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# T. C. Williams School of Law, University of Richmond: Torts Exam, 30 May 1962

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3 1/2 hours  
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UNIVERSITY OF RICHMOND LAW SCHOOL

TORTS Examination

Mr. Muse

May 30, 1962

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, C, without prior request, shoves them both out of the door. B gets a wrench from his car, re-enters the tavern and seeks out the bouncer. To protect himself C 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 C? Why or why not?

2. While making a U turn at a street intersection, A's small, foreign-built automobile stalled on the streetcar tracks. Although he saw a streetcar approaching some three blocks away and had ample time to push his automobile off the tracks, A remained in the automobile attempting to start the motor. Just before the streetcar, which was traveling faster than A thought, reached the automobile A jumped out. The motorman, being engaged in conversation with a passenger who was making himself obnoxious to the other passengers, was not looking ahead and did not see the automobile until he was some ten feet away. This was barely sufficient distance in which to safely stop the streetcar, but in the <sup>cause of</sup> emergency the motorman became excited and did not apply the brakes immediately. The streetcar struck the automobile damaging it and pushing it against A, who had not had time to reach safety, severely injuring him. In an action by A against the streetcar company for the personal injuries and the property damage, may he recover? Why or why not?

3. A city ordinance makes it a misdemeanor for (a) any skater in a roller skating rink to do the "whip", or (b) any proprietor of such rink to permit skaters to do the "whip." (In the whip, several skaters holding together in a chain skate rapidly along and suddenly turn; centrifugal force "snaps" the "whip"; and typically the line breaks and the skaters thereby separated from the main line are flung out into the rink.)

P, skating in a roller skating rink owned and operated by D, notices that a group of skaters are doing the "whip." She continues to skate. Although she tries to keep a wary eye on the group, she is caught by a "snap" of the "whip", and knocked down injuring her knee. She makes her way to the seats alongside the rink, removes her skates, and rests. When she rises to walk home, she finds walking very painful. As she limps toward the door, the manager of the rink inquires as to her condition. When she explains her plight, the manager requests A, another patron, to drive her home. A drives to an intersection about eight blocks from her home; explains that he has an errand to do requiring him to turn at that point; and leaves her at the intersection. As P is limping toward home in acute pain and within about three blocks of home she is given a ride by B, a neighbor. While B is driving carefully, and due to faulty design in the catch which fastens the hood to his car, the hood suddenly flies up causing the car to hit a utility pole and in this collision P's arm is broken. Subsequent medical diagnosis establishes that the 5-block walk aggravated the injury to P's knee. P brings action against D, A, and the manufacturer of B's car. For what injuries, if any, and against whom, if anyone, may P recover? Why or why not?

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