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# Abortion Convictions Before Roe

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As partisans on both sides of the abortion issue would acknowledge, there has been a spirited dispute as to the frequency with which violations of state statutes prohibiting abortion were prosecuted before *Roe v. Wade*<sup>1</sup> was decided in 1973. Without entering into that dispute,<sup>2</sup> this article provides the first comprehensive list of *pre-Roe* abortion (and abortion-related<sup>3</sup>) convictions that were affirmed on appeal, beginning with cases decided in the 1840s, and ending with a handful of convictions affirmed after *Roe* was decided in which the defendants were not licensed physicians. All of the prosecutions listed in this article were brought un-

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Mr. Linton has represented *amici curiae* in landmark beginning-of-life and end-of-life cases in the United States Supreme Court, including *Webster v. Reproductive Health Services* (1989), *Cruzan v. Director, Missouri Dep't of Health* (1990), *Planned Parenthood v. Casey* (1992), *Washington v. Glucksberg* (1997), *Vacco v. Quill* (1997), *Stenberg v. Carhart* (2000), *Ayotte v. Planned Parenthood of Northern New England* (2006), *Gonzales v. Oregon* (2000), *Gonzales v. Carhart* (2007) and *Gonzales v. Planned Parenthood Federation of America* (2007). He has also submitted briefs in most of the federal courts of appeals and a majority of the state supreme courts in the United States.

Mr. Linton has published two dozen law review articles on a variety of topics, including the history of abortion regulation and the Supreme Court's abortion jurisprudence, the legal status of unborn children under state law, state equal rights amendments, criminal law and procedure, sex discrimination, religious freedom claims and defenses under state constitutions and assisted suicide, as well as multiple articles in journals of opinion. He has also published the only comprehensive analysis of abortion rights claims under state constitutions, *ABORTION UNDER STATE CONSTITUTIONS: A STATE-BY-STATE ANALYSIS* (Carolina Academic Press) (3d ed. 2020). He received his undergraduate (B.A. Honors) and law (J.D.) degrees from Loyola University of Chicago.

<sup>1</sup> 410 U.S. 113 (1973).

<sup>2</sup> See Joseph W. Dellapenna, *DISPELLING THE MYTHS OF ABORTION HISTORY* (Carolina Academic Press 2006) at 490, 543-47, 673-74 for a discussion of the incidence of investigation and prosecution of abortionists. As Professor Dellapenna suggests, there likely would have been many more prosecutions were it not for the corruption of the police and prosecutors. *Id.* at 490 & n. 307, 543 & n. 46, 560, 674 & n. 289. He also debunks the notion, advanced by abortion advocates, that both physicians and lay persons who performed illegal abortions were able to practice openly without fear of arrest and prosecution. *Id.* at 489-90, 534, 558-64.

<sup>3</sup> Abortion-related convictions include convictions for murder or manslaughter based on the performance of (or attempt to perform) an illegal abortion.

der state statutes criminalizing abortion; the list does not include any prosecutions for the common law offense of abortion (statutory crimes gradually replaced common law crimes during the nineteenth century). In addition to the list of successful prosecutions (those affirmed on appeal), the article includes a chart showing the number of such prosecutions for each State for each decade from the 1840s to the 1970s, including cumulative totals for each State and each decade.

A few notes about the limitations of the data set forth below. The list of prosecutions does not include pleas of guilty that were not appealed (in those jurisdictions where such appeals are allowed), convictions after trial that were not appealed (more common earlier in our history than later) or appeals that were abandoned (and a number of the cases mentioned herein reference such appeals involving other defendants than those who pursued their own appeal). Inclusion of such information would increase the numbers of criminal convictions, perhaps significantly.<sup>4</sup> Nor does the list include proceedings by state medical boards to revoke, suspend or otherwise discipline licensed physicians (or other health care professionals) for performing illegal abortions. Because of the lower standard of proof in such cases (preponderance of the evidence rather than proof beyond a reasonable doubt, the standard applicable in criminal prosecutions), professional disciplinary proceedings may have offered an easier alternative, at least in some situations, to criminal prosecution where the underlying conduct involved licensed physicians.<sup>5</sup>

For the entire time frame covered (1840s to the early 1970s), the list includes 693 affirmed convictions. Of those, 184 (slightly more than 25%) were convictions for murder or manslaughter based on the performance of an illegal abortion. Of the total of 693 affirmed convictions, 266 (more than 38%) involved physicians (230), chiropractors (25), nurses (5), pharmacists (4) and dentists (2).<sup>6</sup> Physicians alone accounted for a third of all convictions.<sup>7</sup> In the twenty-five years before *Roe* was decided (1948–1973), there were 268 convictions, of which 94 (more than a third) involved physicians (79), chiropractors (11), nurses (2) and pharmacists (2). There were more than 100 affirmed convictions in each of the decades of the 1940s (107), 1950s (111) and 1960s (102) which, together with the thirty-six convictions affirmed in the early 1970s, account for more the one-half (356 of 693) of all affirmed convictions since the 1840s, thereby

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<sup>4</sup> As Professor Dellapenna notes, “The data regarding the number of prosecutions is far from complete. At best, historians and others (myself included) have only surveyed the prosecutions that resulted in published court opinions plus occasional trial transcripts and newspaper accounts. This undoubtedly leaves a large number of prosecutions that have never been tallied in the attempt to assess the total number of prosecutions in any century—including the twentieth.” *DISPELLING THE MYTHS OF ABORTION HISTORY* at 490.

<sup>5</sup> *Id.* at 535-36.

<sup>6</sup> The defendant in one case was a chiropractor who was also a nurse. He is included only in the chiropractor category.

<sup>7</sup> It should be noted that the opinions affirming convictions do not always indicate whether the defendant (or defendants) were health care professionals, so the percentage of convictions attributable to the conduct of physicians (and other health care professionals) might be higher.

demonstrating that there was no falling off in prosecutions as the country moved closer to the regime of abortion-on-demand mandated by *Roe*. Indeed, even after the effort to “liberalize” abortion statutes began in 1967, culminating in thirteen States adopting one version or another of the Model Penal Code provision on abortion,<sup>8</sup> and four other States enacting abortion-on-demand statutes (at least until viability),<sup>9</sup> there were more than 60 convictions of both medical professionals and lay persons for performing abortions between 1967 and the early 1970s.

Interestingly, in the thirteen States that adopted one version or another of the Model Penal Code provision on abortion before *Roe*, beginning in 1967, no licensed physician was ever prosecuted and convicted for performing an abortion for a reason not permitted by the Code.<sup>10</sup> The absence of any prosecutions under the Model Penal Code provision for performing an abortion for a reason not allowed by the Code reinforces the notion that the exceptions, particularly the one for the pregnant woman’s mental health, were completely elastic. That is confirmed by the experience under California’s Therapeutic Abortion Act of 1967. According to data referenced by the California Supreme Court, more than 60,000 abortions were authorized and performed in 1970 for alleged “mental health” reasons, even though the standard for invoking the exception was the same as the standard for civil commitment, to wit, the pregnant woman had to pose a danger to herself or to others or to the property of others.<sup>11</sup> It is absurd to believe that more than 60,000 women met the standard for civil commitment merely because they were pregnant. It should be noted, moreover, that California was the only State that, before *Roe*, attempted to define the scope of the mental health exception, which suggests that the undefined mental health exceptions in the other States with abortion statutes based on the Model Penal Code were likely abused, as well.

It is the author’s hope that the research set forth in this article will help to inform the ongoing debate over the history of abortion regulation in the United States.

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<sup>8</sup> The text of the Model Penal Code provision on abortion is set out in Appendix B to the Court’s opinion in *Doe v. Bolton*, 410 U.S. 179,205-07 (1973), the companion case to *Roe*. Section 230.3 of the Model Penal Code permitted abortion if the attending physician believed that there was “substantial risk that continuance of the pregnancy would gravely impair the physical or mental health of the mother or that the child would be born with grave physical or mental defect, or that the pregnancy resulted from rape, incest, or other felonious intercourse.”

<sup>9</sup> The statutes are cited in *Roe v. Wade*, 410 U.S. 113, 140 n. 37 (1973). The Court’s inclusion of Mississippi in the list of States that adopted the Model Penal Code provision on abortion is questionable. In 1966, Mississippi added a rape exception to its life-of-the-mother statute, but none of the other exceptions set forth in the Model Penal Code (physical or mental health of the woman, incest or fetal anomaly).

<sup>10</sup> *But see Vuitch v. State*, 271 A.2d 371 (Md. Ct. Spec. App. 1970) (court affirming conviction of physician for performing an abortion outside of a hospital, as required by the Model Penal Code).

<sup>11</sup> *People v. Barksdale*, 503 P.2d 257, 265 (Cal. 1972).

## Reported Appellate Court Decisions Affirming Pre-Roe Convictions for Abortion or Homicide Based on the Performance of an Illegal Abortion\*

### *Alabama*

- Thomas v. State*, 47 So. 257 (Ala. 1908) (abortion) (physician defendant)
- Trent v. State*, 73 So. 834 (Ala. Ct. App. 1916) (abortion)
- Beard v. State*, 88 So. 193 (Ala. Ct. App. 1920) (abortion)
- Dykes v. State*, 1 So.2d 754 (Ala. Ct. App. 1941) (abortion)
- Hudson v. State*, 9 So.2d 757 (Ala. Ct. App. 1942) (abortion)
- Lingle v. State*, 283 So.2d 660 (Ala. Crim. App. 1973) (abortion)
- State v. Wilkerson*, 305 So.2d 378 (Ala. Crim. App. 1974) (abortion)

### *Alaska*

*No reported cases affirming a conviction for abortion or an abortion related offense*

### *Arizona*

- Kensley v. State*, 65 P.2d 1141 (Ariz. 1937) (murder by illegal abortion)
- Hightower v. State*, 158 P.2d 156 (Ariz. 1945) (abortion) (physician defendant)
- State v. Boozer*, 291 P.2d 786 (Ariz. 1955) (abortion) (physician defendant)

### *Arkansas*

- Burris v. State*, 84 S.W. 723 (Ark. 1904) (abortion)
- Davis v. State*, 130 S.W. 547 (Ark. 1910) (abortion)
- Dawson v. State*, 180 S.W. 761 (Ark. 1915) (manslaughter by killing a quick unborn child)
- Thompson v. State*, 260 S.W. 723 (Ark. 1924) (abortion)
- Clayton v. State*, 55 S.W.2d 88 (Ark. 1932) (abortion)
- McClure v. State*, 215 S.W.2d 524 (Ark. 1948) (abortion) (physician defendant)

\* The term “abortion,” when used to describe the offense of which the defendant was convicted, includes abortion (whether the defendant was charged as a principal or an accessory), attempted abortion and conspiracy to commit abortion. The list includes six post-Roe decisions from four States—Alabama, Arkansas, New Jersey and New York—affirming the convictions of defendants who were not physicians for performing abortions before Roe).

*Mullins v. State*, 401 S.W.2d 9 (Ark. 1960) (murder by illegal abortion)

*Heath v. State*, 459 S.W.2d 420 (Ark. 1970) (abortion)

*May v. State*, 492 S.W.2d 888 (Ark, 1973) (abortion)

## California

*People v. Balkwell*, 76 P. 1017 (Cal. 1904) (murder by illegal abortion)

*People v. Huntington*, 97 P. 760 (Cal. Ct. App. 1908) (manslaughter by illegal abortion)  
(physician defendant)

*People v. Thompson*, 117 P. 1033 (Cal. Ct. App. 1911) (murder by illegal abortion)

*People v. Richardson*, 120 P. 21 (Cal. 1911) (abortion)

*People v. Brewer*, 127 P. 808 (Cal. Ct. App. 1912) (murder by illegal abortion)

*People v. Simon*, 131 P. 102 (Cal. Ct. App. 1913) (abortion)

*People v. Watson*, 132 P. 836 (Cal. Ct. App. 1913) (abortion) (physician defendant)

*People v. Guaragna*, 137 P. 279 (Cal. Ct. App. 1913) (abortion)

*People v. Wright*, 138 P. 349 (Cal. 1914) (manslaughter by illegal abortion)  
(physician defendant)

*People v. Hunt*, 147 P. 476 (Cal. Ct. App. 1915) (manslaughter by illegal abortion)  
(physician defendant)

*People v. Gibson*, 166 P. 585 (Cal. Ct. App. 1917) (murder by illegal abortion)

*People v. Card*, 180 P. 53 (Cal. Ct. App. 1919) (murder by illegal abortion)  
(physician defendant)

*People v. Gilman*, 185 P. 310 (Cal. Ct. App. 1919) (abortion) (nurse defendant)

*People v. Northcott*, 189 P. 704 (Cal. Ct. App. 1920) (murder by illegal abortion)  
(physician defendant)

*People v. Thomas*, 197 P. 677 (Cal. Ct. App. 1921) (murder by illegal abortion)  
(physician defendant)

*People v. Hickok*, 204 P. 555 (Cal. Ct. App. 1921) (abortion) (physician defendant)

*People v. Morani*, 236 P. 135 (Cal. 1925) (murder by illegal abortion)

*People v. Schafer*, 247 P. 576 (Cal. 1926) (murder by illegal abortion)

*People v. Lee*, 252 P. 763 (Cal. Ct. App. 1927) (abortion)

*People v. Seiffert*, 253 P. 189 (Cal. Ct. App. 1927) (murder by illegal abortion)  
(physician defendant)

- People v. Watanebe*, 266 P. 1000 (Cal. Ct. App. 1928) (murder by illegal abortion)  
(pharmacist defendant)
- People v. Cook*, 269 P. 176 (Cal. Ct. App. 1928) (murder by illegal abortion)
- People v. Mount*, 269 P. 177 (Cal. Ct. App. 1928) (manslaughter by illegal abortion)  
(chiropractor defendant)
- People v. McKenney*, 292 P. 135 (Cal. Ct. App. 1930) (abortion)
- People v. Darrow*, 298 P. 1 (Cal. 1931) (murder by illegal abortion) (physician defendant)
- People v. Browning*, 22 P.2d 784 (Cal. Ct. App. 1933) (abortion)
- People v. De Vaughn*, 38 P.2d 192 (Cal. Ct. App. 1934) (murder by illegal abortion)  
(physician defendant)
- People v. Collins*, 40 P.2d 542 (Cal. Ct. App. 1935) (abortion) (chiropractor defendant)
- People v. Knowles*, 46 P.2d 788 (Cal. Ct. App. 1935) (murder by illegal abortion)
- People v. Coltrin*, 55 P.2d 1161 (Cal. 1936) (abortion, murder by illegal abortion)  
(physician defendant)
- People v. Luckett*, 73 P.2d 658 (Cal. Ct. App. 1937) (abortion)
- People v. Rankin*, 74 P.2d 71 (Cal. 1937) (abortion)
- People v. Lorraine*, 81 P.2d 1004 (Cal. Ct. App. 1938) (abortion)
- People v. Hickok*, 83 P.2d 39 (Cal. Ct. App. 1938) (murder by illegal abortion)  
(chiropractor defendant)
- People v. Parchen*, 98 P.2d 1045 (Cal. Ct. App. 1940) (abortion, murder by illegal abortion)  
(chiropractor defendant)
- People v. Long*, 103 P.2d 969 (Cal. 1940) (manslaughter by illegal abortion)  
(physician defendant)
- People v. Wilson*, 129 P.2d 149 (Cal. Ct. App. 1942) (murder by illegal abortion)
- People v. Marineau*, 132 P.2d 22 (Cal. Ct. App. 1942) (abortion) (chiropractor defendant)
- People v. Smitherman*, 135 P.2d 674 (Cal. Ct. App. 1943) (abortion, murder by illegal abortion)
- People v. Garner*, 140 P.2d 146 (Cal. Ct. App. 1943) (abortion) (physician defendant)
- People v. Wilson*, 153 P.2d 720 (Cal. 1944) (abortion)
- People v. Clapp*, 153 P.2d 758 (Cal. Ct. App. 1944) (murder by illegal abortion) (chiropractor  
defendant)
- People v. Thompson*, 158 P.2d 213 (Cal. Ct. App. 1945) (abortion) (chiropractor defendant)
- People v. Alvarez*, 166 P.2d 896 (Cal. Ct. App. 1946) (abortion)

- People v. Emery*, 179 P.2d 843 (Cal. Ct. App. 1947) (abortion) (physician defendant)
- People v. Collins*, 182 P.2d 585 (Cal. Ct. App. 1947) (abortion, homicide by abortion)  
(chiropractor defendant)
- People v. Malone*, 185 P.2d 870 (Cal. Ct. App. 1947) (abortion) (chiropractor/nurse defendant)
- People v. Ramsey*, 189 P.2d 802 (Cal. Ct. App. 1948) (abortion)
- People v. Burns*, 189 P.2d 868 (Cal. Ct. App. 1948) (abortion)
- People v. Stone*, 202 P.2d 333 (Cal. Ct. App. 1949) (abortion) (physician defendants)
- People v. Garcia*, 202 P.2d 762 (Cal. Ct. App. 1949) (abortion)
- People v. Anderson*, 202 P.2d 1044 (Cal. Ct. App. 1949) (abortion)
- People v. Powell*, 208 P.2d 974 (Cal. 1949) (abortion, manslaughter by illegal abortion)  
(chiropractor defendant)
- People v. Rhoades*, 209 P.2d 33 (Cal. Ct. App. 1949) (abortion)
- People v. Miner*, 214 P.2d 557 (Cal. Ct. App. 1950) (abortion) (chiropractor defendants)
- People v. Raffington*, 220 P.2d 967 (Cal. Ct. App. 1950) (abortion)
- People v. Kirk*, 220 P.2d 976 (Cal. Ct. App. 1950) (abortion)
- People v. King*, 231 P.2d 156 (Cal. Ct. App. 1951) (abortion) (chiropractor defendant)
- People v. Allen*, 231 P.2d 896 (Cal. Ct. App. 1951) (abortion) (physician defendant,  
nurse defendant)
- People v. Von Mullendorf*, 242 P.2d 403 (Cal. Ct. App. 1952) (abortion) (physician defendant)
- People v. Morris*, 243 P.2d 66 (Cal. Ct. App. 1952) (abortion) (physician defendant)
- People v. Kendall*, 244 P.2d 418 (Cal. Ct. App. 1952) (abortion) (unlicensed  
physician defendant)
- People v. Green*, 245 P.2d 526 (Cal. Ct. App. 1952) (abortion) (physician defendant)
- People v. Reimringer*, 253 P.2d 756 (Cal. Ct. App. 1953) (abortion) (physician defendant)
- People v. Fowler*, 260 P.2d 89 (Cal. Ct. App. 1953) (abortion) (physician defendant)
- People v. Califro*, 261 P.2d 332 (Cal. Ct. App. 1953) (abortion)
- People v. Vosburg*, 266 P.2d 927 (Cal. Ct. App. 1954) (abortion)
- People v. Sherman*, 273 P.2d 611 (Cal. Ct. App. 1954) (abortion) (physician defendant)
- People v. Reed*, 275 P.2d 633 (Cal. Ct. App. 1954) (abortion) (physician defendant)
- People v. Berger*, 275 P.2d 799 (Cal. Ct. App. 1954) (abortion)
- People v. Davis*, 276 P.2d 801 (Cal. 1954) (abortion) (physician defendant)

- People v. Davis*, 284 P.2d 496 (Cal. Ct. App. 1955) (abortion) (physician defendant)
- People v. Bowlby*, 287 P.2d 547 (Cal. Ct. App. 1955) (abortion) (chiropractor defendant)
- People v. Berger*, 280 P.2d 136 (Cal. Ct. App. 1955) (abortion) (physician defendant)
- People v. Holbrook*, 288 P.2d 1 (Cal. 1955) (abortion) (chiropractor defendant)
- People v. Coghlan*, 290 P.2d 879 (Cal. Ct. App. 1955) (abortion)
- People v. Terrell*, 291 P.2d 155 (Cal. Ct. App. 1955) (abortion) (chiropractor defendant)
- People v. Escobedo*, 292 P.2d 230 (Cal. Ct. App. 1956) (abortion)
- People v. Brenon*, 292 P.2d 645 (Cal. Ct. App. 1956) (murder by illegal abortion)  
(physician defendant)
- People v. Cummings*, 296 P.2d 610 (Cal. Ct. App. 1956) (abortion) (physician defendant)
- People v. Karman*, 303 P.2d 71 (Cal. Ct. App. 1956) (abortion)
- People v. Ames*, 312 P.2d 1111 (Cal. Ct. App. 1957) (abortion) (physician defendant)
- People v. Dorn*, 314 P.2d 1017 (Cal. Ct. App. 1957) (abortion) (physician defendant)
- People v. MacEwing*, 317 P.2d 82 (Cal. Ct. App. 1957) (abortion) (physician defendant)
- People v. Curry-Allen*, 318 P.2d 549 (Cal. Ct. App. 1957) (abortion) (physician defendant)
- People v. Brown*, 320 P.2d 5 (Cal. 1958) (abortion, murder by illegal abortion)  
(physician defendant)
- People v. Ramsey*, 320 P.2d 592 (Cal. Ct. App. 1958) (abortion)
- People v. Daily*, 321 P.2d 469 (Cal. Ct. App. 1958) (abortion)
- People v. Odmann*, 325 P.2d 495 (Cal. Ct. App. 1958) (murder by illegal abortion)  
(physician defendant)
- People v. Weiss*, 327 P.2d 527 (Cal. 1958) (abortion) (physician defendant)
- People v. Barkoff*, 329 P.2d 1005 (Cal. Ct. App. 1958) (abortion) (physician defendant)
- People v. Stuart*, 335 P.2d 192 (Cal. Ct. App. 1959) (abortion) (chiropractor defendant)
- People v. Rivers*, 340 P.2d 648 (Cal. Ct. App. 1959) (abortion) (pharmacist defendant)
- People v. Malone*, 343 P.2d 333 (Cal. Ct. App. 1959) (abortion)
- People v. Feigin*, 345 P.2d 273 (Cal. Ct. App. 1959) (abortion) (physician defendant)
- People v. Hawkins*, 2 Cal. Rptr. 524 (Cal. Ct. App. 1960) (abortion, murder by illegal abortion)
- People v. Wilkes*, 2 Cal. Rptr. 594 (Cal. Ct. App. 1960) (abortion) (chiropractor defendant)
- People v. Vigil*, 3 Cal. Rptr. 479 (Cal. Ct. App. 1960) (abortion)



- People v. Clemons*, 6 Cal. Rptr. 727 (Cal. Ct. App. 1960) (abortion)
- People v. Kutz*, 9 Cal. Rptr. 626 (Cal. Ct. App. 1960) (abortion)
- People v. Reed*, 10 Cal. Rptr. 536 (Cal. Ct. App. 1961) (abortion) (physician defendant)
- People v. Struve*, 12 Cal. Rptr. 47 (Cal. Ct. App. 1961) (abortion)
- People v. Emory*, 13 Cal. Rptr. 889 (Cal. Ct. App. 1961) (murder by illegal abortion)
- People v. Tideman*, 370 P.2d 1007 (Cal. 1962) (murder by illegal abortion)
- People v. Bawden*, 25 Cal. Rptr. 368 (Cal. Ct. App. 1962) (abortion)
- People v. Pearl*, 27 Cal. Rptr. 664 (Cal. Ct. App. 1963) (abortion)
- People v. Kendall*, 28 Cal. Rptr. 53 (Cal. Ct. App. 1963) (abortion) (unlicensed physician defendant)
- People v. Moore*, 28 Cal. Rptr. 530 (Cal. Ct. App. 1963) (abortion) (physician defendant)
- People v. Cross*, 28 Cal. Rptr. 918 (Cal. Ct. App. 1963) (abortion)
- People v. Pheaster*, 30 Cal. Rptr. 363 (Cal. Ct. App. 1963) (abortion)
- People v. MacEwing*, 30 Cal. Rptr. 476 (Cal. Ct. App. 1963) (abortion) (physician defendant)
- People v. Shead*, 30 Cal. Rptr. 580 (Cal. Ct. App. 1963) (abortion) (physician defendant)
- People v. Jackson*, 31 Cal. Rptr. 356 (Cal. Ct. App. 1963) (abortion, murder by illegal abortion) (physician defendant)
- People v. Flynn*, 31 Cal. Rptr. 651 (Cal. Ct. App. 1963) (abortion)
- People v. Singer*, 32 Cal. Rptr. 701 (Cal. Ct. App. 1963) (abortion) (physician defendant)
- People v. Reinhard*, 33 Cal. Rptr. 908 (Cal. Ct. App. 1963) (abortion) (physician defendant)
- People v. Chamberlin* 51 Cal. Rptr. 679 (Cal. Ct. App. 1966) (abortion)
- People v. Root*, 55 Cal. Rptr. 89 (Cal. Ct. App. 1966) (abortion)
- People v. Kramer*, 66 Cal. Rptr. 638 (Cal. Ct. App. 1968) (abortion) (physician defendant)
- People v. Marshall*. 78 Cal. Rptr. 16 (Cal. Ct. App. 1969) (manslaughter by illegal abortion)

## Colorado

- Daugherty v. People*, 1 Colo. 514 (1872) (abortion)
- Solander v. People*, 2 Colo. 48 (1873) (murder by illegal abortion)
- Johnson v. People*, 80 P. 133 (Colo. 1905) (abortion and murder by illegal abortion)
- Fitch v. People*, 100 P. 1132 (Colo. 1909) (abortion)

- Marmaduke v. People*, 101 P. 337 (Colo. 1909) (abortion)
- Ausmus v. People*, 107 P. 204 (Colo. 1910) (murder by illegal abortion)
- Hamilton v. People*, 165 P. 761 (Colo. 1917) (abortion) (physician defendant)
- Willis v. People*, 215 P. 854 (Colo. 1923) (murder by illegal abortion) (physician defendant)
- Max v. People*, 240 P. 697 (Colo. 1925) (murder by illegal abortion) (physician defendant)
- Duncan v. People*, 262 P. 918 (Colo. 1927) (murder by illegal abortion) (physician defendant)
- Cowles v. People*, 110 P.2d 249 (Colo. 1940) (murder by illegal abortion) (physician defendant)
- Bashford v. People*, 135 P.2d 516 (Colo. 1943) (abortion)
- Montgomery v. People*, 184 P.2d 480 (Colo. 1947) (abortion) (chiropractor defendant)
- Wolf v. People*, 187 P.2d 926 (Colo. 1947) (abortion) (one physician defendant, one chiropractor defendant)
- Wolf v. People*, 187 P.2d 928 (Colo. 1947) (abortion) (physician defendant)
- Ferguson v. People*, 192 P.2d 523 (Colo. 1948) (murder by illegal abortion)
- Hall v. People*, 201 P.2d 382 (Colo. 1948) (abortion) (chiropractor defendant)
- Stewart v. People*, 419 P.2d 650 (Colo. 1966) (abortion)
- Palmer v. State*, 424 P.2d 766 (Colo. 1967) (abortion)
- Caraway v. People*, 486 P.2d 17 (Colo. 1971) (abortion)

## Connecticut

- State v. Lee*, 37 A. 75 (Conn. 1897) (abortion)
- State v. Carey*, 56 A. 632 (Conn. 1904) (abortion)
- State v. Rankin*, 127 A. 916 (Conn. 1925) (abortion)
- State v. Yochelman*, 139 A. 632 (Conn. 1927) (manslaughter by illegal abortion)
- State v. Horwitz*, 142 A. 470 (Conn. 1928) (abortion)
- State v. Santoro*, 22 A.2d 793 (Conn. 1941) (abortion)
- State v. Orsini*, 232 A.2d 907 (Conn. 1967) (abortion)

## Delaware

- Zutz v. State*, 160 A.2d 727 (Del. 1960) (abortion) (defendant physician)

## Florida

- Eggart v. State*, 25 So. 144 (Fla. 1898) (abortion)
- Robertson v. State*, 60 So. 118 (Fla. 1912) (manslaughter by illegal abortion)
- McDonald v. State*, 70 So. 24 (Fla. 1915) (abortion)
- Graham v. State*, 16 So.2d 59 (Fla. 1943) (abortion)
- Urga v. State*, 20 So.2d 685 (Fla. 1944) (abortion)
- Weathers v. State*, 56 So. 2d 536 (Fla. 1952) (abortion)
- Sinnefia v. State*, 100 So.2d 837 (Fla. Dist. Ct. App. 1958) (manslaughter by illegal abortion)
- Nations v. State*, 145 So.2d 259 (Fla. Dist. Ct. App. 1962) (abortion)
- Urga v. State*, 155 So.2d 719 (Fla. Dist. Ct. App. 1963) (abortion)
- Carter v. State*, 155 So.2d 787 (Fla. 1963) (abortion) (chiropractor defendant)
- Cole v. State*, 156 So.2d 185 (Fla. Dist. Ct. App. 1963) (abortion) (physician defendant)
- Pessolino v. State*, 161 So.2d 237 (Fla. Dist. Ct. App. 1964) (abortion) (physician defendant)
- Pessolino, v. State*, 166 So.2d 706 (Fla. Dist. Ct. App. 1964) (abortion) (physician defendant)
- Carr v. State*, 174 So.3d 449 (Fla. Dist. Ct. App. 1965) (abortion)
- Jones v. State*, 234 So.3d 736 (Fla. Dist. Ct. App. 1970) (abortion)

## Georgia

- Sullivan v. State*, 48 S.E. 949 (Ga. 1904) (abortion)
- Barrow v. State*, 48 S.E. 950 (Ga. 1904) (abortion)
- Gullatt v. State*, 80 S.E. 340 (Ga. Ct. App. 1913) (abortion)
- Summerlin v. State*, 103 S.E. 830 (Ga. Ct. App. 1920) (manslaughter by illegal abortion)
- Hunter v. State*, 119 S.E. 704 (Ga. Ct. App. 1923) (abortion)
- Herndon v. State*, 142 S.E. 695 (Ga. Ct. App. 1928) (manslaughter by illegal abortion)
- Wilbanks v. State*, 152 S.E. 619 (Ga. Ct. App. 1930) (manslaughter by illegal abortion)
- Fields v. State*, 167 S.E. 337 (Ga. Ct. App. 1932) (abortion) (physician defendant)
- Guiffrida v. State*, 7 S.E.2d 34 (Ga. Ct. App. 1940) (abortion) (physician defendant)
- Soldaat v. State*, 57 S.E.2d 705 (Ga. Ct. App. 1950) (abortion)
- Biegun v. State*, 58 S.E.2d 149 (Ga. 1950) (murder by illegal abortion)

*Holloway v. State*, 82 S.E.2d 235 (Ga. Ct. App. 1954) (abortion)

*Persons v. State*, 91 S.E.2d 358 (Ga. Ct. App. 1956) (manslaughter by illegal abortion)

*White v. State*, 151 S.E.2d 832 (Ga. Ct. App. 1966) (manslaughter by illegal abortion)

*Scott v. State*, 176 S.E.2d 481 (Ga. Ct. App. 1970) (abortion)

*Griffin v. State*, 182 S.E.2d 498 (Ga. Ct. App. 1971) (abortion)

## Hawaii

*Territory v. Hart*, 35 Haw. 582 (1940) (abortion and manslaughter by illegal abortion)

*Territory v. Young*, 37 Haw. 150 (1945) (abortion) (physician defendant)

*Territory v. Young*, 37 Haw. 189 (1945) (abortion and murder by illegal abortion)  
(one physician defendant, one nurse defendant)

*Territory v. Decorian*, 38 Haw. 121 (1948) (abortion)

## Idaho

*State v. Alcorn*, 64 P. 1014 (Idaho 1901) (manslaughter by illegal abortion)  
(physician defendant)

*State v. Rose*, 267 P.2d 109 (Idaho 1954) (abortion)

## Illinois

*Holliday v. People*, 9 Ill. 110 (1847) (abortion)

*Armstrong v. People*, 37 Ill. 459 (1865) (abortion)

*Earll v. People*, 73 Ill. 329 (1874) (manslaughter by illegal abortion) (physician defendant)

*Beasley v. People*, 89 Ill. 571 (1878) (murder by illegal abortion)

*Earll v. People*, 99 Ill. 123 (1881) (abortion) (physician defendant)

*Scott v. People*, 30 N.E. 329 (Ill. 1892) (abortion)

*Cook v. People*, 52 N.E. 273 (Ill. 1898) (manslaughter by illegal abortion)

*Howard v. People*, 57 N.E. 441 (Ill. 1900) (manslaughter by illegal abortion)

*Hagenow v. People*, 59 N.E. 242 (Ill. 1900) (manslaughter by illegal abortion) (physician defendant)

*Clark v. People*, 79 N.E. 941 (Ill. 1906) (murder by illegal abortion)

*People v. Buettner*, 84 N.E.218 (Ill. 1908) (manslaughter by illegal abortion)  
(physician defendant)

- People v. Hagenow*, 86 N.E. 370 (Ill. 1908) (homicide by illegal abortion)
- People v. Dennis*, 92 N.E. 964 (Ill. 1910) (abortion)
- People v. Hotz*, 103 N.E. 1007 (Ill. 1913) (murder by illegal abortion)
- People v. Patrick*, 115 N.E. 390 (Ill. 1917) (abortion)
- People v. Carrico*, 142 N.E. 164 (Ill. 1923) (manslaughter by illegal abortion)  
(physician defendant)
- People v. Pigatti*, 145 N.E. 608 (Ill. 1924) (abortion)
- People v. Zwienczak*, 170 N.E. 303 (Ill. 1930) (murder by illegal abortion)
- People v. Heissler*, 170 N.E. 685 (Ill. 1930) (homicide by illegal abortion)
- People v. Stilson*, 174 N.E. 45 (Ill. 1930) (murder by illegal abortion) (physician defendant)
- People v. Rongetti*, 176 N.E. 298 (Ill. 1931) (manslaughter by illegal abortion)  
(physician defendant)
- People v. Ney*, 181 N.E. 595 (Ill. 1932) (murder by illegal abortion) (physician defendant)
- People v. Kreutzer*, 188 N.E. 422 (Ill. 1933) (manslaughter by illegal abortion)
- People v. Valentino*, 188 N.E. 825 (Ill. 1933) (murder by illegal abortion)
- People v. Mitchell*, 14 N.E.2d 216 (Ill. 1938) (manslaughter by illegal abortion)  
(physician defendant)
- People v. Schneider*, 19 N.E.2d 748 (Ill. 1939) (chiropractor defendant)
- People v. Schyman*, 29 N.E.2d 270 (Ill. 1940) (abortion) (physician defendant)
- People v. Martin*, 34 N.E.2d 845 (Ill. 1941) (murder by illegal abortion) (physician defendant)
- People v. Schaffner*, 46 N.E.2d 989 (Ill. 1943) (manslaughter by illegal abortion)  
(physician defendant)
- People v. Gleitsman*, 51 N.E.2d 261 (Ill. 1943) (murder by illegal abortion)  
(physician defendant)
- People v. Pavluk*, 54 N.E.2d 567 (Ill. 1944) (manslaughter by illegal abortion)  
(physician defendant)
- People v. Nathanson*, 59 N.E.2d 677 (Ill. 1945) (abortion) (physician defendant)
- People v. Young*, 75 N.E.2d 349 (Ill. 1947) (abortion) (physician defendant)
- People v. Khamis*, 103 N.E.2d 133 (Ill. 1951) (abortion) (physician defendant)
- People v. Tilley*, 104 N.E.2d 499 (Ill. 1952) (manslaughter by illegal abortion)
- People v. Kalpak*, 140 N.E.2d 726 (Ill. 1957) (abortion)
- People v. Heidman*, 144 N.E.2d 580 (Ill. 1957) (abortion)

*People v. Woods*, 180 N.E.2d 475 (Ill. 1962) (abortion)  
*People v. Sarelli*, 180 N.E.2d 722 (Ill. App. Ct. 1962) (abortion)  
*People v. Gomez*, 194 N.E.2d 299 (Ill. 1963) (abortion)  
*People v. Johndrow*, 218 N.E.2d 25 (Ill. App. Ct. 1966) (abortion)  
*People v. Babitsch*, 226 N.E.2d 469 (Ill. App. Ct. 1967) (abortion)  
*People v. Fulton*, 228 N.E.2d 203 (Ill. App. Ct. 1967) (abortion) (pharmacist defendant)  
*People v. Heidman*, 231 N.E.2d 457 (Ill. 1967) (abortion)  
*People v. Hoffmann*, 260 N.E.2d 351 (Ill. App. Ct. 1970) (abortion)  
*People v. West*, 262 N.E.2d 323 (Ill. App. Ct. 1970) (abortion)

## Indiana

*Carter v. State*, 2 Ind. 617 (1851) (abortion)  
*Hensley v. State*, 8 N.E. 692 (Ind. 1886) (abortion)  
*Hauk v. State*, 46 N.E. 127 (Ind. 1887) (abortion)  
*McCaughy v. State*, 59 N.E. 169 (Ind. 1901) (abortion)  
*Carter v. State*, 87 N.E. 1081 (Ind. 1909) (abortion)  
*Thain v. State*, 106 N.E. 690 (Ind. 1914) (abortion) (physician defendant)  
*Murphy v. State*, 110 N.E. 198 (1915) (abortion)  
*State v. Jackson*, 121 N.E. 114 (Ind. 1918) (abortion)  
*Hill v. State*, 141 N.E. 639 (Ind. 1923) (abortion) (physician defendant)  
*Pleak v. State*, 167 N.E. 524 (Ind. 1924) (abortion) (physician defendant)  
*Sharp v. State*, 19 N.E.2d 942 (Ind. 1939) (abortion) (physician defendant)  
*Waltermire v. State*, 59 N.E.2d 123 (Ind. 1945) (abortion) (physician defendant)  
*Greco v. State*, 120 N.E.2d 179 (Ind. 1954) (abortion) (physician defendant)  
*Specht v. State*, 163 N.E.2d 581 (Ind. 1960) (abortion)  
*Cheaney v. State*, 285 N.E.2d 265 (Ind. 1972) (abortion)

## Iowa

*State v. Moore*, 25 Iowa 128 (1868) (murder by illegal abortion) (physician defendant)  
*State v. Hollenbeck*, 36 Iowa 112 (1872) (abortion)

- State v. Thurman*, 24 N.W. 511 (Iowa 1885) (murder by illegal abortion)
- State v. Montgomery*, 33 N.W. 143 (Iowa 1887) (abortion)
- State v. Minard*, 65 N.W. 147 (Iowa 1895) (murder by illegal abortion)
- State v. Smith*, 68 N.W. 428 (Iowa 1896) (abortion) (physician defendant)
- State v. Crofford*, 110 N.W. 921 (Iowa 1907) (murder by illegal abortion) (physician defendant)
- State v. Stafford*, 123 N.W. 167 (Iowa 1909) (abortion)
- State v. Barrett*, 198 N.W. 36 (Iowa 1924) (abortion)
- State v. Rowley*, 198 N.W. 37 (Iowa 1924) (abortion)
- State v. Rowley*, 248 N.W. 350 (Iowa 1933) (abortion)
- State v. Anderson*, 33 N.W.2d 1 (Iowa 1948) (murder by illegal abortion) (physician defendant)
- State v. Snyder*, 59 N.W.2d 223 (Iowa 1953) (abortion) (physician defendant)
- State v. Abodeely*, 179 N.W.2d 347 (Iowa 1970) (abortion)

## Kansas

- State v. Watson*, 1 P. 770 (Kan. 1883) (abortion)
- State v. Kesner*, 82 P. 720 (Kan. 1905) (manslaughter by illegal abortion) (physician defendant)
- State v. Hatch*, 112 P. 149 (Kan. 1910) (abortion)
- State v. Harris*, 136 P. 264 (Kan. 1913) (manslaughter by illegal abortion)
- State v. Patterson*, 181 P. 609 (Kan. 1919) (manslaughter by illegal abortion)  
(physician defendant)
- State v. Nossaman*, 243 P. 326 (Kan. 1926) (manslaughter by illegal abortion)  
(physician defendant)
- State v. Brown*, 236 P.2d 59 (Kan. 1951) (manslaughter by illegal abortion)
- State v. Darling*, 493 P.2d 216 (Kan. 1972) (abortion)

## Kentucky

- Peoples v. Commonwealth*, 9 S.W. 509 (Ky. 1888) (manslaughter by illegal abortion)
- Fitch v. Commonwealth*, 165 S.W.2d 558 (Ky. 1942) (abortion) (physician defendant)
- Richardson v. Commonwealth*, 312 S.W.2d 47 (Ky. 1958) (abortion)
- Dalzell v. Commonwealth*, 312 S.W.2d 354 (Ky. 1958) (abortion)

*Bain v. Commonwealth*, 330 S.W.2d 400 (Ky, 1959) (abortion)

*Lewis v. Commonwealth*, 332 S.W.2d 656 (Ky, 1959) (abortion) (physician defendant)

*Brown v. Commonwealth*, 440 S.W.2d 520 (Ky, 1969) (abortion)

*Sasaki v. Commonwealth*, 485 S.W.2d 897 (Ky, 1972) (abortion) (physician defendant), *vacated and remanded*, 410 U.S. 951 (1973)

## Louisiana

*State v. Paillet*, 165 So.2d 294 (La. 1964) (abortion)

*State v. Sharp*, 182 So.2d 517 (La. 1966) (abortion)

*State v. Reese*, 194 So.2d 729 (La. 1967) (manslaughter by illegal abortion)

*State v. Pesson*, 235 So.2d 568 (La. 1970) (abortion)

*State v. Shirley*, 238 So.2d 676 (La. 1970) (abortion)

*State v. Scott*, 255 So.2d 736 (La. 1971) (abortion)

## Maine

*State v. Dyer*, 59 Me. 303 (1871) (abortion) (physician defendant)

*State v. Means*, 50 A. 30 (Me. 1901) (abortion)

*State v. Dore*, 119 A. 119 (Me. 1922) (manslaughter by illegal abortion)

*State v. Rudman*, 136 A. 817 (Me. 1927) (abortion) (physician defendant)

*State v. Alquist*, 34 A.2d 21 (Me. 1943) (abortion)

## Maryland

*Hays v. State*, 40 Md. 633 (1874) (abortion)

*Lamb v. State*, 7 A. 399 (Md. 1886) (abortion)

*Jones v. State*, 17 A.89 (Md. 1889) (abortion)

*Worthington v. State*, 48 A. 355 (Md. 1901) (manslaughter by illegal abortion) (physician defendant)

*Hawkins v. State*, 57 A. 27 (Md. 1904) (manslaughter by illegal abortion) (physician defendant)

*Damm v. State*, 97 A. 645 (Md. 1916) (manslaughter by illegal abortion) (physician defendant)

*Conaway v. State*, 118 A. 135 (Md. 1922) (abortion)

*Wilson v. State*, 26 A.2d 770 (Md. 1942) (abortion) (physician defendant)



- Meyerson v. State*, 28 A.2d 833 (Md. 1942) (abortion)
- Adams v. State*, 88 A.2d 556 (Md. 1952) (abortion) (one physician defendant, one nurse defendant and a third defendant)
- Auchincloss v. State*, 89 A.2d 605 (Md. 1952) (abortion)
- Hutson v. State*, 96 A.2d 593 (Md. 1953) (abortion)
- Basoff v. State*, 119 A.2d 917 (Md. 1956) (abortion)
- Humphries v. State*, 149 A.2d 23 (Md. 1959) (abortion)
- Roeder v. State*, 244 A.2d 895 (Md. Ct. Spec. App. 1968) (abortion)
- Vios v. State*, 246 A.2d 313 (Md. Ct. Spec. App. 1968) (abortion)
- Price v. State*, 254 A.2d 219 (Md. Ct. Spec. App. 1969) (abortion)
- Lashley v. State*, 268 A.2d 502 (Md. Ct. Spec. App. 1970) (abortion)
- Vuitch v. State*, 271 A.2d 371 (Md. Ct. Spec. App. 1970) (abortion) (physician defendant)

## Massachusetts

- Commonwealth v. Morrison*, 82 Mass. 224 (1860) (abortion)
- Commonwealth v. Sholes*, 95 Mass. 554 (1866) (abortion)
- Commonwealth v. Felch*, 132 Mass. 22 (1882) (abortion)
- Commonwealth v. Barros*, 56 N.E. 830 (Mass. 1900) (abortion)
- Commonwealth v. Hartford*, 79 N.E. 784 (Mass. 1907) (abortion)
- Commonwealth v. Turner*, 112 N.E. 864 (Mass. 1916) (abortion) (physician defendant)
- Commonwealth v. Cantor*, 149 N.E. 205 (Mass. 1925) (abortion)
- Commonwealth v. Leger*, 162 N.E. 337 (Mass. 1928) (abortion) (physician defendant)
- Commonwealth v. Morris*, 162 N.E. 362 (Mass. 1928) (abortion)
- Commonwealth v. Hamel*, 163 N.E. 168 (Mass. 1928) (abortion)
- Commonwealth v. Hebert*, 163 N.E. 189 (Mass. 1928) (abortion) (physician defendant)
- Commonwealth v. Donoghue*, 165 N.E. 413 (Mass. 1929) (abortion)
- Commonwealth v. Polian*, 193 N.E. 68 (Mass. 1934) (abortion) (pharmacist defendant)
- Commonwealth v. Wood*, 19 N.E.2d 320 (Mass. 1938) (abortion)
- Commonwealth v. Dawn*, 19 N.E.2d 315 (Mass. 1939) (abortion) (nurse defendant)

*Commonwealth v. Wheeler*, 53 N.E.2d 4 (Mass. 1944) (abortion) (physician defendant)  
*Commonwealth v. Hoff*, 53 N.E.2d 680 (Mass. 1944) (abortion) (physician defendant)  
*Commonwealth v. Hersey*, 85 N.E.2d 447 (Mass. 1949) (abortion) (physician defendant)  
*Commonwealth v. Viera*, 109 N.E.2d 171 (Mass. 1952) (abortion)  
*Commonwealth v. Aronson*, 115 N.E.2d 362 (Mass. 1952) (abortion) (physician defendant)  
*Commonwealth v. Goldenberg*, 155 N.E.2d 187 (Mass. 1959) (abortion)  
*Commonwealth v. Brunelle*, 171 N.E.2d 850 (Mass. 1961) (abortion) (physician defendant)  
*Commonwealth v. Brunelle*, 277 N.E.2d 826 (Mass. 1972) (abortion) (physician defendant)  
*Commonwealth v. Schaflander*, 279 N.E.2d 670 (Mass. 1972) (abortion)  
*Commonwealth v. Kudish*, 289 N.E.2d 856 (Mass. 1972) (abortion) (physician defendant)

## Michigan

*People v. McDowell*, 30 N.W. 68 (Mich, 1886) (manslaughter by illegal abortion)  
*People v. Hodge*, 104 N.W. 599 (Mich, 1905) (manslaughter by illegal abortion)  
*People v. Atwood*, 154 N.W. 112 (Mich, 1915) (manslaughter by illegal abortion)  
*People v. Fritch*, 178 N.W. 59 (Mich. 1920) (manslaughter by illegal abortion)  
 (physician defendant)  
*People v. LaPanne*, 237 N.W. 38 (Mich. 1931) (manslaughter by illegal abortion)  
*People v. Southwick*, 261 N.W. 320 (Mich, 1935) (manslaughter by illegal abortion)  
 (physician defendant)  
*People v. Bradfield*, 1 N.W.2d 550 (Mich, 1942) (manslaughter by illegal abortion)  
 (physician defendant)  
*People v. Robertson*, 3 N.W.2d 26 (Mich. 1942) (manslaughter by illegal abortion)  
*People v. Lewis*, 8 N.W.2d 917 (Mich. 1943) (manslaughter by illegal abortion)  
*People v. Heibel*, 9 N.W.2d 826 (Mich. 1943) (abortion)  
*People v. Jones*, 13 N.W.2d 201 (Mich. 1944) (abortion)  
*People v. Sinclair*, 42 N.W.2d 786 (Mich, 1950) (manslaughter by illegal abortion)  
*People v. Holcomb*, 103 N.W.2d 457 (Mich, 1960) (manslaughter by illegal abortion)  
 (physician defendant)  
*People v. Knox*, 111 N.W.2d 828 (Mich. 1961) (abortion) (physician defendant)  
*People v. Wellman*, 149 N.W.2d 908 (Mich. Ct. App. 1967) (abortion) (physician defendant)

*People v. Thomas*, 152 N.W.2d 166 (Mich. Ct. App. 1967) (abortion) (physician defendant)

*People v. Wolke*, 159 N.W.2d 882 (Mich. Ct. App. 1968) (abortion)

*People v. Hungate*, 183 N.W.2d 634 (Mich. 1970) (manslaughter by illegal abortion)

*People v. Bartello*, 192 N.W.2d 664 (Mich. Ct. App. 1971) (abortion)

*People v. Bricker*, 201 N.W.2d 647 (Mich. Ct. App. 1972) (abortion), *aff'd*, 208 N.W.2d 172 (Mich, 1973)

## Minnesota

*State v. Owens*, 22 Minn. 238 (1875) (abortion)

*State v. Pearce*, 57 N.W. 652 (Minn. 1893) (manslaughter by illegal abortion)  
(physician defendant)

*State v. Bly*, 108 N.W. 833 (Minn. 1906) (abortion) (physician defendant)

*State v. Mueller*, 141 N.W. 1113 (Minn. 1913) (manslaughter by illegal abortion)  
(physician defendant)

*State v. Hunter*, 154 N.W. 1083 (Minn. 1915) (manslaughter by illegal abortion)  
(physician defendant)

*State v. Newell*, 159 N.W. 829 (Minn. 1916) (manslaughter by illegal abortion)

*State v. Hatch*, 164 N.W. 1017 (Minn. 1917) (manslaughter by illegal abortion)  
(physician defendant)

*State v. Baker*, 200 N.W. 815 (Minn. 1924) (manslaughter by illegal abortion)

*State v. Doty*, 208 N.W. 760 (Minn.1926) (manslaughter by illegal abortion)

*State v. French*, 210 N.W. 45 (Minn. 1926) (manslaughter by illegal abortion)  
(physician defendant)

*State v. Hecklin*, 225 N.W. 925 (Minn. 1929) (abortion)

*State v. Zabrocki*, 260 N.W. 507 (Minn. 1935) (manslaughter by illegal abortion)

*State v. Lemke*, 290 N.W. 307 (Minn. 1940) (manslaughter by illegal abortion)  
(physician defendant)

*State v. Brown*, 296 N.W. 582 (Minn. 1941) (manslaughter by illegal abortion)

*State v. Tennyson*, 2 N.W.2d 833 (Minn. 1942) (abortion)

## Mississippi

*Johnson v. State*, 23 So.2d 499 (Miss. 1945) (manslaughter by illegal abortion)

*Lackey v. State*, 60 So.2d 503 (Miss. 1952) (manslaughter by illegal abortion)

*Phillips v. State*, 123 So.2d 449 (Miss. 1960) (abortion)

*Spears v. State*, 257 So.2d 876 (Miss. 1972) (abortion)

## Missouri

*State v. Fitzporter*, 16 Mo. App. 282 (1884) (abortion)

*State v. Fitzporter*, 17 Mo. App. 271 (1885) (abortion)

*State v. Morehead*, 17 Mo. App. 328 (1885) (abortion) (physician defendant)

*State v. Edmonson*, 33 S.W. 17 (Mo. 1895) (manslaughter by illegal abortion)

*State v. McLeod*, 37 S.W. 828 (Mo. 1896) (manslaughter by illegal abortion)

*State v. Dean*, 85 Mo. App. 473 (1900) (abortion)

*State v. Hogan*, 100 S.W. 528 (Mo. Ct. App. 1907) (abortion)

*State v. Casto*, 132 S.W. 1115 (Mo. 1910) (abortion)

*State v. Gow*, 138 S.W. 648 (Mo. 1911) (abortion)

*State v. Aithen*, 144 S.W. 499 (Mo. 1912) (manslaughter by illegal abortion)

*State v. Bickel*, 177 S.W. 310 (Mo. 1915) (manslaughter by illegal abortion)

*State v. Carryer*, 180 S.W. 850 (Mo. 1915) (abortion)

*State v. Hawkins*, 210 S.W. 4 (Mo. 1919) (abortion) (physician defendant)

*State v. Steele*, 217 S.W. 80 (Mo. 1919) (abortion)

*State v. Johnson*, 246 S.W. 894 (Mo. 1922) (abortion) (physician defendant)

*State v. Anderson*, 250 S.W. 68 (Mo. 1923) (manslaughter by illegal abortion)  
(physician defendant)

*State v. Harmon*, 278 S.W. 733 (Mo. 1925) (abortion) (physician defendant)

*State v. Anderson*, 34 S.W.2d 25 (Mo. 1930) (manslaughter by illegal abortion)  
(physician defendant)

*State v. Futrell*, 46 S.W.2d 588 (Mo. 1931) (abortion) (physician defendant)

*State v. Ryan*, 50 S.W.2d 999 (Mo. 1932) (manslaughter by illegal abortion)  
(physician defendant)

*State v. Hyatt*, 71 S.W.2d 711 (Mo. 1934) (manslaughter by illegal abortion)  
(physician defendant)

*State v. Baker*, 143 S.W.2d 244 (Mo. 1940) (abortion)

*State v. Duppre*, 147 S.W.2d 419 (Mo. 1940) (manslaughter by illegal abortion)

- State v. Gunther*, 169 S.W.2d 404 (Mo. 1943) (manslaughter by illegal abortion)
- State v. Fitzgerald*, 174 S.W.2d 211 (Mo. 1943) (abortion) (chiropractor defendant)
- State v. Seddon*, 208 S.W.2d 212 (Mo. 1948) (abortion)
- State v. Miller*, 261 S.W.2d 103 (Mo. 1953) (abortion)
- State v. Hacker*, 291 S.W.2d 155 (Mo. 1956) (abortion)
- State v. Stillman* 301 S.W.2d 886 (Mo. 1957) (abortion)
- State v. Stillman*, 310 S.W.2d 830 (Mo. 1957) (abortion)
- State v. Scown*, 312 S.W.2d 782 (Mo. 1958) (abortion)
- State v. Werbin*, 345 S.W.2d 103 (Mo. 1961) (manslaughter by illegal abortion)  
(physician defendant)
- State v. Siekermann*, 367 S.W.2d 643 (Mo. 1963) (abortion)
- State v. Robinson*, 420 S.W.2d 272 (Mo. 1967) (abortion) (physician defendant)
- State v. Steele*, 445 S.W.2d 636 (Mo. 1969) (abortion)
- State v. Mucie*, 448 S.W.2d 879 (Mo. 1970) (manslaughter by illegal abortion)  
(physician defendant)

## *Montana*

*No reported cases affirming a conviction for abortion or an abortion related offense*

## *Nebraska*

- Dixon v. State*, 64 N.W. 861 (Neb. 1895) (abortion)
- Edwards v. State*, 112 N.W. (Neb. 1907) (homicide by illegal abortion)
- Johnson v. State*, 129 N.W. 281 (Neb. 1911) (abortion)
- Fields v. State*, 185 N.W. 400 (Neb. 1921) (abortion) (physician defendant)
- Mathews v. State*, 197 N.W. 602 (Neb. 1924) (abortion) (physician defendant)
- Edwards v. State*, 204 N.W. 780 (Neb. 1925) (abortion and homicide by illegal abortion)  
(physician defendant)
- Rice v. State*, 234 N.W. 566 (Neb. 1931) (abortion)
- Piercey v. State*, 293 N.W. 99 (Neb. 1940) (abortion) (physician defendant)

## Nevada

*State v. Elges*, 251 P.2d 590 (Nev. 1953) (abortion) (physician defendant)

*Wyatt v. State*, 367 P.2d 104 (Nev. 1961) (abortion) (physician defendant)

*Adams v. State*, 407 P.2d 169 (Nev. 1965) (abortion)

## New Hampshire

*State v. Wood*, 53 N.H. 484 (1873) (murder by illegal abortion) (physician defendant)

## New Jersey

*State v. Murphy*, 27 N.J.L. 112 (N.J. 1858) (abortion)

*State v. Hyer*, 39 N.J.L. 598 (N.J. 1877) (abortion)

*Engle v. State*, 13 A. 604 (N.J. 1887) (abortion)

*State v. Meyer*, 47 A. 486 (N.J. 1900) (abortion) (physician defendant)

*State v. Barnes*, 68 A. 145 (N.J. 1907) (abortion)

*State v. Fletcher*, 72 A. 33 (N.J. 1908) (abortion) (physician defendant)

*State v. Wilson*, 75 A. 776 (N.J. 1909) (abortion) (physician defendant)

*State v. Loomis*, 97 A. 896 (N.J. 1916) (abortion) (physician defendant)

*State v. Riccio*, 100 A. 187 (N.J. 1917) (abortion)

*State v. Fletcher*, 101 A. 181 (N.J. 1917) (abortion)

*State v. Kaskevich*, 118 A. 701 (N.J. 1922) (abortion) (physician defendant)

*State v. Bricker*, 118 A. 747 (N.J. 1922) (abortion) (physician defendant)

*State v. Bricker*, 123 A. 297 (N.J. 1924) (abortion) (physician defendant)

*State v. Gardkowski*, 140 A. 249 (N.J. 1927) (abortion)

*State v. Edwards*, 152 A. 452 (N.J. 1930) (abortion)

*State v. Corson*, 157 A. 103 (N.J. 1931) (abortion)

*State v. Parks*, 189 A. 384 (N.J. 1936) (abortion) (physician defendant)

*State v. McFadden*, 24 A.2d 520 (N.J. 1942) (abortion)

*State v. Weiss*, 31 A.2d 848 (N.J. 1943) (abortion)

*State v. Jaworksi*, 34 A.2d 412 (N.J. 1943) (abortion)

*State v. Lisena*, 34 A.2d 737 (N.J. 1943) (abortion)

- State v. Sturchio*, 36 A.2d 301 (N.J. 1944) (abortion) (physician defendant)
- State v. King*, 44 A.2d 901 (N.J. 1945) (abortion)
- State v. Dillingham*, 46 A.2d 813 (N.J. 1946) (abortion)
- State v. Boyd*, 57 A.2d 521 (N.J. 1947) (abortion)
- State v. Brandenburg*, 58 A.2d 709 (N.J. 1947) (abortion) (physician defendant)
- State v. Ellrich*, 89 A.2d 685 (N.J. 1952) (abortion) (physician defendant)
- State v. Pometti*, 97 A.2d 399 (N.J. 1953) (abortion)
- State v. Novak*, 125 A.2d 521 (N.J. 1956) (abortion)
- State v. Sudol*, 129 A.2d 29 (N.J. Super. 1957) (abortion)
- State v. Colmer*, 132 A.2d 325 (N.J. Super. 1957) (abortion) (physician defendant)
- State v. Doyle*, 200 A.2d 606 (N.J. 1964) (abortion) (physician defendant)
- State v. Moretti*, 244 A.2d 499 (N.J. 1968) (abortion) (physician defendant)
- State v. Raymond*, 273 A.2d 399 (N.J. Super. 1971) (abortion)
- State v. Haren*, 307 A.2d 644 (N.J. Super. 1973) (abortion)
- State v. Norfleet*, 337 A.2d 609 (N.J. 1975) (abortion)

## *New Mexico*

- State v. Grissom*, 298 P. 666 (N.M. 1930) (abortion) (dentist defendant)
- State v. Lewis*, 12 P.2d 849 (N.M. 1932) (abortion) (physician defendant)
- State v. Morris*, 365 P.2d 668 (N.M. 1964) (abortion)
- State v. Gutierrez*, 408 P.2d 503 (N.M. 1965) (abortion)

## *New York*

- Lohman v. People*, 1 N.Y. 379 (1848) (abortion)
- Dunn v. People*, 29 N.Y. 523 (1864) (abortion)
- Mongeon v. People*, 55 N.Y. 613 (1874) (manslaughter by illegal abortion)
- Weed v. People*, 56 N.Y. 628 (1874) (abortion)
- Hawker v. People*, 75 N.Y. 487 (1878) (abortion)
- Eckhardt v. People*, 83 N.Y. 462 (1881) (abortion)
- People v. Vedder*, 98 N.Y. 630 (1885) (abortion)

- People v. Bliven*, 19 N.E. 638 (N.Y. 1889) (abortion)
- People v. Conrad*, 74 N.E. 1122 (N.Y. 1905) (abortion)
- People v. Weick*, 107 N.Y.S. 968 (N.Y. App. Div. 1908) (manslaughter by illegal abortion)
- People v. Wagar*, 84 N.E. 1117 (N.Y. 1908) (abortion)
- People v. Blinn*, 90 N.E. 1163 (N.Y. 1909) (abortion)
- People v. Curtis*, 136 N.Y.S.2d 582 (N.Y. App. Div. 1912) (abortion)
- People v. Papp*, 150 N.Y.S. 1102 (N.Y. App. Div. 1914) (abortion)
- People v. Miller*, 129 N.E. 910 (N.Y. 1920) (abortion)
- People v. Hammer*, 134 N.E. 573 (1921) (manslaughter by illegal abortion)  
(physician defendant)
- People v. Williams*, 23 N.Y.S.2d 487 (N.Y. App. Div. 1940) (manslaughter by illegal abortion,  
abortion)
- People v. Blank*, 29 N.E.2d 73 (N.Y. 1940) (abortion) (physician defendants)
- People v. Nisonoff*, 45 N.Y.S.2d 854 (N.Y. App. Div. 1944) (manslaughter by illegal abortion)  
(physician defendants)
- People v. Leventhal*, 66 N.E.2d 126 (N.Y. 1946) (abortion)
- People v. Hodsgon*, 74 N.E.2d 482 (N.Y. 1947) (abortion)
- People v. Singer*, 89 N.E.2d 710 (N.Y. 1949) (manslaughter by illegal abortion, abortion)  
(physician defendant)
- People v. Sorge*, 94 N.Y.S.2d 267 (N.Y. App. Div. 1950) (abortion)
- People v. Davis*, 105 N.Y.S.2d 986 (N.Y. App. Div. 1951) (abortion)
- People v. Maschietto*, 130 N.Y.S.2d 828 (N.Y. App. Div. 1954) (abortion)
- People v. Kempf*, 48 N.Y.S.2d 319 (N.Y. App. Div. 1956) (abortion)
- People v. Munoz*, 202 N.Y.S.2d 742 (N.Y. App. Div. 1960) (manslaughter by illegal abortion)
- People v. Kelly*, 204 N.Y.S.2d 127 (N.Y. App. Div. 1960) (abortion)
- People v. Hovnanian*, 228 N.Y.S. 771 (N.Y. App. Div. 1962) (manslaughter by illegal abortion)
- People v. Settini*, 191 N.E.2d 678 (N.Y. 1963) (abortion)
- People v. Halio*, 195 N.E.2d 895 (N.Y. 1963) (abortion)
- People v. Davis*, 222 N.E.2d 734 (N.Y. 1966) (abortion)
- People v. Mendez*, 268 N.E.2d 778 (N.Y. 1971) (abortion)
- People v. Perel*, 315 N.E.2d 452 (N.Y. 1974) (abortion)



## North Carolina

- State v. Slagle*, 83 N.C. 630 (1880) (abortion)
- State v. Mills*, 21 S.E. 106 (N.C. 1895) (murder by illegal abortion)
- State v. Crews*, 38 S.E. 293 (N.C. 1901) (abortion)
- State v. Shaft*, 81 S.E. 932 (N.C. 1914) (abortion)
- State v. Summers*, 82 S.E. 328 (N.C. 1917) (manslaughter by illegal abortion)  
(physician defendant)
- State v. Brady*, 99 S.E. 7 (N.C. 1919) (abortion)
- State v. Powell*, 106 S.E. 133 (N.C. 1921) (abortion)
- State v. Martin*, 109 S.E. 74 (N.C. 1921) (abortion)
- State v. Russell*, 117 S.E. 807 (N.C. 1923) (abortion)
- State v. Gurkhas*, 143 S.E. 208 (N.C. 1928) (abortion)
- State v. Layton*, 169 S.E. 650 (N.C. 1933) (murder by illegal abortion)
- State v. Evans*, 190 S.E. 724 (N.C. 1937) (abortion)
- State v. Baker*, 193 S.E. 22 (N.C. 1937) (abortion)
- State v. Thompson*, 4 S.E.2d 615 (N.C. 1939) (abortion)
- State v. Manning*, 33 S.E.2d 239 (N.C. 1945) (abortion)
- State v. Gardner*, 40 S.E.2d 415 (N.C. 1946) (murder by illegal abortion) (physician defendant)
- State v. Farley*, 95 S.E.2d 448 (N.C. 1956) (abortion)
- State v. Lee*, 103 S.E.2d 295 (N.C. 1958) (abortion) (physician defendant)
- State v. Hoover*, 113 S.E.2d 281 (N.C. 1960) (abortion)
- State v. Stroud*, 119 S.E.2d 907 (N.C. 1961) (manslaughter by illegal abortion)
- State v. Mitchner*, 124 S.E.2d 831 (N.C. 1962) (manslaughter by illegal abortion)
- State v. Brooks*, 148 S.E.2d 263 (N.C. 1966) (abortion)
- State v. Coleman*, 193 S.E.2d 395 (N.C. Ct. App. 1972) (abortion)

## North Dakota

- State v. Longstreth*, 121 N.W. 1114 (N.D. 1909) (abortion) (physician defendant)
- State v. Moeller*, 138 N.W. 981 (N.D. 1912) (murder by illegal abortion)
- State v. Reilly*, 141 N.W. 720 (N.D. 1913) (murder by illegal abortion) (physician defendant)

*State v. Shortridge*, 211 N.W. 336 (N.D. 1926) (murder by illegal abortion)  
(physician defendant)

*State v. Dimmick*, 296 N.W. 146 (N.D. 1941) (abortion) (physician defendant)

## Ohio

*Wilson v. State*, 2 Ohio St. 319 (1853) (abortion)

*Tabler v. State*, 34 Ohio St. 127 (1877) (abortion)

*Waite v. State*, 4 Ohio App. 451 (1915) (abortion)

*Bridge v. State*, 1912 Ohio Misc. LEXIS 302, *aff'd*, 87 Ohio St. 464 (1912) (abortion)

*State v. Lehr*, 119 N.E. 730 (Ohio 1918) (abortion)

*Schneider v. State*, 1922 Ohio Misc. LEXIS 203 (Ohio Ct. App.) (abortion)

*Schunn v. State*, 1923 Ohio Misc. LEXIS 1559 (Ohio Ct. App.) (abortion)

*Gaskins v. State*, 160 N.E. 500 (Ohio Ct. App. 1927) (abortion) (physician defendant)

*Clyne v. State*, 174 N.E. 767 (Ohio 1931) (abortion)

*State v. Jones*, 70 N.E.2d 913 (Ohio Ct. App. 1946) (abortion) (physician defendant)

*State v. Coran*, 94 N.E.2d 562 (Ohio Ct. App. 1948) (abortion)

*State v. Andlauer*, 131 N.E.2d 672 (Ohio Ct. App. 1955) (abortion) (physician defendant)

*State v. Brown* 137 N.E.2d 609 (Ohio Ct. App. 1955) (abortion)

*State v. Allgood*, 171 N.E.2d 186 (Ohio 1959) (abortion) (physician defendant)

## Oklahoma

*Greenwood v. State*, 105 P. 371 (Okla. Crim. App. 1909) (abortion)

*Chandler v. State*, 105 P. 375 (Okla. Crim. App. 1909) (abortion)

*Copus v. State*, 224 P. 364 (Okla. Crim. App. 1924) (manslaughter by illegal abortion)  
(dentist defendant)

*Davis v. State*, 234 P. 787 (Okla. Crim. App. 1925) (murder by illegal abortion)  
(physician defendant)

*Wilson v. State*, 252 P. 1106 (Okla. Crim. App. 1927) (abortion) (physician defendant)

*Adams v. State*, 21 P.2d 1075 (Okla. Crim. App. 1933) (abortion)

*Thacker v. State*, 26 P.2d 770 (Okla. Crim. App. 1933) (murder by illegal abortion)  
(physician defendant)

*Smith v. State*, 175 P.2d 348 (Okla. Crim. App. 1946) (manslaughter by illegal abortion)

*Cahill v. State*, 178 P.2d 657 (Okla. Crim. App. 1947) (abortion)

## Oregon

*State v. Glass*, 5 Or. 73 (1873) (manslaughter by illegal abortion) (physician defendant)

*State v. Atwood*, 104 P. 195 (Ore. 1909) (abortion)

*State v. Auslund*, 167 P. 1019 (Ore. 1917) (manslaughter by illegal abortion)  
(physician defendant)

*State v. Bertschinger*, 177 P. 63 (Ore. 1919) (manslaughter by illegal abortion)

*State v. Jeannet*, 192 P.2d 983 (Ore. 1948) (manslaughter by illegal abortion)  
(physician defendant)

*State v. Elliott*, 289 P.2d 1075 (Ore. 1955) (manslaughter by illegal abortion)  
(chiropractor defendant)

*State v. Buck*, 398 P.2d 171 (Or. 1965) (manslaughter by illegal abortion) (physician defendant)

*State v. Barnett*, 433 P.2d 1019 (Or. 1967) (manslaughter by illegal abortion)

*State v. Beeson*, 434 P.2d 460 (Ore. 1967) (manslaughter by illegal abortion)

*State v. Barnett*, 437 P.2d 821 (Or. 1967) (manslaughter of unborn child by illegal abortion)

*State v. Sinclair*, 454 P.2d 858 (Or. 1969) (manslaughter by illegal abortion)

*State v. Schulman*, 485 P.2d 1252 (Or. Ct. App. 1971) (abortion)

## Pennsylvania

*Mills v. Commonwealth*, 13 Pa. 634 (1850) (abortion)

*Cox v. Commonwealth*, 17 A. 227 (Pa. 1889) (abortion) (physician defendant)

*Commonwealth v. Rosenberry*, 3 Pa. Super 408 (1897) (abortion)

*Commonwealth v. Page*, 6 Pa. Super. 220 (1897) (abortion)

*Commonwealth v. Mitchell*, 6 Pa. Super 369 (1898) (abortion) (physician defendant)

*Commonwealth v. Keene*, 7 Pa. Super 293 (1898) (abortion) (physician defendant)

*Commonwealth v. Winkelman*, 12 Pa. Super. 497 (1900) (homicide by illegal abortion)

*Commonwealth v. Haun*, 27 Pa. Super 33 (1904) (abortion)

*Commonwealth v. Penrose*, 27 Pa. Super 101 (1905) (abortion) (physician defendant)

*Commonwealth v. Bartholomew* 35 Pa. Super. 114 (1907) (abortion)

- Commonwealth v. Weaver*, 61 Pa. Super. 571 (1915) (abortion)
- Commonwealth v. Kline*, 66 Pa. Super. 285 (1917) (abortion) (physician defendant)
- Commonwealth v. Bricker*, 74 Pa. Super. 234 (1920) (abortion) (defendant physician)
- Commonwealth v. Longwell*, 79 Pa. Super. 68 (1922) (abortion)
- Commonwealth v. Heffelfinger*, 82 Pa. Super. 351 (1923) (abortion)
- Commonwealth v. Thomas*, 94 Pa. Super. 353 (1928) (abortion)
- Commonwealth v. Kelsea*, 157 A. 42 (Pa. Super. Ct. 1931) (abortion) (physician defendant)
- Commonwealth v. Felgoise*, 194 A. 751 (Pa. Super. Ct. 1937) (abortion) (physician defendant)
- Commonwealth v. Trombetta*, 200 A. 107 (Pa. Super. 1938) (abortion)
- Commonwealth v. Weigand*, 5 A.2d 385 (Pa. Super. Ct. 1939) (abortion)
- Commonwealth v. Meyers*, 22 A.2d 81 (Pa. Super Ct. 1941) (abortion)
- Commonwealth v. Kazmierowski*, 24 A.2d 653 (Pa. Super. Ct. 1942) (abortion)  
(physician defendant)
- Commonwealth v. Spanos*, 34 A.2d 902 (Pa. Super. Ct. 1943) (abortion) (physician defendant)
- Commonwealth v. Thomas*, 49 A.2d 413 (Pa. Super. Ct. 1946) (abortion) (physician defendant)
- Commonwealth v. Campbell*, 174 A.2d 324 (Pa. Super. Ct. 1961) (abortion)  
(physician defendant)
- Commonwealth v. Fisher*, 203 A.2d 364 (Pa. Super. Ct. 1964) (abortion)
- Commonwealth v. Slomanson*, 214 A.2d 519 (Pa. Super. Ct. 1965) (abortion)
- Commonwealth v. Ross*, 241 A.2d 353 (Pa. Super Ct. 1968) (abortion)

### *Rhode Island*

- State v. Sousa*, 110 A. 603 (R.I. 1920) (abortion)
- State v. Durkee*, 26 A.2d 604 (R.I. 1942) (abortion)
- State v. Lorenzo*, 48 A.2d 407 (R.I. 1946) (abortion) (chiropractor defendant)
- State v. Lee*, 78 A.2d 793 (R.I. 1951) (abortion)

### *South Carolina*

- State v. Morrow*, 18 S.E. 853 (S.C. 1893) (abortion)
- State v. Sharpe*, 135 S.E.2d 635 (S.C. 1926) (abortion)

*State v. Parsons*, 172 S.E. 424 (S.C. 1934) (abortion)

*State v. Evans*, 25 S.E.2d 492 (S.C. 1943) (abortion)

*State v. Steadman*, 59 S.E.2d 168 (S.C. 1950) (abortion)

*State v. Wells*, 153 S.E.2d 904 (S.C. 1967) (abortion)

## South Dakota

*State v. Hanson*, 220 N.W. 518 (S.D. 1928) (abortion)

## Tennessee

*Miller v. State*, 225 S.W.2d 62 (Tenn. 1949) (abortion)

*Suggs v. State*, 258 S.W.2d 747 (Tenn. 1953) (abortion)

*Leek v. State*, 392 S.W.2d 456 (Tenn. 1965) (abortion)

*Williams v. State*, 403 S.W.2d 319 (Tenn. 1966) (abortion)

*Webster v. State*, 425 S.W.2d 799 (Tenn. Ct. Crim App. 1967) (abortion)

*Houser v. State*, 472 S.W.2d 747 (Tenn. Ct. Crim. App. 1971) (abortion)

## Texas

*Willingham v. State*, 25 S.W. 424 (Tex. Crim. App. 1894) (abortion)

*Cave v. State*, 26 S.W. 503 (1894) (abortion)

*Moore v. State*, 40 S.W. 287 (Tex. Crim. App. 1897) (abortion)

*Hunter v. State*, 41 S.W. 602 (Tex. Crim. App. 1897) (abortion)

*Reum v. State*, 90 S.W. 1109 (Tex. Crim. App. 1905) (abortion) (physician defendant)

*Link v. State*, 164 S.W. 987 (Tex. Crim. App. 1914) (abortion) (physician defendant)

*Shaw v. State*, 165 S.W. 930 (Tex. Crim. App. 1914) (abortion)

*Fondren v. State*, 169 S.W. 411 (Tex. Crim. App. 1914) (abortion)

*Gray v. State*, 178 S.W. 337 (Tex. Crim. App. 1915) (abortion)

*Hunter v. State*, 196 S.W. 820 (Tex. Crim. App. 1917) (abortion)

*Hammitt v. State*, 209 S.W. 661 (Tex. Crim. App. 1919) (abortion)

*Earnest v. State*, 224 S.W. 777 (Tex. Crim. App. 1920) (abortion) (physician defendant)

*Jordan v. State*, 92 S.W.2d 1024 (Tex. Crim. App. 1936) (abortion)

- Bristow v. State*, 128 S.W.2d 818 (Tex. Crim. App. 1939) (abortion)
- Pearson v. State*, 165 S.W.2d 725 (Tex. Crim. App. 1942) (abortion)
- Housman v. State*, 230 S.W.2d 541 (Tex. Crim. App. 1950) (abortion)
- Jarquín v. State*, 232 S.W.2d 736 (Tex. Crim. App. 1950) (abortion)
- Nelson v. State*, 257 S.W.2d 306 (Tex. Crim. App. 1952) (abortion)
- Welch v. State*, 264 S.W.2d 100 (Tex. Crim. App. 1953) (abortion)
- Mayberry v. State*, 271 S.W.2d 635 (Tex. Crim. App. 1954) (abortion)
- Cortez v. State*, 275 S.W.2d 123 (Tex. Crim. App. 1954) (abortion) (physician defendant)
- Owens v. State*, 283 S.W.2d 749 (Tex. Crim. App. 1955) (abortion)
- Redman v. State*, 287 S.W.2d 676 (Tex. Crim. App. 1955) (murder by illegal abortion)
- Romero v. State*, 308 S.W.2d 49 (Tex. Crim. App. 1957) (abortion)
- Parnell v. State*, 312 S.W.2d 506 (Tex. Crim. App. 1958) (abortion)
- Veevers v. State*, 354 S.W.2d 161 (Tex. Crim. App. 1962) (abortion)
- Fletcher v. State*, 362 S.W.2d 845 (Tex. Crim. App. 1962) (abortion)
- Thompson v. State*, 493 S.W.2d 913 (Tex. Crim. App. 1971) (abortion) (physician defendant),  
vacated and remanded, 410 U.S. 950 (1973)

## Utah

- State v. McCoy*, 49 P. 420 (Utah 1897) (abortion) (physician defendant)

## Vermont

- State v. Howard*, 32 Vt. 380 (1859) (abortion) (physician defendant)
- State v. Ryder*, 68 A. 652 (Vt. 1907) (abortion) (physician defendant)
- State v. Bolton*, 102 A. 489 (Vt. 1917) (abortion) (physician defendant)
- State v. Marini*, 170 A. 110 (Vt. 1934) (abortion) (physician defendant)

## Virginia

- Coffman v. Commonwealth*, 50 S.E.2d 431 (Va. 1948) (abortion)
- Anderson v. Commonwealth*, 58 S.E.2d 72 (Va. 1950) (abortion) (physician defendant)
- Mendoza v. Commonwealth*, 103 S.E.2d 1 (Va. 1958) (abortion)
- Russo v. Commonwealth*, 148 S.E.2d 820 (Va. 1966) (abortion) (physician defendant)

## Washington

- State v. Power*, 63 P. 1112 (Wash. 1901) (manslaughter by illegal abortion)  
(physician defendant)
- State v. Stapp*, 118 P. 337 (Wash. 1911) (abortion) (physician defendant)
- State v. Macleod*, 138 P. 649 (Wash. 1914) (manslaughter by illegal abortion)  
(physician defendant)
- State v. Gaul*, 152 P. 1029 (Wash. 1915) (abortion)
- State v. Russell*, 156 P. 565 (Wash. 1916) (abortion)
- State v. Powers*, 283 P. 439 (Wash. 1929) (abortion) (physician defendant)
- State v. Bengston*, 292 P. 1107 (Wash. 1930) (abortion)
- State v. Martin*, 34 P.2d 914 (Wash. 1934) (abortion, manslaughter by illegal abortion)  
(physician defendant)
- State v. Cox*, 84 P.2d 357 (Wash. 1938) (abortion) (physician defendant)
- State v. De Gaston*, 104 P.2d 756 (Wash. 1940) (abortion)
- State v. Payne*, 171 P.2d 227 (Wash. 1946) (manslaughter by illegal abortion)  
(physician defendant)
- State v. Hart*, 175 P.2d 944 (Wash. 1946) (manslaughter by illegal abortion)  
(physician defendant)
- State v. Bates*, 324 P.2d 810 (Wash. 1958) (abortion)
- State v. Goddard*, 351 P.2d 159 (Wash. 1960) (abortion)
- State v. Craig*, 367 P.2d 617 (Wash. 1961) (abortion)
- State v. Craig*, 430 P.2d 560 (Wash. 1966) (abortion)
- State v. Wright*, 444 P.2d 676 (Wash. 1968) (abortion)
- State v. Goddard*, 447 P.2d 180 (Wash. 1968) (abortion)

## West Virginia

- State v. Lilly*, 35 S.E. 837 (W. Va. 1900) (abortion)
- State v. Lewis*, 57 S.E.2d 513 (W.Va. 1949) (murder by illegal abortion) (physician defendant)
- State v. Evans*, 66 S.E.2d 545 (W.Va. 1951) (abortion) (physician defendant)

## Wisconsin

- State v. Dickinson*, 41 Wis. 299 (1877) (manslaughter by illegal abortion)

*Hatchard v. State*, 48 N.W. 380 (Wis. 1891) (manslaughter by illegal abortion)  
*State v. Law*, 136 N.W. 803 (Wis. 1912) (abortion) (physician defendant)  
*Rodermund v. State*, 168 N.W. 390 (Wis. 1918) (abortion) (physician defendant)  
*Hunter v. State*, 192 N.W. 984 (Wis. 1923) (abortion)  
*Werner v. State*, 206 N.W. 898 (Wis. 1926) (abortion) (physician defendant)  
*State v. Walters*, 225 N.W. 167 (Wis. 1929) (manslaughter by illegal abortion)  
*Bonich v. State*, 232 N.W. 873 (Wis. 1930) (abortion)  
*Parke v. State*, 235 N.W. 775 (Wis. 1931) (abortion) (physician defendant)  
*State v. Henderson*, 274 N.W. 266 (Wis. 1937) (abortion) (physician defendant)  
*Kraut v. State*, 280 N.W. 327 (Wis. 1938) (manslaughter by illegal abortion)  
(physician defendant)  
*Schlesak v. State*, 287 N.W. 703 (Wis. 1939) (manslaughter by illegal abortion)  
*State v. Timm*, 12 N.W.2d 670 (Wis. 1944) (manslaughter by illegal abortion)  
(physician defendant)  
*State v. Ketchum*, 56 N.W.2d 531 (Wis. 1952) (murder by illegal abortion)  
*State v. Cohen*, 142 N.W.2d 161 (Wis. 1966) (abortion) (physician defendant)  
*State v. Harling*, 170 N.W.2d 720 (Wis. 1969) (abortion)

## Wyoming

*No reported cases affirming a conviction for abortion or an abortion related offense.*



Table of Cases by State and Decade

State/Decade	1840s	1850s	1860s	1870s	1880s	1890s	1900s	1910s	1920s	1930s	1940s	1950s	1960s	1970s	Totals
Alabama							1	1	1		2			2	7
Alaska															0
Arizona										1	1	1			3
Arkansas							1	2	1	1	1		1	2	9
California							2	11	10	11	20	41	25		120
Colorado				2			3	2	3		7		2	1	20
Connecticut						1	1		3		1		1		7
Delaware													1		1
Florida					1			2			2	2	7	1	15
Georgia							2	1	3	2	1	4	1	2	16
Hawaii											4				4
Idaho							1					1			2
Illinois	1		1	2	1	2	5	3	2	9	7	4	7	2	46
Indiana		1			2		2	3	2	1	1	1	1	1	15
Iowa			1	1	2	2	2		2	1	1	1		1	14
Kansas					1	1	3		1			1		1	8
Kentucky					1						1	4	1	1	8
Louisiana													3	3	6
Maine				1					1			1			5
Maryland				1	2		2	1	1		2	5	3	2	19
Massachusetts			2		1		2	1	6	3	3	3	1	3	25
Michigan					1		1	1	1	2	5	1	5	3	20
Minnesota				1		1	1	4	4	1	3				15
Mississippi															
Missouri					3	2	2	7	3	4	5	5	4	1	36
Montana															0
Nebraska						1	1	1	3	1	1				8
Nevada													1		3
New Hampshire				1											1
New Jersey		1		1	1		4	3	4	3	9	5	2	3	36

Table (Continued)

State/Decade	1840s	1850s	1860s	1870s	1880s	1890s	1900s	1910s	1920s	1930s	1940s	1950s	1960s	1970s	Totals
New Mexico										2				2	4
New York	1		1	3	3		4	2	2		6	4	6	2	34
North Carolina					1	1	1	3	4	4	2	2	4	1	23
North Dakota							1	2	1		1				5
Ohio		1		1				3	3	1	2	3			14
Oklahoma							2		3	2	2				9
Oregon				1			1	2			1	1	5	1	12
Pennsylvania		1			1	4	4	2	4	4	4		4		28
Rhode Island									1		2	1			4
South Carolina						1			1	1	1	1	1		6
South Dakota									1						1
Tennessee															
Texas						4	1	6	1	2	1	10	2	1	28
Utah						1									1
Vermont		1					1	1		1					4
Virginia											1	2	1		4
Washington							1	4	1	3	3	1	5		18
West Virginia							1				1	1			3
Wisconsin				1				2	3	5	1	1	2		16
Wyoming															0
Totals	2	5	5	16	20	23	53	71	75	67	107	111	102	36	693