

The Civil Rights of Mary Mallon

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No one disputes the events after August 1906; the facts prior to this date, however, remain conjectural. Gen. William Henry Warren, a prominent New York City banker, rented a summer house for his family of three in Oyster Bay, Long Island. In July 1906 they moved in, bringing with them a complement of seven live-in servants. On August 27, one of the servants became acutely ill with typhoid fever, and by September 3, five more cases of typhoid had arisen within the household, including the general's wife and daughter. There were no further cases but the owner of the home, fearing that the value of her property was now in jeopardy, recruited an established epidemiologist and sanitarian, Dr. George A. Soper, to seek out the origins of the contagion. He quickly eliminated the usual sources of enteric fever (faulty privies, deteriorating sewer systems, contaminated water supply), leaving him with the uneasy likelihood that a healthy human might be the carrier of the pathogen. By bacteriologic assays, he eliminated from suspicion Mr. Warren and six of the seven servants. The seventh, a Mary Mallon, had quietly resigned her job as the family cook shortly after the first case of typhoid had emerged and had then disappeared. She was described by her fellow house servants as remote, unfriendly, at times violently hostile and a "rather dirty person."

Soper felt obliged to pursue his one remaining lead and he sought out a Mrs. Stricker whose employment agency in Manhattan had originally recruited Mary Mallon as the family cook. Slowly and deliberately Soper reconstructed Mallon's employment history as a family cook, going back many years. He then interviewed most of these families. Beginning in 1900 there had been a household in Mamaroneck,

then several in Manhattan, then one in Maine, then Sands Point in Long Island, then Tuxedo Park, New York. In each instance, one or more individuals in the household had developed typhoid, and in each instance, Mallon was said to have discretely departed to seek employment elsewhere. In the seven households investigated, Soper identified 53 cases of acute typhoid fever (with three deaths), all temporarily associated with Mallon's employment as cook. Soper readily admitted that these statistics were quite conservative since many of Mallon's known places of previous employment could no longer be investigated and not all of her tours of duty had been obtained through the Stricker employment agency. Furthermore, Soper counted only those primary cases of typhoid ascribable to direct contact with Mallon's food preparations while not considering the many secondary cases stemming from the momentum of the initial outbreaks. Soper fully acknowledged that the true number most likely exceeded 1,000.

Armed with circumstantial evidence of a compelling association between Mallon's cooking and multiple outbreaks of typhoid, Soper tracked her finally to a new sight of employment, confronted her with the epidemiologic data and requested her voluntary cooperation in verifying her carrier state. Mallon's pathologic temper was amply demonstrated and he barely escaped her wrath. Undeterred however, he appealed to the New York Department of Health and eventually Mallon was arrested, but only after a violent struggle in which two policemen suffered injuries, one losing most of one ear. Mallon was kept in an isolation ward

at Willard Parker Hospital where she exhibited no ill health, but repeated stool cultures nevertheless demonstrated an abundance of *S. Typhi*. By order of the health authorities, she was then remanded to a small bungalow next to Riverside Hospital on North Brother Island in the East River. Her cottage was provided with all necessary amenities and she was free to roam the island and use its facilities, including the local chapel.

Mary Mallon's story became widely publicized and the June 20, 1909 edition of William Randolph Hearst's *New York American* vividly elaborated on the morbid events, labeling her as "...the most dangerous woman in America." The newspaper also provided her with a new name: "Typhoid Mary."

In 1908, G.F. O'Neill, a local attorney, took on her case as an instance of imprisonment without due process of law, without legal representation, indeed, without even a trial. The judge dismissed a request for release, pointing to a 1905 Supreme Court judgment regarding compulsory vaccination, which declared that prudent measures undertaken to protect the public were a legitimate exercise of the state police powers. By this time Mary Mallon's story became widely publicized and the June 20, 1909 edition of William Randolph Hearst's *New York American* vividly elaborated on the morbid events, labeling her as "...the most dangerous woman in America." The newspaper also provided her with a new name: "Typhoid Mary."

In February 1910, after 35 months of isolation (during which time she repeatedly asserted her innocence claiming that her imprisonment was a British plot to suppress her activities

on behalf of Irish independence) Mallon was offered her freedom on two conditions: that she refrain from any employment requiring direct contact with food and that she report to the Department of Health at three-month intervals.

She was then released and promptly broke both promises, disappearing into the urban sprawl of municipal New York. For the next five years she held various cooking posts at numerous homes and in restaurants, under a number of aliases, producing a further series of typhoid fever outbreaks.

In 1915, there was an unexplained cluster 20 cases of typhoid among the patients at the Sloane Hospital for Women. Soper was called, and he immediately recognized the chef as Mary Mallon, now under the assumed name of Brown. She was promptly remanded to the same East River cottage. Some 17 years later, on Christmas morning 1932, Mallon suffered a severe stroke, remaining in a semicomatose state for another six years, ultimately dying on November 11, 1938. In what some regarded as undue haste, she was buried in a Bronx cemetery within hours of her death.

These, then, are the accepted details in the tragic life of Mary Mallon.

Civil liberties vs. population safety

The New York Department of Health had been accused of abridging Mallon's civil liberties; indeed, banishing her without trial to life imprisonment. Many claimed that a mere quirk of microbial happenstance, ultimately beyond her control, had somehow converted her into an unwilling chronic carrier. The department, on the other hand, pointed to as many attempts to work out some sort of compromise with Mallon; it insisted, nevertheless, that it could never abdicate its obligation to protect the health of the larger community. It claimed that all society represents an uneasy equilibrium between private autonomy and the needs of the community and that no system of government can prevail for

long without some visible authority in matters of health and social stability. (Plato describes an important trial in Athens: "The judges: Tell us Socrates, do you suppose a city can exist and not be overthrown, in which the decisions of law are powerless, set aside and trampled upon by individuals?")

The debate regarding the civil liberties of the innocent carrier may have obscured yet another area of contention. The arrival to the shores of some 36 million immigrants between 1880 and 1920 was greeted with varied emotions, particularly so since most newcomers were poor, under-educated and with a greater vulnerability to such infectious diseases as cholera, typhoid, tuberculosis and poliomyelitis. The waves of arriving Irish that, for example, coincided with major outbreaks of cholera and typhoid in East Coast cities, and nativist hostilities to the new immigrants, were translated readily to blanket accusations that the Irish were the cause of these outbreaks. These complaints ignored the fact that the Irish were the chief victims of these contagions, which had been spread exclusively by contaminated water supplies. The spread of poliomyelitis, between 1910 in 1920, was similarly blamed upon immigrant Italians and Jews.

Newspaper reports invariably mentioned Mary Mallon's Irishness, as well as her alleged temper, suggesting that a Celtic heritage and a confronting personality were somehow the necessary preludes to the carrier state. Epidemiologists, on the other hand, concluded that at least five percent of those exposed to the typhoid bacillus became chronic carriers, meaning that they were at least 20,000 carriers of all ages and persuasions wandering the streets and country roads of the United States in 1906. Yet only Mary Mallon's name crops up as the evil exemplar of the carrier state.

Some further observations need to be offered: without any help from carrier immigrants, typhoid fever had continued to flourish throughout the United States, including those heartland cities

where few if any immigrants had ventured. Indeed, in the United States Army of 1898 to 1900 with approximately 107,000 officers and men, most of whom were native-born, there were 20,738 cases of typhoid, with 1,580 deaths.

Even if all immigrants had somehow been excluded from this nation, typhoid would nevertheless have continued to exert its toll until American society could instill better personal hygiene habits in its residents and until local communities were sufficiently motivated to establish water supplies free of fecal contamination. ❖

[Editor's Note: This article, written by the late Stanley M. Aronson, MD, founding dean of Brown's medical school and a former editor-in-chief of the *Rhode Island Medical Journal*, first appeared in RIMJ's November 1995 edition.]