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INTRODUCTION

THE purpose of this book is to make the American people think, to appeal to my fellow-countrymen to stay the practice of a great national sin whose consequence is to toll the passing of this great Anglo-Teuton people.

Napoleon, after a triumphant return from one of his victorious campaigns, in reviewing the broken ranks of his shattered battalions, said, "What France needs is mothers"; and if the American republic is to remain Anglo-Saxon and stand for the civilization of the West instead of the East, her women, particularly those of the old native stock, must become its mothers.

Men give to their country its swords and lances, but the women give to it its men, and if the daughters of the Puritan and Cavalier will no longer give to their country its men and women, the empire founded by their forebears, with all of its glories and traditions, will in the course of a few generations pass to the Latin and the Hun.

Nor should the men shirk their obligations to woman; they cannot place the yoke of industrial servitude upon her neck, nor surrender the daughters of the land to the mill, and from the blighted and fallow womanhood that comes out of the hopper mould the magnificent motherhood of the olden days.

The welfare of our women, the future mothers of the race, is of far more importance to the country than its tariffs or trusts, and the welfare of a single factory girl is of as much moment to the nation as the opulence of its trade barons, its capitalists, and millionaires.

And yet year by year the lawmakers of the nation, both State and national, waste and fritter away their time bickering for the spoils of party, shutting their eyes to the fact that the barbarians are swarming at our gates, and unless there shall come a refruition of the race, even the roll-call of its Senators that now answer to the names called at Agincourt, Cressy, Inkerman, Bunker Hill, and Yorktown will be supplanted by the raucous gutturals of peoples who won our heritage not by the sword or spear, but by their cradles.

And the priceless heritage of our fathers—the empire wrested by ax and flintlock out of the maws of the centuries, the younger realm of Milton, Shakespeare, and Tennyson, the land of Washington, Lincoln, Grant, Lee, and Jackson, the soil for which countless legions gave their lives—will pass to the alien and the stranger, because it is writ: "Weighed in the balance and found wanting."

CHAPTER I

REPRODUCTION GOVERNED BY FOOD SUPPLY—CAUSE OF INFANTICIDE AMONG SAVAGES AND AMONG ANCIENT PEOPLES

MAN, by the peculiar construction of his stomach and intestinal canal, is compelled to eat the highest organized species of plant food. To obtain these he must till the soil and wrest from the ground the half-dozen cereals or like number of legumes and tubers which give to him the nitrogen he needs to live, for rarely, except by cultivation, are any of these grown in sufficient quantities to supply his wants.

With other animals, particularly the herbivorae, it is different; these by natural bounty and the simple process of grazing are enabled to obtain at most times and in sufficient quantity the foods adapted to their needs. Accordingly, during the first year of life, particularly at the time of weaning, the young of animals become self-provident, and the question of food is simply a matter of sharing in the pasture.

Among the lower animals, whether instinctively or otherwise, multiplication is usually kept within the bounds of food supply. This is attained by abortion of the female in times of scarcity of food, disease, or depredation of other animals. In some species excess is instinctively met by emasculation or destruc-

tion of the young male; as a rule, however, births occur at the times of greatest food supply, and the rapid maturity of the young enables them to migrate should a sufficiency of food be threatened.

With man, however, it is different. From the moment of birth of his young its future is wholly dependent upon the ability of the head of the family to provide suitable and sufficient food for the mother during lactation and for the child for an indefinite period thereafter.

Human beings were not intended to live on one another, not to be eaten by other animals. As they cannot graze nor all live by the chase, their greatest and ever-recurrent problem of existence is the supply of food. Population is therefore limited by the productiveness of a country or the ability to obtain a food supply elsewhere. As this limit was known, the deletion of offspring—either fœtal or mature—was an act whereby the individual anticipated what he knew the community would be compelled to do.

Among savages and the partially civilized these ends were usually accomplished by outright abortion or sacrifice of the infant female, or even the more mature child, if necessary.

Speaking for infanticide,—especially that of female children among savage tribes,—Lubbock assigns as a reason for this the scarcity of game and the fact that females are consumers and not producers. Under such circumstances female children become a source of weakness in many ways; they eat and do not hunt, they weaken the mothers when young, and

when grown up they are a temptation to surrounding tribes.

As a rule, the laws of most ancient countries did not protect the fœtus before birth. Even after birth infant life was accounted of little value, a doctrine to the adherence of which the most enlightened states were no exception. Generally, fœticide was tolerated as an individual right, and indirectly encouraged by the laws regulating the conservation of population and preservation of those best fitted to perform the duties of citizenship. The destruction of offspring, both mature and immature, on superficial view dictated by the grossest barbarism and wanton cruelty, will be found on deeper investigation to have been absolutely necessary in order to preserve communal or national existence.

CHAPTER II

MODERN CIVILIZATION A GOLGOTHA—THE IDEALS OF THE RACE MASCULINE—MODERN SEX EMANCIPATION—MARRIAGE IN ANCIENT TIMES A TRAFFIC—POLITICAL, SOCIAL, AND RELIGIOUS INFERIORITY OF THE FEMALE.

MODERN civilization is a Golgotha, a pitiless grind whose grist is souls and whose toll is gold; a fierce brigandage whose ransom is motherhood and whose prey is little ones; a clamorous greed whose cry is dividends rather than offspring; an insatiable avarice whose lust is pelf rather than posterity.

All civilizations are goals, great human tragedies whose climax is heralded by degeneration of the individual and sterility of race. Nature frowns upon the propagation of the neurotic and senile, and to this end has ordained that the development of the fittest or evolution of the highest proceed not from the most exalted, but from the ordinary type of the individual.

All races, from the lowest to the highest, portray the carnality which ages of masculine absolutism has inflicted upon humanity. From conditions most primitive to civilizations most paramount, the des-

tinies as well as the ideals of the race have always been cast in the mould of the masculine. Whether the loftiest possibilities of the race have been attained by this usurpation of the male and the repression of the female is a question which at this late day cannot be answered.

To hold that the lawless and erotic proclivities of the male must conserve to the highest possibilities of the race is to overlook the fact that among peoples where the female has been accorded the greater degree of freedom and activity there also have been found the highest types of manhood.

To the romanticism of the Middle Ages, with its troubadours and chivalry, does the partial sex emancipation of modern times owe its origin. Emotional and serio-comic at the beginning, it has progressed along lines economic and mercenary. Concessions at all times have been unwilling, political equalities have been denied, and whatever competitive privileges have been acquired were exacted more by industrial necessities than by any real altruism on the part of the dominant sex.

This possible career of independence, with exemption from the conjugal yoke, has become a very important factor in determination of birth rate. Marriage has become more elective and therefore a matter of much later occurrence; and assuming the period of fecundity on the part of the female to average about twenty years, prolonged celibacy must necessarily diminish normal propagation fully one-third, or even more.

It was Aristotle who said: "Among barbarians,

woman and slave are synonymous"; which being true, the slave lightened her burdens by throwing her young to the crocodile. To-day, being free, woman bears neither burdens nor children, and, there being no longer any crocodiles, the few interlopers are thrown to the mills.

Now what Aristotle said of the barbarians might equally have been said of the Greeks, or all other peoples. From the earliest antiquity, as well as through the long stages of man's uplift from savagery to civilization, women have been subjected to peonage of person and chattelage of sex. Marriage, instead of being a divinely instituted monogamy, a conjugal equality, or a matter of intersexual choice, was mainly erotic license or a forcible concupiscence, much oftener a traffic, and at the best a compulsory refuge for helpless and unprotected femininity.

Even Demosthenes—speaking for the much vaunted mythological and social preeminence of the Greek female—frankly admitted that marriage among the Greeks, instead of being a matter of morals, was simply a means to insure legitimacy of offspring.

This taint of inferiority, both social and spiritual, runs through all religions and Churches, of which the two Scriptural creeds are not the least offenders. If we except the fetichism attached to virginity,—a superstition in which virginity was more often sacrificed to the priestly cults than to the gods,—rarely were women permitted to share the honors of orthodoxy or the privileges of the elect.

Just as Pandora, a woman, was accounted the source of all evil, so Moses tarnished the allegory of the

Garden by making the innocent and lovely mother of all living the first and greatest of all sinners, and entailed upon her and her daughters the pangs of a punitive maternity; while the great apostle to the Hebrews decried wedlock as an abasement, and tolerated the estate solely as an alternative for promiscuity.

CHAPTER III

LAWS GOVERNING REPRODUCTION—PROLIFICNESS OF LOWER ANIMALS—PROLIFICNESS IN THE HUMAN FEMALE—NUMBER OF OFFSPRING NECESSARY TO PERPETUATE THE RACE—STRICTLY MALE OR FEMALE

WHETHER human beings are sent into the world the special gift of Providence to some favored couple, or come into existence in obedience to laws governing the reproduction of species, is a question upon which empires have been built and religions founded, but which the astute mortal solves by invoking the aid of his doctor or by going to the nearest apothecary shop.

Luther said, "God gives us children and He will provide for them"; Matthew Arnold says, "A man's children are not sent any more than the pictures on his wall or the horses in his stable"; the twentieth-century woman says she is no longer concerned, and hugs to her bosom a Prince Charles spaniel or collie pup.

As a truth, however, the same laws which govern reproduction in all other species govern man; whether it be the wind that wafts the pollen to the bloom, the eddy that swirls the sperm to the spawn, or the attraction of the higher species, nature's chief task and greatest concern is to bring the sperm to the germ.

Babies come into the world like kittens, the colt,

and the calf, and the same caprice that numbers the sparrows call the human fledglings out of the blue. The human female before she is born has within her ovo-cells which later, under the stimulus of the sperm, bud into its human fruit. Like the female of the brute or any of her sex in the whole range of nature, these cells, ever ravening and eager, know no election, and bring forth as readily to one sire as another.

Procreation, instead of obeying uniform laws, varies widely and according to the requirements of the species. In many reproduction is so rapid that but for the ravages of others the species would destroy itself by prolificness; in others but for domestic propagation the species would perish. Species endowed with small ability to survive have great fecundity, while, conversely, those endowed with higher capacity are limited in progeny. There are many herring and few whales, many rabbits and few hippopotami. The horse, elephant, and monkey bring forth one at a time, while the fox and raccoon have many in their litters.

The horse and the bull reach maturity almost, before they generate; man and his kin, the monkey, require years to become virile; the lion, tiger, and most predatory animals multiply slowly, while the hog and rabbit scarcely leave the teat before they become parents themselves.

According to results obtained by the Department of Agriculture, the average number of offspring brought forth by our domestic animals under favorable conditions is as follows: Horses, 15; cows, 14; sheep, 12; goats, 12; hogs, 80 to 100; dogs, 40.

In the human female in civilized lands the ordinary woman can bring into the world ten to twelve children; but, to possess six mature living children, the mother must, on an average, have given birth to nine offspring.

According to Dr. Duncan Mathews:[1] "Among fertile women, normally, the mother can bear a child every two years. According to Whitehead, every twenty months; but this includes false conceptions, premature deliveries and all having an unsuccessful issue, the average amount of which will be rather more than one and a half for each individual."

Dr. Mathews says further: "The human being in reference to terms of existence mutiplies later and at longer intervals and ceases to be prolific sooner than any other being with which we are acquainted; hence we find, on the average, that in the maternal state during the period of fruitfulness the births are not so frequent as once in two years."

Dr. Mathews' estimate of an average of one and a half unsuccessful terminations of all conceptions to each fertile female during the child-bearing period is far too low, assuming that the number of conceptions in women during the child-bearing period is at least nine, and more than likely to exceed that number. Not more than one-fourth of all conceptions result in the birth of mature or viable offspring.

"In order that a population may maintain its numbers unaltered, about four children must be born to each marriage that produces children at all; of these four, on the average of large numbers, two will

[1] Mathews, *Fecundity and Fertility.*

either die early or have no children and the other two will be left to continue the race in place of their parents." [2]

Supposing that the average number of children to a family be three,—that is, three-fourths of the number of children required to maintain numbers unaltered,—if the death rate be 15 in 1000, their birth rate is three-fourths of 15, or about 11; that is, 4 less than the 15 needed to replace the deaths. At the end of the year there will be 996 instead of 1000 persons alive; at the end of the century—three short generations—each 1000 persons will be represented by 687, or in 200 years by 472.

According to Korosi, "The summit of legitimate fertility is reached very soon, so that the decline begins in the case of the male after twenty-five and in that of the female after eighteen. Legitimate fertility does not remain at the same level for many years together, but declines immediately after reaching the highest point."

"Nearly all women married at twenty to twenty-four years are fertile,[3] only 1½ per cent. being sterile.

Brides of fifteen to nineteen show a sterility of 15 per cent.; after twenty-four sterility increases. As the age of marriage advances, one in every three wives married at thirty to thirty-four, and more than half of the wives married at ages above thirty-four, are sterile. After the third year of marriage most women who have no children are inclined to be sterile."

[2] Marcus Rubin, *Economic Science and Statistics*, September, 1900.

[3] Lewis, *Late Marriage of Females.*

The likelihood therefore of a number of children being born is twice as great when the wife marries at twenty as when she delays her marriage till thirty. While sterility in the female is a decided factor in decreasing birth rate, the same defect of the male is hardly less so.

Whether sterility prevails to an equal extent in both sexes is a question on which there is a wide divergence of opinion; if there has ever been any actual difference it is becoming undiscernible. In the opinion of a great many observers, while complete sterility may not be so frequent in the male as in the female, relative sterility or numerical infecundity of the male among certain peoples is decidedly on the increase.

In the experience of physicians who have noted the fecundity of widows upon second marriage, thirty to forty per cent. of all unfruitful marriages, not the result of check, is due to sterility of the male.

CHAPTER IV

RACE SUICIDE CLASSIFIED—THE PRACTICE AMONG THE ANCIENT HEBREWS, TYRIANS, PHOENICIANS, SYRIANS, CATHAGINIANS, SABINES, ASSYRIANS, BABYLONIANS, PERSIANS, CELTS, AND NORSE

Society recognizes three kinds of the warfare against offspring known as race suicide. The first is the precautionary or interceptive act, which, barring the physical affront or moral perversion, has never been exalted to a sin against conscience or a violation of law. The second is the abortive or prenatal crime known in criminal codes as abortion, and implies the destruction of the human fœtus at any time during intra-uterine life. The third is known as infanticide, and means the killing of the child at birth or in the very early periods of existence. To these might be added a fourth variety, the improvident, which, although non-criminal in law, by its mortality—the effect of preventable disease, neglect, and starvation—destroys nearly one-fourth of the human race before it reaches the age of five years.

While nearly all peoples since the beginning of society have, with few exceptions, looked upon the abortive act as malevolent, if not an actual crime against human life, the precautionary or interceptive act which indirectly produced the same check upon

offspring has, until of late years, never come under the denunciation of the philosopher or the ban of the Church.

Nothing is more manifest than the silence or reticence of writers, ancient and medieval, on the strictly precautionary practice. While at all times it must have been fairly as prevalent and with results as deplorable as at the present day, the conclusion is inevitable that at no time was it looked upon as an evil calling for public condemnation or interference by the state, and instead of being an offense against the public welfare it was regarded as a species of individual or family conduct with which neither the state nor the community had any concern.

Practiced, as it must have been, by all peoples and in all times, it is the only dereliction in the catalogue of human frailties that has never been elevated to the dignity of the scarlet. While priest and prophet have covered the entire gamut of human laxities devising sins and transgressions, none have dared to exorcise the vampire that throttles humanity ere it comes to bud.

Incredible as it may appear, not until within the past half-century has even the medical world recognized the gravity of a practice which to a large degree has supplanted the abortive act, and made that crime unnecessary—that is, substituting the interceptive act for the more wanton and brutal crime of abortion.

Up to a few years ago the methods used to accomplish the interceptive act were the same that had been employed from time immemorial to procure the graver

deed, and with results just as hazardous and uncertain. With a cry, however, for methods more sure and less embarrassing, judging from the howling sterility of the enlightened child-bearer of the times, modern ingenuity seems to have supplied the long-felt want.

The abortive or destructive practice among ancient peoples primarily grew out of the quasi recognition of the right of the family to enlarge or abridge its circle at will. There were some notable exceptions, however, among them, apparently the Jews and a few Aryanic sects, where the abortive crime was outlawed and threatened with the gravest of penalties.

If we exclude the tragic fate of the second son of Judah, neither of the Palestinian codes mention or declaim against either form of practice, although the people to whom these codes were given, from the time they entered the Promised Land, practiced all the abominations of its former inhabitants, who, with the surrounding nations, were guilty of every conceivable sin or vice under the sun. While there is no written testimony to prove that the Hebrews were given to these vices, they practiced infanticide, both religious and nefarious. Their sacred book is full of the horrors of the Valley of the Sons of Hinnom, so called from the shrieks of the children and the cruelties of Tophet—signifying a drum, which instrument was used to drown the cries of the little ones grilling in the arms of the brazen Moloch.

Although the penal code of the Jews is extremely minute on the subject of crime and its punishment, the Jews themselves, either as individuals or as a na-

tion, according to their sacred books, were little, if at all more solicitous about human life than their neighbors. Jephthah slew his only daughter as a sacrifice to their tribal deity; Manasseh, one of their kings, several hundred years later passed his children through the fire to Saturn; and child sacrifice or infanticide, one of the methods resorted to by ancient peoples to deplete population, is distinctly mentioned by one of their prophets, Isaiah, who denounces them for "slaying the children in the valleys under the cliffs of the rocks."

One of their earlier laws [1] provided, "If men strive and hurt a woman with child, so that her fruit depart from her and no mischief follow," the punishment would be wholly pecuniary.

The Hebrews in patriarchal times had followed the Noahitic injunction,—"Be fruitful, multiply, and replenish the earth,"—a necessary command at the time it was given, as there were only eight people living on the whole earth. As a matter of fact, however, the ancient Jews were never a prolific people, the Bible being full of honors and blessings promised to him who had "his quiver full of them." Barrenness was common among the females, while the early sterility incident to the polygamous male made large families impossible. Childlessness was considered a disgrace on the part of the wife and a sufficient cause for divorce, while paternal impotence was looked upon as a visitation of Providence.

Concubinage was common and disastrous. Polygamy is not at all favorable to virility of parentage or

[1] *Ex. xxi. 22.*

vitality of offspring, and consequently the bane of the ancient Jewish household was more often a barren hearth than a superfluity of children. From Rachel to Hannah, from Michal to Elizabeth, the cry of ancient Hebrew motherhood was: "Give me children else I die."

Whether in his tent or in his walled habitation the ancient Hebrew was supreme master in his household. His women and offspring were his own to deal with, as were his flocks and herds. Neither his wife nor offspring were accounted as individuals, and for offenses against either, except death or perhaps grave bodily injuries, he was feebly if at all subject to law. While there were specific laws pertaining to man and beast, for women—with the exception of violation of her person—there were no laws writ in her behalf, or that of her children.

Except for a few offenses, the law of Moses did not apply to the female, consequently the abortive act, or even that of early exposure,—which according to custom in all Oriental lands was the privilege of the female,—was never accounted a crime against the Hebrew state. The Mosaic code made no provision for the legitimizing of the illegitimate; on the contrary, they were held in greatest obloquy, and as concubinage was one of the chief vices of the people, the presumption is fair that the offspring of these cohabitations were suppressed according to the methods of the Orient.

During Talmudical times neither the interceptive nor the abortive practices were looked upon as criminal. Interception, while not specifically mentioned,

must have been quite common, from the fact that the Talmud describes one of the most popular and efficient methods of avoidance practiced at the present day. R. Beebe, a noted rabbi, taught that before the third month the fœtus was a vague elemental embodiment without actual existence; hence, this doctrine being generally accepted, destruction of the embryo could certainly not be considered a crime. R. Rova, another celebrated rabbi, went so far as to teach that even after birth, until the child was thirty days old, it was not a lawful person, owing to the uncertainty whether it would survive.

There was a difference of opinion between the schools as to the obligation of the woman to bear children at all. The woman, it was contended, having neither civil nor religious personality, had in a legal way nothing to gain, while the matter of heirs and offspring concerned the man in every way. On the other hand, R. Yochanon, a very eminent authority, held that the duty of propagating offspring was obligatory upon both.

While unfruitfulness was sufficient ground for divorce, the Mishna or commentaries subscribed to the doctrine taught by some of the schools that the man could seek a judicial separation from a woman who had borne to him two male children or four of the opposite sex.

The ancient Mediterranean nations, the Tyrians, Phoenicians, Syrians, and Carthaginians, were among the most cruel of all ancient peoples to offspring. Their religious rites were a continual round of child sacrifice to their gods, Moloch and Saturn. These prac-

tices continued until the time of the proconsulate of Tiberius, who only succeeded in breaking up the custom by causing the priests of Saturn to be hanged on trees around their temples.

Among the early Italian nations, especially the Sabines, it was customary in times of national danger and distress to vow to their chief deity the sacrifice of every thing born during the successive spring, provided the calamity under which they were laboring should be removed. This vow applied to human beings as well as domestic animals.

The ancient Egyptians, although Strabo writes they were loving and tender to their offspring, were addicted to both abortion and infanticide. Among the lower classes, with whom crocodile worship was common, the women shared with their dark Indo-Asiatic sisters the gruesome reputation for throwing their undesirable young to the monsters of the sluggish deeps. Like the child sacrifices of the Mediterranean Semites to Saturn, or the passing through the fire of their children to Moloch by the Hebrews, the rites were one of the means or pretexts to disburden themselves of cumbrous offspring as well as for the purpose of appeasing the gods.

According to tradition, and mentioned by Manetho, Philo, and Plutarch, it was the practice before and after the Deluge to sacrifice human beings to the demons and gods, offering up particularly the children of those sacrificing. It is known that, remotely, child sacrifice was prevalent of Egypt, although their Book of the Dead, probably one of the oldest books in the world, and which fairly subtends their social and re-

ligious life in remote antiquity, passes the subject by in silence.

According to Didorus, the country was so fertile, and means of living so easily procurable, that crimes against offspring were rare. Under the ancient laws of the country, when a woman pregnant with child was legally sentenced to death, execution was always deferred until after delivery of the child, in order that its life might be spared. The mother guilty of infanticide had to hold the corpse of her infant three whole days in her arms.

The ancient Egyptians were intensely prolific and large families were the rule, but the mortality in their young was so great that population was barely kept up to normal increase. Maspero says, speaking of child-life among them: "Many never get so far, but die in infancy. Badly fed, indifferently cared for, abandoned to themselves for entire days, those who have any weak points in their constitutions die, one after the other." [2]

Strabo says that the Egyptians were an honorable exception to the nations which exercised the right of life and death over their infants. While their laws were probably humane to their own young, this concern for offspring did not apply to their slaves. The New Testament, speaking of the cruel treatment of the Hebrews while in bondage in that country, says: "That they should cast out their babes, to the end that they should not live."

In modern Egypt, up to the time of British occupation, abortion and infanticide were open and un-

[2] *Ancient Egypt and Assyria.*

blushing practices; women openly followed the calling of abortionist, and were said to be skilled in their art. At Cairo, Arabian physicians follow, and have followed, the horrid practice as a profession. Infanticide is seldom visited with punishment, and a girl who becomes pregnant, in case she destroys the fœtus, has only to liberate a male or female slave. In case a married woman kills her newborn infant she cannot be punished unless two witnesses have seen her commit the deed, and if convicted she has to pay a fine to her husband, or he may imprison her. She may free herself by oath in the event that there is suspicion only.

Since British occupancy the penalties for these crimes conform in a measure to the laws of the suzerain state and the shameless practices common under the old order of Turkish dominancy are now happily restricted. The enforcement of the law against these crimes compares favorably with other civilized communities. Police statistics for the city of Alexandria for the years 1906 and 1907 show the following convictions; In 1906, infanticide, eight; abortion, none. In 1907, infanticide, eight; abortion, none.

With the most elaborate codes governing the ordinary affairs of life, neither the ancient Assyrians nor Babylonians had any laws interdicting abortion or dealing with infanticide. That both of these crimes were common among them is readily conjectured from the known immorality of their men and the profligacy of their women.

Rome, at the height of her abandonment and wickedness, was not more shameless than Babylon nor

less depraved than Nineveh. Quintius Curtius, the biographer of Alexander the Great, describing the social life of Babylon at that time, said: "Nothing can be more corrupt than its morals, nothing more fitted to excite and allure to immodesty. The rites of hospitality were polluted by the grossest and most shameless trusts." Every Babylonian female, by law, was compelled once in her life to visit the temple of Mylitta, the Babylonian Venus, and there practice the most shameless religious rites.

Polygamy and concubinage were common and to have children was the supreme end of marriage, sterility being considered a serious misfortune. The relation of the children was patriarchal, the father having supreme right over the life of his offspring. On the other hand, they had some humane laws among them, such as forbidding the separation of the children of slaves from their parents.

The sacred books of the ancient Persians are silent as to the inhibitory precaution against conception, but fiercely denounce the commission of the abortive crime. They not alone imposed severe penalties in this life, but threatened the direst punishments in the next. Notwithstanding, with exception of the Chinese Mongols and the Malayans, no people are so guilty of infanticide as the Persians and Indo-Aryans.

The ancient Persians, descendants of the white or primitive Aryans, according to Herodotus were in the habit of burying their young children alive. Cyrus the Great was ordered to be destroyed in this manner by his grandfather Astyages and his life was saved only by the humanity of those entrusted with the com-

mission of the deed. Herodotus further mentions the fact that Amestris, the wife of Xerxes, when in her dotage, ordered fourteen Persian infants of the noblest birth to be interred alive in honor of one of the deities of the country.

The ancient Celts endeavored to lessen the ap-parent cruelty of infanticide by making it a sort of religious ceremony. They laid the newly born infant on a shield and placed it on the current of a river; if it arrived safely at a certain point it was preserved, while if it was drowned they considered that it had perished by the will of the Fates, and not by the hands of men.

Among the ancient Norse, after the manner of some of the Southern peoples, the child's life hung in the balance till the father handed it to the nurse to be reared; if it was weak or malformed, or if the father disapproved its living, the child was killed by expos-ure to the weather and wild beasts.

The ancient Norwegians killed their female chil-dren, if that sex was considered in excess in the fam-ily. In Iceland, up to the tenth century, when Christianity was introduced, the custom was as prev-alent as in the mother country whence it had been derived, and continued to prevail long after it had been abolished in Norway.

CHAPTER V

GREECE

THE great pagan civilizations of the past, like the civilizations of the present day, were constantly imperiled by the sterility of the higher classes. It sapped the foundation of every ancient state. Assyria, Babylon, Egypt, Persia, each in turn fell before its blight; it gave imperial Rome to the Goths, the Eastern Empire to the Turks, and the barrenness which overtook the Dorian Greek, the conqueror of the primitive Hellenes, made their slaves the masters of the country.

Among the ancient Greeks there was at times a wide conflict of sentiment between the legistic and philosophic cults. Solon and Lycurgus went so far as to outlaw actual fœticide, but as no definite period of viability was ever fixed it is difficult to see how the law could become operative. Plato and Aristotle, on the other hand, taught that a child only acquired a soul at birth, and inculcated the abortive crime as a legitimate function of both individual and state. Plutarch, in his "Morals," says that the Stoics did not believe that the soul was united to the body until the act of respiration. As a matter of fact, the Greeks did not recognize the human fœtus as a living being, and not until the code of the Roman Emperor Jus-

tinian became the law of the land, in the sixth century, was fœticide made a criminal offense.

Even Hippocrates, the great father of medicine, who formulated the oath restraining physicians from committing the act, gave in his works an instance where he had instructed a woman how to accomplish the deed.

Greek conscience in its relations to fœtal life was either indifferent or pitiless. Fœticide was common thoughout the states both as an economic and political measure. The practice was never looked upon as a religious crime, nor placed under the ban by their priestly cults, although some of their classic writers dwell upon the fate in store for the women in the Inferno in Hades who had destroyed their infants while yet in the womb.

Infanticide was general, the whole of Greece being addicted to the crime, save in Thebes. Here parents were forbidden to destroy their children, those in needy circumstances being compelled to surrender their offspring to the state for future care, subject, however, to being sold into slavery. Infanticide was most generally practiced in the poor republican states where the people, neglecting agriculture, lived mainly by the spoils of war. At Sparta it was unavoidable during the period in which the laws of Lycurgus prevailed, that code directing that only a sufficient number of citizens be preserved to equal that of the lots of the land. The custom was for the newly born child to be laid at the feet of the father, who determined the question of life or death. In Sparta the law required that a child, immediately after

birth, was to be exhibited to the authorities for inspection, and if the child was not healthy, or if it was a cripple, it was thrown into a deep abyss at the foot of the mountain Taygetus. The same custom prevailed at Cathea, where, at the age of two months, infants were brought before certain magistrates, who selected for destruction those which public welfare demanded should be destroyed.

In Athens, where male infants were held in high honor, the females were numerously sacrificed. As to the prevalence of infanticide among the Attic Greeks we have the testimony of a number of writers, among them the comic poets Terence and Plautus, who in describing the customs of the times allude to the exposure of children. The following lines taken from Plautus convey the sentiments of the day: "A man, though poor, will not expose a son; but if rich will scarcely preserve a daughter."

While there were laws against celibacy in Athens, the laws to promote marriage or fruitfulness were less stringent than in some of the other states. The deletory customs of the Greeks rarely permitted overpopulation, and when this did occur it was remedied by colonization and late marriage. Every Spartan was compelled to marry, celibacy being punished by public disfavor and by written law. According to Aristotle, Greek marriages were never very fruitful and in some states fathers who had three or four children were publicly rewarded.

In Athens, Soranus stated, there were two practices common to society—that of preventing conception and destruction of the fœtus when fully formed.

Actius, in his book, *Tetrabilia*, an ancient Greek treatise on medicine, described some of the instruments used in his day for this purpose.

Hippocrates, in his book on generation, condemns abortion, whether procured before or after viability of the fœtus, and dwells most forcibly upon its immediate dangers and its subsequent baneful effect upon the health of the mother. Hippocrates observes that the labor and privation of the lower sphere of life was as favorable to prolificness as the indolence and the affluence of the highest was adverse to it. Speaking of the Scythians, among whom he says barrenness prevailed, he observes that the misfortune did not affect the poor, but the rich, the nobles, and those who possessed the large estates. He attributes the want of fruitfulness to several causes, but especially to sedentary life, indulgence in riding in carriages, muscular laxity or weakness in the female sex.

Again, he draws a comparison between the sterility of the female of wealth and the prolificness of the female of the lowest condition of life in the same country, and says that the former are unfruitful for want of exercise, because of voluptuous living and excessive obesity.

The effect of abortive practices among the Greeks and its extent may be gleaned from the words of one of their writers, Polybius, who says: "All Greece has been afflicted with a scarcity of men, so that the cities have been left desolate and the land waste, though we have not been visited either with a series of wars or with epidemic diseases."

As to the causes of the infecundity and down-

fall of the ancient Greeks, it cannot be better described than in the words of M. P. Sadler, noted English writer on economics in the earlier part of the last century:[1]

"How and when was it that the different communities which have successively become mighty nations and have possessed themselves of the power and opulence of the world multiplied their numbers and spread their dominion? While they were of necessity temperate, frugal, and industrious, and consequently prolific and increasing, what was it that in every single instance wrought the downfall of such countries? Superfecundity and its concomitants? Excess of numbers and want of food? Alas, for the supposition, whether national or individually considered! It is one of the grossest fallacies ever palmed upon the human understanding. It was the excess of wealth. It was ease and luxury and refinement that prepared the catastrophe of every country destined to destruction,—a state which so diminished the prolificness of all such communities that no examples, however elevating, no laws, however severe, no efforts, however strenuous, could replenish their decreasing numbers; and they fell, to avail myself of the language of Raleigh in his history of the world, 'by that excessive luxury wherewith all, or most of empires that ever were, have been enervated.'"

[1] *Poverty and Want of Food on Population.*

CHAPTER VI

ROME

AMONG the early Romans and during the republic, life, extending from the earliest embryotic to late childhood, had no rights or standing under the law, the policy of the state being that the father exercised full and absolute control over the lives and fortunes of his offspring. Infanticide was not regarded as a crime, much less an offense against inchoate humanity; it is very doubtful whether any penalty attached thereto before the time of the emperors Severus and Antonine, that is, up to the second century, with almost a reasonable certainty that none existed before Gratian and Valens, nearly two centuries later. A solitary case is mentioned by Cicero, that of a woman being punished for the offense, but it was in Milesia, country not subject to Roman laws.

This barbarous right of the father of life and death was coeval with the existence of Rome and remained the foulest blot on her history until it was somewhat restricted by Constantine, the first Christian emperor. He, among his first enactments, declared that "the killing of a child by its father, which the Pompeian laws left unpunished, is one of the greatest of crimes."

The custom probably prevailed among the ancient Latins long before the settlement on the banks of

the Tiber. Romulus, the founder of the city, authorized the destruction of all children that were deformed, requiring, however, that the parents exhibit the children to the five nearest neighbors and obtaining their consent to its death. The Twelve Tables, the statute law of Rome for centuries, in addition to acknowledging the supreme control of the father over his offspring, declared that sickly and malformed children should be put to death.

The abortive practice, like the crime of infanticide, was looked upon as a prerogative of the parent and was never mentioned in the older statutes. Practiced clandestinely as a family right during the early times of the republic, it gradually extended to all classes and reached the most shameful proportions at the time of the Caesars. According to Suetonius, Julia, the daughter of the Emperor Titus, the niece and mistress of the Emperor Domitian, died in consequence of the act. Juvenal, in his satires, writing of the age, says: "Few are the babies born in gilded beds; the wealthy dame, so many artifices has she, so many drugs to render herself sterile and destroy life within the womb."

Roman consciences and their laws were to a large extent, if not almost entirely, dominated by the philosophy of the Stoics. This was particularly so during the republic and the period culminating with the triumph of Christianity. The doctrine of this cult taught that the fœtus was merely a portion of the body of the mother, and abortion consequently not a crime.

The infant was not considered a member of society

until it had been recognized by the head of the family, the father—or in his absence his legal representative—consenting that the infant be applied to the breast of the mother. At times it was the custom, after the fashion of the Greeks, for the newly born child to be laid on the floor; if picked up by the father, it was an acknowledgment of paternity and the child became a member of the family; otherwise it was allowed to perish by exposure.

While sanctioned by law, it must not be understood there were no protests against the practice of both crimes. As far back as the days of Numa efforts were made to modify the laws which gave the father absolute right over the life of his child, with the power, even, to sell it into slavery. During the excesses of the latter days of the republic and the profligacy of the early empire, when philosophers and satirists declared there was neither honor in men nor chastity in women, there were matrons like Cornelia and Helvia—the one who likened her sons to jewels and the other who was the only woman in her class to bear children. Nearly all the historians and poets of the times declaimed against abortive practices and the pages of Seneca, Ovid, and Juvenal are full of scathing invectives against their countrymen for the commission of these crimes.

While Rome had tolerated all the genetic vices and crimes against offspring since its foundation, it went further and sanctioned that most cruel of all inhumanities—child abandonment. This infamous practice had its origin in a remote myth, the abandonment of Romulus and Remus to the wolves. At the be-

ginning it was probably nothing more than a species of hero worship, but in the course of time it had degenerated into a great national crime. During the height of imperial paganism the streets of Rome were filled with abandoned children of all ages, whose only refuge and shelter were temples and ruins.

In the early days of the republic the censors endeavored to encourage marriage with a view to increasing the number of people. Valerius Maximus says that the censors Camillus and Posthumius levied a fine on citizens who grew old in single life. Plutarch relates that, to counteract the effect of the wars in causing so many widows, Camillus compelled the men who lived single, partly by persuasion and partly by threatening them by fines, to marry the widows.

The problem of begetting the race, if not continuous, was evidently very recurrent, for later, when the demoralizations following the Punic wars and the influx of Greek methods of life ushered in an era of indulgence and wantonness, so general was the lack of offspring among those of Roman citizenship that the republic was hardly more than Roman in name.

Dr. Nathan Allen, discussing the subject thirty years ago, said: "From a careful review of Roman history it seems that this want of increase of population commenced quite early. We are told that Julius Caesar, when he attained supreme power, found an alarming thinness of population. The returns from the census from the Second Punic War to the time of Augustus show no steady increase of citizens that cannot be accounted for by the extension of citizenship to new classes."

The marriage relation in Rome had become so neglected that it was found necessary to call the attention of the citizens repeatedly to the importance of this institution, and their duty to respect it. Laws were passed granting special favors and privileges to induce men to assume this relation. When it was found also that the increase of population was impeded by infanticide, attempts were made by legislation and other means to check this crime, but without success.

During the reign of Augustus, in the year A. D. 9, that emperor promulgated, in the name of the consuls Papius and Poppaeus, a decree in which was embodied a system of rewards and punishments purposing to discourage celibacy and check the race ravage of the times. The law proved as futile as unpopular, and the fact that both of the consuls were themselves unmarried subjected the measure to additional ridicule and disparagement.

Thirty years later, when the Emperor Claudius congratulated himself that the census showed an increase of nearly a million of new citizens since the end of Augustus' reign, Seneca, in his satire on Claudius, tells us that he "had determined to see every German, Gaul, and Briton in a toga."

Pliny the Elder, blinded by the prolificness of the alien classes which were continually swarming into Rome, was an apologist for the prohibited practices. He excused them on the ground that it was necessary to preserve population within proper bounds. Minutius Felix, who wrote a hundred years later, in denouncing the abominable practices of the times, such

as the exposing of children to wild beasts and birds and the strangling of newly born infants, cried out: "And forsooth these are the lessons you learn from your gods! Saturn exposed not his children, but he ate them." At another time, in one of his declamations against abortion, he said: "Some of you will not give them (the children) the liberty to be born, but by cruel potions procure abortion and smother the hopeful beginning of what would come to be a man in his mother's womb." Minutius Felix, however, was a Christian.

About the second century of the Christian era, when paganism began to feel the stride of the new creed, there had grown among the pagans a consciousness that the cruelties and crimes practiced against offspring were survivals of a barbaric past; that they could no longer be tolerated by the state or sanctioned by their religion. In consequence, abortion and infanticide, while widely practiced, were not defended or ignored as in the past, and it became the fashion for the pagans to deny the existence of these vices among their followers and publicly condemn their practice. It was not, however, until the reign of the Emperor Antoninus that public sentiment had progressed so far as to take from the father his absolute power over the life and fortune of his offspring and entrust it to the state.

This change of sentiment was largely due to the opinion of the Academics, which had become the prevailing philosophy of the times. These taught that the fœtus became animated at a certain epoch of utero-gestation, and therefore was a living being. An-

toninus, evidently influenced by these opinions, by decree interdicted abortion, though a difference was made before or after the fœtus became viable; the former was punished with severe penalties, the latter by death.

In the struggle for political and religious ascendancy between the two creeds at that time, charges and counter-charges of the entire catalogue of vices and crimes were hurled at each other by the Christians and the Pagans. Among the charges made against the Christians, none were more fiercely inveighed than abortion and infanticide, all of which was most forcibly repelled and refuted by the Christians historically, by Tertullian and the primitive fathers, Athenagoras, Minutius Felix, Augustin, and Theodore. These not alone condemned the interceptive practice, but by their denunciations of abortion and infanticide placed the Church on record by proclaiming them actual murder.

By Constantine the Great two decrees were issued, one for Italy in the year 315, the other for Africa in the year 322. These ordained that, in order to prevent exposure, sale, or murder of newborn children, those who were too poor to support their children should receive assistance from the public treasury. At the same time it was decreed that severe punishment be inflicted upon anyone guilty of these offenses. All of which did not materially suppress these evils, particularly that of abortion, nor was there any apparent abatement of these practices until the laws against them were actually enforced during the reign of the emperors Valentina, Valens, and Gratian.

These emperors, seeing how futile the mere imposition of penances proved in checking crimes of this nature, removed them from the jurisdiction of the Church, ordaining that only small misdemeanors and matters relating to religion were to be decided by the bishop in a diocesan synod; but as for criminal causes of a higher nature, the culprits were to be tried by the judges commissioned by the emperors.

It was not until the time of the Emperor Justinian, as late as the sixth century, that abortion became a codified crime; even then the period of viability, being fixed at forty days after conception, made the enforcement of the law a matter of doubtful possibility. The Roman code for several centuries after did not regard the unborn child as a human being, and a woman procuring her own miscarriage was not liable under the Lex Julian for homicide, but she was liable for an extraordinary crime.

The canon laws of the early Church were much less severe than the laws of the early Roman emperors. The ecclesiastical ordinances did not define destruction of the non-viable fœtus as actual fœticide, and not until the fœtus was fully formed was the act considered child-murder.

The Council of Ancyra, in 214, and that of Lepida, in 524, decreed, as a punishment for the offense, the one a penitence of ten years, the other of seven years, and an interdiction of sacraments during the same periods. The Council of Elvira merely excluded forever from the participation of the sacraments the mother who was convicted of wilfully produced abortion. For nearly a thousand years these ecclesiastical

ordinances defined the punishments imposed by the Church for the abortive crime. Whether the practice had become more flagrant, or more severe measures were needed to check the evil, Pope Sixtus V, by a bull dated November 16, 1558, and Gregory XIV by one of July 9, 1591, made the crime a capital one and the penalty death.

Reinach says the early Christians condemned abortion very strongly; that the same horror for the practice was found to prevail in early Christian literature (later than the Gospels). A very early extra canonical document known as the "Teaching" (of the Apostles) says: "Thou shalt not slay a child by abortion, nor what is conceived shalt thou slay."

The Apocalypse of St. Peter, discovered by Akhmin in 1886, pictures a scene in which the souls of unmarried women who have terminated their pregnancies by abortion are represented as being in hell together with the souls of the infants, and the latter direct jets of fire against their mothers.

The Jews abhorred virginity, the Christians inculcated it. All the primitive Christian sects, especially those which carried their idealism furthest, abhorred matrimony; some of them utterly condemned it, while others were content to commend continence and chastity. The New Testament, while not inculcating actual celibacy, looked upon all sexuality as lust; the Founder himself went so far as to condemn natural amatory passion as salacious and declared normal physiological excitation as virtual adultery.

The unnatural and impolitic hostility to marriage, the imposition of celibacy upon converts, the high

honors paid to those who renounced one of the most important duties of Roman citizenship, were among some of the charges brought by the Pagans against the Christians during the first and second centuries. This defiance of the laws promoting marriage, and the consequent depopulation of the empire, caused many an outbreak of persecution to which the earlier Christians were subjected.

Naturally, the pagan emperors brought all the force of the empire to check and abolish religious celibacy, and to this end revived all the laws which in former times had been invoked for this purpose. Severe fines and other disabilities were imposed upon celibates and those declining to enter into second marriages, all of which did not materially affect the zeal of the Pietists nor the spread of the practice of celibacy. These penalties and disabilities continued on the statute books until the time of the Emperor Justinian, when they were removed.

This wide practice of celibacy by the earlier Christians was at variance with the injunction given in Genesis for the multiplication of the race, and found in the religions of nearly every ancient people. Mohammed promised paradise to every father of ten children, while the Indo-Aryans were by their religious and civil laws compelled to increase their caste. Luther, after his break with Rome, wholly repudiated ecclesiastical celibacy, and with it all the doctrines of the Church founded on immolation of sex. In his sermons he said "that no man is able to live virtuously without a wife unless he is naturally or artificially impotent." Not one in a thousand, he says, is an exception.

CHAPTER VII

THE ATTITUDE AND POLICY OF THE CATHOLIC CHURCH—RELIGION AND BIRTH RATE

In the centuries preceding the fulminant measures of Sixtus, the Church with rare intervals had exercised its full force and influence to eradicate the evil of child destruction, but apparently with little success. To a great extent, however, the more flagrant types, such as infant strangulation and exposure of the more mature child, had been overcome.

Since the days of Antoninous the civil punishment for lat eabortion was death. In Italy, however, ecclesiastical courts were never wholly superseded by the civil for offenses that were regarded as quasi-ecclesiastical. Abortion having been defined as a strictly ecclesiastical offense, the difficulty to establish not alone the guilt itself, but the degree of guilt, made these tribunals extremely reluctant to take cognizance of the offense; on the other hand, the civil authorities were equally disinclined to trespass upon what had been declared, from the time of the earlier Church councils, to be within the jurisdiction of the Church.

The wide conflict of penalties prescribed, varying from that of mere ecclesiastical disbarments by the Church to that of death by the civil tribunals, made the punishment of this crime still more uncertain and

difficult. To adjust these inconsistencies and make the punishments uniform under both systems, Pope Sixtus V enacted the extreme measures which have ever since voiced the sentiments of the Church. Unfortunately, however, it cannot be said that the stringency of the ban nor the severity of the punishment threatened have diminished incipient abortion or the conceptive check among its communicants.

Throughout the Middle Ages, up to the seventeenth century, the scholars of the Church were engaged in an almost continuous controversy as to the truth of the doctrine inculcated by Aristotle, who contended that the fœtus had first a vegetative and later a rational soul. This doctrine was finally accepted by its moralists, though abortion was condemned at any time from the moment of conception. In 1620 Fienis, a physician of Belgium, published a book in which he maintained that the human soul was created and fused into the embryo three days after conception. In 1658 Floentius, a priest, wrote a book in which he taught that the soul may be intellectual or human from the moment of conception; soon after, Zachias, the Pope's physician, maintained as a certainty the thesis that the human embryo has from the moment of conception a human soul. All of which was not new doctrine nor unknown to the Church, for this had been taught by St. Gregory of Nyssas as early as the fourth century.

So arbitrary is this doctrine, and so absolutely incorporated into the policy of the Church, that the Church will not permit any surgical operation in which the living fœtus may be taken from the mother

if the child cannot survive, although the operation may be absolutely necessary to save the life of the mother. This procedure was forbidden so recently by Papal rescripts as May 28, 1884, and August 19, 1888. In 1895 the question was again opened, and finally settled by a decree which absolutely forbade and condemned the procurement of surgical interference,—that is, the eviction of the living fœtus at any time before it can live outside of the womb.

In the many controversies that have taken place as to what extent religious belief controlled or prevented genetic crimes, it has been contended that the communicants of the Catholic Church are less given to these practices than those of other Christian denominations. To the credit of that Church the contention was, until recent times, relatively true; unfortunately, however, if statistics be reliable, Catholic wifehood the world over is rapidly becoming initiated into the interceptive practice and the effect of the conceptive check is just as apparent in the households of the Church as in those of other creeds.

The effect of the transplantation of the virtuous peasantry of Catholic Ireland to the carnalities of a great city is shown in the following statistics of New York City, where the Catholic population, mainly Irish, steadily increased each year during the period named. The tables are by Dr. Ira B. Hopkins, and show the increase of abortions from 1805 to 1870, the figures give the number of fœtal deaths to population:

1805	1 to 1663	1856	1 to 10
1849	1 to 340	1870	1 to 4

Among Catholic women born of native American parentage there is no appreciable difference in birth rate or number of living children from that of native American women of other creeds; but for children born of foreign parentage the schools and churches of the Catholic Church would be as bare of children as those of other denominations. Experience the world over has taught that a woman declining to become a mother will hardly let anything so remote or uncertain as ecclesiastical disaster deter her from that purpose, no matter what her religious convictions may be.

For nearly nineteen centuries the Church has stood for innocent and helpless humanity, born and unborn and the battle is far from being won. The following statistics are adduced, not for the purpose of criticism, but for the purpose of dispelling the belief that the women of the Church have no part in the great modern crusade.

The following tables of birth rates for European capitals are by Dr. Bertillon for the year 1897; the births are per thousand women, ages fifteen to forty-five:

	PARIS	BERLIN	VIENNA	LONDON
Very poor	108	157	200	147
Comfortable	72	114	155	107
Rich	53	63	107	87
Very rich	34	47	71	63

Vienna and Paris are Catholic, Berlin and London are Protestant. The apparently favorable showing for Vienna is caused by the enormous amount of illegitimacy prevailing in Austria; in the five-year period

1886-90 illegitimate births per thousand total births were in Austria 149 as compared with Germany 104, France 85, Great Britain 48. On analysis, the ratio of curtailment will be found to be more in keeping with the social environment of the individual than in accordance with any particular form of religious belief. Excess of births over deaths is less in Italy than in England, and birth rate less in Naples than in Hamburg.

Instead of comparative statistics between countries of diverse religion, to further show that birth rates are largely determined by social conditions, the following statistics are taken from Nitti's book on Malthusianism, the statistics being for the city of Naples for the period 1881-1892. It will be conceded that Naples is wholly Catholic, and one of the most religious cities of the world:

"In the aristocratic quarter of San Fernandino the birth rate averaged during the period named between a minimum of 24.3 and a maximum of 27.9. The quarter of the city which had the largest birth rate in the same time was that of San Lorenzo, with a minimum of 39.4 and a maximum of 49.8; in this quarter dwell a great part of the people receiving public relief and the poorest workingmen."

Lagneau, in *Academie de Medicine,* Paris, February 17, 1885, gives the following statistics of birth rate according to creed:

"From 1851 to 1864 the 123,625,000 Catholics in Europe have had an annual increase of 0.48 per 100; the 92,221,000 Protestants have had an annual increase of .98 per 100, and the Jews an increase of

1.53 per 100, figures which are relatively about in the same proportion as 1 to 2 and to 3.33."

Newsholme and Stevenson[1] say: "In 1881 there was no evidence of any connection between the manner of life involved in any religious persuasion and birth rate."

CHILDLESS MARRIAGES PER 1000 MARRIAGES:

RELIGION	AGE AT MARRIAGE					ALL AGES UNDER
	18	20	25	30	35	45
Church of England....	28	44	80	169	321	71
Roman Catholic	27	41	65	145	341	67
Methodist	18	30	57	102	281	49
Presbyterian	30	36	68	130	313	68
Hebrew	65	62	113	224	438	92
Others	34	47	85	168	329	80

[1] *Journal R. Statist. Soc.* 1906.

[2] Report of the Royal Commission of New South Wales on the decline of the birth rate.

In proof they submit the following comparative statistics:

Bavaria 113.3		Norway 107.7	
Belgium 109.0		Prussia 104.7	
Ireland 99.1		Scotland 104.5	

The first three are Roman Catholic and the latter three are Protestant.

The effect of religion on fecundity, if there be such, is shown in the following tables.[2] The figures are taken from the census of 1901, of women married before forty-five, and at least of five years' duration.

CHILDLESS MARRIAGES PER 1000 ACCORDING TO RELIGION OF HUSBAND:

RELIGION OF WIFE	HUSBAND OF SAME RELIGION	HUSBAND OF OTHER RELIGION
Church of England....	129	181
Roman Catholic	118	163
Methodist	106	180
Presbyterian	115	175
Hebrew	134	306

These statistics are difficult to explain. Temperament, which may be as much a matter of religion as of race, may account for some of the results, but the wide variance cannot be explained in that way. Sterility and infertility, the result of racial intermarriage, is easier to understand, because it has always been so and is therefore a well-defined natural law.

In the United States, the number of childless marriages among the higher classes of Hebrews is far greater than the ratio tabulated by the Commission. Dr. Rossenau, rabbi of one of the largest and wealthiest congregations of American Hebrews in Baltimore, in a recent sermon gave the following statistics as the result of eighteen years experience in that city.

The total number of marriage ceremonies performed by the Rabbi during that period were 362. He states: "Of 90 couples joined in marriage I have lost track, either because of removal from the city or nonaffiliation with religious interests. I can therefore account for but 272. Of these 272 couples 128 remain without issue; 144 couples blessed with progeny. Of these 144, 85 couples have one child each, 51 couples two children, 5 couples three, 2

couples four, and 1 couple six children, making in all 216 children as the result of 272 marriages, or 544 persons joined in wedlock of whom I have definite knowledge.[3]

The childlessness prevailing among the Hebrews is even more difficult to explain. The perspective, however, is largely in keeping with the tendency to sterility among those of the race who abandon the customs of their orthodoxy for the thought and methods of life obtaining among their neighbors.

The most striking lesson conveyed by the tables is the deplorable results of deferred marriage, the barrenness almost doubling in each five-year period. If we exclude the Hebrews, there are nearly twice as many childless women among those who marry at twenty as among those who marry at eighteen; over two and a half times as many at twenty-five, six times as many at thirty, and about twelve times as many at thirty-five. Accordingly, barrenness is a very rapid process in the unmarried female after reaching full puberty, and increases each year, until at thirty-five years nearly one-thrd of the women who marry are doomed to hopeless sterility.

In the last preceding table, excluding the Hebrews, we find that per thousand marriages, where the husband and wife are of the same religion, the childless marriages will be 231 less than where the husband and wife are not of the same religion. Among the Hebrews, husband and wife being of the same religion, the ratio of childlessness is but slightly in excess of other creeds, and that may be explaned on the score of diverse nationality or origin, always a

[3] *Baltimore News*, November 11 ,1911.

factor in the fruitfulness of marriage. On intermarriage, however, where the union is likely to be of diverse races as well as religion, the proportion of unfruitfulness will naturally be much greater, the rule being that inter-racial marriages are never so fruitful as those between individuals of the same race.

Fundamentally, birth rate, instead of being emotional, or influenced by religious belief, resolves itself into a matter of individual superiority or racial altitude. Superior individuals, like superior races, have a low birth rate, while inferior individuals, like inferior races, have a high birth rate.

In families, or peoples as a whole, where children have a high economic value, where they can be reared cheaply and promise to prove a source of profit to their parents, the rule is that birth rate is high; on the contrary, among families or peoples where children have a low economic value, where they are expensive to rear and bid prospectively to prove burdensome to their parents, the birth rate will be low.

Among the rich, and among those who lack the means yet aspire to the tastes and luxury of the upper classes, the duties, dissipation, and high nervous tension incident to social life all tend to enfeeble the procreative functions. Among the latter, restriction is necessary to enable them to gratify these aspira-

The motives which lead to genetic restrictions are the same everywhere,—poverty, social ruin, economic reasons, natural perversion, and personal vanity. As for the purely interceptive practice, while restricted in most countries to the higher classes, so universal has it become in France, Switzerland, America, and

some of the English colonies that it partakes of the nature of a national crusade.

The main factors determining actual increase of population would not be a high birth rate, but a low death rate with a large excess of births over deaths. In India the birth rate is the highest in the world, but so excessive is the death rate that the annual increase of population is far less than in most European countries with a low birth rate; the birth rate in European Russia is twice as large as some of the other European states, but with a death rate scarcely exceeded by India the annual increase of population is no greater than that enjoyed by many of the other Continental countries.

The following table, taken from the Registrar General's report for England and Wales, 1908, gives the birth rate, death rate, and excess of births over deaths for the countries named for the decade 1890-99:

	BIRTH RATE	DEATH RATE	EXCESS OF BIRTHS OVER DEATHS
United States	35.1	17.4	17.7
England and Wales	30.1	18.4	11.7
Scotland	30.7	18.8	11.9
Ireland	23.0	18.1	4.9
Denmark	30.3	17.7	12.6
Norway	30.4	16.5	13.9
Sweden	27.2	16.4	10.8
Austria	37.2	27.1	10.2
Hungary	40.5	30.3	10.2
German Empire ...	36.2	22.5	13.7
Prussia	36.8	22.1	14.7
Netherlands	32.7	18.6	14.1
Belgium	28.9	19.2	9.7
France	22.2	21.6	0.6
Italy	35.5	24.6	10.9
Switzerland	27.7	19.0	8.7

CHAPTER VIII

AMONG MOHAMMEDANS—THE TURKISH EMPIRE—HINDOOS—INDIA—CHINA—JAPAN—HOTTENTOTS—IN MADAGASCAR—GREENLAND—HAWAIIAN ISLANDS—NORTH AMERICAN INDIANS—THE PHILIPPINE ISLANDS

WHILE the Koran expressly forbids actual child murder the interceptive act is not mentioned, but Mohammed indirectly sanctioned abortion by teaching that it was preferable to illegitimacy.

Mohammedans do not attach great odium or criminality to abortion; infanticide, however, is looked upon as far more grave, and in the Ottoman empire is not so common as among some of the other creeds. In the empire, notwithstanding the Mejelle or sacred penal laws have been superseded by a modern criminal code, to the true believer the sacred and traditional law is still the supreme code governing moral conduct; for this reason the penalty for abortion, even when punished, is usually mild. Among their rulers, for dynastic reasons or policies of state, royal princes are often ordered to be strangled as soon as they are born. The same custom obtains in all Mohammedan states, no infant of rank being allowed to survive except at the pleasure of the liege sovereign.

In Turkey it is the universal custom among the higher classes for the women, after bearing two children, to be permitted, with the consent of the husband, to destroy subsequent offspring, partly to preserve her form and beauty and partly to diminish the number of her descendants; pregnancy in the unmarried is always interrupted by violence. Similar conditions prevail in Persia, where the abortive practice is carried on openly and no hindrance whatever opposed.

Among the higher classes throughout Mohammedan countries abortion has of late years very sensibly increased. The diminution of fruitfulness is accomplished with ease and without comment, the secrecy of harem life and its inviolability permitting domestic tragedies without the knowledge of or interference by the authorities; besides, according to Kresnin, a modern Turkish writer, a Turkish wife is in a way exempt from the penalties of the Ottoman law.

Among Mohammedans of the lower class abortion is as prevalent as among other sects; the practice is also becoming more frequent among the middle classes. This increase of abortion among the better class of Mussulmans is owing to the fact that of late years polygamy and slavery have become greatly restricted within the Turkish empire. While flourishing, these institutions made child-life a valuable asset, especially among the lower and middle classes, the girls for the harem and the boys for slaves; now that these institutions are on the wane and the demand for the youthful wares very greatly lessened,

it is not surprising that an increase of destructiveness against uprofitable offspring should follow.

Since 1856 a penal system based upon the Napoleonic code has been in force in Turkey. This prescribes for the act of abortion, whether procured with or without the consent of the mother, imprisonment of from six months to two years. The penalty for doctors or professional abortionists procuring the deed is punishment at hard labor of from three to fifteen years.

Sir John Chardin says that the Mohammedan Tartars, when they cannot maintain their children, think it a charity to murder them when newly born, as well as those sick and past recovery. It is said also by others that child-murder 'is considered a matter of very little moment in Turkey, and that the offspring of the younger princes of the royal family, who are generally kept in honorable confinement, are destroyed at birth.

Among the Arabs severe measures were required to prevent the killing of offspring, although this was largely on the ground that the parent would become a charge on the community or tribe, rather than from any immediate concern about the life of the offspring.

The daughters of the pagan Arabs, according to some accounts, were allowed to live until their sixth year, when of any one whom it was resolved to put to death the father said to the mother: "Perfume her and adorn her, that I may carry her to her mother." The father took the child to a deep well and, standing behind, desired her to look down. He then pushed the child headlong into the well, and, filling up the

pit, leveled it with the rest of the ground. Other accounts have it that when a woman was on the verge of labour a pit was dug and she was delivered at its brink; if a daughter happened to be born it was thrown into the pit. In Baluchistan, where children are often drowned in milk, there is a euphemistic proverb, "The lady's daughter died drinking milk."

Neither the Buddha nor Confucius take cognizance of the interceptive act. The Buddha, despite his profound ethics and moral equities, adheres to the policy of the modern state by throwing the responsibility of the offspring or parturient guilt upon the mother; he imposes neither guilt nor censure upon the paternal partner and brands only the frailer offender with the odium of a social outcast.

Under the laws of Manu, the sacred code of the Brahmins, the killing of a cow was looked upon as a more serious offense than the killing of a woman or a female child.

"The religious books of India contain a specific command to parents to find husbands for their daughters almost as soon as they have arrived at the age of womanhood; if they did not do so, their crime would be equal to infanticide. If the wife has no children the Indian repudiates her; if, on the other hand, the husband is incapable of having children, the wife takes a brother or a relative of her husband."

From the earliest times the practice of both abortion and infanticide in India has been appalling. With a birth rate the highest in the world, and with no power of the state to limit population, it is but natural that the individual should do so, for, shocking as the

statement may appear, curtailment in some manner is absolutely necessary to preserve the more mature generations from the continual incursions of an overwhelming army of helpless and non-productive humanity. For economic reasons the destruction was largely, if not mainly, confined to the sacrifice of the female. Among some of the tribes like the Rajahs, so fierce was this destruction that at times they were dependent upon the women of other tribes for their wives.

Among the Hindoos, outside of the abstract prohibitions contained in their sacred books, there does not seem to have been any serious effort or well-defined measures to control or check any of the crimes against offspring, either pre-natal or late. The first steps in this direction were taken by the British Government under the administration of the Marquis of Hastings, governor of India from 1798 to 1805. Since that time, owing to the severe penalties imposed, there has been a noticeable reduction of infanticide and some of the open abortion, but, under the ever unfavorable economic conditions and the moral attitude of the Hindoos toward these crimes, the task of suppressing or even checking the evil is a difficult one.

Assistant Surgeon Ram Kishen, of the Indian Medical Service, writing on the subject [1] says: "The manner in which these infants are mostly killed is so simple that it is within the power of every woman in the smallest village, and still it is so ingenious that we cannot find it out, especially under the circumstances in which the bodies reach us." The means

[1] *Indian Medical Gazette*, Calcutta, 1884.

which he describes to accomplish the purpose are simple enough, but not proper for mention here. Concerning abortion, he further says several drugs are used by old women to procure the deed, drugs unknown to the legitimate medical practitioner.

Confucius ignored, while other Chinese sages condoned, the great national crime of the Celestial Kingdom, which accounts for the fact that the Mongol is the most pitiless of all peoples in the warfare against offspring; all their customs and traditions, civil and religious, tolerate the crime, while the destruction of the female is particularly encouraged.

According to Newcomb, a missionary to the Chinese, thousands of infants are exposed every year in Pekin alone, while the number similarly destroyed in the provinces must be enormous. In Pekin it is a part of the duty of the police to carry away in carts every morning those children that have been exposed at night, some of whom are yet alive; but they are all carried to a pit without the walls and buried promiscuously. In China, except among the wealthy, neither infants nor children are accorded individual burial.

In the country districts the infants were stifled by the midwife at birth or sometimes cast into a neighboring stream, where in some cases they were kept afloat by a gourd, so that the infant might be saved from destruction by any compassionate person so disposed.

A most horrible and disgraceful method to expedite infant murder in China was the so-called baby tower, as these buildings were known. They were usually walled enclosures, originally intended for the

purpose of disposing of infants and young children who had died of malignant diseases—such as small-pox, plague, and others equally virulent—and whose parents were unable to afford proper burial. These baby towers more often than otherwise afforded a ready means of disposing of undesirable offspring, living or dead; the last baby tower in Shanghai was torn down by foreigners in 1878.

According to travelers, on a stone standing near a pool outside the city of Foochow was an inscription: "Girls may not be drowned here." Indeed, warnings and threatenings against killing girl children are posted in such localities where the deed is likely to be committed.

In the penal code of the Chinese murdering father, mother, son, uncle, etc., is duly denounced, but a daughter seems to have been overlooked, or rather intentionally left out.

According to Doolittle, a missionary to the Chinese, it is unlawful for one to beget children for three years after the death of his father or mother, that is, during the period of mourning. Among the lower classes no notice would be taken of this want of filial respect, but if it should be transgressed by the official or upper classes they would be subject to punishment and fine, and degraded, unless they should succeed by bribery in escaping these penalties for unfilial conduct.

Hume states that every man in China is married before he is twenty; public opinion looks upon celibacy as disgraceful, and a sort of infamy is attached to a man who continues unmarried beyond a certain length of life. On the other hand, wife repudiation

is common, and this, together with abortion and infant exposure, has kept population at a standstill for a hundred years.

In the Isle of Formosa, formerly belonging to China, but since 1895 incorporated with the Japanese Empire, under old customs the women were not allowed to bring forth living children before the age of thirty-five, abortion being produced by a priestess,—a custom which, when instituted, was the only means of saving the nation from over-population. In Tonkin or Cochin-China, also a former dependency of the Chinese Empire, the crime of abortion was an acknowledged institution, and there were women trained for that purpose whose profession it was to facilitate and cause it.

The Japanese, like all other Asiatics, have until very recent times shared with their Chinese neighbors in the relentless destruction of mature and impregnate offspring. Professing to a great extent the same religious and philosophic beliefs, their practices have been similar, although since their late renaissance they are striving to veneer the conscience of the East with the sensitiveness of the West. While only a few years ago poverty of the parent was deemed an admissible excuse for any offence against offspring, at the present day all genetic crimes are forbidden under severe penalties. As in all Oriental lands, however, all laws tending to interfere with restriction of progeny are looked upon as an invasion of family rights, and therefore reluctantly enforced; abortion is said to be openly conducted in the empire, the traffic up to late years being principally carried on by priests, who are

charged with selling decoctions of various woods to accomplish the purpose.

Infanticide, exposure, or destruction of the more mature child, as carried on by the Chinese and Malayans, has been eradicated, owing to the strict enforcement of the law against the practices.

On the coast of Guinea and among the Hottentots the more feeble of twins is sacrificed, and if of opposite sex, the girl is killed in preference to the boy; in Madagascar infants born on unlucky days are left to perish by exposure, and in many of the East Indies infants for whom the astrologers predict a bad or unlucky fate are destroyed.

In Madagascar, New Granada, and Greenland, if the mother dies soon after the birth of her child it is interred with her. In Africa the Bushmen throw their surplus female infants to the lions, many of these beasts being made man-eaters by the custom; in New Holland native women destroy their infants by compression, while yet in the womb.

Wise, in his travels in the Hawaiian Islands in 1850, wrote of its inhabitants: "Infanticide, always prevalent in the Polynesian tribes, is here more alarmingly frequent than even in their darkest days of sacrifice and idolatry, caused no doubt by unnecessarily severe laws against illegitimacy." In 1910, according to a report made by Governor Frear, the birth rate of Hawaii is decreasing while the death rate is increasing. In 1909 the deaths numbered 61 more than the year before, whereas the births numbered 600 less.

Among the North American Indians accounts vary. Some of the tribes, particularly those living along the

Mississippi, were regular infanticides; among others the crime was rare and severely punished. Abortion, however, was universal, being regarded as a family right and among the duties imposed upon their medicine men.

The earliest settlers of the country noticed the absence of cripples or deformed children among the aborigines. These, as at the present day, were disposed of by their medicine men, although Herkewelder, who was long in the mission of the United Brethern, says he never knew of any tribe of Indians among those in Pennsylvania and the neighboring States who killed their children when deformed or distorted. Dr. Harrell says that he has never seen a maimed child among the North American Indians, that all blind and crippled children were left to take care of themselves.

Similar testimony of the non-prevalence of destruction of children is given by Franklin, who says that when an occasional infanticide takes place it is looked upon with great abhorrence and as a great crime. In this he is joined by Dr. Richardson, who says that the Cree Indians consider the crime of infanticide will be punished hereafter; believing that the women who commit it never reach the mountain,—by which they mean their heaven,—"but are obliged to hover round the seat of their crimes with branches of trees tied around their legs."

Charlevoix describes a race of savages in North America who make a practice of destroying all infants who are so unfortunate as to lose their mothers before they are weaned, and inter alive the children

upon the plea that no other female can nurse them properly.

The mothers in California [2] are described as voluntarily destroying their offspring, the common cause of it being the scarcity of food. The practice was put a stop to by Father Salva Tierra, who ordered that a double allowance of food be given to the newly delivered.

In Labrador the Moravian missionaries, according to Ellis, found it a prevailing custom to put to death widows and orphans, not to gratify a ferocity of disposition, but mainly on account of a supposed inability to provide means of support for the helpless orphans and the desolate widow of another. According to the same missionaries, among the natives at Hudson Bay abortion was common by the use of a certain herb which grew there.

By conquest, spoliation, or any of the pretexts by which the strong exploit the weak, over a decade ago the American people came into possession of the Philippine Islands, and with them as motley a collection of uncivilized and savage mongrels as were ever gathered into a conqueror's drag-net. Since that time, with fort and fleet, their masters have been engaged in the task of imposing upon this horde of semi-savages a civilization as impossible to inculcate as to change the color of their skins. There is far less abortion on the shores of Manila Bay than on the banks of the Potomac, far less baby throttling among the Taglos and Mindos than among the Bostonese or Atlanta "crackers," yet so zealous are their new mas-

[2] Vevegas, *History of California*, 1759.

ters in enforcing the law among these demi-savages, that by court-martial or otherwise, during the period 1903-08, 276 of their females were convicted of the crime of abortion, a number probably in excess of the number convicted in the whole of the United States for that time.

There is no means of knowing the extent of infant destruction in the islands before American occupancy. Whether contact with the civilization of their masters has to any extent conserved the lives of these hybrid American broods can only be judged from the experience of medical men practicing in these possessions.

According to statistics submitted at the fourth annual meeting of the Philippine Island Medical Association,[3] 71 per cent. of the children whose births have been recorded at Manila during the past four years have died within that time, and it is believed that that rate holds good for the entire archipelago. Of 307 American children born in Manila during the same period, the infant mortality was but 5 per cent. Investigations were undertaken of the abnormally high native death rate, and in 75 per cent. of the cases the authors deem it attributable to dietetic errors. During the same period there were twenty-one convictions for infanticide, probably a less number than actually occurred in the capital city of the sovereign owners of the possessions.

[3] Musgrave and Richmond, *Phil. Jour. Sci.*, 1907.

CHAPTER IX

ANCIENT MEXICO—PERU—MODERN SOUTH AMERICA

At the time of the invasion of Peru and Mexico by the Spaniards the South American continent swarmed with human beings as an ant-hill with ants, yet abortion and non-religious infanticide were unknown. According to Montesquieu and Montaigne, when the New World was discovered the population was four hundred millions at the lowest, some sections possessing a civilization of a very high degree.

While there are reasons to believe that infant sacrifice by the ancient Peruvians was quite extensive before the advent of the Incas, afterward, except as a religious rite, it became quite rare. On the coronation of an Inca, his sickness, the birth of a royal heir, or the celebration of a great victory, hundreds of infants and young children were sacrificed. Also on occasions, particularly in seasons of drought, at the festival of the insatiable Thaloc, the god of rain, children, for the most part infants, were offered up.

In modern Peru, according to Geraldine Guinness, motherhood among the lower classes begins almost in childhood, as a rule, and children are spawned, not born. Here child abandonment and destruction in the cities are as shocking as in ancient Rome during the pagan empire.

In Mexico, at the time of the Conquest, according to Prescott, who quotes Torquemada, the annual number of infants sacrificed was nearly twenty thousand, the slaughter being greatest at the crowning of a king or the consecration of a temple; abortion, however, or ordinary infanticide, was rare, the Aztecs, as a whole, being a moral people.

For nearly four hundred years Latin America has been undergoing a process of hybridization. At present ethnologists group its peoples into seven races, Europeans and their descendants, Indians, negroes, and the mongrels resultant from the miscegenation of these races. To this grouping may be added the more recent strains such as Chinese, Japanese, Hindoos, and their hybrids. As mongrels are almost invariably the result of immorality, and particularly so among peoples where mere cohabitation takes the place of civil marriage, this mongrelization bids fair to create both a race and a moral problem such as the world has never seen before.

Writing of South Americans, Albert Hale says: "In the lower class conditions are different. Marriage is more often a form and a celebration; the percentage of illegitimacy is high and neither man nor woman discredited. It is analogous to what prevails in the Southern States or in many of the highly civilized and moral West Indies. Extra-matrimonial maternity is no crime, and man, not woman, is accountable for unsanctified indulgences."

Another writer, Neely, says: "Illegitimacy of birth, which is so common, further reveals the widespread immorality of South American countries. The per-

centage of illegitimate births is exceedingly high, sometimes thirty or fifty or even a greater per cent. In Venezuela more than one-half of the children are illegitimate."

The Rev. H. C. Tucker, a missionary of Rio de Janeiro, writing in 1900, says of Brazil: "The official statistics show that in the year 1899 there were living 2,603,489 persons, or more than one-sixth of the population of the country, who were born out of wedlock. Certain Catholic hospitals have an opening in the wall next the street with a wheel arrangement, where under the cover of night these illegitimate and abandoned babes may be deposited and thus be taken in and cared for. The census referred to shows that 12,265 then living had been deposited in these wheels and so brought up."

Thomas A. Turner gives the following statistics of infant mortality in Buenos Ayres, which may reasonably apply to all other South American countries. The tables for illegitimacy do not differ from those already given. "The population on the first day of January, 1891, for that city was 550,000; Argentines, 244,076; foreigners, 305,924. The total deaths among the Argentine community during 1890 were 10,074, of which 66.7 per cent. were children under five years. Among the foreigners the total number of deaths during the same period was 6475, of which only 606, or .094 per cent., were infants under five years.

Among the Argentines the number of deaths under one year was 4016; foreign, 116. Returns of births for 1890 show the number of illegitimate children born during that year to be equal to 130 per thou-

sand of the population. The city abounds in midwives' boarding houses, where embarrassed women are taken as boarders and their offspring either done to death or carried to the foundling hospital. The number of still-born children in Argentine is greater than in any other country, being twice as great as in Italy or Austria, which show the greatest number in Europe.

According to Percy F. Martin, in Talca and in some other Chilian cities infant mortality sometimes ranges as high as 73 per cent. of the annual deaths. In 1906 the mortality rate for Chili as a whole for children under one year was 328 per 1000 births, a rate only equaled by that of Russia, Hindostan, and China.

In extenuation of these conditions, it is said that Latin America is more Indian than Latin; but as promiscuity was not the custom among the aborigines at the time of the advent of the Latin, the Latin alone should be held responsible for existing conditions.

If we are to believe the statements of modern writers, with the exception of the pure Europeans and their descendants and some individuals of the other castes the great human mass inhabiting Latin America has degenerated into a condition of downright animalism, with a fecundity equaling that of the most favored negro races and surpassing the negroids.

To what extent responsibility for these conditions rests upon the dominant Church and its priests is a question aside from the purposes of this book. The quality of mortality preached from the pulpit is the same the world over; its quantity is largely a matter

of police courts and the grand jury. The sexual modesty and sensitiveness which pervades the country to the north of the Rio Grande does not always signify sexual restraint, and it is hardly fair to expect the vast human melange to the south to conform to Puritan ideals without its attendant pullings and police patrols. Even the Church cannot "make a silk purse out of a sow's ear."

CHAPTER X

ITALY AND SPAIN

If we except France and the upper classes of the Latins elsewhere, race suicide is not a very alarming problem among Romanic peoples. Abnormally fecund, yet scarcely as prolific as in the past, neither the abortive practice nor the more modern tactics of suppression have up to the present time seriously affected the prospective population of Latin Europe.

In Italy birth rate is still fairly high, although within the past fifty years its decline, with the exception of England and Wales, has been greater than in any other European country. This decline, as in the case of Ireland, may be in a measure owing to emigration of virile male population; but independent of this factor—for other countries have suffered similarly—the fall in birth rate is sufficiently pronounced to warrant the belief that in addition to the customary deletory practices the check artificial has made its incursion into the family life of the hitherto fruitful Latin.

Two recognized institutions of the Italian people, the private lying-in maternity and the foundling asylum, bear full testimony to the genetic vices of the land, the former in every country being an invariable indication of the abortive traffic and the latter evidence of gross and widespread illegitimacy.

The peasantry and lower classes of the cities, being largely under the influence of the Church, unlike the higher classes, still shun the abortive crime itself, but with the strange inconsistency of human nature remorselessly resort to abandonment, slow infanticide, or consign their redundant offspring to the certain doom of the foundling asylum.

The middle and higher classes, after the manner of the initiated the world over, are vehemently engaged in the task of suppression and resorting to the abortioner when occasion demands. In the larger cities the abortioner is a recognized institution, so much so that Rome and Naples are said to be the centers of an international traffic. So notorious have these pilgrimages become that a celebrated American author, living in one of these cities, observed that in more ways than one "All roads lead to Rome."

In the principal Italian cities the fall in birth rate for the seven-year period 1894-1901 was as great as in any of the other European cities, and in one instance, that of Florence, the decline was even greater than that of Paris.

The foundling asylums of Italy go back to the early Christian centuries. Many of the emperors, among them Justinian, not alone gave them the sanction of the state, but authorized special taxes for their support. A foundling asylum was established at Milan as early as 767. In 1198 Innocent III allotted part of the hospital of Spirito Santo at Rome for foundlings, in order to check the tide of prevailing infanticide.

If these ancient institutions, however, were no more

efficient in conserving the lives of the foundlings entrusted to their charge than the modern havens of the kind, little indeed did these waifs profit by the reprieve, for at best the modern foundling home is but a portal to the pit.

The appalling mortality of these public hospices may be realized from the testimony concerning one of them, a foundling home in the city of Naples. This testimony was given before the Royal Commission for New South Wales by Senior Inspector Eury, who said: "There is one institution I know of, a foundling home in Naples, where 900 children were admitted and 895 died in twelve months. I am not sure of the ages of the children. The officials shut the institution up, and when they gave the babies out to the peasant women, no matter how dirty the baby was, the baby lived."

Doubtless this is the history of the others. In late years there has been some amelioration in the mortality of foundling homes, but experience the world over has always been lamentable. In countries where immorality is racial these institutions, instead of conserving infant life, actually encourage social vice by substituting humane despatch for the individual practice of infanticide.

For some reason, whether the Italian dame has not mastered the art or that the high caste Latin babe occasionally eludes the craft of the fowler, induced abortion largely remains the favorite method of despatching prospective intruders. At this time there is more literature published on criminal abortion by Italian physicians than by those of any other country.

As elsewhere, these protests are wholly confined to the medical journals, where they have about as much effect in staying the crime as if they were published in the moon.

Of all races, the moral and social conditions of the Italian Latin concern the people of the American republic most. Within the past fifteen years there have come to the land over three millions of Italians, the vast majority, happily, moral and exemplary in their family life. With these, unfortunately, have also come hundreds of thousands imbued with their racial immoralities, which neither their civilization nor centuries of religious teaching has been able to eradicate.

Whatever may be the temperamental frailties of the old American stock, its moral life at least was founded upon the customs of their primitive and virtuous Anglo-Teuton ancestors, and in consequence wholly at variance with the inherent license of the Roman. Above all peoples who have ever lived, Americanism has stood for the good name and chastity of its women, and from the first day of its settlement illegitimacy has never found an abiding place in the land.

That this Mediterranean civilization, with its morals, will forego its own and in the near future adopt American ideals is an optimism that no experience has taught nor history confirmed. Staggering already under an unsupportable burden of alienism, every additional shipload of these people that comes to our shores is an assault upon its institutions and endangers the assimilation of those already with us.

The severe penalties imposed upon genetic crimes indicate that, notwithstanding the influence of the Church in Spain, the Spanish Latins have to contend with this omnipresent crime. As in most of the European states, the curse of Spain is its immorality and illegitimacy. Birth rates in Spain[1] declined but slightly during the period 1888-1900. Mortality rates are not procurable, but the excess of births over deaths appears to be sufficient to enable the country to spare some of its population and still retain a modcrate national growth.

The Spanish Latin has always been a prolific people. It must be remembered that the Spaniards peopled an entire continent, a goodly portion of another, besides planting colonies in many seas. Up to the Napoleonic period the penalties for genetic crimes were medieval, and consequently severe, mother and accomplices being punished alike. If the act were premeditated, both were punished with death. If the mother were not an active party to the crime she was banished to a penal colony for five years; if accessory, the husband incurred the same penalty. Abortion caused by maltreatment or cruelty on the part of the husband was likewise punished by deportation; by any other person the penalty was death.

The modern Spanish codes prescribe punishment according to grade or degree of guilt, the mother receiving the lighter or minimum punishment, while accessories, such as physicians, pharmacists, and midwives, receive the higher or major penalties. Extreme penalties were rarely if ever inflicted under the

[1] Bailey's *Social Conditions.*

medieval codes. The civil authorities had at all times to reckon with the clerical in the event of capital punishment, and the Church, while equally severe in pronouncing punishment for the abortive crime, rarely sanctioned execution of any born within its fold for the commission of the deed.

The large families of the higher classes which for nearly four centuries gave to the New World its hosts of warriors, hidalgos, and adventurers have passed, for the women of Spain—that is, those of the middle and upper tier—are French in every way save their mantillas. Years ago it was said that one had to go to Madrid to see bullfights and children; now no more babies see light on the Prado than in the Fauburg St. Germain in Paris.

CHAPTER XI

RUSSIA

INFORMATION either official or reliable has been difficult to obtain as to the full extent of the abortive crime among that large division of the Aryanic race, the Slav, particularly those inhabiting the Russian empire. If we are to believe travelers and such information as is occasionally permitted to filter through official barriers, the extent of the evil must be appalling. Up to the time of Peter the Great child-murder in all of its phases was common among the European Tartars from the Black Sea to the Baltic.

Eastern or Greek Christianity had been introduced into Russia by Vladimir about the close of the tenth century, but so hopelessly pagan was the country that Christianity was practically absorbed by the older creed. Not until the time of Ivan the Terrible, about six centuries later, was it made the actual religion of state and the people compelled to conform to its creed.

In the interval extending from the reign of Ivan to that of Peter crimes against offspring, although Ivan had enacted the severest penalties against their commission, were looked upon as wholly ecclesiastical, and punished as such. Ivan, like his predecessors, had accepted as orthodox and binding the decrees of

the first seven councils of the Church, and with them such ordinances and penalties as were directed against abortion and infanticide. These, however, in addition to the civil enactments to reenforce these statutes of the Church, did not check the evil among the Greek Christians any more than they had done in the Western Church.

Peter the Great became emperor about the close of the seventeenth century. In 1716 Peter totally severed the relations between the new national Church of the empire, which he had founded under the name of the Holy Orthodox Church, and the old Eastern or Orthodox Church. Among the first steps taken by Peter to control the open and universal practice of abortion in the empire was to revive the decree of the Imperial Council, held at Constantinople in 692, which enacted that the procuring of abortion at any time should be punished with death.

This decree, like all other ecclesiastical decrees of the kind enacted in the past by Constantinople or Rome, was inoperable on account of its severity, and had no more effect in stemming the evil than the fierce and barbaric laws enacted by Ivan over a hundred years before. Peter, seeing the futility of attempting to curb the crime by means of the Church, resorted to a civil code, with milder punishments. For abortion without the mother's consent the procurer was deprived of property rights and exiled to Siberia; if performed with the mother's consent, the penalty was imprisonment from four to six years at hard labor. In case of the death of the mother the penalty was imprisonment at hard labor from eight to ten years.

If the act were committed by a physician or professional abortionists penalties were more severe.

The new civil code was equally inoperative and practically never enforced. The main obstacle to the practical enforcement of any laws on the subject was the doctrine of the Church which permitted the destruction of fœtal monsters, merely prescribing for the deed penances, such as attending church regularly on Sundays and holidays, and observing the confessional. It therefore became the practice for both the mother and the procurer, in case of abortion, or even infanticide, to seek the confessional, perform the penance prescribed for the destruction of a monster, and obtain immunity from prosecution under the civil law.

This doctrine or ecclesiastical procedure holds to the present day, this dispatching of monsters, it is said, being a source of considerable revenue to the popes or inferior clergy. Of late years, however, the police have had to be reckoned with, these officials disputing with the popes the right to the toll, and in the majority of cases the customary rubles go to the first official scenting the crime.

According to Kovalevski, Russia has always been a licentious country. Even at the present time there are survivals of the old heathen corroborees, in which both sexes congregated along the banks of its rivers and indulged in riotous promiscuity. These are known in Greater Russia as Posidelski and in Little Russia as Vechernitzi.

With an animalism unparalleled by the races of India or by the Mongolian, the Slav fairly spawns his

offspring, with the result that in spite of the universal and appalling degree of abortion the country is actually overwhelmed by illegitimacy.

Michell,[1] in his contribution on the statistics of crime in Russia, says: "The practice of deserting illegitimate children is very general in Russia, particularly in the manufacturing districts, Tver, Jaroslav, and Nijni Novgorod; but the figures presented under this head are very far from giving a correct idea of the illegitimacy which prevails there, large institutions existing for the care of children brought to the doors by mothers unable or unwilling to support them."

Von der Bruggen, so late as 1904, described the country as promiscuous and full of illegitimacy, the newly born infant being treated as a burden; in consequence, infant mortality is so great that one-half die early, the usual means being for the mother to let the infant starve and die. In the official statistics the rate of illegitimacy is grossly misstated, the rates given being lower than in any country in Europe with the exception of Ireland, where the evil practically does not exist.

Ross,[2] treating of expeditious mortality in Russia, says: "Where, as in the teeming districts of Russia, the mother must go to work in the field, leaving the hungry nursling to suck poultices of chewed bread tied to its hands and feet, a barbarous birth rate of fifty-two per thousand is shadowed by the death within a year of a third of those born."

[1] *Journal of the R. Stat. Soc.*, 1864.

[2] *Western Civilization and the Birth Rate.*

Speaking of conditions in Moscow, he says: "A great city at best not benign to infancy, yet in 1902 the death rate in Moscow under one year was more than three times that of Rome, Paris, or Edinburgh."

In the orthodox provinces, especially those contiguous to Western civilization, official returns—which are, however, without value—state that neither illegitimacy nor infant destruction is as frequent as in the past. Russian medical men, expatriates who are no longer compelled to observe the obligation of secrecy as to conditions in the empire, assert that notwithstanding these official declarations to the contrary illegitimacy is increasing year by year and outgrows the accommodations of the foundling hospitals. These "baby trollies," as they are significantly called by the profession, are always crowded to overflowing, with a mortality said to be practically total. Abortion, which has kept pace with mature infant destruction, is now unofficially recognized in view of the excessive birth rate as a public necessity, so much so that in 1903, at the time of the adoption of the new imperial criminal code, solely in deference to public opinion the penalty of the crime was fixed at imprisonment in the penitentiary for a term not exceeding three years, instead of being left at the discretion of the magistrate.

Both abortion and illegitimacy, according to these sources, are increasing in the Roman Catholic and Jewish districts of the empire, where it is said that the law is enforced with greater vigor, and that the prosecutions and convictions are as often political as criminal.

In addition to these expeditious processes, infant destruction is accelerated by the enormous mortality among children under one year of age. In 1905 the deaths of children under one year of age in European Russia, excluding Finland and the Caucausus, were 256 per 1000 births—exactly twice as great as the mortality rate for the same class in England and Wales for that year.

Within the past few years there have come to the American republic, in addition to the tide of eastern and central European Slavs and Slavo-Czechs, several hundred thousand Balkan Slavs. Of the fifteen or twenty strains which make up this semi-Oriental medley, and which are destined to be fused into the national melting pot, no statistics are procurable. Springing from the same Tartar source as their brethren of the Russian empire, their manners, customs, creeds, and morals are closely assimilated and, so far as it has been possible to ascertain, the social and ethical conditions which prevail in the one obtains in the others. There may be some credal differences between those dependencies contiguous to the Austro-Hungarian empire and those nearer the great Slavic monarchy, but all of them have practically the same ideals and civilizations.

Among the Balkan Slavs, as among the Muscovites, birth rates are misstated and vital statistics distorted to conceal the universal illegitimacy. In these states promiscuity is as great as it is in the Russias; consequently, birth rates are high and infant mortality excessive. The unreliability of any statistics emanating from these countries is shown in the tables given in

the Registrar General's return for England and Wales for the year 1908. In this report the mortality rate for infants under one year in Bulgaria (1905) was 159 per thousand; in Roumania 198 (1899), as against 196 for the German empire (1905), a statement so grossly absurd as to be wholly incredible.

Whether by the presence or continued influx of these elements the American republic will not create for itself an Eastern question as grave as the political question of that name is a matter which cannot be lightly dismissed. Immorality or promiscuity in the individual may be readily controlled, but when whole communities, or even states, may be so constituted by its population as to ignore or tolerate the practice, the time for the American people to anticipate this danger has arrived. The wide and variant moral ideals that exist between the Saxon American and these Slavic peoples whom we are welcoming to our shores for the purpose of national assimilation is shown in the rates of illegitimacy prevailing in their respective lands.

In the United States, in the States of Massachusetts, Rhode Island, and Connecticut, the illegitimate births per thousand total births averaged for the past fifty years from 11.6 to 13; in the Slavic countries, according to statements of medical men and travelers, it reaches the enormous rate of 300 and frequently exceeds this number.

CHAPTER XII

FRANCE

PREVIOUS to the campaigns of Caesar very little was known of the country known as Gallia and inhabited by a people whom historians called Gauls. It is known, however, that they originally migrated from the east and were of the same stock as the Visigoths who peopled the peninsula to the west; later they were overrun by one of the northern branches of the family who called themselves Franks, and from whom the country has taken its name of France.

The early Gauls and Allemands [1] punished abortion by fine. The Visigoths imposed a fine of 250 soldii when the fœtus was fully formed, but only 100 soldii when the act was committed in the early stages. The same law prevailed among their neighbors, the Visigoths of Spain. In later periods, during feudal times, anyone causing abortion by maltreatment of a pregnant woman was punished by losing the right to acquire land.

In France, up to the edict promulgated by Henry II, in 1556, conflicting statutes existed regarding the punishment of abortion and infanticide. At times punishment was inflicted according to ecclesiastical law, at others according to the laws of the state; in this edict no distinction was made between the crimes,

[1] C. Hoberland.

the penalty for both being death. The law, however, was not generally enforced, in 1576 a girl convicted of exposing her infant being only whipped and marked. The statute made no distinction as to the perpetrators, the mother suffering the same penalty as her accomplices. The law was successively reenacted during the sixteenth, seventeenth, and eighteenth centuries, by ordinances of Henry III in 1586, of Louis XIV in 1707, and of Louis XV in 1731-35.

Toward the close of the eighteenth century, through the efforts of philosophers and humanitarians, who contended that the punishment was too severe for the crime, the extreme penalty of the law was seldom inflicted, milder punishment being substituted as a rule. At the time of the Revolution punishment alternated between moderate penalties and full visitation of the law. Under the penal code of 1791 accomplices were punished by twenty years of imprisonment, the mother escaping punishment entirely.

Under Napoleon, previous to the empire, parties found guility of procuring abortion, such as physicians, pharmacists, and professional abortionists, were hanged. By the Napoleonic code of 1810 all penalties were lessened, mothers and abettors being punished alike by imprisonment only.

In the Duchy of Lorraine until the early part of the eighteenth century there existed no laws dealing with the crime. Owing, however, to the steady increase of the practice, Leopold, the reigning duke, decreed a very drastic and at the same time a very peculiar law. This law decreed that "if any unmarried woman or widow became pregnant she was obliged

to appear before a judge or magistrate and declare the fact. At the time of delivery this official had to be summoned and, with the midwife and others present, sign a document attesting the birth of the child. On the other hand, if an unmarried woman or widow had failed to declare her pregnancy and was secretly delivered of a dead child, or death had occurred shortly after delivery, no testimony going to show the truth of this fact would be allowed, and the judge or magistrate was compelled to presume that the mother had destroyed her child and accordingly sentence her to death."

Under existing laws[2] any person who procures the abortion of a pregnant woman by means of drugs, drinks, violence, or any other means, whether with or without consent of the woman, shall be punished by imprisonment. The same penalty is attached to the mother. Physicians, health officers, and pharmacists who advertise the means of procuring abortion, or the practice thereof, in case of expulsion of the fœtus, on conviction, will be sent to the penitentiary.

Abortion in France is practiced generally, the average annual number of convictions being about thirty,—a large number, considering that as in other countries not one case of criminal abortion in a thousand is tried in a court of justice.

Tardieu, writing in 1856, said: "In Paris the crime of abortion is an open trade. It is a well-known fact that houses are openly pointed out where women are certain to find the nefarious services they demand, and which are notoriously known even to strangers."

[2] Article 317 of the present French penal code.

Dr. Frederick Griffith of New York City writes that he has seen instruments for the purpose of performing abortion openly sold in one of the transient street markets of Paris.

In a paper read before the Société d'Obsterique, etc., Paris, February 13, 1905, Dr. J. M. Doleris said: "I can most positively assert that more than fifty per cent. of the abortions which we have had to treat at Bouciaut (*maternite*) in 1894 were induced abortions. With a little insistence it is quite easy to obtain a confession giving the circumstances, and very often the name and address of the persons who make criminal abortion a profession. In addition to these operators are the botanical shops which sell instruments and canulas of a certain kind."

The statistics of Dr. Doleris are taken from the entries of eleven maternities, extending from 1898 to 1904 inclusive, with omissions from the returns of two maternities covering a period of three years, and comprise a total of 103,310 women. For the purpose of showing the increase of the criminal variety of abortion, he compares the entries in the registers of the five principal maternities of Paris.

Dr. Doleris stated that the results obtained in these comparative statistics are far below the real figures, owing to the omissions mentioned; that the large percentage of 17.5 in 1904 may without exaggeration be raised to 18 per cent., and that ratio is too low if it is desired to establish a ratio for the whole of Paris.

The doctor says further that the proportion of induced abortions as compared with spontaneous mis-

carriages (50 per cent.) would doubtless be found greater than that which his own personal investigation had established.

"Not less rapid has been the increase in my service of the number of cases of premature labor, which has risen from 45 cases in 1898 to 102 in 1904. The total for the seven years is 632. During this period there were 3020 labors at term and 501 abortions; if to the latter is added the 632 cases of premature labor, it will be seen that there were 1132 interruptions to labor to 3020 births at term. If we consider the immediate mortality due to the causes which induced premature labor, the large number of infants born dead and the precarious tenure of those born at seven to seven and a half months, it will be seen that the number of abortions added to the premature deliveries represents a loss of one-fourth of all the pregnancies observed."

The speaker in his opinion gave the following causes of this increase: the privations of the lower classes and the cupidity of the middle classes, which impel them to limit the number of children. He does not attach much importance to the moral tone of the working population, nor to the facile promiscuity of great cities; free love has always contributed its proportion of pregnancies, besides, none of these conditions happen to be new.

Divorce may have some influence. The speaker seemed to think, however, that the practice is increased by the spread of anticonception literature, books, pamphlets, and advertisements, all of which in a way teach the female how to procure the deed.

C. Rimette, in his statistics of the *Maternite Paris*, from 1897 to 1905, shows 2865 abortions to 9875 pregnancies.

In the city of Toulon, as in Paris,[3] infant mortality is greater among illegitimates than in legitimates, greater in the children of workingmen than those of the leisure classes, the principal causes being lack of attention, poverty, and ignorance. The main essential to prevention is assistance to the unfortunate and poverty-stricken female and aid to poor females at their homes. Hospitals cannot do this.

In Villers-le-Duc, in ten years, out of fifty-four births there was not a single death. The result is obtained in the following manner: the needy pregnant are assisted by the community, provided they declare pregnancy at the seventh month. They are given a franc a day for ten days while in bed.

In 1801 a census was made by the direction of Napoleon, and the number of inhabitants in France, including Alsace and Lorraine, was 27,349,003. France, with the exception of Russia, was in number of population the leading nation of Europe. In the hundred years or more which have elapsed since that time the nations of Europe have about doubled, Germany has tripled, while the French have increased their population by less than one-half.

Statistics recently collected by Jacques Bertillon show strikingly the decrease[4] in the birth rate in France: "Whereas before the Franco-Prussian War the birth rate was in the neighborhood of 1,000,000,

[3] Henry Caseneuve, 1904.
[4] *Med. Rec.* July 2, 1910.

during the last three years it has been below 800,000. The excess of births over deaths in France last year was 13,500; in Germany, 880,000; in Austria, 553,-000; in Great Britain and Italy it was about the same as in Austria, and in Holland the excess was 83,000.

"In the ten years, 1881-1890, the annual marriage rate in France was 7.4 per 1000 inhabitants, the same rate as in Western Europe as a whole, and the age of the brides was lower in France than in western Europe; at the same time the number of living births per thousand was 23.9 in France against 32.9 in western Europe as a whole. With the same intensity of nuptiality a dierence of nearly one per cent. is found. Roundly, we may say that for each one thousand married women between fifteen and forty-five years of age in France two hundred legitimate births occur annually; in the whole of western Europe three hundred. The cause of the low fertility of marriage in France is found in the socio-economic position of one's self and of one's children."

The Minister of Public Works in France has recently published the following statistics concerning the population of that country.

The number of families with or without children is 11,315,000; of these are:

1,804,710 families that have no child.
2,966,171 families that have 1 child.
2,661,978 families that have 2 children.

In round numbers, 6,433,000 families, or 57 per cent. of the whole, have on an average 1.27 children to a family.

This lamentable restriction is said to prevail to an equal degree among the agricultural classes, and is largely caused by the practice of unigeniture, or limitation of births to a single heir, if a son, or at most to two or three children should the first two births be females, in order that the family estate should descend, if possible, to a single heir, and preferentially to a male.

According to an official bulletin, holdings in France in 1881 were as follows:

Very small—not exceeding 2½ acres..	2,167,667
Small—from 2½ to 25 acres.....	2,635,030
Medium and large—25 acres and over.....	869,310

A noted American physician, commenting on French decadence, says: "Only as many are born as die. And though physical passion is unrestrained in France, its legitimate physiological result is escaped through the ingenuity of that people in avoiding conception and aborting it after its occurrence. As a result, a nation whose language has no word for home is most destitute of homes. The powers of state strive to promote marriage and offer rewards for large families in vain; taxation of bachelors is equally fruitless."

Another writer, more optimistic, says: "It is a well-known fact that in France the number of children is limited. French morality, taking its principles as it does from the conclusion of the understanding, not from the impulses of the heart, forbids more children to be brought into the world than can be conveniently provided for and educated. The

children—generally two or three in number—become the sole care and the sole interests of their parents, whose tenderness goes far beyond the limits of prudent affection."

Ross[5] says: "Striking indeed is the contrast in condition between the prudent French peasantry and the reckless mining or factory towns of central Europe, or the spawning rural communities in Russia and Roumania."

What this writer further observes is as applicable to France as any other Western country: "Some lay the phenomenon to the industrial emancipation of women and the comfortable celibacy of the cities, neglecting the statistics which show there is no marked weakening of the inclination to marry. Some attribute it to physiological sterility induced by alcoholism, city life, and high pressure, forgetting that the child crop of sober rural communities is often scantier than that of the intemperate mining and industrial towns, and that the falling birth rate seems to be due to smaller size of family than the greater frequency of childless couples."

Whatever may be the culpable practices of the French as individuals, it cannot be said that as a nation they have been lacking in care or humanity to offspring, either dependent or illegitimate. France was among the earliest of the Western countries to institute the foundling asylum, an institution of this character being founded as early as 1204 by Guy of Montpelier. At one time these asylums were suppressed in consequence of abuses, but the increased

[5] *Western Civilization and Birth Rate.*

prevalence of infanticide following this suppression induced their rehabilitation by Louis XIII.

From that time they multiplied so steadily that Napoleon looked to them as training grounds to replenish his army, and in 1789 placed them wholly under the protection and supervision of the state.

In France, where the inquiry into paternity is forbidden, a controversy still goes on as to the influence of hospitals for "assisted children," which are said to save life at the expense of morality. According to many observers infanticide does not seem to be perceptibly affected either by the presence or absence of these institutions, the crime being as closely connected with illegitimacy in farm and domestic servants, who for some reasons prefer to dispatch the intruders rather than to confide them to the care of the hospitals.

This pathetic decline of birth rate among the French, foreshadowing the passing of a great people, is unquestionably owing to a lowering of national virility, an infecundity which, like the sterility that has taken the native American of the third and fourth generation, has invalidated the male as well as the female.

Accelerating this great human ebb are contributing factors which, if desisted from, might defer indefinitely the apparent destiny of the modern Gaul. Chief among these is the evil of unigeniture previously mentioned. This custom is due to the desire of the tradesman of moderate means and the small landed proprietor to preserve property coherence. In the effort to keep his estate intact the proprietor will limit

his offspring, if possible, to a single heir, if a son; if of opposite sex to two, and rarely will he permit his heirs to exceed that number if it can be averted.

That the French are an immoral people is not true, or that this decline of birth rate is wholly a matter of immorality is also not true. If there are more illegitimates in France than in England, it is because the frail Frenchwoman prefers the *maternite* to the coroner; if there is more abortion in France than in England, it is because the Puritan takes more delight in expediting the baby after it is born. The difference between the immoralities of the Briton and the Gaul are wholly temperamental, that of the Gaul being eruptive and venting its erotocism through the novel and the stage, while that of the Briton is more astigmatic and can see no further than the gin-mill and the docks.

The regression of France began with the advent of Napoleon, and the empty cradles of to-day are but the silent roll-calls of the legions that fell at Austerlitz and Waterloo. Like all nations of the past who carried the spear and trod to the drum-beat, France paid the price of her glory with the flower of her youth and the prime of her manhood.

If it be true that there has been no deterioration of virility, but that the causes of the decreased birth rate are wholly voluntary and selfish, then regeneration would be purely a matter of patriotism and such supplementals as would enable the present and future generations to propagate sufficient Frenchmen to perpetuate their country. On the other hand, if it be also true that by long and intentive processes of

physical limitations nations as well as individuals acquire actual evolutionary limitations, it is difficult to see how the French are to escape the fate of the peoples who in the past sacrificed national existence to individual selfishness.

Unlike his barbarian ancestors, the modern Gaul cannot renew the fertility of his race by incursions beyond his borders and capturing the more prolific women of his neighbors, these nations, by the ominous fall of their birth rate, being destined sooner or later to encounter the same problem. The only apparent solution is for the Frenchman to recruit his mothers from the daughters of the Eastern Goths and their Tartar cousins of the Volga, the only women in Europe who are destined for some time to come to preserve their fertility. Even this solution would depend upon the presumption that the male still retains a portion of the virility of his Gallic progenitors. If this be true, then by recruiting his mothers from the more vigorous stocks of eastern Europe the effete Gaul may for a season postpone the waning destiny of his race.

CHAPTER XIII

GERMANY

MODERN civilization is that of the Teuton built upon the remains of the old Græco-Roman, which toppled with the fall of the Roman empire at the close of the fifth century.

The ancient German or Teuton came into historic notice about 115 B. C., at the time of his first descent into Italy, and from that time for several centuries he continued to swarm to the south until he finally conquered and occupied the whole of southern Europe.

The ancient Germans, according to Tacitus, were a virtuous and domestic people; they had a high regard for the sanctity of the home. Their women were loyal and chaste and the wantonness practiced by the Latin and Turanian peoples to the south and east were unknown to them.

"To limit the increase of children or put to death any of the later progeny was accounted infamous. Both of these crimes were severely punished by their laws. Every mother suckled her own children and did not deliver them into the hands of servants or nurses.

"Up to the eighth century there were no large

towns nor settlements in Germany, but with the foundation of these, and the influx of their licentious neighbors around them, many of their women began to follow the practices of their frailer sisters beyond the Alps."

Unfortunately, as a whole, the modern daughters of the old Teuton have not kept unsullied the priceless legacy of the times when their ancestresses, who after the victory of Marius, rather than yield to their Roman conquerors, strangled themselves.

Caesar, in his Commentaries, tells us that wine was forbidden to the German women because it was supposed to obstruct their fecundity.

By the Lex Carolina issued by Charles V anyone who effected the destruction of a living fœtus was sentenced to death by decapitation, and the woman consenting to the act was condemned to be drowned.

Notwithstanding the laws of the German empire are very severe, statistics show a decided increase of the crime of infanticide. Prosecutions, owing to the peculiar instructions of the law, are not generally instituted. The law reads, "That expulsion of the product of conception must have taken place and the *corpus delicte* produced in order to permit a medico-legal examination for the purpose of ascertaining whether the life of the fœtus was lost as a result of the alleged abortion." As the fœtus is seldom if ever preserved, and legal procedures necessarily take place some time after the commission of the offense, it is difficult to establish the crime, and in consequence prosecution is rarely undertaken. The German penal code considers abortion and exposure of a child as

crimes against life, and places them in the same category as murder and manslaughter.

In Imperial Germany, according to the official statistics of crime in 1907, there were 161 indictments for the crime of infanticide, with 131 convictions and 30 discharges. For the same year, the statistics for abortion were as follows:

> Killing of the fœtus by the mother, or by another person with the consent of the mother: Total, 553. Convictions, 464. Acquitted, 89.
>
> Assisting in killing the fœtus for reward or pay: Total, 28. Convictions, 21. Acquitted, 7.
>
> Killing the fœtus without knowledge or consent of the mother: Total, 4. Convictions, 3. Acquitted, 1.

Although Germany has about the third highest birth rate in Europe, excluding Russia, her death rate for the decade 1890-99 stands about fourth, and her excess of births over deaths 13.7 per thousand as against 14.7 for Prussia, 14.0 for the Netherlands, and 13.9 for Norway.

Deaths of infants under one year to 1000 births for the year 1905 [1] in the German empire numbered 196, being exceeded by European Russia, with a rate of 256, Austria 216, Hungary 230, and Roumania with 198 per 1000 births.

Illegitimacy in the twenty-year period 1881-1900 remained stationary; the illegitimate births per 1000 total births averaged 93, the third highest of the principal nations of Europe, excluding Russia, and almost twice as great as that of Great Britain.

[1] *Registrar General's Report for England and Wales,* 1908.

The high rate of illegitimacy may be measured by comparison with that of Massachusetts from 1856 to 1891, and that of Connecticut for the year 1901, the average rate of illegitimacy in the former State being 13 and in the latter 11.6 per 1000 total births.

No statistics for entire Germany are given.[2] The average annual deaths of illegitimate infants under one year for Prussia for the decade 1883-1893 is given at 357 per 1000 illegitimate births, the highest in all Europe, excluding Russia.

In no city of its size has the decline in birth rate been more striking than in Berlin, where, according to Rubin, the number of legitimate births per 1000 married women for the year 1876 was 240, and for the triennium 1895-97 an average of 138, a fall of almost one-half.

The growing evil of voluntary restriction in Germany is pointedly described by John Burton:[3] "This is especially noticeable in Germany, a nation with a highly developed industrial civilization and at the same time with the highest birth rate of any modern industrial state. It appears that in that country considerable attention is being devoted to the problem of the higher birth rate. There is certainly developing there the desire to reduce the size of the family. The large number of pamphlets treating of methods of preventing conception which have recently appeared, and are offered for sale at the book stores, is an indication of the desire for smaller fam-

[2] Bailey's *Social Conditions.*

[3] *The University of Colorado Studies,* vol. vii. No. 3.

ilies. There is no law against the public sale of such literature in Germany. In the window of one of the large book stores I counted five such pamphlets conspicuously displayed. The price of most of them was below fifty cents."

An English medical journal, describing conditions in Berlin, says the newspapers are full of advertisements of abortionists, and in spite of the police the hideous business goes on without any apparent hindrance.

CHAPTER XIV

AUSTRO-HUNGARY AND BAVARIA

AUSTRIA, as the name implies, was the eastern kingdom of the empire welded by Charlemagne. As at present constituted, the dual monarchy is best defined in the language of the Russian statesman who said that Austro-Hungary was not a state but a government.

'Tis said "the past weighs heavily upon most countries," and the burden of Austria most certainly lies in her past. After centuries, her efforts to weld a nation out of the racial segments within her borders seem to be as fruitless as when the task was first begun.

From early history the mountainous plateau of south central Europe has been the battle-ground of the Northern and Eastern barbarian. During the fifth and sixth centuries the country was successively occupied by eight different tribes of barbarian conquerors, and with the exception of the Teuton the present commixture comprising the Austro-Hungarian empire is the legacy of these hordes.

With these racial cleavages, that of religion is also sharply drawn, and but for a certain degree of enforced tolerance religious hatreds between the Slav and Teuton are just as deep as they were after the

Thirty Years' War. In that war Catholicism having been successful, it became alike the state religion and the dominant religion of the empire.

Antipathies are as intensely racial as they are religious, and the Church seems to be powerless to bridge over or modify the jealousies and hatreds between neighbors who, although of different nationality, profess allegiance to the same creed.

Whether Catholic, Protestant, or Greek, none of the nationalities is morally superior to the other. Sexual immorality seems to be equally prevalent among all, and from time immemorial promiscuousness and illegitimacy have been the practice as well as the curse of the country. Much of this immorality and consequent illegitimacy is held to be in consequence of difficulties placed in the way of marriage by the Church, and in a measure to state laws regulating marriage. While many of these obstacles, particularly those that were religious, did not apply to the Greek nor to the Protestant, the civil restrictions seem to have operated just as unfortunately among these denominations.

Many of these restrictions have been removed within recent years, but promiscuousness seems to have been so thoroughly ingrained among the peoples of the empire that illegitimacy appears to be as common as it was in the past.

The marriage law in Austria [1] is regulated in accordance to the creed to which the candidates for marriage profess themselves.

[1] *Report of Royal Commission on Marriage and Divorce Laws of Great Britain and Foreign Countries*, 1894.

Marriage laws governing Catholics are according to the Imperial Patents of 1856. The only civil marriage is a so-called shift civil marriage, and takes place if a priest or minister refuses to solemnize a marriage for any reason not acknowledged by the fundamental state laws.

A decree dated the 9th day of October, 1870, regulates marriage between parties who do not profess themselves of any creed; the marriage then takes place before the municipal authorities. The right to contract a marriage commences with the fourteenth year and extends to the twenty-fourth year, necessary consent, however, being obtained. Illegitimate children require the consent of the state, while marriage of parties guilty of immoral cohabitation is unlawful.

In Hungary, civil marriages not having been introduced, parties wishing to marry must conform to the laws and regulation of the Church or confession to which they belong.

With the exception of Russia, Austro-Hungary has the highest death rate of children under one year of age in Europe, being nearly twice as great as that of the United Kingdom,[2] averaging 223 per 1000 births to 121 for that of the United Kingdom. The effect of illegitimacy on this high mortality is shown by the comparative death rate of the two nationalities.[3] In Austria, for the period 1883-93, the annual death rate of legitimate infants under one year per 1000 births was 218, as against 302 of the illegitimates, a propor-

[2] *Registrar General's Report for England and Wales for* 1908.

[3] Bailey, *Social Conditions.*

tion, however, exceeded by their neighbors in the Kingdom of Prussia, where the ratio for the same period stood 208 to 357, or a mortality of 65 per 1000 greater.

The illegitimate birth rate of Austria per 1000 total births for the five-year period 1886-90 was 149, as against 85 for France, 48 for Great Britain,[4] and 13 for Massachusetts (1856 to 1901).

On the other hand, Austro-Hungary, with the exception of Russia, in 1900 had the highest birth rate in Europe, birth rate per thousand population being 39.3, as against 28.2 in Great Britain, and 21.4 in France. This tolerance, if not open sanction, of illegitimacy has to a large degree operated to lessen crimes against antenatal life.

The fearful immorality of the country is shown in the following proportion of illegitimate to legitimate births for the years 1828-29:

In Upper Austria	1 to 6
In Lower Austria	1 to 7.8
In Bohemia	1 to 7.3
In city of Vienna	1 to 2.24

In Vienna in 1834 there were 10 illegitimate births to 12 legitimate, but they were largely owing to the difficulty of having a religious marriage celebrated.

This latter was only surpassed by one city in Europe, Munich, where it is recorded in 1839 the number of illegitimate exceeded the legitimate births by 270.

As would naturally follow, infanticide was a com-

[4] Matlekovitz, A. von.

mon practice and prevailed to such an extent that maternities and foundling homes became a necessity in all of the large cities and provinces of the empire. Among the first of these was one for unmarried pregnant women, erected in Vienna by the Empress Eleanor, wife of Leopold I, who reigned from 1657 to 1705. Under the Emperor Joseph II, during the closing years of the eighteenth century, numbers of the homes were erected over all the empire, that of Vienna being built in 1784. These asylums, while they prevented a great deal of infanticide, in the end contributed but little toward the salvage of the unfortunates who were born or deposited within them, the mortality of the Vienna foundling asylum from 1784 to 1838 reaching 79.86 per cent.

So late as 1843[5] a traveler writing on the Vienna Foundling Asylum, said: "If on the one hand infanticide, the prevention of which was the chief aim of the noble founder, be a crime less known in Vienna than in other cities, the remedy administered has undoubtedly proved a source of natural moral degradation, for, startling as it sounds, it has offered a premium for illegitimacy. First. Let us see how this is brought about. The laws, both civil and ecclesiastical, relating to marriage in Austria are so strict that few of the lower orders are able to avail themselves of that rite. Second. A female, even of the better class, does not (at least to the same extent as in other countries) lose caste in becoming illegitimately with child."

These institutions are open day and night to inno-

[5] W. *B.* Wilde, Dublin, 1843.

cent and guilty alike. By direction of the imperial edict regulating these institutions, the mother may arrive, remain, and depart with her countenance masked and subjected to no inquiry as to history of self and the parentage of her child. To every house of maternity is attached an orphan and foundling asylum.[6]

An illegitimate child must be supported by its father till the age of twenty-four, but it has no right of inheritance to its father's estate, although it has to its mother's. Illegitimate children cannot be adopted by either parent. Concealment of illegitimate births is punished by three months' imprisonment at hard labor; careless exposure of the child by its parents is punished by imprisonment with or without irons.[7]

In Austria the penalty for a mother who kills her child at birth or allows it to die by intentional neglect of the assistance necessary at birth is, if the child be born in lawful wedlock, twenty years' hard labor. If the child be illegitimate the penalty of murder is ten to twenty years, but in case of death from neglect of necessary assistance from five to ten years.

"In Hungary a mother who, during or immediately after birth, wilfully kills her child born out of wedlock shall be punishable with a maximum term of five years' imprisonment. If the crime be committed on a child of natural issue, legally acknowledged or declared for life, but not yet inscribed in the civil registers within five days immediately following its birth, in order to safeguard the personal honor or the

[6] *Austria,* Peter Turnbull, vol. ii.

[7] Coldstream, J. P., *Institutions of Austria.*

honor of wife, mother, descendant, adopted daughter, or sister, imprisonment three to five years."

With illegitimacy one of the established institutions of the country, and as a rule entailing no loss of caste, it would naturally follow that the abortive practice would not reach the proportion attained in communities where the moral standards are pitched on a higher plane. The abortive crime, particularly in Vienna and in the larger cities of the empire, is almost wholly a practice of the better classes. As elsewhere, these classes can command the necessary skill for successful interference, and concealment is so ready at command that the perpetrators never come under the notice of the authorities.

Voluntary avoidance is becoming common among the upper classes, the decrease in the numbers of the family, with the exception of France, the United States, and some of the British colonies, being as marked within the past ten years as among those of the same social grade elsewhere.

In the decade 1891-1900 [8] the birth rate in Hungary fell 7.0 per 1000 births, as against 11.3 for Italy and 8.6 for England for the same period. During the same decade the birth rate of Austria fell only 1.8, evidently an error, for accoording to Bailey [9] the excess of births over deaths for the ten-year period 1890-99 in both kingdoms was the same.

That birth rate is actually falling in Austria is evident from the tables of the same author showing the birth rate per 1000 population of European countries

[8] Royal Commission on the decline of birth rate.
[9] Bailey's *Social Conditions*.

for the period 1857-1899; here birth rates for Prussia and Austria are practically the same, and it is known that the birth rate has been gradually falling in the former kingdom since the beginning of the last century.

Bavaria is racially Teutonic and by origin, custom, and religion more closely related to the eastern or Austrian Teuton than to the northern branch of the race to whom she is politically and economically allied. As might be predicated from this kinship and religious tie, social life and conditions are practically the same in both countries. Some of this semblance has been greatly modified in recent years under the operation of the progressive laws of the enlightened and Protestant German empire, but the country is still laboring under the consequences wrought by centuries of medieval and ecclesiastical subjection.

As in Austria and Hungary immorality and licentiousness were directly fostered by the illiberal laws regulating marriage. Up to recent years, or late in the past century, marriage was an ecclesiastical rite, and as such enforced by the civil authorities, and the qualifications imposed by the Church were not only burdensome but to a large number of the community practically prohibitive.

Under these proscriptive conditions it is not to be wondered at that Bavaria degenerated into one of the most immoral countries in Europe, and notwithstanding the enactment of liberal marriage laws promiscuity and illegitimacy still linger as a legacy of the past.

The conditions obtaining in the kingdom under its medieval marriage laws are portrayed in the following

words by a noted writer on economics:[10] "In Bavaria the regulations of the government and the police ordinances of 1616 forbade the marriage of servants, day laborers, and others without property, and the punishment with which those were threatened by the legislation of 1751 who, without the permission of the superior authorities, entered into wedlock and were afterwards unable to support themselves without begging or the like, extended to corporal punishment and imprisonment."

The effect of the modification of these laws against marriage (April 16, 1868) is shown in the following statistics:

In each 10,000 births there were of illegitimate, from 1826-1866, an annual average of 2170.

With the years of new legislation beginning with 1868, and showing the influences of the change, in 1868-98 the annual average approximated 1514.

This is a decline from 1997 in 1868 to 1361 in 1898, or over six hundred in thirty years. The change in the law has thus resulted in a reduction from 23 or 24 per cent. to 13 to 14 per cent. of illegitimate births. Even this is a high figure, and shows to-day the effect of still existing conditions to marriage.

The marriage laws[11] of the kingdom of Bavaria and Wurtemberg at the present day are based on the German imperial law of the 6th day of February, 1875. Since the incorporation of Bavaria into the

[10] Marcus Rubin, *Economic Science and Statistics*, September, 1900.

[11] *Marriage and Divorce Laws of Great Britain and Foreign Countries*, 1894.

German empire its vital statistics are usually included in that of the latter.

The annual birth rate of Bavaria must be abnormally excessive to offset the barbaric, it not criminal, mortality of infants under one year of age in that kingdom. In the ten year period 1883-1893,[12] the average annual deaths per 1000 births were: legitimate, 280; illegitimate, 355; the ratio of the latter being only two less per thousand than their humane neighbors, the kindly Prussians.

This mortality, while shocking and more in keeping with the South Sea islander than the inhabitants of a deeply religious and civilized state, does not give the Bavarians the palm for baby throttling. There are others, notably that highly civilized and American city, Detroit, Mich., where the death rate for children under one year of age for the year 1909 reached the atrocious number of 290 per 1000.

[12] Bailey, *Social Conditions.*

CHAPTER XV

ENGLAND

UNTIL that eventful day in the year 55 B. C. when Julius Caesar directed the prows of his fleet toward the shores of ancient Britain that isand was shrouded in the deepest mystery. Its stormy, inhospitable, and heavily wooded shores were inhabited by a people supposed to be of old Ivernian origin, and in no wise related to the Aryanic hordes who roamed over central and northern Europe from the Urals to the Western Ocean. They were fierce and warlike, and had none of the customs, traditions, religion, or laws of the people who inhabited the mainland, and for centuries were engaged in continual warfare to preserve their shores from the incursions of their predatory neighbors just across the sea. Their religion, so far as we know, was druidical and its rites mainly periodic orgies in which human sacrifices played no unimportant part.

For nearly four hundred years after the landing of Caesar Britain remained a province of the Roman empire, that is, within the limits occupied by her legions. During that time the laws and customs of the country were those of her masters, and to that extent an improvement over the savagery of the past.

When the recall of the Roman legions became neces-

sary to protect Rome herself from the inroads of the barbarians, the island again lapsed to the possession of the unsubdued tribes which had successfully resisted the arms of the invader.

The Angle, the Jute, and the Saxon, the ancestors of the present Briton or Englishman, descended upon the island in A. D., 449 and remained masters of the country, except for a brief interval of Danish subjection, until the Norman invasion six hundred years later.

Unlike other countries subject to Roman influence, Roman law never took root in Britain. Christianity was introduced into the island some time during the second century, very probably from Gaul, where it had been introduced somewhat earlier. Tertullian mentions the fact, speaking of "the haunts of the Briton inaccessible to the Romans, yet subject to Christ."

After the withdrawal of the Romans Christianity totally disappeared from the island and the country remained pagan until Christianity was introduced anew about the beginning of the sixth century, when again the Roman tongue became one of the tongues of Britain, the language of its worship and its literature.

Under the old Saxon kings the laws were mainly the outgrowth of ecclesiastical influence and authority, for the churchmen in a way enacted the laws and formulated codes of penances or punishments for their violation. These codes, promulgated during the latter part of the seventh century, were known as the penitentials of Theodore, Archbishop of Canterbury, and were directed against offenses and crimes against public and private morals. One of these relating to

wrongs against childhood directs that "if a woman place her infant by the hearth and the man put water in the cauldron and it boil over and the child be scalded to death, the woman must do penance for her negligence, but the man is acquitted of blame."

Under the laws of Ina, king of the West Saxons, enacted A. D. 694, it was decreed that "he who clandestinely begets a child and conceals it, and the child die, he is to be punished by a severe fine."[1] King Ina did all in his power to encourage the adoption of such infants as were abandoned or exposed, and to this end paid liberal allowances to those who rescued the foundlings and reared them afterward.

Under the laws of Aedgar Christian burial was denied to the kidnapper, and the sale of children by their parents after the age of seven years was prohibited. Ecbert, King of York, prohibited the sale of children under penalty of excommunication.

In the code of Kenneth, King of Scotland, enacted in A. D. 840, no mention is made of any of the offenses against childhood.

At an ecclesiastical convention held in 967 during the reign of Edgar, King of England, by the twelfth article of the penitential passed at that time it was declared that a woman who procured obortion or murdered her child after it was born was obliged to a ten-year fast: three years with bread and water and for the remaining seven she might be allowed some indulgence at the discretion of her confessor.[2]

Among the laws enacted by King Alfred, A. D. 849-

[1] Thorpe, *Ancient Saxon Laws and Institutes.*

[2] *Collier's Ecclesiastical History.*

901, was the following, evidently directed against baby farming: "If any one commit his infant to another's keeping, and he die during such keeping, let him who feeds him prove himself innocent." [3]

Except in Britain, the barbarians of northern and western Europe were everywhere solicitous of the lives of their offspring. If the early Saxons did not have the power to kill their children outright, like the ancient Greeks and Romans, they accomplished the same end by exposure and abandonment during infancy or, what was equally infamous, they could sell their children into slavery at any time before the child reached the age of seven years.

The conditions prevailing in early England are most graphically described by Thrupp: [4] "No sooner was a child born than the question was debated concerning him which presents a lamentable proof of the misery and barbarity of the times. Should he be permitted to live or should he be put to death? In the early Saxon period the Anglo-Saxon did not consider infanticide a crime; on the contrary, under certain circumstances they regarded it as a virtue. They deemed it an act of parental tenderness to put a child to death who was born to a life of evident misery."

In later times it became the custom, instead of putting children to death, to expose them in the woods or fields to take the chance of being devoured by wild beasts or of being found and rescued by some benevolent person. In the tenth century, when the custom of exposing was on the wane, it was usual for the

[3] Thorpe, *Saxon Laws and Institutes.*

[4] *The Anglo-Saxon Home.*

parent to leave with the child some sign by which he might be recognized, with a view to the exercise of the right which the law gave the father of redeeming him from the foster-parent.

At the time of Alfred the Great, that is, at the beginning of the tenth century, England for the first time began to show some signs of shaking off the insular barbarism and moral lethargy which had been characteristic of her peoples since she became known to historic Europe. Under that monarch child-life, in a feeble way, began to be accorded the same rights bestowed by law upon the adult individual, although as late as three-quarters of a century later both abortion and infanticide committed by the mother were still punished by ecclesiastical penalties.

The abortive act, if at any time an offense against the state or the Church, is not mentioned as such either in the ecclesiastical, common law, or statutory codes of the country until the middle of the tenth century, when it was declared to be a criminal offense, and then punishable only by penance.

"Abortion [5] as a crime is to be found only in modern treaties and modern statutes; no traces of it can be found in the ancient common law."

In England, under the common law, for the purpose of inheritance, an infant in its mother's womb is regarded as a person in being before it has quickened; but in criminal law it is not recognized unless by statute until it has quickened.

At common law and in many of our States fœtal life *per se* has been wholly ignored and its destruc-

[5] *Archives of Criminal Proceedings*, vol. i.

tion unpunished, the offense being solely against the mother.

At the present day, with few exceptions, the statutory laws among English-speaking peoples against the abortive crime are based upon the following doctrine: "An infant[6] in its mother's womb, not being in *rerum natura*, is not considered as a person who can be killed within the description of murder, and therefore if a woman, being quick or great with child, take any potion, or if another give her such a potion, or if a person strike her, whereby the child is killed, it is not murder, but manslaughter. But by a recent statute any person unlawfully administering poison or any other noxious thing to procure the miscarriage of any woman, or unlawfully using any instrument or other means whatever with the like intent, is guilty of felony."

Under the United States code of 1910 abortion itself is not a crime. To circulate literature, however, giving information how to prevent conception or to procure abortion is punished by fine and imprisonment. Whether an indictment would lie for the act if committed on the high seas or beyond the three-mile jurisdiction is conjectural.

From 1601—when the first English poor law was passed, which provided for the support of children by their parents, their grandparents, and in their default established a system of apprenticeship—to the laws of 1872 and 1889, the former being the "Infant's Life Protective Act," for the prevention of the evils of baby farming, and the latter the "Act for the

[6] Russell on *Crimes*.

Prevention of Cruelty to Children," all the laws passed during that period governing the life and health of children were clearly in the direction of the state standing in *loco parentis* to the child.

For crimes against childhood, particularly those in its early periods, convictions, either under statute or common law, have been as difficult to procure in England as in other countries. As elsewhere, the ease of perpetration and difficulty of detection make the offense, except when committed under glaring circumstances, exceedingly difficult to bring to punishment.

As in most countries, for the actual commission of crime against the infant not one case in a thousand is brought to official knowledge, while of those perpetrated against the fœtus, particularly in the early months of conception, probably not one in ten thousand is placed in the dock.

Henry Mayhew [7] gives the following returns taken from the official reports of the coroner's inquests for London for the years 1850 to 1860:

Concealing births of their infants	67
Feloniously attempting to procure abortion	9

For England and Wales for the ten-year period 1841-1850:

Number of concealed births	650
Attempts to procure miscarriage of women	44

Joseph Fletcher [8] gives the following statistics for

[7] *London Labor and London Poor.*
[8] *Moral Statistics of England and Wales.*

attempted miscarriages and concealments for the six-year period 1842-47:

Attempts to procure the miscarriage of women.. 32
Concealing the births of infants.....398

Under the English law, beginning with enactments in 1624, concealment of birth by any secret disposition of the dead body of the newly born infant, whether it died before or after its birth, is a substantial offense.

In the vast majority of cases, where abortion cannot be procured or where conditions do not demand urgency, the expeditious crime, with its apparent immunity from law, seems to be a common practice. The readiness with which the suckling succumbs to starvation, neglect, and the acquired diseases of infancy makes it extremely difficult to establish criminal intent upon the part of the mother.

The fact that the deed is usually induced by reason of poverty, shame, or great mental distress, and the crime when committed by the mother never a capital one, gives the unfortunate parent a degree of pity not given to the ordinary culprit.

In a paper read by Miss Rosa M. Barnett before the Royal Statistical Society of Ireland, Dublin, February 16, 1892, commenting on the returns of the Registrar General for Ireland for the year 1891, she said:

"No fewer than 1554—almost all infants in the first year of life—died from suffocation in bed, and it is a common fact that the proportion of deaths from overlying is more than twice as high on Saturday night as on any other night in the week. It is also found that the greater number of children who

are said by the coroners' juries to have died from natural causes or from convulsions have closed their little lives on Saturday nights.

"A coroner in Whitechapel states that out of 216 children under ten years of age who died in six months, 118 (more than half the total number, nearly 55 per cent.) brought money to those who let them die; in 84 other cases of children who died of neglect and suspected violence 49—over 58 per cent.—brought in money.

"When infant insurance was made illegal in Leek the infant mortality dropped instantly from 150 to 109 per 1000; when the insurance system was revived the mortality at once rose to 170, and has kept to that average for the past seven years."

Dr. Jones,[9] in his paper *Perils and Protections of Infant Life*, says that "53 per cent. of the deaths registered from dietetic disease in infancy registered in 1881-1890 from this cause; 2968 were due to starvation and want of breast milk."

He further asserts that suffocation in bed is one of the favorite methods of early or expeditious infant mortality in the United Kingdom, and from 1881 to 1890 there were 12,451 deaths from this cause alone.

"Of 1517 inquests held in Liverpool during 1890, 460, or 30 per cent., were held on infants. Homicide in England is rare compared with other countries; of 5314 cases of homicide 3525, or 66 per cent., take place under five years of age, and 3355, or 61 per cent., under one year of age."

In his recent book, *Infant Mortality in the United Kingdom*, George Newman says that "though the

[9] *Journal of the Royal Statistical Society*, 1894.

general death rate is decreasing the infant mortality rate is not declining . . .; that infants still die every year as they did in former times. Indeed, in many places it appears that they die in greater numbers and more readily than in the past. Last year, 1905, there was a loss to the nation of 125,000 dead infants in England and Wales alone, a figure which is almost exactly one-quarter of all the deaths in England and Wales that year.

"In 1903 in England there were 514,628 deaths, of which 124,718, or 24 per cent., were infants under twelve months of age. In London there were 70,281 deaths, of which 24 per cent. were infants. In 1904 there were 549,784 deaths, of which 137,392, or 25 per cent., were infants.

"From 1832 to 1850 the average infant mortality in England and Wales was 153 per 1000 births; in the ten-year period 1894-1903 the average rate was 150, and for the year 1904, 145 per 1000 births."

In his analysis of these statistics Dr. Newman dwells very forcibly upon the element of immaturity or embryonic blight, a condition resulting in prematurity, abortion, or actual unfitness for survival when born. To what extent this element of embryonic blight impairs the fitness of the child to live is shown in the following tables of infant mortality for England and Wales for the year 1903:

Deaths from all causes under 1 year of age.....	124,718
Deaths from all causes under 3 mos. of age.....	64,059
Deaths from prematurity under 3 mos. of age.....	18,741
Deaths from atrophy and debility under 3 mos. of age	12,126
Deaths from convulsions under 3 mos. of age.....	8,249

This is a total of over 39,000 deaths in the first three months of life from prematurity and its allied affections, for so closely are atrophy and debility and convulsions associated with the former that in the vast number of cases they may be safely included in that category.

Immaturity is also one of the largest contributors to infant mortality, and it is increasing; according to Dr. Newman, in many districts it is the chief cause, and in most urban districts it furnishes about 30 per cent. of all infant deaths. In Dundee, where 57 per cent. of the female population are workwomen, 34 per cent. of the infant deaths in 1905 were attributed to immaturity. Rural districts are not exempt from this same defect, for the ratio is fully 30 per cent. in these localities, and increasing all the time.

The main causative factors leading up to the elaboration of this great host of unfit humanity are injurious occupations, factory work, insanitary surroundings, food insufficiency, precocious motherhood, syphilis, and tuberculosis.

If, instead of putting motherhood under the yoke and compelling women to stake their offspring as the price of their bread, the state where to look upon every necessitous pregnant woman as a ward, and provide for the future life and health of her expectant offspring, probably one-half of this vast army of doomed humanity—or twenty thousand children—would be yearly saved to the state, enriching the country in life and in money far beyond the profits wrung from the labor of their mothers.

Between 1881 and 1903 the corrected legitimate

birth rate of London declined 16 per cent.; that of England and Wales 17 per cent.; that of Kensington 19 per cent.; of Brighton 20 per cent.; and of Hempstead 36 per cent., the latter representing the ultra rich boroughs. According to Lewis, English birth rate reached a level between 1860 and 1880, and since the latter date its decline has been very pronounced. If we exclude Ireland [10] from the rest of the United Kingdom, the number of births per annum has fallen from 36 per 1000 in 1876 to 27 per 1000 in 1907.

Whetham [11] writes: "The decline (birth rate) is greatest in those towns where married women are habitually employed in factories and where their earnings are an important element in the weekly income of the family."

In its report the Government Local Board says: "The majority of mining districts form a striking contrast with other industrial districts, the birth rate in the former being frequently considerably in excess of that obtaining in either ordinary towns or rural districts. In the Rhoudda district, a center of the Welsh mining industry, the birth rate in 1909 still stands at 40.9 per 1000; at Middleborough and Tynemouth its value is 35.5; while in the town of Hastings and the county of Sussex, two essentially residential neighborhoods, the birth rate is 15.9 and 20.5 respectively. In the mining areas the men are well paid and there is usually no industrial work to tempt the women from their home duties, at the same time it must be noted that there is a very high rate of mortality."

[10] *Official Blue Book*, 1907.
[11] *The Family and the Nation.*

As to the conditions prevailing in the poorer boroughs, especially those in the East End of London, they are best described in the words of Matthew Arnold: "Children are sent and the Divine Nature takes a delight in swarming the East End of London with paupers. I remember only the other day a good man looking with me upon a multitude of children gathered before us in one of the most miserable regions of London, children eaten up with disease, half sized, half fed, half clothed, neglected by their parents, without health, without home, without hope."

The effect of this degeneracy and reversal of the principle of selection and breeding from the lowest types of population is seen in the statistics tabulated by Crackanthorpe.[12] In 1859 there were in England and Wales 37,143 insane; in 1906, 121,802, an increase in the space of less than half a century from 1 in 536 of the population to 1 in 385.

In 1902 the rejections from the army on the score of physical unfitness showed an increase of 26.77 per 1000 over the rejections of 1901. In 1903 the increase of such rejections was 14.61 per 1000 over that of 1902. On the last census day of 1901, when the population of the United Kingdom was 41,458,072, every fifth person was disabled by sickness.

Very recently, probably intended as a political euphemism, a leading English statesman and politician said he intended to banish hunger from the Englishman's vocabulary. More's the pity he cannot do so, for in 1904 19,627 children under one year of age died because they had been prematurely born, of

[12] *Population and Progress.*

which three-fourths died because their mothers lacked the nourishment they could not get out of their scant loaves and skimmed cheese. In twelve years, from 1892 to 1903, 463.270 illegitimate children were born in England, almost every one of them the answer to a woman's cry for bread.

In the United Kingdom, despite the severity of the statutes and the sensitiveness of the Briton in all things pertaining to the respectability of his island, the abortioner is an institution as firmly rooted in the demands of the people as its barmaids and workhouses.

The Briton is only alive and sensitive to things which affect his lords and upper classes; what happens to the masses causes no more concern than what happens in the moon. So long as there are no lord abortioners or baronets with baby farms the Briton will have no twinge of conscience, nor awaken to the fact that despite his acts of Parliament there are as many abortioners plying their trade along the Thames as along the Seine.

So progressive has the Englishman become in catering to the traffic that he has practically discarded the old-fashioned methods of subsidizing doctors and midwives, and is now doing what is called in Chicago a mail order business. According to the medical journals, every woman whose name appears in the daily press in the birth columns is now the recipient of literature which asks her, "Why bear children?"

That the English woman is fully alert and responsive to the spirit of the times is shown by an editorial in a leading medical publication.[13] Three brothers con-

[13] *British Medical Journal*, July 14, 1910.

stituting a single firm, by advertising female remedies promising prompt results, obtained the addresses of twelve thousand women who desired to use these miraculous remedies; these obtained, they proceeded to blackmail by writing letters threatening arrest and prosecution unless two guineas were sent.

The day of the Briton as a colonist has practically passed. But for the Irishman and the foreigner his birth rate would be as portentous as that of his Gallic neighbor across the Channel. So intent is he extending his empire over negroes and negroids that he has hopelessly pauperized one-tenth of his own kin in his own home.

The burden of the Briton, and the mill that is grinding out the lives of his little ones, is the same that is grinding the under-man between the upper and the nether millstones everywhere. Christendom is an armed camp, and its gospel is militarism. The nations, instead of striving for the millennium, are forging guns to meet the imperial Teuton. The whole of the Napoleonic wars did not cost so much in treasure as the nations of the earth now spend in a single year to preserve peace. One-half of the money expended in a single year for battleships and bayonets would, if applied to the under-man, drive every mendicant from the highways of the world, close up the world's poorhouses, abolish one-half of its disease and conserve enough young life in the course of a single year to colonize an empire.

With the death of each infant life there passes an unknown quantity for with the flitting multitudes pass perhaps greater souls and mightier genius than exist in

those who survive. With each toll there is blotted out not alone a prospective and valuable integer of society, but, what is inestimable, a tiny spark is extinguished whose blaze lighting the path of progress might have made a greater and happier humanity.

With the world losing each year one-fourth of its new life and one-half perishing before reaching its fifth year, who can know what the world is losing and has lost?

CHAPTER XVI

THE UNITED STATES

THE census of 1910 showed the population of continental United States to be 91,972,266—a flattering increase so far as mere accession of human beings goes, but pathetic from the fact that the addition is largely a tabulation of aliens who have come since the previous census and of the children of foreigners who had come before.

Of this accession of 16,000,000 to population, in round numbers 8,500,000 are the survivors of the 9,000,000 immigrants who came since the previous census, and if the ratio of increase among the negroes be the same as it was for the census of 1900, that race contributed about 1,500,000 toward the accession. The remaining 6,750,000 would of course stand for the native children, the offspring of the 67,000,000 white people since the previous census and the children born of white immigrants who came during the inter-census period.

According to the census of 1900 the number of native children of white foreign parentage was 214 in each 1000 of population. If that proportion held good during the present census, the number of native white children of foreign parentage aggregated

1,200,000, or nearly one-fifth of the native white increase, leaving 5,550,000 native children as the excess over deaths for 12,750,000 American-born families for ten years.

Assuming the estimate of 12,750,000 American families of native white parentage to be correct, the melancholy fact is shown that these 12,750,000 families, after making good the loss by death, increased population by only 550,000 children each year; or to convey the lesson more strongly, it takes over twenty families of native stock to increase population a single individual annually. If from these 550,000 individuals are subtracted the physically infirm and mental weaklings, it is evident that the native descendants of native stock are barely more than holding their own.

The wide variance of prolificness between the native and the foreign eements of the popuation is markedly shown by the returns of children under one year under the previous census. In that census year the native whites under one year born of native parents numbered 1,128,585, while those born of foreign parents numbered 504,466. Under the same enumeration the native whites numbered 56,000,000 and those of foreign birth numbered 10,200,000, or slightly under the ratio of 5 to 1, while the ratio of births is only something over twice as great.

According to bulletin of the census bureau[1] for 1910, in the States of Ohio, Indiana, Illinois, Michigan, Wisconsin, Minnesota, Iowa, Missouri, Kentucky, and Tennessee, 440 out of the 950 counties in these States

[1] Census Office Publication on Population, 1910.

decreased in population from 1900 to 1910; while taking the country as a whole, of 2925 countries 798, or 27.3 per cent., decreased in population during the last decade.

That the gains of the cities have not been made at the expense of the rural sections, the bulletin says:

"While there has been probably a somewhat greater difference between the rate of growth of urban population and of rural population during the last decade than during that preceding, the difference was not so great as during the decade of 1880 to 1890, or as it was in most of the earlier decades. The conclusion cannot therefore be safely drawn that there is, in any broad sense, an increasing tendency by the population to leave the country and go to the city.

"To be sure there has been an absolute decrease in the rural population in many counties throughout the country, but this has not been due entirely to movement to the cities. On the contrary, in some of the sections it is doubtless due to movement to newer agricultural regions. The decline in rural population has been substantially general throughout the great northern middle section of the country. . . Were it possible to separate at this time the rural from the urban population, a large majority of the counties would show a decline in rural population."

In the United States, if we exclude the group comprising the Southern States, it is doubtful if in more than half of the others the number of babies born of native American parents equal the number of native Americans who die. This condition is more marked in the New England and Middle States, where

not alone are the descendants of the original stock dying out, but the later accessions, coming from the north of Europe and belonging to the same family,—that is, the Scandinavian and the Teuton,—are also vanishing before the incursion of the Latin, the Semite, and the Tartar peoples of southeastern Europe.

According to the census of 1850 the natives of Great Britain and Germany constituted nearly 86 per cent. of all the foreign born in the United States; in 1900, although reinforced by over one million Scandinavians, they had fallen to 63 per cent. The returns for the census of 1910 are not yet available for comparison. Estimates, however, based upon immigration for the past ten years warrant the belief that the foreign born of British and north European nativity will not constitute more than 30 per cent. of all the foreign born in the country.

In many of the States it is very probable that the present census will show that the foreign born and their children of peoples other than that of Anglo-Teutonic origin constitute from one-fourth to over one-third of the population. At this rate of influx and the prolificness of the Tartar and Semitic swarms, in the course of the next fifty years this Anglo-Teuton empire, instead of being a melting pot for the human melange that seeks its shores, will in all reality be overwhelmed by them.

Instead of assimilating these peoples, they will have assimilated us. The experience of the past has been that prolific inferior races invariably drive out the superior, as the weeds of the garden overwhelm the

plants. It is a truism as ancient as history itself that in direct proportion to the increase of foreign population that of the native will fall. General Francis A. Walker, Superintendent of the Tenth Census, observed long ago that "if the foreigners had not come the native element would long since have filled the places the foreigner has usurped."

The genius, the temperament, and civilization of the Anglo-Teuton is as distinct from that of the Semite and the Tartar as the genius and civilization of the Greeks were from that of their Asiatic neighbors. That the Latin and the Hun can take up the banner of the Anglo-Saxon and carry it in the van of march to human destiny is as illusory as the thought that Americanism can be born out of the serfdom of the centuries.

And, now, why is it that the Anglo-Teuton, the most virile and strenuous of the Teutonic peoples, the men who conquered the waves and carried their empires and their civilization to every corner of the globe, should in the first tilt vanish before effete races which reached their zenith centuries ago?

Is it so because he has flouted the first command of the Creator to man, to "multiply, replenish, and fill the earth"; or because the fates have written upon his walls the dreaded "*Mene mene tekel*" of his destiny? Is it so because in the past he passed his women and children through the mills and multiplied his looms and his cemeteries, or that the pauperized freeman will not spawn his offspring like the serfs of the ages? Is it so because his civilization has made eunuchs of his sons and barrens of his daughters?

If these be true, and some of them are true, unless he mend his ways and the God of his fathers save him, "Ichabod" shall surely be written above his gates.

Of all the maladies that follow in the train of civilized life none are so difficult to control or eradicate as moral degeneracy. Physical degeneracy, fortunately, unless propagated by marriage, can extend no further than the individual affected; with the moral variety it is far different. Beginning with a single pervert, if the perversion panders to selfishness, broadens the field of indulgence, and enables the individual to gratify sensuality without physical cost, the canker will spread until it will have infected an entire people.

The criminal aborter is a degenerate of the most vicious type. The pernicious meddler may or may not always come within this category, but after long periods of immunity, should the latter fail in its purpose the transition from immorality to crime is usually accomplished without conscience or without remorse.

That this hideous malady should have obtained its first foothold in the land of the Pilgrim, the home of the staid, virtuous god-fearing Puritans, the men who molded the religion, laws, and conscience of the republic, is a mystery that passes all understanding. Like some hidden unseen canker it has followed the New Englander into every section or community where his genius and ideals have dominated. Slowly and surely the contagion has spread over the land until it has honeycombed the entire nation. The

practice is just as prevalent in New Orleans as it is in Boston; it is as unblushing in Atlanta as it is in Providence; as common in Richmond as it is in St. Louis. The Anglo-Saxon cradle is just as bare of babies in Denver as it is in Chicago, and the little ones who call their father "Dad-dad" are just as scarce in San Francisco as they are in Cleveland. There are as few babies born in the old colonial mansions facing the Battery at Charleston as there are in the palaces lining Fifth Avenue.

In the *Delineator* of November, 1907, a magazine devoted to woman's fashions, there appeared an article—like a skeleton grinning amid the lingerie—entitled, "Two Million Homes in the United States Without a Child." Since that time in a hundred cities miles of apartment houses have been built in which no child dare enter. In the city of Washington, luckily still an Anglo-Saxon city, there are apartment houses in which the first wail of a newborn baby vacates the lease.

Up to 1840 the birth rate among the native white population, with the exception of New England, was fairly uniform. Each census, however, taken since the first census was taken in 1790, with one exception showed a slight though progressive decline. Up to 1840 there were few immigrants to affect the birth rate, the accessions for the twenty-year period extending from 1820 to 1840 being about 800,000, much less than the number now entering in a single year. In the decade between 1840 and 1850, particularly in New England, the birth rate took an abrupt fall. Large families, hitherto common, became rare, and the

proportion of adult population to children was markedly increased.

The reason was not difficult to find. Under the stimulus of industrial activity mills and factories were built in almost every locality where sufficient labor existed to run them. Female labor being the most economical, it soon followed that nearly every self-dependent female of child-bearing age was at work in mill or factory. Among women of the factory class marriage is less frequent and deferred much later than in women of the more favored class. Even when married, necessity may compel the workwoman to postpone pregnancy, or forego child-bearing altogether, on the score of loss of time while pregnant and the burden of child-rearing afterward.

In addition to this inhibition of birth rate by corraling their child-bearers in the mills, during the preceding decades there had been a steady outflow of virile males and newly married couples to the newer States, all of which would naturally reduce the number of children born in the aggregate, but would not reduce the number of births per thousand mothers—that is, among those not employed in the mills.

In 1850, when the number of children in the New England States had fallen from 443 to 358 per 1000 population as compared with the census twenty years before, there was a profound awakening of public sentiment to the dangers threatening those commonwealths. Physicians, clergymen, the platform, and press began to declaim against practices which not alone debased the morals of the people but threatened society itself with extinction.

So skillfully had the people acquired the agennetic art, and so general had the practice become, that one of the most eminent Protestant divines of Boston declared that "France, with all of her atheism, and Paris with all of its license, is not half so guilty at the present time as staid New England."

The daughter of the Puritan, as fierce in her crusade against offspring as the grand dame of the Boulevard or her ancient sisters, the women of Greece and Rome, had made up her mind no longer to bear children. Abortion became a fine art, and the druggist with his potions and the abortionist with his kit became one of the leading factors of the day.

Fifteen years later, in 1864, a noted medical writer observed: "In localities where I am acquainted, though the population is chiefly Anglo-American, full three-fourths of the children born and reared are of German, Irish, and other foreign parents, principally of the lower walks of life, who either have less repugnance to rearing children or have not been initiated into nor adopted modern tactics."

In 1869 Dr. Pallam of Missouri, writing on the subject said: "The fact exists that where one child is now born in New England four to five were born twenty-five or thirty years ago. Medical men of that section disclaim the loss of virility or procreativeness in the people; they scout the idea that the race has become degenerate and stoutly maintain that the sturdy graft of old Puritan stock still holds its own. Yet they admit the sad diminution of births among Americans proper, and many of them charge it to the cause of abortion. Traveling westward, we find

New York, Pennsylvania, and Ohio affected in the same way, but in a less degree as we approach the valley of the Western rivers. But in the cities of New York, Philadelphia, Baltimore, Buffalo, Cincinnati, and Louisville we recognize the frequency of fœticide; particularly do the first two rival, if not excel, the land of the honest, honorable old Miles Standish. In the smaller towns throughout the country proper of the middle and border States we find the crime exists, but nothing in proportion to that of the Eastern States. In Chicago and Cincinnati, however, the scales seem to mount as high as do those of New York and Philadelphia, but perhaps not so high as St. Louis. In proportion to densities of population these five cities stand out on an equal footing. Were it not for the foreign immigration and births arising therefrom, the New England States would in all probability be depopulated in less than a century."

Dr. H. H. Storer,[2] forty years ago, at a meeting of one of the medical societies of Massachusetts reminded the gentlemen that many years ago he had urged upon the Massachusetts Medical Society to cease its notorious harboring of habitual abortionists. . . . In the course of his address the speaker said: "In consequence of this professional and most criminal apathy, public sentiment has become more and more blunted, until it is now given as a reason [of non-prosecution] by the public prosecuting officers that a jury could not be found in Boston to convict of this crime, even in the most flagrant and indisputable cases of maternal death."

[2] *Journal Gynecological Society, Boston*, vol. ii. 1870.

In further proof that in Christian and in civilized New England public conscience was as indifferent to these crimes as Greece and Rome two thousand years ago, Dr. Storer cited the returns of the six secretaries of the New England Boards of Health, in which it was found that from 1849 to 1857 there were thirty-two trials for criminal abortion and not a single conviction.

In the year 1910, forty years after this severe arraignment of a community accredited with the most humane, progressive, and sensitive civilization on the footstool, conditions in the adjoining state of New Hampshire, where a greater proportion of the inhabitants are church members than in any other State in the Union, are thus described in a New York newspaper:[3] "Miss M. B. O., daughter of the famous poet, has just completed an investigation of baby farms in southern New Hampshire, which, she believes, will ultimately result in legislation that will abolish the inhuman features of such places. Miss O. visited all the baby farms she could learn of, and has, in her own word, seen babies crowded into quarters like cattle in a pen and literally left to die of starvation and neglect."

After describing one of these baby houses—as these baby farms are called in that section—situated in the country near Nashua, which was later raided by the authorities, the narrative goes on to say: "Later, Miss O. made a second visit to the farm, accompanied by Inspector Field of the Nashua police. Up-stairs they found five babies less than a month old, all piti-

[3] *New York American.*

fully emaciated. In a back attic the body of a dead infant, shriveled as if by starvation, was found. The sanitation was poor and the babies' abode looked like a dead house. Similar places were visited elsewhere in New Hampshire. Conditions were frightful and almost unbelievable in a civilized community. She found baby farms and lying-in hospitals in charge of physicians who had been deprived of their certificates."

All of this in a proud American commonwealth, where a thousand collections are taken up on Sunday for the conversion of the heathen and Bible classes name the members of the legislature!

CHAPTER XVII

NEW YORK

Of all the cities of the world none compare with New York in the number, skill, and unblushing boldness of its abortionists. While elsewhere the traffic is plied more or less under the rose, in this, the seat of the world's newest and more progressive civilization. embryotic humanity has no more sanctity nor protection than the rats which infest its docks.

So general is the demand and so common the practice, that in the competition for the traffic the ordinary criminal operator has been practically driven out of the business by the highly skilled and respectable members of the medical profession. Up to a few years ago there still remained some rivalry on the part of the lodge doctor, the advertising specialist, the foreign midwife, the massage dens, and the manicurist, but even these had to go before the more dignified, less dangerous, and lawful abortions performed at the dispensaries, clinics, and infirmaries which seemingly for this purpose have multiplied in every section of the city.

With the advent of this benevolent abortion not alone has the regular medical procurer been shorn of the patronage, but with him has also gone that cautious old tinkerer, the family physician and abor-

tionist, both being superseded by those brilliant specialists of the art, the gynæcologists, whose philanthropic and unfailing tomahawks are whetted for every embryo daring to stray within the confines of a woman's clinic.

With the passing of the clandestine and bungling operator has passed the glittering and impressive instruments of the craft which formerly constituted the chief adornment of a physician's consulting room; these they no longer need, the astute practitioner making the all-essential professional connection with their pals in these institutions. As for the doctor not keeping abreast with the spirit of the age, he will have neither a female clientele nor a family practice. The wise New York woman, however, knows full well where to go for relief without the aid of a director or a directory, and if she is fashionably inclined she will select her abortionist as she does her dentist, and patronize him with the same loyalty.

Applicants for late abortion are rare, for the reason that advanced pregnancies on the part of the female inhabiting Manhattan Island are wholly unnecessary, those encountered usually happening to strangers or women coming for that purpose from all sections of the country.

While the local traffic is as much as the thousand or more abortion specialists can attend to, the outside contingent is simply enormous, and during the season it is difficult to say which is the stronger attraction for the lady visitors to the metropolis—the horse-show, the opera, or the gynæcologist.

As a rule, no late pregnancies are disturbed at the

clinics, the solicitants being referred to the doctor's office for consultation, where the initial maneuvers purporting to be made for diagnosis usually terminate in some reputable hospital or sanitarium, to the full satisfaction of the patient and the profit of the doctor.

The leading hotels of the city find one or more of these gynæcological surgeons as necessary on their house staff as their chefs or head-waiters, and any female guest with acceptable references may at many of the fashionable hostelries have the item of a successful abortion charged with other extras to her account and settled for at her convenience.

With the preventive check it is different; no American or Americanized woman needs information on that score from the physician. She can give her order for all the necessary accouterments while sipping her soda-water or sniffing violet extract at the perfumery counter, and any novelty the druggist cannot supply, any instrument store will sell to her as readily as to the young medical graduate. If economically disposed and willing to risk the crush, the crusader can obtain the latest accessories at the department store counter. On days when these wares are marked down as specials, if she can reach the counter, any of the sixteen-year-olds who usually preside at these counters will give full details as to the merits and efficacy of the bargains offered.

The trained nurse has also come into her share, and it is said that a large share of the interceptive traffic has fallen into her hands, especially where the party concerned is timid or still in the green leaf. It is claimed that many of the progressive nurses teach the

art as a legitimate exercise of their duty and sell the tablets for that purpose as a side line.

The laws against the crime of abortion are no more enforced in the great State of New York than the Revised Statutes of the United States are enforced in China. Out of the scores of thousands committed every year, in some years not a single indictment follows. According to the report of the Secretary of State on the Statistics of Crime for the ten-year period 1895-1904, there were only nine convictions in the entire State, of which two were in New York City. For the seventy years, 1830-1900, the number of convictions in the whole State were as follows: Abortion, 44; attempts to procure abortion, 10; procuring abortion, 14.

The New York baby is wholly a foreign article. These creatures fairly swarm in the tenement sections, while in the fashionable quarters, particularly in the upper-class apartment house, one would be as likely to encounter an orang-outang as a baby.

Baby farms do not thrive in New York City, to the honor of that municipality; its solicitude and humanities to unfortunate motherhood and infant life have made these institutions both unprofitable and unnecessary. The barbarities and inhumanities that fall to infant life in the community are not those that follow directly from vicious parentage, but the result of conditions produced by a soulless and rapacious landlordism.

To the foundling homes come all the infantile flotsam and jetsam that escape the docks, sewers, and Jersey marshes. The abandoned mites hail from

every section of the city. The ash barrel, the cellar, the parks, vacant lots, Fifth Avenue, the hotel parlors and even the churches contribute to the never-ending brood. The majority of these waifs are each year shipped in carload lots to distant sections of the country for adoption, there being no great local demand among families who are themselves actively engaged in throttling their own progeny.

The two chief foundling homes in New York City are the New York Foundling Hospital (Catholic) and the New York Infant Asylum (State institution); the former received during the year 1907 4145 waifs and the State institution received 2000. Of these 587, or about 1 in 11, were supported by private funds.

The Jews, who constitute about 25 per cent. of the population, strange to relate, have no foundling home for the unfortunates of their own race, their children's home stipulating as a condition for admission that candidates shall have been born in wedlock. It is said that the fallen Jewess as a rule prefers that her offspring should take its chances for survival in the Catholic hospital, which accounts for the large proportion of inmates in that institution.

Notwithstanding the numerous public and private charities and the herculean efforts to offset conditions which operate to destroy so much child-life, little seems to be accomplished in the face of the chief obstacle to that end—overcrowding and slow suffocation of the more tender victim. High temperature, lack of ventilation and deprivation of sunlight are the auxiliaries which give to impure milk and starvation the destructiveness they exert on infant life.

The disastrous effect of overcrowding on infant mortality as compared with "ocean breezes and green fields" may be seen in the tables of the different boroughs of Manhattan even during periods of vastly increased ravages. The tables[1] are taken from a leading metropolitan daily commenting on a bulletin of the Department of Health of the city. The article says: "The year 1910 may stand out in New York's history as the year of the babies' peril. From May 28 to last Saturday 478 more babies died than in the corresponding period of last year, and in that year the figures were higher than ever before. But up to and including last year the increase had been gradual, brought on by the growth of the city and increasing congestion in the older sections. This year, through no cause that medical men are able to find, the figures have leaped. Deaths from stomachic and intestinal diseases have increased almost two-thirds.

"Last year from May 29 until September 25 3383 babies less than two years old succumbed to intestinal diseases. This year, with the season but eight weeks gone, there have been 1267 deaths, and the most fatal part of the season is to come.

"The present cool wave, though looked upon as a blessing by persons tortured by the heat of the past month, is likely to leave an appalling trail of death among babies. The hospitals are being crowded with little ones and the dispensaries are kept open longer every day to give the relief sought by anxious mothers for their babies.

[1] *New York World*, July 19, 1910.

"In the Babies' Hospital, East Fifty-fifth Street and Lenox Avenue, 88 ailing infants were treated yesterday as out-patients. Sixty-five worse sufferers were moaning in cots in the hospital wards.

"An analysis of the table prepared by the Department of Health, showing the deaths of the babies by boroughs for this year and last year, proves conclusively that congestion has a vast deal to do with the epidemic. Brooklyn and Manhattan show the vast majority of the cases in proportion to their population. The figures for the sparsely settled sections of the city prove what fresh air and plenty of room will do for the babies. In Richmond county, with its ocean breezes and green fields, there were only 85 deaths from intestinal diseases between May 28 and September 25 last year. But in the eight weeks covered by the annexed tables, in which there were 12 deaths last year, there were 22 this year, an increase of almost 100 per cent. This astonishing percentage of increase exceeds even that of congested districts.

"Every borough in the city shows a tremendous increase in deaths of babies this season. In this period of last year Manhattan had 342 deaths; this year 552. In the Bronx there were 36 deaths last summer, against 69 this term; Brooklyn returned 330 deaths in 1909 and 535 in 1910, and the Queens figures are 75 against 89. It is this increase in mortality that puzzles physicians. In the Babies' Hospital yesterday the matron said: 'The cause of the disease may be readily determined. It is the old story of hot weather plus the ignorance of mothers and pov-

erty. But that does not explain the extra fatal character of the disease this year. It has never been so bad in the experience of this hospital. Most of our cases come from the foreign residents of the city. Italian and Jewish women are loving mothers, but are the most ignorant in the care of babies. The difference between our climate and that to which they have been accustomed is perhaps largely responsible for this. Where they come from babies are probably not subject to the diseases from which they suffer here in hot weather, and the mothers have not learned to guard against these ailments. Education is about the only thing that will prevent this needless annual slaughter of the innocent.'

"The following figures show the number of deaths of infants less than two years old from diarrhoeal diseases from May 29 to July 17, 1909, and for the corresponding period, May 28 to July 16, 1910: 1909, 1578; 1910, 2534. The number of deaths from all causes in this class from May 29 to July 17 for the same years were: 1909, 2980; 1910, 3530."

This vast increase of mortality among infants and child life is not local and confined to New York alone. When the mortality rates among infant life shall be collated it will be found that the same destructiveness was universal throughout the whole country, especially in the cities and in communities where population was affected by the high price of food. When these deaths shall have been tabulated it will be found that the sacrifice of full 100,000 babies under two years of age over that of previous years was the toll paid by the country to the minotaurs of the food trusts.

With the exception of the East End of London there is no spot on earth where so much human misery, squalor, and slavery can be found as in the tenement section of the East Side of New York. The section may well be described as a crowded human jungle where a million or more of the under-men battle for bread, where the battlefield is the sweatshop, and home a rookery without sunlight, without air, and without hope, and the hungry hordes that swarm wthin them human shekels minted for the maws of its landlords.

The great commonwealth of New York revises its organic laws every ten years, but neither its conscience nor its civilization has reached the stage where its weak and helpless are protected against the usury and exploitation of the landlord. That the people of that great State, however, are earnestly seeking sanctification is evident from the fact that it has just emerged from a fierce moral and political campaign in which it has succeeded in adding betting on a horse race to the Decalogue, but, with a Phariseeism as old as the hills, its ears are closed to the cry of the underman.

Its cities are too intent building skyscrapers to heed the kennels in which they house their human dogs. During a recent municipal campaign in the metropolis, after the manner of imperial Rome, its august masters erected in one of its chief roadways a pretentious monument attesting the civic virtues of the people and extolling the honorableness of its rulers. Within arrowshot of this cairn on one of the leading avenues of the city, under the shadow of its grandest

playhouse, within stone's throw of its most magnificent hotels, theaters, and marts of trade, stands a row of old tumble-down wooden shacks in which are stalled men, women, and children after the manner of cattle.

Whether to illustrate the eternal unfitness of things, or that hell and heaven complacently rub elbows in New York, a granite church on the corner is the mainstay that keeps these kennels from tumbling down. To complete the picture, in grim mockery is carved on the walls of the church, high above the street: "Blessed is the name of the Lord from now and forever, Amen."

Race suicide may be as readily accomplished by jugulating the parent as by throttling his offspring. That this is being successfully done in the metropolis is evident from conditions described by E. K. Coulter, an official of the city.[2]

"Conditions in the congested districts," said Mr. Coulter to-day, "are appalling. Families are living, sometimes five or more, men and women, crowded into one room. These people are paid such poor wages and are forced to pay such high rents that they are unable to pay them unless they take in lodgers. The lodger, of course, gets the best, and the children must sleep on boxes, wash-tubs, floors, or anywhere they can find a place to lay their heads. Under these conditions it is not hard to see that the children

[2] *Report* of E. K. Coulter, chief clerk of the Children's Court to the New York City Commission on the Congestion of Population.

get little or no care, and it is not amazing that they are liable to go wrong.

"Taking some figures from police reports, the Thirty-ninth precinct, which in the last five years has increased 48,000 in population, furnishes 12 per cent. of the arraignments in the Children's Court.

"This district comprises the territory between 96th and 116th streets, and stretches from Fifth Avenue to the East River. The old houses in this territory are rapidly being replaced by big tenements. Four families is the average to a floor, and these people pay from five dollars to six dollars per month for a room. The wages they get are too small to pay for this. The children go to school in the daytime, and on their return are forced to work. I know of one instance where a family of five eke out existence by binding artificial flowers into garlands, getting ten cents for every 720 flowers bound. This is criminal.

"In 1909 there were in Greater New York 101,000 rooms without direct light or ventilation in which people lived and worked. The Tenement House Commission last year had windows cut into 20,000 of these rooms, doing a little good.

"New York is the gateway for the immigrant. In 1909 500,000 immigrants coming in here brought with them less than fifty dollars apiece. This was not enough to get them out of the city. Of these, 200,000 were farm laborers, good healthy fellows who desired nothing better than to get out to the soil. The greater part of these never got nearer a farm than peddling from a pushcart. It is from these people that the small contractor and factory owner and the unscrupu-

lous tenement house owner reap their harvest. The money they get is no more nor less than blood money.

"There are thirty blocks in this city containing a population of 1000 to an acre, and 122 blocks with a population of 750 to an acre. There are one or two blocks with populations of 1600 to the acre. People cannot realize the conditions under which the inhabitants of these districts live.

"Children there have no place to go or to play. They live in one continual grind of work. Their parents have neither the time nor the inclination to teach them what is right.

"I could go on all day," continued Mr. Coulter, "giving you examples. Now, what are the remedies for these conditions? First, I would suggest the limitation of the number of factories in a certain area. These people must live near their places of work. Workers who finish trousers at the rate of four cents per dozen pair cannot afford to ride, nor can they walk a long distance with the big loads they must carry. This would relieve some of the congestion. Then there is the plan advocated by the Rev. James B. Curry, of St. James Catholic Church—forcing the owner of a tenement house to put his name on it. There are many owners who would not like to have monuments of misery with their names on them. Now they can wink at the awful conditions and sublet their houses, but with the names on, it would be different."

CHAPTER XVIII

WASHINGTON, D. C.

THE only large city north of the Potomac remaining distinctly American is the national capital. For all purposes the city of Washington and the District of Columbia may be considered the same political division. The inhabitants of the District, if we except the large negro element, constituting nearly one-third of the population, is composed of an aggregation of American citizenship representative of every section of the Union, and therefore can justly be called a typical and ideal American city.

Nearly a half-century later than the epoch described in the State of Massachusetts by Storer, in this ideal and pre-eminently American city for the five-year period 1905-1909 there were returned in round numbers 3000 still-births, of which, if we accept the experience of the best informed authorities, 65 per cent. were interrupted pregnancies or induced abortions.

If we further accept the testimony of these authorities, or even that of the profession generally, not more than 1 in 8 to 10 of these events is ever officially returned, and should this percentage hold good, at least 20,000 prospective American citizens were expunged in the national capital during the period named.

The excessive proportion accredited to the negro

does not indicate that the race is almost the sole offender, but rather that the native white American looks upon the event as too common and trivial to burden official records, much less to air his domestic etiquette to the public. Out of 2878 still-births returned for the five-year period 1901-1905, 2404 were accredited to the negro; in 1909 his rate per 1000 population was 4.33 as compared with 0.66 among the whites; a proportion which is relatively true as regards the negro and grossly absurd so far as the whites are concerned.

It is current opinion that the swift-flowing sewers, and even the convenient and silent Potomac itself, are the sextons that dispose of the bulk of premature humanity that embarrasses the family circles of the national capital. The fact, however, that in 1908 the bodies of 86 of these rash intruders were found abandoned and thrown out upon the streets and in the parks of the city indicates that in some circles the dog or the coroner is preferred to the drains.

It is a well-known fact among those who have opportunities for observation, that in no city of the land is there less regard for the law against this illicit traffic, nor more indifference of public opinion to the practice, than in the national capital.

The traffic, while not attractively advertised, like its whiskies or brands of beer, is sufficiently open to enable the resident patrons and those of the daily throng that come for the purpose of extrication to obtain the relief sought.

During the legislative season prominent members of society hailing from every town, village, and ham-

let of the country flock to the national capital seeking its many advantages of politics and abortion. These plumed platoons vary the intervals of the social whirl or the stagnant atmosphere of the congressional galleries with punctual visits to the negro abortionists of the alley. Like in every other community, the freemasonry of the sex pervades the booths of the hairdressing parlors, the sanctums of the dressmaker, and the boudoir of the milliner, and what information cannot be obtained in these directories can be readily learned from the chambermaid or "wash-lady."

For a physician to practice reputable medicine in the District of Columbia is as difficult as to enter into paradise. In the great majority of cases the family physician is supposed to be the family abortionist. Before the marriage license is procured the prospective groom or the prospective bride has already surveyed the medical field and selected the eminent physician who understands in advance that he is to stand picket, and woe to him if the enemy crosses the line! In many cases where sufficient decency obtains to defer selection until the enemy is within the gates, unless the physician consents either directly or indirectly to roll the clouds away, no matter how faithfully he may have served the family circle in the past, the entire clientele passes to the eminent abortionist, who learned the lesson of professional success long ago.

Fortunately, however, for the conscientious physician, the public, particularly the would-be childless and bull-pup couples, are rapidly learning to select their family apothecary, who, in his varied knowledge of

first aid to the married, is fast supplanting the doctor. Even the old-time operators of the city who grew rich supplying infallible pills and female regulators have been driven out by the great manufacturing pharmacists, who have loaded the shelves of the drug stores with compounds and capsules guaranteed, so far as the law permits, to keep the family hearth in possession of the bull-pup.

In the national capital, except in the formal letter of the statute books, the sanctity which nearly twenty centuries of Christianity has conferred upon the unborn human being is practically repudiated. The civilization that dwells within the shadow of the dome of the Capitol no more recognizes the right of the unborn human being to live than did the barbaric civilizations of two thousand years ago.

Whether by moral palsy or spiritual death, the conscience of the men and women of the age, so far as it relates to the practice of abortion, is dead. Whether this hostility to offspring is a type of depravity caused by masculinization of the modern female, or a manifestation in the sex of what a noted American preacher years ago described as "pure cussedness," its effect upon the family circle is one bordering on constant panic. With the wife the dread of pregnancy amounts to a positive obsession, and the thought of having a baby in the household is often sufficient cause to disrupt it.

With these creatures who have firmly made up their minds to bring no babies into the world, or to destroy those in prospect, to preach, to pray, to reason, is to plead to deaf ears, and will have no more effect in

staying their purpose than calling to the stones or imploring the winds.

Except for the friendless and reckless unfortunate, the law in the District of Columbia, as everywhere, is practically a dead letter. Occasionally some over-bold expert, half-surgeon and half-abortionist, to shield some unmarried woman from the publicity of the hospital or the shame of the home, will perform the act in his office; should the victim die it will usually end with the respite of the reporters and the hibernation of the grand jury. Should the victim be a married woman, the act will be shifted to Providence and go no further than the undertaker and the cook. The worst that can overtake the operator is that his reputation in this specialty will be ruined and his usefulness to the community in this respect gone.

The abortionist and his clients know full well the laws are a mockery and a pretence. The Senators and Congressmen who make them, the judges and the juries who execute them, jailers, bailiffs and policemen, are all abettors. No babies come to their wives save those that survive the capsules of the apothecary, defy the family physician, and run the gauntlet of the abortionists. Lawyers, preachers, editors, professors, doctors, the men who mold and lead the thought of the country, are found in the front rank of offenders. The occasional stragglers that intrude upon their barren firesides are only those that evade the vigilance of their wives or the craft of the scalpers.

How effectually this illustrious patronage has succeeded in stifling future Americanism is pathetically

shown in the census reports of 1900. In that census year there were in the District of Columbia 24,603 white married females from fifteen to forty-four years of age inclusive. These 24,603 wives, in the prime and full vigor of their child-bearing period, during the preceding twelve months had given birth to 3241 children living, which signifies that about one eligible household in eight increased the population of the city during that census year. The proportion of native white resident mothers who decline maternity is actually much greater than that conveyed by the figures given, as a very large proportion of the births reported were the product of foreign parentage, and not a few the offspring of wives temporarily residing in the city during the Congressional sessions.

If these figures appear exaggerated, read the summary of a single clinic out of the many in the city devoted to free treatment of the victims of the abortionist. The summary is taken from a paper published by Dr. F. J. Taussig, of the staff of George Washington University Hospital of Washington, D. C.:[1]

Full term pregnancies.....	870 by 293 mothers
Abortions	371 by 201 mothers
Confessed abortions	36

On analysis, the writer of the contribution found that the ratio of abortions to confinements was 1 to 2, and one-half of all abortions encountered were due to criminal instrumental interference.

How many of the hundreds of criminal instrumental

[1] *St. Louis Medical Review*, February, 1909.

labors induced every year in the District are brought to the official notice of the authorities may be discerned from the following report furnished by the district attorney's office. The figures given are for the five-year period 1905-09:

Number of indictments for abortion	9
Convicted and sentenced	3
Nol pros	5
Pending	1

In the District of Columbia, where the inferior race is overwhelmingly Protestant, where within racial limits its social advantages are relatively equal to those of the Caucasian, where educational opportunities are the same as those of the whites, the extent of promiscuousness among the colored population is shown by the following comparative tables of illegitimacy and still-births, the latter, in a great majority of cases, a statistical euphemism for downright abortion.

Illegitimate births for twelve years, 1896 to 1907 inclusive: White, 1111; colored, 5832. The average ratio of population, white to colored, is 2.5 of the former to 1 of the latter.

According to the report of the health officer of the District of Columbia for the year 1908, the rate of illegitimacy per 1000 female population was, white, .89; colored, 8.69; or about ten times as much illegitimacy among the negroes as among the whites.

Of the 2205 known colored births 462 were illegitimate; if to these be added the 97 illegitimate still-births, it will be found, according to the records, that one child out of every four born of that race during

the year was illegitimate—a proportion far below the actual rate, as it is well known among medical men that the paternity of nearly one-third of the negro children born in the District is questionable. In justice to the negro race it must be said that this immorality is not wholly its own, the very large percentage of mulattoes among the illegitimates proving that a very large number of negro females are corrupted by white men.

If there be a city which should stand as a model to all nations, if there be a community which should be the exemplar and exponent of the highest human ities, that city and community should be the capital of our great republic. Instead, if the tree is to be known by its fruits, if the ideals, genius, and progress of a nation are to be judged by the standards of its seat of government, then the expanse of asphalt and typhoid contained within the sixty-four square miles of the federal district is not alone a reproach to the civilization of the age, but a discredit to the government under which we live.

With a jocoseness that is tragic, it is called the City Beautiful, a grotesque parody on the mingled magnificence and squalor, more in keeping with the gilded barbarities of an Eastern caliphate than the capital city of a great modern civilization.

The national capital for its size has more alleys and slums than any Christian city in the world. Lining these alleys are miles of hovels and dens, the gilt-edged and cherished possessions of its fifty thousand pew-holders, into which is crowded one-eighth of the population. Studding its avenues and streets, from

its rotten rows to the most fashionable quarters, are thousands of old decayed, pest-ridden shacks unfit for human habitation, also the Pactolian possessions of its capitalists and real estate speculators, into which are packed the disease, poverty, and improvidence of its submerged humanity.

No great capital of the Old World, with the exception of St. Petersburg, has the excessive death rate of the national capital. All the misery, degeneracy, and pauperism which has been translated from the Old World to the leading cities of the Union does not produce the high mortality which prevails in the almost wholly American city of the federal district.

But for the fact that during the sickly season the inhabitants flee the city by thousands, its mortality would approximate many of the pest-holes of the tropics. Its water supply is pumped into its filtration plant from a reservoir, an old pond into which the subterranean bilge-water of a cemetery has been seeping for years. Instead of having kept clean the polluted and defiled water mains of a certain quarter of the city visited with an outbreak of typhoid, the blame for the outbreak was laid upon an old woman who had followed her occupation of selling milk many years previous to the visitation. Its marshes reek with malaria and mosquitoes and roll their tide up to the door-steps of some sections of the city.

The blame for all of this excessive mortality is laid on the negro, forgetting that if the white man were forced to live under the same conditions his mortality would be just as great. The African pays dearly for the privilege of touching elbows with the superior

race, for, sadly enough, if the rent-roll of the Caucasian were scanned it would be found that their banks and churches are built out of negro funerals.

That the picture is not overdrawn may be gathered from the following, taken from an article published in an evening paper of the national capital July 21, 1910:

"The death rate of children in the city districts is terribly high. The white babies died at the rate of about 140 per 1000 before they reached the age of one year. The colored babies died at the rate of 400 per 1000 before they reached their first birthday. In one of the city districts the white babies died at the rate of 218 per 1000 before the end of their first year, and in several of the city districts 50 per cent. of the colored babies died before they reached their first milestone on life's journey.

"In twelve wholly suburban health districts the death rate of white babies under one year was only 45.53 per 1000, and of colored babies in fifteen such districts only 91.74 per 1000. These figures show in a most striking manner the beneficial effect of pure air and sanitary surroundings on child life. These figures prove conclusively that the colored children do not die off in the city like flies in a trap because of their color, but because they are not permitted to breathe pure air into their lungs to keep them alive. The slum conditions in our 'Christian city,' in our 'most beautiful city,' in our 'best governed city,' in our 'model city,' are outrageous. If permitted to continue they will be criminal."

[2] *Washington Times.*

"Will be criminal,"—as if the existence of 268 officially recognized slums in which are burrowed nearly 16,000 human beings is not already a crime! In one of these slums, Pierce Street Court, wholly inhabited by negroes, out of a population of 115 there were 33 deaths during the year 1908.

The civilization and Christianity of the American people must be measured by the moral conscience and humanities of the national capital. The conscience which is converged in the shadow of its towering dome is that which radiates from every nook and corner of the land. Its civic consciousness, like its moral consciousness, emanates from its masters on the Hill, and consequently its ideals are none other than those of its Congressional keepers.

That there exists in the national capital an obtundity or lack of the exalted humanities is true. Much of this, however, follows from a lack of responsibility, both individual and civic; its immediate government is not representative, but delegated, a species of government by granny in which the thought and welfare of nearly four hundred thousand men, women, and children are entrusted to three non-responsible individuals.

That the national capital under these conditions should be indifferent or apathetic to the higher civic consciousness is natural, but that its indifference or heartlessness toward child life is owing to a lack of humanity or Christianity in the great majority of its inhabitants is not true. The capital is not alone humane and Christian at heart, but sincerely religious, although at times religion appears to rise no

more militant than a tilt between the Bible and the brewery.

Nor must its Christianity or religious proprieties be reckoned by that strip of thoroughfare between the Capitol and the White House, nor should the flaring electric advertisements that mar the skyline of that street be taken as an index of its reverence for the "Sky," for, grotesquely enough, in flashing defiance to the other are two huge signs, one dedicated to the "Light of the World" and the other to a brand of beer!

For years the inexcusably high mortality rate among the infants of the capital made it a byword in the medical world. To lessen this high death rate a noted New York philanthropist erected at his own expense a pasteurizing plant, with the result that out of the five hundred or more babies using its product not one died of intestinal disease during the year,—a gift to the mothers of the District of at least a hundred and twenty-five of their babies who ordinarily would have fallen victims to the scourge. Having demonstrated the necessity for the institution, the donor tendered the plant to the community, with the single condition that it be operated under existing benevolent purposes.

The District Commissioners, from their marble tribunes on the Avenue, let it be known that they would not accept the tender nor commend its acceptance by the District, on the ground that the gift would saddle upon the poverty-stricken taxpayers the enormous expenditure of about five thousand dollars, adding that burden to the eleven or twelve millions spent annually

for the privilege of having one of the worst slum- and disease-ridden cities in the land!

These officials further declined the tender on several pretexts, the gist of which was that it was beneath their own dignity, as well as that of the exalted retinue reposing in the Health Department, to play the role of District wet-nurse, nor was it worth the time nor the trouble of these august individuals to bother with so trifling a matter as conserving the lives of a few hundred of these insignificant beings. That the trouble and expense, with a little lobbying, could be shifted from the District to the general Government as a make-believe experimental station, and whose experts stood as ready to bottle-feed a baby as dose a cattle tick or bait a boll-weevil, hardly needs mention.

But for the generosity of the donor the plant would have been closed and the babies allowed to run the gauntlet of the grave-digger as before. As for the community, except for the lament of a few sonorous reporters and the protest of perhaps a hundred indignant mothers, the District stood mute. The local philanthropists, mournful tight-wads, clutched their simoleons and with eyes raised heavenward prayed that New York be allowed to remain the exchequer. As for the doctors, what mattered the signing of a few hundred additional death certificates to men in the business?

The clergy,—alas for the makers of our conscience! Some were nodding in the beatific somnolence of the past; others, like courtiers of the gods, were reveling in the sumptuous verities of the present; but in not

one of the scores of pulpits of the District was a voice raised in behalf of the babe.

As for society, that conglomeration of *its* and *nits* "as advertised," they were too busy with their doggies, débutantes, and diplomats to spare a single thought to so vulgar a creature as a plebeian baby.

Congress—the Capitol—would as soon play doll as waste time on a District papoose.

CHAPTER XIX

THE LAKE STATES

INTO the six Lake States of Ohio, Indiana, Illinois, Michigan, Wisconsin, Minnesota, and their neighbor Iowa there came during the twenty-two months preceding the first day of May, 1910, an army of 313,553 aliens, a host of crude unassimilable humanity which no people nor country can continue to absorb without imperiling its national ideals or destroying its racial destiny.

If race suicide meant nothing more than a lesson in national economy or a question of beneficent financial policy, this voluntary side-stepping of one race for another, or if, for all purposes of national preservation and perpetuation, one human being was just as valuable as another, then, as a matter of course, the ready-born and ready-reared Italian or Tartar would come much cheaper to the community than the more costly American product. To quote the irony of a prominent government official, "What is the use of rearing the expensive American-born man or woman when you can send over and import the Dago or the Polack by the shipload at fifty dollars a head?"

Judged by the old-time standard of American life, comfort, and progress, the people of those seven States have lost much of their Americanism and gained but little more than the money ground out of helpless

pauper labor. To the working and middle classes, the people who rear families instead of dogs, the classes who do not transmute human misery and tears into gold, this influx has brought much of the competition, lower standards of living, and struggle for existence that prevails in the overcrowded countries whence these aliens came.

Within a generation the American has surrendered to the alien millions upon millions of acres of public domain, the heritage of his children, and sent his sons to the bread line and his daughters to the sweatshop. His cities, his pride and the wonders of the age, are vast semi-oriental Babels peopled by races who speak not his tongue and are no more fit to take upon themselves the mission of Americanism than the Tartar of the steppes.

Even when the millennium shall have come no people will be able to survive by the altruism or generosity of the invader, but by their ability to hold their homes and firesides against the people who have none. In these days the landless hordes no longer swarm with shield and spear to inundate the lands they seek to conquer, but come in the steerage, and by their ability to live cheaper they starve and dispossess the native accustomed to higher standards of life.

The State of Illinois is no longer American, and, like that stretch of the Republic extending from the shores of New England westward beyond the Mississippi and north of the Potomac and Ohio rivers, its destinies are in the hands of the alien.

Whether written in irony or uttered in fatuous optimism, listen to an extract from an editorial of a lead-

ing newspaper in the national capital: "Chicago is become Illinois, and Chicago is a foreign city. There, even more than in New York, the native American has great difficulty in absorbing the multifarious foreign and alien bloods; but that those elements will ultimately be digested and assimilated there is small room to doubt.

"It is pertinaciously asserted that 75 per cent. of the voting population of Chicago is unaware that there is a dual government in our republic,—State and national. There is a vague sort of idea of a great establishment at Washington; but many of the voters at Chicago value American citizenship chiefly because a vote becomes a valuable asset to be exchanged for money at every election."

Were assimilation of human beings or the nationalization of aliens simply a problem in proportion, then, doubtless, the prophecy of the editor that these elements will be ultimately digested and assimilated might come true. Unfortunately, however, the danger is just the converse; for should the foreigner continue to be dumped into that city at the present rate, within a few years Chicago will not only absorb or drive out its population of native American stock, but become the third city of the world in point of European peoples.

According to the police census of 1909 there were in the city of Chicago 2,572,835 inhabitants, of whom, including nearly 50,000 negroes, only 699,554 were Americans whose parents were not foreign born. In large foreign colonies the first generation almost invariably reflects the thought, manners, and ideals of

the parents; consequently, upon these 650,000 native white Americans will fall the stupendous task of digesting and assimilating a million and a half, or perhaps half as many more, of as crude and polyglot an aggregation of mortals as was ever gathered under the sun.

Vital statistics compiled by the city of Chicago are not reliable and are not accepted officially as trustworthy. Its population according to the federal census of 1910 numbered 2,185,283, a reduction of nearly 400,000 from that given in the city annual of 1909. Returns of births and deaths are looked upon as mere estimates, and for these reasons statistics published in its annuals are accepted only as information.

Except among the aborigines of Australia, the mongrels of Latin America, and the élite of a leading Pennsylvania city, no community in the world exhibits so much promiscuity and precarious marriage as Chicago, and in consequence babies are spawned in that city with a prodigality approximating the lands whence its population sprang.

The police census of 1908 enumerated nearly 60,000 babies in that city under one year of age, probably an excess of 10,000 over the actual number. Of these doubtless 90 per cent. were the product of the foreign elements constituting its chief citizenship. On the other hand, the infant mortality, numbering 7000 deaths, was grossly understated, the probability being that the actual mortality exceeded twice that number.

Race suicide, therefore, except among its Anglo-Saxon survivors, is not a serious problem in Chicago; that abortion, however, is a popular pastime as well

as a social necessity among the "pur sang" and élite of the stockyard city is evident from the observations of an eminent physician of that city, in a book recently published, entitled *Diseases of Society*. The doctor says: "The cry of public demand would fit the abortion business better than it does some other things; the evil is widespread both in and out of matrimony. Its existence is recognized under the rose as a social necessity, yet the law calls it murder. For every man and woman caught in its commission and punished a thousand escape detection."

Out of the 2378 still-births—nearly every one of them induced abortions—reported in that city in 1908, not one in fifty was returned from the "baby farms," popularly known as ladies' private boarding-houses, although it is a well-known fact that there are as many baby farms in Chicago as there are policemen. The arrests for criminal abortion in that municipality increased from 2 in 1903 to 21 in 1907, but as there are no records of any convictions the spurt was probably owing to over-expansion of the industry rather than any real awakening of public conscience. Along with this police activity runs the statement that the number of infants abandoned decreased during that period from 45 to 1, which, if true, would indicate that real live babies are becoming as precious in that city as pork.

It would scarcely be fair to hold either the immigrant or the Anglo-Saxon American responsible for the composite civilization existing in these States; that both have gained is not true, for the moral stand-

[1] *Diseases of Society*, Lydston.

ards are not the same. There are as many ranges of conduct as there are races, and the proprieties of one are downright immoralities in the others. So variant are these standards, and so complacent have communities grown, that morality, in the American sense of the word, can be said no longer to exist, and instead of being a matter of individual or public virtue it has resolved itself into a question of Sunday observance or Sunday beer.

Accordingly, in the larger towns and cities, along with other foreign innovations, there have sprung up those hideous institutions, the maternity boarding-house and the lying-in hospital—private resorts for abortion, where the traffic is carried on as openly as any other business in the community.

These "resorts," usually conducted by some enterprising midwife or doctor, until stopped by federal statute advertised openly, besides having their solicitors in the smaller villages and towns. In Chicago it is said these places were political assets and the spoils went with the election.

In the State of Ohio so popular were these institutions, that in 1908 that State, in order to protect the increasing number of abandoned and illegitimate infants, enacted a law licensing these maternity boarding-houses and lying-in resorts and placed them under the control and supervision of the State Board of Health.

In their report for 1908 the Board said: "That the State should look after the welfare of these helpless abandoned children there can be no question. We have no means of knowing how many illegitimate chil-

dren are born in Ohio each year, as a new system of registration of vital statistics is just getting under way. In our neighboring State of Pennylsvania there are more than 4000 such births reported annually; there are of course many never reported. . . .

"But we have evidence already that some of these maternity houses or baby farms are kept by the ignorant and vicious who have no regard for human life, and that babies left in their charge, unless payments are kept up (often not the case), are frequently, thoughtlessly, if not deliberately, allowed to languish and die."

Reading between the lines, it is not difficult to discern the humiliating admission that in the great State of Ohio, or for that matter in that old-time stronghold of transplanted Americanism, the Central West, criminal abortion had became an organized institution, an open vocation tolerated by public opinion and demanded by society. That this is true, or that the authorities were unduly complacent, is lamentably proven by the returns of the Ohio State Board of Health for the year 1908. The number of cases reported for that year was 10, and apparently none of them criminal; if any such were criminal, or if any convictions for the crime took place, the record has not been obtainable.

The story of Michigan is pathetic, a commonwealth unsurpassed by any State of the Union for the scope and reliability of her vital statistics. With ample warning that the scepter of her Americanism was rapidly departing, she continued to throttle her unborn babes and fill their places with the Canuck from across the border and the alien from across the sea.

Dr. I. C. Philbrick, of Lincoln, Neb.,[2] writing on the passing of the American in Michigan and elsewhere, said: 'The special committee appointed by the Michigan Board of Health in 1881, after a painstaking inquiry, concluded that one-third of all pregnancies ended in criminal abortions; that at least 100,000 criminal abortions occurred in the United States annually, and that year 6000 women, at the lowest estimate, died from the effect thereof."

In the thirty years that have passed since the framing of this indictment, the foreigners have come into the Lake State by scores of thousands, with the result that year by year the descendants of the old native stock that rolled in from the East, that multiplied and filled the land during the first half of the last century, have grown fewer and fewer. The only striking reminder of its past Americanism is its traditions and language.

The presence of this motley alienism has enabled the census office to formulate a valuable table on comparative fecundity of international marriages. The following table by Dr. C. L. Wilbur, of the United States Census Bureau, was compiled from reports of the State Board of Health of that State:

Both native birth	1.8
Both Canadians	4.9
American male, Canadian female	1.9
Canadian male, American female	1.9
German male, German female	6.7
American male, German female	2.3
German male, American female	2.7

[2] *Western Medical Review,* March, 1900.

The table shows beyond question that the intermarriage of the American male or American female with a foreigner depresses fecundity to the American standard. As this experience is common to every section where these unions take place, the prospect of a great permanent future American race exhibiting the dominant traits of the Anglo-Teuton and endowed with all the virtues of the others does not seem to be very promising.

The deteriorating effect of this influx upon the native stock of the North Central States is shown by the fall in birth rate among the native white women of that section. In the North Central States from 1890 to 1900 there was a decrease of 37 children per 1000 native white women, ages fifteen to forty-four, as against 8 in the South Central States, where the alien has not pre-empted the land. In the Western States, where the foreign tide is fairly submerging the native element, the decrease was even greater, being 48 per 1000. In the North Atlantic States there was an increase of 1 per 1000, while in the South Atlantic States, where the immigrant is an unimportant factor, there was an increase of 7 per 1000.

The rapidity with which the native element is being eliminated is further shown by the annexed table. The figures show the relative increase and decrease of white children under five years of age born per 1000 mothers native and foreign, ages fifteen to forty-four, for the country at large for the census decade 1890-1900:

NATIVE		FOREIGN	
1890	475	1890	666
1900	462	1900	710

The effect of this suppression of Americanism is pathetically depicted in an editorial of a leading Sunday paper of the national capital under the title, "The Normal Birth Rate in America": "Chicago's schoolchildren of American parentage are too scant in number to get a mention in a press summary of the results of the school census just announced. Children of German parentage are far in the lead, which gives no occasion for surprise; but instead of Ireland coming in for second honors, we are told that Pat's lads and lassies are outnumbered also by Poles and Russians, so that Ireland is no better than fourth in the class of nations."

In the group of Lake States, including Iowa and Minnesota, in 1905 there were engaged in its manufacturing industries over 200,000 women over sixteen years of age and nearly 23,000 children under that age. Of course this does not include the women and children employed in the stores, shops, offices, and trades, which, if included in the count, would probably swell the number of wage-earners in these classes to fully 750,000 persons,—a humiliating commentary on the price of our civilization and the cost of our national wealth.

If by the importation of the foreigner the women and children could be spared the round of the treadmill, then much of the evil of unrestricted immigration could be condoned; as it stands, the effect of this continual surge is to depress wages, increase the price of food and rent, and force the hungry mouths to the shop and factory.

By no system of labor or amelioration of conditions

can the child or female wage-earner compelled to work fifty-four to sixty hours a week retain full physical vigor, nor can the latter undertake the career of motherhood without impairing her health or imperiling the future of her offspring. In the trades or occupations adapted to women and children above the age of sixteen, eight hours should constitute a day's labor, and prospective mothers should be wholly barred from the mill or the factory. The strain upon the female in the race for livelihood is far greater than that of the man, and despite the illiberal decisions of Supreme Courts, which are usually a thousand years behind the spirit of the times, and still quibbling for the pound of flesh, the state should persist in its efforts to guard the welfare of its women and children. The crying disgrace of the age and the greatest barrier to human progress are these old coroners of the law and their subservience to the almighty dollar.

That it is wholly unnecessary to put the women of the land under the yoke is clearly shown by the fact that there are nine of our States where only 1100 of the sex are employed in mills and factories, and these States are among the most progressive in the Union. There is no more necessity for South Carolina to put its mothers into harness than for Kansas to do so, yet the former State has nearly five times as many of its women under the yoke.

The necessity for child labor is even less and the practice far more infamous. Fortunately, not all of the States are surrendering their young life to the industrial harpy. Fifteen of our States have drawn the lines so tightly on this traffic that only 1700 chil-

dren under the age of sixteen are under the grind within their borders. On the other hand, in the great and opulent State of Pennsylvania, where there are more millionaires than in the whole of France, that commonwealth in 1905 had nearly 35,000 boys and girls under sixteen years of age in its mills and factories, a portion of the toll its people pay for its nabobs, its foreign dukes, and its ocean yachts.

Although almost a foreign province, Illinois has greatly restricted child labor. In 1905 only 5000 children under sixteen years of age were engaged in its manufacturing industries. The effect of this restriction was clearly shown so far back as 1903. In that year in the city of Alton child labor was forbidden in the glass factories and a compulsory education law enforced, with the result that a new schoolhouse had to be built to accommodate the children that had been previously employed in the factory.

Unfortunately, babies do not count at the polls, nor in most of the States do the votes of the mothers who bring them into the world; for this reason the politicians who make our laws or interpret them are far more interested in utilizing the foreign brand of voter than in conserving the lives of those still on their mothers' knees or at their breasts.

According to Professor Fisher [3] there could be an annual saving in the United States of 100,000 infants under one year of age and 200,000 children whose lives are unnecessarily sacrificed to diseases of that period of life.

The doctrine advocated by some sociologists that

[3] Mortality statistics. *Report* of the census 1908.

the dangers of the infant lie within the home and cannot be ameliorated by the state is not alone dangerous, but untrue, and is a return to the primitive law of the savage, which from birth to death left the welfare of the individual to those within the walls of his cave-hold or hut.

Conforming to this doctrine, a majority of the States decline to provide the vital statistics so necessary to guard the lives and welfare of their citizens. In these States this duty is left to the community, and the community, finding disease and funerals at private expense more economical than public health at public expense, oppose every step to interfere with the cherished privilege of living and dying in the same old way.

The trustworthy registration area of the United States covers slightly above one-half of the estimated population. The mortality statistics issued by the Bureau of the Census for 1909 draw attention to the fact that out of the 732,538 deaths occurring in this registration area, 196,534, or 26.8 per cent., were of children under five years of age, and 140,057 were of infants under one year. According to the *Medical Record* one death out of five during the year 1905 was of an infant under one year and one in four of a child under five years. In a recent report on "Infant and Child Mortality" Dr. Arthur Newsholme, medical officer of the local government board of England, states that infant mortality forms a sensitive index of social welfare and sanitary administration, and that "it is strictly correct to say that a high infant mortality implies a high prevalence of the conditions which determine national inferiority."

In one State, Iowa, it was published throughout the land, and not denied, that one-third of all the babies born in that State during 1909 died during that year, which perhaps was an exaggeration, but owing to absence of statistics there was no means of either verifying or disproving the accuracy of these published reports.

There is no political body so helpless and unprogressive as the American State, and no class of men so superficial and untrained in the art of government as the average State legislator, this mainly for the reason that he usually stands for a corporation, a labor union, a crossroad, a brewery, or a church.

If the allegations bandied and published from one end of the land to the other be true, if we except Russia and the Orient, there are no governments so corrupt as a large number of the American States. Except when haggling or bargaining over the choice of a Senator, the bulk of the time is spent regulating railroads, roulette, and whisky, while the thousand and one problems of disease, drainage, child labor, and the welfare of men and women are given less consideration than that of how to serve the "Boss."

CHAPTER XX

SOUTHERN STATES

In the eleven Southern States which comprised the Southern Confederacy during the Civil War there were employed in the cotton mills, in 1870, 2494 women over sixteen years of age and 605 children under that age. Although impoverished by the war and plundered by political adventurers for a decade after, the people of these States did not readily take to the project of surrendering their women and children to the mills, and as a result, notwithstanding the fact that the majority of its virile manhood had been killed, maimed, or rendered infirm by the war, population, without the aid of the foreigner, began to fill the gap caused by four years of warfare.

About 1890 the South awoke to the fact that the war was over; there had even been a Democratic President; a new generation that knew nothing of the defeat and humiliation of the four years' struggle was at the desk and plow. The country, however, was still languishing, and the industries, mainly founded on one hundred and fifty years of slavery, were slow in adapting themselves to the new order of the times. In the Carolinas the lumber and turpentine industries, owing to the exhausting of the pine forests, were being shifted to the States further south. Tobacco was a

fairly lucrative crop, but its area of production was limited to Virginia and North Carolina.

The chief product of the Middle Atlantic States was cotton, which unfortunately was wholly at the mercy of the English spinners, who dictated the price of the staple—a figure rarely covering the cost of production. As the New England mills shared in this spoliation the general Government, which protected every industry having the political power to enforce the demand, wholly ignored the helpless Southern cotton planter and permitted this section of the Union to be annually robbed of hundreds of millions of dollars by the European cotton spinners and their New England allies.

Meantime the building of new railroads had caused innumerable towns and villages to spring up along their lines, and to these had come the rising generation of "crackers," "sand-lappers," and "hill-billies" driven from their clearings by eight-cent cotton and exhausted turpentine farms. These settlements soon became teeming centers of fair-haired, freckled-faced Anglo-Saxon youth and childhood.

The Northern and Eastern capitalist who came down in his observation car to hunt, fish, and prospect was not long in discovering this wealth of human energy seemingly going to waste, and forthwith began to whisper to the local financier how readily the mill whistle would transform this mine of cheap labor into gold.

That the suggestion was not lost is obvious. Within the next ten years these capitalists had marauded the schoolhouses, culled the nurseries, scoured the

clearings, raided the swamps, and ransacked the mountains, and at nearly every railroad siding where a sufficient number of large "craker" families could be collected to warrant the erection of a smokestack, the mill, the factory street, and cemetery dotted the scene.

In 1905 the old chivalrous South that was, and the new South that is, was grinding in its hoppers 79,112 of its wives and daughters over sixteen years of age and 43,359 children under that age. Of course this does not include the hundreds of thousands of women and children who have to earn their bread or the bread of the family by work other than that in the mill or factory.

Incredible as it may seem, within fifty years after the passage of the ordinances of secession to perpetuate negro slavery the slaves had become free, and in their stead, in the three States of North and South Carolina and Georgia alone, no less than 43,000 of their own women over sixteen years of age and nearly 30,000 of their children under that age were slaves of the mill.

Whether this retrogression was consequent upon the demoralization following one of the most disastrous wars of history or degeneration caused by the loss of the flower of its manhood, the South, hitherto one of the highest exponents of Anglo-Saxon civilization, had in a single generation become as mercenary and as callous to the welfare of the women and children of its poorer classes as the feudal lords of Europe or the industrial barons of their Yankee conquerors.

For nearly forty years after the termination of that

conflict and the inauguration of the New South, legislation governing woman and child labor reads more like a chapter out of the annals of the medieval centuries than the chronicles of enlightened Christian peoples or the obligations of the modern civilized state.

Year after year legislative halls echoed with oratory advocating and defending the barbaric traditions of the ages, while Cavalier and statesman fought like gladiators to defeat or postpone every measure seeking to protect helpless childhood against the heartlessness of the parent or the rapacity of the mill. Educators, editors, preachers, lawyers, doctors, the foremost social and intellectual product of the age, not alone denied necessity for legislation, but disputed the right of the State to interfere or legislate to this end.

Public opinion on the subject, except in the conscience of the humane and patriotic few, could hardly be said to exist. So indifferent was this opinion that it took nearly twenty-five years of constant effort to wring from lawmakers in the States that have advanced sufficiently to enact laws on the subject legislation prohibiting child labor in the mill or factory under ten years of age, although in keeping with legislation affecting industrial interests these laws have become practically inoperative through lack of public concern or legal means to accomplish their enforcement.

Up to this time no age was too young nor any child too frail to be exempt from the leash of the loom. Tender tots with the lisp and prattle of the nursery still clinging to their lips, children deformed

and suffering with disease, were compelled to labor sixty-six hours a week, that is, from seven o'clock in the morning until six o'clock at night each week-day, and dire disaster to the mill and ruin to the stockholder were predicted if these hours were shortened or rape of the nursery interfered with. Orphans that should have been sent to children's homes or asylums were practically adopted by the mills and kept upon the mill roll until disease or death removed the little slavies from the pale of the millstack.

Ordinarily these conditions could have not have obtained in the South except for the universal impoverishment of its people. Distress and poverty bore with particular severity upon its poorer classes, making these unfortunates ready prey for industrial exploitation.

As the country emerged from its dependency, very naturally protests against this exploitation of women and children were made by many cognizant of its evils. These protests, however, were met and stifled by the usual methods of the predator—they subsidized the press, coerced legislators, bought the doctors, while the pulpit, the final keeper of a people's conscience, was bribed by gifts of churches and chapels—the subsidy of enriched stockholders who cared no more for the spiritual welfare of their operatives in the next world than they cared for their material welfare in this.

Great religious denominations accepted houses of worship from mills that worked women with children in their arms from seven o'clock in the morning until six o'clock at night, and invoked the blessings of the

Almighty on schoolhouses built by factories where children had to work at night to make up time lost by attending school during the day.

No band of slavers foraging on the slave coast had less feeling for their victims than had the cotton-spinners of the New South for the women and children of their own race that slaved in their mills. To them these unfortunate victims of a new era were but Heaven-sent substitutes whom Providence had ordained to take the place of the shiftless and lazy Yankee-freed nigger whom neither their cash nor their lash could entice into their mills.

That the mill-builders placed these substitutes for the negro in the same category with the African is evident from the declaration made by a Raleigh manufacturer before a committee of the North Carolina legislature. He said, "Just as the South had settled the negro question in its own way, I believe the South can be trusted to settle the problem of poverty [child labor, of course] and the necessity for work in its own way."

Just how the South settled the negro question can best be told by the negro himself, or by some of the Southern Congressmen who are still engaged in settling that question in the street-cars of the national capital.

How the North Carolina legislature settled the question of the negro's child is shown by the action of the legislators of that State during a debate wholly to prohibit child labor in any industry under ten years of age. The necessity for the law was urged by the fact that in some industries, notably that of

oyster-shucking, children as young as six years of age were employed; that the hands and fingers of these children were permanently mutilated by being cut and bruised by the shells, and during the severe cold weather their hands and fingers were frequently frozen. Upon being shown, however, that few or no white children were engaged in the industry, that those employed were almost wholly negroes, the measure was promptly withdrawn.

While there exists a wide difference of temperament and way between the people of North Carolina and her sister State to the south, the way of the mill is the same in both. So completely were the women and children at the mercy of the mills that it might be said that the cotton industries of these States were built upon the feeble forms of these unfortunates.

In South Carolina conditions were so deplorable that it was not until the political upheaval of the closing decade of the century, when the government passed from the control of the Cavalier into the hands of the "cracker," that any legislation was attempted to restrict the power of the mills, and then only as a political award to the mill "cracker," with a vote.

The law of 1892 provided that eleven hours should constitute a day's labor in the cotton and woolen mills of the State, but took no account of the age of the operative, although at this time there were more children under ten years of age at work in the mills, in proportion to white inhabitants, than in any State in the Union. As a matter of fact, neither its legislators nor the people of the State gave as much thought to these helpless creatures as was given to

the little slaves in the negro streets of their plantations fifty years before. So blunted was public opinion, that so recently as 1900, or scarce more than ten years ago, a bill to prevent the employment of children under twelve years of age in factories and manufacturing establishments was killed in the Senate by a vote of 29 to 8.

At the ensuing session one of the lobbyists, a mill president, urged as a reason against the passage of the bill [1]that "children between ten and twelve years of age did almost all of the spinning in the State, and the passage of a law limiting child labor under twelve years of age would stop 20 per cent. of the machinery." [2]The president of another company said that "30 per cent. of the operatives in the spinning rooms at his mills were children under twelve, and from his information he did not doubt that the same proportion would hold against the rest of the State.

The pitiable state of education among mill children was brought out by the statistics of the Victor Mills, admittedly one of the "show mills" of the State; out of 124 children, 58 could not read. This condition was ingeniously obscured by the president's statement "that all could read but 58."

During the debate on the passage of the bill, said one of the Senators, speaking for the mill presidents:

[1] *Report on Conditions of Women and Child Labor in the U. S.*, vol. iv., 1910.

[2] *Ibid.*

[3] *Report on Condition of Woman and Child Labor in the U. S.*, vol. iv., 1910.

(a) "These men are all South Carolinians to the manner born, and their hearts have been tried and are as true to their people as those of the agitator."

This bombastic tribute to the mill president was in keeping with the mock heroics and conceits of the day; the legislator merely voiced the decadence of a proud people—a people who ignored and condoned the shame of their State with the travesty that its inhumanities were perpetrated by its own feather.

Whether in a lucid interval during the protracted delirium of their whisky wars, or the desire of the mills to placate the clamor of the agitators, in 1903 the mill presidents consented to a passage of a law limiting employment under ten years of age in 1903 and under twelve years in 1905. The act was, however, emasculated by the insertion of a provision that no penalty should attach to the mills except for knowingly violating the statute, and by failure to provide adequate means to enforce the law. For this reason the law was continually violated, and since no conviction could follow the methods of the mill were still supreme in the State. Not alone did the mill continue to defy the law and employ children of their own State under the age limit, but resorted to the infamous expedient of importing children from abroad.

In a speech delivered before the United States Senate by Senator Beveridge on the passage of the child labor bill by that body, the Senator submitted an affidavit from a reputable individual[4] showing that children from seven to fourteen years of age

[4] *The Cry of the Children, Mrs. Van Vorst.*

were shipped from Tennessee to the mills of South Carolina. These children were shipped under the supervision of a padrone, or boss, and came in carloads lots, like the cattle exported from that State.

In 1911, after years of effort on the part of agitators, as the humanitarians of that State were called by the mills, a law was passed which if enforced would wipe out much of the disgraceful history of the past.

No people profess higher Christian ideals than the people inhabiting that portion of the republic extending from the Potomac to the Rio Grande, yet with strange inconsistency in no other sections are lower standards of humanities tolerated. Hysterical to a degree of fanaticism on the subjects of beer kegs and Sabbatarianism, neither its civic nor its religious consciousness can forego or relax from these perturbations long enough to give thought to some of the real evils that cry within its borders.

Years ago under the dome of the capitol of the Empire State of the South, and within hail of a hundred spires, the pitiful story of Georgia's shame was told in these words by a representative from Muscogee County: "The Columbus cotton mill run thirteen hours a day. You see the women go by, pale and haggard, slovenly, exhausted by their day's work, going home to a crust of cold bread. They have no opportunity to receive mental or moral instruction. Life is a drudgery, a way in the dark."

"Go with me," said another speaker, one who had in years gone by worked in a cotton mill, "this evening about half-past five or six o'clock and you'll see the lamps lighted and the helpless women and chil-

dren at work until about seven o'clock. To-morrow, before it is light enough for the farm laborer to see, these same women and children will be working again by lamplight."

Since that time the State has passed laws intended to correct many of these evils. Child labor under ten years of age has been absolutely prohibited under any circumstances in mills, factories, and manufacturing institutions, but children under twelve years of age are permitted to work under certain conditions. These laws have been to a great extent inoperative because there are no special officials empowered to enforce them. As the law stands, enforcement is optional with grand juries. That the law is a dead letter is evident from the fact that there has not been a single conviction, notwithstanding thousands of cases of violation.

Florida, the land of flowers, the home of the orange grove, palace hotels, and peonage, geographically excepted, can hardly be called a Southern State. Preempted on its eastern shores by the Northern Yankee and peopled largely on the Gulf Coast by their brethren from the Middle West, the State is more Yankee than Southern, more Western than "cracker."

That these two streams meeting and blending with the sturdy strains of the Old South should evolve a people exhibiting the highest traits of American civilization was surely to be looked for. Alas, this is far from true! Instead, it has molded a commonwealth whose ideals are expressed by low humanities and worship of the sordid dollar.

Fortunately for the child of the "craker," his wives,

and his daughters, there are few mills or factories at hand, and to this extent his daughters and little ones escape the slavery which overtakes their kindred in other Southern States. The industrial predator, however, is ever alert, and to the land of the "craker" have come industries equally meanacing and destructive to the life and happiness of his child, the most pernicious being that of oyster- and shrimp-packing.

Arraignment of an American State is not a willing task, but in the State of Florida conscience or public sentiment on the question of child labor is at a very low ebb, or entirely wanting. Not alone has this great and Christian commonwealth surrendered its own childhood to the industrial ravisher, but permits for this purpose the importation of these helpless creatures from other States.

So strongly are these industries intrenched in the graces or patronage of her legislators, that remedial legislation appears hopeless. The traffic or trafficker is defended on the ground that the children engaged in the occupation are not the State's own, but have come from Maryland, Delaware, and New Jersey,—an untruth as to their own children and a low moral quibble as to children shipped from other States.

Even the negro on the docks of Jacksonville and Tampa must grin as he sees the slave ships sail to their piers laden with the tiny white slaves; not pillaged as were his forefathers in the wilds of heathen Africa, but literally bought from the child slaver plying his trade within the bounds of Christian America. The extent and horrors of the traffic may be gleaned from a recent number of a New York publi-

cation,[1] in which appears a communication on the subject by the General Secretary of the National Child Labor Committee, from which the following is taken:

"You may be interested to know that our child labor bill pending in Florida has probably been killed, after having been amended to fix an *eight year age limit* for all occupations. The chief opposition was from the oyster-packing industry. Their lobbyist contended that the work could not injure Florida, because it was done by children from Baltimore. The fact is, we have abundant records and photographs of children from ten years down to four working in the oyster- and shrimp-packing houses along the Gulf, hundreds of these children being employed all through the summer in the fruit and vegetable gardens of Maryland, Delaware, and New Jersey, and then shipped by boatloads to the South every autumn to put in their winter in the sea-food packing houses. Many of these communities are without schools, churches, newspapers, sanitation, life.[1] How is this for the other side of Palm Beach?"

From an editorial on the same subject by another New York publication the following is also taken:[2]

"In reply the secretary told of the committee's work in Florida, where for six years it has been fighting to get even a moderate law to protect little working children. The oyster-packing industry fought the bill, he said, with the argument that children five and six years old need no protection. He also explained that the sharp oyster shells cut fingers,

[1] *New York Life*, June 8, 1911.
[2] *Collier's*, July 29, 1911.

that shrimp secrete an acid which eats away the skin, and that these children, sent by the shipload from the truck gardens of Maryland and Delaware, work in camps without school or church or sanitary comforts."

From the earliest settlement of the country to the closing decades of the last century the Southern female had attained the highest possibilities of American womanhood. Without the aid of the alien she bore enough sons and daughters to preserve the heritage of her Anglo-Saxon ancestors. About the middle of the eighth decade of the last century in the newspapers and literature of the day there were ominous whispers that the South had entered into a new era, that the Old South was passing and that there had come a New South.

With the New South came new manners and morals, and with them the induction of the hitherto fruitful, duteous, high-minded Southern woman into the ways of the conscienceless, deletory maternal pervert.

While much in the past has been due to the Southern female for peopling her country with her own offspring, this has been supplemented largely by the presence of the large negro population, which has stood as a barrier between their former masters and the keen, avid, land-hungry alien, who, but for the fact that the negro could live more cheaply and perform more labor for the same wages, would have overwhelmed that section long ago.

The "cracker" woman of the mill has no more time nor inclination to bring babies into the world than the women of her class elsewhere; consequently, all the repressive arts and practices which have become

the fashion among her sisters in other walks of life have come into her own.

Mill presidents, as a rule, do not especially encourage pregnancy among their female employees as a desirable means to provide future levies for the loom, the product not alone being uncertain, but too remote and long deferred for even prospective use. They find it far more effective to send one of their trained emissaries to the backwoods, where he may entice some lazy, hookworm-infested "cracker" to bring his family to the factory street, where coffee, dry salt pork, and typhoid, if he survives, will keep him secure and fast on the mill ledger.

In one of the large mill villages of one of the Carolinas, where the mill owners had built for the use of their employees a building fitted for a night school, it was whispered that the course of instruction, in addition to music, cooking, and sewing, included a class in hygiene to which none but married women were admitted.

In the larger towns and cities where the proportion of commercial and professional classes is large, the birth rate, taken as a whole, is scarcely greater than in similar communities in other sections where the population is composed of native American stock.

Among the white working classes in the leading cities the birth rate is normal only among those who have recently removed from the rural districts, and where the wife is not compelled to contribute her labor to the support of the family by mill or factory work. Where, however, the wife is city-bred or com-

pelled to work in the office, shop or in other industries the birth rate is very much depressed.

Physicians over the entire South in town and country are declaiming against the steady increase of repressive practices and the consequent falling off in the size of the family. The large families which were common in all classes up to ten years ago have continued to shrink in number, until the town population would barely hold its own were it not for the accession from the country, where the pernicious practice has not made the inroads it has made in the more thickly settled localities. To offset this falling birth rate, except in the strictly factory centers, there exists a very low death rate, for whatever may be the unfavorable environments surrounding infant life in the Southern backwoods, these adverse conditions are more than compensated for by an equable climate, the willingness of the mother to nurse her infant, and the open air life of the child.

With the call of the loom and factory street came the passing of the mountain cabin, the log hut in the valley, and the shelter in the clearing. With these have also gone the town or village of the olden times. Instead of the old-fashioned schoolhouse, half meeting-house and half school, frowns the great modern brick pile, filled not with the fair, clean-limbed descendants of the men who came over with the Berkeleys, Cravens, and Oglethorpes, but with the olive-tinted progeny of the East.

The translation of these people, fresh from the lap of mother earth, from mountain, field, and forest to the factory street, has been one of the greatest mis-

fortunes to the South since the Civil War. That disaster was reparable to the extent that the descendants of that virile, martial, and patriotic race would repeople the country with brood of the same stock. But when these people, who since the settlement of the land have been the genesis, strength, and might of the country, shall, like their kindred of the North and East, have been spun into woof and weft, whence shall come the breed to perpetuate this great Anglo-Saxon land? Surely not from the bootblacks, street-hawkers, moujiks, and "old clo'" men who are swarming into the country by countless thousands each year. Already the Anglo-Saxon type is a stranger in the land of Putnam, Warren, and Ethan Allen; he has almost disappeared from the banks of the Hudson, and ere long the Great Lakes will know him no more.

Life in the open for centuries has made the American-Saxon unfit for the mill, and the Saxon of the South who becomes its hireling will perish from the land as has his brother Saxon of the North. Just as Bunker Hill means no more to the present New Englander than the Great Wall of China to the Hong-Kong Chinaman, so shall the glories and traditions of the Anglo-Saxon South perish at the hand of the Latin, the Visigoth, and the Hun, who shall become its possessors.

And the near future has no hope unless what is left of the glorious Anglo-American race shall in less than a century be perched upon the Appalachians, there to survive and multiply until the voice of the centuries shall call to him to reconquer and repeople the land once the heritage of his fathers.

CHAPTER XXI

ATLANTA.

ATLANTA, the hub of the South, with a population composed chiefly of native Southern stock, with all the social, moral, and commercial ideals common to that section of the Union, may justly be called not only a typical American city, but a strictly representative Southern town.

With the exception of Toronto, the city is looked upon as one of the most religious Protestant communities in the world; unfortunately, however, it cannot be said that it is altogether tenanted by Southerners in whom no guile can be found. In 1905, according to the annual report of the chief of police of that city, in its estimated population of 120,000 there were 17,000 arrests, and not one of these for the crime of abortion.

In 1911, after years of suspended animation, the police made a solitary arrest for the crime of abortion —that of a prominent physician for an alleged commission of the act. So far from discrediting the alleged abortionist, the accused at once became an object of profound sympathy in the community. His pastor —the alleged operator belonged to one of the largest and most fashionable congregations in the city—went before the court and by his fervent solicitations secured bail for the alleged offender, apparently not on the ground of innocence, but that in the event of

guilt "he has done nothing that practically every physician in the city does not do."

The eminent divine further declared that "every physician in Atlanta should be in prison if the city holds Dr. ——, for he has done nothing that any other doctor would not do." [7]

Although Atlanta has for years stood in the front rank of American cities trafficking in abortion, not a single conviction was made for this crime. Ever since the city became the leading commercial center of that section it has been the Mecca of the abortionist. Posing as clairvoyants, book agents, insurance solicitors, faith healers, and even evangelists, they shared with the doctor and the druggist in revising the local crop of babies as well as succoring the never-ending contingent from over all the South demanding relief from prospective family accessions.

Public sentiment and public demand were reflected in the newspapers; these, along with—offtimes on the same page—their religious notices, carried in their columns advertisements of the criminal abortionist. An article written some years ago by the author, scoring these advertisements and deploring the agency of the press in encouraging these crimes, was tendered to the editor of a leading newspaper, and declined on the ground that the publication might result in the withdrawal of this highly lucrative patronage.

These demands were openly catered to by the drug stores, whose windows bristled with the latest and most expeditious accessories of the art. One of the drug stores situated on one of the main thoroughfares

[8] *Atlanta Journal*, August 17, 1911.

leading to the girls' high school made it a rule to make its candy display and throttling specialties in the same window.

In one of the leading hotels, a favorite resort for the sex while traveling, a runner for one of the well-known female operators of the city regularly distributed her cards in the ladies' parlors, and, to cover the field thoroughly, pushed her cards under the doors of the private dining-rooms.

The profession had within its ranks the usual talent who devoted their time and skill to the alleviation of the so-called female diseases. The physician unwilling or too conscientious to administer to these universal ailments found that the importuning invalid had no trouble in getting prompt relief elsewhere.

That the traffic was in every way popular and the embargo effectual may be deduced from the vital statistics of the city for the year 1904. In that year, with an estimated population of 72,000 whites, reenforced by about 800 married couples wedded the previous year, the community inflated its numbers by 845 white births.

The number of married females between the ages of fifteen and forty-four may be safely estimated at 9000, so it will be seen that in this representative Southern city during the active child-bearing period about one married white woman in ten in that year presented the community with a child, and it is a reasonable certainty that the majority of these births were of rural or foreign parentage.

In the exclusive and fashionable district known as the Peachtrees, famed the world over for the ele-

gance of its homes, its culture, and its wealth, the greater number of households are as strange to the visit of the stork as the desert wild. Most of the dwellers in these quarters spring from old Southern stock, and while not strictly representative of the old ante-bellum régime, they stand for much of the noblesse and traditions of that time. Unlike their ancestresses, however, who gave to their country the superb manhood of those days, hardly more than one-half of the wives whose names are inscribed in the peerage of the Peachtrees bring into the world within the first five years of married life more than one or two children, and rarely any thereafter. As for the others, they are either sterile or disdain motherhood, and satisfy its yearnings with recruits from kennel or cattery.

The district has a length of about three miles and a width of half a mile, and includes within its limits about three thousand families. No reliable estimate of the children is procurable. According to the returns of the school census of the city for the year 1911, only two schoolhouses have been built here within the past nine years, against fourteen in other sections of the city. The increase in the number of pupils here for the same period was 703, as against 5974 in the others; not alone a poor showing for the aristocratic quarter, but equally disappointing for the city as a whole. But for the fact that negro children are included in these returns the increase of school children would be still more disappointing. Meantime the increase of population during the past nine years has been about 50,000, or about 10,000 families. Even

with these 10,000 new homes the city has been able to increase its school population only 6677 in nine years.

Much of this abridgement of child population is due to the fact that the city is largely a manufacturing center; that it has within its limits a number of mill districts whose operatives are natives instead of prolific foreigners. These mill districts, with their dearth of children and shifting population, prove that the native cannot live and propagate under conditions in which the foreigner appears to thrive.

From Peachtree Road to Gaskill Street is not a very long flight as the arrow flies, and still less the span that leads from Inman Park to Berean Lane, yet as far apart as heaven to hell is human life as lived in the one and drudged in the other. Here, born under the same skies, springing from the same breast, and worshiping under the same spires, live men, women, and children whose homes and surroundings reproach humanity and shame the community in which they live.

The slum quarters of Decatur Street, whose pales almost touch the mill district, with its slovenry and smells, its Jewish wretchedness and negro wantonness, is a plague spot indeed. Yet in all of its vileness this wretched section does not harbor the filth, muckheaps, and dumps that pollute the dwelling-places of the men, women, and children that live in one of the chief mill districts of the city.

In this district, in one block only, that owned by the mill, is found the least pretence to sanitary betterments, and these are marred by unpaved streets,

choked gutters, open latrines, and yards overrun with weeds, which serve to conceal the filth and refuse of slovenly homes.

In adjoining blocks, where also live tenants other than mill-workers, conditions are far worse. In many cases tumble-down shacks unfit for human habitation shelter families, the yards being literally encrusted with mud, litter, and stablings. As neither tenants, owners, nor the municipality remove such accumulations from the premises, these are thrown into the streets, alleys, and under the houses. Street sweepings and garbage, whenever collected, are carted by the city to a dump pile on one of the blocks and deposited at the back doors of the tenements.

What is true of this district is true of the others, a notable variation being that of the district bounded by Glenn and Ocomulgee Streets. Here the filth, litter, and dirt heaps around and about the homes of the operatives is surpassed by these accumulations in the millyard itself.

Mortality in these districts, especially in early childhood, is large. In one of the districts, notwithstanding that the mills run clinics of their own, so great is the amount of sickness that one-fourth of the time of the health physicians of the city is devoted to its residents alone.

As in mill districts elsewhere, the baneful effect of the factory is pitifully apparent among the women and children. No matter how liberal the wages, adequacy of food, or comforts provided by the mill, these cannot offset the wear and strain caused by long hours of labor in close or badly ventilated workrooms. Nearly

every woman or child worker showed the effect of constant subjection to air hunger and lack of sunshine. The air of the mill-lots is far from pure, but fortunately it is plentiful; the hours of work, however, deprive the workers of necessary sunshine, and the oxygen starvation caused by breathing overheated and impure air eleven hours out of twenty-four cannot be redressed by the sunless air of the remainder.

The women, especially those who have been mill-workers from childhood, are unfit for motherhood. Fortunately for humanity, in addition to those who decline motherhood a large proportion become infecund. In the event of maternity, offspring are weaklings who, if they survive the ordeals of early life, grow up mental and physical dwarfs fit for little else than the listless career of those who brought them into the world.

The women of the mill-lots are pinched, faded, and careworn; those who carried babes in their arms are even more gaunt and colorless. Girlhood retained none of the freshness of youth or the bloom and sprightliness of early womanhood. The majority of the women appear prematurely aged, lives seared by the grind of the mill, many of them bent and decrepit—their wrinkles and furrows telling the story of human underlings by man and God forgot.

The child born to the mill suffers much from heredity. Stunted from his birth, he grows so slowly that age is often indeterminate, and for this reason long before he has attained the legal age he is at work in the mill. Lean, gaunt, undersized, underweight, with none of the ardor or buoyancy of boyhood, he stalks

about the mill-lots stolidly awaiting the day when he can enter the mill and, like his elder brother, become the slave of the loom, slum beer, and tobacco.

Upon his sister the blight of parentage and curse of environment have fallen far more heavily; frail, angular, bloodless, and dwarfed, with little of the grace and animation of early girlhood, the daughter of the mill, even before she has donned the yoke, has paid its penalty with that most precious of American birthrights, the bloom and vigor of mature womanhood.

What is true of Atlanta is true of all the large towns and cities in the South. The day of conscientious, scrupulous Christian motherhood is passing, and that of the pride for the number and strength of the family has already passed.

CHAPTER XXII

THE LAND OF THE CREOLE

FROM the land of the Puritan and the Cavalier and its latter-day alloyage to the home of the Creole is not a very far cry in these days of the fast limited, yet so distinct is it in its civilization, temperament and religion that it is hard to believe that these American Gauls, these staid, old-fashioned Catholics of the bayous, have become as hostile and destructive to offspring as the cold, austere, and sanctimonious descendants of the New England Puritan and the post-bellum Cavaliers of the sunny South.

By immigration of native American stock and the productiveness of her own people, the State of Louisiana increased her white population of 73,383 in 1820 to 729,612 in 1900. Some of this increase in population has been due to Italian immigrants who have been coming to the State in moderate numbers for the past twenty years. Up to this time, except in the city of New Orleans, race suicide was not a common practice of the people; but if we are to listen to the chorus of its medical men since that time the great American crime has become as prevalent in the land of the Creole as in any other section of the country.

Listen to what Dr. Louis G. LeBeuf says in his

paper on *Race Suicide and Abortion*:[1] "Legalized abortion was practiced in India, China, and the East Indian Islands, and the destruction of the third or tenth child became a painful and revolting necessity.

"They also tried to limit fecundity by allowing the marriage of their women only after thirty-six years of age. But this is not the case in this broad land of ours, and we still have plenty of elbow room, and the fertility of our soil and the undeveloped resources of our country are tremendous. But in spite of that, statistics show us that we have reduced our race productiveness from eight children per family to two, in one hundred years.

"Twenty per cent. of American women are barren, 24 per cent. of the higher classes, and 27 per cent. of the college girl alumnæ.

"In the Government mortuary statistics of 1902 I notice that the State of Louisiana is credited with only two registered cases of abortion in 1900, while in my own practice alone, within five or six weeks, I know of at least five cases where external mechanical means were used to induce abortion."

Dr. P. Michinard, of New Orleans,[2] in a paper on the same subject, says: "At the last meeting of the American Medical Association the chairman on the section of gynæcology said it had been estimated that in one year there were committed 20,000 abortions in New York City and 10,000 in Chicago. Dr. Michinard, in his estimate for New Orleans conservatively put the number at 1500.

[1] *Proceedings Louisiana State Medical Society*, 1908.
[2] *New Orleans Medical and Surgical Journal, October*, 1908.

"As there are born in this city about 13,000 children a year, you can easily see how the population is affected. My estimate is conservative, because there are many cases that do not apply for treatment. I am considering the whites, because we cannot keep track of the negro.

"Criminal abortion is had recourse to by the poor as by the rich. There is scarcely a day that one or more women do not apply at my clinic at the Charity Hospital for treatment for the after-effects of this crime. It is had recourse to principally by married women, and is very rarely seen among the unmarried."

CHAPTER XXIII

THE REMEDY

In the thousands of years that have passed since the evolution of society, woman in her relation to man has passed through every stage from that of actual property to that of political equality. Up to comparatively recent times there had been but little change in her condition since that day, nearly three hundred and fifty years ago, when the master genius of English-speaking peoples described the sentiments of his day:

> "I will be master of what is mine own;
> She is my goods, my chattels; she is my house,
> My household stuff, my field, my barn,
> My horse, my ox, my ass, my anything."

Since that time, while slowly acquiring the status of an individual distinct and apart from her husband or her male relatives, only exceptionally has she been recognized politically as a person.

For this reason the rights of motherhood have been practically ignored by the state, and legislation affecting her welfare or that of her offspring has been rarely other than that of industrial dictation. Since laws pertaining to woman must always be more or less class legislation, these, to be equable or just to her, must be partial. Laws governing the welfare of the sex, apart from the question of suffragism, should be

formulated by her and not wholly entrusted to the selfishness of man, a large majority of whom, outside of the women constituting their own household, have scarcely more regard for the interests of the sex than they have for domestic animals.

The day of servile and complacent womanhood is passing, and unless the state recognize its obligation to the mother or realize the unequal burden and risk of the female in propagating children, the modern female will continue to decline the disabilities and dangers incident to maternity.

It has been said that every child taxes the father's purse but the mother's body. So true is this, that the fatalities and invalidism caused by war is at times no greater than that caused in a single year by childbearing. From 1871 to 1903, in England and Wales, no less than 67,596 women died from puerperal fever and 130,506 from accidents of childbirth.

According to the Registrar General's return, during 1904 3667 women died in England and Wales from puerperal fever and accidents of childbirth, and each day no fewer than 14 women lose their lives for the performing of a natural function.

While there are no statistics for the country at large, those obtained in the larger lying-in hospitals establish the same ratio of fatalities in our own land: "During five years there were 7598 confinements recorded in the Indoor Department of the Society of the Lying-In Hospital of New York City. During the same period there were 337 deaths of mothers during confinement, or a fatality ratio of 44.3 per 1000 of total confinements.

"In the Indoor Department of the Lying-In Hospital of Boston during a recent five-year period there were 60 deaths in childbirth out of a total of 3546 confinements, or a fatality ratio of 16.9 per 1000 of total confinements.

"In New South Wales, for the period of 1893-1905, the number of married women who lost their lives in childbirth was 3117, or about 7 women out of every 1000 confined." [1]

A certain percentage of fatalities and accidents is inevitable during childbirth. A very large proportion of these, however, might be averted if the candidate for matrimony were to assure herself of her fitness for the ordeal before embarking on that career. A still larger number might be avoided if the prospective mother could be taught that the commonly accepted opinion that child-bearing is a natural or ordinary event is fallacious.

Whatever may have been the capacity of the sex for benign child-bearing in the past, whether from dress, habits, actual physical degeneration, or invasion of the man's industrial domain, the female product of civilization is certainly becoming more unfit to fulfill the role of motherhood. The hospitals, infirmaries, and clinics are everywhere filled with women suffering from disease and accidents consequent upon child-bearing.

How much evil proceeds from carelessness or indifference to the minor accidents of child-bearing may be estimated from the fact that 12 women out of every 100 die of cancer of the organs of generation, the

[1] Fred S. Crum, Ph. D., *Medical Record*, September 17, 1910.

bulk of which is the direct result of failure to repair injuries received during the child-bearing period.

Industrial labor, or even onerous domestic exaction, is incompatible with a vigorous and fruitful motherhood. No woman in the latter months of pregnancy should be compelled to be a bread winner; the necessitous mother should not only be a ward, but the guest of the state, and the community her debtor for every child she gives to her country. At term she should be placed in a *maternite*, and remain until mother and child shall have attained the proper degree of health and strength for discharge, and even after be under the watchful care of the state until mother and child no longer need attention.

As to the number of children a woman should bear, every woman should be encouraged to bring into the world as many as consistent with her health and social conditions; but at no time should the woman be sacrificed to sex, and for twenty-five years—the average period of her fertility—be condemned to carry a child either in her arms or in futurity.

Women should be taught the direful consequences of the abortive practice,—how fully three-fourths of the physical and nervous wrecks that come under the observation of the medical profession are those who have suffered mutilation by the abortionist or are victims of self-inflicted injuries. How after these mutilations perpetual sterility is almost certain to follow, and the victim is nothing more than a female eunuch, with the loss of sex attributes which constitute the charm and majesty of womanhood.

She should be taught that the woman either physi-

cally or by age unfit to become a mother should be protected against legal rape by her husband; that as the dangers of childbirth increases steadily with age, late marriages and late pregnancies should be discouraged and—where practicable—prohibited.

Beyond all, what is most imperative is the passing of the granny,—the granny doctor,—and with him that chamber of horrors—bedroom accouchment. The event, by the judicious administration of anesthetics and care of skilled attendants, should be shorn of much of its unnecessary suffering. Medical science could even go further, and by the intraspinal injection of obtunding remedies practically rob the childbed of most of its pangs. Instead of the ill-suited and unsanitary bedroom of the masses, or the combined sleeping and living-room of the humbler classes, every community should have its *maternite*, where, under the charge of skilled accouchers, motherhood would no longer be synonymous with travail.

To the disgrace of the medical profession the majority of women are compelled to undergo the tortures of the rack, because it is writ somewhere that motherhood s a curse, and that, these pans beng theological, it is the duty of the doctor to execute the sentence of the Book. Every confinement conducted under the old order is a travesty upon progressive medicine and is further,—directly responsible for the majority of the fatalities and accidents that overtake the parturient woman.

While pregnancy must necessarily be accompanied with more or less discomfort and trial, the time is passing—if woman so wills—that the childbed must con-

tinue to be an ordeal. The time has come for the painless obstetrician as well as the painless surgeon and dentist; lofty phrasing and high-flown heroics will not abate a single pang. All the poetry ever written about the natal chamber was written by men, who can never know what it means to bring forth in sorrow or quaff woman's bitterest cup to the brim.

While it is unquestionably woman's mission to bring children into the world, it is debatable whether under all circumstances it is her duty to do so. Obligation to self is just as necessary in woman as in man, and where the bearing of offspring is detrimental to her interests abortion will continue to be her refuge where other methods of avoidance have failed.

The same is true of child-rearing, which is even more onerous and exacting than child-bearing; and until human nature shall have been changed or society reconstructed, exemption will be sought despite the penalties of the statute book or the danger to the individual.

If the practice were wholly connected with the prevention of illegitimacy or social ruin much could be done by benign legislation. Unfortunately, however, the evil is largely a concomitant of married life, and until marriage and multiplication of offspring shall be brought more immediately under the regulation of the state the female will continue to determine the extent of her family—by avoidance, if possible, or criminal interruption, if necessary.

That the problem can be solved in the light of our present experience is very doubtful. Birth rate is falling in all civilized lands, and will probably continue

to fall until, like all other great problems that have confronted humanity, it will adjust itself.

Fortunately for the conscience of the age, except among the degenerate or downright criminal, outrages against the more mature stages of fœtal life are becoming less frequent; not necessarily because of moral ascent or force of public opinion, but because of the fact that the efficacy of circumvention has made them unnecessary.

No modern state has paid so dearly for its opulence and luxury as the American republic, the price being the enforced celibacy of fully one-fourth of the flower of its manhood and womanhood. Every million added to the coffers of its millionaires signifies the suppression of a thousand firesides, nor will this tribute cease while the legislation of the country stands for the millionaire, the trust, and the grafter instead of men, women, and the family.

Restriction to a moderate degree would not in itself be a very great evil if it were not accompanied by the far greater evil of a diminution in the number of families. Among savages or primitive peoples the necessity of the family is recognized by the custom of providing every male member of the tribe with a wife, and promiscuity, except as a tribal or religious ceremony, is rarely, if ever, tolerated.

In civilized man only is celibacy sanctioned by society, although its consequences, both moral and social, are only in minor degree less deplorable than promiscuity. Celibacy does not signify continence, and until the spiritual man shall have arrived all the codes ever writ, or to be written, will not banish the man primi-

tive; and it must be said regretfully that until society lives up to the scriptural injunction, "It is not good for man to live alone," there will always be two standards of conduct; and the man who preaches otherwise either has a wife, has lived too long, or forgotten.

In round numbers there were in the United States, according to the census of 1900, nearly 7,000,000 single white males between the ages of twenty and fifty-four, and over 6,300,000 single white females between the ages of fifteen and forty-four; of these, over 4,500,000 were native white males and 5,500,000 were white females.

That these millions of American men and women remain single from choice is unthinkable. Instead, they are the victims of social conditions more vicious and repressive than any that ever obtained under the most despotic civilizations of the past. Whatever may have been the subjections and oppressions of these civilizations, the masses were either encouraged or compelled to marry, and celibacy was recognized as a danger to society and a menace to the state.

Happily for the future of humanity, and in spite of the many artificial checks, salvage in the earlier and longevity in the latter periods of life have contributed much to offset these restrictions. While suppression is unquestionably a grave menace, it is doubtful if unrestricted accessions to humanity conduce to its welfare, the surplusage invariably creating excessive competition, and with it the poverty, want, and industrial serfdom found among all human swarms.

The time has long passed for humanity to be re-

garded as an exponent of the doctrine that the sole purpose and highest destiny of an organism is reproduction of species, or to hold that the individual has neither the right nor the privilege within the bounds of public welfare to decline the operation of a physical tyranny whose consequences the individual does not care to assume.

Logically and humanely, but in consonance with the welfare of society, the procreative function should at all times be a prerogative of the individual, and not a coercion nor a fatality; nor should the female, upon whom the burden falls most heavily, be compelled to take upon herself the disqualifications and responsibilities of maternity against her interests or her welfare; nor should the exercise of this right, except for actual commission of crime, subject her to public obloquy or penalty of law.

At no distant day society will recognize the necessity of elevating its genesis above the methods of pure animalism, and decline to obey the caprice of a purpose which hesitates at no sacrifice of ancestry as long as it can secure perpetuation of offspring.

Until the advent of this elective era, and with it the obligations imposed upon both the state and the individual, society will continue to be menaced by the perils of suppression or an improvident animalism whose sole purpose is to multiply and fill the earth.