

SENATE No. 693

The Commonwealth of Massachusetts

SENATE, April 25, 1955.

The committee on the Judiciary, to whom was referred so much of the thirtieth annual report of the Judicial Council (Pub. Doc. No. 144) as relates to venue in certain cases of tort and in cases of contract in district courts (pages 17-18), report the accompanying bill (Senate, No. 693).

For the committee,

RALPH V. CLAMPIT.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Fifty-Five.

AN ACT RELATING TO VENUE IN ACTIONS OF CONTRACT OR TORT IN THE DISTRICT COURTS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. The last sentence of the first paragraph
2 of section 2 of chapter 223 of the General Laws, as most
3 recently amended by section 2 of chapter 616 of the
4 acts of 1954, is hereby further amended by striking out,
5 in lines 1, 2 and 3, the words "An action of tort arising
6 out of the ownership, operation, maintenance, control
7 or use of a motor vehicle or trailer as defined in section
8 one of chapter ninety" and inserting in place thereof
9 the words: — Any action of tort or of contract, — so
10 as to read as follows: — Any action of tort or of con-
11 tract shall be brought in a district court within the
12 judicial district of which one of the parties lives or in
13 any district court the judicial district of which adjoins
14 and is in the same county as the judicial district in
15 which the defendant lives or has his usual place of
16 business; provided, that if one of the parties to any
17 such action lives in Suffolk county such action may be
18 brought in the municipal court of the city of Boston.

1 SECTION 2. This act shall take effect on October
2 first of the current year and shall apply only to actions
3 commenced thereafter.