

Passing the Means Test: The Old-Age Pension Applications of Norfolk County, Ontario, 1929-1948

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Introduction

In 1927 Dominion legislation introduced a joint federal and provincial old age pension programme to Canada. Ontario's participation began in 1929 under the direction of a provincial commission within the Department of Labour. To qualify for the pension applicants had to meet a series of eligibility requirements, which included the means test (or evaluation of a person's pecuniary resources and ability to provide a livelihood). These requirements have since been condemned as a humiliation to aged citizens, a bureaucratic burden on municipal clerks (who doubled as local pension secretaries), and a discriminatory device used by government against those applicants deemed undeserving. Yet, from a research perspective, the restrictive nature of the programme did serve to generate large quantities of quantifiable data on the social and economic conditions of Ontario's elderly between 1929 and 1948, data which are not normally contained in other government records.

While the interpretation of this data is the domain of historians, archivists will be expected to provide the provenance for these and other welfare records, as interest in the field of social history continues to grow. Using the Norfolk Local Board as an example, this article will examine the administration of old age pensions during the programme's first twenty years; the type and scope of information recorded in the applications; and the current complications of access created by the Ontario *Freedom of Information and Protection of Privacy Act*.

Towards a Pension Plan

The movement towards old age assistance in Ontario coincided with the province's industrialization and urbanization during the latter part of the nineteenth century. Prior to that period, and despite the enlightened views of a few members of the Dominion parliament and the Canadian Trades and Labor Congress, the destitute

elderly were regarded to be the responsibility of their children. With little public demand for old age assistance, many of the elderly continued to work—only to be institutionalized when they were no longer able to support themselves. Depending on the facilities available and the physical or mental condition of the person in question, institutionalization could mean committal to the county poor house, a hospital, an insane asylum, or even the local county jail.¹

The question of old age assistance was first considered at the federal level in 1906, when a Conservative member from Ontario gave notice of a resolution on the subject. Although the resolution was not debated, another attempt in the form of a motion soon followed.² In 1907 a select committee was established to inquire into a scheme; the Liberal Government, under Wilfrid Laurier, however, had already decided in favour of voluntary government annuities. The problem with annuities was that the holder had to contribute to the scheme over a long period of time in order to derive an income during retirement. Many people, however, could not afford to invest for their old age. While government annuities were offered for many years, therefore, they did not resolve the problem of destitution among the elderly.³

The old age pension issue was not raised again until after the Conservative victory in the election of 1911. The new Conservative Government was no more decisive with respect to old age pensions than the Liberals had been, claiming that there was no public demand and that the funding of old age assistance was really the responsibility of provincial and local governments.⁴ With 1914 and the beginning of the First World War, the question of old age pensions was set aside.⁵ In 1915 the Trades and Labor Congress once again raised the issue, although with little effect until 1917 when the congress called for a Canadian labour party to represent the workers' interests. A number of Labour members were subsequently elected to both the provincial and Dominion parliaments—members who were in favour of the concept of old age pensions.

The end of the war in 1918 caused severe economic re-adjustments on the workforce and coincided with a growing western dissatisfaction with central Canada's domination of the old political parties. The ensuing rise of western farmer and socialist parties was perceived ominously by commercial and industrial leaders as a Bolshevik threat against the political structure of Canada.⁶ The Conservative government responded by appointing the Mathers Commission to investigate the growing social unrest. After the Winnipeg General Strike of 1919, the commission expedited its investigation and soon recommended the consideration of a number of government welfare programmes to help reduce tensions. Old age pensions were among the commission's recommendations.

Despite the 1921 Speech from the Throne, which announced that the Labour Department was looking into various old age pension systems, the Conservatives were unable to bolster their popularity in time for the federal election at the end of the year.⁷ The succeeding Liberal Government also recognized the political necessity for old age pensions. The new Liberal Leader, W.L. Mackenzie King, initially showed little inclination to advance the interests of the elderly. In 1924, however, pressure from the Trades and Labor Congress, as well as from several provincial and federal legislators, forced King to establish a special parliamentary committee

on old age pensions. Provincial participation was an integral part of the resulting recommendation: unfortunately, provincial reluctance to share in the costs resulted in the scheme's deferment.⁸

The October 1925 federal election left the Liberals seriously weakened, though King struggled on as prime minister for several months. Eager for much-needed outside support, King quickly negotiated with two Labour members when they sought provisions for the unemployed and aged in early 1926. Their timely approach helped the prime minister defeat a non-confidence motion against his government on 14 January. In reciprocation, King and his cabinet negotiated further with the Labour members and agreed on an old age pension bill. It was to be a non-contributory scheme for persons seventy years of age or older, universal, with funding provided by the federal and provincial levels of government on an equal basis.⁹ The bill easily passed the House of Commons in March 1926, but then met with stiff resistance in the Conservative-dominated Senate.

The main arguments used against the implementation of old age pensions centred around funding and the charge that they would intrude upon provincial rights. More particularly, the Conservative senators sensed a lack of public demand and ravaged the bill for what they saw as its potentially negative effects: the penalization of thrift, the removal of family responsibility and private charity, and the non-differentiation between the deserving and undeserving poor.¹⁰ In the end, the bill was defeated.

After King's resignation and a brief Conservative tenure in power, another election in September 1926 gave the Liberals a majority government.¹¹ With his re-election, King made good on his promise to institute an old age pension plan. Early in 1927, a new bill was placed before the Commons, passed, and carried to the Senate. By that time most senators, including the Conservatives, interpreted the Liberal success at the polls as popular endorsement for old age pensions.¹² Consequently, the bill was passed and received Royal Assent on 31 March 1927.¹³ In Ontario, the cost-conscious Conservative Government of Premier Howard Ferguson resisted joining the Dominion programme. However, public and legislative pressure in favour of old age pensions finally resulted in Ontario's participation, and this involvement was ultimately accomplished through the Ontario *Old Age Pensions Act* of 1929.¹⁴

Implementation and Administration

By the end of 1929 the Ontario Old Age Pensions Commission was fully established.¹⁵ The Commission shared staff and office space in Toronto with the Mothers' Allowances Commission. (Although legally distinct organizations, both were administered within the Department of Labour.¹⁶) In order to conduct the programme at the municipal level, a network of local boards operated as subagencies. The local board first had to be satisfied that the applicant was eligible for a pension. If the application was approved, it was then sent to Toronto where the Old Age Pension Commission had the power to sanction, modify, or disallow it.¹⁷

In the autumn of 1930 the Ontario Department of Public Welfare was created, with both the Mothers' Allowances and Old Age Pension commissions coming

under its jurisdiction.¹⁸ Although the two continued to function separately, they shared a single chairman.¹⁹ Under this new arrangement, the local old age pension boards (such as that for Norfolk County) operated with a high degree of discretionary authority—as they had previously. They not only answered queries about qualification requirements and assisted the elderly to apply, they were also expected to investigate the validity of each application and advise if a pension should be granted.²⁰ Many local boards were quite severe in their examinations. The scrutiny that they exercised can, in large measure, be explained by the fact that Ontario's municipalities were held responsible for twenty per cent of the provincial contribution to the programme.²¹ The members of these boards consisted of five individuals appointed by the municipal council, who were often members of the council itself. Thus the financial interests of the municipality were well represented and protected.²²

Fraudulent applications were a constant source of concern in the early years of the programme, particularly during the lean years of the Great Depression. The falsification of birth records in order to meet the age requirement was seen as a particular problem. Remaining alert to these threats against the public purse, the commission passed warnings on to the local boards by means of circulars, such as this one from about 1930:

One [birth] Certificate we sent to the British Consul in Warsaw, Poland, telling him of our suspicions and asking him to have this compared with the official records and to secure a correct extract. The Certificate in question showed that the applicant was born in 1860 and when we got a reply from H. M. Consul it was found that the year of birth was "1867". In another case we were advised that the applicant, or some one on behalf of the applicant, had sent \$10.00 to the priest in Poland to secure a false Certificate.²³

Abuse of the age requirement became chronic in cases where documentary evidence of birth did not exist and applicants were allowed to make a statutory declaration. As a result, in 1932 the commission ordered that:

The declaration as to Age, by the applicant, will not be accepted by the Commission unless all other means of proving age have failed. As we have knowledge of so many cases where the applicants were not as old as they said they were, we are asking you to give us the date and place of the marriage, and the names of both contracting parties; or to obtain a birth certificate or registration of baptism from their church; or give us the name of the township, county and post-office address where they resided in 1901. We will endeavour to obtain from the Census Department at Ottawa the age that they gave in that year.²⁴

To a generation not completely reconciled to the idea of social welfare, vigilance and the strict application of the means test were viewed as necessary safeguards against the potential abuse of society's benevolence. As the depression worsened, however, it was not uncommon for some local boards to become rather munificent. By October 1932, the number of old age pension recipients in Ontario had doubled from a predicted 21,000 to 41,658.²⁵ It had become obvious that, despite the sub-agency organization, local pension boards were far from fair, efficient, or uniform

in their operations. Prejudice rather than objectivity usually shaped the board's decision about an applicant, often in violation of the regulations and guidelines of the programme. Consequently, also in 1932, local boards were relieved of their decision-making authority, relegating them to the position of merely advisory bodies.²⁶

After the election of the Liberal Party in Ontario in 1934, an era of reduced provincial expenditures was introduced. Premier Mitchell Hepburn's government drastically reduced the services of the Department of Public Welfare, resulting in the abolition of the local pension boards altogether. They were replaced by municipal clerks, who assisted applicants and provided their opinion as to whether a pension should be granted. The applications were then sent on to the commission in Toronto for approval.²⁷

Because of high welfare costs brought on by the depression, most municipalities experienced increased difficulty in meeting their financial contributions to the province in support of old age pensions.²⁸ Relief came in 1937 (which also happened to be an election year for the Hepburn government), when Ontario assumed the full cost of the provincial share.²⁹ At the same time, the formerly separate Old Age Pensions and Mothers' Allowances Commissions were amalgamated. Although Hepburn was bent on saving money through centralization, he bowed to pressure from the Dominion Government to reinstate local investigation of pension applications.³⁰ The result was that local pension boards were re-established on an unpaid basis, while a larger force of pension investigators was hired to replace those who were summarily fired in 1934. Throughout this period of reorganization, municipal clerks continued to process applications.³¹

The new Norfolk Local Board (which included Simcoe) did not enjoy the discretionary autonomy of its antecedent. Nor was it distinct, since the amalgamation of the Old Age Pensions and Mothers' Allowances Commissions meant that the Norfolk Pensions and Mothers' Allowances local boards were also united.³² Once again the authority of the new local pension boards was limited to advisory duties.³³ Under this new arrangement

people seeking aid went first to the local municipal offices where the clerk helped to fill out the application. This was sent to the office of the closest local board; the board gave it to a departmental investigator who made a visit to the applicant's home to verify details of eligibility. The papers came back to the local board which then formulated a recommendation to grant or not to grant the allowance. This was sent to the departmental commission in Toronto which made a final judgement and informed the applicant, local board and investigator. The interposition of a board composed of citizens, unpaid and outside administrative direction, was cumbersome. From the time of the first move by the applicant until he received a decision, up to seven months might elapse though three months was average.³⁴

While this bureaucratic system functioned adequately enough, World War II ultimately strained the programme's operations. Large numbers of senior civilians returned to the workforce during the latter half of the war, thereby reducing the caseload of old age pensioners; most of these people, however, retired after victory

was achieved in 1945. The result was a rush of applications. Under the Conservative Government of George Drew, which had come to power in Ontario in 1943, the problem was resolved by increased civil servant appointments—and particularly by an increase in the number of field workers.³⁵

The man responsible for implementing this extension of services was William Goodfellow, the Minister of the Department of Public Welfare. Goodfellow began a series of reforms, among which was the termination of municipal involvement in 1948.³⁶ He also planned to replace the Old Age Pensions and Mothers' Allowances boards with welfare units "based on consistent policy and legality."³⁷ Goodfellow's vision was to make old age pensions more efficient by combining municipal and provincial operations under one organization, the local welfare unit. Unfortunately, problems involving municipal participation caused the plan's failure. The system that evolved in its place resulted in the establishment of provincial Public Welfare Department offices across Ontario, which further rendered municipal involvement unnecessary.³⁸

Before the end of municipal involvement, however, a change occurred in the old age pension programme which had an important effect upon applicants. In 1947 an amending act moved old age pensions toward universality by dropping the following eligibility requirements:

the exclusion of aliens; the provision relating to the transfer to the pension authority of the pensioner's interest in his home; and the requirement of residence in the province where application was made for at least five years immediately preceding commencement of benefits. The requirement of residence in Canada for twenty years immediately preceding commencement of benefits was relaxed to permit the applicant to offset nonresidence during those years by prior residence equal to at least twice the period of nonresidence.³⁹

In 1951, the *Old Age Pension Act* of 1927 was replaced by the *Old Age Security* and *Old Age Assistance* acts. In the case of the Old Age Security plan, the federal government administered and financed universally-paid pensions. The means test was removed for individuals who were seventy years of age or older and had lived in Canada for twenty years.⁴⁰ The other plan, that of Old Age Assistance, was cost-shared with the federal government and administered by the province on a means test basis for seniors between 65 and 69 years of age.⁴¹

In 1965 the Canada Pension Plan, a contributory plan, was added to the Old Age Security and Old Age Assistance programmes, providing retirement, disability, and survivors' pensions, as well as a lump-sum death benefit, within one social insurance package.⁴² Eventually, the Canada Pension Plan replaced Old Age Assistance, which was phased out in 1969. Since then, Canadians have enjoyed the universally-paid Old Age Security pension at age sixty-five, which is further supplemented by previous earnings and contributions to the Canada Pension Plan.⁴³

The Application, 1929-1948

Before senior citizens in Ontario could qualify for an old age pension, they first had to show that they were:

British subjects

seventy years of age or older

residents of Canada for twenty years

residents of Ontario for five years

not Indian as defined by the *Indian Act*

not receiving income more than \$365 a year

not ineligible through the transfer of property.⁴⁴

To meet these requirements the applicant had to submit an extensive amount of personal information, some of which was in reference to extremely blunt questions:

Are you now married, single, widow, widower, or divorced?

If married, is your husband (or wife) living with you?

If not, are you living apart pursuant to decree, order, or deed of separation?

Is your husband (or wife) an Old Age Pensioner?

If not, why is he or she not an Old Age Pensioner?

Are you an inmate of a house of Refuge or other institution?

If so

(a) Does any one contribute towards your maintenance?

(b) How much?

(c) Have you at any time transferred to the institution any property or money?

(d) How much money or value of property?⁴⁵

At a time when lengthy government forms were still relatively unknown to the general public, the old age pension application was truly an intimidating document—even though local clerks assisted in filling it out. Apart from occasional format changes of a minor nature over the years, the pension application remained basically the same as that first introduced in 1929. So, too, did the information required of elderly applicants.

Nationality and Age

Few if any applicants encountered difficulty with the nationality requirement, which recognized Canadians as being British subjects first and foremost. Most applicants were eligible by birth: those who were British by marriage or naturalization usually had the documentation to prove their citizenship. A greater problem was proving the age requirement. In order to meet the minimum age of seventy years, applicants in 1929 had to have been born in 1859 or earlier. Unfortunately, civil registration in Ontario did not begin until 1869.⁴⁶ Therefore, the earliest applicants had to find other sources of documentation to prove their age, such as a baptismal record or some other church record, a marriage certificate showing age, a

birth entry in a family Bible, or, in some cases, census records.⁴⁷ If all else failed, the applicant was forced to collect affidavits from long-time acquaintances attesting to his or her declaration of age—which the commission could then choose to accept or reject. Of course, the inability to produce a birth record could also cast doubt on the applicant's citizenship.

Residency

Prior to making application for a pension, applicants were required to have resided in Canada for twenty years and in Ontario for five years. As the following old age pension regulations indicate, determining even the most basic residence qualification involved a rather complicated calculation.

An applicant shall, in the absence of evidence to rebut such presumption, be presumed to have been resident in Canada for twenty years immediately preceding the date of the proposed commencement of the pension if he (a) has actually lodged within Canada on at least 4,384 days within the said twenty years, and (b) has not within the said twenty years been absent from Canada for more than 731 consecutive days, but in no case shall a pensioner be deemed a resident of Canada for twenty years unless lodged within Canada some time at least twenty years prior to making application.

An applicant shall, in the absence of evidence to rebut such presumption, be presumed to have resided in the province in which application for pension is made for the five years immediately preceding the date of the proposed commencement of pension if he is then residing in the province, and if he has lodged therein on at least 1,095 days in the said five years, but in no case shall a pensioner be presumed to be a resident of such province for five years unless he lodged within said province some time at least five years prior to making application.

For the purpose of determining the province in which an applicant has resided, and subject to [the regulations preceding], if an applicant had left Canada and subsequently returned to Canada he shall, in the absence of evidence to rebut such presumption, be presumed to have continued to reside in the province which he left until the date of his return.⁴⁸

Although none of these regulations advise which records would constitute acceptable proof of residence, in fact census returns were the source of information consulted.

Native People

The welfare of native people was the responsibility of the federal government. Since natives were provided for by the *Indian Act*, they were excluded from receiving old age pensions. Applicants for the old age pension had to prove that they were not "Indians" as defined by this act, that is: "any male person of Indian blood reputed to belong to a particular band; any child of such person; [or] any woman who is or was lawfully married to such person."⁴⁹ Unlike other eligibility

requirements, no documentation was required of applicants to prove that they were not native. Curiously, the only reference to the native qualification anywhere in the application is tucked away in the applicant's declaration on the last page. Obviously, the racial judgement of the local board was considered acceptable in determining status as a "non-Indian." This exclusion of native people continued until 1955, when Old Age Assistance was finally extended to them as well.⁵⁰

Income and Property

Almost half of the application was taken up by means test questions regarding income and property. The commission demanded particulars on all sources of personal income and equity in property. Investments such as annuities, large bank accounts, and even a spouse's earnings constituted income. Before the Dominion Government made the programme universal in 1951, these sources of income could adversely affect an applicant's eligibility for a pension. When old age pensions were first implemented in Ontario in 1929, the maximum amount allowed to an applicant was \$240 a year. Pensioners were permitted to earn an additional \$125, for a total of \$365 annually.⁵¹ Those pensioners who earned more than \$125 a year had a percentage of the excess deducted from their monthly cheque.⁵² After this routine was established, the commission would only consider reinstating a pension to its original level if the applicant could prove his or her income had been reduced or had ceased altogether. Of course, there were ways in which pensioners could evade these restrictions, including bartering and simply not reporting certain income. Yet, it would be a matter of speculation as to how widespread such cheating might have been in the early years of the programme.

The value of an applicant's property was also considered by the commission. Normally, income derived from real property (land) was calculated as a percentage of the assessed value. But the fear of fraud was ever present. Because real property might have been transferred in order to qualify for a pension, applicants were obliged to account for all sales or gifts of real property made for a period of five years preceding the application.⁵³ If the commission found that a transfer had been made, it was presumed to have been done in order that the applicant would qualify. The application was then disqualified until the real property (or its equivalent value) was restored to the applicant. If the person to whom the real property was transferred refused to return it, the commission could defer the applicant's pension until such time as the withheld payments reached an amount equal to the estimated equity in the property.⁵⁴

Because income could be derived from real property, it was a right of the commission to demand of an applicant the legal description of his or her real property, its value, and any encumbrances. It was also in this section of the earliest applications that seniors were asked the following question: "If you or your wife (or husband) owns the dwelling house in which you reside[,] are you willing to transfer same to the Pension Commission?" This query, which no doubt caused many applicants to stop and think twice, was not as odious as it might seem. It was part of a measure which allowed pensioners to continue to reside in their homes, but in such a manner that the income potential calculated from the value of their real property did not reduce their level of pension.

The commission held the pensioner's real property as collateral in order to reclaim the amount of pension "overpayments" after the pensioner moved or died. At that time the commission could sell the real property and recover the amount of money it had overpaid. However, the commission was prevented from recovering pension overpayments through the sale of real property which passed by will to another pensioner (namely a spouse), or to any person (including relatives) who assisted in supporting the pensioner for a period of three years prior to his or her death.⁵⁵ From 1944 it was the practice of the Ontario Old Age Pensions Commission not to claim against an estate of \$2,000 or less, or against the first \$2,000 of an estate valued over \$2,000 if there was a will and the beneficiaries were all domiciled in Canada.⁵⁶

Income could also be derived from chattel (or movable) property, which was calculated at a percentage of the appraised cash value. Chattel property included furniture and livestock—such as cattle, horses, sheep, poultry, and even bees. The income provision, respecting both real and chattel property, was eventually dropped in 1947.⁵⁷

Other Considerations

In addition to questions regarding eligibility, the application also contained sections for the applicant's statutory declaration and other, more clerical, notations—such as the date the application was received, and whether the pension was granted or refused. Less self-explanatory are the sections requiring a list of all the applicant's living sons and daughters, and details of their contribution towards their parent's maintenance. This interest in the applicant's children stemmed from the revised 1927 *Parents Maintenance Act* of Ontario, which made adult children liable for the support of their aged and dependent parents.⁵⁸ Many applicants claimed that their children were unable to support them, no doubt thinking that this would make it easier to get a pension. However, as the applications indicate, such a claim did not automatically relieve children of their obligation to support their parents.⁵⁹

In addition, a number of the applications filed in the Norfolk series are what were referred to as "blind pensions." In 1937 the role of the Ontario Old Age Pensions Commission was expanded to include pensions for the blind. With a reduced qualifying age and a higher allowable income, blind allowances continued as an extension of the old age pension programme until 1951. In that year, support for blind people came under the new *Blind Persons Act*.⁶⁰

If an applicant proved eligible, then he or she was entitled to a monthly pension. As noted, the initial maximum pension was \$240 per year, or \$20 per month. Pensioners were also allowed to earn \$125 a year in addition to their monthly pensions, but not more than the combined sums—or \$365. The rationale governing the amount of additional income allowed was based on the belief that pensioners could live on a dollar a day.⁶¹ Yet, wartime inflation resulted in two rate increases in old age pensions before municipal involvement ended in 1948. In 1942 Ontario supplemented its pensions by \$3, so that the maximum pension rose to \$23 a month. In July 1943 the Dominion Government increased the pension by another \$5, for a total maximum pension of \$28 per month. In 1944, the allowable income of \$365

was increased to \$425.⁶² The second federal increase came in 1947, when the maximum pension rose to \$30 a month. The allowable yearly income was also raised to \$600.⁶³

Provenance and Arrangement

Old age pension applications were made in triplicate, with copies kept on file at the municipal, provincial, and federal levels. After municipal involvement ended in 1948, the set for Norfolk County was stored in the court house in Simcoe. In 1972 this apparently long-forgotten archival cache was discovered and acquired by Edward Phelps, who was then in charge of the Regional Collection within The D.B. Weldon Library at the University of Western Ontario.

Upon their delivery to the Regional Collection, the applications appeared to be disorganized and incomplete. The numbers assigned to individual files did not follow in chronological order and spans of numbers were discovered for which no files existed. Initially, the gaps were thought to have resulted from rejected applications, which were discarded without their numbers being reassigned. Given the mixed order of the dates, it soon became obvious that the explanation was more involved. In fact, the one collection comprised two series of numbered files, which had become combined. This inadvertent amalgamation can be traced back to the Hepburn Government's attempts at cost-cutting centralization during the Great Depression. Despite the abolition of the local boards in 1935, the original series begun in 1929 was continued by municipal clerks. When the local boards were re-established in 1937, a new series of numbers was started. At some point the new series was accidentally superimposed on the old, with post-1937 applications filed in place of missing applications from the 1929 series.⁶⁴

Physically, the application is a legal-sized folio into which supplementary documents were sometimes placed. These included declarations, change of address notifications, routine departmental correspondence, and, beginning in 1935, special reports which were filed by clerks regarding applicants' eligibility. In addition, most of the files include an index card prepared by the local pension board, which records the applicant's status as an old age pensioner.⁶⁵

Freedom of Information/Protection of Privacy

The Ontario *Freedom of Information and Protection of Privacy Act*, originally passed in 1987, was intended to "provide a right of access to information under the control of institutions..." and also to "protect the privacy of individuals with respect to personal information about themselves held by institutions..."⁶⁶ While the act was obviously intended for more modern records, the Norfolk County Old Age Pension Applications also come under its provisions. They contain personal information the disclosure of which, according to the act, could constitute an "unjustified invasion of personal privacy."⁶⁷ The provision that relates most specifically to old age pension applications concerns information used to determine eligibility for social service and welfare benefits.⁶⁸

However, "personal information does not include information about an individual who has been dead for more than thirty years."⁶⁹ Arguably, the protective aspect of the act no longer applies to the Norfolk County Old Age Pension Applications, since all the successful applicants (even those who applied just prior to the end of municipal involvement in 1948) can be presumed to be dead. However, there is another consideration to take into account. Applicants who were seventy years of age in 1948 theoretically could have lived to see their 100th birthday in 1978. With the additional restriction for thirty years after death, certain files should continue to be classified as personal information and closed at least until the year 2008. Complicating matters further is the question of personal information regarding applicants' relatives, including spouses and children. A literal adherence to the act would require that this information also be restricted well into the coming century.

Current scholarly and genealogical demands for access renders such an inflexible approach unrealistic. In response, the staff of the Regional Collection have adopted a two-pronged reference strategy for access to welfare records, including the Norfolk County Old Age Pension Applications. Where a particular file is requested, as in the case of a genealogical pursuit, the onus is on the staff of the Regional Collection to ensure that the applicant has been dead for the necessary thirty years. If the patron can provide reasonable proof to this effect, then information relating specifically to the applicant will be released. Information concerning other family members is similarly restricted. In the case of academic research requiring a survey of the entire collection, the spirit of the law is respected by having the patron sign a research contract agreeing not to publish or otherwise divulge any identifiable personal information.

While archivists can take some comfort from a provision in the act which allows the disclosure of "as much of the record as can reasonably be severed without disclosing the information that falls under one of the [restrictive] exemptions [to freedom of information],"⁷⁰ it cannot be taken to imply some sort of blanket protection for indulgent access provided to sensitive records. The Ontario *Freedom of Information and Protection of Privacy Act* remains vague and inadequate when applied to archival collections. Unless the act is clarified, access to records such as the Norfolk County Old Age Pension Applications will continue to be a source of concern, confusion, and consternation for most archivists.

Conclusion

Although old age pension applications were made in triplicate, none of the provincial and federal level copies appear to have survived. A similar situation exists concerning the municipal copies, with the exception of those for Norfolk County and Lambton County (which are also held by the Regional Collection). After municipal involvement ended in 1948, many of these records were stored wherever space was available—often in poor environmental conditions. Middlesex County's old age pension applications are a good example of the fate many municipal sets must have suffered. After an exhaustive search, the author could find no trace of them. Perhaps they were stored in the land registry office, in which case they would have been destroyed when the old building was demolished in 1980. Or they


might have been stored in the old Middlesex County court house, which still stands, and were simply tossed out during some post-1948 house-cleaning binge.

However, not all old age pension applications from the municipal level have necessarily been destroyed. Sets of these records might still exist in some forgotten corner of a municipal building, a land registry office, or even a county garage. Local archivists should be aware of the potential for discovery, and the research value of these papers from our recent past. Hopefully, the Norfolk (and Lambton) County Old Age Pension Applications will not prove to be the only surviving records of their kind to offer us insight into the rise of Canadian social welfare in Ontario.

1165

Form 1, 1964 April 1955 1165 *cm*

Individual	Date	Initials
Contributions		
Account		
Assessment		
Benefits		
Value		



ONTARIO
DEPARTMENT OF PUBLIC WELFARE
OLD AGE PENSIONERS COMMISSION
TORONTO

For the use of the Old Age Pensioners Commission

No. _____

Municipality _____

THIS APPLICATION requires a complete reply to each question. If the answer is "no", "none", or the question is not applicable, the words "no", "none", or "not applicable" must be written in. *Leave no blanks.* Complete the declaration at the end of form and have residence for the past twenty years verified by separate declaration of some reliable disinterested person. When completed mail or deliver immediately as instructed by the Regulations.

- Have you previously made application? A *no* If so, where? *not applicable*
- Surname *Vannatter* Christian Names in full *John Henry* Sex *male*
 Address: Street or Rural Route *1* Village/Town, City or Post Office *Wellington*
 Lot *1* Con. _____ In care of _____
 Township of *Houghton* County of *Frontenac*
- How long resident in Ontario *71* years. In Canada *71* years. Occupation *farmer*
 Previous residence outside Canada (place) *none*
- Place or places and duration of residence for 20 years immediately preceding date of application:—

		Address in Full		
From	<i>Jan 16 1916</i>	to	<i>Jan 16 1936</i>	(Street Address) <i>R.F.1</i> (Municipality) _____ (Province) <i>Ont</i>
From	_____	to	_____	(Street Address) <i>Wellington Houghton</i> (Municipality) _____ (Province) _____
From	_____	to	_____	(Street Address) _____ (Municipality) _____ (Province) _____
From	_____	to	_____	(Street Address) _____ (Municipality) _____ (Province) _____
From	_____	to	_____	(Street Address) _____ (Municipality) _____ (Province) _____

- Date of Birth *August 2 1864* Proof of Date *from Bureau of Statistics*
- Place of Birth *Windsor, Ont* County of *Elyon, Ont*
- Are you a British Subject by Birth, Marriage or Naturalization? A *Birth*
 (Birth Certificate, Passport Certificate, Church Record, Dated Marriage Certificate, Family Bible Record or other proof of age is required with the application. If naturalized forward naturalization papers.)
- Did you serve with the Canadian Expeditionary Forces in the World war? *No*
- Are you now married, single, widow, widower or divorced? *married*
- Give full Christian name of Spouse *Mary Alberta*
 Birthplace of Spouse *Stanton Ont* Nationality of Spouse *British*
- Date and place of marriage *Nov. 17th 1885 - Stagersville Ont*
- If married, is your husband (or wife) living with you? A *yes*
 If not, are you living apart pursuant to decree, order or deed of separation? A *not applicable*
- Is your husband (or wife) an Old Age Pensioner? A *No*
 If not, why is he/she not an Old Age Pensioner? A *not of sufficient age*
- Are you an inmate of a House of Refuge or other institution? A *No*
 If so (a) Does any one contribute to your maintenance? A *No*
 (b) How much? A *not applicable*
 (c) Have you at any time transferred to the institution any property or money? A *No*
 (d) State value or amount. A *not applicable*
- Give names of all living sons and daughters and the amount contributed by each to your maintenance or (your wife's) during the past year:—

Name	Address	Occupation	Son or Daughter	Married or Single	No. of Children	Income during past year	Contributed
<i>Emma Vannatter</i>	<i>Wellington</i>	<i>housewife</i>	<i>daughter</i>	<i>married</i>	<i>5</i>	<i>unknown</i>	<i>none</i>
<i>Mrs. Kallisa Riddle</i>	<i>Wellington</i>	<i>housewife</i>	<i>daughter</i>	<i>married</i>	<i>11</i>	<i>unknown</i>	<i>none</i>
<i>David Vannatter</i>	<i>Wellington</i>	<i>farmer</i>	<i>son</i>	<i>married</i>	<i>11</i>	<i>unknown</i>	<i>none</i>
<i>Killian Vannatter</i>	<i>Wellington</i>	<i>son</i>	<i>son</i>	<i>married</i>	<i>3</i>	<i>unknown</i>	<i>none</i>

In January of 1936, John Henry Vannatter of Houghton Township applied for the old age pension. Because Vannatter died in 1953, more than 30 years ago, the information pertaining to him is no longer considered personal as defined under the Ontario Freedom of Information and Protection of Privacy Act. The information relating to his family is another matter, however, and could be considered personal. Reproduced with the permission of the family.

15. The income of myself, or of my spouse, during the twelve months preceding this date was as follows:

Particulars	Received by myself during past year	Received by my spouse during past year
Salary, wages, commissions or other personal earnings	200.00	50.00
Profits from business	None	None
Total amount of all contributions to support by members of family, relatives and friends for past year	None	None
Money derived from rent of property (gross)	None	None
Superannuation, retiring allowance, or other pension	None	None
Annuity from Government, or estate, lodge benefits, insurance or other source	None	None
Dividends from shares, bonds or debentures	None	None
Interest on money in bank or other institution	None	None
Interest on money loaned on mortgages	None	None
Income from any other source not shown above	None	None
Other means of sustenance	None	None
Total Income	200.00	50.00

16. Give names and addresses of employer or other persons or sources from which above income is received:

200.00 from Mr. Spierbert, 100 Kinglake, Perth, 50.00 from farm

17. Are you working now? If so, for what rate of pay? A. Not applicable

18. Is your husband, (or wife) working now? A. No. If so, for what rate of pay? A. Not applicable

19. State names and addresses of employers in each case: Not applicable

20. Give dates and particulars of all lump sum amounts received during the year other than above: None

21. Do you carry life insurance or lodge benefits? A. No. If so, what amount and in what company of fraternities? A. Not applicable. Who pays the premiums? A. Not applicable

22. To whom is this insurance payable? A. Not applicable

23. Do you anticipate receiving income or property at any time in the future? A. No

Give particulars: Not applicable

24. PROPERTY

In my name	Description	Assessed Value	Encumbrance (Mortgages must be examined)	Date of Mortgage	Net Equity
	None				
In name of Spouse	50 acres East Half of West Half 201 1/2 cm. 2 Stroughton	700.00	470.00 interest	1916	Probably paid
Owned jointly	None				

25. Give name and address of mortgagee: M. E. Kelly, 10116 Dillenburg, Ont

26. Is the mortgage related to You? Yes. I so, state relationship: Another in law

27. State the yearly tax on property: 26.60

28. State amount of accumulated unpaid taxes: None

29. Personal property owned by me and by my spouse is as follows:—

Description	Owned by me	Owned by my Spouse
Cash on hand	\$200.00	None
Money in Post Office, Savings Bank, Chartered Bank or other Institution (give particulars)	None	None
Money lent to, or in the hands of any private person (give name and address)	None	None
Live stock (sheep, cattle, horses, poultry, bees, etc.)	250.00	None
Shares, debentures, bonds or other securities (Particulars)	None	None
Interest in business, stock in trade or venture of any kind (Particulars)	None	None
Furniture or any other property not already specified (Particulars)	50.00	None
Total	\$600.00	None

30. Have you or your spouse transferred any property or other assets to anyone during the last five years? A. Yes

31. Description of assets transferred, given away or sold by applicant or by spouse during the past five years:—

	Name and address of person to whom transferred. State relationship if any	Amount	Date of Transfer	Amount Still Due
Real Estate	50 acres			
Cash or Money on Mortgage	W. H. H. Houghton		April 1934	
Interest in business	on			
Furniture, stocks, shares, bonds or other property	Gas to son on condition of paying the mortgage of \$1,000.00			
Total	assessed 750			

32. With whom are you living? Mary Alberta Vannatter What relation? Wife
 Give names and addresses of two references: Harry Parker, Tillsburg, W.V.
Edward G. Moore, Tillsburg, W.V.

33. On your death who would be in charge of your affairs: Mary Alberta Vannatter
 (Name and Post Office Address) Tillsburg, W.V.

34. I agree, in the event of this application being granted, to notify immediately the Old Age Pensions Commission of any change that may occur in my family or financial condition.

Dated at Gulches this 16th day of January 1936

John Henry Vannatter
 (Signature of Applicant)

NOTE.—Every applicant must sign a separate form in duplicate (Form 13), permitting the Commission, or its representative, to have access to any account (several or joint) in any bank, or other financial institution, or to any person who may be holding in trust for applicant any assets (real or personal) prior to or at the time of application or during continuance of pension.

PROVINCE OF ONTARIO
CANADA
TO WIT:

3. John Henry Kammatter solemnly declare as follows:—

1. I am the applicant named in the foregoing statement for an allowance under the "Old Age Pensions Act."
2. I am not an Indian as defined by the "Indian Act."
3. I am a British subject.
4. That I have attained the full age of seventy years.
5. That I have resided in the Province of Ontario for the time specified in the "Old Age Pensions Act."
6. That I have been a resident in Canada for the past twenty years.
7. That my income, plus the maximum pension, does not exceed \$365.00.
8. I have not made any voluntary assignment or transfer of property within the last five years for the purpose of qualifying for an Old Age Pension.
9. The statements and allegations contained and made herein are true, and I have not concealed or omitted any information respecting my financial condition.

And I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the "Canada Evidence Act."

Declared before me at Caletys
in the Province of Ontario this 16th
day of January 1936 Signed: John Henry Kammatter (Signature of Applicant)
Township Clerk: Arthur Fawcett
County Clerk: _____

Magistrate, Justice of the Peace, Notary Public, or Commissioner for taking affidavits.

FOR THE USE OF THE COMMISSION ONLY

The following supplementary forms are attached and are correct. Refer by numbers _____

APPLICATION GRANTED REFUSED PENSION \$ _____ per month, commencing _____ 19____

First Payment \$ _____
Afterwards \$ _____ per month

Chairman, Old Age Pensions Commission
(Member)
(Member)
19____

RECONSIDERATIONS

Reconsidered by Commission _____ 19____
Pension of \$ _____ per month allowed
Commencing _____ 19____
Amount of Next Cheque, \$ _____
Afterwards, \$ _____ per month
Chairman _____

Reconsidered by Commission _____ 19____
Pension of \$ _____ per month allowed
Commencing _____ 19____
Amount of Next Cheque, \$ _____
Afterwards, \$ _____ per month
Chairman _____

Reconsidered by Commission _____ 19____
Pension of \$ _____ per month allowed
Commencing _____ 19____
Amount of Next Cheque, \$ _____
Afterwards, \$ _____ per month
Chairman _____

Reconsidered by Commission _____ 19____
Pension of \$ _____ per month allowed
Commencing _____ 19____
Amount of Next Cheque, \$ _____
Afterwards, \$ _____ per month
Chairman _____

CANCELLATION

Pension Cancelled _____ 19____
Reason _____

SETTLEMENT

Account rendered _____
Amount _____
Terms of Settlement _____

Form 1A-79M-Mar-25 (G. 217)

PROVINCE OF ONTARIO
THE OLD AGE PENSIONS ACT
CLERK'S SPECIAL REPORT

RESPECTING:

John Henry Vannatter of
(Name in full)

Lilbomberg Ont P.O. Box 1 - Norfolk County
(Address)

DATE *March 2nd 1936*

1. Are you satisfied that age is correctly given? *yes.*
2. Are you satisfied that both residential requirements have been complied with? *yes.*
 If not, explain:

3. State briefly but clearly how applicant is being supported; with whom living; what care received; health conditions; describe living conditions in home, etc.

Applicant is supporting himself as best he can. Lives with his wife on the farm. Receives good care. Health conditions fair. Living conditions in the home well up to the average considering financial circumstances.

4. Are you satisfied that ALL answers to questions respecting INCOME and PROPERTY have been truthfully and correctly answered?

yes.

5. State results of your investigation as to ability of children to support applicant, if not wholly, in some part. Be clear and specific, stating names of children, occupation, amount contributed by each, etc.

From reports at hand, I do not think any of the children are in a position to assist their parents.

6. Have you inquired carefully and fully into matters respecting property (both real and personal) transfers? And are you satisfied that correct and true answers have been given to questions concerning these matters? Have you examined Bank account?

yes-yes. He has no bank account.

7. To what extent, if any, is applicant assisting in the support of any other person or persons? Has applicant debts; does he owe taxes? Amount, etc.—

None as far as I can learn.
He has a medical bill of \$8000 and owes a note of 125.00.
The taxes are paid.

8. Are the applicant's habits and ability such as to enable him or her, to expend the pension properly?

I sincerely believe so.

9. If not, to whom should the pension be paid in trust?

(Name)

(Address)

Have you seen this person recommended and will he, or she, assume the responsibility?

10. Give the names and addresses of several disinterested persons wholly apart from those mentioned by applicant who have been consulted for independent information in making your reports, give, under name, briefly their comments or suggestions:—

W. J. Messers Kinglake W. H. thinks it a case of where a pension should be granted.
Francis Ferguson, Willsonburg RR. has known applicant for a long time and speaks highly of him. Thinks him deserving of a pension.

11. Give reasons why a pension should be granted, or refused, in this particular case:—

I think the maximum pension should be granted in this case. He has a good reputation. In his life he has had a hard struggle financially. I find no claims of extravagance against him. Not the fault of economic conditions against him.

12. Give any additional information which you consider to be helpful to the Board in reaching a just decision in this case, e.g., manner of living; manner of living of children:—

The children appear to be of the average good working dependable citizens but utilizing all their resources to make a living.

Clerk

March 31 1936
Date

Notes

- * The author wishes to thank Professor James G. Snell, Department of History, University of Guelph, and Professor Frederick H. Armstrong, Department of History, University of Western Ontario, for their assistance and advice.
- 1 Kenneth Bryden, *Old Age Pensions and Policy-Making in Canada* (Montreal, 1974), pp. 22-27; 42-43.
 - 2 Dennis Guest, *The Emergence of Social Security in Canada* (Vancouver, c1980), p. 74; Bryden, *Old Age Pensions*, p. 46.
 - 3 Guest, *Social Security*, pp. 34-36; Bryden, *Old Age Pensions*, pp. 46-47, 51-58.
 - 4 Bryden, *Old Age Pensions*, pp. 47-48.
 - 5 *Ibid.*, p. 48.
 - 6 *Ibid.*, pp. 64-65.
 - 7 *Ibid.*, pp. 64-66.
 - 8 *Ibid.*, pp. 66-68.
 - 9 The old age pension plan implemented in 1927 was cost-shared between the federal and provincial governments. Later, in 1931, the Dominion Government increased its share to seventy-five per cent. In 1951 the total cost was assumed by the Dominion Government. See: Guest, *Social Security*, pp. 76, 145.
 - 10 *Ibid.*, pp. 68-70.
 - 11 *Ibid.*, pp. 70-72. Arthur Meighen formed an administration after King resigned over the customs scandal. See: *Ibid.*, p. 70.
 - 12 *Ibid.*, pp. 71-72.
 - 13 Canada, statute (1927), 17 Geo. V, c. 35.
 - 14 Bryden, *Old Age Pensions*, p. 83; James Struthers, "Regulating the Elderly: Old Age Pensions and the Foundation of a Pension Bureaucracy in Ontario, 1929-1945," *Journal of the Canadian Historical Association* 3 (1992), p. 241; Ontario, statute (1929), 19 Geo. V, c. 73. See also Peter N. Oliver, "The Making of a Provincial Premier: Howard Ferguson and Ontario Politics, 1870-1923" (Ph.D. thesis, University of Toronto, 1969).
 - 15 Bryden, *Old Age Pensions*, pp. 81, 83, 98; *Old Age Pensions Pamphlet for the Use of Local Pension Authorities* (Toronto, 1929), p. 15. This copy is located in the case file to the Norfolk County Old Age Pension Applications.
 - 16 Clifford J. Williams, *Decades of Service: A History of the Ontario Ministry of Community and Social Services: 1930-1980* (Toronto, c1984), p. 5.
 - 17 *Pensions Pamphlet*, 1929, p. 6; Ontario, statute (1929), c. 73, s. 5; Struthers, "Regulating the Elderly," p. 242.
 - 18 Williams, *Decades of Service*, pp. 1, 5.
 - 19 *Ibid.*, p. 5.
 - 20 *Pensions Pamphlet*, p. 6.
 - 21 Ontario, statute (1929), c. 73, s. 7-(3). This amount was reduced in 1931 to ten per cent. See: Bryden, *Old Age Pensions*, p. 84; Ontario, statute (1932), c. 46, s. 4.
 - 22 Ontario, statute, c. 73, s. 2b; *Pensions Pamphlet*, p. 18.
 - 23 University of Western Ontario, The D.B. Weldon Library, Regional Collection, Norfolk County Old Age Pension Applications, case file.
 - 24 *Ibid.*
 - 25 Williams, *Decades of Service*, pp. 8-9.
 - 26 Bryden, *Old Age Pensions*, p. 84; Ontario, statute (1929), c. 73, s. 5; *Ibid.*, c. 46, s. 5.
 - 27 Williams, *Decades of Service*, p. 11; Bryden, *Old Age Pensions*, p. 84; Struthers, "Regulating the Elderly," p. 249.
 - 28 Williams, *Decades of Service*, pp. 22, 44.
 - 29 Ontario, statute (1937), c. 52, s. 7.
 - 30 Struthers, "Regulating the Elderly," p. 249.
 - 31 Ontario, statute (1937), c. 52, s. 3:4a-(1).
 - 32 *Ibid.*, s. 3:4a-(1). The minutes of the combined Norfolk County Old Age Pensions and Mothers' Allowances Board from 1932 to 1948 can be consulted in the Regional Collection.
 - 33 Bryden, *Old Age Pensions*, p. 84.
 - 34 Williams, *Decades of Service*, p. 52.
 - 35 *Ibid.*, pp. 46, 51.
 - 36 *Ibid.*, p. 52.

- 37 Ibid. See also: Ontario, statutes (1948), cc. 23, 64.
- 38 Ibid.
- 39 Bryden, *Old Age Pensions*, p. 95.
- 40 Guest, *Social Security*, p. 145.
- 41 Ibid.
- 42 Bryden, *Old Age Pensions*, p. 8.
- 43 Ibid.
- 44 Pensions Pamphlet, p. 5; Old Age Pensions Regulations, *Canada Gazette* LXXXI, no. 10, part II), 28 May 1947, pp. 1058-1071.
- 45 *Pensions Pamphlet*, p. 23.
- 46 Ontario, statute (1869), c. XXX.
- 47 *Pensions Pamphlet*, p. 12.
- 48 Ibid., p. 13.
- 49 Canada, revised statute (1927), c. 98, s. 2d, i-iii.
- 50 Williams, *Decades of Service*, pp. 85, 118-119.
- 51 *Pensions Pamphlet*, p. 7.
- 52 Ibid., p. 13.
- 53 Ibid., pp. 13-14.
- 54 *Acts and Regulations Respecting Old Age Pensions and Pensions for the Blind* (Toronto, 1938), p. 25.
- 55 Canada, revised statute (1927), c. 156, s. 9-(2-3); Ontario, statute (1929), c. 73, s. 10-(1-2). See also: Bryden, *Old Age Pensions*, p. 62.
- 56 Ontario, statute (1929), c. 73, s. 10. See also: Ontario Old Age Commission, "Bulletin Re Old Age Pensions [1947]." This copy is located in the case file to the Norfolk County Old Age Pension Applications.
- 57 Bryden, *Old Age Pensions*, p. 95.
- 58 Ontario, revised statute (1927), c. 185; Ibid., statute (1929), c. 46.
- 59 *Pensions Pamphlet*, p. 5.
- 60 Bryden, *Old Age Pensions*, p. 79; Guest, *Social Security*, pp. 97-98.
- 61 Bryden, *Old Age Pensions*, p. 62.
- 62 Ibid., pp. 93-94.
- 63 Ibid., pp. 95-96.
- 64 A nominal index and chronological inventory facilitate access to the applications, which remain in their misfiled order.
- 65 The Regional Collection also has two index volumes covering the years 1929 to 1940.
- 66 Ontario, revised statute (1990), c. F. 31, s. 1a-b.
- 67 Ibid., s. 21-(3).
- 68 Ibid., s. 21-(3), c.
- 69 Ibid., s. 2-(2).
- 70 Ibid., s. 10-(2).