



# Factors Act 1889

1889 CHAPTER 45 52 and 53 Vict

## *Supplemental*

### **11 Mode of transferring documents.**

For the purposes of this Act, the transfer of a document may be by endorsement, or, where the document is by custom or by its express terms transferable by delivery, or makes the goods deliverable to the bearer, then by delivery.

### **12 Saving for rights of true owner.**

- (1) Nothing in this Act shall authorise an agent to exceed or depart from his authority as between himself and his principal, or exempt him from any liability, civil or criminal, for so doing.
- (2) Nothing in this Act shall prevent the owner of goods from recovering the goods from an agent or his trustee in bankruptcy at any time before the sale or pledge thereof, or shall prevent the owner of goods pledged by an agent from having the right to redeem the goods at any time before the sale thereof, on satisfying the claim for which the goods were pledged, and paying to the agent, if by him required, any money in respect of which the agent would by law be entitled to retain the goods or the documents of title thereto, or any of them, by way of lien as against the owner, or from recovering from any person with whom the goods have been pledged any balance of money remaining in his hands as the produce of the sale of the goods after deducting the amount of his lien.
- (3) Nothing in this Act shall prevent the owner of goods sold by an agent from recovering from the buyer the price agreed to be paid for the same, or any part of that price, subject to any right of set off on the part of the buyer against the agent.

### **13 Saving for common law powers of agent.**

The provisions of this Act shall be construed in amplification and not in derogation of the powers exercisable by an agent independently of this Act.

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*Changes to legislation: There are currently no known outstanding effects for the Factors Act 1889, Cross Heading: Supplemental. (See end of Document for details)*

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14 ..... F1

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**Textual Amendments**  
F1 Ss. 14, 15, Sch. repealed by Statute Law Revision Act 1908 (c. 49)

15 ..... F2

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**Textual Amendments**  
F2 Ss. 14, 15, Sch. repealed by Statute Law Revision Act 1908 (c. 49)

16 **Extent of Act.**

This Act shall not extend to Scotland.

17 **Short title.**

This Act may be cited as the Factors Act, 1889.

**Changes to legislation:**

There are currently no known outstanding effects for the Factors Act 1889, Cross Heading:  
Supplemental.