Moving through the Margins: An Analysis of Mobility and Interaction in the Sex Trade of St. John's, Newfoundland, 1893-1911

By

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Abstract

Moving through the Margins: An Analysis of Mobility and Interaction in the Sex Trade of St. John's, Newfoundland, 1893-1911.

By Johanna E. Cole

This thesis examines the historical sex trade between 1893 to 1911 in St. John's, Newfoundland using court and prison records. These records reveal a decline in arrests for prostitution and brothel-keeping due to changing legal terminology, reflecting societal shifts in the Edwardian Era. Mapping the distribution of sex workers' residences shows concentration in working-class neighborhoods, indicating economic necessity. However, sex workers were active agents in their financial security, choosing their profession over limited alternatives like the poorhouse or factory work. Understanding sex workers beyond their trade, as active members of their communities, is vital. This research sheds light on a crucial period in St. John's history and contributes to a comprehensive understanding of the lives and experiences of historical sex workers.

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Chapter 1 – Introduction

On Monday, 12 June 1893, a crowd gathered outside the St. John's courthouse as authorities charged four women – Mary Ann Dawe, Catherine Ellard, Phoebe Whiteway, and Mary Ann McCoy – with "disorderly conduct on the public street and with soliciting for the purposes of prostitution." The *Saint John's Daily Tribune* recorded the trial where the Judge asked:

> what have you to say for the charge? Are you guilty or not guilty? They made no answer but hung their heads, and the Judge had to ask them again individually. They gave lame excuse as the cause of their arrest and then sub-Inspector Sullivan gave his evidence. While he was giving it the culprits glared defiance at him and one of them smiled. The Inspector said that he had the names of nearly twenty more and that it would surprise the public if they were to hear the names of some of the wretched women who have gone on the "Primrose path." The four girls who appeared to be young were remanded for eight days. Three of them burst into tears but the other one grinned like a baboon. It is time that something were done to put down this crying scandal which is growing in this city, and it is to be hoped that the sub-Inspector will put forth all his skill to detect and weed the community of this noxious growth.[1]

During the nineteenth century in St. John's, Newfoundland, newspapers such as the *Daily Tribune* customarily published court proceedings.[2] Like many other places in the world, the rise of printing had made newspapers a staple in residents' homes, and court appearances had become a source of entertainment. For women arrested for working in the St. John's sex industry, the reproduction of their names in the news made them infamous. Although newspapers have long documented evidence of sex work, historical research on this topic in St. John's is still in the earliest stages.

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[1] "Police Court," *Saint John's Daily Tribune*, 12 June 1893, 8.

[2] The province's name did not officially include Labrador until it was constitutionally added in 1999, and the change came into effect in 2001 under the leadership of then-premier Brian Tobin.

It is important to note the intentional use of the term “sex work” rather than “prostitute” in this thesis. Since no evidence of women’s self-identification practices was located during this research, the decision was taken to carefully consider the terms used to explore the lives of women in the sex trade. Beginning with the history of the terms, the popular perception has been that the selling of sex was “the oldest profession,” yet it was rarely viewed as an exchange or even a profession. Prior to the eighteenth century in the United Kingdom, the terms “prostitute” and “whore” were used interchangeably to describe women with what were perceived to be “uncontrollable sexual desires.”[3] Ruth Karras’ research on the sex trade in the medieval period notes that pre-capitalist societies rarely placed women who were deemed to be sexually deviant and women who sold sex in different categories due to the lack of importance monetary exchanges had to individuals of the period.[4] Within medieval court records, women working in the sex trade, women who committed adultery, and women who were sexually active outside the confines of marriage were all prosecuted for being “whores.”[5] The crime they were accused of was being a “common woman,” or being sexually accessible to the male public; whether they were being paid was of little importance. After the Reformation, the reconfiguration of how society viewed sex workers was influenced by more varied class stratification and the development of growing commercial identities. Julia Laite describes the result as “an explosion of moral reform and anti-vice”.[6] The late seventeenth-century reform movements led to increased monitoring and regulation intended to curb public prostitution.[7] These legal and

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[3] Laura J. Rosenthal, *Infamous Commerce: Prostitution in Eighteenth-Century British Literature and Culture* (Ithaca, NY: Cornell University Press, 2015), 2.
[4] Ruth M. Karras, “Conclusion: Sexuality, Money and the Whore” in *Common Women: Prostitution and Sexuality in Medieval England* (Oxford: Oxford University Press, 1996), 131.
[5] Karras “Conclusion,” 131.
[6] Rosenthal, *Infamous*; Julia A. Laite, “A Global History of Prostitution: London,” in *Selling Sex in the City: A Global History of Prostitution, 1600s-2000s*, ed. Rodriguez Garcia, Lex Heerma van Vos, and Elise van Nederveen Meerkerk, 2017, 129.
[7] Laite, “A Global History of Prostitution,” 129.

political developments led to the evolution of the sex trade into what is now recognized as a transaction that sets sex workers apart from other occupational groups.[8]

Today, many sex workers' state their preference for the term "sex worker" over "prostitute," while others feel they need to reclaim the term prostitute and embrace the label.[9] For the preservation of historical language in this thesis, the terms "prostitute" and "prostitution" will be employed when discussing specific cases. However, to acknowledge the range individual experiences within the sex trade, the term sex work will be used to discuss individuals when possible. Although this may be anachronistic, in the contemporary context the term "sex work(er)" acts as an umbrella-term that incorporates the wide range of people moving within the sex trade; it moves away from the historic use of labels that villainized women's sexuality. By and large, we do not know the full impact that involvement with the sex trade had upon an individual's identity, and therefore using careful, neutral terminology that does not make unnecessary judgements will enable a nuanced analysis of individual sex workers.

This thesis utilizes gendered terminology which describes a situation in which women were sex workers and men were purchasers of sex workers' services. Although this may have been the gender dynamic in most cases, it may not represent the identities and range of people who were within the sex trade. While the sources used for this project did not reveal any instances of men selling sex, this does not imply the absence of men being involved in sex work. Instead, male sex workers may have operated more quietly due to the stigma that surrounded male relationships and the criminalization of sodomy. Similarly, there was no evidence uncovered relating to people who today might identify as nonbinary or transgender. This may be

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[8] Rosenthal, *Infamous*, 4.
[9] Kerri Cull, *Rock Paper Sex: Trigger Warning* (St. John's, NL: Breakwater Books, Limited, 2021).

a result of the limited vocabulary or space for these people to express themselves within the what was socially acceptable according to by Euro-settler standards in St. John's. Although trans, non-binary, and queer people existed during the period of study, they have not been located within the primary sources used in this research. Within the context of this work, despite the assumed complexity of sex, gender, and sexuality historically, the materials gathered for this thesis offer only evidence of female sex workers and male procurers of sex workers' services. Further, the legal framework that criminalized the sex trade compounded its gendered dynamic. According to Newfoundland law, selling sex was illegal, while purchasing sex was, a topic discussed in detail in Section 2.1. This led to the criminalization of women's roles within the sex trade, while men's roles remained unpoliced. Therefore, men were generally absent from prosecutions for sex work unless they were involved with the operations of a brothel.

Section 1.1: Background

In the late fifteenth century, European sailors realized there was a bounty of cod in the waters surrounding Newfoundland.[10] Demand for this resource led to seasonal voyages across the Atlantic and the eventual colonization of Newfoundland by Europeans after thousands of years of occupation by the Beothuk, and more recently, the Mi'kmaq on the island, and the Inuit and Innu in what would become Labrador.[11] Throughout the sixteenth century, European fishing crews would fish seasonally in the waters off the coast of Newfoundland and return to Europe to sell their catches.[12] By the seventeenth century, small numbers of seasonal fishers began the

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[10] George Rose, *Cod: The Ecological History of the North Atlantic Fisheries* (St. John's: Breakwater Books, 2007), 181.
[11] Lisa K. Rankin, "Towards a Beothuk Archaeology: Understanding Indigenous Agency in the Material Record," in *Tracing Ochre: Changing Perspectives on the Beothuk*, ed. Fiona Polack (Toronto, Ontario: University of Toronto Press, 2018), 183-184.
[12] Rose, *Cod*, 181.

practice of "overwintering," or living in Newfoundland year-round to permanently stake their claim to the fishing grounds. Some of these early settlements include Cupids in 1610, Ferryland in 1621, and St. John's in the 1620s.[13]

Despite the existence of these early settlements, populations in Newfoundland grew slowly because of England's apprehension about the island as a settler colony. Officials believed that settlement would hinder the migratory fishery and deter enlistment in the naval service. Furthermore, officials thought Newfoundland's harsh winters and poor capacity for agriculture rendered it unsuitable for permanent settlement.[14] Charters written in the late seventeenth to early eighteenth century attempted to limit this form of migration, but they had little effect. As a result, migration to the island increased steadily from the latter half of the eighteenth century.[15]

Many of these eighteenth-century settlers came on the migratory fishing ships that originated in the West Country of England and often stopped in southeastern Ireland to acquire provisions. In addition to material goods, Irish servants were often solicited by West Country fishing vessels to work as general labourers for the fishing season. Although many of them returned to Ireland at the end of the season, a significant number stayed and settled across Newfoundland. Later into the eighteenth century, declining economic opportunities in Ireland encouraged more of these transient labourers to stay in Newfoundland.[16]

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[13] Rose, *Cod*, 229; Gordon W. Handcock, *"Soe longe as there comes noe women": Origins of English Settlement in Newfoundland* (St. John's: Breakwater Books, 1989): 33.
[14] Handcock, *Soe longe*, 27, 39.
[15] Jerry Bannister, *The Rule of the Admirals: Law, Custom, and Naval Government in Newfoundland* (Toronto, ON: University of Toronto Press, 2003), 30-33, 113; Handcock, *Soe longe,* 27.
[16] John Mannion, "Irish Migration and Settlement in Newfoundland: The Formative Phase, 1697-1732," *Newfoundland and Labrador Studies* 17, no. 2 (2001): 261.

These Irish immigrants settled despite British instructions not to and were often classified as "diseased," "treacherous," and "disorderly" as a result.[17] Single Irish women faced additional prejudices and were accused of being "vagrants" and "whore[s]," as they were criticized for tempting the "uncontrollable male sexuality" in a territory predominantly comprised of transient male labourers.[18] Women were considered a significant threat to the migratory fishery as their presence would, it was thought, lead to familial ties and permanent settlement. The Governor of the island, Sir Hugh Palliser (1764-1768), was a major opponent of settlement, proclaiming in 1764 that "great numbers of poor women" came to Newfoundland "by vessels arriving from Ireland, who become distressed and a charge to the inhabitants."[19]

Despite strong opposition to settlement, the increased development of the island became impossible for Britain to ignore. The near-constant state of conflict between the American Revolutionary War (1775-1783), the French Revolutionary Wars (1792-1802), the Napoleonic Wars (1803-1815), and the War of 1812 (1812-1815) caused the migratory fishery to collapse. Cod prices soared and able-bodied men were pressed into the service of the Royal Navy.[20] This created space for the rise of the resident or family-based fishery between the late eighteenth and early nineteenth century, which allowed more settlers to make a living by filling the gaps left by the departure of the migratory fishery. The plummeting cod prices after the War of 1812 and the Napoleonic Wars further solidified the demise of the migratory fishery.[21] By the turn of the

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[17] Willeen Keough, "The Riddle of Peggy Mountain: Regulation of Irish Women's Sexuality on the Southern Avalon, 1750-1860," *Acadiensis* 31, no. 2 (2002): 40; Willeen Keough, "Unpacking the Discursive Irish Woman Immigrant in Eighteenth-and Nineteenth-Century Newfoundland," *Irish Studies Review* 21, no. 1 (2013): 59.
[18] Keough, "Peggy Mountain," 41; Willeen Keough, *The Slender Thread: Irish Women on the Southern Avalon, 1750-1860* (Columbia University Press. New York City: New York, 2008), 2.
[19] Handcock, *Soe longe*, 92.
[20] Patrick Mannion, *A Land of Dreams: Ethnicity, Nationalism, and the Irish in Newfoundland, Nova Scotia, and Maine, 1880–1923* (Montreal, QC: McGill-Queen's Press - MQUP, 2018), 22.
[21] Keough, *The Slender Thread.*

nineteenth-century, Irish immigration to Newfoundland had increased significantly, with an estimated 35,000 Irish settlers arriving in the first third of the century. Although British officials never formally encouraged settlement, political reform movements during the 1820s solidified Newfoundland as a formal colony by 1832 and gave rise to the development of legal and governmental institutions.[22]

The Irish settlers who arrived, predominantly between 1780 and 1830, were largely from within a 50 km radius of the city of Waterford, Ireland. John Mannion explains that "no other province or state in America drew such an overwhelming proportion of their immigrants from so geographically compact an area in Ireland for so prolonged a period of time."[23] Consequently, most of these Irish settlers were Catholic while most of the West Country British settlers were Protestant. Although there was no nominal census in Newfoundland until the 1921, nineteenth-century non-nominal census data shows the percentages of Catholic and Protestant residents.[24] By 1845, Catholics composed 78% of the population of St. John's. This percentage slowly fell throughout the nineteenth century, which Mannion attributes to out-migration to Canada and the United States: falling to 62% in 1884, 52.6% in 1901 and 50.2% in 1911.[25] The strong population of Irish Catholics in St. John's represented a distinct Irish culture that remained visible several generations removed from the homeland, one that continued well into the nineteenth century. As Patrick Mannion explains, the Benevolent Irish Society (BIS), formed in 1806, helped to continue "in the creation and transmission of a communal sense of Irishness."[26]

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[22] Bannister, *The Rule of the Admirals*, 263.
[23] John Mannion, *The Peopling of Newfoundland: Essays in Historical Geography* (St. John's, NL: Institute of Social and Economic Research, Memorial University of Newfoundland., 1977), 7.
[24] Mannion, *A Land of Dreams*, 18–22.
[25] Mannion, *A Land of Dreams*, 23.
[26] Mannion, *A Land of Dreams*, 41–42.

The traditions of Ireland often followed working-class women settlers to Newfoundland. Eighteenth-century Irish women often had central roles in their household economies. Gearóid Ó Tuathaigh explains that in farming homesteads wives and daughters were "expected to help in reaping, in setting seeds, in collecting seaweed and even in cutting turf."[27] In addition to aiding in farmwork, women also took part in domestic industries such as frieze, wool, linen and flannel cloth making, spinning yarn, embroidery and weaving to supplement their household incomes.[28] This important role in supporting their families often did not change upon their arrival in Newfoundland. As Marilyn Porter describes, women were the "Skipper[s] of the Shore-Crew," in that they took a leading role in the onshore processing of fish. The short few months that were suitable for fishing in Newfoundland meant that resident fisher families ensured that every able-bodied man was fishing in the summer, leaving the cleaning, splitting, salting, washing, and drying of cod for women and children.[29] Additionally, after the decline of the migratory fishery in the late eighteenth century, the lack of seasonal servants necessitated women's onshore processing of fish. They also contributed to their household economies through paid work, as seamstresses, washerwomen, or keeping boarding houses.[30] This "fish-producing" Newfoundland woman did not permeate all classes. Middle-class, predominantly Anglo-Protestant, women were not among the shore crews, but they did take part in their households' economies through textile work.[31]

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[27] Gearóid Ó Tuathaigh, "The Role of Women in Ireland under the New English Order," in *Women in Irish Society: The Historical Dimension*, ed. Margaret MacCurtain and Donncha Ó Corráin (Westwood, CT: Greenwood Press, 1979), 28.
[28] Ó Tuathaigh, "The Role of Women," 29.
[29] Marilyn Porter, "'She Was Skipper of the Shore-Crew:' Notes on the History of the Sexual Division of Labour in Newfoundland," *Labour (Halifax)* 15 (1985): 115, https://doi.org/10.2307/25140555.
[30] Willeen G. Keough, "'Good Looks Don't Boil the Pot": Irish-Newfoundland Women as Fish(-Producing) Wives," *Signs: Journal of Women in Culture and Society* 37, no. 3 (2012): 540, https://doi.org/10.1086/662687.
[31] Keough, *The Slender Thread*, chap. 9.

The nineteenth century witnessed the decline of outport populations as people migrated to St. John's. One result of this migration was increased class distinctions and the proliferation of middle-class amenities such as "newspapers, health services, superior educational and charitable facilities."[32] Early nineteenth-century St. John's was a small commercial center focused on the fishery and concentrated predominantly within two streets. However, by the latter part of the century, the city had expanded economically and geographically and was slowly beginning to show signs of urbanity.[33] Problematically, the fishery had not followed suit despite the rising populations.[34] A combination of overfishing and a decline in environmental conditions, such as cold conditions that decreased fish populations, caused a major downturn in cod fishing productivity that could be seen as early as 1820.[35] Additionally, the introduction of steamships in the 1860s contributed to the deterioration of independent planters and the family-based fishery, concentrating more industry and population in St. John's and Conception Bay.[36] Poverty had become widespread across the island.[37] Although politicians invested heavily in other industries such as mining, construction, agriculture and forestry, Newfoundland's economy continued to suffer and bankruptcies were common.[38] Many religious organizations in the late nineteenth and early twentieth century had developed larger followings and often fundraised on behalf of the local working poor to combat the widespread poverty.[39]

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[32] Keith Matthews, *Lectures on the History of Newfoundland, 1500-1830*. (St. John's, Newfoundland: Maritime History Group, Memorial University of Newfoundland, 1973), Lecture 27, page 5.
[33] Carolyn Lambert, "Far from the homes of their fathers: Irish Catholics in St. John's, Newfoundland, 1840-86," (Ph.D. thesis., Memorial University of Newfoundland, 2010), 71.
[34] James Hiller, "A History of Newfoundland, 1874-1901," (Ph.D. thesis., University of Cambridge, 1971): 10.
[35] Rose, *Cod*, 284-285.
[36] Hillier, "History of Newfoundland," 8.
[37] Maudie Whelan, "The Newspaper Press in Nineteenth-Century Newfoundland: Politics, Religion, and Personal Journalism," (Ph.D. thesis., Memorial University of Newfoundland,
2002), 150-177.
[38] Rose, *Cod*, 317; Sean Cadigan, *Newfoundland and Labrador: A History* (Toronto: University of Toronto Press, 2009), 133, https://doi.org/10.3138/9781442688704.
[39] Laura Morgan, "The Influence of Class and Gender on Parochial Voluntary Associations: An

The population of St. John's was 25,738 in 1891, rising approximately 15% to 29,594 in 1901.[40] The increased population in the capital demanded the proliferation of social and societal structures, leading to the addition of much-needed amenities in the late-nineteenth century. The city finally established a rudimentary municipal government in 1888, and it implemented a formal municipal system in 1902.[41] It was not until the construction of the Her Majesty's Penitentiary (HMP) between 1852 and 1859 that a prison of satisfactory size, management, and quality could sufficiently handle the judicial needs of the colony.[42] The first jail was in place by 1730 and had been in the same building as the courthouse. After the fire of 1846, the jail was temporarily relocated to Signal Hill until the construction of the HMP.[43] Newspapers began to be published in the early part of the nineteenth century but did not expand into a daily press until technological developments allowed as much in the 1870s. Newspapers demarked a change in the public representation of sex work which will be discussed in Chapter 2.

Increased industrial activity and the widening of the middle class throughout the latter half of the nineteenth century led to increased job opportunities for women. Many took on jobs working in factories, offices, or as domestic servants, and women often migrated into the city from outports in search of work.[44] Although there were more opportunities, many women struggled to find employment during the latter part of the nineteenth century as the fishery was in

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Anglican Example from St. John's, Newfoundland, 1877-1909," *Historical Papers: Canadian Society of Church History* (1997).

[40] Colonial Secretary's Office, *Census of Newfoundland and Labrador, 1901*, St. John's, Newfoundland, (1903): xii, https://publications.gc.ca/site/eng/9.833383/publication.html.

[41] Melvin Baker, "The Government of St. John's, Newfoundland 1800-1921," (Ph.D. thesis, Western University, 1981), ii-iii.

[42] Deborah O'Reilly, "Heritage Foundation of Newfoundland and Labrador Building Report: H.M. Penitentiary, 85 Forest Road, St. John's" (St. John's: Heritage Foundation of Newfoundland and Labrador, 2008), 2-3.

[43] Melvin Baker and James E. Candow, "Signal Hill Gaol, 1846-1859," *Newfoundland Quarterly* LXXXV, no. 4 (1990): 20–23.

[44] Linda Cullum, Maeve Baird, and Cynthia Penney, "A Woman's Lot: Women and Law in Newfoundland from Early Settlement to the Twentieth Century," in *Pursuing Equality: Historical Perspectives on Women in Newfoundland and Labrador*, edited by Linda Kealey (St. John's: ISER, 1993), 90-102.

decline. [45] Nineteenth-century Victorian ideology and British sensibility manifested in the structures of social life in Newfoundland and often dictated the perceived appropriate roles for women. Churches and church organizations often preached that women were to be the "moral guardians" of their families.[46] The pressures on women to conform to an unattainable middle-class gendered ideal were too much for many working-class women who had to contend with endemic poverty. A lack of income made the utilization of sex work necessary for many individuals. A combination of factors, including the economic downturn, pressure to modernize the city and increased presence of Edwardian purity sensibilities that vilified prostitution contributed to an increase in the policing of sex work during the late-nineteenth and early twentieth century.[47]

Section 1.2: Methods

Previous research has located evidence for historical sex work in the province of Newfoundland and Labrador largely thanks to the work of Dave Harvey, a retired correctional officer from Her Majesty's Penitentiary (HMP) in St. John's.[48] During his tenure and into his retirement, Harvey used a room in the basement of the administration building at the HMP as a museum that kept documents from around the prison, as well as "contraband weapons, old ropes used in failed jailbreaks, clay pipes and homemade tattoo machines."[49] In 2017, Harvey contacted The Rooms Provincial Archives (RPA) to help with preservation, and many of the

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[45] David Alexander, "Newfoundland's Traditional Economy and Development to 1934," *Acadiensis* 5, no. 2 (1976): 62.
[46] Morgan, "The Influence of Class and Gender," 35.
[47] Johanna Cole and Madeleine Mant, "'Spectacles of Degeneracy:' Unpacking Evidence for Historical Sex Work in St. John's, Newfoundland," *Newfoundland and Labrador Studies* 36, no. 2 (29 September 2022): 171–216, https://doi.org/10.7202/1092566ar.
[48] Cole and Mant, "'Spectacles of Degeneracy.'"
[49] Ariana Kelland, "Clock Ticking on Historical Prison Documents, Former Correctional Officer Fears | CBC News," CBC, 7 June 2017, https://www.cbc.ca/news/canada/newfoundland-labrador/prison-documents-hmp-museum-1.4128972.

archival documents were digitized by archivist Greg Walsh. Prison admission records from 1838–56, 1882–92, 1903–11, and 1939–54 are among this collection. Focusing on the long nineteenth century (c. 1750–1914), Madeleine Mant and I made use of the digitized prison admission records to document evidence of sex work. The prison records allowed for an exploration of the lifeways of recidivist sex workers who frequently struggled to secure stable housing, resulting in repeated encounters with the prison system.[50]

Building upon this foundation, the work undertaken for this thesis made use of the court records housed at the RPA. This includes indexes, minutes, diaries, notebooks, process books, and complaints from seven different courts (Oyer and Terminer, Surrogate, Vice Admiralty, Supreme, Sessions, Police Court, and Magistrates court districts) and six different geographic districts (Central, Northern, Southern, Northern and Southern, Northern and Western and Labrador). Keith Mercer, a historian who has explored the history of policing in St. John's, and Melanie Tucker, an archivist at the RPA, advised on which courts would likely be most useful for this research.

The records of the Court of Oyer and Terminer, the Surrogate Court, and the Vice Admiralty Court were not within the scope of this research, focusing on the eighteenth and early nineteenth centuries. The Supreme Court, although covering the same period as the one studied here, rarely handled minor cases such as the prosecution of sex workers. Despite this, a brief review of the Supreme Court records was conducted to ensure that minor offences often associated with the sex trade, such as vagrancy, disorderly conduct, and drunkenness, were not overlooked. The Court of Sessions was not reviewed as it handled minor wage disputes and civil

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[50] Cole and Mant, '"Spectacles of Degeneracy."'

cases.[51] In the nineteenth century, this court became the Police Court. The Magistrates Court presided over criminal charges, while the Sessions Court focused on civil cases. [52] For these reasons, my archival searches focused on the Magistrates Court.

Of the seven court districts, the Central, Northern and Southern court circuits covered the most populated parts of the island during the study period. Although from a slightly earlier period in the nineteenth century than that which is the focus of this thesis, some researchers, such as Krista Simon and Willeen Keough, have focused on women's legal history utilizing the Southern court circuit documents, this was the rationale for my choice to focus on the Central and Northern districts.[53] The Central district represents the city of St. John's, while the Northern district include other notable centers like Harbour Grace, Carbonear, Brigus, and Bonavista.

The majority of evidence for sex work was located within the Magistrates Court Central Circuit Diaries GN 5/3/B/17 Box 290-295 (1893-1911), although other records were reviewed, including: GN 5/2/A/2 Box 67-69 (1863-1890), GN 5/2/A/1 Box 41-42 (1883-1890), GN 5/3/A/0 Box 206-208 (1892-1930), GN 5/3/A/1 Box 209-214 (1893-1915), GN 5/3/A/5 Box 245-246 (1893-1916), GN 5/7/A/1 Box 858-860 (1898-1914), GN 5/7/B/1 Box 861 (1897-1913), GN 5/7/B/6 Box 862 (1839-1878), GN 5/3/B/1 Box 337-351 (1877-1917), GN 5/3/B/2 Box 370-372 (1847-1907) and GN 5/3/B/5 Box 375-379 (1897-1905). The court diaries offered the

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[51] Bannister, *The Rule of the Admirals*, 243.
[52] Keith Mercer, *Rough Justice: Policing, Crime, and the Origins of the Newfoundland Constabulary, 1729–1871* (St. John's, NL: Flanker Press, 2021), chap. 7.
[53] Krista L. Simon, "Women in the Courts of Placentia District, 1757–1823," in *Essays in the History of Canadian Law: Two Islands, Newfoundland and Prince Edward Island*, ed. Christopher English (Toronto, ON: University of Toronto Press, 2005); Willeen G. Keough, "'Now You Vagabond [W]Hore I Have You:' Plebeian Women, Assault Cases, and Gender and Class Relations on the Southern Avalon, 1750–1860," in *Essays in the History of Canadian Law: Two Islands, Newfoundland and Prince Edward Island*, ed. Christopher English (Toronto, ON: University of Toronto Press, 2005).

following details: the name of the offender, date, time of arrest, crime, sentence, age, occupation, residence, and name of the arresting officer (Figure 1.1).

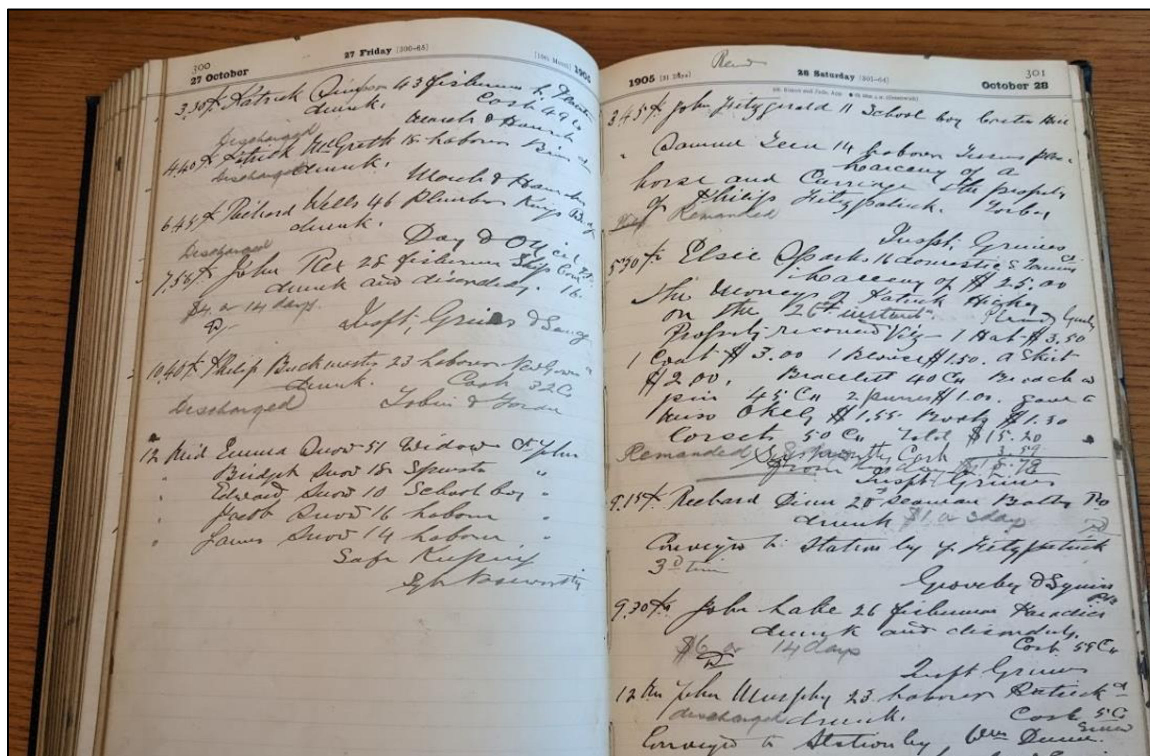

Figure 1.1: *Example of the court admissions diary from St. John's, Newfoundland.*

While the initial plan for this thesis was to focus on court records outside of St. John's to expand the existing geographic focus on the history of the sex trade, it was discovered that the rural court circuits offered little to no evidence for the sex trade. There were no arrests for "prostitution" or brothel-keeping in Harbour Grace, Brigus, or Carbonear and only one arrest for "soliciting as a prostitute" in Bonavista. Due to this lack of evidence, the focus of the research shifted to filling a gap in the prison admission records between the extant records of 1882-1892 and 1903-1911. The 1882-1892 records offered evidence of 62 arrests for sex trade offences, while there were only three between 1903-1911. In addition to filling the gap between 1882-1892 and 1903-1911 prison admission records, the years 1903-1911 were also searched to help

shed light on the lack of arrests during that time, producing the study period for this research: 1893-1911.

In total, there was 362 individual arrests found in the court records between 1893-1911 potentially indicative of sex work or related to the lives of sex workers. Importantly, many of the arrests did not explicitly state "prostitution" or brothel-keeping as the reason for the arrest. For example, vagrancy has historically been intertwined with sex work, often serving as a broad-ranging term used to criminalize idleness and loitering. Under English Common Law, which was employed in Newfoundland and Labrador at the time, the Vagrancy Act of 1824 criminalized "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" to be sent "to the House of Correction, there to be kept to hard Labour for any Time not exceeding One Calendar Month."[54] Oftentimes, when direct evidence for solicitation could not be proven, individuals were arrested for vagrancy instead and so it is possible that women who were recorded as being arrested for vagrancy may have been involved in the sex trade.[55] In addition to recording vagrancy charges in the court records, arrests were also noted to indicate when recidivist individuals, who had prior sex trade-related arrests were arrested for other crimes such as "drunk and disorderly" or "larceny." This contributes to our understanding of sex workers' interactions with the legal system beyond their lives as sex workers.

Photos of each relevant arrest were transcribed into an Excel document to assist with further research and quantification. Once laid out in an Excel sheet, the recidivist names and the

[54] The Vagrancy Act, Act of Parliament of the United Kingdom 1824, c. 83, § 3, 5 Geo. IV (1824).
[55] Ruth Haywood, "'delinquent, Disorderly and Diseased Females": Regulating Sexuality in Second World War St. John's, Newfoundland" (M.A. thesis, Memorial University of Newfoundland, 2002), 102, https://research.library.mun.ca/1237/.

names of brothel owners were consolidated into a list for further research. Habitual arrests or brothel-keeping often leave a greater trace within the historical record than one-time offences. Therefore, the names of individuals who fit these profiles were searched for within newspaper archives to elicit further information about their lives.

The searching software on NewspaperArchive.com helped locate sex workers appearing within the 1860 to 1930 period, capturing individual's lives just outside the study period. Although this software was able to locate over 130 newspaper articles that detailed the lives of the recidivist offenders and brothel-owners, there were drawbacks. Searching the term “brothel” often returned the term “brother,” showcasing the frequent discrepancies between the transcribed word and the actual one. Newspaper and human errors, such as a brothel owner Thomas Vivian, who had his name published as Timothy Vivian also limits researchers’ ability to locate individual cases. To work around these issues, it is possible to search by date of specific cases and read the papers from the subsequent days to find if anything had been published.

Once the primary data was compiled and organized from the court records and newspaper searches, spatial information was used to compile the maps used in Chapter 3. One advantage of the court records over the previously researched prison records is the more precise geographic information they supply. The prison records only listed an individual’s country of origin, so the geographic information associated with an individual was typically restricted to, for example, a notation that they were born in Newfoundland. The court records, however, often listed the exact street where an individual resided. The open-source Geographic Information System (GIS), QGIS, was used to produce spatial representations of the locations of the residences of sex workers as well as other relevant locations using the street locations provided by the court records, and occasionally the newspaper. QGIS was used to produce all the maps for this thesis.

This mapping allows for a visual understanding that helps to illustrate the mobility and interactions of recidivist sex workers.

Finally, to explore the narratives told within newspapers, and the lives of those who passed through the court records, demographic information was searched for using birth, baptismal, marriage and death certificates that have been digitized on the Newfoundland's Grand Banks Genealogical & Historical Data website.[56] Unfortunately, there was no nominal census in St. John's until 1921, and the great fires of 1846 and 1892 destroyed significant amounts of demographic records. Additionally, the illicit nature of the sex trade means many individuals escaped documentation or used pseudonyms to avoid recognition, complicating their documentation for researchers of sex trade history.

Section 1.3: Literature Review

The study of historical sex work faces challenges due to its lack of sources. Prostitution, which was frequently criminalized during the period of study, often took place in secrecy and out of the public eye, making it less susceptible to documentation in the historical record. Even in periods of regulation, stigma around sexuality, especially women's sexuality, prevailed. The existing sources that do mention historical sex work often do so in ways that pass judgment on the women involved or portray sex work and workers with annoyance, depicting them as an image representing issues within the broader community. Researchers, nonetheless, have been able to identify sex work and sex workers starting in antiquity. The rise in the study of sex work within the field of history coincided with the growth of feminist histories of the late twentieth

[56] Bill Crant, "Newfoundland Grand Banks - Genealogy Site Featuring the Canadian Province of Newfoundland," Digital Archive, Newfoundland Grand Banks - Genealogy Site, 2023, http://ngb.chebucto.org/.

century; researchers began to focus on placing women within historical contexts, which led to the development of the sub-field of historical prostitution.[57]

Judith Walkowitz is one of the pioneer researchers in this field. In her seminal book *Prostitution and Victorian Society: Women, Class, and the State*, Walkowitz utilizes the discourse surrounding the institution and repeal of the Contagious Diseases Acts in late-nineteenth-century London to study the intersection of prostitution, feminism, and health. The Contagious Diseases Acts were introduced in 1864, 1866, and 1869 and allowed for any woman suspected of prostitution to undergo compulsory examinations for sexually transmitted infections (STIs) where she could be detained against her will for medical treatment.[58] In the United States, Ruth Rosen's 1982 *The Lost Sisterhood* explores historical prostitution as it intersected with moral reform movements at the turn of the twentieth century.[59] Constance Backhouse's 1985 *Nineteenth-Century Canadian Prostitution Law: Reflection of a Discriminatory Society* is one of the earliest investigations into Canada's historical sex trade, exploring how the trade was governed and shaped by the law.[60] Other researchers who contributed to this emerging field of History include Christine Stanstall, Mary Ryan, Gail Pheterson, Luise Waite, and Gail Hershatter.[61]

[57] Judith R. Walkowitz, "The Politics of Prostitution and Sexual Labour," *History Workshop Journal* 82, no. 1 (2016): 189.
[58] Judith R. Walkowitz, *Prostitution and Victorian Society: Women, Class, and the State* (Cambridge, UK: Cambridge University Press, 1980), http://hdl.handle.net/2027/heb00983.0001.001; Judith R. Walkowitz, *City of Dreadful Delight: Narratives of Sexual Danger in Late-Victorian London*, Women in Culture and Society (Chicago, IL: University of Chicago Press, 1992).
[59] Ruth Rosen, *The Lost Sisterhood: Prostitution in America, 1900-1918* (Baltimore, MD: JHU Press, 1982).
[60] Constance Backhouse, "Nineteenth-Century Canadian Prostitution Law: Reflection of a Discriminatory Society," *Social History/Histoire Sociale* 18, no. 36 (1985): 387–423.
[61] Christine Stansell, *City of Women: Sex and Class in New York, 1789-1860* (Champaign, IL: University of Illinois Press, 1987); Gail Pheterson, *The Prostitution Prism* (Amsterdam, NL: Amsterdam University Press, 1996); Luise Waite, *The Comforts of Home: Prostitution in Colonial Nairobi* (Chicago, IL: University of Chicago Press, 1990); Gail Hershatter, *Dangerous Pleasures: Prostitution and Modernity in Twentieth-Century Shanghai* (Berkeley, CA: University of California Press, 1997); Mary P. Ryan, *Women in Public Between Banners and Ballots, 1825-1880*,

The nineteenth-century global rise of newspapers and printed literature made written works widely accessible; for modern researchers they have provided an increased supply of evidence for the study of the historical sex trade. Sex workers often shared experiences related to increased policing and various morality movements, such as temperance, as well as fears of venereal disease. These shared experiences amongst sex workers were often closely connected through their discussion in newspapers.

In nineteenth-century Copenhagen, for example, one way in which law enforcement attempted to control the lives of those within the sex trade was through a process of registration. A combination of acceptance and fear of venereal disease during the nineteenth century led to regulatory measures imposed upon the sex trade. Local police obligated recidivist sex workers to visit photo studios and obtain a portrait of themselves to give to the police for identification purposes.[62] The law also mandated that sex workers undergo medical examinations, live in specific parts of the city, and maintain a respectful appearance through their dress. Although these strict rules constrained the lives of sex workers, it has allowed researchers an avenue to learn more about their lifeways. These photos show the fashions of the period and how women in the sex trade followed trends.

Fashions of the nineteenth and twentieth centuries were important to sex workers in the Americas as well. In Victoria, British Columbia, the gold rush created a male-dominated city and a significant demand for the sex trade. Brothels were widespread across the city and remained there for many years without issue, unlike many other cities who faced morality complaints

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John Hopkins ed., Johns Hopkins Symposia in Comparative History 16 (Baltimore, MD: Johns Hopkins University Press, 1992).

[62] Niels Jul Nielsen and Lise A Frandsen, *Sex Til Salg i Storbyen. Prostitution Sidst i 1800-Tallet Og i Nyere Tid* (Copenhagen, Denmark: University of Copenhagen, 2009).

against their presence. While there was lenience towards women in Victoria's sex trade, street solicitation was not legal. Despite this, the locations of brothels were well-known, and women who lived or worked in brothels were sometimes "intentionally conspicuous in their dress and deportment," sometimes wearing "brightly-coloured dresses and extravagant hats."[63] This visibility was likely not the norm for all the women in the sex trade in Victoria but, it demonstrates the outward, social and public lives of some Canadian sex workers during the Victorian age and how researchers can use historical records to understand the day-to-day activities of sex workers beyond their occupations.

Similarly, archaeological contexts have revealed intricate details of everyday life for sex workers. In Washington, DC., Donna Seifert's 1991 article "Within Site of the White House: The Archaeology of Working Women" investigates the archaeological assemblages of working-class homes and brothels to make inferences about the lives of their inhabitants.[64] This research created foundational methodologies for archaeologists, helping them understand how brothels and sexualized spaces can have distinct artifact signatures in comparison to surrounding homes. Seifert found that some women in the nineteenth century would briefly sell sex to acquire money or material goods. During this time, investing in attire was an investment in a woman's future, and the ability to obtain expensive clothing could have facilitated upward mobility.[65] In these cases, the sex trade for some women was less of a profession, but more of a means to financial and social security. In a later article published in 2005, Joseph Balicki and Seifert reaffirmed earlier findings of the distinct archaeological "brothel pattern" found at Victorian-era brothel

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[63] Patrick A. Dunae, "Geographies of Sexual Commerce and the Production of Prostitutional Space: Victoria, British Columbia, 1860–1914," *Journal of the Canadian Historical Association* 19, no. 1 (2008): 129–30, https://doi.org/10.7202/037428ar.
[64] Donna J. Seifert, "Within Site of the White House: The Archaeology of Working Women," *Historical Archaeology* 25, no. 4 (December 1991): 82–108, https://doi.org/10.1007/BF03373526.
[65] Seifert, "Within Site," 94.

sites.[66] They determined that brothels often have different quantities of artifacts, such as increased serving dishes (such as ceramics and drinking vessels), and increased lighting artifacts, suggesting higher time spent working at night.[67]

Archaeologists and historians studying the historical sex trade emphasize that brothels are multifaceted spaces—often simultaneously serving as places of work and residences. Nineteenth- and early-twentieth-century brothels typically served as homes, overseen by a madam, often an older woman who managed the operations. According to American historian Timothy Gilfoyle, brothels could be classified into two distinct types, with a range of establishments that falling along the spectrum between them. Certain brothels were known to serve upper- to middle-class clients, often referred to as "parlour" or "private" houses. These establishments charged higher prices, served exclusive clients by appointments, and often served food and drink. On the other end of the spectrum were the "public" or "bawdy" houses, which were less expensive, did not serve food or drink and tended to have little secrecy due to their "boisterous male patrons."[68] While brothels could fall into one of the two discreet categories, the choices, and actions of those residing within them determined a particular brothel's composition. As Mary Anne Poutanen found in nineteenth-century Montréal, brothels were more than places for sexual commerce, but also as spaces where occupants and clients defined and navigated their social boundaries and ties.[69]

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[66] Donna J. Seifert and Joseph Balicki, "Mary Ann Hall's House," *Historical Archaeology* 39, no. 1 (2005): 59–73.
[67] Seifert and Balicki, "Mary Ann Hall's House," 120.
[68] Timothy J. Gilfoyle, "Prostitutes in History: From Parables of Pornography to Metaphors of Modernity," *The American Historical Review* 104, no. 1 (1999): 135.
[69] Mary Anne Poutanen, *Beyond Brutal Passions: Prostitution in Early Nineteenth-Century Montreal* (Montreal, QC: McGill-Queen's Press - MQUP, 2015).

Within Atlantic Canada, Judith Fingard produced the first study of the nineteenth-century sex trade in Halifax in her 1989 book *The Dark Side of Victorian Halifax*.[70] Focusing on the criminalized poor and their interactions with institutions, Fingard uses historical records and societal attitudes towards the working-class to locate the spatial and social forces that shaped their lives. Sex workers, who composed a section of the criminalized poor, faced social attitudes that deemed their work as a "social evil."[71] Fingard's findings reveal that many recidivist women arrested for prostitution had interwoven lives with taverns, boarding houses, reform homes, the poor house, and, inevitably, the prison. An earlier, 1975 article by Fingard, "The Relief of the Unemployed Poor in Saint John, Halifax, and St. John's, 1815 -1860," explores similar themes.[72] While this article does not focus directly on the lives of those engaged in the sex trade, it addresses the limited employment prospects for women in St. John's and the problemed systems of poor relief that was available which are discussed in Chapter 3.

Thirty years after the publication of Fingard's book, Katherine Crooks continues the exploration of Halifax's sex trade in the late nineteenth and early twentieth century. Crooks' research explains the shift from previously lenient attitudes toward the selling of sex as a way of "managing the city's population of imperial servicemen" towards increased criminalization through turn-of-the-century social purity movements and regulation of space amid the rising development of Halifax.[73] Crooks was also able to identify how racial bias affected the criminalization of some sex workers, specifically those of African descent.

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[70] Judith Fingard, *The Dark Side of Life in Victorian Halifax* (Porters Lake, NS: Pottersfield Press, 1989).
[71] Fingard, *The Dark* Side, 96.
[72] Judith Fingard, "The Relief of the Unemployed Poor in Saint John, Halifax, and St. John's, 1815 -1860," *Acadiensis (Fredericton)* 5, no. 1 (1975): 32–53.
[73] Katherine Crooks, "'Profits, Savings, Health, Peace, Order:' Prostitution, Urban Planning and Imperial Identity in Halifax, Nova Scotia, 1898–1912," *The Journal of Imperial and Commonwealth History* 46, no. 3 (4 May 2018): 446–72, https://doi.org/10.1080/03086534.2018.1452541.

In Newfoundland, twentieth-century researchers who focus on women's history examine their place in the fishery. Marilyn Porter and Ellen Antler place the working women of Newfoundland into the socioeconomic climates of their day, shifting focus from the dominant narratives of hard-working men from previous historical research.[74] Their research laid the groundwork for later researchers to further unpack women's legacy in Newfoundland. Researchers such as Willeen Keough, Valerie Bruton, Linda Kealey, and Ruth Haywood have contributed to the historical literature that focuses on women and built on this earlier research, developing themes of sexuality and women's economic roles.[75] Ruth Haywood's 2002 master's thesis is the first in-depth examination of prostitution in Newfoundland. She finds a sharp increase in reports of the sex trade during the Second World War.[76] In 2022, Johanna Cole and Madeleine Mant examine evidence for the sex trade during the nineteenth century using prison admission records, finding a relationship between vagrancy and homelessness for recidivist offenders.[77] That essay is a precursor to this research.

Utilizing the Magistrates Court records from St. John's between 1893 and 1911, this thesis will address the following research questions: Why were there fewer arrests related to sex work during the 1903-1911 period compared to the period between 1882-1892? What new evidence do these records offer about the events during the gap in the available records between

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[74] Ellen Antler, "Women's Work in Newfoundland Fishing Families," *Atlantis* 2, no. 2 (1977); Ellen Antler, "Fisherman, Fisherwoman, Rural Proletariat: Capitalist Commodity Production in the Newfoundland Fishery" (Ph.D. thesis, Mansfield, CT, University of Connecticut, 1982); Marilyn Porter, "Mothers and Daughters: Linking Women's Life Histories in Grand Bank, Newfoundland, Canada," Women's Studies International Forum 11, no. 6 (1 January 1988): 545–58; Porter, "'She Was Skipper of the Shore-Crew."

[75] Keough, "Peggy Mountain;" Keough, "Unpacking the Discursive Irish Woman;" Keough, *The Slender Thread*; Keough, "Good Looks;" Valerie Burton, "Fish/Wives: An Introduction," *Signs: Journal of Women in Culture and Society* 37, no. 3 (March 2012): 527–36, https://doi.org/10.1086/662686; Haywood, "'delinquent, disorderly and diseased females'"; Linda Kealey, *Pursuing Equality: Historical Perspectives on Women in Newfoundland and Labrador*, Social and Economic Papers 20 (St. John's, NL: Institute of Social and Economic Research, Memorial University, 1993).

[76] Haywood, "'delinquent, disorderly and diseased females.'"

[77] Cole and Mant, "'Spectacles of Degeneracy.'"

1892 and 1903? What trends appear on a community level during these periods? What trends appear on an individual level?

The changing global social dynamics at the turn of the nineteenth century saw a widespread upheaval in the portrayal of sex workers within written documents, providing researchers an opportunity to explore their place within their contemporary society. As many communities shifted from more lenient attitudes to increased restriction of sex work, both the community and individual level regulations on space and the body forced sex workers into the social and sometimes physical periphery. Chapter 2 foregrounds the way sex workers are discussed and labelled, and how this impacted their daily lives, highlighting how newspapers and legal records exploited their stories for entertainment and created narratives about their lives that often deviated from their actuality. By employing Geographic Information Systems (GIS), the study delves into the relationship between brothel locations, the residences of recidivist sex workers, and the presence of taverns and “sailortowns,” aiming to comprehend the spatial relationships of the sex trade in St. John’s (Chapter 3). The spatial and interpersonal relationships elucidate the intersection of sex work within gender, race, and economic status as they attempted to support themselves and their families. Finally, Chapter 4, Discussion and Conclusion, combines the spatial and individual concepts described in the second and third chapters to offer a broader understanding of trends at the turn of the twentieth century where a global shift in the perception of sex workers affected those living and working in St. John’s.

Chapter 2 – Locating Individuals through Terminology

On 17 June 1898, authorities arrested Sarah Cook and Margaret Butler for "loitering on the streets for the purposes of prostitution" resulting in a 30-day sentence in the penitentiary. The *Evening Telegram* reported that:

> The police intend to make a regular crusade against those characters. Any of them found loitering on the streets will be arrested and brought before the court. The wonder is that they are not arrested oftener by the policeman on the beat, for, as Sergeant O'Brien makes all the arrests of this kind, it looks as if it were his business alone to attend to such matters. Certainly, this cannot be the case. At all events, he is doing a noble work in ridding the city of these pests.[78]

Sex workers in St. John's, Newfoundland around the turn of the twentieth century faced arrests linked to their accused crimes, and the construction of their identities as seen by legal officials. As the newspaper article suggests, the local police were aware of women in the sex trade and made specific attempts to detain those the press labelled as "pests." The language used to describe and identify sex workers during this period can provide valuable insight into the experiences and realities of women involved in the historical sex trade of St. John's.

Researchers commonly rely on primary sources housed in the institutions that sex workers interacted with to locate historical records about them. Some of the institutions that sex workers interacted with most frequently included the prison, the court, the hospital, the church, and newspapers, as well as their workers, including officers, clerks, wardens, doctors, reporters, clergy, and reformers. Documentation from these institutions provided very little opportunity for sex workers to self-identify. The lack of sex worker self-identification and recording of their own history was compounded by illiteracy; as

[78] *Evening Telegram*, 17 June 1898, 8.

the prison admission records show, approximately 70% of sex workers arrested between 1882-1892 and 1903-1911, were unable to read or write.[79] This statistic parallels the literacy rate in Newfoundland's population at this time; according to Newfoundland historian Patrick O'Flaherty in 1901, approximately 75% of the population was illiterate.[80] As the Irish feminist scholar, Maria Luddy, explains, historical documentation of sex workers was "created by those who watched and discussed her" and that the "resultant images are sometimes varied and contradictory and say as much about middle-class society and its fears and anxieties about health discipline and order as they do about the women themselves."[81] Legal officials and formal legislation were in place to control the movements of sex workers, directly responding to the fears and anxieties of middle-class society.

This chapter examines the relationship between the labelling and criminalization of sex work at the turn of the twentieth century in St. John's. It offers insight into the evolving nature of this work through the examination and citation of two main sources of evidence: the legal system and newspapers. The first section of this chapter uses legal records to determine how the classification of sex workers changed over time. The second section delves into the relationship between historical newspapers and the lives of St. John's sex workers, recognizing their biased nature as they reflected the attitudes and prejudices of their authors. By cross-referencing the legal documents with the proceedings reported in newspapers, this chapter uncovers the impact of labelling on

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[79] Two women, Fanny Baker and Kate Kavanagh would report different abilities to read or write at each arrest which may slightly alter this 70% statistic. However, into the 1890s, Fanny consistently said yes, while Kate consistently said no. Therefore, they were recorded as what they began to consistently report in the 1890s.

[80] Patrick O'Flaherty, *Lost Country: The Rise and Fall of Newfoundland, 1843-1933* (Long Beach, CA: Long Beach Press, 2005), 211.

[81] Maria Luddy, *Prostitution and Irish Society 1800-1940* (New York, NY: Cambridge University Press, 2007), 8.

those individuals who were involved in the historical sex trade. It further demonstrates how evolving legislation and external factors such as the socio-cultural that occurred with the shift into the twentieth century influenced terminology.

Section 2.1: Changing Terminology within the Legal System

To locate historical sex workers within the legal system of the time, it is important to understand how court officials, police officers, and prison employees discussed, classified, and labelled both sex workers and women more generally. Therefore, this section examines the legislation governing the sex trade and its specific application in St. John's. By contrasting the laws with their practical implementation, we can see how the evolving terminology within the prison and court systems reflects broader societal changes in St. John's and the impact of labelling on individual women.

Before the first Consolidated Statutes was published in Newfoundland in 1872, sex work had largely been policed through the British Common Law system and, more specifically, the Vagrancy Act of 1824.[82] 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 deemed an idle and disorderly Person" and was to be committed "to the House of Correction, there to be kept to hard Labour."[83] Yet, as Newfoundland developed its own legislature in 1832, it began to publish its own laws and regulations.[84] The earliest detailed legislation that criminalized sex work was published in 1872 with Chapter 71 of the first Consolidated Statutes of Newfoundland entitled "Of Nuisances." The second Consolidated

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[82] Jerry Bannister, "Reception of Law," *Heritage Newfoundland and Labrador*, 2000, https://www.heritage.nf.ca/articles/politics/law-reception.php (accessed 13 May 2023).
[83] The Vagrancy Act, Act of Parliament of the United Kingdom 1824, c. 83, § 3, 5 Geo. IV (1824)
[84] Bannister, *The Rule of the Admirals*, 222.

Statutes of Newfoundland, published in 1892, criminalized sex work under the "Nuisances and Municipal Regulations," which used the exact phrasing from the earlier 1872 legislation. The 1872 and 1892 statutes described brothels as any structure that is "resorted to for prostitution, lewdness or illegal gaming." Such structures were deemed common nuisances and were subject "a penalty not exceeding one hundred dollars, or imprisonment in the nearest gaol for a period not exceeding three months." As for street-based sex work, these regulations criminalized "persons loitering in the streets or highways and obstructing passengers… annoying passengers… also all common prostitutes or nightwalkers, wandering in the fields, public streets or highways, not giving a satisfactory account of themselves, shall be deemed loose and disorderly persons."[85] If an individual was convicted as a "loose and disorderly" person "on the oath of one or more creditable witnesses, [they were] to pay immediately, or within such a period of time as [the judge] thinks fit, a fine not exceeding twenty dollars" or time imprisoned.[86]

With the passage of the Consolidated Statutes of 1872 and 1892, Newfoundland imposed harsher regulations for the arrest of sex workers. The earlier Vagrancy Act of 1824, which stipulated that an individual had to be "behaving in a riotous or indecent Manner" to be arrested, changed in 1872 with the publishing of the first Consolidated Statutes. After 1872, authorities could arrest individuals for obstructing or annoying passengers, or "not giving a satisfactory account of themselves." Julia Laite, a historian who explores the sex trade in nineteenth-century London, highlights a similar shift in law in the United Kingdom with the publishing of the Metropolitan Police Act in 1839 which criminalized any "'common prostitute' from soliciting to

[85] Of Nuisances and Municipal Regulations, Consolidated Statutes of Newfoundland Second Series, Chapter 36 § 6-11 (1892).
[86] Of Nuisances and Municipal Regulations, Consolidated Statutes of Newfoundland Second Series, Chapter 36 § 6-11 (1892).

the annoyance of inhabitants or passengers."[87] Laite explains that the designation of the women as prostitutes within the British Common Law system "relied on the idea that a common prostitute was a legally definable person, and that, while prostitution itself was not an offence, the action of street solicitation represented a special kind of public nuisance."[88] The resulting change in legislation meant Newfoundland sex workers could be more easily arrested, as more of their activity was deemed problematic. Newfoundland's legal system was heavily influenced by British legal policy, especially before it received its own legislation in 1832, but was still likely influenced by the British system after this date.[89] Constance Backhouse finds a similar result to Laite in Canada and notes that women were policed based on their identity as a prostitute. Within Canadian legislation passed in 1869, it was not necessary for women to sell or advertise sex to be convicted; their mere status as a public prostitute and inability to provide "a satisfactory account of themselves" sufficed.[90] This resounding change, of the specific phrasing that sex workers now needed a reason to be on the public streets, demonstrates the increasing criminalization of their behaviours in Newfoundland, England, and Canada during the nineteenth century. The court records in St. John's demonstrate how this legislation affected individual sex workers. Police frequently arrested sex workers under charges of "loose and disorderly" as evidenced by Susan Edgecombe, a recidivist sex worker, who received a fine of $20 or 30 days imprisonment on June 28, 1899, for the charge.

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[87] Julia A. Laite, *Common Prostitutes and Ordinary Citizens: Commercial Sex in London 1885-1960* (New York, NY: Palgrave MacMillan, 2012).
[88] Julia A. Laite, "Taking Nellie Johnson's Fingerprints: Prostitutes and Legal Identity in Early Twentieth-Century London," *History Workshop Journal*, no. 65 (2008): 99.
[89] Bora Laskin, *The British Tradition in Canadian Law* (London, UK: The Hamlyn Trust, Stevens & Sons, 1969), 6.
[90] Backhouse, "Nineteenth-Century Canadian Prostitution Law," 395.

In Susan's 1899 arrest, the court records did not indicate her arrest was for the specific act of selling sex; instead, the records described her as "a loose and disorderly person."[91] The only reason this arrest indicates that she could have been a sex worker is that the court officials recorded her occupation as "Prostitute." Therefore, to identify sex workers in the court records I have used a combination of the listed occupations and offences. This process helps identify and include individuals who faced arrest for specific sex-work charges (i.e., prostitution and brothel-keeping), as well as those the courts labelled prostitutes by the court. However, classifying women as sex workers during this period is problematized by the changing terminology within the court records across the study period. In the 1880s and into the early 1890s, the court records only occasionally listed women's occupation as "Prostitute." More frequently, the court described them by their marital status, although in an inconsistent manner. Therefore, their involvement in the sex trade had to be determined by a charge which explicitly stated either prostitution or brothel-keeping. By the latter 1890s and into the 1900s, however, the court records began to describe sex workers' occupation as "Prostitute." Specific charges for prostitution or brothel-keeping became less common and what emerged instead were arrests made for disorderly conduct. This finding corroborates research undertaken by Cole and Mant that found a significant decrease in evidence for sex work into the twentieth century within the prison admission records; there were 62 sex work arrests between 1882-1892, and only three between 1903-1911.[92] Figure 2.1 incorporates arrest records from both the prison admission records (previously quantified for the period 1882 to 1892)[93] and the court records from 1893 to 1911 to produce a continuous timeline. The figure depicts the prominent use of prostitution and

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[91] *Magistrates Court, Central Circuit, Diaries*, 1897, 1898, 1899. Box 291, GN 5/3/A/17, The Rooms Provincial Archives, St. John's, Newfoundland.
[92] Cole and Mant, '"Spectacles of Degeneracy."'
[93] Cole and Mant, '"Spectacles of Degeneracy."'

brothel-keeping as terms for arrests between 1882 and 1893, and a gradual decline of these arrested into the late 1890s and 1900s. It is important to note that there were no court records extant for the years 1894 or 1900.

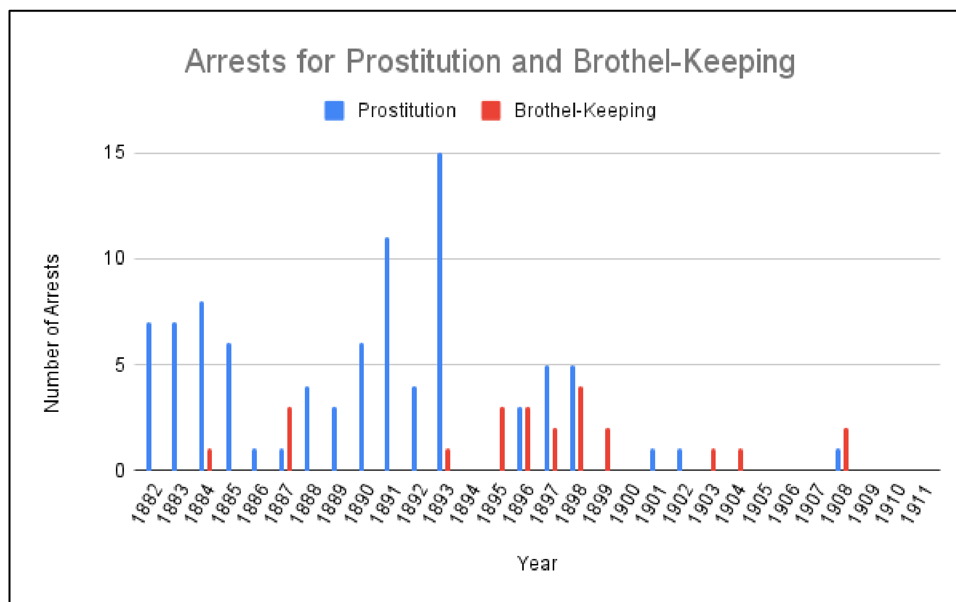

Figure 2.1: Arrests for prostitution and brothel-keeping within the court and prison records between 1882 and 1911. Note: there were no court records extant for 1894 or 1900.

To ascertain whether the decline in those arrested for prostitution and brothel-keeping during the late 1890s and 1900s was indicative of a decrease in sex trade-related imprisonments or a shift in terminology, a comparison was made with other associated charges like vagrancy and disorderly conduct. Figure 2.2 which plots the arrests of women for vagrancy, disorderly conduct, prostitution, and brothel-keeping from the prison admission records between 1882-1892 and 1903-1911 demonstrates an uptake in arrests for disorderly conduct in the 1903-1911 dataset. The gap between 1892 and 1903 is due to the lack of extant prison admission records during this time. Figure 2.3 consolidates the arrests presented in Figure 2.2, illustrating the total arrests over time. It reveals that despite the change in terminology, the overall number of individuals arrested for these four crimes remains relatively consistent.

One potential reason for the sudden uptake in disorderly conduct charges for women surrounding the turn of the twentieth century in St. John's, as shown in Figure 2.2, could be the increasing Canadian middle-class social influence and presence of Canadian lawyers and legal ideology in St. John's. Patrick O'Flaherty's 2005 book, *Lost Country: The Rise and Fall of Newfoundland, 1843-1933*, details the changing political, social, and economic shifts Newfoundland experienced before the decision to join Canada in 1949. A recurring theme among late-nineteenth-century Newfoundland politicians was the ongoing debate regarding the viability and benefits of Confederation for the people of Newfoundland. Despite numerous politicians advocating for Confederation, Newfoundland's identity had further solidified in the 1890s. O'Flaherty observed a noticeable shift in newspapers, which began referring to Newfoundland as "national" rather than "colonial."[94] Despite the growing nationalism and anti-Confederation sentiments, after Canada aided in the relief efforts following the Great Fire of 1892, animosity towards Canada began to wane. Additionally, Newfoundland experienced a devastating bank crash in 1894 which saw two of the three Newfoundland banks close permanently. Following this, several Canadian banks began to open in St. John's; O'Flaherty argued this arrival of Canadian banks brought with it "managers and personnel who added to the Canadian corporate contingent on the island."[95] Corresponding with these events, many Canadian-trained lawyers began to appear in St. John's.[96] As Philip Girard explains in his 2017 paper, "The Newfoundland-Canada Relationship Through the Lens of Legal History: Imitation, Influence, or Indifference?" Newfoundland and Canadian lawyers were both heavily influenced by English case law and held this common bond. Although he admits a lack of research on late-

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[94] O'Flaherty, *Lost Country*, 167.
[95] O'Flaherty, *Lost Country*, 184–87.
[96] Girard, "The Newfoundland-Canada Relationship," 319.

nineteenth-century Newfoundland law makes interpretation of these topics "somewhat premature and necessarily impressionistic" he suggests Canadian law and lawyers may have influenced Newfoundland law practices.[97] This can be further evidenced in Backhouse's influential 1985 article "Nineteenth-century Canadian Prostitution Law: Reflection of a Discriminatory Society" where she found that women in Toronto between 1845 and 1895 were not arrested specifically for prostitution but instead under disorderly or vagrancy charges, in addition to brothel-keeping charges. Backhouse explains that "[p]ossible prostitution offenses constituted an overwhelming proportion of women's crimes," making it difficult to determine which charges were for the specific act of selling sex. Therefore, it is possible Newfoundland legal officials increased use of disorderly charges to police sex workers was influenced by Canadian legal officials who had been using this terminology since the mid-nineteenth century.

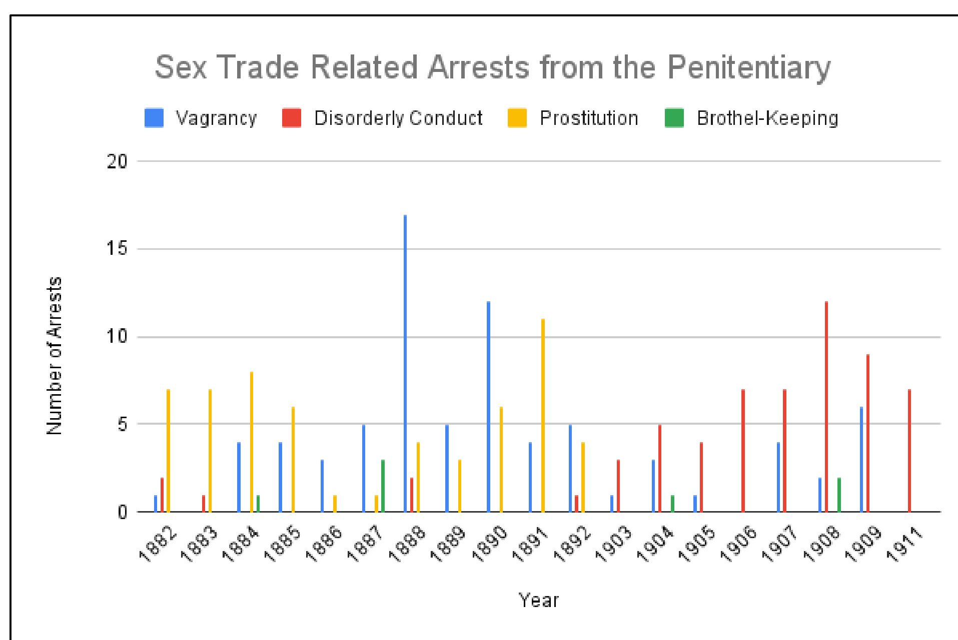

Figure 2.2: Sex trade-related offences by year from the prison admission dataset. Note the gap between 1892 and 1903 where the prison admission records are not extant.

[97] Girard, "The Newfoundland-Canada Relationship," 317.

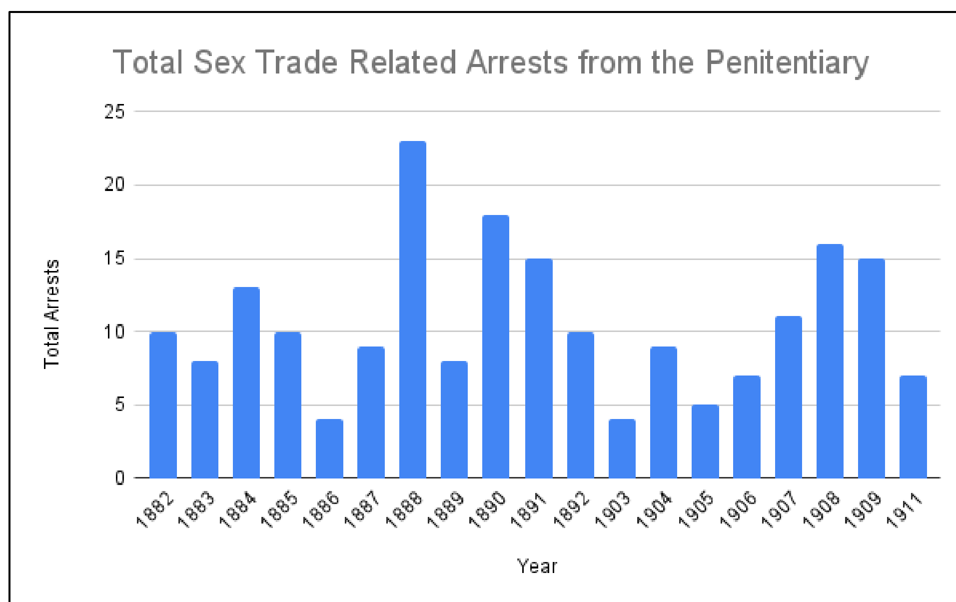

Figure 2.3: Totals of sex trade-related arrests from the prison admission dataset. Note the gap between 1892 and 1903 where the prison admission records are not extant.

A second possible explanation for the increasing disorderly charges brought against women in early-twentieth-century St. John's was the changing socioeconomic makeup of the community. In the late 1880s and 1890s, Newfoundland's economy was still heavily reliant on the cod fishery and despite attempts to diversify, the sinking prices of salt codfish by up to 32% had brought Newfoundland into severe economic hardship with widespread unemployment.[98] While the fishery labour force had numbered approximately 60,000 at its peak in 1884, it had fallen to 37,000 in 1891, and only realised slight improvement to 44,000 by 1911. The poor job market forced thousands to emigrate to Canada and the United States in search of work, with many finding opportunities in the mines of nearby Cape Breton.[99] In addition to the lack of jobs for men, before the twentieth-century proliferation of industry in Newfoundland, there were few employment opportunities for women, as was true in Ireland. As Luddy explains, pre-industrial

[98] Alexander, "Newfoundland's Traditional Economy and Development to 1934," 62.
[99] Ron Crawley, "Off to Sydney: Newfoundlanders Emigrate to Industrial Cape Breton, 1890-1914," *Acadiensis* 17, no. 2 (1988).

nineteenth-century Ireland often viewed procuring a husband as an important source of financial and social security for women who lacked employment or income.[100]

By the 1900s, the cod fishery had somewhat recovered, and the industrialization of Newfoundland was in full force. [101] An iron ore mine had opened on Bell Island, pulp and paper mills were constructed across the island and manufacturing had become a lucrative enterprise.[102] Municipal government had finally been established in St. John's in 1888 and the city received an elected municipal system by 1902.[103] Women were often employed in factories and made up an overwhelming majority of workers in the clothing industry. They also found work in the emerging clerical and retail sector which comprised 15% of the labour force of St. John's by 1901.[104] While women had more opportunities than in the earlier nineteenth century, they still encountered competition from their male counterparts and typically received lower pay. Additionally, domestic service emerged as the predominant occupation for women, serving as the main source of employment for women in St. John's.[105] Opportunities in domestic service drew women from across Newfoundland into the city of St. John's, as it provided live-in work for young outport girls and a way to earn extra household income to send back to their families. Although the meagre wages from domestic service could barely sustain an individual, it still meant one less mouth for a family to feed.[106]

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[100] Maria Luddy, *Women in Ireland, 1800-1918: A Documentary History.* (Cork, Ireland: Cork University Press, 1995), 5.
[101] Stuart R. Godfrey, *Human Rights and Social Policy in Newfoundland 1832-1982* (St. John's, NL: Harry Cuff Publications, 1985), 36; Cullum, Baird, and Penney, "A Woman's Lot," 90.
John Lawrence Joy, 'The Growth and Development of Trades and Manufacturing in St. John's, 1870-1914' (M.A. thesis, St. John's, NL, Memorial University of Newfoundland, 1977), https://research.library.mun.ca/7834/.[102]
[103] Melvin Baker, "The Government of St John's," ii–iii.
[104] Nancy M. Forestell, "Women's Paid Labour in St. John's between the Two World Wars" (M.A. thesis, Memorial University of Newfoundland, 1987), 17–18, https://research.library.mun.ca/5547/.
[105] Forestell, "Women's Paid Labour," 19.
[106] Linda Kealey, "Outport "Girls in Service": Newfoundland in the 1920s and 1930s," *Acadiensis* 43, no. 2 (2014): 80.

The new economic opportunities in the city of St. John's meant that many women were able to obtain financial independence from their male relatives. Similarly, Luddy suggests that in Ireland the high levels of single women post-Famine may have been a result of the out-migration of suitable marriage candidates and independent economic security.[107] This new class of single women in St. John's may also have contributed to the rise in disorderly conduct arrests. As women suddenly emerged within the public sphere independently of men, it sparked concerns about the implications for domesticity in the new climate of St. John's. The increased policing of women for disorderly charges could have been a reaction to the fears that their newfound agency meant that their husbands and fathers had less control of their sexuality, choices, and bodies.

These shifts in the socioeconomic makeup of communities during the twentieth century were not limited to St. John's; centers globally experienced a change in the perception of women, particularly sex workers. Ruth Rosen's seminal book, "The Lost Sisterhood" (1982), explores changes in the policing of the sex trade during the American Progressive Era (1900-1918). This work influenced how later researchers have understood the policing of the sex trade during and after the transition from the Victorian era to the Edwardian period. As Rosen explains, the "unprecedented rapid industrialization, urbanization, and immigration" brought major changes to American society and "prostitution became a cultural symbol of the birth of a modern industrial culture in which cold, impersonal values of the marketplace could invade the most private areas of people's lives."[108] While Victorian ideology had viewed sex work as a "necessary evil," Edwardian ideology placed sex workers, and the sex trade as a symbol of cultural unrest in response to rapidly changing social dynamics creating a moral panic of fears

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[107] Luddy, *Women in Ireland, 1800-1918: A Documentary History*, 5–8.
[108] Rosen, *The Lost Sisterhood*, xii–xiii.

over women's bodies and purity. Luddy explains how in the early twentieth-century sex work in Ireland became politicized as it was viewed as a public health concern and a blight on Irish Catholic sexual morality.[109] Concerns about health were notable in St. John's as well, there had been a diphtheria outbreak in the late 1880s and a smallpox epidemic in 1903.[110] Certain areas of St. John's were commonly blamed for the spread of the disease, such as the supposed "slum" in the center of the city. The *Evening Telegram* reported a case of diphtheria in 1903 and that "[T]he sufferer is a young lad named Kelly, of 17 Cuddihy Street. It is no wonder that this slum is reeking with disease. The place is absolutely filthy and not fit to live in. The so-called 'sanitary inspectors' might well visit there again and open their eyes."[111]

To explore how these changing dynamics in twentieth-century St. John's affected the increased disorderly conduct charges, this thesis compared women's disorderly conduct charges in the prison admission records to their occupations as listed in the court and prison records. In the records between 1903 and 1911 there were 53 arrests for disorderly conduct representing 29 different women (because some were repeat offenders). The prison clerk listed 16 by occupation as domestics while none were identified as prostitutes. To determine if any of these women were involved in the sex trade, the prison records were cross-referenced with the court records, as the two sets of records often recorded different occupations for the same individuals during their arrests. Bridget Devereaux's arrest for disorderly conduct on 11 August 1909, for example, described her occupation as a prostitute in the court records, while the prison admission records described her as a domestic. The discrepancy between how the court and prison recorded the occupations of women arrested may have depended on the way each institution valued women's

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[109] Luddy, *Prostitution and Irish Society 1800-1940*, 157.
[110] Melvin Baker, "The Appointment of a Permanent Medical Health Officer for St. John's, 1905," *Newfoundland Quarterly* LXXIX, no. 4 (1984), http://www.ucs.mun.ca/~melbaker/brehm.htm.
[111] "CASE OF DIPHTHERIA," *Evening Telegram*, 25 August 1903, 4.

labour. The court benefited from labelling women as prostitutes as it would assist in their criminalization. The prison, on the other hand, which sentenced women to hard labour may have been more concerned about their formal job experience as domestics, which was a more socially accepted form of labour and therefore the prison may have considered them to be more valuable.

The court listed eight of the 29 individuals' occupation as "Prostitute", while only three of the eight had a definitive arrest for either brothel-keeping or prostitution. Additionally, the prison recorded seven of these eight women as domestics. Two things are important to note, firstly, determining if a woman was involved in the sex trade in the early twentieth century is problematized by the records tending to not explicitly state prostitution or brothel-keeping as a woman's occupation. Secondly, between the years 1903 and 1906 the court records did not record women's occupations, and instead, only listed their marital status. This created a gap in the record for women's occupations during these years, potentially leading to an underestimation of the number of women working as domestics in comparison to the actual figures. Bridget Deveraux's occupation, for example, appeared as "nil" between 1903 and 1906, but by January of 1907, Bridget's occupation began to appear as "Domestic."

Although both the court and prison records display variations in data recording, they both suggest that most women's disorderly conduct charges between 1903 and 1911—at least 30 of the 53 cases (n = 56%)—targeted domestics, while 17 of the 53 cases (n = 32%) targeted individuals labelled as prostitutes by the court. This result may suggest that although the changing terminology and laws have had some impact on the policing of the sex trade, the increase of single, employed women, specifically domestics, who had begun to compose a significant portion of the female population of the city, contributed significantly to the female population in the local prison. Importantly, it is not possible to isolate the categories of domestics

and sex workers from one another. There was a close connection between women arrested for sex trade offences and domestic work, as their only other occupation recorded by the prison and court records other than "Prostitute," was "Domestic." Both sex work and domestic labour were a means of employment for women in St. John's, whether they were part of a young woman's life cycle or as long-term employment.

Section 2.2: Labelling and Terminology within the Newspapers

As the Section 2.1 highlighted, the changing social dynamics in twentieth-century St. John's had major impacts on the policing of sex workers which the court records reflected through changing terminology. Records which described sex workers, whether they be prison, court, or newspapers, all reflected the terminology and bias of their author. As the previous section focused on how changing terminology in legal records obscures how modern researchers understand the lives of sex workers, this section reveals how newspaper articles bias and narratives cloud our understanding of their lives. Newspapers have been a crucial tool for researchers to understand the rhetoric produced during a specific period and offer insight into the information provided to the readership. The following section explores the importance of newspapers in understanding the historical sex trade and how they contribute to our understanding of the lives of individual sex workers.

In January of 1907, *The Evening* Telegram named Alice Walsh, as a spinster, aged 18, living on Signal Hill Road, and described her as:

> …a vixen well known in police circles. She was found last night on Water Street by officer Thomas Walters, acting in a loose and disorderly manner. The officer bade her beware or else he would arrest her if she continued her pranks. She turned on him like a tigress defending its cubs, and of course Tom had no alternative but to take her into custody. In doing so he fell on the cement side walk, injuring his knee badly and receiving a cut under the chin. A saucy leer lit up her countenance this forenoon when asked what she had to say to the charge

> His Honor said he would not deal harshly with her, as she had not long been out of the Penitentiary, having spent six months for a similar offence. 'She smiled all over' when his Honor told her- 'That she was a saucy little lady, And he hoped she'd mend her ways, After dining with Phil Brady For the coming thirty days.'[112]

The use of euphemisms such as "vixen" and "tigress" reflected the era's prevalent societal attitudes that labelled those within the sex trade as deviant. These types of terms reduced women to being animalistic, classifying them as morally depraved and distinct from the perpetuations of domesticity expected of them. While most newspapers articles located throughout this research did not provide as colourful characterizations as the one describing Alice Walsh, many articles that described the sex trade included more common phrases such as "well known in police circles," or declared individuals as a "loose and disorderly person." Mary Ann Poutanen, a historian of the sex trade of nineteenth-century Montréal, explains that name-calling demonstrated "tensions around changing social values concerning women's honour" and "also reflected the judicial practice in which a disreputable reputation was enough to prosecute a woman as a prostitute"[113]

Although newspapers reflected tensions during a given period, they remain a problematic source. In Jane-Louise Secker's 1999 Ph.D. thesis, *Newspapers and Historical Research: A Study of Historians and Custodians in Wales*, Secker argues that while clearly, newspapers are an important and useful source, the "attitudes expressed in a newspaper cannot be assumed to provide simply a reflection of public opinion."[114] The topics covered within newspapers are often a "blend of factual and opinion-based material" and "the media's relationship with the governing

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[112] "METING OUT JUSTICE - Before Judge Flannery," *Evening Telegram*, 8 January 1907, 6. Phil Brady was a notorious prisoner in St. John's who had escaped in November 1906 and was at large for several days before being captured. His case was sensationalized by the papers.
[113] Poutanen, *Beyond Brutal Passions*, 196.
[114] Jane-Louise Secker, "Newspapers and Historical Research: A Study of Historians and Custodians in Wales" (Ph.D. thesis, Aberystwyth, Wales, University of Wales, 1999), 221.

class" impacts what is actually published.[115] In St. John's, the newspapers were known to have political ties; O'Flaherty explains that "the *Evening Telegram*, whose editor, A.A. Parsons had made the paper the Liberal organ in exchange for patronage if the party won."[116] The clear problematization of St. John's newspapers warrants a careful analysis of how and why they discussed sex workers in certain words. The choice to label sex workers as distinct from other women by labelling or name-calling them as such in a public setting contributed to their societal marginalization. However, sex workers were not separate from their communities and writers of sex work history have made this point clear. In an Irish setting, Luddy explains that sex workers "did not see themselves as outcasts," while in the United States, Rosen argues that the selling of sex "was simply a form of work; an obvious means of economic survival."[117] In Canada, historian Bettina Bradbury finds that for late nineteenth-century Montréal, women employed brothel-keeping or sex work as just one of the many financial strategies they had to support their families as a way to remain home and earn additional income.[118] Newspapers that detailed sex workers were often reductive of their lives, simply describing their criminal interactions. Sex workers were women who laboured at sex, but were also wives, daughters, sisters, mothers, neighbours; roles that neither the newspapers nor court records often described. Sex work was a part of women's range of economic strategies instead of being an individual's only identity.

Although court records are also biased records that reflected the ideologies of those who wrote and enforced the laws and governing strategies of the land, piecing together information found across multiple sources helps to fill gaps certain records leave out. Combining the

[115] Secker, "Newspapers and Historical Research," 38, 222.
[116] O'Flaherty, *Lost Country*, 164.
[117] Luddy, *Prostitution and Irish Society 1800-1940*, 8; Rosen, *The Lost Sisterhood*, xiv.
[118] Bettina Bradbury, *Working Families: Age, Gender, and Daily Survival in Industrializing Montreal* (Toronto, ON: University of Toronto Press, 2007), 205.

newspaper and court records helps to reconstruct sex workers' lives in ways that moves beyond their labels. On 1 June 1910, for example, Ethel Benson's arrest for "drunk and disorderly" conduct contained a reference written on her intake noted "a loose and disorderly person," in addition to stating that her occupation was "Prostitute." For many prosecutions in St. John's involving prostitution, a sex worker's arrest was often more than just the act of selling sex, but also how an individual was known or viewed by legal officials. As Laite notes in relation to early twentieth-century London, proving that a woman was a "common prostitute" was often central to their criminalization. Their crime came to revolve around their recidivism and their legal, long-term identity as a prostitute instead of the actual action of selling sex, consequently, officials began to fingerprint individuals to follow their criminality.[119] Laite also found that women would adopt pseudonyms to avoid the weight of previous offences.[120] Locating pseudonyms by just using legal documents can be difficult due to the simple fact the names differ, however, the newspapers shed light on some women's attempts. Ethel Benson, for example, who also went by Elsie Benson, Elsie Sparks, Ethel Sparks, and Mary Cooke, had little success. A 1907 article about her arrest for larceny in the *Evening Telegram* demonstrates this:

> The girl gave her name as Mary Cooke, but it is thought that this is not her real name, and the authorities believe her right name is Elsie Sparks, formerly an inmate of the Methodist Orphanage who served six months in the Penitentiary for theft last year… Shortly after she reached the station Detective Byrne Recognized her as Elsie Sparks, and some information which she gave away tends to confirm the belief that Mary and Elsie are one and the same person. The coat stolen from the Orphanage bore the. initials 'M.T.,' which was worked in the garment with needle and thread, and the raglan that Miss Cooke wore bore the same initial letters. The police have learned that when Elsie Sparks was released from the Penitentiary she assumed the name of Mary Cooke. [121]

[119] Laite, "Taking Nellie Johnson's Fingerprints," 98.
[120] Laite, "Taking Nellie Johnson's Fingerprints."
[121] "Female Thief in Toils," *Evening Telegram*, 15 January 1907, 5.

The small size of St. John's and the proclivity of the newspaper to publish women's interactions with the legal system granted them little anonymity in the city, despite newspapers often shielding the identities of the men who purchased sex and frequented brothels. Women in St. John's, therefore, struggled to escape the implications of their previous arrests, and the terminology and labelling the legal and newspaper systems imposed on them.

In the 1890s, newspapers engaged in discussions concerning women's rights, which in St. John's, was closely linked to the temperance movement. The local branch of the Women's Christian Temperance Union (WCTU) formed in 1890. They advocated for sobriety and temperance in St. John's, arguing that the "negative consequents of insobriety were disproportionately borne by women through poverty and domestic violence."[122] One member of the WCTU explained that while men were "enjoying the warmth of the gilded saloon" women were "freezing over the fireless stove or listening to the cries of her poor hungry, cold, ragged children, and not knowing the moment she will receive a blow".[123] The use of alcohol in Newfoundland has been a particularly well-documented. Rum was cheap, and as Newfoundland historian, Keith Mercer, explains "drinking had always accounted for a disproportionate number of police calls and caseloads in local courts." However, in the nineteenth century, the rise of newspapers and increased tendency to view society through a "moral lens," the public, and therefore the police, were more in tune with the problems of alcohol.[124] To combat growing fears around alcoholism and its vice-related repercussions, the WCTU petitioned for the right for women to vote in the passing of legislation, including prohibition. At this time, they were not

[122] Margot I. Duley, *Where Once Our Mothers Stood We Stand: Women's Suffrage in Newfoundland 1890-1925* (Charlottetown, PEI: Gynergy Books, 1993), 13, 16.
[123] Duley, *Where Once Our Mothers Stood,* 17.
[124] Keith Mercer, "Policing and Public Houses in Newfoundland," *Borealia*, 2021, https://earlycanadianhistory.ca/2021/09/20/policing-and-public-houses-in-newfoundland/#respond (accessed 16 April 2022).

advocating for universal women's suffrage which would not occur until the 1920s.[125] Margot Duley, a Newfoundland historian who produced the first in-depth study on suffrage in Newfoundland, explains that while the members of the WCTU often conformed to the middle-class ideal of respectability, local newspapers were quick to shame them for leaving behind their place in their homes to participate in politics, traditionally a male-dominated space.[126] Duley found in 1893 the *Evening Telegram* complained that they "have no word of sympathy or encouragement for those ladies who would voluntarily unsex themselves" and who had "lost all respect for the grand old ideal of womanhood."[127] Many of these sentiments echo how the *Evening Telegram* discussed sex workers at this time, belittling women's actions in a public setting on the basis of their character. Both sex workers and members of the WCTU faced scrutiny in the newspapers for their public presence, highlighting broader fears over women's changing roles; near the turn of the twentieth century women's public presence was a concern across all social classes.

Sex workers were active agents in providing for themselves through their work, despite their villainization and differentiation by local papers. However, around 1909, new fears began to appear in the newspapers in St. John's. A new moral panic had arisen over what was described as the "white slave trade." According to Rosen so-called "white slavery" referred to the "hundreds of thousands of women [who] were being captured and sold into prostitution"; in the United States this caused a "nationwide panic that reached its height during the years 1911-1915."[128] The rhetoric shifted away from blaming sex workers for causing moral contagion, and instead placed them in the roles of victims. Some authors of the period believed that between 40

[125] Duley, *Where Once Our Mothers Stood,* 22.
[126] Duley, *Where Once Our Mothers Stood,* 22-29.
[127] Duley, *Where Once Our Mothers Stood,* 28.
[128] Rosen, *The Lost Sisterhood*, 112.

and 100 percent of women in the sex trade in the United States were within what they labelled "white slavery."[129] Prostitution became a representative symptom of urbanizing centers and a plague women needed saving from. While these fears were amplified in the United States and large urban Canadian centers, they also appeared in St. John's. On 29 June 1909, the *Evening Telegram* detailed the proceedings of a meeting at the Methodist church on Gower Street where the Reverend explained that "A great fight was now going on in many parts of Canada… Advertisements appeared in the newspapers for girls for the millinery business, and when the girls went, they found themselves fastened up in houses of prostitution. His department had issued a pamphlet on the white slave traffic, which every member of the Conference ought to read."[130] Such fears were not only among Protestants, as Roman Catholic Archbishop Howley's sermon, summarized in the *Evening Telegram* in 1910, demonstrates:

> From letters and papers received from the United States he had been made aware that young girls that had gone away from this country had become the victims of what is known as the White Slave Traffic. At the present time three young women from St. Mary's, Newfoundland, who had left their homes to go to join friends in the States a few months ago, were missing. They had completely disappeared and it was believed that they had been intercepted on the trains and steamers by fiendish agents and were now lost body and soul. In our very midst in this city of St. John's there were agents of this White Slave Traffic doing their hellish work. He had definite knowledge on this point, knew the persons and their doings. The police authorities also were now well aware of what was going on, and with the assistance of the ministers of other denominations it would be a strange thing indeed if these fiends could not be driven out of the city.[131]

While many of these fears were distant from St. John's and the lives of sex workers, it is nonetheless representative of how public rhetoric was shifting in the early years of the twentieth century. Local newspapers in St. John's took global fears and projected them onto local individuals. As newspapers adapted to the interests of their readers, tales of sex workers were

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[129] Rosen, *The Lost Sisterhood*, 113.
[130] "Methodist Conference," *Evening Telegram*, 29 June 1909, 4.
[131] "Fourth Lenten Sermon By His Grace the Archbishop," *Evening Telegram*, 3 March 1910, 6.

still employed in the papers to entertain. Victorian sex workers faced ridicule for sexual immorality and disorderly conduct in public, Edwardian sex workers garnered pity and raised concerns about their place in the modernizing city. While the turn-of-the-century newspapers left out the intimate details needed to understand the lives of sex workers, they illuminated public attitudes about sex work during this era and how newspapers participated in shaping these attitudes.

Understanding the historical sex trade and those who moved within it is complicated by scant records and the precarity of those records which are extant. Changing identities, the choices of labelling and shifts in terminology over time obscured the lives and experiences of sex workers and their movements, choices, and brushes with the law while navigating the sex trade. Through the exploration of how historical institutions discussed and labelled sex workers, we can see how women intentionally tried to obscure their identities to navigate criminalization and the implications this had on their own life histories. This chapter sought to understand how and why evidence for prostitution and brothel-keeping decreased into the twentieth century, and although the results are not singular, they reveal how the changing city of St. John's reshaped the sex trade for many women. The following chapter explores the spaces of sex work that existed within the city and how individuals moved within these boundaries.

Chapter 3 – Spatial and Interpersonal Relationships

To understand the lives of sex workers in St. John's throughout the study period, it is important to explore what the city looked like at that time. An anonymous woman, Portia, detailed her perception of the city in an 1886 newspaper article in the *Evening Mercury,* explaining that St. John's was a "unique little town, situated on a rugged bit of Atlantic coast" that was "at once filthy and picturesque." She explained that the town was generally quiet, but there was a "certain bustle in Water Street and along the wharves" with "[s]eamen are singing and yee-hoing on board of sundry vessels lying at anchor in the harbour" and "[i]n the spring, grinning sealers in oilskin suits are slouching about the quays or idling at the public-houses in the vicinity." She found that the streets were "narrow, rugged, and wind about in a tortuous manner, highly perplexing to the stranger."[132] While Portia's description of the city simply provided a singular snapshot through the lens of one individual, photographs from this era similarly encapsulated the liveliness of the city. Nineteenth-century St. John's was controlled by the bedrock underneath and the sea at thrashing ocean on the shores. Life emanated from the finger piers that jutted out into the harbour and trickled into the winding streets of the city (Plate 1). Storekeepers had a crafty assortment of goods to keep in business and the fishermen combined the seal and cod industry to make ends meet.

This chapter reconstructs life in nineteenth-century St. John's, foregrounding the intersection of the sex trade and the spatial and temporal demands within the city. These spatial locations included outdoor spaces for street-based solicitation, or indoor spaces, typically in the case of this research, brothels. Individuals who sold sex existed beyond the spaces of business;

[132] Portia, "A Trip to Newfoundland," *Evening Mercury*, 24 August 1886, 2-4.

thus, it is essential to analyze them as active agents within a dynamic city and a fluctuating fishery. Their lives extended beyond the sex trade; they were individuals who had interactions, occupations, and families beyond their arrests. In order to investigate and analyze the formation of relationships in St. John's for this study, the city was partitioned into seven districts. The focus was on understanding the presence of individuals involved in the sex trade, the locations of brothels within each neighborhood, and how these individuals and spaces interacted with one another.

Plate 1: *Finger piers reaching into the busy St. John's harbour, pre-1892, looking southwest.*[133]

[133] *Harbour Views, St. John's. View from the East End of the City from the Railway Tracks, Pre 1892*, n.d., Photograph, n.d., Geography Collection of Historical Photographs of Newfoundland and Labrador, Memorial University of Newfoundland. Archives and Special Collections, accessed 1 March 2023.

Section 3.1 Neighbourhoods of St. John's

Assigning firm borders to neighbourhoods in both modern and historic communities is complicated by the interdependence and interconnectedness of spaces. The downtown core of St. John's, or most cities for that matter, did not have definitive lines of demarcation. Instead, businesses gradually faded out into residential neighbourhoods and the spacing of buildings increased as one moved into the extremities. While the imposition of firm boundaries on historical communities is a modern classification problematized by the ever-changing composition of communities, it is a useful tool to help contemporary scholars understand divisions and identities within ever-changing spaces and neighbourhoods.

An individual's neighbourhood in turn of the century St John's, would have evoked connotations of class and ethnicity upon the declaration of their residence. For example, when someone entered the court register and identified their home as "Sand Pitts," those who had familiarity with the neighbourhoods of St. John's might have made assumptions about that individual. Sand Pitts was a neighbourhood on the outskirts of the city in the Northern Suburbs; it was a predominantly Irish-Catholic, working-class agricultural area for the majority of the nineteenth century.[134] Due to the prevailing stereotypes that associated Irish-Catholic populations with crime in the city, residents of this area would have had a higher likelihood of undergoing criminalization based on their identity and facing potential future arrests. Therefore, legal, and criminal stereotyping of people from predominantly Irish-Catholic neighbourhoods would have contributed to an individual's criminalization, and, potentially, even to their receiving harsher

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[134] Robert Alexander Mackinnon, "The Growth of Commercial Agriculture Around St. John's, 1800-1935: A Study of Local Trade in Response to Urban Demand" (M.A. thesis, Memorial University of Newfoundland, 1981), 7.

sentences. These ties between identity and place emphasize the importance of boundaries and divisions within historical neighbourhoods for our understanding of identity and criminalization.

Understanding city borders through their socio-historical context is crucial to the analysis of past neighbourhoods and the identities of those residing within them. For the purpose of this work, the boundaries of these neighbourhoods have been established through a combination of several historical maps which were used to understand which roads were in existence at the time of study, and secondary literature which discusses the historical geographies and boundaries of the city.[135] In particular, John Bland's 1946 plan that was published to guide the redevelopment and modernization of the city in the mid-twentieth century provides a thorough examination of the distinct neighbourhoods and history that shaped their geography.[136] For this analysis, St. John's has been divided into seven spatial groupings, or districts (Figure 3.1). Although each of these districts is individually comprised of several neighbourhoods, they were grouped based upon the desire to connect similar neighbourhoods and residents with similar identities together.

The first district is Southside which ran across the south of the St. John's Harbour. It was predominantly composed the road of the group's namesake, Southside Road. Southside Road stretched from the Waterford River to Fort Amherst at the mouth of the harbour. From the earliest period of European settlement, and across the nineteenth century, setters primarily used

[135] Charles E. Goad, *Insurance Plan of the City of St. John's* (Montreal, QC: Charles E. Goad Company, 1893), City of St. John's Archives; W.P. Ryan, *Map of Saint John's Newfoundland* (St. John's, NL, 1932), MUN Digital Archive Initiative; C.A. Sharpe and A.J. Shawyer, *Corner Windows and Cul-De-Sacs: The Remarkable Story of Newfoundland's First Garden Suburb* (St. John's, NL: Memorial University Press, 2021); Mackinnon, "The Growth of Commercial Agriculture Around St. John's;" John Phyne, "On a Hillside North of the Harbour: Changes to the Centre of St. John's, 1942–1987', *Newfoundland and Labrador Studies* 29, no. 1 (2014); C.A. Sharpe, '"....To Arouse Our City from Its Deathlike Apathy, from Its Reproachable Lethargy, from Its Slumber of Industrial and Social Death." The 1939 St. John's Municipal Housing Scheme," *Newfoundland and Labrador Studies* 16, no. 1 (2000): 47–66.
[136] John Bland, "Report on the City of St. John's Newfoundland," Land-Use Plan (The Commission on Town Planning, 1946), Plans, Reports and Studies, City of St. John's.

the land for fishing and boatbuilding. Many of the families who resided there were working-class; the structure of the district allowed them to live on one side of the road, with their wharf (place of work) on the other.[137] Helen Porter, a local historian of the Southside neighbourhood explains that "people call Fort Amherst St. John's' nearest outport... in that it was very close, but a very different lifestyle." Although only slightly removed from the downtown of St. John's, it maintained the outport mentality of a small fishing community well into the twentieth century. The Southside Hills that bounded the small neighbourhood between the ocean and the hills' steep face, restricted farming and further development (Plate 2).[138]

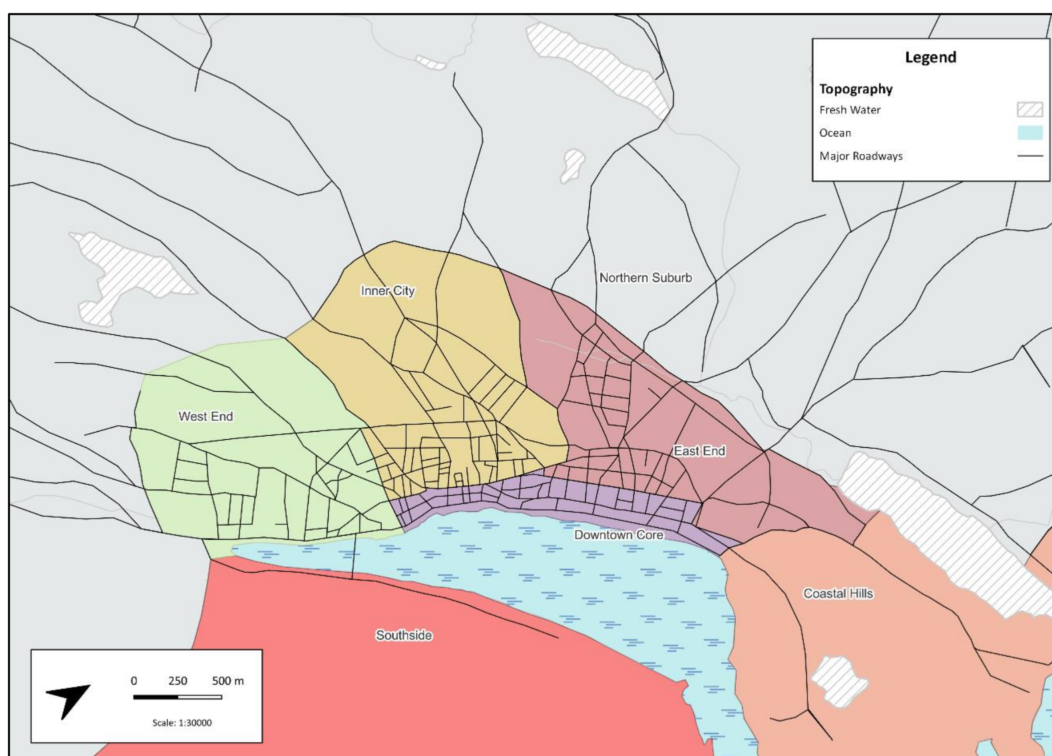

Figure 3.1: *Map of late-nineteenth to early-twentieth century St. John's depicting the seven groups utilized for analysis within this research.*

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[137] Helen Porter, *Below the Bridge: Memories of the South Side of St. John's* (St. John's, NL: Breakwater Books, 1979).

[138] Todd O'Brien, "St. John's Footbridge Dedicated to Helen Fogwill Porter," CBC News, 10 September 2015, https://www.cbc.ca/news/canada/newfoundland-labrador/st-john-s-footbridge-dedicated-to-helen-fogwill-porter-1.3222892.

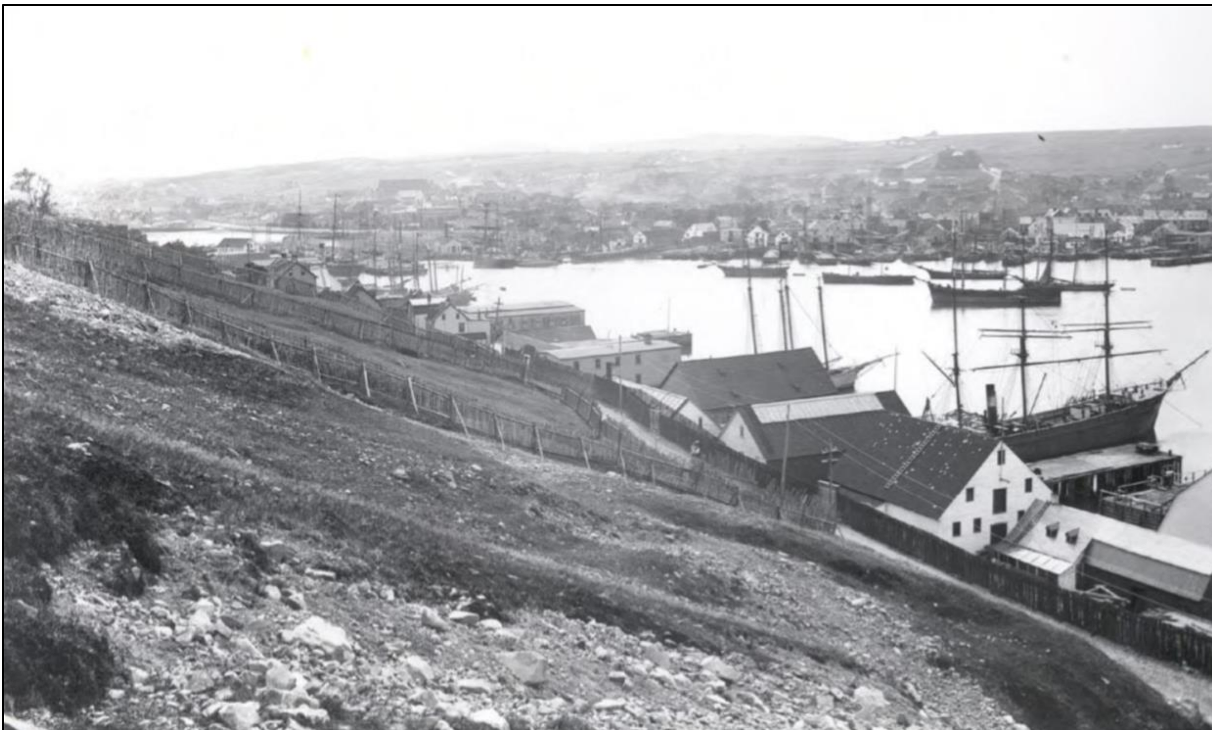

Plate 2: *View of the Southside Neighbourhood, 1893, looking west across St. John's Harbour.*[139]

The second district is the West End, located on the opposite side of the Waterford River from the Southside, and stretched north until Springdale Street. As the area was located at the end of the harbour, there were minimal wharves located in the shallow transition from river to ocean. Instead, drydocks lined the shoreline and there was a bridge to cross the river to the Southside. The West End's industrial landscape included factories; gasworks, railway maintenance buildings, breweries, foundries, an electric light company, concrete works, and cooperages filled the landscape.[140] Similar to the Southside, most residents in the West End were working-class families who worked in the nearby factories. Beyond the industrial core of the West End, there were picturesque cottages on large plots of land and farming plots (Plate 3).

[139] *Southside, St. John's. View of the Southside Hills and the West End of the Harbour*, 1893, Photograph, 1893, Geography Collection of Historical Photographs of Newfoundland and Labrador, Memorial University of Newfoundland. Archives and Special Collections.
[140] Goad, "Insurance Plan of the City of St. John's."

Plate 3: *View of West End St. John's, 1914, looking northwest across the Waterford River Bridge.*[141]

The third district, the Inner City, was bounded by Springdale Street to the south, New Gower Street to the east, and Newtown Road to the north. The easternmost extent of this area, closest to downtown, was destroyed in the mid-twentieth century after the City of St. John's declared the area a "slum."[142] The steep, rocky hills made this area less desirable for early settlers and it was not extensively developed until the fire of 1846 destroyed many working-class families' homes and they were forced to rebuild outside the downtown core.[143] Many of the houses were wooden and shabbily-built, problematized by traditions of absentee landlordism, as

[141] *West End, St. John's. View of the Gasworks, with St. Patrick's Church on the Right*, 1914, Photograph, 1914, Geography Collection of Historical Photographs of Newfoundland and Labrador, Memorial University of Newfoundland. Archives and Special Collections.
[142] Sharpe and Shawyer, *Corner Windows*.
[143] Phyne, "On a Hillside North of the Harbour," 9.

their owners had returned to the United Kingdom during the nineteenth century and often did little to maintain or improve their properties.[144] The Inner City was one of the last areas to obtain electricity and many houses were not connected to the city's sewage system until well into the twentieth century. Water often flowed down the dirt streets, gouging a path in the roads (Plate 4). Farmlands dotted the outskirts of the Inner City and the streets stretched to the Colonial Cordage Factory where women often found work.[145]

The fourth district is the Downtown Core, bounded by the ocean on the east, Quidi Vidi Road on the North, New Gower Street on the west, and Springdale Street on the south. Most of the economic activity St. John's concentrated along Duckworth and Water Streets, the two main roads which ran parallel to one another in the Downtown Core. By the late-nineteenth century, some shopping areas had started to develop on Gower Street as well.[146] Stores, businesses, taverns, boarding houses, hotels, and private residences dotted the streets, which were interconnected by a series of small alleyways.[147] On the waterside of Water Street merchant premises, warehouses, and fishing sheds lined the waterfront, with finger piers jutting out into the harbour serving the needs of the fishery. Gas lighting was first installed along Water Street in the summer of 1844 and on Duckworth Street soon after (Plate 5).[148]

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[144] Sharpe and Shawyer, *Corner Windows*, 18–20.
[145] Cullum, Baird, and Penney, "A Woman's Lot," 104.
[146] Sharpe and Shawyer, *Corner Windows*, 14–15.
[147] Lambert, "Far from the Homes," 71.
[148] Melvin Baker and Janet Miller Pitt, "Competing for the Limelight: The St. John's Gas Light Company, 1844 to 1896," *Newfoundland Quarterly* LXXXVI, no. 2 (1991), http://www.ucs.mun.ca/~melbaker/gas.htm.

Plate 4: *View of the Inner City from New Gower Street. pre-1892, looking northwest along Cuddihy's Lane.*[149]

Plate 5: *View of the Downtown Core of St. John's, pre-1892, looking east along Duckworth Street. Note the presence of gas lamps along the road.*[150]

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[149] *New Gower Street, St. John's. View to Finn's Lane via Cuddihy's Lane Pre 1892*, n.d., Photograph, n.d., Geography Collection of Historical Photographs of Newfoundland and Labrador, Memorial University of Newfoundland. Archives and Special Collections.

[150] *Duckworth Street, St. John's. View Looking East, Showing Buildings, Gas Lamps and Chimney Pots, Pre-1892*, n.d., Photograph, n.d., Geography Collection of Historical Photographs of Newfoundland and Labrador, Memorial University of Newfoundland. Archives and Special Collections.

The fifth district is the East End, bounded by New Gower Street and Quidi Vidi Road on the east, Railway Road (later named Empire Avenue) on the north and Newtown Road on the southwest. The East End contained many ornately decorated homes occupied by middle- and upper-class residents. It also included Government buildings, such as Government House, the Colonial Building, and Commissariat House. Other public institutions such as churches and schools lined the streets in this area.[151] Several fires during the nineteenth century wreaked havoc on East End housing, which gave residents the opportunity to rebuild their neighbourhood in more deliberate ways.[152]

Plate 6: *View of the East End of St. John's from the Newfoundland Hotel, undated, looking west along Military Road.*[153]

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[151] Goad, "Insurance Plan of the City of St. John's."
[152] Bland, "Report on the City of St. John's Newfoundland," 6.
[153] *East End, St. John's. View from the Roof Newfoundland Hotel Looking up Military Road Includes Streetcar Tracks*, undated, Photograph, undated, Geography Collection of Historical Photographs of Newfoundland and Labrador, Memorial University of Newfoundland. Archives and Special Collections.

The sixth district, the Coastal Hills area was located east of Quidi Vidi Road stretching across Signal Hill and White Hills. This district is a conglomerate of the Quidi Vidi, Signal Hill and White Hills neighbourhoods. The feature that has brought them under one classification within this research is that they contained few public institutions, had small fishing communities, were dominated by large bedrock hillsides, and were considered to be just outside the city limits (Plate 7).[154] The rocky hillsides and exposure to strong ocean winds made this area less populated; people were concentrated in lower elevations along the water. Signal Hill contained a military barrack that was abandoned in 1842 due to the cold and harsh weather conditions which housed a "temporary" jail for 13 years.[155] Closer to the waterline, fishing families built wooden flakes along the crags of bedrock to dry their cod (Plate 8).

Plate 7: *Road travelling along the north side of Quidi Vidi Lake, 1919, looking east.*[156]

[154] Mackinnon, "The Growth of Commercial Agriculture Around St. John's."
[155] Baker and Candow, "Signal Hill Gaol, 1846-1859."
[156] Quidi Vidi Village. North Side of Quidi Vidi Lake Car Licence Number 358, 1919, Photograph, 1919, Geography Collection of Historical Photographs of Newfoundland and Labrador, Memorial University of Newfoundland. Archives and Special Collections.

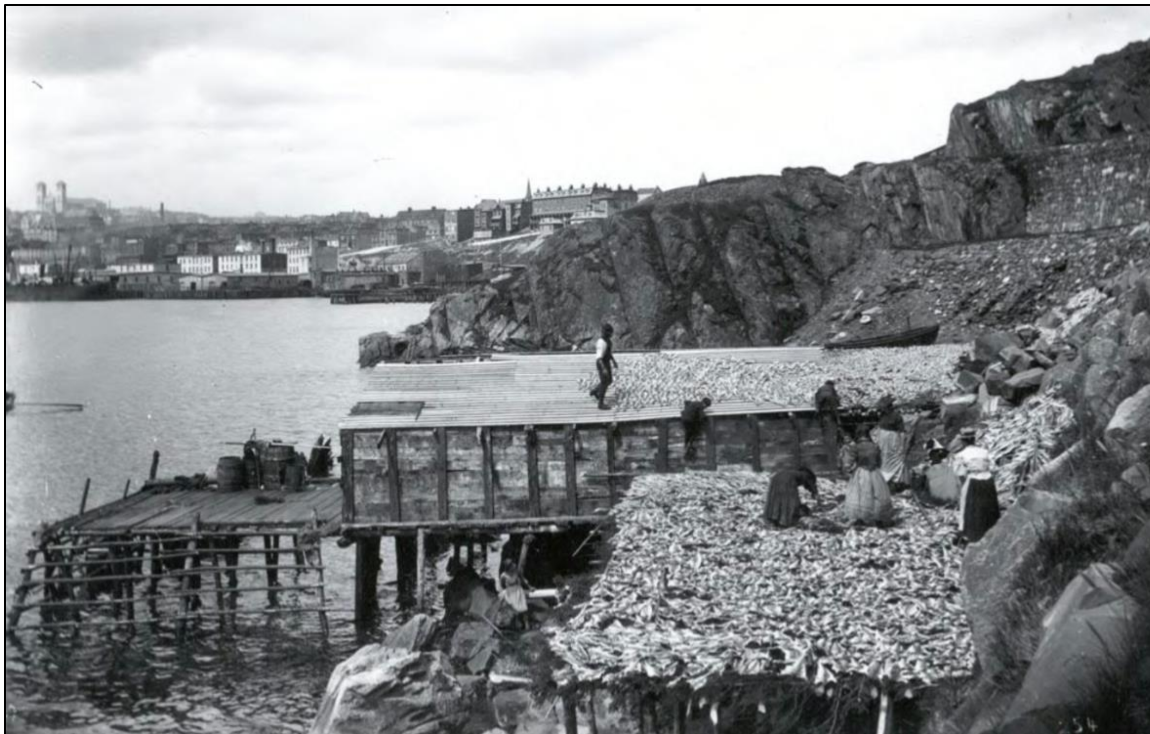

Plate 8: *Women working drying fish on flakes at the foot of Signal Hill, locally known as the Battery, undated, looking west towards downtown St. John's.*[157]

Finally, the seventh group is the Northern Suburbs located north of the Railway Road, or Empire Avenue and surrounded the other six groups. In the nineteenth century, this area was considered countryside and was dominated by farmlands interconnected by small roads. As demands for fresh food increased in the late eighteenth century many families settled in this area to make a living.[158] Although there were notable populations of English and Scottish settlers, the area absorbed many of the Irish Catholic immigrants who arrived in the early nineteenth century. In addition to the population of farmers, historian Robert Mackinnon noted at least 52 country

[157] The Battery, St. John's. Women Working on Flakes, Drying Fish, with St. John's in the Background, undated, Photograph, undated, Geography Collection of Historical Photographs of Newfoundland and Labrador, Memorial University of Newfoundland. Archives and Special Collections.
[158] Mackinnon, "The Growth of Commercial Agriculture Around St. John's," 79.

cottages in the periphery of St. John's, used as retreats by middle- and upper-class city dwellers.[159]

Plate 9: *View of the Northern Suburbs from Mount Scio with Long Pond at center of photo, pre-1908, looking southeast.*[160]

Section 3.2 Theory

To understand the forces which governed spaces where the sex trade existed, researchers have often employed Michel Foucault's concept of biopower and ideas surrounding sexualities and Henri Lefebvre's exploration of the production of space. Foucault argues that sexuality is a

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[159] Mackinnon, "The Growth of Commercial Agriculture Around St. John's," 106–9.
[160] *General Views, St. John's. View of Long Pond, Pre 1908*, n.d., Photograph, n.d., Geography Collection of Historical Photographs of Newfoundland and Labrador, Memorial University of Newfoundland. Archives and Special Collections, accessed 1 March 2023.

social construct formed by specific social and cultural norms that a particular society deems appropriate. Ideology surrounding Victorian sexuality often influenced late-twentieth- and twenty-first-century researchers' understanding of the spaces occupied by nineteenth-century sex workers. Many researchers have interpreted the Victorian era as a period characterized by repressed sexuality. Ivan Crozier explains that one sentence written by a nineteenth-century venereologist, William Acton, has been invoked to demonstrate societal views and perceptions of women's sexuality at this time: "the majority of women (happily for them) are not very much troubled by sexual feeling of any kind."[161] This sentence, found in a work almost entirely concerned with men, reduced an entire society's view on a complex topic–women's sexuality–to one throw away comment.

Crozier does not deny that some medical professionals may have held this sentiment at the time, but assuming that everyone in the Victorian era shared this belief would be inaccurate.[162] To advance their perspectives, researchers have sought to incorporate more inclusive understandings of Victorian sexuality. These views do not perceive sexuality as solely repressed at the individual level; instead, they contemplate how it was regulated and controlled in a manner that kept it largely hidden from the public eye.[163] This removal of sexuality from public view positions women in the domestic sphere as moral guardians of families, and frames non-reproductive sex as immoral, leading doctors to assume that women had little sexual desire. Victorian values surrounding purity, morality, and discipline dictated that sexuality was to be "utilitarian and fertile"; the existence of brothels and sex workers did not fit within this

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[161] Ivan Crozier, "William Acton and the History of Sexuality: The Medical and Professional Context," *Journal of Victorian Culture* 5, no. 1 (1 January 2000): 12, https://doi.org/10.3366/jvc.2000.5.1.1.
[162] Crozier, "William Acton," 12.
[163] Christina Simmons and Lora Leigh, *Making Marriage Modern: Women's Sexuality from the Progressive Era to World War II* (New York, NY: Oxford University Press, USA, 2009), 7.

paradigm.[164] Instead, these spaces and the individuals who worked and lived in them fall into what Foucault calls "illegitimate sexualities," that is, sexual practices and desires that existed outside the dominant cultural narratives.[165] The reinforcement of these narratives through policing, regulation, and control of those who existed outside them constricted the spaces in which they could exist. This constriction of space can be considered as a form of biopower. Foucault explains the concept of biopower as the form of hegemonic control that governs individual bodies through economic and social means.[166] Victorian moralities forced sex workers and sexualized spaces into the periphery through police control, stigmatized social attitudes and legal sanctions. This forced removal or social isolation through biopower is the framework many researchers have used to understand the distribution and regulation of space for historical sex workers.

It is important to consider how their contemporaries may have viewed the work of sex workers in St. John's. While the dominant public, middle-class discourse may have considered them deviant, which contributed to a marginalized existence, many working-class individuals who co-existed alongside sex workers may not have held the same values. To conflate all populations in nineteenth- and twentieth-century St. John's as upholding these strict ideas about sexual morality would be simply to impose middle-class values onto all people, perpetuating the practice of isolating sex workers into modern research. Hegemonic institutions affected where sex workers could exist within the city, therefore, biopower helps us understand how social forces would have exerted themselves over the ways in which sex workers would have been able to move within a space. In St. John's, this would have restricted the sex trade to certain

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[164] Michel Foucault, *The History of Sexuality, Volume 1: An Introduction. 1976.*, trans. Robert Hurley (New York, NY: Vintage, 1990), 3.
[165] Foucault, *The History of Sexuality,* 3–4.
[166] Foucault, *The History of Sexuality,* 140–45.

neighbourhoods, removing it further from the watchful eyes of the legal institutions which governed and controlled their spaces.

Henri Lefebvre, a French Marxist philosopher and sociologist, defines space as a product shaped by the social practices occurring within it. Lefebvre describes the social space of sex work as an interaction bound by three sets of relations: the economy as a producing force, individuals and the social relationship or structures within them, and the governance of a place.[167] Societies, groups, and individuals produce space, most specifically their own space. Other, more complex, and hegemonic forces that govern the autonomy of an individual's choice affect the production of spaces.[168] These include political structures, and governing bodies which regulate the individual's agency. Lefebvre's and Foucault's approaches to the ways in which social forces act on the individual are helpful tools in understanding brothel spaces and the forces that governed individuals who sold sex historically.

Utilizing these ideas about space, Patrick Dunae explores the shift from reluctant tolerance of the sex trade in Victoria, British Columbia to restrictions emanating from the purity movements of the Edwardian era. Nineteenth-century Victoria was a mining and seaport town with large populations of young single men. The occupation of an area by sex workers and the men who solicited sex transformed the space into a sexualized one. Dunae argues that these need to be viewed as a social spaces, as the selling of sex was inherently a social exchange.[169] These spaces are "permeated with social relations; it is not only supported by social relations, but it is also producing and produced by social relations."[170] Sex work in Victoria often occurred in local

[167] Henri Lefebvre, *The Production of Space*, trans. Donald Nicholson-Smith (Oxford, UK: Basil Blackwell Ltd., 1991), 85.
[168] Lefebvre, *The Production of Space,* 26.
[169] Dunae, "Geographies of Sexual Commerce," 135.
[170] Lefebvre, *The Production of Space*, 23.

dance houses, which, through the solicitation of sex, became sexualized spaces.[171] Later, as more women moved into the community, brothels became more popular spaces for sex work.[172] Brothels gave sex workers a space to occupy, making sex work susceptible to legislation and documentation.

Closer to St. John's, Katherine Crooks undertook a similar study on spaces of sex work in Halifax, Nova Scotia, where she explores the shifting space of sex workers at the turn of the twentieth century. Crooks explores how the control of sexualized spaces involved relegating sites of sex work to specific areas of the city accessible to the military while removed from the local civilian populations. In response to local pressure by anti-vice activists, city councillors, and local newspapers, the Halifax police increased their presence in the red-light district on Albemarle Street. This move aimed to calm fears and moderate sex work when "it escaped the boundaries of specified neighbourhoods or became too visible to the public."[173] Crooks notes that the pressure to increase police presence within red-light districts was a typical response to occasional "prostitution panics," and it was not until the removal of the British Garrison in 1906 that reform had a major impact on the shaping of space for sex workers in Halifax. This removal of the garrison caused demand for sex work to plummet, and the eagerness of the city to modernize, made sex work a social problem that many saw as needing reform. Crooks explains biopower in this context as a form of governance that determined which "urban sexual economies" were permissible and where.[174] Attempts to make the city attractive to capitalistic

[171] Dunae, "Geographies of Sexual Commerce," 118.
[172] Dunae, "Geographies of Sexual Commerce," 120.
[173] Crooks, '"Profits, Savings,"' 450.
[174] Crooks, '"Profits, Savings,"' 458.

growth, foster the economy and improve underdeveloped areas were attempts to measure up to other progressive urban centers in Canada.

Unlike Halifax and Victoria, military and mining populations did not dominate the demand for sex work in St. John's surrounding the turn of the twentieth century. In November 1870, the British Government recalled the military, meaning there was no formal garrison in St. John's from 1870 until the start of the First World and mining operations in Newfoundland did not concentrate near the city.[175] Therefore, for the study period of this thesis there was no permanent group of soldiers or miners to drive the demand for sex work in the city of St. John's. Instead, St. John's main purchasers of sex came from sailing and fishing populations, making the city a "Sailortown."

The concept of Sailortowns has provided a historical lens through which to understand concentrations of "vice" that existed within districts of port cities with concentrations of seafaring-men. Although many of these men were transient and passed through communities frequently, they were agents in shaping the surrounding community through their interactions with social institutions like taverns and boarding houses. Sailortown districts were typically demarcated by their proximity to the ocean, increased quantity of drinking establishments, a heavy presence of brothels and boarding houses; they were often places of concern by governing bodies and moral reformers, who worried about the areas' concentration of vice.[176] Although these districts were sources of entertainment for the sailors who lived or spent time there, they were also "a place of hospitality, shelter, pleasure and liberty before sailing again."[177] Beavan, a

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[175] Mercer, *Rough Justice*, chap. 7.
[176] Louise Moon, "'Sailorhoods:' Sailortown and Sailors in the Port of Portsmouth circa 1850–1900." (Ph.D. thesis, Portsmouth, United Kingdom, University of Portsmouth, 2015), 83–84.
[177] Emily Cuming, "At Home in the World? The Ornamental Life of Sailors in Victorian Sailortown," *Victorian Literature and Culture* 47, no. 3 (2019): 464.

researcher of nineteenth English naval ports, argues that many Sailortowns were separated, geographically and culturally, from the "centres of economic and political power and their relationship with the civic and naval authorities was one which varied between compromise and resistance."[178] Even though Sailortowns may often have been geographically intertwined and indistinct from the rest of a city, they were still distinct in the social interactions that took place within them. Beavan found that sex workers were more visible on the streets or drinking establishments within Sailortowns. Utilizing this construction of St. John's as an ocean adjacent urban space, the following section explores the seven districts in St. John's, and how sex workers existed within them.

Section 3.3 Results and Discussion

In January of 1896, Sergeant Peet and two officers:

> …made a raid on a disorderly house in Flynn's Lane, off George Street, last night, at 11:30 o'clock. Two of the inmates were arrested… and the keeper and his wife sentenced to three months each at the Penitentiary. A bottle of whiskey was also found. This brothel has been running wide open for some time. Sergeant Peet is to be congratulated on securing a conviction.[179]

The Downtown Core of St. John's was adjacent to the sailors' wharves, had an increased presence of alcohol, and, as newspapers attested, vice such as brothels were "running wide open." The 1890 city directory reveals that establishments which sold liquor were heavily concentrated in the Downtown Core of the city containing 47 out of 66 of the city's total (Figure 3.2).[180] Later in the study period, in 1908, the city directory shows that most establishments

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[178] Brad Beavan, "The Resilience of Sailortown Culture in English Naval Ports, c. 1820–1900," *Urban History* 43, no. 1 (2016): 72.
[179] *Evening Telegram*, 10 January 1896, 7.
[180] R. Hills, "Might and Co.'s Directory, St. John's, Harbor Grace and Carbonear, Newfoundland 1890" (Might & Co., 1890), MUN Digital Archive Initiative.

which sold liquor were still concentrated in the Downtown Core (n = 28), but more of such establishments were beginning to appear in the West End (n = 20; Figure 3.3).[181]

The connection between alcohol and sex work in the city is well documented. As explored by Cole and Mant (2022), several recidivist offenders arrested for prostitution also had multiple arrests for being "drunk" or for being "drunk and disorderly."[182] The relationship between the alcohol and sex work was often popularized by Victorian and Edwardian commentators who associated these "vices" together.[183] Sex workers with higher alcohol consumption may appear more prominently in historical research, mainly because their increased alcohol consumption made them more noticeable to the police, resulting in more frequent arrests. Furthermore, newspapers of the period solidified this connection between sex work and drinking establishments. One licensed publican said in 1887 that the police "watch us to convict, not to protect" and that:

> *unlicensed shebeens and brothels in all directions* are uncontrolled by the minions of the law… [and] for every licensed saloon in this city *there are two shebeens and houses of ill-fame*!... Such houses exist on almost every street, such officers patrol almost every beat, and such scenes are witnessed on almost every street by almost every officer on almost every night in the week. Men leave our saloons sober, but get drunk in shebeens, and end their nights in brothels or upon the streets, and we alone are blamed… Unlicensed shebeens and brothels damage us, damage them, and damage the colony; and a well-paid police force calmly neglects its duty while this goes on.[184]

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[181] "McAlpine's St. John's Directory: Containing a Directory of Citizens and Business and Street Directories 1908-9; Also Directories of Citizens of Harbor Grace and Carbonear and Classified Business Firms of Newfoundland" (McAlpine Pub Co., 1908), MUN Digital Archive Initiative.
[182] Cole and Mant, '"Spectacles of Degeneracy,"' 198 & 202.
[183] Laite, *Common Prostitutes*, 30–31.
[184] [emphasis in original] Licensed Publican, "A Licensed Publican Speaks," *Evening Telegram*, 17 October 1887, 4.

The publican claimed that there were double the number of brothels in St. John's than there were licensed saloons, though this might have been hyperbole used to illustrate the publican's point. Even though they explained that there were brothels on "almost every street," a combination of brothel locations from newspapers and court records from across the study area indicates that their concentration predominantly within three districts: the West End, the Inner City, and the Downtown Core (Figure 3.4).

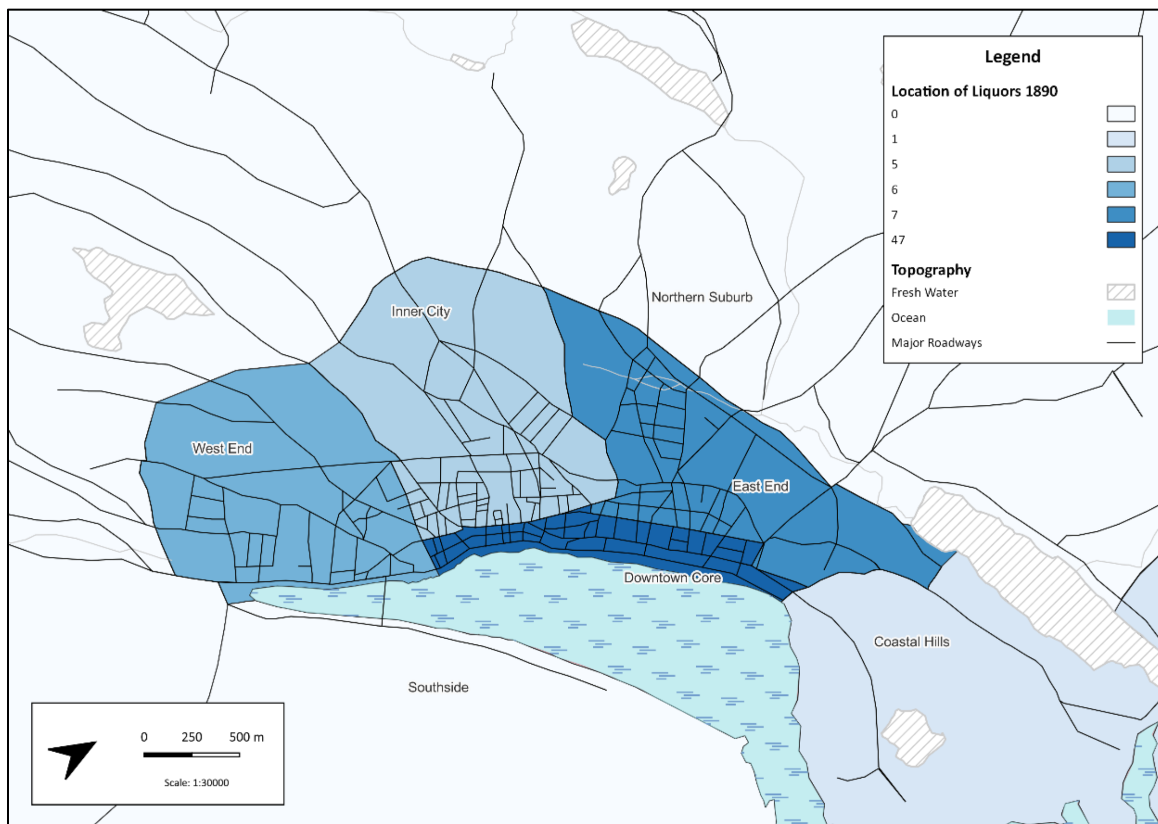

Figure 3.2: *Locations of establishments which sold liquors in St. John's in 1890.*

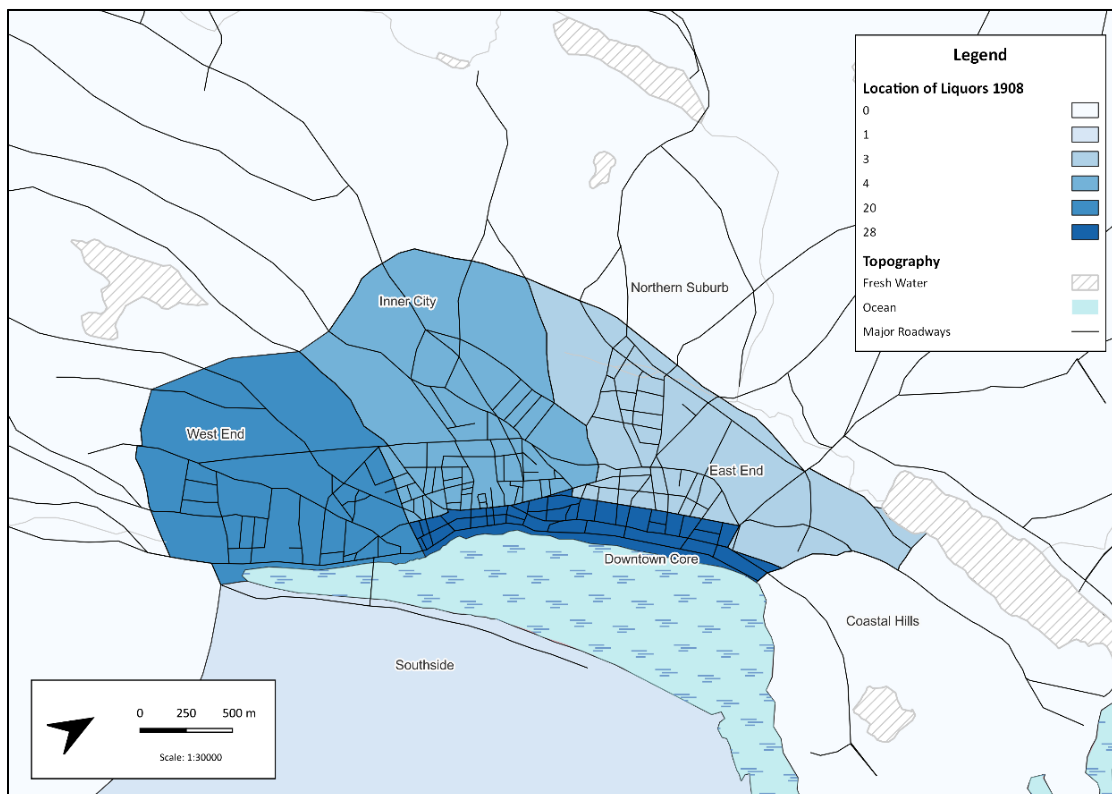

Figure 3.3: *Location of establishments which sold liquors in 1908.*

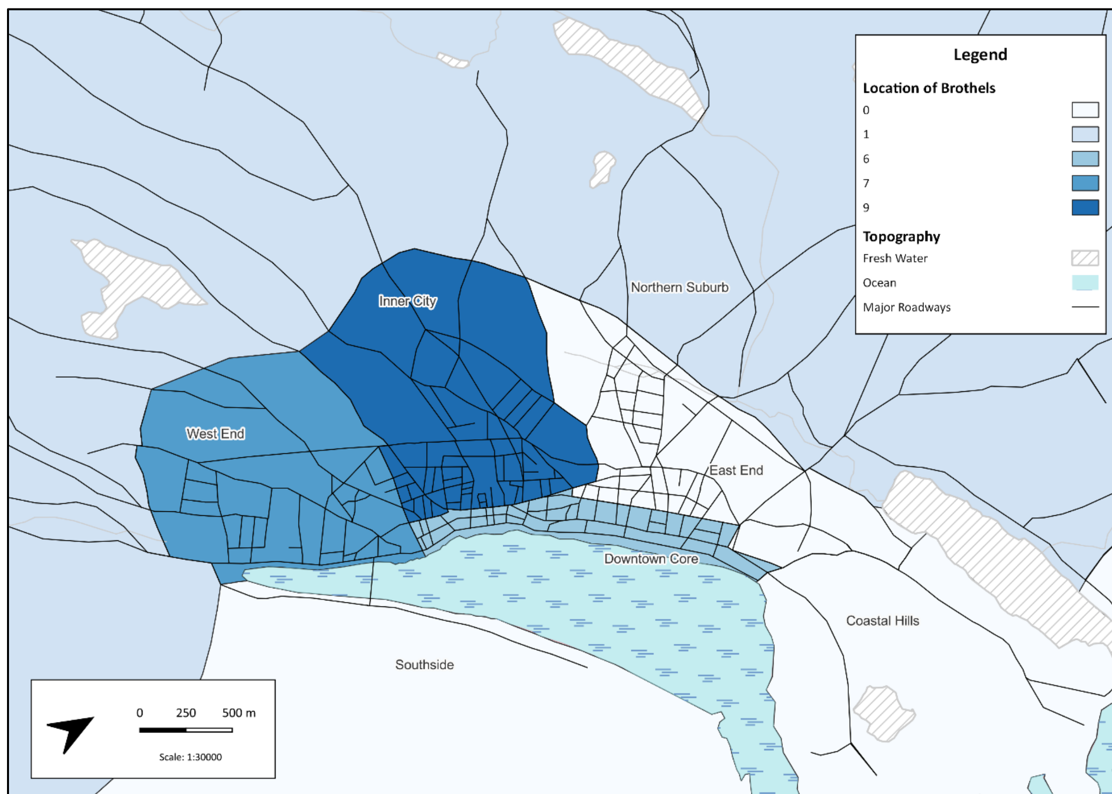

Figure 3.4: *Locations of brothels in the city of St. John's noted within court records and newspapers.*

As shown in Figure 3.4, this study has been able to identify the location of 23 brothels that existed in St. John's between 1893 until 1911. These brothels became identifiable through their descriptions in the court records or when newspaper records noted their occupants as unruly, loud, or disruptive to the surrounding neighbours. This perhaps leaves open the question of whether brothels existed in St. John's that did not disturb their neighbours and were therefore left to operate; if so, it would have been unlikely that they would have been recorded within historic documents.

Figure 3.4 indicates that there was one brothel in the Northern Suburb district of the city. While brothels were more frequently located in urban areas with higher demand from men or, in the case of St. John's, sailors and fishermen, several instances of sex work occurred in more remote areas of the city. On 3 November 1893 William Littlejohn received a charge of "keeping [a] house of ill-fame", alongside Margaret Thomas and Fanny Baker for "prostitution" and James Gomerly and Howard Ramsey for being "[F]ound in the house of William Littlejohn in company with prostitutes." William, Margaret, and Fanny received sentences of $20 or 3-months imprisonment, while James and Howard were discharged. This case presents several points of interest. Firstly, it is the only evidence in both the court and prison records of any men arrested for solicitation. However, the discharge of the two men, James and Howard, is not surprising, considering that there were no laws at that time criminalizing the act of procuring sex. The second point of interest is that William, Margaret, and Fanny's residence were all listed as "Sand Pitts" in the Northern Suburb district. Although the court records reveal that all three experienced intermittent homelessness and might have sought available shelter, this area was situated far from the urban core of the city, making it challenging to travel downtown to sell sex. Their presence in the Northern Suburb district may have been due to the Great Fire of 1892 a

year earlier, which left approximately 11,000 of the 29,007 resident of St. John's homeless.[185] In 1893, it is likely that many people were still experiencing homelessness since the government did not finish rebuilding until 1895.[186] Corresponding with this out-of-place brothel, 1893 witnessed a significant spike in evidence of sex work arrests as shown in Figure 2.1. Across both the court and prison records between 1882 to 1911, there was a record high of 15 arrests for prostitution in 1893.

Three months earlier, Margaret had another arrest in the Northern Suburb district on 24 July 1893 where the court records recorded her arrest as "Drunk Prostitution Found in a Barn on Mundy Pond Road" alongside another known sex worker, Jessie Braidwith, who faced charges of "Vagrancy and Prostitution." Both women received a sentence of $20 or 3-months imprisonment. Additionally, the night before Margaret and Jessie's arrest in Mundy Pond, Fanny Baker experienced another arrest on Nagle's Hill, which was in the general proximity of Sand Pitts, for "Prostitution." Kate Kavanagh, another known sex worker, who would marry William Littlejohn's brother, Thomas in 1898, was also arrested in Sand Pitts on 14 October 1893.[187] This series of arrests in 1893 of sex workers who were typically found in the urban core of St. John's across the Northern Suburb district offers further evidence that sex workers were experiencing higher rates of homelessness during the year of 1893 and moving in parts of the city far removed from the usual sites of the sex trade. Although the widespread homelessness in 1893 may represent an anomaly for the use of rural parts of the city for sex work, Luddy explains that although most sex workers brought their clients to their lodgings, some utilized farmers'

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[185] Melvin Baker, "The St. John's Fire of July 8, 1892: The Politics of Rebuilding, 1892-1893," *Newfoundland Quarterly* LXXIX, no. 4 (1984): 23–30; Mannion, *A Land of Dreams: Ethnicity, Nationalism, and the Irish in Newfoundland, Nova Scotia, and Maine, 1880–1923*, 23.
[186] Baker, "The St. John's Fire of July 8, 1892."
[187] Cole and Mant, "'Spectacles of Degeneracy,'" 195.

fields.[188] While urban areas do have the highest amount of documented evidence for sex work due to their proximity to institutions that recorded their activity (i.e. newspaper reporters or police officials), rural areas cannot be discounted for their participation in the sexual geography of the city. These rural areas may have provided secrecy and anonymity, making it difficult to ascertain the number of sex workers or brothels that remained undocumented throughout the period.

While some women experienced difficulties with homelessness and procuring shelter, the court records show that some were not living in extreme circumstances. Researchers of the historical sex trade have previously used a sex worker's ability to pay a court fine as an indication of their economic situation.[189] Unfortunately, the court records typically do not indicate whether sex workers opted for the fine or jail time, although sometimes court officials would leave a simple note next to a charge, reading "committed."[190] Luckily, the prison records typically do indicate a sex worker's choice between the fine or jail allowing for cross-referencing of cases. On 3 March 1908, for example, Agnes Robinson and Bridget Devereaux, two women with previous ties to the sex trade, were both arrested for "disorderly conduct" and were both sentenced to "3 months or bonds." Bridget served her sentence, while the prison records show that Agnes paid a bond on 10 March. Bridget was a domestic and had been in and out of the prison system regularly for disorderly conduct, prostitution, and larceny. Her repeated arrests and tarnishing of her character in the local newspapers which had published a detailed account of her court case for larceny, may have affected her ability to acquire positions as a domestic and

[188] Luddy, *Prostitution and Irish Society 1800-1940*, 54.
[189] Constance Backhouse, *Petticoats and Prejudice: Women and Law in Nineteenth-Century Canada* (Toronto, ON: Canadian Scholars' Press, 1991), 230; Dunae, "Geographies of Sexual Commerce," 127; Fingard, *The Dark Side*, 105.
[190] *Magistrates Court, Central Circuit, Diaries*. GN 5/3/A/17. The Rooms Provincial Archives, St. John's, Newfoundland.

therefore her ability to pay her bond. As Luddy finds in Ireland, women who were living in disrespectable parts of Belfast may have struggled to obtain employment due to stereotypes about their character.[191] Agnes, on the other hand, had a previous arrest for "Keeping a Brothel" on 22 October 1904 and may have been able to afford the bond if she had been working as a madam. As Dunae explains, fines for brothels were often "the cost of doing business" and in Victoria, BC, many madams were able to pay their fines.[192] Laite finds a similar result in London explaining that fines were treated like "licensing fee[s]" for brothels.[193] For many cities, the fines that came from policing sex work were a profitable way to cut into profits from the sex trade, as fines were "an important source of revenue" for cities.[194]

While the policing of sex work may have generated a source of income for the city, it was also a way to ensure morality. Newspapers were quick to commend officers who actively policed the sex trade. In 1898, the *Evening Telegram* reported about a case that Sergeant O'Brien, an officer who was regularly in the paper for arresting sex workers, had brought another woman to court:

> It goes without saying that the law in relation to arrests of this kind is sadly defective, and the sooner it is remedied the better for both the police and society in general. The police, under the present circumstances, are powerless to cope with an acknowledged growing evil in the community. The law should be amended as soon as possible. Sergeant O'Brien was eulogized by both counsel as a trustworthy, efficient and zealous officer, who was merely acting in the discharge of his duty, the performance of which, as often happens, is nullified and frustrated by the imperfection of the law.[195]

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[191] Luddy, *Prostitution and Irish Society 1800-1940*, 44.
[192] Dunae, "Geographies of Sexual Commerce," 128.
[193] Laite, "A Global History of Prostitution," 131.
[194] Dunae, "Geographies of Sexual Commerce," 128.
[195] 'A TEN-DOLLAR VERDICT', *Evening Telegram*, 9 November 1898, 4.

Unfortunately, the court minutes were not available for this case, and so it is not possible to determine which part of the law the newspaper was taking issue with. However, it is possible that the reporter felt the penalty for sex trade-related offences were not severe enough. In 1890, for example, Johanna Hilliard was arrested for "keeping a house of ill fame," and the *Evening Herald* reported that the presiding Judge, D.W. Prowse "had gone to the fullest extent, and that if the law would permit him, he would make the sentence longer" and as the *St. John's Colonist* reported, "adduced from the evidence, [it was] revolting."[196] While the maximum sentence permitted for keeping a disorderly house, or brothel, by the 1872/1892 Consolidated Statutes of Newfoundland was three months imprisonment, disorderly conduct charges had a maximum fine of twenty dollars, but did not explicitly state a maximum prison term.[197] The court records show that between 1893 and 1899, no sex worker received a sentence longer than three months. There is no court record for the year of 1900 extant, however, by 1901, sex workers began to frequently receive sentences as long as six months. Among the eleven arrests documented in the court records of 1901, the authorities sentenced seven women to "2 sureties in $40 or in [default] 6 months" imprisonment for charges of disorderly conduct or vagrancy.

Despite this sudden shift to the six-months imprisonment sentence, there are not any changes in the Statutes of Newfoundland between 1899-1902 that would account for this change. Further, by the publishing of the third Consolidated Statutes of Newfoundland in 1916, the law which criminalized street-based sex workers had not changed.[198] Therefore, the increased maximum sentences for street-based sex work in the twentieth century may have just been a

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[196] "POLICE COURT", *Evening Herald*, 13 August 1890, 1.
[197] *Of Nuisances and Municipal Regulations, Consolidated Statutes of Newfoundland Second Series*, Chapter 36 § 6-11 (1892), 279.
[198] *Of Nuisances and Municipal Regulations, Consolidated Statutes of Newfoundland Third Series*, Chapter 51 § 6-11 (1916).

result of harsher policing of sex workers within Progressive Era St. John's. This would indicate that the judiciary had considerable sway in determining standards for prison terms, therefore, allowing for the shifting of typical standards. Another potential reason for the change could be Canadian legal influence as discussed in Section 2.1. Backhouse explains that in 1890s and 1900s, the penalty for vagrancy was a maximum of 6 months imprisonment, but in 1891, the federal government increased the penalty for women who were "not of the dominant race, religion or ethnic group" to a minimum of one year or a maximum of four years imprisonment. Roman Catholic women in Nova Scotia convicted of vagrancy often served one to two years at the female reformatory run by the Sisters of the Good Shepard in Halifax.[199]

In St. John's, O'Flaherty explains that amongst Catholic and Protestants "there were wounds, still liable to bleed, left over from ethnic and religious infighting in the 1830s" but by the end of the nineteenth century, historians Patrick Mannion and Carolyn Lambert agree that relations between the two religions were "usually harmonious, and incidents of ethnic or sectarian violence were rare."[200] The court records confirm this sentiment, as unlike Backhouse's finding of discriminatory sentences in Nova Scotia, Catholic and Protestant sex workers in Newfoundland received similar sentences. Nonetheless, Roman Catholics did make up a larger percentage of sex workers in the prison and court records. Prison records from 1882-1892 and 1903-1911 indicate that individuals arrested for prostitution and brothel-keeping were also overwhelming Catholic, with 82.6% of recidivists listed as Catholic and the remainder being predominantly Protestant. While the court records do not list religious affiliation, I cross referenced the names of recidivist sex workers from the court records with the prison records to

[199] Backhouse, *Petticoats and Prejudice*, 242.
[200] O'Flaherty, *Lost Country*, abstract; Mannion, *A Land of Dreams,* 25; Lambert, "Far from the Homes," 45-46 53-72.

determine religion. Unfortunately, the lack of prison records between 1892 and 1903 results in a corresponding gap in religious information. Out of the 29 recidivist sex workers, only 18 of them had identifiable religions. Of the 18 recidivists whose religion was determined, 12 were Roman Catholic (n = 66.6%), corroborating the prison records finding of an increase in Roman Catholics amongst sex workers. Both the 82.6% and 66.6% figure are above the fraction of population of Roman Catholics in the city at this time as Mannion found in 1891 Roman Catholics composed 57.2% in 1891 and 50.2% in 1911.[201] In Toronto, Backhouse did find at least one instance where anti-Catholic riots resulted in the arrest of an Irish Catholic woman working in the sex trade. She explains while some minority groups were overrepresented in sex trade related arrests, it is difficult to determine if it was because they were well-represented amongst sex workers, or if police were biased towards arresting them.[202] Is it difficult to determine an exact cause for this increased percentage of Roman Catholic sex workers in St. John's, however, it could either indicate that there were more Catholics in the sex trade due to increased poverty amongst these populations, or a result of police bias whereby police would more frequently arrest Catholic sex workers over Protestants.

Increased poverty and lack of options was a recurring issue for women within the sex trade, however, some options for sex workers living in poverty in St. John's included government sponsored indoor work, the poor house, and the rescue home. In Ireland, middle- and upper- class women often created charities to support impoverished women and children, and the Catholic nuns organized the most robust institutions to do this.[203] Magdalen Asylums were created across Ireland to support destitute women who were not deemed "respectable"

[201] Mannion, *A Land of Dreams*, 23.
[202] Backhouse, "Nineteenth-Century Canadian Prostitution Law," 388.
[203] Luddy, *Women in Ireland,* 8-9.

enough, often sex workers or unwed mothers, to be housed with the other “respectable poor.”[204] It was a concern that sex workers or unwed mothers would corrupt “respectable” women, so they were typically kept separate. However, if a woman who had illegitimate children married, she could then reside in the married women’s ward, highlighting the importance of nineteenth-century Ireland society’s views on a men’s role in a women’s sexual respectability.[205]

In Newfoundland, there was significant Irish influence amongst the Catholic nuns and other religious officials. Priests, Bishops and nuns often came from Ireland to work in Newfoundland and may have taken ideas or sympathies towards sex workers with them.[206] Although there was no evidence suggesting there was a Magdalen Asylum in Newfoundland, which was confirmed by Sister Charlotte Fitzpatrick, a nun with the Sisters of Mercy in St. John’s. Sister Charlotte’s 2015 book *Standing on Their Shoulders: Stories of the “Irish” Sisters of Mercy in Newfoundland*, details the history of the Sisters of Mercy in Newfoundland.[207] While the nuns in the nineteenth century opened an orphanage, St. Michael’s, at their Belvedere location and helped women who were of “good character” and were out of employment it does not appear they were providing support for sex workers. With the lack of Magdalen Asylums in St. John’s, sex workers experiencing poverty had to avail themselves of other supports.

British poor laws, including the *Act for the Relief of the Poor* (1601), were not applicable in Newfoundland until after the acquisition of representative government in 1832.[208] In January 1833 at the colony’s first Legislative Assembly, the then governor, Sir Thomas Cochrane

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[204] Luddy, *Women in Ireland,* 9.
[205] Luddy, *Prostitution and Irish Society*, 58-59.
[206] Lambert, “Far from the Homes,” 98-100.
[207] Fitzpatrick, Sister Charlotte. *Standing On Their Shoulders: Stories of the “Irish” Sisters of Mercy in Newfoundland* (unpublished manuscript, 2014).
[208] Godfrey, *Human Rights*, 29.

emphasized the importance of support for "destitute" families across Newfoundland, eventually leading to the establishment of outdoor and indoor work relief.[209] While outdoor relief was typically manual labour reserved for men, indoor relief was particularly important for women and children, as Fingard explains St. John's "had more widows and orphans 'than in any other city or town of the same size.'"[210] A factory for indoor relief for women and children had been established in St. John's by "a group of community-conscious women" where net-making, spinning and carding were taught.[211] Individuals were paid by the piece and while it is difficult to estimate the average wages, Fingard estimates they were "starvation wages at best."[212] For women who found work outside the indoor relief system, standards were not much better. At the Colonial Cordage Factory in the Inner City district, a common employer of women in the twentieth century, management pressured women to work overtime without pay, and if they refused, management quickly fired and replaced them.[213]

For those who were out of work and without a home, the Board of Works established a poor house in St. John's in October 1861, administering work to subsidize resident's accommodations.[214] Located on "Poor House Lane," later renamed Sudbury Street in the West End district of St. John's, inmates of the poor house experienced little freedom. Residents were required to have doors that remained locked, there were restricted visiting hours, residents could not leave without permission and had to work for their stay as long as they were able-bodied.[215] An 1897 report from the Journal of the House of Assembly stated that: "The female portion are

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[209] Godfrey, *Human Rights*, 17.
[210] Fingard, "The Relief of the Unemployed Poor," 50.
[211] Fingard, "The Relief of the Unemployed Poor," 48.
[212] Fingard, "The Relief of the Unemployed Poor," 50.
[213] Cullum, Baird, and Penney, "A Woman's Lot," 104.
[214] Melvin Baker, "The Politics of Poverty: Providing Public Poor Relief in Nineteenth Century St. John's, Newfoundland," *Newfoundland Quarterly* LXXVIII, no. 1 & 2 (1982): 20–23.
[215] Godfrey, *Human Rights, 20.*

by far the most afflicted, 40 out of 60 being demented" and 21 of them aged between 70-90, with only six women being able to work. Additionally, "85 per cent of those females never married, having become broken down in body and mind in middle life, to find their way to the Poor Asylum."[216] In 1898, the *Daily News* reported that a 1907 Grand Jury described the poorhouse as "shamefully overcrowded," disease-ridden and was the "saddest place in Newfoundland." While the government was aware of these problems, they did little to make improvements. Although the poor house could serve an alternative to sex work in nineteenth- and twentieth-century St. John's, sex work likely appeared as a more viable option to the poor house.

Another option for women arose in the 1890s: the Salvation Army Rescue Home. Similar to the Magdalen Asylums in Ireland, this home specifically targeted women deemed not "respectable" by other institutions. As Salvation Army Historian, Gordon Moyles explains, they were a "city-bred organization – born and raised in the slums of London… combining Christian evangelism with social reform."[217] The Salvation Army arrived in St. John's in the 1890s, and one of the officials, Blanche Read, explained in 1901 that they "had not been long in Newfoundland before we were quite convinced that a Rescue Home was much needed."[218] On 26 December 1893 Blanche wrote in the *Evening Telegram* that "there was no institution in St. John's for any prisoner after being discharged from the penitentiary to find a refuge," explaining that "one poor woman who walked the streets nearly all night because, having been in gaol, No One Would Open Their Doors to Her." By 1894, Blanche rented a house in the Inner City on Boncloddy Street where she started the first rescue home for women. In 1895, to meet demands,

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[216] J. Boyd, "Report - Poor Asylum" (Journal of the House of Assembly of Newfoundland, 1897), 295–96, Newfoundland House of Assembly and Legislative Council Documents, Memorial University DAI, https://collections.mun.ca/digital/collection/h_assembly/id/63633/rec/1.
[217] R.G. Moyles, *The Salvation Army in Newfoundland: Its History and Essence* (St. John's, NL: Salvation Army Canada and Bermuda, 1997), 97.
[218] Moyles, *The Salvation Army,* 98.

they moved to a larger building on Pennywell Road, still within the Inner City. Court officials frequently referred women arrested for sex trade offences, like Fanny Baker who received a sentence for "Vagrancy" on 18 April 1896, and was sent to the well-respected Salvation Army's Rescue Home. The *Evening Telegram* explained that Fanny "was taken in charge by an ensign from the Salvation Army Rescue Home, where the good soldiers will try to reclaim the unfortunate woman."[219] Unfortunately, the rescue home was not a permanent solution for Fanny, as on 14 July 1899 the newspaper explained that Fanny was "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."[220]

Sex workers who were interacting with the poor relief system, the poor house and the rescue home, were likely those most likely to be experiencing poverty. Figure 3.5 shows that most recidivist sex workers lived in the Inner City district of St. John's, unsurprisingly, the area with the most well-known impoverishment in the city. Phyne and Knott found that the Inner City was predominantly Catholic, with 65% of the population listed as Catholic although Catholics only comprised 46% of the total population of St. John's in 1945.[221] Although their study covers a later period than the time examined in this thesis, nineteenth-century intergenerational poverty was often difficult to escape and those interviewed recalling their childhoods from this area of the city explained that they felt social hierarchies "potentially influenced their social mobility

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[219] *Evening Telegram*, 18 April 1896, 8.
[220] *Evening Telegram*, 14 July 1899, 8.
[221] John Phyne and Christine Knott, "Schools, Streets and Stores: Childhood Geographies of the Inner-City of St. John's, 1935-1966" (Atlantic Canada Studies Conference, Wolfville, NS, 2019), 5.

opportunities as adults."[222] This result of the study is unsurprising as this area was known to have the highest rates of poverty, and was often described as a "slum."[223] Despite this data representing a correlation between poverty and Catholicism in St. John's, by the nineteenth century, Catholics were well-represented amongst all social classes despite their historic legacy as working-class fishing families.[224]

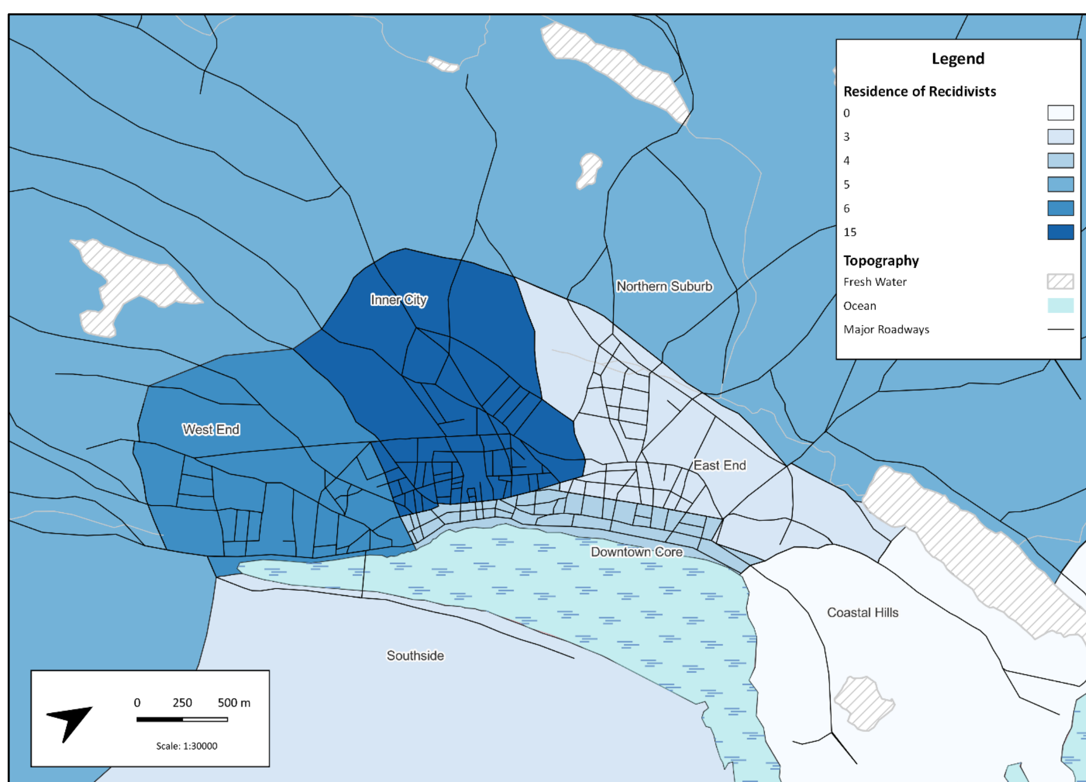

Figure 3.5: *Map of St. John's demonstrating the residences of recidivist offenders of sex work related charges.*

The Inner City "slum" concerned governing bodies and the middle-class of St. John's, who were focused on reforming the city. The *Evening Telegram* reported on 23 June 1900 that there was a lecture on "Rescue, Slum and League of Mercy work, as carried on in Canada and

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[222] Sara Horrell, Jane Humphries, and Hans-Joachim Voth, 'Destined for Deprivation: Human Capital Formation and Intergenerational Poverty in Nineteenth-Century England', *Explorations in Economic History* 38, no. 3 (1 July 2001): 339–65, https://doi.org/10.1006/exeh.2000.0765; Phyne and Knott, "Schools, Streets and Stores," 1.
[223] Sharpe and Shawyer, *Corner Windows*, 41.
[224] Mannion, *A Land of Dreams,* 25.

Newfoundland" which "promises to be an inspiring one."[225] Two years later on 21 July 1902 at a men's bible class, Rev. J. H. Houseman lectured on "Slum Work in London," showing the Newfoundland public had access to ideas about city improvement developed in other parts of the world.[226] Combating the state of the slum was a important concern in early twentieth century communities. In Halifax, Crooks explains that "Haligonians were inspired instead by North American urban modernisation initiatives—such as the rationalisation of city planning, beautification projects and the installation of electric lighting—that suggested such 'vice spots' could be eradicated through city improvement programmes."[227] Ideas of progress and keeping up with Canada were particularly poignant amongst Newfoundlanders. Politicians often used ideas about the progress of Newfoundland in their campaigns such as Sir William Whiteway, then premier's, "Policy of Progress" to industrialize Newfoundland in 1878-1885, or the Fisherman's Protection Union leader, William Coaker who argued in 1910 that "[w]e must keep the wheel of progress moving... or permit what we possess to decay."[228]

Modernizing twentieth-century St. John's did not have a place for sex workers or brothels that had been begrudgingly permitted in the nineteenth century. As Julia Laite found in the late-nineteenth- and early-twentieth-century London, the increased control and rise of convictions for sex workers "gave rise to a growth in the off-street and clandestine commercial sex industry and contributed to a significant increase in third-party involvement in prostitution in London," that being "pimps, touts, landlords and human smugglers to secure their workspaces." Therefore, as the sex trade became "more professionalized" and "women were less able to move in and out of

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[225] *Evening Telegram*, 23 June 1900, 4.
[226] "MEN'S BIBLE CLASS," *Evening Telegram*, 21 July 1902, 4.
[227] Crooks, '"Profits, Savings,"' 447.
[228] O'Flaherty, *Lost Country*, 136, 253.

the trade without legal stigma and third-party pressure, and as firmer lines between prostitution and other kinds of semi-commercial promiscuity were drawn by society and by the law."[229]

While research on the late-nineteenth- to early-twentieth-century sex trade in St. John's has not revealed a rise in third-party involvement in the sex trade, fears surrounding racial tensions increased into the twentieth century. In St. John's, the population was overwhelming Newfoundland-born with 93.6% in 1891 and 95.5% in 1911, but Chinese immigration in the early twentieth century had become an increasing concern.[230] Krista Li, a historian whose 2010 Ph.D. investigates the discrimination against Chinese men in St. John's between 1895-1906, explains that "Chinese [men] were simultaneously de-masculinized and cast as over-sexualized outsiders who would prey upon local-born white women."[231] Li details a case on 27 June 1906 where Hee Lee, a Chinese laundryman, had touched a Newfoundland woman on the shoulder and two local men accused him of assuming the woman was a prostitute and that he was trying to procure her services, the men proceeded beat Lee to "within inches of his life."[232] This assault occurred just one month after the publishing of the Chinese Immigration Act in May 1906 and Li explains that while "these allegations later proved to be false, the idea of white women being assaulted at the hands of Chinese laundrymen was enough to convince many that the Chinese Immigration Act was entirely necessary."[233] The 1906 Act, in addition to its discriminatory policies for Chinese populations in Newfoundland, specifically restricted entry from any vessel if "any person of Chinese origin who is… A prostitute or living on the prostitution of others."[234]

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[229] Laite, "A Global History," 134, 136.
[230] Mannion, *A Land of Dreams*, 24.
[231] Krista L. Li, "'Knight of the Flatiron': Gender, Morality, and the Chinese in St. John's, Newfoundland, 1895-1906" (Ph.D. thesis, St. John's, NL, Memorial University of Newfoundland and Labrador, 2010), ii.
[232] Li, "Knight of the Flatiron," 206.
[233] Li, "Knight of the Flatiron," 207.
[234] *The Chinese Immigration Act, Statutes of Newfoundland*, 6 Ed VII 2 § (1906).

The publishing of this Act, especially its restriction Chinese people's interactions with the sex trade demonstrates the extent to which governing bodies were concerned about Chinese residents' connections to the sex trade. While six years outside the study period, there was one case located during this research that represents the tangible fears of Chinese men's solicitation of white sex workers. On 10 November 1917 the *Evening Telegram* reported that Amelia and William Kelly, who had been in the court records for running a brothel in 1908, where they employed their two daughters, were "keeping a place resorted to for prostitution" nine years later. The newspaper reported that:

> …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 there again. Foreigners, not a few citizens and several Chinamen frequented the house… Judge Morris imposed the full penalty of the law, $100 or 3 months, on both Mrs. Kelly and her husband.

While populations of Chinese people in Newfoundland were low, the newspaper were quick to problematize and discriminate against their presence.

Chapter 4 – Conclusion

This research explored the causes for the declining evidence for arrests related to prostitution and brothel-keeping in the early years of the 1900s and detailed the spatial relationships of sex workers within the city of St. John's. While the exploration of the historical sex trade in St. John's is still in earliest phases, that of identification, classification and understanding, this research contributes to a crucial period of Newfoundland history. The turn of the twentieth century saw unprecedented modernization and changes in women's lives that in-turn reshaped the sex trade. Through the examination of court records in conjunction with previously transcribed prison admission records, broader trends across the criminal history of the sex trade of St. John's illuminated the lives of sex workers during this era of change.

The examination of documents produced by legal institutions and newspapers demonstrated how the use of specific terminology can obscure and reshape how modern researchers understand evidence related to the lives of sex workers. Therefore, careful consideration and analysis are necessary to discover, comprehend and unravel the lives and experiences of women in the sex trade. For example, the apparent decline in arrests for prostitution and brothel-keeping in the twentieth century, concealed the Newfoundland legal system's adoption of alternative legal terms, such as "disorderly conduct" to apprehend women involved in the sex trade. This shift in terminology was likely related to the rise of Edwardian Era ideology of progress as Newfoundland adapted and kept-up with its other North American counterparts, which in-turn reshaped their legal system. Moreover, the increasing population of St. John's, coupled with the influx of young, unmarried women, frequently employed as domestics, may have triggered apprehensions regarding the potential repercussions on conventional domestic life within this evolving societal landscape. The increased arrests of

women working as domestics highlights the concerns over the growing number of independent young women availing of working opportunities, who had become less reliant on husbands or fathers. These arrests could have been a response to the perceived challenge posed by these women's autonomy, which strayed from traditional norms.

Mapping the distribution of brothels and residences of recidivist sex workers within the city revealed a concentration of individuals who lived and worked in the Inner City and West End, two working-class neighbourhoods. This finding suggests that many women who sold sex and operated brothels did so out of economic necessity, either due to economic need or as an alternative to their limited other options. Although numerous women in the sex trade experienced poverty and opted to engage in the sex trade due to their financial circumstances, it would be an oversimplification to view them solely as victims of their financial situation. Women in the sex trade were active agents in their economic security, their work was a monetary contribution to their families' income. While alternative financial support options were available for sex workers, engaging in sex work often served as an alternative choice from entering poor houses or working in factories.

Research into the historical sex trade is still in its earliest stages in St. John's. While this research, Mant and Cole's 2022 article and Ruth Haywood 2002 thesis are initial steps that contribute to our growing understanding of the historical sex trade, more records and analysis would help to further understand the lives of historical sex workers.[235] Two institutions, the poorhouse and the Salvation Army Rescue Home, have had very little secondary research completed on them, and further analysis of these institutions would likely reveal more about the

[235] Cole and Mant, '"Spectacles of Degeneracy;"' Haywood, '"delinquent, disorderly and diseased females."'

lives of historical sex workers. Further research to explore the reasons behind these changes in legal terminology at the turn of the twentieth century would enhance our understanding of why sex workers faced arrests under different charges, potentially shedding light on their evolving relationships with the legal system.

Most importantly, when studying sex workers in history, it is critical to understand them beyond their labour and identity in the sex trade and view them through their individual lives and impacts on their communities. Sex workers were not isolated or separate individuals; rather, they integrated into their communities and environments, adapting their work to the demands of their lives.

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