

8-9 GEORGE V, A. 1918

Q. And that is what you refer to, the policy you have established?—A. Yes, that is what I was referring to. Now this pension of Captain Francis C. Stephens has been continued for a second period after re-examination, and the medical officer who recommended the second award, has made a précis of the case, giving his reasons for the award.

Q. Mr. Nickle asked you the question why it was reduced.

*By Mr. Nickle:*

Q. I asked on what grounds the pensioner mentioned in that file had been reduced.  
—A. Because the disability had decreased.

*By Mr. Nesbitt:*

Q. What did he get in the first place?—A. 100 per cent total disability.

Q. And then he was reviewed by some other Board?—A. After a time he was re-examined and was given a pension of 60 per cent, Class 9.

Q. What does he draw now, 60 per cent?—A. I think so.

*By the Chairman:*

Q. As the Chief Medical Officer of the Pension Board, what do you say as to the question of the pension now being drawn by the pensioner being the proper one having regard to the documents on the file?—A. It is quite correct. Let me make myself quite clear as to that matter of aggravation. Had the condition not been aggravated to a total disability some consideration would have been given to his condition before; that is to say if this aggravation was slight, a ten per cent aggravation, the first ten per cent might not be considered, but considering the man has been improperly advised by the servants of the State, and then becomes totally incapacitated, I thought we should not quibble about a small matter like that.

*By Mr. Nesbitt:*

Q. That was the man who was sent to Bermuda to instruct?—A. I know nothing about that.

*By Mr. Nickle:*

Q. Getting away from that particular case how do you reconcile the statements that have been given to this Committee that in numerous cases deduction was made from the pension by your men on account of disability that they suffered at the time of enlistment, in reference to syphilitic and general debility cases we have been told not once, but hundreds of times, that pensions were awarded having regard first to aggravation and second to initial disability. Now you tell us to-day that that policy is not the policy of the board.—A. In the first place it must be established beyond doubt that a man has a disability before enlistment.

Q. Correct. Now assuming that to be established.—A. In the case of Stephens—

Q. Get away from the Stephens case, and deal with principles.—A. In such a case as that of Stephens where the man had been reported to have heart trouble, but which was fully compensated and gave him no trouble whatever, and he in service became totally disabled, I would still consider his first disability almost negligible.

Q. That is perfectly sound in principle. You said Mr. Gisborne drew the Order in Council?—A. Yes.

Q. You knew he just copied the report, practically verbatim?—A. Some little alterations.

Q. They were trivial?—A. Important.

Q. In what respect?—A. Is that your report? (report handed to witness).

Q. In these cases that Mr. Sutherland and Mr. Mills brought before this Committee we have been repeatedly told that the men were only pensioned for disability incidental to service, and that pre-existing disability was deducted, is that not the policy?—A. That is so.

[Col. C. W. Belton.]