

LEGISLATIVE PROBLEMS IN THE REGULATION OF MARRIAGES.*

BY HON. C. W. PARKER,

BEREA, OHIO.

Of all the obstacles the legislator has to combat, the most sure and omnipresent is the antagonism of many minds to anything and everything *new*, from the legislative standpoint. This bias of many men, this inborn conservatism which arouses in the majority an unreasonable antagonism to all measures which are out of the ordinary—an antagonism which has nothing to do with reason, or with the real value of the proposed legislation—is always to be met, when, to the mind of the average legislator, the measure brought forward is new. That is quite sufficient with some of our conservative brethren, to damn it beyond all hope of redemption, and to take from the enactment their interest and support, but, when to this conservative objection to new ideas is added the abhorrence of many individuals to everything relating even remotely to the tabooed subject of the sexual relation, the latent opposition is changed from a passive lack of interest and non-support of the measure into an unceasing hostility and open and active warfare.

These good folks turn up their eyes piously to the skies, and devoutly declare that "marriages are made in Heaven," and refuse to believe that there is any connection with this mundane sphere in this "sacred tie," notwithstanding the immutable proofs before their eyes, that in too many instances the "match" is of the earth, earthy, and the result a foregone conclusion. It is indeed an absurdity, in this day of ever-increasing divorces, separations, and notable cases of marital infelicity, to imagine for a moment that marriage, as it exists to-day, is a covenant made by Heaven, and that sentiment alone should be considered in regard to this union of the two sexes, so fraught with tremendous significance, not only to the present, but to the generations yet to come.

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Next to the obstacles mentioned, as standing in the way of needed marriage laws, is the honest but misguided opinion of the male prude, who allows his sentimental regard for what he is pleased to call "the weaker sex," to so bias his judgment and reasoning powers that everything must be subservient to a sort of chivalric adulation of the female, on account merely of sex. To this worshiper of sex, the very thought of "an examination" is abhorrent and a desecration of divinity, but while all men have in common a love and veneration of all that is distinctly pure and feminine, there are certain limits beyond which the wise and prudent man refuses to allow his sentiment to carry him. Every physician knows the universal procrastination in the majority of families, in the matter of medical examinations for the afflicted females in the home, and every one also knows that, until this fallacy, this absurd and dangerous mock-modesty, is overcome, a cure is often impossible. So is it also a fact that, until the necessity of health in marriage is recognized, the inalienable rights of progeny can not be secured, nor the home and wife protected from the ravages of disease and their perpetuation.

To the number of males who view with abhorrence a physical examination for the female candidate for matrimony must be added the large percentage of women who are factors of importance in moulding the minds of legislators against all measures looking to this end. Conscious, in many instances, of their own unfitness and inability to pass the medical requirements of freedom from such inherited or acquired taint as science now proclaims as detrimental to the welfare of not only the pair, but the community at large, women, I may say the majority of women, by their lives of fashion and folly, as well as by their having no real knowledge of the importance of the purely feminine part ordained by Nature to be theirs, as wives, as well as mothers, are antagonistic to all legislation seeking to put marriage on a practical and reasonable foundation. Many women have been brought up to think ignorance of all sexual matters a certificate of innocence, and even pride themselves on a lack of information absolutely criminal in its result. We see these women bringing into the world daughters as unsexed as themselves, frail, sickly, inane creatures who from the cradle to the grave are without the vital sexual stimulus that alone can fit a woman for wifehood and maternity. Knowing nothing of the requirements of marital life, nothing of the ravages of disease as transmitted from generation to generation, nothing of the responsibilities of wifehood, and nothing of the God-given possibilities involved in an educated maternity, these women in their ignorance and folly put forth all their efforts to discourage any discussion of what they term "a delicate subject, unfit for discussion," without the slightest realization that such restrictive legislation is of vital importance to them individually and collectively, and has as its chief object nothing less than the protection of the home, the wife and her children.

Having spoken of the public sentiment against restrictive marriage laws, as briefly outlined, which we may sum up as conservatism, ignorance, and mock-modesty, we must also consider the obstacles confronting the man with the new bill, entirely from the legislative standpoint.

The first one to confront the new measure will be the "log-roller," who listens approvingly to all arguments, and then proceeds to give the outline of "a little bill" in which he is interested, and slyly intimates that he "will vote for the new measure gladly, but"—there is

always a but, and a *quid pro quo*, which is a vote in return for his bill. This "you tickle me, and I'll tickle you" policy is known to every legislator and is a greater factor in passing bills than the lay mind realizes, but there are men who refuse to buy success at any such price, preferring to see their bills fail to pass, rather than to have to support "deals and steals," to effect that consummation.

Next we shall find the obstacle of political enmity in the path of the reformer. There are "many men of many minds" in all parties, but some of the smallest individuals are those who can see nothing good in any measure which is presented by the "other side." This political narrowness bands men together against a measure, simply because they desire to "down" the other side, and be the bill good, bad, or indifferent, it matters not, it must be "killed," one way or another, if it has been presented by a political rival.

Then there is the poor fellow afraid of what his constituents may think. He is always in a "peck of trouble," and never to be found twice in the same place. He recalls the old fable of the man, his son, and the donkey, who tried to please everybody and failed ignominiously—and lost the donkey in the bargain. This timid legislator is anxious to be returned, and has no confidence in his own judgment; he wonders what this man and that would think of the measure, and dares not risk their displeasure by voting for it. He may be in sympathy with the measure personally, believe it to be good and necessary legislation, but when the time for a vote comes, he will get uneasy in his seat, and slip out opportunely to "see a man," or even screw up his courage to vote in the negative if he thinks those constituents in "the S'teenth District" will approve his bold opposition to such new and unheard of legislation. Close beside this sort of statesman sits another timid individual, who dreads being asked for his reasons for voting for the new measure. He may feel it is a wise and necessary enactment, but he has not the courage of his convictions, and falters when it comes to putting himself on record as favoring an unpopular bill, or one about which there will be discussion.

Another class must not be forgotten who are vitally concerned in the proposed law, as it will personally affect their own prerogative of marrying. There is a large number of men, both within as well as without the legislative halls, who have the very best reason in the world for wishing to utterly defeat any such restriction, as they secretly know that it would debar them from marriage. These individuals will give you every other reason in the world why such legislation is "unnecessary," "an outrage," "a crime against the freedom and rights of the individual," etc., but in their own person the real cause of their opposition is evident. No man is more violently opposed to a physical examination than he who knows he could not pass it. No man is more outspoken in his antagonism to all restrictive legislation than he who secretly knows he has no right in the sight of God to perpetuate his own condition. No man is more sure to harp on the rights of all, than he who is deceiving the world and the woman who loves him, and denying her the right to know the truth as to his absolute unfitness to father her child. Take the dipsomaniac! Shall we expect him to applaud legislation which shall disbar him from matrimony, or, think of the poor, puny, starved progeny he will be responsible for bringing into being, cursed with the hereditary infirmities of their progenitor? Drunkards have no love for any legislation affecting their privilege of making brutes of themselves, and

it is, alas, equally true that those poor miserable specimens of humanity, cursed with the foulest and most loathsome diseases, due to the "sins of the father," are most violently opposed to any restriction which will reveal to the world their own condition, and prevent them passing on the scourge to the generations yet to come.

As a rule there are very few consumptives, if a recognition of tuberculosis in the patients themselves is to be taken as a criterion. Every medical man knows that the consumptive will admit he has anything else but consumption, and many die without ever being brought to a realization of their malady. No wonder then that members of this class continue to marry and bring into the world a horde of weaklings, a constant menace to the health of the community, and by whom seeds of the disease are sown broadcast. The tuberculous legislator, like the one addicted to strong drink, and the unfortunate victim of syphilis in any of its stages, is therefore averse to all legislation favoring health and requiring a physical examination for all applicants desiring to enter matrimony, but such opposition must only the more forcibly emphasize the necessity for restrictive laws, if we would protect the home and our nation from the fearful ravages of the ever-increasing army of the diseased and their imperfect offspring.

Last in the list of obstacles we may put the jealous, envious little specimen, whom it is almost an absurdity to call "a man." He wishes he had thought of the purpose of the bill himself, but as he did not, he has not soul enough to be willing to let any other legislator get any small credit which may accrue for having fathered it. He jealously views everything which may in any way be supposed to lessen his own prestige, and is vehemently opposed to the new measure, be it good or bad, simply because it is not his bill, and he dislikes to see another succeed where he himself has failed. But he is a small personage, and we shall not waste time considering him, for he is not worthy of it.

When we consider all the obstacles and difficulties in the way of needed legislation regarding health in wedlock, we must not overlook the vital opposition based on a real ignorance of what is meant by the term "physical examination." There are many men who have an entire misconception of what the term implies, and on the part of the average female the thought is full of some horrible indecency and indignity at the hands of the physician, at which her soul revolts, and many exclaim that death would be preferable to an "examination," without having the slightest idea of how delicately, and with what uniform respect for womanly modesty and decorum, the examination is conducted by the experienced physician. Here again is ignorance, and such as can only be made to yield by enlightening the masses.

Having given some consideration to the obstacles in the way of needed legislation; having, as physicians say, diagnosed the disease, we may see what can be given as a remedy.

First of all, and chief in importance, is education, not only of legislators but of all men; not only of men but of women as well; and education not only of the masses but of the classes, to an appreciation of the necessity of curbing present dangers and eliminating, as far as possible, the spread of those noxious diseases which menace not only the marital partner but the offspring and the community at large by their propagation. Women as a rule have no knowledge of the terrible dangers menacing them and their children, through the contamination of syphilis and other diseases of like nature; few of them realize the inevitable result of marrying a consumptive,

and still fewer are taught to think of the crime against progeny which such a marriage involves. While many may applaud the womanly love which makes a wife cleave unto her tuberculous mate, ministering to him in the long years of his slow death, the world begins to question this "devotion," when it sees the woman a party to the crime against the offspring of such a union, which she is responsible for bringing into the world, cursed before birth with as slow and immutable a doom as the victim who dies by the loathsome ravages of leprosy.

Education alone can enlighten the world as to the necessity of lessening the spread of the hereditary taints now sent broadcast by millions of diseased couples procreating their own kind; their children in turn, by the enormous increase of each generation, endangering the health of the very nation; the time has come for legislation to prevent such a union as menaces by its consummation the welfare of the community.

While it may be true that the woman who marries a consumptive is conscious of all her act involves, while she may know that he is doomed sooner or later to succumb to this dread malady which each year claims its thousands of victims, while she may possibly appreciate the sin committed against her unborn children, by marrying a man who can not father healthy offspring, she is not entirely ignorant as in those other and far more terrible diseases, which polite society refuses to discuss. But while society may refuse to name syphilis, Nature writes it on the faces and bodies of millions, every year, and if marriages indeed are all made in Heaven, one shudders at contemplating "the joy of the angels" when the miserable imperfects born of such a crime against Nature are forced into being, under the curse which the scriptures pronounce shall continue until the third and fourth generation.

Sentiment in regard to a love marriage between a healthy male and his mate is very pretty, and we applaud all the congratulations, flowers, and marriage festivities, but these things do not end matrimony, they begin it, and it is well to look a little ahead, and to view the union of the man and his bride in its relation to the community, for it has a bearing on the welfare of the community at large, which the sentimentalist overlooks. If the wedded ones are not pecuniarily able to be self-supporting, if the male or the female are persons of known inebriety and dissolute character, their union becomes an added burden to the charitably inclined, and to the thrifty tax-payer who must support their ever-increasing progeny. If the man or woman is of weak mind, an imbecile, or pauper, the county will have, before many years, a very tangible proof of its interest in the "union of the two free souls," who are indeed free to thoughtlessly bring a horde of imperfects into being, to prey on the pockets of those who must support them from the public purse. But there is a far more vital reason than any mere financial question, in regard to this unrestricted propagation of all who desire to marry. When the union of the two is a danger to the health and well-being of every individual in the community, it is time to put aside sentiment and to reason logically.

But this brings us back to the last proposition: How can "this end devoutly to be wished for" be consummated? It appears to me that while education must be insisted on as the best means to secure the end aimed at, it is also necessary to "make haste slowly," and I therefore suggest that it might be well, where it would not be possible to at first pass an effective measure, to exempt the woman from the operation of the bill, it being recognized that in most instances the man does not marry, nor

desire to marry, a diseased mate, and this exemption of the woman will do away with all the sentimental objections of those who consider such an examination for her a kind of profanation, but who are sensible enough to offer no objection to it for the man. Then again, I see now that I should have been more successful in securing advocates for my bill had I exempted those who feared the measure might strike themselves. Instead of the original bill as drawn, I should offer, as a substitute, a measure not only freeing women from the examination, but making the measure less stringent, so as to only include those with tuberculosis when actually developed, dipsomania when positively proved, and syphilis in all its stages, together with actual imbecility. While the original bill, to my mind, was none too stringent to meet the requirements of our day, it behooves us to accept in a tacit way the conservative spirit which will not be pushed, but which must be coaxed on step by step. As the old schoolmaster well said: "The cure for a little education is more education."

THE LEGAL RESTRICTION OF MARRIAGE FOR THE PREVENTION OF PAUPERISM, CRIME AND MENTAL DISEASES*.

BY DANIEL R. BROWER, A.M., M.D., LL.D.

Professor of Mental Diseases, Rush Medical College, in affiliation with the University of Chicago, etc.
CHICAGO.

Pauperism, crime and insanity have in their etiology most important relations to heredity, that great fundamental law of Nature by which like must produce like, not in never-ending sameness, but in variety, tending on the one hand to improvement by environment, or by the same ever-powerful modification to destruction.

The child comes into the world with life and certain gifts from parents, often loaded with encumbrances so burdensome that they prove a curse to their possessor, sometimes so free that the heir at law has nothing to fear in the race of life. How the minute cells, that by their union make conception, microscopic as they are, should contain within themselves all the possibility and all the minutiae of a life of pauperism on the one hand or of exalted statesmanship on the other is a mystery that can not now be solved.

The farmer recognizes the great law of heredity, that was declared to the children of Israel amid the thunder of Sinai, and governs himself accordingly. The animals that he selects for propagation are always the best of their kind, and the seeds that he sows are carefully selected. Under our higher civilization abnormal man, be he defective, dependent or delinquent, is propagated, cultivated and protected; his feeble and crippled offspring are nursed to manhood and sent forth to produce their kind. Under savage and semisavage conditions, these abnormalities are speedily relinquished, the deformed and weaklings have no place in their system, and some way or other are soon cut off.

Under savage and semisavage conditions no restrictions of marriage are necessary, the speedy destruction of the degenerate prevents damage to their social fabric by any amount of fecundity, but our higher civilization, by the protection it gives to all such and by the absence of restrictions, is constantly endangering its own integrity by such multiplications as follow, the only safeguard being that the women early become sterile, by reason of infections, the product of filth and careless habits.

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To secure reform the laity must be educated; legal enactments that are not popular can not be enforced, and this education must come from the medical profession, that profession that is always most unselfishly engaged in the great work of preventing disease, prolonging life, and ameliorating human suffering. The importance of heredity as an etiologic factor in the production of pauperism, crime and insanity no physician questions; he sees every day, in his professional rounds, too numerous evidences to permit the slightest doubt in his mind.

The Juke family, with its 1200 criminals and paupers; the Ben Ishmael tribe with its 1700 of like kind, and the Ada Jurke descendants, numbering 500 pariahs, are by no means exceptional. The genius of a Dugdale, a McCulloch or a Pellman could multiply them indefinitely, and the surprising thing is that we stand by unconcerned in the midst of this great pollution of our race.

The paupers may be divided into two classes: etiologically, those due to heredity and those due to heteronomy, the first by far the more numerous; they are by birth physically, mentally or morally defective; the others come from adversity, old age, sickness, accident.

Those of the first class are the product of uncontrolled marriage and are incurable. Fortunately, for the race, they tend to their own extinction and in the third and fourth generations have paid the penalty of the violation of the laws of Nature. The number of these defectives added to the population is much greater than many suppose.

That the habitual criminal is a product in great part of family degeneration no physician can doubt, although he recognizes the powerful effects of environment in molding character and correcting defects. Yet, we all come into the world with what Maudsley has aptly called a tyranny of organization for good or for bad that only the most powerful surroundings can suppress or alter. Poverty and unpropitious circumstances did not prevent Abraham Lincoln and others of our great American leaders from mounting to the highest round of the ladder of fame, and yet these exceptional cases only make more evident the great facts of heredity.

The powerful effect of drunkenness, even temporary, in aiding in the producing of degenerates, we all recognize, and as Maudsley says: "Here as elsewhere in Nature like produces like, and the parent who makes himself a temporary lunatic or idiot by degrading vice propagates his kind in procreation, and entails on his children the curse of the most hopeless fate."

Heredity in insanity is beyond question; there is difficulty in getting precise figures, because of prevarication on the part of relatives, and the heredity is not always the direct inheritance of insanity, but it is rather a sequence of that rule in nervous diseases by which they may undergo transmutation in transmission. In spite of the difficulty of getting at the truth, we find the percentage of heredity placed by Moreau as high as 90, and by Maudsley at 28; the whole truth, as is usual, is doubtless in *mediis res*, but accepting even the lowest, the evidence is conclusive that this most horrible of diseases is transmissible, and we, the guardians of the race, should be more active in our endeavors, by scattering broadcast these horrible conclusions, to limit its propagation.

That great conservative English physician, Sir William Aitken,¹ wrote that legislative enactments regarding the intermarriage of persons tainted by disordered intellect are greatly to be desired, and the concealment of

such disorder, with a view to marriage, ought to render marriages which are concluded under such circumstances null and void.

The time is not yet ripe for legislation, and will not be so until we, the members of the medical profession, with that self-sacrificing devotion to duty that has ever characterized us, shall so enlighten the laity that they will of themselves for their own peace and comfort demand the necessary enactments.

RESTRICTION OF MARRIAGE FOR THE PREVENTION OF COMMUNICABLE DISEASES.*

BY ALBERT H. BURR, PH.D., M.D.

Adjunct Professor of Practice of Medicine, College of Physicians and Surgeons; Attending Surgeon to Provident Hospital.
CHICAGO.

Next to the instinct of self-preservation the most powerful and all-prevailing law of animate creation is the sexual impulse, having for its fundamental object the perpetuation of generic life. In its natural operation it promulgates physical perfection through the laws of natural selection and the survival of the fittest. These great and beneficent laws bring to the front the most virile in physical strength and prowess to be the progenitors of the species. They have preserved all animal life, in its normal surroundings, in the beauty of perfection in form, development and adaptation to environments. Man himself, the intellectual, reasoning, talking animal, forms the one exception. Among all other animals the type of physical perfection is the common rule. Among civilized nations of mankind it is the rare exception. Man is the only animal who permits the deformed, the degenerate, the diseased of body and mind to perpetuate his anomalies by unrestricted breeding. By the well-known rules of stirpiculture he cultivates perfection of form and disposition in the domestic animals suited to a great variety of purposes. Heredity, pedigree, variations, combinations, all are carefully studied, and desired ends are surely predicted and obtained. But when he turns to the choosing of his own mate, and the rearing of his own progeny, flesh of his flesh, and blood of his blood, these wise and wholesome rules of breeding are usually ignored. He puts blinders on his horse sense and hands the reins over to ignorant caprice, to unreasoning sentiment, to mercenary consideration, or to selfish lust. It is highly discreditable to our enlightened age that the marriage relation is generally contracted without due regard to these vital principles. We assume, without taking time to argue the propositions, that the fundamental object of the mating of the sexes is for the procreation and care of offspring, not barring other exceptional and legitimate incentives; that behind this union exists the sexual instinct as a conscious or subconscious psychic force leading up to it; that the home, the social fabric, the state itself, commerce, science and the arts, are but adjuncts and corollaries of these basic principles.

Manifestly, then, there are many responsibilities, yes, and dangers, connected with marriage, which the parties to the contract and society itself must not ignore. These great interests can be protected only by the wholesome moral sentiment of the public and by restrictive legislation.

One-fourth of the human race dies before the first year of life has passed by. When the fifth year is

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¹ The Science and Practice of Medicine, vol. xi, p. 490.

reached, one-half of all that are born alive have perished. Among the causes of this frightful loss of human life, perhaps the largest factor is a defective parentage which has transmitted an enfeebled vital resistance to its offspring. Such individuals have no moral right to transmit a heritage of suffering and premature death. The bulletin of public charities of Illinois, just published, shows that there are about 10,000 inmates in our state asylums, at an annual cost of over \$2,000,000 to taxpayers; a large share of the responsibility for this burden rests on diseased and neurotic parents, whose degenerate children are the victims of hereditary ailments, mental and physical.

A study of our penal institutions shows that criminality is on the increase. One of the lessons taught is that law-breakers beget law-breakers, hence habitual criminals and individuals with marked stigma of degeneration should not be allowed to procreate.

We do well to question the institution of marriage under modern civilization, and to compare its lack of salutary restrictions with the practical results of other ages in the upbuilding of national strength and character. In the evolution of citizenship and government among the ancient Greeks the fundamental idea was the development of physical perfection in the beauty, strength and symmetry of the human form. To this end the youth of both sexes were given over to the *gymnasia* for careful training. Under the laws of Lycurgus, all infants were inspected by the ephors, who culled out the feeble and defective, and ordered their destruction, for every Spartan boy must become a soldier, and every Spartan girl must be fitted to become the wife and mother of a soldier, that both might the better serve the state. So it came to pass that the word Spartan for all time is a synonym for physical vigor, endurance and courage. This love for the development of grace and perfection in the human form had its flower and fruitage in the beauties of the Greek tongue, which has transmitted models of oratory, philosophy and poetry to all ages. It inspired the chieftains of Phidias and Praxiteles, whose art has been the universal despair of sculptors in every clime. It threw a charm about the architecture of the temples of Athens which holds the traveler spell-bound amidst the decay of centuries.

No need for asylums and penal institutions for the feeble-minded and the degenerates of crime in such a commonwealth, for the sires and dames of the nation were mature and wholesome types of manly and womanly perfection. Physically, it is doubtful whether any modern nation can compare with those ancient Greeks; certainly not in symmetry of development, in grace of movement, and in power of endurance. In hand-to-hand conflict with the same weapons, no army of to-day could have withstood the cohorts of Alexander.

While we could not advocate a return to the Greek idea of democracy, that the individual belonged to and existed for the state alone, or sanction the inhumanity that consigned defective offspring to the prey of wild birds and beasts, at the same time we do believe that the pendulum of individual freedom in unrestricted marriage has swung too far in the other direction in the name of personal liberty, by which grave physical, mental and moral defects are allowed to be communicated to partners, or transmitted to offspring as personal afflictions or unnecessary burdens to the state.

The only available remedy at present seems to be moral regulation to enlighten public sentiment on these matters, by educational methods in the home, in the school, and in the church. Our youth should be trained

physically and morally for the duties to be assumed in the marriage relation as a part of public education. The principles should be inculcated that individuals having serious transmissible defects of any character have no more right to inflict them on their partners or their progeny than they would have to injure their neighbors to the same degree. In this light thousands of marriages are moral crimes against partners to the contract, against children of such a union, and against the commonwealth.

Let us consider some of the most serious dangers which may attend matrimony, and which can only be remedied by legal restrictions. It is a recognized principle of representative government that its individuals have the right to protection by the state from injuries which they are powerless to avert.

Great advances have been made in preventive medicine in recent years, through governmental regulations. In times of epidemics from cholera, smallpox, or yellow fever, the enforcement of quarantine, vaccination, the sanitary regulations for the prevention and stamping out of these scourges at any cost, is esteemed the highest wisdom. We are singularly blind, however, to the widespread, dangerous, endemic, every-day diseases of tuberculosis, gonorrhoea and syphilis, *simply because they are everyday, endemic diseases*. This ever-present trio terminates more lives annually than all the combined epidemics of a century.

The health and life of husband or wife are often sacrificed on the marriage altar through pre-existing infections of a partner in wedlock. Not only so, but the offspring, even *in utero*, are menaced by the same dangers; when we add to these the effects of dipsomania, epilepsy, and mental diseases in parents, as etiologic factors in the physical, mental and moral degeneracy of their children, it looks as if it was high time to quarantine the marriage license, and detain the candidates long enough for careful sanitary inspection and for the exclusion of such as are a menace to life or health of wife or husband, or probable offspring.

Tuberculosis, king of death among all diseases, cuts off from 11 to 14 per cent. of the human race. It is often propagated through the marriage of tuberculous individuals, whose weakened progeny also are strongly predisposed to the same infection. The majority of males become gonorrhoeic, usually *before* marriage. A large proportion of these remain in uncured, chronic or latent stages for indefinite periods, during which time they are capable of imparting this dangerous condition to others. It is variously estimated that from 10 to 25 per cent. of all females become gonorrhoeic, usually *after* marriage. This is the disease responsible for most of woman's pelvic woes. It is the greatest cause of sterility in both sexes; it is the greatest cause of blindness in early life; it is not infrequently the slow death-warrant to a confiding, innocent bride.

Syphilis plays great havoc in the marriage relation. It is the greatest disease cause of abortions and stillbirths. One-third of all syphilitic pregnancies terminate thus. Another third of hereditary syphilitics die during the first six months of existence, and the remainder are more or less debilitated and short-lived from impaired vital resistance. It bears a strong causal relation to locomotor ataxia and certain forms of insanity and nervous diseases. Marriage often occurs during the communicable stages of syphilis.

All men and women entering the bonds of wedlock have a right to know that their bodies shall not be contaminated through this relation by reason of already ex-

isting disease or taint. They have a right to know that their progeny shall not be the victims of hereditary diseases or of direct infection from the same source. Every unborn child, debarred as it is from choice of parentage, time, place, manner, and station of birth, has its recognized legal rights. Among these also should be placed the inalienable right to be born free from the blight of clearly preventable diseases.

We hold that it is plainly obligatory on the part of the state to protect those who, from the nature of the case, are powerless to protect themselves, by enforcing wise restrictive marriage laws. Matrimony is of the utmost importance to organized society. An institution so essential to the highest good of society should have few barriers imposed to its free exercise: manifestly only those who are qualified by the endowments of healthy bodies and minds should be allowed to enter on its privileges and responsibilities. Until recently the only restrictions in most of the states have been confined to questions of minority, ability to make a contract, and consanguinity. To these the Southern States have added miscegenation. North Dakota, besides redeeming herself from a pernicious divorce law, has led all her sister states in a genuine reform along the lines we have just mentioned. On Feb. 25, 1899, the Creed Bill to regulate marriage was passed by her senate. Under this bill no license to marry can be granted unless applicants present a certificate from a board of examining physicians, that they are free from infectious venereal diseases, epilepsy, habitual drunkenness, hereditary insanity and tuberculosis. This bill was modeled on the exact plan of the Parker Bill, which failed to pass the Ohio legislature a year ago last winter. Similar bills have been presented, or are ready for presentation, in several other states.

We confidently expect to see state after state following her lead in this most important legislation for the protection of innocent wives and their little ones, from contaminations which endanger not only the health and happiness of homes, but the very welfare of the nation. When the public comes to realize that unsanitary marriages are just as dangerous to the community as unsanitary dwellings and contaminated food and water-supply, then will this beneficent legislation be demanded and enforced.

3504 Ellis Avenue.

RESTRICTIVE MARRIAGE LEGISLATION FROM THE STANDPOINT OF THE WIFE, MOTHER, AND HOME.*

BY MRS. ALICE LEE MOQUE.

WASHINGTON, D. C.

Before taking up the question of reforms in our marriage laws, it may be well for us to consider briefly, from the sociologic point of view, what marriage was in the past, that we may be able to logically deduce from what it was, and is, what it may become. To do this, it must be frankly stated at the beginning, I shall have to speak plainly of sexual conditions, but beg that my hearers will appreciate that, in the words of Leterneau, "I have striven never to depart from the scientific spirit, which purifies everything."

To the sentimentalist of to-day, the fundamental truth on which the marital tie rests is forgotten or ignored. Losing sight of the plain and homely facts, proving the humble origin, of what they are pleased to call "the

divine sacrament," they insist on a blind conservatism, which clings tenaciously to beliefs and practices, absolutely criminal in their immutable effects. To the student of biology, sociology, and ethnology, the institution we call marriage is not alone a covenant of man, but is identical in purpose, and the result of the same instinct that brings together two of the lower vegetal cellules into one protoplasm, and in no way differs materially from the fundamental phenomenon of that generative fecundation known to exist among the lower animals, as well as among men.

In the animal kingdom we find the two primitive types of family, the matriarchate or maternal, and the patriarchate or paternal, as we do all the other forms of sexual relation from promiscuity and polygamy up to the highest monogamy. He is indeed a blind worshiper of the genus homo who fails to perceive that the principal traits of primitive man, as exemplified in the lives and customs of many low types still extant, but prove our close relationship to our brethren with fur and feathers.

Primitive man, like his anthropoid ancestors, secured his mates by using brute force; in time, marriage by capture, toned down into marriage by purchase, to be followed by marriage by servitude—or work done for the owner of the chattel, to secure her person. A woman merely represented value, whether wife or daughter, and from the dawn of history until to-day we see the father's claim to her services recognized.

Herbert Spencer, in his admirable work, "Synthetic Philosophy," after showing how the tribes changed from endogamy to exogamy, says: "The primitive relation of the sexes shows the cruelty, inconstancy, and indefiniteness of the union of men and women. The wills of the stronger, unchecked by political restraints, unguided by moral sentiments, determined all behavior." Even to-day there is no better guide for the student, by which he may gauge the civilization and advancement of the race or tribe, than is its treatment of women, and the care shown progeny. Thus we see all the old forms of sexual depravity being gradually eliminated, as we follow man's evolution from barbarism up to civilization, and see the new, and divine ideals of altruism, taking the place, once entirely swayed by the unbridled lubricity of male passion.

But while all other subjects of needed reform are openly and freely discussed, a false shame, a prurient mock-modesty blushes if the well-being of progeny is discussed, and seeks to silence all questions if they but remotely lead up to that most vital obligation, our responsibility to future generations.

"The final aim of all marriage, all love intrigues," says Schopenhauer, "is really of more importance than all other ends in human life; what it all turns on is nothing less than the weal or woe of the next generation. Not that of any one individual, but that of the human race to come, is here at stake."

In the past, the belief has been general that the superiority or inferiority of offspring was a matter for which what was termed "Divine Providence" alone was responsible, but to-day the world is awakening to the truth, and no longer can the bringing into existence of the maimed, the halt, the blind, be excused or palliated by throwing the onus of the crime on that Providence, which "doeth all things well."

"The sooner men and women realize the responsibility of parentage," says Wm. Windser, "the sooner deformity and idiocy will be diminished and obliterated. This realization of responsibility can only come through education, and every effort to disseminate knowledge in this

* Read in a Symposium on the Regulation of Marriage, before the Section on State Medicine, at the Fiftieth Annual Meeting of the American Medical Association, held at Columbus, Ohio, June 6-9, 1899.

direction, however made, should be fostered and encouraged."

The time has come when men must fearlessly face the problems which confront them; when they must no longer suffer abuses which it is forbidden to name; when they must shake off the false sentimentality which while prating glibly of love and marital affection, and objecting in stentorian tones to the "desecration of marriage by restrictive laws," is every day and night in the Christian calendar, disobeying those laws of Nature, for which the penalty imposed is nothing less than life-long misery for the helpless little ones, who will reap the harvest sown by the "sins of the father."

"I conclude that each generation has enormous power over the natural gifts of those that follow," says Francis Galton in "Hereditary Genius," "and maintain, that it is a duty we owe humanity to investigate the range of that power, and to exercise it in a way, that, without being unwise toward ourselves, shall be most advantageous to future generations."

In this enlightened era, it is evident that there can be no individual right, which, in its very nature, is a public wrong. While it may seem to some a grievous thing to say to two young persons desiring to marry, you must not, yet these same sentimentalists seem to see nothing wrong in the wedlock which must inevitably—by natural law—result in a crime against progeny. As the Bible states, one does not 'gather figs of thistles,' and science proves the immutability of hereditary taint. As Dr. Trall well says: "Nature punishes *always* and pardons *never!*" when her laws are violated or disregarded.

Whether the result of an ill-advised match between those not in a physical, mental or moral condition to become parents is disease of one or both parties, or personal alienation, or depraved or imperfect offspring, or all, there is no possible escape from the penalties.

To what a terrible extent just one depraved family can vitiate the human tide, statistics have already amply proven, and it is well before condemning restrictive legislation, to see if it is not indeed at least the lesser of two evils. Dugdale, a member of the Prison Association of New York, gathered data of a criminal family named Juke, and as figures can not lie, the tale they tell is worth considering. Five Juke sisters, in seventy-five years, had 1200 descendants, embracing every form of degenerate: paupers, 280; criminals, 140; thieves, 60; murderers, 7; prostitutes, 165; illegitimate children, 91; venereally diseased, 480 known cases. The years of pauperism and infamy cost the State of New York \$1,308,000. Can any one really believe that these Juke women had the right to so saddle the community with this burden of debt and infamy? Surely not, nor can any sane man or woman really believe that their maternity was anything less than a crime against progeny in such a case, as well as a crime against the state and the tax-payers.

As the child is but the composite of what its parents are and their ancestors have been, the Presbyterian doctrine of being born to be damned is not so far from the truth as we may think. "If we could be born right the first time," says Dr. Chase, in his work on the "Responsibility of Sex," "the difficulties in being 'born again' would be materially lessened, and it made unnecessary." "We know," he says, "that for any one knowingly possessed of contaminated blood, to enter the parental relation, is a crime. I say a crime, and no less so, because human law and justice are too materialized to reach it. The crime is two-fold: first it is a crime against the offspring of such wedlock. The wrong inflicted smites the defenseless, the poison scattered corrupts the inno-

cent. Second, the crime is against the race; its infancy is weakness, its maturity is frailty, its old age disease."

From the standpoint of a woman, a wife and mother, it appears to me that no thought can be higher, no desire more in keeping with the maternal instinct, than this effort to protect the unborn, and this law to uphold the inalienable rights of progeny to be well-born—or at least we see that they be not handicapped, by being forced into being, deprived of their birthright, health. In the woman of normal conscientiousness, the maternal instinct will always be found to be well developed, and if she be taught to understand the responsibility resting on her, as mother of future generations, we shall soon find her living up to the new and higher ideals, as soon as she, by the knowledge given her, shall acquire a more perfect appreciation of her status. To the female of low moral, physical, and mental condition, we can not hope to appeal in any other way than by force, as the maternal as well as other instincts are blunted, and sensuality alone is the *raison d'être* of motherhood, coupled with ignorance as to how to escape the burden and the too frequent determination to shift the care of the accidentally-begotten encumbrance on the public, at the earliest possible moment. We speak lightly of what we term "the animal instinct," and yet the maternal love of animals and the maternal instinct of the smallest creatures often puts to the blush our boasted pretensions of superiority over our little sisters of the woods and valleys. We will not touch on the ignorance, the sin and the shame of those poor degraded individuals who swarm in the tenements of our large cities, whose bloated figures and crime-hardened faces show the lives they lead; we need not dwell on the known fact that maternity with them is but an accident, and their offspring, when not used as a means of beggary to procure strong drink for the besotted parent, is left at the door of a foundling asylum, or the little puny body found strangled in some ash-barrel. Maternity with them is indeed a misfortune, as they consider it, but how much more a misfortune to the poor, miserable child, and to the community at large.

But let us turn our eyes from this appalling lack of mother-love, and view the solicitous care of the little sand-moth, as she prepares, with patient industry, the hole in the sand in which to lay her eggs. Let us watch her as she carefully covers them up, and follow her as she diligently searches for the proper food which will nourish the young ones she will never see, and watch the little mother as she places it beside the eggs, and then, her labors over, lies down and her little life is over, for the preparation for the welfare of her progeny is complete. Ah yes, we, the highest creation, may learn much from the devotion and maternal care exhibited by these little mothers for their offspring, and the lesson will teach us to rightly appreciate our own responsibility as mothers of men, when we learn from the little sand-moth how diligently we should prepare the way before birth, for the well-being of our own progeny.

"All laws," says Dr. Trall, "are sacred in the sight of the law-giver, and woman's instincts can recognize no higher law—whatever she may assert to intellectuality—than that of self-preservation, and no duty greater than that of bringing into the world children of sound and vigorous constitution, or none at all." To no woman more than myself can the sentimental side of marriage appeal, by none can a love marriage be more appreciated as necessary or a love-mate more dear, but to me, the thought of obtaining a selfish gratification and happiness at the expense of my own little ones would

be something abhorrent. It is too much like the Fijians, who propitiate their gods by offering up their children as living sacrifices.

No mother-love, nor maternal care after birth, can ever make up to a child for the sins committed against it by forcing it into being, unasked, to suffer the penalty imposed by Nature for broken laws. "No good will, no charity however splendid," says Helen Campbell in her book on "Prisoners of Poverty," "can fill the place owned by that need which is forever first, and most vital between man and man—Justice. No labor, no love, no self-sacrifice, ever can balance that scale in which justice has no place."

Is it then too much to claim that none should more religiously uphold the inalienable rights of the unborn and unbegotten than the mothers of the land? Is it too much to claim that to no one will the boon be more surely given than to wives, when restrictive marriage laws are enforced and the medical examination is the guardian of the young wife's health and happiness, as well as the custodian of the rights of progeny. Women as a rule are most bitterly opposed to reform, particularly when it concerns themselves; they are swayed by their emotions, not ruled by reason, and are more devout partisans of fashions and follies, more servile followers of custom than are men. And yet, if the race is to be lifted up, if we are to reach a higher status than that of the present, if we are to be the progenitors of a better, nobler, healthier race, it must come through woman, for no stream can rise higher than its source, and as Emerson has pointed out, "A man is what his mother made him," and it is idle to inquire why a loom which weaves only huckaback does not turn out cashmere. The women, the wives, the mothers, must be taught the truth, they must be told facts, and learn the hideous result to themselves, their children, and the world at large, of perpetuating the diseases and imperfections which threaten the race. They must be enlightened as to the cause and effect, and learn that God's laws are all perfect, and that the bringing into the world of the imperfect and degenerates, the imbecile and the dipsomaniac, the consumptive and the diseased, is a crime against the child, against the home, and against the nation, a crime which no woman with the heart and instinct of true mother-love will knowingly commit.

But, while a great step in advance would undoubtedly be taken, if restrictive marriage laws could be enforced, I have some sympathy with those who claim that because a person has been unfortunately born, he should not be denied the privilege of mating with "the dearer one yet than all others;" and again we must, if we be honest and straightforward, admit that many of the most vicious, depraved and diseased are not the result of wedlock, so restrictive marriage laws would not, even if enforced, prevent the procreation of criminals. What then can be done to overcome this difficulty? What method can we suggest which, while working no hardship on the individual, will protect the community?

George Sand, the French writer, naively said: "A man asserts, a woman may merely suggest," and so I do not assert, but simply ask your consideration of the question, in a reasonable, logical light, reiterating the former thought that no private right is lawful if it is a public wrong. We may be very sorry for the thief, but we lock him up when he steals our silver; we pity the imbecile and the insane, but we can not permit them to remain at large; we pray for the drunkard, but we put him in the inebriate asylum when he becomes troublesome; we weep for the murderer, but we imprison him, and when the

safety of the community demands it we hang him. In other words, we protect ourselves from every form of depravity, but we leave the one most vital part unprotected. "We imprison the thief and point the finger of shame at the prostitute," says George F. Talbot, "but when they come together in the 'holy bonds of matrimony,' the minister of religion pronounces it an ordinance of God, and society stands helpless before the teeming swarms of vicious progeny that are to be the fruits of such a marriage."

But we must not only have a physical examination, to insure the health of progeny born in wedlock; we must find a reasonable and logical, as well as just and humane, method of protecting humanity from those "teeming hordes," Talbot speaks of who may or may not marry, but who will undoubtedly "increase and multiply," and impoverish the earth.

In the *N. Y. Medical Journal* (Jan. 28, 1899) there was an article referring to a new method of procedure for effecting the sterilization of women, as practiced by Professor Spennelli of Turin. In an editorial the *Journal* states: "The danger (arising from the procreation of diseased and degenerate offspring) is undoubtedly a real one, and if we are honestly and firmly opposed to all restrictive marriage legislation, it is not because we are not in hearty accord with the object aimed at, but because we think it would create evils more far-reaching, more deplorable than even the results against which they are directed. We have contended that with the union of the man and the woman, *per se*, the community has nothing to do. It is only by virtue of its potential results that the community acquires any right to intervene. Now, it is conceded, that the unrestrained reproduction of the physically or mentally diseased or degenerate is a menace to the welfare of the community, but we can not but feel that there are numberless instances in which a safe and easy method of rendering women sterile, as that mentioned by Spennelli, when pregnancy would be a source of more than ordinary danger to the individual, or a direct wrong to the community, is far better than a harsh prohibition of marriage."

It is unnecessary to give any of the details of this new method of sterilization, as you all know much more about it than I could tell you, but I beg that you will consider it in this connection, together with an article by Dr. A. J. Ochsner,¹ which I read with much pleasure, on the "Surgical Treatment of Habitual Criminals." May it not be that surgical science shall be the means of giving humanity the panacea so long sought for all the horrors and crimes committed against progeny by the criminal and degenerate classes? May it not be that Dr. Ochsner's method of sterilization, in conjunction with Professor Spennelli's—both simple surgical operations without danger of pain to the patient—shall be found to be the answer to those who, while objecting to restrictive marriage laws, are yet honest enough to acknowledge the menace to the health and well-being of the community at large, which unrestricted criminal procreation now presents.

"The law of marriage is no respecter of persons," and "ignorance of the law excuses no one," so it behooves us to know the truth, and face facts, even if they be unlovely ones. Those who rightly understand the responsibilities of sex, and particularly those arising from wedlock, will see the necessity of unselfishly seeking the way to insure future generations from contamination of blood. To the educated, enlightened, thoughtful man and woman,

¹ THE JOURNAL, April 22, 1899.

the rights of the helpless babe will appeal, and we shall yet see the world accepting the necessity of a physical examination for the protection of the state, the wife, mother and home, as they now accept the necessity of a physical examination for those desirous of taking out a life insurance policy, to protect the company. More than this, with education along rational and altruistic lines will come the conviction that, with the vicious, the depraved, the perverts and degenerate, as well as the diseased and imperfects, who have no consciousness of the wrong they commit, the crime against the child is a crime against the race, and they must be made incapable of perpetrating it.

Let us, as a last thought, fix our minds on the necessity of protecting and caring for those who can not help themselves. Let us remember that while those needing the medicine may object to the dose, we, having diagnosed the disease, must fearlessly display the contagious-disease placard, and not forgetting our duty to the individual, must never lose sight of our supreme responsibility to the community. "Diseases, which as a class, engraft themselves on the life-forces," says Dr. S. B. Chase, "so grow into it, and become an integral part of its constitution, as to stamp themselves irrevocably on the individuality of either parent. This is a solemn and startling truth, and should be written in letters of inextinguishable light upon the altar of every home where consumption haunts with hectic beauty and cheating hope, or where scrofula stalks with hydrocephalic head, distorted vertebra and leprous skin, or where misery-making idiocy has made wreck of all that is beautiful in human form. Let this fact be insisted upon, that diseases are a part of our individuality and become transmitted in impregnation, with the mournful truth, worthy of solemn mention, that such diseases when inherited or acquired are irrevocably and beyond the reach of art or medicine."

Let us then blush not to hear and know the truth. Let us uphold the law, remembering that: "Of law there can be no less acknowledged than that her voice is the harmony of the world," while aware that the heart of every lover of his kind echoes with the altruistic desire to protect the wife, the mother, the child, and the home. For that end we shall band together fearlessly, conscious that "Ignorance is the curse of God, Knowledge the wings wherewith we fly to heaven."

DISCUSSION ON SYMPOSIUM ON MARRIAGE.

DR. G. L. RICHARDS, Fall River, Mass.—I am glad to see the AMERICAN MEDICAL ASSOCIATION take some notice of these problems and help in their solution. While most of us admit that the time is not yet ripe for restrictive marriage legislation, it certainly is time for at least a beginning to be made, and I was very much interested in Mr. Parker's conclusions that, on account of his political experiences, he felt that the bill introduced by him in the Ohio Legislature was too drastic to pass. It is true that restrictive marriage laws will not reach a large number of those persons who will always be a burden to society, as Mrs. Lee Moqué has said in the latter part of her paper, where she referred to the Jukes family. If I remember rightly, very few of this family ever took the trouble to marry, and we must admit that if we had restrictive marriage laws they would have but little effect on people of that class, the very ones we wish most of all to reach. In spite of that it becomes our duty as physicians to insist on more care being taken along these lines and to see to it that those afflicted with diseases which we all regard as in the main hereditary, such as insanity, idiocy, dipsomania, syphilis, and tuberculosis do not marry without a protest on our part. I would also go so far as to say that no person who has ever been an inmate of an institution for the care of feeble-minded should be allowed to marry. We have a very excellent school for the feeble-minded

in Massachusetts, and under the care of that institution a great many of the children are being trained and developed so that they afterward may take care of themselves. These children we are glad to educate at public expense; it is much cheaper than having them grow up to be inmates of almshouses and jails. I want them to be self-supporting individuals, as far as possible, but I do not want them to marry and raise up a race of imbeciles like themselves. It is time that the medical profession took up the ideas expressed in the most excellent address of our President, Dr. Mathews, and laid down the law or doctrine that syphilis should never marry. I hold that it is absolutely wrong for any physician to give his consent to the marriage of a syphilitic. I will grant that syphilis is theoretically curable, but must at the same time insist that practically it is not, simply because the patient will not follow the advice of the doctor a sufficiently long time to effect a perfect cure, and because too many physicians fail to sufficiently realize the gravity of the disease and the long time required to effectively rid the system of its poison. The result is that the patients follow the treatment for a while; as long as there are any active symptoms; with the subsidence of these they feel better and cease their visits to us. A few years later the same patient comes to us or some one else, and a syphilitic lesion is recognized in the throat or elsewhere. This lesion may be in the body of the other party, if a marriage has taken place. On sending for the principal, we shall probably be told that his physician had informed him he was cured and he could safely marry. A young man came to me a few weeks ago with an undoubted syphilitic lesion in his throat, although he had regarded himself as cured. He was engaged and wished to know how soon he could marry with safety. I replied: "You can never marry with my consent. You can find plenty of doctors who will tell you that after a certain time you can marry, but you can never marry with my consent."

I am very glad to hear these matters discussed here to-day. They are matters which affect the well-being of the race. No farmer would consent to breed pigs, cows or chickens with half the carelessness with which we bring new human lives into the world. I have often thought of one of the opening remarks in Lawrence Sterne's novel of "Tristram Shandy." The story may be somewhat under the ban, but the remark is so pertinent to the present discussion that I will take the liberty of quoting it entire. The hero remarks: "I wish either my father or my mother or both, as they were in duty, both equally bound to it, had minded what they were doing when they begot me; had they duly considered how much depended upon what they were doing, that not only the production of a rational being was concerned in it, but that possibly the happy formation and temperament of his body, perhaps his genius and the very cast of his mind and for aught they knew to the contrary even the fortunes of his whole house might take their turn from the humors and dispositions that were then uppermost. Had they duly weighed and considered all this and proceeded accordingly I am verily persuaded I should have made quite a different figure on the whole from that in which the reader is likely to see me. Believe me good folks this is not so inconsiderable a thing as many of you think it." Will not the coming generations have a right to feel that way toward us unless we look out for their interests better in the future than we have done in the past. Dr. Holmes' remark that the education of a child should begin a hundred years before he is born still has great force.

DR. S. L. JEPSON, Wheeling, W. Va.—The papers of the afternoon have brought before this ASSOCIATION matters upon which I have been thinking for quite a number of years. I have never had the courage to present my thoughts to the medical profession, but I am glad somebody else has been thinking as well as myself, and that these thoughts have been presented to us in such a practical way. Dr. Brower has laid before us the social phase on which this discussion must be based. That is, that neglect of proper precautions in choosing companions in marriage tends to the degeneracy of the offspring. We might go further than that. It tends to the degeneracy of the nation, and might tend to its destruction. I claim, therefore that the state has a right to intervene in behalf of her own preservation. Mrs. Moqué has presented an eloquent appeal in behalf of the "poor little mortal cast out on

life's portal without ever a thought or a wish of its own." I would go one step further, and enter a plea on behalf of the people who pay the taxes, and on behalf of this great nation which we hope to see excel any other that the world has ever produced.

When we allow marriages of diseased persons to go on unrestricted, we are simply hastening the degeneracy of the whole human race. No man with a positive disease has any moral right to marry. Whenever the rights of the individual interfere with the rights of the state, then the state has a right to interfere. When smallpox exists in a community we step in and interfere with the rights of the individual, and protect him and the community by insisting on vaccination and rigid quarantine. So in this case the state should intervene, and when a man or woman is about to marry who has an active disease, whether tuberculosis or syphilis, that tends to produce a degenerate offspring, I claim the law should step in and prevent it. Any man who has practiced medicine has seen the evidence of the bad results coming from such marriages. I know of the case of a man who, it was claimed, had been allowed to marry, by his own physician, and within a month after marriage he imprinted a kiss on his wife which gave her syphilis. She has now been under my care for years, and I suppose it is the experience with all of you that a woman with syphilis is a very hard patient to treat, because she will not do as you wish her to. She thinks she is cured as soon as active symptoms disappear, and she insists on having her own way about it. The difficulty is doubled, if she is to be kept in ignorance as to the true nature of her disease. I believe these matters may be slow in coming, but we are making a good start to-day, and the question should be agitated year after year until its importance is impressed on the laity and finally we may hope for some legislation on the subject.

DR. C. F. ULRICH, Wheeling, W. Va.—I am very glad that these subjects are being discussed here in this Section. I have attended this ASSOCIATION for a good many years, and have always affiliated with this Section, but have never seen such a meeting as we are now having. Public thought is being awakened, and those who have previously been afraid to express their thoughts for fear of shocking some one are taking courage of their convictions and coming to the front to speak out. This subject is a very important one. It is just beginning to come before the public. Now and then it has been mentioned and printed in books that nobody ever reads, but now it is brought before us in such a way that everybody is compelled to notice it. This will start the people to thinking, and ultimately this question will come to the front and laws will be enacted and enforced, and the world will be reformed. In the first papers that were read there was much said about the restriction of marriage and curing the evil by that means. All that time I was thinking to myself: "What becomes of all the illegitimate offspring that these marriage laws would not affect at all!" But Mrs. Moqué has touched the right chord in suggesting sterilization. I have seen this suggested in THE JOURNAL as a punishment of a certain class of criminals, which would also serve to prevent a repetition of the crime; it met my hearty approval, but I have never heard it expressed so forcibly and fearlessly as in the paper that has just been read, and I most heartily approve every word contained in this presentation of the subject.

DR. D. R. BROWER, Chicago—I wish to express my thanks for the very great interest this important subject has raised here. It is most gratifying to me to see this Section as it is to-day, crowded with people who are here at more or less personal discomfort to testify to their appreciation of the work that is being carried on here and by other organizations. The laity must be educated and doctors must be the educators. There are some of our practitioners who are afraid that if they talk about these things before lay audiences, they are violating the Code of Ethics. It is, on the contrary, in true harmony with the Code, for it is assisting in the elevation of those who are around about us and who are dependent on us for care and guidance. I desire to thank Mrs. Moqué, who has given us such a very eloquent exposition of this question, for her very emphatic references to one of the things that I tried to emphasize in a feeble way yesterday, the sterilization of these defectives and degenerates.