Justice McCoy, and the case was appealed to the Court of Appeals; and on January 18, 1924, the defendants, Mrs. Corrigan and Mrs. Curtis, filed their brief, through Mr. Cobb.

(2) On April 11, 1923, a suit based on the same covenant was commenced against Emmett J. Scott, et al.; and on December 11, 12, and 13 (1923) this case was tried before Mr. Justice Stafford. This case differed from the Curtis case in that the deed had passed and Mr. Scott had moved into his property. An amended bill was filed praying for a mandatory injunction and to have the deed cancelled and of no effect.

On June 2, 1924, the Court of Appeals of the District of Columbia, through Associate Justice Josiah Van Orsdale, handed down its decision in the case of *Corrigan, et al vs. Buckley*, better known as the Curtis case. The Court of Appeals affirmed the decree of the lower court, to the effect that a covenant entered into by a group of white people forbidding the alienation in any way of their property by themselves, their heirs or assigns, to any person of the Negro race or blood for a period of twenty-one (21) years, was not unconstitutional or contrary to public policy.

An appeal was immediately taken to the United States Supreme Court, and on June 7 that appeal was allowed. It is probable that argument will be heard in April, 1925. Mr. Cobb will be joined in argument before the Supreme Court by Mr. Moorfield Storey, President of the N. A. A. C. P.; Mr. Louis Marshall, member of the N. A. A. C. P. Board of Directors; Mr. Henry E. Davis, former United States Attorney for the District of Columbia; Messrs. Arthur B. Spingarn and Herbert K. Stockton, also members of the N. A. A. C. P. Board of Directors; and Mr. William H. Lewis, former Assistant United States Attorney General.

As illustrating the intense interest displayed throughout the United States in this litigation, attention is called to a recent case before the Supreme Court of the District of Columbia, *Rose E. Johnson, et al vs. Ellen Marie Robicheau, et al..*, in which the property owners were penalized $2,000 for each of two lots sold to colored people, the penalty being stipulated in a property owners' agreement. The opinion delivered by Mr. Justice Hoehling sustained the imposition of the penalty and cited as his precedent the decision in the Curtis case by the District of Columbia Court of Appeals. However, in view of the impending argument of the Curtis case before the United States Supreme Court, Justice Hoehling has withheld his decree, awaiting the verdict of the Supreme Court.

A number of other cases of residential segregation in the District of Columbia are being held to await the outcome of this case.

The question of residential segregation by city ordinance was decided in 1917 in the so-called Louisville Segregation Case, where the United States Supreme Court ruled that such segregation was unconstitutional. Segregation by agreement between property owners now remains to be disposed of and the eyes of lawyers and of property owners throughout the country are directed toward the case now pending. It is a case that cannot fail profoundly to affect the future of race relations in the United States.

Louisiana

On September 18 the Louisiana State Legislature enacted a measure, which was signed by the Governor, providing for the segregation of colored and white people in communities having a population of 25,000 or more.

In New Orleans the N. A. A. C. P. Branch undertook to oppose the measure and a joint committee of Creoles and colored people was formed to fight a test case. The first case taken up was that of *Joseph W. Tyler vs. Ben Harmon*. Tyler, a white man, sought to enjoin Ben Harmon from making his cottage into a double house for the purpose of renting the addition to a Negro. Mr. Harmon had purchased his property about thirty years ago when that part of the city was a swamp. Since then the neighborhood has become thickly populated and now the block in which Mr. Harmon lives is equally divided between white and colored residents. About October 1, 1924, Mr. Harmon secured a permit from the city authorities to add a small rear building to his home. Mr. Tyler, who had purchased a piece of property in the block some two months before, sought an injunction through the courts prohibiting Mr. Harmon from completing the already begun addition, on the grounds that the entrance of another colored family would give colored people a majority in the block.

The case was argued in the civil district court and on October 24 Judge Hugh S. Cage handed down a decision that the city ordinance prohibiting Negroes from moving into territory principally white, and vice versa, was unconstitutional. His decision was