be considered sufficient in almost any case, and Three, or at most Four, Months Confinement with Hard Labour equally so. During all Hard Labour in Barracks, or elsewhere, the Men should, while at Work, be kept separate as much as possible, to prevent conversation, and all communication with them not absolutely necessary should be strictly fashidden.

should be strictly forbidden.

Submission, quiet and orderly Conduct, and proof of contrition, while undergoing Punishment should, unless the Crime had been of a very aggravated character, be favorably considered, and obtain for the Prisoner a partial Remission of the Punishment, at the discretion of the Commanding Officer. In the case of District Courts Martial, the Commanding Officer may, if he should see reason, recommend a partial Remission of the Punishment, but he cannot order it himself, the Sentence having been approved by a superior power.

- The Pay of all Men under Sentence of Court Martial should be drawn according to the Regulation of the War Office, namely, Six Pence a day, and applied to the sustenance of the Prisoner.
- 9. Instances having occurred in which Commanding Officers of Regiments have applied to the General Officer commanding the Brigade, District, or Garrison, for authority to try Deserters by Regimental Courts Martial, and have been authorised so to proceed, they are hereby informed that it was not intended to include the Crime of Desertion in the description of "Offences which in certain cases may "admit of less serious notice," and "which it may be advisable to try by Regimental

The nature and extent of Punishment, particularly of Solitary

Lord Hill does not consider it necessary or advisable to restrict the power or discretion of the Commanding Officer, by precise or detailed Instruction or Regulation, with regard to the nature and punishment of such Offences and Irregularities as it may not be necessary to bring to the cognizance of Courts Martial; but, in order to promote that uniformity of system which is the main object of this Instruction, it is deemed expedient to lay down the following General Rules to be applied by Commanding Officers at their discretion, according to the nature and degree of the Offence, and with due regard to the Character and previous Conduct of the Individual, which should always be borne in mind; to be applied also according to circumstances, such as the general conduct of the Regiment entrusted to them, the description of the Quarters it may be occupying, the more or less Temptation to which the Men may be exposed, and other general considerations which must guide the judgment and good sense of the Commanding Officer in his choice of the period when the Reins of Discipline should be tightened, or may with propriety and safety be relaxed.

- 1. In all first Offences not of an aggravated character, or committed by young inexperienced Soldiers, mild reproof and admonition should be tried; nor should Punishment be resorted to, until a repetition of the Offence shall have shewn that the milder treatment has produced no effect. Soldiers should not be harrassed, but should be treated with kindness: they should know that it is wished to avoid Punishment if Discipline can be maintained without it.
- 2. No Punishment should be awarded except with the knowledge and approval of the Commanding Officer, that is to say, Officers Commanding Regiments, may, at their option, delegate to Officers Commanding Troops or Companies, and to the Adjutant, the power of ordering Punishments for minor Offences, not exceeding Three days Drill with confinement to Barracks. These should be ordered at Morning or

Evening Parades, and on the Parade, and immediately after Parade reported to the Commanding Officer at the Orderly Room for his approval or otherwise; or in cases where such immediate Report cannot be made, at latest on the following day. For all Offences requiring more serious notice, the Punishment should be ordered by the Commanding Officer only. upon the report made to him, through the Officer commanding the Troop or Company, or the Adjutant. The Commanding Officer should immediately investigate the complaint, in the presence of the Officer commanding the Troop or Company, the Adjutant, Serjeant Major, and the Non-Commissioned Officer of the Squad; in the presence also of the Prisoner; and having satisfied himself from the evidence adduced, of the nature and degree of the Offence, should award at once such Punishment as he shall think fit, or reserve the case for a Court Martial; and upon these, and all occasions, the Commanding Officer should write his own Orders, and not confide that duty to others.

- 3. Officers on Detachment should be strictly enjoined not no introduce or adopt any system or practice of Punishment for minor Offences, which may be in any respect at variance with those established at Head Quarters under the sanction of the Commanding Officer.
- 4. All Men confined for Drunkenness, should if possible, be confined by themselves, and in the Black Hole, until sober, and not in the Guard Room, where they are often teased and provoked to acts of violence and insubordination.
- 5. Nothing can be more essential than to uphold the station and respectability of the Non-Commissioned Officer. Serjeants should, therefore, in no case be sent to the Guard Room and mixed with the Privates during confinement, but be considered as placed under arrest.
- 6. Officers should be cautious of reproving Non-Commissioned Officers for any irregularity, neglect of Duty, or awkwardness, &c. in the presence or hearing of the Privates, lest they should thereby weaken their authority and respectability in the eyes of their inferiors: indeed, admonition conveyed in mild terms, and without exposure of the individual, whatever may be his Rank, will in general be found to have a much better effect than that which tends to humiliate him in the eyes of his inferiors or his comrades, or to lower him in his own estimation, unless, indeed, it should be necessary for the benefit of example, that the reproof should be public, or that it shall have been provoked by repetition of the neglect or irregularity.
- 7. If a Soldier refuses to obey an order distinctly given, or resists the authority of a Non-Commissioned Officer, he should be confined, without altercation, and immediately reported to the Troop or Company Officer, or the Adjutant. Many cases of what is called mutinous conduct, arise from the improper way in which Non-Commissioned Officers speak, or give orders to the men.
- 8. Irregularities comparatively trifling, and of a minor character, although noticed in the Troop or Company Defaulter Books, should not cause the Offenders to be placed on the General or Regimental Defaulter List. With the same view of promoting uniformity of system and practice, the Form of a Defaulter Book is annexed, which Lord Hill desires may be adopted.

The Defaulter Book being a record of convictions, and having been made Evidence before a Court Martial in cases of Drunkenness, (see Article 51 of the Articles of War,) the Rate of Pension which a Soldier is to receive on Discharge being determined in great measure by his character and general conduct during his Service, and certain Offences, after being repeatedly committed, being, under the Articles of War, to be

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visited by increased penalties, it is absolutely necessary that this record should be framed on one uniform principle; nor, indeed, can real justice be awarded to the Soldier, unless it be kept on a recognized and intelligible system, and periodically examined by Officers. The prescribed Form is simple, and its utility with reference to the objects pointed out, will (as in all cases) depend upon the accuracy with which it may be kept, and the correctness with which the remarks are inserted in the Columns allotted to them.

Lord Hill considers it very desirable that the transfer of a Soldier's name from the Troop or Company's to the Regimental Defaulter Book, should be viewed by him as a disgrace of an aggravated character, and as entailing the more permanent record of the offence, which from its nature and degree has called, or from the repetition thereof may call for such notice. Oblivion of former irregularities, if they shall not have amounted to any thing disgraceful, ought to be held out as the reward of real reformation. But it is essentially necessary that those crimes which permanently affect a man's character, and are disgraceful to the Soldier, should be stigmatized as they deserve, because a high sense of character is inseparably connected with that honorable spirit which is the main spring of good conduct, and the source of the reputation of Regiments.

In order to establish the distinction, and to draw the line pointed out in these observations, an Alphabetical List should be made at the end of every year, of such men as shall be considered to have so disgraced themselves, by the nature and degree of their crimes, or the repetition thereof, as to have justly incurred the penalty of such special record; and this List should refer to the page of the Defaulter Book, containing the detail of the individual's case, and after being carefully extracted, should be recorded, as pointed out in the annexed Form.

In cases of Drunkenness the name of the Non-Commissioned Officer who was witness to the offence, should be entered with the date (the men having, of course, been seen when so reported, by the Officer in command of the Troop or Company, or the Adjutant,) and the Crime should be inserted in Red Ink, in order that the List may be readily referred to on Trial for "Habitual Drunkenness," and a separate Index to the Drunken List should be made. It is conceived that the best plan will be to enter the names by Troops or Companies in the General Defaulter Book, as prescribed in the Form. Thus all the serious Offences of one Troop or Company during the Year will appear together in the Regimental Book. To find a particular Man's name there will be the General Index for the Year, alphabetically arranged. There will thus be the double means of finding the Entry, by the Company, and by the Index of Names, with the additional advantage of a comparative view of the good or bad conduct of the different Companies.

As a part of the same system, another List should be kept to record the Names of those Men, who from particularly good and regular conduct, may be remarked as having in the course of the year few or no reports against them. This will distinguish the best Men from those, who though not guilty of Crimes to be specially recorded, may, nevertheless, have been frequently reported for minor irregularities or inattention.

The introduction of an uniform Form of Defaulter Book must afford greater facilities towards ascertaining the extent of Crime, and the judicious use of preventive means; and His Lordship desires, that at the periodical Inspections, the Guard Reports and Morning States may be produced, to enable the Inspecting General Officer to compare them with the entries in the Defaulter Book. These Guard Reports and Morning States, may, after such comparative inspection, be destroyed by his authority.

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I have the honor to enclose three copies of the Form of Defaulter Book.—One for your use and guidance, another for the Adjutant, and a third for the Orderly Room.

Commanding Officers must recollect that they are not authorized to place a Soldier in close confinement, unless it be preparatory to a Court Martial, for a longer period than 48 hours, of their own authority. A Soldier ordered to remain in a Defaulter's Room will take his Duty, Drills, &c. and the period of such order must not exceed seven days:—Crimes deserving of longer punishment of this nature, must be referred to a Court Martial.

This, of course, does not apply to confinement to Barracks, which may be extended at the discretion of the Commanding Officer, to periods not exceed-two months, the necessary measures being of course taken to prevent the Soldier so restricted from passing the Sentries, or having access to the Canteen; and Wine and Spirits being at the discretion of the Commanding Officer, stopped, on Stations where such are issued. The Commanding Officer will equally exercise his discretion as to the nature of the confinement to Barracks, according to the degree of the offence, namely, whether the Individual shall or shall not be required to fall in with the Inlying Picquet, attend all Drills and all Parades, and be called upon for all duties of Fatigue.—Solitary Confinement, or Confinement to the Black Hole, which in no case can exceed 48 Hours, unless awarded by Sentence of Court Martial, should, as much as possible, be reserved for cases of Drunkenness, Riot, Violence, or Insolence to Superiors, and in aggravated cases should precede the further Punishment of Confinement to Barracks, extra Drills, and Duties of Fatigue or Drudgery, &c.

A List of Men who had been placed on the Regimental Defaulter List for Drunkenness should be suspended in the Guard Room, as a warning against the repetition of the offence entailing Trial for habitual Drunkenness, and the penalty attached to a conviction thereof. When a part of the forfeiture of pay for habitual Drunkenness is remitted (vide the Secretary at War's Circular of the 24th March, 1830,) the Commanding Officer should notify it in Regimental Orders, as an encouragement to the Soldier to abstain from excessive drinking. As connected with the prevention of Drunkenness, the Lodgings of married Soldiers, which are resorted to by Men for the purpose of Gaming, Drinking, and other Irregularities, should be visited at uncertain hours, by Colour Serjeants of Companies, and even by Officers.

The Penalties inflicted by the New Articles of War for Habitual Drunkenness, are generally admitted to be the best check which has yet been devised for that offence, but much may be effected in aid of it by the manner in which Commanding Officers shall take advantage of them.

Lord Hill is satisfied that a vice, unfortunately so prevalent in the British Army, may be prevented and checked by due attention on the part of the Commanding Officer, and by the zealous and cordial co-operation and Example of those subordinate to him; and His Lordship expects that Commanding Officers will exercise their authority over the Officer in this respect, as well as over the Soldier, and that they will not suffer a vice to pass unnoticed in the Officer, which is so seriously to be reprehended and punished in the Soldier.

It appears to be the rule in some Corps, and it is stated to have been successfully applied, to hold Troops, Companies, and Squads generally responsible for the regular conduct of the individuals, taking care that the consequence of this responsibility shall not involve the Punishment of individuals whose conduct shall have been uniformly regular and good. In others a Troop, Company, or Squad Police has been introduced under the responsibility of steady Serjeants.

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These are expedients, of which the application must be left to the discretion of Commanding Officers, as must also the proper use of such facilities as local contingencies may afford, for encouraging manly Games and Exercises, provided these shall not tend to excess in drinking.

All that has been stated, will shew the extreme importance Lord Hill attaches to the *prevention* of Crime, and greater detail is not entered into, as it is not the object to limit or interfere with the discretion of Commanding Officers, but merely to obtain the application of it on general principles.

It is, however, indispensible to observe, that the Reports received from different Regiments, of their scales of Punishment, or the system observed in the notice and Punishment of Offences not generally brought to the cognizance of Courts Martial, have exposed the continuance of various objectionable practices, many of which had been animadverted upon and reprobated on former occasions, by His late Royal Highness the Duke of York, and by His Grace the Duke of Wellington.—The Log for instance, is a punishment inflicted at the discretion of the Commanding Officer, which cannot be sanctioned, and is henceforth strictly forbidden.—Drill in heavy Marching Order appears to be inflicted for periods varying from 2 to 8 hours per Diem, and from 3 to 21 Days or more;—this immoderate Punishment was strongly censured by the Duke of Wellington, and should in no case exceed 3, or at most 4 Hours per Diem, and be inflicted at proper intervals. This, however, applies to it as a Punishment, independently of the usual Parades and Drills in Marching Order, which are desirable, as is Exercise in general with Knapsacks, which should become part of a Soldier on Duty or Parade the moment that he is dismissed the Drill.

Standing under Arms is altogether forbidden.—It appears to be the practice in some Regiments to confine a Man to the Black Hole for 48 Hours, and after an interval of 24 Hours to repeat the Confinement for 48 Hours, and so on; nay, in some Regiments Men are confined in the Black Hole at the discretion of the Commanding Officer for periods not only exceeding 48 Hours, but amounting to 7 Days.

These practices are in the greatest degree reprehensible, and are strictly forbidden.

In some Corps Commanding Officers have taken upon themselves to commute a Corporal Punishment sentenced by a Regimental Court Martial, to Confinement, and possibly vice versâ. They must clearly understand that the power of commuting is vested in The King only.—They may confirm, remit, or mitigate, but they cannot commute the Punishment awarded by a Regimental Court Martial, nor, indeed, can any General or Superior Officer.—Others again have been in the practice of allowing to an Offender the option of such Punishment as they could inflict at their own discretion, or of standing a Court Martial. This also is irregular.

The Commanding Officer not having any intention of bringing the Offender to a Court Martial, should order such reasonable Punishment as it is within his competence to award, and with regard to this, it would be inconsistent with subordination that he should admit of the right of option or appeal, although he may if he think proper vindicate the justice of his first order, by resorting to the alternative of a Court Martial.

It has also been the practice in some Corps to allow a Serjeant to escape trial by Court Martial by resigning his situation. This practice is extremely

objectionable,—has never been sanctioned by any competent authority, and must be discontinued.

In conclusion, the attention of Commanding Officers is called to the importance of inculcating upon the Soldier, by every means in their power, and by the Example and Precept of his superiors, the propriety of civility and courtesy in his intercourse with all ranks and classes, and in his demeanour in Quarters, in the Streets, &c This applies especially to the conduct of Soldiers on Sundays, when Drunkenness, Irregularity, and Disorder should be particularly noticed and checked. They should also be admonished to pay the greatest deference and respect to Magistracy and to Civil Authority, nor should upon these occasions, the stations in life of the individuals be considered; the Character represented, and the authority with which that Character is invested, being the proper subjects of attention.

Nothing will tend more effectually to the establishment of Discipline and Subordination, and even to the absence of Irregularity producing exposure, than habits of general courtesy, and a conviction constantly operating upon the mind of the Soldier, that in proportion as he is marked by his Dress and his Bearing, so will any disorderly or rude act committed out of Barracks become the subject of particular notice.

It may be almost unnecessary to add, that there are no occasions in which the good or bad Discipline of Regiments becomes more conspicuous than upon Marches and Embarkations, nor any in which the attention and vigilance of every Officer towards preventing Irregularities are more called for.

The admirable Rules laid down for the Troops serving in the Pen in sula, and particularly for the Light Brigade, may be considered by Officers as applicable in many respects to Home Service; and many must be sensible from experience, of the importance of preserving the compact order of a Column of March, by not allowing irregular intervals and straggling, nor falling out, except during periodical Halts, which should be frequent, and if possible be made beyond the reach of Public Houses.

Lord Hill orders me to repeat upon this occasion, what has been urged heretofore by the late Duke of York and by the Duke of Wellington, that the criterion by which the state of Discipline of a Regiment, and the merit of its Commanding Officer will be estimated, is the absence of Crime, not the number of Courts Martial and the Amount of Punishment. This cannot be too strongly impressed upon the minds of those who are placed in the command of Regiments, and they may rest assured that no pains will be spared by the Superintending Authorities to ascertain that such are the Rule and Principle which guide their Conduct.

I have the honor to be,

SIR,

Your obedient

humble Servant,

HERBERT TAYLOR,
Adjutant General.

and Subordination, and even to the absence of tregularity producing exposure, their habits of general courtesy, and a conviction constantly operating upon the mind of the Soldier, that in proportion as be is marked by his Press and his Bearing, so will in which the good or had Discipline of Regiments becomes more conspicators than upon Marches and Embarkations, nor any in which the attention and vigilance of every Officer towards preventing Irregularities are more called for I have the honor to be, Rimble Servent, BEEDEET TAYLOR, Jestell BalufoA

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INSTRUCTIONS.

THE Names to be entered in the General Regimental Defaul Companies.

Crimes of Drunkenness to be entered in Red Ink, with the imissioned Officer who witnessed the Crime.

One Page for each Man, and from twenty-five to fifty spare Pages

A general Alphabetical List to be made with reference to the Pag

In cases of Desertion or Misconduct of such a Character as to ent it must be noticed in the Column of Remarks, with a reference to the I Record, Form B.

No Punishment to be ordered except with the knowledge of the C may, however, at his option, delegate to Officers Commanding Troops of Adjutant, the power of ordering Punishment for minor Offences, not Drill, with confinement to Barracks.

These must be ordered on Parade, and immediately reported to at the Orderly Room, for his approval or otherwise, and his sanction mu being entered in the Troop or Company's Defaulter Book.

The Morning States and Guard Reports of the preceding Six Moto the General Officer at the periodical Inspection, for comparison with or Company's and Regimental Defaulter Books, and after such comparable destroyed by the authority of the General Officer.

As it may be very inconvenient when a Man is about to be Dis or more Years Service, to refer to the Regimental Defaulter Books, kept series of Years, the Commanding Officer will, during the first Quarter Regimental Defaulter Book of the past Year, and mark the Names of t nature of their Crimes, or their frequency, deserve to have their Offence

This permanent Defaulter Book should be in Form similar to

INSTRUCTIONS.

THE Names to be entered in the General Regimental Defaulter Book by Troops or Companies.

Crimes of Drunkenness to be entered in Red Ink, with the Name of the Non-Commissioned Officer who witnessed the Crime.

One Page for each Man, and from twenty-five to fifty spare Pages to be left.

A general Alphabetical List to be made with reference to the Pages.

In cases of Desertion or Misconduct of such a Character as to entail Forfeiture of Service, it must be noticed in the Column of Remarks, with a reference to the Page of the Regimental Record, Form B.

No Punishment to be ordered except with the knowledge of the Commanding Officer, who may, however, at his option, delegate to Officers Commanding Troops or Companies, and to the Adjutant, the power of ordering Punishment for minor Offences, not exceeding Three Days Drill, with confinement to Barracks.

These must be ordered on Parade, and immediately reported to the Commanding Officer, at the Orderly Room, for his approval or otherwise, and his sanction must be obtained for their being entered in the Troop or Company's Defaulter Book.

The Morning States and Guard Reports of the preceding Six Months must be produced to the General Officer at the periodical Inspection, for comparison with the entries in the Troop or Company's and Regimental Defaulter Books, and after such comparative Inspection, they may be destroyed by the authority of the General Officer.

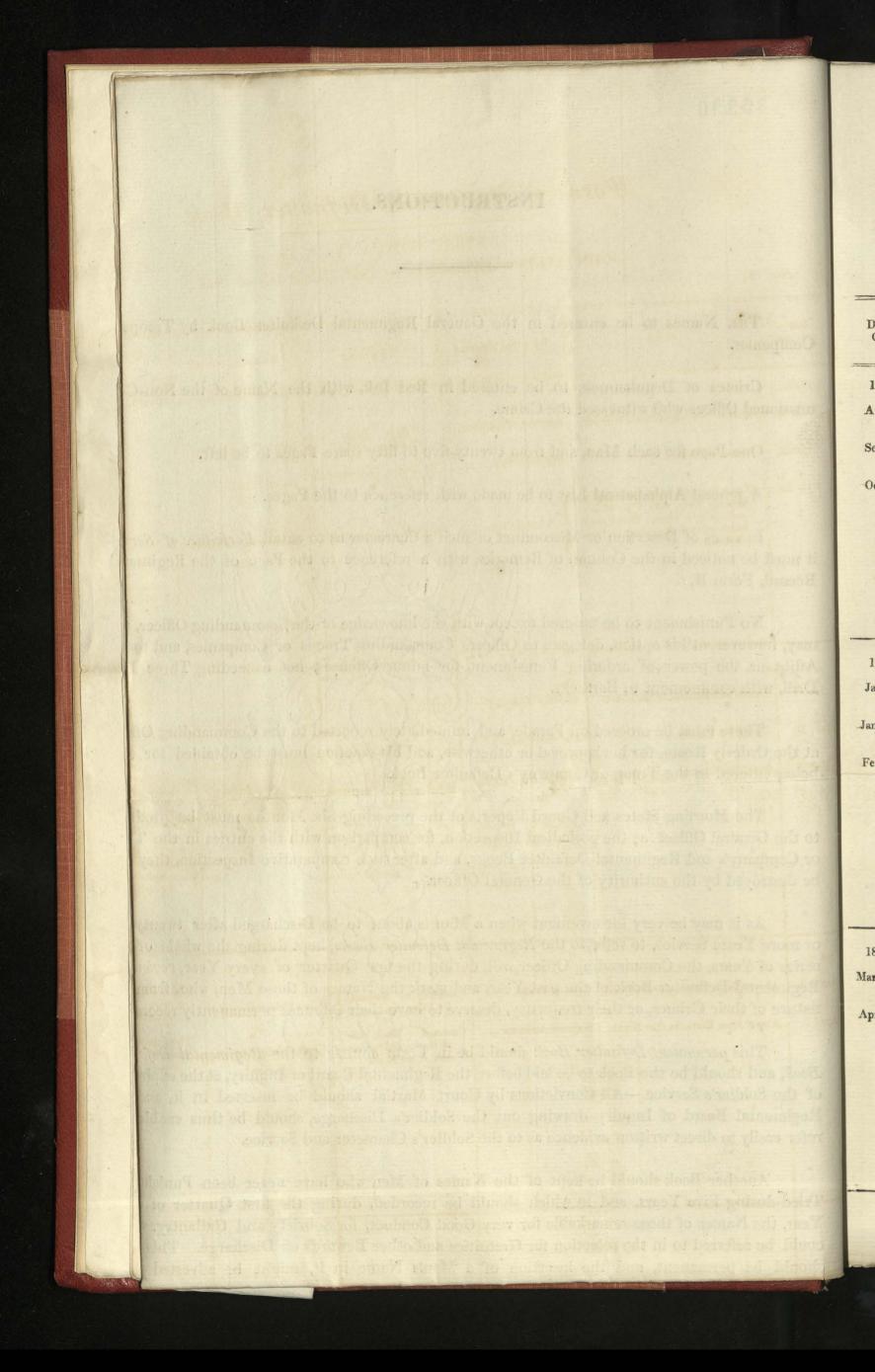
As it may be very inconvenient when a Man is about to be Discharged after twenty-one or more Years Service, to refer to the Regimental Defaulter Books, kept during the whole of that series of Years, the Commanding Officer will, during the first Quarter of every Year, review the Regimental Defaulter Book of the past Year, and mark the Names of those Men, who, from the nature of their Crimes, or their frequency, deserve to have their Offences permanently recorded.

This permanent Defaulter Book should be in Form similar to the Regimental Defaulter Book, and should be the Book to be laid before the Regimental Board of Inquiry, at the expiration of the Soldier's Service.—All Convictions by Court Martial should be inserted in it, and the Regimental Board of Inquiry drawing out the Soldier's Discharge, should be thus enabled to refer easily to direct written evidence as to the Soldier's Character and Service.

Another Book should be kept of the Names of Men who have never been Punished or Tried during Five Years, and in which should be recorded, during the first Quarter of every Year, the Names of those remarkable for very Good Conduct, for Sobriety and Gallantry, which could be referred to in the selection for Gratuities and other Rewards on Discharge. This Book should be permanent, and the insertion of a Man's Name in it, might be adverted to in Regimental Orders as an encouragement to persevere.

HERBERT TAYLOR,

Adjutant General.



Form of Regimental Defaulte

FIRST COMPANY.

JOHN ATKINS-Enlisted June 10, 1823-Joined.

No. 11.

Date of Crime	Crime	By whom reported	Punishment	
1830. Aug. 2. Sept. 3. Oct. 31.	Absent Two Nights from Barracks Drunk for Duty Absent from Barracks One Night, making away with Two Shirts and a pair of Boots; Drunk, and Insubordinate Behaviour to Serjeant Kite	Serjeant Thompson Corporal Trim Serjeant Kite	Days Drill, in Marching Order } 14 Days Confinement to Barracks } Regimental Court Martial	L M Li
1831. Jan. 1. Jan. 10. Feb. 3.	Drunk and Riotous in the Streets. Drunk for Parade Drunk for Guard	Serjeant Andrews Captain Shandy Lieut, & Adjt. Holmes	7 Days' Drill	Lie Lie
1832. March 3. April 5.	Absent Three Hours after Roll Call Absent from Barracks One Night.	Captain Drake Serjeant Andrews	Confined to Barracks 10 Days, &c Confined to Black Hole 48 Hours, and to Barracks One Month	Liet

Form of Regimental Defaulter Book.

FIRST COMPANY.

JOHN ATKINS—Enlisted June 10, 1823—Joined July 2, 1823.

No. 11.

Date of Crime	Crime	By whom reported	Punishment	By whom ordered	REMARKS.
1830.	Absort Two Nights from Powersky	Socionat The			
Aug. 2.	Absent Two Nights from Barracks	Serjeant Thompson	Days Drill, in Marching Order	Lieut. Col. Hopkins	
Sept. 3.	Drunk for Duty	Corporal Trim	14 Days Confinement to Barracks }	Major Jones	
Oct. 31.	Absent from Barracks One Night, making away with Two Shirts and a pair of Boots; Drunk, and Insubordinate Behaviour to Ser-	Serjeant Kite	Regimental Court Martial	Lieut. Colonel Hopkins	Vide Court Martial Book, p. 16.
	Insubordinate Behaviour to Serjeant Kite)			30 Days Service deducted for
					Imprisonment, (vide War- Office Instructions of 25th Nov. 1829, Article 13.)
1831.	Developed Pit 1 2 2	g			
Jan. 1.	Drunk and Riotous in the Streets.	Serjeant Andrews	7 Days' Drill	Lieut. Colonel Hopkins	
Jan. 10.	Drunk for Parade	Captain Shandy	7 Days' Confinement to Barracks }	Lieut. Colonel Hopkins	
Feb. 3.	Drunk for Guard	Lieut. & Adjt. Holmes	District Court Martial for Habitual Drunk-	Lieut. Colonel Hopkins	(Feb. 6, Sentenced to Forfei-
			enness. Feb. 6)		ture of Beer Money for One Year.
					Aug. 6. Six Months' Beer Money recommended to be
					restored, in consequence of Amendment.
1832.					
March 3.	Absent Three Hours after Roll Call	Captain Drake	Confined to Barracks)		Third Repetition of the Of- fence. Vide Company De-
April 5.	Absent from Barracks One Night.		10 Days, &c	Lieut. Colonel Hopkins	faulter Book, Page 103.
	accept from Darracks One Night.	Serjeant Andrews	Confined to Black Hole 48 Hours, and to Barracks One Month	Lieut. Colonel Hopkins	Third Repetition of the Of- fence. Vide Defaulter Books, Page
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