

*National Housing Act*

a man can be deprived of his equity in his home. I bring that to the attention of the parliamentary assistant at this time so that he may look into it.

Mr. McILRAITH: The hon. member is missing one point. It is a legal right—it is too technical to discuss here—of relief against forfeiture in the courts, and so on.

Mr. JOHNSTON: The only legal right that man has is to go to court to ascertain whether or not he has broken one of the covenants set out in the agreement. Once it is determined that he has broken any single covenant in the agreement, that is as far as his rights go in the courts. There is no disputing that fact. The parliamentary assistant shakes his head and says he does not think that is right.

Mr. McILRAITH: The point I am making is that the hon. member is dealing with the contract. He is completely ignoring the old rules of equity in the law courts. It is too technical to argue without preparation.

Mr. JOHNSTON: The thing I am objecting to is this—

Mr. McILRAITH: If the hon. member will deal with that factor as well it will help.

Mr. JOHNSTON: The thing that I am dealing with is this. Under the agreement which the man signs he signs away his legal rights. When it comes before the court, the court of necessity must take into account the terms of the agreement. It cannot do otherwise. The only right he has in court is to ascertain whether or not he has broken any of the covenants. He has that right. Once the court decides that point, he has definitely signed away his rights under the agreement.

At six o'clock the house took recess.

### After Recess

The house resumed at eight o'clock.

Mr. DONALD M. FLEMING (Eglinton): Mr. Speaker, my hon. friend the member for Ottawa West, the parliamentary assistant to the Minister of Reconstruction and Supply (Mr. McIlraith), made a very interesting speech in the house this afternoon. He indicated that his purpose was to bring the house back to the discussion of the bill; he set the house a remarkable example by proceeding to discuss such things as the inequities in the present income tax, the inadequate exemptions, in his condemnation of which I join him, elections, the election campaign under way at the present time in one province, and he got around to the thorny subject of domin-

[Mr. Johnston.]

ion-provincial relations and eventually returned, in the last sentence or two of his speech, to a discussion of the bill once more.

So far as the bill itself is concerned, there is so little in it that one could not expect a lengthy speech upon it, or a lengthy debate. There is not enough in the bill to justify the expenditure by the house of time and effort in a lengthy debate upon it. But there is in the subject of housing in general, and particularly in the housing conditions that still exist in Canada, much that ought to occupy the attention of the house.

May I say this in general with regard to the legislation. Year after year during the lifetime of the present parliament, the government has brought down amendments to the National Housing Act. In every case the attitude of the house has been this, and I think I describe it fairly: Whatever you require in the way of legislation we will gladly give you if you will only put this legislation to work and make it serve the construction of more needed houses for Canadians.

I do not think that on any occasion the house has refused any request on the part of the government for legislation, for anything that could properly be required for straightening out the provisions of the housing act, or clothing the government with whatever powers it asks for in connection with housing conditions.

But, Mr. Speaker, there are two very different things involved in this problem, so far as the government's responsibility is concerned. One of these things is legislation giving the government powers to meet the problem, and the other is the determination that ought to be applied by the government in the exercise of those powers and their application to the problem. Certainly, looking at the legislation submitted by the government to the house for enactment in the past three and a half sessions, one cannot say that there are any serious shortcomings in the legislation, in the view of the government, because it has asked only for minor amendments and the house has gladly given whatever the government has asked.

As a matter of fact, on many occasions the house would gladly have given the government more powers than it asked for in connection with the housing problem. But there has been at all times a sad and conspicuous lack of determination on the part of the government really to grapple with this problem in the way it must be grappled with if there is to be any hope of adequate relief for the people of Canada from the housing conditions under which they have long suffered.