

# UNIVERSITY OF EDINBURGH.

## LAW GRADUATION EXAMINATION.

### EVIDENCE AND PLEADING.

THURSDAY, 23rd June 1955.—3 to 5 P.M.

(NOTE.—Only FIVE questions to be answered.)

(a) Lat. M. 1. How does the value of a cause affect its competency in the Court of Session? What types of cause (a) may and (b) must be brought in the Court of Session irrespective of value?

2. Explain the grounds on which the Court of Session may have jurisdiction over a defender (a) in an ordinary action of damages, (b) in an action of divorce.

3. In what circumstances will a plea of (a) *res judicata*, (b) *lis alibi pendens* be upheld? What is the effect in each case?

4. Discuss the rules as to the admissibility in evidence of copies of documents. What steps should be taken by an intending litigant who has lost the deed which is the foundation of his case?

5. Discuss the competency of evidence which has been made available by irregular search.

6. What are the objects of cross-examination? What is meant by 'laying a foundation in cross-examination'?

7. Write short notes on *two* of the following :—

- (a) *res ipsa loquitur*,
- (b) note of exceptions,
- (c) summary trial.

NOTE.—Candidates will attend for ORAL EXAMINATION in the PUBLIC LAW CLASS ROOM on TUESDAY, 5TH JULY 1955, at 4 P.M.

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Lat. M. H. 1/2  
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