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Johanna Cole et Madeleine Mant

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## **“Spectacles of Degeneracy”: Unpacking Evidence for Historical Sex Work in St. John’s, Newfoundland**

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*Johanna Cole and Madeleine Mant*

### **Introduction**

In July 1867, the *Saint John’s Patriot and Catholic Herald* published a damning commentary on the “demoralized state of the city” of St. John’s, Newfoundland, referring specifically to the “feminine indecencies which are alleged to prevail daily as well as nightly in the city.”<sup>1</sup> In 1896, the *Evening Herald* noted the existence of:

a disorderly house on a back street, off Water st. in the West End, which is lately becoming notorious, and is causing much annoyance to respectable residents from the character and number of those who frequent it nightly for the purpose of engaging in orgies of a nature not fit for mention.<sup>2</sup>

Finally, in 1917, the *Saint John’s Daily Star* detailed the dramatic arrest of a married couple accused of running a brothel:

Amelia Kelly, 55 years of age, and her husband, William Kelly, 68, residents of Field Street, were charged with keeping a place resorted to for prostitution. They were arrested under warrant this morning by Head Peet and Const. Myers. The case was heard in camera and the evidence was of the most revolting character. Kelly’s granddaughter, a girl of about 16, and a chum named Mugford

were kept there, and Mrs. Kelly and her husband benefited by their presence. Some weeks ago the police removed the Mugford girl, but her mother is dead and she soon found her way there again.<sup>3</sup>

Despite the clear presence of half a century of sex work detailed in these clippings, little has been published regarding historic prostitution in St. John's.<sup>4</sup> Many recent studies, however, have uncovered the rich history of women in Newfoundland; Willeen Keough has delved into the forces governing the sexuality of women and the relationship of sexuality with socio-economic status in eighteenth- and nineteenth-century Newfoundland.<sup>5</sup> Works by Valerie Burton, Marilyn Porter, and Ellen Antler review women's roles in the fishery and Gordon Handcock devoted a chapter in his book, *So longe as there comes noe women*, to the migration of women to Newfoundland.<sup>6</sup> Women's involvement in their communities is the focus of both Bonnie Morgan's study of Protestant women's relationship with religious practice and household labour and Terry Bishop-Sterling's investigation of women's volunteer work during World War I.<sup>7</sup> These works, which explore how settler Newfoundland women navigated the traditional confines of colonial English gender roles, provide a foundation from which to uncover the lifeways of prostitutes. Until the present study, however, Ruth Haywood's master's thesis, "Delinquent, Disorderly and Diseased Females': Regulating Sexuality in Second World War St. John's, Newfoundland," remains the only analysis focusing on prostitution. Haywood found that stationed American and Canadian soldiers often fraternized with local women and created a demand for prostitution across the island.<sup>8</sup> Women in general, whether or not they participated in prostitution, were blamed for the rising cases of venereal disease and often were forced into involuntary testing and treatment.<sup>9</sup> In broader histories of Newfoundland, the absence of definitive evidence for prostitution has led to speculation, over-interpretation of sources, and the perpetuation of negative stereotypes. Preserved voices are predominantly those of

powerful men; colonial officers and newspaper columnists depict prostitutes as criminals disrupting the morality of the city.

In Newfoundland, historical investigations targeting the period prior to the late nineteenth century are complicated due to the widespread loss of primary documents during the Great Fire of 1892. The recent conservation and digitization of prison admission records from Her Majesty’s Penitentiary (HMP) and its predecessor, the courthouse jail, have yielded a rich dataset with direct evidence of prostitution and brothel-keeping. Extant prison admission records cover the years from 1838–56, 1882–92, 1903–11, and 1939–54, indicating the name, age, religion, reason for imprisonment, and physical descriptions of individuals arrested, allowing for a targeted investigation of prostitution, recidivism, and interactions with institutions such as the St. John’s General Hospital.<sup>10</sup> In this investigation, we use the records from 1838 to 1911 to explore prostitution in St. John’s during the long nineteenth century (c. 1750–1914).

These important records provide an unprecedented opportunity to ask questions about sex work in St. John’s: Who was being arrested for prostitution and brothel-keeping and how often? How long were sentences for prostitution and did individuals fulfill those sentences? What relationships existed between prostitutes, the prison, the hospital, and the media? We recognize the relationship between memory and power<sup>11</sup> inherent in the available sources — newspaper articles, Colonial Office papers, and institutional records — which were created and curated mainly by powerful men. There are inherent limitations in such sources, which were not intended to highlight individual experiences or necessarily record the voices of the women themselves as they negotiated their available economy of makeshifts. This work seeks to unite these sources to privilege the stories of struggle and survival of poor women in St. John’s, who faced limited economic options, geographic isolation, and little social safety in the isolated port.

This investigation is the first to use the HMP records to investigate prostitution in St. John’s. Previous references to prostitution in the secondary literature were drawn from scanty references in Colonial

Office papers and local newspapers. By the mid-eighteenth century, Newfoundland's legal structures had developed with the institution of a naval governor who could act as an appeal judge, and the appointment of justices of the peace in 1729 and an oyer and terminer court in 1750.<sup>12</sup> On 1 October 1757, Governor Richard Edwards wrote to the justices of the peace in St. John's about a woman named Elenor Moody:

Whereas John Moye, Seaman belonging to His Majesty Ship under my Command has complained proved to one that One Elenor Moody who lives near the Garrison, did on Thursday night last, Robb the said Moye of his Money & Buckles (first making him excessive drunk) & then with the assistance of a soldier, dragg'd him out of the house, upon the Down & there left him, but as he has got his money & buckles again.

You are hereby required & directed immediately on the Receipt hereof to cause the constable to apprehend the said Elenor Moody, & to put her in prison till 4 o'clock in the afternoon, at which time to cause her to be put in the Whirlygig, where she is to remain One Hour, & to be properly punished & to be sent out of this island the first opportunity, being a Nuisance to the Publick. Given under my hand at St. John's this 1 October 1757.<sup>13</sup>

As described in this letter, Moody was punished for theft by means of a whirlygig and banishment. Secondary sources, however, have identified Moody as being the first prostitute recorded in Newfoundland and Labrador's history. This classification first appears in Paul O'Neill's *The Oldest City*, in which she is described as one of "the town's numerous ladies of the night" and a "winsome tart," despite his source being the same letter above.<sup>14</sup> While Elenor Moody may indeed have worked in the sex trade — she was living near the garrison and clearly was interacting with the landed sailors — this case outlines only her charge for theft. The relationships between transient

seafarers, prostitutes, and potentially immoral activity have been explored in "sailortown" literature on both sides of the Atlantic and Moody's presence "near the Garrison" may be the reason for O'Neill's assumption.<sup>15</sup> The scant direct sources for prostitution underline the importance of the HMP collection for uncovering these stories.

Another case worthy of reanalysis was reported by the *St. John's Daily News* in 1867:

An occurrence of an extraordinary character was the subject of investigation before the Police Court a day or two since. It appears that the Rev. Scott, one of the local Roman Catholic Clergy, was on Thursday evening last in the vicinity of some houses of ill fame near Job's Lane, at River Head. He met with two girls whom he believed to be abandoned characters and upon beginning to speak to them in terms of reproof, one of them told him that she did not belong to his flock. He then told her to pass on, while he addressed himself to the other. She did not appear to consider herself under any obligation to do as he requested and remained standing by. The Rev. gentleman also kept his ground and continued his observations to the other. Upon his repeating his request that she would pass on, she asserted her right to where she was, in terms and in a manner offensive to the priest. What immediately followed we were unable to ascertain satisfactorily; the result of the altercation was, however, that the Rev. gentleman yielding to the provocation given, so far lost his self-control, that he beat the offender on the back and shoulders with the stick which he carried. Upon an investigation of the above case, his Worship considered that the assault was unjustifiable and fined the Rev. gentleman thirty shillings.<sup>16</sup>

The newspaper describes these women as "abandoned characters" and locates them near known "houses of ill fame," implying that they were prostitutes. It appears that they were assaulted by a religious official for

asserting their right to stand where they wanted. Unsurprisingly, a Catholic newspaper, the *Saint John's Patriot and Catholic Herald*, took Reverend Scott's side, stating that if there was better police protection at night in the city the encounter would not have taken place. It is claimed that Reverend Scott was:

in the pursuance of his pastoral duties . . . whilst admonishing a female of his flock. [G]rossly abused and personally threatened to such a degree as to render it necessary for him to protect himself with his walking-stick; and for which, on complaint of the virago who thus assailed him, we are sorry to say, this exemplary clergyman was fined thirty shillings by the Magistrates.<sup>17</sup>

When Paul O'Neill reported on this event, he framed it in a way that characterizes the priest as a hero and the women as unruly pests:

The same year [1867], one of these bordellos caused a Monsignor of the Roman Catholic Cathedral to be fined for advocating morality. On July 16 Rt. Rev. Scott attempted to rescue a young and innocent girl from one of the town's dens of sin. The victory for virtue was not achieved without violence. When the madam attacked the Monsignor, in the process of saving the maiden, he resorted to the use of his walking stick to defend himself, was arrested, charged in court with assault, and fined by Magistrate Carter.<sup>18</sup>

O'Neill does not provide specific references for his interpretation of the incident and chooses to defend the priest despite his prosecution by the judge. This vilifying of the women involved is similar to how O'Neill classified Elenor Moody as a "winsome tart." Heavy-handed interpretations of the meagre primary evidence can result in further stigmatization and marginalization of prostitutes and reduce the complex lives of women who may have engaged in sex work for a variety of reasons into a monolithic caricature of an "unruly" prostitute devoid of

context or agency. This common characterization of prostitution, as a prism distorting concepts of sex and womanhood,<sup>19</sup> appears throughout the prostitution historiography preceding the ground-breaking feminist work of Judith Walkowitz and colleagues from the 1970s on.<sup>20</sup>

Feminist historical scholarship from the 1970s centred prostitution as a form of labour worthy of academic interrogation and prostitutes themselves as individuals with autonomy. Judith Walkowitz’s landmark study, *Prostitution and Victorian Society: Women, Class, and the State*, highlighted issues of class and gender in the sexual labour present in nineteenth-century Plymouth and Southampton, UK, rejecting the simplistic conclusion that prostitutes lacked agency and represented only “human residue” or “silent victims of social injustice.”<sup>21</sup> Other feminist scholars such as Christine Stansell, Gail Hershatter, Ruth Rosen, and Luise Waite characterized prostitution as a form of labour and “an integral part of the survivalist strategy of the poor,”<sup>22</sup> championing histories “from below” of prostitution in New York, Shanghai, early twentieth-century America, and Nairobi, respectively.<sup>23</sup> A welcome proliferation of scholarship concerning prostitution has followed, examining the characterization of prostitution (by lawmakers, police, social reformers, etc.) and legal attempts at control (e.g., Contagious Disease Act of 1885), and has used prostitution as a lens through which to better understand the social and economic contexts of the British empire.<sup>24</sup> The *Selling Sex in the City* volume situates prostitution history squarely within global labour history, discussing prostitution as *work* across urban spaces.<sup>25</sup> Contemporary collections align academic and social justice work alongside sex worker voices, such as the *Routledge International Handbook of Sex Industry Research* and the *Routledge Handbook of Male Sex Work, Culture, and Society*, which centralizes the lesser-told stories of male sex workers.<sup>26</sup> Indeed, Julia Laite notes that “prostitution is not a marginal topic of historical study, but rather an important, transnational, pervasive, and near-omnipresent phenomenon in the modern world.”<sup>27</sup> Despite the increasing geographical and temporal depths being explored in the literature, common threads appear, including the desire to examine, where possible,



agency and choice and to uncover the individuals themselves, outside of the structures — institutions and individuals — which sought to control, shame, or otherwise influence them. Prostitution indeed may be considered “a rational choice, given the set of unpleasant alternatives open to them.”<sup>28</sup>

Port prostitution is an important focus in historical studies of the sex trade. Julia Laite notes that prostitutes in late nineteenth-century London often clustered around the entertainment district, railway stations, docks, and military bases, as “soldiers and sailors were disproportionately represented among the buyers of sex.”<sup>29</sup> Naval port towns such as Portsmouth, UK, and Kiel, Germany, developed infamous “sailortown” neighbourhoods, known for “hard drinking, prostitution, and an exuberant and excessive leisure culture.”<sup>30</sup> Beaven and Seiter explore the “moral geographies” of these sailortown districts, discussing the permeable and dispersed nature of vice in Portsmouth compared to the “geographically static” district in Kiel, hemmed in by heavy policing.<sup>31</sup> Prostitution has been “a staple of dockside social life for centuries,” found in both naval and merchant port towns as seafaring individuals arrive in foreign ports seeking companionship and respite.<sup>32</sup>

### **Economy and Poor Relief in St. John’s**

The earliest settlers of St. John’s established a plantation in the mid-1620s, but Newfoundland remained predominantly a migratory fishing station, largely populated by seasonal fishermen in the summers. The city was developed around the local abundance of cod and the population concentrated around the harbour near the fishery.<sup>33</sup> Despite British resistance to invest in Newfoundland, attacks by French forces left them with little choice than to create a military garrison. Fort William was built in 1697, creating a year-round populace of young, single men.<sup>34</sup> The garrison was maintained in Newfoundland until its withdrawal in 1870.<sup>35</sup> Newfoundland remained a small overwintering community until settlement began to increase in the late eighteenth century.<sup>36</sup> The late eighteenth and early nineteenth centuries

witnessed the largest population growth and permanent settlement, and the presence of women and children became commonplace in the previously transient and male-dominated colony.<sup>37</sup>

Discrimination against women in Newfoundland began with their earliest arrival in the colony. As English officials sought to maintain Newfoundland as a seasonal fishing colony, there was strong opposition to the migration of settlers and particularly women, who represented permanence and familial growth. One of the most notable voices against women's migration was Sir Francis Wheler, a British captain in the Royal Navy, tasked to report on French activity in Newfoundland.<sup>38</sup> In 1684, Wheler declared in reference to seasonal fishermen that "so longe as there comes no women they are not fixed."<sup>39</sup> A grievance written by chaplain John Jackson in 1704, which discusses the relationship between women — "whores" according to Jackson — and the local military presence, epitomizes the contemporary sentiment. In a letter to the Lords of Trade in September of 1704, Jackson pleaded for an order to be made to then-Commander Lieutenant John Moody:

With all I humbly request your Honour, that you be pleased to grant such an Order, which may be left in Lieut. Moody's hand (as occasion shall be to put in Execution) that no whores may be admitted to live in the fort especially this winter because I am too sensible their bearing such sway & command over the soldiers last winter, was one great cause of all this stir and trouble now.<sup>40</sup>

Anti-settlement, and therefore anti-female sentiments, remained prevalent during the eighteenth century. The governor of the island, Sir Hugh Pallister, was a major anti-settlement proponent, describing in 1764 the "great numbers of poor women . . . by vessels arriving from Ireland, who become distressed and a charge to the inhabitants."<sup>41</sup> Irish women were particularly the subject of scorn, thought to "debauch ignorant mariners."<sup>42</sup> Between 1800 and 1835 some 40,000

Irish immigrant-labourers arrived in Newfoundland, swelling the population of St. John's and adding to the seasonal fishery corps.<sup>43</sup>

Despite the establishment of representative government in Newfoundland in 1832 and the English Poor Law reform in 1834, poor relief remained inconsistently administered. In fact, English Poor Law was never formalized in Newfoundland, leading to a reliance on patchwork efforts by local charitable societies and efforts of certain administrations.<sup>44</sup> The seasonal nature of employment in Newfoundland meant that "resident fishermen habitually found themselves idle and destitute for seven months out of twelve, a situation which gave the colony 'a larger proportion of poor than in other British settlements.'"<sup>45</sup> During the off season, many outport fisher families travelled to St. John's, the capital, for what poor relief might be available.<sup>46</sup> Heavy labour, such as road building, in exchange for poor relief was available only until winter weather precluded such activities, and was not available to women, since "on grounds both moral and humane contemporaries thought that women as well as children had to be engaged indoors."<sup>47</sup> The St. John's factory, a non-resident institution, was founded in the winter of 1832–33 to provide such indoor work for women and children. Here, women and children, many of whom were the sole breadwinners in their families, were employed in the creation and fixing of fish nets.<sup>48</sup> By 1837, it was expanded to a year-round institution due to demand by both the fishing industry and the local poor, as women and children "comprised the majority of the year-round, as opposed to the seasonally, unemployed."<sup>49</sup> The attorney general estimated in 1856 that "St. John's had more widows and orphans 'than in any other city or town of the same size'" due to disease, loss of husbands and fathers in shipwrecks, and the grinding, chronic poverty caused by the "rhythm of summer fishing followed by winter distress."<sup>50</sup>

By the latter part of the nineteenth century, the city had expanded economically and spatially, and was slowly becoming an urban centre. The fishery, however, had not followed suit. A combination of overfishing and poor environmental conditions caused a major decline in cod productivity that could be seen as early as 1820.<sup>51</sup> Politicians

invested heavily in other industries such as mining, construction, agriculture, and forestry; however, Newfoundland’s economy continued to suffer, and bankruptcies were a common occurrence.<sup>52</sup> While women contributed significantly to the household and the fishing industry — primarily through curing fish<sup>53</sup> — most paid job opportunities for women outside the home in the nineteenth century were in domestic service. These jobs could be notorious for the poor treatment of their employees, which could include abuse, harassment, and even cases of assault.<sup>54</sup> Leaders such as Bishop Edward Feild of the Church of England in Newfoundland acknowledged the issues of women’s poverty in Newfoundland and emphasized the importance of investigating more consistent gainful employment for women, but overlooked questions of child care for working mothers and the limited opportunities for the thousands of women in outport communities.<sup>55</sup> Willeen Keough notes that some working women in outport communities were able to find labour outside their homes and possessed influential voices in their communities. In the capital city of St. John’s, however, the lives of many women were still heavily intertwined within traditional ideals of “separate spheres.”<sup>56</sup> Acknowledging that work opportunities for poor women in Newfoundland were limited, Cullum and colleagues also found that if a woman lost her job, she often had difficulty finding another.<sup>57</sup> If job loss led to homelessness, women became vulnerable for arrests of vagrancy.<sup>58</sup> Further, support for unmarried mothers was limited. Stuart Godfrey notes that “it was not until 1892 that the need for a ‘Rescue Home for wayward girls’ was publicly acknowledged” and founded by the Salvation Army. Still, reactions to unmarried mothers could include “outright condemnation of the unmarried mother and her child.”<sup>59</sup>

Scholars of prostitution have framed it using Olwen Hufton’s concept of the “economy of makeshifts,” originally employed to discuss the eighteenth-century poor in France.<sup>60</sup> This paradigm envisions the labouring poor as creative and flexible actors, reacting to social and economic pressures and the need to make ends meet with varied overlapping strategies. These legal and extralegal means might include

piecemeal work, poor relief, institutional stays, theft, and dependence on neighbours, where prostitution could be one of many strategies for survival. Tony Henderson uses the economy of makeshifts concept to examine eighteenth-century London prostitution, wherein women might selectively engage in prostitution to supplement poor relief, while others may work consistently as prostitutes.<sup>61</sup> Similarly, Julia Laite describes women in nineteenth-century London who “used the sale of sex acts as a way to supplement meagre, scant, or unpredictable earnings elsewhere, often just for a short period of their lives or in any given year.”<sup>62</sup> Historians of prostitution emphasize that the reasons for turning to prostitution are myriad, and may include intersecting reasons such as poverty, familial or intimate partner abuse, isolation, and lack of employment opportunities. Importantly, while examining the reasons that women may have been “compelled, coerced, or outright forced into prostitution,” feminist historians also champion that prostitution could be “part of a chosen economic and social strategy for disadvantaged women.”<sup>63</sup> In his study of dockside prostitution in South African ports, Henry Trotter noted that women might “[supplement] their income with part-time dockside solicitation” with foreign seafarers and not local men, in order to maintain their reputation.<sup>64</sup> Donna Seifert found in her archaeological study of nineteenth-century Washington, D.C., that women might utilize prostitution intermittently to acquire clothing for upward social mobility or to improve “their chances of attracting upwardly mobile young men.”<sup>65</sup>

Understanding the limited options available to women who turned to prostitution in nineteenth-century St. John’s is critical, as studies of the past “must always be embodied in real people and in a real context.”<sup>66</sup> Investigating Newfoundland and Labrador’s history of prostitution contributes a unique lens to existing colonial port histories, as here women were:

alienated by unique historical experience from the main stream of North American development . . . dispersed by

harsh geography and economic necessity to hundreds of isolated communities along thousands of miles of inhospitable coasts [with] . . . horrendous problems associated with the planning and development of even minimal social services in the face of such harsh demographic realities.<sup>67</sup>

An investigation of prostitution is a critical contribution to understanding the experience of poor women in St. John’s and the effects of limited employment opportunities and paltry social relief availability.

### **Her Majesty’s Penitentiary Records: Evidence of Sex Work**

Her Majesty’s Penitentiary (HMP) was constructed from 1852 to 1859 and first incarcerated prisoners on 29 August 1859. The institution, which housed both male and female inmates, was built following calls for a permanent penitentiary, after the early nineteenth-century courthouse and jail burned in the Great Fire of 1846, and the subsequent Signal Hill Prison — a converted soldiers’ barracks — was deemed unfit for habitation.<sup>68</sup> The extant records investigated here (1838–56, 1882–92, 1903–11) cover this period of institutional transition. Admission registers recorded physical attributes and case details of individuals imprisoned at HMP. Data such as height, hair and eye colour, self-declared writing and reading levels, number of times imprisoned, crime, and sentences are possible to access. A total of 72 arrests correlating to the sex industry were identified, seven in the 1838–56 dataset, the majority ( $n = 62$ ) in the 1882–92 dataset, and three in the 1903–11 dataset. All arrests in the 1838–56 and 1903–11 datasets refer to keeping a disorderly house/brothel/house of ill fame. Of the 62 arrests in the 1882–92 dataset, 58 are for prostitution; the remainder are for the keeping of brothels. At least 30 individuals (two arrests were listed without personal identification) are represented, ranging in age at arrest from 16 to 60, of whom seven were arrested on multiple occasions. These seven individuals alone comprise 65 per cent ( $n = 47$ ) of the 72 charges and were arrested for charges in addition to prostitution,

including “vagrancy,” “larceny,” or “drunk and disorderly” conduct. Ruth Haywood, studying sex work in St. John’s during World War II, found that solicitation and procurement evidence for prostitution could be difficult to prove definitively and charges often were placed under “disorderly” or “vagrancy.”<sup>69</sup>

Vagrancy is a common reason for arrest in Her Majesty’s Penitentiary records and the term is frequently used in St. John’s newspapers in reference to women identified as prostitutes. Vagrancy, however, is an umbrella term encompassing a broad range of crimes, making it difficult to determine whether an individual arrested for vagrancy was participating in the sex trade. Importantly, the buying and selling of sex itself was not illegal.<sup>70</sup> In the United Kingdom, vagrancy as a criminal offence first appeared in the late fourteenth century to restrict the movement of labourers during the Black Death and ensure able-bodied “idle and disorderly persons” were working.<sup>71</sup> By 1822, the Vagrancy Act included temporary provisions to prosecute “common prostitutes and nightwalkers”; these provisions were further solidified in the Vagrancy Act of 1824.<sup>72</sup> This Act stipulated that “every Common Prostitute wandering in the public Streets or public Highways, or in any Place of public Resort, and behaving in a riotous or indecent Manner” shall be committed “to the House of Correction, there to be kept to hard Labour for any Time not exceeding One Calendar Month.”<sup>73</sup> A further extension took place in 1839 through the Metropolitan Police Act, which removed the requirement for “riotous” behaviour and stated that “Every common Prostitute or Nightwalker loitering or being in any Thoroughfare or public Place for the Purpose of Prostitution or Solicitation to the Annoyance of the Inhabitants or Passengers” was to be penalized.<sup>74</sup> The flexible interpretation of “annoyance” could be determined by the arresting party. In nineteenth-century Canada, prostitutes frequently were arrested under vagrancy charges as it was an overarching term to punish “undesirables and misfits” who were thought to threaten social order.” The Vagrancy Act also included a clause allowing for the arrest of “drunk and disorderly persons.”<sup>75</sup> Some Canadian women whose profession was

listed as "prostitute" were more commonly arrested for vagrancy than for prostitution, leading to further suspicion that these charges could actually be evidence of the sex trade.<sup>76</sup> The flexible definition of "vagrancy" suggests that these results represent an underestimation of the entanglements between prostitutes and the law in St. John's and that the lack of arrests for prostitution in the 1838–56 and 1903–11 datasets may mean these arrests are hidden under other euphemisms.

The higher number of prostitution arrests in the 1882–92 dataset resonates with the broader drive to suppress prostitution during this period, and is likely the result of intersections between local and international factors, including new criminal legislation, the rise of social purity movements, population demographic shifts, and increasingly organized policing in St. John's. In Britain, the 1885 Criminal Law Amendment Act eased the prosecution of brothels and a "systematic repression of lodging-house brothels was carried out in almost every major city in Great Britain."<sup>77</sup> Pressure from social purity groups, drawing upon the conceptualizing of "separate spheres" for men and women, assumed "that women required protection from the carnal lusts of men" and spurred increased policing of brothels.<sup>78</sup> Within nineteenth-century British colonial endeavours, the migration of men was associated with labour and the creation of new frontiers and empires, while female settlers were thought to be the "civilizers," brought over to form families and moral structures.<sup>79</sup> Stringent gender roles emulating British ideals of gentility and morality dictated that women were expected to occupy the private realm as wives and/or mothers.<sup>80</sup> These distinct roles separated men and women into separate spheres where women occupied the home and men traversed public spaces. Prostitutes were seen as deviant to British colonial expectations of women, occupying public space and overtly representing sexuality.<sup>81</sup> St. John's witnessed a proliferation of volunteer organizations during this period, many of which propagated ideals of respectable behaviour, temperance, and women's place in the home as "moralizing agent[s]."<sup>82</sup> These groups were often gendered, such as the St. Mary's Parochial Association, which refused motions to admit women and "promoted



male autonomy.”<sup>83</sup> Activities often revolved around morality and reform for its patrons, such as the Brotherhood of St. Andrew, who were concerned about alcohol consumption in the city and touted the brotherhood as a means for young men to “socialize apart from saloons and bad company.”<sup>84</sup> The St. Thomas’s Women’s Association promoted “morally reforming the poor” and raised funds to donate to “deserving” families.<sup>85</sup> The group’s definition of “deserving” was determined through household visitations, during which inspectors discerned the respectability of families through how a woman maintained her home.<sup>86</sup> Any evidence of prostitution occurring in the home would have resulted in ineligibility for such aid. Similarly in Montreal, Mary Anne Poutanen found that financial relief was typically given to “respectable and deserving widows” as poverty was deemed not to be their fault while those who operated brothels had difficulty accessing such relief.<sup>87</sup>

Increases in arrests for prostitution were also likely closely related to the rising population and changing demographics in St. John’s as outport groups migrated into the city.<sup>88</sup> Outport merchants were attracted by the city’s middle-class social life and created a positive feedback loop of growing amenities. Planters were similarly pulled into the city as the introduction of steamships in the 1860s began putting the family-based fishery out of business.<sup>89</sup> Many fishermen were also involved in the seal fishery, which departed from St. John’s, heading north towards the ice floes.<sup>90</sup> Furthermore, industrial growth in the manufacturing sector created more jobs in factories.<sup>91</sup> The increasing population and development of the middle class led to the growth of the family unit instead of the previously male-dominated population.<sup>92</sup> It is challenging to prevent prostitution in populations with a large demographic of single young men, and, historically, prostitution often was characterized as a “necessary evil.”<sup>93</sup> Thus, it might not be policed until it became disruptive or an annoyance to the surrounding community.<sup>94</sup> Julia Laite argues that when communities shift from a male-dominated population to one with substantial populations of young women, marriages, and families, as St. John’s did throughout the

nineteenth century, prostitution becomes regarded as a social problem.<sup>95</sup> Another factor that may have driven the increase in arrests relates to policing; after the withdrawal of the garrison in 1870, Newfoundland's colonial government took over full responsibility for policing for the first time and invested \$20,000 for significant expansion of the existing constabulary. This force comprised 100 men by 1880, of whom half were stationed full time in St. John's.<sup>96</sup>

Most sex industry arrests are listed in the HMP records as *Prostitution*, though charges of *Keeping a Disorderly House*, *Disorderly House*, *Keeping a House of Ill-Fame*, and *Keeping a Brothel* also appear. While "keeping house" was used in census records to denote middle-class women who tended to their homes, "keeping a house of ill-fame" indicated brothel-keeping.<sup>97</sup> "Disorderly house" can be ambiguous as the term primarily indicates an entertainment establishment hosting drinking or gambling "and where prostitutes were found but were not systematically living in."<sup>98</sup> Of the total 72 prostitution-related arrests, eight include the term "disorderly house" under the offence and all are attributed to women. If "disorderly house" was being charged in relation to an illegal drinking establishment, it would be more likely to see the majority of these charges associated with men as they more frequently operated such businesses. In the 1864–65 Hutchinson's Newfoundland business directory, only 10 per cent of "Liquors" were being operated by women in St. John's and this trend is further corroborated by the Sharpe's directory of St. John's, Harbour Grace, and Carbonear for 1885–86, where only 7 per cent of such institutions were being operated by women.<sup>99</sup> Seven of the eight "disorderly house" offenses are found in the 1838–56 dataset; it is possible this could represent the preferred term for brothels or prostitution during this period.

Only three of the 72 arrests were of men, all arrested for *keeping a house of ill-fame*. Interestingly, all three men were arrested in association with women. The first two, William and Thomas Littlejohn, were arrested the same day as two known prostitutes, one of whom may have been Thomas's wife, as discussed below. The third, William Kelly, was arrested alongside his wife, Amelia. This result resonates with

Backhouse's investigation of nineteenth-century Toronto prostitution, in which the few men arrested overall were charged alongside their wives.<sup>100</sup> In investigations of prostitution during the British colonial period, the names of men who purchased sex are hidden from the historical record, since "British law did not recognize them or their actions as legally liable . . . no police station, Police Court, or prison chaplain would have had any contact with them."<sup>101</sup>

The latter two datasets (1882–92 and 1903–11) indicate the length of sentences meted out by the court. These sentences ranged from 10 to 100 days, but the majority were for two or three months. Serial offenders most often received two- or three-month sentences. First-time offenders also generally received two- to three-month sentences but were more likely than serial offenders to be remanded and discharged early. This result corresponds with the suggestion from Cullum and colleagues that repeat offenders faced harsher penalties in St. John's.<sup>102</sup> Men and women received similar sentences with all three men receiving three months — the most common sentence for prostitution and brothel-keeping detailed in the HMP records, and the longest dictated by English law in force at the time.<sup>103</sup> That the local court was fully enforcing sentences is detailed in an *Evening Herald* notice from 1890:

Johanna Hilliard, aged 40 years, residing in Springdale Street, for keeping a house of ill fame, was sent to the penitentiary for three months. In delivering judgement His Honor Judge Prowse said he had gone to the fullest extent, and that if the law would permit him he would make the sentence longer.<sup>104</sup>

The HMP records confirm that Johanna served the entirety of her sentence and was released on 12 November 1890. Interestingly, the newspaper classifies Johanna's crime as brothel-keeping, while the HMP records describe her arrest as prostitution. This subtle, but important distinction highlights the difficulties in separating brothel-based and street-based sex work in the historic record.

Brothels were often located in private homes, alongside women’s families, and therefore should not be viewed as distinct from their surrounding working-class households. The ease with which an individual could set up a brothel was closely related to both having access to a structure, and also access to “financial and material resources and their social connections.”<sup>105</sup> A brothel provided a tangible location for the expansion of services that, in addition to sex, could include food, drink, and entertainment.<sup>106</sup> Further, women could integrate brothel-keeping into their homes so they could still take care of their families and maintain other income streams such as piecework, laundry, or keeping boarders. In St. John’s brothels appeared in the newspaper when they became an annoyance to their neighbours. The integration of brothels in working-class neighbourhoods is explored in Mary Anne Poutanen’s 2015 book, *Beyond Brutal Passions: Prostitution in Early Nineteenth-Century Montreal*. She characterizes the selling of sex as a form of makeshift economy where individuals utilized prostitution to make ends meet.<sup>107</sup> Poutanen investigates the ways in which individuals who sell sex can be connected to their communities and maintain their homes as a location of their work.<sup>108</sup> Individuals could utilize whatever form of prostitution — brothel or street-based — best suited their financial needs, as a way to maintain financial security and keep families together.<sup>109</sup>

Street-based prostitution, in contrast, placed women and vagrants in a “criminal underworld made up of a network of pawn shops, lodging houses, brothels, taverns, and diverse other public buildings.”<sup>110</sup> This form of prostitution did not have the same protections a brothel might from a madam or security man, but allowed women to be autonomous in their work.<sup>111</sup> An individual might choose street-based work for many reasons; however, the public setting could mean higher visibility and therefore increased chance of harassment by the police and the public.<sup>112</sup> Walkowitz explains that “there was no clear line between the criminal and noncriminal poor.”<sup>113</sup> In the example cited at the opening of this paper, the brothel is investigated due to its “becoming notorious, and . . . causing much annoyance,” suggesting the locale was known to neighbours for some time. That only when “the

character and number of those who frequent it nightly” became a bother to the “respectable residents” suggests that class-based discrimination was a motivation for the involvement of the police.<sup>114</sup> Due to the outward similarity of residential homes and homes used intermittently for sex work, they can be difficult to trace and locate within historical settings, leaving often only the more well-known individuals to be recorded in history.<sup>115</sup>

### **Institutional Interactions**

The HMP archival collection includes a medical diary kept by Dr. Charles Crowdy and, following his retirement, Dr. Henry Shea, resident physicians of the St. John’s General Hospital, in which they note the number of prisoners requiring or seeking medical treatment weekly from 24 October 1872 to 23 December 1889.<sup>116</sup> This resource, in addition to extant (1886–99) patient admission and discharge records of the St. John’s General Hospital, reveals intimate details of these individuals’ institutional interactions.<sup>117</sup> All individuals arrested for prostitution and brothel-keeping were cross-referenced with these two sources using names, religions, and stated ages; medical details were available for 10 of these people.

A variety of medical complaints suffered by individuals arrested for prostitution or brothel-keeping are represented in the physicians’ diary, including sprains, stomach pains, toothache, infectious diseases, and respiratory issues. Visits were conducted weekly, though there is evidence, such as the detailed recording of Kate Lahey’s October 1878 attack of stomach issues, that the doctor sometimes visited more frequently. William Littlejohn’s flogging on 20 July 1880 was supervised by Dr. Crowdy; court-mandated whippings and executions were both occasions attended by the resident physician. Two major risks of prostitution — venereal disease and pregnancy — appear in the medical records. Both Jessie Braithwait (1892) and Fanny Baker (1887) were hospitalized for venereal disease and have subsequent arrests for prostitution. In the contemporary general hospital

admissions (1886–99), men were significantly more likely to be hospitalized for venereal disease (i.e., syphilis, gonorrhoea, possible sequelae such as stricture, orchitis, cystitis, etc.) than women.<sup>118</sup> The possibility of exposure to venereal disease was an occupational hazard for women working in prostitution.

### **Confinement While Confined**

Many women, not just those engaging in prostitution, took an interest in methods to control reproduction. Public discussion of sexuality was typically not socially acceptable during the nineteenth century and publications regarding women’s sexual health used terminology such as “female parts” to discuss women’s sexual anatomy before apologizing for the vulgarity.<sup>119</sup> Throughout the century, research pertaining to contraception and abortion steadily increased and educational material became increasingly accessible to individuals in urban centres.<sup>120</sup> Due to its perceived indecorous nature, however, information concerning reproductive strategies still often spread through whisper networks, which could include effective methods alongside ineffective and harmful advice. Similar to the veiled evidence of prostitution in censuses, newspapers printed carefully worded advertisements for abortion remedies, disguising them as regulation for “female issues” and menstruation. Some even explained that they must not be consumed by expectant mothers.<sup>121</sup> A St. John’s audience in 1910 could find advertisements hawking pills for “female issues” in the *Evening Telegram*:

Dr. de Van’s Female Pills. A reliable regulator; never fails. While these pills are exceedingly powerful in regulating the generative portion of the female system, they are strictly safe to use. Refuse all cheap imitations. Dr. de Van’s are sold at \$5.00 a box, or three for \$10.00. Mailed to any address.<sup>122</sup>

The cost of Dr. de Van’s pills illustrates a major obstacle in accessing resources and medical devices for lower-income individuals; limited

finances could force women into seeking out dangerous procedures and supplements for contraception and abortion. Some women ingested potentially dangerous chemicals and herbs in attempts to induce an abortion, while others visited illegal abortionists who performed unsafe procedures.<sup>123</sup> Thomas Crist examined the excavation of a privy in association with a nineteenth-century brothel in the Five Points district of New York that contained the remains of two infants and one fetus.<sup>124</sup> It is suspected that the remains represent the concealment of infanticide, miscarriage, or abortion. Crist found that economic disparity and harsh living conditions often left working-class women with few options when faced with pregnancy, and poor maternal health could lead to early infant death.

Intimate details regarding the reproductive and sexual health of prostitutes are rarely preserved in the archaeological and historical record. Janet Farrell Brodie's seminal book, *Contraception and Abortion in 19th-Century America*, found little evidence for prostitutes being wiser regarding reproduction than most women, despite contemporary and academic assumptions that they held special knowledge. Julia Laite, however, does note that "we have strong reasons to believe that rudimentary condoms and other forms of birth control and abortifacients were often used by prostitutes, even in the seventeenth century, to limit fertility,"<sup>125</sup> and Brodie details specific methods employed by brothel inhabitants to avoid pregnancy and venereal disease, including women in a late nineteenth-century Indiana brothel who used vaginal injections of carbolized water and a woman in the late nineteenth-century American West who spent her career in the sex trade and then, as she grew older, took work as an abortionist.<sup>126</sup> An archaeological investigation by Rebecca Yamin of a mid-nineteenth-century New York brothel uncovered six copper coins significantly older than the rest of the brothel assemblage. Yamin hypothesized that these coins were being glued to the cervix with vaseline, as copper coins were believed to deter sperm survival.<sup>127</sup>

Three women arrested for prostitution in St. John's had recorded pregnancies. Bridget Croucher (age 36) was imprisoned on 5 July

1882 and assessed as being “very near confinement” on 7 July. The physician indicates that “it would be desirable, if possible, that it should not occur in the prison” and Bridget was shortly thereafter released. Bridget gave birth to her daughter, Bridget Anne, on 27 August 1882, and baptized her just four days later.<sup>128</sup> In 1886, the Croucher family moved to Boston, where Bridget is recorded as living with her son, John, into her old age.<sup>129</sup> Selina Sullivan, who served 60 days of hard labour for prostitution at age 18 in 1891, and again at age 19 in 1892, spent 12 days in the St. John’s General Hospital for “recent confinement” in 1894. Selina does not appear again in the extant records, so it is possible the HMP records capture a short period in which she engaged in prostitution during her youth. Amelia Hart, aged 45, was sentenced on 5 September 1888 for “Prostitution” and delivered her baby, Gertrude Isabella Hart, on 5 October 1888. She was not released until 28 November 1888 and Gertrude’s baptismal certificate indicates she was baptized during her mother’s sentence. There is no father listed for Gertrude.<sup>130</sup>

### **Life on the (Newspaper) Margins**

The local St. John’s newspapers showed little restraint when it came to catering to readers’ prurient interests. The *Evening Herald* noted in 1890 that reports of prostitution and crime “make spicy reading, and though we should regret the necessity of publishing it, *if it must be it must be.*”<sup>131</sup> Kate Kavanagh, Kate Lahey, and Fanny Baker were recidivist offenders whose lives were recorded for posterity mainly through their interaction with institutions, with traces of their experience showing up in the HMP surgeons’ journal and the St. John’s General Hospital admission registers, and on the pages of the local newspapers. When arrested, all three have their birthplace listed as Newfoundland and their trade noted as “Nil.” Tracing their journeys underlines both the lack of social welfare options available to poor women living on the margins of society in St. John’s and the dehumanizing treatment these individuals weathered in the local media.



Kate Kavanagh

Available evidence details Catherine “Kate” Kavanagh’s interactions with the penal system between 1874 and 1898. Dr. Charles Crowdy treated Kate at HMP in 1874 (toothache), 1875 (cough), 1877 (effects of drinking), and 1878 (complaining), revealing an early pattern of recidivism. In her registration during the first available arrest in the extant HMP records, it is noted that this is Kate’s 32nd turn serving time at HMP. She was arrested 30 times between 1882 and 1892: 14 times for “Drunk and Disorderly,” 11 for “Prostitution,” four for “Vagrancy,” and once for “Larceny.” She is identified in the prison register as standing between 5’3” and 5’6” and having hazel eyes, black hair, and a sallow complexion. Kate consistently told the jailers that she could not write, but during some arrests indicated that she could read. At Kate’s last appearance in the records, she states her age as 48 and is sentenced to 60 days of hard labour for prostitution.

Over a dozen mentions detail the criminal activities of Kate or Catherine Kavanagh in the *Evening Telegram* between 1879 and 1898, providing stories of her misdoings, and classifying her as having “no visible place of abode.”<sup>132</sup> An 1881 article provides the following editorializing about her life:

Vagrancy, — Kate Kavanagh, 40, was charged with vagrancy and ordered to be sent to the Poor House. Kate, although now reduced to this sad condition, was once the belle of many a fashionable “At Home.” That, however, was before she became acquainted with their worships, or knew the perfection with which the law is administered in the District Court. Like withered leaves, her friends have dropped away and she is now doomed to spend the remainder of her days in the Government residuum under the kind supervision of the Chairman of the Board of Works.<sup>133</sup>

That same year Kate was arrested again:

On Saturday night two of the officers on duty in the East End arrested an inebriated and very disorderly female named Kate Kavanagh and conveyed her to the Lock-up. Contrary to all expectation, many of the “boys” assisted and drew Kate up Duckworth Street, singing lustily all the way.<sup>134</sup>

In 1887, William and Thomas Littlejohn were arrested for “Keeping a House of Ill-Fame” on the same day that Kate Kavanagh and another known prostitute, Kate Lahey, were arrested for vagrancy. Both Kates had multiple previous arrests for “Prostitution” and were quite possibly associated with the arrests at the Littlejohns’ brothel. The relationship between Kate and Thomas becomes more complex, as a marriage record for a Thomas Littlejohn and a Catherine Kavanagh appears on 1 September 1898, and the *Evening Telegram* makes multiple references to the couple.<sup>135</sup> Although the marriage was not performed until after the newspaper articles appeared, informal marriage was a common practice among Roman Catholics in Newfoundland, and it is possible they were formally married at this later date.<sup>136</sup> Mary Anne Poutanen similarly found that many couples in early nineteenth-century Montreal worked together in brothels and some never formalized their relationship with marriage.<sup>137</sup>

The first article detailing their lives appeared in 1894, with the headline: “THOMAS LITTLEJOHN’S TROUBLES.”<sup>138</sup> The troubles detailed are numerous: Thomas and his wife were sent to prison, his brother [William] was sent to the “Lunatic Asylum,” and their tilt was burnt down. Kate found herself in the media’s eye again two years later when, on 16 December 1896, the *Evening Telegram* described her as “AN ABUSIVE VAGRANT” and detailed her actions:

Catherine Kavanagh, wife of the famous Littlejohn, the birch broom maker, took a wee drop too much of the “cra-tur” last evening and made herself obnoxious to a female resident of George Street. Kate rapped on the door of the

woman's house, and the summons being responded to she abused that female in a masterly manner calling her all the vile names imaginable. At last the woman's husband had to be brought in to eject this inebriated vagrant from the house. This is an old trick of Kate's and if not more careful, she may find herself in the penitentiary.<sup>139</sup>

Kate and Thomas appear for the last time in 1898:

Thomas Littlejohn and wife were brought before the Court this morning, accused of unlawfully and maliciously setting fire to the house of James Walsh, situated on the Southside of St. John's, on the 7th instant. They pleaded not guilty to the charge, and on examination his Honor was convinced that they were innocent of the charge, and the affair was purely an accident. As they are vagrants and have no home, the judge, actuated by charity more than the dictates of justice, sentenced them to the Penitentiary for 30 days.<sup>140</sup>

Kate's treatment in HMP for "effects of drinking" in 1877 and her arrest in 1881 for inebriation provide early clues as to potential issues with alcohol. The media mention in 1898 of Kate and her husband being sentenced to 30 days in HMP "actuated by charity" due to their status as vagrants reflects the chronic challenges of navigating homelessness in St. John's.

### *Kate Lahey*

Catherine "Kate" Lahey, the same Kate associated with the Littlejohn brothel, was arrested 18 times between 1883 and 1890: 11 times for "Prostitution," five times for "Drunk and Disorderly," and twice for "Vagrancy." Evidence of Kate's arrests appears between 1878 and 1890 and seven of her arrests are associated with Kate Kavanagh. She is described in the prison register as standing between 5'2" and 5'7" and

having blue eyes, brown hair, and a fresh complexion. Kate Lahey consistently indicated that she could neither read nor write. Kate’s last appearance in the available records notes that she is 40 years old and serving a two-month sentence for prostitution.

The *Evening Telegram* often focused on Kate Lahey:

Drunk — Kate Lahey, 30, of King’s Bridge, was ushered into the presence of his worship this morning with the mark of intemperance ineffaceably stamped upon her fair features. Katie is an old offender; but, after all, she is not, perhaps, so much to blame as the miserable wretches from whom she obtained the “ruinous drink.” Can any spectacle be more harrowing than that of a woman deprived of her native modesty and wallowing in the mire of drunkenness and shame? and can any crime be greater than that of causing one of the fairest creatures of the Divine Creator’s hand to sink to a state of degradation from which the more intelligent members of the brute creation would shrink with disgust and horror? These questions have been answered too often to need a negative reply from us. There is one thing, however, in this connection, we would like to say, and it is, that the man whose conscience is so hardened as to allow him to sell intoxicating spirits to an unfortunate woman, would not hesitate to do anything — no matter how reprehensible. But Kate was guilty of other sins, and his worship sentenced her to thirty days in the House of Correction.<sup>141</sup>

Kate was incarcerated in HMP during mid-April 1879 and treated for an “irritation of bowels” by Dr. Charles Crowdy. The arrest detailed in the *Evening Telegram* indicates she was back in HMP by mid-July 1879. Two months after the publication of this article, another defamatory report was written, titled “*Naughty* Kate Lahey,” which described her as a “nomadic spinster” who was “charged with drunkenness in particular and naughty conduct in general.”<sup>142</sup>

The HMP medical records reveal that Kate suffered gastrointestinal distress requiring medical diagnosis on five occasions, with diagnoses including “sickness in stomach,” “diarrhea,” and “irritation of bowels.” It is possible that the chronic alcohol use referenced in the *Evening Telegram* relates to these issues, as Kate suffers recorded stomach and bowel issues from 1878–80 and the 1879 article describes her as both intemperate and an “old offender.” Chronic excessive alcohol consumption is linked to gastritis and pancreatitis, a combination of which can cause significant stomach upset and abdominal pain.<sup>143</sup>

### *Fanny Baker*

Fanny Baker was arrested 21 times between 1888 and 1892: 12 times for “Prostitution” and nine for “Vagrancy.” She is identified in the prison register as standing between 5’4” and 5’7” and having hazel eyes and black hair. When she first appears in the HMP records in 1888 her complexion is described as “Fresh,” but by 1892 it has faded to “Sallow.” She indicates that she can both read and write. Fanny first appears as a patient at the St. John’s General Hospital in 1887, spending 17 days as an inpatient for venereal disease. She returns in the winter of 1894, admitted on 31 January for 17 days and again on 24 February for 45 days, as an inpatient due to influenza.

The prison records reveal situations in which Fanny was released and then readmitted to the penitentiary, often just days after her return to society. Fanny’s life is detailed in local newspapers 20 times between 1889 and 1900, including a suicide attempt in 1895:

Yesterday afternoon an unfortunate named Fanny Baker, who was only released from prison in the morning, was again conveyed to the police station on a charge of vagrancy. Early this morning, while the matron, Mrs. Walsh, who was in charge of her, left the cell. Fanny attempted to commit suicide. She tried to choke herself with her garter, and was Black in the Face when Mrs. Walsh again entered the

cell. She afterwards stated that it was just as well for them to let her kill herself now, as she would certainly do it in the Penitentiary. She was given thirty days in jail by Judge Conroy this morning.<sup>144</sup>

Sadly, this was not Fanny's only attempt to self-harm; just over a year later she appears again:

It was said the notorious Fanny Baker made an attempt to suicide, by jumping over the Long Bridge at midnight, and a report of her being in this locality, in a state bordering on intoxication, was lodged at the western station, and an officer sent out who found the culprit and saw her securely lodged in the lock-up for the night. She was sent to the Rescue Home this morning.<sup>145</sup>

In an article titled "FANNY BAKER AGAIN," local women found "the lifeless body of a woman lying face downwards in the bushes." The article continues:

The poor creature according to her own story had not eaten a morsel of food since her liberation from the penitentiary Saturday. She was in an awful state from Hunger and Exposure to the chill air of Sunday night, her face which was badly swollen, being purpled from cold, while so weak was she that she had to be carried to Linegar's house where warm drinks were given her, though she couldn't eat. Linegar and the officer helped her to the Southside road, and the latter summoned a cab, which took the unfortunate to the station. We hear a great deal about prevention of cruelty to animals, but when a poor creature of kindred flesh and blood with ourselves is allowed to almost perish on the highways, of cold and hunger, it shows that there is a great lack of philanthropy, if not christian charity, in our midst.<sup>146</sup>

Almost two years later, Fanny once again has a brush with death:

DYING NEAR THE ROPEWALK — The unfortunate woman Fanny Baker, who is only three days out of the Penitentiary, was found this morning lying down on a pile of stones in the vicinity of the Ropewalk. She was in a pitiable condition and is not expected to live. Constables Bennett and Newhook were told of it by the Sanitary man and they repaired to the place, procured a horse and waggon and brought her to the police station. Bennett hurried quickly for Dr. Bunting and the unfortunate woman was taken to the hospital.<sup>147</sup>

After this incident Fanny spent 10 days in the General Hospital with the registered diagnosis of “exposure.”

Many of Fanny’s health issues were directly related to her struggle to obtain and maintain a place to live. She spent 24 days in hospital in September of 1897 with a diagnosis of “no home.” In 1896 the *Evening Telegram* states that she “spends so much of time in the penitentiary that she now considers it her home.”<sup>148</sup> A year later in 1897, she was charged with “loose and disorderly conduct”:

A lady of the name of Miss Fanny Baker, rather well known around town was given in charge by an Ensign of the S.A. Rescue Home for loose and disorderly conduct in the home, where it seems something had ruffled the serenity of her disposition and caused her to exhibit qualities not altogether lady-like. Fanny being well known to the Judge she was fined \$20, but as she tritely remarked “She hadn’t no \$20,” she was allowed the use of a residence near Quidividi for 3 months.<sup>149</sup>

One year later, Fanny was left without a roof over her head in an article titled “APPLIED FOR SHELTER”:

The well-known vagrant, Fanny Baker, applied again for shelter at the Police Station. Surely the authorities can adopt some means of shelter for persons of this nature, instead of committing them to prison for a time, and releasing them again.<sup>150</sup>

In 1899 the same shelter where she had previously stayed refused to take her in:

There was no criminal business in the Magistrates' Court this morning. Fanny Baker, an unfortunate vagrant who had been remanded for a fortnight to see if the Poor Commissioner could get her a place, was again sent to the Penitentiary. No one will take her in, not even the Rescue Home will undertake to be responsible for her safe keeping.<sup>151</sup>

Fanny's last newspaper appearance occurs in May of 1900, describing her as being single, with no home, and being sent to the prison once again.<sup>152</sup> Later that year, on 17 August, a death record surfaces for a Fanny Baker who died of heart disease at the General Hospital.<sup>153</sup>

The stories of Kate Kavanagh, Kate Lahey, and Fanny Baker are disconcertingly similar. The institutional records and newspapers depict women struggling with intermittent or permanent homelessness and bouts of ill health who are unable to find long-term care. In the census of 1891, St. John's has a recorded population of 25,738; such a small population explains the characterizing of women such as Fanny Baker as "well known" and "notorious."<sup>154</sup> These women lived public, visible lives. An anonymous column, signed by "POOR HUMANITY," appeared in the *Evening Telegram* in 1880, entitled "A Plea for the Unfortunate." The piece describes the recidivism of female offenders and the hopelessness of their situation due to homelessness:

What will become of her? She will be turned loose on the streets to beg a few cents. She has no home — she is a jailbird. No one will employ her. No one will take her in.



She has to get drunk again and lie in the gutter, to be dragged through the streets, or present the still more *edifying* spectacle of being thrown upon a cart and driven to the Lock-up, to be again sent to the House of Correction for thirty days.<sup>155</sup>

The author opines that perhaps the government could fund the construction of a reformatory in order to “prevent the recurrence of such spectacles of degeneracy in our city,” indicating the motivation is less the welfare of the women described and more a distaste at sharing the city’s streets with these individuals. The author remains anonymous, while actively identifying and “othering” the “spectacles of degeneracy” by specifically naming Margaret Cullen, Kate Lahey, Bridget Ryan, and Margaret Lang. While we cannot access the innermost thoughts of these women, the available evidence indicates clearly that prostitution was a path towards financial, if not social, survival for many. Judith Walkowitz, studying nineteenth-century English port towns, notes that as “a temporary occupation, streetwalking did . . . have severe drawbacks: it did not free women from a life of poverty and insecurity, and further subjected them to physical danger, alcoholism, venereal disease, and police harassment.”<sup>156</sup>

While some women chose to engage in prostitution only for a short time, the stories of Kate Kavanagh, Kate Lahey, and Fanny Baker demonstrate that prostitution was a long-term means of survival for others. Mary Anne Poutanen, in her investigation of prostitution in early nineteenth-century Montreal, reveals how prostitutes dealing with homelessness transformed prison sentences into “subsistence strategies, blurring the line between prison and community.”<sup>157</sup> Poutanen found the majority of street-based prostitutes were only arrested once or twice, using prostitution as a temporary subsistence strategy, while others who were experiencing homelessness or alcohol dependency problems used prostitution as a permanent occupation and the prison system as a shelter.<sup>158</sup> The recidivism of Kate Kavanagh, Kate Lahey, and Fanny Baker may also be viewed through this lens — where

the lack of overarching poor relief legislation in Newfoundland failed to protect the most destitute, Her Majesty’s Penitentiary and St. John’s General Hospital could be accessed as stop-gap measures, part of an economy of makeshifts. Histories of recorded sex work are difficult heritages, as the stories of these women shine an uncomfortable light on the failures of social welfare.

## **Conclusions**

Organizations to support prostitutes have historically taken a religious and moral stance, attempting to “rescue” women instead of listening to and trying to understand their experiences.<sup>159</sup> In St. John’s today, many organizations are actively working to include sex workers’ voices in the fight for their equal rights. The first women’s organization, founded in 1972, formed the basis of the St. John’s Status of Women’s Council (SJSWC). This organization later developed the Safe Harbour Outreach Project (SHOP) in 2013, Newfoundland and Labrador’s only sex worker advocacy program. SHOP’s approach is to “support sex workers — we listen to women engaging in sex work as they define their experiences, we see their strengths and skills, we value their autonomy, we treat them with dignity, we ask them what they need and want, and we fight like hell for their human rights.”<sup>160</sup> Thrive, a group founded in 2001 to support vulnerable peoples, established the Blue Door Program to support individuals who want to exit the sex trade or sexually exploitative situations.<sup>161</sup> The increase in advocacy and community support within the last decades is a crucial step to valuing sex worker rights and safety. Modern organizations, such as SJSWC, SHOP, Thrive, and Blue Door incorporate sex workers’ voices to support and advocate for them without moralizing.

Recent controversy over massage parlours in St. John’s demonstrates the continued liminal space that sex workers occupy. St. John’s City Council lifted a temporary ban on massage parlours, in place since 2015, on 30 March 2020, with the aim of improving and increasing safe working spaces for sex work.<sup>162</sup> SHOP produced a report for

the City Council outlining that the moratorium “restricting the legal and regulated options for sex workers to work indoors, and instead increasing the unregulated sex work occurring in residential locations, pushing sex workers underground, into isolation and [leaving them] more vulnerable to exploitation and violence.”<sup>163</sup> Sex workers who spoke anonymously to CBC News, however, expressed concern about the unsafe working conditions at some parlours, noting that without explicit regulation, massage parlours could “turn into brothels.”<sup>164</sup> Contemporary issues surrounding sex work clearly resist black-and-white solutions.

The women highlighted in this research were agents in shaping the island’s history and the community that stands today, but they have thus far had few platforms to be seen and heard. As Judith Walkowitz emphasizes, women selling sex in the past did not lack agency; rather, they were “women who made their own history, albeit under restrictive conditions.”<sup>165</sup> Still, it is clear that poor women in St. John’s faced the significant and overlapping challenges of geographical isolation, limited employment opportunities, and no coordinated governmental strategy for poor relief. While substantial evidence outlines the difficult context in which these women employed their survival strategies — whether intermittently or over longer periods — the sources available do not allow access to the innermost thoughts of the women under study. Their interactions with institutions only provide clues as to their life trajectories, which must be interpreted with caution.

Crucially, the voices of prostitutes from the past are still difficult to access. With the exception of individuals such as Madaline Edwards and Maimie Pinzer, whose diaries have been edited and published, historians usually must piece together individuals’ experiences from existing records, which, as Mary Anne Poutanen observes, “reveal more about the attitudes of those recording the information than about the actual experiences of their subjects.”<sup>166</sup> In our investigation, Fanny Baker’s comment to the judge in 1897 that she “hadn’t no \$20” is among the only direct quotes we have thus far uncovered, though we are hopeful that further study will reveal more.<sup>167</sup> Recently, Kerri Cull’s

*Rock, Paper, Sex: The Oldest Profession in Canada’s Oldest City*, and *Rock Paper Sex Volume 2: Trigger Warning* explored the experiences of contemporary sex workers navigating the complex sexual marketplace of St. John’s.<sup>168</sup> These important books prioritize the personal stories and voices of diverse individuals, emphasizing that people get involved in the sex trade for a wide variety of reasons, and that some find empowerment and personal transformation as a result of their work. Ultimately, it behooves researchers, lawmakers, and citizens to remember the simple fact that individuals in the sex trade are people, a conclusion championed by half a century of work by historians of prostitution.

The intersectional marginalization of these individuals affected them both during their lifetimes and after their deaths, as their stories have either been elided or used for “spicy reading” and titillation. Exploration of individuals within historic records highlights the importance of personal contributions and lifeways to a history of a place, but marginalized stories can only be amplified through research that prioritizes their inclusion. Further work concerning prostitution’s long history in Newfoundland and Labrador is necessary to better understand these complex lives and their impact on the province’s economic, medical, and social spaces while acknowledging the challenges that still face sex workers in the present.

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