

Windsor Castle May 7. 1833

Private

My dear Miss,

I hasten to acknowledge the Receipt of your Letter of yesterday and the Enclosures both which I have submitted to the King - His Majesty orders me to return the Memorandum and to say that He approves it generally but that He has not received one Line on the Subject from Lord Will and is therefore ignorant whether His Lordship has any observations to make upon it or whether it is his intention to do so.

Under these circumstances His Majesty has ordered me to remark that in His opinion, as the Limitation of the Infliction of Corporal Punishment applies to the Sentences of Regimental Courts Martial, Revolutions conduct should be substituted for "Mutiny" in No 1

will be - Murther being cognizable by
General Court Martial only, except on the
Line of March -

His Majesty also thinks that Theft or
Beating from Civilians should be added

Art 3 - as it is desirable that this Crime
should for the Protection of Property be so
cognizable and punishable and it is always
somewhat difficult to obtain the Evidence
of Civilians and it would be still more so
if the Court were to be assembled at any
distance from the Quarter or Spot in
which the Crime is committed -

The King considers it of the greatest
consequence to Discipline and the security
of the Country and Individuals that the
Power given by Clause 20 of the Articles
of War, which authorizes Execution on
the Spot & via a Drum Head Court
Martial

See 44
Article

The King
Edward
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Martial, should be preserved entire -
Disgraceful conduct, as inserted in Clause
 77, would seem to come under the cognizance
 of a District or Garrison, and not a Regimental
Court Martial and I believe that it was so
 intended to be noticed and has continued
 to be so noticed with the exception of
 beating from a Comrade &c, which has
practically as formerly been brought under
 the cognizance of Regimental Courts.

But these are points on which His Majesty
 considers that the Adjutant General will be
 able to solve any doubts, and He has been
 induced to order me to make these Remarks
 in order to obviate the possibility of mistakes
 or misunderstanding which might
 occasion further difficulty & embarrassment.

Ever
 yours

The Right Hon^{ble}

Edward Mice

(Signed) N. Taylor P.S.

P.S.

The King having read the Letter which I had written to you by Mr. Jeter, has instructed me to add that He concludes the Memorandum was transmitted for His Information, and not for His formal or formal Sanction, for which, as being an Act of the Government, it would be submitted in the shape of a Cabinet Minute by Lord Grey -

His Majesty also observed further that in the last Paragraph it is stated that "such a Regulation would appear to include all the Offences which it is considered indispensable for the due maintenance of the Discipline of the Army to condone subject to the infliction of Corporal Punishment" and that this would naturally be interpreted as applying to the cognizance of Crimes and awards of Courts of every description, of Court whereas Regimental Courts had been

been previously distinctly specified -

That, such interpretation should be avoided, as it may lead to embarrassment and prevent the application of Corporal Punishment, by General Court Martial or by District or Garrison Court to the Crimes particularly cognizable by them, such as Desertion, Abandonment of Post &c -

You will say that for the former, Transportation is usually now awarded, but circumstances may require, for this and other Crimes cognizable by Gen. or District Court Martial and not included in the List in the Memorandum, an immediate example, and, considering the enormity of the Offences and that they are of the character of those for which the Punishment of Death may be awarded, it would not, in Mr. Chazotte's Opinion, be advisable to deprive the higher Court

Court of the discretion of awarding upon
any occasion, or in any case which may
appear to call for it, Corporal Punishment
to them -

(Signed) N. J.

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Copy

Mr. Herbert Taylor &

Mr. & Mrs. —

May 7. 1853

William Gammell

Whimborne in

County Dorset

to the Rev. Mr. —