

trouble in 1923. He visits a physician, and unfortunately the physician cannot now be found. He marries. He goes to live in the state of Michigan and in 1926 he has a recurrence of his trouble. In the meantime he has worked for four years. Four physicians have treated him. He died last spring in Harper hospital, Detroit, and four physicians have certified that his death, in their opinion, was due to war service. He had been shell-shocked, it is alleged, yet we have nothing to show for the intervening years. There are no medical certificates because they cannot be obtained and the board holds that that case has not been proved and the widow shall be deprived of her pension. That case comes very nearly within the resolution moved by my hon. friend this afternoon.

I think in every case the benefit of the doubt, where there is a reasonable one, should be given to the applicant for pension, and I would like this resolution to be passed by the house in order that, when the committee meets, it may be in the nature of an order of the house, and that some clause of this kind may be included in the amendment which is contemplated to the Pension Act this session.

Mr. J. A. CLARK (Vancouver-Burrard): Mr. Speaker, the resolution that is now before the house presents perhaps the greatest difficulty that is experienced by a soldier in securing justice from the country. Generally speaking, when a man needs help he is more or less in a down-and-out condition and if the Board of Pension Commissioners has rejected his application he has no one to turn to, unless some doctor is prepared to be charitable enough to go into his case minutely—without, by the way, the records at hand. Therefore the man is subject to a handicap that he should not be confronted with. I think I can safely say that the spirit of every pension committee of which I have been a member, and indeed of all committees of the house that have dealt with this question, has been as defined in this resolution. Where the spirit is lacking is in the house. It is not a committee we wish to convince of the necessity of the spirit of this resolution; it is the house. That was clearly demonstrated in 1927 after a committee had sat year after year and had been actuated by this spirit; a motion somewhat similar to this was made in the house and was defeated.

Some provision along this line should be made. Everyone knows that the soldiers' records are deficient; and I will give an instance of how and why they are deficient. Take, for example, the offensive of 1918. I recall very distinctly that in July of that year

there was a call for certain trained non-commissioned officers to come to Canada. I remember one man in my own battalion who was recommended to come back to Canada as an instructor, the reason being that he was in failing health and was no longer fit for his duties in the line. Unfortunately the thing was cancelled and we had no way of getting rid of the man except by evacuating him. He was game enough to stick it; he stuck it and he became a senior non-commissioned officer. He has, however, suffered from a disability ever since the war, but there is nothing on his medical history sheet to show that. The man was fit when he enlisted. To-day he is suffering from a serious disability, and it is only very recently, ten years after, that the pension board has admitted that disability. There is no medical evidence, but I think because of the evidence of his company commander who remembers the circumstances, some justice may be done to that man. But why should it be necessary to wait ten, eleven, twelve years after the event in order to do justice?

Another very serious difficulty, as I see it, in arriving at a really effective investigation into these cases is in the department of the Minister of Pensions. As I understand the matter, the pension board has from 1,500 to 2,000 files before it a month. That means cases to deal with. Is there in existence any court of justice consisting of three persons that can deal effectively with 1,500 cases or even 250 cases in a month? The fact is that justice cannot be done.

I am going to give an illustration as to a case where justice could have been done. I do not believe it has been due to any malicious act on the part of the Board of Pension Commissioners, but certainly in this case there has been a most serious oversight in the matter of doing justice. This happened to be one of my own men also who was very severely wounded in the thigh. Practically every year since the war that man has had a major operation on his thigh. He has spent anywhere from two to five months a year in hospital. He was awarded a 15 per cent pension, which was afterwards reduced to 10 per cent, and afterwards it was put back to 15 per cent. I have in my possession a letter from that man's employers saying that they have done their best, that the man is a good man, that it is not his fault, but that they will be obliged to let him go altogether unless some better arrangement can be made, as he is out of the office now from two to five months of the year. Perhaps if that man were getting a proper pension he might be able to continue in his position.