

MAINE STATE LEGISLATURE

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SEVENTY-SEVENTH LEGISLATURE

HOUSE

NO. 284

House of Representatives, Feb. 19, 1915

Ordered, That five hundred copies be printed and that the same be referred to the Committee on Judiciary.

Committee on Reference.

Presented by Mr. St. Clair of Calais.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND FIFTEEN

AN ACT to amend Section Nine of Chapter Eighty-three of the Revised Statutes of Nineteen Hundred and Three relating to the place for bringing actions.

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

Section nine of chapter eighty-three of the Revised Statutes of nineteen hundred and three is hereby amended by adding thereto the following: 'Provided, however, that suits by the assignee of a non-negotiable chose in action, when brought in the Supreme Judicial or a superior, municipal, or police court, shall be commenced in the county in which the original creditor might have maintained his action; and when brought before a trial justice, the writ shall be made

9 returnable before a magistrate who would have had juris-
10 diction had the chose in action not been assigned;’ so that
11 said section shall read as follows:

‘Sect. 9. Personal and transitory actions, except process of
13 foreign attachment, and except as provided in the seven
14 following sections, shall be brought, when the parties live in
15 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 and
20 defendant live in different counties at the commencement
21 of any such action, except process of foreign attachment, and
22 during its pendency one party moves into the same county
23 with the other, it may on motion of either, be transferred to
24 the county where both then live, if the court thinks that
25 justice will thereby be promoted; and be tried, as if originally
26 commenced and entered therein. Provided, however, that
27 suits by the assignee of a non-negotiable chose in action,
28 when brought in the supreme judicial or a superior, municipi-
29 pal, or police court, shall be commenced in the county in
30 which the original creditor might have maintained his action;
31 and when brought before a trial justice, the writ shall be
32 made returnable before a magistrate who would have had
33 jurisdiction had the chosen action not been assigned.’