

# MAINE STATE LEGISLATURE

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SEVENTY-SIXTH LEGISLATURE

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SENATE

NO. 413

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*In Senate, Feb. 28, 1913.*

*Came from the House referred to the Committee on Legal Affairs, and on motion by Senator Morey of Androscoggin, laid on the table for printing, pending reference in concurrence.*

*W. E. LAWRY, Secretary.*

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STATE OF MAINE

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IN THE YEAR OF OUR LORD ONE THOUSAND NINE  
HUNDRED AND THIRTEEN.

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AN ACT to amend section nine of chapter eighty-three of the Revised Statutes, relating to the Place for Bringing Actions.

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*Be it enacted by the People of the State of Maine, as follows:*

Section nine of chapter eighty-three of the Revised Statutes is hereby amended by adding thereto the following:

3 'Provided, however, that suits by the assignee of a non-  
4 negotiable chose in action, when brought in the supreme  
5 judicial or a superior, municipal, or police court, shall be  
6 commenced in the county in which the original creditor  
7 might have maintained his action; and when brought before

8 a trial justice, the writ shall be made returnable before a  
9 magistrate who would have had jurisdiction had the chose  
10 in action not been assigned,' so that said section shall read  
11 as follows:

'Sect. 9. Personal and transitory actions, except process  
13 of foreign attachment, and except as provided in the seven  
14 following sections, shall be brought, when the parties live  
15 in the state, in the county where any plaintiff or defendant  
16 lives; and when no plaintiff lives in the state, in the county  
17 where any defendant lives; and when not so brought, they  
18 shall, on motion or inspection by the court, be abated and  
19 the defendant allowed double costs. When the plaintiff  
20 and defendant live in different counties at the commenc-  
21 ment of any such action, except process of foreign attach-  
22 ment, and during its pendency one party moves into the  
23 same county with the other, it may on motion of either, be  
24 transferred to the county where both then live, if the court  
25 thinks that justice will thereby be promoted; and be tried,  
26 as if originally commenced and entered therein. Provided,  
27 however, that suits by the assignee of a non-negotiable  
28 chose in action, when brought in the supreme judicial or  
29 a superior, municipal, or police court, shall be commenced  
30 in the county in which the original creditor might have  
31 maintained his action; and when brought before a trial  
32 justice, the writ shall be made returnable before a magis-  
33 trate who would have had jurisdiction had the chose in  
34 action not been assigned.'