Administration of Justice Act (Ireland) 1707

Chapter 10

An Act for the Amendment of the Law, and the better Advancement of Justice.[1]

Ss. I–V rep. by SLR 1950. S.VI rep. by 1833 c.91 s.50. S.VII rep. by SLR 1950. S.VIII rep. by 1833 c.91 s.50

IX. AND further from and after the said first day of Michaelmas term, all grants or conveyances thereafter to be made by fine or otherwise, of any mannors, or rents, or of the reversion or reminder of any messuages or lands, shall be good and effectual to all intents and purposes, without any attornment of the tenants of any such manors, or of the land, out of which the rent shall be issuing, or of the particular tenants, upon whose particular estates any such reversion or remainder shall or may be expectant or depending, as if their attornment had been had and made.

Conveyances good without attornment.

X. PROVIDED nevertheless, That no such tenant shall be prejudiced or damaged by payment of any rent to any such grantor or conusor, or by breach of any condition for non-payment of rent, before notice shall be given to him of such grant by the conusee or grantee.

But tenant not prejudiced by payment of rent, or breach before notice by grantee.

S.XI rep. by SLR 1950

XII. AND further from and after the said first day of Michaelmas term, where any action of debt shall be brought upon any single bill, . . .[2], if the defendant hath paid the money due upon such bill . . .[2], such payment shall and may be pleaded in bar of any such action or suit; and where an action of debt is brought upon any bond, which hath a condition or defeazance to make void the same upon payment of a lesser sum at a day or place certain, if the obligor, his heirs, executors, or administrators, have before the action brought paid to the obligee, his executors or administrators, the principal and interest due

In debt, payment may be pleaded in bar.

So in debt on bond with condition or defeazance: tho' the payment not made strictly according thereto.

by the defeazance or condition of such bond, though such payment was not made strictly according to the condition or defeazance, yet it shall and may nevertheless be pleaded in bar of such action, and shall be as effectual bar thereof, as if the money had been paid at the day and place according to the condition or defeazance, and had been so pleaded.

Pending action on bond with penalty, defendant bringing into court principal, interest and costs, discharged.

XIII. AND further if at any time pending an action upon any such bond with a penalty the defendant shall bring into the court, where the action shall be depending, all the principal money and interest due on such bond, and also all such costs as have been expended in any suit or suits in law or equity upon such bond, the said money, so brought in, shall be deemed and taken to be in full satisfaction and discharge of the said bond; and the court shall and may give judgment to discharge every such defendant of and from the same accordingly.

Ss.XIV–XVIII rep. by 1837 c.26 s.2; 1853 c.113 s.3 sch.; SLR (I) 1878; SLR 1950; 1958 c.10 (NI) s.75 sch.

Warranties by tenant for life, void as to him in reversion or remainder, and collateral warranties by ancestor having no estate of inheritance in possession, void as to his heir.

XIX. AND further all warranties, which shall be made after the first day of Michaelmas term by any tenant for life of any lands, tenements, or hereditaments, the same descending or coming to any person in reversion or remainder, shall be void, and of none effect; and likewise all collateral warranties, which shall be made after the said first day of Michaelmas term, of any lands, tenements, or hereditaments, by any ancestor who has no estate of inheritance in possession in the same, shall be void against his heir.

Ss.XX–XXII rep. by SLR 1950

Account may be against executors, &c. of guardian, bailiff or receiver, and by one joint tenant, &c.

XXIII.[3] AND further from and after the said first day of Michaelmas term, actions of account shall and may be brought and maintained against the executors and administrators of every guardian, bailiff, and receiver, and also by one joint tenant and tenant in common, his executors and administrators, against the other as bailiff, for receiving more than comes to his just share and proportion, and against the executors and administrators of such joint tenant or tenant in common; . . .[4].

References

1. Short title "The Administration of Justice Act (Ireland) 1707", 1951 c.1 (NI)
2. Rep., 1969 c.30 (NI) s.132 sch.6
3. Rep. so far as relates to personal actions or actions of ejectment in Superior Cts. of Law, 1853 c.113 s.3 sch.A
4. Rep., SLR 1950