

Senator BRUNT: We are all for you.

The CHAIRMAN: Have you completed your presentation Mrs. Gilleand?

Mrs. GILLEAND: Yes, Mr. Chairman, and I wish to thank the committee very much.

The CHAIRMAN: Mrs. Flaherty, were you going to add anything to what Mrs. Gilleand said.

Mrs. J. F. Flaherty, Executive of the Canadian Federation of University Women, called.

The CHAIRMAN: You may proceed, Mrs. Flaherty.

Mrs. FLAHERTY: Mr. Chairman and honourable senators, I have not much to add to the submissions that have already been made by my colleague, Mrs. Gilleand, the trust companies, as well as the Chamber of Commerce.

We were very pleased to have the trust companies advocate the recognition of the marriage partnership and we would like to point out that in certain laws under which we operate in Canada the marriage partnership is recognized for what can be got out of it for the protection of the government; it is recognized in the Veterans Land Act, the War Veterans Allowance Act, the Small Loans Act and the National Housing Act. In some cases the wife is required to sign if her husband wants a loan and she is equally liable for the debt which he contracts when he wants a property. Under the Small Loans Act the wife signs an application for a loan. Under the National Housing Act amendment brought in in 1955, the wife there too is liable when her husband takes out a loan—she has to bear an equal burden.

Senator MACDONALD: Does she not become the owner of half the property? They must be joint tenants?

The CHAIRMAN: Not necessarily.

Senator CROLL: No, of course not, what she signs is a covenant under the National Housing Act.

The CHAIRMAN: She signs a covenant only.

Senator MACDONALD: She signs a covenant but is it not a joint ownership?

Senator CROLL: No, it is merely a covenant.

Mrs. FLAHERTY: In any case these acts recognize that the wife is equally responsible with her husband. Her signature is required too, yet, when the husband dies the government regards the whole estate as belonging to the husband.

Our contention is that the wife has assisted her husband in earning that money. They, together, built up that estate. It is not a question of what you have done and what I have done. It is a case of what we have done. Suppose for instance that a husband and wife buy a car together. When it comes to assessing the husband's estate the car is regarded as belonging to the husband. Today, especially when there are so many married women working the wife on the way home from the office probably drops in and spends her pay cheque on the groceries that enables the husband to put his money into bonds.

Senator HAIG: But they don't do it.

Mrs. FLAHERTY: He puts it into savings, shall we say. That is money that the husband does not spend but what the wife has spent her money on does not show when it comes to settling up the estate. The things that are there are the things that have been contributed by the husband and the wife is required to prove that she has bought certain things with money that she earned herself in order to have the value of those items regarded as not being part of her husband's estate.