

AN  
INAUGURAL DISSERTATION

ON

*The Possibility of Conceptions  
the result of a rape.*

SUBMITTED TO THE

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BY

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To H. R. Bowling, M. D.,  
Prof. of the Theory and Practice  
of Medicine, in the University  
of Nashville, as a testimonial  
of his appreciation of your  
superior attainments as a  
Medical Philosopher; and esteem  
for your many private and  
public virtues; This dissertation  
is respectfully inscribed by  
the  
Author,



The possibility of conception, the result of a rape

There is certainly nothing more revolting to the feelings of a man, than, the violation of the chastity and purity of woman. And it is our special duty as Physicians, to guard and protect her, against all assaults, that would tend in the least, to rob her, of the brightest jewel that glitters in her crown - her virtue. We have it in our power, in a great degree, to maintain for her, the high and noble position, to which mankind by common consent has elevated her; or we may, by virtue of our position and influence, consign her, to the withering blasts of disgrace. Possessing then,



as we certainly do; the means for her relief, or her disgrace, we should be careful in our disposition of them. While I consider it the highest compliment we could bestow upon her, to guard and protect her honor; it is also our duty to pronounce her guilt; when facts and justice write blame against her. It becomes us, as sons of science, to reflect the revealed facts of science, as laid bare to us by our own investigations; or those of men, of acknowledged ability and research.

The possibility of conceiving the result of a rape, is a question that should engage the interest of all lovers of justice, or searchers



<sup>of the</sup>  
 truth. The importance of this  
 question, involving as it does,  
 not only the character and  
 status of individuals; but, even  
 their lives, is unquestionably sufficient  
 reason, why we should be able,  
 to pronounce against the guilty,  
 and acquit the innocent accused.  
 In the investigation of this subject;  
 I shall not treat of Rape in the  
 broad and comprehensive sense,  
 in which it is treated by authors:  
 But, as it occurs, in connexion  
 with, a healthy adult female  
 capable of procreation. It will  
 also be necessary, in order to  
 present the question as fairly as  
 possible, to consider the act  
 fully consummated. As conception



is not the inevitable result of fecundation; I shall first consider the possibility of fecundation, and then the possibility of its resulting in conception. It is proper to remark here, that this distinction between fecundation and conception, is made upon the authority of Dr. Watson, most others consider them identically the same.

In order for fecundation to occur, it is absolutely necessary, that the semen of the male should come in direct contact, with the ovum of the female: and those who deny the possibility of conceiving the result of a rape; contend, that such union will never take place under such circumstances.



Upon an examination of the Spermatozoon of the Lemnisc, it has been proven, that they are endowed with independent action, Capable of moving about one inch in Thirteen minutes. It would seem that a knowledge of this fact, were sufficient to explain, the much mooted question. ~~By~~ what means, are the spermatozoa enabled to find their way into the Fallopian tubes and ovaries? The action of the walls of the uterus and Fallopian tubes, may have something to do with the progress of these minute particles; It has been shown that the cilia lining the Fallopian tubes, all lie towards the uterus; and their action is also in the same direction.



It would seem then, that the mind of the woman would have no influence over the spermatogonia; as they are "free agents"; "running on their own hook." Besides, I am unable to conceive of any influence whatsoever, whereby, a woman can by ~~any effort~~ effort, exert such a powerful influence over an act so wholly vital and so free under the influence of the will. If such an influence existed, it is certainly a hidden and mysterious truth of which we can form no just conceptions. Now, if the act of fecundation depend upon some sympathetic influence, not easily understood or conceived, there might be some ground for the belief, that the "disgust" of the woman, would



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exert some control over the result  
of a Rape. But - it would be folly  
to hold to, or attempt to propagate  
such a theory at the present day.  
That a union of the Sperm with  
the ovum is necessary for insure fecun-  
dation, does not admit of doubt.  
It does not seem to be necessary  
for insure fecundation, that the  
Sperm should be deposited in  
the uterus or even in the upper  
part of the Vagina, as conception  
has occurred, and might occur again,  
so here the Vagina was closed by a  
strong membrane; which was  
pierced by a very minute opening,  
and through this orifice, the Sperm  
found its way into the uterus, and  
conception was the result. Besides, the



os. uteri may be sufficiently patent  
to receive the glans-penis, when  
the woman is capable of conceiving.

The Semen might then be deposited  
in the uterus, and come directly in  
contact with <sup>the</sup> ovum in that organ.

But, it may be asked how ova  
gained a position in the uterus at  
this time? It is now a well established

fact, that ova are not only cast  
off during copulation, but during  
menstruation, or from high venereal  
excitement during the interval of  
menstruation; or they may even be  
the result of ovulation, not hav-  
ing been impregnated at the time  
of their expulsion. This latter would  
seem more probable, from the fact,  
that menstruation is not always the



result of copulation, though both parties enjoyed the intercourse to the highest degree, and furnished all the requisites for fecundation. These are all the same, whether the result of Copulation or of Spontaneous ovulation; and they all retain capability, of being impregnated for several days after their expulsion from the vesicle. Both semen and ovum being present in the uterus; the action of the mind of the woman, could exert no control over them; both being foreign to, and having no connexion with her system, simply lying on the mucous membrane of the womb. But, admitting that the "disgust" would exert any influence whatever for a time, it might remain in



the vagina, until the excitement  
 had passed away, and, thus by the  
 stimulus of its presence, compel the  
 vagina and uterus to act upon it.  
 This is certainly possible, as all agree  
 that a sensation may be conveyed to  
 the brain and <sup>be</sup> reflected, without the  
 mind putting any value of it  
 at all. Magendie says a woman may  
 conceive, when she even abhors the  
 act of coition; though it be with her husband.  
 Carpenter considers conception entirely  
 organic as all others do. He says, that  
 the function of the female during coitus  
 is essentially passive. When the sexual  
 feelings are strongly excited, there is  
 considerable turgescence, and an in-  
 creased secretion from various glandular  
 follicles. But these changes, are by no



<sup>means</sup>  
 necessary, for effectual coition; since  
 it is a fact-well established, that fruit-  
 ful intercourse may take place  
 when the female is in a state of mor-  
 tification, Pomanambulism or even of  
 profound stupor. It has been supposed  
 by some, that the os-uteri dilates by  
 a kind of reflex action, to receive  
 the semen, but of this there is no  
 proof. The introduction of a small  
 quantity of semen, just within the  
 vagina, seems to be all that is ab-  
 solutely necessary for conception?  
 This seems to me to be sufficient, to  
 obviate "disgust" of all the error it-possesses  
 for coitus. Taylor, in his jurisprudence  
 says that such a thing may occur  
 and thinks it unnecessary to argue  
 such a well established fact.



Beck treats it equally briefly, thinking it unnecessary to argue a theory so universally recognised. It may be said, that ova do not possess capability of being impregnated after they have left the ovary; but there is certainly no reason for such a conclusion. Carpenter says, "It is no longer considered necessary for fecundation, that the sperm should reach the ovarium, since this end may be answered by the contact of the two in the Fallopian tubes, or even in the uterus itself." This certainly proves that ova do possess capability of being fertilized "even in the uterus itself." The assertion that that ovum loses its capability of being impregnated, rests, says Carpenter, upon the fact, that the sexual



desire was not so intense, or did  
 not exist-at-all, in some an-  
 imals examined in which after  
 death, it was found that the  
 ova, had passed into the uterus  
 or lower part of the Fallopian  
 tubes. But, he says further, that  
 there is reason to believe that  
 this is not the case in the  
 human female; for, although,  
 the sexual desire may be strongest  
 about the time of the ovulation  
 and escape of ova; yet "this  
 by no means wanting at other  
 times". And, the fact that im-  
 pregnation occurs from a single  
 coitus, in the middle of the in-  
 terval between menstrual periods,  
 or for several days after its cessation,



is strong proof, that the ovum  
 still retains its susceptibility of  
 impregnation for several days,  
 at least, after its expulsion from  
 the Graafian vesicle. Having  
 proven very conclusively, I think,  
 that fecundation may occur  
 as the result of a rape;  
 we are now prepared to examine  
 the evidence in favor of the po-  
 sibility of Conception, the result  
 of such fecundation. I will  
 again remark, that this division  
 is, I think, the most appropriate  
 one I could have chosen to meet  
 the objections urged against the  
 theory by Dr. Watson, who is I believe  
 the champion of the opposition. He  
 considers fecundation and Conception



entirely separate and distinct  
 acts, and that-fermentation may  
 occur, without-resulting in conception  
 Although the authors consider  
 them the same, I think the distinction  
 made by Dr. Watson altogether  
 reasonable and practical.

While I consider conception the  
 result of a rape possible, I do not  
 not-think it likely to occur, and  
 yet the possibility of its occurrence  
 as all is sufficient to establish  
 the fact, should it ever occur  
 again. That-conception would be  
 as likely to result-from fermentation  
 taking place in the ovary or  
 Fallopian tube the result of  
 a rape, as otherwise there is  
 no possible doubt. For whatever



may be the cause of the formation of the decidua, it would certainly be just as likely to produce the membrane, in this case, as in any other. The ovum would also bring with it into the cavity of the uterus the same living Gas are brought down in impregnation occurring at any other time. It would find its way into the womb just as readily in the one case as in the other. And after finding its way into the uterus, it would be just as apt to displace the membrane and attach itself to the walls of the organ. I can then perceive no difference whatever. We then have all that constitutes



conception as perfectly performed  
 in this, as in any other  
 impregnation. There is no  
 reason at all why it should  
 not be so. But how so with  
 fecundation occurring in the  
 cavity of the Uterus. There is  
 here a different condition. When the  
 Ova descends into the cavity  
 of the womb, before its im-  
 pregnation there is no membrane  
 formed ready to receive it on  
 its exit from the Fallopian tube,  
 and check its further progress.  
 Although it might meet with  
 the Semens, and be impregnated,  
 it would not be likely to attach  
 itself to the Uterine surface, from  
 the fact, that there would be no



reflex membrane to support it,  
 in its position upon the  
 surface of the uterus, until  
 such connexion could be  
 established. Besides, were the  
 decidua formed after the  
 arrival of the ovum in the  
 uterus, the proper relation  
 would not exist. The ovum  
 lying internally to the decidua  
 would prevent the formation  
 of a reflex membrane, which  
 being only a portion of the  
 decidua pushed down by the descent  
 of the ovum. It therefore appears  
 more reasonable to suppose, that  
 the impregnated ovum would  
 pass off through the vagina



Granting the opposers of the theory of its possibility, the advantage of this argument, and it does not prove that already advanced is true.

Because the conditions are different, the relations of the parts are usually changed. I have I think proven more conclusively, that Conception may occur, the result of a rape; aside from presenting a single instance of the many that have occurred; or he to it might be said, were no evidence reflecting, as we could not tell, whether the woman agreed to the intercourse or made the charge for the purpose of hiding her guilt, or to obtain



money. And as it would be  
 a difficult matter to see  
 her notions, I have thought it  
 proper to present Science  
 as evidence, rather than the  
 complaints of an interested  
 woman. But the present gives  
 what I consider sufficient proof  
 in a nut-shell. It has been  
 proven beyond doubt that ova  
 are discharged, or that Graafian  
 follicles mature. That Spermatazoa  
 are capable of independent  
 action, and might by their  
 own movements reach the  
 Fallopian tubes. That there is  
 very little reason to suppose,  
 that the vagina and uterus  
 would not act in concert with them



and thus facilitate their progress.  
 Thus - the impregnated ovum  
 would descend, and adhere to  
 the uterine wall as readily as  
 at any other time. This is I  
 think proof enough of its possi-  
 bility. Carpenter remarks,  
 in speaking of the Spermatozoa  
 "Thus - among the tribes whose  
 ova are fertilized out of the  
 body, the power of movement  
 inherent in Spermatozoa, is obviously  
 the means, by which they are  
 brought in contact with the ova,  
 and it does not seem unreasonable  
 to suppose, that - the same is  
 the case in regard to higher classes;  
 and thus - the transit of these  
 curious particles from the vagina



towards the ovaries, is affected  
 by the same kind of action,  
 as that which causes them to  
 traverse the field of the mi-  
 croscope. There are thousands  
 of women, who, considering  
 the inconvenience of child bearing  
 would gladly prevent it, were it  
 in <sup>power</sup> their to do so. But goaded  
 on by a powerful and almost  
 irresistible desire, to do for  
 others what they would have  
 others do unto them; they return  
 to the scenes of their former (perhaps)  
 delight, and court - suffer the  
 penalty, imposed by the inviolable  
 laws of nature; which is beyond  
 the power of their minds to avert.

Dec 1<sup>st</sup> 1838.

R. Girard Bidwell.