

# Discovering Scotland's Forgotten Anti-Vaccinators: 'The compulsory prostitution of healthy children to scientific cranks'

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Little, if anything, is known about the opposition to compulsory smallpox vaccination in Scotland in the late nineteenth and early twentieth centuries yet the anti-vaccination movement in England has been researched extensively in the UK and internationally. The paucity of archival evidence has undoubtedly contributed to the absence of Scotland from the historical record. Anti-vaccinators had numerous objections to compulsory vaccination; parents believed they should be able to make decisions about the welfare of their children. Vegetarians objected to the use of animal matter in the vaccine. For some it was an affront to their religious convictions while others felt it was unscientific and ignored the benefits of public health measures such as improved sanitation. As this study demonstrates, Scotland has its own historical record and was not exempt from the influence of the English anti-vaccination movement. Many Scots supported efforts to repeal the detested vaccination laws in both countries.

In February 1897 John Cook Robertson of Kirkcaldy received a donation of 2s. 6d. 'to support the cause' with a note saying, 'Surely this compulsory prostitution of healthy children to scientific cranks cannot last.'<sup>1</sup> The compulsory prostitution to which the correspondent referred was the compulsory vaccination of children against smallpox; the cause was The Scottish Anti-Vaccination League (SAVL), the organisation of which Robertson was the Corresponding Secretary. The letter is one of a small bundle of documents held at The Centre for Research Collections at the University of Edinburgh indexed as *Correspondence relating to The Scottish Anti-Vaccination League*.<sup>2</sup> These documents dispel any suggestion there was little or no anti-vaccination sentiment in Scotland by confirming that, like England and Wales, there was support for an anti-vaccination movement during the late nineteenth and early twentieth centuries, something which has not previously been researched in depth.

An examination of the historiography of the anti-vaccination movements suggests that most authors were unaware of this unique Scottish collection, or the influence of the English anti-vaccination movement on events in Scotland. Their research on the anti-vaccination movement in the British Isles has

<sup>1</sup> University of Edinburgh (hereafter UOE) Coll-723, 18 February 1897.

<sup>2</sup> UOE Coll-723, <https://archives.collections.ed.ac.uk/repositories/2/resources/365>.

concentrated on events in England and Wales, with scant mention of Scotland or Ireland. Several authors, including MacLeod, Williamson, Baxter and Blume, fail to recognise the differences between English and Scottish anti-vaccinators, suggesting that everything which occurred in England was applicable nationally.<sup>3</sup> Others have focused more on inoculation in Scotland during the eighteenth and early nineteenth centuries. Both Dingwall and Hamilton discuss smallpox vaccination although there is no acknowledgement of opponents to the procedure, and while Blackden recognises the roles of the Board of Supervision and parochial boards in delivering vaccination across Scotland, the growth of an anti-vaccination movement is not identified.<sup>4</sup> Similarly, when MacLeod discussed the introduction of the so-called conscience clause in England and Wales in 1898, he did not identify the resentment felt by Scottish anti-vaccinators at their exclusion from the legislation.<sup>5</sup> Nor did he mention Scottish contributions to the lobbying of the National Anti-Vaccination League (NAVL) for amendments to the 1898 legislation, which finally resulted in the conscience clause being extended to Scotland in 1907.<sup>6</sup> Brunton suggested there was little anti-vaccination feeling in Scotland prior to 1874 while Durbach's research concentrated on events in England between 1853 and 1907.<sup>7</sup> One author, Joseph Swan, writing in 1936 did, however, remark on the visit made to Lord Balfour, then the Secretary of State for Scotland, by a deputation of Scottish anti-vaccinators in 1903.<sup>8</sup>

The unnumbered Robertson documents cover the period of just two years, 1896 and 1897, and have been key to confirming the existence of the SAVL. The documents were the catalyst for a research journey which included the British Library, the Wellcome Library, the Swedenborgian Library, the National Records of Scotland, the National Library of Scotland, Edinburgh City Archives and ScotlandsPeople. It has made use of the online British Newspaper Archive

<sup>3</sup> R. M. MacLeod, 'Law, Medicine and Public Opinion: The Resistance to Compulsory Health Legislation 1870–1907', *Public Law* (Summer 1967), 107–28, 189–211; S. Williamson, 'Anti-Vaccination Leagues', *Archives of Disease in Childhood*, 59 (1984), 1195–96; D. Baxter, 'Opposition to Vaccination and Immunisation the UK Experience – from Smallpox to MMR', *Journal of Vaccines and Vaccination*, 5:6 (2014), 1–8; S. Blume, 'Anti-Vaccination movements and their interpretations', *Social Science and Medicine*, 62:3 (2006), 628–42.

<sup>4</sup> H. M. Dingwall, *A History of Scottish Medicine* (Edinburgh, 2003); D. Hamilton, *The Healers, A History of Medicine in Scotland* (Edinburgh, 1981); S. Blackden, 'The Board of Supervision and the Scottish parochial medical service 1845–95', *Medical History*, 30 (1986), 145–72, 168.

<sup>5</sup> MacLeod, 'Law, Medicine and Public Opinion', 210–11; An Act to Amend the Law with respect to Vaccination 1898 (61 & 62 Vict.) c. 49.

<sup>6</sup> Vaccination (Scotland) Act 1907 (7 Edw. 7) c. 31.

<sup>7</sup> D. Brunton, *The Politics of Vaccination, Practice and Policy in England, Wales, Ireland, and Scotland, 1800–1874* (Rochester, 2008), 158; N. Durbach, *Bodily Matters, The Anti-Vaccination Movement in England, 1853–1907* (Durham and London), 2005.

<sup>8</sup> J. Swan, *The Vaccination Problem* (London, 1936).

and Hansard reports in addition to the records of the Board of Supervision of the Poor and its successor, the Local Government Board for Scotland and records of the Registrar General for Scotland. The research adds to the history of medicine in Scotland in the late nineteenth century. The collection also provides opportunities for family historians to learn more about anti-vaccination sympathisers by making use of the documents and the other resources identified as a result of this research.

The collection was purchased by the University of Edinburgh from Edinburgh bookseller, Broughton Books in 1989. Originally the documents belonged to John Cook Robertson, a draper born in Perth on 14 March 1856, the son of William Robertson and his wife Catherine Cook. Robertson lived most of his life in Kirkcaldy where the family was in residence by the time of the 1871 census.<sup>9</sup> The collection not only confirmed that the SAVL existed but also hinted at connections with the much larger NAVL which was based in London and predominantly campaigned against the anti-vaccination legislation south of the border. The extent and importance of these connections became clear as the research progressed.

Although there are many similarities in the administration of the vaccination acts in England and Scotland there were some differences, due to the differing legal and poor law systems. The first Vaccination Act in England came into effect in 1840.<sup>10</sup> The administration was managed by the local Boards of Guardians of the Poor, who also had responsibility for overseeing the civil registration of births, marriages and deaths which commenced in July 1837. For the vaccination programme to be successful, it was obviously important to ascertain where and when children were born in order that they could be vaccinated. In the following thirty years there were several further parliamentary acts relating to smallpox vaccination in England and Wales, each more draconian than the last. Local groups of English anti-vaccinators began agitating against vaccination following the 1853 Vaccination Act which made smallpox vaccination compulsory, and these groups amalgamated into a more cohesive movement in the 1860s.<sup>11</sup> Each new vaccination act encouraged further dissent, with the activities of anti-vaccinators reported in the Scottish press. The press was not always sympathetic to their cause: the *Aberdeen People's Journal* was critical of the behaviour of English anti-vaccinators, expressing relief that 'In Scotland, we are thankful to say, the opponents of vaccination are not a numerous class.'<sup>12</sup> By the 1870s resentment against compulsory smallpox vaccination was rife in many areas of England.

In Scotland civil registration commenced in 1855 and compulsory smallpox vaccination took effect from January 1864.<sup>13</sup> The parochial boards,

<sup>9</sup> National Records of Scotland (hereafter NRS) Census 1871, Robertson, William, Census 442/28/20, p. 20.

<sup>10</sup> An Act to extend the Practice of Vaccination 1840 (3 & 4 Vict.) c. 29.

<sup>11</sup> Durbach, *Bodily Matters*, 38.

<sup>12</sup> *Aberdeen People's Journal*, 7 August 1880, 2, col. 3.

<sup>13</sup> Registration of Births, Deaths and Marriages (Scotland) Act 1854 (17 & 18 Vict.) c. 80.

and subsequently, parish councils were responsible for the administration, but unlike England appointed qualified medical officers to perform the vaccinations from the outset. Just as in England, where Boards of Guardians reported to the Poor Law Board and its successor the Local Government Board, Scottish parochial councils reported to the Board of Supervision and its successor the Local Government Board. A significant difference with the Scottish system and which was the cause of resentment in many areas, was the cost associated with vaccination, which in England and Wales was provided by the local Board of Guardians at no charge. Unlike England, Scottish poor relief was restricted to the very poorest in society, with no automatic entitlement to poor relief for the able-bodied.<sup>14</sup> The Scottish medical colleges had worked to influence the form of the Scottish vaccination act legislation, including restricting free vaccination to the poorest. The restriction meant that the vaccination legislation reflected the poor law ethos of not providing relief (or vaccinations) to those able to pay. It also ensured that private practitioners were able to provide most of the vaccinations and receive the fee income.<sup>15</sup>

The Vaccination Act (Scotland) required that the child had to be vaccinated by a qualified medical practitioner by the time it was six months old. Parents were required to return a doctor's certificate to the local registrar of births, marriages and deaths. This would certify one of three things: confirming that the child had been successfully vaccinated, or was medically unfit to be vaccinated or that the child was insusceptible to vaccination having previously been infected by smallpox. Scottish parents were required to pay the doctor a fee, not for the vaccination but for the cost of the certificate. Previously, particularly in remote locations, there was a tradition of vaccinations being performed by a local man or woman skilled in vaccination methods. From the turn of the nineteenth century ministers of the Kirk often performed vaccinations as did local midwives. The cost of the procedure was often met by local benefactors or the parish. For many families, finding the money to pay for the certificate was an impossible task and one which caused much resentment, particularly in the years immediately following 1864.

In the 1880s signs of growing unrest were to be found in Edinburgh, where a Scottish National Anti-Compulsory Vaccination Society was formed in November 1883. The society's first annual meeting in 1884 was reported in both the *Edinburgh Evening News* and *The Vaccination Inquirer and Health Review (VIHR)*.<sup>16</sup> The society was short-lived but throughout the following years, reports of cases of prosecution for failing to permit vaccination started appearing in both the Scottish press, and *VIHR*.<sup>17</sup> In February 1896, Simon Brown of

<sup>14</sup> R. A. Cage, 'The Scottish Poor Law 1745–1845' (PhD thesis, University of Glasgow, 1974).

<sup>15</sup> Brunton, *Politics of Vaccination*, 146.

<sup>16</sup> *Edinburgh Evening News*, 6 November 1884, 2, col. 4; *The Vaccination Inquirer and Health Review*, 6:69 (1884), 176.

<sup>17</sup> *The Vaccination Inquirer and Health Review* was the monthly journal of the London Anti-Vaccination League, which later became The National Anti-Vaccination League.

Cathcart Street Glasgow wrote to the editor of the *VIHR* advising readers about the establishment of the new Scottish Anti-Vaccination League which had branches throughout the country. Seeking to attract members he noted that anyone wishing to join the SAVL could apply to the offices of Messrs. Wm. J. Begg and Robert Brown the Joint Secretaries, at 150 Hope Street Glasgow, Begg's place of business.<sup>18</sup> Lauding the organisation, Brown, who later became a vice president of the society, claimed it was now stronger and had been able to 'undertake larger work across Scotland than was ever done previously', in other words ever since the Scottish Vaccination Act came into force.<sup>19</sup> In a letter written the following year, Brown praised Begg's skills as a solicitor 'who knew the law better perhaps than any in Scotland, and had fought more vaccination cases than anyone, and mostly successful'.<sup>20</sup>

The challenge in researching the SAVL is the paucity of original archival material and not all of the Robertson documents relate to the SAVL. There are other, more personal, documents which give an insight to his family life. These include a note scribbled on the Robertson business notepaper, a letter making arrangements for a family visit and an invitation to a diamond wedding anniversary celebration, and a reminder for Robertson's annual subscription to the Vegetarian Society in Manchester. There are also some agendas and notes relating to Kirkcaldy Parish Council meetings, of which Robertson was an elected member. Taken in conjunction with articles in the *VIHR* and Scottish newspapers, the collection enabled the researcher to uncover more about the history of opposition to compulsory smallpox vaccination in Scotland.

In February 1896, Robertson, took on the position of Corresponding Secretary for the SAVL.<sup>21</sup> This role gave him a wide range of correspondents from England, many of whom have been identified as high-profile English anti-vaccinators. These included Alexander Wheeler, a statistician living in Darlington, who regularly challenged official statistical vaccination reports. In a letter to the Editor of *The Fife Free Press*, shared with Robertson, Wheeler set out his belief that there was a conspiracy to silence him as his letters to the press were declined by editors around the country.<sup>22</sup> Arthur Trobridge was another committed English anti-vaccinator, who lived in Langley near Birmingham and frequently wrote to Robertson. He was a Guardian of the West Bromwich Poor Law Union and in a letter dated 1 June 1896, related how he and other guardians had been successful in persuading the Board of Guardians to await the outcome of the Royal Commission on Vaccination before agreeing to any prosecutions of vaccination defaulters.<sup>23</sup> The following year, Trobridge was able to advise Robertson how to obtain copies of various leaflets and pamphlets which had

<sup>18</sup> *The Vaccination Inquirer and Health Review*, 17:204 (2 March 1896).

<sup>19</sup> *Ibid.*

<sup>20</sup> *The Vaccination Inquirer and Health Review*, 19:217 (1 April 1897), 13.

<sup>21</sup> UOE Coll-723, Robert Brown to Robertson, 21 February 1896.

<sup>22</sup> UOE Coll-723, Letter to Editor of *The Fife Free Press*, shared with Robertson, 7 June 1896.

<sup>23</sup> UOE Coll-723, Arthur Trobridge to Robertson, 1 June 1896.

been printed by English anti-vaccination groups.<sup>24</sup> A number of Robertson's other correspondents were members of the public sympathetic to the arguments against compulsory vaccination.<sup>25</sup>

The Robertson collection includes orders and receipts for propaganda publications from the NAVL, invoices for adverts placed in local newspapers, and acknowledgements for donations to both the NAVL and SAVL. However, it was not until the volumes of the *VIHR*, held at the Wellcome Library in London, were also examined that the extent of Scottish anti-vaccination sentiment was uncovered. This monthly journal sold for one penny and was the propaganda vehicle for those opposed to compulsory vaccination. Local societies bought copies to sell on to their members, and Robertson made arrangements to receive a dozen copies each month to distribute locally in Kirkcaldy.<sup>26</sup> In the early years of its production the emphasis was on opposing compulsory vaccination in England and Wales but often included letters and articles relating to Scottish vaccination issues.

Among the Robertson collection are examples of the SAVL headed notepaper which named the Executive of the organisation: President, Henry G. Shelley; Vice Presidents, James Borland and Walter Currie; and the joint secretaries, William James Begg and Robert Brown.<sup>27</sup> In the copy of the first annual report, 'the Executive have to express gratification that Scotland has now an organisation formed for the purpose of securing complete freedom from the Vaccination tyranny'.<sup>28</sup> By November 1897 the revised SAVL headed notepaper listed the officers of the organisation: Currie had taken the role of president and a new Vice President, Simon Brown, had joined the Executive. The newly established committee included members from locations across Scotland including Aberdeen, Dundee, Dumfries, Bridge of Allan, Edinburgh, Slamannan, several suburbs of Glasgow, and Kirkcaldy, home of Robertson. The annual report and accompanying accounts do, however, show that the SAVL was deeply in debt to Begg and Brown, who had been subsidising its activities from their own pockets. They were owed more than £22 of the total amount expended during the first year's activities, which totalled almost £50. Nothing has been discovered to suggest that either man ever received reimbursement. William James Begg was a writer and Robert Brown worked in the same office. Both men were in regular correspondence with Robertson. One of the earliest letters was sent in February 1896, when Brown wrote thanking Robertson for taking on the position of Corresponding Secretary. It also set out the strategy

<sup>24</sup> UOE Coll-723, Arthur Trobridge to Robertson, 20 March 1897.

<sup>25</sup> UOE Coll-723, Letter to Robertson from Robert Fleming Muirhead, a teacher living at 61 Warrender Park, Edinburgh, 20 February 1896; NRS, 1895 Valuation Rolls, VR010000174-/366.

<sup>26</sup> UOE Coll-723, 19 August 1896.

<sup>27</sup> UOE Coll-723, 3 March 1897.

<sup>28</sup> UOE Coll-723, 17 June 1897.

the SAVL was pursuing which was to encourage parents to object to vaccination and to try to influence the parish councils not to prosecute defaulters.

Parish councils were responsible for ensuring compliance with the vaccination legislation and councillors had a responsibility to instruct the Inspector of the Poor to prosecute defaulters. Robertson was a member of Kirkcaldy parish council and vaccination defaulter himself. He was able to influence his fellow councillors not to prosecute defaulters, and in April wrote to John Reid, Inspector of the Poor for Kilmarnock parish council, setting out Kirkcaldy parish council's justification. Robert Brown often wrote to Robertson from his home in Kilmarnock, which could explain why a Kirkcaldy parish councillor was writing to the Inspector of Kilmarnock.<sup>29</sup> The Kirkcaldy parish council was awaiting the outcome of the Royal Commission on Vaccination, which had been established in 1889 and made its final report in 1896.<sup>30</sup> At the time, anti-vaccinators were optimistic that the commission would recommend abolition of compulsory vaccination. There were also financial reasons for the council's reluctance, as to prosecute a vaccination defaulter was costing the parish council almost £4, but the penalties imposed by the courts, a fine of 2s. 6d. and expenses of 10s. 6d., made it uneconomic. Robert Brown again wrote to Robertson in October 1896 urging him to 'get your Council to adopt the final recommendations of the Commission. Of course a Prosecution would breed defaulters but it is a painful process.'<sup>31</sup>

The Royal Commission on Vaccination had been established in response to the clamour, particularly in England, from those opposed to compulsory vaccination. It issued reports annually until its final report was presented in 1896.<sup>32</sup> Among its investigations the Commission examined the concerns that the arm-to-arm vaccination method was responsible for transmitting disease and was the cause of serious injury and even death of children. It also considered the issues around the personal freedoms to object conscientiously to the procedure on the grounds of religious beliefs or other serious reasons. After six long years of investigation, anti-vaccinators across Britain anticipated that the Royal Commission would recommend repeal in both England and Scotland. They were to be disappointed: the final report addressed some of the concerns of witnesses, such as the safety of the lymph used for vaccination and the repeated prosecutions for the same offence. Instead, the Commission recommended that compulsory vaccination remain in force, in order that parental neglect did not result in children being unvaccinated. The Commission did, however, recognise that parents who were, in all honesty, opposed to vaccination should be allowed to do so without fear of prosecution – a conscience clause. The report also recommended that no parent should be prosecuted more than once for

<sup>29</sup> Brown lived at 97 St Andrews Terrace, Kilmarnock.

<sup>30</sup> Vaccination Commission, *Final report of the Royal Commission appointed to inquire into the subject of vaccination* (London, 1896); Durbach, *Bodily Matters*, 10.

<sup>31</sup> UOE Coll-723, 11 October 1896.

<sup>32</sup> Vaccination Commission, *Final report*.

the same default. However, when parliament introduced a Vaccination Act in 1898 which permitted conscientious objection, the extent of the act specifically excluded Scotland, meaning Scottish anti-vaccinators were unable to enjoy the protection afforded to English anti-vaccinators.<sup>33</sup> The justification for Scotland's exclusion was given during a debate on Monday 25 July by the Lord Advocate, Graham Murray, that 'vaccination carried out in Scotland has hitherto worked successfully'.<sup>34</sup>

In January 1897, the NAVL sent a letter to sympathisers soliciting donations to facilitate the organisation's lobbying activities. This appeal set out concerns that the recommendations of the Royal Commission would not be enacted or would be diluted in parliament: 'It remains for our friends to work vigilantly and with such singleness of aim and personal and united devotion as must convince Parliament that the country will not tolerate the continuance of the Iniquitous Vaccination Acts.'<sup>35</sup> Robertson was also in correspondence with the local MP, J. H. Dalziel, the Liberal member for Kirkcaldy Boroughs. There are two examples of Robertson's outgoing correspondence: first, a draft of a letter sent to Dalziel in June 1897 to express his dismay that the Queen's Speech made no mention of the Royal Commission on Vaccination,<sup>36</sup> and secondly, a letter sent in August that year reminding Dalziel about aspects of the Royal Commission's recommendations concerning the use of calf lymph.<sup>37</sup> Parliament did not discuss changes to legislation until March 1898 when it was confirmed the legislation would not apply in Scotland. Robertson and another Kirkcaldy anti-vaccinator wrote to Dalziel and a copy was printed in *The Fife Free Press and Kirkcaldy Guardian* (hereafter *The Fife Free Press*).<sup>38</sup> Dalziel promised to pay close attention in the committee stage, and during a debate held on 9 August 1898 Dalziel put two questions to the Lord Advocate of Scotland, Mr Graham Murray. The first asked that the government consider the advisability of suggesting to the Scottish Local Government Board that parish councils refrain from prosecuting conscientious objectors. The second highlighted that members of his constituency were serving prison sentences for failing to permit vaccination of their children and therefore asked if it was the intention of the Government to allow the conscience clause to prevail in England and still prosecute for objection in Scotland.<sup>39</sup>

Early in 1897 Begg, Robertson and members of the SAVL organised an anti-vaccination speaking tour in Scotland. The speaker was Councillor J. T. Biggs of Leicester, a sanitary engineer by trade who had been one of the main witnesses to the Royal Commission on Vaccination and was heavily involved in

<sup>33</sup> *Dundee Advertiser*, 18 March 1898, 7, col. 4; Vaccination Act 1898 (61 & 62 Vict.) c. 49.

<sup>34</sup> Hansard House of Commons Sessional Papers, Fourth series, vol. 62, 1105–88.

<sup>35</sup> UOE Coll-723, January 1897.

<sup>36</sup> UOE Coll-723, 25 June 1897.

<sup>37</sup> UOE Coll-723, 14 August 1897.

<sup>38</sup> *The Fife Free Press*, 26 March 1898, 5, col. 1.

<sup>39</sup> Hansard House of Commons Sessional Papers, Fourth series, vol. 64, 9 August 1898, cc 664–6.

local politics. Leicester was well known as the location of a large demonstration against compulsory vaccination in March 1885 which was attended by at least one Scottish anti-vaccinator. The demonstration had been covered widely in the Scottish press.<sup>40</sup> Opponents to vaccination frequently cited the success of Leicester in combating smallpox by making use of rapid isolation of victims. The so-called Leicester Method was used as an example of how the disease could be controlled without the need for vaccination by the use of isolation and sanitary measures.<sup>41</sup> Begg wrote to Robertson requesting his assistance in setting up a meeting for Biggs in Kirkcaldy on 21 April, for a lecture illustrated by 'Lime Light Views'. The ensuing correspondence discussed arrangements including amendments to the date of the lecture. Robertson had presumably enquired of Begg the purpose of Biggs's visit to Scotland. Biggs replied, 'My object in coming to Scotland is to awaken an interest in the movement & I trust will result in the establishment of branch leagues all over the country.'<sup>42</sup> Biggs also announced that for at least some of his tour, he would be accompanied by John Brown who was, at the time of the tour, the Chairman of the Mile End Board of Guardians in the east end of London. Brown, a Scotsman born in Mauchline in Ayrshire, had a family wedding to attend on 16 April, but was anxious to support the campaign. Robertson's ticket to the lecture, which was entitled *The Truth About Vaccination, illustrated by Lime Light Views*, and held on 13 April 1897, is among the Robertson collection. It was perhaps a canny move by the SAVL to have Brown, a Scotsman, accompany Biggs for at least some of the tour. Brown subsequently became one of Robertson's regular correspondents and also wrote a series of articles on the evils of vaccination for the *Kilmarnock Herald*. In a letter to Robertson dated June 1897, Brown explained in a postscript, how he had been invited to write the articles:

It is somewhat singular that I have been writing to a Tory paper in place of to a Radical one. It came by accident I chanced to meet the Editor in the street was introduced to him & got talking about the question & promised to write an article on 'Burns & Vaccination' the article grew to be six and I have found the Editor most obliging.<sup>43</sup>

The SAVL annual report considered the Biggs and Brown lecture tour, which visited Glasgow, Paisley, Kilmarnock, Aberdeen and Dundee in addition to Kirkcaldy, to be the highlight of the year; and worth the effort and expenditure

<sup>40</sup> It has not been possible to identify the name of the delegate, but a report was given at a meeting held in Edinburgh in 1885. The Leicester demonstration was reported in the *Edinburgh Evening News*, 24 March 1885, 4, col. 5 and the *Glasgow Evening Citizen*, 3 April 1885, 2, col. 9.

<sup>41</sup> See D. L. Ross, 'Leicester and the anti-vaccination movement, 1853–1889', *Leicestershire Archaeological and Historical Society*, 43 (1967–68), 35–44, 40, available at [https://www.le.ac.uk/lahs/downloads/1967-68/1967-68%20\(43\)%2035-44%20Ross.pdf](https://www.le.ac.uk/lahs/downloads/1967-68/1967-68%20(43)%2035-44%20Ross.pdf).

<sup>42</sup> UOE Coll-723, 10 March 1897.

<sup>43</sup> UOE Coll-723, June 1897.

it had incurred, amounting to £8 6s. Following on from the success of the lecture tour, other English anti-vaccinators travelled north and undertook similar tours in subsequent years. Dr Walter R. Hadwen of Gloucester visited Scotland several times advocating for the anti-vaccination cause. The NAVL employed a paid lecturer, John H. Bonner, who visited Scotland by invitation from the SAVL every year between 1903 and 1907. Accounts of the tours were reported in the *VIHR*, which also continued to feature items about Scottish prosecution cases. In 1905, Bonner's tour visited Hamilton where an open-air meeting was held less than half a mile from Hamilton Palace.<sup>44</sup> No doubt the location was specifically chosen as Bonner was able to use the example of the Duke of Hamilton to highlight the anomaly in the conscientious objection law between England and Scotland.

On 3 February 1903, the Duchess of Hamilton gave birth to her first child, a baby boy. The child was born in London and named Douglas Douglas-Hamilton, Marquess of Douglas and Clydesdale, and was heir to the premier dukedom of Scotland.<sup>45</sup> There is no evidence to suggest the Duke claimed a conscientious exemption to the vaccination of his firstborn. The following year the Duchess gave birth to a daughter, Lady Jean Douglas-Hamilton, on 11 June 1904 in Dorset and the birth was registered in the Poole registration district.<sup>46</sup> The Duke of Hamilton had attended Wimborne Magistrates Court on 26 August 1904 to register his conscientious objection to the vaccination of his child and was granted his certificate of exemption. The *VIHR*, reported both on the case and that the Duke had become a member of the Scottish Anti-Vaccination League.<sup>47</sup> Bonner reminded his audience in Hamilton that the Duke had been able to apply for, and obtain, an exemption certificate, something unavailable to parents in Scotland. Had his daughter been born at Hamilton Palace, the Duke would have been unable to claim an exemption from vaccination and would have risked prosecution. Bonner said he had been informed that in all probability the issue had attracted the attention of the Duke when an employee on his estate suffered a term of imprisonment a year or two previously.<sup>48</sup> The Duke appeared in court again in 1906 following the birth of his second son George Nigel Douglas-Hamilton in Dorset on 4 January when he told the magistrate he conscientiously believed vaccination would be prejudicial to his child's health.<sup>49</sup> The Duchess subsequently gave birth to another four children, although the three born in Scotland arrived

<sup>44</sup> *The Vaccination Inquirer and Health Review*, 26:311 (February 1905), 213.

<sup>45</sup> General Register Office (hereafter GRO), St George Hanover Square Registration District, March Quarter, 1903, vol. 01A, p. 449.

<sup>46</sup> GRO, Poole Registration District, September Quarter, 1904, vol. 5a, p. 243.

<sup>47</sup> *The Vaccination Inquirer and Health Review*, 26:388 (November 1904), 162.

<sup>48</sup> *The Vaccination Inquirer and Health Review*, 26:311 (February 1905), 213.

<sup>49</sup> GRO, Poole Registration District, March Quarter, 1906, vol. 5a, p. 241; *The Globe*, 21 April 1906, 8, col. 5.

after the point at which the conscience clause was finally extended to Scotland on 28 August 1907.<sup>50</sup>

Robertson was not the only anti-vaccinator in his family: his younger brother Robert Robertson had similar views and faced prosecution in 1896 for failing to permit his child to be vaccinated. In May 1896, Robertson had called upon the services of William Begg to advise on the case being taken against his brother.<sup>51</sup> Begg's professional opinion was that the complaint against Robert was hopelessly vague, and should the case go badly, Robert should appeal to the Supreme Court. Robertson was obviously concerned that his brother could be imprisoned, whether this was a worrying or welcome outcome is unclear. Begg reassured him about the realities of prison based on the experience of another imprisoned anti-vaccinator and also confirmed he would not charge any fee for his advice. Begg travelled from Glasgow to Kirkcaldy to defend Robert in the Sheriff court on 13 May 1896 and the case was dismissed.<sup>52</sup> George Anderson, the Inspector of the Poor, wrote to Robert a few months later advising him he had again been reported to the parish council for failing to transmit a certificate of vaccination to the registrar and requesting that Robert inform Anderson by letter of his reasons for not having his children vaccinated.<sup>53</sup> In December the following year, both Robertsons appeared in Kirkcaldy Sheriff Court for failing to have their respective children vaccinated.<sup>54</sup> Again, Begg represented the brothers. In both cases Begg's arguments were rejected by the court: John Robertson was fined 5s. with 15s. expenses, or in default, three days imprisonment; Robert was fined 10s. and 15s. expenses. Less than a month later *The Fife Free Press* reported that both brothers were imprisoned in Edinburgh at the Calton for refusing to pay their fines.<sup>55</sup> The Kirkcaldy parish council Inspector of the Poor formally reported the outcome of the Robertson prosecutions to the council at the meeting held on 30 December 1897 and their imprisonment on 7 February 1898.<sup>56</sup>

The 1898 Act was deemed to be unsatisfactory in its operation. Some parents had few problems obtaining their certificate of conscientious objection yet elsewhere others struggled to convince the magistrates they had a conscientious belief vaccination would harm their child.<sup>57</sup> In 1907 parliament again considered the law relating to conscientious objection in England and Wales. Almost as an afterthought in July 1907 a bill was introduced into the Lords which resulted in the conscience clause finally being extended to Scotland. In the years following

<sup>50</sup> Vaccination (Scotland) Act 1907 (7 Edw. 7) c. 49.

<sup>51</sup> UOE Coll-723, 9 May 1896.

<sup>52</sup> *Dundee Courier*, 14 May 1896, 7, col. 6.

<sup>53</sup> *The Fife Free Press*, 9 January 1897, 5, col. 4.

<sup>54</sup> *The Fife Free Press*, 18 December 1897, 2, cols 1-2. Calton Jail was also used to house conscientious objectors during the Great War, <https://www.gov.scot/publications/70-years-of-st-andrews-house/pages/calton-jail/>.

<sup>55</sup> *The Fife Free Press*, 15 January 1898, 4, col. 3.

<sup>56</sup> Fife Archives, BK7/1/8, pp. 447 and 453.

<sup>57</sup> Durbach, *Bodily Matters*, 180-4.

its introduction, smallpox vaccination levels plummeted.<sup>58</sup> The Registrar General for Scotland's annual reports between 1907 and 1918 demonstrate the decline in vaccination, and by 1918 almost 34 per cent of children whose births were registered in that year were unvaccinated, causing some concern to the Registrar General's Chief Statistician about the impact on future smallpox outbreaks.<sup>59</sup> Whether this can be attributed to anti-vaccination activity or the decline in smallpox deaths making the disease seem less threatening to parents is impossible to say. With the exception of 1912 when seventeen people died, between 1905 and 1918 there were less than five deaths annually from smallpox.<sup>60</sup> The full extent of Scottish opposition to compulsory vaccination might never be known other than from the statistical evidence to be found in the Registrar General's reports.

Once Scottish parents were able to object to the compulsory vaccination of their children by reason of conscience, the enthusiasm of the SAVL for further campaigning seems to have decreased. Reports of Scottish activity in the *VIHR* dwindled as did press coverage of the SAVL. Robertson's 1936 obituary suggests he was engaged in other pursuits, including calendar reform, and leading campaigner, William James Begg died on 11 April 1922.<sup>61</sup> While the SAVL went into decline, the NAVL continued to extend its reach into Scotland and further research would be required to identify the extent of their Scottish activities.

The right to conscientiously object to vaccination was not the goal of the NAVL as from the outset they had wanted to achieve total abolition of the vaccination laws. They were unable to secure abolition in parliament but working together with Scottish sympathisers raised the possibility that eventually there would be sufficient MPs elected who were sympathetic to the anti-vaccinator cause. Although several MPs were not unsympathetic, parliament continued to support compulsory vaccination with abolition of the laws not achieved until the National Health Service came into being in 1948.

In addition to the Robertson papers, Edinburgh City archives hold two letters sent by Miss Lily Loat, Secretary of the NAVL, to the Chairman and Members of the Health Committee of the Local Sanitary Authority in September 1911, which were written at a time when the City Council was attempting to have compulsory vaccination reintroduced.<sup>62</sup> Archives in Edinburgh have significant importance for the history of the anti-vaccination movement in the late nineteenth and early twentieth centuries by demonstrating the links between

<sup>58</sup> A Bill to amend the Law with respect to Vaccination in Scotland by authorising a statutory declaration of conscientious objection, Vaccination (Scotland) Act 1907 (7 Edw. 7) c. 49.

<sup>59</sup> 53rd to 65th Registrar General's Annual Reports for births, deaths and marriages registered in Scotland between the years 1906–1918.

<sup>60</sup> 52nd to 65th Registrar General's Annual Reports, 1905–1918.

<sup>61</sup> *The Fife Free Press*, 14 March 1936, 9, col. 1; NRS, Statutory Registers of Deaths 633/B308.

<sup>62</sup> Edinburgh City Council Archives, SL/26/4/1160.

Scottish and English sympathisers. In 2018, Professor Nadja Durbach of the University of Utah, and author on the anti-vaccination movement, confirmed to the author that NAVL materials other than books and pamphlets, which were sold to American universities, were destroyed when the NAVL was disbanded late in the twentieth century.<sup>63</sup>

The collection of Robertson's papers confirms that there was, if only briefly, a formal anti-vaccination movement in Scotland. They provide evidence of the spread of the SAVL movement across Scotland and explain the lack of home-grown propaganda material. The movement was supported in its endeavours by the NAVL, which sold propaganda literature and provided speakers to promote the cause in Scotland. English anti-vaccinators wrote to the Scottish press arguing the case for abolition of compulsory vaccination and, in turn, SAVL supporters lobbied their members of parliament. They attended public meetings and interrogated parliamentary candidates on their attitude to compulsory vaccination before recommending which candidates local electors should support at the ballot box.<sup>64</sup>

The University of Edinburgh collection and the two letters in Edinburgh City archives give a brief glimpse of opposition to compulsory smallpox vaccination in Scotland and of the NAVL attempts to influence events there. In all probability these records are the only tangible archival remains of the NAVL and provide a significant addition to the understanding of the anti-vaccination movement in nineteenth- and early-twentieth-century Britain.

<sup>63</sup> Personal correspondence between Professor Durbach and the author.

<sup>64</sup> E.g. *Dundee Courier*, 16 January 1906, 8, col. 1.