I do not think the fact of the plaintiff being only a first class passenger has anything to do with the present case. A first class, or even a second class passenger, may have a right under certain circumstances to pass through a Pullman car in embarking upon, or alighting from, or in simply passing through a train. The question is, did he act reasonably? It may be noted here that there is no evidence that the plaintiff knew this car was a Pullman until he had got some distance inside and saw the berths made up, and by that time he was much nearer the exit in the rear and would know that he could reach it much sooner than that in front, if such a thought as turning back had then occurred to him.

Bearing in mind that the only point on which there was a conflict of evidence has been disposed of by the verdict of the jury, what are the proved facts that are material to the case? The plaintiff after the brakesman called out "Weston" as the train was slowing down, went to the proper place for him to alight, no notice having been given to him to go elsewhere. Finding all the doors closed, his companion who was in front tried first to open the vestibule doors of the day car, and finding them "stuck," next tried those of the front of the Pullman with a like result. Then they started to go through the Pullman car. It was agreed that he could have turned back and gone to the front of the day car. He did not know that that was open to him any more than the place they had just tried. It was perhaps even more natural that they should continue to press on in the direction in which they had started, rather than retrace their steps. But plaintiff from his experience knew that the train stopped only one or two minutes, and he had now only some seconds to make his exit. A man who in such an emergency comes to a decision that may not be the wisest is not on that account necessarily negligent. It was quite natural that he should follow his friend where the way was apparently clear, and where the friend made his way out in safety. Although the defendants had negligently closed him in, it was his duty to make all reasonable efforts to get off, rather than to remain passive and then seek damages from the company for having carried him beyond his destination. The company having negligently closed his natural means of getting off the train, without notice to him, were guilty of negligence in starting the train before he had sufficient time to get off by the means he adopted, which under the circumstances was not a negligent or unreasonable or improper way or method, and the injury he sustained was the direct result of such negligence. I can find no sufficient ground for reversing the finding of the trial Judge.