

APPENDIX "D"

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Ottawa Scene

RIGHTS FOR QUEBEC WIVES PREDICTED

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Special to The Globe and Mail

Ottawa—Married women in Quebec will soon have the same legal rights as men and single women.

Premier Jean Lesage in an interview during the federal-provincial conference said legislation to this effect will be proposed in the Speech from the Throne when the new session of the Quebec Legislature opens in January.

Will it be passed soon?

"Yes, Mrs. Casgrain will see to it," the Quebec Premier said with a grin.

Marie Kirkland-Casgrain was sworn in as Quebec's first woman cabinet minister a year ago next Wednesday. She has long been pushing for equal rights in Quebec for married women.

Mr. Lesage declined comment on a statement by Senator Jean-François Pouliot (L. Quebec) that the federal-provincial conference should stop talking "money, money, money" and instead clear up the question of jurisdiction over certain matters relating to marriage and divorce.

Under the British North America Act the Federal Government was given power over marriage and divorce. The provinces kept authority over the marriage ceremony and existing provincial statutes were allowed to stand. Sen. Pouliot contends provincial amendments of laws relating to marriage and passed after Confederation are unconstitutional.

Sen. Pouliot cited a 1958 letter written by Canada's former chief justice to the Quebec administration. In it Thibaudeau Rinfret said at least 16 amendments to the Quebec Civil Code concerning marriage and separation were illegal and ultra vires.

The whole matter should be cleared up, the senator urged, even if the provinces and Federal Government have to petition the British Privy Council to change the B.N.A. Act. He hopes to "wake up those sleeping premiers... all those Rip Van Winkles who meet together like old spinsters."

His test bill, SD-32, which has already been given second reading by the Senate, would give married women in Canada the same rights as single women to sell their own real estate holdings without the consent of their husband or, if legally separated, of a judge. Quebec is the only province in which women are denied this right.

During a meeting Nov. 7 of the Senate's Private Bills Committee, Senator Vincent Dupuis (L. Quebec) suggested Bill SD-32 was similar to what Mrs. Casgrain has proposed for the Quebec Legislature.

"I do not see that we can duplicate what Quebec has already done," said Sen. Dupuis.

"She has not done it," snapped Queen's Counsel Pouliot, "and nobody has done anything yet; and they realize perfectly well that they have no jurisdiction whatever. Mrs. Casgrain is crying in the wilderness."