

Cherokee Nation Code Annotated

Title 22: Criminal Procedure

Chapter 10: Evidence and Depositions

§ 745. Murder, burden of proof in mitigation of

Cite as: 22 CNCA § 745

Upon a trial for murder, the commission of the homicide by the defendant being proven, the burden of proving circumstances of mitigation, or that justify or excuse it, devolves upon him, unless the proof on the part of the prosecution tends to show that the crime committed only amounts to manslaughter, or that the defendant was justifiable or excusable.

Historical Data

LA 10–90, eff. November 13, 1990.