

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

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Karin Nielsen-Saines



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