UNDER REVIEW

THE ABORTION PROVIDER WHO BECAME THE MOST HATED WOMAN IN NEW YORK

In nineteenth-century New York, abortion was shrouded in secrecy and stigma. But, for Madame Restell, there was no such thing as bad press.

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Illustration by Fanny Blanc

Save this story

She chose the name because it sounded French. When she took out her first newspaper ad, in 1839, she wanted to cultivate an air of mystery and sophistication. In time, her pseudonym, Madame Restell, would be furnished with a backstory for the women who arrived at her office door. The

Madame, they were told, had been trained in Europe, at the continent's famous lying-in maternity hospitals. She'd been taught by her grandmother, a French midwife, and her "preventative powders" had been used in Europe for decades.

None of it was true. The woman her clients knew as Madame Restell had been born Ann Trow, in rural England, grown up in poverty, and never received any formal medical training. But these origins were supposed to be comfortingly credentialled to Restell's customers, the women who made her into one of the wealthiest—and most notorious—businesswomen in New York City. They came to her seeking abortions.

"The Trials of Madame Restell," a new book by Nicholas L. Syrett, a gender historian at the University of Kansas, traces Restell's nearly forty-year career as an abortion provider in nineteenth-century New York, and the rapid changes in the medicine, morality, and law of pregnancy that shaped it. Syrett's meticulously detailed account comes on the heels of another biography, "Madame Restell," written by the popular historian Jennifer Wright, which evokes the moral stakes of Restell's very public life. Together, the books offer a portrait of a formidable woman navigating an era that, in several important respects, bears an unnerving resemblance to our own.

Abortion in 1839 looked a lot like it does today. Then, like now, most abortions occurred during the first trimester. Like now, many were achieved not with surgical procedures but with medicines. And, also like now, in a growing number of jurisdictions, abortion had recently become illegal. New York State passed its first criminal abortion ban in 1829, a decade before Restell began her practice, making it a felony to perform a later abortion and a misdemeanor to induce an early one.

New York was one of several states that introduced prohibitions on abortion in the opening decades of the nineteenth century. Midwives had long

performed abortions with the same regularity with which they attended births, and abortion was not necessarily understood as different from birth control. In part, this was because it was sometimes difficult to tell if a woman was pregnant at all. In a time before pregnancy tests, early pregnancies existed in a state of ambiguity, when a missed period could mean any number of things. In the new age of criminalization, providers like Restell did a brisk traffic in emmenagogues, a then popular class of drug intended to "restore" the menses—abortifacients with plausible deniability built in.

From her home office at 148 Greenwich Street—then a cramped and unglamorous neighborhood, now a glassy office building across the street from the September 11th memorial—Restell sold emmenagogues in the form of pills, powders, and tinctures. Her practice would eventually include manually induced miscarriages, along with a range of other midwife services. She treated S.T.D.s, sold various kinds of contraception, and frequently provided for the discreet delivery of illegitimate babies.

But, at the beginning, Restell seems mainly to have been selling concoctions she made herself. She worked from a repertoire of ingredients like pennyroyal, ergot, oil of tansy seed, and turpentine resin. Some of these, such as ergot, worked by stimulating contractions in the uterus; others, like turpentine, were little more than glorified poisons, designed to make a woman so ill that she would miscarry. Dosage was critical: if too little of the active ingredients were taken, they wouldn't be effective; if too much, the patient could die.

These treatments had long been available from midwives. What was novel was their emergence as a commodity in mass commerce. By the time Restell began her practice, urbanization and mass print media had revolutionized the business of medicine. Suddenly, abortion drugs could be obtained not just from trusted local women but from strangers in the anonymous city, people who knew they would never see their customers again. This new market of medical providers contained few credentialled experts and a large

constituency of quacks. Often their products did nothing; sometimes they were deadly.

Part of Restell's early success appears to have been due simply to the safety of her products. Both Syrett and Wright note that no patient of Restell's ever died as a result of one of her abortions. The quality of her work helped her gain the trust of her clients. It also helped her avoid conviction, as the new abortion laws were rarely enforced against providers unless their patients died. Her skills meant that—at least for a while—she could evade New York's abortion ban.

Another reason for Restell's popularity was her unusual boldness. Despite the high demand for abortion, practitioners were usually secretive. Contraceptives and emmenagogues were advertised in newspapers, but the bulletins tended to be written in code. One professional rival of Madame Restell, a midwife who called herself Mrs. Bird, marketed "Female Renovating Pills." Others were so cautious that they used asterisks in place of the letters for words like "menses," "pregnancy," and "abortion." The idea was that savvy women would read between the lines. Restell did not play these word games. In an ad from May, 1839, she advised readers of the *Sun* that her "FEMALE MONTHLY REGULATING PILLS" were an effective treatment for all cases of "stoppage of the menses . . . from whatever cause produced." She also noted that she could be "consulted with the strictest confidence." Readers had little doubt as to what she was selling.

Restell was no mere opportunist; she genuinely believed in abortion. This much is clear from "To Married Women," an essay-advertisement that functioned as a manifesto for her practice. "Is it not but too well known that the families of the married often increase beyond the happiness of those who give them birth would dictate?" Restell asked in one version, published in 1840. "In how many instances does the hardworking father, and more especially the mother, of a poor family remain slaves throughout their lives?" Abortion and birth control, she reasoned, were not sins but ways to cultivate

health and human thriving. “Much of the suffering, misery, wretchedness, and vice existing around us can be attributable to our ignorance of the capacity granted to us for a wise end to control, in no small degree, our own destinies,” she wrote.

Advertisements like “To Married Women” brought Restell infamy. The new tabloid press made outrage at her practice a recurring theme in its pages. The *Sunday Morning News* called her a “notorious pander to the profligate,” in 1839. George Washington Dixon’s *Polyanthos* wailed, in 1841, “Madame Restell tells your daughter how she may defile her body and debase her mind without fear or hesitation.” Moral indignation, in these diatribes, mixed with prurient speculation about all the illicit sex that Madame Restell’s abortions must have been enabling. Part of what caused the scandal, according to Syrett, was Restell’s “steadfast refusal to admit that she was doing anything wrong.”

Another kind of woman might have responded to her detractors with dignified silence. But that was not Madame Restell; she flourished under hostile confrontation. Syrett writes that “Restell regularly addressed New Yorkers via the press,” responding to her critics with detailed rebuttals. At the end of each dispatch, after enumerating why everyone who criticized her was wrong, she would reiterate to readers that she was open for business. Interested parties could inquire at her office, 148 Greenwich Street.

Despite the flurry of bad press—or because of it—Restell’s business boomed. But the attention also made her a target of the law. The early-nineteenth-century state of affairs, in which abortion was illegal but de-facto tolerated, relied upon discretion, plausible deniability, and carefully maintained pretexts on the part of all parties involved. Providers could perform abortions—what they couldn’t do was flaunt it. But a midwife like Restell, who courted publicity, upset this delicate balance. In August, 1839, just months after she began advertising, Restell faced her first arrest. She would spend the better part of the next decade in and out of New York’s criminal courts.

At first, Restell dodged conviction, escaping imprisonment through a combination of procedural technicalities and the favorable testimony of witnesses. She could afford to spend extensively on aggressive lawyers. But judges who arraigned Restell frequently denied her the customary right to post bail, meaning that she had to spend humiliating stints in New York's infamous jail complex the Tombs.

Things took an ominous turn in 1846, when one of her patients, Mary Applegate, alleged that Restell had facilitated the kidnapping of her infant child. Applegate was a typical patient for Restell: a domestic servant, she had been impregnated by her employer's son, who sent her to Restell to deliver in secret. This much was routine—sexual exploitation by wealthy men was standard for young, poor women in service. Applegate gave birth safely to a healthy baby girl at Restell's lying-in hospital. Afterward, she returned to her home in Philadelphia; she seems to have been told that the child's father would pay for a wet nurse. But, when Applegate went back to Restell in search of her daughter, the baby was gone. Both Syrett and Wright suggest that, unbeknownst to Applegate, the child's well-heeled father had paid Restell to give the infant away.

Applegate's search for her daughter became a cause célèbre. Amid the ensuing outcry, a crowd of angry young men estimated to be in the hundreds gathered at Restell's doorstep, jeering and screaming for her to be driven from New York. She denied all wrongdoing, and charges were never brought in the case. But the incident marked an escalation in public opposition to Restell. Around this time, a cartoon appeared of Restell in the anti-abortion newspaper the *National Police Gazette*. In the image, she wears a slightly mournful expression, with her black curls falling beside a downturned mouth. At the bottom of the drawing, in front of her pelvis, there is a devilish, bat-like creature, feasting on an infant child.

From a distance of almost two hundred years, it is difficult to tell what kind of person Madame Restell was. The historical record comprises

mostly advertisements she placed in newspapers, diatribes by her political enemies, and court testimonies from former patients—that is, accounts often given by people with incentives to lie. But Syrett and Wright conclude from the Applegate case that there appears to have been a hard-nosed realism to Restell, an unsentimental comfort with the underside of life that many of us would find distasteful. This Restell existed alongside the one who wrote "To Married Women," who saw abortion as a social good and believed in the moral righteousness of her work. Perhaps, for an abortion provider of her era, both qualities were necessary.

Eventually, in 1847, Restell was finally convicted on a criminal abortion charge. She was sentenced to a year in prison on Blackwell's Island, now Roosevelt Island. Officially, the charge was for providing an abortion to a woman named Maria Bodine. But you could also understand her real crime as drawing too much attention to the contradictions of New York's sexual politics, and to the ways that the sexual morality of her time did not align with its sexual reality.

Restell served out her sentence and resumed her practice, and for the most part her career seems to have proceeded with remarkable uneventfulness after her release. In the eighteen-sixties and seventies, when she gained media attention, it was often for her wealth rather than for her services. In a Boston newspaper, an item relaying her return from an ocean-liner trip to Havana was simply headlined "RICH." If secrecy and stigma had long served to hide just how common abortion really was, Restell's opulent wealth revealed that there was no shortage of business.

The true surprise of Restell's career was that she was able to operate so successfully for so long. Although her run-ins with the law somewhat abated after the eighteen-fifties, she was facing an increasingly hostile public. American natal politics were being reshaped. An influx of poor immigrants, many of them from Ireland and other Catholic countries, was transforming cities like New York. The new arrivals tended to have large families—a trend

that contrasted them dramatically with the old-stock white Protestants, whose birth rates had been falling for most of the century. An anxiety emerged that the racial order of America was under threat. Syrett quotes an 1866 editorial from a Philadelphia doctor who wrote that women sought abortions owing to "the simple desire not to be bothered by babies, and not to be prevented, by fulfilling maternal destiny, from running about town, visiting friends, dressing finely, and attending parties, theaters, balls, and the like." Abortion was cast as the province of idle rich women, a symbol of their frivolity and refusal of duty.

In 1869, New York repealed its abortion ban and passed a new, stricter one, increasing criminal penalties for abortion providers—and, for the first time, extending criminal liability to patients as well. Four years later, in 1873, Congress passed the Comstock Act—now a centerpiece of post-Dobbs anti-abortion litigation—which made it illegal to send anything "obscene" through the mail, including pornography, sex toys, sexual-health information, contraceptives, and abortifacients.

Anthony Comstock, the man the law was named for, was a social crusader some thirty years Restell's junior, who had become a minor celebrity in the Christian circles of the eighteen-seventies. He had been shocked by the lasciviousness of his fellow Union soldiers during the Civil War, and had later devoted himself to the eradication of what he termed "vice" and "obscenity"—capacious words that encompassed everything from pornography and health manuals to dissident newspapers and feminist tracts. Comstock's celebrity rose quickly; he gained support from the Young Men's Christian Association and eventually became a U.S. postal inspector, a role in which he worked to root out "obscene" materials from the mail. He boasted multiple injuries from physical altercations with the subjects of his anti-vice raids—most famously a scar across his face, the product of a pornographer's bowie knife. In later years, he would brag about how many "purveyors of vice" he had driven to suicide.

Comstock knocked on Restell's office door one day in January, 1878, and asked to see the doctor. He was famous by then, but Restell did not recognize him, maybe because the legendary scar on his face was covered by an enormous mustache. He told her that a woman he knew was in trouble, and she sold him an abortifacient. When he came back a week later, asking for contraceptives, Restell gave him detailed instructions on how to mix a powder she sold into a spermicidal douche.

Under the laws that Comstock had helped to pass, distributing such information was a criminal offense on its own; actually selling the goods was yet another. When he appeared at her door a third time, now with a gaggle of men, Restell initially thought that the repeat customer was so satisfied with her goods that he'd brought along some of his friends. It took her a few moments to realize that she was looking at a group of police. After the raid, Wright says, Restell insisted that she be allowed to eat her lunch before going to jail. She sat before Comstock and the police officers and downed a plate of oysters, one by one.

In the early hours of April 1st, the day Comstock's criminal trial against her was supposed to begin, a maid in Restell's mansion noticed that the door to her bathroom was ajar. Inside, Restell's body was found in the bathtub, naked except for diamond rings, her throat cut. She had killed herself.

At the time, some believed that Restell had faked her own death, and ran away to Europe to avoid going back to prison. It's true that suicide seems out of character for someone with Restell's defiance and force of will. In some ways, hers is the quintessential story of the American Dream: an immigrant who came to the United States with nothing, she leveraged wit, daring, and an extraordinary work ethic into a personal fortune so vast that many of her contemporaries found it obscene. She managed all this despite launching her career in an age when no women could vote, and most could not own property.

But in other ways her life was not a happy one. She lived outside of law and convention, hated by the public and pursued for punishment. When faced with yet another trial, yet another stint in prison, and yet another public humiliation, Restell may have chosen to go on her own terms.

History is full of figures like Restell—devious, clever, indomitable people whose resistance to the norms of their time can make them appear like products of our own. In the post-Dobbs era, it is not just her character but her circumstances that may seem familiar to readers. Restell's example reminds us that, though abortion has sometimes been illegal, it has never been unusual. Providers have always straddled the gap between what society needs and what it will admit to. ♦