

to the person causing the abortion, but they do not apply, without specific provision, to the pregnant woman herself.

Two lines of authority are to be found, one of which holds that the pregnant woman, herself, cannot be guilty of abortion upon the theory that she is the victim of the offense charged. The other line holds that the pregnant woman may be guilty of the crime of abortion. Better practice would dictate that the legislative branch express its own intent in specifically providing whether or not the pregnant woman herself is to be covered under the statute.

Since Section 405 of the Trust Territory Code (now 11 T.T.C. 51) denies due process of law to the defendant because of its vagueness and indefiniteness and is, therefore invalid, the trial court's order of dismissal and judgment based thereupon are affirmed.

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**KEBLIL era KEDAM, or YOULKEDIDAI by RISONG  
RECHETMOL, Appellants**

**v.**

**MUKUI UCHERREMASCH, IDERRECH, and DIRREMASCH  
OCHEBIR, Appellees**

**Civil Action No. 406**

**Appellate Division of the High Court**

**Palau District**

**July 27, 1971**

*Trial Court Opinion—4 T.T.R. 459*

**BROWN, JR., Associate Justice**

Appellants, by their counsel, John O. Ngiraked, having moved this day that the Court dismiss their appeal filed on January 21, 1971, and good cause appearing therefor,

It is hereby ordered that the appeal in the above-entitled action be, and it is hereby dismissed without any cost to the parties.