

## *Dryller v. Schottum*

You are practicing law in London in 1616. A man named Schottum asks you to defend him, explaining that he is being sued in trespass by a man named Dryller. The two were involved in a military drill sanctioned by the crown. When Schottum tripped, his gun discharged accidentally and the shot hit Dryller. You agree to represent Schottum and plead that the shooting was accidental.

The judge asks you and Dryller's lawyer to come in for a pre-trial hearing. When you arrive, the judge says: "The policy is that when a man is damaged, he should be recompensed. The rule in trespass is that one who injures another, even if by a lawful act, must answer for it in damages. I know of no precedent establishing an exception. If there is no legal exception, there is no need for us to have a trial, because Dryller wins on the law."

You know only one case, *Case of the Thorns (K.B. 1466)*. What does it allow you to say on behalf of Schottum?