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# T. C. Williams School of Law, University of Richmond: Agency Exam, 22 May 1945

University of Richmond

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UNIVERSITY OF RICHMOND LAW SCHOOL

AGENCY Examination

May 22, 1945

Professor Barnett

1. P authorized A to buy certain automobile accessories, but cautioned him to conceal the name of the purchaser. A negotiated such a contract with T concealing P's name. T declined to enter into the contract until he was assured that the real party was neither A nor P. If A refuses to accept the goods, against whom does T have a remedy? What will be the ultimate result of T's actions or action, in case P has paid to A the full purchase price with orders to pay T?
2. P while riding with A is injured in a collision and cannot move but can talk. No one is present. P wishes to convey Blackacre to A, a conveyance requiring a sealed instrument. A has writing material and a blank deed. Can P's wishes be carried out?
3. P employs A once a month to cut his lawn, trim hedges, etc., telling him to put the debris in barrels provided for that purpose. On one occasion in P's absence A sets fire to a pile of debris and, being annoyed by boys who have come to see the fire, pursues one of them, T, and injures him. P's cook, seeing the fire spreading, attempts to put it out and in the process negligently sprays acid from the fire extinguisher upon B, a neighbor. The fire spreads to B's house. What is P's liability?
4. The P railroad employs A as station agent at \$ 24 per week. The B telegraph company with P's consent also employs A as telegrapher to accept and send messages from the railway station, paying A 15 percent of the money received for the telegrams. Later T, a traveller, enters the station, buys a ticket, and sends a telegram. A dispute over the change arises, and A follows T into the road and there assaults him. Discuss the liability of P and B to T.
5. P, whose business is that of advising persons concerning investments, is approached by T who comes to P's office for advice. P being busy tells T to consult the man at the desk marked "Adams Manager". T goes to the desk so marked and finds X seated there. Adams has just received an emergency call from his home and asked X, an old friend to take a call by staying at the desk. X tells T that he is Adams the manager and acting solely to promote an enterprise in which he is interested makes fraudulent statements in regard to it, on the strength of which T invests and loses all. What are the rights of T?
6. P authorizes A to sell Blackacre for not less than \$ 5000, A to receive the usual commission. A contacts T who is willing to pay \$ 5000 for the property but suggests to A that if he can induce P to take \$ 4300 he will pay A \$ 300. A reports to P that he is unable to secure the asking price but that T may be induced to purchase for \$ 4300 and urges P to sell at that figure. P consents, and the conveyance is carried out on those terms. T pays A only \$ 200. Two years later P discovers the fraud. What are the rights and remedies of P?
7. P calls A, a realtor, on the telephone and authorizes him to sell and convey his house and lot for not less than \$ 10,000. A secures from T an offer to pay \$ 10,000 and then makes out a deed granting the property to T, and signs and seals it in P's name without indicating any agency and delivers it to T to see if it conforms to the agreement, T agreeing that if in accordance with the agreement he will pay the price the following day. That evening P changes his mind and phones T revoking the agency of A and informing him of the facts as above stated. T consults you as to his rights. Advise him.

(continued)

8. P, a clerk, receiving \$ 2000 yearly, gives \$ 100 to his bride<sup>A</sup> to buy necessaries for herself and the household for the ensuing month. A, unknown to P, opens charge accounts in P's name with a number of merchants. At the end of the month, P receives bills from X for \$ 50 for clothes purchased by A and a bill from Y for \$ 10 for perfume. P now gives \$ 150 to A telling her to pay these bills and to incur no new ones during the month. Both P and A repeat the performance during and at the end of the second month. During the third month, A buys on P's credit \$ 60 worth of clothes from X and two bottles of champagne from Z, who had been referred by A to X and Y for information as to P's credit and A's authority. Discuss P's liability.

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