



Commentaries on the Law of Negligence in All Relations; Including a Complete Revision of the Author's Previous Works on the Same Subject

Volume 2

Seymour Dwight Thompson

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This historic book may have numerous typos and missing text. Purchasers can usually download a free scanned copy of the original book (without typos) from the publisher. Not indexed. Not illustrated. 1901 edition. Excerpt: ...six feet from the track, with a rope tied around him, and trailing behind, and, after the engine and half of the train had passed him, the rope was, by some means, drawn under the train, and the boy was pulled thereunder and injured;"" where a man and his daughter, six years of age, had been passengers on a train, and' had been wrongfully carried by the railway company to a station beyond their destination, and were walking back to the station of their destination along the track, there being no other direct route, and, while so walking, the girl suddenly broke away from her father and ran in front of an engine on another track, the engineer having made every possible effort to stop his engine after discovering the perilous situation of the girl;"" where a boy, not intending or wishing to cross certain railway tracks at a public crossing, but at another place, found himself unable to do so because of a moving train, and, while running along parallel to the track, fell and was injured,--the failure of the trainmen to leave an opening at the public crossing being, under such circumstances, immaterial;"" and under the circumstances of the cases noted in the margin. "" §1831. Injuries Received while Attempting to Rescue Trespassing Children upon Railway Tracks.--This subject is fully discussed elsewhere. "" A child, too young to appreciate the danger of its position, was at play upon a railroad track, when a train suddenly approached, at an unlawful rate of speed, giving no signals of warning. The plaintiff's intestate, seeing the danger, rushed upon the track and threw the child out of reach of the locomotive, but was too late to save himself, and was killed. The...



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