

Title: Corrigan and Curtis v. Buckley

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1926: U.S. Supreme Court decision upholding the constitutionality of a RESTRICTIVE COVENANT in the sale of a home in the federal District of Columbia.

In this 1926 case, white property owners in an affluent Washington, D.C., neighborhood sued a neighbor, Irene Hand Corrigan, when she attempted to sell her house to Helen Curtis, an AFRICAN AMERICAN. In 1921 Corrigan, along with her neighbors, had signed a contract with a covenant that bound her not to sell her property to nonwhites. The contract had an effective period of twenty-one years, after which time property owners would again be free to sell to whomever they chose. After a lower court upheld the validity of the covenant, attorneys for Corrigan and Curtis argued that the Supreme Court should bar local governments from enforcing such covenants, as the states should not be involved in actively promoting SEGREGATION. However, the Court let stand the decision of the lower courts that the covenant contract should be enforced, reasoning that while asking the states to enforce a restrictive covenant might constitute a violation of the FOURTEENTH AMENDMENT, the same did not hold true within the federal District of Columbia. Because the restrictive covenant was entered into within the district, the Fourteenth Amendment did not apply and therefore no constitutional questions meriting the Court's attention were involved.

—*Nancy Farm Mannikko*

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