

**35.395 Redress for damage to property.**

- (1) Whenever complaint is made to any commanding officer that willful damage has been done to the property of any person or that his property has been wrongfully taken by members of the National Guard or active militia he may, subject to such regulations as may be prescribed pursuant to this chapter, convene a board to investigate the complaint. The board shall consist of from one (1) to three (3) officers and shall have, for the purpose of such investigation, power to summon witnesses and examine them upon oath or affirmation, to receive depositions or other documentary evidence, and to assess the damages sustained against the responsible parties. The assessment of damages made by such board shall be subject to the approval of the commanding officer, and, in the amount approved by him, shall be charged against the pay of the offenders. The order of such commanding officer directing charges herein authorized shall be conclusive on any disbursing officer for the payment by him to the injured parties of the damages so assessed and approved.
- (2) Where the offenders cannot be ascertained, but the organization or detachment to which they belong is known, the adjutant general may direct that the amount of damages assessed and approved be paid to the injured parties from the military fund of the unit of the National Guard or active militia to which such offenders belonged.

**Effective:** July 1, 1954

**History:** Created 1954 Ky. Acts ch. 99, sec. 78, effective July 1, 1954.