

Researching the case or statute you've been given

Read a case once and understand it.

Lexis Advance® has built-in tools that make case law easier to understand. These tools will help you digest and analyze a large volume of information efficiently.

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TOP THREE TOOLS FOR UNDERSTANDING YOUR CASE AND FINDING RELATED AUTHORITY:

1. Get your bearings with a Case Summary.

It's like a mini case brief. Read this first for a clear overview of the facts and holdings of the case. Now you'll only need to read the case once to understand it, saving hours of time.

2. LexisNexis® Headnotes are the black letter law.

Reading the headnotes will ensure you don't miss important black letter law. Legal topic tags are located above each headnote. These topic tags describe what area of law is being discussed—keeping you oriented to why the rule is important.

3. Educate yourself quickly with Topic Summaries.

LexisNexis has built-in, one-page cheat sheets for important legal topics. These provide you with the legal definition, elements and links to key cases.

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Paisgraf v. Long Island R. Co., 248 N.Y. 339

Copy Citation

Court of Appeals of New York
February 24, 1928, Argued : May 29, 1928, Decided
No Number in Original

Reporter
248 N.Y. 339 * | 142 N.E. 99 ** | 1928 N.Y. LEXIS 1269 *** | 59 A.L.R. 1253

Helen Paisgraf, Respondent, v. The Long Island Railroad Company, Appellant

Prior History: Appeal from a judgment of the Appellate Division of the Supreme Court in the second judicial department, entered December 16, 1927, affirming a judgment in favor of plaintiff entered upon a verdict.

Disposition: Judgment reversed, etc.

Core Terms
explosion, proximate cause, invasion, platform, consequences, proximate, package, chauffeur, passenger, Street, injury, rights, guard, baby, unreasonably, injurious, trespass, causes, stream, cases, trace, words

Case Summary

Procedural Posture
Defendant railroad appealed a judgment of the Appellate Division of the Supreme Court in the Second Judicial Department (New York), which affirmed the trial court's holding that the railroad was responsible for injuries to plaintiff passenger resulting from an explosion.

Overview
The passenger was standing on a platform of the railroad after buying a ticket. A train stopped at the station, and a man ran forward to catch it. When he attempted to board the train in haste, he dropped a package containing fireworks. As a result, the passenger was injured from the subsequent explosion and sought to hold the railroad liable for negligence. Pursuant to a jury verdict, the trial court entered a judgment in favor of the passenger. The appellate court affirmed, and the railroad appealed. Upon final determination, the court reversed the judgment, holding that the passenger failed to prove that the railroad's alleged negligence proximately caused her injuries. Essentially, the court held that under the foreseeability test, it was not reasonable to hold that the railroad's alleged negligence was the cause of the passenger's injuries. Rather, it was the explosion that was the proximate cause, and the railroad could not have reasonably expected such a disaster.

Outcome
The court reversed the judgment of the appellate court and dismissed the complaint.

LexisNexis® Headnotes

Torts > ... > Duty > Standards of Care > General Overview

Duty, Standards of Care
Negligence is not actionable unless it involves the invasion of a legally protected interest or the violation of a right. Proof of negligence in the air, so to speak, will not do. Negligence is the absence of care, according to the circumstances. [More like this headnote](#)

[Shepardize - Narrow by this Headnote \(4\)](#)

Torts > ... > Elements > Duty > General Overview

Elements, Duty
If no hazard is apparent to the eye of ordinary vigilance, an act innocent and harmless, at least to outward seeming, with reference to a plaintiff, does not take to itself the quality of a tort because it happened to be a wrong, though apparently not one involving the risk of bodily insecurity, with reference to someone else. In every instance, before negligence can be predicated of a given act, back of the act must be sought and found a duty to the individual complaining, the observance of which would have averted or avoided the injury. The ideas of negligence and duty are strictly correlative. [More like this headnote](#)

[Shepardize - Narrow by this Headnote \(1\)](#)

Civil Procedure > Trials > Jury Trials > Province of Court & Jury

Torts > ... > Affirmative Duty to Act > Types of Special Relationships > General Overview

Jury Trials, Province of Court & Jury
The risk reasonably to be perceived defines the duty to be obeyed, and risk imports relation: it is risk to another or to others within the range of apprehension. This does not mean, of course, that one who launches a destructive force is always relieved of liability if the force, though known to be destructive, pursues an unexpected path. It is not necessary that a defendant should have had notice of the particular method in which an accident would occur, if the possibility of an accident was clear to the ordinarily prudent eye. Some acts, such as shooting, are so

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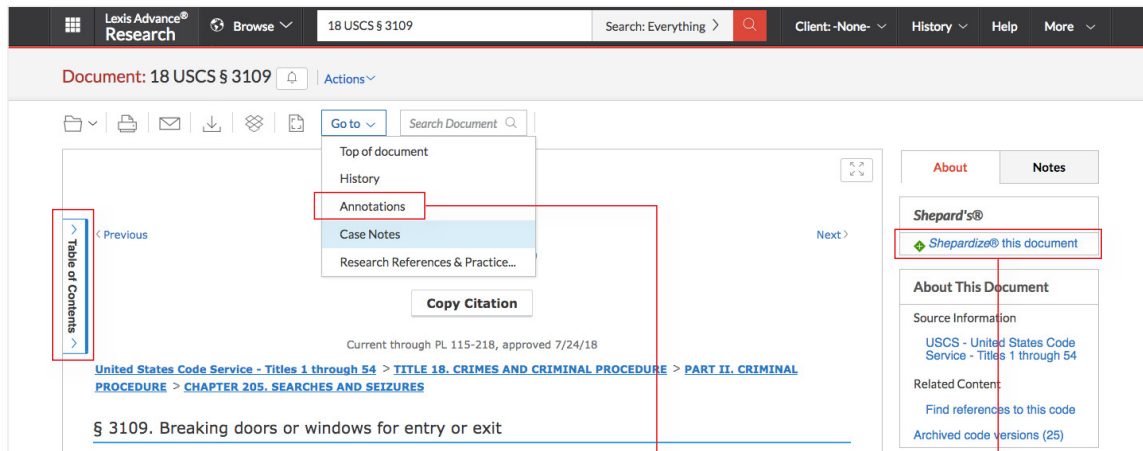
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THESE FOUR TOOLS TELL THE WHOLE STORY OF A STATUTE:



1. Check the Table of Contents to see how your statute fits within the code.

See what Title or Chapter your statute section is located within and view surrounding statutes that may be related to the same legal topic. Feel confident you haven't missed any important statutes relevant to your research.

2. See how the courts have interpreted a statute using Annotations.

Once you've read your statute, consult the Annotations to get the full story. Knowing how the courts have interpreted and applied the statutory language will affect how you apply that statute.

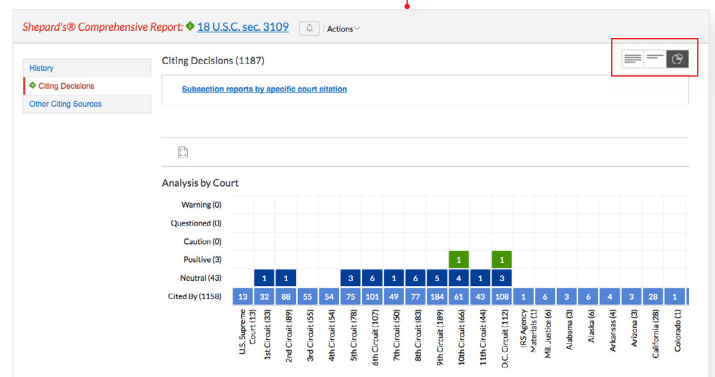
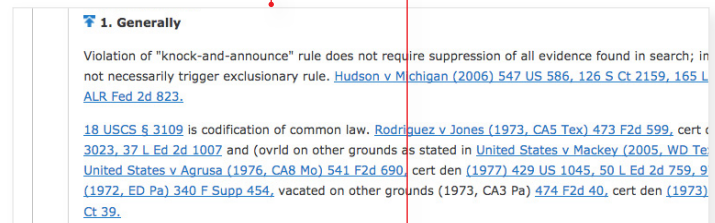
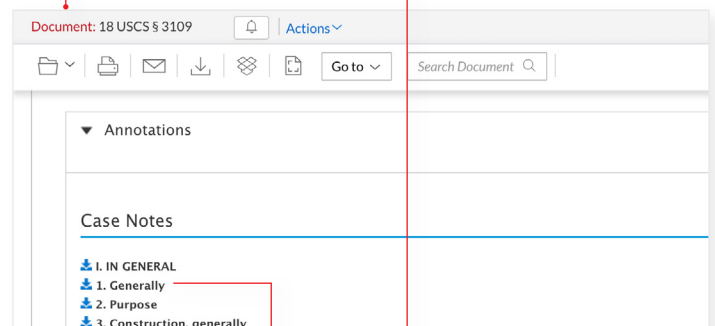
3. Case opinions are organized by topic and listed under Case Notes.

Select a topic from the list to see key cases and relevant points of law regarding your statute.

4. Uncover the history of a statute's interpretations by Shepardizing™.

The *Shepard's*® Citations Service report will show you all cases that have cited to your statute. Seeing how those past cases construed your statute will provide you with evidence of how the statute would likely be applied.

For a quicker overview, use the graphic *Shepard's* display, shown here.



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