CHAPTER 3

Statute of Frauds

**SECTION 32-3-10. Agreements required to be in writing and signed.**

No action shall be brought whereby:

(1) To charge any executor or administrator upon any special promise to answer damages out of his own estate;

(2) To charge the defendant upon any special promise to answer for the debt, default or miscarriage of another person;

(3) To charge any person upon any agreement made upon consideration of marriage;

(4) To charge any person upon any contract or sale of lands, tenements or hereditaments or any interest in or concerning them; or

(5) To charge any person upon any agreement that is not to be performed within the space of one year from the making thereof;

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 person thereunto by him lawfully authorized.

HISTORY: 1962 Code § 11-101; 1952 Code § 11-101; 1942 Code § 7044; 1932 Code § 7044; Civ. C. '22 § 5516; Civ. C. '12 § 3737; Civ. C. '02 § 2652; G. S. 2019; R. S. 2151; 1712 (2) 545.

**SECTION 32-3-20. Action on representation as to character will lie only where representation is in writing and signed.**

No action shall be brought whereby to charge any person upon or by reason of any representation or assurance made or given concerning or relating to the character, conduct, credit, ability, trade or dealings of any person to the intent or purpose that such other person may obtain credit, money or goods thereon unless such representation or assurance be made in writing, signed by the party to be charged therewith or by some person thereunto by him legally authorized.

HISTORY: 1962 Code § 11-102; 1952 Code § 11-102; 1942 Code § 7049; 1932 Code § 7049; Civ. C. '22 § 5521; Civ. C. '12 § 3742; Civ. C. '02 § 2657; G. S. 2024; R. S. 2156.