

APPENDIX No. 2

Col. C. W. BELTON, recalled.

By the Chairman:

Q. I want to draw your attention to a letter from Mr. Stevens and I want to ask you with reference to the statement or suggestion contained in the letter; was any influence of any kind brought to bear upon you in connection with dealing with this particular pension?—A. There was absolutely none, sir.

Q. From any source whatever?—A. From any source whatever, either in this case or any other case that has ever come before me.

Q. And you granted the pension, as you have already told us upon the document?—A. Upon the documents on the file.

Q. One of the members of the Committee has asked if you will explain the report made by you in connection with the Stephens pension. That (handing file to witness) is the report to which reference has been made.—A. Yes, it is where I stated our policy in recommending Class I pension.

Q. It is a question of policy?—A. Yes, this was written on June 5th, 1916. That was during the period after the Order in Council creating the Commission and changing the Pension Regulations had been made, but before the Commissioners were appointed, and while Colonel Dunbar and myself were acting pro tem. The Order in Council was not absolutely clear on many points and Colonel Dunbar consulted the Premier and the Chairman of the Parliamentary Committee which had made the recommendation on which the Order in Council was based.

Q. Have you personal knowledge of that or is it just hearsay?—A. Personal knowledge, and we were recommended to consult Mr. Gisborne, the gentleman who had drawn up the Order in Council. On seeing him and pointing out the clauses under discussion, and asking the meaning of some of the clauses he told us to go ahead in the spirit of the regulation as far as we could understand it and not to be bothered by any petty little quibblings about the meaning, but to get at a just and general interpretation. Now this, if I might quote from the evidence given the other day in regard to heart conditions, is the policy herein referred to when I said to the Committee that if a man were shown to have had a slight cardiac trouble on enlistment, but where there has been many years of compensation, and the man would be able to carry on almost all ordinary work and where the medical officer, being the servant of the State neglected to advise that man that he was unfit for service, and he should thereafter by service become totally disabled, I thought we should look upon the original disability as almost, if not altogether, a negligible quantity. That has been the policy followed, and the policy herein referred to.

By Mr. Nickle:

Q. Why do you cut down this young man fifty per cent within a few months? You reduced this man by 50 per cent.—A. I will have to consult the file.

By the Chairman:

Q. Do I understand you to say that you acted on Mr. Gisborne's advice?—A. We were establishing, or had to establish a precedent, you might call it. There was nothing in the order to guide us, absolutely that is so. We are told that a man is to be given a pension, and reading clause 16, we, by analogy understood that he was to be given a pension for disability which is incurred on active service or which may have been aggravated on service but it is not made plain that we should give it for the portion that is the aggravation on service, or for the whole disability.

Q. I thought you did, I was under the impression that the regulations provided for that?—A. No they do not, and there has to be an established practice.

Q. Then in the course you took you followed the advice of Mr. Gisborne, the Parliamentary Counsel?—A. Yes, we were laying down a policy, establishing a policy.

[Col. C. W. Belton.]