SCHOOL OF LAW

COURSE CODE: LAW 234

COURSE TITLE: LAW OF CONTRACT II

TIME ALLOWED: 2 ½ HOURS
INSTRUCTIONS: ANSWER QUESTION ONE AND ANY OTHER THREE

1. Madam Olojo was alone in her bedroom within a 3 bedroom flat at Alagomeji in Yaba. While watching a film and relaxing the doorbell outside rang and she immediately went for the door to open to the person waiting at the door. On opening the door, suddenly Mr. Apanijaiye a very huge man rushed and entered without a determined purpose and against all entreaties refused to leave. He rather physically forced Madam Olojo to sign a receipt for a portfolio case containing all kinds of trinkets which he forcefully took away. When he left the apartment, Madam Olojo discovered a note on her table stapled to a cheque of N200,000.00. She tried all effort and successfully traced Mr. Apanijaiye who now stated that he validly and legally paid for the trinkets to Mrs. Olojo. She is highly troubled and intends to institute a suit and has now come to you as a law student, upon what point of law can she make her claim and what are the facts she must rely on to establish this.

2. Examine the concept of mistake vis-à-vis the identified categories of mistake under the law of contract.

3. Whenever a person has fallen under the burden of mistake, it certainly have effects but it is surely not a hopeless situation as an appeal to Equity will always grant such certain protection and relieves by which he can take advantage of as security. Discuss.

4. Examine the principle of misrepresentation and fully discuss the known and identified types of misrepresentation.

5. Give a vivid description of what is known as CONTRACTS UBERRIMAE FIDEI and fully discuss the contracts that come under this principle.

6. The term "Illegality" though vague and imprecise is a very wide concept and has seen to the burial of so many would have been contracts in law and yet can be observed from its various classifications. Discuss