

If, kneeling down to worship there,  
Did not want payment for each prayer. (25)

(25) The following authorities have been quoted, in the opinion given, on the case and question before the court of the Censor-general, as to the legal right, women who prostitute their persons, have to a pecuniary, or other, reward; which case and opinion, not having yet been fully digested, its publication must be deferred.

In the DIGEST, C. 4, S. 5. *De conditione ob turpam causam*, it is decided that whatever is given to a prostitute, can not be reclaimed; for, *illa enim turpiter fecit quod sit meretrix, tamen turpiter non accipit, cum sit meretrix.*

In PONTAS' *cas de conscience*, in his article, *des restitutions*, he says, when a female has received money as her wages for the commission of the sin of prostitution, she is not obliged to restore it, for "there is no law, either divine or human, that prohibits the making payment to her that has committed the sin."

ST. THOMAS, Q. 2. 72, art. 5, ad. 2, is of the same opinion. *Alio modo aliquis illicita dat, quia propter rem illicitam dat, licet ipsa datio non sit illicita, Sicut cum qui dat meretrice propter fornicationem. Unde et mulier potest sibi retinere, quod ei datum est.*

*Leg. 4 § 2, ff. & lib. 23, tit. 5*, positively says, *Quod meretrici datur repeti non potest.*

"Nous avons," says the author of the *Causes Celebres*, vol. xv, p. 274, "une foule d'arrêts dans RICARD, *des Donations*, part 1, ch. 3, sect. 8, qui decident qu'on doit donner des alimens à une concubine, et c'est un principe certain qu'on ne reprime les donations qu'on leur fait, que lorsqu'elles sont excessives."

Casuists go farther: FILIUTIUS says that persons are in conscience bound to pay differently, according to the circumstances attending any crime they desire to be committed, and may pay either before or after. He proceeds, *tr. 31, c. 9, q. 231. Occultæ fornicariæ debetur pretium in conscientia, et multo majore ratione, quam publicæ. Cæpia enim quam occulta facit mulier sui corporis, multo plus valet quam publica facit meretrix; nec est lex positiva quæ reddat eam incapacem pretii. Idem dicendo de pretio promisso virgini, conjugatæ et cuiuscunque alii. Est enim eadem communis ratio.*

LASSUS, l. 2. c. 14, says; "Vous citez peut-être que ce-