Sir John Macdonald to Sir H. Taylor

36128-9

Private

Mylleen Langton

Wednesday April 1833

I have perused with that deep interest which the subject of them must so well calculated to excite your letters of yesterday & Lord Fitzroy Somerset, with their respective enclosures.

He will be with you tomorrow, and will convey to you the impression which these admirable writings have made upon him.

Sir Herbert Taylor

upon me — The Prince's letters to Lords Grey and Althorp place the whole subject of Corporal Punishment, and all its bearings and consequences in so unanswerable a point of view, that it really here quite a work of supererogation for me or for any other person to go again into its details, the more especially

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as the Duke of Wellington has so fully and so convincingly recorded his opinions upon it — you desire me to send you the opinion of the Board lately assembled here, but I can do so only in this shape, as I took it at the moment, merely to satisfy Lord Bill's mind before he should prepare his answer to Lord Robinson's first letter proposing the Contingent

the powers of a Regimental
Court Martial in the
United Kingdom — I state
fully and fairly, & the Reason
how the question stands at
that moment, and then
put it to them to tell me
there, and then — finally
whether they did not
deprecate the notion
of putting home and
foreign service upon
a different footing
in this respect, and
ne it whether they
dis

not think with me that the Regimental Court Martial was the chief support of our discipline and character, therefore they would not regard any diminution of the present powers of that tribunal with infinitely more concern than they would ~~[illegible]~~ a diminution of the powers of our Superior Military Tribunals. I need scarcely say that our

opinion was unanimous -
- yet it is right that I should
here mention to you, under
the Rose, that three of the
General officers then
present, were thus
circumstanced when
they themselves com=
=manded Regts -
Lt Colonel Douglas
(now Maj.Genl) actually
burnt the boats of the
52d Regt, that down
Lewis

obliged to get a new
Jet — Sir Ed: Blakeney
abolished Corpl punishmt
in the Guards almost
by Proclamation — and
Sir John Cameron afterwards
was (Glad often heard
so before) that he
commanded the G th
for at, two three years,
without so much as a
single case of Corpl
punishment — Now
if

he added Belgian's Case
& there I think you will
agree with me, that, in
thus maintaining the
principle of not yielding
any part of our present
powers to popular
clamour, some of our
own most influential
brethren greatly embarrass
our difficulties — as the
Duke of Wellington
suggests a commission

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Inquiry, and as Ministers appear to be desirous that some expedient of that nature should be resorted to, I am clear for that being done, although I have the strongest doubts, at this moment, as to its efficacy — say — the perfect sincerity with you, my dear Lord, so much farther — but

all

agree that a Committee or Commission for this important occasion cannot be confined to a very few — that being admitted, let us see how few we can have upon it — I conclude that we cannot commence, difference with any of the following authorities

The Duke of W[illegible]
Lord Hill —
Sir Geo: Murray
Sir James Kempt
Sir Jasper Nicholls
Sir Thos Reynell
The Quarter Master Genl
The Adjt General
The Military Secretary
Sir Henry Hardinge

If the Thing could have
been for a longer time,
be aught, am every amount
I have for — I think I have
above given you been
good reasons for my having
left out the formal offers
which were upon the late
Ground — It would be
rather cuckoo of Lord
Stem Chatham to attempt
to damp of their experiments
and yet I believe he could
easily prove that in lack
of the three Depts. it became
absolutely necessary to

return to the Compte Premiste.

Their being at such a distance is a sufficient excuse for not having either Cameron or Blakeney, and Sir Hunter Douglas would, I rather think, not be answering his form one of the Commission, as his leaning has always been against Compte Premiste. — Then he came to the Civilians who, perhaps, might be composed of —

The Speaker
Sir Jas Graham
Mr Rotheram
Mr Ellice —
Lord Palmerston
Mr Rawlins an account of his great experience in Scaming

Cases

of Naval punishts for
nearly thirty years at the
Admiralty — The Naval
members board, perhaps,
be, Sir Thos Hardy
Sir J Rushell
Sir P. Malcolm (if on shore)
Sir Byam Martin —
— Now no person will,
I think, be so bold as to
deny the utility of such
a Commission & suggest
Regulations calculated

Great Prerogative in being
which I understand to be
that of placing the
power of inflicting
(not awarding) Corporal
punishment under further
and more efficacious
restraints — yet I cannot
help feeling the strongest
desire that the regulations
thus framed, will end
in tying up the hands
of Commdrs officers more

than

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attend

even the ~~new~~ article of
the treaty that was proposed
by Sir John Hobhouse —
— The difficulty of getting
any number of people
to agree upon essential
or even upon trivial
points seeing how, and
and then proceed not
remind you, that you may
do so from your own
recollections, as to analyze
the operation of this
Resumption & Assumption
the

army —

You will hence naturally ask me what I would do, if the matter were left to myself, as I am prepared to answer that question —

The King's mind is made up as to the discipline of his army being put to hazard, to say the least, if the Regt Commts Martial are dissolved — His Majesty's Ministers have left to me of the same opinion — Then, as we have already an accumulation

of

the best Mitigating opinions
they might at once submit
the draft of a new
Regulation to the Queen,
and propose it to Parliament
— When the Duke of Wm
comes up to London, let
him suggest a Regulation
as an Article of Union, & the
Queen's express desire,
and let that Regulation
(an Article) be proposed
by the Scotch Commrs the same
to Lord Grey for to
accepting

of Parliament the
Duke of W^m will naturally
in acquitting himself of
so vitally important a
duty and in bringing
the Prince of Wales and
other individuals, and
the object which harasses
and perplexes and em-
= barrasses us now,
so much, may be
attained very speedily
and pretty quite
agree in a remark made
by

Lord Ripon the next day after receiving the Duke of W's letters. and learning Lord Grey's sentiments and Mr Ellis's &c:- were - that, from his heart, he thought the difference between the parties at issue upon this question was, after all but nothing, and that he, in reality, came back to settling again - Lord Wellesley's letter to Sir John Hobhouse was as convincing and satisfactory

in anything of the sort
can be — I do not un=
=derstand that there is any
longer a desire to keep
the point of making no
Ministerial distinction
between home and
foreign service — I often
heard that Nicholls dislikes
Capt. Prevoost, but nothing
can be more decided than
his opinion as to the
propriety of retaining the
power of inflicting it sum
=marily and, on ordinary occasions
I shall journey Corresponding
with the Duke of Wellington

While

They of course return when you have done with it, as I remember other copies and I am obliged to send you some of the documents in original

Lord Aberdeen and I really give you the greatest credit for the powerful manner in which you have placed this subject before the King's Ministers

Your arguments and facts are indeed irresistible

Yours very truly

faithfully

J Hudson Lowe

You will see that in my
letters to the Duke of Wn.
I have abstained from
giving my own opinions
in detail from motives
of deference to the quarter
to which I was addressing
myself — I have however
many a day ago written
in great detail upon the
subject, and I flatter
myself a good deal
to the credit of the Sudden
Pattern Mill

Private

Windsor Castle

11th Sept. 1843

I omitted to put up, in my Packet, yesterday afternoon, the Copy of the Memo which I found I will send to Lord Grey, and the extract of Sir Fred: Pomeroy's letter — These documents are alluded to in my Correspondence with the Duke of Wellington, & Sir Herbert Taylor and

I now send them to
you — I also send you
a copy of the returned
trials and punishments with
which I have furnished him
when I delivered to the
prisoner, the depositions,
— (upon his requisition)
of the land before Par=
=liament — I may submit
~~it~~ of the thing as it is
an interesting document,
~~at this~~ moment — Every
man is, less or more, bedded

D

his own plan, so you must
judge me mercifully when
I confess to you that
I am wedded to mine
upon the present occasion —
The more I reflect, the
more satisfied do I feel,
that we shall produce
a tenfold disadvantage
to our business, by letting this
subject hang on, as a
subject for protracted
and detailed deliberation
and discussion, before
Committees or Commissions.
and

that the natural and most
likely & be effectual course
of proceeding is, for Lord
Melbourne & submit his proposed
Article of Union, on his resignation
in lieu of such Article, & the
Queen, to obtain His Majesty's
approval & then it should
have been stopped according
to His Majesty's wishes and
wishes — & place it, then, in
the hands of the Lords, and
& let them make it acceptable
to Parliament —
I drive yesterday but the
Prince tête a tête, and I

Course, discussed this
subject with him — I desired
to have his opinion (before
I should impart my own
to him), as to the course which
he would pursue, if he
were in Lord Hill's situation.
He, at once, declared
my course would be
wrong, & he his own, and repeated
~~to the Commander in Chief~~
declared, that he saw
no other regular or
practicable course that
could be pursued — Then
perhaps you will say
why

not let your better &
wiser or your reputation
be frames (the united
wisdom of the proposed
Commission — Jonathan,
because "too many Cooks
spoil the Broth" and
because the more apparent
pains he take to extort
advantageous terms
from Parliament, the
more determined will
Parliament (probably)
be, to reduce our terms
to its own standard —

I found this apprehension upon my observation of human nature – It is true that I recommended to the Duke of Wellington to chime in with the suggestion of having a meeting and that I predicted, in my letters to this place, advantage from his doing so – that my recommendation was the offspring of the moment and I was glad to avail myself of any expedient to induce him to entertain the wishes of Sovereigns

as

Lord, from his answer in
print letter, that he was
for conceding nothing,
and forbearing, therefore,
as Lord, that his persuasion
in that determination,
would be the bearing thing to
stimulate the Radical
Members of the Ho: of Commons
to hold out for either
total abolition of Church
Property — or for something
all but tantamount
to that — that can the
Reasonable, an investigation,
of a Commission of this
Nature

Elicit an Elucidation with
regard to the subject that
is already thread bare —
— bly, nothing but that Soldiers are prone to the
commission of heinous
disgraceful and atrocious
Crimes, and that, in certain
situations, and under
certain Circumstances,
he finds the frequent infliction
of Corporal Punishment
indispensably necessary;
whilst whilst under the
Circumstances he finds
it necessary to resort
to that punishment but rarely.

J.

Lord just had a letter
from Lord Dunmore
He tells me that a letter
has been received this
morning from Mr Henry
Parnell, in which he
announces his determination
to oppose to every extremity,
in almost every Item,
and that his new Constituents
at Dundee, had both
been under a pledge
to that effect, so that
he has been pretty pushed
before us — Had always
understood

that in getting rid of this heavy stupid man, as secretary at war, and in having him out of Parliament, Ministers found the greatest advantage yet here he is brought in again, appointed Postmaster General accordingly, and here is the consequence — Depend on it this worthy will be a sad blister upon us — Confound him, he is, of all public men the least interesting, and the most mischievous —

Ever faithfully

J. Macdonald

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Sir John Macdonald

April 10 & 12. 1833

Ch. Colonial Commissariate

&c.

Recd April 12.

Endorsed returned