

synonymous. The first, the grant, is definitely an expression of gratitude for the services rendered.

Mr. BLACKMORE: That is as I would interpret it, using just the ordinary common sense of a layman. Therefore I am quite astounded to find that any idea has been entertained by this house of denying to a soldier a gratuity for the days and weeks and months during which he served his country; simply because, perhaps after years of faithful service, he has erred and has been punished by court martial or otherwise. When the original act was passed and sections 11 and 12 were included, this house did violence to its own intelligence. Surely, if the gratuity is a reward for service, then every day and week and month a soldier serves he should receive his gratuity for that day and week and month. But as matters are now, it appears to me that the gratuity has been used as an additional means of punishing the soldier.

Some hon. MEMBERS: Oh, no.

Mr. BLACKMORE: Of course it is. How else can one possibly interpret it? If a soldier after a long period of service commits an offence and is punished, and then is given not only the military punishment for his misdeed but the additional punishment of being deprived of the gratuity which he had earned through his many trying days and experiences, surely that is a miscarriage of justice of the most flagrant kind. I protest against the inclusion of these two clauses in the act, Mr. Chairman, and I believe that the committee should delete them and grant the gratuity as an expression of the nation's gratitude, as the minister has so well said, thus giving the soldier a reward for the service which he has rendered. But as this act stands to-day a man might have won the V.C.; he might have saved a thousand lives; he might have won the most important positions in the enemy's lines; yet because of some inadvertence he might lose all his past gratuity.

I am told that an understanding has been arrived at by the committee this year, in virtue of which a board or group of men have been set up with instructions to be very considerate and sympathetic toward the soldier when considering the possibility of depriving him of his gratuity. That is a step in the right direction. My contention is that the other course was a step in the wrong direction and never should have been taken. I am astounded that any member of the house ever entertained that idea with any degree of tolerance whatsoever.

Mr. SKEY: I should like to point out one thing in connection with what the hon. member for Lethbridge has said. It is the ordinary practice under military law that when a soldier commits a crime and receives detention for it, he loses that much time in his service record but he does not lose seniority beyond that. In peace time we recognize the principle which the hon. member has advocated, that he should not lose beyond the time during which his services are not available to the nation.

Section agreed to.

On section 12—Reappointment or reenlistment—deferment of gratuity or credit.

Mr. TUCKER: When the committee was considering this section it was thought that there might be cases where the soldier reenlisted and where his gratuity or credit would be suspended until he came out of the forces and that in the meantime he might have undertaken obligations, relying upon his gratuity to fulfil them. It was therefore felt by the committee that the minister should have the right, on the soldier making application and making out a case, to grant him his entire gratuity and reestablishment credit even if he reenlisted. It was thought that subsection 4 of section 16 as enacted by this section 12 covered that, and I assured the committee that it did, but on thinking about it since I am not sure that it does, and to make amply sure that it does I would ask that the words "unless the minister otherwise directs" be inserted after the word "granted" in line 29 of page 11 of the bill, so that it will read "shall not be paid or granted unless the minister otherwise directs." That makes it very clear that if the man reenlists he can, if he makes out a case, have the minister order that he get his entire gratuity or reestablishment credit.

Mr. BERTRAND (Laurier): I so move.

Amendment agreed to.

Section as amended agreed to.

On section 13—Persons of Canadian domicile who served in other commonwealth forces.

Mr. SKEY: A graduate of the Royal Military College who happened to be in England in September, 1939, served with the British forces for four years and then came back to Canada and served with the Canadian forces for one year, and he has not received one cent of gratuity to this day. He has now been out of the forces for a year. Would the minister explain how the department deals with such a case?