

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

767.59 Indictment; unnecessary formal words and phrases.

Sec. 59. The indictment need not allege that the offense was committed or the act done "feloniously" or "traitorously" or "unlawfully" or "with force of arms" or "with a strong hand," nor need it use any phrase of like kind otherwise than to characterize the offense, nor need it allege that the offense was committed or the act done "burglariously", "wilfully", "knowingly", "maliciously", "negligently" nor need it otherwise characterize the manner of the commission of the offense unless such description is necessary to indicate the offense. The indictment need not contain the words "contrary to the statute", "as appears by the record", or any other words of similar import.

History: 1927, Act 175, Eff. Sept. 5, 1927;—CL 1929, 17273;—CL 1948, 767.59.

Former law: See section 34 of Ch. 164 of R.S. 1846, being CL 1857, § 6043; CL 1871, § 7912; How., § 9523; CL 1897, § 11908; CL 1915, § 15735; and section 8 of Act 77 of 1855, being CL 1857, § 6054; CL 1871, § 7923; How., § 9534; CL 1897, § 11908; CL 1915, § 15735.