

Markham, Ont. June 11. 1919.

S.F. Coffman,
Vineland, Ont.

Dear brother, Greetings:-

I am enclosing my correspondence with Rev. Hamilton re. the Imperial Act of 1749. I am disappointed in this that there was no "find" for us. I am sending it to you in the hope that there may be some clue for you. I am not continuing the correspondence. Kindly return these sheets as I wish to keep them on file. I hope that you are all well.

Fraternally,

L. J. Burkholder

P.S. You may retain the "Statement" as I struck
off several copies. L.J.B.

A STATEMENT IN REGARD TO THE POSITION OF THE
MORAVIAN CHURCH ON THE SUBJECT OF
MILITARY SERVICE.

BY BISHOP CLEMENT HOYLER.

In view of the fact that a limited number of young men are applying for exemption from Military Service on the ground of their belonging to the Moravian Church, the following rather full statement has been carefully prepared for the information of the Tribunals appointed to examine such claims for exemption.

I. Facts about the Moravian Church in Canada.

Our denomination was incorporated in Canada May 19. 1909.

On July 1. 1917, our total membership in Canada numbered 1458, of which 761 were full communicants.

Most of our members live in Alberta and are farmers.

About 95% are former residents of Russia and their children. In Russia, as well as in Poland, Moravians used to be exempt from military service.

The proclamation of Oct. 13. 1917 affected about fifty of our young men. Of these fifty, perhaps fully one-half are temporarily disfranchised by the War-Times Election Act. The remainder are largely indispensable on the farm. Some are physically unfit. Very few will need to be exempted solely on conscientious grounds.

Strict membership lists are kept by all of our ministers, so that every assurance can be given that none can claim exemption as Moravians unless they have been members in good standing on or before July 6. 1917.

NOTE: The Moravian Church, established by the followers of John Hus, the Bohemian Reformer, is an international Church, found throughout civilized and heathen lands. In England it is favorably known for its missionary and education work. Former Premier Asquith, e.g., as mentioned in The Standard Encyclopedia Vol. 8. p. 343. was educated in the Moravian Boys' School, at Fulneck, near Leeds.

II. Data showing the historic position of the Moravian Church
in regard to warfare.

A.- Non-Moravian Sources.

\1/ The Standard Encyclopedia, published in 1912, by Funk & Wagnalls, New York and London, under the article, "Moravians", Vol. 17, p. 430, refers to them as holding "that Christians should lay aside distinctions of rank and abstain from military service and the use of oaths."

\2/ "The Pathfinder", a widely-circulated weekly journal, published in Washington, D.C., in its issue of Sept. 1, 1917, p. 210, speaks of the Moravians as one of the religious bodies, "whose creeds bar the bearing of arms".

\3/ "A Manual", published about a year ago by the Rev. Sidney L. Gulick, 105 E. 22nd. St., New York City, on behalf of the World Alliance

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for promoting International Friendship, alludes to the peace work of the Moravians, Mennonites and Quakers, p.24.

\4/ During the American Revolutionary War, members of the Moravian Church refused to bear arms against England and were subjected to heavy fines and even imprisonment, at the hands of American authorities. Similar cases occurred during the war of 1812.

B.- Moravian Authorities.

While the Moravian Church has never formulated a rigid creed, to which its members must subscribe, and while even during this present war, so far as the writer knows, none of our members anywhere have been expelled or excluded from church membership on account of having voluntarily enlisted for active service, nevertheless our appeal has always been directly to the Bible, particularly to the New Testament, and our unalterable conviction as believers, held through many years and centuries, has been that the bearing of arms and the taking of oaths as opposed to the teaching of Christ.

This position of our Church was formally and legally recognized by the British Parliament which, in the year 1749, passed an Act exempting from military service and the taking of oaths of all Moravians throughout the British Empire. This Act, - which was introduced into Parliament by General Oglethorpe, the Military Governor of Georgia, and was strongly supported in the Lower House by Horace Walpole and others, and in the Upper House by Bishop Sherlock and various high Ecclesiastics, by Lords Granville, Chesterfield, Argyle, etc., and by the Prince of Wales, - was passed by the House of Commons on April 26, and by the House of Lords on May 12, 1749. It received the Royal Signature on June 6, 1749. This Act has never been repealed by the British Parliament, and, according to Bishop J. Taylor Hamilton, of Bethlehem, Pa., who is an authority on Moravian Church History, and with whom the writer discussed the matter in July of this year, the Act is as fully in force today as it was in 1749. To quote from Bishop Hamilton's "History of the Moravian Church", published in Bethlehem, Pa., in 1900, p.137: By this Act \i.e. the Act of 1749 granting to Moravians exemption from military service and the taking of oaths/ the Moravian Church was recognized as Protestant Episcopal Church, and its members formally granted full liberty of conscience and worship throughout Britain and its Dependencies".

III. The attitude taken by the Dominion Government towards the Moravians in Canada.

Two months ago this matter was taken up, on behalf of the Moravians in Canada, with the Government at Ottawa, and the Hon. Arthur Meighen, who was then Solicitor General and who is the author of the Military Service Act, very courteously replied, acknowledging that in case there should be any conflict between the present Military Service Act of Canada and the British Act of 1749, the latter would naturally have the

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pre-eminence. Speaking of the Moravian Church in Canada at this time, Mr. Weighen further says in his letter of Sept. 10, 1917, "All its members are at full liberty to apply to the local Tribunals established by the Act and claim exemptions on conscientious grounds". The full correspondence will be submitted to any Tribunal requesting it.

IV. General Remarks.

\1/ Moravians in Canada do not wish to be classed as slackers or shirkers. A few have voluntarily enlisted. Two have been killed in action, one from Alberta and one from Saskatchewan.

\2/ Others have contributed to various funds. In a speech delivered by the Hon. Frank Oliver, in the House of Commons \See Hansard Report, Sept. 8, 1917,/ he refers to the Moravians in one of the Alberta Provincial Constituencies as having been "the most liberal contributors to the Patriotic Fund in that district".

\3/ Nearly all of them being agriculturalists, and of an industrious and thrifty character, they have contributed largely toward the food supply of the Empire.

\4/ We believe that those, who are now claiming exemption because of their membership in the Moravian Church, do so on conscientious grounds.

\5/ The writer of this statement, who may not be personally known to the members of the Tribunals, came to the Edmonton District 22 years ago and has resided in Western Canada ever since. If necessary, he can refer to any of the following prominent citizens of Alberta: Bishop H.A. Gray, Dr D.G. McQueen, The Hon. Frank Oliver, The Hon. A.C. Rutherford, The Hon. W.H. Cushing, Mayor Henry, Messrs. J.W. and R.B. Douglas, O. Bush, G.W. Downes and many others.

\6/ The writer is personally acquainted with practically every one of the young Moravians claiming exemption at this time and will cheerfully answer any further questions put to him by members of the Tribunals, either in person, or by letter, or by phone.

Bishop of the Moravian Church,

9867 - 84th. Avenue,

Edmonton South,

Alberta.

Markham Ont., May 16th, 1919.

Rev. J. Taylor Hamilton,
Bethlehem Pa.
Dear Sir and Brother:-

In a letter to Bishop Clement Hoyler, Alberta, I asked about the status of the Moravian Church in Canada on the Military Service Question. In reply he sent me the "Statement" which he issued some time ago. It is very interesting, for by this I see that your people have been facing these problems in the same way as our Mennonite Church s. I was especially interested in the fact that in 1749 the Imperial Parliament enacted a measure which gave military exemption etc. to the Moravian Church.

Brother Moyler also mentions your name as an authority on the subject. I had not known of any such law, and naturally would like to know whether in the same Act there might be any mention of other sects such as Mennonites Tunkers and Quakers. These three bodies are grouped together in the Canadian laws re. exemptions as early as the beginning of the 19th Century.

Will you kindly let me have such extracts from the 1749 Act as are related to the above named bodies in the matter of exemption from Military service Etc. Also give the exact title of the Act and the London address to which I might write for further information if that were necessary. I shall willingly pay for this.

L. J. Burkholder.

Moravian College and Theological Seminary,
Bethlehem Pa.

June 5th 1919.

The Rev. L. J. Burkholder, Moderator of the Mennonite Conference of Ontario,
Markham Ontario.

Dear Sir and Brother:-

I feel very much ashamed that I must first of all beg your pardon for not sooner replying to your letter of inquiry of May 16. It reached me just before our annual examinations and they were followed by the busy and distracting duties of the Commencement Season.

I am afraid, that I can give you very little that will be of service to you in connection with the matter to which you refer. The Act of Parliament, which passed its third reading in the House of Commons on April 16, 1749, was sanctioned by the House of Lords on May 12th in that year, and received the Royal signature on June 6, was the outcome of petitions asking for definite investigation of the status of the Unitas Fratrum of Moravian Church of the United Brethren - investigation that was carried on by Committees appointed by both Houses during a considerable stretch of time. This investigation was desired by the Brethren because of hostile demonstrations and mob violence experienced by them in London as far back as 1740, on account also of a popular prejudice that most strangely confused them with Roman Catholics in the North of England, and because of repressive legislation directed against our missionaries in the colony of New York in 1744. What was at stake was much more than the freeing of our church from the obligation to take the judicial oath and to engage in military service. These matters were only incidental, I should judge. First and foremost was the desire of the leaders of our church to have its status investigated and then established as that of an old evangelical body of Christian with an episcopal organization. One hundred and thirty-five documents were offered in substantiation of this. The investigation committees reported favorably. Besides, through the advocacy of General Oglethorpe in the House of Commons and Lords Dublin and Sydenham in the Upper House, the Moravian Brethren were granted a dispensation from the oath of fealty and were placed on the same footing as the Friends. (The Quakers are not mentioned in the Act of 1749.) That is, at least my understanding of the case. The Act meant first of all the granting of liberty of conscience and undisturbed worship in Britain and all its

Colonies; then, secondly freedom from the taking of judicial oaths and from military service, (A money payment to be made instead when a member of the said church should be required to serve or be mustered.) The documents in question, bound together, make quite a bulky book. I have been through them several times, and do not remember, that in any of the many manuscripts mention is made of your Brethren or of the Tunker Brethren. over the page I copy the title of the Act as printed by authority of Parliament

To whom you should apply for additional information, I regret to write, I do not know.

With kind regards I am sincerely yours,

Signed, - J. Taylor Hamilton.

Copies of Extracts. -

"An Act for encouraging the People known by the Name of Unitas Fratrum or United Brethren, to settle in His Majesty's Colonies in America."

P. S. - I may add that the Parliamentary proceedings covered the period from Nov, 10, 1747 to June 6, 1749. - J. T. H.

In the 13th year of the reign of King George II an act was passed enabling foreign protestants to become naturalized in the American Colonies, and in 1746 (Nov. 18) the provisions of this act were extended to the Moravian Brethren and "Other foreign Protestants not Quakers, who conscientiously scruple the taking of an oath, are settled in His Majesty's Colonies, Etc. " But this act says nothing about exemption from military service.

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Vineland ont., June 19/19

Elmer Moyer,
Aylmer West, Ont.

Dear Elmer:- Greeting!

Your letter inquiring concerning the Registration of Mennonites was received and noted. There has been some confusion concerning the matter of registration owing to the recent date of the Registration of those of military age, -19 years. The registration of all persons over sixteen years of age is now required and there are to be no exceptions, not even for nationality. All residents are to register. This registration will require no compulsory labor.

I was away from home for several days, and hence the delay in answering. Hope you are all well and getting along well in the work. We should not forget to be thankful to God for the past favors we are enjoying from the powers that rule over us. Yours in faith,



Selkirk June 19 / 19

Dear Bro

Greeting in Jesus Name
enclosed a letter from
C. Leslie Wilson You
can reply and send to
me and I will forward
to Him Besides Bro
Armstrongs Certificate
Fill one for Bro Artus
Thores and Bro Eugene
Yeager and then I can
sign them. that Serial
Number of this report
I do not quite understand
So give me the information
and then I will finish and
forward to Ontario Register

Now in regard to
Geoffrey Hoovers

Writing with us hard to
say just at present but
as soon as I can find
out what they are going
to do I will inform you

C Lerhe Wilson sends
me a an Envelope marked
postage paid shall I
use it to return these
Certificates

Yours in the Faith

Moses Hoovers

Vine. and Ont. June 23rd, 1919.

L. J. Burkholder,
Markham Ont.

Dear Brother:- Greeting.

Your last letter with the enclosures of correspondence with the Moravian Brethren was duly received and glad to receive the same. I am enclosing the copies which you desired to have returned, and keeping the copy of the "Statement" which I am pleased to possess.

It seems to me that we are about ready to have some one who is able to correspond with the Government in Great Britain and who would be authorized to have a search made of all the past records to see what might be found that would touch on the question of the privileges of the Mennonites in the American Colonies, or the liberties that may have been extended to them in the country of Canada. The fact has often been referred to that such records are kept in the archives of Great Britain and if so, we ought to have copies of them and present them to the Government of Canada.

We already have proof enough that Great Britain has recognized the principle of Liberty of Conscience, even in matters of freedom from Military service, and there is no doubt but that if the matter is pressed the Canadian Government would not put itself on record as denying a British Constitutional Right. If the Church can establish her identity as an old established religion and has having existed under the protection of the Government for a hundred years, it would take a great upheaval of opinion and principle in order to deny those privileges at this time.

I have noticed that there is prospect of the "Franchise Bill" being held over until another session of Parliament. It is too large a question to deal with in the little time that is left for this session, and the probabilities are that the nature of the times is such that the Government does not want to further irritate the sentiments of the people.

The naturalization Bill recently rushed through Parliament has in it a clause that may have a very wide definition and may be easily made to apply to the undesirable people who are at present denied the privilege of entering Canada or becoming settlers in the Dominion. I believe the Immigration Act has been passed. I wrote for information and received a reply that I would be sent a copy of the Bill as passed by Parliament.

The copy has not yet arrived.

Brother Joseph H. Gross, and his wife, Maria Moyer, are here on a visit. He reached for us on Sunday. He intends visiting the churches in the Markham district, and will come there after the S.S. Conference in Rainham. You will be able to make the appointments there for him so that he will be able to meet all the brethren in the district, or visit all of the Churches. Some of his friends are among the other party, and all him time to make these visits. I believe he expects to remain in Markham until after July 6th, when he wants to go to Waterloo County. He will be in Rainham over Sunday June 29. Hope all are well.

Yours,

Vineland Ont., December 17th, 1919.

Chief of Immigration Department,
Niagara Falls Ont.

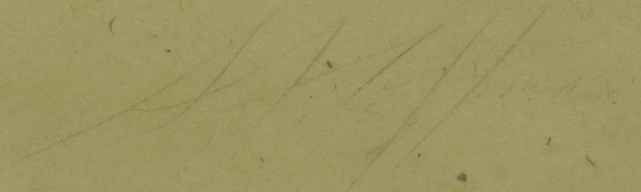
Dear Sir:-

With referance to the case of Rev. George J. Lapp,
a Minister of the Mennonite Church who entered Canada on the 12.45 P.M.
G.T.R. train from Suspension Bridge N. Y. and whose destination was
Vineland Ont, on the 29th November.

The enclosed copy of the letter from the Department of
Immigration and Colonization was made from the original which was
received in reply to an inquiry to the Department concerning the entrance
of the persons named therein. I trust that this may be of some use
to you. I trust that this interpretation of the Act may be applied to
every case of our people entering Canada and that further inconvenience
and annoyance may be avoided.

Thanking you for the courtesies extended, I am,

Respectfully,



P. C. 2930
Privy Council
Canada

AT THE GOVERNMENT HOUSE AT OTTAWA
Monday the 29th day of November, 1920.

PRESENT

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL,

WHEREAS information has been received showing that in various parts of Canada a considerable amount of unemployment now exists and that certain classes of workers, particularly mechanics, artisans and labourers find difficulty in obtaining steady employment;

AND WHEREAS the prospects for employment are not likely to improve during the next few months;

THEREFORE His Excellency the Governor General in Council, on the recommendation of the Minister of Immigration and Colonization, is pleased to order and it is hereby ordered that the provisions and requirements of paragraphs 1 to 3 inclusive of the Order in Council of 9th May, 1910, (P.C. 924) for immigrants of the mechanic, artisan and labourer classes, whether skilled or unskilled, be temporarily suspended, and the following be substituted therefor;

1. No immigrant of the mechanic, artisan or labourer classes, whether skilled or unskilled, shall be allowed to land in Canada unless he possesses in his own right money to the amount of \$250. and in addition transportation to his destination in Canada.
2. If an immigrant of the mechanic, artisan or labourer classes, whether skilled or unskilled, is accompanied by his family or any member thereof, the foregoing regulations shall not apply to such family or members thereof, if the head of the family possess in his own right, in addition to transportation for his family to destination in Canada, a further sum of money equivalent to \$125.00 for every member of the family of the age of 18 years or upwards, and \$50.00 for each child of the age of 5 years, and under the age of 18 years.
3. The provisions of the two preceding paragraphs shall be applicable as from the 15th day of December, 1920, to immigrants of the classes herein specified, who land in Canada from foreign contiguous territory and to other immigrants of the classes specified who land in Canada from other countries on or after the 1st day of January, 1921.
4. Unless otherwise ordered these regulations shall remain in effect until the 31st day of March, 1921, and on the expiration of these regulations the provisions and requirements of paragraphs 1 to 3 inclusive of the Order in Council of 9th May, 1910, (P.C. 924) shall again become operative to immigrants of the mechanic, artisan and labourer classes.

(SGD) Rodolphe Boudreau

Clerk of the Privy Council.

PP#2 Pickering Dec 6 1920

L of Burkholder

Dear Bro

On considering the question
you refered to in our conversation
I am convinced it would be
advisable to leave my name off
the circular, under present conditions
It might help defeat the purpose
for which it is intended to
serve.

Therefore I beg to have
my name omitted

Yours truly

Geo Reesor

P. C. 959

AT THE GOVERNMENT HOUSE AT OTTAWA
Saturday the 19th day of March, 1921.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL.

WHEREAS under the provisions of the Order in Council of the 29th November, 1920, (P.C. 2950), it is required that immigrants of the mechanic, artisan and labourer classes, whether skilled or unskilled, shall be in possession of \$250.00 as a condition of landing in Canada;

AND WHEREAS the Acting Minister of Immigration and Colonization recommends, in view of the existing employment conditions, that the said Order in Council be extended and remain in effect until otherwise ordered;

THEREFORE His Excellency the Governor General in Council is pleased to order and it is hereby ordered that the Order in Council of the 29th November, 1920, above mentioned, be extended and remain in force and effect until otherwise ordered.

(SGD) G.G. Kezer

Asst. Clerk of the Privy Council.

Ottawa, Canada, July 20th, 1921.

An interview with Sir George Foster, Acting Premier of Canada, by a ~~xxxxxxxx~~ delegation of Mennonites, consisting of: ^{Rev.} A.A. Friesen, representing the Mennonites of South Russia, ^{Rev.} H.H. Ewert of Gretna, Manitoba, and ^{Rev.} H.A. Neufeld of Herbert, ^{Sask.} representing the Central Canada Conference of Mennonites, ^{Rev.} S.F. Coffman of Vineland, Ontario, representing semi-officially the Ontario Conference of Mennonites, and D.M. Reesor of Markham, Ontario, unofficially.

The delegation was introduced by ^{Bro.} ~~Rev.~~ S.F. Coffman who also presented the objects of the interview. Bro. H.H. Ewert then read the memorandum representing the sentiment of the Central Canada Conference, and Bro. A.A. Friesen read a statement concerning the Mennonites in South Russia and requesting a favorable consideration of their proposed immigration to Canada.

Sir George ^{Mennonite} inquired Bro. Ewert concerning the standard of the three collegiate institutes in the West and was told that they incidentally prepare students for university matriculation but that their main object was to prepare teachers for the schools within the Mennonite settlements, that these teachers passed the provincial examinations and held certificates of the third, second and first class, and that they became a body with the other teachers in the Province.

Sir George further mentioned that he had heard that Mennonites were leaving Canada and searching for location in other countries and was surprised that they even ~~xxxxxxxx~~ took Old Mexico into consideration. Bro. Ewert replied that this was ^{the} case with only a part of the Mennonites who are extremely conservative and who can not be looked upon as representatives of Mennonites in general, that the Mennonites are organized on the congregational principle and that very diversified developments will some times take place in different congregations; that the matter of emigration was indeed discussed by these conservative Mennonites but that a great many difficulties had to be overcome and that nobody could tell of the eventual extent of this movement. Then Bro. Coffman observed that there was no thought on the part of the Ontario Mennonites of departing from the country, that these people had been in Canada for over one hundred years and had adopted the public schools from their beginning.

Sir George further inquired whether the progress in education was spreading and was then told by Bro. Ewert that 30 years ago there had been practically no public schools among the Mennonites and that after his inspectorate of 12 years were over 40 public schools among them.

Sir George asked further whether the principle of Non-resistance was the only thing in which our

people came in conflict with the Government policy. It was stated that it was positively the only thing and that in all other respects Mennonites ~~will~~ most anxious to comply with the laws of the country.

Sir George then called upon Bro. Friesen to present his petition, to which he listened with deep interest and seeming sympathy.

Sir George said: ' what answer would you give to this question: ~~what would be the use of getting others of the same class to come in?~~ Bro. Ewert replying to this question said there would be no use if the Mennonites were all of the same stamp but they were not, that the Mennonites in Russia were a most progressive people and would give the Government no trouble in school matters.

Sir George expressed his sympathy with the suffering which the Mennonites in Russia are enduring and asked how ~~xxxxx~~ their emigration from Russia could be financed. Bro. Friesen explained that his people owned four and a half million acres of land in Russia which if it could be disposed of through proper channels would finance their removal if not disposed of help could be received through sympathetic brethren in America.

Sir George asked where lands could be found in Canada suitable for settling. Bro. Friesen who had travelled through the West replied that many people who had too large landholdings would be glad to sell and that large tracts of land had been offered to them by the officials of the Canadian Pacific Railroad.

After these explanations have been made the Acting Premier expressed regret that the Minister of Immigration and Colonization was absent from the city and promised that these petitions would be presented to him on his return, also stating that he in his capacity ~~xx~~ of Prime Minister would bring these matters to the attention of his colleagues.

After ascertaining the proper address for official correspondence the interview was concluded.

A. Hoffman

H. H. Ewert

A. Friesen

D. N. Keeser

H. H. Rapfeld

The Petitioners -

"Holotschansk"

Mr. Friesen of Russia, President of College at Holbutsk.

Mr. Ewert of Gritina Man. Principle of Gritina Collegiate Institute.

Mr. Newfeldt. Herbert Gosh. - Minister.

The Petition - In behalf of the relief of the oppressed brethren in Russia, Robbed, murdered, oppressed, with no hope of relief - They have nothing except their Lord.

The nature of the people - Farmers. - Industry, honesty - Highly recommended by their own Country. A former established Govt. with civil + military. Feasible as an asset to needs of Govt. and not a burden on the labor + Social conditions problems of the City.

The Religious Status - Iron-resistant and maintained during period of violence in Russia. Public Service + relief work during war.

Language - ^{by education} Russian by ^{as rule} as rule as 1910, ^{Religious} ~~uninterrupted~~ 1915, ^{by law} liquidation law - to oppress + persecute ^{Religious} and subject people of German origin. - Have respected language and educational institutions of the country.

The Sympathy of our people with the brethren in Russia.

There may be ~~big~~ differences of attitude on details of practices.

We maintain our positions on the Question of iron-resistance in the past, these brethren give their own views and constructions of faith, their representatives have been heartily welcomed and sympathetically received by all of our brethren both in U.S. + Canada and desire to give ^{to them} and have been giving them encouragement in their project and are sending them relief in this time of their dire need.

We commend their cause to the consideration of the Court of Canada.

NON-RESISTANT RELIEF ORGANIZATION.

Vineland Ont., April 2, 1924.

Dear Brethren:- Greeting.

The Chairman of the Non-Resistant Relief Organization, Brother Samuel Goudie, has instructed your Secretary to issue this call for the Annual Meeting of the Organization to be held in Kitchener Ont., on Wednesday, April 9, at 9 o'clock A. M. The place of meeting in Kitchener has not been definitely determined. Unless otherwise notified the members shall apply to Brother M. C. Cressman at his store on King Street East, for definite information as to the place of meeting.

The regular annual business of the organization will be transacted and any other business which may be brought before the meeting at that time.

Yours in faith and service,

S. F. Coffman, Sec. Treas.

Members of the Organization,

S. Goudie, Chairman, Stauffville
D.W. Heise, Vice-chairman, Gornley
S.F. Coffman, Vineland
L.B. Heise, Gornley
Euben Heise, "
L.J. Burkholder, Markham
David Bergey, New Dundee
S. Cressman, 58 Pandora Ave. Kitchener.
E. Sievenpiper, Breslau.
Chr. Gascho, Baden
Chr. Shultz, Milverton
J.R. Bender, Tavistock
Thos. Besser, Pickering
Eck Bearinger, Elmira
Urias Martin, St. Jacobs