

—each pledged his word and honor as an officer and gentleman to administer justice according to the rules and articles for the better government of His Majesty's forces; and it was no rare delusion for a poor prisoner to "throw himself on the mercy of the court," which the next hour pronounced his guilt, and sentenced him to receive a thousand lashes. 300 lashes was considered a lenient sentence,—the scale seldom graduated lower.

Clemency is very rarely a strong feature in the composition of laws framed for the government of troops carrying on the duties of war: that humane maxim of our criminal code, to temper justice with mercy, is inapplicable to the emergencies that call for their execution. At the period of which I write, a Commanding Officer, schooled as all were in the discipline of the field, if possessed of any power to mitigate the severity of corporal punishment, or lessen the amount, seldom made use of it. If a prisoner was considered by the surgeon incapable of bearing his punishment at once, he was remanded to a special ward in the hospital, and ordered out from time to time, as his back healed, until every lash was inflicted. I have heard of a sentry being taken off his post to receive the balance of a former sentence.

Indecent haste and a total absence of common decorum frequently attended those mock trials. The whole proceeding, in many cases, seldom occupied one half the time that I have been writing those few sentences—the records were brief—more pens and paper are now consumed at a trial than would have then sufficed for a hundred; and it was no uncommon occurrence to see a soldier under arms, on parade—the same man a prisoner in the guard room, again tied up as a criminal, and finally in hospital in the hands of a regimental surgeon—all within the short space of a single hour.

The best conducted soldier in a regiment could not assure himself in the morning that he would not, before evening, be laid up with a broken skin, in the punishment ward of his hospital.

Much sympathy has been expressed, in the case of a dishonest little girl, detected in the act of pilfering fruit, and heaven and earth invoked to witness the cruelty of detaining her for a few moments in a place of security, and adopting legal proceedings, by which she was subjected to a fine of two shillings and six-pence. For taking two or three apples from a neighboring orchard, when on guard, a young lad, not sixteen years of age, received in my presence 300 lashes. Poor Frank!—he and I were comrades, we came from the same place, joined the Regiment at the same time, and passed the happy days of our childhood together: and now the vicissitudes of fortune, or rather the unrestrained waywardness of youth, had flung us loose upon the stormy ocean of