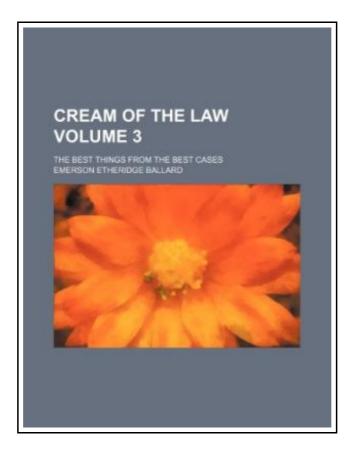
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Rarebooksclub.com, United States, 2012. Paperback. Book Condition: New. 246 x 189 mm. Language: English. Brand New Book ***** Print on Demand *****. This historic book may have numerous typos and missing text. Purchasers can download a free scanned copy of the original book (without typos) from the publisher. Not indexed. Not illustrated. 1907 Excerpt: . to the plaintiff for any injury resulting to plaintiff that occurred because defendant s agents failed to take all such precautions to avoid the injury as would be suggested by the highest degree of care, skill, and diligence by men of extraordinary care, skill and diligence in carrying passengers by dummy line railway. The instruction was condemned for using the word extraordinary. The Causler Case is cited and relied upon in appellant s brief as authority in support of his second point of attack made against the charge. The court in that case, speaking through Stone, C. J., in commenting on the word extraordinary, said: Extraordinary is a strong word. In the sense in which it is used it means exceeding the common degree or measure; hence, remarkable; uncommon; rare; wonderful. It is a much stronger word than prudent, or ordinarily prudent; and, if we approve this charge, do we not necessarily declare that only men of extraordinary care, skill, and prudence are eligible to the positions of engineers and conductors of railroads? While we think the charge was properly condemned for the use of the word extraordinary, we do not think it can by fair interpretation be held that the court intended in the Causler Case to modify what was said in the cases of Grey v. Mobile Trade Co., 55 Ala. 387 (28 Am. Rep. 729), and Tanner v. L. N. R. R. Co., 60 Ala. 621, with reference to the degree of...



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