

MAINE STATE LEGISLATURE

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NEW DRAFT

EIGHTY - SEVENTH LEGISLATURE

Legislative Document

No. 894

H. P. 1832

House of Representatives, March 30, 1935.

Reported by a majority from Committee on Judiciary and laid on table to be printed under joint rules.

HARVEY R. PEASE, Clerk.

NEW DRAFT OF H. P. 1325—L. D. 578

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
THIRTY-FIVE

AN ACT Relating to the Conveyance of Property for Support.

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

Sec. 1. R. S., c. 123, additional. Section 1 of chapter 123 of the revised statutes is hereby amended by adding thereto a new sub-section numbered VII, so that said section I when so amended shall 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 another to answer damages out of his own estate;

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

III. To charge any person upon any agreement made inconsideration of marriage;

IV. Upon any contract for the sale of lands, tenements, or hereditament, 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;

VIII. Upon any agreement to give, bequeath or devise by will to another, any property, real, personal or mixed;

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.

Provided that the provisions of sub-section VII shall not apply to any such agreement made prior to July 1, 1935.