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February 14, 1914.

W. A. McDowell, Esq.,
Manager, L & E Ry. Co.,
Lexington, Kentucky.

Dear Sir:-

Referring to the question you submitted to me this morning, as to how passengers should be handled under the following circumstances, to-wit: Where a Sheriff in charge of four prisoners- two white and two colored - takes passage on a train, how should they be seated, and confirming what I have said to you over the telephone, I now submit the following opinion.

By Section 795, Ky. Stats., every railroad in the state is required to furnish separate coaches or compartments for white and colored passengers. By Section 796, Ky. Stats., it is provided that no discrimination shall be made in the character or accommodations of the cars, coaches or compartments so provided, and, by Section 797, Ky. Stats., any failure or refusal of a railroad to comply with Section 795 and Section 796 is made a misdemeanor for which, on conviction, a fine of not less than \$500.00 nor more than \$1500.00 may be imposed for each offense.

By Section 799, Ky. Stats., it is expressly made the duty of every conductor or manager of a train to enforce the provisions above cited requiring an separation of the two classes of passengers. This Section is as follows -