

LAND LAW

WEEK 2, LECTURE 1: WHAT DO I OWN?

INTRODUCTION TO LAND

Introduction to Module

Doctrine of Tenure and Estates

Lecture Reading

Bevan, 1.1 – 1.6.2.2/ 7.3 – 7.3.3, 7.3.14 – 7.3.15



Part Two – Introduction to Land Law

Brief History and Politics of Land Law (Land law as a mixture of the feudal and the modern)

- 1066 Invasion. Crown title, feudalism, and enclosure of common land

After 1066 the king held all of the lands, people were tenants of the king in return for enjoyment of the land people had to do things for king (tenure).

- While feudalism had disappeared by the 16th century, the doctrine of tenure and estates maintain the fiction of Crown title.
- The end of doctrine of tenure, replaced by scutage.
- Market transformation of land and Industrial Revolution
- Place of women in property (and even as property at times!)

Recognising the difference between a 'property' right and a 'personal' right - Rights *in rem* mean: "a right into the matter of something." Rights *in personam* are personal rights for example to damages but not a right to property.

Land Law – primarily about rights *in rem*. But can involve a *right in personam*, which is a right to sue another person that may stem from a property right, contract or tort law.

- a) Land- any tenure, mines, minerals, buildings (in any way) etc. the same as corporeal (anything physical on the land) and incorporeal hereditaments (cannot be seen, however is the things such an enjoyment of land, etc). [by LPA 1925]

Definition of our status in relation to land and other users:

Law of Property Act 1925 (henceforth "LPA 1925") s 205(1)(ix) – provides a definition of what is included in the category "land"

LPA 1925 s 205(1)(x) – "interests and charges, in or over land (subsisting or created at law) which are by this Act authorised to subsist or to be created as legal estates; "equitable interests" mean all the other interests and charges in or over land; an equitable interest "capable of subsisting as a legal estate" means such as could validly subsist or be created as a legal estate under this Act"

ESTATE, INTEREST, LAW, EQUITY

An estate is a snapshot of every right in relation to a particular piece of land at a particular time. A tenant on land does not enjoy the land itself, but what is called an **estate in the land**. Over time this became two estates:

- Fee simple absolute *in possession* (**Freehold**) LPA 1925 s 1(1)(a) absolute ownerships
- Term of years absolute, life estate back in time (**Leasehold**) LPA 1925 s 1(1)(b) timed ownership, fe only for 2 years

Land Law Lecture Notes

Martin Dixon, Emma Lees



Land Law Lecture Notes:

Land Law Lecture Notes Angela Sydenham, 1981 Lecture Notes of Land Law Hap Phalthy, 2023 **Q&A Land Law 2013-2014** Martin Dixon, Emma Lees, 2013-04-18 Routledge Q As give you the tools to practice and refine your exam technique helping you to apply your knowledge to maximum effect in an exam situation Each book contains up to fifty essay and problem based questions on commonly examined topics complete with answer plans and fully worked model answers Our authors have also highlighted common mistakes as well as offering you tips on how to achieve the very best marks Routledge Q As are written by lecturers who are also examiners and the books provide notes from the examiner for each question to give you an exclusive insight into exactly what your marker will be looking for in an answer *Q&A Land Law* Martin Dixon, Emma Lees, 2014-12-17 Routledge Q As give you the tools to practice and refine your exam technique showing you how to apply your knowledge to maximum effect in an exam situation Each book contains up to fifty essay and problem based questions on the most commonly examined topics complete with expert guidance and fully worked model answers These books provide you with the skills you need for your exams by Helping you to be prepared each title in the series has an introduction presenting carefully tailored advice on how to approach assessment for your subject Showing you what examiners are looking for each question is annotated with both a short overview on how to approach your answer as well as footnoted commentary that demonstrate how model answers meet marking criteria Offering pointers on how to gain marks as well as what common errors could lose them Aim Higher and Common Pitfalls offer crucial guidance throughout Helping you to understand and remember the law diagrams for each answer work to illuminate difficult legal principles and provide overviews of how model answers are structured Books in the series are also supported by a Companion Website that offers online essay writing tutorials podcasts bonus Q As and multiple choice questions to help you focus your revision more effectively **The Johns Hopkins University Studies in Historical and Political Science**, 1891 *The Weekly Notes* Frederick Pollock, 1872 Stalinism American Council of Learned Societies. Planning Group on Comparative Communist Studies, In the years since Stalin's death his profound influence upon the historical development of Communism has remained elusive and in need of interpretation Stalinism as his system has become known is a phenomenon which embraced all facets of political and social life While its effect upon the Soviet Union and other nations today is far less than it was while Stalin lived it is by no means dead In this landmark volume some of the world's foremost scholars of the subject in a concerted group inquiry present their interpretations of Stalinism and its influence on all areas of comparative Communist studies from history and politics to economics sociology and literary scholarship The studies contained in this volume are an outgrowth of a conference on Stalinism held in Bellagio Italy sponsored by the American Council of Learned Societies In his major contribution to this book Leszek Kolakowski calls Stalinism a unified state organism facing atom like individuals This extraordinary volume augmented by a revealing new introduction by the editor Robert C Tucker can be seen as amplifying

that remark nearly a half century after the death of Joseph Stalin himself Contributors to this work are Wlodzimierz Brus Katerina Clark Stephen F Cohen Alexander Erlich Leszek Kolakowski Moshe Lewin Robert H McNeal Mihailo Markovic Roy A Medvedev T H Rigby Robert Sharlet and H Gordon Skilling Robert C Tucker s principle work on Stalin has been described by George F Kennan as the most significant single contribution made to date anywhere to the history of Soviet power

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