

Baalen Jan 11th 1918

G. F. Coffman
Wineland Ont

Dear Brother in the Lord
Greeting in Jesus name

We are well again so far
hoping you are the same

Received your letter yesterday
from the 7th inst and noticed that
you have lost the names of our
Committee, I will gladly send
them again and more fully particular-
ly we have met together last week
and appointed Jacob R. Bender
Tavistock, as Moderator, and myself
as Sec Treasurer, and Christian
Schultz, Milverton assistant,

We have been to the Conference at
the Geigers Church this week had a very
spiritual feast and a crowd of
hungry souls it seemed, I think I must
close by asking your prayers we will try &
P. A. likewise, from yours in faith C. Jaseho

THE MILITARY SERVICE ACT, 1917.

REPORTS OF CASES

DECIDED BY

THE CENTRAL APPEAL JUDGE.

REPORTER:

J. LORN McDOUGALL, Barrister-at-law.

JANUARY 14TH, 1918

No. 4.

RE COOKE (SERIAL No. 548250 JC.)

(To justify the granting of exemption on conscientious grounds it is necessary that the "religious denomination" of which the subject of the application claims to be a member should have for its primary objects a common worship. Such a denomination must have conditions of membership, compliance or non-compliance with which can be ascertained by reference to some practical criterion.)

January 4, 1918.

This was an appeal by the subject of the application by leave against the decision of a Tribunal refusing exemption to David Cooke, a member of an organization known as the "International Bible Students Association."

The Central Appeal Judge: The applicant claims exemption as a member of the "International Bible Students Association" on the ground that in the language of Section 11 (1) (f) "he conscientiously objects to the undertaking of combatant service and is prohibited from so doing by the tenets and articles of faith, in effect on the sixth day of July, 1917, of any organized religious denomination existing and well recognized in Canada at such date, and to which he in good faith belongs."

There is an unlimited company known as the "International Bible Students Association" incorporated under the Companies Acts of 1908 and 1913 (United Kingdom). By the memorandum of association the objects of the company are stated as follows:—

(a) To promote Christian knowledge by the dissemination of Bible truths, orally and by the printed page, and by means of the distribution of Bibles and the printing and publication of Bible study helps, tracts, pamphlets, papers and other religious documents, and by the use of all other lawful means which

may seem to the *Council of the Association* directly or indirectly conducive to the furtherance of the above objects of the Association.

(b) To purchase or otherwise acquire sketches, photographs, drawings, publications, manuscripts, notes, data and memoranda bearing upon the above objects of the Association and to print, publish, display and distribute the same.

(c) To enter into any arrangement with any Government or authority, supreme, municipal, local or otherwise, and to obtain from any such Government or authority all rights, concessions or privileges that may seem conducive to the above objects or any of them.

(d) To promote any association or associations, whether limited or not, for the purpose of its or their acquiring all or any of the property, rights and liabilities of the Association, or for any other purpose which may seem, directly or indirectly, calculated to further the objects of the Association.

(e) To purchase, take on lease or in exchange, hire or otherwise acquire, and to sell, exchange, surrender, lease, mortgage, charge, convert, turn to account, dispose of and deal with any estate or interest in any lands, buildings, easements, rights, privileges, mortgages, debentures, options, contracts, licenses or other rights, and any real or personal property of any kind necessary or convenient for the attainment of the objects of the Association mentioned in paragraph 3 (a) hereof, and to erect, construct, enlarge, alter, furnish, maintain and improve buildings of all kinds.

(f) To make donations to such persons and in such cases, and in either of cash or other assets, as may be thought directly or indirectly conducive to any of the objects of the Association, or otherwise expedient, and to subscribe or guarantee money for charitable or benevolent objects, or for any exhibition, or for any public, general or other objects, and to grant pensions and allowances and to make payments towards insurance.

(g) To borrow or raise, or secure the payment of money in such manner as the Association shall think fit.

(h) To pay out of the funds of the Association all expenses of or incident to the formation and registration of the Association.

(i) To do all such other things as are incidental or conducive to the attainment of the above objects.

The Company as appears from the evidence, issues publications, in which certain views are advocated touching the interpretation of the Bible, and certain religious beliefs advanced and supported; and of the subscribers to these publications, who accept the doctrine so expounded, there are in various countries, including Canada, groups who meet for the study of the Bible and the discussion of questions of theology and ethics.

These groups are not associated by any bond other than their adherence to, and advocacy of, these views and beliefs, but are among themselves collectively known by the same designation as that given to the Company.

These writings, as far as I have examined them, leave some doubt whether according to the beliefs advocated by the writers of them, a member of the Association might conscientiously under the compulsion of legal necessity, engage in combatant military service. I do not, I must admit, find them entirely self-consistent.

It is not necessary, however, to form any opinion upon the exact nature of the doctrine, as touching the subject of non-resistance and kindred subjects advocated in these writings.

The evidence before me does not justify the conclusion that these groups or associations so-called, either individually or collectively come within the description—"organized religious denomination existing and well recognized in Canada" within the contemplation of the Military Service Act.

First:—There is much room for doubt whether these associations so called have for the primary object a common worship, which is, I think, an essential characteristic of a "religious denomination" within the meaning of Section 11. The evidence is certainly consistent with the view that the primary objects of them in so far as they can be said to have a common object, are those expressed in the passage quoted above from the memorandum of association, which in themselves are certainly not sufficient to constitute even an organized body clearly proved to be pursuing them in common, a "religious denomination."

Second: The Statute plainly implies as a characteristic of religious denominations, falling within its scope, that there should be conditions of membership, compliance or non-compliance with which can be ascertained by reference to some practical criterion, and of such conditions there is, although I pressed for it on hearing, no evidence, and there are no indicia to serve as reliable guides for the Tribunals.

The appeal is dismissed.

Selkirk, Ont.
January 21/18

S. F. Coffman.
Kitchener, Ont.

Dear Bro. -

Greeting. - Uncle Moses
ask father to write you
and of course it falls to me.
Our congregation would
like further information
concerning the War Suffer's
Fund. Have you anything
more definite. They are
ready to make a contribution
so would like full information

yours truly

Fern.

NON-RESISTANT RELIEF ORGANIZATION.

Kitchener, Ont. Jan. 24, 1918.

To the Committee to Interview Government.

Brethren;- Greeting.

In accordance with the purpose of the Committee and the advice of the meeting of the Relief Organization at its first meeting in Kitchener, Elder S. Gaudie and the Secretary of your Committee met with Mr. W. G. Weichle, M. P. of Waterloo at his home, January 22nd, to discuss the advisability of interviewing the Government relative to the objects of this Organization.

We have the following to report:-

The Government will be inclined to look with favor upon the engaging in relief work by the Non-resistant Bodies.

The Government would be in a position to use funds and disburse them according to the directions and wishes of these bodies, excepting, however, the use of the funds in such districts with which our Country is now at war,- such as Armenia, and parts of Poland and Palestine.

It is advisable to send a small delegation to Ottawa to interview the Government as to what special lines of relief are most needy, and to inform the Government as to which objects of relief and charity are most in harmony with the sympathies and faith of our people and would receive the most hearty support. The relief of widows and orphans would prove very acceptable to the Government.

With reference to exemptions, Mr. Weichle recommends that all of our young men who have not received complete exemption should appeal their cases to higher tribunals as soon as possible.

It is the purpose of your Committee officers to send to the Prime Minister of Canada a report of this Organization, with a letter recognizing our gratitude for the privileges of freedom from military service, and stating our objects, also asking advice concerning an interview with regard to these objects.

Please express your opinion regarding the advice to send a limited number of this Committee to interview the Government at Ottawa. It will be the duty of the Executive Committee to take action in changing the Committee if advisable.

Yours truly,

S. F. Coffman, Secretary.

MILITARY SERVICE ACT.

Vineland Ont: Jan. 28, 1918.

Dear Brother;- Greeting.

Having seen some of the exemption of some of our young brethren are holding and finding thereon nothing which frees them from more than combatant service, and having also seen some of the notices from the district appeal tribunals returned to our brethren who had appealed for complete exemption and who had held papers allowing only exemption from combatant service and since the said appeals were disallowed or dismissed and stated that these persons would be subject to a call to service, and would with the call be assigned to certain battalions for service, I have taken this liberty of again calling your attention to the need of having every brother appeal his claim for entire exemption to the higher tribunals until the claim is granted fully.

If any of their present papers are marked as follows, they should be appealed for complete exemption from all service as Mennonites. "Exemption from combatant service." "Exemption for religious reasons according to class 3." "Exemption until class or category is called." "Exemption as a farmer or other labor." When the appeal was made on the grounds of religion according to clause 8 and the certificate was marked "Allowed" or "Granted", and not otherwise qualified. Any exemption granted on clause 8 relieves from combatant service only, and is granted to all religious objectors. Our faith calls for total exemption.

In making your appeals the claim should be made as a member of the Mennonite Church whose creed forbids any form of military service. It must be borne in mind that any brother who has not secured total exemption is a soldier under the military arm of the Government, as noted above, and is considered on leave of absence without pay until he is called upon to do active service. They are listed as others who are exempted only from combatant service and are eligible for non-combatant service and belong to that branch of the Canadian Expeditionary Force which is now in active service, although they are not yet called and may not be called upon for service. The fact that they are a part of such military force is contrary to the principles of our faith, and we should not be satisfied that they are so situated.

The Government has made provisions for our relief through the appeal tribunals, and it is our privilege to make use of them and secure the exemption which the Military Service Council has already acknowledged is our right. The machinery is in operation and the first step is to appeal to the District Appeal Tribunal. If the claim is not allowed there, the appeal should be made to the Central Appeal Judge, Military Service Council, Department of Justice, Ottawa. Directions for appeal will be found on the back of each exemption certificate, from the Local or Appeal Courts. Follow the instructions there. The fact that the time limited for making the appeal as stated on the papers has expired will not interfere with the appeal.

Trusting that you will give the necessary aid to those interested in your congregation and praying that through God and our Saviour we may receive favor from our Government, I am,

Yours truly,

S. F. Coffman.

NON-RESISTANT RELIEF ORGANIZATION.

Kitchener, Ont., Jan. 24, 1918.

L. J. Burkholder,
Chairman, Executive Com.
Markham, Ont.

Dear Brother:- Greeting.

The enclosed copy of a letter to the members of the Committee to interview the Government is self explanatory. Brother Goudie and I had a pleasant interview and an encouraging reception from Mr. Weichle.

The recommendation concerning the size of the Committee which should go to Ottawa is a matter which should receive the attention of the Executive Committee, since our Committee has no power to reorganize or appoint or select any of its members to do the work which the entire Committee has been assigned. Mr. Weichle suggests that two or three would be sufficient and perhaps more desirable in conferring with the Prime Minister and his counsellors. His reason for this advice is that there are no claims to press ~~es~~ by a large delegation and on this matter a hearing would be invited by the nature of the mission, - giving something to the Government, - and a discussion of the questions would be facilitated by a smaller body.

The committee awaits the pleasure of the Executive of the Organization.

Yours in faith,

NON-RESISTANT RELIEF ORGANIZATION.

Kitchener, Ont. Jan. 24, 1918.

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We have the following to report:-

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The Government would be in a position to use funds and disburse them according to the directions and wishes of these bodies, excepting, however, the use of the funds in such districts with which our Country is now at war,- such as Armenia, and parts of Poland and Palestine.

It is advisable to send a small delegation to Ottawa to interview the Government as to what special lines of relief are most needy, and to inform the Government as to which objects of relief and charity are most in harmony with the sympathies and faith of our people and would receive the most hearty support. The relief of widows and orphans would prove very acceptable to the Government.

With reference to exemptions, Mr. Weichle recommends that all of our young men who have not received complete exemption should appeal their cases to higher tribunals as soon as possible.

It is the purpose of your Committee officers to send to the Prime Minister of Canada a report of this Organization, with a letter recognizing our gratitude for the privileges of freedom from military service, and stating our objects, also asking advice concerning an interview with regard to these objects.

Please express your opinion regarding the advice to send a limited number of this Committee to interview the Government at Ottawa. It will be the duty of the Executive Committee to take action in changing the Committee if advisable.

Yours truly,

S. F. Coffman, Secretary.

MILITARY SERVICE ACT.

AN APPEAL TO THE GOVERNMENT OF CANADA IN COUNCIL.

We, the Mennonites of the Ontario Conference, representing also Congregations of like faith in the Alberta-Saskatchewan Conference, and having official representation in the Mennonite General Conference, recently assembled at the Yellow Creek Church, near Goshen Indiana, do hereby humbly petition your Government in respect to the faith which we hold dear.

We give due recognition to the grave problems which confront the nations in the present world conflict and realize that as a result complicated and trying situations have been brought about which we can not fully comprehend. We, as a people, seek to adjust ourselves to the new state of affairs, willingly submitting to the wishes of the Government in as far as we can do so without violating a law or principle of Christ, Whom we recognize as Lord of lords and King of kings, and whose law we consider the supreme guide of our lives.

As a people we stand united in expressing our gratitude to the Government and to all those who are in authority for the recognition that has been given to those of our faith in the matter of conscription for military service, and further submit his petition that full recognition be given at all times to our position on the doctrine of nonresistance which has been one of the fundamental tenets of our faith and one for which our fore-fathers suffered exile and death in the Old World. This same principle has been cherished and kept alive in the bosom of those of them who made the land of our present abode their their home, under the protection of a Government which permitted them to enjoy liberty of conscience and the free exercise of their faith in full assurance that those who were in authority would verify every pledge and promise given to them when they settled here.

Our people retain a deep sense of appreciation for the generous spirit of the British Government in granting to William Penn and the members of his colony, among whom were many of our fore-fathers, the privilege of liberty of conscience in religion and especially immunity from military service, these privileges were not annulled by the Government that followed later, and were not revoked by the Government ~~MythexsevernmentvofxCanada~~ of Canada, when, out of respect for the British Crown many of our people left the United States and made their home here. We deeply appreciate the fact that, with the exception of a few isolated cases of impressed service during the war of 1812 no military service of any kind has been required of our people at any time during the more than one-hundred years of their residence under the Canadian Government, and recall with gratitude the number of instances when this Government renewed its pledges of religious liberty to others of nonresistant faith who sought the hospitality of this land. Younger generations of our people have from time to time inquired of the Government whether these liberties are still in force and have been informed at all times that those who have conscientious objections to engaging in military service have exemption from such service guaranteed to them by the British Government.

In times of peace we were thankful for the assurance of religious liberty and the contemplation of undisturbed privileges in following the example and teaching of the Prince of Peace. Under the stress of the hour we seek through this petition to define our position with regard to

military service. We recognize the same principle which the government recognizes in the justice of law, that he who aids or abets nether in wrong doing is also a transgressor. With this same principle in mind we have always maintained that any form of military service is opposed to the spirit and practice of peace and good will to men, and hence our desire to follow only such activities and pursuits in civil life as are in keeping with the doctrines which we believe to be the laws of God and of Christ.

We recognize the good will of the Government in inserting in the Military Service Act a clause granting exemption to all adherents of religious denominations whose articles of faith forbid combatant service, and hereby express our thanks for this ^{our} ^{clause} consideration while we also humbly petition that the exemption cited may be always so construed as to meet with the requirements of the faith and practice of those whom the Government has thus graciously favored in continuing to them those principles of liberty which have been the occasion of many thanksgivings to God and the constant joy of many humble citizens.

As a people we recognize the supremacy of the Kingdom of Jesus Christ which "is not of this world." For this reason many of our people in all countries, especially the leaders of congregations have refrained from the use of their suffrage franchise, both for the sake of peace and harmony in the congregation and for the sake of a more complete separation from the entangling affairs of the world, although none are prohibited the exercise of these privileges. Since the passing of the War-time Elections Act we humbly seek to know the position of the Government regarding all of our members relative to this act, so that we may conduct ourselves accordingly, realizing that in matters of war we can not conscientiously give our voice, and in respect to the Government we are to be submissive to its laws, excepting only the higher laws of the Gospel in all righteousness.

With a deep sense of humility before God and prayer that the authorities before whom this may come may be guided in their decisions and their arduous duties by the Divine will, and that we may continue to dwell in godliness and follow the pursuits of peace, we respectfully submit this petition and shall humbly pray.

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Recommendations from the Prime Minister and Secretary of State,
Ottawa, October 11, 1917.

1. All of our members who are in the age limit liable for military service, when called, must apply for exemption according to Government regulations.
2. Physical examination before a medical board is not required of those who apply for exemption for conscientious reasons.
3. None of our members are expected to vote under the present Elections Act. Those who do so forfeit their right of exemption.
4. The question of noncombatant service will be dealt with later if circumstances should require it.

The above recommendations are made from notes of the conversation with the Government and have not been approved by the Government, - Later confirmed as fairly correct.

Deputation:-

L.J. Burkholder, Moderator of Conference.
David Bergy, Secretary of Conference.
S.F. Coffman.
Anson Groh.

Anish Deputation.
Christian Gascho.
Jacob R. Bender.
Jacob S. Bender.
Samuel Bender.

NON-RESISTANT RELIEF ORGANIZATION.

Kitchener, Ont., Jan. 24, 1918.

Avery Sternaman,
Selkirk, Ont.

Dear Brother;- Greeting.

Your letter , sent through your daughter Fern, was duly received. Glad to hear that thigs are moving in sentiment, and trust that when the time comes for some practical demonstartion that the sentiment will give a strong impulse to the gifts. Regarding the readiness of the church to go to work I would say that the Organization of the vrious Churches into one Organization has been effectd and as soon as the machinery is in operation there will be a call sent out for funds. Brother L. J. Burkholder is the chairman of the above organization. There will have tp be some correzpondence with the Government and perhaps an interview with some of the officials at Ottawa and as soon as it is determined what line of support the Churches can undertake the letters will be sent out giving instruction to all of the congregations and they can then collect the funds.

The Secretary of the Organization is D.W.Heise, Gormley, Ont. Any further infprmation that you would like to get can be secured through Brother L.J.Burkholder or the Secretary.

Class is going on with good interest and attendance,

Yours in faith,

S. F. Coffman,

Vineland Ont., January 29, 1918.

Mr. W. E. Wismer,
Registrar under Military Service Act, 1917.
London Ont.

Dear Sir:-

Regarding the Appeal Claims for the young men who are members of the Mennonite Church, kindly permit a few words of explanation.

A delegation of Members of the Mennonite and Amish Mennonite congregations presented a petition to the Prime Minister and Secretary of State on the 11th of October, last, stating our position regarding military service and were advised that all of our young men should apply for exemption making claims under clause 8, and stating that they are members of the Mennonite Church. This they have done. Under date of October 22nd, following an intimation that these young men would be required to attest for non-combatant service, a letter was addressed to the Prime Minister stating that, under the faith of the Mennonite Church these young men could not attest and could not accept non-combatant service, and asking for a recognition of their faith in this matter. This letter was handed to the Military Service Council which investigated the matter and advised that all Mennonites were Excluded from the military Service Act under paragraph 7 of the exception to the Act. Under this advice of the Military service Act we have advised all of our young men, members of the Church, to appeal their claims made under clause 8, since the majority of the Local Tribunals have not taken into consideration the fact that Mennonites are totally exempted and have granted only what the said clause 8 calls for, - exemption from combatant service.

Because there has not been a uniform decisions on the part of the local Tribunals, and because some of the decisions are not clear in stating the extent of exemption granted, and in order to avoid having of the names of our brethren placed on the lists as eligible for non-combatant service and considered "soldiers on leave of absence" which would be a contravention of their principles of faith, we have advised them to appeal to the higher tribunals for total exemption so that they may secure a uniform and complete exemption and be freed from all military obligation. All of our correspondence with the Government with our appeal for a uniform decision concerning all members of the Mennonite Church and those of Kindred faith has been forwarded to the Minister of Justice and to the Central Appeal Court which has acknowledged and filed it for reference when claims are made to that Tribunal.

In case we may not have rightly understood your decisions we ask your forbearance,

Most respectfully,

S.F.Coffman, For the Committee.

L.J.Burkholder, Markham.
David Bergey, New Dundee,
Anson Groh, Petrolia,
Christian Gascho, Baden,
Jacob R.Bender, Tavistock,
Jacob S. bender, Tavistock,
Samuel Bender, New Hamburg,
S.F.coffman, Vineland.

Military Service Act, 1917.
COPY.

Vineland Ont., January 30, 1918.

Mr. W. E. Wismer,
Registrar under Military Service Act, 1917.
London Ont.

Dear Sir:-

A Delegation from the Mennonite and Amish Mennonite Churches presented a petition to the Prime Minister and Secretary of State on the 11th of October, last, stating our position regarding military service and were advised that any members called should comply with the regulation as under clause 8 of exemptions and as members of the Mennonite Church. This they have done. Following an intimation that exemption from combatant service would not be granted without attesting for non-combatant service a letter was addressed to the Prime Minister, October 22nd stating that our members could not attest for nor accept non-combatant service. This letter was handed to the Military Service Council which investigated the matter and replied that all Mennonites were excluded from the Military Service Act by paragraph 7 of the exceptions. We have therefore advised all of our members who were required to appeal for exemption on the grounds of clause 8 which has generally been interpreted to them as exemption from combatant service only, to appeal to the higher Tribunals for complete exemption.

Many of the Local Tribunals have not recognized the faith of the Mennonite Church which forbids all military service. There has not been a uniform decision by these tribunals, Some of the appeals to the District Appeal Courts have been dismissed and these young men are held as eligible for non-combatant service with all other conscientious objectors, and are held as "Soldiers on leave of absence." Under these circumstances our young men are sending in their Claims in order to secure the exemption which the Military Service Council has decided is their privilege.

All of our correspondence with the Government has been sent to the Central Appeal Court, acknowledged and filed for reference. It may be that there has been a misunderstanding concerning the Disposal Of Appeals which are marked "Dismissed." These claims are being sent on to the Central Appeal Court since it is understood that your Court has not had the power to grant total exemption and has dismissed the appeal. In case we have not correctly understood your decision we ask your forbearance.

Most respectfully,

S.F.F. Coffman,
For the Committee.

L. J. Burkholder, Markham.
David Bergy, New Dundee.
Anson Groh, Petrolia.
Christian Gascho, Baden.
Jacob R. bender, Tavistock.
Jacob S. Bender, Tavistock.
Samuel Bender, New Hamburg.
S. F. Coffman, Vineland.

Brethren:- This letter was sent to the District Court on account of many of the brethren having had their appeals dismissed and for the sake of giving information to the said court concerning our purposes as well as our claims and our assurance from the Government. This may be of some assistance to the Court, and will give confidence to our brethren in making their appeals. Your names were attached to the communication.

Yours, S.F.C.

Any suggestions? etc.

(27/11/18)

Copy of Original.

Vineland Ont., January 30, 1918.

Mr. W. E. Wismer,
Registrar under Military Service Act, 1917.
London ont.

Dear Sir:-

A Delegation From the Mennonite and Amish Mennonite Churches presented a petition to the Prime Minister and Secretary of State, on the 11th of October, last, stating our position regarding military service and were advised that any members called should comply with the regulations as under clause 8 of exemptions and as members of the Mennonite Church.

This they have done. Following an intimation that exemption from combatant service would not be granted without attesting for non-combatant service a letter was addressed to the Prime Minister, October 22nd, stating that our members could not attest for nor accept non-combatant service. This letter was handed to the Military Service Council which investigated the matter and replied that all Mennonites were excluded from the Military Service Act, by paragraph 7 of the exceptions. We have, therefore, advised all of our members who were required to appeal for exemption on the grounds of clause 8, which has generally been interpreted to them as exemption from combatant service only, to appeal to the higher Tribunals for complete exemption.

Many of the Local Tribunals have not recognized the faith of the Mennonite Church which forbids all military service. There has not been a uniform decision by these Tribunals. Some of the appeals to the District Appeal Courts have been dismissed and these young men are held as eligible for non-combatant service with all other conscientious objectors, and are held as "Soldiers on leave of absence." Under these circumstances our young men are sending in their Claims in order to secure the exemption which the Military Service Council has decided is their privilege.

All of our correspondence with the Government has been sent to the Central Appeal Court, acknowledged and filed for reference. It may be that there has been a misunderstanding concerning the disposal of Appeals which are marked "Dismissed." These Claims are being sent on to the Central appeal Court since it is understood that your court has not had the power to grant total exemption and has dismissed the appeal. In case we have not correctly understood your decision we ask your forbearance.

Most respectfully,

The Committee

L. J. Burkholder, Markham.
David Bergy, New Dundee.
Anson Groh, Petrolia.
Christian Gascho, Baden.
Jacob R. Bender, Tavistock.
Jacob S. Bender, Tavistock.
Samuel Bender, New Hamburg.
S. F. Coffman, Vineland.

S. F. Coffman
For the Committee.

*(Original)
copy of first draft*

To The Prime Minister of Canada,
The Right Honourable Sir Robert Borden,
House of Parliament,
Ottawa.

Vineland Ont., January 31, 1918

Honourable Sir:-

The most gracious consideration which has always characterized the Government of Canada in its attitude toward its Christian population whose tenets of faith prohibit their taking part in active military service in time of war, or encouraging any military interests in time of peace, and which similar spirit has characterized the present Government during these exceptional times and under the exceptional measures enacted for the present stress of times, has appealed to the hearts of many whose religious interests have been thus ~~garded~~ ^{garded}. They ~~wuld~~ ^{would} express their most profound gratitude for such favors and desire in some special manner to manifest their thankfulness for the enjoyment of the priceless benefits of religious liberty.

With this in view, a number of the non-resistant bodies of Canada have jointly undertaken to show their gratitude to the Government and their interests in the welfare of their fellow-citizens, as well as to ~~undertake~~ ^{undertake} share the burdens of suffering humanity thruout the world, by organizing in the manner and for the purposes herein stated.

"Whereas, We, as Mennonites and Tunkers, whose tenets of faith forbid engaging in any form of military service in time of peace or war, desirous to help in bearing the burdens due to the conditions of war, Therefore,

"Resolved, That we, The Non-resistant Relief Organization, recommend that a generous fund be raised among the Churches interested, which shall be donated to the Government as a memorial of appreciation for the privilege of religious liberty, and our freedom from military service; which fund shall be used for relief and charitable purposes; and, that a Committee be appointed which shall interview the Government for suggestions as to the disposal of the said donation according to our faith.

"We further recommend that we encourage a continued support of relief ~~an~~ and charitable work during the continuance of the war, and so long thereafter as deemed advisable by this Organization.

We trust, Sir Robert, that this movement may meet with the approval of your Government and submit to your judgment the matter of conferring with you, or with such members of the Government whom you may suggest, regarding the purposes of this Organization, and shall await your pleasure and bidding.

We have the privilege to be,
Sir,
Most gratefully and humbly,

- The Committee,
- L. J. Burkholder, Markham, Ont.
 - S. F. Coffman, Vineland Ont.
 - S. Goudie, Stouffville Ont.
 - D. W. Heize, Gormley, Ont.
 - Thos. Reesor, Pickering Ont.
 - C. Gascho, Baden, Ont.

The Committee.

*L. J. Burkholder, Chairman
S. F. Coffman, Secretary*

Sent for approval to Committee.

(this was changed by the committee.)

Vineland On Jan. 31, 1918.

Dear Brethren:- Greeting.

In the previous letter an explanation was given concerning the need of appealing the cases of all of our brethren who have not received a complete exemption. Some have since questioned the wisdom of making further appeal and some have asked for information as to how to make the appeal. havinf seen a number of exemption papers and Reports of Appeals, the following is suggested.

Persons exempted from combatant service only are listed for non-combatant service and must respond when their class is called. Class 1 men, catagory A (for combatant service) are not sufficient to complete the quota required for the 100,000 men . The next catagories , including non-combatant classes will be called on to fill these ranks, before class 2 is called. Our brethren who sre listed may be called if not exempted, and is called must report for service and may be subjected to the experiences ofthe brethren in other places, until their freedom is secured. An appeal now may save them from such experiences.

Your Committee can not secure the exemptions in a mass. Being listed according to their locations and classes and each holding their corresponding numbers, their names can best be removed from the lists by thir personal applization through appeals, through the regular channels.

Your Committee has placed all of their correspondence on fyle with the central Appeal Tribunal at Ottawa and it is ready for reference when the appeals of our brethren reach that Court, if they have not been previously exempted. A special letter concerning the reason of our brethren appealing has been sent to the Appeal Tribunal at London, on account of so many of our brethren having to appeal to that Tribunal. We have asked for complete exemption for our Mennonite brethren is it is in the power of that Tribunal to grant it. This would include all of like faith.

We would suggest the following as a form of appeal.

- I. If in doubt as to whether your certificate calls for complete exemption inquire of the nearest member of the tribunal granting it whether or not your name is listed for non-combatant service.
- II. A form for appealing from the Local Tribunal to the District Appeal Court.
~~Center~~ District Appeal Tribunal
 Military Service Act, 1917,
 Name of Place,----- Date,-----

Sir-

I am taking the liberty of appealing from the decision of the Local Tribunal, No.----- at -----which has grante only partial or limited exemption. As a member of the (Mennonite Church) I am applying to you for complete exemption as granted by paragraph 7 of the exceptions to the Military Service Act.

Serial Number ----- Name,-----
 Consecutive Number,----- Address,-----

- III. A form for appealing to Crom Distrid Appeal Court to CentralAppeal Judge
 Central Appeal Judge,
 Military Service Council
 Ottawa. Date,-----

Sir:-

I am taking the liberty of appealing from the decision of the District Appeal Court No.----- At ----- Which has dismissed my appeal for exemption as a (Mennonite). As a member of the Mennonite Church I appeal for Complete exemption as granted by paragraph 7 of the Exceptions to the Military Service Act.

Serial Number,----- Name -----
 Consecutive Number,----- Address,-----

III. When Appealing from the ^{District} Appeal Tribunal to the Central Appeal Judge use this form also to Give notice of your intention to the District Registrar of the District Appeal Tribunal. This must always be done in appealing to the Central Appeal Judge.

Mr.-----

Registrar under the Military Service Act, 1917.

Address,-----

Date. -----

Sir:-

My Appeal for total exemption from Military service as a Mennonite which has not been allowed, (or has been dismissed) by your Tribunal, has been appealed to the Central Appeal Judge at Ottawa, and I beg that this appeal be allowed me, Mennonites being excepted from the operation of the Military Service Act.

Serial Number,-----

Name,-----

Consecutive Number,-----

Address,-----

This forms may be varied, and should be, according to circumstances. Follow the directions and the conditions found on the back of all notices from the tribunals. There are regular forms to follow and it will be necessary to go through all the proceedings required in order to attain our objects. The Government has provided these means for the purpose of relieving the people from any undue or unjust hardships resulting from the Military Service Act, and we are doing what the Government expects us to do under these circumstances.

Trusting that this may be of some service in the work of helping our young brethren in their desire to be free from undesirable conditions, and praying for the guidance and assistance of our heavenly Father in our efforts to follow the example and teachings of His Son, our Saviour, I am,

Yours in faith,

S. F. Coffman,
For the Committee.

W. E. WISMER,
DEPUTY REGISTRAR

DEPARTMENT OF JUSTICE

(MILITARY SERVICE BRANCH)

OFFICE OF THE DEPUTY REGISTRAR UNDER MILITARY SERVICE ACT

ROYAL BANK BUILDING

AT LONDON, ONTARIO Feb. 1/18

NO POSTAGE REQUIRED ON LETTERS
SENT TO ABOVE ADDRESS

IN YOUR ANSWER REFER TO H. F. B.

Mr. S. F. Coffman,
Vineland, Ont.

Dear Sir,-

RE - L. J. Burkholder, Markham
David Bergy, New Dundee
Anson Groh, Petrolia
Christian Gascho, Baden
Jacob R. Bender, Tavistock
Jacob S. Bender, Tavistock
Samuel Bender, New Hamburg,
S. F. Coffman, Vineland.

I beg to acknowledge the receipt of your request for leave to appeal to the Central Appeal Judge the above names.

I shall submit it to the proper authorities and in due course you will receive further notification from me.

Yours very truly,

W. E. Wismer, Deputy Registrar
Military District No. 1.

HFB/CE.

Per. *13*

MILITARY SERVICE ACT.
APPEALS.

Vineland Ont., Feb. 2, 1918

Brethren:- Greeting.

In the previous letter, an explanation was given concerning the need of appealing the cases of all of our brethren who have not received a complete exemption. Some have since questioned the wisdom of making further appeal and some have asked for information as to how to make the appeal. Having seen a number of exemption papers and Reports of Appeals, the following is suggested.

Persons exempted from combatant service only, are listed from non-combatant service and must respond when their class is called. Class 1 men, category A, for combatant service are not sufficient to complete the quota required for the 100,000 men. The next categories, including non-combatant classes will be called on to fill these ranks before class 2 is called. Our brethren who are listed may be called if not exempted, and if called must report for service, and may be subjected to the experiences of the brethren in other places until their freedom is secured. An appeal now may save them from such experiences.

Your Committee can not secure the exemptions in a mass. Being listed according to their locations and classes, and each holding their corresponding numbers, their names can best be removed from the lists by their personal application through appeals, through the regular channels.

Your Committee has placed all of their correspondence on file with the Central Appeal Tribunal at Ottawa, and it is ready for reference when the appeals of our brethren reach that Court, if they have not been previously exempted. A special letter concerning the reason of our brethren appealing has been sent to the Appeal Tribunal at London, on account of so many of our brethren having to appeal to that Tribunal. We have asked for complete exemption for our Mennonite brethren as it is in the power of that Tribunal to grant it. This would include all of like faith.

We would suggest the following as a form of Appeal.

- I. If in doubt as to whether your certificate calls for complete exemption inquire of the nearest member of the Tribunal granting it whether or not your name is listed for non-combatant service.
- II. A form for appealing from Local Tribunal to District Appeal Court.

District Appeal Tribunal

Military Service Act, 1917.

Date,-----

Name of place.-----

Sir-

I am taking the liberty of appealing from the decision of the Local Tribunal, No.----- At ----- which has granted only a partial or limited exemption. As a member of the Mennonite Church/ I am applying to you for complete exemption as granted by paragraph 7 of the exceptions to the Military Service Act.

Serial Number,-----

Name,-----

Consecutive number,-----

Address,-----

III. A form to make Appel from District Appeal Court to Central Appeal Judge.

Central Appeal Judge,
Military Service Council.
Ottawa.

Sir:- I am taking the Liberty of Appealing from the Decision of the District Appeal Court, No. ----- at ----- which has dismissed my Appeal for Exemption as a \ Mennonite/. As a member of the \Mennonite/ Church I appeal for complete exemption as granted under paragraph 7 of the exceptions to the Military Service Act.

Serial Number,----- Name,-----
Consecutive Number,----- Address,-----

and also the following,-

IV. This form may be used when appealing from the District Appeal Tribunal to the Central Appeal Judge. This must always be done in order to notify the District Tribunal of the appeal.

Mr.-----

Registrar under the Military Service Act, 1917.

Address,----- Date,-----

Sir:- My appeal for total exe,ption from the Military service as a \Mennonite/ which has not been allowed/or has been dismissed/by your Tribunal, has been appealed to the Central Appeal Judge at Ottawa, and I beg that this appeal be allowed me, \Mennonites/ being excepted from the operation of the Military Service Act.

Serial number,----- Name,-----
Consecutive number,----- Address,-----

These forms may be varied and should be, according to the circumstances. Follow the directions and conditions found on the back of all notices from the Tribunals. There are regular forms to follow and it will be necessary to go through all the proceedings required in order to attain our objects. The Government has provided these mans for the purpose of relieving the peple from undue or unjust hardships resulting from the Military Service Act, and we are doing what the Government expects us to do under these cōrcumstances.

Trusting that this may be of some service in the work of helping our young brethren in their desire to be free from undesirable conditions, and praying for the guidance and assistance of our Heavenly Father in our effort to follow the example and teaching of His Son, our Saviour, I am,

Yours in faith,

S. F. Coffman,
For the Committee.

Vineland Ont.

Brethren: Greeting-

In my previous letter stating the necessity of all of our brethren who have received limited exemptions, ^{appealing the cases} an explanation was given as to the need. Some have questioned the wisdom of making further appeal and others seek information as to how to make the appeals.

First; all persons exempted from Ambulant service are listed as non-ambulants and must respond for service when their class is called. Class "A" conscripts have not been sufficient to furnish the 100 no men called for. Other calls will be made from other categories or from Class 2 if necessary. Our brethren listed may be called for unless exempted. If called they will be subjected to the hardships experienced by our brethren in other places, until exempted by appeal. We desire to save them from the possible trials by asking them to appeal before the call may come.

Your committee cannot secure the exemption of these brethren in a mass. They are listed individually in many places by number and since they each hold the corresponding numbers their names can be best removed from the lists by their personal appeals through the regular channels.

Your committee has placed all of their correspondence on file with the Central Appeal Tribunal at Ottawa and it is ready for reference when the appeals of the brethren reach that Court, if they are not previously exempted. A special letter of advice has been sent to the Appeal Court at London stating the reason for appealing from the local Tribunals and stating the purpose of our young men to appeal to the Central Appeal Court if the London Tribunal has not the power to grant complete exemption and dismisses the appeal.

We would suggest the following as a form of appeal.

If in doubt as to ~~the~~ whether your certificates of exemption are for complete or partial exemption inquire of nearest member of your local tribunal if the name is placed on list for non-ambulant service.

I. Form of appeal from the Local Tribunal to the District Appeal Tribunal.

+
 District Appeal Tribunal. Date _____
 Military Service Act. 1917.
 Name of place in District. _____

Sir - I am taking the liberty of appealing to you from the decision of the Local Tribunal no. _____ at _____ which has granted a partial or limited exemption. As a member of the Mennonite Church which forbids engaging in any form of military service I appeal for complete exemption, as granted by paragraph 7 of the exceptions to the Military Service Act.

Serial number _____
 Consecutive number _____ Name _____
Address. _____

II Form for appeal from the District Tribunal to the Central Appeal Court.

Central Appeal Judge Date _____
 Military Service Council
 Department of Justice.
 Ottawa.

Sir - I am taking the liberty of appealing to your decision from the District Appeal Tribunal no. _____ at _____ which has dismissed my appeal for total exemption from Military Service. As a member of the Mennonite Church I appeal for complete exemption, as granted by paragraph 7 of the exceptions to the Military Service Act.

Serial number _____ Name _____
 Consecutive number _____ Address _____

and notify as follows.

III. Form of appeal to be sent to District Appeal Tribunal when appealing to Central appeal judge.

Mr. _____

Registration under Military Service Act 1917

Date _____

Place _____

Sir -

My appeal for total exemption from Military service which has (not been allowed) or (has been dismissed) by your Tribunal, has been appealed to the Central appeal judge at Ottawa, and beg that this appeal be allowed me as a Mennonite, exempted from the operation of the Military Service Act.

Serial Number _____

Consecutive Number _____

Name _____

Address _____

Re. H.F.B.

Vineland Ont., Feb. 2, 1918.

MR. W. E. Wismer,
Registrar under Military Service Act, 1917.
London Ont.

Dear Sir:-

Your letter of the 1st. Instant in reply to our request regarding the exemption of young men who are members of the Mennonite Church was duly received, and I beg to ask your indulgence on account of a blunder made in my copy of the letter to you. The attached list of names should have been headed, "The Committee." By this you will understand that the Committee, of which the undersigned is the Secretary, is requesting your favorable consideration of the appeals which members of the Mennonite Church are sending to your Tribunal, in which they seek the offices of your Court in securing exemption under the provisions of the "Exceptions" to the Military Service Act.

Our Committee personally interviewed the Government at Ottawa on the ~~11th~~ 11th of October and were advised to apply for exemption under clause 8 and so advised all of our members subject to the call of Class 1. At a later date, through correspondence with the Government we received the information from the Military Service Council that our members are excluded from the operation of the act, under paragraph 7 of the Exceptions. Hence our appeal, in securing the complete exemption of the young men who applied under clause 8 of the exceptions provision.

Trusting that this explanation may correct the error of our previous letter for which we ask pardon, I am,

Yours respectfully,

The Committee.

L. J. Burkholder, Markham,
David Bergy, New Dundee,
Anson Geoh, Petrolia,
Christian Gascho, Baden,
Jacob R. Bender, Tavistock,
Jacob S. Bender, Tavistock,
Samuel Bender, New Hamburg,
S. F. Coffman, Vineland.

For the Committee.

Mill Mennonite Archives of Ontario. COPY of letter from Ontario Registrar, Toronto,
to L. J. Burkholder, Re, appeals.

Glyn Osler,
Ontario Registrar.

Department of Justice,
Military Service Branch

OFFICE OF ONTARIO REGISTRAR
under Military Service Act.

Board of Trade Building.

Toronto Ontario.
February 2nd., 1918.

L. J. Burkholder, Esq.,
Markham Ont.

Dear Sir,

I have your letter of February 1st
in which you state that you are a minister of the Mennonite Church, and
ask information as to the wording of certificates of exemption,
which will be given to members of your church who have been granted
exemption. These will be worded according to the decisions reached by
the Tribunal, and in any case where the claimant or appellant should
take exception to the decision of the Tribunal as shown on the Notice
of Disposition, he has three days after receipt of the Notice in which to
appeal. After the expiration of that time the decision must stand as
given.

Men exempted on religious grounds are not, as you seem to
think, entirely exempt from performing any duties under the Act.
According to Appendix 4 of the Instructions to Tribunals, the decision
in the case of a man exempted for religious belief will read as follows:-

" Exempted from Combatant service on
" account of religious belief."

Yours truly,

Glyn Osler.

Ontario Registrar.

Signed, Per A. E. Allen.

AEA.MW.

Markham, Ont. Feb. 2nd / 1882

S. H. Coffman,
 Vanland,
 Ont.

Dear Bro. :-

Please accept the enclosed as a small token of our appreciation, in connection with your work, in securing our exemptions from Military Service! We truly are grateful for your labor in our behalf.

Your letter to Bro. Leonard was read and discussed last Tues. evening after Bible Class and it was the opinion of the majority that we should leave things as they are, - as it ~~is~~ was specifically stated by the Minister of Justice that we are entirely out of the Act. My Paper reads "That Exemptions be granted", and I feel perfectly safe with that, as there are no attachments to it whatever.

Winter here has been very severe, - few weathers practically all the time. How are the fruit trees standing it, in that district?

We are all in good health, and trust you all enjoy the same blessing.

Sincerely yours

Edwin A Byer

In behalf of young men of Wideman Cong. in close!

Baden Feby 2nd / 18To L. J. Burkholder
Markheim, Ont.

Dear Brother in Christ, Greeting,

Your Letter to from the 2nd and Read
the Object of it. Now I will Lay that
I would gladly be with you But as the
Circumstances will not possibly allow me
to get away from home at those Days on
Account of our Sale which is to be held
on the 13th inst and we are Busy in getting
Ready for it and to move after the Sale, and
So I will Give my Opinion Regarding to meet
Sir Robert Borden On the Military Service
Question that I have Confidence in your
Brethren that you will Do According to the
Best of your ~~Best~~ Knowledge and Believe,
I Doubt Doubt but it might be Satisfactory in
Corispond with the Primer Still it might
& be Better to personally Intervew him but as I
Laid I am Satisfied with what you Decide,
I think you will understand my Opinion with the
above. This Leaves us well hoping you are
Enjoying the Same Blessings. please Let me
have the Decision after your meeting.

Yours in the Master's name Christian Gaseh
Baden

W. E. WISMER,
DEPUTY REGISTRAR

DEPARTMENT OF JUSTICE

(MILITARY SERVICE BRANCH)

OFFICE OF THE DEPUTY REGISTRAR UNDER MILITARY SERVICE ACT

ROYAL BANK BUILDING

AT LONDON, ONTARIO Feb. 4, 1918.

NO POSTAGE REQUIRED ON LETTERS
SENT TO ABOVE ADDRESS

IN YOUR ANSWER REFER TO H.F. Beresford.

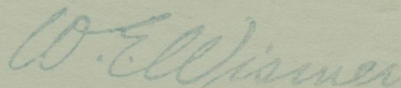
Mr. S. F. Kauffman,
Vineland, Ont.

Dear Sir,-

In further reference to your letter of the 30th ult. beg to advise that I am unable to locate these men on my files.

As Vineland is in the district of the Toronto Registrar I presume your letter was addressed to me in error and should have been addressed to him. You will have to write to Mr. Glyn Osler, the Registrar at Toronto in the case of these men.

Yours truly,



Deputy Registrar, Military District No. 1.

HFB/CM.

J. R. EBERSOL
 MANUFACTURER OF
**THE SPECIAL BAND CUTTER
 AND SELF-FEEDER**

Mr Coffman

MILVERTON, ONT.

Feb 4th

1918

Vineland, Ont.

Dear Bro to a good extent of our faith:-

I John R Ebersol am appointed by our Ministers to help our young Brethern in their interest of their souls about Militarism, &

We are of the Old Amish Mennonites, having no church houses but worship from place to place.

On ^{Jan} Feb 31st we were at Stratford Court house about the Appeals of the remainder of our young brethern, which was 8 in number. The Judge spoke kindly and firmly, told us he could not grant our desire, but, urged us to appeal at central Judge or Court, and told us how to do it, and said repeatedly he thinks it will come all right there. And he also said he respects us, and that he thinks we try to play a fair game, (or in other words) try to do what is right. Of course we have nothing to boast, but these encouraging words from the Judge or from God through the Judge, is consolation to our troubled minds or hearts.

We also claimed to the Judge that exemption was granted to our people when they came to this country, His Honor did not deny this but he ~~did~~ said there is no record of it, and advised us to try to get an order in Council passed the same as the Mennonites of the west have. ~~Now the~~ He also said

(2)
it is not too late yet to do so. Now I
kindly ask that you write to me ~~at~~ once
and advise or let me know if you have asked the
Government to do this yet or not. If you have not
then we Amish Mennonite or some of us may ask
for it for us. I do not know who will do it or
how it ^{will} be, but I am bringing the advice of
Judge to our Ministers and also letting you know
about it.

It is a pity that the Mennonites and Amish
Mennonites are so very much split up.

Kindly answer me your opinion and what you
have done. Remember us in earnest prayer.

John R. Ebersol,

S. J. Coffman

Jurich Ont

Kitchener

Feb 4, 1918.

Mr C Cressman Ont
Near Iruvid

I was speaking to Isaiah Cressman in regards to the draft-law question and as he couldn't enlighten me any in my case he directed me to you so I take this liberty to write to you and will try and explain my case as clearly as possible.

On the 29th of Feb 1916 I went to Illinois and worked over there till the middle of Jan 1918 then coming over here. Now what shall I do in regards to this draft-law I registered over in Ill and was drafted in the first draft but got an exemption on the grounds of not being a citizen

2 The way I understand it a person has to be a resident in that country five years in order to become a citizen.

Needless to say I am also of Amish Mennonite faith but - over in U. S. they were taken regardless of that fact but do not have to don the uniform or drill as you no doubt know.

Now the question is what am I to do? let it go as it is? or is there another way to get an exemption? I am at sea when it comes to that question.

P.S. Hoping I am not encroaching I did not get a on your time medical examination - Yours truly
by the board in Illinois for Bechler
and am physically fit as far Jurch
as I know. Ant.

Milverton Feb. 5, 1918

Bro. David Berguy

Dear bro.

Greeting in Jesus name

Enclosed please find the sum of \$11.43
a donation for S. F. Coffman from Poole
congregation

Remember us before the throne of grace
especially in these trying times

Yours in the Lord
Peter Boshart

Kitchener Ont Feb 6, 1918.

For Bechtel
Zurich Cant.

Dear Brother, Greeting.

Your letter of the 4th inst. received and noted. Regarding your exemption, since you were not in Canada and did not receive a notice to register and have not applied for exemption, and the time for registering has expired, my advice is that you need not register at all. If you should be arrested for not complying with the Act, you will need only to prove that you are a member of the Anabaptist Mennonite Church, and according to our advice from the Department of Justice at Ottawa, the prosecution will be dismissed, since all Mennonites are not included in the Military Service Act. You did not state that you intend going back to the United States. If you did you would be required to show a certificate of exemption, ~~arguing that case you would need to~~ apply for a certificate from some judge that you are a member of the Mennonite Church and not eligible for military service. If you intend remaining in Canada, stay as you are, since under the law now, you need not register and do not require a certificate of exemption. All you need is a certificate showing you are a member of the Mennonite or Anabaptist Mennonite Church.

I trust this may help you, and pray that all of our brethren will be finally fully exempted.

Yours in faith, S. F. Coffman



Ridgeway 2.6.18.

AND ALL things, whatsoever ye shall ask in prayer, believing, ye shall receive. Matt. 21: 22.
For every one that asketh receiveth; and he that seeketh findeth; and to him that knocketh it shall be opened. Matt. 7: 8.

S. F. Coffman My Bro - Greeting
yours of 31 ult. to hand yesterday
Thanking you very much for your interest
in the cause of Exemption to all nonresistant
bodies, and the timely instructions to govern
the same

As stated in yours of Jan 24, referring to
certificates examined by you granting partial
exemption to applicant,

I shal examine some of ours near by that have
had no trouble in obtaining same, to see if it is
only a partial or a total exemption they are holding

Thanking you again for your timely warning
that we may together contend for the true faith
and the doctrine of the great I. Am,

I remain As Ever A Bearss

Military Service.

Markham, Ont. Feb. 8th 1918

S. F. Coffman

Vineland, Ont.

Dear brother: - Greetings. Your letters of several days ago re. making appeals from the Local Tribunals to hand and voted. We assembled the boys, read and explained the letter. There is considerable feeling among the young men to leave well enough alone. A few, but not all, of them see the real situation. Only one brother received proper recognition and that was by the Stauffer's Tribunal. His notice was marked "Mennonite". Since it is true that the Registrar will issue "certificates of exemption" in about 6 weeks after the notice of the Disposition of Claim for Exemption was given, it was thought best to learn from the Registrar whether these certificates would be written according to the ground upon which claim for exemption was made or according to the decisions of the tribunals. I was asked to correspond with Mr. Oster and I am enclosing the reply.

We have only one case which has been heard by the Appeal Tribunal. Bro. Russel Groe claimed exemption upon, I think, upon two grounds - as a Mennonite and also as a farmer. The Local court decided that the claim be "granted." There was an appeal from this decision. The Appeal court, when the case came for hearing, was informed that the Military Service Council had ruled that Paragraph 7, in Schedule of Exemptions placed the applicant outside the operation of the Act. The decision of this court is "Exempted until he ceases to work on the farm".

This makes it plain that the Appellate Court is not following any special instructions, re. Mennonites, from the Military Service Council. The Registrar, according to the enclosed letter, also has no such special instructions.

I think you would do well to inquire from the Military Service

2.
 Council or Hans Chas. Daugherty whether there is any sincerity
 in the ruling that has been given us under date of Nov. 3rd / 1917. etc.
 and if so why is it - that the Appellate Courts, at least, have not
 been appraised.

From your recent letter I infer that you also are of the
 opinion that the Registrar or perhaps the Appeal Judge must give
 permission to appeal to Justice Duff.

In the face of these conditions I doubt whether we can hope for
 much until the Dept. of Justice instructs its agents on the status
 of Mennonites. I think our bayrill appeal if we say so.

I also received the letter addressed to Sir Robert. but have failed
 to appear or reply for the following reasons.

I called a meeting of Ex Com. of N. R. P. Org; for the 6th inst. but
 because of storm and the death of David W. Griedie (brother of Samuel.) this
 is postponed until next week. I also find that I am not the
 only one who does not understand that the Kitchener meeting intended
 that the committee or interim necessarily go to Ottawa but ask
 for suggestions, by correspondence or otherwise. The Ex Com. will
 consider the question of writing to Ottawa, meeting with some
 representative of the present Parliament nearer than Ottawa, and
 failing in these name the persons to go to the Capital.

In case we advise to correspond then your letter, with
 some revision could be used. Otherwise I apprise that the
 letter, a copy of which I received, be forwarded to the Printer.

Fraternally

L. J. Burkholder