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T. C. Williams School of Law, University of Richmond: Torts I Exam, 29 Jan 1937

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T. C. WILLIAMS SCHOOL OF LAW
University of Richmond

TORTS I Examination
Professor Muse
January 29, 1937.

1. Plaintiff and her husband were employed by defendant in household service. At
ten o'clock in the evening, plaintiff's husband had some words with defendant who
waved a dagger at him and ordered him to leave. Defendant then proceeded to get out
a loaded revolver. Coming down a stairway, defendant met plaintiff, who was coming
from the kitchen, and pointing the revolver at her shouted, "Mary, get right out of
my house or I will shoot you dead." The statement was repeated. Defendant then
called a policeman. As a result of all this plaintiff suffers illness. May she

2. Adie, desiring to repair the chimney of his house and having no ladder, asks
Buck for the loan of his ladder. Buck agrees. Adie goes to Buck's premises where
he by mistake takes a ladder which resembles Buck's but which in fact belongs to
Cole and which Buck had borrowed the day before. While Adie is on the roof repair­
ing the chimney, Cole discovering that his ladder is against Adie's house removes
the ladder. Adie, having completed his repairs, attempts to descend but finding
no ladder remains on the roof for an hour thinking his children have removed the
ladder temporarily and will return it. Becoming wearied, he jumps to the ground,
a distance of fifteen feet and breaks his leg. What is the liability, if any, of
Adie, Buck and Cole?

3. Richard Roe seduces Jane Doe and gets her with child. He employs Dr. Johnson
to perform an abortion, which is by statute a crime, upon Jane Doe. The operation
is successfully performed. Jane is led to consent to the operation by Richard's
false statements that Dr. Johnson has assured him that the operation is necessary
to save her life. Dr. Johnson does not know that Richard has made these represent­
tations. Is either Richard Roe or Dr. Johnson liable to Jane Doe?

4. Anthony is caught in a blizzard and seeks shelter in Brutus's barn. Brutus
demands that Anthony leave, whereupon Anthony excitedly exclaims, "I am not a bum,
and I will pay you". Caesar, Brutus's farm hand, only partially hears this and
understands Anthony to say, "I have a bomb and I will kill you." In order to pro­
tect his employer Caesar strikes at Anthony but the blow is warded off by Anthony
striking Caesar's arm. Caesar learns of his mistake. Brutus and Caesar attempt
forbiddingly to put Anthony out. In passively resisting Anthony clutches a door and
pulls off the knob. They succeed in ejecting Anthony, spraining his arm in the
effort, though using no more force than is necessary to overcome Anthony's resi­
sistance. Anthony is unable to find shelter and suffers severe frostbite.
What are the rights and liabilities, if any, of all the parties?

5. The defendant, a tobacco warehouser, procured plaintiff's arrest upon a
warrant for a misdemeanor under a statute which provided:

"It shall be a misdemeanor to procure a loan
from a tobacco warehouser upon a written promise
or pledge to sell tobacco through such warehouser,
and fail to comply with such pledge, or repay the
amount borrowed."

Plaintiff had borrowed $93 of defendant and had given his note therefor and
a written promise to sell his tobacco through defendant. Plaintiff sold his to­
bacco elsewhere and refused to pay the note. He was arrested at three o'clock
in the afternoon and discharged, and warrant was dismissed, immediately after
settling the claim at eleven o'clock the same evening. Does plaintiff have any
right of action against defendant? (Gildewell v. Murray-Iaey, 124 Va. 563 (1919)).

END.