

MAINE STATE LEGISLATURE

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L A W S

OF THE

STATE OF MAINE;

TO WHICH ARE PREFIXED

THE

CONSTITUTION OF THE U. STATES

AND OF SAID STATE,

IN TWO VOLUMES,

WITH AN APPENDIX.

.....
VOL. I.
.....

Published according to a resolve of the State, passed
March 8, 1821.

BRUNSWICK.

Printed by J. Griffin, for the State.

.....
1821.

CHAPTER LIII.

An Act to prevent Frauds and Perjury.

Enumeration of promises, void if not in writing.

SEC. 1. **BE** it enacted by the Senate and House of Representatives, in Legislature assembled, That no action shall be brought whereby to charge an executor or administrator, upon any special promise, to answer damages out of his own estate; or whereby to charge the defendant, upon any special promise, to answer for the debt, default or misdoings of another person, or to charge any person upon any agreement made upon consideration of marriage, or upon any agreement that is not to be performed within the space of one year, from the making thereof; and no action shall hereafter be maintained upon any contract for the sale of lands, tenements or hereditaments, or any interest in, or concerning the same, unless the agreement upon which such action shall be brought, or some memorandum or note thereof, shall be in writing, and signed by the party to be charged therewith, or some other person thereunto by him lawfully authorized.

All leases, &c. not in writing, to have no other force or effect than leases or estates at will.

SEC. 2. *Be it further enacted,* That all leases, estates, interests of freehold, or terms of years, or any uncertain interests of, in or out of, any messuages, lands, tenements or hereditaments, made or created by livery and seizin only, or by parole, and not put in writing, and signed by the parties so making or creating the same, or their agents thereunto lawfully authorized by writing, shall have the force and effect of leases or estates at will only; and shall not, either in law or equity, be deemed or taken to have any other or greater force or effect; any consideration for making any such parole leases or estates notwithstanding. And no leases, estates or interests, either of freehold or term of years, or any uncertain interest of, in, to or out of, any messuages, lands, tenements or hereditaments, shall at any time, be assigned, granted or surrendered, unless it be by deed or note in writing, signed by the party so assigning, granting or surrendering the same, or their agents thereunto lawfully authorized by writing, or by act and operation of law.

No leases, estates, &c. shall be assigned, granted or surrendered, unless by deed, or writing, signed by the party, &c.

SEC. 3. *Be it further enacted*, That no contract for the sale of any goods, wares; or merchandize, for the price of thirty dollars or more, shall be allowed to be good, except the purchaser shall accept part of the goods so sold, and actually receive the same, or give something in earnest to bind the bargain, or in part payment, or that some note or memorandum in writing of the said bargain be made and signed by the parties to be charged by such contract, or their agents thereunto lawfully authorized.

No contract for sale of goods for the price of \$30 or more good, unless in writing or partly executed.

[Approved March 8, 1821:]

CHAPTER LIV.

An Act establishing a Supreme Judicial Court within this State.

SEC. 1. **BE** it enacted by the Senate and House of Representatives, in Legislature assembled, That there shall be a Supreme Judicial Court within this State, to consist of one Chief Justice and two other Justices, each of whom shall be an inhabitant of this State, of sobriety of manners and learned in the law, to be appointed and commissioned as is by the Constitution provided, and they or any two of them, shall be a Court, and have cognizance of pleas real, personal and mixed; and of all civil actions between party and party, and between the State and any of the citizens thereof, whether the same do concern the realty, and relate to right of freehold, inheritance or possession, whether the same do concern the personalty, and relate to any matter of debt, contract, damage or personal injury; and also all mixed actions, which do concern the realty and personalty brought legally before the same Supreme Judicial Court, by appeal, review, writ of error, or otherwise; and in all such actions real, personal and mixed, to give such judgment, and award such execution, as the common rules of justice and the laws of this State shall direct; and shall take cognizance of all capital and other offences and misdemeanors whatsoever of a public nature, tending either to a breach of the peace, or the oppression of the citizen, or raising of faction, controversy or debate, to any manner of misgovernment; and of every crime whatsoever that is

Court established.

Jurisdiction, &c.