



**NATIONAL OPEN UNIVERSITY OF NIGERIA**  
**PLOT 91, CADASTRAL ZONE, NNAMDI AZIKIWE EXPRESS WAY, JABI – ABUJA**  
**FACULTY OF LAW**  
**2021\_2 EXAMINATION**

**COURSE CODE: PPL323**

**COURSE TITLE: LAW OF TORTS I**

**TIME ALLOWED: 3 HOURS**

**INSTRUCTION: ANSWER QUESTION 1 AND ANY OTHER THREE (3) QUESTIONS. QUESTION ONE CARRIES 25 MARKS. ALL OTHER QUESTIONS CARRY EQUAL MARKS.**

**Question 1**

(a) A two year old boy visitor to a mill who was attracted by some balloons placed on a threshing machine was crushed when the workers started the machine. The father of the boy Mr. Abraham wants to sue the owner of the mill for the harm to the boy. Advise Mr. Abraham

(b) What are strict liability offences?

**Question 2**

Discuss the Remedies available in a successful action for Conversion.

**Question 3**

Discuss the Negligence principle as laid down in Donoghue v. Stephenson.

**Question 4**

Adebayo was a member of a shooting party who were hunting game. He fired his gun and a pellet hit a tree and bounced off into the eye of the beater who was employed to drive birds at the shooting party. The beater wants to sue Adebayo for battery. Advise him.

### Question 5

Write notes on any three of the following;

- (a) Legal wrong without damage: *Injuria sine damno*
- (b) Similarities between tort and contract
- (c) Sources of the Nigerian law of tort
- (d) The Tests of directness of Damage and reasonable foreseeability

### Question 6

Zika was suspected of stealing some items from Mr. Peter, who was his employer. Two policemen who provided security to Peter's office took Zika to the company's main office for interrogation. Zika did not know what his offence was and was not aware that he was a suspect but nevertheless agreed to the request. He remained in the office while the two policemen remained outside the room without Zika's knowledge that they were there and with instructions to prevent him from leaving. He was later released. Zika wants to sue for damages for false imprisonment. Peter is capitalizing on the fact that Zika lacked knowledge of the fact of his imprisonment at the material time. Advise Zika.