

Horatio Robinson Storer, M.D. and the Physicians' Crusade Against Abortion

Frederick N. Dyer

MOST PEOPLE ARE SURPRISED to learn that induced abortion was common among married Protestant women in America in the middle of the 19th Century. This is testament to the effectiveness of the campaign against abortion that began in 1857. Dr. James Mohr in his *Abortion in America: The Origins and Evolution of National Policy, 1800-1900* described how this "physicians' crusade against abortion" changed state laws and public attitudes, with the result being a substantial reduction of abortion by 1900, at least among married women.

Mohr singled out one man as the driving force behind this successful American crusade against abortion. This was the Boston physician, Horatio Robinson Storer (1830-1922), but even Mohr was not fully aware of his efforts. Storer was not the first physician to point out the high prevalence of abortion or to call for physician efforts to curtail it.

Professor Hugh L. Hodge did this in 1839 and 1854 in lectures at the Pennsylvania Medical School. Horatio's father, David Humphreys Storer, gave a similar Introductory Lecture to the new Harvard medical students in November 1855, and this was a key factor in Horatio's campaign less than two years later. However, Horatio Storer's efforts went well beyond those of his father and Hodge.

Although induced abortion was common in 1857, almost all physicians were strongly opposed to it unless the mother's life was threatened. The frequent abortions in this period were performed by quacks who called themselves doctors, by some midwives and women physicians, by friends or acquaintances of the pregnant woman who had learned how to induce abortion, and by the women themselves. Only a very small number of these unnecessary abortions could be attributed to the graduates of medical schools.

There were physicians in Boston who were against any public discussion of abortion and who particularly opposed the reform of

Massachusetts laws on abortion. James Mohr may have interpreted such opposition as physician *support*, or at least, *tolerance* of induced abortion. However, Horatio Storer's most vocal Boston opponent, Dr. Charles Edward Buckingham (a.k.a. "Student" and "B."), did *not* claim that a "large proportion of the medical profession" believed that early abortions were not a crime, even though Buckingham's words in an editorial appeared to say just this. And Buckingham himself was no exception to the rule that physicians in 1857 strongly opposed induced abortion and believed that even early induced abortions were criminal. Buckingham's opposition to Horatio Storer and recent misinterpretations of this opposition are discussed below.

The Boston opposition actually began before Horatio became strongly involved. Dr. Henry J. Bigelow, probably with his father Jacob persuaded David Humphreys Storer to omit the abortion portion of his November 1855 Introductory Lecture when the lecture was published a few weeks later. Henry J. Bigelow was Professor of Surgery and Jacob Bigelow was Professor of Materia Medica at the Harvard Medical School where David Humphreys Storer was Professor of Obstetrics and Medical Jurisprudence. The Bigelow objection to publication of the anti-abortion segment apparently was concern that attendance at the medical school would drop as a result of such additional attention to the high rate of criminal abortion in Boston and New England. The suppressed portion of the 1855 Introductory Lecture was finally published 17 years later and it was no coincidence that this was in Horatio Storer's *Journal of the Gynaecological Society of Boston*.

David Humphreys Storer's November 1855 anti-abortion segment sounded like the start of the physician's crusade against abortion and Horatio later credited it as a key reason for his own efforts. It began:

I should feel that I had been guilty of an unpardonable neglect were I to omit to glance at a subject the importance of which, each succeeding year, has been more forcibly impressed upon my mind. I had hoped that, long ere this, some one of the strong men of the profession,—strong in the affections of the community, strong in the confidence of his brethren,—would have spoken, trumpet-tongued, against an existing, and universally acknowledged evil. I have waited in vain. The lecturer is silent, the press is silent, and the enormity,

unrebuked, stalks at midday throughout the length and breadth of the land. It is time that this silence should be broken. It is time that men should speak. It is no presumption in the humblest individual to point out a much-needed reformation, however others may doubt the expediency of his course, if he thinks by thus doing he shall awaken in any mind the slightest attention to the subject; particularly if he sincerely believes that anything which can be found to be wrong can be rectified, that anything which ought to be done *can be* done sooner or later, whether it affects an individual, a community, or a race.

However, following this, David Humphreys Storer also became silent on the “universally acknowledged evil,” *i.e.*, forced abortion. The same faculty pressure that caused him to withhold publication of this portion of his lecture probably caused him to cease public speaking and writing on the issue.

Horatio Storer was hardly a wallflower. The same egotism that Horatio’s friend Hermann Jackson Warner noted in college and medical school days and that Dr. Oliver Wendell Holmes was later to mention, no doubt helped Horatio decide that he was the “trumpet-tongued” “strong man of the profession” who should speak out against abortion. Horatio would devote much of his enormous talent and energy to anti-abortion work for a decade and a half.

Horatio Storer not only started the physicians’ crusade against abortion, he probably did more to found gynecology as a science and medical specialty than any other American physician. Horatio obtained his M.D. from Harvard in 1853 and then studied women’s diseases in Europe and Scotland for a year and a half. Most of the time abroad was spent with Edinburgh’s Dr. (later Sir) James Young Simpson, the discoverer of chloroform and the first to use anesthesia during childbirth.

Horatio returned to Boston in June 1855 and began his own medical practice about November 1855. He joined the American Medical Association and attended their June 1856 Annual Meeting in Detroit. Shortly afterwards, he began a tabulation of his patients who reported medical histories of induced abortion. This is the first indication of Horatio’s decision to engage in an anti-abortion crusade of his own.

The campaign commenced formally on February 28, 1857 at the regular meeting of the Suffolk District Medical Society, the society of all regular physicians in Boston. The published minutes included:

[David Humphreys Storer] had since been repeatedly called upon for a reiteration of his views; many months had, however, now elapsed, and as there seemed little or no probability of such being done at present, if at all, his son, after duly ascertaining this fact, had no hesitation in at once bringing the subject before the Society; it being acknowledged by all, in the least degree conversant with this matter, that immediate action was necessary.ⁱ

At that meeting, Horatio cited the statistics on the frequency of induced abortion he had been collecting in his personal practice as one means to show that abortion was prevalent among married Protestant women in Boston. This led Jacob Bigelow to claim that he had never in his fifty years of practice “known such an act to be committed by a married woman.” Horatio later wrote:

To my request if in his long experience he had ever asked the question which alone could elicit the truth, and to his reply “No. I should have insulted a lady by putting such a question,” was attributable much of the sympathy and co-operation that I afterwards received.ⁱⁱ

At the same Society meeting, Horatio indicated his concerns about the Massachusetts laws. The minutes are not specific, but he no doubt objected that the laws viewed the mother rather than the fetus as a victim of abortion and did not consider the mother culpable. Horatio also made reference to the “ignorance prevalent in the community respecting the actual and separate existence of foetal life in the early months of pregnancy” as a key reason for the rise of the crime. This had been noted by the editors of the *Boston Medical and Surgical Journal* in December 1855 when they wrote an editorial strongly protesting the suppression of the abortion section of David Humphreys Storer’s Introductory Lecture when it was published. Horatio later would give editors William W. Morland and Francis Minot as well as his father credit for starting him on his crusade. Horatio then proposed:

That a Committee be appointed to consider whether any further legislation is necessary in this Commonwealth, on the subject of *criminal abortion*, and to report to the Society such other means as may seem necessary for the

suppression of this abominable, unnatural, and yet common crime.

Horatio consented to adding: “And that said report, when accepted by this Society, shall by it be recommended to the Massachusetts Medical Society as a basis for its further action.” The amended resolution passed unanimously, and the Chair appointed Horatio Chairman of the new Committee that included Dr. Henry Ingersoll Bowditch and Dr. Calvin Ellis.

Horatio interpreted the resolution as calling for a report dealing with legislation on criminal abortion and would give little attention in this report to “other means as may seem necessary for the suppression” of criminal abortion. It was this wish to modify Massachusetts statutes that produced opposition from Jacob Bigelow, probably from Henry J. Bigelow, and most vocally from Dr. Charles Edward Buckingham, who communicated his and Jacob’s views to the New Jersey-based *Medical and Surgical Reporter* and to the *Boston Medical and Surgical Journal*. For example, the April 1857 *Medical and Surgical Reporter* contained the following as part of a letter from Buckingham which was signed “Student.”

At the last meeting of the Suffolk District Medical Society a resolution was passed concerning criminal abortions. It is a great pity that the moral sense of the community cannot be brought to bear upon this subject, but it is not possible, that the interference of the law should succeed in putting a stop to it. The laws we now have cannot be enforced, and anything more stringent will only feed the operators. I would like to have the profession make a public protest against the practice. Anything beyond this will overshoot the mark. But they owe it to themselves to let the public understand that they in no way countenance it.

The opposition of Buckingham and Jacob Bigelow to change of the abortion laws may have reflected concern that some activities that regular physicians regularly engaged in, such as attempts to restore “stopped” menstruation, would become illegal. On the other hand, Jacob Bigelow almost certainly had been involved when the Massachusetts legislature revised the statutes on abortion a decade earlier, and probably Buckingham, as well. The changes Horatio proposed might have been viewed as

meddling with their own products.

Shortly after the February meeting of the Suffolk District Medical Society, Horatio began a large letter-writing effort that obtained information about abortion laws in the other states and territories. Armed with this information on the various statutes, Horatio wrote his long Suffolk District Medical Society Committee Report on Criminal Abortion. He had completed a draft by April 20, 1857 when fellow-Committee-member Bowditch recommended minor revisions. Horatio included most of these, included a draft abortion statute, despite Bowditch's objection, and read the report at the regular Society meeting on April 25. It was ordered to be printed and a special meeting of the Society was set for May 9 to consider it.

The Reportⁱⁱⁱ echoed Buckingham's request that "the profession make a public protest against the practice," and even specified how to do this: "In private, among his families; in public from his professor's desk, from the pages of his journal, or from the witness' stand,—the physician is called upon by every dictate of humanity and religion to condemn it." However, the major thrust of Horatio's Report was revision of the Massachusetts abortion laws. Although these laws were as sophisticated as any state's, Horatio found serious faults in them, not the least of which was that they had led to few indictments for abortion and even fewer convictions. Horatio recommended that pregnancy need not be proved, only the attempt to end it; that the fetus rather than the mother be recognized as the victim; that assisting in abortion become a felony instead of the current misdemeanor with medical men penalized more than non-medical men; that women be guilty of a misdemeanor if they sought abortions with a higher penalty if they were married than single; and even that anyone advocating abortion be punished. When abortion actually was necessary to save the life of the woman or the child, he called for the requirement that another physician agree that this was the case. The draft statute added the new provisions and dropped such things as the requirement to prove pregnancy to which the Committee (at least, Horatio) objected.

The minutes of the May 9 Special Meeting^{iv} indicate that Dr. Jacob Bigelow and Dr. Charles Buckingham were the principal speakers against

the report. Bigelow first objected to the Committee's relaxation of a requirement that pregnancy be proven. He argued that pregnancy had to exist or there could be no crime of abortion, even as there had to be a murder victim for murder. Horatio countered by pointing out that it often was impossible early in pregnancy to prove its existence. He "thought it much easier and much more apt to promote the ends of justice, that the government should be obliged merely to prove the deed, and the prisoner be made to show its necessity."

Bigelow also noted that a physician by himself away from the city would not be able to provide a necessary abortion because there was no other physician around to agree to its necessity. Horatio pointed out that in this case, as when an operation is performed by someone other than a surgeon when a surgeon is unavailable, "necessity must be its own law."

Buckingham indicated his agreement with the objections of Jacob Bigelow. In addition, he objected to the increased penalties for married women and "that the tendency of this Section if carried out would be bad." "If a woman has made up her mind to have a miscarriage, she will have it some way or other;" he continued, "if she can't get drugs she will operate on herself as in Dr. Moore's case, with a piece of whalebone or some other instrument."

Buckingham also objected to the Report's taking "the ground that the child's life is equal in importance to the mother's; this is going back too far, to the Roman Catholic laws,^v making an excuse for the operation of Cesarean Section, a capital and very dangerous operation." He claimed the profession in Massachusetts would not support these ideas. The minutes recorded that Horatio

said that the Committee thought it their duty to report the paragraph objected to, and was surprised that Dr. Buckingham should object to it. In cases of deformed pelvis, abortion is frequently produced in order to save the life of the mother; it has sometimes been done as often as five times in the same patient. He thought that the lusts of man or woman should not be pandered to in this way. The man should be castrated or the child have a chance. The mother is responsible if she puts her own life in danger and the crime is against the child. In regard to Dr. Buckingham's statement that if a woman can't get drugs she will operate on herself, Dr. Storer said that was her own risk; the Committee act for the child; the mother is a willing agent and must answer for herself.

These statements by Horatio, particularly the last sentence, show the falsity of recent claims that the early physician opponents of abortion were primarily concerned about the dangers of abortion to the mother and that “concern for the alleged life of the fetus ‘became a central issue in American culture only in the late twentieth century.’”^{vi} It might be argued that Horatio Storer was atypical in his views, but Storer contributed more to the successful “physicians’ crusade” than any other physician and, as has been and will further be shown, he was hardly alone among physicians in acting “for the child.”

Another meeting to deal with the Report was scheduled for May 30, 1857. A guest editorial highly critical of the Report appeared in the May 28 *Boston Medical and Surgical Journal*. It also was by Buckingham, although he did not indicate his identity, signing the editorial as “B.” It was available for Boston physicians to read at least two days before the May 30 meeting of the Society was held and (Horatio claimed) was aimed at “foreshadowing a hostile demonstration to the” Report. Buckingham’s editorial included:

The affair was too hastily got up, and ought not to pass in its present form. The writer of it seems to have thrown out of consideration the life of the mother, making that of the unborn child appear of far more consequence, even should the mother have a dozen dependent on her for their daily bread. It cannot be possible that either the profession or the public will be brought to this belief. Argue as forcibly as they may, to their own satisfaction, the Committee will fail to convince the public that abortion in the early months is a crime, and a large proportion of the medical profession will *tacitly support* the popular view of the subject.^{vii}

This guest editorial did not prevent the acceptance of the Committee Report, although the draft abortion statute was dropped. However, the meeting was a stormy one. David Humphreys Storer severely rebuked the editors of the *Boston Medical and Surgical Journal* for publishing the lie that “a large proportion of the medical profession” believed that “abortion in the early months” was not a crime. He also criticized the unknown “B.” for not signing his name to his editorial.^{viii}

This led journal editor William W. Morland to claim that the “Argue

as forcibly...” statement, despite appearances, was *not* a libel on the profession. Morland surely claimed (as was done explicitly in a June 11, 1857 editorial) that “B.” had poorly chosen the words “tacitly support” when he really meant that the bulk of the profession would not make any attempt to *change* the public’s false perception that early abortion was not a crime. David Humphreys Storer’s criticism also led Buckingham to identify himself as the author of the anonymous editorial, and Buckingham claimed that his editorial “contained no such sentiments as Dr. S. had tried to make it contain.”^x In a subsequent letter published in the *Boston Medical and Surgical Journal* on August 13, 1857, Buckingham reinforced this.

“B.” has not heard that he has lost caste with the profession here, nor does he think that the readers of the New Hampshire Journal would look upon him as such a monster of iniquity, if that Journal would re-publish his whole article, in place of the mere sentence which has given so much trouble.

Discussion of this issue in the June 11, 1857 *Boston Medical and Surgical Journal* indicated that “the denunciator,” *i.e.*, Horatio’s father, apparently came to accept that Buckingham was not actually implying what the “tacitly support” statement so readily implied. Similarly, an editorial in the August 1857 *New-Hampshire Journal of Medicine* indicated that once Buckingham had been identified as the author of the controversial sentence, they (the Editor and his Massachusetts “friend,” *i.e.*, Horatio Storer) could accept that Buckingham meant to say that most physicians would not try to change the public view, not that most physicians themselves accepted the public view.

The fact that Buckingham believed that the bulk of the profession opposed abortion and viewed abortions as criminal, including early abortions, is important. Mohr was to write in *Abortion in America* (p. 154) that “B.” “was finally driven to claim that his statements had been misinterpreted and that he had been a long-time personal foe of abortion.” Readers of this might incorrectly conclude that Buckingham had been “finally driven” to claim something *counter* to his beliefs. Readers of Mohr’s statement also might incorrectly conclude that “a large proportion” of the profession at that time was not opposed to early

abortion or did not view it as criminal, and thus the common current view of some physicians (and many non-physicians) that there is little or nothing wrong with induced abortion is just a return to physicians' beliefs in 1857 before Horatio's crusade began to change these beliefs. If today's current defenders of induced abortion really believe that physicians' attitudes toward abortion in 1857 are the proper model for current attitudes toward abortion, they must become opponents of induced abortion.

As mentioned, the Committee Report was accepted after the draft statute was dropped. Two resolutions were adopted by the Society:

“Resolved, That the subject of criminal abortion demands the attention of the medical profession of the State. (Adopted—16 to 13.)

“Resolved, That [blank] be a committee to urge upon the Massachusetts Medical Society, to take action in the premises, and if it deem expedient, to present the subject for the consideration of the legislature. (Adopted—14 to 13.)”

The same Committee (Storer, Bowditch, and Ellis) was appointed to present the subject to the parent Massachusetts Medical Society at its meeting in New Bedford three days later. The Resolution that Horatio presented at that meeting was a stronger call for legislative action than the above. It read:

“Resolved, that a Committee be appointed by the Chair to bring before the next Legislature the alarming increase of criminal abortion in this Commonwealth, and to request in the name of this Society a careful revision of the Statutes upon that crime.”

Although well received by many of the Massachusetts physicians at the New Bedford meeting, this Resolution was not well received by Jacob Bigelow and Jacob's supporters. After considerable discussion, a Committee of seven was appointed to report back to the Massachusetts Medical Society on the issue. Horatio and Jacob Bigelow were on the committee. The Committee made its report seven months later while Horatio was out of the state. Although resolving “That the Fellows of the Massachusetts Medical Society regard with disapprobation and abhor-

rence all attempts to procure abortion, except in cases where it may be necessary for the preservation of the mother's life," their Report echoed Jacob's earlier view "that they do not recommend any application to the Legislature on the subject, believing that the Laws of the Commonwealth are already sufficiently stringent, provided that they are executed." Horatio was not contacted by the Committee before they made their report and he later protested their action. However, there would be no reconsideration and the Massachusetts legislature would not be contacted until three years later after the American Medical Association got into the crusade and prevailed on the Massachusetts Medical Society to contact the legislature.

A day after the New Bedford meeting, Buckingham (as "Student") provided another "Letter from Boston" to the *Medical and Surgical Reporter* dealing largely with the proceedings of the May 30 Suffolk District Medical Society meeting and highly critical of Horatio and his Report. It included:

At the meeting of the Suffolk District Medical Society last month, a report, written by Dr. H.R. Storer, of this city, was under discussion. The subject of the report was the prevention of criminal abortions. It contained some of the most uncalled for insinuations, concerning the practice of Boston physicians; a few wild propositions for the protection of morals; and it closed with a law, such as could not be passed, and if it could be passed, would be an abortion of itself. This it was proposed to force down the throats of the Council of the Massachusetts Medical Society, bring before the Massachusetts Legislature, and give to the world as the recommendation of the physicians of Boston. The matter was discussed at two meetings.... At the second meeting...some gentlemen got exceedingly warm, and one indulged himself in the luxury of calling by abusive epithets, a correspondent of the *Boston Medical and Surgical Journal*, whose opinion, concerning the report alluded to, differed from his own, after misrepresenting that opinion.

It ended:

The end was not yet. The Massachusetts Medical Society were treated to a dose of abortion, yesterday, and one of the committee from Boston informed them, in a very forcible speech, that they *should* take notice of this subject, or he would for them. As they will undoubtedly do nothing, he will have employment

enough.

By one of those remarkable coincidences which we sometimes hear of, the American Medical Association appointed a committee upon this same subject, with the same gentleman chairman.

Details on this “remarkable coincidence,” *i.e.*, the American Medical Association Special Committee on Criminal Abortion and Horatio’s Chairmanship of it, were provided in a letter Dr. J. Berrien Lindsley of Nashville wrote to Horatio in July 1857. It included:

The Nominating Committee objected to raising so large a special committee as you wished, but very cordially appointed you Chairman. As such you have the privilege of selecting such Co-adjutors as you may wish. The subject *is* very important as well as interesting, and the Washington meeting will be a good time to bring it up.^x

When Horatio had contacted various physicians around the country in March 1857, his letter to Dr. Lindsley apparently had requested a large Committee on Criminal Abortion be formed at the May 1857 meeting of the Association in Nashville. The response from Tennessee at that time indicated that “Your letter is filed & will be attended to duly at the meeting though we shall expect you at the Association.” Horatio did not make it to the Nashville meeting, but Lindsley’s July letter indicates that most of what Horatio had requested had been granted.

Horatio was not to make the 1858 Annual Meeting of the American Medical Association in Washington and no Committee Report would be presented until 1859 in Louisville. Illness which Horatio apparently feared was tuberculosis sent Horatio to Texas for six months or more. Horatio returned to Boston in the summer of 1858, resumed his medical practice, and also resumed the frenetic pace of medical publication that had begun while he was in Scotland in 1855. In December 1858, Horatio presented a paper at the prestigious American Academy of Arts and Sciences, of which he was a Fellow. It described the key role played by induced abortion in the recent sharp decrease in the rate of increase in the population in New England and America. His statistics showed the rate of such abortions in Massachusetts to be so embarrassingly high that key

Boston physicians and educators, including Harvard President Josiah Quincy, persuaded him not to publish the paper.

Horatio withheld his American Academy paper from the general scientific community for nine years, but he had no qualms about immediately addressing his fellow physicians on the topic of criminal abortion. He commenced research for and writing of a series of nine papers which were published in the *North-American Medico-Chirurgical Review* from January through November 1859. The first began:

By the Common Law and by many of our State Codes, foetal life, per se, is almost wholly ignored and its destruction unpunished; abortion in every case being considered an offence mainly against the mother, and as such, unless fatal to her, a mere misdemeanor, or wholly disregarded.

By the Moral Law, THE WILFUL KILLING OF A HUMAN BEING AT ANY STAGE OF ITS EXISTENCE IS MURDER.

This first article also laid out the rest of the sequence.

I shall accordingly proceed to prove, so far as possible, the truth of every premise as yet stated, and to show the real nature and frequency of the crime: its causes; its victims; its perpetrators and its innocent abettors; its means and its proofs; its excuses, the deficiencies and errors of existing laws, and the various other obstacles to conviction; and, above all, so far as the present series of papers is concerned, the duty of the profession toward its general suppression.

The following second-to-last paragraph of the January installment summarized what had been “proved.”

If we have proved the existence of foetal life before quickening has taken place or can take place, and by all analogy, and a close and conclusive process of induction, its commencement at the very beginning, at conception itself, we are compelled to believe unjustifiable abortion always a crime.

It was followed by:

And now words fail. Of the mother, by consent or by her own hand, imbrued with her infant’s blood; of the equally guilty father, who counsels or allows the

crime; of the wretches who by their wholesale murders far out-Herod Burke and Hare;^{xi} of the public sentiment which palliates, pardons, and would even praise this so common violation of all law, human and divine, of all instinct, of all reason, all pity, all mercy, all love,—we leave those to speak who can.

As will be seen, this passage was a favorite of Horatio's and would appear three more times in his writing over the years.

In March 1859, Horatio began the effort of locating his seven "co-adjutors" for the American Medical Association Committee and began or continued writing the Committee's Report. Seven influential physicians from around the country agreed to join the Committee, uniformly praised Horatio's draft Report, and agreed to sign their names to it.^{xii}

The American Medical Association Report on Criminal Abortion began by describing the problem of frequent criminal abortion in the country and the three major reasons for this: public ignorance about the nature of the fetus, physicians' innocent abetment of abortion, and defective abortion laws. Horatio then called on physicians to help change the ignorance, to avoid the errors that led people to believe physicians "negligent of the sanctity of foetal life," and to urge needed changes in legislation as well as to aid legislators in these efforts. The following three resolutions were offered in his Report and unanimously adopted by the Association:

Resolved, That while physicians have long been united in condemning the act of producing abortion, at every period of gestation, except as necessary for preserving the life of either mother or child, it has become the duty of this Association, in view of the prevalence and increasing frequency of the crime, publicly to enter an earnest and solemn protest against such unwarrantable destruction of human life.

Resolved, That in pursuance of the grand and noble calling we profess, the saving of human lives, and of the sacred responsibilities thereby devolving upon us, the Association present this subject to the attention of the several legislative assemblies of the Union, with the prayer that the laws by which the crime of procuring abortion is attempted to be controlled may be revised, and that such other action may be taken in the premises as they in their wisdom may deem necessary.

Resolved, That the Association request the zealous co-operation of the various State Medical Societies in pressing this subject upon the legislatures of

their respective States, and that the President and Secretaries of the Association are hereby authorized to carry out, by memorial, these resolutions.

Horatio was too ill to travel to Louisville to present his Report. It was presented by Dr. Thomas Blatchford of New York, who wrote Horatio "Your report was highly spoken of, not a dissenting voice in any direction."

In the *North-American Medico-Chirurgical Review* articles on abortion that followed the May American Medical Association Report, Horatio noted that "its perpetrators" often were women and he spelled out the various roles of friends, midwives, nurses, and female physicians. "Its Innocent Abettors" was another key article in Horatio's series. "Innocent abettors" included physicians who were apt to resort to craniotomy or premature labor when there was a good chance of a normal birth. Horatio also admonished physicians to perform Caesarean section immediately to extract every foetus old enough to survive in cases of maternal death; to make every effort to prevent threatening miscarriages and resuscitate still-born children; and to avoid "operations of any kind on pregnant women, even tooth-drawing, that might be delayed." He argued that to do otherwise would not show the highest valuation of the unborn and newly born and some who observed this would conclude that unnecessary abortion was no crime.

The nine articles of Horatio in the *North-American Medico-Chirurgical Review* were published as a book entitled *On Criminal Abortion in America*. On February 16, 1860, the new *Boston Medical and Surgical Journal* editors, Dr. F. E. Oliver and Dr. Calvin Ellis, published an editorial which made reference to the new book "from the pen of one of our most painstaking and careful investigators...." "This paper contains much interesting information," the editors continued, "and if it do as much for poor humanity as might be fairly expected, from the ability and good intentions of the author, he will have much reason for pleasant reflection."

Those who may currently believe that physicians at that time opposed abortion only or primarily because of concern for the health of the mother, or who perhaps regard Horatio's many expressions of

concern for the “sanctity of foetal life” as an aberration among physicians of his day, should take note of the following final sentence of the Oliver-Ellis editorial:

The physician may do much by warning his patients against the dangers and guilt of this awful crime, and using the “greater vigilance lest he become its innocent and unintentional abettor”; and the moralist may do more by the inculcation of those principles in the young, that shall lead them to regard with abhorrence such a violation of the positive laws of God, involving, as it does, the guilt of murder, and a total indifference to the most sacred privileges with which woman is endowed.

As specified in the last two of the three 1859 resolutions on Criminal Abortion, the American Medical Association requested the state legislatures to revise their abortion statutes and requested the state medical societies also to pressure their legislatures for this purpose. Horatio wrote the two memorials and also arranged for his series of articles to be provided along with them to state legislatures and state medical societies.

The memorial reached the New York State Medical Society sometime before early February 1860 when, at its annual meeting, the following Resolution was provided by the Committee appointed to consider the recommendations of the American Medical Association:

Resolved, That this Society cordially approves of the action of the American Medical Association in its efforts to exhibit the extent of the evils resulting from the procuring of Criminal Abortions, and of the means which are adopted to prevent its commission, and cheerfully comply with the request to a ‘zealous co-operation’ for furtherance of more stringent legislation in regard to this most destructive and revolting crime, committed almost with impunity, and with appalling frequency.

The New York Society also appointed a committee to present the American Medical Association memorial to the State Legislature. Other state medical societies responded similarly to the memorial from the American Medical Association, even Massachusetts.

Horatio was absent from the American Medical Association Annual Meetings not only in 1857, 1858, and 1859 but again in 1860 when Dr.

Henry Miller lavished praise in his Presidential Address on Horatio for his yeoman efforts in preparing the Committee Report, its supporting research, the resolutions, and the memorials to legislatures and state medical societies.

David Humphreys Storer *was* present at the 1860 meeting in nearby New Haven, Connecticut and was appointed with two Connecticut physicians to meet a request from the Judiciary Committee of the Connecticut Legislature to “frame a suitable bill to serve as a guide for their action” in compliance with the Association’s Memorial. No doubt, had Horatio been present, he instead of his father would have been chosen for the Committee that provided assistance to the Connecticut Legislature. It is possible, even probable, that Horatio assisted his father and the two Connecticut physicians in this effort.

Whether Horatio was part of the process or not, the Connecticut Legislature produced a unique piece of legislation that combined “into a single forceful act the denial of the quickening doctrine, the notion of women’s liability, and anti-advertising principles.” “This 1860 Connecticut law, which remained virtually unchanged for over a century,” Mohr continued, “set the tone for the kind of legislation enacted elsewhere in the United States during the succeeding twenty years.”^{xiii}

The Civil War, the commencement of his wife’s mental illness, and/or other factors left any anti-abortion efforts of Horatio in the early 1860s undocumented, if there were such. Female insanity became a major research interest of Horatio in 1863, and Horatio claimed in his writing on this new topic that abortion sometimes precipitated insanity. One reason was the guilt associated with the crime, but another was pelvic disease caused by the abortion which Horatio believed acted reflexively on the mind.

Abortion again became part of the business of the American Medical Association at their annual meeting in New York in 1864. They adopted a resolution to “offer a premium for the best *short and comprehensive tract* calculated for circulation among females, and designed to enlighten them upon the criminality and physical evils of forced abortion.” Horatio submitted the “tract” which won the special

premium the next year when the American Medical Association met in Boston.

Horatio signed his essay with a Latin motto and also concealed his identity by using the third person when referring in the essay to his 1859 research and its researcher. The Prize Committee, three Boston physician friends of Horatio plus his father who was Chairman, may not have been fooled, however. On the other hand, Horatio's research was the primary information available on criminal abortion and, if there were other entries, Horatio's no doubt would have been the major contender for the prize, even with strangers judging it.

Horatio began the essay by testifying to its importance, noting that this was the first time that the Association had ever directly addressed a lay audience. He then provided a historical account of the medical profession's long silence on abortion; the efforts of Hodge and the two Storers to break that silence; the American Medical Association's outstanding performance after being enlisted in the campaign; and the fine support to the campaign provided by medical journalists and medical text book writers.

The next section of his Prize essay discussed inappropriate intentional abortions. "Physicians have now arrived at the unanimous opinion," he wrote, "that the foetus in utero is *alive* from the very moment of conception." "The law, whose judgments are arrived at so deliberately, and usually so safely, has come to the same conclusion," he continued, "and though in some of its decisions it has lost sight of this fundamental truth, it has averred, in most pithy and empathic language, that 'quick with child, is having conceived.'" "By that higher than human law, which, though scoffed at by many a tongue, is yet acknowledged by every conscience," Horatio continued and then quoted himself, "the wilful killing of a human being, at any stage of its existence, is murder."

Horatio then became a biology teacher, noting that before the egg leaves the ovary and is impregnated "it may perhaps be considered as a part and parcel of herself, but not afterwards." He compared the temporary attachment of the fertilized egg to the womb to the attachment of the born child to the breast, throwing in the interesting and somewhat intermediate case of the tiny kangaroo fetus "born into the world at an

extremely early stage of development” and placed by its mother in the external pouch to spend weeks attached to a teat therein before “in reality to be born.” He continued:

Many women suppose that the child is not alive till quickening has occurred, others that it is practically dead till it has breathed. As well one of these suppositions as the other; they are both of them erroneous.

“Quickening” was discussed with the major point that it is but a sensation of the mother and that the movement of the fetus occurs much earlier. “These motions must be allowed to prove life,” Horatio continued, “and independent life.” He then asked: “In what does this life really differ from that of the child five minutes in the world?” Horatio’s own answer is implicit in the following:

In the majority of instances of forced abortion, the act is committed prior to the usual period of quickening. There are other women, who have confessed to me that they have destroyed their children long after they have felt them leap within their womb. There are others still, whom I have known to wilfully suffocate them during birth, or to prevent the air from reaching them under the bedclothes; and there are others, who have wilfully killed their wholly separated and breathing offspring, by strangling them or drowning them, or throwing them into a noisome vault. Wherein among all these criminals does there in reality exist any difference in guilt?

Although much of this essay was taken verbatim from Horatio’s earlier articles for physicians, the following new paragraph was written for his female audience *and* for physicians:

I would gladly arrive at, and avow any other conviction than that I have now presented, were it possible in the light of fact and of science, for I know it must carry grief and remorse to many an otherwise innocent bosom. The truth is, that our silence has rendered all of us accessory to the crime, and now that the time has come to strip down the veil, and apply the searching caustic or knife to this foul sore in the body politic, the physician needs courage as well as his patient, and may well overflow with regretful sympathy.

Horatio recognized that moral arguments would not sway some of his audience and provided a section, “The Inherent Dangers of Abortion

to a Woman's Health and to her Life." Horatio described the short-, medium-, and long-term consequences of induced abortion to women's health, including the very real possibility of immediate death. The non-fatal problems were due to premature interruption of the numerous preparations of the woman's body for birth and nursing, to incomplete abortion, and to the damage of tissues associated with invasion of the womb. This long section detailing the many adverse health consequences, including Horatio's belief in the risk of insanity, probably caused many women to accept Horatio's earlier statement:

barring ethical considerations, and looked at in a selfish light alone, [induced abortions] are so dangerous to the woman's health, her own physical and domestic best interests, that their induction permittal, 'or solicitation by one cognizant of their true character, should almost be looked upon as proof of actual insanity.

Horatio then proceeded with a section titled "The Frequency of Forced Abortions, even among the Married." He noted the sharp differences in abortion rates between Protestant and Catholic women, hoping to utilize the typical anti-Catholic sentiment of his Protestant women readers and induce them thereby to bear their children to do their part to prevent the population from becoming increasingly Catholic.

The next section was "The Excuses and Pretexts that are given for the Act." One-by-one Horatio refuted the excuses of ignorance, ill health, fear of childbed, and effects on living children. Fear of childbed was particularly stressed, since Horatio had another ongoing crusade which was for use of anesthesia during childbirth.

Horatio then asked, "Is there no alternative but for women, when married and prone to conception to occasionally bear children?" His answer was that this was certainly in their best interests "for length of days and immunity from disease." Horatio also indicated the need for foundling hospitals. Not only would this prevent infanticide and abortion by the unwed mother, "they would save her from one element of the self-condemnation and hatred which so often hurries the victim of seduction downward to the life of the brothel." For the wed who would seek abortion, Horatio wrote:

But for the married, who have not this strong stimulus of necessity, and the excuse of having been led astray or deceived, there need be no public channel provided, through which to purchase safety for their children. Is it not, indeed, inconceivable that the very women who, when their darlings of a month old or a year are snatched from them by disease, find the parting attended with so acute a pang, can so deliberately provide for and congratulate themselves, and each other, upon a willful abortion? Here words fail us.

This then was the cue for Horatio to quote the statement which had ended the first article of his 1859 series on criminal abortion, "Of the mother, ...we leave those to speak who can."

One of the last pieces of business of the 1865 Boston meeting of the American Medical Association was a resolution that "the Committee on Publication be requested to adopt such appropriate measures as will insure a speedy and general circulation of the Prize Essay on Abortion, provided this can be done without expense to the Association." This seemingly contradictory request to do something in a hurry without spending any money was the authorization of Horatio to publish the Prize Essay himself. This he did under the controversial title, *Why Not? A Book for Every Woman*. The little book was extremely successful and editions with dates 1866, 1867, 1868, and 1871 were published.

Horatio was requested from various sources, including a happy publisher, to produce a second book for men. This he did in 1867 calling it, *Is It I? A Book for Every Man*. It was aimed at inconsiderate husbands whose ill treatment of their wives, including forced sexual intercourse, was a major factor in the unwanted pregnancies that led to many abortions.

Horatio took a very circuitous route to the message that men needed to shape up in their marital relations, discussing the dangers of masturbation, prostitutes, and mistresses, and even discussing the proper age to marry (early). He finally got to this topic in the fourth chapter, "The Rights of the Husband." Horatio noted that these rights "are usually considered total and indisputable. Till now they have seldom been challenged; certainly seldom of men by men." Horatio then called for "loosing...woman's present chains, ...to increase her health, prolong her

life, extend the benefits she confers upon society.” This would “selfishly enhance her value to ourselves,” but Horatio also argued that this be done out “of gratitude to her for the love with which she has solaced us, as mother, and sister, and wife, and daughter, –all of which I have myself possessed; unhappy he who has not.”

Horatio went on to discuss women’s slave status in primitive times, the frequent killing of wives for disobedience or infidelity in “former days,” and the possession of multiple wives “in by-gone times, and among heathen, as at present in a remote valley of our own great land,” following which Horatio introduced the subject of abortion. He described the slaughter of new-borns by the Spartans and asked whether this was less wicked than

the pre-natal murders of the present day, daily in occurrence, fashionable even, and be-praised by professing Christians, repeated over and over again by the same married woman and mother? You will exclaim with horror that it is not! And yet, in a very large proportion of instances, this shocking and atrocious act is advised and abetted, if not compelled by the husband—by us men. Who enjoys asking now, “Is it I?”

Horatio went on to indicate that the woman had a “certain measure of excuse” for abortion. “For her husband none.” He continued with a crusade progress report and the phrase already used twice in his earlier writing:

This is a matter concerning which the public mind is now undergoing a radical change. Slow to set in motion, but every day gaining more rapidly in force, the world’s revival proceeds. In “Why Not?” or “Why should women not commit this crime?” I have sounded almost a trump to wake the dead. Would, indeed, that it might arouse a better life in every man who reads these words: “Of the mother, by consent or by her own hand, imbrued with her infant’s blood....”

Although not as popular as *Why Not?*, the book *Is It I?* also went into another edition. Both books no doubt greatly influenced popular opinion on abortion, causing women to continue pregnancies that they would otherwise have ended and to take additional measures to avoid unwanted pregnancies.

At about the same time as Horatio's second book was published, he was called on by the New York State Medical Society to assist them in drafting recommendations to the New York legislature for changes in the state's abortion laws. The recommended changes were eventually adopted and New York joined Connecticut in legislation treating the fetus as a victim of abortion and the mother as a culprit.

The summer of 1868 marked a "new" book written by Horatio and a Boston lawyer, Franklin Fiske Heard. However, Horatio's "Book I" of *Criminal Abortion: Its Nature, Its Evidence, and Its Law* was changed little from the out-of-print *On Criminal Abortion* of 1860, except for the final chapters dealing with abortion statutes which became the province of lawyer Heard's "Book II." One addition of Horatio was another progress report for the decade-old anti-abortion campaign. He described it as culminating in "an agitation which is now shaking society, throughout our country, in its very centre."

Early in 1869, Horatio and a handful of other Boston gynecologists formed the Gynaecological Society of Boston which was the first medical society devoted exclusively to the diseases of women. Six months later Horatio started the *Journal of the Gynaecological Society of Boston* which was the first medical journal devoted exclusively to gynecology and which obtained a large circulation in the U.S. and abroad. During its three-and-one-half-year existence, the *Journal of the Gynaecological Society of Boston* frequently expressed the anti-abortion views of its major editor, Horatio Storer.

A notorious abortionist in nearby Lynn, Massachusetts was an early target of the Gynaecological Society's biweekly meetings and of Horatio's monthly "Editorial Notes" in the *Journal* and within a year the man was expelled from the Massachusetts Medical Society. The *Journal* also published articles by other physicians on the subject of criminal abortion. Not the least of these was the March 1872 publication of the suppressed abortion portion of David Humphreys Storer's November 1855 Introductory Lecture which had started Horatio on his successful crusade.

The major story of Horatio Storer and the physicians' crusade against abortion draws nearly to an end in the Spring of 1872 and this corresponds to the severe illness Horatio contracted at that time from a

surgical wound. This nearly killed Horatio and it produced a deep infection of his knee joint leading to life-long invalidism from an unbending knee. Mohr reported:

By the end of the 1860s Storer's health began to fail badly, and in 1872 he finally left the country for sunnier climates abroad. Though this removed him from medical politics in the United States, the crusade he had launched never foundered.^{xiv}

Mohr followed this by the footnote: "Storer did return on occasion, but only rarely and never long enough to reinvolve himself in the anti-abortion crusade he had launched."

Mohr is correct in saying that "the crusade he had launched never foundered." Laws on abortion were changed or adopted in virtually every state and territory. The new laws recognizing the rights of the fetus helped educate the public about the origins of human life and probably produced even larger attitude change in the general public than all of the direct attempts at such change which constituted the second thrust of the physicians' crusade. A sharp reduction of the common practice of abortion resulted, at least among married women, as already noted.

However, Mohr's "By the end of the 1860s Storer's health began to fail badly," is incorrect. Horatio's health was not a major problem at the end of the 1860s, but deteriorated suddenly in the first or second week of April 1872. Horatio was at the April 2, 1872 meeting of the Gynaecological Society of Boston where he discussed two operations he had performed in the previous two weeks and, at the same meeting, was designated the Society's representative to attend the upcoming Annual Meeting of the American Medical Association in Philadelphia.

Mohr's "Storer did return on occasion, but only rarely..." is also wrong. Horatio went abroad in October 1872 seeking a cure and returned in August 1877 to Newport, Rhode Island, where he remained for the rest of his life except for a brief trip to Europe in the summer of 1899. Mohr's "this removed him from medical politics in the United States," also is incorrect. Among other offices, Horatio was elected Vice President of the Gynecological Section of the Ninth International Medical Congress held in Washington in 1887. He hosted the American Medical

Association in his city of Newport in 1889 and appears to have been almost chosen President of the American Medical Association the following year.

The claim that Horatio “never...reinvolve[d] himself in the anti-abortion crusade he had launched” is another error. Mohr himself referred in his *Abortion in America* to an 1897 paper of Horatio’s, “Criminal Abortion: Its Prevalence, Its Prevention, and Its Relation to the Medical Examiner—Based on the ‘Summary of the Vital Statistics of the New England States for the Year 1892’ By the Six Secretaries of the New England State Boards of Health.” Horatio presented this paper at the Rhode Island Medico-Legal Society on August 12, 1897 and presented it again to the Newport Medical Society on August 18. It was published in the October 1897 *Atlantic Medical Weekly*, reprinted, widely distributed as a pamphlet, and referred to favorably by a number of medical journals. As a result of Horatio’s presentation, the Newport Medical Society set up a Committee “to obtain through correspondence with medical societies and otherwise such action by the profession as may tend to lessen the occurrence of criminally induced abortion.” This Committee probably was responsible for the widespread distribution of Horatio’s address.

Horatio was to live until 1922 and even became Harvard’s oldest living graduate. Dr. James Joseph Walsh, Dean of the Fordham Medical School, was a close friend of Horatio and provided at least three sketches of Horatio.^{xv} In the last year of his life, Horatio provided a number of autobiographical letters to assist Walsh in his biographical efforts, noting in one of these that “one does not like to have part in his own obituary.” The last letter to Walsh, written two weeks before Horatio’s 92nd birthday, and eight months before his death, included:

Since writing, I have been more than ever impressed by the great influence the Am. Med. Association has exerted, ... The Association, by speech, the printed word, & by action, showed that life did initiate from the very beginning, & that “therapeutic abortion” was therefore very generally murder. Protestant pulpits were compelled to preach Catholic doctrines. Will it then be too much, for you to insert in your Cyclopedia something like the following: Every single word helps in this crusade, & even a mouse may aid a lion like yourself.

For nearly seventy years, Dr. Storer has written much upon the real time of commencement of foetal life, & of its sanctity. He has been supported, frequently and most authoritatively, by the concerted aid of the American Medical Association, the great body of reputable physicians, of which his father was a president and himself a vice-president. That action of the Association has been the most beneficent of its existence, and for the fact that he was to a small extent enabled to take a part, Dr. S. will be held in grateful remembrance, rather than as a progressive and successful surgeon.

Horatio was aware when he wrote this sketch of himself in 1922 that he and the American Medical Association had initiated a crusade that saved many thousands from an unnecessary uterine death. In an earlier letter to Walsh, Horatio also had discussed his own and the American Medical Association's effective roles in opposing abortion which "produced a very general change in belief and practice," and had instructed Dr. Walsh, "Think this over seriously, and then appreciate with me the character and universal extent of the change." This strongly suggests that Horatio recognized the ramifications of "the change" on the offspring of these survivors, and the offspring of offspring for the three generations he monitored from 1857 to 1922. He may have also appreciated the expanding ramifications on every succeeding generation as long as human beings survive on the planet.

It is not farfetched to indicate that the reader can thank his or her existence to this man, since the effects of even a small increase in surviving pregnancies exponentially increase on succeeding generations, and there is evidence that this increase in surviving pregnancies was not small.^{xvi} Even if each ancestor of the reader would have been in place without Horatio, some key teachers, coaches, mentors, friends, would not have been around to make their contribution to that existence. Is Dr. Horatio Robinson Storer thus the most important figure in America in the 19th Century? Only decades of reluctance to discuss the taboo topic of criminal abortion may have prevented recognition of this long ago.

NOTES

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- i. *Boston Medical and Surgical Journal* (1855) 56, 282-84, p. 283.
 - ii. 1901 letter of Horatio to his son Malcolm which is among Family Papers.
 - iii. The only known original copy of the Report is located at the Harvard Countway Library of Medicine.
 - iv. Minutes of Special Meetings of the Society are located at the Harvard Countway Library.
 - v. Horatio Storer, like his father, was a Unitarian in 1857. Horatio became an Episcopalian about 1870 and converted to Catholicism in 1879.
 - vi. See the discussion of a brief submitted to the Supreme Court on behalf of over 400 professional historians for *Webster v. Reproductive Health Services* (1989) in "Academic Integrity Betrayed" in *First Things* (Aug./Sept. 1990) and in "Aborting History" in *National Review* (October 23, 1995).
 - vii. *Boston Medical and Surgical Journal* (1857) 56, 346. Stress added.
 - viii. Regular Meeting Minutes of the Society apparently have been lost. Much of the information about the May 30 meeting came from a report, "Suffolk District Medical Society," in the short-lived Boston-based journal *Medical World* (1857) 211-12. This included the identification of "B." as Dr. Buckingham.
 - ix. *Medical World* (1857), p. 211.
 - x. Countway Library: Storer Abortion File.
 - xi. The "Burke and Hare" reference refers to William Burke and William Hare who were indicted in 1828 for 16 murders they carried out in Edinburgh, Scotland within a single year. The Burke and Hare murders no doubt were highly salient to Horatio because of his year in medical training at the same Edinburgh University Medical School which had innocently bought the bodies of the murder victims so they could be dissected by medical students.
 - xii. Thomas W. Blatchford, of New York; Hugh L. Hodge, of Pennsylvania; Charles A. Pope, of Missouri; Edward H. Barton of South Carolina; A. Lopez, of Alabama; Wm. Henry Brisbane, of Wisconsin; and A. J. Semmes, of the District of Columbia were the seven with Horatio on the Committee. The letters are at the Harvard Countway Library of Medicine.

xiii. *Abortion in America*, p. 202.

xiv. *Abortion in America*, p. 159.

xv. The major one was in the Catholic publication *Ave Maria* (Nov. 11, 1922), pp. 619-24.

xvi. If only one generation showed an increase in surviving pregnancies amount to 3% of children, this would provide a parent (or two) for 5.9% of the next generation, for 11.5% of the second generation, for 21.6% of the third generation, *etc.*