

Mr. ELLIOTT: Everything. The agreement and the scheme are practically one thing. By section 4, if the province wants to terminate the scheme and the agreement, it repeals its statute; or if the Dominion wants to terminate it gives ten years' notice. In other words, under section 4 you can terminate by repealing your statute, but under section 5 you cannot change the scheme without the consent of the governor in council.

Mr. MANION: You cannot change the details.

Mr. BOYS: Then if the province is not satisfied with the scheme, all it has to do is to terminate the whole business?

Mr. ELLIOTT: Yes.

Mr. McGIBBON: Does not the minister see that under a regulation of that kind a great hardship might result to pensioners? Surely he must see the absurdity of it.

Mr. IRVINE: I understand the minister explained just now that we could not fix a ten-year period for clause 4 that would be binding on the provinces because they might not want it. In subsection 3 of section 9 we are providing for the recovery of pension payments out of the deceased pensioner's estate. I am not sure that the province of Alberta wants to do that. But if we can legislate to compel the provinces to sell the effects of deceased pensioners and turn the proceeds into the general fund, why cannot we fix a ten-year period? Is there any difference in the two cases?

Mr. CANNON: All these provisions alluded to by my hon. friend can only become effective if the provinces give their consent to them. Otherwise we would be legislating outside our own jurisdiction. We are dealing with property and civil rights and this is a matter that comes within the purview of the provinces. By their consent, however, we can always legislate in this field and the clauses to which I have referred can, as I have pointed out, become effective only with the consent of the provinces.

Mr. IRVINE: Is not that true of clause 4?

Mr. CANNON: That is the point I am making. In clause 4 we are not imposing anything on the provinces.

Section agreed to.

Sections 5, 6 and 7 agreed to.

On section 8—What persons are pensionable.

Mr. MANION: I want to offer a suggestion which has been submitted to me by the Canadian Legion and which I think is fair. It is to the effect that returned soldiers who have served in any theatre of war—I am really adding the qualification "who have served in any theatre of war"—be pensionable at the age of sixty-five instead of seventy, in the event of their having become prematurely aged as the result of such service. I move in amendment, seconded by the hon. member for Burrard, that the following words be added to paragraph (b) of subsection 1 of section 8:

—or in the case of returned soldiers who have served in any theatre of war and who have reached the age of sixty-five years.

Medical men on both sides of the House know that a large proportion of these men who actually served in any theatre of war were subject to nervous shocks, from shells and other causes, which have made them prematurely old. In many cases they have been injured beyond remedy although they cannot physically establish the fact. They are incapacitated to a large extent from work of any kind, and while medical examiners may be convinced of the fact they are unable to recommend a pension under the pensions act simply for the reason that no demonstration is possible. It would be a splendid thing for this parliament to show its appreciation of these men who have fought for their country and I hope that the government will adopt this suggestion.

Mr. STEWART (Edmonton): In such cases as the hon. member mentions, would not such soldiers be pensionable or be given a larger pension?

Mr. MANION: There are many men who would receive consideration from the pensions board because of such injury as I allude to.

Mr. STEWART (Edmonton): They would draw larger pensions, would they not?

Mr. MANION: Yes, provided they could prove their injury; and in that case, of course, they would not come under this legislation. But, as I am pointing out, in many cases returned soldiers, although they may be genuinely incapacitated, cannot demonstrate their injury to the board. Every medical man who has had any dealings with returned soldiers knows very well that there are many such men who, to medical men, are obviously unable to perform their duties as efficiently as they formerly did. Unfor-