

1962

## Business Associations I: Mid-Semester Examination (November 2, 1962)

William & Mary Law School

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DIRECTIONS: Discuss fully each issue raised by the following questions whether or not any one issue is decisive of the problem.

I. A is employed by P as a truck driver charged with the duty of hauling gravel for P's construction firm. On the day in question, R, a contractor, with whom P was engaged on a large excavating project, called P and asked for the loan of a truck and driver, promising to compensate P fully for the use of the truck and the driver's wages, plus 10%. P sent A to R, telling A merely to go give R a hand for the day. A anticipated the job would be tiring, as he wasn't feeling well, so picked up C, a friend, to go along for company. On the job, A became ill and turned over the job to C who proceeded to run the truck negligently into T causing damages. A and C were also injured. Discuss the rights of the injured parties.

II. A is employed as treasurer and business manager of P, a partnership. In the course of his duties he executed a series of business transactions with T who thought A was a sole proprietor. One transaction consisted of giving a contract which A signed only with his own name plus the words, "Manager and Treasurer." The other consisted in signing a negotiable promissory note in the same manner. P failed to perform the contract and also failed to pay the note, and then A informed T of P's existence. T comes to you for advice relative to his rights against the parties involved. How will you advise him?