

The goods of S. - or committed burglary in the house
of S. - or the like. but all the facts and
circumstances must be specifically set forth in

It. 41. The only exceptions to this rule are

1. Common law - 2 Common roads - 3 keeping
bawdy or gambling house - 4 soliciting or waiting
to offend

It. 42. And if any fact or circumstance which
is a necessary ingredient in the offense be
omitted in the indictment, such omission vitiates
the indictment.

It. 42. And not only must all the facts and
circumstances which constitute the offense, be stated,
but they must be stated with such certainty and
precision that the jury may be enabled to judge
whether they constitute an indictable offense or not.

It. 45. Every fact and circumstance stated in an
indictment must be laid positively, that is, the
acc^t must affirm directly that the deft did
so and so - or that such a fact happened
under such circumstances.