

MEANING OF "PASSENGER."—The question what constitutes a passenger was considered by the Supreme Court of the United States, in the case of *Price et al. vs. the Pennsylvania Railroad Company*, decided on the 26th ult. This was a suit brought by the plaintiff and appellant to recover damages from the railroad company on account of the accidental death of her husband, who was a route agent of the United States Post-office Department, and was killed in a collision between two trains on July 23rd, 1877. The question presented for the consideration of the court was whether the deceased by virtue of his employment in the service of the United States was a "passenger" within the meaning of the first section of the act of the Pennsylvania Legislature of April 4th, 1868. The Supreme Court holds that a person carried free with the mail matter is no more a passenger because he is in charge of the mail, or because no compensation is made for his transportation, than he would be if he had no such charge. The fact that he is in the employment of the United States, and that the railroad company is bound by contract with the United States to carry him, does not in the view of the court affect the question. It would be just the same if the company had contracted with any other person who had charge of freight on the train to carry him without additional compensation. The statutes of the United States which authorize this employment and direct this service do not, therefore, make the person so engaged a passenger or deprive him of that character. Nor do they give to persons so employed any right as against the railroad company which would not belong to any other person in a similar employment by others than the United States.

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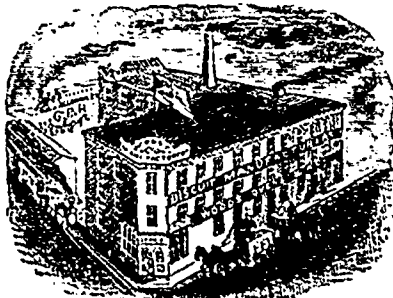
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