



Court of Appeals, Albany, April 5th, 1856 The President, Directors and Company of the Mechanics Bank in the City of New York, Respondents, Against the New York and New Haven Railroad Company, Appellants

By William Curtis Noyes

RareBooksClub. Paperback. Book Condition: New. This item is printed on demand. Paperback. 34 pages. Dimensions: 9.7in. x 7.4in. x 0.1in.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. 1856 edition. Excerpt: . . . I also refer to Smith on Master and Servant, p. 159, . and to Mitchell vs. Crosweller (13 Com. B. It. , 237), where Chief Justice Jaevis said, I think, at all events, if the master is liable where the servant has deviated, it must be where the deviation occurs in a journey, or where the servant has originally started on his masters business; in other words, he must be in the employment of his master at the time of committing the grievance. Then Mr. Justice Maule said, The master is liable even though the servant, in the performance of his duty, is guilty of a deviation or failure to perform it in the strictest and most convenient manner. But where the servant, instead of doing that which he is employed to do, does something which he is not employed to do at all, the...



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