peers regarding those who favored the removal of this law from the Statutes.<sup>178</sup> One such supposition rested on the premise that agitators against the CD Acts opposed treatment for venereal disease because it directly resulted from engaging in sexual vice.<sup>179</sup> In actuality, they desired to increase the availability and access to physicians for any who contracted this sickness.<sup>180</sup> Stansfeld maintained they objected, “On the principle of compulsion; applied in this way – the compulsory registration and compulsory

---

<sup>175</sup> Sir Harcourt Johnstone, MP, speech to the House of Commons, 22 May 1878, *Parliamentary Debates*, Commons, 3d. ser., vol. 240, col. 474-90.

<sup>176</sup> Sir Harcourt Johnstone, MP, speech to the House of Commons, 22 May 1878, *Parliamentary Debates*, Commons, 3d. ser., vol. 240, col. 474-90.

<sup>177</sup> Sir Harcourt Johnstone, MP, speech to the House of Commons, 22 May 1878, *Parliamentary Debates*, Commons, 3d. ser., vol. 240, col. 474-90.

<sup>178</sup> Mr. James Stansfeld, MP, speech to the House of Commons, 19 July 1882, *Parliamentary Debates*, Commons, 3d. ser., vol. 272, col. 1019-31.

<sup>179</sup> Mr. James Stansfeld, MP, speech to the House of Commons, 19 July 1882, *Parliamentary Debates*, Commons, 3d. ser., vol. 272, col. 1019-31.

<sup>180</sup> Mr. James Stansfeld, MP, speech to the House of Commons, 19 July 1882, *Parliamentary Debates*, Commons, 3d. ser., vol. 272, col. 1019-31.

examination of women of a certain class, for the purpose of ascertaining if they are physically fit for the life which they lead.”<sup>181</sup> He declared the only manner that this system could ever work was if Parliament extended it to the whole population and not just protected army or navy districts, which the public would never agree to.<sup>182</sup> Logically, if the government could not subject everyone to the same law, it must repeal the Contagious Diseases Acts, as it would remain under the current system, “the greatest hygienic imposture we have ever known.”<sup>183</sup> Although this session did not end with the desired results, the crusade won a major battle the next year.

James Stansfeld opened his speech before the House of Commons in 1883 with the proposal to obtain the declaration that Parliament disapproved of the examinations. He then began his discussion, as a member of the Committee that had sat for three years with the same objective as the Royal Commission in 1871, objecting to the lack of returns from the Navy for the purpose of their report and the inability to cross-examine the data calculated by the majority.<sup>184</sup> The information gathered received little to no discussion, and supporters blithely voted in favor on every question that supported the maintenance of the system.<sup>185</sup> They proposed no changes to the law regarding the primary concerns

---

<sup>181</sup> Mr. James Stansfeld, MP, speech to the House of Commons, 19 July 1882, *Parliamentary Debates*, Commons, 3d. ser., vol. 272, col. 1019-31.

<sup>182</sup> Mr. James Stansfeld, MP, speech to the House of Commons, 19 July 1882, *Parliamentary Debates*, Commons, 3d. ser., vol. 272, col. 1019-31.

<sup>183</sup> Mr. James Stansfeld, MP, speech to the House of Commons, 19 July 1882, *Parliamentary Debates*, Commons, 3d. ser., vol. 272, col. 1019-31.

<sup>184</sup> Mr. James Stansfeld, MP, speech to the House of Commons, 20 April 1883, *Parliamentary Debates*, Commons, 3d. ser., vol. 278, col. 749-585.

<sup>185</sup> Mr. James Stansfeld, MP, speech to the House of Commons, 20 April 1883, *Parliamentary Debates*, Commons, 3d. ser., vol. 278, col. 749-585.

listed by the opposition and only suggested the strengthening and extension of the legislation.<sup>186</sup>

The MP began his argument, as he had each time before, with the hygienic question and listed the statistical data that proved his claim that the CD Acts did not lessen disease or increase the efficiency of the army and navy.<sup>187</sup> He then reiterated his previous arguments over the years; the reports were unscientific, unsound, and portrayed a bias calculated to ensure the average reader would garner the impression the CD Acts accomplished their aim.<sup>188</sup> Stansfeld acknowledged the returns illustrated a marked decrease in the number of registered prostitutes, but, as expected, the clandestine class had only increased with the demand for their services. He deviated from his typical, tempered speeches and attacked Parliament for its involvement in perpetrating this legislation:

What you have done, I warn you. You have deserted truth, you have deserted faith, you have deserted decency and morality. You have built up not merely a wrong system – an immoral system – but an unnatural system, against which the very appetites and faculties of the bodies of men and women revolt; and the consequence is this – that you have created a pariah class, the mere instruments of the most brutal, the most disgustingly sensual appetites of men, and they become the media, without themselves being infected, of conveying contagion from man to man.<sup>189</sup>

After issuing this scathing reprimand, Stansfeld challenged the police claims of reducing the number of streetwalkers in the protected districts; instead, he claimed, the law

---

<sup>186</sup> Mr. James Stansfeld, MP, speech to the House of Commons, 20 April 1883, *Parliamentary Debates*, Commons, 3d. ser., vol. 278, col. 749-585.

<sup>187</sup> Mr. James Stansfeld, MP, speech to the House of Commons, 20 April 1883, *Parliamentary Debates*, Commons, 3d. ser., vol. 278, col. 749-585.

<sup>188</sup> Mr. James Stansfeld, MP, speech to the House of Commons, 20 April 1883, *Parliamentary Debates*, Commons, 3d. ser., vol. 278, col. 749-585.

<sup>189</sup> Mr. James Stansfeld, MP, speech to the House of Commons, 20 April 1883, *Parliamentary Debates*, Commons, 3d. ser., vol. 278, col. 749-585.



reinforced clandestine prostitution and only hardened women and enabled them to practice this trade longer than those in areas not subject to the legislation.<sup>190</sup> He closed his statement, begging the House to move his resolution forward. Finally, he achieved a major victory for this crusade; Parliament declared, “This House disapproves of the compulsory examination of women under the Contagious Diseases Acts.”<sup>191</sup> Stansfeld succeeded in convincing his peers, through scientifically, sound statistical data, that this system had failed to yield the intended results. The government suspended the legislation for the next three years and repealed the Contagious Diseases Acts in 1886. Historians also credit Josephine Butler as instrumental in voicing her outrage against this law and for her extensive travelling, speeches, and writings, which served to influence and educate male voters to elect liberal members of Parliament to office.

#### CONCLUSION

In 1864, military officials addressed a problem they faced, namely that many of their soldiers and sailors suffered from venereal disease contracted by engaging ladies of the night thereby decreasing the efficiency of the army and navy. Parliament passed the first in a series of laws, the Contagious Diseases Acts, which compelled any woman in a protected district suspected of prostitution to place herself on a register and undergo gynecological examinations to determine if she had syphilis or gonorrhoea. With the onset of public knowledge of the legislation and the subsequent agitation, the government requested a commission to examine the operation administration of the CD Acts in 1871.

---

<sup>190</sup> Mr. James Stansfeld, MP, speech to the House of Commons, 20 April 1883, *Parliamentary Debates*, Commons, 3d. ser., vol. 278, col. 749-585.

<sup>191</sup> Speaker of the House, speech to the House of Commons, 20 April 1883, *Parliamentary Debates*, Commons, 3d. ser., vol. 278, col. 749-585.

The report contained the testimonies of eighty people who had, in some form or other, contact with the regulating system, and, despite the recommendation to remove the compulsory aspect, the law remained unchanged. Rising in protest against the violations of liberty and morality, Josephine Butler led the crusade for the general populace. She had spent the better part of her life altruistically helping these unfortunate women, and she fought against the system in the only manner possible; she raised awareness and convinced men who could vote to elect Liberal Members of Parliament who sided against the legislation. After MP William Fowler lost his constituency in 1874, MP James Stansfeld took up the mantle for this crusade and argued the law did not accomplish its goal to reduce venereal disease and increase the efficiency of the military. He provided scientifically, comprehensive statistical data, using the figures obtained by the government, and proved the Contagious Diseases Acts failed the hygienic question. After nine years of issuing his reports and arguing against the legislation in the House, Stansfeld secured a suspension of the law and saw its eventual repeal in 1886.

I came upon this topic after reading Judith Walkowitz's book *City of Dreadful Delight: Narratives of Sexual Danger in Late-Victorian London*. The subject sparked my curiosity and left me with numerous questions. Why did Parliament pass this law? What did the government hope to accomplish? Why did so many object to the CD Acts and fight so long for its repeal? Why did the House of Commons eventually abolish this legislation? With further research into the Hansard Debates, Parliamentary Papers, memoirs, and secondary literature, I found the issues faced by prostitutes during the Victorian period had changed little in the past 131 years. Society still views this class as social pariahs, charities still exist to help the unfortunate women, sex trade is still a major

problem with the same methods used to procure young girls, and governments across the world still seek to legislate the trade or make it illegal. Legislators today concern themselves intimately with women and the rights to their bodies, which is evident by the court case *Roe V. Wade* that dealt with the question of abortion, citing religious authority as the basis of their arguments. Lawmakers frequently attempt to reverse the decision made by the United States Supreme Court or seek ways in which to circumnavigate the ruling. In examining the past systems of regulation, one can draw parallels and seek better, more just, ways in which to deal with this age-old problem.

During the course of this research, I discovered many aspects untouched, or barely mentioned, by historians. The Royal Commissions requested by Parliament contain a plethora of material to deconstruct further. While the government repealed the Contagious Diseases Acts in England, this did not affect the British Colonies Philippa Levine addressed the colonial question in her book, *Prostitution, Race, and Politics: Policing Venereal Disease in the British Empire*, but this is one of the very few that covers this area. Josephine Butler and James Stansfeld continued their crusade to ensure the abolishment throughout the entire empire and the MP even created a trust in his name to promote justice, morality, and equality for both men and women before the law to continue his work after his death.<sup>192</sup> With the rise of feminist histories that primarily focus on the role of women, this thesis seeks to enlighten readers of the important and often-neglected role of MP James Stansfeld. Through his persistent examination of the data supplied by the Government Returns that illustrated the supposed effectiveness of

---

<sup>192</sup> J.L. and Barbara Hammond, *James Stansfeld: A Victorian Champion of Sex Equality*, 1.

the Contagious Diseases Acts, he exposed the misleading information provided and proved the system did not significantly increase military efficiency or decrease venereal disease and eventually convinced Parliament to repeal the law in 1886.

## BIBLIOGRAPHY

## ARCHIVAL

Liverpool, England. University of Liverpool. Josephine Butler Collection. JB 1. Letters.

## GOVERNMENT DOCUMENTS

Contagious Preventative Diseases Act, 1864, 14 & 15 Vict. c. 93.

Contagious Diseases Act, 1866, 29 Vict. c. 35.

Contagious Diseases Act, 1869, 32 & 33 Vict. c. 80.

Contagious Diseases Acts, A bill to repeal the Contagious Diseases Acts, 1866 to 1869. 1886, 49 Vict. c. 147.

*Hansard Parliamentary Debates*, 3d series (1830-91).

Magna Charta. 1297. *Statutes of the Realm*. 25 Edw I.

United Kingdom. House of Commons. "Report of the Royal Commission upon the Administration and Operation of the Contagious Diseases Acts." *Sessional Papers, 1871, Administration and Operation of the Contagious Diseases Acts*, 1871, Vol. 1/2.

United Kingdom. House of Commons. "Report of the Committee Appointed 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, with Appendices, and the Evidence Taken before the Committee." *Sessional Papers*, 1867-68.

———. "Special report from the Select Committee on the Contagious Diseases Bill; with the Proceedings of the Committee." *Sessional Papers*, 1866.

———. "Public health. Ninth Report of the Medical Officer of the Privy Council. With Appendix." *Sessional Papers*, 1867.

———. "Contagious Diseases Acts. Copy of Report of the Chief Commissioner of Police to the Board of Admiralty on the Operation of the Contagious Diseases Acts in the Plymouth and Devonport district, &c." *Sessional Papers*, 1870.

———. "Colchester Lock Hospital. Copy of correspondence between the War Office and the Reverend Mr. Dacre, Late Chaplain of the Colchester Lock Hospital, Respecting the Efforts Required to be made for the Reclamation of Women Confined in the Hospital under the Operation of the Contagious Diseases Acts." *Sessional Papers*, 1871.

———. "Contagious Diseases Acts (Memorial of London Physicians, &c.) Copy of the Memorial Presented to the Secretary of State for the Home Department, in Favour of Contagious Diseases Acts, Signed by Members of the Medical Profession Resident in London, Together with the Signatures Thereto Attached." *Sessional Papers*. 1872.

———. "Contagious Diseases Acts (Statistics). Return of any Statistics in Possession of the Metropolitan Police, Showing the Operation and Effects of the Contagious Diseases Acts down to the 31st Day of December 1871." *Sessional Papers*, 1872.

———. "Contagious Diseases Acts. Copy of Memorials Presented to the Secretary of State for the Home Department from 2,500 Medical Men, Praying that the Principles of the Contagious Diseases Acts may be Maintained, Together with the Signatures

- and other Particulars Attached Thereto, and including any Similar Memorials on the Same Subject since Presented.” *Sessional Papers*, 1872.
- . “Contagious Diseases Acts (Statistics). Return of any Statistics in Possession of the Metropolitan Police, Showing the Operation and Effects of the Contagious Diseases Acts down to the 31st Day of December 1872 (in continuation of parliamentary paper, no. 114, of session 1872.)” *Sessional Papers*, 1873.
- . “Army (Contagious Diseases Acts). Tables Relative to the Working of the Contagious Diseases Acts as Regards the Army, Comprising the Results Obtained from the Returns of Twenty-eight Stations in the United Kingdom, being all the Stations at which the Force was 500 Men and Upwards (in Continuation of Parliamentary Paper, no. 208, of Session 1873).” *Sessional Papers*, 1875.
- . “Copy of Annual Report for 1874, of Captain Harris, Assistant Commissioner of Police of the Metropolis, on the Operation of the Contagious Diseases Acts.” *Sessional Papers*, 1874.
- . “Navy (contagious diseases). Return Showing the Number of Cases of Venereal Diseases in Her Majesty's Ships and Vessels Stationed at Five Home Ports, at which the Contagious Diseases Acts have been and are in Operation, and the Number of Cases in Her Majesty's Ships and Vessels at Five Home Ports at which the Contagious diseases Acts have never been Applied, from the Year 1860 to the Year 1875, Inclusive; Together with the Ratios per Thousand of Force for each Year at each Port, and the Total Ratios for the Ports under the Acts, and the Ports not under the Acts.” *Sessional Papers*. 1877.
- . “Army (contagious diseases). Tables Relating to the Working of the Contagious Diseases Acts as Regards the Army down to the Year 1877 Inclusive, Contrasting the Results at Twenty-eight Large Stations in the United Kingdom, being all at which the Force was 500 Men and Upwards when the First Act was Applied (in Continuation of Parliamentary Paper, no. 266, of Session 1875).” *Sessional Papers*. 1878.
- . “Report from the Select Committee on the Contagious Diseases Acts: Together with the Proceedings of the Committee, Minutes of Evidence, and Appendix.” *Sessional Papers*. 1881.
- . “Report from the Select Committee on the Contagious Diseases Acts: Together with the Proceedings of the Committee, Minutes of Evidence, and Appendix.” *Sessional Papers*. 1882.
- . “Contagious Diseases (Army and Navy). Returns Relating to Contagious Diseases (Army and Navy).” *Sessional Papers*. 1884-5.

#### PUBLISHED PRIMARY SOURCES

##### NINETEENTH CENTURY MEMOIRS

- Butler, Josephine. *Personal Reminiscences of a Great Crusade*. London: Horace Marshal & Son, 1910.
- . *An Autobiographical Memoir*. Bristol, England: J.W. Arrowsmith, 1912.
- . *Recollections of George Butler*. Bristol, England: J.W. Arrowsmith, 1890.

## NINETEENTH CENTURY PUBLISHED WORKS

- Logan, William. *The Great Social Evil: Its Causes, Extent, Results, and Remedies*. London: Hodder and Stoughton, 1871.
- Mayhew, Henry. *London's Underworld*. ed. Peter Quennell. London: Spring Books, 1950.
- Scott, Benjamin. *A State Iniquity: Its Rise, Extension and Overthrow. A Concise History of the System of State-Regulated and Licensed Vice; Its Pagan Origin; Its Introduction into and Extension in Christendom; Its Adoption by the British Legislature; The Struggle for its Suppression, and its Triumphant Overthrow in Great Britain and her Crown Colonies*. London: Kegan, Paul, Trench, Trübner & Co., 1890.
- Wood, George B. *A Treatise on Therapeutics, and Pharmacology or Materia Medica*. Vol. 1. Philadelphia, Pennsylvania: J.B. Lippincott & Co., 1867.

## NINETEENTH CENTURY PAMPHLETS

- The Contagious Diseases Act, or a few Suggestions for Controlling Men as well as Women*. London: Henderson, Rait, & Fenton, n.d.
- Acton, William. *The Contagious Diseases Act. Shall the Contagious Diseases Acts be Applied to the Civil Population?* London: John Churchill & Sons, 1870.
- Anthropos. *The Contagious Diseases Acts and the Contagious Diseases Preventive Bill*. London: Henry Renshaw, 1872.
- An Appeal to the People of England, on the Recognition and Superintendence of Prostitution by Governments*. Nottingham, England: Frederick Banks, Bookseller and Stationer, n.d.
- Ash, Edward, *The Contagious Diseases Acts, Considered in their Relation to Religion and Morals*. London: W. Tweedie & Co., 1870.
- Association for Promoting the Extension of the Contagious Diseases Act, 1866, to the Civil Population of the United Kingdom. *Report of the Extent of Venereal Disease, on the Operation of the Contagious Diseases Act, and the Means of Checking Contagion: with Appendix*. London: H. Bailliere, 1868.
- . *Third Report on the Operation of the Contagious Diseases Acts: being a Reply to Statements Recently Made at Various Meetings and in the Public Prints: with Appendix*. London: James Walton, 1870.
- . *Laws of the Association of the Contagious Diseases Acts of 1866 to the Civil Population of the United Kingdom*. London: E. Elfick, 1870.
- Armstrong, John. *A further Appeal for the Formation of Church Penitentiaries*. London: John Henry Parker, 1851.
- Atchison, T. *Letters to the "Times" on Small-Pox Encampments and a Word on the Contagious Diseases Acts*. London: T. Richards, 1871.
- Beggs, Thomas. *The Proposed Extension of the Contagious Diseases Act in its Moral and Economical Aspects*. London: William Tweedie, 1870.

- Besant, Annie. *The Legalisation of Female Slavery in England*. London: Anne Besant and Charles Bradlaugh, 1885.
- Blackstone, Samuel. *Paternal Government: Whither are we Drifting?* London: Bradbury, Agnew, & Co., 1873.
- Butler, Josephine. *Address Delivered at Croydon, July 3<sup>rd</sup>, 1871*. London: 1871.
- . *The Constitution Violated: An Essay*. Edinburgh: Edmonston and Douglas, 1871.
- . *Mrs. Butler's Appeal to the Women of America*. New York, New York: The Philanthropist, 1888.
- . *Social Purity*. London, England: Morgan and Scott, 1879.
- . *Some Thoughts on the Present Aspect of the Crusade against the State Regulation of Vice*. Liverpool, England: T. Brakell, Printer, 1874.
- . *On the Dangers of Constructive Legislation in Regard to the Social Evil: Being Extracts from an Address*. London, 1884.
- Cadell, Francis, Esq. *The Contagious Diseases Acts*. Edinburgh, Scotland: The Scottish National Association for the Abolition of the State Regulation of Vice and Promotion of Social Purity, 1871.
- Childers, H.C.E., MP. *Manifesto of the Associations Formed to Secure the Repeal of the Contagious Diseases Acts, Called Forth by the Debate in the House of Commons, on the 23<sup>rd</sup> of June, 1875, on Sir Harcourt Johnstone's Bill for the Repeal of the Acts*. London: Tweedie & Co., 1875.
- Committee of the North-Eastern Anti-Contagious Diseases Acts Association. *Revelations of an Ex-agent of the Paris Morals Police: translated from "La Lanterne"*. Nottingham, England: Stevenson, Bailey, and Smith, Printers, 1878.
- Conference of Delegates from Associations and Committees Formed in Various Towns for Promoting the Repeal of the Contagious Diseases Acts. *Contagious Diseases Acts: Memorial Adopted at [the] Conference*. London: W. Tweedie, 1870.
- Congregational Union of England & Wales. *Report of a Discussion on the Contagious Diseases Acts: in the Assembly of the Congregational Union of England & Wales, on Friday, May 13<sup>th</sup>, 1881*. London: W. Speaight & Sons, 1881.
- Curgenvin, Brendon, J. *The Contagious Diseases Act of 1866 and the Extension to the Civil Population of the United Kingdom*. London: 1868.
- Devonport Town Council. *The Alleged Moral Benefits of the Contagious Diseases Acts in Plymouth and Devonport*. London: National Association for the Repeal of the Contagious Diseases Acts, 1882.
- Dickson, Samuel. *The Medical Commission now Sitting at the Admiralty: with Remarks Thereon*. London: Virtue, Brothers, & Co., 1865.
- Fowle, Rev. Fulwar William, *Aholah and Aholibah: A Sermon, Having Reference to Recent Immoral Legislation by the British Parliament*. London: Tweedie and Co., 1871.
- Geneva Conference. *The Geneva Congress on Public Morality: Descriptive Account*. 1877.
- Gladstone, William Ewart. *Mr. Gladstone and Lord Hartington on the Contagious Diseases Acts*. London, 1884.
- Guyot, Yves. *English and French Morality, from a Frenchman's Point of View*. London: The Modern Press, 1886.



- Herbert, Jesse. *A Review of the Reports of the Select Committee Appointed in 1879 by the House of Commons to Enquire into the Operations of the Contagious Diseases Acts*. London: Dyer Brothers, 1880.
- Hill, Berkeley. *Should the Principle of the Contagious Diseases Acts be Applied to the Civil Population?* London: Victoria Press, 1870.
- Hopkins, Ellice. *A Plea for the Wider Action of the Church of England in the Prevention of the Degradation of Women*. London: Hatchards, Piccadilly, 1879.
- Hume-Rothery, Mary C. *A Few Words on the Contagious Diseases' Act in Answer to the Papers of Miss Garrett and Mr. Berkeley Hill*. Manchester, 1870.
- . *A Letter Addressed to the Right Hon. W.E. Gladstone, M.P., and the other Members of Her Majesty's Government, and of Both Houses of Parliament, touching the Contagious Diseases' Acts of 1866 and 1869, their Proposed Extension to the Civil Population of this Kingdom*. Manchester: Abel Heywood and Son, 1870.
- . *Women and Doctors: or Medical Despotism in England*. London: T. W. Heywood & Son, Printers and Publishers, 1871.
- Ladies' National Association for the Repeal of the Contagious Diseases Acts. *A Three-fold Cord; or, The United Testimonies of British Ladies, Ministers of the Gospel, and Medical Men, in favour of the Total and Immediate Repeal of the Contagious Diseases Acts Affecting Women (not Cattle) of Great Britain and Ireland*. London: William Tweedie, 1870.
- Lamb, Andrew Simon. *A Short Description (Adapted for Popular Use) of the Modes of Carrying into Effect Certain Provisions of the Contagious Diseases Acts of 1866, 1868, & 1869: with Reference to the Acts themselves*. London: Trübner & Co., 1870.
- Lousia. *A Book for the Wicked*. Bristol, England: Cook, General Publisher, News-Agent, and Bookseller, n.d.
- Lowndes, Frederick W. *Liverpool Seamen's Dispensary: Supplementary Medical Report of the Results of the First Year's Working of the Dispensary*. Liverpool, England: J.R. Williams & Co., 1878.
- . *The Extension of the Contagious Diseases Acts to Liverpool and other Seaports Practically Considered*. London: J. & A. Churchill, 1876.
- . *Lock Hospitals and Lock Wards in General Hospitals*. London: J. & A. Churchill, 1882.
- Medicus. *The "Contagious Diseases Bill."* A Letter Addressed to the Editor of the "Morning Advertiser." Nottingham, England: "Journal" Office, 1869.
- Metropolitan Anti-Contagious Diseases Acts Association. *Address*. London: Trübner & Co., 1870.
- National Anti-Contagious Diseases' Act Association. *Licensing Prostitution*. London: Unwin Brothers, Printers, 1869.
- . *Address, By Emer.' Prof.' F. W. Newman, To the London Conference, 5<sup>th</sup> May, 1870, Against the Contagious Diseases Act, on the Topic Assigned to Him*. London, 1870.
- National Association for the Repeal of the Contagious Diseases Acts. *500 Clergymen of the Church of England Who Are Known to Disapprove of the Contagious*

- Diseases Acts*. London: National Association for the Repeal of the Contagious Diseases Acts, 1873.
- . *The Contagious Diseases Acts. The Royal Commission as a Court of Justice. Being an Examination of the Declaration of the Commissioners that the "Police are not Chargeable with any Abuse of their Authority." With Illustrative Cases*. London: Mr. F.C. Banks, 1871.
- . *The Evidence of John Stuart Mill, Taken before the Royal Commission of 1870, on the Administration and Operation of the Contagious Diseases Acts of 1866 and 1869*. London: Frederick C. Banks, 1871.
- . *Facts Respecting the Contagious Diseases Acts. Substance of a Speech by Duncan McLaren, Esq., M.P., Delivered at a Public Meeting in the Music Hall, Newcastle, September 27, 1870*. Manchester, England: A. Ireland and Co., 1870.
- . *On the Moral Condition of the Subjected Districts since the Suspension of Compulsory Periodical Examination*. London, 1884.
- A New Contagious Diseases Act, or a few Suggestions for Controlling Men as well as Women*. London: John Moore, 1873.
- Newman, Francis, W. *The Cure of the Great Social Evil, with Special Reference to Recent Laws Delusively Called the Contagious Diseases' Acts*. London: Trübner & Co., 1869.
- . *The Coming Revolution*. Nottingham, England: Stevenson, Bailey, and Smith, 1882.
- . *The Theory and Results of the Contagious Diseases' Acts of 1864, 1866, 1869*. London, 1870.
- Northern Counties League for Abolishing State Regulation of Vice, and for Promoting Social Purity and the Rescue of the Fallen. *At Home and Abroad: a Comparison of Certain British and Continental Regulations*. London, 1881.
- Observations on the Attempt which Has Been Recently Made (under the Title of a "Contagious Diseases Bill") to Introduce into Great Britain, the Iniquitous Continental System of Licensed Prostitution: Showing the Cruel, Immoral, and Despotic Nature of this Law, Together with Its Utter Inutility so Far as the Repression of Disease Is Concerned*. Nottingham, England: "Journal" Office, 1870.
- Playfair, Lyon, *Motion for Repeal of the Contagious Diseases Acts*. London: James Walton, 1870.
- Protest of Associations to Procure the Repeal of the "Contagious Diseases Acts," 1866 to 1869*.
- Routh, C.H.F., *On the Difficulty of Diagnosing True Syphilitic Disease in Women, and the Nature of its Contagion*. London: T. Danks, 1883.
- Sheldon, Amos, *The Policy of the Contagious Diseases Acts 1866 and 1869 Tested by the Principles of Ethical and Political Science*. London: William Ridgeway, 1870.
- Simon, John. *Report on the Contagious Diseases Act: (Showing the Expense, Impolicy, and General Inutility of its Proposed Extension), to the Civil Population*. London: The Association for Opposing the Extension of Licensed Prostitution in Great Britain, 1870.
- Shaen, William. *Suggestions on the Limits of Legitimate Legislation on the Subject of Prostitution*. London: Frederick Charles Banks, 1878.

- The Society for the Rescue of Young Women and Children. *"The Remedy Worse than the Disease" A Protest Against the Legislative Measures for the Regulation (and Tending to the Encouragement) of Prostitution, as Exemplified in the Provisions and Working of the "Contagious Diseases Act, 1866."* London: W. Tegg, n.d.
- Something New in England; or, Sin Licensed by Act of Parliament.* London: Ford & Shapland, Printers, n.d.
- Southampton Branch of the Anti-Contagious Diseases Association. *The Application of the Contagious Diseases Act to Southampton.* Southampton, England: "Southampton Times" Steam Printing Works, 1870.
- Stansfeld, James. *Substance of the Speeches of the Rt. Hon. James Stansfeld on the Contagious Diseases Acts.* London: The National Association for the Repeal of the Contagious Diseases Acts, 1875.
- . *On the Failure of the Contagious Diseases Acts, as Proved by the Official Evidence Submitted to the Select Committee of the House of Commons, 1879, 1880 and 1881.* London: Pewtress & Co., 1881.
- . *Medical Women: an Historical Sketch.* Southampton, England: Steam Printing Works, 1878.
- Taylor, Charles Bell. *The Contagious Diseases Act, Showing its Cruelty, Injustice, Demoralizing Tendency, & Inexpediency in a Sanitary Point of View; Being the Substance of a Paper Read before the Medical Society of London, January 17, 1870; with Report of the Debate.* Nottingham, England: Frederick Banks, Bookseller and Stationer, 1870.
- . *Observations on the Contagious Diseases Act, (Women, not Animals), Showing How the New Law Debases Women, Debauches Men, Destroys the Liberty of the Subject, and Tends to Increase Disease: being a Reply to Mr. W. Paul Swain's Paper on the Working of the Act at Devonport.* Nottingham, England: Frederick Banks, Bookseller and Stationer, 1869.
- . *Speech by Charles Bell Taylor on the Second Reading of a Bill for the Repeal of the Contagious Diseases Acts, 1866-1869.* London: Effingham Wilson, 1883.
- . *A Speech (Verbatim) Delivered to the Working Men of Exeter in Reference to the Proposed Extension of the Contagious Diseases Acts to that City.* London: Dyer Brothers, 1879.

#### NINETEENTH CENTURY SCHOLARLY JOURNALS

- Acton, William and Ricord. "M. Ricord's View on Syphilis." *The British Medical Journal* 2 (24 August 1872): 228.
- . "The Modern Treatment of the Advanced Stages of Constitutional Syphilis." *The British Medical Journal* 2 (17 August 1872): 186-7.
- The British Medical Journal. "The Contagious Diseases Acts." *The British Medical Journal* 2 (14 October 1871): 445.
- . "The Contagious Diseases Acts." *The British Medical Journal* 2 (19 October 1878) 603.
- . "Conviction under the Contagious Diseases Acts." 2 (4 December 1869): 614.
- . "Laisser Faire and Its Results." *The British Medical Journal* 2 (20 August 1870): 193-5.

- . “Proceedings under the Contagious Diseases Acts.” *The British Medical Journal* 1 (27 January 1872): 106.
- . “Results of the Contagious Diseases Act at Aldershot.” *The British Medical Journal* 1 (27 February 1869): 195-6.
- . “The Contagious Diseases Acts at Canterbury.” *The British Medical Journal* 2 (29 October 1870): 466.
- . “The Contagious Diseases Acts in Liverpool.” *The British Medical Journal* 2 (14 November 1874): 629-30.
- . “The Contagious Diseases Acts: A Contrast.” *The British Medical Journal* 1 (6 March 1880): 378.
- . “The National Anti-Contagious Diseases Act Association.” *The British Medical Journal* 2 (10 December 1870): 633.
- Hill, Berkley. “Statistical Results of the Contagious Diseases Acts.” *Journal of the Statistical Society of London* 33 (December 1870): 463-85.
- . “Group Illustrations of the Working of the Contagious Diseases Act.” *The British Medical Journal* 1 (1 February 1868): 94-5.
- . “Group Illustrations of the Working of the Contagious Diseases Act.” *The British Medical Journal* 2 (28 December 1867): 583-5.
- Lawson, Robert. “The Operation of the Contagious Diseases Acts among the Troops in the United Kingdom, and Men of the Royal Navy on the Home Station, from their Introduction in 1864 to their Ultimate Repeal in 1884.” *Journal of the Statistical Society of London* 54 (March 1891): 31-69.
- Lowndes, Frederick W. “The Liverpool Lock Hospital and the Prevalence and Severity of Constitutional Syphilis in Liverpool.” *The British Medical Journal* 1 (15 May 1880): 727-9.
- Myers, A.B.R. “Mr. Stansfeld, Mr. Myers, and the Contagious’ Diseases Act.” *The British Medical Journal* 2 (5 December 1874): 720-1.
- . “The Effects of the Contagious Diseases Act at Windsor.” *The British Medical Journal* 1 (15 February 1879): 224.
- An Old Member of the Social Science Association. “The Social Science Association and the Contagious Diseases Acts.” *The British Medical Journal* 2 (28 September 1872): 369.
- Paget, James. “Part of a Clinical Lecture on the Use of Iodide of Potassium in Tertiary Syphilis.” *The British Medical Journal* 1 (9 May 1868) 450.
- Parker, Langston. “Iodide of Potassium in Syphilis.” 1 (22 May 1869): 466.
- Parks, E.A., Robert Lawson, N. Fpolliott, Frederick W. Lowndes, and William Carter. “The Contagious Diseases Acts.” *The British Medical Journal* 1 (27 February 1875): 294-6.
- Ricord, M.P. “The Treatment of Syphilis.” *The British Medical Journal* 2 (17 August 1872): 187-8.
- Sigmund, Dr. “The Treatment of Syphilis by the Hypodermic Injection of Mercury.” *The British Medical Journal* 2 (21 October 1871): 470-2.
- Stansfeld, James. “On the Validity of the Annual Government Statistics of the Operation of the Contagious Diseases Acts.” *Journal of the Statistical Society of London* 39 (September 1876): 540-72.

## NINETEENTH CENTURY NEWSPAPERS AND PERIODICALS

- Aberdeen Journal* (Aberdeen, Scotland), 1873.  
*Belfast Newsletter* (Belfast, Ireland), 1870.  
*Birmingham Daily Post* (Birmingham, England), 1870-1, 1874.  
*Bradford Observer* (Bradford, England), 1870-1.  
*Contemporary Review* (London, England), 1870.  
*Daily News* (London, England), 1869, 1871, 1874-5, 1882-3, 1886.  
*Dundee Courier* (Dundee, Scotland), 1882-3.  
*Examiner* (London, England), 1871-2, 1874-5.  
*Fortnightly Review* (London, England), 1870.  
*Fun* (London, England), 1876.  
*Glasgow Herald* (Glasgow, Scotland), 1871.  
*Labour League Examiner* (Boston, UK), 1874, 1879-80.  
*Lancaster Gazette* (Lancaster, England), 1882.  
*Leicester Chronicle* (Leicester, England), 1871, 1883.  
*Lloyd's Illustrated Newspaper* (London, England), 1870-1, 1874-5.  
*Manchester Times* (Manchester, England), 1870.  
*Morning Post* (London, England), 1870.  
*Nottinghamshire Guardian* (Nottingham, England), 1874.  
*Pall Mall Gazette* (London, England), 1870-5, 1877, 1886.  
*Reynolds's Newspaper* (London, England), 1870-2, 1875-7.  
*Royal Cornwall Gazette* (Truro, England), 1872.  
*Saint Paul's Magazine* (London, England), 1873.  
*Saturday Review* (London, England), 1870-5.  
*Sentinel* (London, England), 1879, 1881-7, 1889.  
*Sheffield Independent* (Sheffield, England), 1870-1.  
*Sphinx* (London, England), 1870.  
*The Shield* (London, England), 1870-1, 1873-5, 1882.  
*The Standard* (London, England), 1871.  
*Times* (London, England), 1871-2, 1874, 1882-3, 1886.  
*Westminster Review* (London, England), 1869-70, 1876, 1883, 1899.  
*York Herald* (York, England), 1870, 1875, 1879.

## TWENTIETH AND TWENTY-FIRST CENTURY PUBLISHED SECONDARY SOURCES

- Attwood, Nina. *The Prostitute's Body: Rewriting Prostitution in Victorian England*. Vermont: Pickering & Chatto (Publishers) Limited, 2011.  
 Bartley, Paula, *Prostitution, Prevention and Reform in England, 1860-1914*. New York: Routledge, 2000.  
 Bland, Lucy. *Banishing the Beast: Sexuality and the Early Feminists*. New York: The New Press, 1995.  
 Boyd, Nancy. *Three Victorian Women Who Changed Their World: Josephine Butler, Octavia Hill, Florence Nightingale*. New York, NY: Oxford University Press, 1982.

- Brown, Richard. *Sex, Work, and Politics: Women in Britain, 1830-1918*. Authoring History, 2012.
- Carpenter, Mary Wilson. *Health, Medicine, and Society in Victorian England*. Santa Barbara, CA: ABC-CLIO, LLC., 2010.
- Churchill, Winston S. *A History of the English-Speaking Peoples: The Great Democracies*. New York, New York: Bantam Books, 1958.
- Clark, Anna. *Women's Silence, Men's Violence: Sexual Assault in England, 1770-1845*. New York: Pandora Press, 1987.
- Colley, Linda. *Britons: Forging the Nation 1707-1837*. Connecticut: Yale University Press, 1992.
- Daggers, Jenny. *Sex, Gender, and Religion: Josephine Butler Revisited*. New York: Peter Lang Publishing, Inc., 2006.
- Fawcett, Millicent Garrett. *Some Eminent Women of our Times*. London: Macmillan and Co., 1889.
- Finnegan, Frances. *Poverty and Prostitution: A Study of Victorian Prostitutes in York*. New York: Cambridge University Press, 1979.
- Fisher, Trevor. *Prostitution and the Victorians*. New York: Alan Sutton, 1997.
- Foucault, Michel. *The History of Sexuality: an Introduction*. vol. 1, Trans. Robert Hurley. New York: Vintage Books, 1978.
- Gardner, Rod. *Josephine Butler: a Guide to her Life, Faith, and Social Action*. London: Darton, Longman and Todd Ltd., 2009.
- Gleadle, Kathryn. *British Women in the Nineteenth Century*. New York: Palgrave, 2001.
- Grube, Dennis. *At the Margins of Victorian Britain: Politics, Immorality, and Britishness in the Nineteenth Century*. New York, NY: Palgrave Macmillan, 2013.
- Hall, Catherine. *Defining the Victorian Nation: Class, Race, Gender and the British Reform Act of 1867*. New York: Cambridge University Press, 2000.
- Hamilton, Margaret. "Opposition to the Contagious Diseases Acts, 1864-1886," *Ablion: A Quarterly Journal Concerned with British Studies* 10 (Spring 1978): 14-27.
- Hammond, J.L. and Barbara. *James Stansfeld: A Victorican Champion of Sex Equality*. London: Longmans, Green and Co., 1932.
- Himmelfarb, Gertrude. *Marriage and Morals among the Victorians*. New York: Alfred A. Knoff, Inc., 1986.
- Howell, Philip. *Geographies of Regulation: Policing Prostitution in Nineteenth-Century Britain and the Empire*. New York: Cambridge University Press, 2009.
- Horace. Odes III. vi. 46.
- Kent, Susan Kingsley. *Sex and Suffrage in Britain, 1860-1914*. Princeton: Princeton University Press, 1987.
- Levine, Philippa. *Prostitution, Race, and Politics: Policing Venereal Disease in the British Empire*. New York: Routledge, 2003.
- Paul McHugh. *Prostitution and Victorian Social Reform*. New York: St. Martin's Press, 1980.
- Marcus, Steven. *The Other Victorians: A Study of Sexuality and Pornography in Mid-Nineteenth Century England*. New York, NY: Basic Books, Inc., Publishers, 1974.
- Mathers, Helen. *Patron Saint of Prostitutes: Josephine Butler and a Victorian Scandal*. Gloucestershire, England: The History Press, 2014.

- Nolland, Lisa Severine. *A Victorian Feminist Christian: Josephine Butler, the Prostitutes and God*. 2004.
- Pearsall, Ronald. *The Worm in the Bud: The World of Victorian Sexuality*. London: Weidenfeld and Nicolson, 1969.
- Poovey, Mary. *Uneven Developments: The Ideological Work of Gender in Mid-Victorian England*. Chicago: University of Chicago Press, 1988.
- . *Uneven Developments: The Ideological Work of Gender in Mid-Victorian England*. Chicago: University of Chicago Press, 1988.
- Ringdal, Nils Johnson. *Love for Sale: A Global History of Prostitution*. Great Britain: Atlantic, Ltd., 2004.
- Roberts, M.J.D. *Making English Morals: Voluntary Association and Moral Reform in England, 1787-1886*. New York: Cambridge University Press, 2004.
- Ruiz, Maria Isabel Romero. *The London Lock Hospital in the Nineteenth Century: Gender, Sexuality and Social Reform*. New York, NY: Peter Lang AG, International Academic Publishers, 2014.
- Shanley, Mary Lyndon. *Feminism, Marriage, and the Law in Victorian England, 1850-1895*. Princeton, Princeton University Press, 1989.
- Sharpe, Pamela L. *Women's Work: The English Experience, 1650-1914*. New York, NY: Oxford University Press, 1998.
- Sheetz-Nguyen, Jessica A. *Victorian Women, Unwed Mothers and the London Foundling Hospital*. New York, NY: Continuum International Publishing Group, 2012.
- Steinbach, Susie. *Women in England 1760-1914: A Social History*. New York: Palgrave Macmillan, 2004.
- Walkowitz, Judith R. *Prostitution and Victorian Society: Women, Class, and the State*. New York: Cambridge University Press, 1980.
- . *City of Dreadful Delight: Narratives of Sexual Danger in Late-Victorian London*. Chicago; University of Chicago Press, 1992.
- Winfield, Rif. *British Warships in the Age of Sail, 1817-1863; Design, Construction, Careers, and Fates*. Yorkshire, England: Seaforth Publishing, 2014.

#### TWENTIETH CENTURY SECONDARY SCHOLARLY JOURNALS

- Banks, J.A. A review of "Prostitution and Victorian Social Reform by Paul McHugh: Prostitution and Victorian Society: Women, Class, and the State by Judith R. Walkowitz," *Victorian Studies* 24 (Summer 1981): 513-5.
- Harrison, Brian. "Underneath the Victorians." *Victorian Studies* 10 (March 1967): 239-62.
- Hubbard, Phil. "Red-Light Districts and Toleration Zones: Geographies of Female Street Prostitution in England and Wales." *Area* 29 (June 1997): 129-40.
- Levine, Philippa. "Consistent Contradictions: Prostitution and Protective Labour Legislation in Nineteenth Century England." *Social History* 19 (January 1994): 17-35.
- Peterson, Jeanne, M. "Dr. Acton's Enemy: Medicine, Sex, and Society in Victorian England." *Victorian Studies* 29 (Summer 1986): 569-90.

- Reinke, Herbert. Review of "Poverty and Prostitution: A Study of Victorian Prostitutes in York by Francis Finnegan." *Historical Social Research/Historische Sozialforschung* 14 (April 1908): 39.
- Roberts, M.J.D. "Feminism and the State in Later Victorian England." *The Historical Journal* 38 (March 1995): 85-110.
- Summers, Anne. "'The Constitution Violated': The Female Body and the Female Subject in the Campaigns of Josephine Butler." *History Workshop Journal* 48 (Autumn 1999): 1-15.
- Swift, Roger. "Urban Policing in Early Victorian England, 1835-86: A Reappraisal." *History* 73 (June 1988): 211-37.
- Walkowitz, Judith R. and Daniel J. "'We Are Not Beasts of the Field': Prostitution and the Poor in Plymouth and Southampton under the Contagious Diseases Acts." *Feminist Studies* 1 (Spring 1973): 73-106.
- Walkowitz, Judith R. "The Politics of Prostitution," *Signs* 6 (Autumn 1980): 123-35.
- Zedner, Lucia. "Women, Crime, and Penal Responses: A Historical Account." *Crime and Justice* 14 (1991): 307-62.

#### WEBSITE

EUdict: Latin-English Dictionary.

<http://www.eudict.com/?lang=lateng&word=%C3%A6tas%20parentum%20pejor%20avis%20tulit%20nos%20nequiores,%20mox%20daturus%20progeniem%20vitiosorem>. Accessed 11 April 2017.



SUBMISSION FORMS FOR THE CONTAGIOUS DISEASES ACTS  
Appendix 1

235

*Contagious Diseases.*

15

(F.)

*Notice for Attendance of Woman.*To *A.B.* of

5 TAKE Notice, that an Information, a Copy whereof is subjoined hereto, has been laid before me, and that, in accordance with the Provisions of the Act therein mentioned, the Truth of the Statements therein contained will be inquired into before me, or some other Justice, at \_\_\_\_\_, on the

Day of \_\_\_\_\_, at \_\_\_\_\_ o'Clock in the \_\_\_\_\_ noon.

10 You are therefore to appear before me or such other Justice at that Place and Time, and to answer to what is stated in the said Information.

You may appear yourself, or by any Person on your Behalf.

If you do not appear, you may be ordered, without further Notice, to be subject to a periodical Medical Examination by the Visiting Surgeon under the said Act.

15 If you prefer it, you may, by a Submission in Writing signed by you in the Presence of the Superintendent of Police [*or as the Case may be*], and attested by him, subject yourself to such a periodical Examination.

If you do so before the Time above appointed for your Appearance, it will not be necessary for you to appear there before a Justice.

20 Dated this \_\_\_\_\_ Day of \_\_\_\_\_

(Signed) *L.M.*

Justice of the Peace for \_\_\_\_\_

[*Subjoin Copy of Information.*]

(G.)

*Order subjecting Woman to Examination.*

25

BE it remembered, that on the \_\_\_\_\_ Day of \_\_\_\_\_, to wit, \_\_\_\_\_ in pursuance of The Contagious Diseases Act, 1866, I, One of Her Majesty's Justices of the Peace in and for the said [County] of \_\_\_\_\_, do order that *A.B.*, of \_\_\_\_\_, be subject to a periodical Medical Examination by the Visiting Surgeon for [Portsmouth, *or as the Case may be*], for the Purpose of ascertaining at the Time of each such Examination whether she is affected with a Contagious Disease within the Meaning of the said Act.

(Signed) *L.M.*

(H.)

*Voluntary Submission to Examination.*

35

THE CONTAGIOUS DISEASES ACT, 1866.

I *A.B.*, of \_\_\_\_\_, by this Submission, voluntarily subject myself to a periodical Medical Examination.

40 Dated this \_\_\_\_\_ Day of \_\_\_\_\_ 18 \_\_\_\_\_

(Signed) *A.B.*

Witness

*X.Y.*

Superintendent of Police for \_\_\_\_\_ [*or as the Case may be.*]

[78.]

C

Notice

*Contagious Diseases.*

(J.)

*Notice by Superintendent of Police to Woman of Times, &c. of Examination.*To *A.B.* of

TAKE Notice, that an Order subjecting you to a periodical Medical Examination, in pursuance of The Contagious Diseases Act, 1866, having been made by *L.M.*, Esq., one of Her Majesty's Justices of the Peace for the [County] of , dated the Day of , you are

required to attend for such Examination at on the Day of at o'Clock in the noon. 10

Dated this Day of 18 .  
(Signed) *X.Y.*  
Superintendent of Police.

(K.)

*Certificate of Visiting Surgeon.*

15

IN pursuance of The Contagious Diseases Act, 1866, I hereby certify that I have this Day examined *A.B.* of , and that she is affected with a contagious Disease within the Meaning of that Act; and the Certified Hospital in which she is to be placed under the said Act is the Hospital. 20

Dated this Day of 18 .  
(Signed) *E.F.*,  
Visiting Surgeon for [Portsmouth.]

(L.)

*Order by Inspector of Certified Hospitals for Transfer.*

25

BY virtue of the Power in this Behalf vested in me by The Contagious Diseases Act, 1866, I hereby order that *A.B.* of , now detained under that Act in the Certified Hospital of for Medical Treatment, be transferred thence to the Certified Hospital of .

Dated this Day of 18 . 30  
(Signed) *M.N.*  
Inspector of Certified Hospitals.

(M.)

*Certificate for Detention beyond Three Months.*

35

THE CONTAGIOUS DISEASES ACT, 1866.

WE, the undersigned, hereby certify that the further Detention for Medical Treatment of *A.B.* of , now an Inmate of this Hospital, is requisite.

Dated this Day of 18 , at the Hospital. 40  
(Signed) *M.N.*,  
Inspector of Certified Hospitals

[or as the Case may be].

*G.H.*,  
Chief Medical Officer. 45

*Submission*

237

*Contagious Diseases.*

17

(N.)

*Submission to Detention beyond Six Months.*

THE CONTAGIOUS DISEASES ACT, 1866

I, *A.B.* of \_\_\_\_\_, by this Submission, consent to be  
 5 detained in this Hospital for Medical Treatment for [*One Calendar Month or  
 any less Period*] from the Date hereof.

Dated this \_\_\_\_\_ Day of \_\_\_\_\_ 18\_\_\_\_, at the  
 Hospital.

(Signed) *A.B.*10 Witness, *A.F.*

(O.)

*Discharge from Hospital.*

IN pursuance of The Contagious Diseases Act, 1866, I hereby discharge  
*A.B.* of \_\_\_\_\_ from this Hospital.

15 Dated this \_\_\_\_\_ Day of \_\_\_\_\_ 18\_\_\_\_, at the \_\_\_\_\_ Hospital

(Signed) *G.H.*,  
 Chief Medical Officer.

(P.)

*Application to be relieved from Examination.*

20 To *L.M.*, Esq., and others, Her Majesty's Justices of the Peace for the  
 [*County*] of \_\_\_\_\_

I *A.B.* of \_\_\_\_\_, being in pursuance of The  
 Contagious Diseases Act, 1866, subject to a periodical Medical Examination on  
 my own Submission [*or* under the Order of *L.M.*, Esq., *as the Case may be*],  
 25 dated the \_\_\_\_\_ Day of \_\_\_\_\_, do hereby apply to be relieved  
 therefrom.

Dated this \_\_\_\_\_ Day of \_\_\_\_\_ 18\_\_\_\_.

(Signed) *A.B.*Witness, *G.W.*

TABLE 1. — SHOWING THE ADMISSIONS INTO HOSPITAL FOR PRIMARY VENEREAL SORES AND GONORRHEA, AT TWENTY-EIGHT STATIONS OF TROOPS IN THE UNITED KINGDOM IN EACH YEAR

Appendix 2

TABLE I.—*Showing the Admissions into Hospital for Primary Venereal Sores and Gonorrhœa, at Twenty-Eight Stations of Troops in the United Kingdom in each Year.*

Year.	Stations never under the Acts.					Stations ultimately brought under the Acts.				
	Average Strength.	Primary Venereal Sores.	Gonorrhœa.	Ratio per 1,000.		Average Strength.	Primary Venereal Sores.	Gonorrhœa.	Ratio per 1,000.	
				Primary Venereal Sores.	Gonorrhœa.				Primary Venereal Sores.	Gonorrhœa.
1860.....	17,118	2,292	2,374	134	139	57,479	8,405	7,966	146	139
'61.....	17,126	2,049	2,023	120	118	51,328	7,267	7,133	142	139
'62.....	15,026	1,500	2,070	100	138	45,322	5,314	6,283	117	138
'63.....	15,132	1,612	1,816	107	120	43,419	4,653	5,202	107	120
Totals of 4 years	64,402	7,453	8,283	—	—	197,548	25,639	26,584	—	—
Avg., 1860-63..	16,100	1,863	2,071	116	129	49,387	6,410	6,646	130	135
1864.....	14,894	1,647	1,636	111	110	40,694	4,135	4,803	102	118
'65.....	14,091	1,418	1,968	101	140	43,078	4,077	4,937	95	115
'66.....	14,595	1,154	1,663	79	114	39,476	3,444	4,573	87	116
'67.....	20,589	2,372	2,670	115	130	39,911	3,640	5,274	91	132
'68.....	19,486	2,130	2,236	109	115	42,595	3,533	5,685	83	133
'69.....	17,739	2,273	1,856	128	105	42,017	2,765	4,466	66	106
Totals of 6 years	101,394	10,994	12,029	—	—	247,771	21,594	29,738	—	—
Avg., 1864-69..	16,899	1,832	2,005	108	119	41,295	3,599	4,955	87	120
1870.....	17,852	2,022	1,723	113	96	41,580	2,268	4,081	54	98
'71.....	19,957	1,865	2,137	93	107	54,096	2,763	6,254	52	115
'72.....	19,950	2,457	2,113	123	106	50,794	2,752	5,280	54	104
'73.....	19,801	2,025	1,888	102	95	48,039	2,420	3,946	50	82
Totals of 4 years	77,560	8,369	7,861	—	—	194,509	10,203	19,561	—	—
Avg., 1870-73..	19,390	2,092	1,966	108	101	48,627	2,551	4,890	52	101
1874.....	18,879	1,661	1,450	88	77	48,136	2,039	2,968	42	62

*Note.*—In the years from 1860 to 1866, inclusive, Windsor has been omitted from the stations under the Acts, and London from those *not* under the Acts, as the returns do not afford this information.

TABLE I. — ENGLAND AND WALES. NUMBER OF HOUSES OF KNOWN BAD CHARACTER AS RETURNED BY THE POLICE IN EACH OF THE UNDERMENTIONED YEARS.

Appendix 3

TABLE I.—*England and Wales. Number of Houses of Known Bad Character as Returned by the Police in each of the undermentioned Years.*

Years.	Resorts of Thieves and Prostitutes.			
	Public Houses.	Beershops.	Coffee Shops.	Brothels and Houses of Ill-fame.
1867.....	2,123	2,034	355	6,614
'68.....	2,037	2,117	332	6,482
'69.....	1,921	1,930	346	6,287
'70.....	1,498	943	383	6,000
'71.....	1,280	758	262	4,666

TABLE II.—*Metropolitan Police District.*

Years.	Resorts of Thieves and Prostitutes.			
	Public Houses.	Beershops.	Coffee Shops.	Brothels and Houses of Ill-fame.
1867.....	164	95	109	1,123
'68.....	141	96	101	1,028
'69.....	127	104	101	1,064
'70.....	114	56	163	961
'71.....	90	34	72	796

LONDON RESCUE SOCIETY RETURN REGARDING CLANDESTINE  
PROSTITUTION

Appendix 4

	Fallen Women Admitted from the Subjected Districts.	Of whom were Clandestine and Unregistered Prostitutes.	Percentage of Clandestine to the Whole.	Clandestine who had been, or were, Diseased, when Received.
1870....	71	15	21	5
'71....	80	26	32	5
'72....	78	26	33	6
'73....	69	38	55	12
'74....	48	29	60	6
	346	134	—	34 or 26 per cent. of whole number of clandestine.