

QUESTIONS FOR MERCHANTILE LAW

QUESTION ONE

Miss Adiva deals in the manufacture of polythene bags (kavera) in Katente Mukono Municipality where she owns a factory under Kibooko Company Limited where she is the Managing Director. On the 27th day of May 2024, Mr Matama who runs a whole sale shop in Kikubo contacted Adiva making an order of 5000 cartons of polythene bags (kavera) at a sum of UGX. 450,000,000/= (Uganda Shillings Forty Five Million only). Adiva confirmed the availability of the goods in the ware house and ready for loading and delivery to Kikubo. An invoice was drafted, goods loaded in the truck and off to Kikubo.

Unfortunately, on Adiva's way to Kikubo with the goods, the truck was raided by guns and panga wielded men (thugs) and while Adiva and the truck driver were on gun point, the cartons / goods were loaded unto another truck belonging to the thugs thus leaving Adiva with trauma and an empty truck.

On Adiva contacting Matama and notifying him of the misfortune that had befallen her, he sympathised with her but there was nothing more that he could do to help her since he had not received the goods. Adiva is so furious and devastated and intends to sue Matama for recovery of the purchase price since it was all because of his order / instructions that the goods were loaded unto the truck and eventually stolen.

Advise Adiva on whether she she can successfully sue Matama for recovery of the purchase price.

QUESTION TWO.

With various illustrations, define;

- a. Goods
- b. Existing goods
- c. Specific goods
- d. Future goods
- e. Unascertainable goods
- f. Contigent goods
- g. Perishable goods

QUESTION THREE.

Distinguish between a contract of sale of goods and;

- a. Agreement for Sell
- b. Barter trade
- c. Bailment
- d. Hire Purchase Agreement

Merchantile Law Objective Answer

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Table of Contents Merchantile Law Objective Answer

1. Understanding the eBook Merchantile Law Objective Answer
 - The Rise of Digital Reading Merchantile Law Objective Answer
 - Advantages of eBooks Over Traditional Books
2. Identifying Merchantile Law Objective Answer
 - Exploring Different Genres
 - Considering Fiction vs. Non-Fiction
 - Determining Your Reading Goals
3. Choosing the Right eBook Platform
 - Popular eBook Platforms
 - Features to Look for in an Merchantile Law Objective Answer
 - User-Friendly Interface
4. Exploring eBook Recommendations from Merchantile Law Objective Answer
 - Personalized Recommendations

- Merchantile Law Objective Answer User Reviews and Ratings
- Merchantile Law Objective Answer and Bestseller Lists
- 5. Accessing Merchantile Law Objective Answer Free and Paid eBooks
 - Merchantile Law Objective Answer Public Domain eBooks
 - Merchantile Law Objective Answer eBook Subscription Services
 - Merchantile Law Objective Answer Budget-Friendly Options
- 6. Navigating Merchantile Law Objective Answer eBook Formats
 - ePub, PDF, MOBI, and More
 - Merchantile Law Objective Answer Compatibility with Devices
 - Merchantile Law Objective Answer Enhanced eBook Features
- 7. Enhancing Your Reading Experience
 - Adjustable Fonts and Text Sizes of Merchantile Law Objective Answer
 - Highlighting and Note-Taking Merchantile Law Objective Answer
 - Interactive Elements Merchantile Law Objective Answer
- 8. Staying Engaged with Merchantile Law Objective Answer
 - Joining Online Reading Communities
 - Participating in Virtual Book Clubs
 - Following Authors and Publishers Merchantile Law Objective Answer
- 9. Balancing eBooks and Physical Books Merchantile Law Objective Answer
 - Benefits of a Digital Library
 - Creating a Diverse Reading Collection Merchantile Law Objective Answer
- 10. Overcoming Reading Challenges
 - Dealing with Digital Eye Strain
 - Minimizing Distractions
 - Managing Screen Time
- 11. Cultivating a Reading Routine Merchantile Law Objective Answer
 - Setting Reading Goals Merchantile Law Objective Answer
 - Carving Out Dedicated Reading Time
- 12. Sourcing Reliable Information of Merchantile Law Objective Answer
 - Fact-Checking eBook Content of Merchantile Law Objective Answer

- Distinguishing Credible Sources
- 13. Promoting Lifelong Learning
 - Utilizing eBooks for Skill Development
 - Exploring Educational eBooks
- 14. Embracing eBook Trends
 - Integration of Multimedia Elements
 - Interactive and Gamified eBooks

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