

on said boats to the respective locations they are to occupy as passengers while on said boat; and that it shall be the duty of said captain, 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 Act shall not apply to nurses or attendants traveling with their employees, 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.

Sec. 9. And be it enacted, That any captain, purser or other officer in command of any steamboat as aforesaid who shall fail or refuse to carry out the provisions of section 1 of this Act 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.

Sec 10. And be it enacted, That any passenger traveling on any steamboat plying in the waters within the jurisdiction of this State in the county aforesaid, 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 steam-