v Gies 82 Mich. 358. But as we have no such statute, these cases furnish no aid in the solution of the question now in hand.

We have held that our statute which establishes separate schools for colored children does not violate the 14th amendment, and this, for the reason that separations of children for such purposes is but a reasonable regulation of the exercise of a right conferred upon all children, whether white or black. Lehew v Brummell 103 Mo. 546. And so it has been held in several states as will be seen by the authorities cited in that case and in the brief of defendant in this one. We believe it is conceded on all hands that a common carrier of passengers may make and enforce reasonable rules for seating passengers; and it has been held that such a carrier, in the absence of any statute to the contrary, may separate white and black passengers in a public conveyance, as a railroad car. Westchester v Pa. R.Co. v Miles 55 Pa. St. 209. In Hall v DeCuir 95 U. S. 485, the defendant was the master and owner of a steamboat enrolled and licensed under the laws of the United States. The plaintiff, a colored woman, being refused accommodations, on account of her color, in the cabin specially set apart for white persons, brought suit for damages. She based her cause of action upon a statute of Louisiana which provided that the rules prescribed by common carriers should make no discrimination on account of color. The state court construed the law as applying to those engaged in interstate commerce; but the Supreme Court of the United States held the act unconstitutional so far as it applied to foreign and interstate commerce. Says the court: "Congressional inactions left Benson (the defendant) at liberty to

adopt such reasonable rules and regulations for the disposition of passengers upon his boat, while pursuing her voyage within Louisiana or without, as seemed to him most for the interest of all

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