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GENERAL STATUTES

OF THE

STATE OF MINNESOTA.

PREPARED BY THE COMMISSIONERS APPOINTED TO REVISE
THE STATUTES OF THE STATE, BY ACT OF THE
LEGISLATURE, PASSED FEBRUARY 17, 1863.

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3 prussic acid or any other active poison without having the
 4 word "poison" and the true name thereof in English,
 5 written or printed upon a label attached to the vial, box or
 6 parcel containing the same, shall be punished by a fine not
 7 exceeding one hundred dollars.

CHAPTER CII.

SEARCH WARRANTS.

1 SECTION 1. When complaint is made, on oath, to any
 2 magistrate authorized to issue warrants in criminal cases, C. S. p. 737, Sect. 1. *c 99*
 3 that personal property has been stolen or embezzled, or ob-
 4 tained by false tokens or pretenses, and that the complain-
 5 ant believes that it is concealed in any particular house or
 6 place, the magistrate, if he is satisfied that there is reason-
 7 able cause for such belief, shall issue his warrant to search
 8 for such property.

1 SECT. 2. Any such magistrate when satisfied that there
 2 is reasonable cause, may also upon like complaint made on C. S. p. 737, Sect. 2.
 3 oath, issue search warrants in the following cases, to wit:

4 *First.*—To search for, and seize any counterfeit or spur-
 5 ious coin, forged bank notes, and other forged instruments,
 6 or tools, machines, or materials, prepared or provided for
 7 making either of them;

8 *Second.*—To search for and seize any books, pamphlets,
 9 ballads, printed papers, or other things containing obscene
 10 language, or obscene prints, pictures, figures, or descrip-
 11 tions, manifestly tending to corrupt the morals of youth,
 12 and intended to be sold, loaned, circulated, distributed, or
 13 introduced into any family, school or place of education;

14 *Third.*—To search for and seize any gambling apparatus
 15 or implements, used or kept, and to be used in gambling,
 16 in any gambling house, or in any building, apartment, or
 17 place, resorted to for the purpose of gambling.

1 SECT. 3. All such warrants shall be directed to the sher-
 2 iff of the county, or his deputy, or to any constable of the C. S. p. 736, Sect. 3.
 3 county, commanding such officer to search the house or
 4 place where the stolen property or other things for which
 5 he is required to search, are believed to be concealed, which
 6 place and property or things to be searched for, shall be
 7 designated and described in the warrant, and to bring such
 8 stolen property, or other things, when found, and the per-
 9 son in whose possession the same are found, before the

10 magistrate who issued the warrant, or before some other
11 magistrate, or court, having cognizance of the case.

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C. S. p. 737, Sect. 4.

1 SECT. 4. When any officer, in the execution of a search
2 warrant, finds any stolen or embezzled property, or seizes
3 any other things, for which a search is allowed by this chap-
4 ter, all the property and things so seized, shall be safely
5 kept by the direction of the court or magistrate, so long as
6 is necessary for the purpose of being produced as evidence
7 on any trial, and as soon as may be afterwards all such stolen
8 and embezzled property shall be restored to the owner there-
9 of, and all other things seized by virtue of such warrant
10 shall be destroyed, under the direction of the court or mag-
11 istrate.

CHAPTER CIII.

DEMANDING FUGITIVES FROM JUSTICE.

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C. S. p. 738, Sect. 1.

1 SECTION 1. The governor may, in any case authorized
2 by the constitution and laws of the United States, appoint
3 agents to demand of the executive authority of any state or
4 territory, any fugitive from justice, or any person charged
5 with felony or any other crime, in this state, and whenever
6 an application is made to the governor for that purpose, the
7 attorney general, when required by the governor, shall
8 forthwith investigate, or cause to be investigated by any
9 county attorney, the grounds of such application, and re-
10 port to the governor all material circumstances which may
11 come to his knowledge, with an abstract of the evidence,
12 and his opinion as to the expediency of the demand; and
13 the accounts of the agents appointed for such purpose, shall
14 in all cases be audited by the governor and paid from the
15 state treasury.

C. S. p. 738, Sect. 2.

1 SECT. 2. When a demand is made upon the governor
2 by the executive of any state or territory, in any case au-
3 thorized by the constitution and laws of the United States,
4 for the delivery over of any person charged in such state or
5 territory, with treason, felony, or any other crime, the at-
6 torney general, when required by the governor, shall forth-
7 with investigate the ground of such demand, or cause the
8 same to be investigated by any county attorney, and report
9 to the governor all material facts which may come to his
10 knowledge, as to the situation and circumstances of the person
11 so demanded, especially whether he is held in custody, or