

An. Code, sec. 398. 1908, ch. 248.

443. Conductors or managers of all railway companies and corporations, and all persons running or operating cars or coaches by electricity, running twenty miles beyond the limits of any incorporated city or town of the State for the transportation of passengers, are hereby authorized and required to designate separate seats for white and colored passengers, without any difference in the quality of or convenience or accommodation of the seats in such cars or coaches. The ordinary seat for two persons shall be deemed a separate seat within the meaning of sections 443 to 448.

Act of 1908, ch. 248, will be construed to apply to intrastate passengers only; hence it is constitutional. When an exception in a statute and in Constitution need not be negatived in indictment. Generally an indictment describing an offence in language of statute is sufficient. *State v. Jenkins*, 124 Md. 378.

A passenger from Annapolis, Md., to Washington, D. C., held to be an interstate passenger, though he had to change cars at Baltimore; this section, *et seq.*, held inapplicable. Damages for eviction of passenger. See notes to sec. 432. *Washington, etc., R. Co. v. Waller*, 289 Fed. (Ct. Apps. D. C.) 598.

An. Code, sec. 399. 1908, ch. 248.

444. The railway companies and corporations and persons aforesaid, shall make no discrimination in the quality of or convenience or accommodation in the seats in the cars, coaches or compartments, and no white person shall force himself or be permitted to force himself or herself in a seat designated for a colored person, and no colored person shall force himself or herself, or be permitted to force himself or herself in a seat designated for a white person.

An. Code, sec. 400. 1908, ch. 248.

445. The conductors or managers on all railways shall have power, and are hereby required to assign to each white or colored person, his or her respective seat in said car, coach or compartment, and should any passenger refuse to occupy the seat to which he or she may be assigned by the conductor or manager, said conductor or manager shall have the right to refuse to carry such passenger on his car or coach, and may put such passenger off his car or coach, and for such refusal or putting off the car or coach neither the conductor, manager or railway company or corporation or person owning or operating the same shall be liable to damages in any court, and the passenger so refusing to occupy the designated seat to which he or she may be assigned, shall be deemed guilty of a misdemeanor, and on indictment and conviction thereof, shall be fined not more than fifty dollars, or be confined in jail not more than thirty days, or both, in the discretion of the court, for each offense.

An. Code, sec. 401. 1908, ch. 248.

446. Any conductor or manager on any railway who shall upon request, refuse to perform the duties imposed upon him by sections 443 to 448, shall be deemed guilty of a misdemeanor, and upon indictment and conviction thereof shall be fined not more than twenty dollars for each offense.