

coup wasn't a "rightist one," and that the junta had accepted a "thankless task." Later Ross said that "once painful withdrawal symptoms have been overcome they (the junta) will probably be delighted to arrange elections." However, General Leigh, a member of the junta, stated in a recent *Time* interview that elections wouldn't be held until "reconstruction" was well on the way - probably five to ten years time. Elections presumably which would not include the outlawed parties of Salvador Allende's coalition (which in March of this year received over 43% of the popular vote).

In the cables Ross describes the junta's methods, which even he admits as being "reminiscent of the Nazis," as being "indelicate" and "abhorrent but understandable."

This is our ambassador, our representative to Chile speaking. A man who was sent in 1971 to one of Latin America's few remaining democracies. After reading the Ambassador's cables it is difficult to imagine that he is representing a democratic nation and not a country governed by military dictatorship.

With the hope of changing Canadian policy we are launching a campaign calling on the withdrawal of Ambassador Andrew Ross and his replacement by a competent emissary. This is extremely crucial in light of the fact that thousands of refugees in United Nations camps in Chile, are waiting acceptance by countries around the world. Canada is one nation which is being asked to accept refugees. So far it has failed to respond.

We are asking you to join us by sending letters, requesting Ross' withdrawal, to Mitchell Sharp with copies going to one or all of the following MPs: David MacDonald, Conservative; Andrew Brewin, NDP; John Harney, NDP.

Sincerely,  
Tim Drainin for LAWG/CCS

### Proofreader

My article on the Ukraine which appeared in the last issue of *Gateway* was treated carelessly to say the least. Those members of your staff who were responsible for its publication succeeded in not only severely weakening its content through several gross errors, but managed to distort its message to such an extent as to render it incomprehensible in certain places.

Just how did you arrive at the term "Marxist-feminist" from the original term, "Marxist-Leninist"? Any intelligent attempt at proof reading would have rectified this monstrous aberration. What in fact is a Marxist-feminist, and if such people do exist, what in the world is their connection with

intellectual dissent in the Soviet Union regarding the nationalities question?

A few lines further down we come to the phrase, "...something which is clearly guaranteed them by the Soviet 'contribution', but which is not practiced in reality." The correct word, (the word used in my original draft) is "constitution", not contribution. Perhaps my handwriting isn't all that hot, but such assinine errors with their disastrous consequences cannot be excused. Misspelling personal names can be understood. (Still, how do you get Pvan from Ivan?), but the omission of important prepositions, articles, and pronouns which indeed was the case in the final printing of my editorial, and which could very easily have confused the reader (as I'm sure it did) is sheer carelessness. And this, dear editor, is a reflection of the competency of those persons in charge of its publication.

Bohdan Romaniuk

### STAFF MEETING

Thursday

night

room 282 SUB

7:30

### Task Force

I am writing in regard to the comments of Patrick Delaney criticizing the Report of the Senate Task Force on Student Finance which appeared in the *Gateway* of Thursday, Nov. 22.

The issue of student finance has been a somewhat intangible one over the past year. It is politically expedient to jump on the bandwagon in favour of reform but relatively little concrete action has resulted. This is particularly true of the present Student Union Executive. Every one of them included the issue as part of their platform in last spring's election. And yet, of all the groups on campus making submissions to the Senate there was absolutely no input whatsoever from the present S.U. executive. Last March, shortly after they were elected, every one of them was sent a form letter advising them of the existence of the task force and of a subsequent forum and inviting submissions either at the forum or directly through the Senate office. Delaney alleges that the forum was poorly advertised. Possibly this is so although there was a full page article dealing with it on the day before it was held in the *Gateway*, as well as a major article in the *Poundmaker*, several newspaper ads and distribution of posters on campus. I will concede that the Happy Hooker was stiff competition. She must have been, since not one member of

the executive showed up at the forum. This still leaves no excuse for the absence of a subsequent brief from the Students' Union. The activities of the Senate have been well publicized in the press and it is hard to believe that, even if the forum was somehow overlooked, the entire executive was ignorant of the existence of the Task Force and the fact that it was seeking submission. Indeed, it was the previous executive, of which Mr. Delaney was a member, who approached the Senate and asked them to establish the Task Force. You're entitled to your criticisms Mr. Delaney, but we certainly would have appreciated hearing from you several months ago.

Which brings me to my second point. It appears inevitable that there will be changes in the student finance programs and possibly in tuition fee levels within the next two years. Now is the time for some input to the government on what form these changes should take. It will do little good to complain after we are presented with a "fait accompli". The Senate Report is a good ground from which to base such input. Hopefully the *Gateway* and *Poundmaker* will see fit to publish some of the guidelines it contains and comment on them. Criticize it or agree with it but for god's sake let the government know that this is a real issue of concern to students which requires careful consideration of all viewpoints before any changes are made. Don't count on your Students' Union to represent you. Apparently they're too busy selling beer!

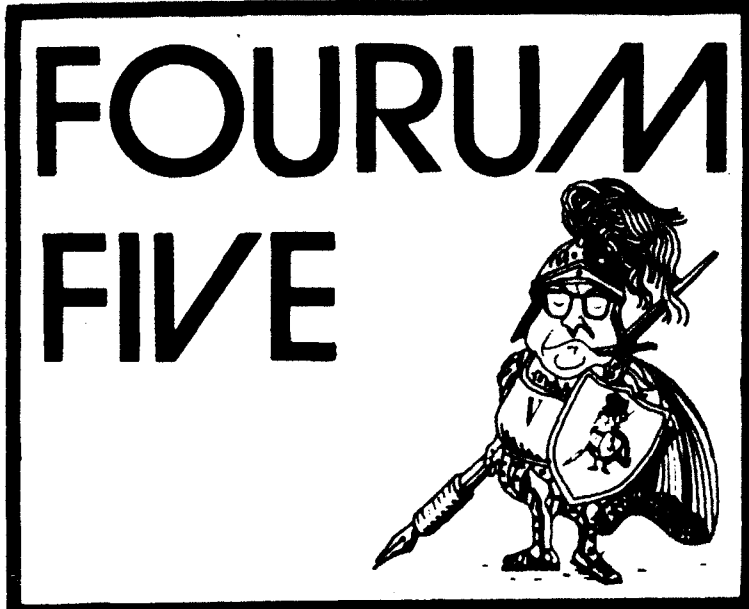
Ron Pearson  
Law 3  
Member, Senate Task Force on Student Finance

### Legally speaking

In your November 15, 1973 issue Terri Jackson wrote an article "Putting Romance on the Dotted Line...". I would like to take exception to Terri Jackson's "legal expertise" (?) in that it seems obvious that she wishes to grind some sort of axe. I don't mind her grinding an axe but I would suggest she grind it on both sides.

She cites the case of *Murdock v. Murdock* and seems to indicate that Mrs. Murdock had got the very short end of the stick in that decision. True, in that particular decision Mrs. Murdock was not successful, but that result was due to the way she chose to bring her claim. The *Murdock* case was based on the law of Partnership and Trust and on the facts as found by the Trial Judge and the majority of the Supreme Court of Canada. Mrs. Murdock established neither a partnership nor a trust.

However, Mrs. Murdock has available to her a remedy and that remedy would be to sue her husband for divorce. At that time she can then claim a lump sum settlement which can be reasonable under the particular circumstances.



Further, Mrs. Murdock did receive alimony in her particular action.

Ms. Jackson also states that "alimony is contingent on a wife's good behavior". This is not true and there are recent cases, from our Court of Appeal, in which a flagrantly adulterous wife received a lump sum payment of \$85,000.00 plus maintenance of \$500.00 per month, together with custody of her two children and maintenance of the two children in the sum of \$250.00. Ms. Jackson is totally in error in those particular statements. The wife is not that much of an underdog, although from Ms. Jackson's article it seems that she prefers the wife to have that position.

In regard to the matrimonial property, I must agree that there are problems and that they must be clarified. *Trueman v. Trueman* was a reasonable decision from a social point of view, but, in my opinion, involved a novel extension of the law as it generally relates to partnership or to trust. However, our Court of Appeal was determined to do something for Mrs. Trueman and since she had not requested a lump sum settlement on the divorce action and that had been finished, the Court decided to give her some relief by an indirect means. *Murdock* did not necessarily overrule *Trueman*, but, boxed *Trueman* in such a way that it will be very difficult to use in the future.

Legislation, as Ms. Jackson states, is probably the best way of resolving this unfortunate mess. However, it must be very carefully thought through in that the cure must not be worse than the disease.

In regard to marriage contracts, the idea sounds nice, but I would question anybody who thinks that a marriage contract will hold up in all events. On a divorce, as our law now stands, the Court can ignore the marriage contract and make such award as it deems proper.

The suggestion made by Ms. Jackson that land should be held jointly and that bills of sale for major purchases should be in both names is an excellent idea and would indicate a joint ownership without any possibility of a hassle. A house held by two or more people as "joint tenants" (you don't need any excess verbiage beyond that) will automatically go to the survivor.

In conclusion, Ms. Jackson is totally correct when she states that if a wife does not insist that she stand on an equal footing with her husband she is an idiot. Unfortunately there are a lot of idiots around who act like doormats for twenty to thirty years and then come to a lawyer and scream like hell if the lawyer is unable to rectify their reticence to stand up for their own rights.

Yours truly,  
Leonard J. Pollock  
Associate Professor,  
Faculty of Law

## The Gateway

THE GATEWAY is the newspaper of the students of the University of Alberta. It is published by the Students' Union twice weekly during the winter session on Tuesdays and Thursdays. Contents are the responsibility of the editor, opinions are those of the person expressing them. Letters to the editor on any subject are welcome, but must be signed. Please keep them short, letters should not exceed 200 words. Deadlines for submitting copy are 2 P.M. Mondays and Wednesdays. Main offices are located in Room 282, SUB. Phone 432-5168, 432-5750 or 432-5178. Circulation 18,500 Subscription \$5 annually

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