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## T. C. Williams School of Law, University of Richmond: Torts I Exam, 27 Jan 1938

University of Richmond

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T. C. WILLIAMS SCHOOL OF LAW  
University of Richmond

TORTS I Examination

January 27, 1938.

Professor Muse

- ✓ 1. At a rural high school field day A and B are leading by six yards a field of ten contestants in the 100 yard three-legged race. C, seeing A and B just ten feet from the ribbon and desiring to prevent them from winning the \$ 10 cash prize, trips A causing both A and B to fall as a result of which A's arm is broken. Unknown to everyone, the bone in A's arm is diseased and very brittle. A and B come in second. C, in an effort to escape, instinctively whirls to run through the crowd of onlookers and, in doing so, knocks a lighted cigar from F's mouth causing it to set fire to the blanket in which F's sleeping baby was wrapped while being held by its father. The fire was quickly extinguished after it had slightly damaged the blanket. What tort or torts, if any, have been committed by C? Why?
2. A, accompanied by B, goes to the plaintiff's house, accuses him of stealing hogs and tells him to leave town within ten days or they will "put a rope around his neck". Plaintiff suffers severe mental distress, sells his goods at a sacrifice and leaves town. What, if any, is the liability of A and B to the plaintiff.
3. Being chased by a vicious-looking, but harmless, airedale dog, A, a peddler, ran into B's house and slammed the door. The jar of the door caused a costly hall mirror to fall and smash. After explaining to B, A was invited into the living room to exhibit his wares. While B was momentarily out of the room, A made an immoral proposal to C, a young woman who had been calling on B's wife, and who was then alone in the room with A. On learning of this from C, B ordered A from the house, and, upon A's refusing to leave, pushed him into a closet and locked the door. Two hours later B called a neighbor, with whose assistance A was ejected from the house. What are the rights and liabilities of A, B, and C?
4. A is attacked by B. To escape a beating, A fires a pistol in the direction of B, reasonably, but mistakenly, believing that it contains only a blank cartridge. The ball crushed the knee of C, a passerby. Over C's unreasonable protests, the leg was amputated at a nearby hospital by Y, a surgeon. The operation was necessary to save C's life and was successful. What, if any, is A, B, and Y's liability to C?
5. Sly commenced incompetency proceedings against Witt and had himself appointed committee of Witt's person and property without Witt's knowledge, by falsely representing that Witt was violent and his appearance in court would imperil his life. The proceedings had been instituted as part of a scheme to gain control of Witt's property. Thereafter, when Witt became aware of the proceedings, he applied to the court for an order to vacate them. A jury trial was had as to his competency, resulting in a verdict that he had become competent to manage his property. Sly was thereupon discharged as committee. Witt seeks your advice. What would you advise concerning Sly's liability to him? (Hauser v. Bartow (1937) 273 N.Y. 370).

END.