

APPEAL TRIBUNALS HAD BUSY DAY

Urgent Nature of Call for Service Influences Judges in Refusing Claims.

Farmers who have been granted exemption by the local tribunal must not come to the conclusion too hastily that they will not have to report for military service within the next few weeks. This fact was brought out in the four appeal courts which sat at the court house yesterday afternoon. The Carman and Fannystelle districts provided a number of cases where exemption had been granted to farmers, whom it was now decided by Judge Galt had no right to be at home considering the urgent nature of the call from the trenches in Flanders. Judge Galt also expressed the opinion that there were plenty of returned soldiers who could be of valuable assistance in releasing men from farms by looking after stock. "Any man with brains can feed cattle or horses," said his lordship.

Some Farmers Who Will Go

In the case of Edward Joseph McDermott, Fannystelle, the appeal of the military authorities was allowed, which means that instead of being exempt until June 1, as ordered by the lower tribunal, he must report for service at once. McDermott, who did not appear has three brothers on the farm.

Adrien Desilets, farmer, Fannystelle, was another man ordered to report for service on the application of C. S. Sutherland and Lieut. Owens military representatives.

One Brother Must Go

Two brothers named Salter are farmers at Graysville. Judge Galt ruled that either Percival or Richard must go. Both are A2 men. Percival must go and Richard can stay on the farm.

Alma William Polas, of Fannystelle, was granted exemption until June 1. He claimed to be indispensable on his father's farm, but this was not agreed to by the military representatives.

"Godsend" to Community

"This appears to be a pretty strong case," said Judge Galt in the case of Harry Bain, Carman. The appellant did not appear in person, but sent a letter saying he had three brothers already in the army and "that ought to be enough for one family."

"I think it would be a Godsend to the community to put this man in the army," interposed the military representative.

The judge read several letters, including one from the mayor of Bredenburg, Sask., which went to support the military authorities' claim. Bain's mother lives in the old country and he is stated not to be supporting her in any way.

The judge ordered that Bain go to war.

A. M. Ferris, one of four brothers, living on a farm at Carman, was also ordered to go on the appeal of the military representatives. A brother of Ferris is being granted exemption in another court.

Samuel Stanley Tummon, farmer, of Sperling, is another man who had been exempted to June 1, but who is ordered by Judge Galt to report immediately for service.

The evidence of the military men went to show that he had talked of being very much averse to conscription and "if they wanted him to go they would have to fetch him." A man named Sparling, who employed Tummon in his store, was stated to be a wealthy man possessing two daughters who could help him in the store.

"Under those circumstances I'll allow your appeal," said the judge to the military representative.

An Elm Creek man, Wm. Harvey, is to go to war, provided he is medically fit. He had been granted A2 but declared he was unfit.

Stephen Adams Sperling, who speaks fluent English and would be taken for anything but a foreigner, secured exemption on a mere technicality. He was born of Austrian parents and his grandparents were German. His parents emigrated to Russia, where Stephen was born. He claimed now the Austrian language to be his mother tongue and was allowed exemption under the War Time Election act.

Ernest Anderson, farmer, of Carman, was granted exemption. In this case Mr. Sutherland supported the application, mentioning that a brother was being drafted.

Eli Collin, farmer, Fannystelle, a D3 man, was allowed exemption until his class is called.

Another Brother to Go

Every help is being given by the military authority to allow Solomon Greenberg to take his brother Louis' place in the draft. On Wednesday, Solomon offered to take his brother's place at the front, as his brother's

appeal had been disallowed—the brother was a naturalized Russian while Solomon had never taken out papers, and was therefore not liable for military service.

According to Lieut. T. Carlyle, if Greenberg is classed under medical category A2 he will be enlisted in his brother's place, providing the enlistment is authorized by the Russian vice-consul at Montreal. Owing to an order by the Russian government in May 1915, forbidding the enlistment of their subjects, this step has to be taken, although no difficulties are expected owing to the change of government.

Dairyman Must Enlist

John Malton, has been working with the Netherland Dalry company, Teulon, for only three months; the manager of the company appealed for his exemption owing to the scarcity of labor. Malton claimed he was a producer as he owned a farm which had only 15 acres under cultivation. As this farm was rented to another man, the judge did not consider him a producer so dismissed the appeal.

Military Appeal Successful.

Benjamin R. King, of Bird's Hill, had been granted exemption by the lower tribunal, but on the appeal to Judge Curran today by Lieut. T. G. Kidd military representative, King was ordered to go to war. It was shown that there were three sons on the farm. Last year five acres were sown with potatoes, but the crop was ruined by potato bugs.

Father's Fight for Son.

Alex. Harrower is in khaki in the depot battalion and his father wants to get him back.

John B. Harrower, a well-to-do farmer of Stonewall, appeared before Judge Dawson this forenoon and made a hard but unsuccessful fight.

In the cross-examination, Mr. Harrower stated that he was producing grain as well as keeping a large quantity of cattle. When his wife died he let his two sons go to live with their aunt, Mrs. Polson, who lives on the adjoining farm. Alex. worked on the uncle's farm while the father had a man working for him. The other son is a banker and does not live in the district. The hired man left the farm this fall and reported for military service, so the father is attempting to get the son returned to him.

Lieut. Carlyle: "How does it happen the boy Alex has enlisted if he was wanted so badly?"

"When he was turned down by the tribunal last November, he thought he was gone, so went and enlisted."

Lieut. Carlyle: "Has Alex ever made any attempt to enlist previous to this fall?"

"A few years ago he mentioned the subject to me, and I advised him to wait till he was fully developed. I cannot find help, so I thought I would hold on to him."

Tribunal Member's Version

Mr. Polson, the uncle, stated that Alex was very satisfactory, and always did his work well. On being questioned, he said Mr. Harrower would be seriously handicapped if the boy went away as he was a cripple. Mr. Last, a member of the local tribunal, who has known the boy since childhood, when asked by the military representative whether he considered that it would hurt production to take young Harrower away, emphatically replied: "Not at all; if I had to try him at the tribunal again, I would still disallow his claim. He rides about on his motorcycle during the busy days, and although I have a great respect for the father and relations, I don't consider him a real producer."

Another witness brought by the military was Robert B. Florence, a returned soldier who is farming in the district. Under cross-examination, Florence said: "Previous to my going overseas, Alex, who was my friend, often spoke of joining up, but never did so. During the harvesting this fall, I have often seen him out joy riding on his motorcycle when he should be working, and I consider he is of better value to the country in the army."

Judge Dawson disallowed the appeal, so Alex Harrower will have to stay with the colors.

Too Old at Sixty?

Harry Muscovitz, manufacturing jeweller, said he was the sole support of his aged father.

Judge Curran—How old is your father?

"Sixty."

"Goodness me, I can't think any able-bodied man at sixty could be so mean as to depend wholly on his son."

Appellant admitted his father had property, and after disallowing the claim, the judge said he would like to hear the latter, and adjourned the case until tomorrow.

Judge Myers Adjourns.

In Judge Myers' court very few cases were heard and no decisions were given. His honor adjourned court until tomorrow.

Judge Curran completed his daily list at 12.30, but will sit this afternoon to hear several adjourned cases.

Judge Galt heard seven cases and will sit again this afternoon.

Farmers Must Go.

Several interesting cases were before Judge Galt, involving farm help. One man, Orval J. Clark Elm Creek, had three brothers in khaki, but there were three others working 320 acres. His lordship told Clark there were too many of them on that amount of land and one of them must go. "One of you at least can go," said his lordship.

Another farmers, Aristido Godin, of Fannystelle, who works 290 acres and has a brother at home, was told by the judge: "It seems to me you should go; there are many returned soldiers who can go out and help in looking after the horses on your farm."

Brothers Should Go.

When Alfred Nelson, farmer, of Homewood, Man., told Judge Galt, he

had six brothers, his lordship asked: "Don't you think you should do something for your country?"

"No."

"Well I do: Your claim is disallowed and some of your brothers should go, too. You seem to want to do nothing for your country."

Two Farmers Successful.

In the cases of W. G. Robinson, Carman, and William Gardiner, Springfield, both farmers, they were able to satisfy Judge Galt that they were of more value here than in France. "These men must remember, however, that they must stay on the farm," added the judge.

Wave of Rheumatism.

During the hearing of one case, when the appellant said his father suffered from rheumatism. "I never heard of such a wave of rheumatism which is apparently sweeping over the country at this time," said Judge Curran. This appellant, Joseph Melanson, of the Whitemouth district, also told the judge that if he were drafted his aged parents, who farmed next to him, would starve. "It is a pity some of those French-Canadians can't get out and do a little bit for their country, commented the judge I'll exempt this man to June 1 so that he can put in his crop," said the judge.

More Railway Employees

Another batch of appeals on behalf of the C.N.R. were heard today. W. W. Evans appeared for the company and explained to Judge Curran that a tentative arrangement had been effected, whereby all these men were to be exempted until March 1. In the meantime, the railways will take up the matter of a minimum of help with the authorities at Ottawa. "No railwayman is indispensable, but it is a question of getting the men exempt who will be of the most service at home," said counsel. Five cases of this nature were dealt with by Judge Curran.

Russians Exempted

Alex. Baranowski, 1237 Selkirk avenue, a Russian, was exempted on the ground that he was an alien. Richard Gerhard Patz, 20 years old, another Russian brought his mother to support his appeal. He was born in Russia, and in a letter stating his ground of appeal, said, he "did not want to fight against his own flesh and blood." The mother came to Canada in 1905 from Russian Poland. Despite her 12 years in the country she had to give her testimony through an interpreter.

Does a Dozen Jobs

John Leo Tobin, checker, 124 Hallett street, was told by Judge Curran that he had no grounds for exemption. Asked what he did of national importance, he replied, "I do a dozen things." Finding this plea unsuccessful, he swung to the medical plea, but Nash Phillips, military representative, proved the man had already been re-examined and the second test confirmed the finding of the first board. His father and himself are entirely opposed to conscription, and an anonymous letter to the authorities alleged that two brothers of military age had gone to Portland, Ore., to avoid service.

Tobin also pleaded that he owed "a lot of money."

"How much?" asked the judge. After some hesitancy, Tobin figured the total at \$80.

"Oh, you can pay that easily in four months out of your soldier's pay. No, no; I can't allow you exemption," replied the judge.

What is Minimum Wage?

Much amusement was caused in Judge Curran's appeal court.

Harry Muscovitz is a hefty young man who repairs jewelry, and wanted exemption. When his appeal was disallowed he serenely asked the judge, "I would like to know what is the minimum wage for soldiers?"

The judge was nonplussed, while Nash Phillips, military representative, led a veritable roar of laughter.

Meanwhile the appellant awaited his answer without a smile. He added that his father had property.

"Oh, they will be looked after all right," Mr. Phillips assured him, and Muscovitz appeared quite satisfied.

"If you are good and hefty they will give you \$1.10 per day and your keep and clothes," said the judge, smiling.

Son Versus Father

Pleading that his father was fighting in the German army, Emilie Schindt, a farmer, of Stoney Mountain, claimed, before Judge Dawson, that he had been disfranchised under the War Time Election act as an alien. Owing to Schindt not being able to provide papers supporting his claim his appeal was disallowed, subject to him being able to prove his nationality.

Much trouble has been caused to the military authorities in investigating the appeals of a number of German-Russians, who through having lived in Russia are Russians, but owing to the German language being the dominant language, are alien enemies.

It appears that almost a century ago the Russian government induced a number of Germans to settle in the country, allowing them certain privileges, which they claim renders them of German nationality. Owing to the enumerators having disfranchised these men, they naturally appeal for exemption under the War Time act.