

By Rita Musa

# Wigan's First World War Military Tribunals

Before the First World War there had never been compulsory military service in Britain. The first Military Service Bill became law a century ago in January 1916, following the failure of recruitment schemes to raise sufficient volunteers.

Military service became compulsory for all single men in England, Scotland and Wales aged 18 to 41, except those in work essential to the war effort, sole supporters of dependents, the medically unfit or 'those who could show a conscientious objection'. Later military service laws tightened occupational exemptions, included married men and raised the age limit to 50.

Men could apply to local Military Tribunals for exemption, or appeal against a local decision at County Appeals Tribunals and the Central Tribunal based in London.

Due to the sensitive issues that surrounded compulsory military service during and after the war, only a small number of tribunal papers survive. After the war, the Government gave instruction for all tribunal material to be destroyed, except for the Middlesex and Lothian & Peebles records, which were retained as a benchmark, along with samples from the Central Tribunal. We are fortunate that in the collections at Wigan Archives, the Military Tribunals for Leigh have somehow survived.

Arguments given by applicants to the tribunals are varied, with applications made on medical grounds, on family grounds, on economic grounds and on moral grounds.

A 'Special Meeting' of the Town Council of the County Borough of Wigan was held on 15 February 1916. One of the purposes of the meeting was to appoint a Statutory Local Tribunal for the Borough of Wigan under the Military Service Act. Letters applying for representation were read from Wigan and District Trades and Labour Council, Wigan Chamber of Trade, Wigan Butchers' Guardian Association and Wigan and District Grocers' and Provision Dealers' Association.



It was resolved that the tribunal should appoint ten members.

May 1916 saw reports in the Wigan Observer of the first conscientious objectors to be brought before Wigan Borough Police Court. There were eight men in total. They were arrested as absentees and for failing to report under the Military Act. The defendants were not legally represented and it was reported there was a large crowd in the public gallery.

The names and addresses of the eight defendants were given as follows:

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William Welsby, 9 Dobbs Fold  
Frederick Derkin, 11 Fletcher Street  
William Dakin, 31 Poolstock Lane  
Alfred Stoker, 3 Gidlow Avenue  
Harold Smith, arrested at his home,  
61 Hodges Street,  
Eli E Trotter, 37 Darlington Street  
Richard Worthington, 30 Kenyon Road  
Osmond Bolton, 20 Chancery Street

It was not just individuals that could appeal to a tribunal. Businesses could apply on behalf of employees. A well-known, unnamed Wigan ironmonger applied for the exemption of a 38 year old tool specialist on the grounds that he was indispensable and that the company was supplying munition works and reserved trades with equipment. He was given exemption as long as he remained at his present position.

A representative of the Amalgamated Association of Master Cloggers appeared on behalf of a 21 year old Master Clogger on the grounds that clogging was on the Board of Trade's reserved list. The Military Authority said they had no official information to that effect. The matter was adjourned for a week whilst information was obtained; the outcome is unknown.

Wigan Council applied for exemption on behalf of the Professional Auditor, Reginald G Taylor, who had been called up and after being medically examined was certified for Home Service only. The Town Clerk was instructed to make a representation on the grounds that he would be more useful as Auditor than serving in a sedentary occupation in His Majesty's Forces and that he should be placed on the Corporation's list of Indispensables. The matter was referred to the General Purposes Committee for advice as four members were on the Local Tribunal.

Individuals appealed on economic grounds. A clothing factory employee pleaded that he was the only support of a mother who had been a widow for 23 years. It was calculated by the Military Authority that the mother would have as much to live on if her son went away as she had now. It was also stated that an aunt living with them paid the rent on alternate weeks. The decision was that he had to remain in his group for call up.

Questions were asked on this subject at a meeting of attested married men, held at the Pavilion, Wigan in March 1916. Had not a wife an only husband? Had not children an only father? Could they tell the difference in the positions? What

about every married man and every wife? If he or she were allowed the same privilege as the economic conscript under the law, every married man's wife would have the right of appeal that her husband should be let off because he was her main source of maintenance.

Butcher, Edward Pepper, of 155 Hodges Street claimed absolute exemption as a conscientious objector on account of being a preacher with the Churches of Christ; he had a strong objection to military service of any kind. The Advisory Committee considered that if the applicant could kill a calf or a lamb he was capable of killing a German. They suggested that it was really the loss of his business that was actually troubling him.

The Orrell Tribunal, under the Chairmanship of Mr C Hartley, saw three unnamed attendees appearing as conscientious objectors. The first applicant asked for total exemption on both combatant and non-combatant service. The next applicant, the previous applicant's brother, claimed exemption on the same grounds of duty towards God and that he could not fight or help in any way. The third applicant was described as a local preacher of the Wigan Wesleyan Circuit. In all three cases the applications were refused.

A number of conscientious objectors appeared before the County Tribunal, sitting at Liverpool Town Hall in April 1916. Appeals were dealt with from Ince and Orrell amongst other places. The Lord Mayor of Liverpool complained that people would send letters to him concerning forthcoming cases; they did their friends a great deal of harm and of course no notice was taken of the letters.

A grocer's assistant from Platt Bridge, appealed against the decision of the local tribunal which had passed him for non-combatant service. His grounds of appeal were that he didn't get an impartial hearing and that he was refused the privilege of quoting Scripture to support his case. The appeal was dismissed and the decision of the lower tribunal was confirmed.

John Coop of Lord Street, Hindley, was employed as a co-operative branch manager. His appeal was on the grounds that his parents had taught him that all wars were wicked and also on domestic grounds in that his highest duty was to his parents who were in ill-health. The appeal was dismissed and leave to appeal further was refused.

Further information concerning other cases can be found in Wigan Council Minutes and the Wigan Observer held on microfilm at Wigan Local Studies.

# Reluctant Soldiers

## Wigan's Conscript Tribunals: 1916-1918

by Fred Holcroft

**AS THE Great War opened in 1914 there was an overwhelming response to Kitchener's call for volunteers – in the first few months 3000 men from Wigan alone – and although during 1915 numbers coming forward slackened, by December 1915 an amazing 2,466,719 men had signed up.**

Originally it had been assumed that Great Britain's contribution to the allied war effort would be naval, industrial and financial and with the Royal Navy keeping open the sea lanes, Britain's pre-war economy and population would remain intact. It was also forecast that the war would only be of short duration.

Alas this was not to be. Modern warfare demanded a prolonged and sustained effort in both munitions and manpower. As voluntary recruitment stagnated the demand for men remained insatiable and compulsory universal military service – conscription – began.

As early as July 1915 the National Registration Act had called for the registration of every resident in Great Britain between the ages of 15 and 65, asking for address, age, marital status, dependants, occupation and degree of skill/qualifications. Men were placed in numbered and lettered groups giving their liability to be called up should compulsory military service be necessary. In one last effort to avoid compulsion Lord Derby attempted to organise a voluntary system where the younger single men would be liable before the older married men. Using the Register all men between the ages of 18 and 41 were asked to "attest" their willingness to serve some

time in the future if they were needed. Results were disappointing and by Christmas 1915 conscription was inevitable.

By January 1916 the Military Service Act had passed into law. All men between the ages of 18 and 41 were liable but a clause in the act allowed exemption to be obtained on the following grounds:

- It is expedient in the national interest that he should, instead of being employed in military service, be engaged in other work.
- Arrangements must be made for persons dependent on him.
- Health.
- Conscientious objection to undertaking combatant service.

An important sub-clause added:

Any exemption may be absolute, conditional or temporary and in the case of an application on conscientious grounds may take the form of an exemption from combatant duties only, or be conditional on the applicant engaging in work of national importance.

Further sources of dispute were the grounds on which a conscientious objection could be made. At first, only cases inspired by membership of a religious body were recognised and no political rights to object were allowed. The job of examining requests for

exemption was set at three levels. Firstly, applications were made to local tribunals. The Wigan Tribunal met in the Town Hall every Friday at 6 p.m. Appeals were allowed to a District Tribunal (Wigan's cases were heard in Liverpool) which had discretion to allow further appeals to a Central Tribunal in London.

Local Tribunal members were appointed by the Town Council, whose elected members dominated membership, although there was a genuine effort to reflect local society and to include working class representatives. In Wigan the so-called "Military Representative" was a civilian. In 1916 the Wigan Local Tribunal consisted of:

Cllr. A.E. Boucher  
Solicitor  
Cllr. J.I. Cartwright  
Postal Officer  
Ald. A.S. Hilton  
Estate Agent  
Ald. J.T. Grimshaw  
Master Baker  
Mr. T. Holland  
Tailor  
Ald. J.N. Cheetham  
Colliery Checkweighman  
Ald. T. Ashton  
Fishmonger  
Cllr. J.T. Arkwright  
Tailor  
Mr. T.M. Ainscough J.P.  
Managing Director  
Mr. W. Johnson J.P.  
Builder  
Mr. R. Prestt  
Trade Union Official

The chief gulf between the mainly middle-class Tribunal members and the overwhelmingly working-class applicants was one of age. None of the Tribunal were under 41 – the maximum military age – while very few conscripts

were over 21 – the minimum age to vote.

During the first four months of its existence from March to June 1916, the Wigan Tribunal dealt with 800 cases, then the flood turned to a steady stream. How did the Wigan Tribunal perform?

In the years since 1916 the Tribunals have been given a bad press - they have been accused of bias, prejudice, incompetence and impatience, often acting outside both the letter and the spirit of the law and denying a fair hearing to those with legitimate claims. In the final analysis the local Tribunals must be judged by their behaviour when in session.

Unfortunately all Tribunal minute books were ordered to be destroyed in 1921 and few have survived. The only method now of assessing the local Wigan Tribunal's work is by examining the reports of its proceedings in the local newspapers. Unfortunately here too, reporting restrictions, including closed sessions when spectators were excluded from the public gallery at the request of the applicant, and the omission of some names from the press reports, of necessity curtail the amount of information handed down to us, but an examination of a random selection of individual cases provides a true flavour of the proceedings. The evidence is there to see in print.

Nationwide, only 6% of appeals for exemption heard by local Tribunals were based on conscientious objections to military service and this seems to have been the case in Wigan. There were some very interesting cases in all types of appeal:



A coal dealer applied on behalf of his 19-year old son, employed by the father as a coal bagger. The son was the only support of the father in the business and there were six children in the family. The father said he was under the doctor and if the son was taken he would have to give up the carting side of the business.

*Verdict: The man should remain in his group.*

A young man wearing an armlet claimed exemption stating that all his three brothers had gone and one had been killed.

*Verdict: Exemption for twelve months.*

A 19-year old shop manager claimed exemption stating all his three brothers were in the army.

*Verdict: Exemption for six months.*

The managing director of a local firm of cotton spinners applied for exemption for his 24-year old wages clerk on the grounds that he was more useful nationally where he was. The Tribunal granted conditional exemption to the secretary and the manager. A Tribunal member (referring to the secretary) remarked, "You are depriving the army of a very good vocalist" (Laughter)

*Verdict: The wages clerk was granted one month's exemption until the end of the financial year.*

A grocer's assistant claimed he was the only son at home to support his sick mother and his brother was a P.O.W. in Germany. Questioned, he told he had three sisters at home all working.

*Verdict: The man should remain in his group.*

A director of a brewery asked exemption for his head brewer who came under the heading of works chemist.

*Verdict: Conditional exemption providing the man remained in his present employment.*

A plumber and electrician aged 22 years asked for exemption stating that his father had suffered two strokes and his mother was a cripple. His employer pointed out the firm had to fulfil a contract at the Workhouse and the Girls' High School.

*Verdict: Three month's exemption.*

A grocery shop manager claimed he was the only support at home as an only son. His father had been a cripple for 24 years and the mother who had worked to bring him up was now too old to work.

*Verdict: A case of hardship; postponement for 2 months.*

A pub landlady asked for exemption on behalf of her 27-years old son, the pub manager. She claimed her husband had died and left her with six children to bring up. She had bronchitis and recently been confined to bed. "You need a man about the place."

*Verdict: The man should remain in his group.*

A 34-year old solicitor's clerk said he was the sole support of his widowed mother aged 77 years; that he was the only clerk in the firm, one of the partners was on active service.

*Verdict: Exemption for six months.*

Similarly a Wigan accountant stated that his articulated clerk had already enlisted, only his office boy was left. If he was conscripted the office would be closed and all the other accountants were "packed out with work". He added that now excess profits were being taxed, his work was a source of income to the country.

*Verdict: Postponed for two months.*

A young man stating his occupation as "a journalist" claimed exemption for domestic reasons. Asked, "Are you on the staff of a newspaper?" he replied, "No". Asked, "How do you

get your living?" he replied, "By writing stories and articles" and the Military Representative commented, "Look what stories you would get in the army." After replying to a question about his weekly earnings a Tribunal member commented that he would earn twice as much fighting and the Town Clerk informed the meeting that his mother would qualify for help from the Mayor's Relief Fund.

*Verdict: Exemption for six weeks.*

John Coop of Lord Street, Hindley appealed for total exemption from combatant and non-combatant military service having a conscientious objection to both. He stated that he had always been taught by his parents and he held the conviction today that all wars were extremely wicked and that the slaying and maiming of one's fellow creatures in trying to settle national disputes was not the best and wisest way. Giving his occupation as

branch manager of a co-operative shop, he also claimed on domestic grounds because his parents were in ill-health.

Asked how he would settle international disputes he replied, "By arbitration." Asked if the Germans came would he request them to sit down while an arbitration agreement was drawn up he replied, "Where there's a will there's a way." Asked, "How would you settle it if Germany would not agree to arbitration?" he replied, "It's never been put to the test." The Military Representative then remarked that at an earlier Tribunal the applicant had stated that if he saw a wounded soldier bleeding to death he would not help him. "Correct", added Coop, "Why should I assist a wounded soldier to go back fighting, something I wouldn't do myself." In reply to a further question he stated that he would rather be murdered himself than murder another man.

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## SECOND HAND BOOK FAIR

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# Reluctant Soldiers

Wigan's Conscript Tribunals: 1916-1918

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*Verdict: The man should remain in his group.*

Harold Smith of 61 Hodges Street also appealed on conscientious grounds stating that his views as a Christian were wholly contrary to any form of war. At a previous Tribunal he had admitted at the outset of the war he would have gone to the front with a friend had it not been for his mother. "You didn't have a conscientious objection then did you?" he was told, to which he replied, "At the outbreak of the war I had those views but like everyone else I thought surely this war is not like other wars, it is a Christian war; but on looking closer I found it is not, it is no different to other wars."

*Verdict: The appeal was dismissed.*

Fred C. Critchley, aged 33, a tea warehouseman, asked for exemption on the grounds of serious domestic hardship and a conscientious objection, stating that his services were indispensable to his invalid father's business due to his specialist knowledge and experience of buying and blending tea. Questioned further he replied, "I have a conscientious objection to war. I refuse to take life." Questioned how long he had held these beliefs he replied, "As long as I have been old enough to think for myself." Questioned as to whether he belonged to a religious sect he replied, "None in particular", (although Rev. Binks of Queen's Hall Methodists spoke for him before the Tribunal).

*Verdict: Certified for*

*non-combatant duties.*

Eli Ernest Trotter, aged 25, the secretary of the Wigan branch of the Weavers, Winders and Cotton Reelers trade union, claimed exemption because of a conscientious objection to any form of military service in a long statement: "War is wrong from all standpoints. I will not be part of a military machine. I am not refusing to serve out of mere devilment. I have thought seriously about it." Questioned about his political beliefs he stated he had been a member of the Socialist Party and was now active in the I.L.P. Mr. Ackerley remarked, "We all disapprove of war. But we can't help it. We are at war." To which Trotter concluded: "It is impossible for a body of men to judge another man's conscience."

*Verdict: Given non-combatant service.*

The next case was John Richard Trotter, the brother of the previous applicant. He claimed exemption mainly because he was too small - only 4 ft. 10 ins. His brother now reappeared as a witness and spoke on behalf of the applicant. The Town Clerk asked if he could read a letter he had received from the applicant: "I beg to withdraw my application for exemption. I have no desire to be part of that lot in the Non Combatant Corps. If I have to go I will go as a right man or not at all."

Eli Trotter left the room shouting "He's only little, he'll be no use", at which a Tribunal member called out: "One thing about him, he may be little but he's a man."

Albert Stoker, 22, of 3 Gidlow Avenue, applied for total exemption from combatant and non-combatant service on the grounds that his services were more important at home than in the army and

also on conscientious grounds. He worked for his father who was also interviewed. Young Stoker said he absolutely refused to take part in war under any circumstances because he believed that war was caused by the capitalist classes, and while the common people were fighting the capitalists were reaping the benefits. The father, when asked his profession, replied that he was a manufacturing draper with six shops and that his son worked for him. A Tribunal member called out, "Oh you are a capitalist then!" (Laughter).

There then followed an interesting exchange between the elder Stoker and the Tribunal chairman, ending with the Tribunal member asking: "How many girls do you employ?" Stoker replied, "Between 30 and 40, I am a capitalist". "I think you ought to go into the trenches", suggested the Tribunal member. Stoker replied, "I have been telling people all my life about capitalism", to which the Tribunal member declared, "I'm sorry you belong to this terrible crowd."

*Verdict: That the applicant remain in his group.*

Certainly the degree of consideration for applicants on compassionate grounds is there to see. The treatment of those who appealed on grounds of conscience was severe, especially to those who did not use religious arguments, but only just over a third of all applicants were placed in combatant groups and almost half of all applicants gained exemptions or postponements.

The period 1916-1918 was the first occasion that conscription had been imposed on Great Britain. Unlike other countries it gave generous exemptions for a wide variety of reasons. While the Tribunal decisions were far from perfect, the proceedings gave valuable experience, so that the Tribunals of 1939-45 (although the enemy was much more clearly definable) carried out their work much more smoothly.

A reading of the local Tribunals' deliberations shows our fellow-townsmen deliberating deep moral problems, at short notice, at a time of grave crisis. They did their best. Could better have been done?

A random selection of cases from the first two months' work of the Wigan Local Tribunal shows the type of decisions they made:

Decisions reached by Local Wigan Tribunal (March-April 1916)	Total applications for exemption	Conscientious objectors only
Remain in group (exemption refused)	36	4
Placed in non-combatant group	4	4
Exemption granted on condition of remaining in present job	16	0
Postponement of Conscription for:		
one month	10	0
two months	5	0
three months	6	0
six months	11	0
twelve months	2	0
Remanded to another local Tribunal	3	0
Adjourned for more information	7	1
TOTAL	100	9