

**Buchanan v. Warley**  
245 U.S. 60 (1917)

A unanimous Court held that:

A city ordinance forbidding colored persons from occupying houses as residences, or places of abode or public assembly, on blocks where the majority of the houses are occupied by white persons for those purposes, and in like manner forbidding white persons when the conditions as to occupancy are reversed, and which bases the interdiction upon color, and nothing more, passes the legitimate bounds of police power, and invades the civil right to acquire, enjoy and use property, which is guaranteed in equal measure to all citizens, white or colored, by the Fourteenth Amendment.

Such a prohibition cannot be sustained upon the grounds that, through race segregation, it serves to diminish miscegenation and promotes the public peace by averting race hostility and conflict, or that it prevents deterioration in value of property owned and occupied by white people; nor does the fact that, upon its face, it applies impartially to both races relieve it from the vice of discrimination or obviate the objection that it deprives of property without due process of law.

The Court further ruled that Buchanan, a white man, who had contracted to sell a lot to Buchanan, a black man, could attack the validity of the statute in a suit for specific performance of the contract.