

APPENDIX 2: DOCUMENTS RELATING TO THE COURTS MARTIAL OF HERBERT CRIMMINS AND ARTHUR WILD

There are a number of documents in the Public Record Office which relate to the trial and conviction of these two soldiers. Some of the correspondence relates to delays resulting from difficulties in procuring witnesses. It should be remembered that these were the weeks immediately after the Somme Offensive. It should also be remembered that both the accused were volunteers. Reproduced here are the charge sheets for the two men, transcripts of the hand-written record of both trials, statements (seemingly conflicting) about their characters, the schedules of the proceedings (both of which contain recommendations for mercy), examples of some of the memos which recommended that the sentences be carried out, and reports from the Medical Officer that the executions had taken place.



Confirmed
D. Haig - Genl.
1 Sep: 16

Documents relating to Field General CM25, Loisne Chateau, 21st August, 1916: the Court Martial of Private Herbert Crimmins

1. Charge Sheet for Private Herbert Crimmins

The accused, No. 18/313 Private Herbert Crimmins, 18th (Service) Battalion West Yorkshire Regiment, is charged with: - When on Active Service, deserting His Majesty's Service, in that he, at BUS-LES-ARTOIS, on the 30th day of June, 1916, after being warned for duty as a Ration Carrier, absented himself from his Battalion until 1 p.m. on the 4th day of July, 1916, when he gave himself up to the Military police at VIGNA-COURT.

(Signed) H.Carter, Major, Commanding 18th (S) Bn. West Yorkshire Regt.

2. Transcript of the trial of No18/313 Pte H. Crimmins 18th (S) Bn W. YORK R.

Prosecution

1st Witness: 2nd Lieutenant J.R.Thornton, 18th (S) Bn W York R. sworn states: On June 10th 1916 at BUS LES ARTOIS I was detailed to take charge of the ration dump in the assembly trenches and of the ration carriers. The accused Pte Crimmins was one of the ration carriers detailed.

From this date until June 30th we were continually taking stores, water ammunition etc from EUSTON dump to the ration dump in the Assembly trenches. Each man including the accused was duly instructed by me in his duties on July 1st the day of the attack. About noon on June 30th the ration party were issued out with extra ammunition. The accused Pte Crimmins was present. The ration party were then warned not to leave camp. At 4 pm on June 30th I received orders to parade at 6 pm to proceed to the trenches. I sent the orderly Sergeant - Sergeant Breen - round to warn the ration party and subsequently received a report from him.

At 6 pm on the same date I was present at the roll call of the ration carriers and the accused Pte Crimmins was absent. The roll call was actually called by Corporal Wise. I did not see the accused Pte Crimmins again until late in the month of July.

Sergeant Breen was wounded on July 1st and is no longer with the Regiment. The accused declined to cross examine the witness.

2nd Witness: No. 18/1128 Corporal T. Wise. 18th (S) Bn W. YORK R. sworn states: About 12 noon on June 30th 1916 at BUS LES ARTOIS I personally warned the ration carriers including the accused Pte Herbert Crimmins to parade for the trenches at 5.45 pm thatnight.

At this parade I issued the accused with extra ammunition.

At 5.45 pm on the same date I called the roll of the ration carriers and the accused Pte Crimmins was absent.

I did not see the accused again until after the attack some days later when he was in the guard room.

The accused did not desire to cross examine this witness.

3rd Witness

No. 739 Sergeant H. Reader. Military Mounted Police, sworn states: -

About 1 pm on the 4th July 1916 I was on duty at VIGNACOURT when the accused Pte Crimmins gave himself up to me and stated that he was absent from 2 pm 30th June 1916. I detained him. The accused had no rifle equipment or ammunition when he gave himself up.

The accused declines to cross examine this witness.

Defence

1st Witness: The accused states on oath: -

On June 30th 1916 about 11 am at BUS LES ARTOIS I and my friend Pte Wild went out

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to the estaminet and had something to drink. I then returned to camp for dinner about 12 noon, and afterwards returned to the same estaminet where we had more drink and stayed until closing time. We then wandered along a road three or four miles and went into a cornfield and there fell asleep.

When we woke up it was dusk and we were afraid to go back, and so went on to the village called BEAUQUESNE.

We eventually reached VIGNACOURT where Private WILD thought he had a brother. We intended to ask his advice. On enquiry we found he was not there so we gave ourselves up to the military police.

I am very sorry for what I did. I had not the slightest intention of deserting. My father has been in the Army twenty seven years and I have five brothers now serving abroad. I have been in the trenches both before and after this occurrence and tried to do my best.

Cross examined

Q. Did the drink you had so affect you that you did not know what you were doing from the time you left the Estaminet until you reached the cornfield ?

R. A. We could walk but the drink was in us.

2nd Witness for Defence: No. 18/1128 Corporal T. Wise 18th (S) Bn W. YORK. R., examined on his former oath states: -

The accused has been in my section since November 1915 and during that time has given no trouble whatever with me. He has been a very good soldier and very good in his work.

3rd Witness for Defence: 2nd Lieut J. R. Thornton. 18th (S) Bn, W. York. R., examined on former oath states: -

The accused is in my Company and I have known him for the last three months as a good character. I know of nothing against him. He has always worked well and on a recent tour in the trenches went out on wiring parties and did his work satisfactorily.

After the finding

2nd Lt. H. L. Dalley. 18th (S) Bn W. York. R. sworn states: -

I produce certified true copy of A.FB122 of the accused and also manuscript A.FB296 signed by the President and attached to the proceedings.

The accused declines to cross examine this witness.

3. Character statements

There are two statements as to the character of the accused Private Crimmins signed H. Carter, Commanding 18th Battn West Yorks, Regt.

A hand-written one with no date states: "I certify that the character of the accused, No. 18/313 Pte H. Crimmins, has been very good during his 16 months' service. There are no entries on his Field Conduct Sheet prior to this charge. The accused has been in custody since 4th day of July, 1916."

A typed one dated "22/8/16" states: "Reference Circular Memorandum on Courts-Martial, Part III, Section 1, Para. (b), Sub-Para. (i), the character of this man from a behaviour point of view is good; from a fighting point of view, indifferent. From evidence gathered from his Company Sergt-Major, he was of a nervous disposition in the trenches, and not of much use. He has served with the M.E.F. (Egypt) from 6th December, 1915, to 9th March, 1916, and with the B.E.F. (France) from 10th March, 1916, to the present time.

Reference Sub-Para. (iii), this soldier is a weak man, and as far as I can gather he has, in my opinion, been led away (possibly under the influence of drink) by Pte Wild. I think the crime was committed deliberately, nevertheless, as he has shown himself to be of a nervous disposition when in the trenches."

4. Schedule of Court Martial No. 25

Date 21st August 1916. No. CM25

Name of Alleged Offender: No18/313 Herbert Crimmins 18th W. York. R.

Offence charged: "Sec: 12 I(a) When on Active Service deserting His Majesty's Service.

Plea: Not guilty

Finding, and if Convicted, Sentence: Guilty. To suffer death by being shot. With a strong recommendation to mercy on account of his exceptionally good character.

The Schedule is signed By J.D.Ingles, Convening Officer, and by H.H.Kennedy, President [of the Court]. Lower down in the column headed "Finding, and if Convicted, Sentence" appears the word: "Confirmed", the signature: "D. Haig", the date: "1 Sep:16".

5. Memo, dated 23rd August 1916, from Brigadier General J. D. Ingles, Commanding 93rd Infantry Brigade:

"The state of discipline of the 18th Battn West Yorkshire Regt is good. I recommend that the extreme penalty be inflicted in that the crime was committed deliberately."

6. Memo from Captain H. E. Yorke, RAMC, Medical Officer

I certify that No. 18/313 Private H. Crimmins of 18th West Yorkshire Regiment was executed by shooting at 5.51 a.m. on September 5th 1916 at LESTREM. Death was instantaneous.

Transcript of documents, reference WO71/495, from the Public Record Office. Reproduced with their kind permission.

Documents relating to Field General CM26, Loisne Chateau, 21st August, 1916: the Court Martial of Private Arthur Wild

1. Charge Sheet for Private Arthur Wild

The accused, No. 18/356 Private Arthur Wild, 18th (Service) Battalion West Yorkshire Regiment, a soldier of the regular Forces, is charged with: - When on Active Service, deserting His Majesty's Service, in that he, at BUS-LES-ARTOIS, on the 30th day of June, 1916, after being warned for duty as a Ration Carrier, absented himself from his Battalion until 1 p.m. on the 4th day of July, 1916, when he gave himself up to the Military police at VIGNACOURT.

(Signed) H.Carter, Major, Commanding 18th (S) Bn. West Yorkshire Regt.

2. Transcript of the trial of 18/356 Private Arthur Wild

Prosecution

1st Witness: J.R.Thornton, 2nd Lieutenant 18th (S) Bn W York R. sworn states: -

On June 10th, 1916, at BUS LES ARTOIS I was detailed to take charge of the ration dump in the Assembly Trenches and of the ration carriers. The accused Pte Arthur Wild was one of the ration carriers detailed.

From this date until June 30th we were continually taking stores, water, ammunition etc from EUSTON Dump to the ration dump in the Assembly trenches.

Each man including the accused was duly instructed by me in his duties on July 1st the day of the attack.

About noon on June 30th the ration party were issued out with extra ammunition. The accused Pte Wild was then present. The ration party were then warned not to leave camp. At 4 pm on June 30th I received orders to parade at 6 pm to proceed to the trenches. On sending the Sergeant - Sergeant Breen - round to warn the ration party, he reported to me the absence of the accused Pte Wild.

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At 6 pm on the same date on calling the roll of the ration carriers the accused Pte Wild was still absent. I was present at the roll call which was actually called by Corporal Wise. I did not see Pte Wild the accused again until late in the month of July.
The accused declined to cross examine the witness.

2nd Witness: No. 18/1128 Corporal T. Wise. 18th (S) Bn W. YORK R. sworn states: About 12 noon on June 30th 1916 at BUS LES ARTOIS I personally warned the ration carriers including the accused Pte Arthur Wild to parade for the trenches at 5.45 pm that night.

At 5.45 pm on that date I called the roll of the ration carriers and the accused Pte Arthur Wild was absent.

The accused declined to cross examine the witness.

Examined by the Court:

I issued the accused Pte Wild with extra ammunition at 12 noon that day on the same parade as that on which he was warned.

I did not see the accused Pte Wild again until after the attack some days later when he was in the guard room.

The accused did not desire to ask any questions.

3rd Witness: No. 739 Sergeant H. Reader. Military Mounted Police, sworn states: About 1 pm on the 4th July 1916 I was on duty at VIGNACOURT when the accused Pte Arthur Wild gave himself up to me and stated that he was absent from 2 pm 30th June 1916. I detained him.

The accused did not desire to ask any questions.

Examined by the Court:

The accused Pte Wild was not in possession of equipment rifle or ammunition when he gave himself up.

The accused declines to ask any questions on this.

Defence

1st Witness: The accused states on oath: -

Early in June 1916 when my battalion were in the trenches at COLINCAMPS, I was working in a sap leading out from the front line trench at night, when a "coalbox" landed alongside me and exploded. I was severely shaken by this and taken out of the sap to a dugout of the Company Commander, when after being given tea I was sent to my dugout to rest.

I was excused after that from going into the front line trench for the rest of the battalion's tour in the trenches. On returning to hutments I was excused working parties in the front trenches by my Company Commander. I did see the Medical Officer who gave me some pills and said I should be better in a few days.

I saw the Medical Officer owing to being unable to stand the noise of shellfire when going up to the trenches.

I am very sorry for what I have done. I had no intention of deserting. I and my friend went out on the 30th June 1916 and had something to drink about 11 am.

We returned to camp for dinner and then went back to the Estaminet where we had been in the morning and stopped there until closing time. We wandered along a road into a corn-field and there fell asleep. We did not wake up till it was getting dark. We saw a village which we went to and found it was BEAUQUESNE.

I had a brother stationed at VIGNACOURT so I intended to go there, tell him everything and then give myself up.

On arrival there I found that my brother had moved so I gave myself up.

APPENDIX 2

Cross examination by the Prosecutor

I did not report sick after the explosion of the "coalbox" as I was allowed to rest by my Company Commander.

Q. Did you on any occasion after being made a member of the ration party have occasion to report to the Medical Officer?

A. No.

Q. How far do you think the cornfield where you slept was from BUS?

A. About 3 or 4 miles, I think.

Q. Why did you on waking up when it was getting dark not return to BUS?

R. Because I was frightened of the consequences of my absence and also thought I should not be able to stand the noise of guns.

2nd Witness for the Defence: No. 47. Private C Onam. 18th (S) Bn W. York. R., sworn states:

On one occasion in June 1916 I was in a working party along with the accused Pte Wild near EUSTON dump when heavy shelling commenced. I then noticed the accused Pte Wild was bad with shellshock so I reported him to the Officer in Charge who told me to take him straight back to camp which I did. By shellshock I mean that he was all of a shake and ducked and quivered at every shell.

3rd Witness for the Defence: No. 1267 Sergeant Hustwick. 18th (S) Bn W. York. R., sworn states:

Early in June 1916 the accused was working under me in a sap at night in the front line trenches at COLINCAMPS, when the Enemy sent over three minenwerfers which landed very close. I had to send the accused Pte Arthur Wild out of the sap as he was so shaken with shellshock and I did not see him again that night.

4th Witness for the Defence: 2nd Lieut J. R. Thornton. 18th (S) Bn, W. York. R., examined on former oath states: -

Early in June 1916 the accused Pte Wild was in the front trenches at COLINCAMPS when some "coalboxes" landed near him. He was taken out with shellshock and I assisted to get him out.

On another occasion on a later date whilst going up on a working party to the assembly trenches from EUSTON dump, shelling was going on and the accused Pte Wild, who was on of the party of which I was in charge, gave way completely and I sent him back to camp at BUS. I reported the matter to the Company Commander but do not know what steps he took.

I have known the accused Pte Wild for nearly three months and he has never given any trouble except on the occasion in question. Recently he has been in the trenches again. He behaved alright in the support trench and on one occasion formed one of a wiring party when he did his job as well as anyone else.

5th Witness for the Defence: No. 18/1128 Corporal T. Wise. 18th (S) Bn W. York R., examined on former oath states:

The accused Pte Wild is in my section and has been since we were in FOVANT in November 1915. And during the whole of that time I have found him a good worker and a good soldier.

After the finding

2nd Lt. H. L. Dalley. 18th (S) Bn W. York. R. sworn states: -

I produce certified true copy of A.FB122 of the accused Pte Wild and manuscript A.FB296 signed by the President and attached to the proceedings. The accused Pte Wild has been in custody since 4th July 1916.

The accused declines to cross examine the witness.

3. Character statements

There are two statements as to the character of the accused Private Wild signed H. Carter, Commanding 18th Battn West Yorks, Regt.

A hand-written one with no date states: "I certify that the character of the accused, No. 18/356 Pte A. Wild, has been very good during his 16 months' service. There is one entry on his Field Conduct Sheet, dated 22.11.15, for: Late on Company Parade. The accused has been in custody since 4th day of July, 1916."

A typed one dated "22/8/16" states: "Reference Circular Memorandum on Courts-Martial, Part III, Section 1, Para. (b), Sub-Para. (i), this man has always been of a rather lazy disposition, and one who needs driving the whole time to get the full amount of work out of him. Of his previous conduct in action I know nothing, except that he has never done anything exceptionally good. The case of shell-shock which is mentioned in the evidence was nothing serious, as I happened to be in the front line trench myself at the time. He has served with the M.E.F. (Egypt) from 6th December, 1915, to 9th March, 1916, and with the B.E.F., (France) from 10th March, 1916, to the present time. Ref. Sub-Para. (iii), in my opinion, of the two men Crimmins and Wild, Wild was the stronger character, and I think undoubtedly deserted deliberately, with the sole object of avoiding further active service."

4. Schedule of Court Martial No. CM26

Date 21st August 1916. No. 26

Name of Alleged Offender: No18/356 Arthur Wild 18th W. York. R.

Offence charged: "Sec: 12 I(a) When on Active Service deserting His Majesty's Service

Plea: Not guilty

Finding, and if Convicted, Sentence: Guilty. To suffer death by being shot. With a strong recommendation to mercy on account of the nervous condition of the accused due to the explosion of the trench mortar projectile in the near vicinity of the sap in which he was working in the front line trench in the COLINCAMPs section in the early days of June 1916.

The Schedule is signed by J.D.Ingles, Convening Officer, and by H.H.Kennedy, President [of the Court]. Lower down in the column headed "Finding, and if Convicted, Sentence" appears the word: "Confirmed", the signature: "D. Haig", the date: "1 Sep:16".

5. Memo, dated 23rd August 1916, from Brigadier General J. D. Ingles, Commanding 93rd Infantry Brigade:

"The state of discipline of the 18th Battn West Yorkshire Regt is good.

I recommend that the extreme penalty be inflicted in that the crime was committed deliberately."

6. Memo from Captain H. E. Yorke, RAMC, Medical Officer

I certify that No. 18/356 Private A. Wild of 18th West Yorkshire Regiment was executed by shooting at 5.51 a.m. on September 5th 1916 at LESTREM. Death was instantaneous.

Transcript of documents, reference WO71/496, from the Public Record Office. Reproduced with their kind permission.