

**77-17-4 Conspiracy -- Pleading -- Evidence -- Proof necessary.**

On a trial for conspiracy in a case where an overt act is necessary to constitute the offense, the defendant shall not be convicted unless one or more overt acts are expressly alleged in the information or indictment, and unless one of the acts alleged has been proved. However, proof of overt acts not alleged may be given in evidence.

Enacted by Chapter 15, 1980 General Session