

MAINE STATE LEGISLATURE

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SEVENTY-SEVENTH LEGISLATURE

HOUSE

NO. 613

House of Representatives, March 10, 1915.

*Reported by Mr. Waterhouse from Committee on Judiciary,
and ordered printed under joint rules.*

FORTUNAT BELLEAU, Clerk Pro Tem.

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
2 of nineteen hundred and three is hereby amended by adding
3 thereto the following: 'Provided, however, that suits by the
4 assignee of a non-negotiable chose in action, when brought
5 in the supreme judicial or a superior, municipal, or police
6 court, shall be commenced in the county in which the original
7 creditor might have maintained his action; and when brought
8 before a trial justice, the writ shall be made returnable be-
9 fore a magistrate who would have had jurisdiction had the

10 chose in action not been assigned,' so that said section shall
11 read 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 sattu, 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 commence-
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 chose
28 in action, when brought in the supreme judicial or a supe-
29 rior, municipal, or police court, shall be commenced in the
30 county in which the original creditor might have maintained
31 his action ; and when brought before a trial justice, the writ
32 shall be made returnable before a magistrate who would
33 have had jurisdiction had the chose in action not been as-
34 signed.'