

MAINE STATE LEGISLATURE

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E I G H T Y - S I X T H L E G I S L A T U R E

Legislative Document

No. 87

H. P. 155

House of Representatives, Jan. 25, 1933.

Referred to Committee on Judiciary and 500 copies ordered printed. Sent up for concurrence.

HARVEY R. PEASE, Clerk.

Presented by Miss Martin of Bangor.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE HUNDRED
AND THIRTY-THREE

AN ACT to Amend the Statute of Frauds.

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

Section 1 of chapter 123 of the revised statutes is hereby amended to read as follows :

‘Sec. 1. Cases in which promise must be in writing; consideration need not be expressed therein. No action shall be maintained in any of the following cases :

I. To charge an executor or administrator upon any special promise to answer damages out of his own estate ;

II. To charge any person upon any special promise to answer for the debt, default or misdoings of another ;

III. To charge any person upon an agreement made in consideration of marriage ;

IV. Upon any contract for the sale of lands, tenements or hereditaments, or of any interest in or concerning them ;

V. Upon any agreement that is not to be performed within one year from the making thereof ;

VI. Upon any contract to pay a debt after a discharge therefrom under the bankrupt laws of the United States, or assignment or insolvent laws of this state ;

VII. To charge any private educational institution on any agreement to secure a position for a student after graduation;

Unless the promise, contract, or agreement, on which such action is brought, or some memorandum or note thereof, is in writing and signed by the party to be charged therewith, or by some person thereunto lawfully authorized; but the consideration thereof need not be expressed therein, and may be proved otherwise.