



**NATIONAL OPEN UNIVERSITY OF NIGERIA
14-16 AHMADU BELLO WAY, VICTORIA ISLAND,
LAGOS
SCHOOL OF LAW
JANUARY/FEBRUARY 2013 EXAMINATION**

INSTRUCTION: Answer five questions in all

TIME: 3 Hours

EQUITY AND TRUST II LAW 424

1. Discuss the influence of the chancery court in the development of law of trust?
2. Discuss constitution of a trust and when can a trust be said to be completely constituted?
3.
 - a. Differentiate between private and public trust.
 - b. Highlight the formalities of creating a trust by a will.
4. Discuss the requirements for the creation of express trust.
5. Write short note on:
 - a. Cy-pres doctrine
 - b. Constitution of a trust
 - c. Charitable trust
6. Discuss the concept of resulting trust.
7. Discuss the powers and duties of a trustee.
8. Mr. Ziko, died intestate. Mr. Ziko's wife - Jane, who did not have any child for Ziko applied for a grant of letters of administration in respect of her husband's estate. One year after the grant of the letters of administration in James's favour, Ziko's mother - Mama Trouble filed an action in court seeking a revocation of the letters of administration granted to Jane, contending that since Jane has no child for her late son, Jane cannot have any say in respect of her late husband's estate. Mama Trouble strongly believes that she is the person entitled to the estate of her son since she was the one that brought him up.

Identify the legal issues involved and advise the parties.

9. Discuss the concept of trust under the Nigerian customary law and the Land Use Act.

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