

APPENDIX No. 6

I would refer you to a change made in the Pension Act last year as a result of an amendment proposed to the Act, in the Senate. This amendment is known as the "Meritorious Clause." It was supposed to provide that certain cases could be dealt with on the joint action of the Board of Pension Commissioners and the Federal Appeal Board. One of your members, I think it was Gen. Clark, last year, in the House mentioned the inability of these bodies to take action under the clause as was evidently intended. He stated that in his opinion the wording of the clause was such as to make it impossible for these bodies to act. At the same time I replied that in my opinion the necessary power was there. I find now that I was mistaken. The Pension Board and the Appeal Board have jointly reported that after legal advice it is their opinion that the clause does not provide the necessary power for them to act. I am now in agreement with them in this opinion, and feel that this clause in particular should be referred to you for consideration and such revision as you may deem advisable.

May I say in conclusion that while the calling of such witnesses as you may require, and the receiving of such evidence as you consider necessary is in your own hands, the investigation made by the Ralston Commission during the past two years has been very complete. They have, as indicated, held sittings in practically every large centre in Canada and heard evidence from the various ex-soldier bodies, and in my opinion, it will not be necessary for your Committee to receive as much evidence on the various phases of the work as has been the practice in past committees dealing with this matter. Further, as you are aware, it is the general desire of the Government and of the House to prorogue some time towards the first of July. In my opinion, your report should be ready for submission in about four or five weeks' time, so that the contents of same may be given full consideration by the House without unduly hastening the procedure.

At the close of the Honourable Minister's address Mr. Caldwell expressed the opinion that the work which was done last year in the improvement of the Pension Act had been, to some extent, nullified by the Senate.

Mr. Carroll stated that there was an impression that the Pension Act had been changed in the Department after it passed the House of Commons. This, Dr. Béland denied. He had heard such a rumor, but it was not so. As a matter of fact there had been a verbal change which did not in any way affect the Bill, but this was all.