

# Macbeth, Currie & Co.

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When telephoning or calling, please ask for: Miss Maguire

Your ref: IMW/EB

Our ref: WBFM/JMM/CSW

Date: 8th March, 1985

Messrs. Burnett, Walker, Lindsay & Rae, W.S.  
Rutland Exchange Box 156  
EDINBURGH

Dear Sirs

Mr. & Mrs. T. Minogue  
109 Victoria Terrace, Dunfermline

We have been consulted by Mr. and Mrs. Minogue who have passed to us the correspondence between you relating to the purchase of their property at 109 Victoria Terrace, Dunfermline. We understand that Mr. Minogue has discussed the matter at some length with Mr. Walker and there are still various details on which he would wish clarification.

In the first place, our clients wish to know why the loan was not settled until late last year, settlement having taken place in November 1983. They have been advised by the Bank that monies were always available and accordingly they wish to know whether the executed Disposition was received on or about November 1983 and the reason for the delay in processing the loan.

They also require a note of the interest rate at which bridging has been charged and the amount which would have been payable by them should they have been making mortgage repayments in the normal manner. When they receive this information they will be in a better position to decide what rate interest should be paid. We presume that it was necessary to bridge for the whole price but perhaps you could confirm this.

We understand that you have suggested that you will be responsible for the interest of £475.78 which would have accrued on our client's deposit of £3,099.10. With respect, we are of the view that you should in fact be accepting liability for all interest payable on that proportion of the loan. Had our clients been asked to provide this money at settlement they would have done so and they should therefore not have to pay any interest on this figure.

Finally, we are informed that your Mr. Anderson advised our clients at the very start of the transaction that although the price was £30,100 there would be/



Also at 9 East Port, Dunfermline  
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Messrs. Burnett Walker Lindsey & Rae, W.S.

8th March, 1985

be an adjustment in the Dispositon for furnishings and fittings and therefore no Stamp Duty would be payable. This is, of course, fairly common practice. If this is the case we do not consider that our client should be liable for Stamp Duty.

We look forward to hearing from you.

Yours faithfully,

A handwritten signature in cursive script, appearing to be 'W. Burnett', written in dark ink.

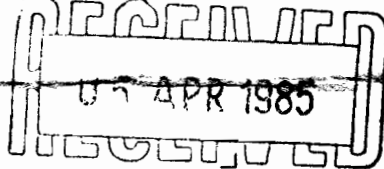
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Messrs. MacBeth Currie and Co.,  
Solicitors  
38 High Street,  
DUNFERMLINE  
Fife



Our Ref: IMW/GA/AM

Your Ref: WBFM/JMM/CSW

5th April 1985

Dear Sirs,

Mr. & Mrs. T. Minogue  
109 Victoria Terrace, Dunfermline

We thank you for your letter of 8th March and note all that you write. We are presently obtaining a note of the varying interest rates at which bridging and loan facilities have been charged. This a fairly complicated calculation but we hope to be able to supply this information to you in the near future.

We refer to your comments regarding the deposit of £3,099.10 paid by Mr. & Mrs. Minogue. There would appear to be a misunderstanding about our suggestion to Mr. & Mrs. Minogue. With respect we have already agreed that they should not be responsible for any interest accrued on this sum. We do accept liability for all interest payable on that proportion of the loan. The proportion of interest accrued on the sum of £3,099.10 until this sum was paid was in fact £475.78.

Finally as regards the question of Stamp Duty you will be aware that <sup>at</sup> the time of the transaction, Stamp Duty was chargeable at different rates. Although the purchase price was £30,100 the apportionment between heritage and moveables reduced the price shown in the Disposition to under £30,000 (to £29,600) and so Stamp Duty was chargeable at the then rate of one half per cent on purchases over £25,000. It was obviously not possible to apportion the price by as much as £5,100 but the apportionment obtained from the seller did represent a considerable saving to Mr. & Mrs. Minogue. At no time did we state that no Stamp Duty would be payable.

We shall supply the additional information to you in the near future.

Yours faithfully,