

supreme court, perhaps having Mr. Kirchner select one and the pension commission select one. Then they could have questioned the judges on the meaning in law of certain charges. Then the commission could have had the judges write the decision in respect of the charges of falsification of evidence.

But what did the commission do?

They asked the accused to give the meaning of the law under which he was charged. They asked him to appraise the evidence. They asked him to write the decision before any witnesses for the prosecution were heard while the commission was still in Ottawa on December 3 and 4 and had heard only one side. In other words, the commission asked the accused to do the job which the commission was asked to do. Then the commission accepted the accused's decision and blessed it with their approval and submitted their report based upon the decision of the accused!

The commission did all their work on the falsification of evidence charge apparently in two days, December 3 and 4. It might be argued that they went out to Vancouver and heard witnesses afterwards, but it is stated specifically in that part of the return that the report was prepared by Mr. Rappell on their instructions and presented to them on December 4 and accepted by them.

So that so far as the witnesses and the commission were concerned we must assume that from that time the matter was closed as regards the charge of falsification of records.

I make no claim to being a lawyer at all, but that is how it looks to an ordinary person on the street.

Here are some other aspects of this McCann commission having to do with the conduct of its affairs. First, Walter Kirchner was recognized as the advocate of the veterans. I draw attention of members of the house to two or three press reports. In one of these reports we find these words:

The commission reviewed sixty-three cases—

This is in a press release from the commission apparently:

—all of which were represented by Kirchner and heard testimony from twenty-four witnesses here and in Ottawa.

This appeared in the *Vancouver News-Herald*. They, at least, tried to convey the idea that Mr. Kirchner was the advocate, and certainly he should have been the advocate, because he was the man who made the charges.

What actually did occur? According to my information the commission called before it by subpoena certain of Kirchner's key witnesses without Kirchner being present—J. S.

Beltz, H-6417, a Hong Kong prisoner of war, keyman for the Hong Kong men; Sholto D. McClellan, #77732, another key witness.

On January 16, 1948, Doctor Lynn Gunn, Superintendent of Shaughnessy Hospital interfered with Ernest J. Maxwell, R-51164 by telling him that this commission did not require his evidence and that he could return to hospital, after, I presume, he had been subpoenaed, although we are not sure about that. Is not this a most remarkable method of proceeding with a hearing?

On January 16, 1948, John V. Thom, M.M., gave detailed supporting evidence to show that the Canadian pension commission had falsified his records, and Albert B. W. Crowhurst, No. 954-38, gave similar evidence, and Arthur Perfit.

Following the release of the commission's findings these witnesses wrote to the press protesting against the unscrupulous action of the McCann commission in omitting any reference to their evidence supporting the charges that they had been defrauded of pension rights by unlawful practices. May I read some of the letters from these men who were examined by this remarkable commission we sent out. The first appears in the *Vancouver Daily Province* and reads:

Sir:

Re the Shaughnessy hospital inquiry. The government has once again wasted the country's money and the time of busy men if the commission mentioned was sent out to investigate charges against the hospital management and doctors.

These are not the evils charged. The government has just sidetracked the original charges which are against the pension commission doctors and have nothing to do with the hospital staff doctors.

The pension doctors have wilfully omitted certain items from a soldier's medical history which would have given him a pension and have inserted false statements to prevent a pension.

I feel sure you will search out and reveal the truth as shortly it will be revealed and with this first-hand information.

A Witness.

North Vancouver.

(Note: Regarding charges of "deliberate falsification of reports," etc., the commission made a conclusive finding that "in none of the cases examined does the record substantiate these charges or even suggest that a basis for the charges exists or that the case was carelessly handled."—Editor).

Here is another letter to the *Vancouver Daily Province* of April 8, 1948, written by the same man:

Sir:

With reference to the note added by you to the end of my letter signed "A Witness," stating the commission investigating Walter Kirchner's charges has reported that certain charges were not substantiated, I would like