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Hood Settaala v. Mrs. A.J. Mukasa

Civil Suit No. 984 of 1972

Before: Namuchoncho, J.

Negligence - child injured by catapult - duty of school authorities - loss of eye - assessment of general damages.

The plaintiff, a boy aged 13, at 1.00 p.m. was in his classroom alone. He was hit in the eye by a flying object, and as a result, was totally blinded. It was common practice for boys in the school to use catapults and the plaintiff was hit just above the eye. The school authorities had taken no steps to eliminate the use of catapults.

Held: 1. A reasonable teacher could not fail to contemplate that use of catapults was dangerous and that an object discharged from that device could cause an injury such as this one. It was the legal duty of the headmaster to see that the pupils of her school did not play with such dangerous equipment to discharge stones. She failed to stop their use and eliminate the danger.

She was thereby negligent.

2. General damages of 60,000/- would be awarded.

Cases: Akongso Ayo v. Attorney General H.C.C.S. 6/69

Nishyirembere v. Mubende District Administration H.C.C.S. 779/71.

Agat Bethy v. Acholi District Administration H.C.C.S. 396/71

Lukiya Nasigye v. H.H. the Kabaka's Government H.C.C.S. 6/66.

R.M.W.

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Patrick Muwanga v. Mubende District Administration

Civil Suit No. 455 of 1971

Before: Musoke, J.

Negligence by school authorities - assessment of general damages for personal injuries - contributory negligence of infant aged 9.

The plaintiff, a boy aged 9, sustained injury to his right eye during physical education whilst under the supervision of the school authorities. No teacher was present at the time of the accident, and the plaintiff and his classmate were playing with reeds and throwing them about. A reed hit the plaintiff's eye. Liability was admitted by the defendant.