

GX 1671

Ollscoil na hÉireann, Gallimh
National University of Ireland, Galway

SEMESTER 1 Examinations, 2003/2004

Exam Code(s)	2BL1, 2BL2, 3BL1, 3BL2 3CW1, 4BL2, 1OA1, IEM1
Exams(s)	2 nd 3 rd & 4 th LL.B 3 rd Bachelor of Civil Law Erasmus & Occasional
Module Codes(s)	LW225
Module(s)	Land Law I
Paper No.	1
AUTUMN PAPER	
External Examiner(s)	Dr. Alan Dowling
Internal Examiner(s)	Dr. Ray Murphy
<u>Instructions</u>	Answer THREE questions All questions carry equal marks. Questions in two or more parts have an equal allocation of marks for each part, except where otherwise stated.
Duration	TWO Hours
No. of AnswerBooks	
<u>Requirements:</u>	
Handout	
MCQ	
Statistical Tables	
Graph Paper	
Log Graph Paper	
Other Material	
No. of Pages	3
Department(s)	Law

PTO

1. Analyse and discuss **any two** of the following:
 - (a) The implications and effect of the Renewable Leasehold Conversion Act, 1849.
 - (b) The Statute Quia Emptores 1290.
 - (c) The Statute of Uses (Ireland) 1634.

2. In his will, Tom Conway bequeathed his farm and dwelling with all stock thereon and all contents to his nephew John 'provided my said nephew shall marry (if he be not married at the date of my death) and come to reside there within one year from the date of my death'. The will went on to provide that in the event of the said nephew not marrying and coming to live in the dwelling as required, the farm, dwelling and all else was to be sold and the proceeds distributed among named charities. John did not marry and reside in the dwelling as required. He contends that the requirement to reside was void for uncertainty, and consequently he is entitled to a fee simple. Advise John.

3. Answer **(a) and (b)**.
 - (a) Outline and discuss the powers of the tenant for life under the Settled Land Acts, 1882-1890.
 - (b) You have been consulted by a client, John, with a life estate in a house that was left to him in his late mother's will. His father is also dead, but his two sisters have the fee simple remainder interest in the property under the terms of the will. The settlement was made owing to the fact that John was suffering from a mental disability, from which he has since recovered. Five years ago he granted a ten year lease of the downstairs portion of the house to a retired couple. He now wants to sell the house and move to America. Advise John.

4. Ray went to work on his late uncle's small farm in 1998. This had been at the request of his uncle Tom who had indicated to Ray's father that he found work on the farm hard due to his age, and he needed someone 'to give me a hand with the cows and things around the place'. In 2000, Tom told Ray that he would have the farm and lands some day, as up until then the subject of remuneration had not been discussed. Ray was happy to work on the farm on the basis of this understanding, and he also worked part-time at the local creamery. Uncle Tom died intestate in October 2003. Tom had often said to Ray that he was going to put everything in writing, in order to 'make it all right and legal between them'. Ray is anxious to know if he has any claim to the farm and lands that were promised to him. Advise Ray.

5. Analyse and discuss the criteria used by the courts in granting applications under Section 117 of the Succession Act, 1965. What reforms, if any, would you propose to the current legislation?

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