



Commissioners Clauses Act 1847

1847 CHAPTER 16 10 and 11 Vict

Mortgages

86 Arrears of interest, when to be enforced by appointment of a receiver. Arrears of principal and interest.

Where by the special Act the mortgagees or assignees in security of the commissioners are empowered to enforce the payment of the arrears of interest, or the arrears of principal and interest, due to them by the appointment of a receiver, then, if within thirty days after the interest accruing upon any such mortgage or assignation in security has become payable, and after demand thereof in writing, the same be not paid, the mortgagee or assignee in security may, without prejudice to his right to sue for the interest so in arrear in any of the superior courts, require the appointment of a receiver, by an application to be made as herein-after provided; and if within six months after the principal money owing upon any such mortgage or assignation in security has become payable, and after demand thereof in writing, the same be not paid, together with all interest due in respect thereof, the mortgagee or assignee in security, without prejudice to his right to sue for such principal money, together with all arrears of interest, in any of the superior courts, may, if his debt amount to the prescribed sum, alone, or, if his debt do not amount to the prescribed sum, he may in conjunction with other mortgagees or assignees in security whose debts, being so in arrear, after demand as aforesaid, together with his amount to the prescribed sum, require the appointment of a receiver, by an application to be made as herein-after provided.

Modifications etc. (not altering text)

- C1** S. 86 incorporated (E.W.S) (18.6.2001) by [S.I. 2001/2184, art. 2](#)
S. 86 incorporated (E.W.S) (18.6.2001) by [S.I. 2001/2185, art. 2](#)
- C2** Ss. 85-88 incorporated (E.W.S.) (1.6.2009) by [Berwick Upon Tweed Harbour Revision \(Constitution\) Order 2009 \(S.I. 2009/1231\), arts. 1\(1\), 2](#)
- C3** Ss. 36-92 incorporated (E.W.S.) (21.5.2010) by [The Newlyn Pier and Harbour Revision \(Constitution\) Order 2010 \(S.I. 2010/1462\), arts. 1\(1\), 3](#)

Changes to legislation:

There are currently no known outstanding effects for the Commissioners Clauses Act 1847, Section 86.