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

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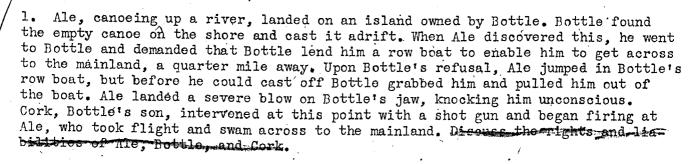
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T.C. WILLIAMS SCHOOL OF LAW University of Richmond

Torts I Examination

January 21, 1933

Three hours. Give full reasons for all conclusions.





- 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 effecient in short hand and typing: buddy, Y, are gambling heavily, spending money lavishly, trafficing 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 might 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?
- 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.)

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- 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.