

Queensland



Parliamentary Debates
[Hansard]

Legislative Assembly

FRIDAY, 21 NOVEMBER 1884

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LEGISLATIVE ASSEMBLY.

Friday, 21 November, 1884.

Formal Motion.—Question without Notice.—Brands Act of 1872 Amendment Bill—consideration of Legislative Council's amendments.—Pharmacy Bill—consideration of Legislative Council's amendments.—The Contagious Diseases Act.—Bundaberg Gas and Coke Company Bill.

The SPEAKER took the chair at half-past 3 o'clock.

FORMAL MOTION.

The following formal motion was agreed to:—

By Mr. MACFARLANE—

That there be laid upon the table of the House, a Return showing the tenders invited, received, and accepted for railway carriages; fines due and collected thereon; also the cost of such carriages as constructed by outside contractors, and in the Ipswich workshops.

QUESTION WITHOUT NOTICE.

Mr. NORTON said: Mr. Speaker,—Before the Orders of the Day are called upon, I wish to ask the Minister for Works if there is any truth in the report of two trains having nearly run into each other on the Sandgate line on Tuesday last? It is mentioned in the *Courier* this morning, and I heard it spoken of as I was coming into town.

The MINISTER FOR WORKS (Hon. W. Miles) said: I am not aware of anything of the sort. It is the first I have heard of it.

The Hon. J. M. MACROSSAN: I heard the rumour last night; I do not know whether there is any truth in it.

The MINISTER FOR WORKS: I am not in a position to contradict it.

Mr. NORTON: Perhaps the hon. gentleman will be good enough to make inquiries and let the House know.

Mr. BEATTIE: Mr. Speaker,—I had made up my mind to draw the attention of the Minister for Works to the report. The information I have is that a special train left Nudgee, in opposition to the staff and ticket system adopted by the Government, with nearly 800 passengers on board, for Ipswich. On leaving Nudgee another train was seen coming in the opposite direction, and the special had only sufficient time to get back on the siding before the other went through. There was nearly a collision, and if the special

had started a minute or two sooner there would have been one of the most frightful collisions that have ever happened; that is, if the information I have received be correct. I hope the Minister for Works will inquire into the matter, because there appears to have been very gross neglect on the part of somebody at the Nudgee station.

BRANDS ACT OF 1872 AMENDMENT BILL.—CONSIDERATION OF LEGISLATIVE COUNCIL'S AMENDMENTS.

On the motion of the HON. B. B. MORETON, the Speaker left the chair, and the House resolved itself into a Committee of the Whole to consider the amendment made in the Bill by the Legislative Council.

The HON. B. B. MORETON said that if hon. members would look at the 38th section of the Brands Act they would find that the latter portion read as follows:—

"And if the jury, upon the trial of any person charged before any court with the offence of horse or cattle stealing, shall be of opinion that such person did not commit the felony with which he is charged, but did commit one of the minor offences mentioned in the 28th and 29th clauses of this Act, it shall be lawful for the jury to acquit such person of the felony and to find him guilty of such offence, and he shall thereupon receive sentence accordingly, although such person may never have been charged or accused of such minor offence before any justice or otherwise."

Into that section an error had crept in stating the 29th clause instead of the 27th, though in the marginal note it was correct, the clause there mentioned being the 27th and 28th. He was informed that one offender, if not more, had escaped on account of the error. The amendment was a verbal one, and he therefore moved that it be agreed to.

Question put and passed.

On the motion of the HON. B. B. MORETON, the House resumed, and the CHAIRMAN reported that the Committee had agreed to the amendment of the Legislative Council.

The report was adopted, and the Bill was ordered to be transmitted to the Legislative Council by message in the usual form.

PHARMACY BILL — CONSIDERATION OF LEGISLATIVE COUNCIL'S AMENDMENTS.

On the motion of Mr. BAILEY, the House went into Committee to consider the amendments made by the Legislative Council in this Bill.

Mr. BAILEY said that the Assembly had insisted on the amendment in clause 5, and he would refer hon. members to the reasons given by the Legislative Council for disagreeing to it. They said:—

"Because the Bill provides for the examination by the board of pharmacy of persons desirous of being registered as pharmaceutical chemists and it is expedient, for the safety of the public, and in order to secure proper examination, that all members of such board should, before their appointment thereto, have proved themselves qualified to conduct the prescribed examination by having passed a similar examination."

He held in his hand a letter from one chemist showing how very wrong the clause was as originally drawn up in another place; and pointing out that there were no other chemists in the same position as himself who were qualified in the same way. The letter was to the following effect:—

"With reference to the qualification as members of the intended pharmacy board, I would draw your attention to the fact that the Pharmaceutical Society was not established in Ireland until ten or eleven years ago; therefore an Irish chemist who arrived in this colony before that time would not have the diploma of the Pharmaceutical Society, and would not therefore be entitled,

according to the intended Act, to sit on the board, though he may have had a professional experience of over thirty years. A school of pharmacy of the Apothecaries' Hall of Ireland has existed in that country for nearly 100 years, and is in existence still as the premier school (in conjunction with the recently formed Pharmaceutical Society) members of which had, previous to the formation of the Pharmaceutical Society, the sole right to compound medical men's prescriptions."

Then he explained the status of the Irish chemists, and the examination to which they were subjected. That examination was a very stringent one, and in England would actually qualify a man to practise as a medical man. Yet such a man would be disqualified from sitting on the board here. But the writer made the same mistake that had been made by those who objected to the amendment, in thinking that the members of the board would be the examiners. He (Mr. Bailey) had tried to explain as well as he could, in introducing the Bill, that nothing of the kind was intended. The Government would appoint the first board to examine in various subjects, and the chemists on their part would appoint examiners, but not to direct the line of examination; and they certainly would not be examiners themselves, except in special cases. Instead of dwelling on the subject, he had better read the reasons which he proposed to submit to the Legislative Council why the amendment should be insisted upon:—

1. Because without the amendment in clause 5 the Government would be limited in their choice of the members of the first pharmacy board to medical men, which would cause that board only to be a repetition of the present Medical Board.

2. Because the members of the pharmacy board would not be of necessity examiners. Their experience would be able to direct the lines on which examinations should be conducted, and to appoint examiners, whose specialities would be Latin, botany, chemistry, etc.

3. Because the examination of candidates as to the knowledge of the qualities of drugs, and their ability to detect adulterations, can only be safely entrusted to men who have had great experience in the sale and purchase of drugs.

4. Because of the English Pharmacy Board very few of the members are themselves examiners.

5. Because the chemists of this colony are desirous of abolishing the present unsatisfactory system, and claim that they only wish to substitute a better one for their own credit, and the safety of the public.

6. Because the object and intention of the Bill would be practically defeated without the amendments.

He had consulted several of the chemists, and rather than submit to the present system—if they were not allowed to conduct their own business in the way they thought best—in the interests of the public and for their own credit—they proposed to abandon the Bill. They had for several years been subjected to a certain discipline that had not been good enough. They had come forward and offered to place themselves on the same footing as chemists in England and Victoria had done; but if it was insisted that they should remain under the same régime as they had been in the past then they would abandon the measure. He would therefore move that that House insist upon its amendments in clause 5.

The PREMIER said the passage of the Bill seemed almost to depend upon whether they should insist on the amendments, and for that reason the subject deserved some consideration from the Committee. There was no doubt that the intention of the Bill as originally introduced was that the chemists of the colony should be entrusted with the regulation of their own business and the registration of fit persons; only at the present time they were under the rule of the Medical Board. Then the question arose who were to be appointed to be members of the board. At present all registered chemists were supposed to be competent; but they knew that some of them had only been registered because they had been apprenticed to chemists and served

their time. They had passed no examination, and possibly were not competent, but it was not likely that those men would either be appointed by the Government or elected by the qualified chemists. Competent men would undoubtedly be chosen. At the same time he did not altogether go so far as the hon. member in saying that there were no means of securing competency. The only provision made for securing competency in the Bill as it now stood would be the opinion of the electing body. He agreed that the provisions of the Bill as it stood were very much too stringent, but he thought that a middle course might have been agreed upon. He had no sympathy with the medical men who had tried to embarrass the chemists in remedying the existing state of affairs, and he knew that they had been able to exercise a great deal of influence. He must point out that the clause as it stood originally was absurd, because it proposed that the persons on the first board should be persons who held a certificate of competency from any society recognised by that board; but how the board could recognise any society before it was constituted, he confessed he could not understand. That would have to be differently worded. Perhaps the hon. member could say whether there was no form of words that would define with sufficient accuracy persons of competency, and not persons who had become chemists simply from the fact of having served an apprenticeship.

Mr. BAILEY said the Government would have the choice of the first board, and that board would sit for two years. He thought the chemists of the colony had quite sense enough to know who were the best men to sit on the board. He wished again to impress on hon. members that the men who formed the board were not the examiners. From their practical knowledge they had to say what the standard of the examination was to be, and he thought they could be trusted to do that. Mr. Marr, as an analytical chemist, could not expect a man to come up to his standard, but the board would limit the lines of the examination, and see that it was neither a stupid one nor beyond the capacity of the candidates. He thought that the clause as recommended was very good indeed, and he could not see any better way of framing it. The Bill had been framed exactly on the lines upon which similar Bills had been framed in other countries, and their success had been very marked—so much so that the chemists had gone on improving their status, and improving the education of the candidates. He would move the following as an additional reason for disagreeing to the Council's amendment:—

Because it is not unusual, in academical bodies, that examinations for degrees or diplomas should be in part conducted by persons not themselves holding a degree or diploma.

That would add force to what had been already said.

Question put and passed.

Mr. BAILEY moved that the amendment of the Legislative Council in clause 28 be agreed to.

Question put and passed.

On the motion of Mr. BAILEY, the House resumed, and the CHAIRMAN reported that the Committee insisted upon their amendment in clause 3, but agreed to the Legislative Council's amendment upon the amendment in clause 28.

The report was adopted, and the Bill was ordered to be returned to the Legislative Council with the following message:—

MR. PRESIDENT,—

The Legislative Assembly having taken into consideration the Legislative Council's message, of date the 12th instant, relative to the Pharmacy Bill,—

Insist upon the amendments in clause 3, because, without them the Government would be limited in

their choice of the members of the pharmacy board to medical men, which would cause that board only to be a repetition of the present Medical Board.

Because the members of the pharmacy board would not be of necessity examiners, but from their experience would be able to direct the lines on which examinations should be conducted, and to appoint examiners whose specialities would be Latin, botany, chemistry, etc.

Because the examination of candidates as to the knowledge of the qualities of drugs, and their ability to detect adulterations, can only be safely entrusted to men who have had great experience in the sale and purchase of drugs.

Because of the English Pharmacy Board very few of the members are themselves examiners.

Because it is not unusual in academical bodies that examinations for degrees or diplomas should be in part conducted by persons not themselves holding the degree or diploma.

Because the chemists of this colony are desirous of abolishing the present unsatisfactory system, and claim that they only wish to substitute a better one for their own credit and the safety of the public.

Because the object and intention of the Bill would be practically defeated without the amendment; and

Agree to the amendment of the Legislative Council on the amendment of the Legislative Assembly in clause 28.

THE CONTAGIOUS DISEASES ACT.

Mr. JORDAN, in moving—

That this House disapproves of the compulsory examination of women under the Contagious Diseases Act—

said: Mr. Speaker,—This subject, sir, is one which I would rather not have touched, and which I would not have voluntarily undertaken to bring under the notice of this House. I venture to ask the consideration of the House, because of the delicacy of the subject, and because I shall have to speak plainly on this question. Hon. members are aware that in 1864 an Act was passed in Great Britain providing for the medical examination of women suffering from certain diseases. It was not made at that time compulsory or periodical. In 1866 another Act was passed providing for the registration of all prostitutes, and for the compulsory and periodical examination of women by medical men. In 1869 an amending Act was passed extending the operation of those Acts to eighteen districts in England. To this legislation, as is well known, there was much popular opposition. It was considered to be un-English—opposed to the most cherished principles of our free Constitution which secures to everyone personal liberty. It was said to be oppressive, cruel, and an insult to the sex. We know how much political power there is in England in connection with the Army and Navy, and how strongly those services are represented in the British House of Commons. Those Acts were passed for the special protection of soldiers and sailors. It was believed at that time that a similar system had been very successful in Paris in diminishing certain diseases. It was held that as our soldiers and seamen could not, generally, have wives, it was necessary to make some provision for their protection against the ordinary effects of illicit intercourse. It was considered, therefore, in accordance with the old maxim that “necessity has no laws,” that there was an absolute necessity for that legislation; and there was an end of the matter. But there are people in England who will contend, especially if they conceive the idea that anybody is going to be oppressed in any way. These are a very stubborn sort of people; they are supposed to be descended from the old stock of Puritans, and in this case they were joined by a very powerful section of the most influential classes—a section composed of the very highest classes in England. These contentious people held that those Acts were passed hurriedly—without discussion, in a thin House, at a late hour of the night. They called to remembrance the old Roman system, where all the senators were compelled to be present, and

where no Act passed after sunset was valid. They had the temerity to say that penal legislation passed in a thin House after midnight was a disgrace to any legislature. However that may be, there is no doubt that the Permissive Act of 1864 was the thin end of the wedge; that the Compulsory Act of 1866 brought a great part of the country under a system of police espionage very hateful to the people in Great Britain; and that the Extending Act of 1869 introduced this spy system into a very large part of England and a part of Ireland. The advocates of this system said that they would endeavour to extend it to the whole of England and Ireland; and the House of Lords recommended that it should be extended by-and-by—but with very great caution, as they put it—to the whole of the United Kingdom, including Scotland and Wales. Under these circumstances a storm, which had been long gathering, was brought to the culminating point, and the effect was irresistible. In spite of organised combination on the part of the people who were in favour of those Contagious Diseases Acts, and in spite of every effort which that party could make—and they left no stone unturned—the spirit of British freedom and fair play prevailed, and the Acts were doomed. Last year, after sixteen years of trial, the Right Hon. Mr. Stansfeld, member for Halifax, carried his resolution in the English House of Commons, “That this House disapproves of the compulsory examination of women under the Contagious Diseases Act.” In one or two British colonies where this Act was imposed it has been discarded. In the Cape Colony it has been repealed. In Canada, although they passed the Act at the desire of the Imperial Government, or of the Secretary of State for the Colonies, they have never ventured to put it into operation; it was considered to be opposed to the great constitutional principles of British government, and the Canadians would not have it. In Hongkong we know that Sir John Pope Hennessy, until recently the Governor, has expressed himself very strongly and most emphatically against the Contagious Diseases Act. In the presidencies of India the Act is also doomed, and, now that the system has been proved an actual failure in Paris, there is no doubt it will be abolished in every one of the British dependencies. Unhappily, as I think, sixteen years ago we adopted this system in this British colony of Queensland—very soon after its adoption in England. The first attempt to initiate the matter was made in the Upper House, but that was overruled. It was afterwards introduced in the Assembly, but there were only two gentlemen who were found bold enough to advocate the passing of the Act in this colony, in this House, at that time; and those were both members of the medical profession. It was opposed in admirable and unanswerable speeches by Mr. Norton, the present member for Port Curtis, by Mr. W. H. Walsh, now a member of the Upper House, and by the late Sir Joshua Peter Bell. It was contended by the advocates of the Act that it was an exact copy of the English Act of 1866, and it was asserted at the time that it was the law in South Australia. But that was an error. It has never been the law in that colony; and if anyone disputes that, I have evidence enough before me to prove it. Queensland is the only one of the Australian colonies which has considered it necessary to bring itself under the system which is established by the Contagious Diseases Act. The only vestige of an excuse which I could ever find for its establishment in England was that it was necessary for the protection of our soldiers and sailors. But, sir, where are our soldiers and sailors in Queensland? Who are the people who needed to be protected

here? Is there any class of people in Queensland who cannot marry? Is there anyone arrived at the age of manhood who would be barred by poverty from entering into what the Church of England calls “the holy estate of matrimony”? Ireland is said sometimes to be the poorest country in Europe; but we know that Ireland is one of the most virtuous countries in Europe, so far as the intercourse of the sexes is concerned; and it is so because the Catholic clergy do their very utmost to promote early marriages—thus doing away with the cause of prostitution, and getting to the very root of the evil. And yet, sir, though we had no soldiers in Queensland and no sailors, and, thank God, no poverty, we must needs proceed to pass an Act of Parliament for making illicit intercourse with the sexes as easy—that is, as little liable to after disagreeable consequences—as possible. Why, sir, the Parisians themselves have abolished the system after nearly a hundred years of trial! In the beginning of 1884 this atrocious system came to an end in the great capital of France—for which statement I will presently show you my authority. The Parisians themselves, convinced that the Act had not been successful but had been a total failure in diminishing disease, are ashamed of ever having introduced such a system; and, as I say, they have now actually abolished it. In Paris the working of the system has been for many years in the hands of that branch of the police called the *Police des Mœurs*. Those men are very vigilant, leaving no stone unturned to carry out their system of registration of the women, and to bring them under the power and the control of the police, and under the examination of the medical officers. But in spite of all their efforts that registration has proved a perfect failure in Paris, for out of 36,000 women of that class, at the lowest calculation, less than 3,600 are generally found on the register. The *Police des Mœurs* are the lowest of their class—in league with the keepers of brothels, carrying out their calling very often cruelly and vilely, and too frequently at the expense and to the annoyance and irreparable injury of virtuous women. Let anyone, sir, read a book written in French and published in Paris by M. Guyot. This gentleman has spent a great part of his life in exhibiting and pointing out the evils of this cruel system. He was, and is still, I believe, a member of the municipal council of the city of Paris; a man, I believe, of high reputation; in fact, I know he is. He was imprisoned for having accused the *Police des Mœurs* of nefarious practices in connection with the system. This brought him under the notice of Mr. Stansfeld and other distinguished persons in England; and on his liberation from prison he became himself the liberator of France—chiefly by his writings and by the mass of evidence which he brought forward—from that atrocious, cruel, cowardly system which is no longer in existence in France. I have what seems to me good authority for the statement. It never was established by Act of Parliament in France. It was established by municipal authority in Paris, and the council resolved to abolish the system in the beginning of this year. I think I shall satisfy the House on that point. Hon. gentlemen know that for three years this matter has been investigated by a select committee of the British House of Commons. For three years evidence has been taken. So far as the general effects of the Acts were concerned, questions were put to private individuals, and members of the police force; and the result, as to their individual private opinion on the subject, was very conflicting. But the evidence as to the fact that constitutional disease has increased during the last sixteen years, under the operation of these Acts,

is, to my mind, very conclusive. Now, sir, the point I should chiefly endeavour to establish is this: that constitutional disease has not been diminished but has increased under the operation of these Acts in England. In fact, I believe that it was that reason that had its final effect in determining the British Government to bring in a Bill to repeal the Contagious Diseases Acts. I do not say that reason alone, but that chiefly; and that having been fully proved, I think the Government have had no alternative but to repeal the Acts. Well, sir, Mr. Stansfeld points out a very important distinction—namely, that there are venereal disorders which are not constitutional, and are not in any sense dangerous; and it is only those which are constitutional—which are in the blood, and can be communicated from one person to another—that the State has anything to do with in this matter. Mr. Stansfeld, in his speech before the House of Commons, when his resolution was carried, established this point: that even taking the figures of the committee—the committee, I should say, was chiefly composed of pronounced advocates of the Acts. Out of sixteen members—whether designedly or not, I cannot say—ten were gentlemen fully committed to support the Acts by their public speeches during the agitation which has been going on in England for a great length of time. Ten members of that committee were avowed advocates of the Acts, and it was natural for them to call witnesses who were likely to give evidence in favour of the Acts—officers who had carried out the Acts, and who would naturally take credit for all the good that had resulted from the various efforts to put down prostitution, and mitigate as far as possible this dreadful social evil. Well, Mr. Stansfeld shows how very little good had been accomplished—even taking the figures of the majority of the committee—of those gentlemen who were determined that the Acts should not be abolished if possible—although the minority of six entirely disputed and denied their method of calculation:—

“Taking the figures of the majority, and taking all classes of disease together, the total saving of efficiency amounts to this: to 5·38 per thousand in the protected districts.”

That is, where the Acts were in force. Now, assuming that in the protected districts there were 50,000 men—there were, however, only 26,000 under the supposed protection of these Acts—that would amount to only 269 out of 50,000. Mr. Stansfeld continues:—

“What I will ask the House is this—taking broadly and largely the figures of the report of the majority—what a maximum saving in efficiency of less than 5½ per 1,000 is a justification of these Acts (Cheers)”

This is a speech delivered in the House of Commons—

“I would ask them—I would ask even the supporters of these Acts, speaking honourably between man and man—whether these are figures which correspond to the expectations held out and entertained when these Acts were introduced (hear, hear); and I would further ask all men interested in this as a sanitary question, and especially medical men, whether such figures as these show the slightest approximation to the realisation of the original idea of the stamping out, or at least the very great reduction, of these diseases.”

Well, sir, instead of checking venereal diseases—constitutional diseases which they should check—Mr. Stansfeld goes on to show that there had been no gain whatever from the operation of those Acts. Taking still the figures of the majority, he said:—

“Our contention upon these figures is this: We say it is proved in evidence that the result of the operation of the Acts is a greater proportion of constitutional to non-constitutional cases, a very doubtful positive decrease in the amount of constitutional disease; and

taking all the figures (which we are not prepared to admit) of the advocates of the Acts, the diminution of constitutional disease amounted at most to 0·15 per 1,000, or 7½ out of 50,000 men.”

That was not 1, or ½, or ¼ per cent.—of 1 per 1,000,—but 7½ per 50,000. But, coming to statistics we can rely upon—the reports of the medical officers of the army in those districts subject to the Acts—we find that constitutional disease—true syphilis—has actually increased during those sixteen years. Of course medical men are in favour of these Acts, and especially army medical men and those who have had the carrying out of these Acts; but, still quoting from Mr. Stansfeld’s speech, that gentleman quoted from the Army Medical Report for 1880, and he says:—

“The Army Medical Report for 1880 was in the hands of the authorities before the chairman put before us his draft report, and it shows a very great increase in the amount of disease in the year 1880 over the year 1879, in spite of the sixteen years of these Acts, and a far greater increase of disease in the protected than in the unprotected stations; for though in the unprotected stations there was an increase of 45 per cent., in the protected stations, comparing 1880 with 1879, the increase was no less than 57 per cent.”

Now, this refers to constitutional diseases—to syphilis—and it affects the men only. Now, so far as the women are concerned, Mr. Stansfeld said in his speech in the House of Commons:—

“Well, I come lastly to the case of the women under the Acts—prostitutes. I find that there has been a marked increase of disease under the Acts. Taking the years 1875 to 1880, I find that disease among these women in the subjected districts has increased from 127 to 176 per cent.”

The conclusion of the whole matter is this: The majority of that committee, pledged as they were to do their utmost for the continuation of the Acts, and being under the hallucination that this was to be the means of protecting our soldiers and sailors from disease, have come to the conclusion—they could not do otherwise—that they could not recommend that these Acts should be extended to any other districts in England or in the United Kingdom. And the House of Commons came to the conclusion that the Act should be done away with *in toto*. The Executive Government suspended the Act after the carrying of Mr. Stansfeld’s resolution; they could not do otherwise, and the Government brought in a Bill to repeal the Act. I will read some remarks made by the Marquis of Hartington when the Bill was read a first time. He said:—

“Hon. members will recollect that the House passed by a considerable majority a resolution condemning the compulsory examination of women under the Contagious Diseases Acts. It appeared to the Government that, although they were perfectly aware that no resolution of one House of Parliament could alter the law, this was a matter which, through the structure of the Acts, was unquestionably within the power of this House to decide upon; because the Acts depended for their operation entirely upon the action of the metropolitan police and certain surgeons, the expenses of whom were met by votes of this House. The House of Commons therefore had the power in their own case to give effect to the resolution at which, by a large majority, they had arrived. Well, sir, the Government, holding as they did that the powers conferred upon them under the Acts were unquestionably mainly of a permissive character, proposed at once, when the resolution of the House was passed, to give effect to that resolution by withdrawing as soon as possible the metropolitan police from the districts dealt with, and thereby put an end to the compulsory examination of women. At the same time, the Government stated that in their opinion no time ought to be lost in making the law conformable to the new state of affairs. They therefore undertook to bring in a Bill to give effect to the resolution of the House, upon the lines which I have already indicated.”

Then, after explaining the measure, he said:—

“Those are all the provisions which we believe will be necessary. The provisions of the Contagious Diseases

Acts which relate to the compulsory examination of women, to the registration of women, and the so-called voluntary submission to examination may, in our opinion, safely be repealed."

The resolution came to by the municipality of Paris is this. It is given, I may say, in the *Shield*, an English publication of 7th July, 1873; and unless the Premier can show me that it is incorrect I have reason to believe it is correct, especially as it corresponds exactly with what was imminent, as published again and again in the *Westminster Review*—that they were determined to bring it to an end. The resolution is as follows:—

"The Council—

"Considering that the existing institution of the *Police des Mœurs* rests upon no legal basis;

"That notwithstanding its innumerable annual violations of individual liberty, it has been unable to attain the aim for which it was instituted, either in regard to the diminution of syphilitic disease, or in respect of the prevention of offences against the common law, or against public morals, etc.;

"Considering that neither prostitution nor syphilis is a crime or an offence against the law:

"Resolves:—

"Art. 1.—The abolition from the 1st January, 1884, of—

1. The second Bureau of the first division of the Prefecture of Police, known as the Bureau of the *Police des Mœurs*;

2. The Brigade of the *Police des Mœurs*, incorporated on the 9th March, 1881, with the *Service des Suretés*;

3. The *Dispensaire de Salubrité* (the examining-room) of the Prefecture of Police;

4. The second section of the prison of Saint Lazare, and the special infirmary of the said prison.

"Art. 2.—The Prefect of Police is requested—

1. To study and consider a system of organisation which shall substitute the police officers and commissioners of police of the *Quartier* for the existing agents of the *Police des Mœurs*, in all matters concerning public order in respect of women who practise prostitution;

2. To formulate (*libeller*) new decrees on the subject of prostitution, solely on the basis of the indications given in the present report; all contraventions of such decrees to be henceforth brought before the competent tribunals;

3. To revise the statutes of all societies of mutual assistance and great companies, etc., in such wise as to secure that medical treatment and assistance be accorded to venereal disease in the same manner as to all other diseases.

"Art. 3.—The administration of *L'Assistance Publique* is requested to proceed with all possible speed—

1. To the transformation of the hospitals *Louvreine* and *du Midi* into general hospitals;

2. To the formulation of rules expressly authorising the admission of venereal patients into the general hospitals."

Provision is ordered to be made for securing good order, doing away with registration, with forcible medical examination, and with the treatment of these people in lock hospitals, admitting them to the ordinary treatment of other patients in the general hospitals of France. Now, as far as we are concerned in Queensland, we were in a great hurry to pass these Acts. I think they were passed with what may be called indecent haste, and without those reasons which alone justified—if they did justify at all—the passing of these Acts in Great Britain. We were in a great hurry, I say, to pass these Acts. Shall we hasten to retrace our steps now that we know after sixteen years' experience that they have been a grand failure in England, and that a Bill has been brought in to repeal them? That Bill has not been passed yet, because other business took the place of it, and because the Hon. Mr. Stansfeld took exception to the 5th clause; but its passage is inevitable. And shall we now, I say, copy the example of the Imperial Government—of our own country—after we have been in such haste to impose these Acts upon our fellow-colonists sixteen years ago without the shadow of a reason for doing so—now that we know, as far as we can know, by the evidence which we can gather that the result

has been a dead failure? But this is not the whole question; this French invention was intended to mitigate physical disease at the expense of the moral health of the community. It was, sir, illicit intercourse made easy and safe; any system which regulates such intercourse by Act of Parliament gives to it, I think, the sanction of law—it strikes me so. I submit, sir, that the stability of this great British Empire, of which we form a part, has its secret in the righteousness generally of our laws, and in their conformity to the purest moral code that was ever given to the world. It may be impossible or impolitic to make fornication punishable by law; but if chastity be a virtue in a woman—which no man will dissent from—then fornication in a man or in a woman is a sin; and any system which seeks to make that sin as easy and as safe as possible, I submit, is morally unsound, and cannot possibly be conducive to the physical health of the nation. I know there are many who will not look at this moral aspect of the question at all; they insist on confining their attention to the materialistic view of the matter, and that is the case generally, I believe, with members of the medical profession. Now, I have the greatest respect for the members of the medical profession generally, and I think society generally is very greatly indebted to the members of that profession. They are a noble class of men; still, sir, they are only human after all. We know that they generally seem to think that every evil is to be cured by the application of the principles of their noble art—that therapeutics is the universal heal-all for every sore—moral, physical, political, and social; and that human beings are so many anatomies to be dissected by the scalpel of the surgeon. Sir Stafford Northcote, speaking on the subject after the Hon. Mr. Stansfeld carried his resolution, said that the medical men had always stated that they would stamp out this disease; but he said Parliament never needs to be more on its guard than when the doctor comes and asks for power to do something with the policeman at his back. Now, apart from the view taken by moralists and materialists, there is a common-sense view taken by a different class of thinkers and speakers. There are such men as write in the *Westminster Review*, for instance—men who are entirely independent of what they conceive to be the errors of religionists, and I will read from one of them a very short quotation—I know the House does not want to be troubled with more than is necessary. I attach the very greatest importance to the views here expressed, inasmuch as they are not the views of religionists merely—not the views of mere sanitarians—but the views, as I have said, of the common-sense, hard-headed, thinking men who, as I say, prefer to be independent of the religionists. I will now quote from the *Westminster Review* for 1870, vol. 37:—

"In the article entitled 'Prostitution in relation to the National Health,' published in this *Review* nine months ago, evidence was adduced proving that the diseases associated with prostitution are very widely spread throughout this country."

Fully recognising the danger—

"And that they are producing a profoundly degenerative influence on the physical life of the British people. Three months ago we published a review of the governmental experiments which have been made in several continental cities in controlling prostitution, and exercising a sanitary influence on prostitutes themselves; and we showed that all those experiments had been attended by one and the same result—total failure to accomplish the object intended. Is, then, the policy of *laissez faire* the best policy after all? Is that concurrence of stolid indifference and religious horror which has reduced the English people to ignore both prostitution and the diseases it produces, to be, indeed, accounted the highest

practical wisdom? Must we really sit down with our hands folded in despair in presence of the terrible evil we have described, and mutely recognise the appalling, if truthful, doom which has so often been pronounced, that prostitution, as well as the diseases connected with it, shall always be with us? We believe not; and, faithful to the idea, that by prolonged study and earnest strife, so to establish the mutual relations of men and women, that prostitution and its diseases shall cease, humanity will not labour in vain, we shall, in the present article, point out what steps may even now be taken for lessening and preventing those diseases without violating any principle justly held sacred by moralists, political economists, or statesmen, and without outraging the feelings or destroying the personal liberty of even the prostitutes themselves."

Now, sir, I will come back for a minute to Queensland and our own interests in this matter, for that is what we have to do with. By these Acts our paternal Government undertake to provide these women for the use of our young men—our own sons. Prostitutes in scores parade the streets, holding out inducements to these young men. They can say they have been treated at the hospital; they can show the certificate that they have been there; and that is a proof that they are clean. In England and in Ireland, sir, these unhappy women call themselves "Queen's women." Why not? Is not their profession legalised? Do not Government officers—highly qualified medical men—carry on the examination—the introspection—with their own hands, with the aid of a speculum, and the assistance of some terrible machine, which they have invented for the purpose of getting the body into the right posture, too horrible to be described? And this, sir, is done systematically and continually, and the effect we know must be this: that these poor creatures, subjected periodically to that treatment at the hands of men, become lost to all sense of shame—of womanly shame; they become hardened and reduced to a wretched, degraded condition, with the brand of infamy that can never be wiped out. The cruelty to women in this respect is in my opinion beyond all power of expression; it is a violation of British liberty of the grossest and most atrocious kind. Its effect upon the women is hardening and humiliating, degrading, and shameful in the extreme. And what of the men? Do we dare to make a law that will reach the men who commit these acts? But why should we not establish a *police des mœurs* to watch the men; to put to them odious questions in the streets, to dog their steps, to haul them up before the magistrates, to force them to register themselves as frequenters of brothels, and to put upon them the brand of infamy? We dare not. And yet we do it to these girls; we watch all these poor defenceless women by policemen in plain clothes who mark their outgoings and incomings, and are actually empowered under our laws to put to the wife of any hon. gentleman in this House, it may be, if they meet her in the street, at their own discretion, the most odious questions. Is this worthy of us as Englishmen, the emancipators of the slave, the Christian and chivalrous nation which has figured before the world as the professed protector of the oppressed, the down-trodden, and the unfortunate? But what is to be done? Sir, much may be done. Much has been done in the city of Glasgow, in the city of Winchester, and in many other places that I could name, and respecting which I could give the facts and figures had I the time; but that is not necessary. A great deal has been accomplished in Glasgow, where the number of prostitutes has been reduced from over 400 to something like 37; and also in Winchester, by admitting all diseased persons without question or ignominy to proper and humane treatment in the general hospitals, the disease has almost disappeared. This is the policy of

justice and common sense as opposed to the three systems of repression—*laissez faire* as it has been called, or indifference, and forcible regulation. Repression has been tried at different times in various parts of the world, and in all ages. It has been embodied very well, as I saw the other day, in a truly Parisian prescription written by an eminent physician in Paris. His panacea is 50,000 police to watch over the suspected women of Paris, and make them live in brothels under their care, with power also to take away young females who may be found in the streets from the protection of their parents. We may dismiss that at once. Systems of that kind—cruel in the extreme—have been tried, and all of them have been found to be worse than useless. The system of *laissez faire*, as it is called, is that which refuses to admit persons suffering from this disease into our general hospitals, on the ground that the sufferers are sinners, and that the disease is judicial, a visitation from God with which it would be impious to interfere. Then there are those who would deal with the evil by Contagious Diseases Acts. The logical outcome of these Acts is that prostitution is essentially an element of human society, and the Contagious Diseases Acts aim at making fornication as safe as possible. The disease we know exists—it may be rife in Queensland for aught I know—it is in England and other parts of the world; and what we have to do is to cure it by all means, but not by violence, not by a violent interference with the liberty of the person, or by cruelty perpetrated on these defenceless wretched women, but by receiving them into our general hospitals and treating them humanely, without putting any brand or stigma upon them. We should cure their disease with all speed. That is the Christian way of dealing with the matter, and the common-sense way too. We cannot alter human nature by Act of Parliament, but we can in Queensland cease from doing evil that good may come, and we can purge ourselves, as I hope we shall do to-day, of the injustice, the cruelty, and the wrong of that Contagious Diseases Act, which unhappily became law sixteen years ago in this colony. What I do to-day I do with very great distress to my own mind—it is more distressing to me than anything I have ever had to do before—and I hardly know whether I should not be overwhelmed with the subject. I feel greatly obliged to hon. members for having been so good as to listen to me upon such a painful question. I bring forward this motion with the approval, I feel sure, of the majority of our fellow-colonists, and in the name of the great majority of the people of this colony of Queensland, in the name of the united churches of this great land, in the name of the fathers and mothers of our sons and daughters, in the name of girls who love their brothers, and in the name of all who love their country, I ask hon. members of this House to assist me in my feeble effort in passing this resolution, and saying thereby that the Contagious Diseases Act shall be repealed.

The PREMIER said: Mr. Speaker,—I am sure it must have been impossible to listen to the hon. gentleman who has just sat down without feeling that he was thoroughly and sincerely in earnest in the matter which he has taken in hand. He has presented the matter to the House very ably indeed from the point of view which he takes up, and it is with very great regret that I feel myself unable to agree with him in the conclusions that he has arrived at. There is no doubt that this is a very unpleasant subject; but the fact that it is unpleasant is no reason why we should not address ourselves to it, and we must address ourselves to it as it really is. I do not propose to follow the hon. gentleman at length in the arguments he

used; but I shall advert to a few of them as briefly as I can to bring before the House the position in which the matter stands, according to the information I have been able to obtain. I am speaking for myself alone. I do not know what the views of my colleagues in the Government are on the matter, except one or two of them; but I shall give the House the opinions I have been forced to by the researches I have made into the subject, and by the information I have been able to acquire. I do not profess to know all about it. There is probably no subject upon which the best authorities are more divided in opinion. I scarcely like to use the expression "sentiment" in the matter; but yet it must be admitted that there must be a great deal of what is called "sentiment" in the arguments that are used in opposition to the system we have adopted in this colony. There are a great many arguments against any such proceedings as are adopted from one point of view; but, as in all other matters of legislation, we have, in dealing with difficult subjects, to look at them from all points of view and see upon which side the arguments preponderate, unless any particular course is morally wrong. I am unable to see that there is anything morally wrong in the system we have in this colony. I am perfectly aware that the system which has been in force in Paris for nearly a century is as bad as any system can possibly be; and I do not wonder that the municipality of Paris, which is charged with the maintenance of the public order and the protection of the public morals, should have determined to suppress it. I am not going to weary the House with a description of that system as it was; but no one can read any truthful narrative of it, as carried out by the *Police des Mœurs*—moral police, as they are called—without seeing that it was an iniquity and a scandal to any country. But that is not the matter we have to deal with here; we have to deal with an entirely different question. The administration of that police was placed in the hands of the lowest type of men, whose aim was to crowd as many women as they could into the brothels. That was avowed. If it was reported that the number was diminishing, it was said that it must be owing to the want of zeal on the part of the police; and things had arrived at such a pitch at last, that virtuous women could not be in the streets alone after dark without being in danger of being dragged to one of the lock hospitals in Paris. That is the state of things which had been brought about, and the whole world rebelled against it, as it was known that the abuses were enormous. I am free to admit that, according to the best statistics available, so far as can be ascertained, a very large proportion of venereal diseases came from the women who were subjected to that abominable treatment. No wonder; read the circumstances and the effects of the kind of treatment they were subjected to. I will not state all about it, because I do not think it would be desirable that it should appear in the public Press. I have, during the last few days, taken considerable trouble to make myself more acquainted than I was before, with the history of this matter in Paris, and I only wonder that men ever escaped from these houses uninfected. But that is not the question we have to deal with. The hon. gentleman was in error when he said that only 1,000 out of 30,000 women were subjected to the law. The statistics I have in this book are by M. Guyot, who has been the most prominent member of the Parisian Municipal Council in this matter—

Mr. JORDAN: I said 3,600 out of 36,000 women.

The PREMIER: If the hon. gentleman went by M. Guyot's book, the estimated number was only guesswork. The number not registered is unknown; and a comparison between a known quantity and an unknown quantity can never be very accurate. It is impossible to base any argument upon statistics when one element of comparison is an unknown quantity. I cannot attach much importance to that. I say we have not to deal with the abominable system that existed in Paris; we have a different system in this colony, and I will say a few words as to why that system was introduced; and why the circumstances of this colony, more than any other of the Australian colonies and certainly more than in England, except in one or two instances, are in favour of the adoption of a system analogous to that which was adopted in the Act of 1868. I assume that hon. members know the nature of the disease that is in question—a disease that is infinitely worse than smallpox, or cholera, or typhoid, and those other diseases that we are accustomed to look upon with such horror. They are nothing as compared with this scourge, and it is a scourge by which the sins of the fathers are visited upon the children even to the third and fourth generation. It is a scourge which punishes not only the man who is guilty of the sin, but it is visited upon the innocent wife and children and grandchildren. Do hon. gentlemen know that there are some countries in the world where every man and every woman is infected with the disease? That is a fact. I will not trouble the House by reading it. I have known instances of cases where men have sinned and acquired that terrible disease in their youth, and, believing themselves cured, have married, and made what might have been a happy house a house of misery, and have blighted the lives of their wives and innocent children. Such are no isolated cases, but things which are well known; and from which we can estimate what is the nature of the evil we have to deal with. But how is the disease mostly propagated? We find it is mostly propagated by women who are engaged in an unlawful occupation—unlawful, though not forbidden by any positive law. They are, by the nature of their calling, most likely to be infected. What is the consequence? Why, that men who are infected will certainly infect others. Their own constitutions will, in all probability, be entirely ruined. But the sin is not visited upon themselves only. If it were, some men might say, "Let him take the consequences of his sin." But that is not the rule which we adopt. We do not allow a man to sin at pleasure, and take the consequences upon himself, in any matter affecting public health. Let it be understood that this is a disease as much as any other disease—as cholera, or typhus, or smallpox; and as we will not allow any person, if we know it, deliberately to infect another with smallpox or typhoid, or cholera, why should we allow a woman to infect another human being with a more deadly disease than any of them? I say that is a very strong argument; why should we allow it if we can avoid it? The question then comes—how are we to prevent it? Of course we cannot stamp the disease out; but if we find a number of persons engaged in an unlawful occupation, which is likely to have the effect of spreading this disease, has the State not a right to say, "We cannot stop the practice of your unlawful occupation; but so long as you continue to practise it we will take care that you do not effect the ruin of the people of this colony?" That is how the question strikes me. Let me just say how this Act came into operation. Brisbane is the metropolis, though it was a very small metropolis at that time. It is a place of resort for people

from all parts of the colony who remain a short time in it, and then scatter throughout the colony—some of them getting far beyond the reach of medical aid. Who are the people most likely to contract this disease? Why, those men who come here to this centre of population, acquire the disease, and then distribute themselves in the interior beyond the reach of medical aid! Those are the individual sources of contagion; and they are not imaginary cases. Do not we know that almost the entire aboriginal population of the colony has been destroyed by this disease? Do not we know that in many of the islands in the South Seas the same result has been brought about, and that, to a very large extent, the original inhabitants are being destroyed by this disease more than anything else? We find, then, this scourge in our midst. We find a certain number of persons engaged in the occupation of disseminating it. Are we justified in trying to stop it? Just before the Act was passed in Queensland, some terrible cases occurred in Brisbane; and it was such cases from which the innocent suffer. I remember hearing of one case of a gentleman from England who would have been an ornament to the colony, who sinned in the same way as many others have done; and he died, I believe, within ten days. There were other cases about the same time. Can anyone wonder, therefore, that a feeling of horror was excited, and that it was determined that some steps should be taken in the matter? Just before the experiment was made in this colony, an Act was passed for the garrison towns in England, which differed from the Act here in many respects, and which has been in operation for a considerable time. I do not profess to know the effect the law has had there; but it is notorious that in Queensland the Act has had the effect of rendering the disease extremely rare compared to what it is in other places. I think there is no doubt of that; I can, of course, only rely on the information I have. That information I have from Dr. Hobbs, who has been in charge of the Act for many years, and who says that in many respects it would lead to deplorable consequences if it were repealed. That, of course, is an individual opinion. I again point out that if it were repealed there would be danger of infection spreading all over the colony by men out of the reach of medical aid. And as to such men, I say it would be better if they died rather than go about the country with the disease in their system. I say that deliberately. It would be better for the health of the community and for the welfare of coming generations that a man infected with the disease should die rather than go about with it in his system, and perhaps distribute it to his wife and children. Hon. members, who know the terrible nature of the disease, will, no doubt, give credit to those who are prepared to take stringent measures to prevent its spread, for being just as much in earnest in their convictions of what is right as those who differ from them. Before passing from Brisbane I will state what is the present condition here. The return I have is up to the 9th November, and it shows that at the present time there are 100 women on the list. During the year there have been as many as 136; but in that time 36 have been removed from it, and are there no longer. That is a very large proportion to have been removed in such a short time. During the same period 163 persons have been sent to the lock hospital. Now, I will not trouble the House with saying anything about Paris, which is not the only city on the Continent where the question has received a good deal of consideration, though I could give the information if it were desirable; but it is said by some persons that even if the effect of

the Acts in England and here were to stamp the disease out altogether, they are morally wrong; and then reversing that argument they say that even supposing the Acts could be justified they are not effective. That of course is a matter for medical statistics. The hon. member stated that the Acts in England had only had the effect of reducing the list to the extent of 1 in 1,500. I shall read the figures presently as given by Lord Hartington, and the Chairman of the Select Committee of the House of Commons, and by another member, Mr. Osborne Morgan, who represented the Government on that committee. I do not profess to be able to say whether they are right; but I do not suppose that incorrect statistics would be laid before the committee. I say, however, from the statistics of the Act here, that the effect of 163 persons having been in the lock hospital during the last twelve months must have been to prevent the spread of contagion. There were 163 centres of contagion removed from the power of doing mischief. And I say that no arguments or statistics in the world can prove that the result of those 163 persons being admitted into the hospital has not been to diminish the spread of contagion. I will just refer to some of the speeches made on Mr. Stansfeld's motion, and to what was said by Mr. Osborne Morgan, who, as I stated, was the representative of the Government on that committee. I may say that the committee's report, by a majority of ten to six, recommended that the operation of the Acts should be continued. I will now quote from the *Shield*, which the hon. member (Mr. Jordan) has been kind enough to lend me. Mr. Morgan said:—

"I have got the figures for 1880 here. They are perfectly appalling."

Of course, hon. members will understand that in England the Acts are only in force in the garrison towns, and are only applied to some of them. The towns in which they are applied are called "subjected districts," and those in which they are not applied the "unsubjected districts":—

"I will give Aldershot, which is a subjected district. The admissions to the hospital there were 74 per 1,000. Surely that is large enough. But in London, an unsubjected district, there were 225 men per 1,000 absolutely taken into the hospital for one alone of these diseases. In Manchester, 232 per 1,000 were so taken in; in Dublin, 210; and in Belfast actually 273 per 1,000 were admitted into the hospital. The figures are actually appalling. Now, let me give the figures of 1881. In London, 219 per 1,000 were admitted to the hospital suffering from venereal disease; in Belfast, 279 per 1,000 were admitted; in Manchester, 228 per 1,000; and in Dublin, 209 per 1,000. Taking 50,000 men as the garrison of the subjected districts, you would have, if these Acts were repealed, a loss of 400 men from the strength of the Army. Out of 50,000 men, on a given day, 400 would be actually incapacitated and in the hospital."

400 men in one day, and they would not be the same 400 men every day, of course—

"And so if you abolish these Acts you strike off 400 men from the effective strength of the forces. In the appendix of the evidence of 1881, there is printed a letter from the commander of the 80th Regiment at Dublin, which made a great impression. It is on page 471, and it says, 'There have been the enormous number of 166 admissions to hospital of men suffering from primary syphilis, and the admissions from gonorrhoea amount to 113, making a total of 234. Thus during the period of ten months considerably over 43 per cent. of the unmarried portion of my regiment have been incapacitated from duty. And I submit for the sake of economy, if not for the benefit of the soldiers, some steps should be taken to wipe out this easily preventable but terrible scourge.'

Now I will read some further statistics, or rather quote from the Marquis of Hartington's speech on page 132:—

"The latest statistics which the committee had under their consideration were the statistics of 1878; but the

statistics of 1881 are now available, and the latter show that the saving of efficiency to the army has gone on progressively increasing since the report of the committee, and that in 1880 it amounted, not to 5½ per 1,000, but to 6½ per 1,000, and in 1881 to 8 per 1,000; so that, in that case, with an average strength of 50,000 men, the saving would be in 1880 a saving of 325 men, and in 1881 of 400 men. But I do not at all admit on behalf of the army that the saving of efficiency is represented by these figures. Those calculations take into account only a number of men actually in hospital and suffering from the effects of those diseases. I will not say that every one bears with him either temporarily or permanently the results of this disease; but there is no doubt that a very large number of them, after a very considerable time, permanently and for life, render themselves less efficient soldiers and sailors and useful members of society. It is impossible from statistics to ascertain what is the actual loss, what is the actual effect in the service, from this consideration. The same idea of it may be obtained from the latest statistics that had been laid on the table of the House as to 1880-1. In the protected stations, on an aggregate strength of 39,500 the admissions for primary syphilis were 2,920, or a ratio of admissions of 71 per 1,000. In all the unprotected stations, with a strength of 35,000 men, there were 5,673 admissions, or a ratio of 126 per 1,000. If the ratio of admissions had been the same in the protected as in the unprotected, the number of admissions in the protected districts would have been, not 2,920, but 4,920, or an increase of 2,000. I say that this part of the subject cannot be accurately arrived at by statistics because it is impossible to see how much the larger proportion of those numbers are permanently affected. The medical evidence can leave no doubt upon the mind of any impartial person that a very large number are rendered inefficient for a proportion, and probably for the remainder of their lives. Well, the right hon. gentleman said that these Acts were only passed with a view of achieving great results. Whether the expectations that were formed by those who originally passed these Acts had been disappointed or not—very probably they have—I think it is possible that so long as their operation is confined to a few stations it can be limited. I entirely deny that this House is bound to abandon those Acts simply because they have not attained great results. It is sufficient for us that they have attained an adequate result. They have obtained a material increase in the health of the Army and Navy and in the general population, and these results have been obtained, I believe, without any interference whatever with the morality of the people. On the contrary, I believe they have been obtained with results most favourable to morality."

I will refer now to the statistics given by Mr. O'Shaughnessy, who was chairman of the committee, and drew up the report. Of course, as has been pointed out, you cannot get all the circumstances from statistics, because men are constantly going in and coming out of garrison:—

"Taking six years antecedent to the introduction of the Acts, we find in the subjected stations primary disease at the rate of 19·7 per 1,000. We find that in the unsubjected stations for the same time they stood at 103. But when we take the six years after the introduction of the Acts, we find the 19·7 of the subjected stations had fallen to 65·4, and the 103 of the unsubjected was only reduced to 93·6. That is to say, that there was a fall of 9 per cent. in the unsubjected, and a fall of 40 per cent. in the subjected districts; and if you attribute the fall of 9 per cent. to natural causes, it leaves a diminution of 31 per cent. in favour of the operation of the Acts in this particular kind of disease. We did the same from the years 1860 to 1863, and the subjected period of from 1870 to 1873. The same system of calculation was adopted; there was a balance of 34 per cent. as the net gain of the Acts in these three years; and remember that 34 is sufficiently near 31 per cent. in the other years to show that this is no accident."

Of course, the numbers are always fluctuating as in other diseases.

"After the passing of the Act there was a natural fluctuation upwards, because the disease went up. There was a rise after the passing of the Act of 1869. In the unsubjected districts primary diseases had then risen from 84 to 106, while in the subjected districts they had fallen. Then in 1869 there was a general downward fluctuation, and the result was that in 1871 the unsubjected stations had fallen to 81, but the subjected stations had fallen far more—to 51. Then in 1872 everything fell considerably. Then in 1877 the unsubjected stations were 68, and

the other 35; and then the next year there came out the reserves which disturbed the calculations. That year raised the unsubjected from 68 to 78, and it only raised the subjected from 35 to 40. Now, as to the constitutional form of disease, and taking the same comparison of years, and thereby testing what the Acts had done as distinguished from natural causes, I find that there is a diminution in favour of the Acts of 29 per cent. in the subjected stations. Then, in the periods between 1850 and 1863, and between 1870 and 1873, the ratio per thousand of admission for secondary syphilis in unsubjected stations was in the former period 30·5; in the latter 27·5, showing a reduction of 10 per cent. In the subjected districts the corresponding ratios were 40 and 20·3 per thousand—a diminution of 49 per cent; from which, if the natural reduction of 10 per cent. in the unsubjected be subtracted, there remains in favour of the Acts a diminution of 39 per cent. But the right hon. gentleman says that there were discrepancies between the returns on which our evidence as to the stations are founded. This is rather a complicated subject, but I will endeavour to deal with it as plainly as I can."

There is a difficulty arising in this way: The soldiers are constantly fluctuating, and some are constantly coming in and others going out. The question is whether the soldiers coming in increase or diminish the prevalence of this disease. Mr. O'Shaughnessy went into that and pointed out circumstances which I do not care to go into in detail, but it may be said briefly that there are two forms of the disease—secondary and primary. Secondary disease shows itself on the average once to every three times that the primary disease shows itself. That is what is found in the unsubjected districts. It was found in the subjected districts that secondary disease was in the proportion of two to three as compared with the primary disease. That shows there must be a number of persons already infected who come in and increase the number in the subjected districts beyond what it would otherwise be. So that with regard to the diminution, instead of it being 30 or 40 or 50 per cent., it is probably double that; or, rather, the reduction, instead of being 30 per cent., is probably 60 per cent. I take these statistics in good faith, of course, for I have not had an opportunity of verifying them, but they are stated by the members of the committee. I say that if you diminish the number of sources of contagion you must necessarily diminish the extent of the contagion, and I think that is a very strong argument. I want to refer now briefly to one or two other arguments that have been advanced by the hon. member. It is said this system is brutalising, but I confess I cannot attach much weight to that. The occupation is a brutalising one, and I do not think the inspection can make those who engage in it any more brutal. It is inherent in the nature of the thing. The disease is specially dangerous, and it is desirable to stop its spread as much as, or more than, that of any other disease known to the human race. If persons deliberately make a business of spreading that disease, I do not think it is too much to say that they ought to submit to the consequences. I am unable to concur in the conclusion that the system is any more brutalising than the occupation itself. The great argument against the system, and the one which has most impressed me, was that it might tend to prevent reformation. If it did that, I should be disposed to let that circumstance weigh very heavily against all the advantages of the system. But how is the statement borne out? I quote again from the evidence before the select committee, as quoted by Mr. Osborne Morgan. He says (page 121):—

"There were innumerable cases cited from Devonport and Portsmouth, and the annual report clearly shows an enormous decrease in juvenile prostitution. I should like to say one word about the innumerable cases of reclamation of young girls under the Acts. Miss Webb showed a letter written by the benevolent wife of Archdeacon Grant, saying that the Acts had a beneficial effect on the inmates of the hospital. Cases after cases

have been brought before us who would never have had an opportunity of getting out of this course of life but for these Acts. Is it possible that these Acts should have the immoral results that their opponents say they have, if men like Mr. Grant and Mr. Russell, who have lived and had experience all these years, bear unequivocal testimony of their good effects? And that is really the opinion of the majority, and the almost unanimous opinion of those who have had experience of their operation in the subjected districts."

One statement like that from a person who has been engaged in the work of reformation, counts for a great deal more than any general declamation as to the probable consequences of the Act. It is said, sir, that innocent women have been seized and subjected to examination; but I have never heard of such a case in this colony. All the cases that have come under my notice turned out on inquiry to be cases where there was very good ground indeed for suspicion. I have never heard of any case where injustice has been done; and what does Mr. Osborne Morgan say? That has been one of the standard arguments in England for years. Because, in France, such things have been done, it was maintained that the same thing was done in England under an entirely different system. Mr. Osborne Morgan says:—

"If you can show that in a single case a virtuous woman, or a *quasi* virtuous woman, had been molested under these Acts, the case would be perfectly different; but I told the right hon. gentleman that, if I came to one authentic case of any respectable woman who had been molested under the Act, I should be only too glad to inquire into it. There were some cock-and-bull stories, and they were nothing else. There was but one which a lawyer would admit, and it was the only case that I could find. One witness, Mr. Wheeler, said there were hundreds of cases in which terrified and innocent girls had submitted to these Acts, and I asked him for one case, and he mentioned the case of Caroline Wybrow, and in that case we did think the policeman had exceeded his duty."

That is what it all comes to. They point out one case in which a policeman exceeded his duty. I forget the circumstances of the case; but I know I have read them. That is the only case in point in connection with the operation of the Act in England. Now, I say we have to deal with this matter from a practical point of view. We found a virulent scourge in our midst being spread all over the colony, ruining the constitutions of many men, and destroying the aboriginal population; we adopted a certain system, and as far as we can ascertain, the result has been that the disease, though not entirely stamped out, has very nearly been stamped out. I may mention one circumstance in connection with the men-of-war that called here lately. I know that very great surprise was expressed by the medical officers of the men-of-war, after they had been here a few days, at the condition of the men. Instead of the usual number of men being laid up, there were none or scarcely any; and that was noted with very great surprise, because they were not aware before that the Act was in operation in any of the Australian colonies. To sum up: We have an Act in operation which must have the effect of saving the health of a very large number of men in this colony—not only men now in the colony, but also those who may come here, and their children. No instance has yet been adduced where that Act has done any harm, except the harm that can be pointed out on general grounds. It is said that it is an infringement of the liberty of the subject. Of course it is, and so is every law relating to the public health; but we have for many years adopted the principle that in matters of public health the comfort of the individual must yield to the good of the public. I do not think any exception can be claimed in the case of a person engaged in an unlawful occupation. On these grounds I am unable to support the hon. gentleman. I give him credit

for the greatest sincerity, and I know that many members in the House agree with him. I know that in what I have said I am opposing the opinions—and the very strongly cherished opinions—of a great number of men, and a great number of women too, in this colony, with whom I generally have the good fortune to agree; but I considered it my duty to express my opinion on the subject, and if I have had the misfortune to irritate them I cannot help it. I could not shirk the responsibility of saying what I consider to be the true view of the matter. I shall vote against the resolution, which, if carried, would, I am sure, not tend to the physical health of the people or in any degree to the improvement of their morals.

Mr. MACFARLANE said: Mr. Speaker,—For many years past I have felt very strongly on the subject of the Contagious Diseases Act. I may say that what caused me first of all to feel an abhorrence towards the system was a circumstance that occurred in a house adjoining the one I lived in thirteen years ago in the old country. There was a young woman there who was always supposed to be beautiful, virtuous, and possessed of all the moral qualities that would attach her to the opposite sex, and she was very retiring in her disposition. One day she did not appear at her usual place of employment—at a warehouse. Her brother could not understand what had become of her, and after two days' search he found her in a brothel. Everyone was horrified, for the supposed virtue of the girl was revered by all who knew her. Her brother begged her to leave that house, but she refused; and three months after she died of disease in the same house. Now, sir, that was the first thing to draw my attention to this obnoxious system; and from that time to this I have always felt that it is a disgrace to any community to sanction a law compelling the examination of women. The motion this afternoon simply disapproves of the compulsory examination of women. The Premier, in his reply to the hon. member for South Brisbane, made some remarks to the effect that, while he would not like to call it sentiment, yet there was a great deal of sentiment among those who opposed this Act. I ask hon. members, is it sentiment to see the daughters of our working classes torn away from their homes to fill brothels, and to be forced to undergo examinations to keep them in a fit state for the gratification of those in the higher ranks of society? Who are the girls who are prostitutes? They are not the daughters of our middle classes, or of our higher classes: they are the daughters of the working men of the colony. Is not the virtue of those girls as precious in the eyes of their fathers and mothers, as is the virtue of the daughters of the middle and higher classes in the eyes of theirs? If that be so, should we not deal out common justice to all classes of society? The Premier says this is a terrible evil—and there I agree with him—and that we should do all we can to stop it. What I object to is that he is not doing all he can to stop it. And the Contagious Diseases Act, as it at present stands, will never stop it. I wish the Premier to listen to what I say, and I say distinctly that we shall never stop this evil until we deal out equal justice to the men as well as to the women. There must be at least ten or twenty male sinners for every prostitute that exists. That is a known fact, and I hope those who intend to speak in favour of the Act will bear it in mind. If we want to stop this dire disease, why do we not attack the men as well as the women? The Premier says that men coming from the country to a place like Brisbane would get this fell disease; but have not those men the power of communicating it as well as the females? It is supposed they

have more power, and yet they are not dealt with. A man may steal away the virtue of the daughters of our working classes, and there is no redress whatever. He may give them that fell disease, and there is no law to get hold of him. How can you stop a disease when you only attack one-tenth or one-twentieth part of it? It is impossible. The figures quoted by the Premier, in opposition to the figures quoted by the hon. member for South Brisbane, do not go to the heart of the question. Figures will never settle this question. Those in favour of the Act have figures to show that it is beneficial, while those opposed to the Act have figures to show that it is doing no good. Therefore, I say, figures will not settle the thing. It is a matter of opinion—of morality; and looking at the system in the light I do, I say it is a wrong, a disgrace, an outrage perpetrated upon women. This subject has been smouldering a long time in the breasts of the men and women of Queensland, and all the members of Parliament united will not stop the discussion of it—will not arrest the feeling against the Act when we see the women of the colony rise in their womanhood and denounce it as something disgraceful to their sex and to the men who keep up the system. I have no hesitation in saying that if the present House were asked to pass such a law it would be scouted and branded as it ought to be, as something terrible—something wrongful to the sex whom I hope we all love and revere and respect. I ask hon. gentlemen to imagine that these young women of thirteen, or eighteen, or twenty years, are their own daughters, and what would they say? But the surroundings of the daughters of members of Parliament are all in favour of virtue. It is not so with the daughters of the working classes. They are obliged to go out and perform those menial duties which are to get them a living. They take situations in public-houses, which the very worst of men frequent, often for the very purpose of seducing those girls. Should we not rather protect those females by passing a law to prevent their taking positions in public-houses? That would be one means of lessening this evil. The fact that this Act is partial, punishing the female and sparing the male, is a strong argument in favour of its being expunged from the Statute-book of the colony. Is there not something cruel in forcing a young girl to undergo an examination repulsive to all the finer feelings of a virtuous girl? Hon. members may say that virtuous girls are not submitted to it; but there are many instances on record where girls who were virtuous have been compelled to undergo it, and whose feelings were so outraged by it that they have thrown themselves upon the pavement and dashed themselves into eternity. We have many instances of girls drowning themselves after having been compelled to undergo this degrading operation. It is so unjust, so cruel—so terribly cruel—because a girl has to register her shame, proclaim herself a prostitute, and undergo an examination which must be repulsive to the finer feelings of anyone who has any feelings at all. Hon. members may say we are dealing with a necessary evil. If so, it is an evil that has ruined many nations, beginning with Sodom and Gomorrah, and going on to Rome and others sunk to the very lowest depths through this terrible vice. Even if we could prove that the compulsory examination of women lessens the amount of evil, I say we have no right to do it. We have no right to “do evil that good may come.” That is a law propounded by a higher authority than this Legislative Assembly. Who will stand up in this House and say it is not an evil, an injustice, and a cruel wrong to the softer sex? I hope that those who maintain that this law should be kept in force will, before they give their votes, seriously consider the evil they

are doing. There is one thing that gives me great comfort, although at the same time I feel great shame for it, and that is, that the only colony where such a law is in force is Queensland—a colony called after our honoured Queen—a name, alas! now identified with a land where the female sex is defamed, and women are lowered in the sight of all the nations of the earth. I hope that this colony will not longer continue to be branded as the only colony that has this Act in force. The Premier, in replying to the hon. member for South Brisbane, said something about 100 women being registered in Brisbane, and that at one time during the same year 136 had been registered.

The PREMIER: The total number on the list during the year.

Mr. MACFARLANE: The hon. gentleman said something about 136 being reduced to 100.

The PREMIER: I did not say that 136 were on the register at the same time.

Mr. MACFARLANE: We cannot suppose for a moment that that is all the prostitution in the colony. The very fact that the number has been reduced from 136 to 100 is no proof at all that the Act was working well, or that the disease had been reduced, or that the women had been decreased in numbers. It is well known that these girls have an abhorrence to this examination. And what do they do? Why, they fly from Brisbane to the outskirts of the city. They go to country places that are not well looked after by the police, and consequently escape and are not registered. I think the hon. member for South Brisbane said something to the effect that this Act prevents reformation by hardening the persons engaged in it. And the Premier said something to the effect that it had not that effect. I think it stands to reason, and to human nature, that if one is once branded as a sinner of any kind it lowers him in his own estimation and in the estimation of others. And being once branded as a prostitute, it is worse for a woman to reform. We know when once a woman gives way to any sin, it is far more difficult for her to reform than a man. Everybody admits that, and therefore we say that the Act as carried out at present does not tend to give any chance to a woman who has fallen, to reform. That is another reason why I am opposed to this Act. But some hon. members will remember that I called for some returns at the beginning of this session in reference to this particular Act. The question I asked was, in what towns in this colony has the Act been in force? The reply I got from the Premier was that the provisions of the Act had been extended to Brisbane, Maryborough, Rockhampton, Rockhampton North, Cooktown, the shire of Toowoong, and the divisions of Woollongabba, Ithaca, and Booroodabin. I have taken the trouble to look up the Estimates in reference to the towns in which this Act was in force in the colony, and what do I find? I find it is a very expensive affair after all, and that in the towns that are registered under this Act there is considerably more money paid away for medical officers than in the towns where this Act is not in force. Let me quote one or two of them. In Brisbane, there is paid to medical officers £500; in Cooktown, last year, £150, increased this year to £200; Maryborough, £200; Rockhampton, £400. These are the largest towns where the Act is in force. Let me mention one or two towns where the Act is not in force: Bowen, for medical officers, only £80; Charters Towers—a mining district where one might think, with so many single men living by themselves, the Act should be put in force—£50; Herberton, £50—another mining

town; Toowoomba, £75; Ipswich, £70; Ravenswood, £50. Those towns, such as Toowoomba and Ipswich, are larger towns than those in the North, where £400 and £500 are spent on medical officers. So that the Act is not cheap after all. We see then that in the towns where this Act is not in force there is more morality, more virtue, and less disease than in the towns where the Act is in force. And we find that in proportion to the extent of the town and the amount of money paid to the medical officers in the same proportion does the disease extend. That shows clearly to my mind that the medical faculty is against morality. I do not care a fig for medical men telling us that it would be a serious thing if this Act were abolished. It would be one of the finest things for the colony if it were abolished. Virtue would then have a chance to increase. The fact is that in those towns where the Act is not in force there is scarcely any prostitution. There is not a single public prostitute in Ipswich, so far as I know. I cannot speak for the other towns. It may be said that that is not an argument: that women may go "on the square." But I say, if you give a sanction to a law like this for examination and registration, you are simply continuing the evil, increasing it, and doing damage to the morals and the physical stamina of the people. The Premier, in reply to the hon. member for South Brisbane—and he did so very feelingly—appealed to this House very feelingly in reference to this terrible evil. It is a terrible evil; and I would say, with all the earnestness I can use, that if we have any feeling at all we will do what we can—if we cannot expunge the Act—to deal out as equal justice to the men as we deal out to the women. If this were done then the Act would be abolished in a year. No man would submit to it; and what a man would not submit to, we have no right to make the opposite sex submit to. I hope what has been said in the House to-day will bring the subject before the people and let them see how the matter is dealt with here.

Mr. BROOKES said: Mr. Speaker,—Generally—almost always—we talk in this House about political matters, but on this occasion we are dealing with a social question into which I do not well see how politics can intrude themselves. So that I hope hon. gentlemen on the other side will not consider that I ought to have given one of their number an opportunity to speak before myself upon this question. On this question there are not two sides—in a political sense. I may say that this is a question which has received my amateur attention for the last twenty or twenty-five years. My attention was first called to it by reading the first article on the subject that appeared in the *Westminster Review*, and I have read every article that has since appeared on this question in that *Review*, and from various other sources, throwing light upon this subject, and I have come to certain conclusions; and without professing to be any better than my neighbours, I do claim that the conclusions I have come to are free from any bias whatever. But this is what I see in various parts of the world. Every moderately well-informed person has long known a great deal of what the Premier said about French prostitution. We know perfectly well that, medical grounds apart, the state of affairs which had been brought about in Paris by the "Police of Morals" was such as could no longer sustain itself, and which stank in the nostrils of both good and bad men. But this is what I gather from the history of nearly 100 years of French attempts to get rid of this complaint—that these attempts are and have been utter failures; that, medically speaking, the French attempts to stamp out

venereal diseases have resulted in utter failure. When I read that I was very much struck with it; because if any city has got its very best men to do their best to stamp out this disease, that city is Paris, and yet the testimony is conclusive—it comes in from all sides; it is admitted by those who have been in the Government pay, as well as by private practitioners, that the venereal disease was not cured, or stamped out, or anything like it, in Paris. I take this medical aspect of the question, first, not because I think it goes first, but because the principal burden of what the Premier said was from the medical aspect of the question. The Premier, however, did not say a single word that moderately well-informed persons did not know before about the virulence of the disease. It is the king of diseases. There was an article in the *Westminster Review* which dealt in a thorough manner with that part of the question; and anyone reading that article, or any other works on the subject, must know that smallpox, measles, and scarlatina are as nothing compared with syphilis when we consider the question of eradicating the disease. That is admitted by all the doctors who have treated this disease. It never is stamped out; and medical testimony is concurrent on this point—that the compulsory examination of women is a mere deception, and that it does not cure the women. Why, I need go no further than this: syphilis is a disease in the blood. Gonorrhoea, gleet, and those diseases can be cured; but syphilis will lie in the blood hidden and undetected for years and years. What, therefore, is the use of monthly examinations? No use at all if the disease is syphilis. People certainly can be cured of gonorrhoea and gleet, but they cannot be cured of syphilis; and for medical men to pass women out as clean if they have come in suffering from syphilis—they know themselves is a mere fraud upon the public. Now let us see what is the medical opinion in England—and I shall beat some pains on this point, though I trust I shall not be tedious; because I am speaking on a question of the first social importance, and I am extremely anxious that *Hansard*, which is the sole medium of communication between this House and the whole of the colony, should contain the report of a full and intelligent debate on this subject. I only know of one medical man in Brisbane who is in favour of the repeal of these Contagious Diseases Acts; all the other doctors are of opinion that they prevent disease. I am not going to asperse the medical faculty; but I remember what a very shrewd man once said—that whenever you find three doctors together one of them will be a sceptic. The views of doctors on medicine are something like the views of lawyers on law. We need not expect any reform in law to come from the lawyers.

The PREMIER: All the reforms do come from the lawyers, though.

Mr. BROOKES: And we need never expect any reform in medicine to come from the doctors. This is what I mean: The medical man is so strictly confined to his own profession and the healing art, that he loses sight of everything else; and so it comes to pass that in the opinion of the majority of medical men the morality of a city comes second—the ethical right or wrong on the subject does not occupy a place in his mind. Now what is the medical opinion of England? The *Medical Times and Gazette*, of September 22nd, 1869, says:—

"There is nothing which would tend more to deprive medicine of the rank of a respectable calling than the fact that practitioners should be found willing to lend themselves to the dirty work of examining prostitutes in order to enable them to carry on their trade. If the

heads of the profession or the colleges ever desire an opportunity of protecting their members from degradation, here is one."

The *New York Medical Record* says:—

"We assert again that the regulation system, as now applied to ordinary communities, fails to prevent the extension of disease. It is, indeed, absurd to suppose that semi-monthly examinations of one-eighth, or more properly one-sixteenth, of those liable to communicate infection, can attain any adequate results. The fact of sanitary failure is so thoroughly established, that one of two grounds only can be taken in regard to the matter. We must either give up the idea of regulation entirely, or we must seek some new and more efficient method than that now in practice. We have so far failed to learn of any practicable substitute for the present methods."

Now, here is a protest—the protest of 800 medical men:—

"In 1871, 800 physicians and surgeons signed the following protest:—'We, the undersigned physicians, surgeons, and general practitioners of medicine in the United Kingdom, after due consideration, hereby record our solemn protest, on religious, moral, social, and sanitary grounds, protest against the application of the Contagious Diseases Acts to the women of this country. We consider the measure fraught with a large amount of mischief, and calculated to do no good.'"

And here is the testimony of another large number of medical men:—

"Two hundred medical men in Birmingham, Nottingham, Dudley, and Scrimbrough, have testified as follows:—'We consider that such a harsh, unconstitutional, un-English, and unjust measure (as the Contagious Diseases Acts), is less to be defended on the ground of expediency and necessity at the present time than during any former period of our history.'"

Then we have a protest from forty-five medical men of Dublin—all eminent men. And I may say that the late Holmes Coote, the eminent surgeon of St. Bartholomew's Hospital, and a member of the Royal Commission on the Acts, declared that—

"The earnest men who met some years ago to originate the movement which terminated in the passing of the Contagious Diseases Acts had little idea of the use that would be made of their labours and advice. As one of those who took an active part in all that transpired, I fondly maintain that the idea of the compulsory examination of women, their enforced subjection to the police, their exposure to the penalties of registration and imprisonment, were views which would have been scouted by the gentlemen who met to devise means of giving shelter and protection to unfortunate females."

I should like to read the whole of the extracts, but I do not wish to take up the time of the House, so I will sum them up by saying this: That the medical testimony on the continent of Europe and Great Britain, and in America, is all conclusive and to the effect that the Contagious Diseases Acts do not touch the disease to the extent of making it worth while to subject women to the degradation of a compulsory examination. But, sir, there is another view which I consider should always be the first view taken of a subject of this nature, and I say that it is the view which should be taken by us as a Legislature. I was bred and born and educated in this belief, that what is indefensible on moral grounds cannot be made right on medical grounds—

The PREMIER: Hear, hear!

Mr. BROOKES: Or on political grounds, or on financial grounds. The doctrine, the teaching that we find in the Holy Scriptures covers everything, absolutely everything; and we read in that book that "The ways of a harlot are the ways to hell," and that "her steps incline down to death," etc., etc. Hon. gentlemen will know very well that I am quoting from the Book of Proverbs. When I read such truths, and when I find a Government sending out into the streets of a Christian land, certificated harlots guaranteed by State inspection, my bile rises. Such women are a disgrace to the com-

munity in which they walk about. What is this doing but making fornication easy and safe? I submit that in any community it is the first duty of men, both moral and immoral—and they must admit it if they will think a moment or two on the subject—to do right, and no Legislature should do anything to make fornication easy and safe. The mover of this motion, in a speech which was worthy of him and of the subject, mentioned a fact that is perfectly well known, namely, that prostitutes in Plymouth, Devonport, and Chatham call themselves "Queen's women," and that they consider that if they can produce their certificate they can produce everything which anyone wishing to have carnal intercourse with a woman would consider sufficient. I object to the Contagious Diseases Act on that ground to begin with. I am not speaking of the medical aspect of the question now, but I am discussing, to the best of my ability, what I consider the first ground of objection, and that is that the Contagious Diseases Act is a distinct contravention of the laws of morals, nothing more and nothing less; and that being so there cannot be any question that it is a disgrace to us. We know that if we once get into a wrong path there are thousands of by-paths also leading to error, so do we find that Contagious Diseases Acts are surrounded by a thousand other inconveniences which result in an infringement of the liberty of the subject, as far as women are concerned. When those Acts were passed in England, or rather proposed to be passed, I remember that noble woman, Harriet Martineau, who was then a leading contributor to the *Daily News*, writing several letters which shook the country to its foundation, and which she signed "An Englishwoman." When the Act was passed by the House of Commons it was passed after 12 o'clock at night, and those who voted for it, or some of them, were known to be debauchees and rakes. I can mention one person whose name appears in the debate, who was seen in London taking a girl of tender years—a girl twelve or thirteen years of age—into a brothel; that was one of the men who advocated the Act. What is the advocacy of such men worth? And what has been the result of the measure they have advocated? The attempt, I say, to save men from the consequences of their sin by a Contagious Diseases Act is an attempt which begins with failure and ends with failure. I think that, in dealing with this subject, we ought to have some respect for the women of the colony. Everything we hear and everything we read shows that the opinion and influence of women are beginning to be regarded in their right light. And what have the women done with regard to this Contagious Diseases Act? This colony does not, I daresay, contain more than 250,000 people, and I do not think there are more than 50,000 adult women; yet the petition presented to this House is signed by 3,000. What does that show? You cannot get the signatures of women to a petition as easily as you can get the signatures of men. The petition shows that the instincts of these women are against the Contagious Diseases Act. I am one who attaches immense importance to the instincts of women. They are right in ninety-nine cases out of a hundred; and I must confess that my instincts are also against the Act. If the Premier could prove most conclusively that it would stamp out contagious diseases, my instincts would not let me consent to stamping them out in that way, because it is the wrong way. I believe, in short, that these Contagious Diseases Acts are against the first principles of morality; that they are a positive premium to that which all churches have agreed to call a deadly sin, and the religious opinion of this colony will be the

religious opinion of England. Just let me give a list of ecclesiastical and religious bodies in England and Scotland which have denounced these Acts, some of them over and over again. There is the Established Church of England, represented by 1,500 dignitaries and clergymen; the Free Church of Scotland, Presbyterian, at their annual assembly; the United Presbyterian Synod of Scotland; the Presbyterian Church of Ireland in their annual synod; the Society of Friends; the Wesleyan Conference, England (annually from 1870 to 1881); the Wesleyan Conference, Ireland; the United Methodist Conference, in their annual assembly; the Primitive Methodist Conference for England; the Methodist New Connection Conference; the Congregational Union of England and Wales, in their annual assembly in London; the Scotch Congregationalists, at their annual conference; the Congregational Churches of North Wales; the Baptist Union of England and Wales; and the Bible Christian Conference. These represent over 20,000 Christian congregations in Great Britain, of almost every denomination, which have protested against the continuance of the Acts on the statute-books. The Wesleyan Ecumenical Conference, representing the churches of that denomination over the whole world, meeting in London in 1881, by a unanimous vote expressed their disapproval of the Acts. Cardinal Manning, the head of the Roman Catholics in England, has written:—"I am of opinion that every dictate of law and morality requires the repeal of these Acts." Here, we have an overwhelming mass of opinion against this law; and how, in the face of that, am I to regard the opinions of doctors who receive a paltry salary for examinations under the Contagious Diseases Act. I view them with a feeling akin to scorn: I do not give them any weight at all, as their opinions are counterbalanced by an overwhelming weight of medical, religious, and domestic opinion. The petition that has been presented to this House shows that; and everything goes to show that unless we do things right we will never prosper, Land Bills and loans notwithstanding. With all my heart, I hope that the House will pass this motion unanimously.

Mr. NORTON: The hon. gentleman who introduced this motion this evening made reference to two or three members of different Houses of Parliament at the time the Contagious Diseases Act was passed; and, in speaking of them, he included my name. On that account I feel bound, even if I had been disposed to allow the matter to go by in silence, to say a few words, at any rate in explanation of the course I intend to adopt this evening. The hon. member spoke to me about this matter some few days ago, and intimated to me that he had undertaken to bring the subject forward in the House. He asked me to read up in connection with the question, but I am sorry to say I have not had the opportunity of doing so as thoroughly as the hon. gentleman would wish me to do. I do not think on that account that I am in less able a position to give a decision upon the subject, because it is one that I have for a long time paid some attention to. I have read a great deal about it, and I may say, before the hon. gentleman spoke to me at all, that my mind was made up as to the course that ought to be adopted in connection with the question. I tell the hon. gentleman in starting, that if the circumstances were the same, and I was placed in the same position that I was then, when the Act was passed, I would adopt the same course exactly. But I would point out to the hon. gentleman that a great deal of time has passed since then. At that time I was—I am

not a very old man now—but, at any rate, I have had seventeen years' experience of the world since I was called upon to vote in connection with the passing of that measure, and my views have been considerably modified with regard to the question. I cannot forget some of the arguments that were used in favour of this Act; they were extremely weak, and one of the strongest, it was thought, that was brought forward by the hon. gentleman then in charge of the Bill, was one that I am almost ashamed to mention to the House. It was that a number of boys from one of the schools in Brisbane were affected with this abominable disease. I think the number was about forty. I did not believe that statement in the smallest degree, and I do not now, and nothing will induce me to believe that such was the case. I regarded that then as one of the gravest of the statements that were made in support of the Bill. The most unfortunate part of the matter is that those who talk most about it are very often those who are least particular in the statements that they make in connection with it. They often make statements that they cannot support, or do not attempt to support by any evidence whatever; but at the same time they make use of the most extraordinary exaggerations, which anyone with any knowledge of the world cannot by any possibility accept. I am not referring to the hon. member. I hope he will not think that, in speaking as I do, I am speaking of him, because I think he is to be congratulated on the manner in which he has introduced the subject, and the careful attention which he has evidently bestowed upon it, as well as the concise way in which he put it before this House. I think that on that account he is entitled to the greatest consideration from the House, and deserves a great deal of credit; but I cannot agree with all he says. I think that I understand the matter more fully now than I did formerly, and that there are two points of view from which we should look upon it. One is, that we may be guided by that religious sentiment which is common to every man, and which is even stronger in young men than it is in old; not, perhaps, stronger, but it has greater effect because they have not reached that position which they attain at a greater age, and are more apt upon that account, without their feelings being actually stronger, to be influenced by that sentiment to hold exaggerated opinions upon what appears to them to be wrong. At that time, speaking for myself, I was a young man, and I had comparatively little knowledge of the world, for, although I had been a good many years knocking about on my own account, I had been, with perhaps the exception of a few months, away out of the world. I use that term because I believe that most young men, in particular, who go into the bush from the time they leave school, and spend their lives there, are almost absolutely excluded from the world. They gain comparatively little knowledge of the world generally, and that was very much my position at that time. I have learned a great deal since then, and I have read a great deal on this subject, and I have also seen a great deal of the consequences of this fearful disease which has been alluded to so frequently to-night; and I may say that if I had never read anything about it, the effect of what I have seen would have been enough to make me hesitate before I consented to vote for the abolition of this Act. Before I go further I will say a few words with regard to the petition which was presented a few days ago. It has been held that a petition of that kind must exercise a certain amount of influence, because it would be impossible to get up such a petition, signed by so many virtuous women, without its showing the

strong antipathy they have to the provisions of an Act of this kind. I admit all that; but are virtuous women in a position to judge of the real facts connected with the case? They feel for those fallen women who are subjected to this examination, and have a great deal of sympathy for those whom they regard as in this distressing position. But they cannot bring themselves to look upon the position of those degraded women as men do. It is impossible that they should take such a view; they regard the matter as virtuous women, and do not know enough about it. It is impossible that they can know enough to take the same view of the actual facts of the case that men are able to do. But, although a great deal of weight attaches to a petition of that kind, I think that we, as men with a knowledge of the world, cannot allow ourselves to be guided by a document of that kind, which expresses a great deal more sympathy than it does logic. That is the way in which I regard that petition. There is one thing we must take into our notice. We must admit from the first that prostitution exists, and the fact that it exists shows that it exists by the will of men. There would be no prostitution at all if there were not a larger number of men by tenfold or twentyfold willing to countenance it than women who are reduced to that unfortunate condition. This is no new thing; it has existed ever since history began—ever since there has been history it has been recorded. It is no use going back to what happened in former days, except for the mere object of convincing ourselves—if we need convincing—that exactly the same thing has existed from the time there have been people on the face of the earth; and it exists now. Can we, by the abolition of these Acts, expect to lessen in any way the evil that has existed for so many years? I do not think we can. I may be mistaken in my view; but I certainly do not think that we can cure what is an ineradicable defect in human nature in that way. One of the strongest objections which I think most people have to the Act, is that it seems to be a sort of license to prostitution. That was the view I took years ago: it was the view that struck me at that time most strongly. But we are bound to consider it in another light. We are bound to consider the consequences of indulgence in what leads men to contract that terrible disease which has been so well described by the Premier. I certainly agree with the hon. gentleman that there is no disease which has such dire effects, and that that is one reason why extreme measures should be taken for the suppression of the evils that it is bound to create. It is not one of those diseases from which the men alone suffer; it is not one from which their own families alone suffer; but it attacks families generations beyond. We know that there are men and women—perhaps not many in this country, but in the older countries of the world—who have inherited the terrible effects of this dire disease, contracted three or four generations before; and they have to bear a terrible burden that some of their predecessors have cast upon them. That is a view we are bound to consider in looking at the question. We all know cases of the terrible effects of the contraction of the disease. I have known two or three cases of young men who have come out here from home who, though they have not contracted the disease and died in a week, as in the case mentioned by the Premier, have been infinitely worse. I have known young men, healthy and active, and with good constitutions, who have remained in this country for two or three years, and then left it perfect wrecks—gone back to their friends disgraced, wretched, and with not the slightest hope that they would ever recover anything like

the health they brought out—gone back to become a burden on those who have to support them—simply because by their wretched mistake they have contracted this terrible disease. We must consider that there are cases in which virtuous young men may be, and indeed are, entrapped into mischief of that kind. Men cannot always control themselves. I do not say that simply as my own opinion. I might quote one of the highest authorities in the colonies, one of the most respected men we have, in support of that statement; but I do not think I need do so. As cases have been referred to where men have contracted the disease, and been brought to a terrible state of wretchedness, I may mention one case of which I have heard, which happened in a neighbourhood in which I lived some years ago. Some of the hospitals at that time—I doubt whether they do so now—absolutely refused admission to men suffering from venereal diseases. That used to be the case at Rockhampton. On one occasion a gentleman who was managing a run next to mine, when riding with his stockman, in the pursuit of his usual avocation, came across an unfortunate man camped beside a waterhole. He had been to the Rockhampton Hospital and applied to be taken in, but had been refused admittance because the rules of the institution did not allow of cases of that kind being taken in. He then travelled down on the road to Wide Bay. Just before getting to my place there was a short cut—a cattle track—which he took in order to shorten his way as much as possible. Before he got through on to the main road again, he was compelled by his wretched condition to stop. He had been some two or three days unable to move; and he was carried to the station simply a mass of corruption. The unfortunate man received all the attention that could be given to him; but he died within a week from the time he was found. I hope there are no hospitals in the colony which would now refuse to admit men in that condition. I remember that that case was reported to the authorities at Rockhampton, and I believe the result was that the rules of the institution were altered. All of us, I have no doubt, could mention many cases of men who have suffered from this disease. There are some men who, though they know that they have the disease, and that even the secondary symptoms have shown themselves, yet have not principle enough to evade contracting marriage, and so communicating the disease to their families. I have known one case of that kind within the last five or six years. I never was more horrified in my life, after the man had told me what was the matter with him, than to hear, about twelve months afterwards, that he was about to marry a young and virtuous girl. The consequence of that marriage will be that, if there are any children, they will probably inherit the disease from their father, and die before they grow up. Although I cannot support the abolition of the Act, I go so far with the junior member for South Brisbane as to say that it might be made very much better than it is. We have had extraordinary cases quoted in which virtuous women have been induced to sign the paper which prostitutes are required to sign under the Act. I do not know whether those cases are true or not; I hope they are not; I hope there is no truth whatever in any of them. But even if there is not, the fact of such cases being reported shows plainly enough that it is possible under the Act to entrap women into signing the paper which may afterwards lead to their destruction. That is a point that requires amendment. I think it would be a great advantage if the Act could be so amended as to prevent the possibility

of anything of that kind taking place. We know that some girls make mistakes; but it is hard if they are absolutely forced to sign the paper. Many such girls, although they go to ruin for a time, do not become prostitutes. I know several cases in which girls who have made mistakes have afterwards married the men who seduced them; and it would be a most unfortunate and lamentable thing if, in any single instance of that kind, a girl was entrapped into signing a document which would be the means of ensuring her destruction for life. Now, I do not think it is necessary to say anything further on the subject. I regret very much that I cannot support the hon. member in the motion as it now stands; but it is from what I know to be facts, and from what I have actually seen of the world, that I oppose the motion to-night. If I regarded the motion as the hon. member does, I think—more from a religious sentiment than a practical knowledge of the world—I should go hand-in-hand with him; but we are bound to regard the matter, not merely from one point of view, but from every point of view that it can be looked at. Before I spoke to-night I was quite prepared to take the action I have now intimated, but the speech that the hon. the Premier made was so convincing, so full of convincing facts and arguments, that anyone listening to him who had not made up his mind before, would be persuaded, however strong his feelings were, to vote against the repeal of the measure. I think the Premier deserves great credit for the care he has bestowed on the subject; the careful way he has got up the facts, and the able way in which he put them before the House. I think it is a mistake for us to turn to what goes on, or has gone on, in France to enable us to form our judgment. Although the Premier did so, and talked much on that point, he did not refer to it so much as an argument; but because the facts had just previously been referred to. The hon. gentleman convinced me, at any rate, that that was simply an addendum to the argument rather than an argument itself. I am sorry that I cannot support the hon. member in his motion because I believe he is perfectly sincere in the cause he has taken up. I am quite sure he believes every word that he uttered to-night; but I cannot agree with all he said; and because he is so sincere and earnest I regret more than I otherwise would have done that I am unable on the present occasion to support him.

The ATTORNEY-GENERAL (Hon. A. Rutledge) said: It is with considerable diffidence that I rise for the purpose of making a few observations on the question that has been brought before the House in so able and convincing a manner by the hon. member for South Brisbane, Mr. Jordan. I may say at once that I exceedingly regret that extreme pressure of business has prevented me from perusing with the care which they deserve the several documents which were forwarded to me, as no doubt they were to other hon. members of this House, by a number of excellent people outside who are deeply concerned with respect to the operation of the Contagious Diseases Act in this colony; and who are animated by a strong desire to have that Act erased from our Statute-book. I am at considerable disadvantage in that I am not able to refer to any statistics on this question, and I must confine myself, therefore, to commenting on some of the speeches that have been already delivered to the House, and state what my convictions are, arriving at my conclusion rather from the principles which govern questions of this kind than from any particular facts which I have been able to discover from the able researches of those who have given more attention to the subject. I may say at once, Mr. Speaker, that I am one of those

who believe that the Contagious Diseases Act is an Act which ought not to have a place among the laws of this colony; and I am considerably influenced in maintaining the conclusion I have hitherto held on the subject, by the fact that a great many persons who are both older and wiser than myself entertain the opinion that I have all along entertained, and who are able to give reasons perhaps of a more solid and convincing character than I am able to advance for holding the opinions that I do. Reference has been made to the petition addressed to this House by 3,500 women of Queensland, and I entirely concur in the observation made by my hon. friend the junior member for North Brisbane on that petition. It is perhaps true, as the hon. member for Port Curtis has stated, that women are not able to speak on a question like this with the same authority that men are, because they have not the same amount of contact with the outside world that men necessarily have; but I think this: that on the whole and in the main, the opinions of women on almost all questions affecting the well-being of men are entitled, not only to respectful consideration, but to very great deference. Now, it is equally true, with regard to women, that their knowledge of business, and of matters relating to the concerns and the daily life of their husbands in the outer world, cannot be gained from the same sources that the knowledge and opinions of their husbands are gained from; but notwithstanding it is a fact that such, as a rule, is the unerring instinct—it has been called instinct, but I do not use that word in an offensive sense—such I say is the unerring instinct of women as a rule, that he is a wise man who, in matters of business with which women are almost entirely unacquainted, will ask the advice of his wife and act upon it. Some of the most successful men in business are those who have acted on the suggestions they have received from their wives, who perhaps knew nothing whatever of business matters, simply because women have a faculty of discerning those points which would be missed by men, and which faculty makes up for the lack of experience of the world around them that men have acquired by contact with the world. If women have not the same actual experience of what goes on among men in the discussion of this particular law for instance, their unerring instinct is such that they will be able to tell what will be for the good of the community, and state, in a manner which is worthy of consideration and in a way that men are not able to do, the nature of the path that it is safe to follow. Now, I say, when we find 3,500 of the women of Queensland approach this House in a respectful manner, protesting against the continuation of the Contagious Diseases Act, I think that fact ought to make any hon. member pause and consider whether he is justified in continuing to hold the opinion that the Act ought to remain on the Statute-book. These 3,500 women of Queensland, and many of them among the most respected and honoured women in our community, are those to whose opinions we ought to pay the greatest deference. They have the interests of the community at heart quite as much as my hon. friend and colleague, the Premier. In the welfare—moral, intellectual, and in every other way—of this community they are deeply interested. Many of them—the great majority of them—are mothers, who have sons and daughters at home, whom they are anxious to see married; they have daughters whom they are just as anxious to see married to clean men as any member of this House can be to make men clean; and I say then, when we find 3,500 women of Queensland,

mothers of the families of Queensland children, asking that this Act may be repealed, we have got before us expressed opinions of sufficient weight to make us pause before we should come to the conclusion that this Act should not be wiped out. Women are not ignorant. Although they do not mix with men of the world, and go about and see things with their own eyes that many men see, they know a great deal more perhaps than they are given credit for. They read books and newspapers, and if they do not see things with their own eyes, I daresay they are able to hear a great deal from their husbands, who can give them very reliable information upon subjects with which perhaps they are personally unacquainted. I say that the mere fact of these ladies having no practical acquaintance by contact with these things is no reason why we should say that their opinions ought not to weigh with us. If they have no actual experience, they have sources of knowledge that are open to others as well as themselves, and they have that unerring judgment and discrimination which men of experience have not. I say further, Mr. Speaker, that I am very considerably influenced in the views I hold by the consideration of the fact that the Act has proved a failure in this colony. I am informed that there are about a hundred women on the register at the present time in the city of Brisbane, and that out of that hundred there are on an average always thirty in the Lock Hospital, and thirty in gaol; so that the number of effective prostitutes in the city of Brisbane is only forty.

The PREMIER: I have official information that there are seventy.

The ATTORNEY-GENERAL: Even if we put it at seventy; I want to know if any man thinks that seventy represents the number of prostitutes in Brisbane, with a population of about 35,000. My information, Mr. Speaker, must be exceedingly defective if seventy effective prostitutes are all that are plying their unholy avocation in Brisbane. I have my information from gentlemen who know a great deal about the operation of these Acts, and are not quite so squeamish in their ideas as some hon. members on these subjects; and who are by no means influenced by such considerations as have been prominently advanced by the hon. member for South Brisbane and the hon. member for North Brisbane this evening. I am informed by those gentlemen—I was informed particularly by one gentleman to-day—that there are a hundred or more prostitutes in Brisbane plying their avocation, over whom there is no police supervision.

Mr. ARCHER: It is a great pity.

The ATTORNEY-GENERAL: That is an illustration of the failure of the Contagious Diseases Act to remove the evil which it is professedly in existence to remedy. We may exercise supervision over a few, but we are not able to control prostitution as an institution, and we are not able to do away with the evils it confessedly brings about. The illustration given by the hon. member for Port Curtis bears out what I have just now said. One of the reasons he gave for having changed the opinions he held when the Act was before the House seventeen years ago, was that he has known some lamentable instances of young men from the old country having been infected by disease in this country after they had been here a short time, and rendered pitiable wrecks. Now what does this argument amount to? I impeach this Act on the ground that it utterly fails to accomplish what it professes—to prevent the spread of this disease, and the infection of clean men by unclean women. What inference are we to draw from the facts adduced

by the hon. member for Port Curtis? We know that there are many parts of England where the Acts are not in operation at all; they only extend to some of the garrison towns. We have not heard from the hon. member that the young men he speaks of came from the garrison towns; and the probability is that they came from some part of England where the Act is not in operation at all. They come out perfectly clean, and when they come to Brisbane, and other places where the Contagious Diseases Act is in full operation, before they had been here very long they become pitiable wrecks.

Mr. NORTON: Will the hon. member allow me to correct him? The cases I speak of were not in the town of Brisbane, or in any part of the colony where the Act is in existence.

The ATTORNEY-GENERAL: Of course in that case my argument would not apply to the hon. member's illustrations; but I must say that if the hon. member has in these few cases seen sufficient reason to change his mind, I can only come to the conclusion that his experience must have been of a very limited character previously. Now I was informed only to-day by a gentleman who takes a very great interest in this subject and whom, as I said before, I should not imagine influenced in his views by any of those considerations already adverted to, of circumstances which have come under his observation. He knows himself that young men come down to Brisbane from different parts in the interior of Queensland, where of course the Acts are not in operation; they scorn to consort with women who are on the police register, but they nevertheless frequent improper places. They have abundant facilities for finding places to which the police supervision does not extend, and have abundant opportunity of access to women whose names are not on the register and who are not supervised by the police; yet in many cases, after they have consorted with these unlicensed persons, they are attacked with a very virulent form of the disease.

An HONOURABLE MEMBER: Hear, hear!

The ATTORNEY-GENERAL: Now, what applies here applies anywhere else, and it goes to show that it is impossible to have a system of inspection that will do more than partially detect the number of those who are plying this nefarious traffic. There will be numberless places in spite of all you can do by means of the operation of an Act of this kind, where clandestine prostitution will be carried on. Indeed, the chief sources of the mischief that will be propagated will be those places that are not under police supervision at all. The Act has been a total failure in Brisbane, and everywhere else for the same reason, that you can only exercise supervision over comparatively few women. The greater part of those who actually propagate disease still carry on their trade with impunity, and therefore you are to a certain extent degrading the community by having an Act of this kind upon the Statute-book without accomplishing the end for which you sacrifice so much of your self-respect. It is a scandalous thing that, in connection with the periodical examination of these women, the most unseemly proceedings are carried on. They go up once a fortnight or so to be examined by the medical officer; and I am told by those who have an opportunity of seeing what goes on that the amount of profanity and bad conduct indulged in by these women is absolutely shocking; and it is their great delight, when they have an accession to their ranks in the shape of a new-comer, to pour upon her all kinds of foul abuse and shameful epithets, so as to utterly demoralise her, and utterly destroy any feeling she might have leading to a desire for reformation of life.

Mr. NORTON: She must have been pretty well demoralised before that.

The ATTORNEY-GENERAL: However partially demoralised a woman may have been before, the tendency of this system of compulsory examination is to make her demoralisation complete. I say nothing against the manner in which examinations have been conducted. The gentleman who has charge of the business is a humane man, not likely to do anything to wantonly outrage the feelings of any woman; but in the very nature of things the subjection to an examination of that kind must extinguish the last spark of womanly feeling that exists in the breast of her who undergoes it. One great evil flowing from this Act is that women who are found infected with venereal disease are obliged to take up their abode for a time in a lock hospital; and when once a woman has become an inmate of a lock hospital she bears upon her ever afterwards the brand of infamy. What I contend is, that if this Contagious Diseases Act were not in existence at all it would not follow that women would never be inspected by medical men who would be able to give them proper treatment. If, instead of applying this compulsory system, by which women are forced into a lock hospital for a time, they were allowed to go to a general hospital for treatment, in most cases they would avail themselves of it, and then they would not have to pay the terrible penalty for the medical examination to which they now have to submit. It is a scandalous fact that, whereas in some general hospitals you can have Chinese lepers—positively, Chinese lepers—when a woman is infected with venereal disease, however comparatively slightly, she is sent to a hospital, residence in which brands her for the rest of her life. I have another reason for opposing the continuance of the Contagious Diseases Act. I take it that the proposition advanced by the hon. member for North Brisbane is sound and unassailable—that whatever is morally wrong cannot be politically or socially right. For our views upon this question we must have recourse to the foundation of all morality, to that upon which the English law rests, to which the hon. member for North Brisbane has already referred; and we find in the Decalogue an authority to which we must all bow. There are things in the Decalogue that are forbidden to men, and we find a number of things all placed on the same footing; and if we come to the conclusion that, because a man chooses to indulge in one form of breach of that Decalogue, the State is to take cognisance of his weakness, and provide him with facilities for indulging his propensities with impunity, we ought to apply the same principle to all other breaches of the Decalogue. Anyone would be accounted a lunatic, who, because a man was afflicted with a propensity for appropriating other people's property, should argue that the State ought to afford him facilities for indulging that weakness with impunity. Hon. members have spoken of the necessity of keeping the community free from contagion. The Premier—whose speech was an extremely able one from his point of view, and must have had considerable effect upon the minds of waverers—spoke of the necessity of keeping the community free from infection by means of diseased women because the effects of disease were not confined to those who were actually guilty of the offence, and that innocent children often suffer from the sins of their parents. That is perfectly true; but does not the same argument hold good with regard to other things? Is syphilis the only form of hereditary disease? Are not consumption and insanity hereditary diseases? And yet, what statesman was ever yet bold enough to say

that, because the children of consumptive parents will suffer all kinds of miseries, we should enact a law forbidding consumptive people to marry? Where is the statesman who has been so bold to interfere with the liberty of the subject as to say that because a man or woman is afflicted with the taint of insanity, therefore you are to prohibit them from contracting matrimony? I say that is a kind of legislation that would not be tolerated in any British community. And precisely the same reason might be urged—if the State is to step in and protect a man's offspring from the consequences of his own illicit indulgences—for the State to step in and protect a man's offspring from suffering from any other indiscretion of their parents—because it could be nothing less than an indiscretion—as in the case of their insanity. Therefore I come to the conclusion that the mere fact that the offspring of persons who are in the habit of consorting with fallen women may have to pay the penalty of such promiscuous intercourse, is not a sufficient reason why the State should step in to protect them. There is one side of the argument that is always lost sight of by those who advance this view—and no doubt it is an appeal to our sympathies on behalf of the innocent offspring when it is said, "Oh! make provision that parents may not become infected"—I say it is the duty of every man in the community, himself, to take care in regard to these things just as much as in regard to other things. We know very well that a man's offspring will suffer if the man neglects the ordinary precautions that prudent men take—for instance, in making provision for their families. If a man neglects to insure his life, and is cut off and leaves a large family behind him destitute, and subject possibly to starvation by reason of his want of providence and foresight, we do not want the State to step in and say, "We will make a provision for the welfare of those offspring, who are suffering from their parents' improvidence committed before they were born, by maintaining an insurance fund for their benefit." The responsibility of looking after a man's offspring is not to be lifted off a man's own shoulders on to those of the State, surely. The man must be fully alive to what the consequences will be, if he is not sufficiently animated by moral principle to prevent him from consorting with fallen women; and we have no right so to legislate that he may still do what is wrong, and yet have himself and his children protected from the possible consequences of his wrong. The hon. Premier referred to the ravages wrought by venereal disease amongst the aborigines of the colony. There can be doubt that that is so. But is that a reason why the House should continue to maintain the Contagious Diseases Act? Does not the argument work the other way? It is said that the aboriginal inhabitants of Queensland are dying out, because syphilis is spreading amongst them, and that this is because the Contagious Diseases Act was not always in operation. If the argument of the Premier amounts to anything at all it comes to this—that if the Contagious Diseases Act had always been in operation in Queensland the native races of this colony would not have been decimated by those diseases. But what do we find? We find that the South Sea Islanders have been coming to the colony for about the same length of time as the Act has been in operation, and yet that venereal disease—if my information is correct—is rampant to the same extent among the South Sea Islanders imported into the colony, as it is among the white population, and among the aboriginal inhabitants of Queensland. These kanakas have been coming here all that time, protected, or supposed to be protected, by the operation of this Contagious Diseases Act, and yet

that has not prevented the introduction of the disease and its spread to a terrible extent amongst the Polynesians. And they are carrying it down to the islands: for I am informed by the traders to these islands that it is almost incredible the extent to which this terrible disease is now spreading among not only those who come to this colony, but among those who remain in their island homes. I do not know if it is necessary to enlarge upon the question. Those hon. gentlemen who have preceded me have had the advantage of being able to quote statistics with which they have furnished themselves. I have not attempted anything of that kind; but I have shown that there are reasons why we ought not to perpetuate a system that has manifestly proved itself a failure—a system concerning which a large proportion of the women of this colony have declared that it is a thing that must be protested against, and concerning which we find men of all shades of opinion, though I do not know if they are in a majority or not—convinced it is not only in itself a standing menace to the liberties of English women, but unworthy of so progressive a race as ours, and gifted with such traditions as we have. We find in publications of this city, in which we do not look for evangelical disquisitions, that the subject is taken up. I hold in my hand the *Queensland Figaro* published to-day, and I see there what conclusions can be come to, and what opinions can be held by men who probably are not influenced by what some persons would scornfully call “morbid sentimentality”—on those subjects which we are now debating. We find then men of all shades of opinion; men of all classes of society; men of all positions in life—whether they are a majority or not I cannot say—united in an emphatic protest against the continuance of this Act on our Statute-book. I have already shown that it is confessedly a failure; that it does not accomplish—and it has had a long enough trial to see if it could become effective—the object which we suppose was contemplated by the Legislature of 1868: and that it has failed to answer the expectations formed regarding it. I find considerable difficulty and embarrassment in speaking on this subject, because I know there are many excellent people outside this House and inside it too, who entertain views opposite to those which I entertain. I do not envy the man who can get up and dogmatise on a subject of this kind when so many excellent men hold a different opinion. I have aspersed no man's intelligence, I have challenged no man's motives, but have endeavoured to place before the House some of the reasons which have influenced me in coming to the opinion I entertain on this question. I only hope that the majority of the members of the House will endorse the sentiments advanced by the hon. member for South Brisbane, and will give effect to the opinion of 3,500 of the wives and mothers of Queensland, by carrying the resolution.

Mr. ARCHER said: Mr. Speaker,—I did not intend to take any part in the debate to-night, as I had already taken some trouble to inform myself on both sides of the question, and had already made up my mind to vote against the motion now before the House. I did not expect that I would be called upon to speak; but there are some things that have fallen from the last gentleman who addressed us, that must, I think, be taken notice of. The hon. member for Ipswich told us that it was no use producing figures on this question, because while a supporter of one side of the question produced figures favourable to his own opinion, the supporter of the other side produced figures which exactly contradicted them. That is, perhaps, to

some extent the case, unless a man is careful to try and sift the truth for himself. I can assure the Attorney-General that if, as the hon. member for Ipswich says, figures are of no use in this debate, neither is sentimentalism of any use in the debate. We must, to some extent, have facts, and there must be reasoning from those facts in such a manner as will really affect the question. I deny that a single argument has been stated by the Attorney-General which if closely considered ought for one moment to prevent us from trying to stamp out the disease, the spread of which the Contagious Diseases Act is intended to prevent. The hon. member for Port Curtis made what I consider was a very truthful observation. He said that a virtuous woman, thinking upon this matter, can never think from a true standpoint, simply because she cannot lower herself to anything like the same state as the women she may be thinking about. The virtuous woman, thinking of these women with pity and compassion, can never for one moment imagine that they have so far lost all the feelings which virtuous women have, as they really have. Foulness of language and drunkenness almost always are habitual with these women—exposure of the person and everything which virtuous women truly hate is to these fallen women common; and when they judge of these women and look upon them with compassion, as I hope they always do, they cannot so put themselves in their places as to judge of what is the proper manner of dealing with them. That, I think, was the argument of the hon. member for Port Curtis, with whom I perfectly agreed. The hon. Attorney-General has controverted that argument by saying that women are not fools—I never said they were—that they read papers and books, and converse with their husbands, and know, perhaps, a great deal more than we think they do. I can only say that I am happy that I am not a husband if that subject could ever become one of my themes of conversation with my wife. I hope there are very few husbands who entertain their wives with a discussion upon this matter; but after what the Attorney-General has said I suppose I must consider him one of the few who would do that. I can only say that if I was married to a woman who would be ready to listen to a discussion of that sort, I would be glad to leave her where I first saw her.

The ATTORNEY-GENERAL: The hon. gentleman is not exactly quoting my speech. I never said that respectable married ladies were in the habit of discussing matters of this kind. I said they had means of information at hand from books and newspapers, and from their husbands.

Mr. ARCHER: Yes; I did not misquote the hon. gentlemen in one word. He said that a woman had conversations with her husband upon this matter, and so informed herself upon it. I think the husband who would converse with his wife, so as to inform her upon the state of degradation into which these unfortunate women have fallen, and the wife who will listen to him—well, I will not say what my opinion would be of either. The Attorney-General, instead of controverting the argument of my hon. friend the member for Port Curtis, simply perverted his argument, and, I think, was trying to reduce the ladies of Queensland to a standard which I am perfectly certain they have not reached, and never will reach. They never will be able to understand the class of women we are now talking about, as a man may who mixes in general society. The reason why I was almost loth to speak to-night was this—that having heard the speech of

the Premier I thought very little more could be said upon the subject. He, at all events, met statistics with statistics, and argument with argument, and showed most conclusively—not as it is now complained—that this Act has not performed all that we thought it would perform, but that it has, at all events, performed something for which we ought to be thankful. The Attorney-General has again and again repeated the argument that the Act has failed, but there is nothing gained by saying that. He may say that as often as he likes, and I insist on the contrary, that the Act has not failed. If he thinks the Act was passed in the hope that it would utterly extirpate this disease, then it may be said to have failed. But what man is silly enough to suppose that a disease of this kind—one which is in fact perhaps the most difficult in the world to eradicate—could be eradicated by the passing of an Act of this kind? If any persons legislated with such a hope as that, they have only shown their own ignorance. I say, as the Premier said before to-night, if we can, during the course of the year, prevent 100 or 130 centres of infection spreading that disease, we may be certain that the Act has done something good. No statistics that may be brought to bear can possibly do away with that fact. Those centres of infection are taken away, and to that extent, at all events, the disease has been prevented from spreading. I only use these few words as against the argument which has several times been repeated as to the Act being a failure. That is a phrase which I deny properly interprets the working of the Act. It may be that the Act has not done all the good we could wish it to do; but I have heard the opinions of medical men, and we have heard what the Premier told us to-night of the expression of opinion he had received from the officers of the navy; and will anyone tell me that all these things are not more than could be expected of the Act when it was passed? I say that if that Act had not been passed, we would in all probability be here to-night holding an indignation meeting for the purpose of passing an Act to do away, as far as possible, with these unfortunate women. I have only to quote another perversion by the Attorney-General of the speech made by the hon. member for Port Curtis. The hon. member for Port Curtis stated instances that had come under his own knowledge of the dreadful ravages of this disease, and the Attorney-General immediately jumped to the conclusion that the young men of whom the hon. member for Port Curtis spoke, came from a place which was not protected by an Act of this kind to a place that was protected by the Act, and that therefore all the dreadful circumstances ensued. Did anyone ever hear such rubbish as that used as an argument? The young man comes from England—from the bosom of his family—perhaps just from his mother's apron-strings—and is turned adrift into the world of Australia where he is unknown.

The ATTORNEY-GENERAL: That is an assumption too.

Mr. ARCHER: He never takes that into account, but jumps at the conclusion I have stated. The hon. member for Port Curtis said that it was not to the town of Brisbane that young men came, where perhaps they might be under the eyes of their friends, but to where they were far away from their influences; and certainly there is no doubt that young men in cases of this kind, break loose, and the frightful effect spoken of is produced in that way. Could anyone suppose that a person having a logical mind, and hearing of young men who had only just come here from England getting disease, would immediately jump to the conclusion that they came

from a place where there was no protective Act, and that they got this disease in Brisbane, or in some place where there was such an Act, and then proceed to use that as an argument in favour of the abolition of the Act. He then goes on to state that ladies have an intuitive knowledge of what is best, and that we should therefore be guided by them. He represents that the motion has been introduced on the strength of a petition signed by 3,500 ladies—whether they are wives, or mothers, or young women, I do not know; they may be the wives and mothers of Brisbane.

The ATTORNEY-GENERAL: I said of Queensland.

Mr. ARCHER: The hon. gentleman says that women have a bright intelligence which is better than knowledge—actually better than knowledge—which enables them to see farther and judge more clearly than a man with knowledge who reasons from his knowledge. I say that is the greatest absurdity I ever heard in debate, and I say it without the slightest hesitation. It is a well-known fact that women are not good judges of matters of fact, and that they are most illogical in their reasoning. It is well known—of course I am talking of them as a class, and not of exceptional women—it is well known to everyone who reasons on the human mind that the arguments of women are not of a logical kind. That is the opinion of the deepest thinkers and writers on the subject. And though one may quote a dozen women who have attained to the highest powers of judgment, still, when compared with the men who stand in the same category, their powers appear exceedingly poor. It is all nonsense to say that a woman has an intelligence which enables her to form a better judgment than that of a man. If it is so, it is a miracle. There is no such thing as the power to do a thing without the wherewithal to do it with; and if a man's brain has more power than a woman's to judge from facts, he will judge more clearly; if a woman's brain is better fitted for judging than a man's, she will do so better than a man. There is the whole thing. But to say that the woman has some intuition that enables her to do these things without a brain—without resorting to the power of thinking and judging—is simply bosh. Reasoning power is a force which women can never get by simple intuition. The hon. gentleman used another argument in regard to the kanakas having the disease, but I am exceedingly sorry to inform him that long before either he or I were born there was disease here. Captain Cook, in his interesting “*Voyages*,” mentions the fact that on revisiting some of the Sandwich Islands he found that syphilis had broken out.

The ATTORNEY-GENERAL: What islands?

Mr. ARCHER: Captain Cook visited a great many islands. He visited nearly all the islands between here and Tahiti, the Friendly Islands, New Caledonia, and a great many islands all about; and he mentions the Sandwich Islanders, particularly, as having contracted the disease. Since Captain Cook's time, from the time I arrived in New South Wales, which is now forty-two years ago, traders going to the Solomon Islands, and other archipelagoes, have stated that on some of those islands there is hardly a man, woman, or child free from syphilis. That is a notorious fact. And the hon. gentleman used that as an argument in favour of repealing the Contagious Diseases Act to prevent the spread of disease in Brisbane. I am not trying to argue in favour of the Act, but to show the absurdity of the arguments brought against the

Act. When there is no medical attendant, and the disease is left pretty much to nature, it probably becomes complicated, and assumes its worst form. In the Sandwich Islands it has become so bad that there is one island set apart where people go and literally rot away.

The ATTORNEY-GENERAL: We do not get our kanakas from those islands.

Mr. ARCHER: I did not say so. If I said that I should be talking rubbish—like the arguments used by the hon. gentleman. I am only stating a fact. I visited a great many of these islands probably before the hon. gentleman was born, or when he was a very little lad, and I never went to one where the disease was not rampant. We do not insist that the Act is a perfect success; we only say that it has done something to confine this horrid disease, and that it has done something to enable a few wretched fellows who otherwise would be victims for life, to escape and become respectable married men. If we adopt this motion declaring that we are willing to expunge this Act from our Statute-book, we shall simply be opening new centres of contagion and spreading the disease further; and probably, if we live a few years longer we shall regret that we ever touched a measure, which like every human production is faulty, but which has done something for the community, and which I believe will not be abolished with the consent of the community on arguments such as those we have heard to-night.

Mr. FRASER said: Mr. Speaker,—This is not a very inviting subject; and had it not been for the petition presented to this House on behalf of the women of Queensland, I do not think I should be inclined to take part in the discussion. It must be admitted that in some respects that petition is an extraordinary one. But I do not think the hon. member for Blackall and the hon. member for Port Curtis have done justice to the women of Queensland. It is all very well for them to say that the virtuous women of the colony cannot descend to a conception of the nature of this terrible disease.

Mr. ARCHER: I said they could not form a conception of the low state to which the women had fallen.

Mr. FRASER: I accept the explanation, but it only puts the matter in a different light. The hon. gentleman must remember, however, that some ladies, whose names are attached to the petition, are in constant contact with these characters both mentally and physically. They have made themselves acquainted with the condition of these women as far as possible in order to redeem them, and rescue them from the wretched condition into which they have fallen. I maintain that these ladies can appreciate and fully enter into the character of the degraded state into which these poor creatures have fallen, otherwise they would not be in possession of the information which they have obtained. I am quite free to admit that the disease which has been spoken of is as terrible as it is represented to be. I was struck very much, in listening to the speeches made against the motion of my hon. colleague, with the statements as to the fearful consequences that would result from our carrying a resolution of this kind, and the question occurred to me, what consequences have resulted from the resolution passed by the House of Commons condemning the Contagious Diseases Act in England? And how is it, if an Act of this kind is so very necessary for the preservation of health and morals in communities, that England survived so long before the passing of the Contagious Diseases Act in 1866? And how is it that the people of England never allowed that Act to come into operation excepting to a very partial extent, and only in some centres of popu-

lation? The very largest centres of population in England have never tolerated the Act. I admired the speech of the hon. the Premier as much as anybody, and I admit its force. I do not feel myself called upon to reply to it. At the same time I must say that there is a great deal about it that does not convince me. So far as the statistics are concerned, some of the figures alluded to by the hon. gentleman have been challenged over and over again. I find that Dr. Birkbeck Nevins, whom I had the honour of knowing twenty-five years ago, and who then occupied a leading position in his profession in the town of Liverpool, wrote as May, follows to Lord Northbrook, on the 4th of 1883:—

"It is impossible to believe that the comparison has thus been republished with your knowledge and approval after your letter of the 21st April, and I therefore bring the matter to your notice. For the official reproduction of a comparison acknowledged to be 'not to be relied upon as accurate,' and which 'My Lords propose in future to omit,' as they agree with me that the comparison is open to considerable objection, is an act of grave importance on the present state of the question, both in and out of the House of Commons."

That extract refers to some statistical errors published in the Navy Report for 1882 in connection with this question; and in reply to Dr. Birkbeck Nevins' representation, an assurance was given that they would not be republished. There is another matter in connection with this debate to which I must refer, and I allude to it with regret. It cannot be denied that, since the introduction of the Contagious Diseases Act into Queensland, prostitution has become so extensive in Brisbane that we are a byword and a reproach among almost all the strangers who visit our city. I think this fact of itself goes far to show that the Act has failed very materially in accomplishing that which it was intended to do. There has been a complaint brought against the Act that it is oppressive, and that it interferes with the liberty of the subject; and not only that, but that it also exposes innocent women, young and old, to the risk of being brought under its provisions. This has been referred to by the Premier, who said there was only one case reported of an innocent woman suffering under the Act. The hon. gentleman ignored entirely, and I do not care to adduce them, the cases reported from the continent of Europe. I am quite content to confine myself to what we find existing in England. The hon. gentleman alluded to the case of Caroline Wybow as if that were the only case of the kind that had occurred. Well, I shall quote a case which happened at Dover in which all the names and facts are given, so that they can be verified if there is any doubt about them. The quotation is from a lecture delivered by Dr. Charles Bell Taylor, and is as follows:—

"Some months ago a woman was brought up at the Magistrates' Court at Dover, when the following scene occurred:—

"The trained advocate, paid by the Government to prosecute, opened with a speech in which he said that the magistrates were not there to consider whether the law was a good one or a bad one, but simply to carry it out, etc.

"The police spy then swore that he had 'good cause to believe' that the woman was a prostitute. This the woman denied with tears and asseverations, whereupon Mr. Alderman Rees, the presiding magistrate, said he should like to know on what grounds the spy's belief was founded. 'I shall not allow the man to answer that question,' said the trained advocate. 'Why?' said Mr. Rees. 'Because,' said the advocate, 'the law only requires the man to swear he has 'good cause to believe'; he may not be asked what the cause is.' 'Then,' said Mr. Rees, 'I decline to commit on such evidence.' Here was a deadlock, and after some discussion it was agreed that the spy should state his grounds, when he said, 'Well, I saw the woman talking to a man in the street.' 'Well, that's no evidence,' said Mr. Rees; whereupon he said he had seen her talking to two other men. 'Well, I suppose

men and women may speak to one another,' said Mr. Rees. 'Now,' said the worthy alderman, 'I do not wish to take any advantage of my position. Tell me, have you seen this woman in a brothel, or associating with bad characters?' And the spy was forced to confess that he had not. 'Then,' said Mr. Rees, 'I dismiss the case.' 'Stop,' said his brother-magistrates; 'Give her three weeks—the magistrates in other towns always do.' 'I'll cut off my right arm before I'll give her three weeks,' said Mr. Rees. 'Then give her a fortnight.' 'I won't give her a fortnight.' 'Then we are disagreed; there must be another bench.' So Mr. Rees, seeing the woman might suffer if he were obstinate, said, 'Now let me give her a sentence that will come within the four corners of the Act, and satisfy my own conscience.' This was agreed to. So Mr. Rees said, 'I order a day's imprisonment: you have been detained a day and are therefore discharged.'

There is a foot-note which states that the name of that inspector was demanded. The name was given and it was stated that it was Inspector Coffee, and that he has since been convicted of embezzlement, and is now serving his time in gaol. This is the character of the men who are placed as inspectors and spies over these women, and who are ready, as I am informed from this account, to use their position to accomplish any evil ends. Another inspector, in the same town of Dover, has since been convicted of conspiring to defeat justice. I do not think we ought to have upon our Statute-book an Act which places in the hands of police officers or any officers, the power to expose innocent and respectable women to treatment of this kind, and if we have it upon our Statute-book, the sooner we have it off the better. I am not sure that even in Brisbane itself we cannot find that attempts of this kind have been made. Here is a case reported in Brisbane:—

"Another case may be given, showing how wicked, designing men may harass respectable girls in situations, under cover of the Act. A clergyman in Brisbane had an excellent servant in his family. He received an anonymous letter one day, warning him to take care of the girl, and informing him that she would soon be called up for examination under the Contagious Diseases Act. This object seemed to be to secure her discharge. The gentleman went at once to the inspector, and found there was no foundation for the threat, as the police knew nothing against the girl, and were of opinion that some scoundrel was perpetrating a cruel 'joke' upon her."

It might have been a joke, but it was certainly a cruel joke; and had that girl been in the employ of many men it would have been ten chances to one that she would have been discharged. The reason why I adduce the case is that I know the girl's employer, who is one of the most respected clergymen in Brisbane, and I know the girl, who had only just left my employment, where she had been for about ten months, and a more circum-spect and respectable girl I never knew. The girl left me and went back to her former place. There may be nothing in the case, and I may be told it was nothing more than a joke; but it was a cruel joke, and if we had not this Act upon our Statute-book such a joke could never have been perpetrated. There is another feature of this question to which scarcely any allusion has been made. I am sure that no right-thinking man in the community does not regret that we have amongst us such a number of young women pursuing this deplorable course of life; and our sympathies and support should be readily given to those excellent women who lay themselves out to give their time and talents and sympathies to them, and endeavour to reclaim them. I venture to assert there is not a right-thinking man in this room who will not agree with me that a woman must be sunk very low indeed before she has lost every spark of self-respect or aspiration to be reclaimed; but I hold that if there is one thing more than another calculated to extinguish that spark, it is to be subjected to this examination. I am borne out in this view by a very

high authority, whom I will quote, so that there may be no doubt about it. It is the report of the minority of the select committee appointed by the House of Commons to investigate the question; and the following quotations are from the evidence of Dr. Cook, the chaplain of the London Lock Hospital, in contrasting the two classes of patients in that institution:—

"The ordinary patients (the majority of whom are known London prostitutes) are very mixed . . . but the government patients are brutalised beyond description in appearance and manner. The probability and hopes of reclamation would be greater in the ordinary than in the case of the government patients."

And further—

"The proportions of women reclaimed from voluntary lock hospitals furnish a remarkable contrast to the government institutions. In the London Lock Hospital, the number of voluntary patients who, during the year of 1881, entered the lock asylum, were sent to service, restored to their friends, or sent to other homes, was about 75 per cent. of the total admissions, while the number of government patients similarly disposed of was only about 19 per cent. of those admitted for the first time, and only about 10 per cent. of the total number of registered women admitted. The government women are admitted to the hospital over and over again."

"The actual result of reclamation efforts in lock hospitals, under existing circumstances, therefore, clearly shows that the proportion of fallen women reclaimed without the machinery of the Act, is much larger than that effected with such aid, or, in other words, the system of the Act is proved to have greatly increased the annual difficulty of rescuing and reclaiming women who have entered upon a career of prostitution. That appears to be the inevitable result of such system, superadded to the ordinary debasing influences of that course of life."

I think that is a fact which should weigh very considerably with hon. members of this House, before they give their sanction to the retention on the Statute-book of an Act that is pregnant with such evil results. We are told that the object is the health of the community; that it is a protection to the community; but I think it is the reverse. We know perfectly well that men, young and old, are very frequently prevented from committing a crime more from the fear of detection than from the force of conscience. Well, sir, if the impression be that indulgence in this or any other vice can be carried on without the fear or danger of suffering from it, we must see at once that the temptation to indulge is immensely increased. That cannot be doubted. That there is impunity from consequences in this matter is a great mistake; and when hon. gentlemen talk of the health of the community being promoted by the Act, they evidently show that they have not thoroughly investigated the question. It is assumed that from women who are subjected to these periodical examinations and who receive a passport that they are in a healthy condition, no danger can result. Referring again to the evidence taken before the Select Committee of the House of Commons, I may say that Professor Lee, who was in favour of repeal, shows most clearly that the strictest examination is no protection whatever, and that it is "a delusion, a mockery, and a snare." With these facts staring us in the face are we to be asked to tolerate an Act remaining in our Statute-book which is certainly no credit to us. I said just now that, instead of preserving the health of the community, the Act was a prize for the commission of vice, and an inducement to indulge in it. In this I am borne out by Dr. Jackson, who puts it in better form than I can, and whose opinion is based on experience. He says that the effect of being exempt from the consequences of the indulgence in the vice leads away young men to excessive indulgence in it. I do not wish to enlarge upon the subject. As I said before, I had no intention of speaking had not my

name been mentioned as being connected with the petition. Having listened to the addresses in support of the Act, I have heard nothing which in the slightest degree checks my conviction that the sooner we remove the Act from our Statute-book the better. I shall, therefore, vote for the motion of my hon. colleague. Before I sit down I must, as most hon. members have done, compliment him upon the very able, lucid, and comprehensive manner in which he brought the matter before the House. I hope the motion will be carried; and that we shall show our injured sense of right, fair play, justice, and liberty by expunging this tyrannical and cruel Act from our Statute-book.

Mr. SALKELD said: I do not intend to say much on this matter. I have read a good deal about it, and I was surprised to hear the figures quoted by the Premier this evening. Some of the statistics I have seen are quite at variance with those, and I cannot understand them. Some figures show that in the subjected districts there is far less disease than in the unsubjected districts; while in other tables I find that there has been no decrease, or very little. I think the explanation will be found in the fact that the figures quoted by the Premier have reference to all classes of disease. I believe it is the opinion of eminent medical men, men who occupy a first rank in their profession, that constitutional syphilis is the only really dangerous disease. Of course the Premier has informed us of the terrible nature of this disease, and I believe that anyone who has made a study of it, or is well informed on the subject, will agree with him there; but I cannot follow his statistics, for they do not apply to constitutional syphilis. They apply to all venereal diseases in the Army. I have here a table prepared by Dr. Charles Bell Taylor, M.D., in which he gives the following table showing the effect of the Acts on the health of the men in the Army and Navy:—

Year.	Strength.	Admissions to Hospital for secondary or constitutional syphilis, per 1,000 men.
1866	59,758	23.39
1867	62,901	26.26
1868	68,350	30.39
1869	68,962	26.22
1870	70,131	25.01
1871	87,142	20.30
1872	85,722	21.26
1873	77,530	23.19
1874	77,933	24.5
1875	88,147	28.7
1876	88,758	27.4

That is a very different table to the one quoted, and the fact is that when we take the constitutional syphilis—the dangerous disease, the fell disease—the average is reduced considerably. We must depend a great deal upon the opinions of men who are skilled in this matter, and I find in the *Shield* which has been quoted from, that Mr. Thorold Rogers says:—

“Shortly after I had the honour of a seat in this House, and knowing how much the judgment of experts differs on questions of this kind, I took the opportunity of consulting a gentleman who, I believe, was one of the ablest, most conscientious, and most laborious students of pathology; now, unhappily, no more. I know of no man whose courage in the examination of scientific questions, and whose sympathies for humanity, were so keen as Professor Rolleston’s; and I know of no man who would have sooner sacrificed even the strongest sympathies with any particular class of persons, if he believed that the general good of humanity would be attained thereby. He told me that every test had been applied in this case, and the result was that the Acts were absolutely and totally illusory, and they were

worse than useless; that they constantly suggested a state of health that did not exist, and that therefore they were hopelessly misleading.”

And Professor Huxley, who sat upon the Royal Commission of 1871 to inquire into the working of the Contagious Diseases Acts, moved the following resolution:—

“That the Contagious Diseases Acts are absolutely worthless for the physiological purpose for which they were intended.”

I think the existence of this Act is a serious departure from the ordinary course of law. It is an interference with the liberty of the subject, and we ought to have proof that there is a very marked benefit arising therefrom before we consent to let it remain on the Statute-book.

Unless the Act is necessary for the preservation of the public health, we are not justified in continuing it. I admit that it is not fair to quote Paris statistics, but we are bound to show the working of the Act in England. I do not think that we can claim that our magistrates and police have a higher reputation than those of the old country, and I am sure they are not likely to more judiciously administer the Act than the English authorities. The Premier implied—if he did not actually say—that he had not known of a single case of hardship or injustice arising out of the existence of the Act; but I do not think that can be borne out by facts, for there are very many cases I could refer to, well authenticated cases, in which the Act has operated very harshly indeed. When we take into consideration every point connected with this business; when we take into consideration that innocent women, virtuous women, with right and womanly feelings, may suffer shame, and have the finger of public scorn pointed at them all through the operation of this Act, I am sure there are few who will not vote for its repeal. The Premier has also said that we legislate for smallpox, typhus, and cholera, and make quarantine regulations controlling affected persons; but I say that that is no argument why this Act should apply to only one section of the community. What would be thought of the Premier if he brought down a Bill making it compulsory that women and children should be quarantined for smallpox, but that men should go free? Yet here we are at the present time doing that very thing; singling out the weakest for punishment, and letting all others go free. I am surprised that the Premier and other hon. members do not see the case in that light, and I regret we are not unanimous in our condemnation of this Act. If hon. members who have defended the Act are really anxious to stamp out this terrible disease, as they call it, let them be consistent. Let us not tolerate a law which is applicable alone to women. Let them vote for the abolition of this law, and then they will convince us that they are in earnest; but while they hold such a one-sided view of things I cannot congratulate them on their consistency. This Act is not in accord with British law; it is a parasite upon the Statute-book. Our police officers dare not arrest a man or woman for any ordinary offence without being prepared with the strongest evidence that there is reasonable suspicion that that person is guilty of some offence, and even then the law does not consider a person guilty until the offence is proved, nor is the onus of proof of innocence put upon the accused person. We require the authorities who are prosecuting to prove the offence. I shall just read the 3rd clause of the Act:—

“Where an information, on oath, may be laid before any justice of the peace by an inspector, any other officer of police, charging to the effect that a female therein named is a common prostitute, and, being resident within the limits of any place to which this Act shall apply, has been within fourteen days before the laying of the said information within such limits

as aforesaid for the purpose of prostitution, such justice may, if he think fit, issue a notice in the form of schedule B of this Act addressed to such female, which notice should be duly served on her, and if any such female shall, in pursuance of such notice, appear before the said or any other justice of the peace either by herself or by some person on her behalf, or if in case of her non-appearance it shall be shown on oath that the notice was duly served on her within a reasonable time before the time appointed in such notice, it shall be lawful for such justice on oath made before him substantiating the matter of the information to order that such female be subjected to a medical examination by the visiting surgeon duly appointed as hereinbefore provided, for the purpose of ascertaining at the time of such examination whether she is affected with a contagious disease; and such female may be, at the discretion of the said justice of the peace, subjected to a periodical medical examination by the said visiting surgeon for any period not exceeding one year, and the order shall be a sufficient warrant for the visiting surgeon to conduct such examinations accordingly, and shall specify the time and place at which the female shall attend for the said examination, and a copy of the said order shall be served on the said female."

That gives power for the infliction of a terrible penalty on a female—a more terrible penalty to a woman of right feelings than any imprisonment would be. It is next door to the death penalty, and many virtuous females have chosen death rather than submit to it. I shall read what the 12th clause says. I read these clauses, because I feel persuaded that if it were thoroughly well known throughout the length and breadth of the land that such an Act is in existence, it would be made a very prominent question at the ballot-box in the case of an election. The 12th clause is—

"If any female, subjected by order of a justice under this Act to periodical medical examination, at any time absents herself in order to avoid submitting herself to such examination on any occasion on which she ought so to submit herself, or refuses or wilfully neglects to submit herself to such examination on any such occasion, or if any female authorised by this Act to be detained in any hospital under medical treatment for a contagious disease quits the hospital without being discharged therefrom by the chief medical officer thereof by writing under his hand, then and in every such case such female shall be guilty of an offence under this Act, and on summary conviction before any two justices of the peace, shall be liable to imprisonment in the case of a first offence for any term not exceeding one month, and in the case of a second or any subsequent offence for any term not exceeding three months, and in the case of quitting the hospital without being discharged as aforesaid, the female may be taken into custody without warrant by any constable."

Suppose a woman is suffering from this disease, she is sent to the hospital and remains a prisoner there as long as the officers of that hospital like to keep her.

Mr. T. CAMPBELL: Three months only, by clause 10.

Mr. SALKELD: Clause 10 is:—

"No female shall be detained for a longer period than three months, unless the chief medical officer of the hospital in which she shall be detained and the visiting surgeon of the place whence she came or was brought, conjointly certify that her further detention for medical treatment is requisite, which certificate shall be in duplicate, and one of the originals shall be delivered to such female, and in that case she may be further detained for any period not exceeding three months."

They can keep her another three months. This is an infringement of the liberty of the subject which the advocates of the Act have never made out the slightest ground for. What difference is there between Brisbane and such cities as Melbourne, Adelaide, or Hobart? Is it in such a terrible state as to drive us to place the members of the female population in the hands of police spies? I think not. It has been said that no hardship can very well occur; but we find that in England the Government have never been able to introduce the Act, except in a few garrison towns. The inhabitants of other

towns have risen, and fairly beaten all attempts to get their towns proclaimed under the Act. I feel convinced that if the horribly brutal nature of the Act were known in Queensland, it would soon be wiped off the Statute-book; and I hope this House will record their convictions that it ought to be removed, and that next session will see an Act passed to remove it. I may mention with regard to the army statistics, that the officers do not agree about them. The Surgeon-General gives one class of statistics, and Surgeon-Major Lawson, who is known to be a determined upholder of the Acts, gives others. It is very difficult to get the real facts, because it is possible to make statistics say almost anything. I do not depend upon statistics altogether. I maintain that this is a violation of the public conscience. To place an Act on our Statute-book to legalise vice is an outrage on the public conscience and public feeling; and no matter how its advocates may bring out laboured figures to prove their case, I feel sure that sooner or later it will be removed from the British Statute-book, and the Statute-book of Queensland.

Mr. BAILEY said: Mr. Speaker,—I think this House is agreed that when any virulent disease is likely to make ravage in the community, it is our duty to attempt to stop it if possible. That was the intention of this Act; whether it has been carried out or not is another question, but the last speaker in speaking of the arbitrary conditions of the Contagious Diseases Act, forgot to mention that between the women who are brought under that Act, and the public, there is one officer at any rate who will, as a humane, intelligent, and educated man, protect the rights and privileges of any virtuous and honest woman. I allude to the medical officers. Those men are chosen for their intelligence, their ability, their skill and knowledge, and their humanity; and, speaking from some little experience I had a few years ago, I can assure the House that in Brisbane alone the medical officer—he would blush if he heard me say it—has been the means of salvation of many women who have gone into that Lock Hospital. He has been their protector and friend when, in pursuance of their beastly trade, they have come to grief. If they have shown any desire to reform, or go to their friends, he has assisted them to do so. I could narrate one or two instances that have come to my knowledge that would do that gentleman very great honour; but I should not be justified in doing so, because I know that the good deeds done by Dr. Hobbs he wishes to keep secret. The medical officers, while they do their duty to the public, are the protectors of the women. Their duty to the public is to protect them from a foul disease, and their duty to the women is to cure them as quickly as possible. A third duty they perform on their own account, as men of humane feelings, and that is, that when any woman wishes to reform they give her an opportunity to reform, and assist her in doing so. I consider that the Act, from the way in which it has been carried out in Queensland, has been of great service to a class of poor women who have fallen into disgrace, perhaps through circumstances over which they had very little control. That point has been left out of the discussion this evening, and that is why I have mentioned it. But there is one more point I wish to suggest. I am not going to speak either for or against the Act, because I have not studied the question. The point I wish to suggest is, that there are people responsible for a great number of the illicit prostitutes who exist, who are perhaps members of the Social Purity Society. There are members of that society in the habit of employing numbers of girls and

paying them 8s. or 12s. a week, out of which they are expected to find themselves in clothes, board, and lodgings. If I am not very much misinformed, there are hundreds of girls in this city of Brisbane who are receiving pay for their work at that rate. Upon that miserable pittance they are expected to dress decently—they have even to be ornamental as well—and pay for their board and lodging. Here is an opening for the Social Purity Society to come in. Let them begin at the right end and see that those girls are properly paid for their work, that they have enough to live upon, and that they are not compelled, after their day's work is over, to go on the streets to earn enough to get them board and lodging. This is the work for the Social Purity Society—to look after the hundreds of girls in Brisbane and other towns, who work day by day for a pittance which is not sufficient to find them with the clothes they wear. If they would make a point of seeing that those girls shall be paid for their work sufficient to live upon, we should hear very much less of this illicit prostitution that is talked about. I throw out these suggestions, and hope they will be taken notice of by those for whom they are meant.

Mr. WHITE said: I believe in rural felicity, away from cities. Some few years ago I was in Newcastle-on-Tyne, which is a very large centre of population, a military city, and also a seaport. At that time an attempt was made to introduce the Contagious Diseases Act, and such a burst of agitation arose that the whole city was excited and a large demonstration was the result. So intense was the indignation of the people that there were two or three ladies among the speakers, and a resolution was carried unanimously declaring that that Act should never be allowed to show its face in the North of England. I am very glad to have an opportunity of recording my vote against the Act.

Mr. ALAND said: I did not intend to speak on the subject before the House, but merely to give a silent vote upon it; and I should not have risen but for two remarks made by the hon. member for Wide Bay. That hon. member first spoke of the officer representing the Government as standing between the public and the women who were examined, the inference evidently intended being that there was no danger of any violation being done to the feelings of any woman brought before him for examination. It is because I believe that violation to the feelings and to the person of an innocent person may be done, that I shall vote for this motion. We have it on record—and the record stands for more than one occasion—that in England more than one person has been taken up by the police, and has been subjected to examination by the medical officer, and his examination has shown that the person examined was not only free from disease, but had absolutely not lost her virginity.

The PREMIER: I do not believe it.

Mr. ALAND: I have a right to believe it, just as much as the Premier has a right to disbelieve it. I do not think that such statements would be made public and disseminated throughout the length and breadth of the land—statements sent forth by the British House of Commons—unless they rested upon a solid foundation. I hold that it is better for us to run some risks which it is supposed may take place, than to have one innocent female subjected to such degradation as a compulsory medical examination. Now, sir, the other remark which the hon. member for Wide Bay made was that he was sure that some of the members of the Social Purity Society had in their employment a number of young girls who were being paid insufficient wages, and that it was on that account that

they were obliged to supplement their income by what he termed "illicit prostitution." Why, prostitution of all kinds is illicit; at all events, we have not quite gone so far as to legalise prostitution, although the Contagious Diseases Act does go a long way in that respect. I think it is repugnant to most Englishmen, no matter what shade of religious belief they have; and I believe that men even of immoral character are very much disposed against the Act. At all events, we, as Englishmen, and this Legislature, as an English and a Christian Legislature, should not in any wise legislate for vice. How far the remark of the hon. member for Wide Bay may be correct I cannot say; but I maintain that the fault rests, not with the employers of these young girls, but with their parents. I have no doubt that the gentlemen to whom he referred give a fair and sufficient wage for the work which these young girls are engaged in, and if the parents of this colony were to bring up their daughters to look in a more dignified way upon the occupations of household servants or nurses in respectable families—if they would teach their daughters to think that it is quite as respectable and infinitely more respectable to be servants in a respectable household than to stand at a shop counter, or to learn dressmaking, or some of these other things, or even foster the idea of their becoming pupil teachers—it would put an end to an evil of that sort. I shall vote for the motion with pleasure.

Mr. T. CAMPBELL: I am sorry indeed that I cannot vote for the motion introduced by the hon. member for South Brisbane. There is no member of the House who has a higher appreciation than I have of the hon. gentleman's sincerity and single-mindedness in bringing this matter forward. I have not the slightest doubt that in every word he said he is a thorough believer; and I also compliment him on the excellent way in which he introduced the subject. He was very eloquent; so eloquent that had the division taken place immediately after he sat down, I might have allowed my feelings to overcome my reason, and have voted for the motion. But I cannot get rid of this argument: that we have to deal with this subject as common-sense men, and we should not therefore allow our feelings to warp our judgment, but should look the matter fairly and squarely in the face. We have to deal with a terrible evil, and if we cannot do away with the evil altogether, we should endeavour by our legislation to minimise it so far as we possibly can. I stop here to notice an argument used by the junior member for Ipswich in speaking of the Act. I question very much whether that hon. member has read that Act, or, if he has read it, he must have done so very carelessly indeed. The 3rd clause, on which he seemed to lay a great deal of stress, did not bear out his interpretation. No doubt it may give rise, in isolated cases, to injustice. I say, may; but I have made inquiries as to the local working of the Act, and from persons who are more competent to advise well thereon than the hon. member for Ipswich, or any other hon. member in the House; and I say with every confidence that if there has been an injustice it must have been an isolated case. I have the greatest confidence in the integrity of the bench of magistrates of Brisbane. The whole power lies in their hands; and although injustice may be done when a case comes into their hands, so far as I have been able to inquire nothing of the kind has ever occurred. I think I shall be able to show that no hon. member of this House should place the slightest confidence in the statements made

to the effect that injustice had been done. I find that a constable, or inspector, or other officer of police, if he has reasonable grounds for belief that a woman is carrying on the business of a common prostitute, lays an information against her. That information is sworn before a justice of the peace—generally before our worthy Police Magistrate so far as this locality is concerned. After that, notice is served upon her to come before the bench. Now, I quite agree that injustice may possibly be done, and that it may possibly lay a stigma on a woman to get such notice. But it is quite wrong to say that she is brought before the bench and treated as a prostitute and looked upon as guilty before the evidence for the prosecution is taken. The section says distinctly—

“It shall be lawful for such justice, on oath made before him substantiating the matter of the information, to order that such female,” etc.

The magistrate must convince himself that the evidence laid before him is sufficient to prove the matter laid in the information. To revert to the line of thought with which I opened: A French philosopher has said that when we get into reasoning we should cease to feel. Perhaps the hon. Premier came nearest to that than any hon. member of the House. He looked at the matter calmly and judicially, while, on the other hand, the hon. member for South Brisbane spoke with a great deal of feeling, and gave me the impression that the Government should take upon itself the teaching of morals. Now, my conception of the function of a Government does not go so far as that. I think a Government has nothing to do with morals whatever. Hon. members may laugh, but I say that the Government, as a Government, have nothing to do with morals. They make laws; these laws are considered to be just laws, and the people who obey them may be moral people, but, so far as morality is concerned, the Government have nothing to do with teaching it. Now, it was shown this evening very distinctly that the disease against which the Act was passed is one of the worst that perhaps could afflict, or has ever afflicted, mankind. Almost any other disease can be got rid of, but this disease cannot be got rid of. If the person who contracts the disease through his own folly and weakness was the only person to suffer, I should say by all means let him suffer; but it is a disease that entails misery a thousandfold for generations after, and that is the reason for special legislation on the subject. A great deal has been made of the arguments taken from the experience of France. But I say we are not in anything like similar circumstances, and the Anglo-Saxon race is entirely different from the French race in these matters; and we shall be likely to legislate much better in a matter of this kind by confining ourselves to our own people, than by drawing inferences from the experience of a nation that has nothing whatever in common with us in this matter. From the arguments of some hon. members, it would appear that the colony of Queensland, or, at all events, the city of Brisbane, is much more infected with prostitution than any other city of the Australian colonies. I have not statistics upon the matter, but I have seen other cities of Australia, and so far as my observation has gone they are equally as bad, if not worse. When this Act was passed there were in the Parliament some of the cleverest men who have ever had a seat in this House; and I am sure they did not pass it without very great reflection, and I think it will be seen that it has had very good results, notwithstanding the assertions of the hon. members for South Brisbane. Coming to the working of the Act in Brisbane, if the somewhat vague assertions made in this House to-night could be supported by any reason-

able evidence I would be one of the first to say that we should wipe it off our Statute-book. But what do we find in the pamphlets published by the Social Purity Association, of which I received a copy as well as other hon. members. There are three distinct cases mentioned in those pamphlets, and I have it on the best authority that these three cases were investigated by a gentleman accustomed to weigh evidence, and who would not be likely to leave a flaw in that evidence, and who would not be likely to be imposed upon. And what was the fact? When he came to investigate those cases, and the gentleman who made the assertions underwent a cross examination, he failed to show that there was a single act of injustice. There is the case mentioned of a girl who had been leading the life of a prostitute and afterwards reformed, and entered respectable service. And it is asserted that a policeman came to the door one morning and gave her a paper. She gave the paper to her mistress, as she could not read herself, and the mistress was horrified to find that it was a summons to appear for examination under the Contagious Diseases Act. The girl refused to go for some time, but she was compelled to do so; and it is further asserted that a few days afterwards she was seen in the streets of Brisbane, having gone back to the old life, and the last case was worse than the first. That would be a terrible case if it were true. I have it on the best authority that upon investigation it was found to be untrue, and no evidence could be got in support of one iota of the statements made. I say we can draw a conclusion as to other cases from one example of that kind.

HONOURABLE MEMBERS: Name the authority.

MR. T. CAMPBELL: If I name my authority I shall also have to name the gentleman to whom I referred; and I do not think I should shelter myself behind the hedge of the privileges of this House, and say anything of any gentleman which I would not say outside; but I may say that if any gentlemen who called out “Name” just now will ask me privately, I will give the names with the greatest pleasure. One argument used by the hon. member for South Brisbane seemed to me a very extraordinary one. He asked why in England, when they were comparatively free from disease up till 1866, and had gone on so well, why they then propose to pass a law to prevent the spreading of contagious diseases? But that argument will apply equally with respect to every Act on the Statute-book, and the hon. member may just as well ask the Minister for Lands why he brought forward his Land Bill, on the ground that we got on very well without it before it was introduced. There is another argument which the hon. member used, and which he will see himself, if he carefully considers it, as quite illogical. He said the Contagious Diseases Act was placed upon the Statute-book for the purpose of stamping out this disease; and because it has not gone the whole length in stamping out the disease, that therefore it must be a failure. The hon. gentleman does not seem to recognise the difference between a total failure and a partial failure. I say that Act has had the effect of saving scores of young men from disease, even though it may not have stamped out the disease altogether. If it stamped out the disease altogether, it might save thousands; but I say that if it has saved a hundred it has done good work, and has been of great use and benefit to the colony. There is another case—the Dover case—mentioned by the hon. member for South Brisbane, Mr. Fraser, and certainly that is a very hard case indeed, if it is true. But did it not strike you, Mr. Speaker, that there was

something wanting about it? The hon. member for South Brisbane based his argument upon that case in this way: There is a Mr. Rees, and there is the name of the girl given, and, forsooth, because the names are given it must be true. I do not say it is not true, but I am only speaking of the folly of an argument of that kind. If we are content to accept an argument of that kind we must be content to believe all that is said in the St. Jacob's Oil advertisements. The names are given there, but if you wish to authenticate those names, and what is said, you will be told to go to New York or Massachusetts or some other such place to see those people whose names are appended to the advertisement. The hon. member for South Brisbane has told us that the names are given, but we will have to go to Dover if we wish to find out that it is true. We know that the feelings and imaginations of hon. members sometimes carry them away, and men feel very strongly upon a matter of this kind. In conclusion I base a good deal of my argument on the matter upon this:—There was a Royal Commission appointed some time ago in England to investigate the very subject we are now discussing. The hon. the Premier mentioned the men who were appointed on that commission, and we know they were men of the highest standing in the House of Commons, and men who would not have taken upon themselves the responsibility of arduous duties of that kind if they were not well qualified to carry them out. Those gentlemen made a most patient and minute investigation, and collected a mass of statistics, and they have given the public the benefit of their investigations, and they have come to the conclusion that, though the Act may not have stamped out the disease, it has done very good service by appreciably diminishing it. I use the same argument here, that although the Act may not have realised fully the expectations of those who assisted to pass it, it has done good, and it would be foolish for us to take it off our Statute-book. For these reasons I shall give my vote against the resolution, though I shall be sorry to do so, because I sympathise with the earnestness with which the hon. member for South Brisbane has advocated it.

Mr. JORDAN, in reply, said: Mr. Speaker,—I will detain the House only for a few minutes. The hon. member for Cook does not believe that a single case of injury or wrong perpetrated in the carrying out of these Acts, in this colony, at all events, can be substantiated. In reference to the case quoted by my hon. friend and colleague, he said he knew that the statements were not true; and that compels me to read what I should not have read otherwise.

Mr. T. CAMPBELL: I did not say "not true"; I said it was not substantiated when the gentleman who made the assertion was called upon to do so.

Mr. JORDAN: I will read a case, which is given on testimony that is unquestionable, and which does not come from London, Dover, or Plymouth, but from Brisbane. It is this:—

"In September, 1882, one of the city missionaries heard that a young woman—whose parents he knew, and whose father was at Herberton—was summoned to appear at the Police Court the following day, to answer the charge of being a prostitute. On making inquiry, he found that another young woman was summoned to appear at the same time on a similar charge. The young women were about eighteen years of age. Having suspicion for some time that the Acts were unjust and oppressive, he resolved to watch the cases, and, in order to do so more effectively, he engaged a solicitor to attend the trial. Both these girls had been asked to sign a paper—called the "Voluntary Submission Paper"—before they knew its nature, and they were told it would save them further trouble if they signed. This is a paper in which a woman agrees to a

regular medical examination, and which virtually registers her as a common prostitute. The procedure at the trial of these young women was as follows:—The accused was called into court, and gave her name. The evidence of the constable—who is the inspector under these Acts—was taken. The next evidence was given by a member of the detective police, the previous witness putting the questions and acting as prosecutor. All the rest of the evidence was furnished by well-known prostitutes, who were put through the form of taking oath to swear away, as it might happen, the character of an innocent girl. Some of the evidence reflected strongly against the accused, but by the cross-examination by the counsel a very different construction was put upon the case. For instance, a prostitute was giving evidence. She said that a man came to her house, and asked if the accused lived near, and also requested the witness to ask her to come out to meet him. This looked suspicious; but in answer to the solicitor's question, witness said the accused refused to come out at such request. Both these girls were acquitted, although at least twenty (20) prostitutes were in the precincts of the court during the trial, and a number of them gave evidence. The gentleman who took up this case has always felt assured that if they had appeared without any counsel they would have been sent on for examination, and that there is scarcely a doubt but they would have been ruined in reputation thereby. As it was, they suffered a great deal from having appeared in court; and, had they been strangers and friendless—instead of having homes and relatives—their downfall was almost certain."

This statement was published by the Social Purity Society. In answer to the hon. members for Wide Bay, who spoke about some member of the Social Purity Society employing girls at wretched pay, thereby to a certain extent assisting in the ruin of some of those poor creatures, I can only say that his remarks were entirely uncalled for, and that I do not think he can mention a member of the society who employs those girls at wretched pay. I may say, however, that the good Bishop of Brisbane is one of the principal movers in this movement; and that, I think, speaks volumes. I know how difficult it is to fight against such an opponent as the Premier; and I asked that hon. gentleman not to fight against me in this case, because I knew that if he did it would damage my case very much. But the evidence he adduced was chiefly taken from the speeches of those gentlemen who spoke against Mr. Stansfeld's motion, on which occasion their figures were disproved so fully and completely by Mr. Stansfeld, that the House of Commons carried the motion by a large majority, after listening to those false statistics which were quoted by the Premier to-night. I say false statistics, because Mr. Stansfeld proved them to be false. They insisted on taking all cases of venereal disorder, whereas the only cases with which they have anything to do is the constitutional disease of syphilis; and Mr. Stansfeld showed distinctly that, even taking the figures given as far as syphilis was concerned, they showed that only 0·15 per 1,000 of the cases sent to the hospitals were cases of constitutional disease. The Premier attached much importance to the long statements made by Miss Webb. I have read enough of that case to make me feel great want of confidence in what Miss Webb has said. I will now read a short extract from the evidence of a lady for a long time employed in one of these institutions. The Premier does not think this process, which I have been obliged with great pain to describe, is hardening, or that it has the effect of confirming these women in their evil ways; but that is not the opinion of this lady, who was matron of the Royal Albert Hospital lock-wards when they were first established under the voluntary system of treating diseased women, and subsequently under the various stages of the Contagious Diseases Acts from

1864 to 1871. She gave evidence before the Royal Commission to the following effect :—

"That a great number of women, of all ages, had been under her charge, and the same women frequently returned. For three years, before the appointment of a chaplain, and under the voluntary system and the first Act, she had the entire moral and spiritual charge of the women. She thought that a very small portion are permanently reclaimed, and that the girls who come into the hospital have much deteriorated by these Acts since she became matron—that is, since 1863. The forced examination and all connected with that system greatly harden them. She described scenes of a most disgraceful character visible from the hospital windows, low and riotous proceedings in a crowd around the inspecting-room, and flash girls brought up in carriages by gentlemen, who wait for them till they come out certified as healthy. The number reclaimed under the Acts is very much less in proportion than it was under the voluntary system."

I adduce this lady's evidence against the evidence of Miss Webb, which has been quoted to-night.

"She confirmed the testimony of others as to the exaggerations of the police reports—not intentionally on their part, but misled by the fact that some women are set down as reformed many times over, and have been recorded as separate cases, and the fact has been that they have not been reformed at all. She confirmed distinctly the prevalence of the conviction among the women that they are licensed by the State, and she has often heard them call themselves 'Queen's women.'"

Now I shall not detain the House any longer. I have to thank hon. members very much indeed for the patient way in which they have listened to what I have said, and also for the very full discussion which has ensued upon the subject. I think the way in which the question has been treated is certainly very honourable to this House. I am very pleased indeed to have had so much forbearance shown to me personally.

Mr. PALMER said : I shall be very brief in what I have to say on this question. I wish just to give my reason for voting against the motion. I was thoroughly convinced by the forcible, sensible, and argumentative speech delivered by the Premier this evening that it is necessary for the welfare of the colony and of the towns in particular that the Act against which the resolution is aimed should be retained on the Statute-book. From reading the pamphlets published on this subject, I had a sort of idea—a sentimental one, perhaps—that I might give it my support, but I determined to wait until I heard the other side of the question before making up my mind, as I believe that is always the best course to follow. I am now convinced that the statute should not be repealed, and that is the reason I intend to vote against the motion.

Question put, and the House divided :—

AYES, 15.

Messrs. Rutledge, Miles, Sheridan, Fraser, Buckland, Brookes, Aland, Mellor, Jordan, White, Smyth, Grimes, Annear, Salkeld, and Macfarlane.

NOES, 15.

Messrs. Norton, Archer, Griffith, Dickson, Dutton, Macdonald-Paterson, T. Campbell, McWhannell, Lalor, Bailey, Palmer, Black, Ferguson, Lissner, and Stevens.

The SPEAKER : The votes being equal, it will be my duty to give the casting vote ; and regarding the question as one which if carried will be left open for further consideration, I give my vote with the "Ayes." The question is therefore resolved in the affirmative.

BUNDABERG GAS AND COKE COMPANY BILL.

Mr. MACDONALD-PATERSON brought up the report of the Select Committee on the Bundaberg Gas and Coke Company Bill, together with the minutes of evidence and proceedings of the Committee, and moved that the papers be printed.

Question put and passed.

On the motion of Mr. MACDONALD-PATERSON, the second reading of the Bill was made an Order of the Day for Friday, 5th December.

The House adjourned at half-past 10 o'clock.