

55. Injury to property.— Any person subject to this Act who commits any of the following offences, that is to say, —

(a) destroys or injures any property mentioned in clause (a) of section 54 or any property belonging to any military, naval or air force mess, band or institution, or to any person subject to military, naval or air force law, or serving with or attached to, the regular Army; or

(b) commits any act which causes damage to, or destruction of, any property of the Government by fire; or

(c) kills, injures, makes away with, ill-treats or loses any animal entrusted to him; shall, on conviction by court-martial, be liable, if he has acted wilfully, to suffer imprisonment for a term which may extend to fourteen years or such less punishment as is in this Act mentioned; and if he has acted without reasonable excuse, to suffer imprisonment for a term which may extend to seven years or such less punishment as is in this Act mentioned.

NOTES

1. Clause (a). —For special finding see [AA.s.139\(7\)](#).

2. " Destroys or injures". —A charge for damaging or injuring the property here mentioned must be laid under this section and not under [AA.s.69](#). The prosecutor must adduce evidence which will either prove, or enable the court to infer, that the destruction or injury was wilful and not accidental. If the injury appears to be the result of neglect, it will be for the court to determine whether the neglect was wilful and intended to injure the property, or was mere carelessness. In the latter case no offence under this section would be committed.

3. See note [5 to AA.s.54](#) regarding proving the value of the property destroyed or injured.

4. Clauses (b) and (c): To constitute an offence under either of these clauses, the act etc., must be either committed wilfully or without Reasonable excuse.