

Black Books unless his interpretation is questioned. On the next point, I feel that the question raised by Mr. Crosbie is tenable and proper. Insofar as the legislation of the Canadian government or governments is to be referred to by you, Mr. Smallwood, I think some endeavour, some agreement ought to be arrived at between Captain Warren and yourself so that we can list them and know whether the requests for these documents have all gone out, making sure that members will have access to any legislation to which you have already referred or to which in the course of debate you may refer. In that way all concerned are treated alike. Insofar as it is your future intention to refer to any memoranda or any memoranda you have already referred to, then I think and I make the direction now, the memoranda should be mimeographed and copies placed in members' hands.

Mr. Smallwood The decision that I should not read from the Black Books unless my statement on the clause has been challenged, is not my agreement. I remember vividly what I said and I have had the subsequent advantage of listening to the recording and heard it. I said I would read the clause, make a brief explanation and consult the Black Books by way of explanation. When we went into committee of the whole, it was on Mr. Higgins' memory of what I said that you made your ruling....

Mr. Chairman If I unfairly left you with any misapprehensions, I will have the transcript prepared and will go over it.... We went into committee of the whole, and unless I am doing Mr. Higgins some injury, I understood him to say, and I understood members to concur with his suggestion that we were not, in his words, "to wade through these Black Books". There was a compromise position reached between Mr. Smallwood on the one hand and the views of some other members on the other hand, whereby it was agreed that the section should be read, Mr. Smallwood's interpretation would be given, and in conformity with the suggestion made by Mr. Higgins that we should not wade through the Black Books, that Mr. Smallwood would only refer to the Black Books if and when he were required, perhaps under challenge, to supply independent corroboration of what he had stated.... However fair or unfair it may be to Mr. Smallwood or to anyone else, that is the mode of

procedure that the Convention decided to adopt. *[After some further debate, the Chairman agreed that Mr. Smallwood could after all refer to the Black Books, but asked him to be as brief as possible. The committee then recessed until 8 pm]*

Mr. Hickman Referring to this afternoon's discussion in connection with the property of pensioners after they die. I am not quite satisfied on that \$2,000 value of the estate of the deceased pensioner. I cannot find anything here in the act about it....

Mr. SmallwoodThe position is this:these provincial old age pensions authorities meet once or twice a year, and at this interprovincial conference they make regulations insofar as they are allowed to under the act itself. They have to be guided by the act. Within the power conferred upon them they make these regulations in such matters of practice as this point — does the government step in and recover the old age pension that was paid to the pensioner after the pensioner dies? Yes and no. That is what they have to decide. Will we get it back no matter what estate is left by the pensioner who dies, or will we fix an amount?So they set the amount at \$2,000. When the pensioner dies, if his estate is worth less than \$2,000 then the government does not bother. If he has an estate valued over \$2,000, then under certain conditions the government will get back the pension that it had paid.

Mr. Chairman Do you know whether or not the \$2,000 figure is universally accepted by the nine provinces?

Mr. Smallwood Yes, that is a ruling made by the provinces themselves in this interprovincial conference.... I do not know if that is the answer to Mr. Hickman's question.

Mr. Hickman I forget the wording but that is a different interpretation than I saw in it this afternoon. I was under the impression that it was only in cases where the estate or property was over \$2,000 that they could take action. Why I ask is, it says here, "the pension authorities would be required to make a claim against an estate where the net value was in excess of \$2,000". They would not have any choice. It does not say they cannot make one under \$2,000. There is nothing here to say they would not. If it is over \$2,000 it is not the choice of the pension authorities, they would be compelled to do it. They have no alter-