

PROPERTY PRACTICE QUESTIONS

QUESTION 1

Gerry W. Beyer

Governor Preston E. Smith Regents Professor of Law



Topic: Personal Property

Sub-topics: Finding

Type: Essay

Difficulty: Easy

Time: 30 minutes

To save some money on her wardrobe, Jessica went to the Foley's 75% end of the summer clothing sale. As she was reaching through a disarray of shirts of different colors and sizes to get the one she wanted, she did not notice that her expensive gold bracelet slid off her wrist and fell on the floor.

Later that day, Linda, a Foleys' employee was straightening up the same clothing rack where Jessica was looking for shirts and found Jessica's bracelet. As Linda was about to quietly slide the bracelet in her pocket, her manager approached her and asked about the shiny golden object she had just picked up. Linda did not want to give it to the manager; but, the manager said that Linda would be breaking the law if she refused to surrender the bracelet. Linda gave the bracelet to the manager.

When Jessica came back to her apartment after the shopping adventure, she had a horrible quarrel with her roommate and decided it was time to move out. She stuffed her limited belongings into her old Chevy, but decided to leave her old TV by the dumpster. The TV's colors have been reduced to multiple shades of green and purple from old age and wear.

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As she was driving away, Jessica realized not only that she had no place to go, but she also had no money to buy another television. She went go back to the dumpster to pick up her old TV. As Jessica drove up to the dumpster, she saw Nick (a broke college student) carrying her TV to his old Buick with a happy grin on his face. “Stop, that is my TV!” – Jessica yelled. But it was too late. Nick stuck the TV in his trunk and drove away.

Discuss relative rights and liabilities of all the parties involved.