



# Companies Clauses Consolidation (Scotland) Act 1845

## 1845 CHAPTER 17

### *Power to borrow Money*

#### **LVII Appointment of Judicial Factor.**

Every Application for a Judicial Factor in the Cases aforesaid shall be made to the Court of Session, and on any such Application so made, and after hearing the Parties, it shall be lawful for the said Court, by Order in Writing, to appoint some Person to receive the whole or a competent Part of the Tolls or Sums liable to the Payment of such Interest, or such Principal and Interest, as the Case may be, until such Interest, or until such Principal and Interest, as the Case may be, together with all Costs, including the Charges of receiving the Tolls or Sums aforesaid, be fully paid ; and upon such Appointment being made all such Tolls and Sums of Money as aforesaid shall be paid to and received by the Person so to be appointed; and the Money so to be received shall be so much Money received by or to the Use of the Party to whom such Interest, or such Principal and Interest, as the Case may be, shall be then due, and on whose Behalf such Judicial Factor shall have been appointed; and after such Interest and Costs, or such Principal, Interest, and Costs, have been so received, the Power of such Judicial Factor shall cease, and he shall be bound to account to the Company for his Intromissions, or the Sums received by him, and to pay over to their Treasurer any Balance that may be in his Hands.