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T. C. Williams School of Law, University of Richmond: Torts Exam, 20 May 1955

University of Richmond

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Time up at 11:00 P.M.

UNIVERSITY OF RICHMOND LAW SCHOOL

TORTS Examination

Mr. Muse

May 20, 1955

1. A, aged 12, threw a stone at a playmate. The stone missed its mark and went in the direction of B, a bystander. B, in dodging the stone, inadvertently bumped into C, another bystander. C, thinking B was attacking him, struck B and knocked him unconscious. What are the rights, if any, of B and C?
2. At the close of school for the day of a private school for first grade children, A, a fifteen year old boy of defective mentality, who customarily had guided the children as they crossed the street, left his post, and B, a five year old girl, started into the street. She stepped out from behind C's car which was parked partially in the cross-walk, in violation of the statute. D, the driver of an oncoming car, did not see B until 10 feet away. To avoid striking her, D swerved into and struck E's car which was illegally parked in a bus stop on the other side of the street. What liabilities?
3. A, a druggist, negligently handed X a bottle of poison, labelled cough medicine. Discovering his mistake, he telephoned at once to X's office. B, a business visitor at the office, answered the ring and informed A that X had stepped out of the room for a moment. A then told B of the mistake and B replied that he would tell X at once. The conversation over the telephone was heard by X's secretary, C, but both B and C ~~forget~~ to tell X of the mistake. That night X and his wife took some of the substance and both became seriously ill. What are the liabilities, if any, of A, B, and C?
4. On a foggy night, A, while in a drunken stupor, stumbled into, and fell, upon the highway. B, driving an automobile, when 50 feet distant, saw what appeared to him to be a bundle of old clothes and tried to avoid it. He was unable to do so because of a defect in the steering gear of which B had known but had forgotten. The impact with A caused the car to go into a ditch, harming B and his guest, C. What, if any, are the liabilities of A and B?
5. X owns a three-story building bordering on a public alley with garages at the ground level and apartments above. During bad weather, snow and ice gather on the roof of the building and slide into the alley one day at noon. B, a neighbor of X, while driving in the alley toward his garage after dark, runs into the pile of snow and ice, damaging his car and causing it to get stuck. B asks W, his wife, to try to back the car out of the snow and ice as B pushes. Because of his exertions B, who has been under a doctor's care, has a heart attack and dies. Seeing this, W becomes hysterical. What, if any, are X's liabilities?