



**NATIONAL OPEN UNIVERSITY OF NIGERIA
14-16 AHMADU BELLO WAY, VICTORIA ISLAND LAGOS
SEPTEMBER/OCTOBER 2015 EXAMINATION**

SCHOOL OF LAW

COURSE CODE: LAW 233

COURSE TITLE: LAW OF CONTRACT I

TIME ALLOWED: 2 ½ HOURS

INSTRUCTIONS: ANSWER QUESTION ONE AND ANY OTHER THREE

- 1) Adewale a dealer in gold situated in Abia State travelled to Kano in search of miners who can supply him gold in bulk. While in Kano State contacted AlhajiYaro and after a discussion with AlhajiYaro promised to supply such gold anytime and in quantity as shall be required and informed him that he presently has ten (10) bags of pure gold which Adewale examined and took a packet of same as sample. Adewale further proceeded to Maiduguri where he met Chief Chukwuka a dealer in gold from who Adewale on a written undertaken accepted to purchase 20 bags of pure gold upon which payment was agreed for two weeks after supply is made and Chief Chukwuka immediately loaded his car and moved the bags of gold along with Adewale to Abia state. In one of the meetings of gold dealers association, Chief Chukwuka narrated to AlhajiYaro his ordeal with Adewale who has refused to make payment for gold supplied to him and threaten to take him to court. On hearing this, AlhajiYaro also quickly commenced an action against Adewale for not perfecting the contract with him upon which sample was given to him. Adewale having received a letter of demand and suit from Chief Chukwuka, wrote a letter in reply that he will be returning the goods as she is not bound by the contract because there was no

sales and business was bad. As a student of law with basic understanding of the law of contract, justify the positions of the parties as to their various claims through raising proper issues upon which those claims can be validly determined.

- 2) There are so many transactions and agreement in our every day to day activity, but that agreement which will be deemed to be a valid contract known to law is one not void of the necessary elements. Discuss.
- 3) A proper understanding of the origin of law can be vividly understood from its classes and developed theories by which the concept is explained. Discuss
- 4) Contract can be classified according to the nature and terms of agreement of the parties, examine these in the light of relevant authorities.
- 5) Offer as an element of valid contract is determined by the presence of certain conditions; examine this in line with basic understanding of the implication of social arrangements and business agreements and substantiate your answer with judicial authorities.
- 6) It is not gainsaying that offer is marked with certain exclusive characteristics and this vividly distinguishes it from invitation to treat. Discuss with the aid of decided cases.

