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# The Military Service Act

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## ITS MEANING AND EFFECT

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**T**HE MILITARY SERVICE ACT, 1917, received the Royal assent on the 29th day of August, and is now the Law of the land.

It has therefore become the duty of the Government to enforce this law impartially, promptly and effectively.

The purpose of the law is to provide much needed reinforcements for our heroic and sorely tried troops fighting in Flanders and in France.

To accomplish this end, Parliament has imposed upon the Civil administration the burden of carrying the Act into operation.

The selection of the men and the dealing with questions of exemption are in the hands of the Civil Authorities. It is not until the men are actually called to colours that the Militia Department intervenes.

The reinforcements to be raised are limited to 100,000 men, and those from whom they may be raised are divided into six classes, which are to be called out in the order in which they are named.

The first class comprises men not in the schedule of exceptions who, on the 6th July, 1917, were unmarried or

widowers without children, are at least 20 years of age and were born on or since 1st January, 1883. The second class includes married men or widowers with child or children between the same ages. The four remaining classes comprise older men, the third and fifth classes being unmarried men and widowers without children, and the fourth and sixth classes being married men and widowers with a child or children.

It is the intention of the Government to call out the first class by Proclamation to be issued as soon as possible. It is hoped that after all Claims for Exemption have been dealt with, this class will supply a sufficient number of men, who are physically fit, to furnish the reinforcements which the national honour and our duty to those at the Front demand, and that it may not be necessary to call out any of the subsequent classes.

The Proclamation calling out the first class will specify a date on or before which the members of the class must report for service, or claim exemption on one or other of the grounds specified in the Statute.

Forms on which Reports for Service or Claims for Exemption are to be made, will be placed in the hands of all Postmasters throughout the Dominion and it will be the duty of every member of the class in question to fill in one or other of these forms and submit it in the prescribed manner on or before the named day.

The grounds on which exemption may be claimed (which are similar to the grounds recognized in Great Britain and the United States) are as follows:

- (a) That it is expedient in the national interest that the man should, instead of being employed in Military Service, be engaged in other work in which he is habitually engaged.
- (b) That it is expedient in the national interest that the man should, instead of being employed in Military Service, be engaged in other work in which he wishes to be engaged and for which he has special qualifications.

- (c) That it is expedient in the national interest that, instead of being employed in Military Service, he should continue to be educated or trained for any work for which he is then being educated and trained.
- (d) That serious hardship would ensue, if the man were placed on active service, owing to his exceptional financial or business obligations or domestic position.
- (e) Ill health or infirmity.
- (f) That he conscientiously objects to the undertaking of combatant service and is prohibited from doing so by 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.

No Claim for Exemption should be put forward unless one or other of these grounds in fact exists, and no loyal citizen should assist in, or allow himself to be made a party to, any Claim for Exemption unless thoroughly satisfied that it is made in good faith.

All Claims for Exemption will be disposed of by local tribunals established for the purpose to the number 1,250 and upwards throughout the Country.

Each of these tribunals consists of two members, one of whom is appointed by the County Court or District Judge, and the other by a Board of Selection established by the House of Commons and the Senate and nominated half by the Prime Minister and half by the Leader of the Opposition. These tribunals are entirely non-partizan and non-military and their local knowledge should enable them to deal intelligently and justly with the claims that come before them.

Provincial appellate tribunals and a central appellate tribunal for the whole of Canada are also provided to secure uniformity of interpretation in the application of the law.

No man will be required actually to join the colours till after a date which will be fixed by the Proclamation sufficiently late to permit the local tribunals to dispose of

most, if not all, applications for exemption which may come before them.

No one will gain any advantage by delay in Reporting for Service, nor will prompt Report result in any disadvantage.

Medical Boards are now in session at suitable centres throughout the Dominion. Any member of the first class, desirous of ascertaining immediately whether he is physically fit for service or not, may attend before any one of such Boards at any time convenient to himself and be examined free of charge. Information as to the time and place of the Sittings of these Boards will be found in the Daily Press. Certificates of physical unfitness issued by these Boards will be accepted by Exemption Tribunals when they sit, without further investigation. Men found physically fit who have ~~been~~ reported for service may nevertheless apply for exemption on any of the prescribed grounds including the ground of ill health or infirmity, if dissatisfied with the conclusion of the Medical Board.

The purpose of this circular is to furnish those affected by the Military Service Act with early information as to its effect and operation. It is not intended to relieve them from the necessity of familiarizing themselves with the provisions of the Proclamation of the Governor-General in Council, which will issue in due course, and will prescribe in detail the procedure above outlined and the consequences of failure to obey the requirements of the law.

The Proclamation in question will be published extensively, but personal notice to those affected will not be possible and they are advised to watch for the appearance of this Proclamation.

**Issued by Military Service Council.**

M.S.A.—18.

Ottawa, September 26th, 1917.

CANADIAN PACIFIC RAILWAY COMPANY

SERIAL No.

CONSECUTIVE No.

MILITARY SERVICE ACT, 1917

Montreal, November 9th, 1917

For the information of the various Tribunals acting under the above Act, in dealing with applications from this Company for the exemption of certain employees comprised in Class 1, we beg to submit the following:

These applications have been made after a careful and complete scrutiny made with the object of seeing that employees whose continuance in the service is essential to the maintenance of transportation, secure exemption, but keeping in mind the paramount National interest of rendering available for Military Service all qualified men who can be spared.

Of the employees subject to the Act, we have asked for the exemption of 2,856, classified as follows:—

	Subject to Act.	Exemption requested.
Trainmen.....	817	811
Yardmen.....	242	231
Enginemen.....	862	856
Agents and Operators.....	401	398
Maintenance of Way employees.....	674	74
Shopmen.....	1075	449
Miscellaneous employees.....	2128	37
Total.....	6199	2856

As will be noted, the list comprises only men engaged in operation and maintenance. It does not include clerical workers, employees of the Traffic Department, Commercial Telegraph Department, Hotel Department or other departments, who, although essential to the conduct of the Company's operations from a business point of view, are less essential to the National service of transportation.

The Maintenance of Way employees and Shopmen for whom we are asking exemption are a small proportion of the employees of these classes in the service, and we have selected only those whom we consider absolutely essential to maintain the track and rolling stock in sufficiently good condition for safely handling traffic.

From our records it appears that we have in our service approximately 29,000 men between 20 and 34 years of age, including married and unmarried, and of these it will be seen that we are asking exemption for not quite ten per cent.

Employees whose exemption is sought are skilled and experienced workmen whose places cannot be filled by new men and from which women are excluded by physical incapacity.

Nor could, without serious detriment to the service, these positions be filled by drafting from the ranks of those ineligible for Military Service, as to do so would simply leave vacancies elsewhere in the same class of work, which we could not fill.

At the outbreak of the War we had upon our payroll approximately 85,000 employees—this including a considerable number of women. Since that date there have enlisted for Military duties 6,959 or eight per cent, and, in addition to this, several thousand aliens have left our service, having, as military reservists, been called to the Colours of various Allies.

All of these men who have gone to the Front have been taken from our younger and more active staff, and their loss has been seriously felt, as, owing to the large number of men who have left Canada for the Front, and to the great activity in the production of munitions of War, it has been found difficult, and in some cases, impossible to properly replace them.

We are, at the present time, employing all the men who return from the Front, who are capable of filling positions, and we propose to continue to do so, but, so far, men fitted for railway work have not been returning in any great numbers.

It must not be forgotten that when the War broke out, business in Canada was at a very low ebb, and for several years prior thereto, our staff had been gradually reduced so that the number of employees then upon our payroll was practically the minimum for a number of years.

Since the outbreak of the War we have been called upon to transport, in addition to ordinary traffic, enormous and increasing quantities of men, munitions and supplies, and have met with great difficulty in procuring and retaining efficient staff with which to perform the work. It is to enable us to continue our efforts to properly handle this traffic that we request favourable consideration of our application for exemption of certain employees in the National interest.

Vice-President.

# DOMINION DEPARTMENT OF AGRICULTURE

## LINCOLN COUNTY REPRESENTATIVES

Appointed by the Government to Investigate and Appeal, if necessary, of Hardship  
in the Conscripting of Farmers' Sons and Farmers' Help

**H. ST. CLARE FISHER**  
Queenston  
Residence Phone No. 431-r 4

Office Phones Nos.  
79 and 340  
St. Catharines

**J. B. FAIRBAIRN**  
Beamsville  
Residence Phone No. 38-r 13

Name \_\_\_\_\_

Address \_\_\_\_\_

Serial No. \_\_\_\_\_

Consecutive No. \_\_\_\_\_

Tribunal No. \_\_\_\_\_

Age \_\_\_\_\_ Father's or Employer's Age \_\_\_\_\_

Size of Farm \_\_\_\_\_ Orchard Acreage \_\_\_\_\_ Bush. Wheat \_\_\_\_\_

Bush. Other Grain \_\_\_\_\_ Hogs \_\_\_\_\_ Fat Cattle \_\_\_\_\_ Sheep \_\_\_\_\_

Milking Cows \_\_\_\_\_ Tons of Hay \_\_\_\_\_ Clover Seed \_\_\_\_\_ Roots \_\_\_\_\_

Corn \_\_\_\_\_

Other Help Employed \_\_\_\_\_

Remarks : \_\_\_\_\_

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Character of Exemptions Granted to Mennonites and Tunkess  
who requested complete exemption on account  
of their non-resistant faith.

- I. Local Tribunals granted "Exemption from Combatant service on account of religious belief."
  1. Application to Dist. Tribunals for complete exemption, were disallowed or Dismissed.
  2. Dist. Tribunal changed a few appeals as follows,-
    - a. "Allowed on farm, and exempt from combatant service as Mennonites
    - b. "Allowed as a farmer and from combatant service.
    - c. "Allowed as a farmer."
  3. A number applied to Dist. Tribunal for complete exemption and received no report.
  4. Applications for appeal to Central Appeal Judge,
    - a. Majority refused appeal.
    - b. A number applied the second time and were allowed.
  4. Appeals to Central Judge,
    - a. Record of only three,- Total exemption refused.
    - b. Majority have received no report.
- II. Local Tribunals granted "Exemption as Farmers, or "While remaining on the farm."
  1. Class of exemptions specified,
    - a. As a farmer, or on the farm.
    - b. As a farmer and from combatant service.
    - c. As a farmer, also on account of religious belief.
    - d. Until he ceases to be a farmer.
    - e. Until date mentioned.
    - f. As a farmer, not called upon for duty as a soldier.
  2. Appeals from these decisions to the Dist. Tribunals for total exemption were treated as follows,-
    - a. No decision.
    - b. Dismissed.
    - c. Changed to Exemption from combatant service.
    - d. Allowed exemption while engaged as a farmer and from combatant service
  3. A few appeals for permission to Appeal to Central Judge, Disallowed.
- III. Local Tribunals specified exemptions as "Granted" or "Allowed."
  1. Appeals from these decisions to the Dist. Tribunals for total exemption were treated as follows,-
    - a. Exempted while engaged in farming.
    - b. Disallowed.
    - c. Exempted while in present occupation.
    - d. Allowed from combatant service on account of religious belief.
- IV. Local Tribunals granted Exemption because of religious belief; not specifying the belief, nor from what service exempted.
  1. Appeals from this decision to the District Tribunal for total exemption answered as follows,-
    - a. Exemption from combatant service on account of religious belief.

V. Local Tribunal refused exemption.

1. Appeals to the District Tribunal from these decisions and for total exemption, were treated as follows,-

- a. Exemption allowed.
- b. Exemption allowed as a farmer and from combatant service on account of religious belief.
- c. Allowed on farm.
- d. Allowed until Class II is called by proclamation, if remaining on the farm.

VI. Local Tribunals gave limited exemption, "Until Category E is called.

VII. Local Tribunals specified exemptions as "Allowed, Number 8" or "Class 8."

VIII. Local Tribunal granted exemption as "Allowed while in present employment."- \Employment not specified./

1. Appeal direct to Central Judge,- "Disallowed."

IX. Application to Local Tribunal for exemption, received no answer.

X. Local Tribunals granted exemptions as follows,-

- a. Granted,-Mennonite.
- b. Allowed,- Mennonite.

These were not further appealed, believing them to have been given as the interpretation of the Act in accordance with the decision of the Military Service Council regarding Mennonites.

XI. A few appeals made direct to the Military Service Council by citizens of Canada in the United States, were acknowledged, but no further decision given.

Mennonite Archives of Ontario

**O H M S.**

R. M. COULTER,  
*Dy. P. M. Gen'l.*

**ACKNOWLEDGMENT  
OF  
RECEIPT  
(A. R. FORM.)**

Postmark of Delivery Office

and Date of Delivery

**GLYN OSLER, Esq., K.C.,**  
*Registrar under the Military Service Act, 1917.*

**TORONTO,  
ONT.**

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The Postmaster who delivers the registered letter must see that this card is properly signed, legibly postmarked and mailed to the above address, without envelope or postage.

M. S. A. 22.



Mennonite Archives of Ontario

Name .....

Address .....

To be filled in by Tribunal.

CONSECUTIVE NO. ON SCHEDULE	SERIAL NO.
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Received from the postmaster registered letter No.....

Date of Delivery.....191.....  
(To be filled in by person signing receipt)

.....  
Signature of addressee

M.S.A. 1 E.

CANADA. MILITARY SERVICE ACT, 1917 No 59598 BC

CLASS I.

CLAIM FOR EXEMPTION.

APPLICATION IS HEREBY MADE FOR THE EXEMPTION FROM MILITARY SERVICE OF

Name in full (given names in full first).....

Residence ..... Post office address to which notices may be sent, including street and number, if any .....

A bachelor, or widower without children, and a British Subject. Aged.....years, having been born on the.....day of.....18

Present occupation.....

Present employer, if any.....

Address of employer.....

Business of employer.....

Exemption is claimed for the reason marked with a cross (X)

Place cross (X) here.

Place cross (X) here.

Table with 4 rows and 2 columns. Row 1: Importance of continuing employment in habitual occupation. Row 2: Importance of employment as 1 for which he has special qualifications. Row 3: Importance of continuing education or training. Row 4: Serious hardship owing to exceptional financial obligations. Column 1: 5. Serious hardship owing to exceptional business obligations. Column 2: 6. Serious hardship owing to exceptional domestic position. Column 3: 7. Ill health or infirmity. Column 4: 8. Adherence to religious denomination known as 2 of which the articles of faith forbid combatant service.

By whom application is made (man or employer, or near relative of man).....

If this application is not made by the man himself, give reason.....

Signature of the person by whom the application is made:

Address.....

1 Fill in the special occupation. 2 Fill in the name of the religious denomination.

M.S.A. 2 E.

CANADA. MILITARY SERVICE ACT, 1917 No 59598 BC

POSTMASTER'S RECEIPT FOR CLAIM FOR EXEMPTION FROM MILITARY SERVICE

Signature of man on whose behalf the application has been made

To be delivered to applicant and retained and signed by him, if applicant has applied on his own behalf, or, if application has been made by applicant on behalf of some one else, to be handed by applicant to the man concerned, signed by the latter and produced at any time on request.

The application for the exemption from military service of.....

(Name in full)

whose Post Office address is given as.....

has this day been handed to me and this is the counterfoil of that application and bears the same number.

Signature

M.S.A. 32.

CANADA.

MILITARY SERVICE ACT, 1917.

Notice of Disposition of Claim for Exemption.

To.....

St. and No.....

City or Town.....

Serial No.

Consecutive No. on Schedule

[Redacted box for Serial No.]

[Redacted box for Consecutive No. on Schedule]

You are notified that the Claim for Exemption from Military Service made on behalf of ..... has been considered by ..... Local Tribunal No. .... under the Military Service Act, 1917, and that the decision of the Tribunal was that exemption be:—

Any communication on the subject of this notice is to be sent to .....

..... addressed to "The Registrar under the Military Service Act, 1917."

A copy or copies of this decision was or were (Strike out method not used.) (a) Handed to the Claimant personally; (b) Sent to the Claimant by registered mail } on the .....

day of ..... 1917. Notice of it has also been given to the Military Representative.

..... Member of Tribunal. Member of Tribunal.

N.B.—See other side of this sheet for instructions and explanations.

INSTRUCTIONS TO TRIBUNAL.—One copy of this notice is to be delivered or sent by registered mail to each applicant, and another is to be sent daily to the Registrar (or Deputy Registrar) under the Military Service Act, in whose jurisdiction the local tribunal sits, attached to any papers which may have been received by the tribunal in connection with the application and a memorandum of any oral evidence heard before it.

If the man is not on the schedule, a form of claim for exemption MSA 1 will be filled out and the proper particulars will be entered in the schedule furnished by the Registrar to the Tribunal. The serial number of the form of claim for exemption so filled out and the consecutive number of the added entry on the schedule will be inserted in the appropriate spaces on this notice.

INSTRUCTIONS TO CLAIMANT.—If the application for Exemption has been dismissed, an order with regard to the time and place at which the man concerned is required to report himself to be placed on active service will be sent to him in due course, and he will be furnished with transportation for his journey to his battalion.

If the Claim for Exemption has been allowed a Certificate of Exemption will be sent to the man within about six weeks. This Certificate will be valid upon the conditions specified or for the time limited by the decision or until the men in the medical category in which the man has been placed are required to again report themselves.

If exemption has been granted until the services of the men of the Medical Category in which the man has been placed are required, and the services of the men in that Medical Category are hereafter called for, an opportunity will then be given to put forward any ground of exemption already urged, as well as any that may arise in the interval.

If you desire to appeal you must give notice in writing of the grounds upon which you base your appeal to "The Registrar under the Military Service Act, 1917" at the place stated above.

This notice must be postmarked not later than the third day after the delivery by the Post Office of this advice, or your appeal cannot be heard. It must also refer to the serial number and consecutive number on schedule which appear at the head of this Notice.

If, by reason of any delay in the delivery of this Notice to you, it reaches you so late that you cannot give notice of appeal within twenty (20) days from the date of the dispatch of the notice, then you must, in addition to the grounds of your appeal, give the reasons for the delay in the delivery, if you know them. If the delay in delivery was your fault, your right of appeal is gone, and it is only if the delay in delivery was not due to you, that your appeal can be considered.

If you give a notice of appeal, you will be advised by the Registrar in due course, as to the time when it will come on for hearing before an Appeal Judge.

Any communication on the subject of this notice is to be sent to  
addressed to "The Registrar under the Military Service Act, 1917."  
A copy or copies of this decision was or were  
(a) Handed to the Claimant personally  
(b) Sent to the Claimant by registered mail  
not used.  
day of \_\_\_\_\_ 1917.  
Notice of it has also been given to the Military Representative.  
Member of Tribunal.  
Member of Tribunal.  
N.B.—See other side of this sheet for instructions and explanations.