

*The General Code of the City of Birmingham Alabama*  
Charlottesville, Virginia: The Michie Company, 1944

CHAPTER 14  
DRUGS AND FOOD

**Sec. 369. Separation of races.**

It shall be unlawful to conduct a restaurant or other place for the serving of food in the city, at which white and colored people are served in the same room, unless such white and colored persons are effectively separated by a solid partition extending from the floor upward to a distance of seven feet or higher, and unless a separate entrance from the street is provided for each compartment.

CHAPTER 23  
GAMBLING

**Sec. 597. Negroes and white persons not to play together.**

It shall be unlawful for a negro and a white person to play together or in company with each other in any game of cards or dice, dominoes or checkers. [In 1950, the City added to the list: baseball, softball, basketball or similar games.]

Any person, who, being the owner, proprietor or keeper or superintendent of any tavern, inn, restaurant or other public house or public place, or the clerk, servant or employee of such owner, proprietor, keeper or superintendent, knowingly permits a negro and a white person to play together or in company with each other at any game with cards, dice, dominoes or checkers, or any substitute or device for cards, dice, dominoes or checkers, in his house or on his premises shall, on conviction, be punished as provided in section 4.

CHAPTER 35  
OFFENSES—MISCELLANEOUS

**Sec. 859. Separation of races.**

(a) It shall be unlawful for any person in charge or control of any room, hall, theatre, picture house, auditorium, yard, court, ball park, public park, or other indoor or outdoor place, to which both white persons and negroes are admitted, to cause, permit or allow therein or thereon any theatrical performance, picture exhibition, speech, or educational or entertainment program of any kind whatsoever, unless such room, hall, theatre, picture house, auditorium, yard, court, ball park, or other place, has entrances, exits and seating or standing sections set aside for and assigned to the use of white persons, and other entrances, exits and seating or standing sections set aside or assigned to the use of negroes, and unless the entrances, exits and seating or standing sections set aside for and assigned to the use of white persons are distinctly separated from those set aside for and assigned to the use of negroes, by well defined physical barriers, and unless

the members of each race are effectively restricted and confined to the sections set aside for and assigned to the use of such race.

(b) It shall be unlawful for any member of one race to use or occupy any entrance, exit or seating or standing section set aside for and assigned to the use of the other race.

(c) It shall be unlawful for any person to conduct, participate in or engage in any theatrical performance, picture exhibition, speech, or educational or entertainment program of any kind whatsoever, in any room, hall, theatre, picture house, auditorium, yard, court, ball park, public park, or other indoor or outdoor place, knowing that any provision of the two preceding subdivisions has not been complied with.

(d) The chief of police and members of the police department shall have the right, and it shall be their duty, to disperse any gathering or assemblage in violation of this section, and to arrest any person guilty of violating the same.

#### CHAPTER 40 POOL AND BILLIARD ROOMS AND BOWLING ALLEYS

##### **Sec. 939. Separation of races.**

It shall be unlawful for a negro and a white person to play together or in company with each other any game of pool or billiards.

Any person who, being the owner, proprietor or in charge of any poolroom, pool table, billiard room or billiard table, knowingly permits a negro and a white person to play together or in company with each other at any game of pool or billiards on his premises shall, upon conviction, be punished as provided in section 4.

#### CHAPTER 43 RAILROADS AND STREET RAILROADS

##### **Sec. 1002. Separation of races.**

Every common carrier engaged in operating streetcars in the city for the carriage of passengers shall provide equal but separate accommodations for the white and colored races by providing separate cars or by clearly indicating or designating by physical visible marks the area to be occupied by each race in any streetcar in which the two races are permitted to be carried together and by confining each race to occupancy of the area of such streetcar so set apart for it.

Every common carrier engaged in operating streetcars in the city for the carrying of passengers shall provide for each car used for white and colored passengers, separate entrances and exits to and from such cars in such manner as to prevent intermingling of the white and colored passengers when entering or leaving such car, but this provision for separate entrances and exits shall not apply to the cars operated by the following lines: The South Highlands, Idlewild and Rugby Highland lines or routes.

It shall be unlawful for any such common carrier to operate or cause or allow to be operated, or for any servant, employee or agent of any such common carrier to aid in operating for the carriage of white and colored passengers, any streetcar not equipped as provided in this section. And it shall be unlawful for any person, contrary to the

provisions of this section providing for equal and separate accommodations for the white and colored races on streetcars, to ride or attempt to ride in a car or a division of a car designated for the race to which such person does not belong.

Failure to comply with this section shall be deemed a misdemeanor.

## CHAPTER 45 SEWERS, DRAINS AND HUMAN WASTES

### **Sec. 1110. Toilet facilities—Male.**

Every employer of white or negro males shall provide for such white and negro males reasonably accessible and separate toilet facilities in such number that there shall be available a separate water closet for each twenty-five or lesser number of white or negro males having access thereto during a single day. Such separate white and negro toilet facilities shall be clearly marked to distinguish each from the other and it shall be unlawful for any person to use any facility not designated for such person's comfort.

### **Sec. 1110. Toilet facilities—Female.**

Every employer of white or negro females shall provide for such white and negro females reasonably accessible and separate toilet facilities in such number that there shall be available a separate water closet for each twenty-five or lesser number of white or negro females having access thereto during a single day. Such separate white and negro toilet facilities shall be clearly marked to distinguish each from the other and it shall be unlawful for any person to use any facility not designated for such person's comfort.

## CHAPTER 51 TRAFFIC

### **Sec. 1413. Separation of races.**

Every owner or operator of any jitney, bus or taxicab in the city shall provide equal but separate accommodations for the white and colored races by providing separate vehicles or by clearly indicating or designating by visible markers the area to be occupied by each race in any vehicle in which the two races are permitted to be carried together and by confining each race to occupancy of the area of such vehicle so set apart for it.

It shall be unlawful for any person to operate or cause or allow to be operated or to aid in operating for the carriage of white and colored passengers any vehicle not equipped as provided in this section. And it shall be unlawful for any person, contrary to the provisions of this section providing for equal and separate accommodations for the white and colored races, to ride or attempt to ride in a vehicle or a division of a vehicle designated for the race to which such person does not belong.

Failure to comply with this section shall be deemed a misdemeanor.