

Search Warrants

General Search Warrants to search for felons or stolen goods are not good - Neither can a Search Warrant be granted on a bare surmise - But in case of bonafide complaint and oath made of goods stolen, and that the party suspects the goods are in such a house and shews the cause of his suspicion, the Justice may grant a warrant to search in those suspected places mentioned in his warrant and and to attack the goods and the party in whose custody they are found and bring them before him or some other Justice, to give an acct. how he came by

them, and further to abide such order as to the law shall appertain - It is convenient that such warrant do require the search in the daytime - Tho' not unlawful otherwise - But in case of positive proof it is right to execute at any time - The Warrant ought to be directed to a constable or other publick Officer -

If the goods appear not to be stolen, to be restored to the possessor

If it appears they are stolen to be deposited in the hands of the Sheriff or constable

If the goods are not stolen, the party to be discharged, If stolen but not by him, but by another that