

present. The carrier is not bound to act as guardian for his passenger, and treat him as a ward under age. The passenger must at least assume the responsibility of taking ordinary care of himself, including the wearing apparel about his person.' In a very similar case of a passenger in a chair-car, the court said: 'If the appellee carelessly and negligently left his pocketbook in the car when he reached his destination, and its contents were abstracted by persons other than the servants of the company, there would be no liability on the part of the company, for it is only by reason of the fact that the company owes some duty to the passenger as such that there is any sort of responsibility resting on it in relation to his property, which for the time is considered as a part of his person. But when a passenger leaves a train at its destination, the company may reasonably think that he has taken with him all those things which he is accustomed to carry about his person, and, until it is shown that the property is discovered by its agent to have been left behind, we know of no principle of law by which it can be charged with any duty concerning it.' So in a recent case in Massachusetts, where a passenger in a day parlour car had in her possession, and kept under her own control, a satchel containing valuables, and, on reaching a station, she, with her husband, left the car for several minutes, leaving the satchel in the car near an open window where any person on the station platform could easily have abstracted it, and it was stolen, it was held that the plaintiff was negligent, and the car company not liable. In an English case, a passenger whose portmanteau had been placed at his request in the car with him got out at a way-station, and then carelessly failed to get into the same car again, but finished his journey in another car. The article was stolen by passengers in the first car, but it was held that the railroad was not liable. In return, the court said, for the convenience of having his luggage at hand, the passenger should, during the journey, take such reasonable care of his own property as might be expected from an ordinary prudent man, and should not, by his own negligence, expose it to more than the ordinary risk of luggage carried in a passenger carriage.

A railroad is not liable for a loss resulting to a passenger from its refusal to stop the train upon which he was riding, short of a usual station, to enable him to recover a hand-bag containing a large sum of money and valuable jewelry which he was carrying