

Law of torts.

at the University Press - Theories of the Common Law of Torts (Stanford Encyclopedia of Philosophy)

DATIUS DIDACE LAW OF TORTS

THE LAW OF TORTS

INTRODUCTION

The word tort is of French origin and is equivalent of the English word wrong and the Roman law term delict. It is derived from the Latin word tortum, which means twisted or crooked. It implies conduct that is twisted or crooked. It is commonly used to mean a breach of duty amounting to a civil wrong.

Or the wrong done to another, tort, Saks' definition is rather popular. It defines tort as an act or omission which gives rise to a private law action for unliquidated damages and which is not exclusively the breach of a contract or the breach of a trust or other merely equitable obligation.

A tort arises due to a person's duty to others in generally which is created by one law or the other. A person who commits a tort is known as a tortfeasor, or a wrongdoer. Where they are more than one, they are called joint tortfeasors. Their wrongdoing is called tortious act and they are liable to be sued jointly and severally.

The principle aim of the Law of tort is compensation of victims or their dependents. Grants of exemplary damages in certain cases will show that deterrence of wrong doers is also another aim of the law of tort.

OBJECTIVES OF LAW OF TORTS

- i. To determine rights between parties to a dispute.
- ii. To prevent the continuation or repetition of harm e.g. by giving orders of injunction.
- iii. To protect certain rights recognized by law e.g. a person's reputation or good name.
- iv. To restore property to its rightful owner e.g. where property is wrongfully taken away from its rightful owner.

DATIUS DIDACE THE LAW OF TORT LLB-MZUMBE UNV

Description: -

Torts -- Great Britain law of torts.

-law of torts.

Notes: Based on 7th American ed. (1901).

This edition was published in 1903



Filesize: 68.31 MB

Tags: #Tort

The Basics of Tort Law

The middle ground is occupied by careless conduct. In most jurisdictions, the courts order the parties to try and resolve the case without a trial. Trial lawyers must be confident in their decisions.

□□ Types of Torts and Examples of Tort Cases

The most obvious standard is willful conduct.

Tort Law

A Revisionist History of Tort Law.

□□ Types of Torts and Examples of Tort Cases

Police officers and firefighters are also usually classified as licensees. Instead, strict liability focuses on the act itself.

Tort Law

We cannot restore the victim of a rape to the position she was in before the wrong, but we can treat her rape as a wrong, and thereby reassert her right not to be raped. These are the rules that govern how to conduct a trial.

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