



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

COURSE CODE: LAW 100

COURSE TITLE: INTRODUCTION TO LAW

TIME ALLOWED: 2 ½ Hours

INSTRUCTION: ANSWER FOUR QUESTIONS ONLY. QUESTION ONE IS COMPULSORY. All questions carry equal marks

1. In his book, the Discipline of Law, (Butterworths, London, 1979), Lord Denning said the following about the High Trees case:

Looking back over the last 32 years since the High Trees case, it is my hope that the principles then stated – and the extension of them – will come to be accepted in the profession. The effect has been to do away with the doctrine of consideration in all but a handful of cases...it has been replaced by the better precept; 'My word is my bond', irrespective of whether there is consideration in support of it. Once a man gives a promise or assurance to his neighbor – on which the neighbor relies – he should not be allowed to go back on it. In stating the principles, and its extension, the lawyers use the archaic word 'estoppel'.

- (a) Discuss:
 - (b) Do you believe that the role of consideration in the formation of contracts is in decline?
2.
 - i. Discuss the role of ratio decidendi in judicial precedent?
 - ii. In what ways are the following terms significant in the doctrine of precedent ?
 - court hierarchy;
 - ratiodecidendi.
3. Comment on the following:
 - a. The presumption of law is not in favour of bail
 - b. Forms of action have long been buried but they still rule us imperiously from the grave.
4. Discuss on the following:

What can a court admit as evidence?
What is a reason for excluding hearsay evidence?
How is evidence presented in court?
What is the standard proof in a criminal trial and a civil trial?
5. Distinguish Law of Tort from the Law of Contract. Support your answer with illustration and decided cases.
6. Adefemi, aged 15, purchased a gun for N50,000.00 from Clara stores. Adefemi placed the purchase on his father's account. Enumerate the issues and discuss them.