

GENERAL STATUTES

OF THE

STATE OF MINNESOTA,

IN FORCE JANUARY, 1891.

VOL. 2.

CONTAINING ALL THE LAW OF A GENERAL NATURE NOW IN FORCE AND NOT IN
VOL. 1, THE SAME BEING THE CODE OF CIVIL PROCEDURE AND ALL REME-
DIAL LAW, THE PROBATE CODE, THE PENAL CODE AND THE CRIM-
INAL PROCEDURE, THE CONSTITUTIONS AND ORGANIC ACTS.

COMPILED AND ANNOTATED

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CHAPTER 88 (G. S. ch. 102).

SEARCH-WARRANTS.

This chapter was not repealed by Penal Code.

Sections.

6560. When issuable.
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Sections.

6562. To whom warrant directed.
6563. Seizure of the property.

SEC. 6560. **When issuable.**— When complaint is made, on oath, to any magistrate authorized to issue warrants in criminal cases, that personal property has been stolen or embezzled, or obtained by false tokens or pretences, and that the complainant believes that it is concealed in any particular house or place; the magistrate, if he is satisfied that there is reasonable cause for such belief, shall issue his warrant to search for such property.

G. S. ch. 102, § 1.

SEC. 6561. **Additional causes.**— Any such magistrate, when satisfied that there is reasonable cause, may also, upon like complaint made on oath, issue search-warrants in the following cases, to wit:

First. To search for and seize any counterfeit or spurious coin, forged bank-notes, and other forged instruments, or tools, machines or materials, prepared or provided for making either of them;

Second. To search for and seize any books, pamphlets, ballads, printed papers, or other things containing obscene language, or obscene prints, pictures, figures, or descriptions, manifestly tending to corrupt the morals of youth, and intended to be sold, loaned, circulated, distributed or introduced into any family, school or place of education;

Third. To search for and seize any gambling apparatus or implements, used or kept, and to be used in gambling, in any gambling-house, or in any building, apartment, or place, resorted to for the purpose of gambling.

G. S. ch. 102, § 2.

SEC. 6562. **To whom directed — Contents.**— All such warrants shall be directed to the sheriff of the county, or his deputy, or to any constable of the county, commanding such officer to search the house or place where the stolen property, or other things for which he is required to search, are believed to be concealed, which place and property or things to be searched for shall be designated and described in the warrant, and to bring such stolen property or other things, when found, and the person in whose possession the same are found, before the magistrate who issued the warrant, or before some other magistrate or court having cognizance of the case.

G. S. ch. 102, § 3.

SEC. 6563. **Seizure of property.**— When any officer, in the execution of a search-warrant, finds any stolen or embezzled property, or seizes any other things for which search is allowed by this chapter, all the property and things so seized shall be safely kept by the direction of the court or magistrate, so long as is necessary, for the purpose of being produced as evidence on any trial; and as soon as may be afterward, all such stolen and embezzled property shall be restored to the owner thereof, and all other things seized by virtue of such warrant shall be destroyed, under the direction of the court or magistrate.

G. S. ch. 102, § 4.