

**CONGO**  
**France Penal Code 1810**

**Title II. Crimes and Delicts against Individuals**  
**Chapter I. Crimes and Delicts against the Person**  
**Section I. Murder and other Capital Crimes, Threats to Bodily Injury.**

**317.** Whoever, by reason of substances to be swallowed, either solid or liquid; by medicines; by violence; or by any other means; shall have caused the miscarriage of a woman with child, whether she has consented to it or not, shall be punished with solitary imprisonment.

The same penalty shall be awarded against the woman who shall have procured her own miscarriage, or shall have consented to make use of the means prescribed to her, or administered for that purpose, if the miscarriage has actually ensued therefrom.

The physicians, surgeons, and other officers of health, who shall have prescribed or administered such means, shall be condemned to hard labour for time, if the miscarriage has actually taken place.

**Section VI. Crimes and Delicts tending to hinder or destroy the Proof of the civil State of a Child, or to endanger its Life**

**346.** Every person who, having assisted at a delivery, shall not have made the declaration, directed by article 56, of the Code Napoleon (This declaration is to be made for the purpose of registering the child's birth.), within the time fixed by article 55, of the same Code (Three days.), shall be punished with an imprisonment of from six days to six months, and a fine of from 16 to 300 francs.

**347.** Every person who, having found a new-born child, shall not bring it to the officer of the civil state, as directed by article 58 of the Code Napoleon, shall be punished with the penalties established in the preceding article.

The present disposition is not applicable to the person who shall have consented to take charge of the child, and shall have made his declaration in that behalf, before the municipality of the place where the child has been found.

**349.** Those who shall have exposed and abandoned, in a solitary place, a child under the age of seven years complete; those who shall have given the order so to expose it, if such order has been executed; shall, for this fact alone, be condemned to an imprisonment of from six months to two years, and a fine of from 16 to 200 francs.

**350.** The penalty, mentioned in the preceding article, shall be from two years to five years, and the fine from 50 to 400 francs, against the guardians or teachers

of the child exposed and abandoned by them, or by their order.

**351.** If, in consequence of the exposure and abandonment, provided for by articles 349 and 350, the child has become mutilated or lamed, the act shall be considered as willful wounds given to it by the person who shall have exposed or abandoned it; and if death has ensued, the act shall be considered as murder: in the first case, the criminals shall undergo the penalty applicable to willful wounds; and in the second case, that of murder.

**352.** Those who shall have exposed or abandoned, in a place not solitary, a child under the age of seven years complete, shall be punished with an imprisonment of from three months to one year, and a fine of from 16 to 100 francs.

---