THE INCAPACITATED SOLDIER IN THE SIXTEENTH CENTURY

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In an earlier paper we have seen that up to the middle of the sixteenth century the sick and wounded in war received but little attention from the Government. This statement applies equally to those who were totally incapacitated in the service of their country. Once an unfit man arrived in England the Government took but little further interest in him; and it was up to himself to find his own way home and to sustain himself as best he could.

Till the time of the Reformation many of the incapacitated must have been looked after by the various religious establishments and charitable institutions, which were then so numerous in this country. But when, in the reign of Henry VIII, the monasteries and other religious charitable houses were closed down, the disabled soldier, like many other poor people, was badly hit. He had lost his only means of honourable existence, and the only courses left open to him were, if he were not to starve, begging and crime.

This parlous state of the incapacitated soldier became very obvious to the community during the reign of Elizabeth. For the first time, since the closure of the monasteries, England became actively involved in wars on the Continent, with the result that the numbers of incapacitated soldiers in the country increased very greatly. Also, on account of the greater interest that was being taken in the care of the sick and wounded, large numbers of these men were brought from the Continent to London to receive treatment in the only two large and adequately staffed hospitals, namely St. Bartholomew's and St. Thomas's. Many of these men, after treatment in hospital, were found to be unfit for further service and were then discharged from the Army. Having no money to enable them to get to their homes, they had to remain in London, and that town, by the 'eighties of the sixteenth century, had a large number of these incapacitated men roaming its streets, supporting themselves as best they could, by begging, and even at times resorting to crime and violence. It became obvious, if only to prevent talk and public scandal, that something had to be done for these disabled fellows.

The Privy Council took action, and on November 20, 1586, called upon the Lord Mayor of London and the Justices of the Peace of Middlesex to examine all disabled people who were begging in the streets, and to find out which of them had received their injuries in the Queen's wars, and which of them were imposters. The former were to be relieved and sent back to their own counties.
with letters recommending them to the care of the authorities there. The latter were to be arrested and severely punished. To raise the money to enable the civic authorities to relieve these men, the Privy Council wrote to the Bishop of London, and requested him to order all clergymen, who were appointed to preach at St. Paul's Cross and other places in the city, to bring to the notice of their congregations the distressed condition of these unfortunate ex-soldiers, and to take collections on their behalf (A.P.C., 1586-7, p. 253).

At first sight it might seem that this business of appealing to the charitable for money was an attempt by the authorities to pass on their obligations to other people. But there is much to be said in justification of the action of the Privy Council. It does not appear that there was, at that time, any legal obligation upon the Queen or her ministers to do anything for these men. Furthermore, however much they may have sympathized with those incapacitated in the service of the country, the Government officials had few means at their disposal to relieve them. The amount of money at the disposal of Elizabeth was very small, and there was little to spare for unforeseen contingencies such as this. Elizabeth has often been accused of being parsimonious, particularly in her treatment of the armed forces, and it has been said, not without reason, that she cut down their cost to such an extent that she impaired their efficiency. The answer to this criticism is that she had to be parsimonious because she had little money to spare for these things and that, whenever she exceeded her income, she had to go cap in hand to parliament and ask for more. It is true that her parliaments were fairly subservient and, so long as subservience did not touch their pockets, they generally did what she wanted. But the good Queen understood quite clearly that if she started to ask for money parliament might very quickly become difficult.

This lack of money had a powerful influence upon the central government in shaping its policy for the disposal of disabled sailors and soldiers. No doubt the Privy Council could have devised a satisfactory system of pensions for these men, run by some central board under its direction. But, unfortunately, the Council had no money at its disposal for this purpose. Therefore some other plan had to be evolved.

As a long-term policy the raising of money by appealing to the charitable is unsatisfactory. On one or two occasions the money may be obtained, but the public quickly becomes tired of repeated calls upon its purse, and soon cease to subscribe. However, as a stop-gap this method is often very successful, and it appears to have been so at this time. London was relieved of a great number of importunate wretches, by their being packed off to their homes in the counties, and no further complaints under this head were heard of for several years.

Some six years later, the matter once again became serious, and on February 28, 1592, it again became necessary for the Privy Council to take action. This time they appointed a number of examiners, who were instructed to call before them all soldiers and sailors who were in London. They were to interrogate them as to where they had served, whether they had any sort of passport from their
commanding officer, and whether they had ever been wounded in the Queen's service. Having obtained this information, the examiners were to dispose of the men in the following manner. The fit men with satisfactory passports—presumably some form of discharge papers—were to be sent back to the counties from which they had been pressed. Those who were without documents were to be treated as rogues and sent to gaol. The men who had been wounded, and whose wounds required further treatment, were to be passed on to the governors of the London hospitals for admission to those institutions, to be retained there until they had been cured. The names of the totally disabled were to be forwarded to the Privy Council with details as to the place and time when they had been wounded (A.P.C., 1591-2, pp. 295-6).

The examiners did their work expeditiously, and, a fortnight later, the Privy Council were able to issue further instructions to them to consider what grants of money should be given to the incapacitated men to enable them to return to their homes. At the same time the Privy Council issued orders to the Lord Mayor of London to pay these grants to the men concerned. When this had been done, the examiners were to issue passports to the invalids to enable them to return to their own counties and at the same time they were to warn them that, if they were afterwards found in London, they would be dealt with severely (A.P.C., 1591-2, p. 335).

One may ask where was the Lord Mayor going to find the money to meet this demand? What had happened was that the Privy Council had discovered that there was a sum of £120 in his hands, which had been accumulated from fees paid by the London butchers for licences to kill cattle and sell beef during Lent. The Government was so short of money that any source from which it could be obtained was utilized (A.P.C., 1591-2, p. 335).

It must, however, have been quite clear to those in authority that such hand-to-mouth methods were quite inadequate for dealing with the problem of the disabled soldier. It might have been possible, by using these casual sources, to obtain sufficient money to get the disabled soldiers out of London and back to their own counties; but what was going to happen to them when they arrived there? There was no law to compel the county officials to do anything for these helpless fellows, and the Government could only hope that their own counties would feel charitably disposed to them. This problem must have been foreseen by the Government, because they took the matter up with parliament—the only body who had the power to raise the money required—and that assembly in 1593 passed an Act, 35 Elizabeth, chap. 4, empowering county authorities to raise money for the maintenance of totally disabled seamen and soldiers, who had received their injuries after March 25, 1588.

This Act provided for the levying of local rates upon the different parishes of the kingdom. The amount to be paid by the individual parishes in any county was to be decided by the Justices of the Peace of that county assembled in Quarter Sessions, and the meeting for this purpose had to be called within two months of the end of the session of Parliament in which the Act was passed.
No parish was to be rated at higher than sixpence a week and none less than a penny. If there were more than fifty parishes in a county the average rate for the county was not to be more than twopence per week per parish.

The parish rate was to be collected by the churchwardens of the parish, and handed over by them to the High Constable of the division of the county to which the parish belonged. The High Constable passed whatever he received to one or other of the two treasurers appointed by the justices for this purpose.

The treasurers were appointed for a year, and at the end of their period of office they had to submit to the justices accounts of their receipts and disbursements.

Penalties were laid down for the punishment of any of the above-mentioned officers who failed to carry out the duties imposed upon them by this Act. The churchwardens could be fined up to ten shillings; the high constables forty shillings; and the treasurers could be mulcted at the discretion of the Justices of the Peace.

There were regulations for the disposal of the disabled soldier. Whenever such a man arrived in England: if a pressed man, he was to return to the county from which he had been conscripted; if he was a volunteer, he had the choice of returning either to the county in which he enlisted or to the one in which he had been born. Each disabled man had to bring with him a certificate from the general or admiral under whom he had served, or from their authorized deputies, that had to contain details of his service and of his injuries. In order to prevent fraud, one of the first things the invalid had to do, on his arrival in this country, was to get this document approved either by the receiver-general of the muster rolls or by the controller of the Navy. As these officials were usually located in London, this meant that he had to go to the capital before he could set out for his own county. When the man ultimately arrived at his destination, he reported himself to the county treasurers and presented to them his certificate duly approved by the receiver-general or the controller. The treasurers then decided what temporary relief they should give him to keep him going until the next meeting of the quarter sessions. In determining the amount of this relief, they had to take into account his rank, length of service, and the nature of his disability.

At the first quarter sessions after the man’s return to his county, the justices allotted him a permanent pension, and the county treasurer continued to pay him this quarterly, until the Justices of the Peace, in Quarter Sessions, revoked their earlier decision.

The maximum pensions allowed under this Act were ten pounds per annum for a private, fifteen pounds for an officer under the rank of a lieutenant, and twenty pounds for a lieutenant.

As the disabled man, when he returned to this country, had first of all to proceed to London and then go on to his own county, it was necessary to give him an allowance so that he could maintain himself during these journeys. To provide this, the treasurer of the county in which he landed was permitted to give him sufficient money to carry him on to the next county, where the
next treasurer was to do likewise, and so on from county to county until he reached his destination.

Any disabled pensioner found begging was to forfeit his pension, and was to be treated as a rogue or a vagabond.

Corporate towns were authorized to run their own pension schemes independently of the county in which they were situated.

This important Act introduced the first scheme ever devised in this country for the maintenance of the incapacitated soldier. With certain amendments it remained in operation until the time of the Civil War, when it finally broke down under the peculiar circumstances of that time. In practice this Act was only moderately satisfactory, as it depended for its success on the zeal of the local county authorities. If these men did not do their duty the scheme broke down in that county, and the invalid ex-soldiers became greatly distressed.

The weak points in the Act soon became apparent to those whom it was designed to benefit, and a number of ex-Servicemen petitioned the House of Commons to give them relief. They complained that they could not obtain their pensions, because the high constables refused to collect, from the parishes, the money to provide them. Also, despite the clause in the Act forbidding this practice, many of the pensioners were begging; and were taking away the only means of livelihood of those disabled soldiers who were not entitled to benefit under the Act—those who had been wounded before March 25, 1588. Finally the petitioners asked that the moneys collected in the counties should be paid into the exchequer, and that the payment of the pensions should be undertaken by the central government (Salisbury, iv, p. 457).

In regard to these complaints, there is no doubt that many of the pensioners had difficulty in obtaining the full amount of the pensions that they had been awarded. This was not due entirely to slackness or dishonesty on the part of the county officials. The fundamental trouble was that the amounts raised from the assessments of the parishes were insufficient to meet the cost of the scheme, and many of the pensioners could only be paid a small proportion of the pension which they had been awarded. This fact was probably the cause of pensioners becoming beggars, and taking the risk of being classed as rogues and vagabonds. The final suggestion that the pensions fund should be administered centrally received the blessing of several later writers, who considered that the Queen and her advisers acted dishonourably, and avoided carrying out their obligations to the wounded soldier by passing them on to the county authorities. But we have already mentioned that the Queen had no money available for this purpose and had to go to parliament to obtain it. It was parliament who decided how the money was to be raised, and it was parliament who ordered that this business should be administered by the counties. And as the members of parliament at this time were also the county magnates, they took over this important duty of their own free will. Therefore it was parliament, and not the Queen, that was responsible for the decentralization of the payment of pensions, and they are the people to be censured for this, if censure is necessary, and not the Queen.
It is not difficult to understand why parliament acted as it did. If the members had decided to let the central government run the scheme, they would have had to provide it with funds by means of taxes. Parliament, however loyal it might have been to the Queen, was loath to give her or her Government more money than was absolutely necessary for the running of the country. It therefore preferred to keep the administration of the scheme in the hands of its own members, who, when they returned to their own counties, became the Justices of the Peace who decided how the pensions were to be paid. And can we say that they were wrong? With communications as they were at that time, it would have been almost impossible to have administered these pensions from a central fund. In those days there was nothing corresponding to the modern elaborate post office system, and the difficulties of distributing pensions all over the country would have been insurmountable. It would have been necessary for the pensioners to have lived in London, or very near to it, and that was exactly what everybody wanted to avoid. The Act of 1593 got the incapacitated men out of the capital and sent them back to their own counties and parishes, where they were known, and where any fraud or impersonation could be immediately detected.

Once the Act was passed, no pains were spared by the Government to get it put into force, and to get the mass of maimed men moved out of the metropolis. As some time had to elapse between the date of the passing of the Act and of its coming into force, money had to be found to maintain these incapacitated fellows, and also to defray their expenses during their journeys to their homes. This money was raised by means of a compulsory collection from members of both houses of Parliament (C.S.P.D., 1591-4, p. 340).

A committee of fourteen, under the chairmanship of Sir Robert Sidney, was ordered to meet at the Sessions Hall at Newgate, on April 4, 1593, to examine all disabled soldiers as should appear before them. These men had to produce evidence that they had been incapacitated, within the last four years, in Her Majesty's service. Those who were able to substantiate their claims had their names entered in a register with details of the county in which they had been enlisted or where they had been born. The time and place where they were wounded, and the names of their commanding officers were also noted; and a record was also made of whether they had already received a grant on account of their wounds, or had been appointed to a beadman's place in an almshouse. The committees were urged to finish their work as quickly as possible, and in order to expedite their enquiries, it was suggested that they should divide up into sub-committees. As soon as they had completed their work they were instructed to send their registers to the Lord Keeper (C.S.P.D., 1591-4, p. 340).

When the Lord Keeper received the registers the Privy Council took action. They arranged that every man should be given a travelling allowance to his home at the rate of a penny a mile; and if he was very lame, and would take longer on his journey, he was given twopence a mile. They drew up nominal rolls of the men according to the counties to which they belonged, and sent
these to the Lord Lieutenants: With these rolls were included sufficient sums of money to allow the Lord Lieutenant, or his deputies, to pay each pensioner in his county two shillings a week until the appointed day for the meeting of the Justices of the Peace in Quarter Sessions, who would then fix the final pensions of the invalids.

At the beginning of June, when the appointed day arrived, the Privy Council wrote to all the Sheriffs and Justices of the Peace throughout the Kingdom, and drew their attention to their duties under this Act, and urged them to carry them out properly (A.P.C., 1592-3, pp: 298–300).

After several years’ experience of the working of the Act many of its weaknesses became apparent, and an opportunity was taken in 1597 to improve it by passing an amending Act (39 Elizabeth, chap. 21). It had soon been discovered that the assessments that were levied on the parishes were insufficient to meet the cost of the pensions, and they were now raised to a maximum of eightpence and a minimum of twopence per week per parish. In counties with more than fifty parishes the average rate per parish was increased to fourpence. Special arrangements were made for the City of London, where there had been heavy calls upon the pensions fund. The Lord Mayor, the Recorder and the Aldermen were empowered to rate individual parishes as high as two shillings per week, with the limitation that the average for the whole of London had not to work out at more than eightpence for each of the parishes in that city.

The Justices of the Peace of a county were now allowed to appoint treasurers who were not Justices of the Peace; and they were also empowered to revoke or alter the size of any pension whenever they thought fit. The penalty for churchwardens not performing their duties properly was increased from ten shillings to one pound.

In 1601 further amendments were made by 43 Elizabeth, chap. 3. The parish assessments were once more raised and the maximum now became tenpence: no alteration was made in the minimum assessment. The average rate per parish in counties with more than fifty parishes was increased to sixpence. In London the maximum was raised to three shillings, and the average for all the parishes of that city became one shilling.

The petty constables now shared with the churchwardens the responsibility for collecting the rates of their parishes.

The incapacitated man had to supply himself with a certificate from his company commander as well as from the general under whom he had served.

The county treasurers had now to give their reasons for refusing to give a man a temporary pension when he produced the proper papers.

With these various amendments this pensions scheme would probably have worked reasonably satisfactorily if the county authorities had been prepared to do their duty. But this they were not all willing to do; and in many cases they tried to avoid their obligations by passing the responsibility for relieving incapacitated soldiers on to some other county. A county in which a man had been enlisted would pass him on to the county in which he had previously resided; and the county in which a man had previously resided would pass
him to the county in which he was enlisted (C.S.P.D., 1591-4, p. 342). Counties and incorporated towns were often remiss with their payments, and pensions were often much in arrears. The Justices for purely frivolous reasons would stop or reduce a pension. Fortunately the Privy Council was well aware of these tricks, and kept as firm a hold as possible upon the local authorities. The volumes of the Acts of the Privy Council, right up to the end of the reign of James I, contain many letters from the Council to the Justices of various counties pointing out their deficiencies, and urging them to do their duty. A typical example is the following strong letter, dated July 11, 1622, sent by the Council to the Justices of the Peace of Buckinghamshire.

It is not unknown to you what clamore and complainte hath ben made unto us by the poore maymed soldiers, pencerioners in that county, concerning their pencions of late withheld from them, nor how frivolous and causes these pretences were found, whereupon that course against the poore men were grounded (A.P.C., 1621-3, p. 28).

It would be possible to include many more letters of a similar nature, but I shall content myself with one only, which deals with a military surgeon, and shows what alteration has taken place in the status of the military surgeon during the last three hundred years. This letter is from the Privy Council to The Mayor and Aldermen and reads as follows:—

Wee did of late addressse our letters unto yow in the behalf of this poore man, George Rayne, that in regard of his longe service as chirurgeon in the waits, being imprest out of that county and citty, yow should affoarde him some competent meanes of reliefe, as might be aunswearable to his former services, and his present necessitie; and thinke it very strainge to find that our recommendation was so far sleighted as neither to move you to comisserate the poor man’s estate, nor to shew us cause to the contrary, and as your dutie, and the respect yow ought to beare to the direccions of this board, required; and doe therefore hereby require you, that, without further delay or trouble to the peticioner or this boarde, you cause such provision to bee made for his reliefe and maintennance, as by the statute is provyded, or otherwise to make knowne to us the cause of this refusall. Whereof wee require yow not to fayle (A.P.C., 1615–6, p. 237).

KEY TO REFERENCES

C.S.P.D. Calendar of State Papers. Domestic.