

the history of certain cases to which I shall refer that if this principle is not followed a great deal of confusion and even grave injustices may result.

For instance, in the case of student veterans, to which reference has already been made, as the result of our not accepting the principle that a pension should be paid as of right and not allowed to be varied, veterans who are in receipt of disability pensions and who apply for educational benefits when attending university, lose part of their pension. I wish to illustrate this point by reference to a brief prepared by the student veterans' committee of McGill university, and of course, the principles which they discuss apply equally to universities in all provinces. On page 1 of their brief they make the following claim:

A pensioner of less than 80 per cent receives an amount equal to the training allowance, that is \$60 per month, plus 40 per cent of his pension rate.

On page 2 they say:

In the above calculations, no consideration is given to the student pensioner's rank, although other pensioners receive an additional pension allowance for each rank above lieutenant. From the total sum of training allowance and portion of pension, the Canadian pension commission pays the pensioner his full pension (rank allowance included) and he receives the balance from the Department of Veterans Affairs. People are therefore unable to proclaim that pensioners are not receiving their full pension.

That is the argument which the department has put forward when charged with this fact. They say: "We do pay the full pension but we reduce the amount of the educational benefit."

I should now like to refer to the minutes of proceedings and evidence of the veterans affairs committee of Friday, November 30, 1945. The deputy minister of veterans affairs was giving evidence. This matter was being discussed, and on page 950 Mr. Woods made the following statement:

The same effect takes place in respect to a pensioner who goes to a training school, except that we established a ceiling which comprises the training allowances plus 40 per cent of his pension. In short, if his pension is \$100 we give him his training allowance; his total income would be his training allowance plus 40 per cent of whatever his pension is.

In other words, actually the training allowance is paid in full and the pension is reduced to 40 per cent of what he would otherwise receive. Let us look at the practical result of this formula. Again referring to the McGill brief, we find the case of Private Deberry mentioned on page 3:

Private Deberry was wounded in action in the summer of 1944. He was awarded a 15 per cent pension on being discharged from hospital,

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and as he felt he did not need it, he bought a \$3,000 endowment policy. When he later decided he wanted to go to Sir George William's college, Montreal, he was told he would not receive his full grant. He therefore had to cancel his insurance outright and forfeit the premiums he had already paid. Although his pension amounts to \$11.25 a month, he would receive only \$4.50 in addition to his college grant.

I shall now refer to the case of Gunner George Petrie:

Gunner George Petrie was seriously wounded at Zutphen, Holland, on the 15th of April, 1945. He is now a paraplegic—

That is, he is paralyzed from the waist down.—and has also lost a good deal of the use of his hands. He is studying arts at McGill university, getting around in a wheel chair, and later hopes to become a lawyer. He spent all his army savings and then borrowed in order to purchase an automobile, which he now drives to college every day. He states that if it wasn't for the fact that he is able to live with his parents, he could not even consider taking training and would probably spend the rest of his life in an institution. He receives \$75 pension, \$30 training allowance, and \$62.50 helplessness allowance a month, and loses \$30 on account of the present regulations. When one considers that a paraplegic usually has to maintain a full-time servant, a car (if he is taking training), and pay room and board, this total sum of \$167.50 does not go very far.

The final case to which I should like to refer is that of Major J. A. L. Robichaud who was wounded on August 10, 1944, in the fighting for Falaise. Although he is a married man with the rank of major, he would receive exactly no dollars a month if he were to attend university, as he wants to do. The brief goes on to say:

It also seems ironical that because his rank was major, his helplessness allowance should be reduced to \$32.50, as compared to George Petrie's \$62.50.

What I have said establishes clearly, I think, that actually the disabled veteran who receives a pension for his disability loses part of his pension if he attends university and applies for the educational benefits. Surely if it were established that pension was payable as of right that result could not follow. If pension were payable as of right, there would be no reduction; if a disabled veteran wanted to attend university he would then be entitled also to the full amount of his educational benefit. The same thing applies in a more limited way to the case of the helplessness allowance.

I should like to refer to one more case which, I think, illustrates clearly the necessity of adopting this principle that a pension awarded for disability resulting from a wound should be paid as of right. I received a letter in the mail about a week ago. I