

The Conscription Bill

The Government bill for conscription under the title "The Militia Service Act, 1917," commences with a recital of the compulsory service provisions of the Militia Act passed in 1904. It recites the clauses of that Act which render the militia liable to be sent for service in or out of Canada for the defence thereof. It explains that, owing to the large voluntary enlistment of those who otherwise would be producers in Canada and to the necessity of maintaining production at the highest possible limit under such circumstances, the method of drafting men as provided in the Militia Act is unwise and imprudent, and that the men now required should be secured by a process of selection. The bill provides for securing reinforcements, which, unless Parliament further authorizes, are not to exceed 100,000 men. It sets out ten distinct classes from whom drafts will be selected. These classes will be called out in the order named. They are as follows:

Class 1—Those who have attained the age of twenty years and were born not earlier than the year 1894, and are unmarried, or are widowers but have no child.

Class 2—Those who were born in the years 1889 to 1893, both inclusive, and are unmarried, or are widowers but have no child.

Class 3—Those who were born in the years 1883 to 1888, both inclusive, and are unmarried, or are widowers but have no child.

Class 4—Those who have attained the age of twenty years and were born not earlier than the year 1894, and are married, or are widowers who have a child or children.

Class 5—Those who were born in the years 1889 to 1893, both inclusive, and are married, or are widowers who have a child or children.

Class 6—Those who were born in the years 1883 to 1888, both inclusive, and are married, or are widowers who have a child or children.

Class 7—Those who were born in the years 1876 to 1882, both inclusive, and are unmarried, or are widowers who have no child.

Class 8—Those who were born in the years 1876 to 1882, both inclusive, and are married, or are widowers who have a child or children.

Class 9—Those who were born in the years 1872 to 1875, both inclusive, and are unmarried, or are widowers who have no child.

Class 10—Those who were born in the years 1872 to 1875, both inclusive, and are married, or are widowers who have a child or children.

In its remaining essential points the bill provides:—

(2) For the purpose of this section, any man married after the day of —, 1917, shall be deemed to be unmarried.

In his speech Sir Robert Borden announced the day as June 11.

(3) Any class, except class 1, shall include men who are transferred thereto from another class as hereinafter provided, and when who have come within class 1 since the previous class was called out.

(4) The order in which the classes are described in this section shall be the order in which they may be called out on active service, provided the Governor-in-Council may divide any class into sub-classes, in which case the sub-classes shall be called out in order of age, beginning with the youngest.

Shall Report for Active Service.

5. (1) The Governor-in-Council may from time to time by proclamation call out on active service as aforesaid for the defence of Canada, either in Canada or beyond Canada, any class or sub-class of men described in section four, and all men within the class or

sub-class so called out, shall, from the date of such proclamation, be deemed to be soldiers enlisted in the military forces of Canada, and subject to military law for the duration of the present war, and of demobilization thereafter, save as hereinafter provided.

(2) Men so called out shall report and shall be placed on active service in the Canadian Expeditionary Forces as may be set out in such proclamation or in regulations, but until so placed on active service shall be deemed to be on leave of absence without pay.

(3) Any man by or in respect of whom an application for exemption is made as hereinafter provided shall, so long as such application or any appeal in connection therewith is pending and during the currency of any exemption granted him, be deemed to be on leave of absence without pay.

(4) Any man who is called out and who, without reasonable excuse, fails to report as aforesaid to remain on active service where placed shall be guilty, according to the circumstances, of deserting within the meaning of section twelve of the Army Act, or of absenting himself without leave within the meaning of section fifteen of the Army Act, shall, besides being otherwise subject to military law, be liable (a) to be tried by court-martial and convicted and punished by imprisonment, or (b) on summary conviction to imprisonment for any term not exceeding two years.

Local and Appeal Tribunals.

(1) There shall be established in the manner hereinafter set out the following tribunals:

- (a) Local Tribunals.
- (b) Appeal Tribunals.
- (c) A Central Appeal Judge.

(2) Any tribunal may hear evidence on oath or otherwise, as it may deem expedient, and for performance of its duties shall have all the powers vested in a Commissioner under part 1 of the Inquiries Act.

(3) The Governor-in-Council may, upon the recommendation of the Central Appeal Judge, make regulations with respect to the establishment, constitution, functions and procedure of the said tribunals, and such regulations may contain provisions for securing uniformity in the application of this Act.

(4) In so far as provision is not otherwise made, the procedure of the tribunal shall be such as is determined by the tribunal.

(5) No member of any tribunal shall be responsible at law for anything done by him in good faith in the performance of his duties under this Act, and no action shall be taken against any member of a local tribunal, or an appeal tribunal in respect of the performance or non-performance.

For a Non-partisan Hearing.

There are to be three tribunals. First of all, local tribunals, composed of two persons, are to sit in each locality wherever designated by the Minister of Justice. One of these two men is to be chosen by the Senior County Court Judges of the district where the tribunal first sits. The other is to be chosen by a Board of Selection, and this Board of Selection is to be named, not by the Government, but by Parliament.

The Premier's intention is that it shall be composed of men acceptable to both and all elements of political faith. These local tribunals shall hear applications for exemption, and the principles upon which they shall act are set out in the bill.

Boiled down, they require that the tribunals shall decide whether or not the man who asks for exemption is best serving the national interests at the work he is at or in military service.

The next tribunal is called the Appeal Tribunal and is composed of one Judge of any court to be designated by

the Chief Justice of the Province where the appeal is entered. Any applicant for exemption, and anyone authorized by the Militia Department, has free right of appeal to this appeal tribunal.

Supreme Court Judgment.

Above the appeal tribunals throughout all the Provinces there is a Central Appeal Judge. This Central Appeal Judge is to be chosen from the present Supreme Court of Canada. He is to determine by regulation the conditions upon which appeal may be made to him. Provision is made for providing the assistance of other Judges for the Central Appeal Judge on his recommendation. It will thus be seen that the exemption provisions aim at the fair and impartial and, what is not less important, the uniform application of the exemption clauses throughout the whole of the Dominion.

A Registrar is to be appointed for each Province, whose duty it will be to receive appeals and allocate them by districts for the convenience of the Chief Justice in the selection and allocation of the appeal tribunals.

Those Who are Exempt.

Certificates of exemption that may be granted are evidently intended to be, in the main, conditional certificates. Men may be exempted for a limited time, or pending the happening of some event. They may also, in proper cases, be placed in the class next in order, and required to report for duty when such class is called. Applications for exemption may be made by one person on behalf of another, and may be made to any local tribunal in the Province where the applicant resides. A local tribunal, once chosen, however, by an applicant, cannot be afterwards changed.

There are also exempted clergy and ministers of religion and certain members of the Mennonites and Doukhobors promised exemption by the Dominion in 1873 and 1898.

When the class to which any man belongs is called out, each member of that class becomes a member of the militia, subject, of course, to apply. The expense and delay of registration are avoided and apparently at the same time the objects of registration are to be attained. There are only sixteen sections in the bill.

CORRESPONDENCE

Winnipeg Telegram.

At a convention of the S. D. P., held here last night, it was unanimously decided to endorse the Dominion Executive Committee resolution (re conscription).

J. BROWN.

Montreal Telegram.

Send two thousand special of anti-conscription number of Forward immediately.

R. BUHAY.

Kitchener, Ont.

The reports that anti-conscription meetings in Kitchener were broke up by soldiers are untrue. On May 26 a mass meeting was held on the Market Square. The speakers were M. Smith and Lorne Cunningham, of Guelph. Attempts at interruption by a few soldiers were not tolerated by the crowd, which was estimated at from 1,500 to 2,000.

An indoor meeting was held next evening, with the same speakers. Hundreds who could not get admission to the hall lined the streets. The meeting was carried on as planned, the only disturbance coming at the end. Many soldiers were present.

The Kitchener Socialists succeeded admirably in bringing forward their views and organizing a tremendous sentiment against conscription. Restrictions have been placed upon their meetings by the police. Despite threats and opposition the local is growing. We had every success in our initial effort, and though the authorities recognize our

meetings as "legal," the right to assemble has little reality. Mob violence, threats, organized ruffianism, hold the day. In view of this Kitchener local has already adopted "Russian tactics." It is evident that capitalist "liberty" is working-class slavery.

Local Dovercourt, No. 7.

Toronto.

A study class is being held on Sunday at 2.30 p.m. at 165 Van Horne St., and will be continued. Comrades are advised to take advantage of this. Ability to state the case for Socialism is now more urgent than ever.

J. CUNNINGHAM,
Secretary.

RUSSIAN METHODS FOOLED THE POLICE

A crowd of two thousand people attended the meeting of the Anti-Conscription League, held in Alexandra Park, Bathurst and St. Patrick Streets, last night. The gathering was orderly, and the remarks of I. Bainbridge, the only speaker, were applauded. One or two soldiers were present, but they did not make any hostile demonstration. The following resolution was adopted:

"Resolved that this mass meeting of Toronto citizens do hereby protest against the introduction of the compulsory military service bill and condemn it as being detrimental to the best interests of the citizens of this country, and whereas militarism has proven itself to be the greatest enemy of social democracy in every part of the world, therefore be it further resolved that we, citizens in mass meeting assembled, will use all the legitimate means within our power to prevent the enactment of such legislation, and that a copy of this resolution be sent to Premier Borden and Sir Wilfrid Laurier."

Mr. Bainbridge quoted statements of Augustus Fitz George, son of the late Duke of Cambridge, Lieut.-Colonel Maxwell, Colonel A. Lee, Major Turner and Sir Alfred Mond to show that conscription was a valuable asset to those who wished to crush trade unionism, and it would undoubtedly have the same effect in Canada if enacted. He protested against the "assumed democracy" of a government which would take the power into its own hands of passing such legislation without a referendum vote of the people.

Conscriptionists Not Eligible.

He criticized the action of men who were advocating conscription from the platform who in the main were not eligible for military service themselves, he said, or would be exempt according to certain provisions for exemption. The statements that had appeared recently in a Toronto paper that Socialists in Chicago had brought about the death of several innocent citizens in that city, he characterized as absolutely untrue. The fact of the matter was that the three men referred to, whose names were not mentioned, were not members of the Socialist party, but belonged to the society known as the Industrial Workers of the World, who believe in direct action, which principle the Socialists entirely repudiated.

He challenged the audience to show even a single instance where the Socialists in Canada had ever adopted such tactics. All their meetings were carried on according to the rules of parliamentary procedure and the law was strictly adhered to. He further criticized the lack of action on the part of the military authorities in permitting the breaking up of properly organized and legitimate assemblies of citizens, met to consider a matter vital to the life of Canadian people. He predicted that if the measure were put to a vote of the people, it would be defeated as recently had been the case in Australia.