

U.S. Supreme Court

JONES v. MAYER CO., 392 U.S. 409 (1968)

392 U.S. 409

**JONES ET UX. v. ALFRED H. MAYER CO. ET AL.
CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE EIGHTH
CIRCUIT.**

No. 645.

Argued April 1-2, 1968.

Decided June 17, 1968.

Petitioners, alleging that respondents had refused to sell them a home for the sole reason that petitioner Joseph Lee Jones is a Negro, filed a complaint in the District Court, seeking injunctive and other relief. Petitioners relied in part upon 42 U.S.C. 1982, which provides that all citizens "shall have the same right, in every State and Territory, as is enjoyed by white citizens thereof to inherit, purchase, lease, sell, hold, and convey real and personal property." The District Court dismissed the complaint and the Court of Appeals affirmed, concluding that 1982 applies only to state action and does not reach private refusals to sell. Held:

1. Congress' enactment of the Civil Rights Act of 1968, containing in Title VIII detailed housing provisions applicable to a broad range of discriminatory practices and enforceable by a complete arsenal of federal authority, had no effect upon this litigation or upon 1982, a general statute limited to racial discrimination in the sale and rental of property and enforceable only by private parties acting on their own initiative. Pp. 413-417.

2. Section 1982 applies to all racial discrimination in the sale or rental of property. Pp. 417-437.