

What Happens Under The Conscription Act

Military Service Bill as Discussed and Amended Explained in Language Free From Legal Phrasology—What the Exemption Clause Means—Local Tribunals Distinct From "Reporting"—Various Appeals Elucidated and Procedure Outlined

(Toronto Star) Here is a plain-language story of how a citizen liable to conscription will fare under the military service act, provided the measure becomes law in the form in which it was left by committee yesterday. It is a complicated bill, and after it is passed, will be supplemented by many regulations as to details. The following article is compiled from a study of the bill itself and from answers given by the ministry in the house. The Star will cheerfully answer questions upon points not covered in this article, if such are sent to the Telegraph Editor. Staff Correspondent. Ottawa, July 18.—This is what happens to John Doe under Canada's military service act. And it will happen to him whether he spells his name Doe, D'Eau or Dough. French or English, rich or poor, he will fare the same, so long as he is a British subject resident in Canada. John is a single man between the ages of 20 and 34; that is, he is included even if he was born as long ago as January 1, 1883. He belongs to the first class, and perhaps the only class which will be called out under Canada's new conscription law. If John is a widower without children, or is a divorced man without children dependent on him, he is considered unmarried. To follow John's career it has to be presumed that the bill has gone through parliament, has been assented to by the governor-general, and has become law. If, since that assent, any man or newspaper has been urging John to evade the provisions of the act, that man or newspaper has become liable to penalties ranging from ten dollars up to a \$500 fine and one year's imprisonment, or, in the case of the paper, to suppression. But let it be supposed that John has not been influenced in this way; perhaps has been thinking very little about the conscription law at all. When He Sees the Call One day he reads in his newspaper, or sees on a poster, a proclamation which calls his class to the colors. This proclamation tells him that if he desires to claim exemption he must go before a local tribunal upon a day named, at a certain place not too far from where he lives. If he makes no claim he must "report," that is, he must go to some military authority who is named in the proclamation, at a date later than that on which the local tribunal sits. It is important to remember the distinction between going before a tribunal, which is only necessary in case an exemption is claimed, and "reporting," which is the later process, and consists of reporting one's self to the militia, so as to be placed on service later. Presuming that John reports without attending the tribunal, the only reason upon which he is likely to be exempted would be the discovery of some physical defect



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lends his own, is subject to imprisonment of not more than six months. If a certificate is lost, a duplicate will be issued for fifty cents. A man who claims to be exempted must be able to produce his certificate whenever a peace officer requires it, or he is liable to be fined as much as \$100 or imprisoned for as long as one year.

When He Appeals But to get back to John Doe. Suppose that he does not get his exemption and wishes to appeal. Or suppose that he does get it and the representative of the militia department who attends each local tribunal enters an appeal. Then John's case is regarded as not concluded and he does not have to report when the day for reporting arrives. His appeal is forwarded to an official known as the registrar, and the latter decides where it shall be heard. Each court of appeal which hears such cases will consist of only one man, and a higher court. In either case he is the appointee of the chief justice of the province. John Doe must go before whatever one of these appeal judges the registrar names. Having been before one local tribunal, he cannot go before another such (penalty \$100 to \$1,000), but must take his chance before the appeal court.

The proceedings before this body may partake more of the nature of a re-trial than an appeal. John may have a new witness, or the militia department may have one. Technicalities and formalities will be taboo. The main object of the court will be to get at the facts. The decision of the appeal court will, in most instances, end the case. There is, however, a second appeal for either John or the militia department if the conditions of the case are such as will be outlined in regulations yet to be made. These are to be drawn up by the central appeal judge, who is to be a member of the supreme court and who will be appointed or re-appointed by the court of the supreme court to assist. He is the court of last resort and his decision is absolutely final.

At the Final Decision If John Doe carries his case that far and is exempted, the decision stands. If he is not exempted, to the war he must go. No habeas corpus or injunction mandamus or certiorari will avail against the tribunals which have considered his case. He may be sent to the navy. That will hardly be probable unless he has special qualifications. He may even go into the Flying Corps or the artillery. But mostly he will be allocated to the infantry. Any wishes in the matter which he expresses will be "considered," but not necessarily followed. "Bayonets" are the need of the hour, and most "Johns" will have no choice. After drying salt for table use, do not fill the salt cellars until the salt is quite hard; otherwise it will harden in a lump.

TWO-THIRDS OF CANADA FOR TIMBER CROPS (From Canadian Forestry Association.) One of the surprises to those visiting Europe in peace times is the method by which all lands are carefully examined and put to work according to their capacity. No farmer is permitted to locate on non-agricultural soil, and at the same time, good farming soil cannot be retained under such a crop as timber. Canada has only made a beginning at applying such a policy of business efficiency in the use of the nation's natural resources. Thousands of farmers are today treading to farms that produce only a few dollars an acre, their efforts and ambitions practically wasted in a time when man-power is at a high premium. Taking the whole of Canada's area, more than two-thirds will never produce field crops, and the bulk of the two-thirds will prove profitable under only one crop, namely timber. All efforts for the protection of the forests against fire and other forms of needless waste aim to keep in a productive condition those millions of acres that can never grow field crops. Canada holds a tremendous natural advantage in her forests, but from the beginning of the last century about two-thirds of the original inheritance has been destroyed by fires. Nearly all modern countries have put an end to forest fires by carefully organized protective systems.

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neighborhood, where he can do more to help win the war than if he went to the front. In that case he can be allowed to take the position in question if he so wishes. If John is a college boy or undergoing some other form of education or training he may get an exemption for a limited time only, if he can show that it is in the national interest. A case in point would be that of a student approaching the end of his term, and liable to lose the course he is taking if he does not complete it. There is another, and very important, exemption possible. John may be able to prove that serious hardship would ensue if he were placed on active service, owing to his exceptional financial, business obligations or domestic position. It will be noted that the word "obligations" means what it says, and therefore means liabilities and not assets. It does not excuse the rich man. Exemption for "domestic position" would likely be granted to such cases as the only son of a widowed mother, but this would be for the tribunal to decide. The act gives the central appeal judge, with the cabinet's consent, the power to make regulations to secure uniformity in the findings of the various local tribunals. In Case of Ill-Health. If a man's health or an infirmity may get John Doe exemption. The court will have him physically examined, though presumably not by a military doctor. If he does not get exemption from the court, he may still be rejected by a military doctor, whose reports, if he is a man with an obvious infirmity, there will be no need for a doctor at all. He will forthwith be sent on to the tribunal. He may present, if he so desires, the certificate of his family physician, but this will naturally be taken into consideration by the court, especially if it tells of tubercular paraffin, or something of that sort, but there is no obligation upon the court to accept it. If John is so foolish as to make false statements in seeking this or any other form of exemption, he makes himself liable to imprisonment not exceeding five months with hard labor. If a doctor issues to him a false certificate he likewise is liable to the same penalty. John Doe may be a Mennonite or a Doukhor, or a Quaker, or a member of some other well recognized religion which specifically prohibits its people from taking part in combatant military service. In that case, he will be exempted from service in a combatant unit. But it will not be sufficient for him to say that he has conscientious objections to war. He must show membership in good faith in one of the well-recognized sects whose teachings prohibit him from fighting. He cannot get exemption on the general ground that all Christian churches teach "Thou shalt not kill."

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