



**Commentaries on the Law of Negligence in All
Relations; Including a Complete Revision of the
Author's Previous Works on the Same Subject
Volume 7**

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. 1907 edition. Excerpt: ...Owen, 132 Ala. 420; s. c. 31 South. Rep. 598; Howell v. Lansing &c. R. Co., 136 Mich. 432; s. c. 99 N. W. Rep. 406; 11 Det. Leg. N. 82. That the principle applies, though the danger is only apparent and not real: Selma &c. R. Co. v. Owen, 132 Ala. 420; s. c. 31 South. Rep. 598. alighting from trains on the invitation, express or implied, of the operatives of the train, are justified in assuming that the operatives have taken proper precautions to secure their safety)" unless the act advised or commanded is obviously dangerous and such as an ordinarily prudent person would not undertake?" A porter or brakeman is regarded by the authorities as acting in the scope of his agency in directing passengers to alight from moving trains?" A person riding on a train under a special agreement that the train would slack up enough for him to alight with safety at a certain place must wait until the speed has been thus slackened, and cannot hold the company responsible for injuries sustained in alighting while the train is moving too fast to permit this to be done in safety, though the place has been reached?" §' 3032. Passenger, Attempting to Alight, Thrown Down by a Sudden Jerk or Increase of Motion?" § 3034. Alighting from Moving Train in Disregard of the Warnings of the Carrier's Servants.--The passenger will generally be imputed with such contributory negligence as to defeat his action for injiuiies, where he attempts to alight from a moving train in disregard " Southern R. Co. v. Bandy, 120 Ga. 463; s. c. 47 S. E. Rep. 923; Leveret v. Shreveport Belt R. Co., 110 La. 399; s. c. 34 South. Rep. 579; Doolittle v. Southern R. Co., 62 S. C. 130; s. c. 40 S. E. Rep. 133 (a question for the jury);...

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