

Business Law
Case Law
Personal Property and Bailments

DIRECTIONS: In each of the following hypothetical cases, make a decision and give an explanation pertaining to the facts given. List the page number where you found your answer.

1. Duane Wade sees his neighbor, Shaquille O'Neil, trimming his hedge by hand. Wade takes his power trimmer over and says, "I will let you use my power trimmer if you will trim my side of the hedge also." O'Neil accepts. Is there a bailment? Is there a contract? Explain your answer. Page # _____

2. Bridget Lebel rents a power saw from Lane Roberts Hardware. She leaves it out in the rain, and it is badly damaged. Does she have to pay for the damages? Explain your answer. Page # _____

3. Merchandise shipped by Brock Hedrick is destroyed in a train crash. The railroad company was not negligent. May Hedrick collect damages from the carrier? Explain your answer. Page # _____

4. Tasha Viner is intoxicated when she enters a railroad station and wants to buy a ticket to board the train. Must the carrier accept her as a passenger? Explain your answer. Page # _____

DIRECTIONS: In each of the following real-life cases, make a decision and give an explanation pertaining to the facts given.

5. The plaintiff parked his car in the defendant's parking lot in the morning, in a space designated by the attendant. He paid a fee to park all day, locked the car, and took the keys. When he returned that evening, he found that the car was stolen. He sued, claiming the transaction was a bailment. The defendant argued that the transaction was not a bailment but a rental space, and the defendant did not have a duty to protect the plaintiff's car. How would you decide? Explain your answer. Page # _____
Sewall v. Fitz-Inn Auto Parks, Inc., 330 N.E.2d 853 (MA).

6. The Ridgely Operating Company operated an apartment hotel, accepting both transient guest and permanent residents. White rented an apartment on a long-term basis and moved in. After unpacking his trunk, he placed it in the hall to be taken to a storage room by the porter. The trunk disappeared. White contended that the company had absolute liability for the loss. Do you think this was correct? Explain your Answer. Page # _____ *Ridgely Operation Co. v. White*, 150 So. 693 (AL).

7. At the railroad station, the plaintiff gave his suitcase to a porter employed by the defendant hotel. The porter customarily met the train and carried guest's baggage to the hotel. The plaintiff had been a guest at the hotel many times, but this time intended only to have his bag taken to the hotel. He later decided to register at the hotel and asked for his bag. The bag had disappeared. The plaintiff contended that he became a guest as soon as the porter took his bag and that the hotel was liable for the loss. Was his contention correct? Explain your answer. Page # _____ *Parker v. Dixon et al.*, 157 N.W. 583 (MN)
