

## APPENDIX No. 2

*Extent of Disability, how Estimated.*

Ottawa, May 16, 1918.

Honourable N. W. Rowell, M.P.  
 Chairman, Parliamentary Committee on Pensions,  
 House of Commons,  
 Ottawa.

Dear Mr. Rowell,—

This letter, dictated and sent to you at Mr. Nickle's request, attempts to explain, once again, the principles which govern the Board of Pension Commissioners in estimating the extent of disability existing in soldiers whose cases come before them for decision as to pensionability.

Your committee understands the principle under which the extent of liability, wholly due to service, is estimated; the point which seems to require explanation is the principle under which the extent of disability is estimated in cases where there may be question as to whether its totality was created by service.

Before going further it is necessary to establish the following points:

1. All soldiers receive identical consideration without reference to rank (officers or men), occupation or income.
2. The benefit of every doubt is given to the soldier.
3. A distinction is drawn between "disabling condition" which, though able to produce "disability" at a given point of time does not necessarily do so, and "disability" itself.

The cases of three officers, which have been much discussed before your committee, furnish excellent examples of three different classes of cases in which the possibility of "disability" ante-dating service must be taken into consideration in the estimation of the extent of pensionable disability. For the sake of clearness all of these cases are treated as though no other factor but a heart lesion entered into our actual consideration of them.

1. In the case of Colonel Labatt there was no potential "disabling condition" present in his heart at enlistment. The whole of his cardiac "disability" appeared during his service. Therefore, it was necessary for him to receive a total disability pension.

The disability in this officer has increased, but not to the point requiring the services of an attendant, therefore, the "disability" in this officer continues at 100 per cent and a full pension, but no allowance for attendance is paid to him.

2. In the case of Captain Stephens there was a history, sixteen years ago, of rheumatism, a possible case of a cardiac "disabling condition;" nevertheless, that condition seems to have caused no "disability" at the time of enlistment, since he was accepted for service and actually served overseas, where his cardiac disability appeared. Because the compensation of the "disabling condition" was apparently perfect at the commencement of this officer's service, and might have continued uninterruptedly during his life but for the added stress of service, it was necessary for the benefit of every doubt to be given to him and for a pension of "total disability" to be granted to him.

The condition in this case has ameliorated, therefore, the amount of his pensionable disability has decreased. (For the sake of clearness reference is omitted to the "disability," so small as to be negligible in view of the ultimate "disability," which doubtless existed in this officer when his service commenced;