

Railroads—Free Transportation—Widows.

A railway company may issue free transportation to widows of employees when such employees die in the service of the railway company.

Board of Railroad Commissioners,
Helena, Montana.

Gentlemen:

You have requested my opinion as to whether Section 6573, Revised Codes, 1921, authorizes a railway company to issue free transportation to the widows of employees when such employees have died while in the service of the railway company.

Section 6573, Revised Codes, 1921, authorizes the issuance of free transportation to several different classes of persons, including the following: (a) employees; (b) to the families of the persons included in Subdivision (a); (j) superannuated and pensioned employees, and members of their families and widows of such members.

I believe that the word "families" as used in Subdivision (b) means and includes the widow of a deceased employee, as such widow is a member of the family before the death of the employee and must certainly continue as a member of such family after his death, unless she remarries. Subdivision (j) grants authority to issue free transportation to the widows of superannuated and pensioned employees, and I do not believe that the Legislature had any intention of granting this privilege to the widows of such employees while denying it to widows of employees dying while in the service of the railway company.

It is, therefore, my opinion that Section 6573, Revised Codes, 1921, authorizes every railway company to issue free transportation to the widows of those of its employees who may die while in its service.

Very truly yours,

WELLINGTON D. RANKIN,

Attorney General.