5-18-1960

T. C. Williams School of Law, University of Richmond: Torts Exam, 18 May 1960

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 Exam, 18 May 1960" (1960). Historic Law School Exams. 20.
http://scholarship.richmond.edu/historicexams/20

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.
1. In a crowded tavern A, a patron, tries to get familiar with a young woman sitting at a table near B, another patron. B pushes A away and slaps his face. A is about to retaliate when the tavern bouncer, without prior request, shoves them both out. B gets a wrench from his car, enters the tavern and seeks out the bouncer. The latter shoots at B, misses him, and strikes A who is just entering the door to recover his hat and coat. What are A's rights, if any, against B and the bouncer? Give full reasons.

2. A state statute provides in part: "It shall be a misdemeanor to drive a vehicle, in overtaking and passing traffic, to the left of the center of the roadway when traversing, or approaching within 100 feet, any intersection."

D, while driving, notices a man lying in the street. Upon inspection, he discovers that the man is unconscious and bleeding profusely, apparently having been struck by a hit-and-run driver. Hasty lifting A, the victim, into his car, D drives toward the nearest hospital. On the way, he finds himself slowed down behind a long, slow tractor-trailer. After some minutes of anxious delay, he sees an opportunity to pass, and swings out to do so, within 50 feet of the intersection. Just before he reaches the intersection, a 6-year-old child pursuing a red balloon suddenly stops into the street, and D, unable to stop in time and in an unsuccessful attempt to avoid the child, hits and injures the child, runs into and damages B's fence, and delays getting A to the hospital causing additional harm to him. To whom, if anyone, is D liable? Why or why not?

3. A rents B a car, representing that the gasoline tank is full, although it is nearly empty. Twenty minutes later, while B is driving in lane 2 of a 6-lane highway (the lanes being numbered 1 to 6 beginning on B's right), the car runs out of gas. Heavy traffic prevents B from pulling across lane 1 and over to the shoulder before stopping. B gets out and, after noting the gasoline gauge still registers full (it is stuck), raises the hood and is trying to find the trouble when the rented car is struck from behind by a car driven by C. B is injured and both cars are damaged. C could have avoided striking the rented car had it not been for the fact that his brakes were bad. What liabilities, if any? Why or why not?

4. One night A leaves his car parked on the highway without any lights. B, driving on the highway, negligently runs into A's parked vehicle. When C, a bystander, sees B's car in flames, he comes to the rescue of B and B's wife, D, who was riding with him. C begins to help B to salvage articles from the burning car as D goes to a nearby farm house for help. C found a gun in B's car and hands it to B. In a crazed state of frenzy and delirium, B shoots C, his rescuer. As D is nearing the farmer's house she is bitten on the leg by a dog. The bite causes only a superficial wound but due to the unusual condition of D's blood it becomes necessary for her to be hospitalized where she is negligently treated by a physician. Through the negligence of the physician it becomes necessary to amputate the leg. Later, while learning to walk with the aid of crutches, she falls and breaks the other leg. May C and D, or either of them, recover from A? Why or why not?

5. A enters B's store to shop. On one of the counters there stands a large metal fixture used for the display of various kinds of tools and equipment. The fixture, and the tools and equipment, were manufactured by X Co. and installed by it 24 hours earlier. The fixture is so constructed that various pieces of metal and springs in it are held in place under tension. While A is standing alongside this counter, the metal fixture suddenly snaps apart in a dozen pieces. There is a sharp noise and fragments of metal as well as tools and pieces of equipment fly past A's head.

(OVER)
and pock but do not touch her. A is badly frightened, shrieks, and faints falling to the floor. B's store manager rushes to A's assistance, brings her to consciousness and helps her to a chair. He then telephones the doctor. A wants to leave but the store manager insists she remain until the doctor arrives. After half an hour, A insists on leaving over the manager's protest, and returns to her home. Upon arriving home she vomits and takes to her bed. Her physician keeps her in bed under sedatives for a week. What is the extent of liability, if any, of B and X Co. to A? Why or why not?

END