

purser or other officer in command to separate, as far as the construction of his boat and due consideration for the comfort of the passengers will permit, the white and colored passengers on said boat in the sitting, sleeping and eating apartments; provided, however, that no discrimination shall be made in the quality and convenience of accommodation afforded passengers in said locations; and provided, that this section and the two succeeding sections shall not apply to nurses or attendants traveling with their employers, nor to officers in charge of prisoners, whether the said prisoners are white or colored, or both white and colored, or to prisoners in their custody.

An. Code, sec. 395. 1904, sec. 354. 1904, ch. 110, sec. 2.

440. Any captain, purser or other officer in command of any steamboat as aforesaid who shall refuse to carry out the provisions of section 439 shall be deemed guilty of a misdemeanor, and upon indictment in any court having jurisdiction, and conviction thereof, shall be fined not less than twenty-five dollars and not more than fifty dollars for each offense.

An. Code, sec. 396. 1904, sec. 355. 1904, ch. 110, sec. 3.

441. Any passenger traveling on any steamboat plying in the waters within the jurisdiction of this State who shall wilfully refuse to occupy the location, whether of sitting, sleeping or eating, set apart or assigned by the captain, purser or other officer in command of such boat, shall be deemed guilty of a misdemeanor, and on indictment in any court having jurisdiction, and conviction thereof, shall be fined not less than five dollars nor more than fifty dollars, or be confined in jail not less than thirty days, in the discretion of the court, for each offense; and such passenger may be ejected from the said boat by the officers thereof at any wharf or landing place of said boat, and, if necessary, such assistance may be invoked by the person in charge of said boat as he may require to eject such passenger; and provided, that in case of such ejection neither the captain nor other person in charge of such boat, nor the steamboat company or corporation or person owning or operating such boat shall be liable in damages in any court.

An. Code, sec. 397. 1908, ch. 617.

442. It shall be the duty of every person, firm or corporation owning and operating steamboats on the Chesapeake Bay, between the city of Baltimore and points on said bay or its tributaries, to provide separate toilet or retiring rooms, and separate sleeping cabins on their respective steamboats, on or before the first day of July, in the year nineteen hundred and eight, for white and colored passengers, under a penalty of a fine of fifty dollars for each and every day said steamboats may be operated upon the waters aforesaid in violation of this section, and the provisions of the four preceding sections shall apply in the assigning of passengers to the use of the toilet, or retiring rooms, and the sleeping quarters set apart for the respective white and colored passengers.