

You're the Judge

How Contracts Come To An End



For each of the following cases, indicate whether the contract was discharged and then state the legal principle or legal reason that applies to the facts of the case. **Your reasons should be two sentences in length.**

CASE 1: Relee Smee agreed to work for XYZ Store for two years. At the end of two months, Relee Smee went to the manager and asked to be released from his contract. The manager agreed to do this. Was the contract discharged? Explain.

CASE 2: Pai Mee made a contract with Mia Way to refinish a vanity dresser for \$50. Pai Mee agreed to put on five coats of clear lacquer, but due to an error, the dresser was returned after only four coats had been applied. Mia Way refused to pay the contract price or any portion of it. Can Pai Mee collect any payment for her service? Is the contract discharged? Explain.

CASE 3: Stinky Joe contracted to install a septic tank in Mr. Pooh's back yard. Before beginning the excavating work, Stinky Joe discovered that a recent health department ordinance prohibited the installation of septic tanks in that neighborhood. Is the contract discharged? Explain.

CASE 4: Gree Smunky contracted to install a new crankshaft in a 1916 Buick car for \$75. Gree Smunky later discovered that a crankshaft would have to be hand-machined at a cost of \$400, since Buick dealers could not get a ready-made one. He claimed that the impossibility of getting a ready-made crankshaft discharged him from the contract. Is he correct? Is the contract discharged? Explain.

CASE 5: Thomas Phault agreed to pave a driveway for \$2500 and to begin on or before March 17. Thomas Phault began the work on March 18. Did he breach the contract? Is the contract discharged? Explain.