JAMES HARVEY YOUNG

The Toadstool Millionaires

A Social History of Patent Medicines in America before Federal Regulation

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THE TOADSTOOL MILLIONAIRES

Somebody buys all the quack medicines
that build palaces for the mushroom, say rather,
the toadstool millionaires.

OLIVER WENDELL HOLMES

THE TOADSTOOL MILLIONAIRES

A Social History of Patent Medicines in America before Federal Regulation

JAMES HARVEY YOUNG

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To Myrna

PREFACE

As a master's student in history at the University of Illinois, I found that my research in the early newspapers of that state was often halted by my inability to keep my gaze fixed purposefully on the news columns. My eyes inevitably sought out the patent medicine advertising, and this interest worked its way into a chapter of my master's thesis. Some years later, I yielded completely to the impulse, persuaded that medical quackery has been —and is—an important theme in American social and intellectual history. Quackery is important because through it vast numbers of our people have sought to bolster or restore their health and because it affords insight into an anti-rational approach to one of the key problems of life.

This book is a history of proprietary medicines in America, from the early 18th-century appearance of patented brands imported from the mother country to the early 20th-century enactment of national legislation intended, in part, to restrain abuses in the packaged medicine industry. Native nostrum production began during the cultural nationalism of the Revolutionary generation, expanded rapidly during the age of the common man, received a new impetus from the Civil War, and reached floodtide in the late 19th century. The critique of patent medicine quackery first became significant as part of the humanitarian crusade accompanying Jacksonian democracy. As medicine became more scientific, the anti-nostrum movement developed a sounder base. During the Progressive period, journalists and civil servants added their support to physicians and pharmacists and created an articulate public opinion in behalf of a regulatory law.

The various stages in the development of patent medicine promotion and criticism form the chapters that follow. An effort is made to relate this particular theme to broader trends in health, education, journalism, marketing, and government. In some chapters case histories are given to illustrate the patent medicine situation prevailing in the period.

Dr. Oliver Wendell Holmes knew well enough that it was difficult to tell a mushroom from a toadstool, that many promoters of nostrums were sincere and kindly men and not unscrupulous rogues, though their handiwork might be hazardous to their customers. Holmes also knew that very few patent medi-

cine makers, whether impelled by motives good or bad, became millionaires. Most of them, nonetheless, hoped to do so.

The author, like Holmes, votes against patent medicines, casting a sad ballot against the gullible entrepreneur during the early years, when medical science and ethics were on unsure foundations and the line was hard to draw between the legitimate and the quack, casting a bold ballot against the charlatan of all ages.

The "why" of quackery is a question that runs through the book, mounting to a paradox near the close: the rise of scientific medicine and the apogee of unrestrained nostrum vending coincide. While it is hoped that in the pages that follow light is shed on this problem, it is admitted that a full answer lies hidden in the complex mystery of human motivation.

Research for this book was done, in part, while I held a fellowship from the Fund for the Advancement of Education of the Ford Foundation and, on another occasion, while I held grants from the Social Science Research Council and from Emory University. For this support, I am most grateful. So too am I grateful for the assistance given me by the many librarians, archivists, and curators at institutions named in the Note on the Sources, in which I found the materials that compose this work. Particular appreciation is due the staffs of the libraries of my own university—the Asa Griggs Candler Library, and the libraries of the Schools of Business Administration, Law, Medicine, and Theology—who have aided me imaginatively and cheerfully around the calendar. My most frequent helpers have been David Estes and Ruth Walling.

I am indebted to the publishers of *The South Atlantic Quarterly*, the *Journal of the Illinois State Historical Society*, the London *Chemist and Druggist*, the *Journal of Economic History*, the *Mississippi Valley Historical Review*, the *Journal of the American Pharmaceutical Association (Practical Pharmacy Edition)*, the *Emory University Quarterly*, and the United States National Museum Bulletin 218, *Contributions from the Museum of History and Technology*, who have given me permission to use material from articles of mine which first appeared in their pages. Gilbert S. Goldhammer and Wallace F. Janssen of the Federal Food and Drug Administration, and George B. Griffenhagen of the American Pharmaceutical Association, kindly read and criticized the first draft of Chapter 15. R. Miriam Brokaw of Prince-

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Friends and acquaintances, learning of my interest, have mailed and told me about examples of patent medicine promotion they found in their own reading and research. In many conversations, colleagues have also aided me with suggestions from their own special fields of knowledge. Some, but by no means all, of my benefactors are named in the Note on the Sources. Let me here testify to my gratitude to all those whose interest has contributed to this book.

Above all, I thank my wife, Myrna Goode Young, first reader and key critic.

JAMES HARVEY YOUNG

Emory University
October 1960

Authors like to have events vindicate the significance of their endeavors. Therefore, this author found grim satisfaction in the fact that, within a month after this book was published, there assembled in Washington during October 1961 the first National Congress on Medical Quackery. Sponsored by the American Medical Association and the Food and Drug Administration, the Congress brought together nearly 700 men and women concerned with the public health and the integrity of American business. They heard cabinet members, regulatory officials, and medical specialists sound the alarm: never before has quackery been so vast an enterprise as now. They heard appeals for better laws, bigger regulatory appropriations, more effective public enlightenment. The student of history, listening to the proceedings, was impressed anew at how much current quackery owes to continuities from former days, how much of the past there is in the present.

JHY

March 1962

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PART ONE

EARLY DAYS

1

"AT THE SIGN OF GALEN'S HEAD"

Medicines approv'd by royal charter,
James, Godfry, Anderson, Court-plaster,
With Keyser's Hooper's Lockyer's Pills,
And Honey Balsam Doctor Hill's;
Bateman and Daffy, Jesuits drops,
And all the Tinctures of the shops,
As Stoughton, Turlington and Grenough,
Pure British Oil and Haerlem Ditto. . . .

—NEW YORK PACKET, October 11, 1784

IN the *Boston News-Letter* for November 26, 1761, Charles Russell of Charlestown advised that "At his Shop at the Sign of GALEN'S HEAD opposite the Three Cranes and near the FERRY" he had for sale, imported on the latest ships from London, "Drugs, and Medicines, Chymical and Galenical," and certain patent medicines. These last were listed: Bateman's and Stoughton's Drops, Lockyer's, Hooper's, and Anderson's Pills, British Oyl, and Daffy's Elixir.[1]

American patent medicine history began in Britain. Its founders were certain ingenious Englishmen who combined medical lore and promotional zeal in an age when regular medicines left much to be desired. The barest of facts are these.

Anderson's Pills, a product of the 1630's, were prepared from a formula allegedly learned in Venice by a Scot who claimed to be physician to King Charles I. Daffy's Elixir and Lockyer's Pills were also first made in the 17th century, the Elixir the invention of a provincial clergyman. Richard Stoughton's Elixir

[1] Material in this chapter has appeared in a different form in James Harvey Young and George B. Griffenhagen, "Old English Patent Medicines in America," London *Chemist and Druggist*, 167 (June 29, 1957), 714-22, and in Griffenhagen and Young, "Old English Patent Medicines in America," *Contributions from the Museum of History and Technology* (U.S. National Museum Bulletin 218, Smithsonian Institution: Wash., 1959), 155-83.

was the second compound medicine to be granted, in 1712, an English patent. In 1726 a patent was also granted for the making of Dr. Bateman's Pectoral Drops: the patentee was not a physician named Bateman, however, but a businessman named Benjamin Okell, in league with a group of venturesome promoters with a warehouse and printshop in Bow Churchyard. Two decades later, Michael and Thomas Bretton patented "An Oyl extracted from a Flinty Rock for the Cure of Rheumatick and Scorbutick and other Cases." The next year a Reading apothecary, John Hooper, was given a patent for the manufacture of "Female Pills" bearing his name.

The 18th was a Cinderella century, at once an age of enlightenment and a time of superstition. As to what actually caused diseases, Sir William Osler has asserted, man knew little more at the end of the 18th century than had the ancient Greeks. This did not mean that the state of medicine was still dawn-age. Empirical discoveries of use in treating illness had accumulated, and since the Renaissance a genuinely scientific spirit had spurred individual scholars to engage in anatomical and pathological research. No earlier years had found so many forward-looking inquirers at work as did the 18th century, men anxious to transfer into the fields of biology and medicine the scientific revolution that had remade physics and astronomy. Yet the problem of disease and health was so vast and complex, the sum total of new medical knowledge still so small, and the weight of past traditions so pressing that even the keenest minds were perplexed. Or, if they were not perplexed but, in their own view, certain, they were most often wrong. Many physicians became disillusioned when biological research seemed to lead not to universal laws, like gravitation, but only to more complications and greater confusion. Anxious to get their single explanations for all disease, they did so by neglecting the scientific method, or by following it only a short way. They built vast theoretical medical schemes by speculative logic. The 18th century was a time of system-making.[2]

Many of the new systems owed much to ancient lore. It was appropriate that the shop of a Massachusetts apothecary should hang out a sign of Galen's head. For it was this Greek physician of the second century A.D. who had systematized the older path-

[2] Osler, *The Evolution of Modern Medicine* (New Haven, 1921), 208; Richard H. Shryock, *The Development of Modern Medicine* (N.Y., 1947), 3-37.

ology of the humors, holding that disease resulted when the four liquids in the body—blood, phlegm, choler (yellow bile), and melancholy (black bile)—became unbalanced. Galen's ideas, although not uncontested, were the dominant force in medical thinking into the 19th century, and remedies that would restore the harmonious relationship of the humors, called galenicals, were for sale by any British or American apothecary.[3]

So too were "chymical" remedies. These began with a 16th-century chemist-physician named Paracelsus who displayed his contempt for tradition by burning the works of Galen. He proclaimed that chemistry should forsake its forlorn effort to make gold from baser metals and devote itself to finding remedies to cure the sick. Paracelsus and his disciples added certain minerals to the materia medica.[4]

The materia medica had expanded in other ways. One touchstone that had brought appalling substances into usage was the dictum that the worse a medicine tasted the greater its curative power. Disease was an invader that must be driven from the body by a substance as abhorrent as itself. Three London hospitals in the 18th century published a dispensatory recommending dried horses' hooves and wood lice. Even such a forward-looking chemist as Robert Boyle suggested for internal medication, in the phrase of Oliver Wendell Holmes, "most of the substances commonly used as fertilizers of the soil." Thus Cotton Mather, the Puritan divine in Massachusetts, was quite in accord with the practice of his age: he devoted a chapter in his medical manuscript, "The Angel of Bethesda," to the therapeutic properties of urine and dung.[5]

Obnoxiousness often coupled with complexity in 18th-century medicines. The "blunderbuss" formula was popular, composed of many substances to cover many therapeutic bets. A good example of polypharmacy was theriaca or Venice Treacle, dating from the days of Nero, containing over sixty ingredients, one of them the

[3] Fielding H. Garrison, *An Introduction to the History of Medicine* (3rd ed., Phila., 1924), 82-83, 103-107; Edward Eggleston, *The Transit of Civilization from England to America in the Seventeenth Century* (N.Y., 1901), 50-51.

[4] Garrison, 196-200; Edward Kremers and George Urdang, *A History of Pharmacy* (Phila., 1940), 37-38.

[5] Holmes, *Medical Essays, 1842-1882* (Boston, 1892), 186-87; Charles H. LaWall, *Four Thousand Years of Pharmacy* (Phila., 1927), 434-45; Otho T. Beall, Jr., "Cotton Mather, The First Significant Figure in American Medicine," *Bull. Hist. Med.*, 26 (1952), 108, 115.

flesh of the viper. Theriaca was widely used both in England and America.[6]

Magic in medication had other facets. One was the doctrine of signatures, older than Hippocrates, perennial in folk medicine, and given so much attention by Paracelsus and his followers as to seem like a fresh idea in the years that followed. It arose from a cosmic view that God or Nature had provided remedies for the ailments of mankind and had furnished clues to direct man in his search. Thus the thistle was useful for a stitch in the side, walnut shells for a cracked skull, and pulverized mummy for prolonging life.[7]

The age of discovery had flooded Europe with new products from the entire world. Exotic plants were quickly put to therapeutic use. By 1650 the medicinal garden at Oxford University, begun in 1623, was growing 600 native species and 1,000 plants brought from beyond the seas.[8]

Medication in the 17th and 18th centuries was certainly laissez-faire, the multitude of remedies justified in terms of speculative theory or presumed empirical experience. No layman with an urge to suggest a new medicine felt any legal or moral restraint. Besides this therapeutic toleration, there were other aspects of the medical scene which encouraged the would-be medicine maker. English practitioners who possessed prestige and status were the fellows of the London College of Physicians, a body founded during the quickened scientific interest of the Renaissance but now grown arthritic. An age-old prejudice still held sway that a member of a profession should not demean himself by working with his hands. Thus surgery and experimenting in the laboratory were frowned upon. Disputation between proponents of conflicting theoretical systems was protracted and bitter. Preoccupied with questions of preferment and precedence, the physicians refused to expand their ranks even though there were over 1,300 serious cases of illness a day per every member of the College. The masses had to look elsewhere for treatment. They found it at the hands of surgeons and apothecaries, not yet fully reputable

[6] A. C. Wootton, *Chronicles of Pharmacy* (London, 1910), II, 37-39, 42-50; *Boston News-Letter*, Sep. 16, 1731; Carl Bridenbaugh, *Cities in the Wilderness* (N.Y., 1938), 90.

[7] Wootton, I, 28-31; Eggleston, 66.

[8] Charles F. Mullett, "Overseas Expansion and English Medicine to 1800," *Bull. Hist. Med.*, 22 (1948), 667-68.

but increasingly countenanced because of the great need, and they found it at the hands of well-meaning empirics and unscrupulous quacks.[9]

It would be hard to discover a time and place in which nostrum promotion was more brazen than in 18th-century England. Therapeutic claims achieved the very perfection of extravagance. Castigation of rivals reached the summit of acrimony. Name-stealing and patent-jumping were the lot of every successful proprietor. From Anderson's to Hooper's, all of the patent medicines advertised at the Sign of Galen's Head were in England the subject of intense rivalry. One enterprising woman, for example, marketed Scots Pills in boxes sealed with black wax bearing a lion rampant, three mallets argent, and the bust of Dr. Anderson. A male competitor sealed his boxes in red wax with his coat of arms and a motto strangely chosen for a medicine: "Remember you must die."[10]

Stoughton's Elixir, upon the death of the inventor, became the subject of a family feud. A son of Stoughton and the widow of another son argued in most vituperative fashion. Each claimed sole possession of the formula, and each termed the other a scoundrel. The daughter-in-law accused the son of financial chicanery; the son condemned the daughter-in-law for having run through two husbands and for desperately wanting a third. In the midst of the battle a third party entered the lists. She was no Stoughton and her quaint claim for the public's consideration lay in this: that her late husband had infringed Stoughton's patent until restrained by the Lord Chancellor.[11]

In the *Boston News-Letter* for October 4, 1708, Nicholas Boone, at the Sign of the Bible near the corner of School-House-Lane, advertised for sale: "DAFFY'S Elixir Salutis, very good, at four shillings and six-pence *per* half pint Bottle." This may well be the first printed reference in America to an English "patent medicine" (though the Elixir was not patented), and it certainly is the first newspaper advertisement for a nostrum. There had been only one gazette preceding the *News-Letter* in British America, and it had lasted but a single issue. Then its

[9] Shryock, 51-54; Garrison, 396, 405-408; Kremers and Urdang, 90-93; Lester S. King, *The Medical World of the Eighteenth Century* (Chicago, 1958).

[10] C. J. S. Thompson, *Quacks of Old London* (London, 1928), 256-58.

[11] "Proprietaries of Other Days," *Chemist and Druggist*, 106 (June 1925), 833-34.

printer had returned to England to assume the role of nostrum vendor, selling "the only Angelical Pills against all Vapours, Hysterick and Melancholly Fits."[12] It seems a likely assumption that some 17th-century emigrant, setting forth across the Atlantic to face the hazards of life in Jamestown or Philadelphia or Boston, had brought along a bottle of Daffy's Elixir or a box of Anderson's Pills. No record to support such an incident has been found. The *News-Letter* was four years old before Boone announced his supply of the Reverend Daffy's concoction.

The Elixir entered an American medical scene different from that of the mother country. Class and professional distinctions were much less extreme or important. Medical practitioners were not averse to being physician, surgeon, apothecary, and even midwife, all in one. The first American medical school was not to open until 1765, and only one in nine 18th-century doctors went abroad to seek a degree. The rest received their medical training as apprentices, and standards were lax. "Practitioners are laureated gratis with a title feather of Doctor," wrote a New Englander in 1690. "Potecaries, surgeons & midwifes are dignified acc(ording) to success." This situation put emphasis on practical matters rather than theory, and colonial doctors largely avoided the acrimonious disputes over conceptual medical systems that involved British physicians. Untrammeled empiricism could have its weaknesses, of course, and the wiser of the apprentice-trained physicians complained of evils. In 1738 "Philanthropos" wrote to a newspaper proposing a licensing system so as to remove the "Shoemakers, Weavers, and Almanack-Makers, with their virtuous Consorts, who have laid aside the proper Business of their Lives, to turn Quacks." But control efforts that were tried proved futile.[13]

In one respect 18th-century America and England were alike: they both possessed an eager eclecticism with respect to medical remedies. Heir to the same ancient traditions, Americans dosed themselves with galenicals and chymicals, and swallowed complicated concoctions containing disgusting ingredients, in their efforts to drive away the ills that attacked them. These ills were

[12] Frank L. Mott, *American Journalism* (N.Y., 1941), 9-10.

[13] Daniel J. Boorstin, *The Americans, The Colonial Experience* (N.Y., 1958), 209-39; Samuel Lee to Nehemiah Grew, June 25, 1690, cited in George L. Kittredge, ed., "Letters of Samuel Lee and Samuel Sewall . . . ," Colonial Soc. Mass., *Trans.*, 14 (Boston, 1913), 142-86; Philanthropos, cited in Bridenbaugh, 403.

many. Respiratory ailments, dysenteries, and malaria were the chronic diseases, taking a greater toll year in and year out than did the more feared smallpox and yellow fever, which occasionally struck with epidemic force. A corollary of the doctrine of signatures held that God had placed specific remedies for illnesses in the very regions where the ailments flourished. This view prompted a great searching of American fields and forests for curative plants and directed respectful attention to the healing arts of the Indians. Toward the end of the 17th century, for example, it was asserted that the Pennsylvania Indians were "as able physicians as any in Europe." Much effort was expended prying botanical secrets from Indian medicine men.[14]

Thus when the English patent medicines began to appear on American shores they entered a therapeutic scene of considerable variety. Accepted in modest measure at first, to judge by newspaper advertising, they caught the public fancy beginning in the 1750's and were even more popular in the following decade. Sold throughout the colonies, the English medicines were listed over and over again in the advertising columns of papers published in Boston and New York, in Baltimore and Charleston. Zabdiel Boylston dispensed them in Massachusetts; Button Gwinnett sold them in Georgia. Nor were the imported pills and balsams confined to apothecaries' shelves for vending at the Sign of the Bible or the Sign of the Unicorn and Mortar. English remedies were sold by postmasters, goldsmiths, grocers, hairdressers, tailors, painters, booksellers, cork cutters, the post-rider between Philadelphia and Williamsburg, and by many American colonial physicians. A Virginia doctor, for example, who had migrated to America after graduating from the Royal College of Surgeons, founded a town on the frontier and dosed those who came to dwell therein with Bateman's Drops and Turlington's Balsam.[15]

American newspaper advertising of the English packaged remedies was singularly drab. The apothecary or merchant had no proprietary interest in the imported brands. There was probably not so great a surplus of supply over demand in America as

[14] John Duffy, *Epidemics in Colonial America* (Baton Rouge, 1953); Kremers and Urdang, 158-60; Eggleston, 73.

[15] Advertising in various papers; the Boylston ad in *Boston News-Letter*, Mar. 12, 1711; the Gwinnett ad cited in Robert C. Wilson, *Drugs and Pharmacy in the Life of Georgia, 1733-1959* (Atlanta, 1959), 108; the Virginia doctor referred to in Maurice B. Gordon, *Aesculapius Comes to the Colonies* (Ventnor, N.J., 1949), 39.

in Britain, and advertising space in the American weeklies was more at a premium than in the more frequent and numerous English journals. Thus, while the English proprietor sharpened up his adjectives and reached for his vitriol, in America, with rare exceptions, advertisers were content merely to list by name their supplies of imported English remedies. Typical was the advertisement in the *Pennsylvania Gazette* for December 1, 1768, by apothecary Thomas Preston. "At the Golden Mortar, opposite Black-Horse Alley," he announced as "Just imported from London" and for sale, "All the most useful kinds of patent medicines, as Anderson's, Hooper's and Lockyer's pills, Bateman's drops, British oil, Bostock's, Squire's and Daffey's elixirs, Stoughton's bitters, Turlington's balsam of life, Dr. James's fever powders, Godfrey's cordial."

In the whole span of the *Boston News-Letter*, beginning in 1704, it was not until 1763 that a bookstore devoted half a column of lively prose to extolling the merits of Dr. John Hill's four imported nostrums. One of them, the doctor claimed, was the restoration of a Greek secret which "convert[ed] a Glass of Water into the Nature and Quality of Asses Milk, with the Balsamick Addition." Two years earlier, in New York, a newspaper nostrum battle developed that rivaled in intensity the London feuds. Well it might, for one of the participants was Robert Turlington, the English patentee and proprietor of the popular Balsam of Life. He entered the lists late, after a handful of New York merchants had advertised his medicine for sale. They numbered among them one woman, a man at the Woman's Shoe-Store, and three male apothecaries. The dispute over who was vending the true article became so confusing to consumers that Turlington, alert to what was going on in America, decided to step in. In the pages of the *Mercury* he warned against counterfeiters, cut the Shoe-Store man off without another genuine vial, and announced he had sent a parcel of the Balsam to be sold by the *Mercury's* editor.[16]

The infrequency of fanciful newspaper promotion was compensated for to some degree in broadside and pamphlet. A critic of the New York medical scene in the 1750's condemned physicians for using patent medicines learned about from "London

[16] *Mass. Gaz. and Boston News-Letter*, Nov. 24, 1763; ads in *N.Y. Mercury* and *N.Y. Gaz.*, Turlington's in former, Nov. 9, 1761.

quack bills." Often, the doctor complained, perhaps with exaggeration, these were their only reading matter. Certainly the English promoter sought to devise ingenious pamphlets and broadsides. Turlington, for one, had issued a 46-page brochure replete with didactic text in the best 18th-century fashion. Asserting that the "Author of Nature" provided "a Remedy for every Malady," which "Men of Learning and Genius" have "ransack'd" the "Animal, Mineral, and Vegetable World" to discover, Turlington avowed that his quest had led to the Balsam of Life, "a perfect Friend to Nature." The medicine, he said, "vivifies and enlivens the Spirits, mixes with the Juices and Fluids of the Body, and gently infuses its kindly Influence into those Parts that are most in Disorder." By so doing it cured a whole host of maladies, from dropsy to sprained thumbs. Its therapeutic potency, Turlington asserted, was proved by countless testimonials. Most of them were from humble people—a porter, the wife of a gardener, a hostler, a bodice-maker. Some bore a status of greater distinction—a "Mathematical Instrument-Maker" and the doorkeeper of the East India Company. The testimonials reached out toward America. One such certificate came from "a sailor before the mast, on board the ship *Britannia* in the *New York* trade"; another cited a woman living in Philadelphia. All who spoke were jubilant at their restored good health.[17]

Promotional items like the pamphlet, now rare, may have been abundant in the mid-18th century. This type of printed matter, then as now, was likely to be looked at and thrown away. Another item of evidence survives in the records of a Williamsburg apothecary who ordered from the mother country in 1753 "3 Quire Stoughton's Directions" and "½ Groce Stoughton Vials." The broadsides served a double purpose: not only did they promote the medicine, but they also served as wrappers for the bottles in a day when labels affixed to bottles were seldom used.[18]

Whatever the amount of imported printed matter, American imprints seeking to promote English patent medicines were rare indeed. The most intriguing example is the New York reprinting of a London promotional pamphlet on behalf of Bateman's

[17] N.Y. critic cited in James J. Walsh, *History of the Medical Society of the State of New York* (N.Y., 1907), 31; Robert Turlington, *Turlington's Balsam of Life* (London, [1747?]), in the Folger Shakespeare Library, Washington.
[18] James Carter, Apothecary Account Book, 1752-1753, Colonial Williamsburg, Va.

Pectoral Drops. The American edition, dated 1731, may well have been the earliest work on any medical theme printed in New York. The printer was John Peter Zenger, not yet an editor and three years away from the famous trial that was to link his name inextricably with the concept of the freedom of the press.[19]

The popularity of the old English remedies, year in and year out, owed much to the fact that though the ingredients might vary (unbeknown to the customer), the shape of the bottle did not. Nostrum proprietors were blazing a trail with respect to distinctive packaging. While the Turlington bottle was pear-shaped with sloping shoulders, Godfrey's Cordial came in a truncated conical vial with steep-pitched sides. Nostrums on a shelf were so easily recognizable that even the most loutish illiterate could tell one from another. Nor to the customer was there any apparent difference between those which were actually patented and those that were not. They were all bottles on a shelf together, "patent medicines" in common speech.

Not all, by any means, of the packaged remedies—patented or not—which were produced in England were known in America. An English list published in 1748 numbered 202 proprietaries, and was admittedly incomplete. No accident determined which of the scores of English brands Americans bought. Most English exports of all kinds came to America from an area in the center of London, once the location of merchants who had migrated to New England during the 17th century. The newcomers continued to do business with erstwhile colleagues who did not leave home, starting trade channels that continued to run. In the heart of the exporting district lay the headquarters of the major medicine exporters, Robert Turlington of Lombard Street, Francis Newbery of St. Paul's Churchyard, and especially the Okell & Dicey firm of Bow Churchyard, which secured the patent for Bateman's Pectoral Drops, arranged for Zenger's reprinting of its promotional pamphlet, and vended most of the brands listed in American newspaper advertising. Out of the hundreds of patent medicines in 18th-century England, those comparatively few brands of pills and drops on the lists of the major exporters were those which ailing Americans continued to use.[20]

19 *A Short Treatise of the Virtues of Dr. Bateman's Pectoral Drops* (N.Y., 1731), in the Library of the N.Y. Academy of Medicine; Gertrude L. Annan, "Printing and Medicine," *Bull. Med. Libr. Assoc.*, 28 (1940), 155.

20 Poplicola, "Pharmacopoeia Empirica or the List of Nostrums and Em-

In the complexity of their composition, in the nature of their potency, the English patent medicines were blood brothers to preparations described in the various pharmacopoeias and formularies used in orthodox medicine. Indeed, there was borrowing in both directions. Richard Stoughton claimed twenty-two ingredients for his Elixir. Robert Turlington, in his patent specifications, named twenty-six botanicals, some from the Orient and some from the English countryside, digested in alcohol and boiled to a syrupy consistency. Although other proprietors had shorter lists or were silent on the number of ingredients, a major part of their secrecy really lay in having complicated formulas. Rivals might detect the major active constituents, but the original proprietor could claim that only he knew all the elements in their proper proportions and the secret of their blending.[21]

An official formula of one year might blossom out the next in a fancy bottle bearing a proprietor's name. At the same time, the essential recipe of a patent medicine, deprived of its esoteric cognomen and given a Latin name indicative of composition or therapeutic nature, might suddenly appear in one of the official volumes. The formula for Daffy's Elixir, for example, was adopted in the *Pharmacopoeia Londonensis* in 1721 under the title "Elixir Salutis" and later by the *Pharmacopoeia Edinburghensis* as Compound Senna Tincture. Two years after Turlington obtained his patent, the London pharmacopoeia introduced a recipe for "Balsamum Traumaticum" which eventually became Compound Tincture of Benzoin with the official synonym Turlington's Balsam. None of the early English patent medicines offered anything new, except new combinations or new proportions of ingredients already widely employed in medicine. Formulas of similar composition to those patented or marketed as "new inventions" can in every case be found in 17th- and 18th-

pirics," *Gentleman's Mag.*, 18 (1748), 346-50; Bernard Bailyn, *The New England Merchants in the Seventeenth Century* (Cambridge, Mass., 1955), 35-36; location of exporters found in their advertising.

21 British Patent Office, *Patents for Inventions. Abridgements of Specifications Relating to Medicine, Surgery and Dentistry, 1620-1866* (London, 1872); Thompson, 255; Philadelphia College of Pharmacy, *Formulae for the Preparation of Eight Patent Medicines, Adopted by the Philadelphia College of Pharmacy* (Phila., 1824). Bateman's Drops, Dalby's Carminative, and Godfrey's Cordial contained opium; Hooper's Pills was a cathartic and emmenagogue and included aloes, as did Anderson's Pills; British Oil and Steer's Opodeldoc were liniments, the latter also containing ammonia.

century pharmacopoeias. The English packaged remedies, whatever their advertising claims, were mostly purgatives, carminatives, opiates, emmenagogues, and liniments.

On September 29, 1774, John Boyd's "*medicinal* store" in Baltimore followed the time-honored custom of advertising a fresh supply of medicines just arrived on the latest ship from London.[22] To that intelligence was added a warning: since non-importation agreements by colonial merchants were imminent, customers had best buy before supplies ran out. Boyd's prediction was valid. The Boston Tea Party of the previous December had evoked from Parliament retaliatory measures and, at the time of Boyd's advertising, the Continental Congress was considering a policy that soon would halt all imports from Great Britain. Trade had been interrupted before, during the decade of tension, and war was shortly to cut off altogether the importation of Turlington's Balsam, Bateman's Pectoral Drops, and their therapeutic kind.

Half a century of use had made many Americans dependent on the familiar English patent medicines. The wartime curtailment of imports accelerated a trend that had begun in a modest way at least as early as the 1750's—the compounding of English brands on American shores. The apothecary in Williamsburg, from 1752 through 1770, ordered from London sizable quantities of empty "Stoughton vials" and occasional lots of Daffy's Elixir bottles. Turlington had complained in 1761 that New York scoundrels were buying up his empty bottles and refilling them with "a base and vile composition of their own" compounding. Formulas for many of the patent medicines had been introduced into official pharmacopoeias, as well as in various unofficial formularies. John Wesley, the Methodist divine, listed a few in later editions of his *Primitive Physic*. Thus no grave problem was posed the American druggist if he had vials of proper shape to fill. During the Revolution, of course, no bottles could be imported, but the refilling of empties went on apace.[23]

In 1782 the Baltimore post office, at a time when fighting was over but peace negotiations still under way, signalized the return to the American market of made-in-Britain patent medicines by

22 Annapolis *Maryland Gaz.*

23 James Carter, Apothecary Account Books, 1752-1753; *N.Y. Mercury*, Nov. 9, 1761; Wesley, *Primitive Physic*, 21st London ed. of 1785, 22nd London ed. of 1788, 16th Trenton ed. of 1788.

advertising in the *Maryland Journal* half a dozen of the familiar brands. Two years later a New York apothecary turned to tortured rhyme to convey the same message to would-be customers:

> Medicines approv'd by royal charter,
> James, Godfry, Anderson, Court-plaster. . . .[24]

If peace brought British patent medicines back to American shops, it also made available once more imported empty bottles of the old familiar shapes. American apothecaries continued to fill them. Indeed, the British-made medicines did not win back their prewar sales ascendancy from American imitations. The records of Jonathan Waldo, a Salem, Massachusetts, apothecary, reveal the reason. The imported brand of Turlington's Balsam, Waldo noted during the 1790's, was "very dear" at thirty-six shillings a dozen bottles, whereas his "own" sold for only fifteen. It was the same with other nostrums, and in the early years of the new century American manufacturers were to increase the price differential still more by fabricating vials which undercut the cost of imported bottles.[25]

The dethroning of the old English patent medicines from their regal position in late colonial therapy, however, was not so much due to American imitations, even in American bottles. This act of rebellion came from patent medicines that were American all the way.

[24] *Maryland Jnl.*, Oct. 29, 1782; *N.Y. Packet*, Oct. 11, 1784.

[25] Jonathan Waldo, Account Book, circa 1770-1790, Library of the Essex Institute, Salem, Mass.; Joseph D. Weeks, "Reports on the Manufacture of Glass," *Report of the Manufactures of the United States at the Tenth Census* (Wash., 1883), 81-82; Thomas W. Dyott, *An Exposition of the System of Moral and Mental Labor, Established at the Glass Factory of Dyottsville* (Phila., 1833), in the Hist. Soc. of Penna.

"GALVANISING TRUMPERY"

See POINTED METALS, *blest with power t'appease,*
The ruthless rage of merciless disease,
O'er the frail part a subtil fluid power,
Drench'd with invisible Galvanic shower,
Till the arthritic, staff and "crutch forego,
And leap exulting like the bounding roe!"

—Thomas Green Fessenden, "An Address delivered before the PERKINEAN SOCIETY," 1803[1]

AMERICA won her independence in the realm of pseudomedicine not with a pill or a potion, not with an elixir or a vermifuge, but with a pair of small metal rods called tractors. The hero of this revolution was a physician in Plainfield, Connecticut, named Elisha Perkins. The critical date was 1796, in which year the government granted Perkins the first patent to be issued for a medical device under the Constitution of the United States.

Why did the revolution come so late? Why had not some shrewd colonial citizen, observing the steady sales of the old English patent medicines and sensing the gold that might lie at the end of such a rainbow, launched a competitive home-grown remedy? The answer is that there were some fumbling efforts heralding the day of native American nostrums. Yet prior to the Revolution no American entrepreneur managed to offer a real challenge to Bateman's Pectoral Drops or Hooper's Female Pills.

American quackery dates back to 1630. In that year Nicholas Knopp, a resident of Massachusetts Bay, was fined five pounds, or was whipped, for vending as a cure for scurvy "a water of no

1 Cited in Fessenden, *Terrible Tractoration!! A Poetical Petition against Galvanising Trumpery, and the Perkinistic Institution* (1st Amer. ed., N.Y., 1804), xxxiii-xxxiv. Some material in this and the next chapter has appeared in the author's "The Origin of Patent Medicines in America," *Chemist and Druggist*, 172 (Sep. 9, 1959), 9-14.

worth nor value," which he "solde att a very deare rate."[2] How Nicholas marketed his water is not known, but certainly not with the exaggerated printed promotion that attended the origin of the English nostrums in the same century. Nor did Americans, during the colonial years, ever achieve either the flamboyant advertising or the distinctive packaging that characterized the English patent medicines.

Mountebanks wandered up and down the colonies persuading the gullible to buy their wares. One Charles Hamilton, for example, appeared in Chester, boasting of his excellent education and marvelous cures. Somehow the townspeople got suspicious and examined the pretender. Charles was found to be a woman, and Charlotte Hamilton was put in jail. Another itinerant, calling himself Francis Torres, came to Philadelphia, selling "Chinese Stones" for the cure of toothache, cancer, and the bites of mad dogs and rattlesnakes. A fortnight later, one Acidus gave counsel to the poor who could not afford Monsieur Torres' twenty-five-shilling charge. "Go to a Cutler's Shop," he wrote, "there you'll find a Remnant of the Buckshorn, cut off probably from a Piece that was too long for a Knife Handle, saw and rasp it into what shape you please, and then burn it in hot Embers; and you will have Mons. Torres's Chinese Stone." The wandering Frenchman with his Oriental remedy showed up in other colonial cities. But, unlike many British contemporaries, he did not settle down in one place, wrap his potent stones in identical packages, ship them to shops in other towns, and advertise their curative blessings in numerous papers simultaneously.[3]

Nor was such a sophisticated scheme of promotion employed in behalf of American-made medicines hardly so suspect as Monsieur Torres' wares. Humble men and women, most of them probably sincere, went into the market place with remedies taken over from folk medicine, and even advertised them. But the efforts were local, sporadic, and limited.

The text of an advertisement from a Philadelphia newspaper under date of August 19, 1731, read: "The Widow READ, removed from the upper End of Highstreet to the *New Printing-Office* near the Market, continues to make and sell her well-known Ointment for the ITCH. . . . It is always effectual for that

[2] *Records of the Governor and Company of the Massachusetts Bay in New England* (Boston, 1853), I, 83.

[3] *Pa. Gaz.*, July 16, 1752, Oct. 17 and 31, 1745.

purpose, and never fails to perform the Cure speedily. It also kills or drives away all Sorts of Lice. . . . It has no offensive Smell, but rather a pleasant one; and may be used without the least Apprehension of Danger, even to a sucking Infant. . . . Price 2 *s.* a Gallypot containing an Ounce." It may be doubted that this advertisement cost the ointment maker a penny, for the newspaper was the *Pennsylvania Gazette*, the *Gazette's* publisher was Benjamin Franklin, and the Widow Read was publisher Franklin's mother-in-law.

Many of the herbal concoctions in the pharmacopoeias had begun in the empirical experimentation of laymen. In America as in England, Nature was continuing to yield her secrets, whether sound or not, to the prying of all people, professional or not. An interest in one's own health and that of relatives and friends was enough qualification—then as now—to set up in business as a lay prescriber. According to an ancient and perverse tradition, under which disease was regarded as a curse from offended gods, cures could not be found through human intelligence but in a secret lore of an occult order, a kind of magical knowledge more dramatic and potent when possessed by the unschooled. Thus remedies advanced by widows and maiden aunts, simpletons and slaves, were by some regarded with especial favor. Traditions handed down, the slightest bent toward haphazard tinkering, provided dozens of therapeutic possibilities. Almanacs, newspapers, diaries, correspondence, bear testimony to the universal concern over sickness, the widespread interest in cures, and the plethora of gratuitous counsel. The line between free health hints and marketed remedies was often crossed, with economic need, perhaps, the major stimulus. The Widow Read might have desired the sense of independence which selling her itch ointment could provide. Certain "Dutch Ladies" of Charleston might have vended their "Choice Cure for the Flux, Fevers, Worms, bad Stomach, [and] Pains in the Head" because this was the only way they could support themselves. Doubtless a similar economic explanation lies behind the cordials of a New York carpenter, the eye-water of a Charleston goldsmith, the cough cure of a Boston grocer.[4]

[4] *Va. Gaz.*, Dec. 22, 1738; *S.C. Gaz.*, Mar. 7, 1743, and July 12, 1735; *N.Y. Post*, Dec. 19, 1748, cited in Rita S. Gottesman, *The Arts and Crafts in New York, 1726-1776* (N.Y., 1938), 192; *Boston News-Letter*, Feb. 24, 1743.

But seldom do these colonial notices have even the verbal vigor of the Widow Read's announcement. Advertisements for American remedies are shy and circumspect beside those appearing in England for their bolder English cousins. Compared with British Oyl, the Widow Read's ointment did not get around, even in America. Lack of capital may be one explanation. The fact that trade ties were tighter between each colony and Britain than between colony and colony may hold a clue.

The colonial years offered one concoction that has often been termed the first patent medicine in American history. It was named Tuscarora Rice and its maker was a woman. First to tell Mrs. Sybilla Masters' tale in print, so far as can be found, was John F. Watson, who in 1844 published his *Annals of Philadelphia and Pennsylvania, in the Olden Time*. From Indian corn, asserted chronicler Watson, Mrs. Masters prepared her Tuscarora Rice which she recommended as a fare especially beneficial for promoting the recovery of consumptive and other sickly persons. In 1711 she and her husband went to England with her remedy to seek her fortune. While there she got a patent. Back in America, Thomas Masters set up a water-mill and a processing plant near Philadelphia to make Tuscarora Rice in more abundant quantities.[5]

Watson's tale is substantially true. In 1715, after an initial rebuff, Thomas Masters managed to secure letters patent for "A New Invencon found out by Sybilla his Wife, for Cleaning and Curing the Indian Corn Growing in the severall Colonies in America." This was the first patent granted in Great Britain to anyone dwelling in America. A drawing accompanying the petition shows a device for pounding maize in mortars with stamps operated by cog-wheels attached to a large cylinder turned by horse or water-power. Besides providing a "wholesome Food" in a

[5] Garrison, *Introduction to the History of Medicine*, 402; LaWall, *Four Thousand Years of Pharmacy*, 412-13; and James T. Adams, *Provincial Society, 1690-1763* (N.Y., 1927), 126, call Tuscarora Rice a patent medicine. Mrs. Masters' story is drawn from Watson, II, 388-89; *Alphabetical List of Patentees of Inventions* [1617-1852], (London, 1854), 368; George Ramsey, "The Historical Background of Patents," *Jnl. Patent Office*, 18 (1936), 13; Samuel H. Needles, "The Governor's Mill," *Pa. Mag. Hist. and Biog.*, 8 (1884), 285-87. Photostats of the Letters Patent from Chancery, Patent Rolls (C.66/3511, No. 29), of Mrs. Masters' petition from State Papers Domestic, Entry Books (S.P.44), vol. 249, and of the sketched specification of the invention, from the Specification and Surrender Roll (C.210/1), have been supplied by the Public Record Office, which has also reported on several other references to the Masters in the British records.