

agent or conveyancer, as well as a notary-public, may at any time within one year after the passing of this Act be admitted as a law agent under this Act, if the Court shall see fit, without making an affidavit of having served an apprenticeship as hereinbefore required, and without being subjected to examination."

The petitioner was admitted a notary-public in July 1866, and he had taken out prior to August 5, 1873 seven annual certificates to practise as such, of which the first bore date 1st Nov. 1866. He also produced certificates from several law agents that he had been in practice as a conveyancer for seven years prior to the date of the Law Agents Act.

The prayer of the petition was granted, and the petitioner admitted as a Law Agent.

Counsel for Petitioner—J. G. Maitland. Agents—H. & A. Inglis, W.S.

Wednesday, November 19.

Lord Shand, Ordinary.

BARRIE, PETITIONER.

Act 36 and 37, Vict. c. 63, § 24—Petition by Notary-Public.

A notary-public had been in actual practice as such, and as a conveyancer, for six years and five months prior to 5th August 1873, but had taken out seven annual certificates.—Held that he was entitled to be admitted a law agent under § 24 of the Act, and prayer of the petition granted.

This was a petition presented by George Barrie, conveyancer and notary-public, 2 Queen Street, Edinburgh, to be admitted a law agent under the 24th section of the Act 36 and 37 Vict. c. 63. The petitioner passed as notary-public in March 1867, or six years and five months before the passing of the Act, and during that period he had taken out seven annual certificates as required by law, and had been engaged in actual practice as a conveyancer as well as a notary-public.

The following interlocutor was pronounced:—"The Lord Ordinary having considered the foregoing petition and productions therewith, and heard Counsel, finds that the petitioner George Barrie, in respect of his qualifications, under the 24th section of the Act 36 and 37 Vict. cap. 63, is entitled to be admitted as a Law Agent in Scotland, and appoints his name to be enrolled as such, all in terms of the said Act."

Counsel for Petitioner—G. Monro. Agent—J. Falconer, S.S.C.

FORM OF PETITION FOR ADMISSION AS LAW AGENT.

(BY AN APPLICANT WHO HAS UNDERGONE APPRENTICESHIP.)

[Lord Ordinary.

Unto the Right Honourable

THE LORDS OF COUNCIL AND SESSION.

The PETITION OF A. B.

residing at

Humbly Sheweth,

That this Petition is presented under section 7 of an Act passed in the 36th and 37th years of the reign of Her Majesty

Queen Victoria, chapter 63, entitled 'An Act to amend the law relating to Law Agents practising in Scotland,' and relative Act of Sederunt of 20th December 1873.

The petitioner is entitled to be admitted as a Law Agent under section 5, sub-section , of the said Act [or under section 10, sub-section ], which provides—[Here quote the section founded on, as the case may be]. He is upwards of 21 years of age, as appears from certificate of birth herewith produced. He has duly served an apprenticeship, &c. [Here state particulars of apprenticeship, preliminary or intermediate examinations in general knowledge, attendance at law classes, affidavit of service, &c., and that the documents founded on have been produced. If the petitioner is exempted by the provisions of the statute or A. S., from examination in general knowledge, this should also be here stated.]

May it therefore please your Lordships to remit the petitioner to be examined in general knowledge and law [or in law only, as the case may be] by the Examiners appointed by the Court; and thereafter, on being satisfied by the certificate of the said Examiners that he is duly qualified and fit and competent to act as Law Agent, to cause him to be admitted a Law Agent, and his name to be enrolled as such; or to do otherwise in the premises as to your Lordships may seem proper.

According to Justice, &c.,

(Signed by the Petitioner or by Counsel.)

Friday, January 8.

FIRST DIVISION.

Lord Mure, Ordinary.

ROSS v. PENDER.

Master and Servant—Wrongous Dismissal—Claim of Damages—Acquiescence—Offer to Reinstate—Bar.

1. Where a servant, dismissed without sufficient notice, between terms, left without resistance, and without intimating previous to the day of his departure his intention to claim damages—held that his conduct could not be construed into acquiescence in his dismissal, such as to operate a bar to his claim.

2. The employer having offered to take the servant back into his service, and to pay him the same wages as before his dismissal, but to employ him, not as formerly in the capacity of head gamekeeper, but to take charge of certain shootings, with no charge of kennels, dogs, or gamekeeping establishment—held that the new position offered was substantially different from that previously occupied, and that the offer was not such as the servant was bound to accept, and, consequently, could not bar his claim of damages.

This was an action of damages brought by Donald Ross, sometime head gamekeeper in the service of J. Pender, Esq., M. P., to recover damages for wrongful dismissal. The facts of the case as