

**HIGHWAY OBSTRUCTIONS AND ENCROACHMENTS; USE OF HIGHWAY BY PUBLIC  
UTILITIES (EXCERPT)  
Act 368 of 1925**

**247.174 Trespass action; brought by commissioner.**

Sec. 4. Such action shall be brought by the commissioner or commissioners in his or their name of office, claiming nominal damages only in the sum of 6 cents, before any justice of the peace of the township, or of any adjoining township in the same county. The summons in such action may be in the same form, and shall be issued and served, and a jury shall be impaneled when demanded, and all proceedings had as near as may be, as in cases of personal actions of trespass, and full costs shall be taxed by the justice and paid by the losing party, except that if the commissioner or commissioners demand a jury he or they shall not be required to advance the jury fee.

**History:** 1925, Act 368, Eff. Aug. 27, 1925;—CL 1929, 4044;—CL 1948, 247.174.

**Former law:** See sections 3 and 4 of Ch. 7 of Act 283 of 1909, being CL 1915, §§ 4403 and 4404.