

1-21-1933

T. C. Williams School of Law, University of Richmond: Torts I Exam, 21 Jan 1933

University of Richmond

Follow this and additional works at: <http://scholarship.richmond.edu/historicexams>

Recommended Citation

University of Richmond, "T. C. Williams School of Law, University of Richmond: Torts I Exam, 21 Jan 1933" (1933). *Historic Law School Exams*. 66.

<http://scholarship.richmond.edu/historicexams/66>

This Book is brought to you for free and open access by the T.C. Williams Law School Archives at UR Scholarship Repository. It has been accepted for inclusion in Historic Law School Exams by an authorized administrator of UR Scholarship Repository. For more information, please contact scholarshiprepository@richmond.edu.

T.C. WILLIAMS SCHOOL OF LAW
University of Richmond

Torts I Examination

January 21, 1933

Three hours. Give full reasons for all conclusions.

①
1. Ale, canoeing up a river, landed on an island owned by Bottle. Bottle found the empty canoe on the shore and cast it adrift. When Ale discovered this, he went to Bottle and demanded that Bottle lend him a row boat to enable him to get across to the mainland, a quarter mile away. Upon Bottle's refusal, Ale jumped in Bottle's row boat, but before he could cast off Bottle grabbed him and pulled him out of the boat. Ale landed a severe blow on Bottle's jaw, knocking him unconscious. Cork, Bottle's son, intervened at this point with a shot gun and began firing at Ale, who took flight and swam across to the mainland. ~~Discuss the rights and liabilities of Ale, Bottle, and Cork.~~

②
2. Hunter, a resident of Richmond, invites Plight, the mayor, to his house for a duck dinner. Just as Plight is leaving, he sees armed communists approaching looking for him. Plight, in fear of his life, re-enters the house and locks the door, refusing to obey Hunter's command to leave. The communists throw rocks through the windows, but fire no shots. Finally, Hunter succeeds in forcing Plight out of the back door. Plight is seized by the communists but escapes with minor bruises. What are the liabilities of Hunter and Plight inter se?

3. A is general manager of X Corporation owner of a circulating library sending out books weekly to its subscribers. Among the subscribers are all of the stockholders of the corporation. C, a clerk, who is jealous of A's position as general manager, attempts to depose A by dictating a letter, containing the following statement to the janitor who is efficient in short hand and typing: "A and his buddy, Y, are gambling heavily, spending money lavishly, trafficking with bootleggers, and maintaining a mistress in an expensive apartment." Y is president of a university. C directs the janitor not to transcribe the letter until further orders. The note book remains open on the desk and is read by Z who enters the building in the night time to burglarize it. Next day the letter is transcribed and a copy of it is placed in each library book by C in hopes that each subscribing stockholder would read it. The library receives requests from M and N for a particular book. Copies are delivered by B, the truck driver, to each the latter of the two subscribers being also a stockholder. Unknown to X Corporation or B, the book contains a review of a novel of which W is author. The review in part says: "This novel of W's is vulgar and indelicate, and moreover is full of bad grammar." The entire book and letter is read by M and N, the latter selling his stock for fear of heavy losses and later repurchasing it on an advanced market. What tort, or torts, if any, arise? Against whom? In favor of whom? Why?

4
5
A and B quarrelled over a division fence. A accepts B's challenge to go into the highway and fight it out. On arriving in the highway A is stabbed with a knife by B. Then C held A while B "gave it to him." Doctrine. (Teolis vs. Mascatelli et al, 119 Atl. 161.)

5. (a) X severely beats a young boy in the presence of Y, the boy's sister, with the intent to cause, and thereby actually causing, mental pain on the part of Y. As a result of this mental pain, Y has a fever. Can Y recover damages from X? Why or why not?

(b) B receives a hard blow from X. X did not intend to strike or harm B, and the fact that the blow reached B was not due to negligence on the part of either X or B.

B is advised by counsel that he can recover if he can prove one fact in addition to those above stated. What is that additional fact?

End.