

Set-Off Act 1729

Imperial Act 22

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An Act for the relief of debtors with respect to the Imprisonment of their persons.

13 Mutual Debts to be set one against the other. - This clause amended and made perpetual by 8 Geo 2 c 24

And be it further enacted by the Authority aforesaid, that where there are mutual debts between the plaintiff and defendant, or if either party sue or be sued as Executor or Administrator, where there are mutual debts between the testator or intestate and either party, one debt may be set against the other and such matter may be given in evidence upon the general issue, or pleading in Bar, as the nature of the case shall require, so as at the time of his pleading the general issue, where any such debt of the plaintiff, his testator or intestate, is intended to be insisted on in evidence, notice shall be given of the particular sum or debt so intended to be insisted on, and upon what account it became due, or otherwise such matter shall not be allowed in evidence upon such general issue.

Note

Source: New Zealand Parliamentary Library, International Documents Collection