

**SECTION 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 dividing 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.

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STATE OF ALABAMA)  
:  
JEFFERSON COUNTY)

I, Eunice S. Hews, City Clerk of the City of Birmingham, do hereby certify that the above are true and correct copies of Sections 369, 597, 859, 939, 1002, 1413 of the 1944 Code of Birmingham.

GIVEN UNDER MY HAND AND CORPORATE SEAL of the City of Birmingham, this the 25th day of May, 1951.

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City Clerk



**BIRMINGHAM'S  
RACIAL SEGREGATION  
ORDINANCES**

*The following is an excerpt from the original city ordinances for the city of Birmingham during the 1920s to 1950s. The ordinances are posted in the Barriers Gallery of the Birmingham Civil Rights Institute.*

**SECTION 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 effectually 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.

**SECTION 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.

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 or 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, in his house or on his premises shall, on conviction, be punished as provided in section 4.

## **ORDINANCE 798-F**

An Ordinance To Amend Section 597 Of The General Code Of The City Of Birmingham Of 1944.

Be It Ordained by the Commission of the City of Birmingham that Section 597 of the General Code of the City of Birmingham of 1944 be, and said section is, amended so as to read as follows:

### **SECTION 597. NEGROES AND WHITE PERSONS NOT TO PLAY TOGETHER. – amended**

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, dice, dominoes, checkers, baseball, softball, football, basketball or similar games.

Any person, who being the owner, proprietor or keeper or superintendent of any tavern, inn, restaurant, ball field, stadium 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 a baseball, softball, basketball or other ball, in his house or on his premises or in a house or on premises under his charge, supervision or control, shall, on conviction, be punished as provided in Section 4.

Approved Sept. 19, 1950

A true copy,

Eunice S. Hewes, City Clerk

Post-Herald, Sept 21, 1950

### **SECTION 359. 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, ballpark, 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 for and assigned to the use of negroes, 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 members of the other race.

### **SECTION 939. SEPARATION OF RACES.**

It shall be unlawful for a Negro and a white person to play together or in company with each other at 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.

### **SECTION 1002. SEPARATION OF RACES.**

Every common carrier engaged in operation 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 on 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 or 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.