

Medicine on the Margins:
Sex Workers, Abortion, and Scientific Knowledge in Chicago, 1867-1912

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Abstract

This thesis explores the intertwined histories of abortion and sex work in late nineteenth-century Chicago, a time and place in which both forms of illicit sexuality were paradoxically criminalized yet prevalent. While it was illegal to practice abortion and transmit reproductive knowledge, Chicago sex workers continued to seek abortions and share their knowledge of abortion with others. I first examine the linked discursive methods through which physicians and newspapers communicated information about both abortion and sex work to the wider public. I then piece together the landscape of how sex workers accessed abortion during a period of criminality, arguing that sex work was another covert method through which abortion knowledge could be shared and put into practice. Finally, I explore how physicians used the language of health and medical expertise to regulate illicit sex and maintain authority over reproductive medicine, beginning with the criminalization of abortion and finally coming to fruition with the closing of Chicago's most notorious red light district in 1912. Ultimately, I argue that sex workers were medical practitioners in their own right, who performed abortions themselves, navigated the city's interconnected geography of brothels and doctors' offices to access abortion, and shared their knowledge of abortion with the wider public despite criminalization.

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Introduction

Rosetta Jackson was four months pregnant when Dr. Charles Earll, an abortionist in Chicago, performed a surgical abortion on her in 1874. Jackson's brother-in-law, William Flagg, impregnated her after she moved into his home to work as a domestic aid the previous year. Jackson had no desire to keep the baby, and Flagg, anxious to hide the evidence of his infidelity, arranged for Jackson to have an abortion.¹ Before he or Jackson went to Earll however, Flagg sought a different source for abortifacient knowledge: Nellie Sinclair, a sex worker who he had visited nearly ten times in a brothel on West Lake Street over the span of two years. Flagg asked Sinclair "what women of her character did when pregnant," to which Sinclair responded that they either "took tansy tea or skipped rope ... as it would not hurt anybody." When cross-examined, Sinclair revealed that she had never taken tansy tea, but she had jumped rope. In fact, "all the girls did."²

Nellie Sinclair then suggested Dr. Earll, who was known to perform abortions, to Flagg and Jackson.³ After the procedure, Jackson went to recover in the home of a Mrs. Heiland, who was likely a midwife and with whom Dr. Earll typically sent his recovering patients. Flagg later claimed that Heiland owned a house of "ill-repute," or a brothel, which she denied.⁴ A week after the procedure, Jackson died of complications from the abortion in Heiland's residence.⁵

Jackson's death resulted in the criminal trial of Dr. Earll, William Flagg, and Mrs. Heiland. The

¹ "Dr. Earll," *Chicago Tribune*, July 29, 1874, Newspapers.com.

² "Dr. Earll," *Chicago Tribune*, July 31, 1874, Newspapers.com; "Rosetta Jackson," *Chicago Tribune*, June 20, 1874, Newspapers.com.

³ Mary Linehan, "Sex, Abortion, and Prostitution in the Lives of Gilded Age Chicago Girls," in *Children and Youth during the Gilded Age and Progressive Era*, ed. James Alan Marten, (New York: New York Univ. Press, 2014), 174.

⁴ "Rosetta Jackson," *Chicago Tribune*, June 20, 1874, Newspapers.com.; "Rosetta Jackson," *Chicago Tribune*, June 23, 1874, Newspapers.com; "Rosetta Jackson," *Chicago Tribune*, June 24, 1874, Newspapers.com.

⁵ "Rosetta Jackson," *Chicago Tribune*, June 20, 1874.

Chicago Tribune broadcasted their testimony and that of witnesses like Nellie Sinclair in the summer of 1874.

Rosetta Jackson's case was not unique. Like others of the late nineteenth century, Jackson's abortion was not only handled by a member of the medical profession, but it was also facilitated by a sex worker on the margins of society. Because the Illinois state legislature outlawed abortion in 1867, abortions had to be practiced covertly in late nineteenth-century Chicago. Sex workers like Nellie Sinclair were especially knowledgeable about abortion and clandestinely performed abortions themselves during this period of legal crackdown.⁶

Nineteenth-century physicians and the general public even acknowledged that sex workers were sources of both abortion information and practice. Sex workers also navigated the interconnected terrain of brothels, doctor's offices, and drug stores in Chicago to access illegal abortions.

However, historians have long overlooked the significance of sex work to the practice of illicit abortion in the late nineteenth and early twentieth centuries. This thesis examines a neglected and marginalized group of women who managed to practice abortion despite its illegality: sex workers. I argue that Chicago sex workers at the turn-of-the century were medical practitioners in their own right who covertly shared abortion knowledge among themselves and with the general public to access abortion during a period of criminalization.

The report of Jackson's trial helps illuminate the prevalence of abortion in Chicago despite its prohibition. Throughout the late nineteenth century, newspapers like the *Tribune* and

⁶ Following the examples of scholars like Cynthia Blair (*I've Got to Make My Livin': Black Women's Sex Work in Turn-of-the-Century Chicago*, (Chicago: University of Chicago Press, 2018)), and Katie M. Hemphill (*Bawdy City: Commercial Sex and Regulation in Baltimore, 1790-1915*, (Cambridge: Cambridge University Press, 2020)), I choose to use the term "sex work" and "sex worker" in this thesis as opposed to "prostitute" and "prostitution." This is done in an effort to emphasize the labor component of sex work. As Blair notes, sex workers were workers, and their work did not define their entire identity). Using the term sex worker acknowledges sex work as a legitimate form of labor, acknowledges the humanity of these laborers, and as Hemphill argues, avoids the derogatory connotations of immorality and dishonor that the term "prostitute" holds.

the *Chicago Times* published sensationalized stories of women, like Jackson, who perished from having abortions. Although Illinois outlawed abortion in 1867, and the Comstock Laws of 1873 prevented both the sale of contraception and the circulation of any information related to sexual and reproductive knowledge, women continued to have abortions and attempted to prevent pregnancy.⁷ Even after criminalization, many women, doctors, and midwives continued to believe that abortion was perfectly appropriate, especially before quickening, the first moment a woman felt the fetus move.⁸ Although newspapers usually only reported on circumstances like Jackson's in which women and girls died, several people successfully terminated pregnancies, whether on their own or with the assistance of a doctor or midwife.⁹ They just had to do so in secret.¹⁰

Rosetta Jackson's case also serves as a window into the world of sex work in late nineteenth-century Chicago through the testimony of the sex worker Nellie Sinclair. Sinclair, like many women in the late nineteenth century, engaged in Chicago's booming sex industry. Sex work provided consistent money for young women of the time, when opportunities for gainful employment were limited. Although prostitution was exploitative and potentially violent, it did afford women a means to make a living outside of domestic servitude, which often paid low wages.¹¹

⁷ Linda Gordon, *The Moral Property of Women: A History of Birth Control Politics in America*, (Urbana and Chicago: University of Illinois Press, 2017), 22. Andrea Tone had shown that women employed secretive business practices to sell and access contraceptive devices despite the Comstock Laws. See Andrea Tone, "Black Market Birth Control: Contraceptive Entrepreneurship and Criminality in the Gilded Age," *Journal of American History* 87, no. 2 (200): 435–59.

⁸ Leslie Reagan, *When Abortion Was a Crime: Women, Medicine, and the Law in the United States, 1867 – 1973*, (Berkeley: University of California Press, 1997), 46.

⁹ Linehan, "Sex, Abortion, and Prostitution in the Lives of Gilded Age Chicago Girls," 175; Reagan, *When Abortion Was a Crime*, 22.

¹⁰ Reagan, *When Abortion Was a Crime*, 19.

¹¹ Cynthia Blair, *I've Got to Make My Livin': Black Women's Sex Work in Turn-of-the-Century Chicago*, (Chicago: University of Chicago Press, 2018), 14.

The story of Illinois's efforts to regulate illicit sex began in 1867 with the criminalization of abortion and finally succeeded in 1912 with the closing of the Levee district. The Levee was the city's most prominent red-light district where the city leaders implicitly permitted prostitution to flourish. Despite the Victorian culture of sexual repression, it was socially tolerable for both working class and upper-class men to frequent sex workers.¹² This ensured that sex workers would have no shortage of clients and income. Facing rapid urbanization and domestic and international immigration, nineteenth-century Chicago became a hub for sex work—so much so that by 1900 anti-vice reformers had identified Chicago as one of America's most dangerous centers of vice.¹³ The subsequent shut down of the Levee in 1912 marked an end to Chicago's relatively unregulated tolerance of prostitution.¹⁴

By nature of their employment, sex workers like Nellie Sinclair had to be knowledgeable of both their own bodies and of reproductive science. Sinclair revealed her knowledge of methods she believed would safely self-induce abortion, like drinking tansy tea or skipping rope, all under the protective guise of claiming that these practices were harmless. These methods, while perhaps not always effective, were established medical knowledge that she and her brothel coworkers used to terminate pregnancy. In fact, nineteenth-century physicians also believed that certain concentrations of tansy and vigorous motions like jumping rope were ways to abort a fetus.¹⁵ Although they were not doctors, sex workers knew of and used these abortion methods, which were accepted within the paradigm of scientific knowledge endorsed by medical colleges and societies in the late nineteenth century. William Flagg—recognizing that Sinclair would hold

¹² Gordon, *The Moral Property of Women*, 9.

¹³ Blair, *I've Got to Make My Livin'*, 14.

¹⁴ Blair, *I've Got to Make My Livin'*, 146.

¹⁵ A Systematic Treatise on Abortion, 1866, Wellcome Collection, Medical Heritage Library, Francis A. Countway Library of Medicine, Harvard Medical School, Cambridge, MA, <https://wellcomecollection.org/works/tgu3gm8f/items?canvas=16>.

this knowledge due to her work, went to her for advice first. While Flagg did not call her a physician, he acknowledged her medical expertise by seeking information from her. People outside of the sex trade, like Flagg, viewed sex workers as experts on reproductive knowledge and even sought abortion advice from sex workers when they could not safely ask their doctors.

Jackson's case also illuminates the interconnected network of doctors and midwives that sex workers negotiated in their quests for reproductive control. Like Sinclair, who referred Dr. Earll, sex workers had to know the options available to them in terms of trusted physicians and midwives in their vicinity who would perform surgical abortions, provide abortifacient medicines, or offer places of recovery. Although it is unclear if Mrs. Heiland's home was truly a brothel or if Earll made this comment to sully her reputation, this assertion points to the public's association of midwifery, abortion, and prostitution, and not without reason. The brothel itself was often a site in which abortions took place.

Testimony from abortionists' trials revealed that doctors performed abortions inside of brothels.¹⁶ Indeed, Nellie Sinclair even suggested that she and Heiland were colleagues in the sex industry, as she indignantly wrote to Flagg that "Mrs Highland and myself are living on the top shelf," and that Flagg would never succeed in "Proving What [Heiland] is."¹⁷ Sinclair could have been insinuating that "What [Heiland] is" was a brothel keeper. Given that Sinclair and Heiland knew each other, and that Earll and Heiland were known to work together, it is not unreasonable to assume that Heiland could have been both a brothel keeper and a midwife or nurse who facilitated abortions. Sex workers knew about and navigated this terrain of brothels, abortionists'

¹⁶ "Trial of Dr. Cream for the Murder of Mrs. Faulkner," *Chicago Tribune*, November 18, 1880, Chronicling America, The Library of Congress.

¹⁷ "Rosetta Jackson," *Chicago Tribune*, June 24, 1874, Newspapers.com.

offices, recovery homes, and drug stores in turn of the century Chicago, demonstrating their skill in accessing and managing the related geographies of sex work and abortion.

Although there is rich historical scholarship on abortion and Chicago prostitution, few scholars have studied the two together. Scholars such as Linda Gordon, Leslie Reagan, Cynthia Blair, and Mary Linehan approached the related histories of abortion or prostitution through political, legal, labor, and gendered historical frameworks. The connections between abortion and prostitution have yet to be examined through a medical lens, done here through an analysis of Chicago sex workers' experiences obtaining and sharing knowledge about abortion and contraception at the turn of the century. Drawing the above scholars' works together highlights the need to recast sex workers as experts on their own reproductive bodies who managed to share sexual knowledge with others in a period in which this information was censored and criminalized. It is high time to put "sex" back in sex work.

The late nineteenth century was a key turning point in the legality of birth control and abortion in America. Linda Gordon's preeminent monograph, *The Moral Property of Women: A History of Birth Control Politics in America*, argued that birth control access in American history has been contingent on political and social movements' efforts to either suppress or facilitate access to contraceptive technology, rather than an absence of contraceptive technology itself.¹⁸ This distinction is essential, as information on birth control and abortion was not entirely unknown but rather censored by the state.¹⁹ Scholars like Gordon, John D'Emilio, and Estelle B.

¹⁸ Gordon, *The Moral Property of Women*, 21. For more on the legal and political arguments for and against abortion and contraception's criminalization in the 19th century, see Geoffrey R. Stone, *Sex and the Constitution: Sex, Religion, and Law from America's Origins to the Twenty-First Century*, (New York: Liveright Publishing Corporation, 2018). For more modern histories on abortion access and state regulation, see Simone M. Caron, *Who Chooses? American Reproductive History Since 1830*, (Gainesville: University Press of Florida, 2008)

¹⁹ Janet Farrell Brodie argued that contraceptive technology was widely known in both rural and urban environments throughout 19th century America. See Janet Farrell Brodie, *Contraception and Abortion in Nineteenth-century America*, (Ithaca: Cornell University Press, 1994).

Freedman have argued that middle and upper-class women's prudery was spurred by backlash to an increased availability of sexual knowledge and commercialized reproductive technologies during the mid-nineteenth century.²⁰ Allowing for the contingency of reproductive rights, the question remains: how did access to contraceptive technology persist in a time of suppression? An important way to evaluate this is to examine how sex workers, unbridled by upper class expectations, may have been in a better position to pass on this knowledge than wealthy women.

Much of the existing literature on abortion and prostitution centered middle-class women's perspectives on and experiences with abortion. For instance, Leslie Reagan shown that despite physicians' efforts to criminalize abortion to seize control of obstetrics in the late nineteenth century, women patients negotiated with their physicians to ensure that their need to end a pregnancy would be met.²¹ It stands to reason that middle class women were not the only ones to influence medical practice. Sex workers were sources of reproductive knowledge, too. In discussing middle class women activists' condemnation of contraception, Gordon showed that these reformers understood sex workers to be experts on reproductive knowledge in ways that need to be explored further.²² Furthermore, Reagan argued that middle class reformers saw sex workers and midwives to be connected in a network of knowledge sharing on abortion.²³ Looking beyond the imagination of reformers to see what sex workers actually knew, how they shared reproductive information, and how they used this information to prevent or terminate

²⁰ John D'Emilio, and Estelle B. Freedman, *Intimate Matters: A History of Sexuality in America*, (Chicago: University of Chicago Press, 2013), 215; Gordon, *The Moral Property of Women*, 13. For more on Victorian suppression of sexuality as a reactive backlash against greater access to sexual knowledge, see Helen Horowitz, *Rereading Sex: Battles over Sexual Knowledge and Suppression in Nineteenth-century America*, (New York: Alfred A. Knopf, 2002). For more on middle-class views on gender and sexuality in the Victorian period, see Carroll Smith Rosenberg, *Disorderly Conduct: Visions of Gender in Nineteenth Century America*, (New York: Oxford University Press, 1986).

²¹ Reagan, *When Abortion Was a Crime*, 4.

²² Gordon, *The Moral Property of Women*, 66.

²³ Reagan, *When Abortion Was a Crime*, 99.

pregnancy, reveals that sex workers were experts on their reproductive capacities. Moreover, sex workers provided an “underground” network of this knowledge about contraceptives and abortifacients for the wider public, thereby suggesting sex workers’ agency in their own medical care and power as medical thinkers and practitioners themselves.

While Gordon and Reagan discussed the relationship between prostitution and abortion through the lens of reformers, others like Cynthia Blair have read police and court records, newspaper articles, census reports, city guidebooks, and reformers’ writings against the grain to locate the experiences of Black women who worked in Chicago’s sex industry. Blair approached Black women’s sex work from the lens of labor history, analyzing prostitution as primarily a lucrative economic activity and form of wage work for Black women in the late nineteenth century.²⁴ In addition, Blair presented a nuanced view of both the exploitation and the potential for economic agency that Black women experienced as sex workers; although sex work did offer the possibility of economic self-reliance in a world of limited economic opportunities for Black women, they did face significant labor exploitation and sexual violence as a part of the job.²⁵ Although Blair did not discuss how sex workers obtained abortion or contraception, her work provided essential context on the contours of sex work in turn-of-the-century Chicago. Blair centered race in the history of Chicago sex work and consciously chose to decenter the voices of reformers, which have long dominated histories of sex work. Reading state-produced sources against the grain can uncover lived experiences of sex workers and their attempts to access reproductive care.

²⁴ Blair, *I’ve Got to Make My Livin’*: 14. For more on the history of racialized sex work in Chicago, see Kevin Mumford, *Interzones: Black/white Sex Districts in Chicago and New York in the Early Twentieth Century*, (New York: Columbia University Press, 1997).

²⁵ Blair, *I’ve Got to Make My Livin’*, 11. Scholars like Judith Walkowitz have painted nuanced pictures of both women’s exploitation and possibilities for agency as sex workers in Victorian England. See, Judith Walkowitz, *Prostitution and Victorian Society: Women, Class, and the State*, (Cambridge: Cambridge University Press, 1980).

Significantly, Blair's work tempered the fantasies of agency that can surface in studies of sex work and reproductive rights. For instance, in her work on prostitution and abortion in Gilded Age Chicago, Mary Linehan argued that girls who accessed abortion and participated in sex work did so as expressions of independence, choice, and agency, despite reformers' narratives that these girls were passive victims of a corrupt society.²⁶ While sex work and abortion did provide possibilities of agency for young women, they were also sites of oppression, as Blair importantly noted. This thesis emulates Linehan's attention to lived experience while demonstrating the limitations of sex workers' access to abortion—not just their possibilities.

Building on this approach of reading state sources against the grain, I offer a new interpretation that examines prostitution and abortion through the lens of medical knowledge formation. Because newspapers like the *Chicago Tribune* often publicized criminal trials of abortionists, newspaper articles were some of the most newspaper articles detailing trials that involve sex workers who received abortions or offered others information on how to induce an abortion. Although these and state sources present information through the biased lens of criminality, they reveal multiple perspectives on abortion and sex work. Sensationalized press reports still contain valuable information on both the methods doctors and working-class sex workers used to induce abortion and with whom they shared this knowledge. Likewise, anti-vice writings reformers rarely incorporated voices of sex workers themselves in their advocacy. Nevertheless, their anxieties surrounding the relationship between prostitution and abortion can reveal the underground network that sex workers used to access abortion knowledge from midwives, doctors, and their peers.

²⁶ Linehan, "Sex, Abortion, and Prostitution in the Lives of Gilded Age Chicago Girls," 167.

Finally, Michel Foucault offers a theoretical framework through which we can understand how the criminalization of sexual knowledge facilitated a “discursive explosion” of information on sex work and abortion.²⁷ Chicago provides an important illustration of Foucault’s inversion of the repressive hypothesis. The repressive hypothesis argues that states’ repression of sexuality silenced sexual knowledge. Foucault critiques this hypothesis by arguing that attempts to regulate sex and sexuality only exploded discourses about them.²⁸ This explosion of discourse is especially evident in the euphemisms that Chicago doctors and newspapers crafted to transmit information on abortion during the period of criminalization. Among Foucault’s categories of “perverse” sexualities that Victorians obsessively investigated and discussed, abortion and sex work can be added to the list.²⁹ Far from eliminating reproductive knowledge, the criminalization of abortion developed euphemistic discourses and covert practices through which abortion knowledge could be learned and put into action. Sex work, too, became an important underground method through which abortion information was shared and practiced.

However, sex workers were not completely free to pursue safe and reliable reproductive care. While they were experts on reproductive health by necessity, sex workers—and women more broadly like Rosetta Jackson—still died from complications related to abortions performed in unsafe conditions. This state-sponsored censorship of reproductive knowledge, while oftentimes successfully circumvented by sex workers and their intimate network of peers, still made abortion access difficult. Ultimately, sex workers in turn-of-the-century Chicago negotiated the restrictions of their class and opportunities for reproductive control by covertly

²⁷ Michel Foucault, *The History of Sexuality*, (New York: Vintage, 1990), 17.

²⁸ Foucault, *The History of Sexuality*, 18.

²⁹ Foucault, *The History of Sexuality*, 33.

employing and sharing their reproductive knowledge to prevent pregnancy. During this period, sex workers practiced medicine on the margins.

Delicate Discourses

In 1866, Dr. Edwin M. Hale of the Hahnemann Medical College of Chicago published *A Systematic Treatise on Abortion*, which detailed the most up-to-date methods for terminating a pregnancy. Hale defined an abortion as any “premature expulsion of the contents of the gravid uterus at any date prior to the end of the ninth month.”³⁰ The treatise not only offered medical advice on treating the effects of spontaneous miscarriage but also detailed how physicians could purposefully abort a fetus. Unlike other medical encyclopedias of the period, Hale’s text was not an exhaustive collection of monographs spanning a wide array of topics. Instead, Hale lauded his treatise as a highly specific examination of one subject that would make the most current information on abortion accessible to physicians in a condensed form, which had not been done before. Hale expected that his text would add greatly to doctors’ obstetric knowledge.³¹

However, just two years after he published his initial treatise, Hale revised his original work and published a significantly modified version of the text in 1868. The new treatise, *A Systematic Treatise on Abortion and Sterility*, omitted the first text’s entire section on obstetric abortion, which had discussed the methods physicians could employ to abort a pregnancy.³² The step-by-step instructions on how to insert various instruments into the cervix to induce abortion, as well as the detailed descriptions of which methods were most appropriate at which stages of

³⁰ *A Systematic Treatise on Abortion*, Wellcome Collection, xii.

³¹ *A Systematic Treatise on Abortion*, Wellcome Collection, xvi.

³² *A Systematic Treatise on Abortion and Sterility*, 1868, National Library of Medicine Digital Collections, National Institute of Health, Bethesda, MD, <https://collections.nlm.nih.gov/bookviewer?PID.nlm:nlmuid-9208243-bk>, Preface to the Second Edition.

pregnancy, were all effaced from the 1868 treatise. Hale eliminated information on his preferred tools for aborting a fetus, such as a flexible bougie (a thin, curved metal instrument with rounded ends inserted into the uterus), as well as his previous warnings of the dangers of hemorrhage or death if untrained hands used devices like stillettes or clawed forceps. Why would Hale censor knowledge that he had been so eager to share two years prior?

Dr. Hale's decision to erase the medical knowledge he had worked to compile reflects a growing censorship of certain reproductive knowledge among physicians in the late nineteenth century due to a critical legal change. One year after Hale published his first *Treatise on Abortion*, Illinois outlawed abortion. After 1867, physicians could not induce an abortion unless in a case of medical emergency to save a mother's life.³³ Illinois legislators passed this ban six years before the infamous Comstock Laws, which would make it illegal to sell or mail any sexual material, including birth control, abortifacients, or information on either.³⁴ The late nineteenth century marked a turning point in the kinds of sexual knowledge that could be legally shared between physicians and between doctor and patient. For example, Hale chose to censor information on inducing abortion, but he replaced this information with knowledge of how physicians could treat sterility.³⁵ Medical reproductive knowledge that promoted procreation, especially among white native-born women due to nativist fears of increasing European immigration and racist fears of African American migration after emancipation, continued to be shared openly in the medical field.³⁶

³³ Leslie Reagan, *When Abortion Was a Crime*, 13.

³⁴ Linda Gordon, *The Moral Property of Women*, 13.

³⁵ A Systematic Treatise on Abortion and Sterility, National Library of Medicine Digital Collections, xii.

³⁶ Gordon, *The Moral Property of Women*, 88; On the racial and white supremacist motivations behind the criminalization of abortion nationwide in the mid-nineteenth century, see Nicola Biesel and Tamara Kay, "Abortion, Race, and Gender in Nineteenth-Century America," *American Sociological Review* 69, 4 (2004), 499. For information on the racial origins of gynecology in America, a field developed largely from the torture of enslaved

Examining Dr. Hale’s medical treatise alongside newspaper reports and advertisements reveals that abortion and sex work were two illicit modes of sexuality linked by their shared criminalization yet paradoxical prevalence in late nineteenth-century Chicago.³⁷ Knowledge of abortion and knowledge of sex work were both hidden under euphemistic and condemnatory language but also extremely visible to Chicago’s public. Euphemism and disavowal were the discursive mechanisms through which knowledge on abortion and sex work proliferated despite a mainstream culture of repression and criminality. Doctors’, reporters’, and advertisers’ use of euphemistic and censoring language to describe abortion exploded point of access through which both physicians and the public could gain knowledge on abortion and sex work despite criminalization.

Although Hale erased a significant portion of the abortion information included in the first treatise, he did not censor it entirely. Instead, he kept it hidden in plain sight, cloaked in euphemistic and condemnatory language.³⁸ Hale lamented in the preface to the second edition that the censored knowledge was still incredibly valuable as it could be used to save a life, arguing that “the omission made would be a real loss” to medicine.³⁹ To rectify this loss, Hale

Black women, see Deirdre Cooper, *Medical Bondage: Race, Gender, and the Origins of American Gynecology* (Athens: University of Georgia Press, 2017).

³⁷ Scholars like Linda Gordan and Leslie Reagan have analyzed how practices of abortion and birth control persisted despite criminalization in the late nineteenth century. In addition, historians like Cynthia Blair and Katie Hemphill have examined how sex work operated in the late-nineteenth century during a period of illegality yet tacit acceptance.

³⁸ Leslie Reagan has described discussion of abortion among women in the late nineteenth century as “cloaked in secrecy” (Reagan, *When Abortion Was a Crime*, 24). I employ the terms euphemism and disavowal (or condemnation) throughout this section to nuance Reagan’s argument by emphasizing that euphemism and performative disavowal were the mechanisms that facilitated the transmission of this secret information. Whereas Reagan discussed the words that women used to communicate abortion knowledge, I focus on the language of euphemism and condemnation that doctors, abortionists, and newspapers employed to communicate both abortion and sex work knowledge while still avoiding legal repercussions. While Reagan predominantly argued that the language women used to describe abortion revealed their personal conceptualizations of their bodies, I argue that physicians and newspapers consciously chose euphemistic and disavowing language to evade the law.

³⁹ A Systematic Treatise on Abortion and Sterility, National Library of Medicine Digital Collections, Preface to the Second Edition.

included the names of several other doctors whose writings could be referred to for information on obstetric abortion instead. In addition, Hale kept an entire section from the 1866 treatise entitled “Causes of Abortion” that referenced various herbs and medicines that would induce abortion. However, in the 1868 treatise, Hale did not frame this information as safe and sure ways to terminate pregnancy. Instead, he hid the information under the guise of a warning. Tansy oil, ergot, and savin juniper *could* terminate pregnancy, Hale wrote, and should therefore be avoided.⁴⁰ In this sense, even after the 1867 abortion ban, Hale continued to find ways to share abortifacient and sexual knowledge. Rather than censoring this knowledge completely, criminalization forced physicians to communicate abortion information through euphemistic warnings and performative disavowal.

Within twenty years, a newspaper exposé revealed that Hales’ 1868 warnings were a wink and a nod to those seeking an abortion. In 1888, Dr. Hale became embroiled in the *Chicago Daily Times*’ exposé of abortion in the city. The newspaper had launched a searing investigation, entitled “Infanticide,” into doctors who performed abortions in Chicago using undercover reporting.⁴¹ An unnamed “Girl Reporter,” accompanied by a male partner, would enter doctors’ offices posing as a desperate pregnant woman needing an abortion. The exposé revealed that several “eminent” Chicago doctors, including Dr. Hale, either consented to perform an abortion on the woman in need or directed her to another physician who would.⁴² When the “Girl Reporter” approached Dr. Hale’s office, Hale not only agreed to perform the procedure but also constructed an elaborate plan to have her admitted to a hospital where the operation could be

⁴⁰ A Systematic Treatise on Abortion and Sterility, National Library of Medicine Digital Collections, 111.

⁴¹ For an extensive analysis of the *Chicago Daily Times*’ 1888 “Infanticide” exposé, see Leslie Reagan’s chapter “Private Practices,” in *When Abortion Was a Crime*. Reagan uses the Times’ exposé to “reconstruct” the landscape of abortion access in late nineteenth century Chicago and examine how undercover journalism influenced the telling of abortion stories and worked to shape the public’s moral sentiment toward abortion.

⁴² “Infanticide,” *Chicago Daily Times*, December 18, 1888, Undercover Reporting, New York University.

performed with the utmost secrecy. The *Times* reported that Hale gave the reporter a bottle of pills to take. The pills were reportedly harmless laxatives, but they induced abortion-like symptoms and would warrant the reporter's admission into a hospital, where Hale knew the superintendent who he was certain would "keep silent."⁴³ Hale instructed the reporter to tell the nurses that she had been given the "abortifacient" medicine. Then, Hale would call, presumably to treat the pills' effects. However, he would really use the opportunity as a ruse to perform an abortion with instruments. The goal was to blame the abortion on the pills, rather than Hale's procedure.

Putting abortion in a double-blind to claim plausible deniability, in 1868, Hale protected himself and other doctors from the law by shrouding knowledge in euphemism and disavowal; in 1888, he protected himself and his patient from the law by shrouding the procedure in secrecy. Hale's elaborate 1888 plan reveals that the criminalization of abortion changed not only the way that reproductive knowledge was shared in the medical field but also how it was practiced. As the *Chicago Daily Times* exposé showed, abortion was possible and prevalent even after criminalization.⁴⁴ However, it had to be practiced covertly, as what Leslie Reagan describes as an "open secret."⁴⁵ Hale's pills served as a convenient scapegoat for the cause of the abortion (the woman would not have likely been penalized for taking the pills; the law typically prosecuted doctors and midwives for performing abortions, rather than the women who tried to obtain them).⁴⁶ At the hospital of a trusted colleague instead of his own doctor's office, Hale found a second way to distance himself from the abortion in the eyes of the law. Hale's ongoing clandestine relationship with abortion, in writing and in practice, reveals that the new medical

⁴³ "Infanticide," *Chicago Daily Times*, December 18, 1888, Undercover Reporting, New York University.

⁴⁴ Reagan, *When Abortion Was a Crime*, 47.

⁴⁵ Reagan, *When Abortion Was a Crime*, 19.

⁴⁶ Reagan, *When Abortion Was a Crime*, 250.

discourse on reproductive knowledge incited by criminalization did not entirely erase abortion, but delineated new, limiting yet creative parameters through which doctors could discuss and practice abortion.

Medical professionals were not the only ones to experience the discursive explosion of concealed abortion knowledge; these new discourses also impacted public exposure to abortion information. Newspapers, in particular, transmitted overt information on abortion to the public through the language of condemnation. The *Chicago Daily Times*' 1888 exposé often blatantly described methods which could be used to induce abortion. "There is no need of telling any intelligent married man or woman ... what four teaspoonfuls of ergot would do for a woman in delicate condition," read a *Chicago Daily Times*' article that condemned a doctor for prescribing ergot, "It would kill the child and bring on a miscarriage. That's plain."⁴⁷ In assuming that knowledge of ergot's abortifacient effects was widespread and obvious, the newspaper explicitly revealed abortion methods (that could be self-induced without the help of a doctor, no less) that it claimed to detest.⁴⁸ Other newspapers, like the *Chicago Tribune*, often published sensationally censoring yet informative abortion stories as well.⁴⁹ The legal condemnation of abortion and yellow journalism's informative disavowal exploded points of exposure to abortion knowledge for the public.

Sensationalized stories like those of Dr. Hale's ruse in the *Chicago Daily Times*' 1888 exposé were not the sole way the public learned about abortion. Euphemistic newspaper

⁴⁷ "Infanticide," *Chicago Daily Times*, December 18, 1888, Undercover Reporting, New York University.

⁴⁸ Leslie Reagan also argued that the exposé's clear listing of Chicago physicians who performed abortions inadvertently "stimulated" people's access to abortion doctors while intending to "suppress," see Reagan, *When Abortion Was a Crime*, 69.

⁴⁹ "Trial of Dr. Cream for the Murder of Mrs. Faulkner," *Chicago Tribune*, November 18, 1880, Chronicling America, The Library of Congress; "Reynolds' Victim," *Chicago Tribune*, April 12, 1873, Chronicling America, The Library of Congress.

advertisements for abortifacient products and abortionists' offices, too, were one of the most publicly visible—and most extensively documented—ways in which Chicagoans gained information on how to obtain abortions.⁵⁰ Although these advertisements were not as explicit as newspaper reports of abortion stories and were often disguised in euphemistic language, they still appeared frequently in newspapers. For example, over twenty years after the Comstock Laws were enacted, advertisements for Chichester's English Pennyroyal pills claimed to provide "Relief for Ladies," in Illinois newspapers like *The Inter-Ocean* and could be sent to customers through the mail.⁵¹ Pennyroyal is a plant long believed to induce abortion.⁵² Others, like Mrs. Lydia E. Pinkham's Vegetable Compound in *The Rock Island Argus*, advertised that it would "dissolve and expel tumors from the uterus in an early stage of development."⁵³ Words like "obstacles," "obstructions," and "tumors," especially in the uterus, were common euphemisms for pregnancy.⁵⁴ One advertisement for an abortifacient product, Mrs. Wilson's Mystic Pills, was even placed directly beside a report of an illegal abortion.⁵⁵ While the efficacy of these products is uncertain, these advertisements reveal that abortion was still visible to the Illinois public, and this high visibility was both facilitated and regulated by euphemism.

While the 1888 *Chicago Daily Times* report focused on the predominantly male world of seemingly reputable physicians who agreed to perform abortions, newspaper advertisements for Chicago abortionists reveal that many women shrewdly used euphemistic language to practice

⁵⁰ Reagan, *When Abortion Was a Crime*, 70.

⁵¹ "Medical," *The Inter-Ocean*, September 26, 1895, Newspapers.com. Leslie Reagan notes that Chichester's Pennyroyal pills were sold in drug stores, but this advertisement demonstrates that they could be sold by mail-order as well, see Reagan, *When Abortion Was a Crime*, 44.

⁵² "Pennyroyal," Drugs and Supplements, Medline Plus, National Library of Medicine, accessed January 26, 2023, <https://medlineplus.gov/druginfo/natural/480.html>.

⁵³ "Medical," *The Rock Island Argus*, April 7, 1882, Chronicling America, The Library of Congress.

⁵⁴ Gordon, *The Moral Property of Women*, 26; Horowitz, *Rereading Sex*, 196.

⁵⁵ "Alleged Abortion," *Chicago Tribune*, May 19, 1878, Newspapers.com; "Medical Preparations," *Chicago Tribune*, May 19, 1878, Newspapers.com.

abortion and facilitate access to their reproductive services.⁵⁶ The *Times* exposé began with an investigation into female midwives who were thought to perform abortions but concluded that these midwives would often outsource the procedure to male physicians after first consulting the patient.⁵⁷ The official report argued that surgical abortions were the realm of male doctors, but advertisements show that a large number of Chicago abortionists were women. As late as 1898, ads under the “Medical and Hospitals” section of the *Chicago Tribune*’s advertising page featured names such as “Dr. Louise Hagenow,” “Dr. Emma Hellewig,” “Dr. Horta Fausta,” “Mrs. Dr. Yanne,” “Dr. Ida Von Schulz.” These doctors advertised curing “all female troubles and complaints,” “all female irregularities,” and “diseases of women,” which were euphemisms for terminating pregnancy.⁵⁸ By employing euphemism in their advertisements, female abortionists effectively silenced themselves in order to evade legal repercussions and continue their practice. Far from a restriction, this euphemistic silencing facilitated greater abortion access and bodily freedom in a period of censorship.

...

Like advertisements for abortifacients and abortionists, discussion of prostitution in newspapers was simultaneously highly visible yet hidden under the guise of repudiation. Just as newspaper reports on the evils of abortion often communicated abortion knowledge, newspaper articles on the corruptions of prostitution often served as advertisements for Chicago brothels as well.⁵⁹ One prominent article featured in an edition of the *Chicago Tribune* described in detail

⁵⁶ For more on women abortionists in the context of mid-nineteenth century New York, see Horowitz’s chapter, “Abortion,” in *Rereading Sex*. Horowitz details the practice of notorious New York abortionist Madame Restell.

⁵⁷ “Infanticide,” *Chicago Daily Times*, December 13, 1888, Undercover Reporting, New York University.

⁵⁸ “Medical and Hospitals,” *Chicago Tribune*, March 11, 1898, Newspapers.com; Reagan, *When Abortion Was a Crime*, 70.

⁵⁹ Katie Hemphill has made similar arguments for Baltimore newspapers in the early nineteenth century. She showed that newspapers like the Baltimore *Sun* inadvertently advertised the city’s brothels through its salacious

the gruesome murder of a man killed in a Chicago brothel. Amid the gory and sensational details of the case, the *Tribune* also published the location of the brothel, which was at 483 South Clark Street.⁶⁰ Although the story of a murder is not the best advertisement for business, the *Tribune* did increase the visibility of this brothel to the Chicago public. Another article in the *Chicago Tribune* railed against the immorality and lasciviousness of several brothels on State and South Clark streets, admiring the fact that police would likely soon close them down and revoke their liquor licenses. The article also mentioned, however, that the owners of these establishments would certainly reopen without a liquor license, where, even without alcohol, people would “take therein the first step in the pathway which results in their physical and moral ruin.”⁶¹ Even despite liquor, the brothels would continue to thrive, and the *Tribune* had already broadcasted their locations for potential future patrons. Like with abortion stories, newspapers communicated information on illicit sex through the language of disavowal.

The euphemisms that pervaded advertisements for abortifacients were also present in newspapers’ reports on sex work. In fact, at least fourteen different pseudonyms for the word “brothel” or “sex worker” were used in Illinois-based newspapers reporting on sex work, such as the *Chicago Tribune*. The euphemisms for brothels included, “house of ill-repute,” “house of ill-fame,” “house of prostitution,” “assignation house,” “bad house,” “sporting house,” “house of infamy,” “palace of infamy,” “bawdy house,” “disreputable house,” and “bagnio.”⁶² Some

reports on sex work; see Hemphill, *Bawdy City: Commercial Sex and Regulation in Baltimore, 1790-1915*, (Cambridge: Cambridge University Press, 2020), 98.

⁶⁰ “The Inquest in the Cook Murder,” *Chicago Tribune*, July 17, 1875, Chronicling America, Library of Congress.

⁶¹ “The Gardens,” *Chicago Tribune*, June 30, 1879, Chronicling America, Library of Congress.

⁶² “Rebuttal Begins,” *The Rock Island Daily Argus*, April 6, 1894, Chronicling America, Library of Congress; “The Police Courts,” *Chicago Tribune*, June 23, 1870, Chronicling America, Library of Congress; “Acklen,” *Chicago Tribune*, October 3, 1878, Chronicling America, Library of Congress; “Double Murder,” *Chicago Tribune*, August 22, 1880, Chronicling America, Library of Congress; “Parisian Morals,” *Chicago Tribune*, November 20, 1880, Chronicling America, Library of Congress; “A Class of Saloons,” *Chicago Tribune*, April 1, 1881, Chronicling America, Library of Congress; Blair, *I’ve Got to Make My Livin’*, 224.

common euphemisms for sex worker included “woman of the town,” “demi-monde,” “street walkers,” “bawds,” “courtesan,” and many more.⁶³ The use of so many different terms to describe the same illicit thing encapsulates how newspapers’ supposed silencing of sex work through euphemism was, in reality, representative of a clamor of noise on the subject.

Newspapers used this euphemism, like with abortion, to communicate information on sex work and create a multitude of opportunities for the public to learn of illicit sex.

The shared euphemistic practices between abortion and prostitution are more than sheer historical parallel. While it is likely that Dr. Hale revised his treatise to avoid legal repercussions under the new 1867 Illinois law, his own moralistic explanation for the revision connects abortion and sex work as intertwined aspects of illicit medicine. In the 1868 treatise’s preface, Hale claimed that he omitted the knowledge on obstetric abortion because the information he provided had been “prostituted to bad purposes by immoral physicians,” who presumably committed criminal abortions.⁶⁴ As Leslie Reagan argued, several physicians used a metaphor of prostitution to describe some doctors’ choice to provide illegal abortions. Reagan showed that this language applied to abortion suggests a reversal of the typical arrangement of prostitution: instead of men exploiting women by paying for illicit sexual services that would tarnish women’s reputations, women exploited male doctors by paying for illegal medical services that would tarnish doctors’ reputations.⁶⁵ Nineteenth-century physicians’ use of this language of prostitution suggests that in their minds, prostitution and abortion were interrelated and illicit

⁶³ “Two Arrests,” *Chicago Tribune*, March 8, 1875, Chronicling America, Library of Congress; “Paris,” *Chicago Tribune*, July 4, 1880, Chronicling America, Library of Congress; “State Street,” *Chicago Tribune*, May 18, 1879, Chronicling America, Library of Congress; “Parisian Morals,” *Chicago Tribune*, November 20, 1880, Chronicling America, Library of Congress; “Railroads,” *Chicago Tribune*, June 18, 1881, Chronicling America, Library of Congress. On racialized terminology that newspapers used to describe Chicago brothels, see Cynthia Blair, *I’ve Got to Make My Livin’*, 91.

⁶⁴ A Systematic Treatise on Abortion and Sterility, National Library of Medicine Digital Collections.

⁶⁵ Reagan, *When Abortion Was a Crime*, 85.

aspects of sexuality that permeated the medical field. More than just a rhetorical linkage, however, Hale's use of this language foreshadows a direct link between doctors and sex workers through their mutual practice abortion.

Knowledge of sex workers, like knowledge of abortion, was wildly pervasive yet masked by euphemism and disavowal to satisfy middle-class standards of propriety. Abortion and sex work were two facets of nineteenth century sexuality that were paradoxically criminalized and censored yet highly visible in the public imagination, as seen by their representation in newspaper advertisements and articles. These vices were not just linked by modes of repression and expression in an imagined rhetorical cartography. Rather, it turned out that sex work became an additional way to transmit knowledge on abortion practices.

“Prostituting” Knowledge

Theodocia Patterson, a Chicago-based sex worker, was twenty years old when she had her abortion. Patterson, who used the alias ‘Lucy Kellogg,’ had been working in the “house of ill-fame” of Jennie Anderson and Nellie Costello when, in the fall of 1869, she realized she was pregnant.⁶⁶ The *Tribune* reported that Patterson paid Dr. Henry Stratford fifty dollars to abort the pregnancy. Stratford allegedly operated on Patterson three times in his Clark Street office, but when Patterson returned home to convalesce, she began to decline in health.⁶⁷ Stratford visited Patterson once more in her residence at Jennie Browning's Fourth Avenue boarding house, which doubled as a brothel, to check on her recovery.⁶⁸ However, after two weeks of illness,

⁶⁶ “Armory Court,” *Chicago Tribune*, November 16, 1869, Chronicling America, Library of Congress.

⁶⁷ “Armory Court,” *Chicago Tribune*, November 16, 1869, Chronicling America, Library of Congress.

⁶⁸ “The Globe,” *Chicago Tribune*, April 30, 1874, Chronicling America, Library of Congress; “Dr. H.K. Stratford Found Not Guilty, and Discharged from Custody,” *Chicago Tribune*, January 14, 1870, Chronicling America, Library of Congress.

Patterson died due to complications from the abortion. When Dr. Stratford was arrested, he became the first person charged with performing an illegal abortion under the new 1867 law.⁶⁹ Theodocia Patterson, a Chicago sex worker, was the center of this pivotal case.

Theodocia Patterson's story appeared in several issues of the *Chicago Tribune* between when Stratford was arrested in November of 1869 and when he was acquitted in January of 1870. Patterson's name, albeit typically printed as her alias, appeared before the eyes of the Chicago public as a representation of two illicit aspects of sex that permeated the *Tribune's* pages in the late nineteenth century: abortion and sex work. Indeed, her story provided confirmation to those who had only imagined sex workers to have special knowledge of birth control and abortion.⁷⁰

Although Patterson's death was the event that gripped the attention of *Tribune* readers, her life reveals how sex workers continued to access abortion despite its criminalization in Illinois and the Comstock Laws' attempt to censor reproductive knowledge. In addition, the ambiguity surrounding who actually performed Patterson's abortion reveals possibilities for how sex workers not only located abortionists, but how they may have had the knowledge to perform abortions themselves. Patterson's case exemplifies how sex work was a realm in which the elite, socially approved medicine of the doctor's office encountered the illicit medicine of the brothel. In the court room of Stratford's trial, the physician and the sex worker were tied together by the practice of illicit medicine.

During the January trial, Chicago doctors asserted Stratford's innocence by using Patterson's sex worker status to suggest that she had induced the abortion herself or with the help

⁶⁹ "Dr. H.K. Stratford Found Not Guilty, and Discharged from Custody," *Chicago Tribune*, January 14, 1870, Chronicling America, Library of Congress.

⁷⁰ Gordon, *The Moral Property of Women*, 66.

of another. In their testimony, physicians like Dr. Henry Young argued that Stratford had likely been called into Browning's house after an abortion had already been attempted. "Physicians do not hesitate," Young said, "to obey calls to treat cases of sickness in homes of ill-fame."⁷¹ Young suggested that cases of illness and abortion occurred frequently in brothels while also lauding Stratford's character as a doctor who served even the lowliest of patients.

Young also cemented the supposedly natural relationship between sex work and abortion by saying "it is considered that the course of life of a courtesan creates a tendency to promote abortions."⁷² Because sex workers likely needed frequent abortions, Young argued, there was no reason as to why Stratford would be the person who had performed Patterson's. This "tendency" implies that sex workers would often self-induce. Young's testimony suggested that doctors were regularly called to pick up the pieces after a sex worker had tried and failed to perform an abortion by herself or with the help of her colleagues. Young wielded Patterson's class and occupation against her in court, asserting that since she was a sex worker, it was probable that she had either induced the abortion herself or sought help from another before Stratford ever stepped foot in Jennie Browning's boarding house.

Although doctors like Young made the above comments to bolster the reputation of physicians like Stratford and discredit sex workers like Patterson, their testimony also reveals that sex workers did not need to rely on doctors to perform successful abortions. Physicians testifying at Stratford's trial argued that Patterson's placenta had been decomposing for weeks before her death, suggesting that an abortion had likely been performed before she ever encountered Stratford. While this confirmed that an abortion was performed, some physicians

⁷¹ "Conclusion of the Testimony in the Stratford Abortion Case," *Chicago Tribune*, January 13, 1870, Chronicling America, Library of Congress.

⁷² "Conclusion of the Testimony in the Stratford Abortion Case," *Chicago Tribune*, January 13, 1870, Chronicling America, Library of Congress.

were unsure if the abortion was the cause of Patterson's death. Calvin Fitch, another doctor, remarked that if Patterson "had been a member of a respectable family he should have thought she was upon the eve of death by typhoid fever."⁷³ Fitch emphasized Patterson's lack of respectability to argue that her sex worker status meant she must have died from an abortion, even though her cause of death appeared ambiguous. However, his disparaging testimony also raises the possibility that Patterson may have successfully terminated her pregnancy without the help of a doctor weeks before and died of another illness.

Patterson certainly could have had the knowledge to induce the abortion herself, or she could have received the abortion from a fellow sex worker. Recalling the 1874 testimony of the sex worker Nellie Sinclair in Rosetta Jackson's abortion case, Sinclair explicitly told the court that sex workers shared abortifacient knowledge with each other. If "all the girls" jumped rope or drank tansy tea to induce an abortion, as Nellie Sinclair implied, then abortion information was widely known and transmitted between sex workers.⁷⁴ Sinclair also revealed in her testimony that sex workers shared reproductive knowledge not only among themselves but also with the larger public. Sinclair had told William Flagg, her customer, and the father of Rosetta Jackson's child, that drinking tansy tea or jumping rope would induce an abortion in Jackson.⁷⁵ At Earll's trial, Mrs. Heiland produced a "bottle of tansy" that Jackson had been taking, indicating that Jackson trusted Sinclair's knowledge of tansy's abortifacient effects.⁷⁶ Sinclair even went so far as to recommend a doctor (Dr. Earll) who she knew would perform an abortion.⁷⁷ Sex workers like Nellie Sinclair shared abortion knowledge among their colleagues and even extended their

⁷³ "Conclusion of the Testimony in the Stratford Abortion Case," *Chicago Tribune*, January 13, 1870, Chronicling America, Library of Congress.

⁷⁴ "Dr. Earll," *Chicago Tribune*, July 31, 1874, Newspapers.com.

⁷⁵ "Dr. Earll," *Chicago Tribune*, July 31, 1874, Newspapers.com.

⁷⁶ "Dr. Earll," *Chicago Tribune*, July 29, 1874, Newspapers.com.

⁷⁷ Linehan, "Sex, Abortion, and Prostitution in the Lives of Gilded Age Chicago Girls," 174.

network of information to customers and the general public, who trusted and implemented the knowledge that sex workers imparted. Given this web of knowledge, it is increasingly plausible that Patterson could have self-induced the abortion or sought help from a fellow sex worker.

Alternatively, Stratford may have performed the abortion on Theodocia Patterson. Sex workers knew of physicians who were sure to take their case and even manipulated doctors into performing abortions. In her 1919 memoir recounting her life as a sex worker in late nineteenth century Chicago, Madeleine Blair recalled seeking an abortion from a physician who she “knew would not refuse to aid” her.⁷⁸ In fact, Blair implied that she induced a premature birth herself, then called for the doctor once “it was too late for him to protest” to help her see the abortion completed.⁷⁹ Blair described that “once the peritonitis set in,” her doctor sent her to the hospital, where she recovered after the successful abortion.⁸⁰ Peritonitis is life-threatening inflammation of the abdominal wall’s lining resulting from a perforation in the intestine caused by the insertion of sharp objects into the uterus to terminate a pregnancy.⁸¹ We can assume that Blair likely inserted a sharp object into her vagina to induce an abortion, knowing that it could cause peritonitis. Because of these life-threatening circumstances, Blair knew that her doctor would have to admit her into a hospital where the abortion could be seen through.

Blair not only risked her life to manipulate her physician and the law to ensure that she would end her pregnancy with as much medical and legal protection as possible. She also had the medical knowledge to know how to induce a premature birth and which complications would force her doctor to acquiesce to her request and care for her fully. It is plausible that Theodocia

⁷⁸ Madeleine Blair, *Madeleine: An Autobiography*, (New York & London: Harper & Brothers, 1919), Chapter IV.

⁷⁹ Blair, *Madeleine: An Autobiography*, Chapter IV.

⁸⁰ Blair, *Madeleine: An Autobiography*, Chapter IV.

⁸¹ Content warning: the cited article contains graphic images. Adedire Timilehin Adenuga and Oluwatosin Wuraola Akande, “Peritonitis Following Unsafe Abortion: A Retrospective Study in a Tertiary Health Facility in North Central Nigeria,” *The Pan African Medical Journal* 37, no. 354 (December 18, 2020).

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7992427/>.

and boarding house at 178 Fourth Avenue.⁸² W.T. Stead's "vice map" (Figure 1) shows the location of several other brothels in this section of Fourth Avenue and South Clark Street.⁸³

Given the proximity of Browning's brothel to Stratford's office, it would have been convenient for Patterson to make the five-block trip up north to obtain an abortion.

After all, abortionists' offices were also commonly located near or around neighborhoods in which brothels existed. On the same page as the *Tribune's* notice of Dr. Stratford's arrest, the newspaper published advertisements for three doctors located along South Clark Street who offered treatments for "female difficulties," and "female irregularities," which were both euphemisms of for pregnancy and abortion.⁸⁴ Their offices ranged from four to six blocks north of the vice district depicted on Stead's map. Indeed, the vice map illustrates "Doctor's Offices," right on the corner of Dearborn and Harrison streets. While it is unclear what services these doctor's offices offered, it is not outside the realm of possibility that they provided abortions given their location. South Clark Street itself was a notorious location for brothels.⁸⁵ In addition,

⁸² "Conclusion of the Testimony in the Stratford Abortion Case," *Chicago Tribune*, January 13, 1870, Chronicling America, Library of Congress; "Dr. H.K. Stratford Found Not Guilty, and Discharged from Custody," *Chicago Tribune*, January 14, 1870, Chronicling America, Library of Congress; Peter Baldwin, "Vice Districts," Encyclopedia of Chicago (Chicago Historical Society, 2005), <http://www.encyclopedia.chicagohistory.org/pages/1304.html>.

⁸³ Although there is a twenty-four-year gap between Patterson's case in 1870 and the creation of Stead's vice map in 1894, the frequency of brothels in this section of South Clark Street in 1894 and evidence of other brothels located near this section of South Clark Street in the early 1870s suggests that this area was historically used as a vice district throughout the late nineteenth century. See "Telegraphic," *The Daily Argus*, May 18, 1875, Chronicling America, Library of Congress; "The Inquest in the Cook Murder," *Chicago Tribune*, July 17, 1875, Chronicling America, Library of Congress; Peter Baldwin, "Vice Districts," Encyclopedia of Chicago (Chicago Historical Society, 2005), <http://www.encyclopedia.chicagohistory.org/pages/1304.html>.

⁸⁴ "Medical Cards," *Chicago Tribune*, November 16, 1869, Chronicling America, Library of Congress.

⁸⁵ "Telegraphic," *The Daily Argus*, May 18, 1875, Chronicling America, Library of Congress; "The Inquest in the Cook Murder," *Chicago Tribune*, July 17, 1875, Chronicling America, Library of Congress; "The Gardens," *Chicago Tribune*, June 30, 1879, Chronicling America, Library of Congress. Indeed, Leslie Reagan notes that the "Girl Reporter" of the *Chicago Daily Times'* 1888 abortion exposé focused on uncovering doctors located in respectable neighborhoods because it was already expected for there to be abortionists on Clark Street. While Reagan does not go into detail as to why Clark Street would have been an obvious place for abortionists, we can assume it was because this area of town was impoverished and a hub for sex work. The "Girl Reporter's" assumption that abortionists ran businesses on Clark Street because there were many brothels turns out to be more than just a hunch but actual historical fact; Reagan, *When Abortion Was a Crime*, 54.

Chicago's most prominent red-light district, the Levee, spanned several blocks from 18th street to 22nd street between 1880 and 1912.⁸⁶ Recalling Dr. Hale from the previous section, the *Chicago Daily Times* reported in 1888 that Hale's medical office was located on 22nd street, one of the roads bordering the infamous Levee.⁸⁷ These addresses reveal that sex workers operating in Chicago vice districts did not have to travel far from their place of employment to seek abortions. Many abortionists' offices existed within walking distance of brothels, which often doubled as sex workers' workplace and place of lodging, as was the case for Patterson. The proximity of abortionists' offices to sex workers' places of business suggests that sex workers like Patterson were knowledgeable about and navigated this linked landscape to terminate unwanted pregnancies.

Sex workers did not only travel to doctor's offices to receive abortions. The brothel itself was a site in which doctors, sex workers, and brothel keepers performed abortions. The *Tribune* broadcasted an abortion case in which a witness testified that the abortionist, Dr. Thomas Cream, admitted he had performed successful abortions in several brothels across the country.⁸⁸ Smith Whittler, better known as "Dr. James," was a likely abortionist who owned a series of brothels around Twelfth Street and Indiana Avenue. In 1881, the *Tribune* reported that residents of the Twelfth and Indiana neighborhood were working to evict several "houses of prostitution" located in the area. The *Tribune* revealed that these buildings were owned by a Dr. James, who the *Tribune* described as a "specialty doctor who advertises." The *Tribune* suggested that Dr. James' "specialty" was venereal disease and abortion. Advertisements for Dr. James, or Smith

⁸⁶ Peter Baldwin, "Vice Districts," *Encyclopedia of Chicago* (Chicago Historical Society, 2005), <http://www.encyclopedia.chicagohistory.org/pages/1304.html>.

⁸⁷ "Infanticide," *Chicago Daily Times*, December 18, 1888, Undercover Reporting, New York University.

⁸⁸ "Trial of Dr. Cream for the Murder of Mrs. Faulkner," *Chicago Tribune*, November 18, 1880, *Chronicling America*, The Library of Congress.

Whittler, appeared in issues of the *Chicago Tribune* throughout the 1870s and 1880s, all offering private and confidential services. Amid the advertisements' discreet descriptions of Dr. James' venereal disease treatments, the ad asked that "ladies wanting the most delicate attention, call or write."⁸⁹ Ladies' "most delicate attention" euphemistically implied abortion, since the language emphasized women's gender and women had not been mentioned in the ad's descriptions of venereal disease treatments. In addition, this phrasing suggested abortion because it required even more delicacy and discretion than the venereal disease treatments, as women needed to specially request the service. Given both Dr. James' euphemistic advertising for abortion services and his simultaneous ownership of several brothels in Chicago, it is possible that James performed abortions in the brothels he owned.⁹⁰ The sex worker did not just travel to the doctor, but the doctor also traveled to the sex worker, as also indicated by Dr. Young in his testimony of Stratford's innocence. The brothel itself could double as an abortionists' office, suggesting that the brothel was a site in which elite and lay medicine converged in the form of illicit abortion.

However, it was not only doctors who used the brothel as a location to perform abortions. Some brothel keepers performed abortions for the sex workers they employed, as was the case for an Indiana sex worker, Annie Munroe. In 1874, Munroe received a successful abortion from her brothel keeper, Alice Munroe, who "had been doing an extensive business as an abortionist," charging only ten dollars for each procedure.⁹¹ Munroe's clients likely included the women she employed in her brothel but given the "extensive" nature of her business, her clients could have

⁸⁹ "Medical Cards," *Chicago Tribune*, December 27, 1875, Chronicling America, Library of Congress. For more on advertisements for venereal diseases treatments and doctors in the context of nineteenth century Baltimore, see Katie Hemphill, *Bawdy City: Commercial Sex and Regulation in Baltimore, 1790-1915*, (Cambridge: Cambridge University Press, 2020).

⁹⁰ Hemphill has also shown that several physicians and business owners who offered treatments for venereal diseases also provided abortion services, lending more evidence to support the notion that James could have treated both venereal disease and offered abortions in the brothels that he owned; Hemphill, *Bawdy City*, 104.

⁹¹ "Indiana," *Chicago Tribune*, August 19, 1874, Chronicling America, Library of Congress.

extended to customers beyond her brothel as well.⁹² Although we do not know if Annie and Alice's shared last name is a mere coincidence or indicative of a familial relationship, Alice's status as Annie's dual brothel keeper and abortionist reveals that those involved in sex work were intimately familiar with both their coworkers and with reproductive knowledge. In addition, Munroe's story suggests the brothel keepers performed abortions in the brothels they ran. As such, Patterson's brothel keeper too, could have performed her abortion. Jennie Anderson, Nellie Costello, or Jennie Browning, the three women who ran the brothels that Patterson engaged with, could have also helped Patterson terminate her pregnancy. The network of information sharing between sex workers and brothel keepers provided ample opportunities for sex workers to seek abortions and access reproductive knowledge covertly in the brothel, without the assistance of doctors.

The drug store, too, was a place in close proximity to brothels where sex workers could have gone to seek abortifacients. Leslie Reagan has shown that drug stores often sold abortifacient medicines, herbs, and even instruments that women of all classes across the country used to induce abortions in the late nineteenth century.⁹³ It stands to reason that sex workers, with easy access to drug stores located near their brothels, likely took advantage of the abortifacient products sold at drug stores as well. Stead's vice map indicates that at least three drug stores operated in the vice district pictured, one on the corner of Polk and Dearborn streets, one on the corner of Harrison and Dearborn streets (right next to the "Doctor's Offices"), and another on the corner of Clark and Harrison streets.⁹⁴ Before seeking out assistance from her

⁹² "Indiana," *Chicago Tribune*, August 19, 1874, Chronicling America, Library of Congress.

⁹³ Reagan, *When Abortion Was a Crime*, 44.

⁹⁴ Baldwin, "Vice Districts," *Encyclopedia of Chicago* (Chicago Historical Society, 2005), <http://www.encyclopedia.chicagohistory.org/pages/1304.html>.

fellow sex workers, her brothel keeper, or a doctor like Stratford, Patterson may have attempted to induce miscarriage by seeking abortifacient drugs from one of the nearby drug stores.⁹⁵

Alternatively, she or a colleague or friend may have purchased an abortifacient instrument from a drug store just a few blocks away to induce the abortion.

Although sex workers did often have the medical knowledge to perform successful abortions, they still faced a real threat of death. While Theodocia Patterson could have died from an illness unrelated to her abortion as some testifying physicians suggested, there is still a real possibility that she died from an infection or hemorrhage related to her abortion. Mary Hartwell, another sex worker who worked with Patterson at Anderson's and Costello's establishment, testified in court that after Stratford's visit, Patterson said that she "expected to die."⁹⁶ Just as sex workers had intimate knowledge of medicine, they also had intimate knowledge of death. Patterson knew how, where, and from whom to get an abortion, but she also knew that she could possibly die from an unsafe procedure. While sex workers often successfully circumvented the legal restrictions on abortion by employing and sharing reproductive knowledge, abortion's illegality still took its toll. Sex workers, and women in general, faced the serious risk and reality of death for seeking abortion care in a period of criminalization.

In January of 1871, a mere month and a half after the trial surrounding Theodocia Patterson commenced, Dr. Henry Stratford was found not guilty of performing an abortion on Theodocia Patterson. It is likely that Patterson's status as a sex worker was a significant factor in Stratford's acquittal. Indeed, the judge had to remind the deliberating jury that just because one

⁹⁵ Reagan has shown that drugs were typically one of the most ineffective (and first attempted) methods of terminating a pregnancy. Women often turned to an instrument or a doctor's procedure after a failed abortion attempt from taking pills; Reagan, *When Abortion Was a Crime*, 42.

⁹⁶ "Conclusion of the Testimony in the Stratford Abortion Case," *Chicago Tribune*, January 13, 1870, Chronicling America, Library of Congress.

of the witnesses was a sex worker, they could not dismiss her testimony.⁹⁷ The jury declared that Stratford did not perform an abortion on Theodocia Patterson, presumably because they believed that either Patterson herself or someone within her network of sex workers performed the abortion instead, as several of the testifying physicians suggested. The jury's verdict can be read as indicative of the public's prejudice against sex workers and its valorization of doctors.

At the same time, the verdict can also be read as a reinforcement and expansion of Linda Gordon's notion that the public believed sex workers to be experts on reproductive knowledge, so much so that they did not need doctors to perform abortions.⁹⁸ Whether or not Stratford actually did perform Patterson's abortion, the conclusion of her case reveals that the Chicago public conceived of sex workers as medical practitioners. While the jury never explicitly referred to Theodocia Patterson or her colleagues as doctors, they still attributed all of the characteristics of a physician to Patterson and her fellow sex workers. In acquitting Stratford, the jury communicated their belief that sex workers like Patterson had the knowledge and capacity to perform abortions, just like physicians would. If not equal in status as doctors, the jury recognized that sex workers may have been equal in knowledge. And in both public perception and reality, they were.

As the possibilities for Patterson's case show, sex workers were not just reproductive experts in the public imagination; they accessed and performed abortions in practice. Sex workers like Nellie Sinclair, Annie Munroe, Alice Munroe, Madeleine Blair, and Theodocia Patterson shared abortion knowledge, negotiated with physicians to access abortions, and even performed abortions themselves despite and in spite of a period of criminalization. Sex workers'

⁹⁷ "Dr. H.K. Stratford Found Not Guilty, and Discharged from Custody," *Chicago Tribune*, January 14, 1870, *Chronicling America*, Library of Congress.

⁹⁸ Gordon, *The Moral Property of Women*, 66.

imagined medical expertise was confirmed in practice; many did, indeed, know how to access abortions when illegality, censorship, euphemism made abortion knowledge less accessible. Sex workers and doctors encountered each other in the abortionists' office and in the brothel, but ultimately, sex workers were medical thinkers in their own right.

Sexual Strictures

In 1919, thirty-nine years after Theodocia Patterson's death in 1869, Madeleine Blair, a former Chicago sex worker, directly compared herself to a doctor. In her anti-vice memoir entitled *Madeleine: An Autobiography*, Blair condemned the depravity of sex work while also critiquing middle-class reformers who did not care for the wellbeing of sex workers like herself or Patterson. Interestingly, Blair used the language of medical expertise to describe her relationship with reformers who claimed to be knowledgeable about sex work but refused to listen to the true experts, sex workers themselves. In dealing with these ignorant activists, Blair explained that she felt like a doctor "who has spent years in the dissecting-room, in hospitals ... but who, for some reason, is forced to conceal his knowledge and remain silent, while those who never saw a dissecting-room, and whose hospital experience is confined to a case of measles, endeavor to teach him the science of medicine."⁹⁹

Blair's likening of herself to a doctor forced to conceal knowledge is strikingly astute given the legal attempts to censor reproductive knowledge in the late nineteenth century, and it unwittingly articulated her own role as a medical practitioner. Blair's comparison evokes the limitations placed on sharing medical reproductive knowledge after Illinois' 1867 abortion prohibition and the national Comstock Laws. Like the theoretical doctor in Blair's analogy, Dr.

⁹⁹ Blair, *Madeleine: An Autobiography*, Afterword.

Hale was forced to conceal his abortion knowledge due to the law. Blair's metaphor is also apt because she, as well as other sex workers, truly did have medical knowledge. More than just metaphorically, Blair acted as a physician in reality when she induced her own abortion. In addition, her description of an operating room and the experiences a true doctor *should* have reveals her intimate knowledge of physicians' practices. Blair not only asserted herself as an expert on sex work to criticize ignorant reformers who knew nothing of sex work's realities, but her specific choice to equate herself to a doctor also nodded to sex workers' actual medical expertise. Sex workers like Madeleine Blair understood their own capacities as medical thinkers and employed the language of medical knowledge themselves, even in the context of anti-vice reform.

While Blair's memoir denounced arrogant middle-class reformers, her autobiography can still be considered an example of anti-vice literature, a genre that proliferated in the late nineteenth and early twentieth centuries. Anti-vice texts advocated for the eradication of sex work, often by detailing the "evil" realities of the trade. In her autobiography, Blair detailed her time laboring as a sex worker in several Chicago brothels during the late nineteenth century, emphasizing the dangers of the occupation but defending her fellow sex workers and their plight. Refusing to employ the euphemisms used by doctors and newspapers, Blair wrote plainly and openly of her experience self-inducing an abortion at the age of twenty-two after already losing two children to illness, manipulating a doctor into helping her complete the abortion, and spending two months recovering from the life-threatening procedure.¹⁰⁰ She expressed no regret for terminating her pregnancy, but she wrote candidly about the suffering she experienced as a sex worker to condemn the trade.

¹⁰⁰ Blair, *Madeleine: An Autobiography*, Chapter IV.

Unlike typical anti-vice literature, however, *Madeleine: An Autobiography* was written by a sex worker herself. Much of the anti-vice literature of the late nineteenth and early twentieth centuries was written by the same middle-class reformers that Blair despised who had no real knowledge of sex work itself. Blair's autobiography is one of the rare examples of a former sex worker creating an anti-vice text, using her voice to share her first-hand experiences and knowledge. Blair concluded her memoir with a severe denunciation of the ignorance and self-righteousness of many anti-vice reformers. She claimed that these middle-class reformers who advocated against sex work either victimized or villainized sex workers, refusing to place a care for sex workers at the heart of their advocacy.¹⁰¹ Blair, on the other hand, honestly depicted her suffering while commending the generosity, hard work, and kindness of sex workers. Rather than menaces to society or helpless martyrs, Blair foregrounded the agency of sex workers in her anti-vice text. Blair's expository memoir, a unique instance of a former sex worker speaking openly for herself about her experiences, revealed the dangers of sex work in Chicago while also denouncing the hypocrisy of the city's anti-vice reformers.

Blair's memoir, and its language of medicine, hints at the linked ways in which anti-vice reform employed medical thinking to regulate both abortion and sex work. Chicago's efforts to reform illicit sexuality arguably began with the criminalization of abortion in the nineteenth century and came to fruition with the legal crackdown on sex work in the early twentieth century. In 1867, Illinois criminalized abortion using medical justifications, which paved the way for Chicago to eradicate sex work in 1912 under the guise of protecting public health. The creation of the Vice Commission of Chicago in 1910 and the publication of *The Social Evil in Chicago* just one year later in 1911 reflected the growing power of anti-vice movements that

¹⁰¹ Blair, *Madeleine: An Autobiography*, Afterword.

used the language of medicine and reproduction to demonize sex work. This anti-vice activism reached its peak with the closing of the Levee district in 1912, which signified the end of tolerated sex work in Chicago.¹⁰²

Like Blair, social reformers used the language of health to argue against Chicago's tolerance of sex work. After years of permitting the practice of sex work in Chicago, the city council created the Vice Commission of Chicago in 1910 to investigate sex work in the city and provide recommendations for its eradication. The commission saw sex work as a public health issue, and they structured the composition of the commission's membership accordingly—there was a total of six medical doctors among the commission's twenty-eight-member cohort of judges, reverends, professors, and citizens.¹⁰³ In 1911, the commission published a four-hundred-page study on the conditions of Chicago sex work entitled *The Social Evil in Chicago*, which emphasized the medical and public health concerns of sex work. The study was divided into ten committees that each analyzed a different aspect of sex work. The "Committee on Medical Questions" primarily investigated the transmission of venereal disease among sex workers and to the general population.¹⁰⁴ In particular, the commission's doctors studied and listed the physical complications that resulted from venereal diseases like syphilis and gonorrhea.¹⁰⁵ For women, the committee found that sterility and miscarriage (which the commission described as "abortion") were the most prevalent long-term consequences of the venereal diseases that sex workers supposedly spread.¹⁰⁶

¹⁰² Blair, *I've Got to Make My Livin'*, 146.

¹⁰³ *The Social Evil in Chicago: A Study of Existing Conditions with Recommendations by the Vice Commission in Chicago, 1912*, Wellcome Collection, <https://wellcomecollection.org/works/yf2nbyqx/items?canvas=3>.

¹⁰⁴ *The Social Evil in Chicago: A Study of Existing Conditions with Recommendations by the Vice Commission in Chicago*, Wellcome Collection, 17.

¹⁰⁵ *The Social Evil in Chicago: A Study of Existing Conditions with Recommendations by the Vice Commission in Chicago*, Wellcome Collection, 299.

¹⁰⁶ *The Social Evil in Chicago: A Study of Existing Conditions with Recommendations by the Vice Commission in Chicago*, Wellcome Collection, 299.

The commission's choice to emphasize the threat of women's sterility and miscarriage from venereal disease reveals that reformers viewed abortion and sex work as related threats to public health and, most importantly, to reproduction. The commission's doctors argued that men who frequented sex workers would contract syphilis or gonorrhea and then pass on the disease to their wives at home, who would then suffer the consequences of their husbands' dalliances.¹⁰⁷ Sex workers in Chicago not only continued to access abortions after criminalization in Illinois, but in the minds of reformers, sex workers contributed even more to the crisis of a lack of reproduction by spreading venereal disease that caused sterility and miscarriage. Reformers and doctors used the threat of venereal disease to argue that sex workers were menaces to public health, but their emphasis on the sterilizing effects of venereal disease reveal that their underlying motivations against sex workers were the threats that they posed to reproduction.

Abortion, too, had been criminalized under the pretenses of health and medical accuracy. In the mid-nineteenth century, doctors argued that it was not medically healthy to induce abortion before quickening. These arguments significantly influenced lawmakers' decisions to make abortion illegal. As Leslie Reagan has shown, anti-abortion physicians like Horatio Storer discredited the idea of quickening, which was the first moment that a pregnant woman could feel the fetus move.¹⁰⁸ Prior to this point, many people believed that inducing abortion before quickening was perfectly acceptable. Doctors who advocated against abortion argued that quickening was not an actual medical indicator of pregnancy stage because it was only a feeling, rather than a scientific fact.¹⁰⁹ Since quickening could not be used to determine when it was healthy or safe to induce an abortion, doctors argued that it was not medically sound to perform

¹⁰⁷ *The Social Evil in Chicago: A Study of Existing Conditions with Recommendations by the Vice Commission in Chicago*, Wellcome Collection, 292.

¹⁰⁸ Reagan, *When Abortion Was a Crime*, 12.

¹⁰⁹ Reagan, *When Abortion Was a Crime*, 12.

an abortion at all. Like how anti-vice reformers used the guise of health to regulate sex work, anti-abortion doctors used the language of medical health to criminalize abortion.

Also similar to the regulation of sex work, anti-abortion doctors' language of health masked an underlying motivation: to assert physician control over women's reproductive health. Prior to the mid-to-late nineteenth century, the domain of women's reproductive care had typically belonged to midwives or pregnant women themselves.¹¹⁰ Leslie Reagan has shown that Illinois's 1867 anti-abortion law provided one key exception; physicians could perform an abortion only if it was done for a verified medical reason.¹¹¹ This gave doctors, rather than midwives or everyday women, the power to decide what was "medical" and therefore when an abortion could be performed.¹¹² Reagan has also argued that the elimination of the idea of quickening served to invalidate women's own understanding of their bodies during pregnancy in favor of physicians' knowledge.¹¹³ Indeed, in later nineteenth century campaigns to maintain control over women's health, physicians explicitly targeted midwives' illegal practices of abortion.¹¹⁴ Cloaked in notions of medical health and truth, doctors worked to criminalize abortion to usurp medical power from midwives and women.¹¹⁵

The Chicago Vice Commission's attempts to eliminate sex work can be seen as another mechanism through which doctors worked to bolster their authority over reproductive medicine. Late nineteenth century physicians aimed to take control of abortion from midwives by criminalizing abortion. Likewise, early twentieth century doctors' efforts to eradicate sex work

¹¹⁰ Reagan, *When Abortion Was a Crime*, 10.

¹¹¹ Reagan, *When Abortion Was a Crime*, 13.

¹¹² Reagan, *When Abortion Was a Crime*, 13.

¹¹³ Reagan, *When Abortion Was a Crime*, 12.

¹¹⁴ Reagan, *When Abortion Was a Crime*, 91.

¹¹⁵ Reagan, *When Abortion Was a Crime*, 91.

can be read as a means to end the abortion practices of another group of women performing illicit medicine: sex workers. Katie Hemphill has argued that late nineteenth-century Baltimore's crackdown on illegal abortions took medical power away from "popular" practitioners of abortion, like midwives, druggists, and fortune tellers.¹¹⁶ It stands to reason that physicians would have a vested interest in curbing these practitioners' power, so as to increase business. Like Hemphill's "popular" practitioners, Chicago sex workers performed abortions and shared abortion knowledge illicitly, outside of the domain of respectable and elite medicine. When people like Rosetta Jackson sought abortion knowledge from a sex worker like Nellie Sinclair or a doctor removed from accepted academies like Dr. Earll, they undermined the authority of established and respectable physicians like those on the Chicago Vice Commission. The efforts of doctors on the 1910 Chicago Vice Commission to eliminate sex work, like the doctors of earlier anti-abortion movements, can be understood as an attempt to commandeer control of reproductive medicine from illicit medical practitioners, namely, sex workers.

When the Levee district closed in 1912, due primarily to the Chicago Vice Commission's report conducted in large part by its physicians, the medical regulation of illicit sexuality that began with abortion finally came to fruition. While both abortion and sex work continued to be practiced in Chicago throughout the late nineteenth and early twentieth century, this period marked a legal crackdown on these two related forms of illicit sexuality. Linked not only in rebellious practice but also in the language of reformers, the criminalization of both abortion and sex work was rooted in the desire to control medical power.

Conclusion

¹¹⁶ Katie Hemphill, "Bawdy City: Commercial Sex, Capitalism, and Regulation in Nineteenth-Century Baltimore," (PhD diss., Johns Hopkins University, 2014), 326.

The story of abortion rights in America is a story about Chicago. Chicago has been a center for both reproductive regulations and reproductive rebellion, from the nineteenth century into the present day. The agency and resistance of individual Chicagoans like Theodocia Patterson, Nellie Sinclair, Rosetta Jackson, and Madeleine Blair worked to combat the state's suppression of abortion rights and access in the nineteenth century.

In the late sixties and early seventies, the women of the Jane Collective also took matters into their own hands to provide underground abortion care for the people of Chicago when it was criminalized in the mid-twentieth century. Like many of the sex workers of the nineteenth century, the Janes practiced abortions themselves, without the help of physicians, and relied on an intimate network of knowledge sharing between women.

Today, the Chicago Abortion Fund works to ensure that no one is prevented from accessing abortion care because of prohibitive costs. Their efforts to provide funds for people seeking abortions is essential to working toward eliminating the inequities in abortion access faced by many people, especially people of color. Throughout history, the people of Chicago have asserted their right to access abortions no matter the political or medical state. Understanding Chicago's long-lasting heritage of abortion advocacy and its continued relationship to abortion rights is key to understanding the history of abortion in the United States.

Sex work, too, is at the center of the entwined histories of abortion and medicine. Sex workers' power as abortionists and keepers of abortion knowledge has been ignored by studies on the history of abortion for far too long. Their stories, while often only appearing as fragmented glimpses in the archive, reveals a new and essential perspective on the contours of experiences of abortion in the late nineteenth century.

As people with perhaps the most intimate knowledge of sex and reproduction, it stands to reason that sex workers would also have an intimate knowledge of reproductive medicine. Acknowledging sex workers' power as medical thinkers and practitioners in the realm of abortion is essential to reevaluating our notions of who had the power to practice medicine throughout the history of the United States. Sex workers, not just doctors, developed, practiced, and shared scientific knowledge despite the limits of their class and opportunities. They deserve to take their place in histories of science and medicine, just as physicians have.

As the recent overturning of *Roe vs. Wade* has shown, abortion rights are currently under attack. The history of abortion access is not a linear trajectory of progress. Our current reality of limited rights to abortion eerily resembles the period of the mid-to-late nineteenth century when abortion was criminalized for the first time in the United States. This disturbing truth forces us to recognize that the struggle to access abortion in the past is still present today, most of all for marginalized people. Like the sex workers of the nineteenth century, many people seeking abortions today must still practice medicine on the margins.

Bibliography

Primary Sources

Blair, Madeleine. *Madeleine: An Autobiography*. New York & London, NY: Harper & Brothers Publishers, 1919.

Chicago Tribune

Chicago Daily Times

Hale, Edward M. National Library of Medicine Digital Collections. National Institute of Health, Bethesda, MD.

Hale, Edward M. Wellcome Collection. Medical Heritage Library, Francis A. Countway Library of Medicine, Harvard Medical School, Cambridge, MA.

Inter-Ocean

Rock Island Daily Argus

Stead, William T. *If Christ Came to Chicago! A plea for the union of all who love in the service of all who suffer*. London: Review of Reviews, 1894.

The Social Evil in Chicago: A Study of Existing Conditions with Recommendations by the Vice Commission in Chicago, 1912, Wellcome Collection.

Secondary Sources

Adenuga, Adedire Timilehin, and Oluwatosin Wuraola Akande. "Peritonitis Following Unsafe Abortion: A Retrospective Study in a Tertiary Health Facility in North Central Nigeria." *The Pan African Medical Journal* 37, no. 354 (December 18, 2020).

Baldwin, Peter. "Vice Districts." *Encyclopedia of Chicago*. Chicago Historical Society, 2005.
<http://www.encyclopedia.chicagohistory.org/pages/1304.html>.

Biesel, Nicola, and Tamara Kay. "Abortion, Race, and Gender in Nineteenth-Century America." *American Sociological Review* 60, no. 4 (2004): 498-518.

Blair, Cynthia M. *I've Got to Make My Livin': Black Women's Sex Work in Turn-of-the-Century Chicago*. Chicago: The University of Chicago Press, 2018.

Brodie, Janet Farrell. *Contraception and Abortion in Nineteenth-century America*. Ithaca: Cornell University Press, 1994.

Caron, Simone M. *Who Chooses? American Reproductive History Since 1830*. Gainesville: University Press of Florida, 2008.

D'Emilio, John, and Estelle B. Freedman. *Intimate Matters: A History of Sexuality in America*. Chicago: University of Chicago Press, 2013.

Foucault, Michel. *The History of Sexuality : An Introduction*. New York: Vintage, 1990.

Gordon, Linda. *The Moral Property of Women: A History of Birth Control Politics in America*. Urbana and Chicago: University of Illinois Press, 2007.

Hemphill, Katie. *Bawdy City: Commercial Sex and Regulation in Baltimore, 1790-1915*. Cambridge: Cambridge University Press, 2020

Katie Hemphill. "Bawdy City: Commercial Sex, Capitalism, and Regulation in Nineteenth-Century Baltimore." PhD diss., Johns Hopkins University, 2014

Horowitz, Helen Lefkowitz. *Rereading Sex: Battles over Sexual Knowledge and Suppression in Nineteenth Century America*. New York: Alfred A. Knopf, 2002.

Linehan, Mary. "Sex, Abortion, and Prostitution in the Lives of Gilded Age Chicago Girls." Essay. In *Children and Youth during the Gilded Age and Progressive Era*, edited by James Alan Marten, 166–86. New York: New York Univ. Press, 2014.

National Library of Medicine. "Pennyroyal." Drugs and Supplements. Accessed January 26, 2023, <https://medlineplus.gov/druginfo/natural/480.html>.

Mumford, Kevin J. *Interzones: Black/white Sex Districts in Chicago and New York in the Early Twentieth Century*. New York: Columbia University Press, 1997.

- Owens, Deirdre Cooper. *Medical Bondage: Race, Gender, and the Origins of American Gynecology*. Athens: University of Georgia Press, 2017.
- Reagan, Leslie J. *When Abortion Was a Crime: Women, Medicine and Law in The United States, 1867-1973*. Berkeley: University of California Press, 1997.
- Smith-Rosenberg, Carroll. *Disorderly Conduct: Visions of Gender in Victorian America*. New York: Oxford University Press, 1986.
- Stone, Geoffrey R. *Sex and the Constitution: Sex, Religion, and Law from America's Origins to the Twenty-First Century*. New York: Liveright Publishing Corporation, 2018.
- Tone, Andrea. 2000. "Black Market Birth Control: Contraceptive Entrepreneurship and Criminality in the Gilded Age." *Journal of American History* 87 (2): 435–59.
- Walkowitz, Judith R. *Prostitution and Victorian Society: Women, Class, and the State*. Cambridge: Cambridge University Press, 1980.