CHAPTER 36.

An Act to amend "The Registration of Leases (Scotland) Act, 1857." [6th August 1877.]

WHEREAS an Act was passed in the session holden in the twentieth and twenty-first years of Her Majesty (chapter twenty-six) to provide for the registration of long leases in Scotland and assignations thereof; and whereas it is expedient to amend the said Act: 20 & 21 Vict. c. 26.

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:

"Commissary" to be read in recited Act after "sheriff."

1. Section nineteen of the said recited Act shall be read as if the word "commissary" occurred therein immediately after the word "sheriff."

Act 49 G. 3. c. 42. not to be affected.

2. Nothing in this Act shall affect the provisions of an Act passed in the forty-ninth year of His late Majesty King George the Third (chapter forty-two) for the better regulating the public records of Scotland.

Short title.

3. This Act may be cited for all purposes as "The Registration of Leases (Scotland) Amendment Act, 1877."

CHAPTER 37.

An Act for extending the Time for the Registration of Trade Marks, in so far as relates to Trade Marks used in Textile Industries. [6th August 1877.]

WHEREAS by section one of the Trade Marks Registration Amendment Act, 1876, it is provided that from and after the first day of July one thousand eight hundred and seventy-seven a person shall not be entitled to institute any proceeding to prevent or to recover damages for the infringement of any trade mark as defined by the Trade Marks Registration Act, 1875 (referred to in such Amendment Act and in this Act as the principal Act), until and unless such trade mark is registered in pursuance of the principal Act, or until and unless, with respect to any device, mark, name, combination of words, or other matter or thing in use as a trade mark before the passing of the principal Act, registration thereof as a trade mark under the principal Act shall have been refused, as is in the said Act thereafter mentioned: 39 & 40 Vict. c. 33. 38 & 39 Vict. c. 91.

And whereas by reason of the difficulties attending the registration of trade marks used in the textile industries it has been found impossible to complete the registration of such trade marks within the time specified by the said section, and it is therefore expedient to prolong such time as aforesaid:

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:

Extension of time for registration of trade marks used in textile industries.

1. In so far as relates to the registration of trade marks used in the textile industries, but not further or otherwise, section one of the Trade Marks Registration Amendment Act, 1876, shall be construed as if for the words "from and after the first day of July one "thousand eight hundred and seventy-seven" there were substituted the words "from "and after the first day of January one thousand eight hundred and seventy-eight, or "such further time as Her Majesty may by Order in Council determine."

Definition of "trade marks used in the textile industries."

2. The expression in this Act "Trade marks used in the textile industries" means the trade marks relating to goods comprised in classes 23 to 35, both inclusive, of the First Schedule to the rules under the Trade Marks Registration Acts, 1875–76, dated September 1876.

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,