

BOWEN UNIVERSITY IWO
(of the Nigerian Baptist Convention)
FIRST SEMESTER EXAMINATION, 2023/2024 SESSION
COURSE TITLE: LAW OF SUCCESSION COURSE CODE: PCL 513

INSTRUCTIONS

ANSWER ANY FOUR QUESTIONS (EACH QUESTION CARRIES 17½ MARKS)
TIME ALLOWED: 3 HOURS

1. Examine the intestate rule of succession in Southern Nigeria.
2. Discuss the essentials of a valid Will.
3. Dr. Alao, a prominent medical practitioner, got married to Mrs Tosin Alao in 1974 in the United Kingdom. In 1984, Dr. Alao threw the belongings of his wife Tosin out. He lived alone for 5 years without any other wife. After 8 years, Dr. Alao married former Miss Nigeria according to the Kalabari native law and customs. In year 2014, Dr. Alao died without a Will. Tosin had 5 children and the former Miss Nigeria had a child for Dr. Alao. Mrs. Tosin Alao stated that she and all the children, including the one had for Dr. Alao by the former Miss Nigeria are exclusively entitled to the Estate of Dr. Alao, while the former Miss Nigeria said she and her child are exclusively entitled to Dr. Alao's estate as she is the legal wife living with the deceased at the time of his demise.

Advise the parties. Would your answer be different if there was a legal separation between Dr. Alao and his first wife?

4. Write short notes on any **THREE** of the following:
 - (a) Nuncupative Will
 - (b) *Animus testandi*
 - (c) Codicil
 - (d) *Bona Vacantia*
5. (a) Explain the term, "Subject to any customary rule relating thereto."
 - (b) "Neither elder's arrangements nor testamentary instrument can deny the eldest surviving son of the *igiogbe*." Discuss.
6. A Will may be revoked any time before the death of the testator.
Explain how a Will may be revoked. In addition, explain how a revoked Will may be revived.