

which he or she may be assigned by the conductor or manager, shall be guilty of a misdemeanor, and on indictment 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, or both, in the discretion of the Court, for each offense.

"Sec. 5. And be it enacted, That any conductor or manager of any railroad who shall fail or refuse to perform the duties imposed upon him by section 4 of this Act shall be deemed guilty of a misdemeanor, and upon indictment and conviction thereof shall be fined not less than twenty-five dollars and not more than fifty dollars for each and every offense.

"Sec. 6. And be it enacted, That when any car, coach, or compartment set apart for either white or colored passengers shall be completely filled, where no extra cars or coaches can be obtained, and the increased number of passengers could not be foreseen, the conductor or manager in charge of such train is hereby authorized to assign and set apart a portion of the car, coach or compartment assigned to passengers of one color to passengers of the other color.

Sec. 7. And be it enacted, That the provisions of this Act shall not apply to employees of railroads, or to persons employed as nurses, or to the officers in charge of prisoners, whether the said prisoners are white or colored, or both white and colored, or to the prisoners in their custody, nor shall the same apply to the transportation of passengers in any caboose car attached to a freight train, nor to Pullman cars, nor through trains that do not do local business.

Sec. 8. Be it enacted by the General Assembly of Maryland, That it shall be the duty of any captain, purser, or other officer in command of any steamboat carrying passengers and plying in the waters within the jurisdiction of the State of Maryland, in the counties aforesaid, to assign white and colored passengers 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