

## CHAPTER 93.

[S. F. No. 97.]

Penal Code,  
amending Sec.  
491.

AN ACT TO AMEND SECTION FOUR HUNDRED AND NINETY-ONE (491) OF THE PENAL CODE OF THE STATE OF MINNESOTA, RELATING TO INJURY TO REAL OR PERSONAL PROPERTY.

*Be it enacted by the Legislature of the State of Minnesota:*

SECTION 1. That section four hundred and ninety-one (491) of the Penal Code of the state of Minnesota, relating to injury to real or personal property, be amended so as to read as follows:

Punishment for  
injury to real or  
personal prop-  
erty.

“Sec. 491. *Injury to Real or Personal Property.*—A person who unlawfully and willfully destroys or injures any real or personal property of another, which is not specially described herein and where the punishment thereof is not specially prescribed by statute, is guilty of a misdemeanor, and is punishable as follows:

When less than  
\$20.

“*First*—If the value of the property destroyed, or the diminution in value of the property by the injury, is less than twenty (20) dollars, by imprisonment in the county jail for not more than three (3) months or by a fine of not more than one hundred (100) dollars.

When more  
than \$20.

“*Second*—If the value of the property destroyed, or the diminution in the value of the property by the injury, is twenty (20) dollars or more, by imprisonment in the county jail for not more than one (1) year, or by a fine of not more than five hundred (500) dollars, or by both such fine and imprisonment.

Treble damages  
in civil action.

“*Third*—And in addition to the punishment prescribed therefor, he is liable in treble damages for the injury done, to be recovered in a civil action by the owner of such property or the public officer having charge thereof.”

SEC. 2. This act shall take effect and be in force from and after its passage; *Provided*, That the provisions of this act shall not apply to any offenses committed before this act takes effect; but as to such offenses, the provisions of the law as it existed prior to this amendment shall continue and be deemed in full force.

Approved April 21, 1891.