

THE CODE OF CRIMINAL PROCEDURE (EXCERPT)
Act 175 of 1927

767.48 Indictment; necessity of negating statutory exception.

Sec. 48.

No indictment for any offense created or defined by statute shall be deemed objectionable for the reason that it fails to negative any exception, excuse or proviso contained in the statute creating or defining the offense. The fact that the charge is made shall be considered as an allegation that no legal excuse for the doing of the act exists in the particular case.

History: 1927, Act 175, Eff. Sept. 5, 1927 ;-- CL 1929, 17262 ;-- CL 1948, 767.48