

# RELUCTANT RECRUITS: APPEALS AGAINST MILITARY CONSCRIPTION IN MARLOW, 1916–1918

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*In January 1916, the Government introduced conscription to boost flagging enlistment into the Army. The legislation allowed men to appeal against their conscription to local tribunals. While most of the records of the local appeals tribunals were destroyed at the end of the First World War, local newspapers of the time reported the details of cases that they considered. Using those reports, this article examines how the appeals system operated in Marlow and what the process reveals about contemporary attitudes to conscription and the War more generally.*

## INTRODUCTION

When war broke out in August 1914, the British army initially benefited from a high level of voluntary recruits to supplement the small complement of existing professional soldiers. However, the pace of recruitment fell steadily from the autumn of 1914 and, as both the longevity of the War and the high level of casualties became ever more apparent, there were increasing calls for conscription to be introduced to provide the necessary manpower for the conflict. In January 1916 Parliament passed the Military Service Act, whereby single men between the ages of 18 and 40 were deemed to have enlisted. Subsequent changes to the legislation extended conscription to married men and men up to the age of 50.<sup>1</sup>

The introduction of conscription was deeply controversial, not least because it seemed to undermine the principles on which the War was ostensibly being fought. In recognition of this, the legislation provided the means for men to appeal against their conscription through presenting their case to a local tribunal.

The work of the tribunals was itself sufficiently controversial that, at the end of the War, the Government required almost all records relating to their activities and decisions to be destroyed. In Buckinghamshire, a file of contemporary material relating to the local tribunals in the County is held at the Centre for Buckinghamshire Studies, but it provides very little information on the workings

of the individual tribunals, and very few official records beyond these remain.

However, local newspapers of the time were enthusiastic reporters of the cases that came before the tribunals, and of the decisions that were reached. As a result they provide a valuable insight into the workings of the tribunals and of some of the contemporary attitudes towards conscription and the War generally. In the specific case of Marlow, the work of the local tribunal was reported in the *South Bucks Free Press*, microfiche copies of which are available in local libraries.

These reports in the main recorded the specific details and decisions of each case in a neutral and objective way, with very little recourse to sensationalism. There are occasional gaps in the information, for example, early cases were reported on an anonymous basis, although that quickly changed so that name and address were provided for each appellant. Some of the cases were also held in camera so, while the decision of the tribunal was made public and reported, the details of any discussion and the basis of the decision were not provided. It is possible also that the local newspaper may not have recorded all cases that were heard, and it is likely that in Marlow, as elsewhere, non-contentious cases were addressed without recourse to being heard at a meeting of the Tribunal.<sup>2</sup> Probably for a combination of these reasons, it is not possible to reconcile the figures of cases provided in the local newspaper with the contemporary statistics that are held in archive

at the Centre for Buckinghamshire Studies. The value of the newspaper reports resides primarily therefore in the qualitative rather than the quantitative evidence that they provide.

Notwithstanding these reservations, the newspaper reports on the Marlow Tribunal provide an insight into the workings of the local administration and, when combined with family history research and examination of extant military service records, can provide valuable information about how the War impacted upon individual households and on the community at large.

#### THE APPEALS TRIBUNAL SYSTEM

Men who wanted to appeal against being conscripted could do so on one or more of the following grounds:

1. That it was expedient in the national interests that they should be engaged in work other than being deployed into military service – either existing employment or some other form of employment;
2. That they were being educated or trained for work and should continue to do so on the grounds that it was expedient in the national interests that they should do so;
3. That serious hardship would result if the man were called up, owing either to his exceptional financial or business obligations, or domestic position;
4. That he was of ill-health or infirmity;
5. On the grounds of conscientious objection to the undertaking of combatant service.

If a man were granted exemption, this could be on a temporary basis to enable him to get his domestic or business affairs in order before being called up for service. It might also be granted on a longer-term basis and conditional upon the man remaining in some form of employment, or while certain domestic circumstances prevailed. Finally, it could be an absolute exemption recognising that calling the man up for military service would be unjust, unnecessary or not in the national interest.<sup>3</sup>

Appeals were heard by a local tribunal established by the relevant local authority. The tribunal for Marlow therefore covered the area of the then Marlow Urban District Council. If an appellant disagreed with the decision of the local tribunal,

he could refer the case and decision to a County Appeals Tribunal for review. Only three men from Marlow pursued this course of action, and all three lost their cases. Ultimately, there was also a Central Tribunal based in London that examined particularly complex cases where precedents might be set, but none of the appeals from Marlow reached this level.

The Marlow Tribunal met on 39 occasions between March 1916 and the end of the War, considering approximately 165 individual appeals cases. Initially, its meetings were held fortnightly, usually on a Monday evening. As the number of cases became fewer over time, so meetings became more infrequent.

#### MEMBERSHIP OF THE MARLOW TRIBUNAL

Responsibility for making the system work rested with the members of the local appeals tribunals, all of whom served on a voluntary basis. Given that the tribunals were created through the existing mechanisms of local government, it is not surprising that many of their members were local councillors or in similar positions of responsibility. The aspiration of the legislators was that they should be men (and in Marlow's case, they were all men) who could 'command public confidence'.<sup>4</sup> While there was therefore a natural tendency for tribunals to be composed of the local great and the good, it was also expected that there should be 'a fair and just representation of labour',<sup>5</sup> so that they represented a broad cross-section of the local community and helped to defuse any political opposition to conscription from local organised labour groups.

The Chairman of the Marlow Tribunal was Jack Langley, a noted local businessman, J.P. and Chairman of Marlow Urban District Council. The Deputy was Alfred Davis, a journalist and also a J.P. Dr John Dickson, an eminent local surgeon and again a J.P. was also a member. These three were seemingly the most vocal and influential of the Tribunal members. Other members were:

- T.A. Dunham, a local senior police officer;
- John Holland, head brewer at the local Wethered brewery;
- (John) Fred Davis, a whitesmith; and
- Charles William Evans, a housepainter.

They were supported by Llewellyn Shone, who was Clerk to Marlow Urban District Council. The final member of the Tribunal for much of the period of its operation was the military representative, R.C. Lehmann. Very much the epitome of the polymath Edwardian gentleman, Lehmann was a qualified barrister who had served as a Liberal M.P. between 1906 and 1910. He was the founding editor of the Cambridge-based literary magazine 'Granta' and was a regular contributor to 'Punch'. He was also an experienced rowing coach and wrote 'The Complete Oarsman'.

It is clear that generally the role of a tribunal member was not a popular one. One contemporary wrote 'it was not a very attractive position and the duties they had to perform were not very attractive either',<sup>6</sup> while another commented 'the last thing a man ought to do who cares for personal popularity is to become a member of a local tribunal...he has the opportunity of making many enemies and very few friends.'<sup>7</sup> While there is nothing from Marlow to compare with the alleged death threats issued in St. Albans against members of its local tribunal,<sup>8</sup> there is no reason to believe the system was any more popular in Buckinghamshire.

Both contemporaries and some subsequent historians found many faults with the operations of the local tribunals, but more recently others have tended to take a more sympathetic view towards what Sir Donald Maclean described in 1918 as 'a very much abused body of men.'<sup>9</sup> Part of the reason why the tribunal members generated such strong reactions is because they operated in a framework of guidance from the Government that was often ambiguous, occasionally conflicting and frequently changing. For the system to operate at all, it required the tribunal members to exercise a high degree of personal judgement in their decision making. Their personal views on the conflict and on their duties were therefore of considerable significance.

There is nothing in the case of Marlow beyond the public utterances of the Tribunal members that gives us an insight into how they viewed their responsibilities and their reflections on their decisions. What we can be clear about, however, is that for many of them the conflict was something that impacted directly and significantly upon their lives. For example, the Tribunal Chairman Jack Langley lost a son in August 1915 during



FIGURE 1 Jack Langley senior, Chairman of the Marlow Tribunal



FIGURE 2 Dr John Dickson J.P.

the Gallipoli campaign. In September 1917, his stepson Hedley Foster was reported as missing in action in France and then confirmed in April 1918 as having been killed. Dr. Dickson's son David was drowned at the age of seventeen when the cruiser on which he was serving was torpedoed by a U-Boat in October 1914. Two more of his sons were subsequently wounded in fighting in France. Both of Thomas Dunham's sons were wounded during the War, one dying prematurely as a result in 1920. Finally, both of Charles Evans' sons were also wounded while serving during the conflict. In short, this was a group that knew very well the possible consequences of it decisions for the men whose appeals they were hearing.

Furthermore, the Tribunal members lived and worked cheek by jowl in Marlow with the men and the families whose cases they considered. In a town of just under 5,000 people at the time of the outbreak of the War, it was almost impossible for the Tribunal members to avoid being presented on a daily basis with the consequences of the decisions that they reached.

There are two instances that provide some insight into how two of the more influential Tribunal members viewed the War more generally. Shortly after his son David was killed in October 1914, Dickson wrote a powerful letter to the *South Bucks Free Press* in which he stated 'the loss of our brave boy has roused...no feelings of a desire for revenge for him personally but we and our other sons are prepared to give still more and by thought, word, and deed to do all in our power to help to wipe this cursed German militarism, with its ruthless atrocities, off the face of the earth once and for all. If perchance any parents who read this are holding back their sons, we appeal to them over our son's watery grave for their King and country's honour, and for their children yet unborn, not to hesitate to send their boys forward into the battle line'.<sup>10</sup>

In August 1917, Tribunal Chairman Jack Langley spoke at a public meeting in Marlow to commemorate the third anniversary of the start of the War, in which he commented 'we are met together to declare our resolution to fight our enemies to a finish. Germany, with a vast power and military despotism, set out to conquer and dominate the world...though the war is not over, Germany realises that she cannot beat us. That is not possible. We have not won, but we shall win,



FIGURE 3 Jack Langley junior, died during the Gallipoli campaign August 1915



FIGURE 4 David Dickson RN, died at sea October 1914

and we have got to go on till we do – and that we will do. From this little town of Marlow 1,100 volunteers have gone out to fight, and 125 have lost their lives. We who are left behind must do all we can so that they may show that their lives have not been lost in vain. Keep on we must; conquer we shall.<sup>11</sup>

These two extracts highlight a shared belief in the justification for the conflict, the responsibility on all members of the community to make their contribution and a determination to continue until victory were secured. If these men carried these convictions with them into the hearings of the Tribunal, it is not surprising that, as the Vice-Chairman Alfred Davis commented in July 1918, ‘the Marlow Tribunal had “combed out” men more drastically than any other tribunal in the neighbourhood.’<sup>12</sup>

Quite what the record of the Marlow Tribunal was in practice and why it reached its decisions is best assessed through examining the basis for the appeals that it considered.

#### CONSCIENTIOUS OBJECTIONS

While the matter of conscientious objection and its treatment frequently loom large in the popular understanding of the War,<sup>13</sup> none of the approximately 165 men in Marlow who appealed against conscription did so on this basis. This is not exceptional, as probably no more than 2% of appeals nationally were on these grounds.<sup>14</sup> While Lady Gertrude Clayton wrote to the *South Bucks Free Press* from Marlow in August 1916 offering to facilitate employment in the national interest locally for men granted exemption because of conscientious objection, it is not clear how much interest this generated.<sup>15</sup>

None of those who appealed in Marlow expressed an outward objection to, or concern about the War. The strongest reservation was expressed in March 1916 by appellant J.W. Boddy who ‘said he did not want to go. He would rather stay at home’, but even here it seems that his primary motivation was to be able to care for his sick mother rather than because of any objection to the War.<sup>16</sup> A number of appellants went further. Even when his employer was appealing in March 1916 to hold on to his services rather than being conscripted, W.J. Jarvis informed the Tribunal that he ‘did not want to shirk his duty’.<sup>17</sup>

The overarching impression from the newspaper reports is that the public utterances of Langley and Dickson were not at odds with a commonly shared view within the town at large, even amongst those who appealed against conscription – namely that the War was justified, that everyone had a duty to make a contribution and that people had to be committed to it for the long term. This also found expression in the form of anonymous letters to Tribunal members, such as those received by Langley and Dickson in July 1917, when local residents named men whom they believed were shirking their duty.<sup>18</sup> What this suggests in turn is that if men did have reservations about joining up on grounds of conscience or even simply out of concerns for their personal safety, they tended to disguise these under other explanations for their appeals.

This apparent generally held acceptance of the need for military service can perhaps be explained by two local factors. Firstly, it was frequently reported that there had been a high level of voluntary recruitment from Marlow at the outbreak of the War,<sup>19</sup> and this arguably contributed to setting an expectation that everyone should be seen to be doing their bit. Additionally, it appears that the views of Langley and Dickson were commonly shared across leaders within the local community, who are likely to have influenced general public opinion. At the same meeting in August 1917 where Langley urged his fellow Marlovians to commit to the conflict for the long term, the Reverend Skinner also spoke, stating ‘don’t bother about those people who tell you that the war is going to last two, three or four years longer. No one can tell. The great thing is to get on with it. . . In my mind there is only one way to a victorious peace, and that way is “over the top”’.<sup>20</sup> In the face of such a prevailing mood and the absence of any local organised opposition to conscription from recognised labour organisations or other groups, it would have been a brave individual who came forward and expressed their personal opposition.

The level of commitment to the War locally ultimately became a matter of pride, with Langley stating in February 1917 that ‘there is not a more patriotic town in the world than Marlow’.<sup>21</sup> The grounds for appeals against conscription therefore need to be found elsewhere, other than in concerns about the justification and conduct of the War.

## EMPLOYER APPEALS

Approximately half of the appeals that were heard by the Tribunal were lodged by local employers who wanted to retain the services of the particular men who would otherwise be conscripted, a feature of the system that has been observed in the work of other tribunals, for example in Wiltshire and at Stratford.<sup>22</sup> These employers ranged from large local businesses such as the Wethered brewery to national retailers such as the British & Argentine Meat Company who had outlets locally, to small local employers working in the retail, construction, manufacturing, agricultural, transport and service sectors. Their common concern was the severe disruption to their businesses, and by implication the local and national interest, by the loss of men who were judged to be indispensable.

The appeals by the Wethered brewery are illustrative of some of the issues raised by employers and the responses of the Tribunal. In March 1916, the brewery appealed to the Tribunal for three months' exemption for two foremen, Herbert Swadling and A.E. Lloyd, who had been called up.

In their appeal, the Brewery stressed 'they had 46 employees serving (including three officers) and of the other men, five had been discharged from the Army through wounds or other causes... six had been declared medically unfit and eight had been badged for munition work. Swadling held an important post as foreman in charge of the spirit department. They were training a man to take his place, but it would be two or three months before he was capable of taking charge. As to Lloyd, he was foreman of the bottling machinery and plant and had the supervision of a large number of women and boys. It was very difficult to get anyone to take his place...there would be some danger to the workers in this department if the machinery was not in the charge of a capable man. The Chairman said the Brewery had a splendid record for men on service and they appreciated that fact.'<sup>23</sup>

On this occasion, the appeal highlighted the significant contribution already made by the brewery in providing men for the War, and the severe disruption that would be caused by losing the two foremen. The Tribunal was sympathetic, agreeing to a temporary exemption from conscription for both men until 1 June.

When the temporary exemption period expired, the brewery returned to the Tribunal in July 1916,

seeking a further extension for Lloyd. On this occasion, the brewery focused on the disruption of his departure to their ability to fulfil their munitions contracts with the Government:

'Lloyd had been working in the department for 14 years. In the event of his going a man would be required to take his place who was working on munitions. All their skilled men were employed on munition work. They had done their best to replace Lloyd, but the only men they could get were unskilled labourers...The Government had asked them to increase their supply of munitions and they had done so...The current munition contract expired on 30 September'.<sup>24</sup>

On this occasion, the Tribunal refused further exemption, but sought to tread a middle path by requesting the military not to call Lloyd up before 30 September. They were adamant, however, that no further appeal should be made by the brewery and this was accepted. Swadling and Lloyd were both subsequently conscripted and served on the Western Front, the latter being invalided out of the Army in October 1917.

In general, the Tribunal tended to be sympathetic to the appeals of those larger employers such as the construction firm Y.J. Lovell and Sons, who could demonstrate that they had already released significant numbers of men to the Army, and who were involved in delivering Government contracts.<sup>25</sup> That rarely resulted in complete exemptions being granted, but rather temporary exemptions to enable the business to find a replacement or move to some other way of operating. That sympathy also tended to extend to smaller businesses, particularly in the retail sector, who were seen as vital to the local economy and the continued running of the town, and who would otherwise be severely disrupted by losing the individuals concerned. Again, the result was frequently the granting of a short-term exemption to give time for other arrangements to be put in place, for example in the case of the appeal by the butcher George Dorsett for his assistant Harry Cheney who was granted three months' temporary exemption.<sup>26</sup> Conditional exemptions were occasionally granted for work that was judged to be vital for the running of the town, for example in the case of A.J. Jeskins, who was employed in refuse collection and sanitary work.<sup>27</sup>

There was less sympathy shown towards those employers whose output was deemed not to be

in the national interest. The luxury furniture manufacturer Jerningham Ltd. appealed in April 1916 for temporary exemption for S.W. Smith who was engaged in ‘polishing articles of luxury’, and whose specialist skills they were finding difficult to replace.<sup>28</sup> The appeal was rejected, as was that in October 1916 for another employee W.J. Rumbelow, where again ‘the Tribunal did not consider that the work in which the man was engaged was in the national interest’. On this occasion, the Tribunal did request a month’s delay in the call-up to enable the company to fulfil existing contractual obligations.<sup>29</sup>

Other employers seemingly did not help either themselves or their employees in the arguments that they deployed, or how they presented themselves to the Tribunal. In August 1916, Mr. Adams of Harleyford Farm appeared before the Tribunal to appeal on behalf of A.T. Lindars, who was not present. Lindars had previously obtained conditional exemption on account of his being employed in a certified job as a ploughman. On this occasion, while asserting that Lindars ‘performed the work of two men’, Adams acknowledged under questioning from the Tribunal that he ‘did not turn up regularly to work’. Not surprisingly, the Tribunal rejected the appeal.<sup>30</sup>



FIGURE 5 George Henry Moores, died in France January 1918

An interesting group of appeals was made throughout this period by employers on behalf of their gardeners or men who served more generally as their personal assistants. In March 1916, Mr. Bravington of Beechwood appealed for exemption for his head gardener, George Moores. He argued that, ‘owing to the shortage of labour, it was practically impossible to get another man to look after the garden’. The Tribunal considered that ‘gardeners were not indispensable’ and, in any case, Moores somewhat undermined his employer’s case by indicating that ‘he was quite willing to serve.’ The appeal was refused ‘and the Chairman wished Moores the best of luck, and said he would make a good soldier.’<sup>31</sup> This was to prove a portentous comment as George Moores died of wounds inflicted in France in January 1918, one of three brothers from the family to be killed during the War.

#### SOLE PROPRIETORS

Approximately 20% of the cases considered by the Tribunal were appeals by sole proprietors. These formed a distinct group in that they invariably had a financial commitment to their businesses and were genuinely concerned about the prospects for them if they were called away on military service, and whether indeed they would still be there as and when they returned. As Chairman Jack Langley commented in August 1916, ‘the Tribunal were sympathetic to the one-man business applications’,<sup>32</sup> in part because they could appreciate the risks to the economy and running of the town should large numbers of local businesses fold during the course of the conflict. That expression of sympathy was seemingly a common one amongst tribunals at large, as they sought to reconcile vague guidelines that were issued from the Government with their perceptions of the needs of the local community and economy.<sup>33</sup>

For the sole proprietors concerned, the appeals process was clearly one that not only presented them with serious challenges and dilemmas, but also was one that was intrusive into their own personal financial circumstances. As a result, many secured legal representation at the hearing and also increasingly requested that their cases be heard in camera.

The example of Harold Haine, a 38-year-old garage proprietor from Station Road illustrates

the challenges that regularly confronted the Tribunal in the cases of sole proprietors, and the issues for the men concerned. Appearing before the Tribunal in March 1916, Haine stated that 'he did not know of anyone whom he could put in charge of the business. He had sunk all his capital in the business, and had taken a lease of two premises. It was difficult to sell a business now or find a manager.'<sup>34</sup> He was granted a three-month exemption by the Tribunal, presumably to give him time to resolve these challenges. When he next appeared in June, he was refused any further exemption, but the military authorities agreed not to call him up before 1 August to enable him to put his business affairs in order.<sup>35</sup>

Faced with a large number of cases presenting similar issues, the Tribunal frequently adopted an approach of granting temporary or conditional exemptions, thus delaying the need for a final decision. In some cases, this could involve individuals appearing repeatedly at meetings over a prolonged period of time. For example, Arthur Maunder, a baker from West Street, first appeared before the Tribunal in May 1916. Due to the complexity of Government guidelines concerning the exemption of bakers, consideration of his case was initially postponed. He then appeared a further eight times until a final hearing in July 1918, when he was granted a conditional exemption.

Increasingly, the Tribunal expressed concerns about the impact on the local economy of men in certain occupations being called up. In August 1917, A.J. Farey was granted a conditional exemption because of concerns about the shortage of farriers in the town,<sup>36</sup> while a month earlier Frederick Howes was exempted until October as he was 'the only cab proprietor in town.'<sup>37</sup> In October 1918, Ben Harris was given a conditional exemption as it was reported that there were now only two chimney sweeps left in Marlow,<sup>38</sup> while in July of that year, Tribunal members voiced concerns about the local shortage of slaughtermen.<sup>39</sup>

Despite these reservations, the Tribunal ultimately rejected over three-quarters of the appeals from sole proprietors, although it is not always possible from the gaps in the available war service records to confirm that all of the relevant men did ultimately serve in the Army. Given this constituency provided the Tribunal with complex and challenging cases, it is not surprising that the available evidence suggests that

some of the decisions were arbitrary and inconsistent. For example, Thomas Nicholls, an outfitter from Claremont Road, was initially granted a conditional exemption in June 1916 and had this renewed on four further occasions until August 1918. No further hearings were required owing to the armistice in November 1918. In contrast, Charles Gates first appeared before the Tribunal in May 1916. A master dairyman from York Road, married and with three children, he had purchased the business fourteen months previously and had 'invested the whole of his savings in it. Formerly three men were employed in the business, but he was now working single-handed and could only get the assistance of school boys.'<sup>40</sup> While he was initially granted conditional exemption, Gates reappeared before the Tribunal in January 1917, when he asked for an extension. 'He had been unable to sell the business. His wife was assisting him, with a view to managing the business, but she was unwell.' Despite these concerns, the Tribunal refused a further extension, and decided that Gates should be liable to be called up from 1 February.

Some of the seeming inconsistency in the Tribunal's decisions can be attributed in part to the degree of external pressure being exerted to provide more men for the War effort. This found its voice locally in the contribution of the Military Representative R.C. Lehmann to the Tribunal's proceedings. Part of the explanation for the seeming severity of the decision regarding Charles Gates in January 1917 may be because a month earlier Lehmann had reminded the Tribunal that 'the need for men was more urgent than ever.'<sup>41</sup>

Even where conditional and temporary exemptions were granted, the Tribunal frequently required the man to join the local Volunteer Defence Corps, for example in the cases of grocers George Cook (Station Road) and Arthur Brown (West Street).

#### 'IN THE NATIONAL INTEREST'

In the cases of both employer appeals and appeals by sole proprietors, one of the most complex areas for the Tribunal to consider was the extent to which the occupation in question was 'in the national interest', as opposed to considerations about the sustainability of local businesses. Here again, the Tribunal was confronted with guidance that was frequently ambiguous, and that changed often. Nathan Beldam of Chapel Street was, for example, granted a



six-month temporary exemption in June 1916, his legal representative arguing that ‘the business in which the appellant was engaged was buying and selling old metal. This was of some importance to the national interest.’<sup>42</sup> However, in August of the same year, the Military Representative sought to have three men removed from the certified list and therefore eligible for conscription on the grounds that their occupations were no longer certified or no longer deemed to be in the national interest.

Without a significant local industry dedicated to production for the War effort, there were relatively few occasions when the Tribunal justified exemptions purely on the grounds that a man’s occupation was in the national interest. This was in contrast to other parts of the County such as the boot manufacturing districts around Olney.<sup>43</sup> One area where that might have been the case in Marlow was agriculture, but even here the expectations on the Tribunal were unclear, and seem to have shifted over time between releasing men who were judged to be fit for fighting, and maintaining a sufficient workforce on the land to grow food for the nation, particularly as imports suffered increasingly with the effectiveness of the U-boat campaign against shipping. The challenges are well illustrated by the case of Arthur Dormer, who first appeared before the Tribunal in May 1916. A market gardener from Mill Road, he sought total exemption on the grounds that he was cultivating an acre of ground and had several glass houses. As market gardening was judged to be a certified occupation, he was granted conditional exemption on the grounds that he remained in that occupation and also joined the Volunteer Defence Corps. He was, however, required to appear before the Tribunal again in August, when he was challenged about the crops that he was growing. When he replied that he ‘produced vegetables for salads principally’, he was challenged by the Military Representative that ‘raising salads was not in the national interest’.<sup>44</sup> Dormer lost his conditional exemption, but was granted a temporary exemption until 1 November. When he appeared before the Tribunal again in January 1917, Dormer argued for an exemption on the grounds of the national picture concerning ‘food supply developments’, but the Tribunal felt he was producing no new evidence and rejected his appeal. Ironically, it appears that Dormer was subsequently deployed by the Army in the Agricultural Company Labour Corps.

The confused picture concerning the importance of agriculture is clear from other cases. In June 1916, a military challenge to the exemption of Thomas Lindhurst was withdrawn on the grounds that he was the only man on the Harleyford Farm who could plough and do a carter’s work. The next month, H.J. Smith was added to the certified list on the grounds that he was a farmer, and in August 1917 F. Wakefield was granted a conditional exemption on the grounds that he was involved in harvest work.

On the other hand, an appeal in July 1916 for temporary exemption for W. Moody until the fruit gathering season was over failed, and in November that year William Tucker’s occupation as a cattleman was judged no longer to be in the national interest because of new guidance, even though he had previously been recorded as being in a certified role. On that occasion, the Tribunal requested that he should not be called up before April 1917.

#### CASES OF PERSONAL HARDSHIP

Men would occasionally appeal against conscription on a number of grounds, citing personal hardship in addition to arguments concerning, for example, an occupational status that was in the national interest. Approximately 20 men appealed primarily on the grounds that serious hardship would result if they were called up because of their domestic circumstances. In many cases, these appellants stated that they had dependents who would not be able to cope on their own if they were called up. In a small number of cases, the reasons for the appeal are not apparent.

The majority of these cases were heard early on during the life of the Tribunal and most of them failed, very often without any temporary exemption being granted. The cases tended to be based on the fact that the appellant was the sole person left with responsibility for looking after an aged and ill mother, often with brothers or relatives already serving. Occasionally, they appealed on the basis that their wives were ill and incapable of looking after their children by herself.

The case of Charles Haddon from Holland Road highlights some of the issues involved in these cases. He first appeared before the Tribunal in March 1916, arguing that ‘he supported his widowed mother. Three of his brothers were

in the Army and one had been missing since August. His mother would be unable to keep the home going if he was called up. There was a large garden, two meadows and a poultry farm to be looked after. His mother's health was not good and she was unable to do the work herself.<sup>45</sup> Having been given temporary exemption until 1 May, he reappeared before the Tribunal and repeated his arguments, stressing the contribution already made by his family. Indeed, he stated that 'one of his brothers joined the Army under age, hoping the applicant would be able to stay at home and look after his mother.'<sup>46</sup> Despite these protestations, Haddon's appeal was rejected and he was called up. He was subsequently wounded in fighting in France in May 1918. His brother Henry, whom he had reported at the Tribunal hearings as missing, had in fact been killed in Gallipoli in August 1915. Another brother, Thomas, was also wounded during the War.

In some cases, the Tribunal was robust in challenging the evidence presented by the men. When Ernest Soley appeared before the Tribunal in March 1916, he sought exemption on the grounds that 'he was living with and supported his widowed mother. His only brother was serving at the Front'. However, it was 'elicited' during questioning

from the Tribunal that he was not the sole support for his mother, and his appeal was consequently rejected.<sup>47</sup>

In only a very few cases did the Tribunal support appeals on the grounds purely of personal hardship. As in the cases of Walter Taylor and William Dellar, this was also because both men committed to undertaking work essential to the war effort, for example in relations to munitions production, in addition to their arguments on purely domestic grounds.

### MEDICAL GROUNDS

Very few men appealed to the Marlow Tribunal for exemption from conscription on primarily medical grounds, although consideration about fitness to serve did feature occasionally in other cases too. The medical assessment arrangements in place across the country at the start of the operation of the Tribunals were controversial, and occasionally acquired notoriety for passing men who were palpably unfit to serve.<sup>48</sup>

In the case of Marlow, the Tribunal accepted the judgement of medical assessors who determined that men were unfit to serve, and most appeals on this basis were successful in some way. In some



FIGURE 6 Cairo War Memorial cemetery, the resting place of Jack Langley junior. Photo courtesy of the Commonwealth War Graves Commission.

cases, there is evidence of the Tribunal seeking to manage the deployment of men within the local economy who were deemed unfit for military service. For example, Robert Davis successfully appealed against conscription on the grounds that he was ‘unfit for prolonged physical exertion which would endanger his health’<sup>49</sup>. In April 1917, the Tribunal accepted his appeal, stating that he was ‘evidently more valuable on the land’<sup>50</sup> and making his deployment in agricultural work a condition of his exemption.

The operation of the medical assessment system was the source of occasional disagreement between Tribunal members and the military authorities. For example, in November 1916, F.L. Townend from Station Road appealed on medical grounds, producing three certificates to demonstrate that he was unfit for military service, despite the fact that he had been called up. The case was adjourned for the man to go before the Central Medical Board. It was confirmed subsequently in March 1917 that Townend was indeed unfit for military service, prompting Dr. Dickson to observe that the ‘[military] Board at Oxford made mistakes and that they were justified in sending the case to the Medical Board’.

#### TENSION WITH THE MILITARY

The case of Townend is but one example of a repeated theme in the operation of the Marlow Tribunal, namely the tension between the lay members and the military. Often that was expressed in disagreements in meetings between members of the Tribunal and the Military Representative, R.C. Lehmann. While Lehmann’s background was in the legal profession rather than the military, he was clearly diligent in his duties and occasionally robust in his challenges of appellants. He extended that also to occasional challenges of the views and decisions of other members of the Tribunal. To some extent, this was the inevitable result of how the system was set up to operate as the Military Representative’s role was to secure as many men as possible for service in the Army whereas other members of the Tribunal sought to reconcile that pressure with the requirements of the local economy and a more inclusive definition of the national interest.

Tension was apparent from the start of the operation of the Tribunal, when Lehmann

challenged unsuccessfully the length of the temporary exemptions granted in March 1916 to the employees of Wethered brewery. In June, he was at odds with other members of the Tribunal about the certified occupations of a number of appellants, formally appealing against two earlier Tribunal decisions, and in July he disagreed with other members of the Tribunal in the interpretation of guidance from the War Office. In December of that year, he asked the Tribunal to review nine cases where exemptions had previously been granted. This prompted the Vice Chairman Davis to ‘express surprise at the application’ given that the Tribunal had ‘always carefully regarded the needs of the Army’. Lehmann justified his actions on the basis of guidance he had received from the Army, but in four cases the Tribunal declined to alter their previous decisions concerning exemptions granted and in a further two ‘it was decided that the application by the Military Representative was not in order.’<sup>51</sup> In January, he unsuccessfully asked the Tribunal to review the exemption it had granted previously to George Sawyer, foreman in a local construction firm.

However, the crisis in the Tribunal’s relationship with the military came about not through the actions of Lehmann, but through an intervention from the Army itself. At the end of January, the Clerk to the Tribunal, Llewellyn Shone, received a visit from an inspector of the Local Government Board who had been sent to Marlow, amongst other towns, at the request of the Army. The reason for the inspection was that the Army ‘complained they were not getting sufficient men from Marlow, and that the Tribunal was lenient.’

This came to dominate the next meeting of the Tribunal at the end of January, when Lehmann denied all knowledge of the inspection and the reasons for it. The inspection and the expression of concerns on the part of the Army caused consternation amongst other members of the Tribunal. Langley claimed that ‘no town in England with a population of under 5,000 had sent so many voluntary men as Marlow had done. He would like that to go forth to the world.’ The Vice Chairman Davis declared the allegations to be ‘a serious reflection on their Tribunal’ and provided detailed figures to demonstrate not only the high level of voluntary recruitment, but also how decisive and robust the Tribunal had been in considering appeals against conscription. He concluded that

'at the present time there were in Marlow only 5 general service or B1 men in civilian occupations...He challenged the War Office to produce such satisfactory figures from any other Tribunal area.' Stressing also the 'best of feeling' between the Tribunal and the Military Representative, he moved a motion to cease the Tribunal's operations until the Army 'furnishes an explanation of the grounds for the complaint lodged.' Dickson supported the resolution, claiming the allegation was 'a very serious one, and reflected not only on them as a Tribunal, but on the patriotism of their little town.' The resolution was accordingly passed unanimously, and the Tribunal effectively went on strike.<sup>52</sup>

It did not meet again until the middle of March, by which time a conciliatory letter had been received from the Local Government Board. It asserted that the Tribunal were 'under a delusion' in believing that the Army had considered them lenient, and that the inclusion of Marlow on a list provided by the Army of tribunals 'inclined to be lenient' had been a mistake. The Army had since clarified that they were 'quite satisfied with what Marlow had done, and that the Marlow Tribunal could certainly not be described as lenient.' In the light of this, the Tribunal accepted that the 'stigma' upon it and the town had been removed, and that they could proceed with their business.<sup>53</sup>

While notable, the strike by the Marlow Tribunal was not unique - a similar course of action was followed in Rushden for different reasons<sup>54</sup> - and there is evidence of tension with the military authorities in the operation of the tribunals in, for example, Wiltshire.<sup>55</sup> In the case of Marlow, the strike is most likely a reflection of the tension that had been building up over a period of time between a military imperative to secure ever greater numbers of men, and a local tribunal that saw itself as doing all it could to facilitate that and took personal and collective pride in how it was fulfilling its responsibilities.

While the Tribunal thereafter sat without any further interruption for the duration of the War, the strike was not the end to the tension. In July 1918, after conscription had been extended to the age of 50, Vice Chairman Davis again complained about the Army challenging their exemption decisions, stating that 'he was not prepared to spend time in investigating cases, if all their decisions were to be ignored.' He went on to stress that 'the Marlow

Tribunal had "combed out" men more dramatically than any other Tribunal in the neighbourhood.'<sup>56</sup>

#### CONSCRIPTION AND THE ROLE OF WOMEN

This level of conscription, coupled with the high level of previous voluntary recruitment, had profound implications for the supply of labour in and around the town. In turn, this had significant implications for the role of women in the local economy, and exposed a range of views about the most appropriate response.

In one sense, women were passive participants in the conscription process, in that they occasionally featured in the appeals, particularly where men were claiming exemption on the grounds of personal hardship. That might be because they had caring responsibilities towards the women, either mothers or wives, or because the wife was judged, in the case of sole proprietors, as being incapable of running the business in her husband's absence. In July 1916, George Verney, a victualler at the 'Nag's Head' in Dean Street, appealed for conditional exemption 'on the grounds of his wife's inability to manage the business.'<sup>57</sup> Ultimately he lost his appeal and was conscripted into the Royal Engineers.

The newspaper reports on the appeals also demonstrate how women were increasingly seen as an appropriate substitute to release men from a range of occupations to serve at the front, an argument that was occasionally deployed by the Tribunal against appellants. For example, when F.W. Brevington appealed in March 1916 on behalf of his head gardener, George Moores, he was challenged by the Tribunal on the basis that women were already being regularly employed elsewhere in similar roles.

There is also evidence of rapid change in the composition of the workforce during the period of conscription. Significant numbers of women were employed by the brewery to fulfil its contracts to the Government for the production of shells from late 1915. In May 1916, Marlow Laundry reported that it now employed 39 women, many of whom had taken the place of men who had joined up. In the following year, the Marlow printing works was training up girls to replace the men lost, and local women were being trained to become insurance collectors. In 1917, the shoe retailer Freeman,

Hardy and Willis reported that some branches no longer employed any male sales assistants.

Alongside these examples, the Tribunal was also presented with arguments by employers seeking to retain men that women could not act as appropriate substitutes, invariably citing the hard manual nature of the work involved. Such appeals were made in relation to men employed as butchers, wood-working machinists, joiners, dairy workers and carpet fitters. In June 1916, William Price appealed on behalf of James Budd, whom he employed to gather the roots of deadly nightshade. Claiming that the work was in the national interest, he argued that ‘girls could not find it so readily.’<sup>58</sup> In April of the same year, the headteacher of Sir William Borlase’s School appeared before the Tribunal to seek exemption for Dennis Worgan. One of his concerns was that the school might have to follow the example of others and employ female teachers. While the appeal was rejected, the subsequent history of the school noted with some pride that, unlike most schools, it ‘was not reduced to employing women.’<sup>59</sup>

It is not clear that these concerns had any bearing on the decisions of the Tribunal which in the main rejected the appeals on which they were based. The reports do, however, also indicate growing problems in the supply of women to local employers. The increasing demand for female labour and the good rates of pay to be secured in some employment such as munitions work meant that some employers appealed to the Tribunal on the basis that no substitutes could be found. In July 1917, the local fishmonger Phillips Bros., appealed against the conscription of E. Kerrigan, in part on the grounds that it was proving difficult to find women to do the work at wages of up to £3 per week.<sup>60</sup>

#### THE QUESTION OF LENIENCY

In a heavily delegated system that relied significantly upon the personal judgements of its members, it is not surprising that the question should arise as to the relative leniency or severity of the Marlow Tribunal. Amongst the archives held at the Centre for Buckinghamshire Studies is a collection of comparative statistics that were gathered from the County’s 22 tribunals at various times during the War.<sup>61</sup>

An examination of these returns is not

conclusive. In 1916, the Marlow Tribunal reported the third highest percentage of rejected appeals in the County and in the period from January until April 1917, it reported the highest. On the other hand, in the same period in 1917, it also reported the fifth highest percentage amongst the tribunals in awarding absolute exemptions. The comparison, in any case, can only be taken so far. There was a huge disparity between the number of cases considered by, for example, the Tribunal for Wycombe Borough (383 until July 1916) and that for Hambleden (14 in the same period) that makes valid comparison very difficult. It is also arguable that the different economic and employment conditions prevailing in urban areas such as High Wycombe, Aylesbury and Chesham created a very different environment in which cases had to be considered than more rural areas such as Long Crendon or Winslow.

If the statistics for Marlow do suggest a relatively higher degree of severity than elsewhere, this could in part be explained by a range of specific local conditions. With no significant existing local employer associated closely with industries that were vital to the war effort, there was inevitably less pressure to retain men in local employment. Additionally, there was no organised opposition to the War and conscription locally that was evident in other parts of the country. On the contrary, the prevailing mood in the town, buttressed by exhortations from a range of authority figures, was biased towards every household being seen to be making its contribution through military service.

It was clear from its protests in early 1917 that the Tribunal itself did not consider that it had been lenient and saw any suggestion to that effect as a slur upon both it and the town. Interestingly, it did not evaluate its actions in the language of relative severity, but rather describes the fulfilment of its responsibilities as a matter of pride. As far as the Tribunal members were concerned, they had been asked to do an important job and they were doing it to the best of their ability. In protesting about the accusation of leniency in January 1917, Dickson stated that ‘they had endeavoured to deal fairly and squarely in the cases that came before them... they were prepared to do their duty, but not to do so under this stigma.’<sup>62</sup> It is clear that their record was a matter of professional pride for the members of the Tribunal and that view was shared even by the *South Bucks Free Press* which commented rhetor-

ically in May 1917 that ‘it would be interesting to learn whether any other tribunal can show a better record.’<sup>63</sup> That sense of a personal commitment to doing a professional job is reinforced by the strong attendance record of all members of the Tribunal and the transparency with which conflicts of interest were declared and handled.

The absence of reliable military records in many cases makes it difficult to determine the fate of the men who lost their appeals. While precise figures remain elusive, it appears that, as a result of the Tribunal’s decisions, approximately 40 of the estimated 165 men whose cases were heard did not ultimately join the Army. Of the approximately 125 who were enlisted, service records have been traced for 82. Of these, 11 were killed in action or died of their wounds, with probably at least a similar number being wounded. These casualty rates are relatively low compared with the town as a whole and reflect in part the fact that most conscripts were enlisted after the major and exceptionally bloody battles of 1916. The main local memorial in All Saints’ Church in Marlow records the names of almost 220 men who were killed during the War, although some of these had very tenuous local connections and were certainly not amongst the approximately 5,000 population recorded in the 1911 census. Nevertheless, the casualty rate for the town as a whole was high, probably reflecting a high level of voluntary enlistment in the first two years of the conflict.

#### FURTHER RESEARCH

Surviving copies of local newspapers can be used to examine the workings of many other tribunals in the County and therefore allow a comparative assessment of Marlow with others. This would help to enrich our understanding of attitudes across the County to conscription and to the War generally.

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developed by June and Peter Underwood and Clint Lawson, that provides helpful information about the men from the County who fought in the War.

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