



The Palsgraf Case: Courts, Law and Society in 1920s New York

Senior Research Librarian, St. John's University School of Law William H. Manz

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This book tells, for the first time, the full story of *Palsgraf v. Long Island Railroad*, the most famous negligence case in American legal history. The book is not another doctrinal discussion, but instead views the case as a historical event -- one in which the lives of ordinary people intersected with the legal theorizing of a scholar judge. Drawing on archival materials, contemporary newspaper articles, electronic databases, and personal interviews, the author covers the famous case from the fateful accident at the Long Island Railroad's East New York station to the rejection of Mrs. Palsgraf's motion for reargument.

Included are in-depth profiles of the Palsgrafs, the Long Island Railroad, the attorneys, and all thirteen judges who heard the case. Also covered are all the major controversies surrounding *Palsgraf*, such as scope of the factual inaccuracies in Cardozo's majority opinion, his alleged insensitivity to women and the poor, the actual level of the railroad's negligence, the validity of Mrs. Palsgraf's alleged injuries, the legal strategies pursued by opposing counsel, and whether the case can be viewed merely as a contest between a rich corporation and a poor working-class plaintiff. The book also tells the story of the American legal profession at a critical time of its development. It discusses the impact of the growing diversity of the bar, controversies over changes in legal education, debates over the value of the jury system, the influence of politics on judicial selection, abuses by negligence attorneys, and ongoing court congestion.

The book's value lies in providing a myriad of detail and in placing the case within its historic context -- both of which are essential for a full understanding of *Palsgraf*. It is recommended as supplemental reading for basic or advanced torts classes, and in courses on American legal history.

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