



Exchequer Court (Scotland) Act 1856

1856 CHAPTER 56 19 and 20 Vict

14 Procedure in lieu of injunction.

In all cases in which, if occurring at the date of the passing of this Act, any person or persons would be liable to be stayed by injunction furth of the Court of Exchequer, whether in respect of such person or persons prosecuting or threatening to prosecute before any court other than the Court of Exchequer in any matters connected with the Revenue, or with the proceedings of officers of the Revenue, or in any other matters as to which exclusive jurisdiction is at present possessed by the Court of Exchequer, or otherwise, it shall be competent to apply to the Lord Ordinary in Exchequer causes to restrain such person or persons by interdict from following out such prosecution in another court or otherwise, according to the circumstances of the case; . . . ^{F1}: Provided, that where interdict shall be granted as aforesaid with reference to any cause requiring to be instituted within a limited time, or which, if not instituted within a limited time, may be competently objected to as not timeously brought, the time which may have elapsed between the date of the service of such interdict and the date of the institution of such cause to which such interdict relates, with ten free days in addition thereto, shall be added to the period limited as aforesaid, and such cause shall be deemed and taken to be timeously brought, if instituted at any time within such extended period.

Textual Amendments

F1 Words repealed (S.) by [Court of Session Act 1988 \(c. 36, SIF 36:1\)](#), s. 52(2), [Sch. 2 Pt. I](#)

Changes to legislation:

There are currently no known outstanding effects for the Exchequer Court (Scotland) Act 1856, Section 14.