

Advertising Abortion During the 1830s and 1840s: Madame Restell Builds a Business

by Marvin Olasky

Michael Schudson has pointed out that, with the advent of the penny press in the 1830s, "advertising became more strictly an economic exchange, not a moral one."¹ But how far did newspapers go in their acceptance of advertising? What was the content of ads for controversial goods and services, such as abortion? Did ads try to sell ideas as well as products?

Questions of this sort can best be answered by close study of the ads themselves. This article, therefore, traces the manner in which New York's leading abortionist, Madame Restell, used newspaper advertising during the 1830s and early 1840s to help build a business that made her a millionaire.

The study is based on evidence gained through four research approaches: first, studying the practice of abortion in the United States during this period; second, examining on a daily basis the ample abortion advertising in New York's two celebrated penny papers of the 1830s and 1840s, the *Sun* and the *Herald*, and also noting that the *New York Tribune* did not carry abortion advertising; third, obtaining a contrasting view of Restell by reading, from 1845 on, coverage of her in a new, sensational New York weekly, the *National Police Gazette*; fourth, tracing through other sources the continued career of Madame Restell.

Background

Anna Trow was born in Painswick, England, in 1812, the daughter of poor and uneducated parents.² She worked as a serving maid, married Henry Sommers, an alcoholic tailor, and with him emigrated to New York City in 1831. Sommers

died of typhoid fever in 1833, leaving her with a small child.³

She supported herself for a time through work as a seamstress and midwife, then was remarried in 1836 to a New York *Herald* printer, Charles Lohman.⁴ In 1837 she began selling abortifacients and apparently performing abortions.⁵

"Madame Restell," as Anna Lohman began calling herself, had to proceed cautiously in her business, since abortion was illegal by statute in New York, and by statute or common law tradition in other states.⁶ Abortionists, though, were rarely arrested and even more rarely prosecuted.⁷

It was hard to prove abortionists guilty, for there was no invariably accepted proof that a woman was pregnant until "quickening" (the beginning of noticeable fetal movement) occurred, generally in the fifth month of pregnancy. Abortion before quickening could be termed "an attempt to remove female blockages" or "a cure for stoppage of the menses," which was accurate in that the leading cause of menstrual stoppage among women of child-bearing age was pregnancy.⁸

Prosecution of after-quickening abortions also was difficult, since witnesses would be very hard to come by. After all, if the abortion was successful and the woman survived she would be unlikely to testify; if she died, pathologists at that time could not know for sure that an abortion had occurred.⁹

If a woman during this era believed herself to be pregnant and wanted to abort, the common procedure was to use an abortifacient. Substances such as ergot, calomel, aloë, black hellebore or ergot mixed with oil of tansy were to be ingested, on the theory that a horrible shock to the lower digestive tract might so disrupt the uterus that a miscarriage would

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result. Pills containing such substances were called "female monthly regulating pills" or some such name, once again with the pretense that the only goal was regulation of the menstrual cycle.¹⁰

If the pills failed, as they often did, and a woman was still intent upon abortion, a visit to the abortionist came next. Abortionists then, as now, knew that they could generally bring on contractions through dilation of the cervix or rupture of the amniotic sac, and that such contractions would lead to expulsion of the fetus. Textbooks also described "in utero decapitation" and "fetal pulverization."¹¹

Advertising for abortifacients and abortion services was generally by word-of-mouth during the early decades of the 19th Century. But with the development of the penny papers in the 1830s, and their frequent willingness to accept advertising from virtually all comers with few questions asked, new marketing opportunities emerged.¹²

The Language and Politics of Abortion Advertising

Typically, abortion and abortifacient ads did not use the word "abortion." One 1836 New York *Sun* ad, addressed to "SUFFERING FEMALES," offered pills to remedy "suppression of menses or monthly sickness."¹³ Language such as "suppression, irregularity, or stoppage of the menses" became customary, with "obdurate," "obstinate" or "persistent" cases being those pregnancies that continued after use of abortifacients and might lead to a visit to the abortionist.¹⁴

The code was convenient to newspapers that wanted to bring in advertising revenue while, if possible, minimizing community chastisement. The veil fooled few, though. One observer said the abortion advertisements' code words were known to "every schoolgirl" in New York.¹⁵ A physician complained that the ads were "intelligible not only to fathers and mothers, but also to boys and girls."¹⁶ The euphemisms nevertheless seemed fruitful, and they multiplied.

The few advertisements that used the word "abortion" at first (as part of a "warning" that would make clear to readers the products' supposed efficacy) soon ceased to do so. For instance, a New York *Sun* ad in 1837 promoted:

Dr. Van Humbert's Female Renovating Pills - from Germany - An effectual remedy for suppression, irregularity and all cases where nature does not perform her proper and regular course. They must not be taken during pregnancy, as they would produce abortion.¹⁷

Two years later, though, the *Sun* ran the same ad, but with asterisks in place of crucial letters: "They must not be taken during p*****y, as they would produce a*****n."¹⁸ Shortly after that the asterisks, which gave the precise number of letters, disappeared, and were replaced by blanks: The pills "must not be taken during p----y, as they would produce a----n."¹⁹ Two months later the blanks with their beginning and ending letters had disappeared, leaving a very odd sentence: "They must not be taken during as they would produce."²⁰ Three months after that the entire sentence was gone, and the ad ended merely with the note that the pills were "safe under all circumstances except one."²¹

No definite evidence exists as to why those changes were made, but in 1839 Madame Restell, in her second year of advertising, made the same change. On May 9, she an-

nounced in the *Sun* that she wished to "inform the ladies that her pills are an infallible regulator of *****. They must not be taken when *****." ²² Later that month, though, Restell did not use asterisks in place of "menses" or "pregnant."²³ Instead, she publicized her "FEMALE MONTHLY REGULATING PILLS" that would cure "all cases of suppression, irregularity, or stoppage of the menses, however obdurate, or from whatever causes produced."²⁴

In her basic ads, which ran regularly from 1839 through 1845, Madame Restell always emphasized secrecy:

MADAME RESTELL, FEMALE PHYSICIAN, residence 148 Greenwich street, where she can be consulted with the strictest confidence on complaints incident to the female frame.²⁵

She also noted her "perfect cure" for "obstinate" cases and her willingness to accommodate clients during abortion recovery:

Madame Restell's experience and knowledge in the treatment of obstinate cases of female irregularity, stoppage, suppression, etc., is such as to require but a few days to effect a perfect cure. Ladies desiring proper medical attendance during confinement or other indisposition, will be accommodated during such time, with private and respectable board.²⁶

Significantly, though, Restell also ran two varieties of what today would be called "issue-oriented" ads. They were designed to sell the idea of abortion itself, and to assure the queasy that they were virtuous despite the intention to engage in what was generally regarded as vice.

The long ad that ran in the *Sun*, but was not found in the *Herald*, suggested that pregnancy was not fair to the woman. "Irregularity and suppression," the ad stated, causes

violent and convulsive headaches, derangement of the stomach, gnawing in the side, burning in the chest, disturbed and feverish sleep, frightful dream, languor, debility, weakness, a most distressing lethargy.²⁷

Some women who become pregnant, the ad continued, fall into

that melancholy of mind and depression of Spirits that make existence itself but a prolongation of suffering and wretchedness, and which alas! not infrequently dooms the unhappy victim to the perpetration of suicide.²⁸

There was no need to despair, though: "These dreadful and alarming symptoms and all others arising from female irregularity or suppression are removed in a few days by Mme. Restell."²⁹

The other abortion advocacy ad, which ran in the *Herald* from 1840 through 1845, was less hysterical and more philosophically altruistic in tone. Perhaps Madame Restell felt that a high-minded plea for family population control, along with an emphasis on male reactions, might appeal more to the *Herald's* increasingly middle-class audience and business readership. The ad suggested that a new pregnancy was not fair to the husband or to the children already born:

In how many instances does [sic] the hard working father, and more especially the mother of a poor family, remain slaves throughout their lives, tugging at the oar of incessant labor, toiling but to live and living but to toil, when they might have enjoyed comfort and comparative affluence, and if care and toil have weighed down the spirit, and at last broken the health of the father, how often is the widow left unable, with the most virtuous intentions, to save her fatherless offspring from becoming degraded objects of charity or profligate votaries of vice?³⁰

NATIONAL POLICE GAZETTE.

NEW-YORK, SATURDAY, MARCH 13, 1847. FOUR CENTS A NUMBER.



THE FEMALE ABORTIONIST.

Madame Restell on the cover of the *National Police Gazette*.

Madame Restell also expressed concern about the wife dying and leaving "young and helpless children" without "those endearing attentions and watchful solitudes, which a mother alone can bestow."³¹ She then asked:

Is it desirable, then – is it moral – for parents to increase their families, regardless of consequences to themselves, or the well being of their offspring, when a simple, easy, healthy and certain remedy is within our control?³²

The answer, for Restell, definitely supported abortion: "Every dispassionate, virtuous and enlightened mind, will unhesitatingly answer in the affirmative."³³

Madame Restell, in short, editorialized heavily in her paid space. That was her right, but it did lead to a one-sided view of abortion in the *Herald* and the *Sun*. Neither was found to have run any editorial comments on Madame Restell's views, or to have covered her illegal activity. In contrast, other newspaper editors fought a "moral war" against the *Herald*, complaining of both news coverage and advertising. Horace Greeley, for instance, did not accept abortion ads in his *New York Tribune*, and in 1841 he criticized the *Herald* and the *Sun* for accepting Madame Restell's ads.³⁴ But there was no apparent change in *Herald* or *Sun* abortion advertising policies.

The *Sun* even reprinted an attack on it by one Christian newspaper, *Zion's Watchman*, which asked:

How can any Christian patronize this vile print? Look at its constant advertisements of Madame Restell, and others of a similar character, which render it unfit to be received into any decent family. . . . We call on all friends of virtue to set their faces against that print, as utterly unworthy of their support.³⁵

The *Sun* responded:

We copy the above, not because we deem it of the least importance to expose or refute the base falsehoods which it utters or insinuates against us; these, with a thousand others like them, conceived in the same spirit, "pass by like the wind." Indeed it gives us pleasure, as far as we are individually concerned, to meet these spiteful attacks from fanatics, hypocrites, and corrupt partizans [sic], who allow themselves to be "the tools with which knaves do work withal." When we are attacked from such quarters, it gives us strong assurance that we are doing our duty to the public, that truth is making its way in triumph.³⁶

Such rhetorical response might have had its base in principle, principal, or both. Penny press editors argued, in essence, that newspaper policy concerning advertising should be virtually that of a common carrier. For example, the *Boston Daily Times* commented in 1837:

It is sufficient for our purpose that the advertisements are paid for. . . . One man has as good a right as another to have his wares, his goods, his panaceas, his profession, published to the world in a newspaper, provided he pays for it.³⁷

It would take a great deal of faith or naivete, though, to argue that the money of Madame Restell and others did not talk very loudly. At the price of \$2.50 for running a six-line unit for two weeks, with about a 60-line average in 1839, Restell's annual bill for reaching the *Sun*'s 32,000 readers would have been \$650 – at a time when decent New York apartments cost \$5 or \$6 per month.³⁸

A similar computation for the *Herald*, which charged \$2.50 for an eight-line unit in 1840, would put her annual advertising costs in that newspaper alone at about \$420 – an appreciable sum, in that Bennett had founded the *Herald* with just \$500 in 1835.³⁹ No precise figures show whether Restell actually paid full price – some volume discounts were available, and published advertising rates did not always hold – but she probably accumulated (in 1986 dollars) an advertising charge of at least \$50,000 in those two newspapers.⁴⁰

In return, her business prospered. During the early 1840s she opened branch offices in Boston and Philadelphia; she had abortifacient-selling franchises in Newark, Providence and five New York locations; by 1845, she was keeping her main office open from 9 a.m. to 9 p.m.⁴¹

She was also giving herself in the press a fake pedigree and fake credentials. First she advertised that her grandmother had been a "celebrated midwife and female physician" who introduced use of abortifacients "into some of the principal Female Hospitals in Europe."⁴² Then she contended that she herself had worked

in the two principal Female Hospitals in Europe – those of Vienna and Paris – where favored by her great experience and opportunities, she attained that celebrity in those great discoveries in medical science so specially adapted to the female frame.⁴³

Given the illegality of her business, the informality of all medical practice at that time and the absence of income taxes, it is not surprising that no financial records exist of Madame Restell's business or customer load. Similarly, it is not known whether most of her customers came because of print advertising or word-of-mouth, but it is clear that she

believed continual advertising to be a good investment. That is certainly what some of her competitors believed also, for they began or expanded their own ads.

Competition

Beginning in 1840, more abortifacient sellers emerged. "Dr. Vandenburg" sold his "Female Regeneracy Pills" in the *Sun*, calling them "an effectual remedy for suppression, irregularity, and all cases where nature has stopped from any cause whatsoever."⁴⁴ A "Madame Vincent" offered her own female regulating pills.⁴⁵ Ads for "Portuguese Female Pills"⁴⁶ and "FRENCH LUNAR PILLS" appeared in 1841, with the notice that the latter were called "lunar pills"

on account of their efficacy in producing the monthly turns of females. . . . Their effects are truly astonishing. They are never attended with any distressing operation, are always certain, and therefore pregnant women should not take them. LOUIS DROUETT⁴⁷

Other abortionists also began advertising. A "Doctor Bell" announced that "irregularity of females also receives his particular attention."⁴⁸ A "Dr. Ward" treated suppression, irregularity and female obstructions.⁴⁹ A "Mrs. Mott"⁵⁰ jumped in and a "Mrs. Bird" was persistent.⁵¹ But judging by the ads – and Madame Restell's reaction to them – her prime competitor was a new contender, Catherine Costello of Jersey City, just across the Hudson River from Manhattan.

Madame Costello began by advertising her own "Female Monthly Pills," calling them "a sovereign remedy for irregularity, female obstruction, and never fails [sic] to bring on regular periods."⁵² Like Madame Restell, she then promised her abortion customers a place to recover:

Madame Costello is well aware that it is sometimes inconvenient for ladies who are laboring under a suppression of their regular illness, to have that attention at their residences which the nature of their cases may demand, and to such she would say that she is prepared to accommodate them with board and the best of nursing at her residence, 34 Lispenard St.⁵³

By July 14, Costello was advertising herself as a "female physician," much as Madame Restell did, and promising "appropriate and effectual remedies for irregularity and obstruction."⁵⁴ By December 1841, she had expanded her ad, titling it TO THE LADIES (not just to the MARRIED LADIES, which was often the heading on Restell ads), and boasting that "Suppression, irregularity, obstruction &c, by whatever cause produced, can be removed by Madame C. in a very short time."⁵⁵ She also announced an office expansion in order to receive more women "who wish to be treated for obstruction of their monthly period . . . strictest regard to secrecy."⁵⁶ In response, Restell increased her advertising space, running three separate ads in the *Herald* on December 8, 1841, with a total of 88 lines, including one ad that attacked

COUNTERFEIT MONTHLY PILLS Owing to the celebrity, efficiency and invariable success of Madame Restell's Female Monthly Pills in all cases of irregularity, suppression, or stoppage of those functions of nature upon which the health of every female depends, since the introducing into the United States, now about four years, counterfeits and imitations are continually attempted to be palmed off for the genuine. Cheap, common pills are purchased at twelve cents a box, put up in different boxes, and called "Female Monthly Pill," with the object of selling, if possible, at one dollar. Females are therefore cautioned against

these attempts to impose upon them. It is sufficient here to state that all Female Monthly Pills are counterfeits, except those sold at Madame Restell's.⁵⁷

Over the next several months, Madame Restell continued to attack "counterfeit pills,"⁵⁸ but in March 1842, Madame Costello fought back with an ad proclaiming that hers were

GENUINE FEMALE MONTHLY PILLS. Madame Costello's FEMALE MONTHLY PILL is acknowledged by the first Physicians in the United States as the very best medicine that ladies laboring under a suppression of their natural illness [menstruation] can take.⁵⁹

The *Herald*, though, may have warned Restell that Costello was changing her ad, for directly below Madame Costello's ad the following appeared:

CAUTION TO FEMALES. SO VARIOUS and desperate are the expedients resorted to by ignorant, though impudent pretenders, with the object of imposing upon females, that Madame Restell deems herself called upon to put them on their guard. One expedient is, to put up a miserable compound, and forthwith to call it genuine "Female Monthly Pills," with the hope therefore to effect sale for them on the reputation acquired by Madame Restell's Female Monthly Pills, and the person attempting their sale called herself, (the better to deceive the public) a "madame" or a "female physician." Females, therefore, need not be deceived by those who, though too ignorant and unskillful to discover and introduce a valuable medicine, are yet despicable and dishonest enough to palm off upon the unsuspecting or simple, miserable counterfeits and imitations of the genuine.⁶⁰

Restell, of course, had also designated herself a madame and female physician in order to deceive the unsuspecting or simple.

Costello continued to advertise herself as a FEMALE PHYSICIAN, and extended her claims for the pills she sold:

Their certainty of action has long been acknowledged by the medical profession, and hundreds that have uselessly tried various boasted remedies; indeed, so sure are these pills in their effects, that care is sometimes necessary in their use though they contain no medicine detrimental to the constitution.⁶¹

The reference to "care" necessary in use may have meant a Costello customer had died. Madame Restell's rhetoric, in response, became even tougher. A December 1842, ad, titled "CAUTION TO FEMALES," noted that Madame Restell

does not wish to be classed with the pretenders continually appearing and disappearing, advertising as 'Female Physicians,' who too ignorant and incompetent themselves are obliged to get some scarcely less ignorant quack to experiment instead.⁶²

The Restell-Costello battle continued throughout the next three years, with Costello answering Restell's charges that she was not personally involved in treating patients:

Madame C. particularly begs to impress on the minds of the delicate, that she officiates personally at every case, so that hesitation or dread need never to be apprehended.⁶³

In April 1846, though, Costello's husband, Charles Mason, was indicted for selling the corpse of one of his wife's patients.⁶⁴ A new New York weekly newspaper, the *National Police Gazette*, widely publicized the trial, and some of Madame Costello's patients apparently began to apprehend hesitation or dread.⁶⁵ But by then Madame Restell also had more serious matters to concern her than the advertising competition.

Backlash

Madame Restell's ample advertising attracted the attention of not only customers but also some physicians. Dr. Gunning Bedford wrote an article for *The New York Medical and Surgical Reporter* that called her "a monster who speculates with human life with as much cruelty as if she were engaged in a game of chance."⁶⁶ He wrote of one patient who told him that "Madame Restell, on previous occasions, had caused her to miscarry five times."⁶⁷

The patient also described one Restell abortion in which the aborted baby "kicked several times after it was put into the bowl."⁶⁸ Bedford wrote angrily that Restell's

advertisements are to be seen in our daily papers . . . She tells publicly what she can do; and without the slightest scruple, urges all to call on her who might be anxious to avoid having children.⁶⁹

Neither the *Herald* nor the *Sun* covered such accusations, but the *National Police Gazette*, just beginning publication in 1845, took on Restell. The *Gazette* typically filled three of its eight pages with ads for patent medicines and the usual run of goods and services, but none for abortion, which editor George Wilkes strongly opposed in editorials.⁷⁰ The *Gazette* was the one New York newspaper to run articles about abortion regularly during the 1840s. It stated:

We believe that full expositions of the infamous practices of abortionists will tend to present these human fiends in a true light before the eyes of those who may become their dupes. We shall follow up this business until New York is rid of those child destroyers.⁷²

The *Gazette* also proposed police establishment of "a night-and-day watch at the doors of the slaughterhouses of the murderous abortionists of this city."⁷² This did not occur, but Madame Restell adopted a low profile, decreasing her advertising after late-1845.⁷³

The *Gazette* continued its criticisms throughout 1845 and early 1846, complaining that "Restell still roams at large through the influence of ill-gotten wealth and will probably still continue until public indignation drives her and her associates from our midst."⁷⁴ The paper predicted that a "day of vengeance" would arrive for Restell and other "fiends who have made a business of professional murder and who have reaped the bloody harvest in quenching the immortal spark in thousands of the unborn."⁷⁵ The *Gazette* proclaimed Restell a "murderess paramount in the dark scheme of professional destruction, openly defying decency and the statute, and proclaiming to the world to stifle human life at so much per deed."⁷⁶

With authorities still not acting, popular hostility fueled by *Gazette* accounts and anti-Restell handbills erupted. At noon on February 23, 1846, a crowd began to gather in front of Restell's house. By 12:30, a crowd estimated (by different reporters) at 300 to 1,000 was faced by 40 to 50 policemen who had stationed themselves on her doorstep. The crowd for hours gave anti-Restell cries of "Where's the thousand children murdered in this house?" and "Hanging is too good for the monster." Restell was described as a "wholesale female strangler," and governmental authorities were attacked for not shutting her down.⁷⁷

The *Herald* covered the event but concluded its brief account with an editorial statement: "We hope that nothing will be done to endanger the peace of the city. Under all circumstances the supremacy of the law should be maintained."⁷⁸ Considering that Madame Restell was acting



A sketch of Madame Restell from the *National Police Gazette*, October 30, 1847.

illegally, that was an odd statement, but the *Herald* had not run criticism of her over the years, perhaps because it was not willing to upset a large and regular advertiser.⁷⁹

Through 1846, though, the *Gazette* continued to observe that abortion is "murder . . . strangling the unborn." Under great pressure, the police finally found a woman who had had a post-quickening abortion at the hands of Madame Restell and was willing to testify. In 1847 Restell was arrested for performing an abortion.⁸⁰

At the trial a young woman, Maria Bodine, testified that she had been attracted to Madame Restell's house by advertising and operated on by Madame Restell without anesthesia: "She hurt me so that I halloed out and gripped hold of her hand; she told me to have patience, and I would call her 'mother' for it."⁸¹ Found guilty, Restell was given a one-year term at the prison then on Blackwell's Island in the East River. It seemed for a while as if community pressure had won out over advertising clout.⁸²

Comeback

According to later accounts by journalists, political connections apparently preserved Restell from any great jailhouse misery. She was allowed to put aside the lumpy prison mattress and bring in her own fancy new featherbed instead; she also brought into the "prison suite" her own easy chairs, rockers and carpeting. Visiting hours were altered so that Charles Lohman was able to visit at will and "remain alone with her as long as suited his or her pleasure," according to Warden Jacob Acker.⁸³

Not surprisingly, Madame Restell did not advertise while she was in prison. After her release in 1848, though, she

proclaimed that the trial and imprisonment were worth \$100,000 to her in advertising. And by 1848 public interest in abortion seemed to have died down, with the *Gazette* moving on to other crusades. Restell moved to larger and better offices, resumed advertising during the 1850s, and was said to spend \$20,000 in advertising per year, largely through handbills.⁸⁴ She became a millionaire and moved to a Fifth Avenue mansion which, according to the *New York Times*, "never fails to attract the attention of the passerby, on account of its architectural beauty and magnificence."⁸⁵

But early in the 1870s some leading editorial writers once again began demanding that newspapers refuse advertising from abortionists. For example, the *New York Times*, in an editorial titled "Advertising Facilities for Murder," attacked "the lying notice of men and women whose profession, if it means anything at all, means murder made easy."⁸⁶ The *Times* asked whether "the lives of babes are of less account than a few ounces of precious metal, or a roll of greenbacks."⁸⁷

The *New York Tribune* also examined the business aspects of

an infamous but unfortunately common crime – so common that it affords a lucrative support to a regular guild of professional murderers, so safe that its perpetrators advertise their calling in the newspapers and parade their spoils on the fashionable avenues.⁸⁸

It called for an end to newspaper advertising of abortion services: "Abortion at any period is homicide" and should not be "allowed to flourish openly as a recognized in-

dustry."⁸⁹ Newspapers that had opened their advertising columns to abortionists did bow to public pressure this time, and at various points during the 1870s began refusing to run ads for known abortionists.

Madame Restell, who was still in business at age 65, was arrested in 1878 for "selling drugs and articles to procure abortion."⁹⁰ The night before her trial was scheduled to begin, she was discovered in one of the bathtubs of her mansion by a maid, with her throat cut from ear to ear, an apparent suicide.⁹¹ According to the maids, she had been walking the corridors of her mansion late at night for weeks, muttering, "I have never injured anybody. Why should they bring this trouble upon me?"⁹²

Conclusions

Abortion advertising in the *Herald* and the *Sun* during the 1830s and 1840s was frequent and highly competitive. Even though abortion was against the law, Madame Restell and others were able to use the newspapers as community bulletin boards to carry on arguments. Abortionists criticized each other in their ads and tried to sell the idea of abortion as well as their products and services. In ads they also were able to lie about their backgrounds.

The research shows how Madame Restell helped build her business through advertising. She also may have been buying protection, as there was an absence of editorial criticism of abortion in both the *Herald* and the *Sun*. And yet, the ads made use of a code, never in the 1840s actually using the word "abortion." The newspaper euphemisms showed not only a desire to pretend that nothing illegal was going on, but, perhaps, a basic ambivalence in American society about abortion itself.

NOTES

1. Michael Schudson, *Discovering the News* (New York: Basic Books, 1978), p. 19.
2. *New York Times*, April 2, 1878, p. 2.
3. *Ibid.*
4. *Ibid.*
5. *New York Herald*, Dec. 8, 1841, p. 4.
6. Hugh L. Hodge, *Foeticide* (Philadelphia: University of Pennsylvania, 1869), pp. 26-27. See also Cyril C. Means, "The Law of New York Concerning Abortion and the State of the Foetus, 1664-1968: A Case of Cessation of Constitutionality," *New York Law Forum* (Fall 1968): 458-490.
7. James Mohr, *Abortion in America* (New York: Oxford University Press, 1978), pp. 46-85.
8. Ely van de Warker, *The Detection of Criminal Abortion* (Boston: James Campbell, Publisher, 1872), p. 8; Mohr, p. 4.
9. Warker, pp. 7-20; Mohr, p. 15.
10. Warker, pp. 40-88.
11. Mohr, p. 15.
12. Schudson, p. 19.
13. *New York Sun*, Oct. 11, 1836, p. 1.
14. For examples, see the *New York Herald*, March 6, 1840, p. 1; Aug. 26, 1841, p. 3; Sept. 22, 1843, p. 4; Dec. 13, 1843, p. 4; April 13, 1844, p. 4; Jan. 11, 1845, p. 4. Also see the *Sun*, Oct. 21, 1841, p. 4; Feb. 24, 1842, p. 4; Aug. 6, 1842, p. 1.
15. Ely van de Warker, "The Criminal Use of Proprietary Advertised Nostrums," *New York Medical Journal*, January 1873, pp. 23-25.
16. P. Le Prohon, quoted in Mohr, p. 55.
17. *New York Sun*, July 4, 1837, p. 1; July 14, 1837, p. 1.
18. *New York Sun*, March 27, 1839, p. 1.
19. *New York Sun*, June 25, 1839, p. 4.
20. *New York Sun*, Aug. 9, 1839, p. 4.
21. *New York Sun*, Dec. 11, 1839, p. 4.
22. *New York Sun*, May 9, 1839, p. 4.
23. *New York Sun*, May 18, 1839, p. 4; June 12, 1839, p. 4; Aug. 17, 1839, p. 4; Sept. 11, 1839, p. 4.
24. *New York Sun*, Dec. 11, 1839, p. 1. Also see the *New York Herald*, March 6, 1840, p. 1; Aug. 26, 1841, p. 3; Sept. 22, 1843, p. 4; Dec. 13, 1843, p. 4; Jan. 25, 1844, p. 4; April 13, 1844, p. 4; Aug. 2, 1844, p. 4; Oct. 8, 1844, p. 4; Nov. 21, 1844, p. 4; Jan. 11, 1845, p. 4.
25. *New York Herald*, July 15, 1841, p. 4; Nov. 26, 1841, p. 4; Dec. 3, 1841, p. 4; Sept. 22, 1843, p. 4; Jan. 26, 1845, p. 4.
26. *New York Herald*, April 20, 1840, p. 4; May 16, 1840, p. 4; Aug. 26, 1841, p. 3; Oct. 25, 1841, p. 4; Nov. 26, 1841, p. 4; Dec. 3, 1841, p. 4; Jan. 6, 1842, p. 4; Jan.

- 24, 1842, p. 4; Feb. 4, 1842, p. 4; Feb. 27, 1842, p. 4; March 13, 1842, p. 4; July 13, 1844, p. 4; Oct. 2, 1844, p. 4; Nov. 11, 1842, p. 4; Jan. 29, 1845, p. 4. Also see the *Sun*, Oct. 21, 1841, p. 4; Feb. 24, 1842, p. 4; Aug. 6, 1842, p. 1.
27. *New York Sun*, Sept. 27, 1840.
28. *Ibid.*
29. *Ibid.*
30. *New York Herald*, March 6, 1840, p. 4; April 13, 1840, p. 8; April 20, 1840, p. 4; May 16, 1840, p. 1; May 20, 1840, p. 1; Aug. 26, 1841, p. 3; Nov. 26, 1841, p. 4; Dec. 3, 1841, p. 4; Jan. 6, 1842, p. 4; Jan. 18, 1842, p. 4; Jan. 27, 1842, p. 4; Feb. 15, 1842, p. 4; March 13, 1842, p. 4; Sept. 22, 1843, p. 4; Jan. 17, 1845, p. 4.
31. *Ibid.*
32. *Ibid.*
33. *Ibid.*
34. *New York Tribune*, Dec. 20, 1841, p. 4.
35. *New York Sun*, June 21, 1841, p. 2.
36. *Ibid.*
37. Quoted in Willard G. Bleyer, *Main Currents in the History of American Journalism* (Boston: Houghton Mifflin, 1927), p. 175, and in Schudson, pp. 19-20.
38. *New York Sun*, June 26, 1839, p. 1.
39. *New York Herald*, March 6, 1840, p. 1; May 20, 1840, p. 1. Circulation was listed as 17,000 daily. On August 1, 1845, circulation was listed as 40,000 daily. See also Frank Luther Mott, *American Journalism* (New York: Macmillan, 1950), p. 230.
40. This figure is approximate; it is hard to make definitive calculations from a period before consumer price indexes.
41. *New York Herald*, March 6, 1840, p. 4; Jan. 15, 1845, p. 4.
42. *New York Herald*, March 6, 1840, p. 1; May 20, 1840, p. 1.
43. *New York Herald*, Dec. 8, 1841, p. 4.
44. *New York Sun*, Sept. 14, 1840, p. 4.
45. *New York Sun*, Jan. 24, 1840, p. 4.
46. *New York Sun*, Oct. 22, 1841, p. 2; *New York Herald*, Oct. 25, 1841, p. 3; Oct. 28, 1841, p. 4; Nov. 25, 1841, p. 4; Dec. 8, 1841, p. 4; Dec. 10, 1841, p. 4; April 15, 1842, p. 4; July 13, 1842, p. 4; Dec. 9, 1842, p. 4; Dec. 13, 1843, p. 4; Jan. 25, 1844, p. 4; April 13, 1844, p. 4; July 13, 1844, p. 4; Aug. 2, 1844, p. 4; Oct. 8, 1844, p. 4; Nov. 21, 1844, p. 4; Jan. 29, 1845, p. 4.
47. *New York Herald*, Aug. 21, 1841, p. 4; Aug. 26, 1841, p. 4; Sept. 17, 1841, pp. 3, 4; Sept. 28, 1841, pp. 2, 4; Oct. 25, 1841, pp. 3, 4.
48. *New York Herald*, Jan. 6, 1841, p. 4.
49. *New York Herald*, Feb. 25, 1841.
50. *Ibid.*
51. *New York Sun*, March 16, 1840, p. 4; *New York Herald*, March 6, 1840, p. 4.
52. *New York Herald*, Dec. 15, 1840, p. 4.
53. *Ibid.*
54. *New York Herald*, July 27, 1841, p. 4; Aug. 4, 1841, p. 4; Aug. 7, 1841, p. 4; Aug. 26, 1841, p. 4.
55. *New York Herald*, Dec. 6, 1841, p. 4; Dec. 8, 1841, p. 4.
56. *Ibid.*
57. *New York Herald*, Dec. 8, 1841, p. 4.
58. *New York Herald*, Dec. 10, 1841, p. 4; Dec. 17, 1841, p. 4; Jan. 6, 1842, p. 4; Feb. 4, 1842, p. 4; Feb. 27, 1842, p. 4; March 13, 1842, p. 4.
59. *New York Herald*, March 14, 1842, p. 4.
60. *Ibid.*
61. *New York Sun*, June 31, 1842, p. 4; Aug. 1, 1842, p. 4; Sept. 15, 1842, p. 4.
62. *New York Herald*, Dec. 9, 1842, p. 4; Dec. 23, 1842, p. 4; Sept. 22, 1843, p. 4; Dec. 13, 1843, p. 4; Jan. 25, 1844, p. 4; April 13, 1844, p. 4.
63. *New York Sun*, Oct. 28, 1845, p. 4; Oct. 31, 1845, p. 4.
64. *New York Tribune*, Feb. 13, 1846, p. 1; Feb. 14, 1846, p. 1; Feb. 15, 1846, p. 1; Feb. 16, 1846, p. 2; Feb. 17, 1846, p. 1.
65. *Ibid.* Also see *National Police Gazette*, Feb. 28, 1846, p. 220; April 25, 1846, pp. 284-285; May 2, 1846, pp. 291, 293.
66. Quoted in *National Police Gazette*, Nov. 15, 1845, p. 100. See also Gunning Bedford, "Madame Restell and Some of Her Dupes," *New York Medical and Surgical Reporter*, Feb. 21, 1846, pp. 158-165.
67. *National Police Gazette*, Nov. 15, 1845, p. 100.
68. *Ibid.*
69. *Ibid.*
70. *National Police Gazette*, February 14, 1846, p. 205.
71. *Ibid.*
72. *Ibid.*
73. *New York Herald*, November 1845 through December 1850. Madame Restell's husband, Charles Lohman, consistently advertised an abortion advocacy book, *The Married Woman's Private Medical Companion*, that he had written under his business name and fake title, "Dr. Mauriceau, Professor of Diseases of Women." According to the ads, the book went from a sixth edition in 1847 to a 10th edition in 1850 and a 12th edition in 1852. The ad promised that the book would reveal ways to "correct all irregularities of the female system," and often included testimonial letters. A Sept. 17, 1852, *New York Herald* ad (p. 7) included a testimonial letter from Dayton dated May 1, 1845. The March 29, 1853, *Herald* ad (p. 7) included the same testimonial letter, but updated to May 1, 1851.
74. *National Police Gazette*, Feb. 14, 1846, p. 205.
75. *National Police Gazette*, Feb. 21, 1846, p. 218.
76. *Ibid.*
77. *New York Herald*, Feb. 24, 1846, p. 1; *New York Tribune*, Feb. 24, 1846, p. 2; *New York Morning News*, February 23, 1846, p. 1.
78. *New York Herald*, Feb. 24, 1846, p. 1.
79. This is according to a reading of the *Herald* from 1835 through 1845.
80. *New York Tribune*, April 2, 1878, p. 1.
81. *National Police Gazette*, Feb. 14, 1846, p. 205.
82. *New York Tribune*, April 2, 1878, p. 1.
83. *Ibid.*
84. Alan Keller, *Scandalous Lady* (New York: Atheneum, 1981), pp. 68, 71.
85. *New York Times*, Feb. 12, 1878, p. 8.
86. *New York Times*, Jan. 27, 1871, p. 3.
87. *Ibid.*
88. *New York Tribune*, August 30, 1871, p. 4.
89. *Ibid.*
90. *New York Times*, Feb. 12, 1878, p. 8; Feb. 14, 1878, p. 8.
91. *New York Times*, April 2, p. 1.
92. *Ibid.*