

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

**767.26 Discharge of accused in absence of indictment.**

Sec. 26.

Any person held in prison on any charge of having committed a crime, shall be discharged if he be not indicted before the end of the second term of the court at which he is held to answer unless it shall appear to the satisfaction of the court that the witnesses on the part of the people have been enticed or kept away, or are detained and prevented from attending the court by sickness or some inevitable accident, and except in the case provided for in the next section.

**History:** 1927, Act 175, Eff. Sept. 5, 1927 ;-- CL 1929, 17240 ;-- CL 1948, 767.26

**Former Law:** See section 20 of Ch. 164 of R.S. 1846, being CL 1857, Å§ 6029; CL 1871, Å§ 7898; How., Å§ 9509; CL 1897, Å§ 11894; and CL 1915, Å§ 15721.