Short title of Act

3. This Act may be cited for all purposes as the "Trade Marks Registration Extension Act, 1877," and this Act and the Trade Marks Registration Amendment Act, 1876, and the Trade Marks Registration Act, 1875, may be cited together as the "Trade Marks Registration Acts, 1875–77."

CHAPTER 38.

An Act to continue for One Year the Board of Education in Scotland. [6th August 1877.]

35 & 36 Vict. c. 62.

WHEREAS by the Education (Scotland) Act, 1872, it was, inter alia, provided that "with a view to greater efficiency and convenience in the institution and organi- "sation of schools and School Boards under the provisions of this Act, a Board of "Education for Scotland shall be and is hereby established, to endure for the term of "three years from and after the passing of this Act, with power to Her Majesty, by "Order in Council made before the expiration of that term, to extend the same for a "further period of not more than two years:"

And whereas the period of endurance of the Board of Education in Scotland was extended by Her Majesty, by Order in Council, in terms of the recited Act, until the sixth day of August one thousand eight hundred and seventy-seven:

And whereas it is expedient that the same should be further extended:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Continuance of Board of Education till 6th August 1878.

1. The Board of Education in Scotland shall endure, and shall have all rights, privileges, powers, and duties belonging to it at the passing of this Act, until the sixth day of August one thousand eight hundred and seventy-eight.

Construction of Act.

2. This Act and the recited Act shall be read and construed together as one Act.

CHAPTER 39.

An Act to amend the Factors' Acts. [10th August 1877.]

WHEREAS doubts have arisen with respect to the true meaning of certain provisions of the Factors' Acts, and it is expedient to remove such doubts and otherwise to amend the said Acts, for the better security of persons buying or making advances on goods, or documents of title to goods, in the usual and ordinary course of mercantile business:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. In this Act, the expression "the principal Acts" means the following Acts; that is to say,

The Act of the 4th Geo. IV. (1823) c. 83.

The Act of the 6th Geo. IV. (1825) c. 94.

The Act of the 5th and 6th of Her Majesty (1842), c. 39.

And the said Acts and this Act may be cited for all purposes as the "Factors' Acts, 1823 to 1877."

Amendment of law with respect to secret revocation of entrustment or agency.

2. Where any agent or person has been entrusted with and continues in the possession of any goods, or documents of title to goods, within the meaning of the principal Acts as amended by this Act, any revocation of his entrustment or agency shall not prejudice or affect the title or rights of any other person who, without notice of such revocation,

purchases such goods, or makes advances upon the faith or security of such goods or documents.

With respect to vendors permitted to retain documents of title to goods.

3. Where any goods have been sold, and the vendor or any person on his behalf continues or is in possession of the documents of title thereto, any sale, pledge, or other disposition of the goods or documents made by such vendor or any person or agent entrusted by the vendor with the goods or documents within the meaning of the principal Acts as amended by this Act so continuing or being in possession, shall be as valid and effectual as if such vendor or person were an agent or person entrusted by the vendee with the goods or documents within the meaning of the principal Acts as amended by this Act, provided the person to whom the sale, pledge, or other disposition is made has not notice that the goods have been previously sold.

With respect to vendees permitted to have possession of documents of title to goods.

4. Where any goods have been sold or contracted to be sold, and the vendee, or any person on his behalf, obtains the possession of the documents of title thereto from the vendor or his agents, any sale, pledge, or disposition of such goods or documents by such vendee so in possession or by any other person or agent entrusted by the vendee with the documents within the meaning of the principal Acts as amended by this Act shall be as valid and effectual as if such vendee or other person were an agent or person entrusted by the vendor with the documents within the meaning of the principal Acts as amended by this Act, provided the person to whom the sale, pledge, or other disposition is made has not notice of any lien or other right of the vendor in respect of the goods.

With respect to transfers of documents of title.

5. Where any document of title to goods has been lawfully indorsed or otherwise transferred to any person as a vendee or owner of the goods, and such person transfers such document by indorsement (or by delivery where the document is by custom, or by its express terms transferable by delivery, or makes the goods deliverable to the bearer) to a person who takes the same bonâ fide and for valuable consideration, the last-mentioned transfer shall have the same effect for defeating any vendor's lien or right of stoppage in transitu as the transfer of a bill of lading has for defeating the right of stoppage in transitu.

Act not to be retrospective.

6. This Act shall apply only to acts done and rights acquired after the passing of this Act.

CHAPTER 40.

An Act to amend the Form of Warrant of Execution on certain Extracts of Writs registered in the Books of Council and Session and Sheriff Court Books in Scotland; and to provide for the Authentication of certain Extracts of Writs. [10th August 1877.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Extracts of writs registered in Books of Council and Session to have, in certain cases, warrant for execution.

Form of warrant of execution inserted in extracts of all protests, &c.

1. In all extracts of writs, deeds, or other documents which contain a clause of registration for preservation and execution, and which are registered in the register of deeds and probative writs and protests in the Books of Council and Session in Scotland, the keeper or assistant keeper of the said register shall insert a warrant for execution in the form, or as nearly as may be in the form, of the Schedule to this Act annexed.

The warrants for execution inserted in the extracts of all protests of bills, promissory notes or bankers notes, or certificates of judgment registered for execution under the Judgments Extension Act, 1868, shall be as nearly as may be in the form of the said Schedule to this Act annexed.

Extracts of writs registered

2. In all extracts of writs, deeds, or other documents which contain a clause of registration for preservation and execution, and which are registered in the Sheriff Court Books of