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Dedicated to the King of kings

O. O. NOEL ESQ. Chief Editor

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LAND LAW - Evidence - Statute - S. 145 Evidence Act - Where a person in possession of land - Is said to be a trespasser - He that so asserts must prove better title to the land (H 5) Kyari v. Alkali p. 1753

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defences must fail (H 9) Kayode v. Odutola p. 1861

LAND LAW - Title - Equitable defences - Registration of an instrument - Is not notice to all the world - And as appellant's title was not proved - His equitable defences of acquiescence and laches - Ought to have been rejected (H 1) Kayode v. Odutola p. 1861

LAND LAW - Title to land - Any of the five methods of proving title to land - Will suffice independently to prove title to land (H 12) Kyari v. Alkali p. 1753

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LAND LAW - Title to land - Identity of Land - A declaration of title may be made - Without necessity of tying it to a survey plan - If no difficulty exists in identifying the land (H 1) Kyari v. Alkali p. 1753

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LAND USE ACT - Grant of land - A second grant of the same piece of land - During the subsistence of the 1st grant - By the same authority - Is unjustifiable, unlawful, invalid and of no effect (H9) Kyari v. Alkali p. 1753

LAND USE ACT - Grant of land - Land Use Act ss.36(2) & 6(1)(a) - A deemed grant of land - Is to all intents and purposes - Not different from an actual grant of land (H 8) Kyari v. Alkali p. 1753

LAND USE ACT - Revocation of Right of Occupancy s. 28(1) - In the

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PLEADINGS - Admissions - Any allegation of fact - In the statement of claim - Not denied specifically or by implication - Is deemed admitted - And the court was in error - To demand proof of such facts from the plaintiff (H 3) Kyari v. Alkali p. 1753

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PLEADINGS - Cross examination - The admission obtained - From the defendant during cross examination - Went to negative his own pleaded fact - And was therefore admissible - Though not pleaded by the plaintiff (H 3) Kayode v. Odutola p. 1861

PRACTICE & PROCEDURE - Courts - Writ of summons - Pleadings - Representative capacity - Failure to indicate this capacity on the writ of summons - Will not ipso facto invalidate the proceedings - As the appellate court - May suo motu amend the title - Once the pleadings and evidence so indicate (H 15) Kyari v. Alkali p. 1753

PRACTICE & PROCEDURE - Pleadings - Evidence - Representative capacity - Where the pleadings and the evidence of a party - Disclose a representative capacity - Judgment can be entered for such a party - Even if an amendment to reflect that capacity has not been obtained (H 14) Kyari v. Alkali p. 1753

STATUTES - Applicability - S.12(4) Criminal Code Laws of Lagos State - Cannot avail the appellant - As the place of death of the accused - Was not certain (H 7) Adeniji v. State p. 1799

STATUTES - Jurisdiction - S.12(1)(2)(b) Criminal Code Laws of Lagos State - Where an offence is committed outside Lagos State - And the appellant afterwards enters Lagos State - The entry confers jurisdiction - On the Lagos High Court to try him (H 6) Adeniji v. State p. 1799

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Land Use Act 1978 ss.6(1)(a), 28(1), 34(2), 36(2) Kyari v. Alkali p. 1753

Evidence Act s.145 Kyari v. Alkali p. 1753

Criminal Procedure Law of Lagos State s.215 Adeniji v. State p. 1799

Constitution of Nigeria 1979 s.33(6)(a) Adeniji v. State p. 1799

Criminal Code Laws of Lagos ss.12(1)(2)(b) & 12(4) Adeniji v. State p. 1799