

UNIVERSITY OF EDINBURGH.

EXAMINATION FOR DEGREES IN LAW.

SCOTS LAW.

FIRST PAPER.

MONDAY, 28th June 1954.—9 to 11 A.M.

(Only FIVE questions to be answered.)

1. A dies leaving a will disposing of his whole estate 'to B in liferent and C, D and E, and the survivors and survivor of them in fee.' A's estate comprises heritage and moveables. At what date does vesting in the fee take place?

2. X dies intestate, and amongst his assets is a Bond and Disposition in Security over the lands of Y. You are consulted by X's heir in heritage as to his right to succeed to the Bond. What advice would you give?

✓ 3. A enjoys an annuity bequeathed to him by B. In the year 1953, the income from B's estate is insufficient to enable the annuity to be paid in full. You are consulted by the Trustees of B as to the rights of A in the circumstances. What would you say to the Trustees?

✓ 4. (a) What is the difference between (1) joint property and (2) common property? Give *one* example of each.

(b) What is the 'law of the tenement' as regards liability for repairing the roof?

✓ 5. A consults you as to raising against her husband either an action of divorce on the ground of adultery or an action of separation on the same ground. Assuming that a good ground of action exists, what considerations would you have in mind when advising A as to which form of action to raise?

6. Distinguish between (a) a proper liferent, and (b) a beneficiary liferent; and between (c) a constructive trust, (d) a resulting trust, and (e) a precatory trust.

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7. A Testatrix gives directions for the division of the residue of her estate 'amongst such societies or institutions of a benevolent or charitable nature as my Executors in their sole discretion may select, and that in such shares and proportions as my Executors may think proper.' Is this a valid charitable bequest ?

Candidates for the DEGREES OF LL.B. and B.L. MUST attend for ORAL EXAMINATION in the SCOTS LAW RETIRING ROOM, on MONDAY, 12TH JULY 1954, at 10.15 A.M.