

Brief of case 1

Law



4 March Brief of case Case: Helen Palsgraf v. the Long Island Railroad Company, New York Court of Appeals 248 N. Y. 339 (1928)

Procedure

Palsgraf sued Long Island Railroad for negligence and was awarded. Long Island appealed but the court's decision still favored Palsgraf. Long Island then appealed to the New York Court of Appeal. Palsgraf and Long Island Railroad are the parties to the case that Palsgraf had won at trial and first appeal court. The appeal is based on previous decision on matters of law.

Facts

An appellate court dismissed an appeal by Long Island Railroad in a case that Palsgraf had won against it. Long Island Railroad brought the case to the court of appeal against upheld decision on its responsibility to Palsgraf for negligence in handling a passenger. The passenger had a parcel of dynamite that exploded when Long Island Railroad's guards assisted the passenger to board a train, though the content of the parcel was unknown. The explosion caused harm to Palsgraf who was a distance away.

Issue

The following two issues were to be determines in the case.

Criterion for determining the duty of care owed to a party

The party to whom duty of care is owed

Decision

The appeal court reversed the earlier ruling in which four votes supported the decision against three votes.

Holding

If the risk of harm were foreseeable to Long Island Railroad, through its guards, then it would owe Palsgraf a duty of care.

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Rationale

The court used analogies of accidental and unintentional activities that exposed other parties to risks in public places and noted that such cases do not identify negligence.

(The New York Court of Appeal 1)

Works cited

The New York Court of Appeal. "Helen Palsgraf, Respondent v The Long Island Railroad Company, Appellant." The New York Court of Appeal. May 29, 1926. Web. March 4, 2015. <http://www.courts.state.ny.us/reporter/archives/palsgraf_lirr.htm>.