

1935: Dr. S., Doctor, charged with repeated violation and abortion

Between 1935 and 1937 more than eighty people, defendants and witnesses, appeared at the trial of Doctor S. from Austrian town of Drassmarkt, who was accused on multiple counts of rape and abortion. He had been charged with attempted rape as early as 1928, in Krems, but on that occasion had been acquitted.

In February 1934, Drassmarkt police began investigating Dr. S. on suspicion of 'abortion of the fruit of the womb'. In March of the following year, Marie E. from Wiesmath is taken to the General Hospital in Wiener Neustadt following a botched abortion, and a report is filed. S. had also performed the procedure on her sister-in-law Anna S., mother of six from Wiesmath. Anna confesses, but accuses the doctor of rape, as do subsequently three of the other accused women. The stateless Dr. S. is arrested so as to prevent him from fleeing.

A subsequent search of the house uncovers three notebooks, which detail the names of the women, the interventions performed, and the fees they paid (between 75 and 150 Austrian Schillings – at 2005 values € 215-430). Under interrogation Dr. S. admits having performed curettage for several women who came to him with bleeding. He denies abortion and having sexually abused the women.

Some women, such as Margarete L., who had been to Edmund S.'s dentist surgery, report having been sexually abused by him. Two letters found in the search of his house provide evidence that a pregnancy had resulted from the assault. For that reason the women had allowed him to perform abortions on them. Magarete L. at first denies, but later admits, having undergone a curettage in a hospital in the 10th Vienna district.

In each case the court also considered any shared guilt on the part of the father, depending on whether they had known about or had agreed to the abortion. Eventually the Vienna Provincial Court decided to exclude some individual cases in the interests of bringing the case to an expeditious close. For attempted rape and rape, as well as for carrying out abortions, Edmund S. was condemned to three years and six months in jail. Shortly afterwards, he was banished from the Province. His Father appealed, on the grounds that Edmund S. was incapacitated and stateless. The files do not tell us what happened afterwards.

Source: Vienna City and Land Archive, Vienna, A 11 /LG 7 Vr. 3487/32, Standort
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