

Windsor Castle April 4
1833

The King, not having adverted to the probability of Viscount Althorp being prevented by the necessity of attending in the House of Commons yesterday from coming to St James, did not acknowledge the receipt of his Report of the Proceedings in that House on the preceding evening, as He meant to have spoken to him on the Subject.

Viscount Althorp appears in His Majesty's opinion, to have exercised a sound discretion in stating, in consequence of Sir Robert Peel's objection against imposing any Tax upon the present Incumbents of the Church in Ireland, His readiness to reconsider this point, with a view that the Tax should be imposed on future Incumbents only, and His Majesty rejoices that the Resolutions were agreed to without much further Debate.

But His Majesty does not deny that He
has

has learnt, with extreme concern that, in
consequence of the Debate on Mr. James's Motion
for abolishing Corporal Punishment in the
Army within the United Kingdom, and
the Division upon it, Viscount Althorp is of
"opinion that it is most expedient to adopt
"some Regulations which ^{would} not be inconsistent
"with the Discipline of the Army, in order to
"avoid a Vote in the House on some future
"occasion," and that he contemplates, with
extreme uneasiness, any further abridgement
of the Power now vested in Courts Martial,
more particularly in Regimental Courts
Martial, to award, and in Commanding
Officers to confirm, Corporal Punishment,
satisfied as he is that it is, in an Army so
constituted, and in a Service so circumstanced
as those of this Country, indispensable to the
due maintenance of Order and Discipline

The King has
not signed it

and

and to the Security of the State. -

This Subject has been so fully canvassed at various periods, and has been treated so much in detail in Papers, which His Majesty concludes, have been brought under Viscount Althorpe's notice, that He considers it unnecessary now to enter at much length into it, but He thinks it due to Viscount Palmerston to say that he approves highly of the manner in which he met the Question and that He concurs in his reasoning on the Subject.

The King must ever contend for the existence of the Power and for the importance of the Soldier's Sense of its existence, and He maintains that the exercise of it has been placed under such restriction and regulation as to obviate the recurrence of the abuses which prevailed under a less perfect System - It appears to Him impossible that any Man in his Senses can entertain for a moment the proposition

to

To establish a distinction between Home and Foreign Service in the British Army, of which the larger Portion is, even in periods of Peace, employed abroad, and it must not be forgotten that, in many and most Foreign Nations, even the objectionable Substitutes for Corporal Punishment cannot be resorted to, and that if the Power be taken from Regimental Courts Martial, and from Commanding Officers of Regiments, it may be impracticable in many of these Nations to provide for the deficiency by resorting to a higher Tribunal, the Service being one of Detachment, with wide Intervals - In all cases the Commanding Officer is and must be held responsible for the orderly conduct and discipline of those entrusted to his charge, and the abuse of authority subjects him to Punishment affecting Character and Fortune, prospects in Profession and Society. The

Misconduct

misconduct or disorderly behaviour of this Regiment may and ought to entail the same consequences and yet it is proposed to deprive him of the power which has been found necessary to the maintenance of discipline and subordination and to place him at the mercy of a Body of Men in Arms, who may possibly be kept within due bounds without the exercise of that Power, or by the very exercise of it, but who would soon become ungovernable if they knew that their Commanding Officers hands were tied. - Nor must it be forgotten that the Privilege of pardon and release from such Punishment would be taken from the Commanding Officer, as well as the power of inflicting it, as the one cannot exist without the other, thereby depriving him of the two main sources of his influence -

The King is aware that some Commanding Officers have endeavoured and have, for a
time,

time, succeeded in carrying on the discipline
of their Corps without resorting to Corporal
Punishment, tho' He believes it will be found,
on enquiry, that not an instance has occurred
in which, however unwilling, They have not
been forced to revert to it, but He is persuaded
that if, at any time, the Quarters had been
put to them whether they could attempt the
Task if the Power were withdrawn from
them, they would have protested against
such an application of their principle.

His Majesty has adverted to the impossibility
of establishing distinct Codes for Home and
Foreign Service, and this observation may
be extended to the question of Peace and War.

Foreign ^{Service} of every description would become a
Punishment and a disgrace, and the orders
for Embarkation would be the Signal for
Shooting - The alternative must therefore be
the total abolition of Corporal Punishment
and

and this without the possibility of substituting
any other that would be effectual or practicable
on Foreign Nations -

But supposing this alternative to be
adopted, have the advocates for it considered
its possible effect on the Naval Service of this
Country and are they prepared to go the length
of proposing that all Corporal Punishment
shall be abolished in the Navy also? Can it be
expected that the Seaman, who is impressed,
whose Service is not voluntary like that of the
Soldier, will submit to the continuance of a
mode of Punishment from which the Soldier
is exempt? from which even the Marine
who is one of the Ship's Company and under
Ship Discipline must then be exempt?

And again, if the absurd proposal of establishing
two Codes for Home and Foreign Service were
adopted where and how is the Service of Home
and Foreign Service to be drawn in the
Naval Service?

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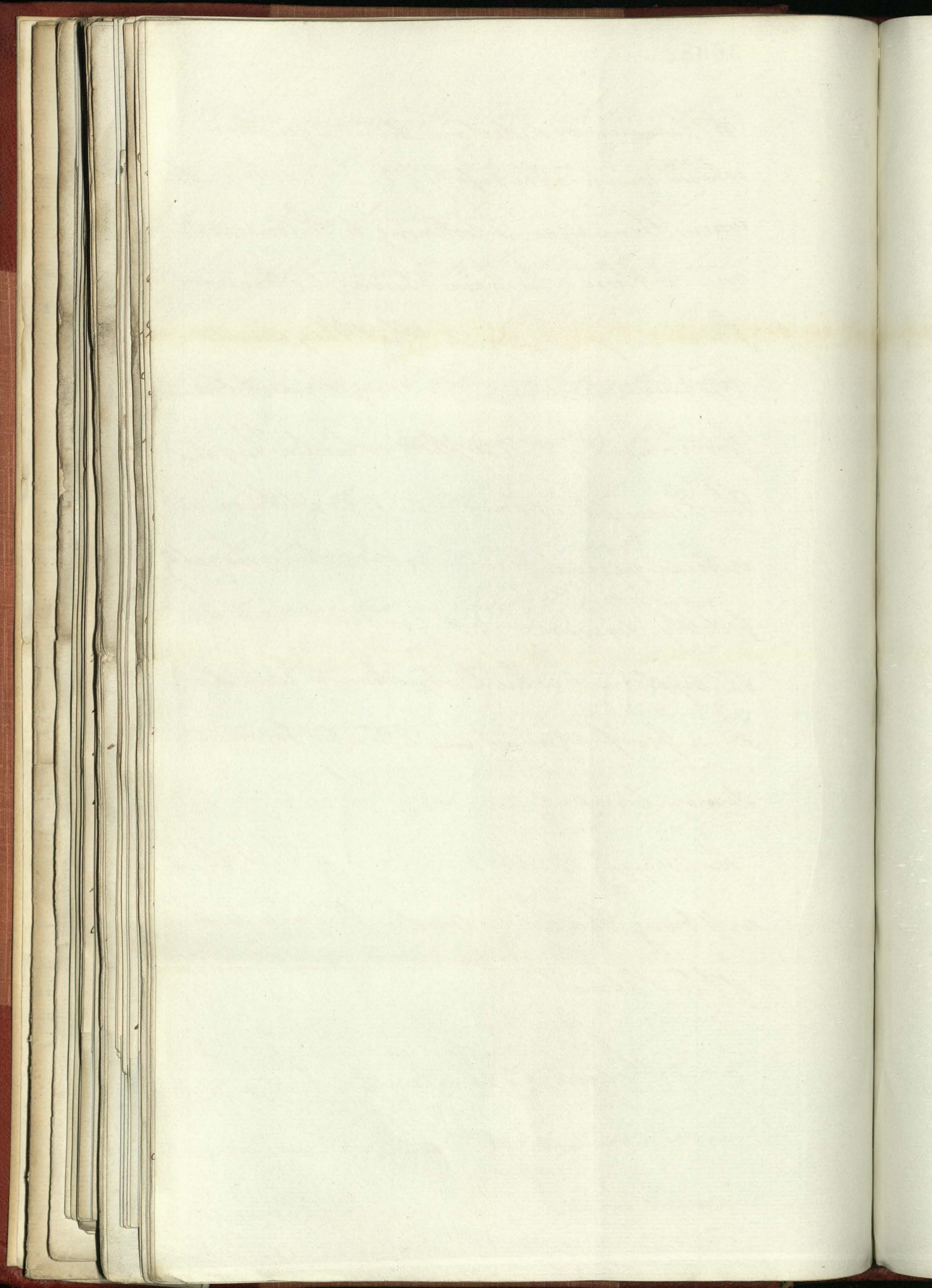
All these are circumstances which show the wide difference between Theory and Practice, between Speculation and Experience, and the remark applies equally to the attempt to define the peculiar offence or crime to which punishment should be awarded, to distinguish, by anticipation, between insubordination and mutiny, between crimes committed on duty or off duty, with or without arms - At present a certain discretion is vested in Courts Martial and in the confirming Power, which cannot be limited or circumscribed as proposed, without depriving the Service of the benefit of a necessary example or the culprit of that of extenuating circumstances, under contingencies which would justify either -

In short the experiment is full of danger, its effect may prove frightful and Mr. Thacker seriously warns Viscount Althorp and other Members of the Government against yielding

A clamour and declamation a question
which involves the safety of the Country - He
warns them against listening to the insidious
voice of those who have shown, by their
proceedings in general, that they would
rejoice in depriving His Majesty and His
Government of the support which they and
the Peace of the Country derive, at this
critical period, from Troops whose Loyalty,
Fidelity, Discipline and good will have, under
the system to which objection is raised,
A good proof against any attempt to corrupt,
demoralise, and disaffect them -

His Majesty desires that I should forthwith
bring this Letter under the consideration
of the Cabinet -

(Signed) William B.



(27)

Mr King to Lord

Althorp.

April 5. 1733.

Opportunity to Mr. Weston in

the Meeting Oct, and

Advancement of the same

Proceeding, before

Baronment in the in

Regimental Court

Martha.