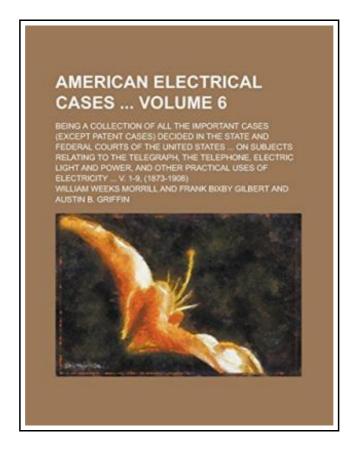
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Rarebooksclub.com, United States, 2013. Paperback. Book Condition: New. 246 x 189 mm. Language: English . Brand New Book \*\*\*\*\* Print on Demand \*\*\*\*\*. This historic book may have numerous typos and missing text. Purchasers can usually download a free scanned copy of the original book (without typos) from the publisher. Not indexed. Not illustrated. 1897 edition. Excerpt: .appellant. W. J. Hunsaker, for respondents. Everett et al. v. Railway Co. VAN FLEET, J.: Verdict and judgment were for plaintiffs, and defendant appeals from the judgment and an order denying its motion for a new trial. The action was by the widow and minor child of one Charles E. Everett, deceased, to recover damages for the death of the latter, caused by his being run over by an electric car operated by the defendant on its street railroad in the city of Los Angeles, and alleged to have been through defendant s negligence. At the conclusion of plaintiff s evidence in chief, defendant moved the court for a nonsuit, on the grounds, substantially, that the evidence wholly failed to show negligence on the part of the defendant, but did establish afiirmatively that deceased came to his death through his own negligence, contributing directly and proximately thereto. The court denied the motion, to which ruling the defendant excepted, and this exception constitutes the only material question in the case. The evidence in behalf of plaintiffs tended to show that the deceased, at the time of the accident resulting in his death, which was on October 17, 1894, was forty years of age, in good health, and in full possession of his faculties, having good eyesight and unimpaired hearing. He was an experienced rider of the bicycle, had owned one of those vehicles three or four years, and used it every day. On the date...

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