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MINORITY GROUPS HAIL
JUDGMENT AS LANDMARK

The Supreme Court of Canada judgment, invalidating restrictive covenants in property deeds was greeted with widespread satisfaction in minority groups Monday.

The covenant expressed the agreement of a group of property owners that the property should never be sold to any one of Jewish, Hebrew, Semitic, Negro or colored race or blood.

Norman Borins, one of the counsel for the appellants, said he regarded the judgment as one of the most important of the Supreme Court of Canada in many years.

the discriminatory features of racial restrictive covenants are contrary to the principles of genuine democracy.

"The judgment is indeed a victory of tremendous import in that it is a declaration of the highest court of the land on a very disturbing question in a democratic country in which Mr. Borins said. "It is a strong decision since six out of seven judges of the Supreme Court of Canada have reversed the Ontario Court of Appeal.

"While the reasons for judgment are not yet at hand, from information received it would appear that the judgments are based on several grounds," Mr. Borins continued.

"These reasons virtually put an end to restrictive covenants on the basis of race, color, creed or religion. The court has reaffirmed the old principle that there shall be no restraint on alienation and has further decided that these covenants are to be distinguished from covenants as to the user of land, which are covenants running with the land, and therefore bind subsequent purchasers. The distinction is based on the ground that a racial restriction is a personal covenant and does not bind subsequent purchasers. Another ground is one of uncertainty in deciding who might be included within the restrictive class."

Counsel for the appellants were Shirley Dennison, J. J. Robinette and Mr. Borins. All counsel were assisted by Paul Hess and Richard Richmond of London, Ont.

"All people of goodwill will hail this judgment with deepest satisfaction," said Irving Oelbaum, president of the Ontario Region, Canadian Jewish Congress. "It is further evidence that there is no place in Canada for racial or religious intolerance. The judgment gives force of law to a moral principle.

"The hearts of all minorities in Canada will beat faster for Canadianism now that they no longer are considered second class citizens," Mr. Oelbaum said. "There is one law for all Canadians. The judgment is in keeping with 20th century thinking and its lesson should be taken to heart. This is a landmark in civil liberties, pointing the way to tasks yet undone."

Rabbi Abraham L. Feinberg of the Holy Blossom Temple described the judgment as "a potent weapon in the cold war of ideology between communism and the west." The covenant was an "iron curtain of snobbery and segregation," and the Supreme Court has deprived communism in Canada of a highly effective instrument of propaganda.

"The joint public relations committee, under my chairmanship, urged and supported the appeal of this case to the Supreme Court," said Rabbi Feinberg, whose term of office ended recently.

At London, Ont., Bernard Wolf, purchaser of the property and central figure in the litigation, told reporters: "My faith in democratic Canada has been upheld." Mr. Wolf said frankly he did not know what to do with the property on Lake Huron, but there was "no anger and no revenge" concerned.

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