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'SQUARE GIRLS'

PROSTITUTES AND PROSTITUTION IN DUNEDIN IN THE 1880s.

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A thesis submitted for the degree of BA (Honours) History, at the University of Otago, Dunedin, New Zealand.

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ABBREVIATIONS

AJHR. Appendices to the Journals of the Houses of Representatives.

Gazette New Zealand Police Gazette.

MH/EH Morning Herald/Evening Herald.

NZPD New Zealand Parliamentary Debates.

NZJH New Zealand Journal of History.

ODT Otago Daily Times.
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INTRODUCTION

The study of prostitutes and prostitution in New Zealand has usually been subordinate to a more general analysis of women and crime. As prostitutes were, and still are, regarded as criminals in New Zealand, this has been a valid approach. However, prostitution was a particular sort of crime, in that it was essentially a crime against middle class morality. As a consequence, a study of prostitution, in itself, not only allows a fuller appreciation of the nature and extent of prostitution in New Zealand, but also an insight into the social structure and attitudes pertaining to sexuality and morality in colonial New Zealand.

Charlotte Macdonald was one of the first to move towards a greater understanding of women and crime in New Zealand. Her study deals specifically with women and in so doing she places greater emphasis on their role than has been done previously. In the last few years a number of others have followed her lead. Robyn Anderson in Auckland, Jan Robinson in Canterbury and Ingrid Clausen in Dunedin, have all undertaken thorough and detailed analyses of women and crime in their region (though Clausen also deals with men). All have naturally included prostitutes in their studies, but their analyses have necessarily been generalised - though nonetheless accurate.

Stevan Eldrid-Grigg took a slightly different approach to prostitution in New Zealand in his book Pleasures of the Flesh. While factual, Eldrid-Grigg's analysis is misleading.
for his generalised approach leads him to assume that the nature and extent of prostitution was similar in every main centre in the country. This, however, is not an assumption that should be made hastily. It is unlikely, for example, that prostitution in Auckland was the same as prostitution in Dunedin, as both cities have vastly different histories. Many terms Eldrid-Grigg uses in his analysis such as "whore-master" and "army of whores" are also subjective and misleading.

Studies which are particularly concerned with prostitutes are more common overseas than in New Zealand. These usually deal not only with the nature of prostitution but also with the implementation of the Contagious Diseases Act(s). Such Acts were introduced in England, Australia and New Zealand. One of the first studies of this trend was written by Judith and Daniel Walkowitz,⁶ and has subsequently been supported by Judith Walkowitz's own account of prostitution in Victorian England as well as various others.⁷ As a result of Australia's heritage as a convict colony, prostitution has always been regarded as an important aspect in Australian history. However, various myths and misconceptions about the structure of prostitution in Australia developed, and were only recently challenged by Anne Summers in her work Damned Whores and God's Police.⁸ Again, this study provided the incentive for a number of others to undertake similar projects; one of the latest being So Much Hard Work, a series of essays on prostitution in Australia edited by Kay Daniels.⁹ Another interesting account of the role of prostitution in a particular
society is a study of the Comstock Lode in Nevada by Marion Goldman.¹⁰

There have been three studies dealing more specifically with prostitution in New Zealand. One of these discusses the implementation of the Contagious Diseases Acts in England and a similar Act in New Zealand, with particular emphasis on Auckland.¹¹ Charlotte Macdonald's article also assesses the implementation of this Act, together with a discussion on the free immigration of young women to the colony, and the belief among middle class observers that this led to an increase in the incidence of prostitution.¹² Jan Robinson's article compares the structure of prostitution in New Zealand with that of Australia as depicted by Anne Summers.¹³

There is one common element in all these studies, and that is the acknowledgement of the paucity of sources available. Problems involved in finding information about prostitutes are inherent in any efforts to study the working class or criminal activity. Unlike their better educated middle class sisters, working class or criminal women rarely left behind them diaries, letters, journals or minute books.

It is not surprising, therefore, that most studies of women's role in colonial New Zealand have concentrated on the middle class woman, her attitudes and activities. Through those studies on the plethora of women's societies and committees, the importance and effect of the desire of many of these women to modify New Zealand society is beginning to be realised. Such modifications were necessary to fulfil their dreams of Utopia.¹⁴
The existence of prostitutes and prostitution was acknowledged by some of these women, and in fact became one of their mobilising forces - though it was never one of the most important of these. However, little remains of the records of these societies in Dunedin. There are only a few annual reports of the Committee of the Dunedin Female Refuge founded by middle class women, and all the records of the Salvation Army Rescue Home are gone, except for a few brief comments in the Army publication *War Cry*. The loss of these records is made even greater by indications that the Dunedin Female Refuge records, at least, contained information given to the Refuge by the women themselves. In a book published in 1890, the description of the Refuge claims that notes of all those who had been inmates were carefully kept, and that the women were asked to write short biographical sketches. 15 If these had remained, they would have proved invaluable.

The gap made by this loss is partially filled by some of the biographical detail provided by the case workers for the Benevolent Institution and the Industrial School. However, the amount of information given, and its accuracy, is inconsistent as some writers chose to impart more than others.

Consequently, this study relies on information provided by the police and court records, in particular the *New Zealand Police Gazette* (hereafter Gazette) and the Depositions of the Supreme Court, and on the daily Police Court column in local newspapers. None of these sources is entirely satisfactory.
As Ingrid Clausen has pointed out, many of what were potentially the most valuable of police and court records are no longer in existence. It would seem, for instance, that greater insights into prostitution in Auckland could be made than in Dunedin, since the Police Court trial records remain. Unfortunately, in Dunedin's case, neither the trial records for the Police Court, nor those for the Supreme Court are existant. Other records in Christchurch and Auckland pertain to the implementation of the Contagious Diseases Act; these do not apply in Dunedin where the Act was never enforced.

In this essay the Gazette has been used to acquire the basic framework of information on which this study is built. The Gazette lists prisoners discharged from gaol every two weeks. The listing includes their name, year of birth, country of birth and occupation.

Any woman listed in the statistics compiled from the Gazette was either convicted for soliciting, or had her occupation listed as a "prostitute" in Dunedin in the years 1880-1890. The Gazette lists approximately 841 cases for Dunedin involving some 176 prostitutes. The list is only approximate, due to the inaccuracies and inconsistencies of the data in the Gazette. There are several possible reasons for such problems. The inefficiency of the police themselves was probably a major factor. This included the difficulties involved in collating information about suspects, as well as lack of adequate training and facilities with which to assess the accuracy of information. Such inefficiency probably added to the number of discrepancies in the Gazette; for example,
in lists correlating the number of times a woman had been convicted and sent to gaol.

It is also possible that the desire among the women to remain relatively anonymous or perhaps their lack of literacy made the gathering of information for the Gazette more difficult. Many problems could arise from this, and may help to explain discrepancies in year or country of birth. One problem with the Gazette, in particular, is related to the reluctance of the women to remain consistent in their information. The women usually call themselves by at least two, and sometimes three, names. Usually one is their maiden name and the other, their married name or the name they assume from their cohabitant. Sometimes they have two first names or nicknames. Usually the Gazette lists aliases but, as with most of its listings, it is inconsistent in this respect. The information contained in the Gazette can, at times, be cross-checked in the Police Court columns. In the case of Mary and Martha McAuley the Gazette listing did not clearly indicate whether two people were involved or just one person. The Gazette has provided the main statistical information for this study. However, as Anne Summers has pointed out, statistics are only an "artificial construct which would provide no insight into the experiential dimension" of a woman's position. It is hoped in this study to elaborate on the "experiential dimension" of the lives of the prostitutes in Dunedin, thus other sources are necessary.

The other main source of court record has been the Depositions of the Supreme Court. Clearly, full trial records
would have been more illuminating, but those Depositions which remain are invaluable for the information they provide on the daily life of the Dunedin prostitutes.

The most fruitful source of information has been the daily newspapers. In particular, the Police court columns in the *Morning/Evening Herald* and the *Otago Daily Times*. The Court journalist often filled out the column with interesting comments made by the accused, witnesses, counsel, police or the Bench. If the case included any unusually revealing or 'newsworthy' evidence, this was also included. Supreme Court cases generally received greater coverage. Those columns offer insights into how, where, and with whom the women lived. The attitudes of the police and members of the legal fraternity to the women and vice versa are also revealed.

None of these sources however, was made by or for the women themselves. Thus, this study while attempting to discuss prostitutes and prostitution, is more effectively about the attitudes of middle class observers towards prostitutes in Dunedin (and to some extent in New Zealand). A conclusive study of prostitutes would include analysis of attitudes held by the women themselves, but due to the nature of the sources, only tentative suppositions can be made.

Middle class observers saw prostitutes in the light of their own sexual morality. In Australia, Anne Summers has suggested that women were thrust into two opposing roles: the "damned whores" or "God's police". In New Zealand the stereotypes can be renamed the "colonial helpmeet" and the
"daughters of seduction". 22 Although, as Jan Robinson has indicated, this may be too simplistic a dichotomy for the New Zealand situation, 23 it is nevertheless true that the Victorian social double standard found a niche in New Zealand, as it had done in Australia.

The "double standard" was the attitude which determined that a man could have as many sexual partners as he pleased, and yet remain respectable, while a woman who showed the slightest sexuality was deemed immoral and impure. In effect, the double standard justified prostitution, for, "if society was to allow men comparative sexual freedom and at the same time to keep single women virgin and married women chaste then a solution had to be found." 24 The solution was prostitution.

Thus, the "colonial helpmeet"/"daughter of seduction" dichotomy distinguished between those "pure" women who were seen and felt themselves to be the guardians of morality, and the prostitute who, though a necessary evil, was damned nevertheless. The "helpmeet's" mission in life was clearly defined as "homemakers and guardians of moral health and welfare". 25 Most colonial women in New Zealand were wives and mothers. The second largest occupation for women - domestic service - was seen as preparation for marriage. 26 Without a woman's presence it was generally held by members of both sexes, that "men would fall rapidly into the slough of sin and wickedness." 27

Middle class condemnation of prostitutes is apparent in most of the contemporary records discussing them, not the least in terminology used. For this reason the term "prostitute" will be used to describe the women who were
involved in prostitution. Other contemporary terms such as 'whore' will not be used except in quotations, as they carry with them a moral condemnation inappropriate for use in historical analysis.

The terms most frequently used to describe prostitutes in contemporary sources are "women of ill fame", "an abandoned character" or "improper character". The most damning term used was one by the Reverend Saunders in his sermon in 1893 in which he spoke of the "harlots" of Dunedin. This was relatively strong, as even the term prostitute was a matter of debate in Parliament. In 1885 Mr. Fisher, Minister of Parliament for Wellington South, said (in reference to the debate on the Police Offences Bill) that "if ... the House objected to the insertion of the word "prostitute", he would, however reluctantly, consent to its omission in committee." Words such as "whore" were infrequently used in contemporary sources, probably because the main sources were written for the consumption of the general public, and "whore" presumably was not a term used by polite society.

In terms of this study, "prostitute" is used as a description of occupation not of moral depravity. Hence, the statement "I am a shop assistant" here carries the same moral implications as the statement "I am a prostitute." Of course the word prostitute did contain moral overtones in the Victorian era, and any references from primary sources using that word will carry those implications.

Despite the fact that most of the information used is over a hundred years old, such information still remains
highly sensitive. In return for the use of police and Hospital Board records I have undertaken not to use any information which might lead to the identification of a particular woman as a prostitute. Information from the Police Court column is however public property and where appropriate some women have been identified as prostitutes using this information.
FOOTNOTES - Introduction


17. Anderson


20. Ibid.


22. T.G.S. Grant. Dodonean Oracles, Dunedin, 1875, p.10.

23. Robinson, Women's Studies Journal. Robinson suggests that there were three categories of criminal women, the irreclaimable, the salvageable and those who had only transgressed once or twice but for relatively serious crimes, pp. 21-22.


25. Dalziel, p.113.


27. Ibid, p.119.

28. See MH 27 June, 1882, p.4 c.2 or ODT 3 June, 1890, p.4 c.9.

29. ODT 31 October, 1893, p.4, c.6.

30. NZPD, 1885, Vol. 52, p.269.
CHAPTER I

LEGISLATION

It is unclear how far middle class attitudes towards sexuality, and middle class notions of "respectability" permeated the rest of New Zealand society. In one respect, at least, these attitudes were imposed on society; this was through legislation. New Zealand was still a relatively young society (compared to Australia or England) when legislation regulating prostitution was first introduced. Legislation about prostitution indicated that society was becoming more settled and secure. Increased stability gave those in authority the opportunity to exercise their power over society through increased state intervention and regulation. Prostitution began to be seen as a "social problem".

Parliamentary debates pertaining to legislation on prostitution illustrate many of the contemporary attitudes towards the subject. The processes and implementation of legislation were bastions of middle class masculinity. Many women may have shared the views expressed, but they, too, were middle class, and in the 1860s most were unaware of problems faced by their less fortunate sisters. The sex ratio in New Zealand in the 1860s was in favour of males. It was not until the ratio became more even in the 1880s and 1890s that the voices of women were more clearly heard. Feminist insights into, and concern about prostitution and other social evils, were mainly late-nineteenth century phenomena, and will be discussed in a later Chapter.

Most legislation in New Zealand did not deal specifically with prostitution. In fact, only one Act, the Contagious
Diseases Act (1869) did so. In most cases clauses dealing with prostitution were included in legislation dealing with vagrants or destitute persons, such as the Vagrant Act 1866 (amended in 1869), the Destitute Persons Act 1877 (amended 1883 and 1886) and the Police Offences Act 1884.

The Vagrant Act was the first step in the political thrust against prostitutes and other persons who offended middle class morality. Under the Act any person who had "no visible lawful means or insufficient lawful means of support" would be convicted, as well as "any common prostitute who in any street or public highway .... behave(d) in a riotous or indecent manner". The amendment of 1869 further clarified this last clause by stating that any prostitute "loitering" etc. "for the purposes of prostitution shall be liable to a penalty of two pounds or to the imprisonment for any term not exceeding one calendar month." Also, anyone allowing prostitutes "to meet together and remain therein" could be arrested.

The Vagrant Act was the most common Act under which a prostitute was convicted. It was much easier to find evidence and convict a woman for "no lawful means" than soliciting, which was hard to prove, and usually took place behind closed doors.

In 1884 the Police Offences Act was passed. It provided for the arrest of prostitutes and brothel owners. In effect, it was a consolidation of various early Acts including the Vagrant Act, though the Vagrant Act was not repealed. It also included provisions for the arrest and conviction of a
prostitute's client. There were some men in Parliament, (and out), who believed that "the seducers of virtue and the frequenters of the dens of infamy are really as deserving of summary punishment as their victims". 5

Another similar Bill, presented to Parliament in 1885, provoked some interesting comments about prostitution from the Members. Mr. Fisher (Wellington South and ex-Mayor of Wellington) said that "he found it impossible under the municipal laws to deal with the evil because three successive Resident Magistrates had held that prostitution was not an unlawful occupation". 6 He continued that the "existence of these disorderly houses [was] causing great depreciation of property and infinite annoyance to people living in the neighbourhood". 7 At least one of the Members was surprisingly uninformed on the subject, stating that "there had been ... in various provinces in the old days by-laws dealing with this subject" [which was true] "but now there existed no quick method of dealing with the question" [which was not true]. Some members opposed the Bill on the grounds that it was too vague on the question of when to prosecute. 9 The Bill did not succeed and the 1884 Act remained intact.

The Destitute Persons Act of 1877 was slightly different in nature from the previous legislation. This particular Act did not deal specifically with prostitutes, but prostitutes were among those affected by the Act, as well as being among those who were able to use it to their own purposes. The Act stated that the near relative of a destitute person was liable for the support of that person. 10 It illustrated the
reluctance of the state to guarantee to provide for the health
and welfare of the destitute person though some help was
given through the Charitable Aid Board. Such reluctance
implied a certain moral condemnation, and reinforced the
Protestant work ethic. It was believed, (and still is believed),
that one should gain respectability through honest toil and
would be rewarded for hard work in Heaven. Lack of a job or
involvement in criminal activity indicated that one was not
worthy of charity. Consequently, the prostitute had to prove
that she had given up her immoral ways in order to get relief,
or to be excused from contributing to the care of her child
in the Industrial School. In some cases the offer of relief
was used as a bribe to force particular women to become
respectable. The fact that withholding aid could force a
woman deeper into criminal activity was not considered to be
a possibility.

The Act could also be used to the prostitute's advantage.
If she was married (or young) and destitute, she could claim
that it was the responsibility of her nearest relative to
maintain her, and thereby escape conviction. To this effect
some marriages of convenience did occur. Also, the prostitute
could claim that it was the responsibility of the putative
father to maintain her child. There were many cases during
the 1880s in which a destitute prostitute brought evidence
against a man, claiming him to be the father, and therefore
responsible for the maintenance of her child. The only Act to deal specifically with prostitutes and
prostitution in New Zealand was the Contagious Diseases Act
introduced in the same year as the Vagrant Amendment Act, 1869. The provisions of this Act allowed that each district should determine whether or not to enforce the Act. If a province decided it was necessary, the Governor could enforce it. The province was to pay for all the costs pertaining to the legislation.

Under the Act, a woman believed to be a prostitute was to be registered, and regularly examined for venereal disease. If she was found to have venereal disease, she was to be placed in a Lock Hospital for up to three months, or until she had recovered. Upon release, the women were to undergo further checkups, especially if they continued in prostitution. The Act was initiated in Christchurch and was enforced there from 1872-1885 and in Auckland from 1882-1886. It was never enforced in any of the other main centres in New Zealand, including Dunedin or Wellington, though information provided by the Social Evil Committee in Christchurch indicated that all centres had similar problems.

The Contagious Diseases Act was modelled, as was most New Zealand legislation, on similar Statutes in Britain. The first Act in Britain was passed in 1864 and twice amended - in 1866 and 1869. There were, however, fundamental differences in the two pieces of legislation. This mainly centred on where and for whom the Act was to be enforced. In Britain the Act was enforced primarily to benefit the military, as it was feared that venereal disease was having a debilitating effect on the ranks. In New Zealand the Act could effectively be implemented across the country. The fear in Britain was
the spread of disease, in New Zealand most commentators were more concerned with the spread of prostitution.\textsuperscript{15} The Act also elicited different responses in the two countries. In Britain an organized society was formed specifically to lobby for the repeal of the Acts. Josephine Butler led this crusade and was victorious in 1883. No such formal nationwide organization was formed in New Zealand, though a Social Purity Committee was established for a short time in Auckland, and in the 1890s, the Women's Christian Temperance Union became vociferous in their opposition.\textsuperscript{16} Despite frequent and continued attempts in Parliament for repeal, the Act was not repealed until 1910. For twenty-four years it lay idle in New Zealand's statute books.

Though the Act was never enforced in Dunedin, arguments for, and against, its implementation again illustrate many of the contemporary attitudes towards prostitution in New Zealand. The majority believed that the Act would be effective in checking the spread of venereal disease and controlling - or regulating - prostitution. For many, prostitution was regarded as inevitable. One commentator on the debates claimed that "the social evil is like the Maori King, a necessary nuisance".\textsuperscript{17} Other commentators such as J.G.S. Grant - first Rector of the Otago High School - believed in the inevitability of the social evil."Fast young men ... and old boys also - will always be seduced by the songs of the wayside sirens ... Alas! that it should be so; but we must take human nature as it is".\textsuperscript{18}

Charlotte Macdonald has suggested that there was a cor-
relation between the increase of young women immigrants in the colony and an increase in prostitution. Most of these women were given free passage under schemes offered by the provincial governments. Many feared that the very worst sort of women were entering the colony, and not only should the schemes be discontinued, but the results of the schemes (prostitution) should be dealt with. 19

In effect, the Act institutionalised the double standard, and some of the more enlightened Members of Parliament recognised this fact. The Premier, Mr. W. Fox, was one of those who would not support the Act, on the grounds that it made the Government "a party to the machinery by which vice was regulated, and made vice more easy and safe". 20 In his opposition, Fox argued against Mr. Rolleston (Avon), one of the main initiators of the Act. In fact, Rolleston was associated with the Act to the extent that it was described as "Mr. Rolleston's Nasty Act". 21 Fox believed that the Act would, in effect, be useless unless medical examinations were given to both sexes and not just one. Rolleston disagreed, "The one sex made a trade of the matter, and spread the disease, but it was quite a different thing with the other sex." 22

Fox and Rolleston also disagreed on another aspect of the legislation. The report of the Committee to Parliament presented by Rolleston, (the Chairman), claimed that the Act was necessary to prevent any "annoyance to the community from want of proper power of supervision by the police." 23 One of the main reasons for the Social Evil Committee of Christchurch lobbying for the Act was "to enable police to keep a better
control over the evil as an offence to public decency". 24

Again Fox disagreed. He claimed that the Act necessitated the extension of the police role, and this was something that the country was not (in 1869) prepared for. Later, in 1883, it was admitted, by at least one Member, that the implementation of the Act in Christchurch "put the women of that locality at the mercy of the police and the gaol surgeon", but nevertheless he remained in favour of it (see Chapter IV). 25

Rolleston was also Superintendent of Canterbury at the time the Act was initiated, and it is not surprising that Canterbury was the first province where the Act was enforced. The Act was supported and administered by many of Canterbury's leading men, including Rolleston. At the first public meeting in 1867 the committee appointed consisted of "the Dean of Christchurch, three clergymen, (a) Resident Magistrate, several medical men and a legal gentleman". 26

The Act was not enforced in Auckland until 1883. Ironically, the crusade for the repeal of the Contagious Diseases Acts in Britain was just beginning to have some effect at this time. The situation in Auckland was slightly different from Canterbury in that the Act was enforced, not only to control prostitution, but also as "a bribe to the Imperial Government". 27 Auckland was on the list as a possible base for the Royal Navy. Despite the fact that the Act had brought about the "diminution of 50% in prostitution (the number now being 53)" 28 the Act was stopped in 1886 because of financial pressure.

In 1887 Dr. Newman (Thorndon) claimed that the enforcement of the Act in Christchurch and Auckland merely forced
prostitutes to leave these centres, and move on to centres where the Act was not enforced. Therefore, the disease was "clustered" in particular places; he specifically mentioned Dunedin. 29

Despite the continued debates in Parliament throughout the 1880s, and Dr. Newman's contention, there seems to have been no movement for the implementation of the Act in Dunedin. As early as 1869 however, the Provincial Council had dealt with the "brothel nuisance". In March of that year Mr. Fish had stated in the Council that there was "no effectual machinery by which it (the brothel nuisance) could be checked by the police". 30 The By-law Committee subsequently introduced a measure to deal with the problem. The object of this was to restrain or suppress (not abolish) houses of ill fame. 31 It seems that the City Fathers believed that the enforcement of by-laws, and the use of provisions in the Vagrant and Police Offences Acts, were adequate to deal with the problem.

In 1874, Sir R. Stout, then Provincial Solicitor, had been influential in stopping the Contagious Diseases Act from being implemented in Otago. In a debate in 1887 on a Contagious Diseases Repeal Bill, Stout stated his reasons for doing so. "I then ... was led to the conclusion that it was very doubtful if this Act was of much service ... it had, looking at it from the medical or health point of view, not much effect, and looking at it from the moral point of view it might have a very evil effect". 32 He continued by saying that if the Act was, in fact amended to include medical examinations for both sexes, he would then support the Bill. As it was, he
would not support repeal, as he thought the Act "may be found to be useful hereafter if occasion should arise." 33

By the 1880s at least one of Dunedin's leading men was against any implementation of the Act in Otago. Bishop Nevill spoke to the Working Men's Club in 1883 against the Act. He claimed that it was not "remedial" and was an "infringement of the first principles of sound legislation and in the highest degree effected injury to the fabric of society". 34

It is also likely that financial considerations, especially in the years of the Long Depression in the 1880s, were influential in stopping the City Council from enforcing the Act.

One of the most interesting aspects of the debates surrounding legislation dealing with prostitutes and prostitution was that woman's voice was not heard. A woman's proper role was as a man's 'helpmeet'; and in the 1860s, at least, few members of either sex challenged this role. Men, therefore, legislated and in fact determined a woman's role in society. One of the attitudes towards the Contagious Diseases Act was that it was the best they (the Government) could do, and "if the disease was being lessened by the existence of this Act, half a loaf was better than none". 35 No consideration was given to the effect such legislation might have on women (not only prostitutes). Such arrogance is perhaps best illustrated by a comment made by Mr. Rigg in an 1896 debate on a Contagious Diseases Repeal Bill. He said "if women of another character did not know their place, it was the duty of man, as being the nobler creature, to teach her her place, to put her in it, and to keep her there". 36
It would appear from such attitudes, as illustrated above, that men had a clear picture of the particular sort of woman they were legislating against. Strangely, this does not appear to be the case. Even the Contagious Diseases Act which defines the terms 'police' and 'contagious diseases' does not define the term 'common prostitute'. One of the self-acknowledged contemporary experts on prostitution in Victorian Britain, W. Acton, believed that common prostitutes were such an obvious class, that they needed no formal statutory definition. Judith Walkowitz contends that this failure was "entirely consistent with the traditional legal treatment in Britain of women and outcast groups as the "other", an entirely negative and collective presence before the law". Since most New Zealand legislation was modelled on similar legislation in Britain, it would be fair to assume that the failure to define 'a common prostitute' was due to similar beliefs. The New Zealand parliamentary committee on the Contagious Diseases Act cited Acton in offering a broad definition of the term "prostitute". The committee believed that describing a prostitute as a woman "making her living by it" was too restrictive and, in citing Acton, claimed that a prostitute was "any woman whom there (was) fair and reasonable ground to believe (was) .... going to places which (were) the resort of prostitutes alone, and at times when immoral persons only (were) usually out". Such a description was vague and clearly illustrates the social (as opposed to the legal) use and abuse of the term 'prostitute'. 
Socially, the difference between a 'common prostitute' and an 'uncommon' one was that the former were an affront to public respectability and decency, and the latter were hidden from view, and therefore of no concern. Marion Goldman suggests that prostitution was a stratified occupation. The stratifications included madams who can variously be described as 'high status', or 'high class' prostitutes. These women and the 'elite' prostitutes (entertainers or rich men's mistresses) were 'secretive', 'selective', 'subtle' and 'expensive'. There were also middle status prostitutes who had one man per night, working women (with several men a night) and finally lower status women who, in Nevada, were generally Asian and were more like chattels than prostitutes. On the Comstock Lode, and in Dunedin, most of the girls were either middle status or working girls. A woman fell into a particular category depending on a number of factors. These included what methods she employed to get customers, (did she go to them or did they come to her?), what sort of clients she received, how many and how expensive she was. Depending on her category a woman could therefore be seen as 'common' or 'uncommon'. It can be assumed that the madam was patronised by wealthy clients, whereas her working class status sister was highly visible out on the street or in hotels.

Middle class notions of respectability also defined categories of prostitutes, and had import repercussions for the women. If she was highly visible, a woman could be expected to have more convictions and longer sentences because she was, in the eyes of contemporary observers, less respectable
than a high status prostitute.\textsuperscript{42}

Despite this, it is also true that the term 'prostitute' was abused by many of the middle class observers. In the category of 'working status' women, there were some who were believed to be irreclaimable—Jan Robinson's 'Forsaken Floras'—and others who were occasional offenders and could be saved, 'Hopeful Hetty's'.\textsuperscript{43} These, and probably even the servant women who were sexually active, or the working class woman who cohabited with a man instead of marrying him, were all regarded as "prostitutes". The women were not necessarily prostitutes in that they granted sexual favours for money, but their obvious flaunting of middle class sexual mores accused them of 'prostituting themselves' and therefore they were to be condemned.

The type of language used to describe the prostitute carried important moral implications. This is clearly seen in the vocabulary used to describe the crimes prostitutes were generally convicted for. Such terms included 'riotous or indecent conduct', 'obscene language' and 'loitering and importuning passengers'.

Thus a moral web of legislation and language was tightly spun by the leading men of New Zealand society. The main concern was to regulate prostitution, to make it less visible, and therefore less likely to affect the purity of the respectable woman. The control of venereal disease was a secondary consideration, as was the desire to extend the control of the police force on the community.
FOOTNOTES - Chapter I

1. Daniels, p.6.
2. Statutes of New Zealand, 1866.
3. Statutes of New Zealand, 1869.
4. Ibid.
5. Grant, p.11.
7. Ibid.
8. Ibid.
9. Ibid.
10. Statutes of New Zealand, 1877
11. See Otago Hospital Board Case Book, September, 1890. p.790.
12. See ODT 17 December, 1885, p4, c9.
15. Macdonald, 'The Social Evil ... ', p.44.
17. N.Z. Herald, 6 October, 1882, p.6, c.5. in Mairs, p.40.
18. Grant, p.10.
20. NZPD, Vol.6, 1869, p.499.

28. *N.Z. Herald*, 1 May, 1885, p.6, c.6, in Mairs, p.44.


30. *Otago Witness*, 13 March, 1869, p.11, c.2

31. Ibid, 20 March, 1869, p.11, c.2.


35. *NZ Herald*, 2 October, 1886, p.5, c.3 in Mairs, p.41.


37. Walkowitz, p.87.

38. Ibid,


40. Goldman, p.77.

41. Ibid, pp. 73-74.


43. Ibid, pp.21-22.
Dunedin from Maitland St.  
photo: F.A. Coxhead.

Dunedin, Maclaggan St., May 1880.  
photo J.W. Allen.
Dunedin, 1880s  Maclaggan St - foreground.

Dunedin, Manor Place 1870s  photo: F.A. Coxhead.
Key to Map and Overleaf:

Map:
Location of convictions of prostitutes, (where known) 1880-1890.

1-5 △
5-10 △
10-15 □
15-20 ●
20-25 △
25-30 ○
30-35 ●

Source: ODI

Overleaf:
Area known as the Devil's Half Acre ---
Area of concentrated slums (1900s) ---

Source: J. Tuck, The Devil's Half Acre

Location of hotels frequented by prostitutes, (where known).

1. Bowling Green Hotel.
2. Bull & Mouth.
3. Panama.
4. Auld Scotland.
5. Golden Age.
6. Caledonian.
7. Provincial.
8. Peacock.
9. West Coast Hotel.
10. Waverly.
? Walkers.
? Clarendon.
11. Shamrock.
12. Old Munster Arms.

Sources: ODI

F. Tod, Pubs Galore.
CHAPTER II

"OUTCAST DUNEDIN"

In February, 1885, two articles appeared in the Otago Daily Times; they were entitled "Outcast Dunedin".¹

The first began:

The offscourings of the population are of course less in quantity than is the case in larger cities, and in comparison with these the dimensions of "Outcast Dunedin" are small indeed. Still we are not free from plague spots ... There are, in close proximity to our most prosperous and busy thoroughfares haunts in which no respectable man, woman or child would venture unless impelled by absolute necessity or duty, but pass them by within a few yards only, hourly, daily ... Yet there they have stood for many years past and there they are permitted to stand today. ²

The worst area of "Outcast Dunedin" was centred upon Walker Street (now Carroll Street) "the special locality of abominations ... that celebrated nest of vice known as 'the Devil's Half acre".³ In 1878 the area was described as being "clotted over with fifty or sixty hovels, or what might be better described as dog kennels, which are inhabited by the lowest class of prostitutes and thieves. The hovels mostly contain only one compartment in which an ordinary man cannot stand erect".⁴ In 1907 the situation was no better. the Otago Daily Times reporter claimed that in the area "small and squalid huts are tenanted by forlorn-looking wretched beings, whose misery is burned into their hearts and written in large letters all around them".⁵ The author of "Outcast Dunedin" in 1884 found it "impossible to smother the feeling of disgust at the very fact of their (the hovels) existence".⁶
Thus middle class commentators identified the existence of a distinct community near Dunedin's central business district. In the 1880s the main business area was around the Exchange. The area also housed a number of hotels and taverns, such as the Provincial Tavern, and the Bull and Mouth. Not surprisingly therefore most of the places where prostitutes were convicted were in this general area, as well as in other main streets such as George Street and Great King Street (see Map). The actual Devil's Half Acre was, in the 1860s, a "tent town" where Dunedin's Chinese community were housed. By the 1880s canvas had given way to wood but the Chinese remained. The triangle made by Walker, Maitland and Princes Streets formed the epicentre of this community.

Most brothels were also in this area. Often they were in small right-of-ways off the main street. The author of "Outcast Dunedin" writes: "A narrow right-of-way close to the dress circle entrance of the Princess Theatre leads round to the stage end of the house, and to the rear of this, dimly distinguishable in the darkness is a double row of small dingy wooden shanties". This was called Flinders Lane.

Both the theatre and the hotel were identified by contemporary writers as places where persons of ill repute congregated. As J.G.S. Grant claimed "A hotel is the bane of thousands. In the evening the theatres and pot-houses will bring up the fear of social and moral degradation". Lotti Wilmott the "celebrated lecturer and advanced progressionist" gave a lecture on "Dunedin by Day and Night" in 1882. During the speech she claimed that hotel proprietors, "(very often
women) seem to mix up prostitution and drink in the one establishment, if not actual bodily prostitution call it moral degradation, and all to enrich the hotel proprietor". 11

The role of the theatre in Dunedin society is not certain. Clearly it was not a place where respectable women would go; however no convictions were made in the Princess Theatre (or any other theatre) in the 1880s, nor were any allegations made by the police or judiciary concerning illegal acts initiated by the theatre management, allowing prostitutes to congregate was an illegal act under the Police Offences Act.

However hotels were clearly a source of refuge for many of the women. Again drinking in public places was another sign of their lack of respectability. John Sibbald was the proprietor of the Provincial Hotel in Stafford Street, and was charged with letting his premises be the resort of reputed prostitutes. According to the police evidence he let them "remain there longer than necessary for the purpose of obtaining reasonable refreshment". The Sergeant giving evidence had seen at least seven prostitutes at the hotel, including one "Caversham Liz". He also had seen "men of the criminal class in company with the prostitutes who nightly assembled there". The Sergeant continued by saying that the Hotel was frequented when the theatre was open, and that women were there "to get refreshments and pick up partners". Counsel for the defence replied that "there must be some place where prostitutes can get refreshments, as prostitution could not be done away with entirely, as shown by legislation
on this matter". There were also a number of convictions either concerning incidents inside or in front of Hotels. It appears that the Provincial Hotel was a common meeting place for these women as were the West Coast, the Golden Age and the Auld Scotland Hotels.

Assembling in a distinct and somewhat infamous area, and congregating frequently outside particular Hotels, or in particular houses, meant that the prostitutes of Dunedin formed a highly visible community. It is not surprising therefore that the numbers of these women were often exaggerated. As has been indicated earlier in assessing the number of women engaged in prostitution, one must first differentiate between the prostitute and the socially active woman. Clearly this was a difficult task for contemporary observers.

By 1864 "Dunedin boasted more than 200 full time prostitutes" or at least so it was claimed by the Saturday Advertiser, one of the city's newspapers. However a brothel surveillance return in 1869 lists only 66. In 1893, two local Ministers, the Reverends Gibb and Saunders employed a detective in order to conduct an investigation into the seamy side of Dunedin. The investigation, and their report of it in their sermons, concentrated on the three great evils: "drink traffic, gambling and the social question". Saunders claimed that the report was inadequate as it only included houses known to the police. There were, he said, forty-two houses, each with a number of women connected to it. There were also a number of "lewd girls" known as "square girls". Gibb estimated that there were "probably
200 out and out harlots, of whom many are so abandoned in their evil ways that they permit their names, ages and nationalities to be registered." Probably, he continued, there were "as many profligate women not registered" as they also had other occupations.

There was more response to the publication of these sermons than to the publication of the "Outcast Dunedin" articles. The "Outcast Dunedin" articles had elicited no response at all - at least not in the Otago Daily Times. The fact that there was a response in 1893 is indicative of a growing concern among the middle classes about the social problem. James O'Connor wrote to the Otago Daily Times in 1893 claiming that Gibb vastly underestimated the number of prostitutes in Dunedin. O'Connor claimed that there were in fact over 400 prostitutes, and that he was provided with this information by a Salvation Army Officer. Undoubtedly the officer was in a position to make such an estimate. However such estimates highlight the difficulty in determining who was, and who was not a prostitute. It is likely that O'Connor counted many of the "lewd girls" that Saunders included in his figures.

In 1892 and 1893 the New Zealand Police conducted surveys on the number of brothels in each of the major cities. The Dunedin surveys show that in 1892 there were 13 disorderly houses and in 1893 there were 18. As evidence from the Police Court column of the Otago Daily Times and Supreme Court Depositions indicates, most brothels were occupied by two or possibly three prostitutes. It can be estimated that
in 1892 there were some 26 to 39 "out and out harlots" and in 1893, possibly 36 to 54 women. Neither of these estimates correlate with those of Gibb, Saunders or O'Connor.

However, the surveys do indicate that there were a number of brothels that were not conducted in a disorderly manner, and therefore were not included in the reports. In the preface to the 1893 report, the Dunedin Inspector of Police states "In addition to the houses enumerated ... there are houses of ill fame in the district ... which are conducted in a fairly orderly manner and do not come within the reach of Sec. 26 Sub Sec 2 Police Offences Act 1884". The brothels are listed as follows:

- King Street 5
- Dunedin 17
- Invercargill 3
- North Invercargill 1
- South Invercargill 1
- Orepuki 1

Figure 1 features the approximate number of women found to be prostitutes as specified in the Gazette. The Gazette lists some 176 women from 1880-1890 as either known prostitutes, or as having been convicted for soliciting. The table indicates a marked decrease in prostitution from 1886 on. It also indicates that convictions of prostitutes peaked in 1881 and was high again in 1883. Figure 2 shows the approximate number of women involved in prostitution as listed in the Gazette and in other sources, mainly the daily newspapers of the period, and other official unpublished sources such as
Estimated number of prostitutes in Dublin 1880-1890.

Figure One.

Source: Gazette.

Average number per year 1880-1890 = 45.

Figure Two.

Source: Gazette, ODT, Hospital Board Records.

Average number per year 1880-1890 = 50.
If the "conventional" method (double figures).

Average number per year 1880-1890 = 87.

the Industrial School Committal book. A total of 66 other women were found to be involved in prostitution, as cited in these sources. Thus from 1880-1890 there were at least 242 full time prostitutes, an average of 50 operating in each year. These figures indicate the least possible number of prostitutes in Dunedin in these years. Eldrid-Grigg claims that the "conventional" method for estimating the total number of full time prostitutes was to double the figures in the police books but gives no reference to support the validity of this claim.23 Even by so doing, as Figure 3 shows, the number of prostitutes in Dunedin remains below contemporary estimates. With the average of 87 women, using the "conventional method", operating in each year, prostitution provided a necessary source of income for less than 1% of
the female population of Dunedin; hardly, as Eldrid-Grigg sensationally claims, an "army of whores". 24

The distinction between a woman who was regularly providing sexual favours for money as her sole source of income, and the woman known to be an acquaintance of persons of "low character" was often slight. It is clear however, that the term "prostitute" was a convenient label. During a murder case in Dunedin in 1888, the defence pointed out that some of the witnesses in the case "were prostitutes, and others who were not actually prostitutes appeared to be in the habit of harbouring prostitutes". 25 Nevertheless once identified as a prostitute, it was increasingly difficult for a woman to disassociate herself from that lifestyle. "Defined as outcast, the women became outcast, and their consequent ugliness put them further beyond the reach of kindness, further beyond the pale". 26

The nature of the sources used in this study determine which women are to be identified as prostitutes, and consequently were defined as "outcast". If there were women living in well organised, clean, expensive brothels catering for middle class clients in the 1880s, they do not and would not appear in the Gazette or Hospital Board sources (such as Charitable Aid case books or the Industrial School books). Few middle class men would risk their respectability by reporting a theft in a brothel. Other countries, and perhaps Christchurch and Auckland, had less trouble in discovering how many women were involved in prostitution. The enforcement of the Contagious Diseases Acts meant that practising
prostitutes had to be registered. They underwent regular medical examinations, so their numbers could be easily discerned, and any change in their numbers was soon noticed. Many women might, in fact, have wanted to be registered. By so doing they had proof of their cleanliness and could charge higher prices.

Perhaps the best illustration of how the women became defined as "outcast" was their association with the Chinese, and criminals of Dunedin. Prostitution was a criminal offence, and once identified as prostitutes, many of the women were forced to associate with the "lowest vagabonds in the city," and other ostracised groups. Erik Olssen has written that "hatred of the Chinese may have been the key catalyst of class".27 There is certainly sufficient evidence to prove that this hatred existed, especially among the working class. In the 1880s, the Police Court columns are full of cases where young boys have been caught throwing stones or playing tricks on Chinese.28 Many of the Chinese of Dunedin also lived within the confines of the Devil's Half Acre. In a case of larceny against a Chinese man in 1886, the Judge commented that "the Chinese in New Zealand though with us, are not of us. To all intents and purposes they are a distinct community".29

In 1881 there were 147 Chinese men and only 6 women living in Dunedin; by 1887 there were 181 men and 10 women.30 It is well known that European women associated with Chinese on the goldfields. Some formed lasting relationships, in fact "by 1888 there were 51 Chinese married to European women and
they had 101 children", 31 (some however, may have been prostitutes). The marriage certificate could, of course, be "very useful" in keeping the holder out of gaol. 32 There are also indications of similar relationships between Chinese men and European women in the cities. An undated quotation from Butler's *Opium and Gold* illustrates this, and the disparaging view held by the observer.

"It is little less than a social scandal to see the number of females who frequent the shops kept by chinamen, ostensibly with the object of effecting 'cheap' purchases, but who, in reality are attracted to the almond eyed individual behind the counter. I do not hesitate to affirm that there are 'dems' in which practices are indulged in which are revolting to our common nature."

A number of the Chinese in Dunedin appear to have either cohabited with prostitutes or ran brothels frequented by them. At least three of the women cohabited with Chinese, and though it was probably unacceptable in both societies, one was married to a Chinese man. This particular woman used both her European name and married name. When her husband was out of town she would get money from his cousin. 34

Another woman had been cohabiting with a Chinese man for twelve years. Their home "had always been the resort of prostitutes" according to the Industrial School Committal book. The children were put into the school because their mother's consumption and was dying from it. 35

A few Chinese ran brothels. One, when up for a charge of insufficient means, made the pretence that he sold fish. However it was claimed that in reality he lived on the "pros-
stitution of the unfortunate woman who paid him for the use of his house. 36 A number of young girls frequented these dens. In "Outcast Dunedin" the reporter writes of coming across a novel where "a lank celestial of some advanced years" known as the 'doctor' ran a lottery. "Near the table" he wrote "stands a young European girl, who has called to visit the doctor and enjoy a quiet chat. She is not ill looking nor particularly ill dressed, but she leans against the wall for support being considerably more than half intoxicated." 37

Opium was another element in the life of "Outcast Dunedin" with which the Chinese were associated. The "Outcast Dunedin" reporter saw at least one opium den on his travels. This particular den lay next to another "in which a Chinaman is lying smoking in solitude and 'expecting Mag home any minute". 38 It is possible that "Mag" could have been the well known prostitute "Opium Mag". When she "was at liberty she was constantly smoking opium with the Chinese". 39

Prostitutes associated with other men who were equally ostracised from respectable society. These men were not the clients of the prostitute, but usually beneficiaries of the occupation. Though Judith Walkowitz has suggested that the pimp was a twentieth century phenomenon, indicative of male domination of the trade, 40 it is clear that many 'rogues and vagabonds' survived on the earnings of their wife, cohabitant or associate. One woman charged with theft in a brothel claimed that she had given some of the money "to my Jack." 41

A man called James Freeman gave evidence in the case against Emily Palmer. In describing her, Freeman, a coloured sea-
faring man, said "Emily Palmer is my woman". He obviously believed that he had the same kind of proprietorial rights as a husband. Such a claim illustrates the differences in the sexual ethos of the working class, (including those with criminal tendencies), and the middle class. The working class had "no pretensions to respectability", consequently they were not preoccupied with achieving or maintaining respectability, and working class (and criminal) couples could indulge in pre-marital and/or extra-marital sexual intercourse. Such activities were not open to members of the middle class who valued their position in society.

The distinction between cohabitant and pimp is difficult to define. Several cases against these men actually stated that they used the women in this way. One man was remanded in order that he had the opportunity to obtain employment. A second was described as "an out and out rascal, the ring-leader of a band of larrikins, and the constant associate of prostitutes and thieves". Another was found with his so-called wife helplessly drunk. He was "a confirmed loafer, did no work and virtually lived on the ill gotten gains of the woman". He was also "in the habit of encouraging children of tender years to visit his house for immoral purposes". A relationship between couples were often as long term as any marriage, and probably, in the circumstances, as stable and secure. One man stated that he had been living with a woman for six years. He said "I keep her", but went on to state that he did not find it at all strange that a man should come to his house late at night. Of course in
de facto relationships the woman had no legal protection, and in the case of a row, she could easily be turned out with no means of support and no shelter. Thus it was in her best interests to maintain such relationships where possible.

Women were likely to involve themselves in criminal activities (other than prostitution) together with their male associates. In at least two Supreme Court cases, prostitutes acted together with two or more male associates to rob a client. In one case, the client gave evidence that two men had entered the bedroom he was in. The women with him told the men the client had put his money in his sock. A struggle ensued, during which the men managed to take the money, and then dragged the client out of the house. In another case three men robbed and attacked a man whilst on a walk with a prostitute they knew. One of the robbers was 30, a bootmaker who had arrived from Glasgow in 1878, and had subsequently been convicted of drink, assault and larceny. The second man who was 19, also a bootmaker, but a New Zealander by birth. He had arrived in Port Chalmers in 1879. When these men were in town, they lived in a brothel and associated with thieves. Obviously such activities pushed prostitutes "further beyond the pale".

Being defined as "outcast" forced prostitutes to modify their lifestyles in a way that no other group of women had to do. Perhaps the most obvious example of this is that most had to become highly mobile. A number of women were convicted and discharged, or had their charges dropped, if they promised to leave town. At least one woman took the opportunity to
go to Melbourne, though it was more common to stay in the country.

Most of the Dunedin prostitutes stayed in the South Island. Some ventured as far north as Christchurch, and as far south as Balclutha. Though there were prostitutes in Invercargill, it is not clear how many commuted, voluntarily or otherwise, between the two centres. Over a number of years some women were convicted up to three times in three different places. Oamaru and Port Chalmers were frequent resorts. Oamaru was "notorious for insobriety and petty crime". Though there were a number of brothels, the real trouble lay with the "unlicensed grog shops, masquerading as boarding houses, where wild orgies, with dancing and singing at all hours disturbed the peace, and frequently ended in brawls in the streets". In 1881 there were at least 32 grog shops and 12 brothels. Since it was the closest town to Dunedin that contained such attractions, Oamaru often hosted some of Dunedin's "old offenders".

Christchurch seemed to become more popular for Dunedin women after 1886, when the Contagious Diseases Act was no longer in force there. At least one woman was well known in both centres. Jan Robinson included this woman in her study of Canterbury's "rowdy" women. According to Robinson the woman was born in Ireland in 1850 and arrived in Canterbury on one of the first four ships. The 1869 brothel register for Canterbury indicated that she lived alone. She had frequent charges, until finally in 1883 she and another woman were asked to leave town by the Town Inspector.
Inspector Pendon claimed "This was perhaps the best thing the women could do, as they were too well known in Christchurch to do any good for themselves here"; three weeks later she was again in court in Christchurch.\textsuperscript{54} It seems, however, that she became "well known" in Oamaru, Palmerston and Dunedin, since, during the course of the decade, she was arrested in all three places on charges ranging from obscene language to theft.\textsuperscript{55} She is identifiable by her use of three different aliases, though in Dunedin she gave her year of birth as 1852.\textsuperscript{56} She married, it seems, in 1881 in Oamaru. In May of that year she pleaded against a charge of vagrancy, claiming that she was married. The "unfortunate husband" was brought before the court to corroborate the fact. He was in gaol for striking her, but she had "cleared out", and he had not seen her since.\textsuperscript{57}

Another woman absconded from bail in Dunedin, left by ship to Oamaru where she 'acquired' £7, and went to Timaru. There she allegedly stole some jewellery and sent the articles on to Christchurch. She was caught and re-arrested.\textsuperscript{58}

Figure Four
Numbers of women convicted in Dunedin and at another centre 1880-1890 (\textit{Gazette})

<table>
<thead>
<tr>
<th>Centre</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Balclutha</td>
<td>1</td>
</tr>
<tr>
<td>Oamaru</td>
<td>17</td>
</tr>
<tr>
<td>Christchurch</td>
<td>9</td>
</tr>
<tr>
<td>Port Chalmers</td>
<td>6</td>
</tr>
<tr>
<td>Outram</td>
<td>1</td>
</tr>
<tr>
<td>Lawrence</td>
<td>4</td>
</tr>
<tr>
<td>Wellington</td>
<td>5</td>
</tr>
</tbody>
</table>
It is likely that the implementation of the Contagious Diseases Act in Auckland and Christchurch augmented the number of women operating in other centres. One Member of Parliament spoke of the "clustering" of venereal disease in other centres. A report by the Auckland Inspector of Police claimed that at least 25 of the Auckland prostitutes had left for other parts of the colony.

The nature of their occupation, and their consequential social ostracism from the rest of Dunedin society, required prostitutes to move around within the city limits. Confinement within the boundaries of the Devil's Half Acre was not necessary. Some women did operate outside its bounds. For example, there was probably at least one brothel in Caversham as is illustrated by the nickname of one woman, "Caversham Liz". The writer of "Outcast Dunedin" spoke of this mobility. In his second article he wrote of coming upon a right of way in the Devil's Half Acre area that was empty of inhabitants. A prostitute had been murdered there a short time before, and the landlord had cleared the row of tenants. The reporter subsequently came across some of the witnesses in the trial. They claimed that the evicted tenants had moved to South Dunedin. Such mobility apparently was not always due to eviction, as the Otago Daily Times reporter claimed, "The inhabitants that are congregated in one kennel this week are separated and scattered broadcast about the town the next ...".

Despite the fact that these women were ostracised by respectable society as a consequence of their occupation,
places of abode, and associates, it would be wrong to assume that they did not share many of the experiences of their respectable sisters in the working class and the middle class. The women were identified and identifiable as forming part of a criminal subculture, yet they were also working women who got married and had children.

Marian Goldman discovered that almost half of the prostitutes on the Comstock Lode had been married. It is likely that a similar proportion of prostitutes in Dunedin had been or still were married. Some were widows, others had been deserted, or had walked out themselves; a few remained, if only for the convenience, with their husbands. The husband sometimes wanted the woman to continue in her occupation. Other marriages had their own peculiar difficulties. One man was accused of using violence and threatening language against his wife. They had been married only a few months when the man's sister told his wife that he had been married before and had a child. The woman left him and had no means of support. She claimed that on one occasion before she left him, he had wanted her to make money by immoral means. At the time of the man's trial she was known by the police to be a prostitute, yet she would not live with a bigamist. Prostitutes, then, had their own code of "respectability".

One man at least, decided to disassociate himself from his wife in the eyes of society, and the law, though it took him seven years to save the money to do so. In the divorce case of the Klügleins, Carl gave evidence that he and his
wife Annie, had been married in Hobart in 1872 and had lived together until 1875. In this time they had moved to Christchurch and then to Dunedin. She had left him soon after arriving in Dunedin. With the aid of a detective, Carl found her in a house of ill fame, but a reconciliation lasted only one month. Once he had saved enough money he took proceedings against her for adultery, since she was, by 1882, living with another man as his wife. A divorce case like his was rare, and most of these people could never have afforded to go to court, and many perhaps thought it unnecessary.

Prostitutes, as with most women, bore children. Despite crude contraceptive methods in the nineteenth century, the only sure way was abstinence, and second to this, coitus interruptus. The first alternative was clearly not open to prostitutes (as it was to their middle class sisters) and the second was highly unlikely; men paid for a specific commodity and meant to get it. Contraception, not surprisingly, was often associated with prostitution. Some contraceptives could be acquired from a chemist; douches and sponges were also used.

If a women did conceive there were other alternatives: abortion, infanticide or desertion. Andrea Levesque describes some of the places where abortions were performed in Dunedin in 1901. Though this was not only an option taken by prostitutes, one abortionist practised from a brothel opposite Knox Church. The other option, infanticide, was even less respectable than abortion.
One of the prostitutes known in Dunedin murdered her child while in goal in Oamaru. She had been put in gaol in a state of intoxication. She was strait-jacketed as she was extremely violent, and it had taken three men to get her into gaol. The next morning her child was brought to her after her case had been heard. Later in the evening the jailer awoke to loud cries, and found the woman dashing the baby against a stone wall. She then dropped it. The baby died. Soon after, the woman was committed to the Lunatic Asylum.70

At least two children died as a result of their mother's action, or more correctly inaction. In both cases the mother had been drunk at the time of death. In one case, the mother had been declared unfit to look after her children the year before the death of her baby daughter, (she had had four children). As a result of the death she was sent to prison for twelve months - to be weaned off the taste of drink.71 There was, however, another case where a child had been born premature and was dead at birth. The doctor could not ascertain the cause of death; he declared that the child may not in fact have been dead at birth but in "suspended animation".72

In many cases, as with those above, the child was often the victim of circumstances. A prostitute, because of her occupation, and the inefficiencies of contemporary contraceptive methods, might often have up to four children seldom by the same father. Some of these women cared for their children. When being sentenced for vagrancy one woman cried
for her baby and was allowed to have it as it was less than twelve months old.

Given the bias of the evidence towards the disorderly, it appears that, at times, women could not or would not care properly for their children. One woman left her child with its grandmother claiming that she would "not have anything to do with it". Generally the children were undernourished, and there were many occasions in which children were found sleeping in the open air, sometimes with their mother, sometimes not.

One woman, with two children, lived by prostitution but refused to let her husband have the children. When found by the police, one child was sleeping in a vacant section, the other, in a water closet. The mother had been turned away from various places because of her evil life. Police had the power to arrest any child "residing in a detrimental environment," as well as those who were uncontrollable, or who had committed an offence. Usually these children were sent to the Industrial School in Caversham.

The School housed children from poor but "respectable" families, as well as criminal children and children of prostitutes. By 1882 it had severe problems with overcrowding. There were 150 boys and 111 girls and fears were held that an epidemic could break out. There were also concerns that close proximity to less respectable children would have a detrimental effect on the respectable ones, and the criminal class of Dunedin would be enhanced. The Industrial School Committal books, at least in those dealing with the
1880s, indicated that the stigma of being "outcast" was inherited by children of prostitutes. When a child of a woman of ill fame was committed, this fact was clearly stated. Similarly if the child came from a poor but respectable family, this also was noted. In some cases the subsequent careers of these children is also noted. While some did take up a life of crime, the majority, it would seem, became domestic servants, a poorly paid but 'respectable' occupation.80
FOOTNOTES - Chapter II

1. See Map, Dunedin 1883, and photographs of "Outcast Dunedin".
2. ODT, 4 February, 1884, p.3, c.1.
3. Ibid, p.3, c.2.
8. ODT, 4 February, p.3, c.1.
9. J.G.S. Grant, Colonial Characteristics, Dunedin, 1874, p.3
12. See MH, 1 August, 1883, p.3, c.5.
13. See MH, 15 June, 1883, p.4, c.2. (West Coast Hotel); ODT, 12 March, 1881, p.2, c.4 (Bull and Mouth).
15. Macdonald 'The Social Evil' (appendices).
16. ODT, 23 October, 1893, p.3, c.2.
17. Ibid, p.3, c.3.
18. ODT, 31 October, 1893, p.4, c.6.
19. Ibid.
20. ODT, 28 October, 1893, p.3, c.1.
22. Ibid, 1892.
29. ODT, 9 October, 1886, p. 3, c. 1.
33. Ibid, p. 56.
34. ODT, 15 October, 1884, p. 4, c. 7.
35. Industrial School Committal Book, 19 June, 1890, p. 76.
36. ODT, 6 February, 1890, p. 4, c. 4.
37. Ibid, 4 February, 1884, p. 3, c. 1.
38. Ibid, p. 3, c. 2.
39. MH, 4 September, 1881, p. 3, c. 4.
40. Walkowitz, p. 12.
41. Depositions of the Supreme Court, 3 March, 1882, Regina vs C__ & P__.
42. MH, 15 January, 1883, p. 3, c. 1.
43. Eldrid-Grigg, p. 22.
44. MH, 1 November, 1881, p. 3, c. 2. The man said he would leave Dunedin for the Maniototo.
45. Ibid, 11 April, 1882, p. 3, c. 3.
46. Ibid, 21 April, 1882, p. 3, c. 4.
47. Depositions for the Supreme Court, 25 October, 1889, Regina vs W__
48. Ibid, 5 August, 1884, Regina vs. P__
49. ODT, 7 December, 1889, p. 4, c. 1.
50. Ibid, 2 October, 1889, p. 4, c. 9.
52. McDonald, p.152.
53. Ibid.
55. See MH, 27 August, 1880, p.3, c.6; Gazette, 1882, p.104; Gazette, 1881, p.149.
56. Gazette, 1881, p.120.
57. ODT, 23 May, 1881, p.2, c.5.
59. NZPD, vol. 57, 1887, p.117.
61. MH, 1 August, 1883, p.3, c.5.
63. Ibid, 4 February, 1884, p.3, c.1.
64. Goldman, p.71.
65. ODT, 27 May, 1881, p.2, c.4. When evidence was brought that showed this woman was married the Bench commented that it was one of convenience.
68. See A. Levesque, "Grandmother took Ergot". Broadsheet, No. 43, No. 44, 1876.
69. Levesque, No. 43, p.19.
70. ODT, 20 April, 1880, p.3, c.3.
71. MH, 8 January, 1884, p.3, c.6.
72. ODT, 20 April, 1887, p.4, c.7.
73. Ibid, 3 September, 1885, p.4, c.7.
75. Depositions for Supreme Court, 29 October, 1883, Regina vs W.

78. MH, 14 August, 1882, p.3, c.1.

79. See Whelan, p.25. Such fears were voiced as early as 1864.

80. See Roll of Indigent Children.
CHAPTER III

A LIFESTYLE

In 1888 Mary Anne Davidson, aged 11, was charged with being "in a brothel in Leith Street" and being an associate of "persons known to and reputed to be prostitutes". The child's mother was in gaol for seven days, her father was dead. The case was remanded in order to give the mother time to get out of jail and go to Timaru. It does not seem likely that Mary Anne was a child prostitute. The children of prostitutes had to live and naturally the brothel offered some modest shelter.

Once they had been associated with prostitutes, it was probably very difficult for young girls to escape the definition themselves. This Chapter will attempt to examine why some women decided to become prostitutes and what prostitution offered as a lifestyle.

Some children were actually employed by occupiers of brothels. Jessie Throsby, aged 14, was charged with being in a brothel in the right-of-way off St. Andrew Street. Her father was in gaol, and her mother resided in a house of ill fame. The keeper of the brothel had three children of her own and engaged Jessie to mind them for her.

The author of "Outcast Dunedin" believed that "the presence of children in (the) dens is the exception rather than the rule". Nevertheless, many young girls found themselves drawn to a life of prostitute for various reasons. A number of these girls were "in the habit of going to houses
kept by the Chinese". It is not clear, however, how many child prostitutes or young prostitutes there actually were, as it was not usual for the girls to be convicted, and thus they do not appear in official police records.

More often than not they were sent to the Industrial School, or sometimes back to their parents, as in the case of Annie Norris.

Annie was a "girl of the town" who lived by prostitution. She and another 15 year old girl lived in a house in Hanover Street. The police knew about the house, and when they returned a second time they took the girl home to her parents. It was later claimed in court that charges against Annie had been improperly laid, but the police would not drop charges unless her parents would take care of her.

The girls associated with prostitutes or became prostitutes themselves for a number of reasons. If we are to believe Reverend Gibb, many girls took to the street due to the "lust and cruelty of men who have taken base advantage of their (the girls') weakness and 'ignorance'." As will be shown, however, prostitutes were more usually the victims of circumstance, and men were often their victims.

A number of girls had relations, mothers or sisters, or perhaps brothers, who were prostitutes or associates of prostitutes. One young woman was charged with obscene language, convicted and sentenced to fourteen days. During the course of the trial her mother admitted that she and her daughters had lately been associating with "bad characters". Another mother was "supposed to have incited her (male) child to
steal, they were a bad family altogether, two of the girls are prostitutes and are supposed to be encouraged in it by the mother". 9 A third woman was "in the habit of having girls of bad character living with her". This woman, her daughter, aged 16 and another girl who lived with them, were all leading "immoral" lives. 10 Sometimes sisters became prostitutes together, as in the case of the orphans Mary (17) and Martha (16) McAuley; 11 and Beatrice Bertha Lucas (13) was taken to Chinese dens by her sister Florence (17). 12 One girl, at least, was at the mercy of her brother, Thomas, who lived off the proceeds of her prostitution, and was in the habit of ill using her. 13

While some prostitutes, such as Janet Oliver, 14 induced young girls to stay with them, other girls were more or less forced into prostitution. These girls generally had parents who were addicted to drink and/or beat them. A thirteen year old girl who was in the habit of visiting the Chinese, had a mother who beat her and sent her out for beer. 15 It was decided that the Industrial School might prove a more favourable environment. A twenty-two year old woman had parents addicted to drink. "All in all", said a probation officer for the Salvation Army, "they had not been a good moral lot". 16 Despite ill treatment girls sometimes preferred to return to their parents, rather than face a gaol sentence. One girl had initially left her parents because they beat her, but was prepared to return to them if charges were dropped. 17

Other girls simply chose to become prostitutes. One
continually ran away from home and had done so for two years. She was arrested when she was "not yet fifteen" in a brothel and had been away "eight weeks ... residing among the Chinese." 18

Marion Goldman suggests that some women may have become prostitutes because they saw no other alternative, and had abandoned all pretence of respectability. This could help to explain why, in a society where all women faced poverty, only some became prostitutes. Prostitution, Goldman claims, "is compelling because it combines nothing more and nothing less than the most basic elements of life - work and sexuality". 19 In one case a man gave evidence in a case against a prostitute and some of her acquaintances. He had been with the woman when he was assaulted and robbed by three men. Before the assault however he "indulged in a little moralising to the girl". "I may have said to the girl that she was too fond of money. I remember saying that a girl like her would always get employment on a station. Her past vices would not be known and she could lead a better life. I remember she said she could not do it. It was too quiet for her". 20

FIGURE FIVE
Average Age of Prostitutes Gazette

<table>
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<tr>
<th>Year</th>
<th>Age</th>
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<tbody>
<tr>
<td>1880</td>
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<tr>
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<td>1883</td>
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<td>31.62</td>
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<td>1889</td>
<td>32.42</td>
</tr>
<tr>
<td>1890</td>
<td>33.75</td>
</tr>
</tbody>
</table>

Mean = 1879-1890 = 32
Evidence from the Gazette shows that most women convicted of prostitution were not young girls. Figure Five above lists the average for each year, and the average age for prostitutes from 1880-1890. The youngest convicted woman was 16, girls any younger than this were not sent to gaol. The oldest woman was 66. Again the difficulties in using the Gazette records must be remembered. In a Supreme Court case one woman gave her age as 39 but was, according to the police, 42. Another, in the same case, said she was 23, the police believed her to be 25. The average age for prostitutes from 1880-1890 appears to be around 32.

These women formed part of the centre of Dunedin's criminal sub-culture. Most of them had a number of convictions to their name. Only 52 of the 176 women listed in the Gazette appeared before the court on only one occasion. It is likely that these women had appeared in court before but had been dealt with leniently. Others were not so lucky. One particular woman had acquired 115 previous convictions since 1866. Some of these older women did not like the sight of young girls "walking up and down" the street. One prostitute "thought it advisable" to hand over a 13 year old to the police. The girl was described as "uncontrollable".

Possibly these women had more pressing reasons for becoming prostitutes than their younger associates. Francis Finnegan, in his study of prostitutes in York, has found a correlation between prostitution and poverty. He claims that a "background of poverty and deprivation is one of the
main causal factors behind a high level of prostitution."\(^{24}\) Dunedin was not immune to the world-wide depression of the 1880s. The decade was also characterised by increased industrialisation and urbanisation. John Angus claims that these processes interacted to produce a decline in community standards, evident in a decline in religious observance.\(^ {25}\) Unemployment, larrikinism and alcoholism were pressing problems. There was also an increase in the exploitation of child, and female labour, which was to lead to the "sweating scandal" of 1889.\(^ {26}\)

Respectability, education, ethnicity, occupation, all determined a woman's position in society. Society in Otago was characterised by "moralistic views" and a certain "desire towards change".\(^ {26}\) Crime was one way to achieve socially approved aims, such as material success, not attainable through legitimate means. Though there does not appear to be a rising crime rate in the decade "conditions ... conducive to crime existed in Dunedin".\(^ {27}\) The women involved in prostitution, at this time, were probably more interested in their next drink, or next bite of food, than wider material success.

Some of Dunedin's prostitutes reached the depths of degradation. Their destitution illustrates that prostitution in Dunedin, in general, was not a glamorous profession and also the desperate nature of the situation of prostitutes. Many cases give examples of women found sleeping in the open air,\(^ {28}\) sometimes with their children in their arms.\(^ {29}\) Women were found in outhouses\(^ {30}\) or lying intoxicated in the first-class ladies waiting room at the railway station.\(^ {31}\)
Others had to take their work outside. Margaret B... was found in the small house in the grass by the old Supreme Court with a man.32 Catherine C... was a "dreadfully wretched-looking woman" who had a number of previous convictions. According to the police she "had been living in an empty hovel in Stafford Street and for a week had been living on nothing but beer."33 Though their destitution was plainly visible for all those who wished to see, the women did not necessarily accept their situation. One "old offender" in particular was not prepared to acquiesce to moral condemnation of her behaviour. She had been living "in a wretched unfurnished hut" but in her defence said "I am ill. I have nothing but the few clothes I now wear and I sleep in them. I am willing to work but people want a pure moral character and I know of none but the Lord Jesus Christ who can boast one".34

The lack of alternative occupational options may have forced women into finding an additional income through prostitution. The major occupation for women in the 1880s was domestic service35 but this did not pay well, involved constant supervision, and long hours. Domestic service was often the least desirable of occupations. Despite the myth that it "was supposed to offer greater safeguards to morality" women were often "vulnerable to sexual pressures" from their employer. Hence the high proportion of domestic servants in maternity homes.36

Many seemed to have supplemented their income with prostitution but were nevertheless described as "prostitutes".
Annie Fiedal was called a "prostitute" during the course of the proceedings in a murder trial. It was claimed that Fiedal had worked in the Hospital but was now in gaol, convicted for vagrancy. Her husband had met with an accident and she had been working in the Female Refuge for the last two years. The most common paid occupation for women who were also prostitutes, (as opposed to unpaid occupations such as wife or mother), were general servants or washerwomen. One woman was described as a "seaman". Despite being a secondary occupation for some, once a woman had entered the profession it was probably very difficult to leave it. Some women stayed in prostitution for many years. At least four who were listed in the 1869 brothel surveillance return were also listed as prostitutes in the 1880s.

Women made the choice of whether to become prostitutes or not, the choice was usually active and rational, but not necessarily free. For example a woman may have been a domestic servant but for some reason "lost her character". Such a loss was irreparable and forced the woman to look for alternative employment. Some women may have had the choice forced on them by virtue of their ethnic background. The majority of the population were of either Scottish or English origin, and Protestant in faith (if they had any). To be Irish and Catholic in origin in Dunedin at that time was a definite disadvantage. To be a woman with such disadvantages was likely to mean not only unemployment but unemployability. Many of the Irish immigrants in Dunedin in the 1880s probably came from a background of poverty, and took
Ethnicity of prostitutes: Dunedin 1880-1890.

Figure Six

% of prostitutes compared to the % of the female population of central Dunedin born in each country.

Source: Gazette, ODT, Census of New Zealand
advantage of the free passage schemes offered by Provincial Governments. Such a background probably also indicated a lack of education and of skills. There were few Catholic employers in Dunedin, and Ingrid Clausen has found that a disproportionate number of women involved in crime in Dunedin were Irish born. This also holds true for prostitution (see Figure 6).

The number of women born in Scotland, England or Australia seems to be in proportion with the percentage of the total female population (Figure 6). Women were born in London, the Channel Islands, Tasmania, Victoria and South Australia. Many of those born in the southern States of Australia may possibly have been brought to New Zealand by parents following the gold-rushes.

Obviously the composition of the female population of Dunedin itself was changing in the 1880s (see Figure 6). The changes were especially marked in the increase of New Zealand-born females, despite the fact that the total number of females in Dunedin declined slightly. As a consequence of this change, it is difficult to make an accurate assessment of the role of New Zealand-born women in prostitution. Not surprisingly, most seem to have been born in the South Island, and probably figured more frequently among the younger section of prostitutes. These girls probably were better educated than their Irish-born contemporaries. One prostitute claimed that she had known another "for a good many years", as she "used to go to school with her".

One example of how a woman could be forced into prostitution, due to pressing financial circumstances, and destitution,
is illustrated by a case in the Benevolent Institution case book. A woman with two children applied for relief in 1890. Her husband, a labourer, had died three years earlier and left £250 to the children, while she received the yearly interest from this at 4½% a year. Her parents were not able to help her, and she had no work. Relief was recommended. The next report states that she "has been drinking and associated with bad characters lately and men are frequently visiting her". When the relief worker visited the house she saw "a prostitute leave in company with a man and inside ... another man and ... another woman both drunk". Relief was stopped. On a subsequent visit a few months later, the case worker discovered that the woman actually had four children, two of whom lived elsewhere. However, the woman had continued drinking "harder than ever" and had been sent to Hospital. Since that time she had tried to get work and the case worker believed that she "seems at present inclined to make a fresh start". Relief was once more given to her. During the next year, two of her children died and she returned to drinking. The case worker was less sympathetic since the woman now had only one child to keep, (the other lived with her brother) "there is nothing to prevent her from earning a living". This woman was only one of many who, having lost her means of support (her husband), could not survive on any remaining funds, and then decided to earn her living by prostitution. Many women were, in fact, deserted, and found themselves in a similar situation.

There were some women for whom it is less easy to explain
why they became prostitutes. One woman, in particular, was one of the most well-known prostitutes in Dunedin and her name appears with regularity in the Gazette and Police Court columns. In one of her cases, she pleaded that she was getting money from Australia. Inspector Mallard (one of the local police inspectors) commented that if this were true it "was a most lamentable thing that a person owning property and who might have been in such a different position should have sunk so low." Mary and Martha McAuley were orphans described as "being prostitutes of the lowest class," who made a disgraceful exhibition of themselves "running dirty and disorderly from one Chinese camp to another during the day". They had also induced another teenager into the low life. However, their father had been hardworking and had left them some property. It was believed that their prostitution was "now more misfortune than fault owing to the way they had been brought up." Once the choice to become a prostitute had been made, work had to be found. There seems to have been a number of ways a woman could find employment as a prostitute. The most common seems to have been finding a customer in a hotel. As has been indicated, hotels were identified as places where prostitutes regularly congregated. Two examples from Supreme Court Depositions can illustrate how this was done. In both cases the man was robbed and gave the information as a background to the robbery; these men were more worried about their money than their respectability.

The first case was in 1884: a prostitute was charged with the theft of five one pound notes. The man in question
was a labourer residing in Moray Place. On the night in question he went to the West Coast Hotel where he met two prostitutes. He offered to shout one of them a glass of beer. She agreed. Then, they went to her house in one of the many right-of-ways in the area. He decided he wanted one of the women to stay with him, and the other to go and get some beer. The woman, however, did not like this arrangement and swopped roles. While one was away the theft occurred. 49

The second case was also in 1884: the complainant was a rabbiter who had recently been employed on Moa Flat Station. He arrived in Dunedin with his wages, and went to the Spanish Restaurant where he met some acquaintances. He then went with two girls he had met to the Provincial Hotel. They had some drinks there. They continued on to another hotel in Maclaggan Street and then to the house of one of the girls. At this house "he made arrangements to stay at the accused's ... house for the night in her company ...". He gave her £1. 50

Apart from going to a hotel, some women walked the streets. Mary Maule was arrested for "accosting a number of men and requesting them to go home with her". She said however, that she was not a street-walker and brought forward a "miserable-looking man" to prove that he was keeping her. Nevertheless she was sentenced to one month in gaol. 51

Some women had their clients brought to them by the local cab driver. In a third case from the Supreme Court in 1889, the complainant was a miner. He lived up on the Rock and Pillar Range and was about 60 years old. By the
time he went to the brothel he had had four or five drinks, 
some at the Ship Hotel, others at the Waverly. He explained 
to the court how he went to the brothel: "I met a cabman 
when I was coming from the Ship Hotel. He asked me if I 
wanted a drink. I told him to take me to a place where 
there was only one woman. He took me to a place and I went 
in and they wanted to charge me too much and I left there". 
The cabman then took him on to the accused's house. There 
he saw the accused and a child. He gave the child a shilling 
and still had £15 on him. The complainant then went on to 
describe how he spent some money on beer and ale, and also 
gave the accused £1 to stay the night. He counted his 
money (he could possibly have been robbed before, or at least 
have known the risk involved) and then went to bed. Once in bed 
he felt the accused lean over him to get his purse in his 
trousers. He jumped up and accused her of theft. She 
denied the charge.52 Other women possibly established a 
regular clientele, or at least encouraged satisfied clients 
to return. Another client, a master mariner, claimed "the 
house is a brothel. I had been there once before".53 

These examples indicate the type of men who frequented 
Dunedin's brothels; the miner, labourer and seaman. 
Middle class observers, at least, believed use of prostitutes 
to be common. Reverend Gibb alleged that out of every hundred 
unmarried men, fifty were guilty of fornication, and five out 
of every 100 married men.54 Most of the clients of Dunedin 
brothels were from out of town. They had come to Dunedin 
for refreshment and entertainment. They usually carried
with them a month or sometimes two month's wages (one had £33 stolen). They got drunk, met up with a prostitute or two and went to a brothel. One case had to be adjourned to give the complainant time to sober up! The Court was not always sympathetic with the complainant - though he was acting in accordance with the double standard. A labourer who had had four £1 notes taken was told by the Bench that it served him right.

A visit to a brothel, no matter how "low class", was not cheap, and virtually involved the outlay of a whole week's wages (not including any theft of money that might occur). In 1880 farm labourers received between 15 to 25 shillings per week and a miner received 7 to 10 shillings per week (without board). The cost of going to a brothel was usually £1. In one case, a woman who was previously "en deshabille" asked her client "£1 for intercourse". On top of this, women usually demanded that the client pay for at least some of the alcohol; a request that the client was usually too drunk to refuse. One man said "She asked for £1 which I gave her. After that she wanted two half-crowns to get drink. I objected. I said I did not want any drink. She said it was usual that someone next door always goes for it. I gave her the half crowns." There was also the danger of theft, which was so common that it caused a prosecutor to comment " this was a case of robbery in a house of ill-fame such as came before the Supreme Court at nearly every sitting".

The high incidence of theft from brothels seems to indi-
cate that while prostitutes were often characterised as victims of seduction and desertion, once having become a prostitute, women took advantage of the situation. In this respect, men became their victims. Sometimes more respectable members of society recognised this. In one case, a man was found lying drunk in a brothel. The constable giving evidence said that the man was not of the criminal class, but was a "victim of the woman and would not have been there except that he was drunk". The theft also added to the profit margin for many women. The risk of being caught must have been worth the increase in earnings.

It is difficult to determine how many brothels operated in Dunedin or how many women worked in them. In Raewyn Anderson's study of women and crime in Auckland, she points out that brothel returns in Dunedin and Christchurch in the 1870s suggest that women worked either individually or in pairs. This would certainly appear to be the case in Dunedin in the 1880s. The majority of women operated by themselves, or with one, or perhaps two other women. Consequently, if there were approximately forty brothels operating in Dunedin as the 1893 Brothel Surveillance Report suggests, they would have supported between 40 to 80 women. Evidence that supports the existence of small or individually-run brothels lies in descriptions of the actual size of brothels. Most of the brothels mentioned in Supreme Court Depositions had only two rooms. A constable gave a description of one of these houses. The brothel was "a two-roomed cottage with a lean to, which makes a kitchen or Scullery. I know
the Parlour or Sitting room where D... alleges he was robbed”. The testimony of the complainant D... indicates that the cottage had one bed and one bedroom. In the other room, the Parlour, there was a sofa, chairs and a table. He was entertained in the Parlour though he had initially believed that he was to be "kept occupied" in the bedroom. Other houses were not so small. Violet McVicker was accused of being the occupier of a house in Cumberland Street frequented by persons with no lawful means. She and "other women of ill-repute" were alleged to live there. The landlord had rented the nine-roomed house to her but claimed that he did not know that it was to be used as a "boarding house".

Most of the brothels were rented out. Often the behaviour of the landlord caused as much indignation as the brothel keeper. Reverend Gibb was incensed by the profits landlords made out of the business. One hovel, he claimed, was "worth not more than 6s. per week at the very outside, and the owner is receiving 18s. from the miserable women who inhabit it". Landlords clearly made profits from the rents of their property, but there is some indication that they were not the only ones to profit from prostitution. There may have been at least one "high class" brothel in Dunedin. Violet McVicker for example could afford to pay 22.5s. a week and her furniture was on time payment. Though there is no example in the 1880s of an "elegantly furnished" brothel that was "kept very orderly" and "frequented chiefly by Squatters, Businessmen and Clerks" such as the one run by Florence Sutherland in 1869, some
women had enough profit to acquire material assets in the form of furniture. One was given a remand in order to give her time to remove her furniture from a house of ill-fame.70 Another "had left the house and her furniture was at present in the hands of the auctioneer". She "intended" to go to Melbourne, and asked for an adjournment in order to allow her to do so. The police, in agreement, said that "she kept one of the worst houses in Dunedin and if she went away it would be good riddance to the place".71

Many men acted not only as husbands or cohabitants, but also as brothel keepers or occupiers, an occupation Eldred-Grigg sensationally calls "whoremaster". In 1881, the police uncovered "a rare hotbed of vice and infamy" in Stafford Street.72 A week before the arrests, two men, one described as coloured, the other a gunman, had rented the house on the pretence of using it for bachelor's quarters. The landlord soon informed the police that this was not the case. When the police arrived they had great difficulty getting in as their knocking was drowned by the din inside. Once in, the police found a collection "of rogues and vagabonds" dancing, singing, swearing and fighting", in a room barely 14ft square. The defendants had charged 2s per head for admittance, "the women were of the lowest class", one man had cut his head and the "women wore their hair loose and the floor was covered in blood". Altogether, there were about 20 people in the room. Both men were convicted for three months. One house run by a man and a woman had "boarding house" written on the door and was fearfully dirty.73
Age was no restriction in either frequenting or occupying brothels. One man, a chimney sweep aged fifty, had his house frequented by girls of loose character. Another man was seventy-one. In his case report it stated that he was "unable to work and (had) lately been adding to his income by allowing bad characters of both sexes to congregate in his house".

Brothels, then, were often meeting places for large numbers of insalubrious characters. Confined to a small area such as the Devil's Half Acre, in a reasonably small town, and being involved in an illegal occupation, it is hardly surprising that women congregated together and knew each other well. One constable visited a brothel a little after 12 p.m. There was a tremendous row going on. The constable said he knew the house; it was rented and the people in it were convicted thieves. On entering the house he saw one woman pouring beer down the throat of a man lying on the sofa.

Disorderly conduct occurred between women, and sometimes they stole from each other. Yet they also relied on each other for support; living together in such close confines made this necessary. It is also likely that as a part of "Outcast Dunedin" they had little opportunity to make friends who were not criminals or prostitutes. Three women were arrested together in 1885 for rowing among themselves, to the annoyance of the neighbours. The police court reporter noted, however, that they seemed pleased about going to gaol together, and thanked the bench for the mildness of the term.

Another example of such intimacies is the case of the
theft of a brooch. Eliza stole it, though she claimed that it was given to her by her husband when in better circumstances in Lawrence. She sold it to Mary, who sold it to Nelly who pledged it and gave the ticket to Ann. Ann redeemed it and thinking (or knowing) that it was stolen, handed it into the detective. Obviously she (Ann) did not know who had stolen it, as she said she handed it in to get her own back at Mary. Mary apparently had done her an injury and had had her (Ann) locked up on Christmas Day.\(^7\) The writer of "Outcast Dunedin" also commented on the fickleness of these relationships. Among them, he wrote "intimacies are quickly formed and as quickly dissolved, but they are close while they last".\(^8\)

A life of prostitution did however have its occupational hazards. Not the least of these were sexually transmitted diseases especially gonorrhea and syphilis. Such diseases not only had severe debilitating effects on the health of the women, but caused the "leading men" of the colony to introduce legislation ostensibly to combat their spread. One woman applied for assistance from the Benevolent Institution. Her case history was as follows: "This is an old prostitute. She has been in the Hospital several times suffering from syphilis and is now discharged as incurable. During the time she has been suffering from the disease, I have seen her later at night soliciting in the streets".\(^9\)

Fourteen women included in the Gazette lists from 1882-1886 were hospitalized for venereal disease. Four of these women were repeatedly hospitalized. One was first hospital-
ized for gonorrhea when she was 17. Between 1882-1886 she was in hospital at least three times. On the second occasion in 1883 she was released after a month and diagnosed as being cured.\(^1\) In 1886 in Auckland a number of cases of syphilis were reported where girls were so badly diseased "they could hardly walk or sit",\(^2\) though not all of them would have been prostitutes.

There were probably many more men and women suffering from venereal disease. However, most of these probably would not figure in public hospital records. If a respectable middle class man acquired a venereal disease or passed it on to his wife, he was unlikely to take his problem to the public hospital. Few private doctors have left records which could help discover the incidence of the diseases among these people. Similarly, the Select Parliamentary Committee on the Contagious Diseases Act (1869) had difficulty in ascertaining the extent of the disease. Though they had been in contact with medical men from Southland, Otago and Canterbury, they could not establish the extent of venereal diseases, "primarily because the regular and well-established practitioners are little resorted to except in extreme cases, and a large number of cases are treated either by the sufferers themselves or by quacks and chemists".\(^3\) Contemporary understanding and diagnosis of venereal disease was limited. The symptoms of some types of vaginitis, for example, could easily have been mistaken for syphilis or gonorrhea.

If there were records of incidences of venereal disease among the middle class, this would prove the existence of "high
The incidence of Syphilis and other venereal diseases in New Zealand.

Figure Seven

Source: Statistics of New Zealand.
class" brothels in Dunedin. Statistics on the incidence of cervical cancer would also facilitate research into how often prostitutes were patronised by the middle class. A woman's risk of cervical cancer depends less on her sexual behaviour than that of her husband. Husbands of women with cervical cancer are "more likely to have had venereal disease, to have visited prostitutes and to have had affairs during marriage". 34

Hospital records do highlight that pre-marital intercourse was comparatively common among working class girls. A large number of those in hospital for either venereal disease, or pregnancy were single, and gave their occupation as "servant". It is likely that many of these girls were actually "prostitutes" at one time in their lives, if only for a few weeks to supplement their income.

As with the figures for prostitution, the incidence of venereal disease had declined by the end of the decade. It would also appear that 1883 was something of a peak year both for convictions of prostitutes and reports of venereal disease.

Though the most problematic, venereal diseases were not the only health problem faced by prostitutes in Dunedin. Their lifestyle precipitated many of these problems. Surrounded by violence, unhygienic living conditions, probably partaking in alcohol abuse, and too poor to get medical aid such as it was, it is not surprising that many of the women were disfigured or suffered from various debilitating ailments. A number of women had lost teeth, probably due to
living conditions and insufficient diet. Facial scars were common, as were burn marks. Some women were more disfigured than others. One had burn marks under her lip and her neck. Her right hand and arm were also contracted. Another had her upper front teeth out and was blind in her left eye. A number were pockpitted. Alcoholism was also common. At least eight women were admitted to hospital for alcoholism from 1882-1886, though conviction rates for drunkenness would indicate that alcoholism was far more serious than hospital admittals would indicate. Other women were admitted for problems ranging from emphysema to haemorrhoids. Consumption, bronchitis and pneumonia were also common.

For some women, at least, ill health caused death. One woman has already been described as dying of consumption. Another called Hannah was sixty when she died. A constable found her lying in her house on her hands and knees dying. Some "ladies" went in, washed her and took her to hospital. There she seemed to revive a little. The constable said that the room in which she had lived was "so very close and filthy that all who visited it (except him) turned ill." In the house were some gin bottles and a mattress, no food or furniture. The constable had known Hannah for two years and knew her as a street walker. She died in hospital; the doctor thought she might have taken opium but it was stated in refutation that no Chinese had been seen round her house.

One of the integral factors of "Outcast Dunedin" society, and also one of the reasons for hospitalization, disfigurement and ill-health, was violence. Indeed violence "was a
way of life for the more marginal and criminal elements of Dunedin society,90 and seems to have been endemic. Violent acts were committed by men upon women, women upon men, men upon men and women upon women. No one was immune. Crimes ranged from rape to murder, fist fights to pulling hair. The most violent crime involving a prostitute was the murder of Matilda Hancock in 1884.91 In 1884, Matilda was stabbed to death by her husband, William Pearse. The couple had lived together for three years, and the evidence made it clear that Matilda had continued as a prostitute during this time. Pearse was found guilty and sentenced accordingly. In the case of attempted rape, three men tried to rape a girl.92 The girl had had intercourse with one of the men previously, and at one time was going to take a room with another girl for immoral purposes. She claimed that the man had previously wanted to be her "fancy man". However, she did not want him, and said she had not had an immoral life for nine months. The case went to the Supreme Court but the jury did not return a true bill.

In these most violent of crimes the Court was usually sympathetic to the women involved. In others they were not. The Court sometimes regarded cases of violence in brothels as common (or, at least, as not surprising). In 1890 Alfred Hanlon, local barrister, commented that one case was "nothing more" than a brothel disturbance, even though one of the assailants had ended up in hospital.83

Men often treated women brutally. One, in particular, was known to the police for his habit of ill-treating
Prostitutes. On this occasion the offence was severe enough for the police to comment that the women were entitled to the same protection as the rest of the community. 94 Another man often beat the woman he had cohabited with for twelve years. The constable giving evidence said that the woman had lost the use of her eyes, and her face had been deformed by scalding, all the work of the man. 95

Many women were as guilty as men in violently attacking their associates. Sometimes they did this alone. Annie, for example, attacked her cohabitant with a sheath knife. 96 In other cases two or more women acted together. 97 Women also assaulted other women. Sometimes a number of women were brought before the Court together for "behaving in a riotous and indecent manner." 98 Usually the fights began with women having 'words' with each other, either in a brothel or in a hotel. 99 In one case the women carried their dislike of each other into the police cell. As soon as Ellen was put into a cell with another prostitute, Mary, Mary flew at her like a demon and scratched her face severely. 100

In another case earlier in the same year, Ellen was arrested for a similar charge. She said that a woman "of questionable character" had insulted her without provocation and she (accused) "took it out of her" by pulling her hair and punishing her with a "few smacks on the face." 101

Men were also the reason for some of the fights. On one occasion in the Provincial Hotel Elizabeth came in to talk to Mary. Mary asked "What do you want?' Elizabeth replied 'What about Brummy Wilks?' and hit her and threatened to
In almost all of the cases of violence, alcohol was involved. One woman said "he was drunk and he thrashed me". Alcohol was a constant thread in the fabric of criminal society. Ingrid Clausen claims that the percentage of females convicted for drunkenness in Dunedin was approximately three times the national average. In modern terms it could possibly be described as a form of escapism. Being drunk or habitually drunk was one of the main charges prostitutes faced in the Supreme Court. "Habitually drunk" was when a person had been convicted for drunkenness three times in six months. One woman pleaded that she was tired and took a couple of glasses of beer. The judge replied that she had said the same thing when she had last appeared before him on the same charge. Another said she was very "unfortunate, for whenever she took a drink she always seemed to run into the hands of the police".

Alcohol was not only used as a means of escape but also as a justification for illegal behaviour. Many women (and men) pleaded for leniency on the grounds that they had been drunk at the time of the incident. Others accepted their fate in the courtroom only to take to the bottle as soon as they were released. At eleven o'clock on one day Bridget "vowed another drop of liquor should never again pass her lips", at half past one that afternoon she was picked up from the gutter in Hope Street "as drunk as it was possible for a woman to be".

Middle class observers liked to believe that these women
preferred to spend their money on beer rather than food. The author of "Outcast Dunedin" wrote they "eat when they can and drink always".\textsuperscript{109} Certainly there are cases where this would appear to be true. However expenditure on alcohol was not only a means of escapism for prostitutes, but also a vital part of their occupation. If women did not provide alcohol they were unlikely to attract customers, and therefore could not make a living out of prostitution. The Court often believed that the best way to deal with alcohol abuse was to send the offender to gaol, where the offender could be weaned off the taste.\textsuperscript{111}

There were other means of escape. For some women it appears that the best means of escape was the most drastic – suicide. There were at least four cases of attempted suicide in the 1880s.\textsuperscript{112} Only one of these appears to have been successful. In two of the other cases, the women had been drinking and fell off the wharf into the sea. A witness claimed in one case that the woman had said something like "Here goes, I am going to be out of my misery" and threw herself into the water. The defence was taken by Alfred Hanlon. He claimed that the woman had gone to the wharf to see off a friend. She had a hat belonging to the friend, and being somewhat inebriated fell over the edge of the wharf in trying to hand it back. The Bench did not give much credence to the story, but said that it would put the country to needless expense if he convicted the woman, and therefore dismissed the case.\textsuperscript{113}

For many women, prostitution was one of a limited number of choices of employment. Prostitution in Dunedin
may have been lucrative for some, but for most it was a means of survival and a hazardous one at that. Disease, violence and alcohol were endemic in their society and destitution was common. Prostitutes were seen as "outcast" and in effect became "outcast"; they formed their own close knit sub-culture that was distinct from respectable middle class Dunedin.
FOOTNOTES - Chapter III

1. ODT, 3 February, 1888, p.4, c.9.
2. Ibid, 10 February, 1888, p.3, c.1.
3. Ibid, 30 May, 1890, p.3, c.2.
4. Ibid, 4 February, 1884, p.3, c.2.
5. Ibid, 5 April, 1889, p.4, c.9.
6. Ibid, 30 April, 1889, p.2., c.9.
7. Ibid, 31 October, 1893, p.4, c.5.
8. Ibid, 10 May, 1885, p.4, c.9.
12. ODT, 12 April, 1889, p.2, c.9.
13. Ibid, 4 July, 1881, p.3, c.3.
15. Ibid, 5 April, 1889, p.4, c.9.
16. Ibid, 9 October, 1889, p.4, c.8.
17. MH, 24 November, 1881, p.3, c.2.
18. ODT, 15 November, 1889, p.4, c.7.
20. Depositions of the Supreme Court, Regina vs Findlay, 11 October, 1889.
21. ODT, 5 April, 1887, p.4, c.8.
22. MH, 26 October, 1882, p.3, c.3.
23. ODT, 30 May, 1890, p.3, c.2.
24. F. Finnegan, Prostitution and Poverty, p.32.
28. MH, 26 October, 1882, p.5, c.2. (This woman had once been found lying in the snow).
29. See ODT, 10 February, 1880, p.2, c.5. and MH 19 September, 1882, p.3, c.3.
30. MH, 26 October, 1882, p.3, c.3.
31. ODT, 4 July, 1881, p.3, c.3.
33. Ibid, 24 April, 1882, p.2, c.4.
34. Ibid, 5 August, 1882, p.3, c.2.
35. Census of New Zealand, 1886.
38. see Gazette. One woman described as 'servant'. April, 1885, p.126., and later as 'prostitute', December, 1885, p.55.
40. Gazette, 1880, p.94.
41. Daniels, p.11.
42. Clausen, p.78.
43. see Gazette, 1884, p.137, Gazette, 1883, p.175, Gazette, 1881, p.193, Gazette 1882, p.5.
44. Depositions of the Supreme Court, Regina vs Paisner, 5 August, 1884.
45. see Otago Hospital Board Casebook, September, 1890, p.790 and January, 1891, p.894.
46. see Roll of Indigent Children for samples of women whose husbands had either deserted them or died.
47. MH, 8 July, 1880, p.3, c.5.
49. Depositions of the Supreme Court Regina vs B___, 27 October, 1884.

50. Ibid, Regina vs. Palser, 5 August, 1884.

51. MH, 13 April, 1882, p.3, c.3.

52. see Depositions of the Supreme Court, Regina vs W____ 25 October, 1889.

53. Ibid, Regina vs. Clark, 3 March, 1887.

54. ODT, 31 October, 1893, p.4, c.6.

55. Supreme Court Indictments, Regina vs H____, October, 1883.

56. MH, 25 July, 1883, p.4, c.3.

57. Ibid, 20 April, 1882, p.2, c.3.

58. Statutes of New Zealand, 1880.

59. Depositions of the Supreme Court, Regina vs Findley, 11 October, 1889.

60. Ibid, Regina vs N____ 4 January, 1890.

61. ODT, 7 March, 1887, p.4, c.6.

62. Ibid, 20 April, 1889, p.4, c.6.


64. New Zealand Police Brothel Surveillance Report, Dunedin, 1893.

65. Testimony of Constable and of D____, Deposition of the Supreme Court, Regina vs Palser, 5 August, 1884.

66. ODT, 2 February, 1885, p.3, c.2.


68. Ibid, 2 February, 1885, p.3, c.2.


70. ODT, 8 February, 1888, p.4, c.8.

71. Ibid 2 October, 1889, p.4, c.9.

73. MH, 30 May, 1883, p.3, c.3.
74. Applications for Relief from the Charitable Aid Board, 1890, Vol.2.
75. Otago Hospital Board Casebook, 1892, p.814.
76. ODT, 20 April, 1889, p.4., c.6.
77. Ibid, 17 September, 1885, p.4, c.6.
78. Ibid, 30 December, 1887, p.4, c.6.
79. Ibid, 4 February, 1884, p.3., c.1.
81. see Dunedin Hospital Discharges 1882-1886: this woman was in hospital from 25 May 1883, to 4 June, 1883 when she was released 'cured'.
82. ATRR, Report of the Contagious Diseases Act, 1886.
83. NZPD, Vol. 6, 1869, p.396.
85. Gazette, 1882, p.120.
87. Dunedin Hospital Discharges, 5 November, 1883, January, 1883.
88. Industrial School Committal Book, 19 June, 1890, p.76.
89. see ODT, 9 February, 1889, p.4, c.7. (reference to Hannah).
90 Clausen, pp. 29-30.
92. ODT, 1 October, 1887, p.4, c.8.
93. Ibid, 14 April, 1890, p.4., c.9.
95. MH, 26 April, 1882, p.3, c.3.
96. ODT, 11 March, 1881, p.2, c.6.
97. Ibid, 18 May, 1881, p.4, c.9.
98. Ibid, 17 September, 1885, p.4, c.5.
99. Ibid, 22 June, 1889 (Supplement p.1.)
100. EH. 26 August, 1882, p.3, c.3.
101. Ibid, 15 April, 1882, p.3, c.3.
103. ODT, 14 April, 1890, p.4, c.9.
104. Clausen, pp. 22-23.
105. ODT, 11 May, 1880, p.2, c.5.
107. EH, 26 July, 1883, p.3, c.6.
110. see Ibid, 9 February, 1889, p.4, c.7.
111. see Ibid, 23 September, 1889, p.4, c.8.
112. Ibid, 10 February, 1890, p.2, c.9. and 5 December, 1885, p.2, c.5., EH 30 June, 1884, p.2, c.7. (successful), ODT, 5 December, 1885, p.3, c.2.
113. ODT, 10 February, 1890, p.2, c.9.
CHAPTER IV

PROSTITUTES, POLICE AND REFORMERS

As part of a criminal subculture, a distinct community in the centre of Dunedin, the main contact prostitutes had with "respectable Dunedin" was in court. Prostitutes were generally brought to court by the police, who were the usual "reporting and prosecuting agents". The role of the police was to enforce legislation determined by Parliament. The efficiency of the police was, however, determined by their own attitudes and interests, not those of their middle class superiors.

In the annual report on the Police in 1901, it was claimed that the occupation had become a "popular means of livelihood" but that the educational standard of many of the recruits was not very high, "very few of them ... being able to pass an examination equal to that of the fourth standard in the public schools." The majority of policemen in 1901 were Irish and Roman Catholic. Though the ethnicity of the police force may have changed since the 1880s, and the ethical composition of the Dunedin Police was likely to have been different from that of the rest of the country, it seems clear that most policemen were from working class or perhaps lower middle class backgrounds. Therefore, the police were a working class group enforcing middle class legislation and ideology. It is likely, therefore, that the police acted more as superiors or managers of prostitution, regulating it as they thought fit, than oppressors, attempting to wipe it out altogether.
Some members of the middle class did not think that the New Zealand Police force was fit to handle this role. During the debate of a Police Offences Bill in 1855 one M.P. was asked who was to enforce the Bill. "It would", he said, "require considerable discretion to know when to prosecute under this act. Who was to judge? The Police? He did not know that the police of the colony had shown their intelligence was such that they should be entrusted with this delicate duty".4

The Dunedin police were close to the prostitutes in the city and their acquaintances. The writer of "Outcast Dunedin" pointed out that some of the more disreputable houses were "almost under the shadow of the Police Barracks" in Maclaggen Street.5 There is clear evidence that the police knew most of the women personally, and were certainly aware of where the brothels were. In one case in the Supreme Court the complainant notified the police that he had been robbed and attacked by a woman from a brothel. The man expressed some surprise that the policeman went straight to the brothel "He seemed to know where to go straight away".6 Such personal attention suggests that if a woman was known to the police as being a "rogue and a vagabond" her activities may have been well known, and consequently, she may have been arrested more often. One woman, a well known prostitute, was mistakenly accused of stealing a watch. The Inspector of Police was forced to apologise for having detained the accused in custody.7

Women were more frequently arrested for actions that
Figure Eight: Crimes committed by prostitutes in Dunedin 1880-1890, 94
% of convictions for each crime.

6.3% larceny
★ 35.2% vagrancy.
★ 12.7% soliciting prostitution / loitering and importuning passengers.
★ 12.1% obscene language.
1.1% assault.
3.4% damaging property.
★ 13.6% habitually drunk / drunk and disorderly.
★ 0.4% contempt of court.
0.2% unable to pay maintenance charges for child.
★ 0.2% indecent exposure.
0.6% stealing from the person.
0.4% stealing from a dwelling.
★ 0.5% occupier of a disorderly house.
0.1% receiving stolen property.
0.1% manslaughter.
0.1% failing to find sureties to keep the peace.
0.1% breach of prison regulations.
0.1% robbery with violence.
12.7% breach of peace/disorderly conduct/noxious or indecent behaviour.

★ = crimes described as 'victimless crimes.'
% of convictions for victimless crimes = 79.2%

Source: Gazette
forced "respectable people to become cognisant of the fact of their existence" rather than illegal actions taken against property or people. One woman, for example, was described as being an offender against "manners and morals". Thus, women were arrested for what they were, rather than what they did. As has been indicated, most convictions, over 35%, were for vagrancy. The women convicted under the Vagrant Act were probably actually soliciting, but an act of solicitation was difficult to prove, and few people were prepared to come forward with the evidence. Thus, the police, who may have known the woman as a prostitute, were forced to press charges of "insufficient lawful means" rather than "importuning passengers". Figure Eight illustrates the frequency of such charges, and the fact that the second largest category of sentence was for being drunk and disorderly, or habitually drunk. Other crimes against morality were occupying a disorderly house, obscene language, vagrancy and riotous conduct.

Prostitution precipitated other crimes. Working conditions and lifestyle made it difficult for prostitutes to escape involvement in brawls or instances of drunkenness and violence.

12.7% of convictions were specifically for soliciting or loitering and importuning passengers. It appears that the police often warned young girls about their conduct before pressing charges. For example, Florence Mabel Lucas (age 17) was warned "on several occasions". If it was a first offence, women were generally dealt with leniently (though
Florence was not so lucky). Police also had to be careful that they laid the charge properly, and proof of the offence was usually difficult to obtain. In one case a girl, who the police believed lived by prostitution, was charged with prostitution under the Vagrant Act. However, submissions were made to the effect that it was not an offence to be a prostitute. The Bench agreed, and informed the police that in order to get a conviction the charge should have been "behaving in an indecent manner". ¹¹ When the case was brought before the Court a second time, the counsel pointed out that, to be guilty of disorderly conduct or of soliciting, prostitution was an offence, but the act of prostitution was not. Though prostitution was culpable morally, it was not culpable criminally. Therefore, it was for the police to prove that a woman had done "some other misdeed" besides being a prostitute. Due to this submission the case was dismissed, and the Judge said that he hoped the accused would go home and work out a reformation. ¹² It is possible that the police knew a charge of being a prostitute would not secure a conviction, but used such tactics to maintain their authority over these women.

Obscene language was another common charge. This charge even more clearly illustrates the victimless nature of the crime, an offence against public decency and nothing more. In one case, the accused "was making use of the language complained of in a brothel in Moray Place and kept it up all the way to the Station". ¹³ Another woman was charged for "screaming at the top of her voice" so that she "might have
been heard fifty yards away".  

The penalties for obscene language were mild compared to the length of sentences given for the charge of theft. Apart from theft of money from their clients, women frequently stole clothing and/or footwear. Some were surprisingly audacious. One went up to a three year old child and took the boots of his feet. They were not for her or her children. Rather she immediately gave them to a dealer. Boots, umbrellas and shawls (one was stolen from a church service at Knox Church) were taken. Some women were as well known for theft as they were for prostitution. Sometimes thefts were put down to the effect of drink; when one woman was drunk the police claimed that "she could not keep her hands off anything". Harriet York was perhaps one of the worst offenders. She was "an associate of thieves and the man she was living with was in goal now for stealing". She "used to watch men from the country" and "prowled about the back streets stealing clothes".

There seems to have been a dual role played by police during the 1880s. On one hand they were the enemy, continually forcing the women to move on and destroying their livelihood; on the other, they acted as protectors and providers of shelter.

In 1866 Dunedin police interpreted the Vagrant Act so strictly that prostitutes for a time found themselves "compelled to retire from the main streets and to take refuge in brothels". However, police also knew all about brothels and how they operated. One policeman said "My experience
of brothels is that people go in and out continually as in public houses". If a brothel was not rowdy they would supervise, but not lay charges. If, however, neighbours complained, or a brothel got out of control they moved in. In 1881 the *Otago Daily Times* proclaimed that "An effort is being made at present by the police to clear out from Maclaggen Street a number of the low women and disorderly characters who have for a long time past been a source of great annoyance to the respectable residents of the neighbourhood". Similarly, when another group became too boisterous, and several complaints were laid, the police "were desirous of clearing the locality of them." In this particular case the counsel pointed out that the women "must live somewhere unless they were strangled which was not allowed at present." In one case the police claimed that Fanny Barnetti was "one of the rowdiest women of the place" and "men were continually in the house and the carryings on were disgraceful". Her counsel, Alfred Hanlon suggested that the "police thought she had a brothel because they did not see her do any work" but in fact she did needlework and received 15s. a week from a man. Hanlon asked whether the case could be adjourned in order to let Fanny leave and it appears that this was satisfactory. Often, police brought charges only in order to break up these brothels. If this was done, or the occupiers of the brothels promised to leave, the charges were usually withdrawn or the people were convicted and discharged. Fou You, for example, was charged with keeping a disorderly house. He had been "keeping out of the way so as to avoid service of the summons". "The
house, however, had been broken up" and charges were withdrawn. 26

In accordance with their supervisory role, it would seem that the police attempted to keep brothels within a particular area. If a brothel was beyond the confines established by the police, it was brought to the court's attention. One brothel was broken up "owing to the proximity of the house to the school" and the "possibility of contamination arising therefrom". 27 It is interesting for example, that the brothels broken up by the police in 1893 were mainly in Great King Street, not in the Devil's Half Acre area. 28 Perhaps these were broken up in order to keep brothels under the supervision of the Maclaggan Street Police Station.

At times the police acted as a kind of Benevolent Institution for some of the women. Police were sometimes responsible for saving the life of a woman. Bridget Kane had once been found lying in six inches of snow. 29 In another case a girl went to the police on behalf of a woman who kept a brothel for protection. A man in the brothel was very drunk and was "knocking girls about". When the constable arrived he was set on by three men, but was helped by the women until another constable arrived. 30

Women regarded the police as both enemies and friends. One woman was convicted for obscene language, language "for the special purpose of lowering the dignity of the police force". 31 Another was convicted for the same charge and for damaging a constable's hat. 32 A third complained that the police had "a down on her". 33 She had only been out of gaol six days when she was arrested for creating a disturbance in
a hotel. Women frequently gave themselves up as having no lawful means presumably "in order to get a bed for the night." One woman requested that she be charged as a vagrant, stating that she would much rather work for the government (go to prison) than continue leading the life she was leading. In another case already mentioned, a prostitute found a young girl "walking up and down Stafford Street" and "thought it advisable to hand her over to the police."35

Policemen were by no means perfect and it would not have been surprising to find that some, at least, knew the women intimately. In the 1850s there were examples of police being entertained by prostitutes. Though there were no similar instances in Dunedin in the 1880s, at least one man believed that the police played an active role in prostitution in the city. In 1887 Alfred Broad saw a policeman and a woman midway between Great King Street and Cumberland Street. He saw the woman leave, and the policeman go inside Dasing Hotel. Broad then bumped into the constable. The constable asked Broad a question, and then said, "Oh go along and get out of this". Broad refused to leave until he knew what it was that the constable wanted of him. Then Broad said "It is my belief that you constables, publicans and prostitutes in this neighbourhood are in league together". The constable then assaulted Broad, was arrested, and sentenced to twelve months in prison.37

Once arrested the women were taken to court. Some tried to influence the court decision by dressing for the occasion. These women believed that they could conform to
middle class notions of respectability simply by changing their appearance - even if they had to steal to do so. One woman caused quite a stir when she made her second appearance in Court on a charge of obscene language. Though in her first appearance she had a very "dowdy appearance," she presented herself the second time "in a straw bonnet with a flimsy veil and a well-fitted black dress". The Court reporter felt that she "had risen a grade or two in the social scale". Despite this she was sentenced to fourteen days. She was taken away crying against the injustice of the system, and fearful lest the police damage her clothing. Another woman was clearly the object of ridicule. She was "apparently of a very excitable temperament," and "appeared in Court dressed in a fashion which betokened anything but poverty, and her demeanor in the box was highly mirthprovoking". A third woman went to the trouble of stealing a skirt in order to wear it to court for another charge.

The attitude of the Court to prostitutes favoured middle class attitudes. Prostitution was inevitable, but the women were criminals. Some members of the judiciary obviously believed that since the women were prostitutes and associated with criminals, they were therefore untrustworthy. In 1875 "Mr. Bathgate, our really excellent Resident Magistrate" refused to take oaths from prostitutes. He was criticised for this by J.G.W. Grant who wrote "Upon this same principle, he ought to reject the oaths of the lawyers; for the harlot sells her body and the lawyer his mind". Such attitudes however lingered on. In a murder trial in 1884 the trust-
worthiness of evidence given by prostitutes was called into question.\textsuperscript{42} In 1887 the Defence, in a trial of attempted rape, claimed that the alleged victim was not truthful since "the woman is a prostitute."\textsuperscript{43}

Clearly members of all three parties, the police, the judiciary and the women themselves regarded gaol as a safe house. It was often claimed that it "would be a blessing to send (some women) to gaol out of the way of sin and misery."\textsuperscript{44} Usually it was believed that a term in prison would give the offender a chance to reform, (and sometimes the offender thanked the Bench for this decision).\textsuperscript{45} However the personality and beliefs of the Residing Magistrate played a major role in determining the treatment of a particular woman. One case in 1885 illustrates this. It also illustrates how close the police were to the women, and how far removed some of the middle class were from reality.\textsuperscript{46} A child was brought before the Court charged under the Industrial Schools Act with being a "neglected child". The Police wanted to put the child into the Industrial School. The father of the child, a Chinese man, had given the mother, a prostitute, £20 on condition that he be released from all further responsibility. The mother paid another woman to keep the child. The money had now run out. The judge commented that the woman seemed able-bodied, and the father was obviously capable of payment. Therefore, he decided that the child should not go to the Industrial School. In reply the Sergeant said that, if not put into the School, the child would probably be brought up in a brothel. The Judge contended that the woman would
probably reform and bring up the child properly. The Sergeant, who obviously knew the woman, said that she had had opportunities to reform, and that he did not think it likely that she would. The mother then interrupted by saying that if the child was put into the school, she would get a position. In his final comment, the Judge said that he did not think such children should go to the Industrial School; it was encouraging prostitution to do so, and was also costing the government £150 to put them there. It seems that the judge believed that a woman would find it economically viable and practicable to give up prostitution and take on a "respectable" position while bringing up a child. Reality, however, determined that prostitution probably paid better than any occupation available to the woman, and it had the added advantage of giving her time to look after her child. It is also interesting to note that despite the Sergeant's testimony, the Judge chose to ignore the future of the child, even though the child was only eight months old, and was apparently to remain in indigent circumstances.

There is another example of a case where the police had broken up a house of ill repute on their own initiative, believing it to be their duty. However, the judge dismissed the case on the grounds that the woman had lived a great number of years in Dunedin without conviction. It would appear from this that the judge may have known the woman, or at least of her, and would not follow the clear direction of the police. 47

Most of the women accepted their fate as handed down by
the Judge. Emily McMillen, for example, was charged with
loitering and importuning passengers. In reply to the
evidence she said "there is no use me speaking: my voice is
powerless against such evidence as that". Some women,
however, were not as passive as Emily. One woman said "When
I get out of gaol I will send somebody else into it". Another
told the Bench, "I hope you may be dead when I come
here again". She was charged with contempt of court as
well.

Once they left gaol, or fell into indigent circumstances,
there was little or no provision made for prostitutes. The
fate of a prostitute was not the concern of the Legislative
Council, judiciary or the police force. It became the con-
cern of a small number of middle class women.

The emphasis of legislation dealing with prostitution
suggests that those men who made the laws did not feel ob-
ligated to take responsibility for the compelling factors that
made prostitution necessary for some women. In the late-
nineteenth century there was a new willingness among some
members of the middle classes to assume responsibility for
these problems. This response was characterised by the
growth of societies run predominantly by middle class women.
One of their primary concerns was temperance, but women were
also concerned with larrikinism, "sweating" and of course
prostitution.

Victorian feminists challenged the distinction between
"prostitute and wife" and "prostitute and worker". Some
claimed that women were in fact compelled to marry, just as
they were compelled into prostitution because of lack of sufficient economic alternatives. In England, Josephine Butler's crusade against the Contagious Diseases Acts illustrated that these women recognised "that a society in which prostitution was thought to be inevitable was based on male power and male privilege". However their solution was not to challenge the "concepts of male and female sexuality" but to argue against the double standard.

In New Zealand similar insights were made by middle class women. The Women's Christian Temperance Union (W.C.T.U.) (founded in 1884), for example was active in its comparison against the Contagious Diseases Act. However, their aim was not for a reassessment of Victorian sexual morality, but rather for increased standards of purity in society. Women feared that "sex for pleasure would be encouraged or tolerated in any manner whatsoever" by the Acts. At the same time concern for the prostitutes as "victims" of economic necessity allowed these women to have a certain sympathy for their less fortunate sisters.

A number of Societies were concerned with prostitution in Dunedin, either specifically, or as part of their wider concern for "Outcast Dunedin". Not all of these were organized by women alone. The Committee of the Benevolent Institution, for example, provided help for some women in the form of financial assistance. But charity was only given to the "deserving", defined in terms of respectability; unless the woman chose to give up her career she could forfeit the right to receive aid. For example, the Benevolent Institution had
been allowing one family some assistance, but refused to con-
tinue it as the mother had been leading an "immoral life". 57
It is clear that, while there was provision in the law for
aid to be given to otherwise destitute women recently let out,
or to be let out of gaol, the Benevolent Institution Trustees
were cautious in case they were to make the Institution "a
reservoir for all sorts of characters". 58 One woman, for
example, was refused admittance to the Institution due to
her former bad character. However, the Committee were willing
to give her 6s. per week so long as she did a little sewing. 59

In most cases the various refuge homes for women were
administered by women. One of these, used by Dunedin pro-
sstitutes, was not actually in Dunedin. This was the
Magdelaine Asylum in Christchurch, run by the women of the St.
Vincent de Paul Society. At least one Dunedin prostitute
was sent there in the 1880s. 60

Other organisations were concerned with the fate of the
prostitute, though little is known about their activities in
Dunedin. These included the W.C.T.U. and the Society for
the Protection of Women and Children (SPWC). Founded in
1893, the SPWC were as concerned about the prostitute as the
deserted wife and unmarried mother. 51 For these Societies,
however, concern for prostitutes was peripheral to their
main objectives. This, it would seem, was the case with a
group of women who in May 1885 opened Leavitt House at the
foot of Albany Street. Apparently the house was opened as
an outcome of a visit by Mrs. Leavitt, an American, who
organised WCTU across the country. The House was purported
to be a "meeting place" as well as a "boarding house for females who desire privacy and quiet". In October 1885, one of the women in connection with the Home, made an application concerning a Dunedin prostitute. Apparently the anonymous woman wished the prostitute to come under the care of the Home instead of being sentenced. The judge decided that as the prostitute had been dealt with leniently once before, she was this time given a sentence. The Sergeant said the women at Leavitt Home could take charge of her once her sentence was completed. However the main work of Leavitt House was to hold classes in which the "women of Dunedin" tried to "make good citizens of the boys and useful women of the girls".

The two main organizations concerned with prostitutes in Dunedin in the 1880s were the Salvation Army and the Dunedin Female Refuge. Due to lack of documentation, little is known about the activities of these organizations or of the personalities involved. In the history of the Salvation Army: "Dear Mr. Booth", there is some discussion about the establishment of a Refuge in Dunedin. Apparently the task was undertaken by the Brownlie sisters. These women recognised that economic necessity forced some women to earn their living through prostitution. They were determined that "the women converts (to the Army) should not return to the houses of ill fame and so took them into their own homes".

Moves by the Army to do something about the problems of "Outcast Dunedin" were underway as early as 1883 when the Army held a procession "accompanied by a large force of our
larrikin friends" into the Devil's Half Acre area. There, a mass meeting was held where the Army members prayed for "the Salvation of Walker Street". In 1885 the Brownlie sisters took more decisive action by renting premises in Howe Street, at their own expense, in which to house prostitutes. Pressure of numbers and inadequate accommodation forced them to move twice. By 1890 the Army had established three such homes in New Zealand.

According to an 1886 copy of War Cry the Dunedin Rescue Home, as the Salvation Army refuge was called, housed up to eighteen women at any one time. The women were given work to do to help pay for costs because "Booth (the founder of the Salvation Army in New Zealand) hated idleness as much as he hated sin". War Cry is quoted as stating that "during these years (presumably the 1880s) the Matrons and Officers of the home nightly patrolled the streets, searching in the haunts of vice and dens of infamy for the erring sisters of the race".

The Army also sought to stop girls from becoming prostitutes by offering to help them if they needed it. This was the first organisation that both recognised the fundamental reason why some women chose a career of prostitution - economic compulsion - and sought preventative measures to counteract this. Army members had the faith, determination and resources available to do so.

Some of the women did not appreciate the Army's efforts on their behalf. One girl broke a window at the Home because she was annoyed at the "goings on" of the Army.
RULES
OF THE
DUNEDIN FEMALE REFUGE.

I. Any woman desirous of becoming an inmate of the Refuge must apply to the Matron on the premises, who may receive her at once (unless intoxicated), till she have opportunity to refer her to the Members of Committee on duty at the time.

II. No person shall be admitted unless she undertakes to conform to the Rules of the Institution. While no inmate be compelled to remain any specified time, no clothing or character will be guaranteed to anyone who has remained for a less period than 12 months.

III. No inmate of the Institution shall be permitted to go out under ordinary pretext, but should circumstances justify the desire of any inmate to have leave of absence for a few hours, such permission may be granted by the Matron, with the sanction of the Lady Visitor or some Member of Committee.

IV. Every inmate who leaves the Institution without the permission of the Matron, will not be allowed to return till her case be investigated by the Committee.

V. Inmates will be required to rise at six o'clock in summer and seven in winter, and retire to bed at half-past nine o'clock, at which hour lights shall be extinguished and doors locked.

VI. All inmates are expected to work to the best of their ability, and to show cheerful obedience to the commands of the Matron.

VII. All the money derived from the work of the inmates shall be expended in supporting the Institution, and should there be a surplus it will be applied for the benefit of special cases among the inmates. Any money derived from extra work done by an inmate in her spare hours shall be appropriated to her personal use.

VIII. All immoral or bad language must be carefully avoided, as well as all reference to the past.

IX. Inmates will be allowed to see their friends once in two months, in presence of the Matron. They may also write to their friends once in three months; the letters to be read, directed, and sealed by the Matron.

X. Inmates are required to attend prayers, morning and evening, and each one will be required to repeat a verse of Scripture at evening prayers.

XI. Any woman who conducts herself properly whilst at the Institution shall, upon leaving for a situation, or for any other satisfactory reason, be provided with sufficient clothing.

XII. Any woman leaving the Institution, or who is found outside the premises without leave from the Matron, wearing or having in her possession clothes, the property of the Institution, may be arrested on a charge of larceny.

XIII. On the reception of an inmate her clothes are to be removed, put carefully away, and returned to her on quitting the Institution.

Dunedin, May 1st, 1881.
Another collected subscriptions, claiming that she was doing so for the Army; though she had been attending meetings she was not a bone fide collector.\textsuperscript{73}

The Dunedin Female Refuge had similar problems. Many of the women taken in by the Refuge did not enjoy the constraints placed upon them (see Rules) and as soon as possible either "broke out" or left.\textsuperscript{74} One notorious prostitute "tipped the wall like a bird and ran away".\textsuperscript{75} The committee of the Refuge acknowledged their relative lack of success in converting the majority of the women taken in by them. In the 1878 Annual Report they wrote: "only those who have practical experience in the work can adequately understand its difficulties, or measure the fearfully depraving and enthralling power of the life which abandoned women pursue", but, they continued "we know what our duty is, but results are not in our hands, nor are we able always to accurately measure them. We desire to have it said of us, 'She hath done what she could' ".\textsuperscript{76}

The Refuge opened in 1873 and carried out its functions with minimal publicity, so minimal in fact that in 1881 Police Inspector Weldon "called attention to the necessity of some institution being established to which unfortunate women ... might apply". The President of the Committee of the Refuge replied soon after, expressing her surprise that the Inspector did not know of the existence of the "well conducted home" that had been in the city for nearly eight years.\textsuperscript{78} \textit{Picturesque Dunedin} claimed that "from the nature of this useful institution and the class of person it be-
friends, all details connected with it cannot be minutely stated or enlarged upon". It seems that this must remain the case, apart from some information provided by the Otago Daily Times, and the few remaining annual reports very little remains of this "useful institution".

It is however, known that the Refuge was first established on the corner of Forth and Leith Streets and was run by a Committee of middle class women. For example, in 1878 the President was Mrs. Anne Holmes, wife of the Honorable Matthew Holmes, member of the Legislative Council and later to be a Justice of the Peace. There were three matrons in the 1880s, though except for their names nothing more is known of them. They were Mrs. Walker who was Matron in 1878 until 1883. Miss Stuart then took over until 1886 when Miss (or Mrs.) Sarah O. Morrow became Matron at least until 1890.

The Refuge mainly took in domestic servants and prostitutes. Many of these women were forced to go to the Refuge because of pregnancy. In 1873 the "utmost" that the Refuge could take in at any one time was eight. By 1874 it could house eighteen. The women on the Committee felt themselves "unable to say with any degree of accuracy what effect a residence in the Refuge has had in the case of each individual". Despite this it would seem that the number of women entering the refuge in the 1880s was quite high and there was an obvious need for such an institution. Many of the women clearly were not prostitutes. In 1885 the annual report indicates that the Committee believed extensions were
Numbers in the Dunedin Female Refuge 1880-1890

Figure Nine.

Age distribution of women in the Dunedin Female Refuge 1880-1890.

Figure Ten.

Source: Statistics of New Zealand.
necessary, not to accommodate more women, but to segregate those already there. It became important to segregate the "degraded class from those who had merely lapsed in virtue". Undoubtedly it was easier to reform those women who "are standing on the threshold of a career of shame" than those who had already crossed it.

The Court often sent women to the Refuge, or at least inquired whether it was possible for them to go. Some women offered to go to the Refuge in exchange for the charges against them being dropped. Quite often this was merely a ploy, and the women never turned up. It appears that one of the middle class women associated with the Refuge would often go to the Court to try and get the women into the Refuge, or at least into a position.

Money was always a problem for the Committee. In 1878 the government subsidy to the Committee amounted to approximately a quarter of their income. Most of the income for the Refuge was earned through their laundry service. In fact the Refuge provided both a cheap laundry service, and a ready source of labour for domestic service in the city. The rest of their income came from donations. By 1889 the President of the Charitable Aid Board was able to say the "female Refuge is self supporting". The Refuge was under the administration of the Board after the passing of the Charitable Aid Act in 1885.

Many women were unable to go into the Refuge in the 1880s due to overcrowding, or because they were regarded as too depraved. Hannah Brown was taken into custody for
insufficient lawful means in 1887, that morning she had been released from prison, but now expressed a desire to return. She had been to the Refuge, but they would not take her in as it was full. In another case a women was said to be too incorrigible to be taken in. She had been found taking shelter with her baby in an unoccupied house off Walker Street, and according to the police, seemed anxious to find employment. She said that she had applied for shelter at the Refuge, but claimed that she was answered by abuse.

Despite the claim that "there was a considerably stronger moral sentiment (in Dunedin) for a status had not been given to [the] vice" since the Contagious Diseases Act had not been enforced in the city, it is clear that such sentiment did not greatly affect the number of prostitutes in Dunedin. Yet there was a marked decrease in the number of convictions for prostitution from 1880-1890. Refuges for "fallen" and "destitute" women were more numerous by 1890. Public morality no longer accepted the existence of "Outcast Dunedin". By 1910 the City Council had undertaken a programme of slum clearance and much of the "Devil's Half Acre" was reduced to rubble. Also, by the end of the decade the Long Depression was lifting. As a consequence of these changes, state or private assistance was more readily available, and may have become a more attractive proposition than prostitution.

In 1902 the Dunedin Female Refuge was closed. By this time it would appear that the Refuge was acting as something of a maternity home. Nevertheless Mrs. Grace Neil, Inspector under the Charitable Aid Act, determined that it
was to be defined as a factory, probably because of the laundry. Despite the fact that the Refuge was opened from the best possible philanthropic motives, it is clear that the middle class women believed that they should also benefit from the institution.

Hard work may have been seen as a form of penance for a lack of morality, but it also provided middle class women with cheap services.

The services provided by the police however, did not include moral condemnation. The law was enforced by men who were often from a similar class background to the prostitutes they so often dealt with. While the law expressed no sympathy for the women, the police, and to a lesser extent the Court, often did. It is not surprising that some women may have regarded the routine in prison less degrading than their own lifestyle, and less oppressive than that of the Refuge.
FOOTNOTES - Chapter IV

2. AJHR, 1901, Vol. IV, H16, p.3.
3. Ibid.
4. NZPD, 1885, Vol. 52, p258.
5. ODT, 25 February, 1884, p.3, c.2.
6. Depositions of the Supreme Court Regina vs Findlay 11 October, 1889.
7. MH, 3 September, 1881 Supplement p.3, c.5.
8. Robinson, "Of Diverse Persons ... " p.212.
9. MH, 29 May, 1880, p.3, c.3.
10. ODT, 2 April, 1889, p.2, c.9.
11. Ibid, 30 April, 1889, p.2, c.9.
12. Ibid, 3 May, 1889, p.4, c.7.
15. Ibid, 26 December, 1885, p.4, c.6.
17. Ibid, 4 May, 1880, p.2. c.5.
20. Eldrid-Grigg, p.35.
21. Depositions of the Supreme Court Regina vs N___ 4 January, 1890.
22. ODT, 29 April, 1881, p.2, c.4.
23. Ibid, 3 February, 1890, p.3, c.4.
24. Ibid.
26. Ibid, 4 April, 1890, p.4, c.9.
27. Ibid, 26 November, 1884, p.4, c.9.
29. MH, 26 October, 1882, p.3, c.3.
30. ODT, 7 May, 1889, p.4, c.7.
31. MH, 10 April, 1882, p.3, c.2.
32. ODT, 10 July, 1885, p.4, c.9.
33. Ibid, 6 September, 1887, p.4, c.6.
34. Ibid, 9 July, 1887, p.3, c.1.
35. Ibid, 30 May, 1890, p.3, c.2.
37. See ODT, 29 January, 1887 Supplement
38. Ibid, 7 April, 1888, p.2, c.4.
40. Ibid, 7 October, 1885, p.4, c.5.
41. J.C.S. Grant, Dodonean Oracles, p.10
42. MH, 15 January, 1884, p.3, c.2.
43. ODT, 5 October, 1887, p.4, c.9.
44. MH, 15 November, 1881, p.4, c.1.
45. ODT, 15 March, 1881, p.3, c.3.
46. Ibid, 3 July, 1885, p.4, c.5.
47. Ibid, 11 May, 1888, p.4, c.8.
48. MH, 16 August, 1883, p.3, c.4.
49. Ibid, 5 August, 1882, p.3, c.2.
50. Ibid, 2 August, 1882, p.2, c.5.
51. Daniels, p.3.
52. Ibid.
53. Ibid, p.4.
54. Ibid.
58. ODT, 6 October, 1887, p.4, c.6.
59. MH, 14 September, 1881, p.2, c.4.
60. Industrial School, Committal Book, 19 May, 1887, p.20.
63. ODT, 20 October, 1885, p.4, c.8.
65. J.C. Waite; Dear Mr. Booth.
68. War Cry, April, 1886, p.3.
69. Waite, p.63.
70. War Cry, Unsourced - supplied to the author by Salvation Army Headquarters.
71. Waite, p.63.
72. ODT, 15 March, 1888, p.4, c.7.
73. MH, 28 July, 1883, p.3, c.3.
74. ODT, 29 July, 1888, p.4, c.7.
75. ODT, 25 February, 1890, p.3, c.4.
77. ODT, 11 March, 1881, p.2, c.5.
78. Ibid, 14 March, 1881, p.3, c.4.
80. J. Angus, History of the Otago Hospital Board, p.59.

82. Angus, p.59.

83. Otago Witness, 15 November, 1873, p.5.


85. Ibid, p.3.

86. ODT, 3 September, 1885, p.4, c.7.


88. MH, 1 November, p.3, c.2.

89. ODT, 18 September, 1885, p.3, c.2.

90. Ibid, 19 December, 1885, p.3, c.2. and Ibid, 27 October, 1885, p.4, c.6.


93. ODT, 9 July, 1887, p.3, c.1.

94. MH, 30 May, 1882, p.3, c.3.


96. see J. Tuck, The Devil's Half Acre.

CONCLUSION

Most studies of crimes committed by women in New Zealand have confined themselves to a discussion of statistics and legislation. Any attempt to discuss the "experiential dimension" of the lives of these women is fraught with the problems of bias and inaccuracy in the sources. Nevertheless, it is important to go beyond a bare statistical outline and examine the lifestyle and attitudes of female offenders where possible.

Prostitution was (and remains) an illegal trade. Legislation determining this was introduced into New Zealand as early as 1866. Prostitutes in Dunedin however, were never subjected to the Contagious Diseases Act unlike their sisters in Auckland and Christchurch. Despite this, middle class observers in Dunedin continued to hold the women, not their male clients, morally and criminally culpable for their participation in the occupation.

Despite Eldrid-Grigg's claims to the contrary, less than 1½ of the female population of Dunedin seem to have been actively involved in prostitution at any one time. The use and abuse of the term "prostitute" by middle class observers in the nineteenth century make such a conclusion necessarily tentative. Undoubtedly there were a number of women involved in extra-marital or pre-marital sex who might have been defined as "prostitutes" by more respectable members of society, yet, it is unlikely that many of these women regarded prostitution as a full time occupation.
The women who were full time prostitutes were easily identified as such by their contemporaries. Middle class observers defined them as "outcast", and in effect, that is what they were. They were ostracised from society because their occupation was regarded as morally reprehensible. Consequently they were forced to become participants in a criminal subculture in Dunedin which was centred on an area known as the 'Devil's Half Acre'.

Prostitution in Dunedin was not a glamorous profession. Most of the women associated with the "rogues and vagabonds" of Dunedin society as well as other ostracised groups, notably the Chinese. The occupation hazards included violence, alcohol, ill health and of course arrest. A police station was based near the Devil's Half Acre in order to supervise the area in a manner which more respectable members of society deemed to be necessary.

Many of the women took advantage of their situation. This was especially true of those women who supplemented their income by theft from their clients - sometimes in collusion with their male associates. Despite this, it is clear that prostitution was not part of the "pleasures of the flesh". In fact for most prostitutes it was hard work, full of risks.

A study of prostitutes and prostitution can serve to illustrate the darker side of the lives of many women in the nineteenth century. Prostitutes shared many aspects of their lifestyle with their more respectable working or middle class sisters. For example many were, or had been married, and most had children. However these particular aspects
have been well researched. The vulnerability of respectable working or middle class women to the problems of violence, alcohol abuse and illness, especially venereal disease, will probably never be fully assessed. The effect of these problems on the lives of prostitutes can be more easily understood due to their high visibility and appearances in the Police Court. The change in the use of the term "Refuge" is interesting in this respect. In the 1880s it was used to describe a refuge from a life of immorality, in the 1980s it describes a refuge from violence of men in all sectors of society.

By the end of the century, prostitution in Dunedin was a trade in decline. Opportunities for women in the workplace was gradually increasing, and the contemporary attitude towards charity was changing. The number of Refuges opened in the 1880s is indicative of these changes. Moral attitudes were also changing, legislation which supported the double standard was no longer appropriate, consequently the Contagious Diseases Act was finally repealed in 1910.

While producing insights into the lifestyle, this study inevitably can only give a limited picture of the nature of prostitution as seen through the eyes of middle class observers. Apart from whisperings in the Police Court columns, the voice of the prostitute in Dunedin will never be clearly heard.
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