

THE MICHIGAN PENAL CODE (EXCERPT)

Act 328 of 1931

CHAPTER XII

ATTEMPTS

750.91 Attempt to murder.

Sec. 91. Attempt to murder by poisoning, etc.—Any person who shall attempt to commit the crime of murder by poisoning, drowning, or strangling another person, or by any means not constituting the crime of assault with intent to murder, shall be guilty of a felony, punishable by imprisonment in the state prison for life or any term of years.

History: 1931, Act 328, Eff. Sept. 18, 1931;—CL 1948, 750.91.

Former law: See section 13 of Ch. 153 of R.S. 1846, being CL 1857, § 5723; CL 1871, § 7522; How., § 9087; CL 1897, § 11482; CL 1915, § 15204; CL 1929, § 16720; and Act 147 of 1875.

750.92 Attempt to commit crime.

Sec. 92. Attempt to commit crime—Any person who shall attempt to commit an offense prohibited by law, and in such attempt shall do any act towards the commission of such offense, but shall fail in the perpetration, or shall be intercepted or prevented in the execution of the same, when no express provision is made by law for the punishment of such attempt, shall be punished as follows:

1. If the offense attempted to be committed is such as is punishable with death, the person convicted of such attempt shall be guilty of a felony, punishable by imprisonment in the state prison not more than 10 years;

2. If the offense so attempted to be committed is punishable by imprisonment in the state prison for life, or for 5 years or more, the person convicted of such attempt shall be guilty of a felony, punishable by imprisonment in the state prison not more than 5 years or in the county jail not more than 1 year;

3. If the offense so attempted to be committed is punishable by imprisonment in the state prison for a term less than 5 years, or imprisonment in the county jail or by fine, the offender convicted of such attempt shall be guilty of a misdemeanor, punishable by imprisonment in the state prison or reformatory not more than 2 years or in any county jail not more than 1 year or by a fine not to exceed 1,000 dollars; but in no case shall the imprisonment exceed 1/2 of the greatest punishment which might have been inflicted if the offense so attempted had been committed.

History: 1931, Act 328, Eff. Sept. 18, 1931;—CL 1948, 750.92.

Former law: See section 14 of Chapter IX of Act 175 of 1927, being CL 1929, § 17342.