

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

FIFTY-THIRD LEGISLATURE

OF THE

STATE OF MAINE.

1874.

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Published by the Secretary of State, agreeably to Resolves of June 28, 1820,  
February 28, 1840, and March, 16, 1842.

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AUGUSTA:

SPRAGUE, OWEN & NASH, PRINTERS TO THE STATE.

1874.

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PUBLIC LAWS

OF THE

STATE OF MAINE.

1874.

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**CHAP. 245.**

Improvements  
made, how recov-  
ered.

eighteen hundred and fifty-seven and eighteen hundred and seventy-one, and any occupant or tenant under such attempted sale, who has made any improvement thereon, shall have the right to recover the same as provided in chapter ninety-three of the revised statutes, and said lands shall be holden for the payment of such improvements.'

Approved March 3, 1874.

**Chapter 245.**

An act to amend chapter one hundred and fifty-one of the public laws of eighteen hundred and sixty-eight, relating to the superior court of Cumberland county.

*Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :*

Court may order  
trial by jury in  
certain cases.

Whenever, by accident or mistake, the plaintiff fails to endorse upon his writ at the time of entry a request for a jury trial, or if the defendant, by accident or mistake, shall fail to endorse upon his plea when filed a demand for a jury, the court may, on motion of either party, at its discretion, order a trial by jury in the cause.

Approved March 3, 1874.

**Chapter 246.**

An act to amend section fifty-three of chapter eighteen of the revised statutes, relating to appeal from the decision of municipal officers.

*Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :*

Sec. 53, ch. 13, R.  
S., amendment of.

Section fifty-three of chapter eighteen of the revised statutes is hereby amended by inserting after the word "assessed," the words 'by a committee or jury,' so that the same shall read, when amended, as follows :

Damages occa-  
sioned by raising  
or lowering  
streets, how de-  
termined.

'SECT. 53. When a way or street is raised or lowered by a surveyor or person duly authorized, to the injury of an owner of land adjoining, he may, within a year, apply in writing to the municipal officers, and they shall view such way or street and assess the damages, if any occasioned thereby, to be paid by the town, and any person aggrieved by said assessment of damages, on petition to the county commissioners, may have them assessed by a committee or jury, in the manner provided respecting high-ways.'

Approved March 3, 1874.