

THE MICHIGAN PENAL CODE (EXCERPT)
Act 328 of 1931

750.14 Miscarriage; administering with intent to procure; felony, penalty.

Sec. 14. Administering drugs, etc., with intent to procure miscarriage—Any person who shall wilfully administer to any pregnant woman any medicine, drug, substance or thing whatever, or shall employ any instrument or other means whatever, with intent thereby to procure the miscarriage of any such woman, unless the same shall have been necessary to preserve the life of such woman, shall be guilty of a felony, and in case the death of such pregnant woman be thereby produced, the offense shall be deemed manslaughter.

In any prosecution under this section, it shall not be necessary for the prosecution to prove that no such necessity existed.

History: 1931, Act 328, Eff. Sept. 18, 1931;—CL 1948, 750.14.

Constitutionality: Section held unconstitutional as relating to abortions in the first trimester of a pregnancy as authorized by the pregnant woman's attending physician in the exercise of his medical judgment. People v Bricker, 389 Mich 524; 208 NW2d 172 (1973).

Former law: See section 34 of Ch. 153 of R.S. 1846, being CL 1857, § 5744; CL 1871, § 7543; How., § 9108; CL 1897, § 11503; CL 1915, § 15225; CL 1929, § 16741; sec. 35 of Ch. 153 of R.S. 1846; Act 61 of 1867; CL 1871, § 7544; How., § 9109; CL 1897, § 11504; CL 1915, § 15226; and CL 1929, § 16742.