

necessary for lawful defence, A has not committed a wrongful act and B can only claim compensation from the robbers.

II. — *A is arrested by B, a policeman acting under an unlawful order of C, his superior officer. If B is considered as having carried out a lawful command (as defined by Penal Code Section 52), B has not committed a wrongful act and A can only claim compensation from C.*

131. — A person who damages or destroys a thing belonging to another person in order to protect himself or any other person against immediate danger does not commit a wrongful act, but is liable for compensation.

If the danger was caused by the thing itself, no compensation is due, provided that no more was done than reasonably required under the circumstances.

ILLUSTRATION. — I. — A is going down the river Menam in a sampan loaded with fruit, betel, etc. for sale. B, who has fallen in the river by accident and is very nearly drowned, gets hold of the edge of the boat and, unfortunately, the boat capsizes. B has not committed a wrongful act, but he must make compensation to A for the lost fruit, betel, etc. as well as for damage to the boat, if any.

II. — A's elephant being mad is running towards B. B wounds the elephant and thereby escapes danger. No compensation is due by B for the injury caused to A's elephant.

necessary for lawful defence, A has not committed a wrongful act and B can only claim compensation from the robbers.

II. — *A is arrested by B, a policeman acting under an unlawful order of C, his superior officer. If B is considered as having carried out a lawful command (as defined by Penal Code Section 52), B has not committed a wrongful act and A can only claim compensation from C.*

131. — A person who damages or destroys a thing belonging to another person in order to protect himself or any other person against immediate danger does not commit a wrongful act, but is liable for compensation.

If the danger was caused by the thing itself, no compensation is due, provided that no more was done than reasonably required under the circumstances.

ILLUSTRATION. — I. — A is going down the river Menam in a sampan loaded with fruit, betel, etc. for sale. B, who has fallen in the river by accident and is very nearly drowned, gets hold of the edge of the boat and, unfortunately, the boat capsizes. B has not committed a wrongful act, but he must make compensation to A for the lost fruit, betel, etc. as well as for damage to the boat, if any.

II. — A's elephant being mad is running towards B. B wounds the elephant and thereby escapes danger. No compensation is due by B for the injury caused to A's elephant.