

CAL. JUR. 2d

CALIFORNIA JURISPRUDENCE

SECOND EDITION

A COMPLETE AND MODERN
STATEMENT OF THE LAW
AND PRACTICE OF THE
STATE OF CALIFORNIA

Volume 51

VENUE
TO
WATERS
§§ 1-423



By the Editorial Staff of the Publisher

BANCROFT-WHITNEY COMPANY

San Francisco

1959

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CALIFORNIA JURISPRUDENCE
SECOND EDITION

CITE BY TITLE AND SECTION

e.g., 51 Cal. Jur. 2d Venue § —

TABLE OF ABBREVIATIONS

AC	Advance California Reports
ACA	Advance California Appellate Reports
Adm C	Administrative Code
Ag C	Agricultural Code
ALR	American Law Reports Annotated
ALR2d	American Law Reports Annotated, Second Series
Am Jur	American Jurisprudence
Am Jur Legal Forms	American Jurisprudence Legal Forms, Annotated
Am Jur Pl & Pr Forms	American Jurisprudence Pleading and Practice Forms, Annotated
Anno	Annotation
Bank C	Banking Code
B & P C	Business and Professions Code
C	California Reports
C2d	California Reports, Second Series
CA	California Appellate Reports
CA2d	California Appellate Reports, Second Series
CC	Civil Code
CCP	Code of Civil Procedure
ch	Chapter
CLR	California Law Review
Cof	Coffey
Const Art I § 1	Article and section California Constitution
Corp C	Corporations Code
CU	California Unreported
Deering's Gen Laws	Deering's California General Laws
Ed C	Education Code
Elec C	Elections Code
F	Federal Reporter
F2d	Federal Reporter, Second Series
F & G C	Fish and Game Code
Fed Cas	Federal Cases
Fin C	Financial Code
FRD	Federal Rules Decisions
F Supp	Federal Supplement
Gov C	Government Code
H & N C	Harbors and Navigation Code
H & S C	Health and Safety Code
Hast L J	Hastings Law Journal

Ins C	Insurance Code
Lab C	Labor Code
L ed	Lawyers' Edition U.S. Supreme Court Reports
Mil & Vet C	Military and Veterans Code
Ops Atty Gen	Opinions of the Attorney General
p	Page
P	Pacific Reporter
P2d	Pacific Reporter, Second Series
Pen C	Penal Code
Pol C	Political Code
Prob C	Probate Code
Pub Res C	Public Resources Code
Pub U C	Public Utilities Code
Rev & Tax C	Revenue and Taxation Code
SCLR	Southern California Law Review
S Ct	Supreme Court Reporter
Stan LR	Stanford Law Review
St B J	State Bar Journal
Sts & H C	Streets and Highways Code
subd	Subdivision
UCLA LR	University of California at Los Angeles Law Review
Unempl Ins C	Unemployment Insurance Code
US	United States Reports
USC	United States Code
US Const	United States Constitution
Veh C	Vehicle Code
W & I C	Welfare and Institutions Code
Wat C	Water Code

TABLE OF PARALLEL REFERENCES

This table shows where the subject matter of the various sections in CALIFORNIA JURISPRUDENCE is treated in CALIFORNIA JURISPRUDENCE, 2d. The figures in parentheses are page numbers of CALIFORNIA JURISPRUDENCE. Transfers of subject matter to other articles are so indicated.

The reader should consult the indexes of CALIFORNIA JURISPRUDENCE, 2d, for detail and for new matter not appearing in CALIFORNIA JURISPRUDENCE.

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I. IN GENERAL

§ 1. **Scope.**—This article treats generally the venue or place of trial of actions and proceedings, both civil and criminal. Pertinent constitutional and statutory provisions, and the extent of legislative power in this regard, are necessarily examined; and the ancient distinction between local and transi-

tory actions, still of importance despite extensive legislative modification, is noted, as well as the effect on venue of the residence or domicile of the parties and the place of the transaction, and the law relating to change of venue. The venue of actions in equity, including those affecting real estate or the title thereto directly or indirectly, is discussed herein, but the general principles that distinguish particular actions at law from those in equity are treated in another article, as are the distinctions between actions and special proceedings, and the classification of legal actions as contractual or delictual, personal or in rem.¹ This article considers the proper county or jurisdictional territory within the state in which an action should be brought, and the right of a litigant to have the venue or place of trial changed to a county or judicial district other than that in which the action is instituted, either on the ground that the action is instituted in the wrong county or district, because of the belief that a fair and impartial trial cannot be had in the county or district where the action is instituted, or on the ground that the convenience of witnesses or the ends of justice require a transfer. The determination of the proper court within a particular county or district is also discussed herein. But the matter of jurisdiction of the different classes of courts over the subject matter of particular actions or proceedings, which delimits the possibilities with respect to the venue therein, is discussed elsewhere.² And the venue of many particular actions and proceedings, and of actions and proceedings by or against particular parties, is discussed in greater detail in the articles relating to such actions, proceedings, and parties.³

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