

Lord Grey to Sir H. Taylor

36093-4

Downy Place Oct. 4 1833

Private

Dear Sir Robert

I cannot help accompanying
my letter to the King, with a few words
separately to you, on the important subject
to which it relates -

I have read the J. of Wellington's letter
& memorandum with great attention. I
entirely concur in his opinion, but I cannot
say that this conviction has been at all
strengthened by his arguments; which consist
chiefly of being assertions. I have made
a few marginal observations, & say one
or two facts in which I think he is mistaken;

I am
Sir Robert Taylor's C. H.

Feb

but as we come to the same conclusion, it is
not worth while to canvass the reasons
by which we arrive at it. I must, however,
notice another point asserted in his letter; that
a Meeting on account of corporate punishment
was never heard of. If my memory is not greatly
at fault there certainly have been such instances
where that punishment has been carried to
an excessive severity. One of a conspiracy in
a Regiment, & another in a Garrison & Fort.
- I only remember -

The arbitrary & sometimes the oppressive
manner in which this ~~was~~ punishment
was, at some times, formerly inflicted, has
however been, as I believe, effectually cor-
rected, by the regulations which have, in
later times, been adopted & enforced.

What

division you will see how strong the party upon
this subject is amongst many of the most
respectable & independent members of the
House. Many certainly were absent, & especially
from the ranks of the Tories, who probably were
have voted with the government, but many were
went away, whose inclinations were to vote
for the amended motion, not to embarrass
the government, & in the hope that something
may be done to meet their wishes. If the thing
should be taken up again, were especially if
it should be supported by ~~several~~ petitions, we
could have no assurance even of the small
majority by which the question was carried
the other night.

To show this Lord Palmerston is an
unexceptionable witness; & I enclose a
letter from him, written the morning ^{after} the
division

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division, in which you wish me the impression
 it had made upon him. Of his opinion upon
 the subject, which he so powerfully supported
 in the debate, there can be no doubt, & there
 could not be a more convincing proof of the
 danger to which we may be exposed, if every
 possible care is not taken to provide
 against it. Being anxious that he should
 receive my answer without delay, I did not
 keep a copy of it, but I stated my conviction
 that the power of suspending colonial Assemblies
 must, by the mental courts that he used
 not be given up, & that it would not be prudent
 to say more (I do not mean that unless proposed)
 than that for. It is complete confidence that
 the Court in that, by whom so much had already
 been done, would be at all times ready to con-
 sider by what regulations it might be

J. B. M.

ms. 100

possible to keep within the strict limits
the exercise of a power which, for the maintenance
of the army, it was necessary to retain. The
putting this ^{subject} the same night without any
further comment or observation; but under
circumstances, which render it morally cer-
tain, that the subject will be revived, if
nothing is done about it.

We have thus got breaking time; & I
am most anxious, as I have stated both
to his Majesty & to him, that Lord Bute
should immediately consider, & consult with
the best military authorities, more particularly
with the Duke of Wellington, whether either in
peace the articles of war, or in the way of
intervention in regulating the conduct of courts
martial, something may yet be done, which
would satisfy these above feelings are

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so much excited with respect to this practice. I believe a very little would produce this effect, a great advantage has been gained, as I have noted on the margin of the D. of B. Paper, in the admission that the power of flopping can not be altogether given up. It is now therefore only a question of regulation. Charles tells me that Sumner's amendment would have had little or no effect on the practice as it is now regulated. If something therefore of this kind, or approaching to it, could be adopted in either of the ways that I have suggested above; & if it could be accompanied by a limitation of the number of catches which may ^{be} inflicted by a general Court Martial to 300, & by a Regimental Court Martial to 100, I should feel great confidence in the power of the government to effect a successful

may

much full mistake to a future proceeding
like that of the other night - without coming
of this sort, I think there will be reason to fear
that a motion might be carried, which would have
a very mischievous effect; & to come to of this
sort, from the memorandum which he put into
my hands, I was induced to believe that his Majesty
would not object.

I remain with the most sincere regard
Dear Sir Robert
Yours very faithfully
Grey.

Lord Grey
April 5. 1733
Returning to the Duke of
Windsor's letter &
Memorandum in
reference to the Duke of
the Army with the Duke's
Memorandum &
General's Memorandum &
Memorandum in the Duke's