

1 to choose his social intimates and business partners is
2 solely on the basis of personal prejudices, including
3 race. These and other rights pertaining to privacy and
4 private association are themselves Constitutionally pro-
5 tected liberties."

6 "We deal here,"and then he was talking about the
7 restaurant, "however, with the claim of equal access to
8 public accomodations. This is not a claim which signifi-
9 cantly impinges upon personal association interests. The
10 proprietor's interests in private or unrestricted asso-
11 ciation is light. The relationship between the modern
12 innkeeper or restaurant owner and the customer is relatively
13 impersonal and evanescent,"and then it says, "The
14 history and purpose of the 14th Amendment compel the
15 conclusion that when the proprietor opened up his private
16 property to the general public, then the state could not
17 enforce his personal discrimination, because it was a
18 balancing of the interests, and the proprietor could not
19 deny to a substantial section of the public the equal
20 protection of the laws which the 13th and 14th and 15th
21 Amendments to the Federal Constitution had already indi-
cated."