

NORTH CAROLINA GENERAL ASSEMBLY  
1977 SESSION

CHAPTER 861  
SENATE BILL 842

AN ACT TO PRESCRIBE THE ESSENTIALS OF BILLS OF INDICTMENT FOR RAPE.

The General Assembly of North Carolina enacts:

**Section 1.** A new section is added to the General Statutes, Chapter 15, Article 15 ("Indictment"), to read as follows:

**"§ 15-144.1. Essentials of bill for rape.** — (a) In indictments for rape it is not necessary to allege every matter required to be proved on the trial; but in the body of the indictment, after naming the person accused, the date of the offense, the county in which the offense of rape was allegedly committed, and the averment "with force and arms", as is now usual, it is sufficient in describing rape to allege that the accused person unlawfully, wilfully, and feloniously did ravish and carnally know the victim, naming her, by force and against her will and concluding as is now required by law. Any bill of indictment containing the averments and allegations herein named shall be good and sufficient in law as an indictment for rape in the first degree and will support a verdict of guilty of rape in the first degree, rape in the second degree, assault with intent to commit rape or assault on a female.

(b) If the victim is a virtuous female child under the age of twelve years it is sufficient to allege that the accused unlawfully, wilfully, and feloniously did carnally know and abuse a virtuous child under twelve, naming her, and concluding as aforesaid. Any bill of indictment containing the averments and allegations herein named shall be good and sufficient in law as an indictment for the rape of a virtuous female child under the age of twelve years and all lesser included offenses."

**Sec. 2.** This act shall become effective on July 1, 1977.

In the General Assembly read three times and ratified, this the 30th day of June, 1977.