

# UNIVERSITY OF EDINBURGH.

## LAW GRADUATION EXAMINATION.

### CONVEYANCING.

#### SECOND PAPER.

SATURDAY, 25th June 1955.—12 NOON to 2 P.M.

*(Only FIVE questions to be answered.)*

1. A creditor in a Bond and Disposition in Security for £1,500, secured over subjects in Edinburgh, is to seek repayment by exercising his power of sale. Interest is in arrear, and the person who had paid the interest in the past has disappeared.

(1) Indicate what steps the creditor should take as regards Notice calling up the Bond.

(2) Assume that he proceeds to sell, that the subjects realise £2,000, and that there is no other heritable debt. How does he carry the sale to completion ?

2. Explain and illustrate the innovation, so far as applicable to property titles, introduced by Section 3 of the Conveyancing (Scotland) Act, 1924, (the rubric being 'Disposition, etc. by person uninfert'). Add a note on deduction of title.

3. (a) Discuss exclusion of assignees in relation to agricultural and urban Leases respectively.

X (b) Indicate in outline the general purpose and scheme of the Registration of Leases (Scotland) Act, 1857, including in particular a reference to security rights constituted over a Lease.

4. Write short informative notes on :—

(1) Prohibition of subinfeudation.

(2) Stamp Duty on a Deed of Gift.

(3) Property 'deemed to pass' on death for the purpose of Estate Duty.

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5. (a) Discuss investment powers of trustees.

(b) Outline the provision in the Trusts (Scotland) Act, 1921, which offers a safeguard as regards investment in security over heritable property.

X 6. A lady, in terms of an Ante-nuptial Marriage Contract, assigns to the trustees thereunder 'the whole property now belonging to me, and which may be acquired by me through succession or otherwise'. Indicate the limited connotation of the quoted phrase, adding a note upon the position thereunder of a *spes successionis*.

✓ 7. Indicate the points which should be the subject of inquiry when taking instructions for the preparation of a Will.

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*The ORAL EXAMINATION will be held on FRIDAY, 8TH JULY 1955, assembling at 9.15 A.M.*