

Torts MJ Mid-Term
Britton September 23, 2010

The start of music class in a high school was delayed for unknown reasons. While waiting for class to begin, the boys engaged in a favorite game. They lined up on each side of the classroom and threw pencils and pens at each other.

Beth sat near the middle of the room. She did not participate in the game but studied for her test in math in the next session. No one intended to strike or injure Beth. However, a pen hit her in the face and broke her glasses. A bit of the glass permanently damaged one of her eyes. Tom, one of the boys involved in the game, had a crush on Beth. He became very upset and angry by seeing her injury.

Tom was still upset later that day at baseball practice. His pitching was not as good as it normally was. His frustrated teammates began to tease him; some of them were actually mean. Overwhelmed and disturbed by his bad day, he threw the ball hard at teammate Alan. Alan sagged as the ball hit him in the stomach, and, consequently, staggered backward into teammate David.

Now the whole team was angry with Tom. Several of the boys ran up to Tom, grabbed him, and began tossing him from one group to another. Discarding the rest of his pride, Tom began begging them to stop and just let him go home. A few tosses later, they did.

Feeling ashamed, angry, and disgraced, Tom raced home and went into the garage. He whittled a stick furiously and soon cut his finger badly. Because no one else was home, Tom called a buddy who drove him to the hospital. He was seen immediately by a doctor who put in 17 stitches.