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MADRAS RECORD OFFICE.

Government of Madras.

Public Works DEPARTMENT.

G.O. No. <u>2968</u>	Press <u>Mis.</u>
<u>263-264</u>	
Dated <u>15-10</u>	<u>18 64.</u>

Not to be folded or roughly handled

*Proceedings of the Madras Government, Public Works Department,
15th October 1864.*

No. 263. Read the following Proceedings of the Madras Government in the Military
Department:—

Concurring with the Commander-in-Chief that Captain R. B. Kennedy should be removed from the Sappers, and referring for consideration the subject of the retention of his service for special employment on the Tambracherry Ghât, Malabar District. (Here enter 5th October 1864, No. 3,532.)

No. 264. ORDER THEREON, 15th October 1864, No. 2,968.

As Captain Kennedy's removal from the Tambracherry Ghât, of which he has had so long the direction, will be prejudicial to the progress of that work, the Governor in Council, with the concurrence of his Excellency the Commander-in-Chief, resolves to retain the services of that Officer to conduct operations to their completion, his salary being made up to Rupees 200 per mensem, and debited to the Budget allotment for Establishments.

(True Extract.)

(Signed) CHARLES A. ORR, Colonel, R. E.,
Secretary to Government.

To the Superintending Engineer, 7th Division.
" Military Department.
" Controller of Public Works Accounts.

Exd. S. T. Augustin,

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MILITARY DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following papers :—

From the Adjutant General, Head Quarters, Ootacamund, 7th September 1864, No. 596 ; to the Secretary to Government, Military Department.

I have the honor, by order of the Commander-in-Chief, to request you will be good enough to bring to the notice of Government, that recent communications received by this Department from Lieutenant Colonel Hill, Royal Engineers, shew that Captain Kennedy (23rd Light Infantry) doing duty Sappers and Miners, has not performed his Regimental duties to the satisfaction of his Commanding Officer :— in fact that he has neglected his Company.

2. Consequent on these representations, and taking also into consideration that Captain Kennedy, under the provisions of the General Order issued by His Excellency Sir P. Grant on the 9th April 1858, No. 37, is ineligible for the Sappers and Miners, not having passed for Staff in the Native language, the Commander-in-Chief deems it expedient that this Officer should now be removed from the Corps.

3. The Proceedings of Government, however, shew that Captain Kennedy has rendered efficient service to the State in the Department of Public Works, His Excellency is therefore unwilling to remove him from the Sappers without first submitting to Government his suggestion, that Captain Kennedy's services should be retained specially for employment on the Tambracherry Ghaut, where he has so long been usefully engaged.

4. The last letter from Lieutenant Colonel Hill, dated 13th August 1864, No. 445A, regarding Captain Kennedy, is forwarded for perusal. Its return is requested.

5. His Excellency awaits the decision of Government on this reference, before remanding Captain Kennedy to his own Regiment.

From the Commandant Sappers and Miners, Bangalore, 13th August 1864, No. 445A ; to the Adjutant General, Ootacamund.

1. In forwarding for your perusal copy of a letter addressed direct to the Assistant Adjutant General Southern Division, by Captain Kennedy, in which that Officer has made use of your name, together with those of His Excellency the Governor, and His Excellency the Commander-in-Chief, in order to prevail on the Major General Commanding, to allow him to evade certain Military duties, so that he might first remain on leave and afterwards precede his Company to Wynaad, I beg respectfully to offer the following remarks for your consideration.

2. On arriving at Coimbatore to inspect the " E " Company Sappers under Captain Kennedy's Command, that Officer reported sick, but at the same time whilst on the sick List, managed to be detailed by the Officer Commanding the Detachment for Court Martial duty at Wellington, and without reference to me (further than informing me of his intended departure) was actually about to proceed on this duty (leaving me to make the most of his Books and Records) had I not peremptorily forbidden it.

3. My Inspection Report, No. 399A, will show you that I found the Records of the Company in a most unsatisfactory state, so much so, that had not Captain Kennedy pleaded ill health, I should most certainly have requested the Major General to cancel his leave.

4. The Accounts of the Company which had been in confusion up to the time of my arrival, were squared before I completed my inspection, and it was quite understood that these were to be entered correctly in the Cash Book, and all was to be set straight before Captain Kennedy left Coimbatore yet I found on my return, that the Book had not even been left with Lieutenant Elliot, who received over charge of the Company.

5. My Inspection Report, No. 433A, of 13th August, shows the state of the "G" Company Records, and to what extent Captain Kennedy was responsible for them, accepting all his excuses for the state of the "E" Company "Register of Heirs;" he is most certainly responsible for that of the "G," the compilation of which, you will observe, he left entirely to his Native Officer.

6. I feel quite sure that you must have been unaware of the state of things when you gave him your permission to address the Divisional Authorities at Trichinopoly, as stated in his letter (attached); and I scarcely think His Excellency the Commander-in-Chief would have sanctioned his return to Wynaad in advance of his men, if he had known of the neglect exhibited towards his Company.

7. About two years since, Captain Kennedy was appointed by a Government Order (attached) to superintend the trace of the Tambracherry Ghaut, but although that Order which appoints him specially for this work, would appear to contemplate his removal from the Sappers, he has, not only been allowed to remain in his Command up to the present time, but on his Company leaving Wynaad, I took on myself to post him temporarily to the relieving Company, in order that he might remain at Luckady without disadvantage to himself.

8. I have now considered it necessary to cancel that arrangement, as I find, that not only has he neglected the Company of which he has the temporary Command, but he makes the Ghaut charge an excuse for evading his Military duties.

9. There however appears to be no reason why Captain Kennedy should not remain on the Ghaut if his services are considered necessary there, but if he does so, I think he should be placed entirely under the Superintending Engineer, who is willing to make up his allowances from the Ghaut Estimates to 200 Rupees per mensem. It would be manifestly unjust that he should draw his Pay for Commanding the Company of Sappers whilst Lieutenant Elliot does the entire work, and from what I have seen, I am convinced that he has so thoroughly identified himself with the Ghaut, that he must and will continue to neglect his men in its favor.

10. Although I have only cancelled an order given by myself I think it better to report my reasons for so doing, otherwise, it might appear that I was removing Captain Kennedy from a sphere in which his services are considered valuable, such is not the case. I have on all occasions been most anxious to meet Captain Kennedy's views, but at the same time, I consider the interests of the men are at stake. His invariable excuse for his shortcomings, being that his Ghaut work takes up the whole of his time.

11. In order that Captain Kennedy's services may not be lost on the Tambracherry Ghaut, I have permitted him for the present to do duty with the "D" Company under Captain Swanston, whilst the Command of the "E" Company devolves on Lieutenant Elliot.

12. I trust His Excellency will consider I have acted for the best in making the only arrangement by which I consider the discipline of the Corps can possibly be maintained and I would respectfully beg that he will express his disapprobation of the way in which Captain Kennedy taking advantage of his being on leave to write direct to the Major General Commanding the Division, has endeavoured to lead him to sanction his proceedings on the plea of urgent duty. The Major General is naturally ignorant of Captain Kennedy's exact position in regard to the Tambracherry Ghaut, and that Officer when perusing his defence by throwing on others the blame of the "E" Company "Register of Heirs," was fully aware that I found the "G" Company Register, for which he alone was responsible, in a still more unsatisfactory state.

From Captain R. B. KENNEDY, Sappers and Miners, Ootacamund, 26th July 1864; to the Assistant Adjutant General, Southern Division.

By sanction of the Adjutant General, I have the honor to request you will be good enough to ask the Major General Commanding the Division to rescind that portion of Division Orders of the 20th instant, which cancels my leave of absence, and directs me to re-join my Detachment, with a view of becoming a Member of a Committee there ordered to assemble; and under the circumstances of the case, the Adjutant General informs me he sees no objection to my awaiting a reply before leaving Ootacamund. I am, however, prepared to leave at a day's notice should my request be refused; and as the Regulations give me until Saturday next, as the period within which I must re-join after receiving the order on the subject, there will be time for me to get your reply, and return before any Committee could assemble.

2. My asking to be relieved from this duty is not so much on private as public grounds, for besides being in Command of the E. Company Sappers, I have special charge of the works on the Tambracherry Ghaut; and I had made arrangements to employ the last three weeks of my leave in organizing labor and making other preparations for re-commencing work early in September. I had also asked and obtained permission from the Commander-in-Chief, for myself to proceed to Wynaad with a small party of Sappers in the first week in September, to prepare the lines for the reception of the Detachment, which will be returning there soon after.

In this paragraph, Capt. Kennedy makes his special charge of the Ghaut trace a reason for neglecting a duty which His Excellency the Commander-in-Chief has pronounced to be one of the greatest consequence.
(Signed) C. E. Hill.

3. His Excellency the Governor is moreover in the same month going to visit the works under my charge; and in an interview I had with him, expressed his wish that I should make preparations for resuming work at as early a period as possible; it being of great consequence that a portion of the road should be made available this season; he has directed me with that view to make application through the proper channel, so that my services may be made available.

4. It is absolutely necessary to enable me to carry out his wishes, that I should proceed to Wynaad very shortly; and I had made arrangements with Mr. Ballard, the Collector of Malabar, to accompany him there about the 3rd or 4th of next month. If my leave is cancelled, and I have to sit upon this Committee, I cannot possibly carry out any of these arrangements, as in all probability it will take six weeks or two months before the task can be completed; considerable delay must arise before we can even commence, as the Certificates and evidence in support of Marriages, &c., are, I presume, in possession of the Adjutant of the Corps.

5. For the reasons stated, I trust the Major General will accede to my request and either appoint another Officer to the duty, or adjourn the Committee,* and as the E. Company is the last Company which returned from Foreign service, this latter course would not be of so much consequence.† I would not venture to make this request on merely private grounds, although as my duties quite preclude my getting leave at any other period of the year, I might represent the hardship of my being deprived of the indulgence, for errors in a document, which are not of my making,‡ but are those of a Committee of other Officers assembled at the Head Quarters of the Corps;§ the loose leaves handed over to me, when I took Command of the Company, being merely a copy of the permanent record in the Adjutant's Office. No order has ever been promulgated making the case of a Sapper Company different for that of Companies of other Corps, in which this Register is a Regimental not a Company Book; nor would the Book in possession of an Officer Commanding a Sapper Company be of the slightest authority in settling claims, as all such authority would have to be derived in one case from the Record in the Adjutant's possession, equally with that of all other Corps; so that I could not be aware my duty called upon me to do more than report any alterations that might have necessitated by fresh Births, Deaths and Marriages. I trust Captain Kennedy, however, did not report any such casualties. (Signed) C. E. Hill.

* Captain Kennedy must be well aware that if the present time is not taken advantage of, there is not the slightest chance of the duty being attended to after the return of the Company to Wynaad.
(Signed) C. E. Hill.

† His remarks here are curiously opposed to his explanation regarding his entire neglect of the "G." Company Register, which he states was partly because it was the first Company for Foreign service.
(Signed) C. E. Hill.

‡ Who then is responsible for the unsatisfactory state of the "G." Company Register?

§ Captain Kennedy has by his own account never seen the document, and can therefore offer no opinion regarding it. No loose leaves were handed over to him. The Register is in form of a book.
(Signed) C. E. Hill.

nor would the Book in possession of an Officer Commanding a Sapper Company be of the slightest authority in settling claims, as all such authority would have to be derived in one case from the Record in the Adjutant's possession, equally with that of all other Corps; so that I could not be aware my duty called upon me to do more than report any alterations that might have necessitated by fresh Births, Deaths and Marriages. I trust Captain Kennedy, however, did not report any such casualties. (Signed) C. E. Hill.

ing a defence, and the cancelling my leave has an appearance of punishment for an occurrence, for which I am anxious to be absolved from blame.

The only way of leaving Captain Kennedy at liberty to make over his Military duties to another Officer is to place him entirely under the orders of the Superintending Engineer and relieving him from doing duty with the Sappers. (Signed) C. E. Hill.

6. I am writing to the Superintending Engineer of the Division, to ask him to communicate with you with regard to the importance of my being left at liberty to carry out measures for an early resumption of work on the Tambracherry Ghaut.

To LIEUT.-COLONEL C. HILL, R. E., COMDT. SAPPERS AND MINERS,
for information, with reference to his demi-official, dated 3rd August 1864.

(Signed) W. M. WILLIAMS, Captain,
Acig. Asst. Adj. Genl. Southern Division.

EXTRACT FROM THE PROCEEDINGS OF GOVERNMENT.

Two Companies of Sappers are now employed on the Tambracherry Ghaut, but both the District Engineer and Collector urged the necessity of employing an Officer specially to re-examine the trace and superintend the operations, and they both named Captain Kennedy, now in Command of the Sappers on the Ghaut, as well qualified for the task.

The Government approve of the proposed employment of a special Officer on the Tambracherry Ghaut in re-examining the trace and superintending operations at that place.

Captain Kennedy, of the Sappers, has been recommended for this duty, and the Government concurring in this recommendation, are pleased to direct that, during the period for which that Officer may be thus engaged, he should be granted an allowance of Rupees 100 per mensem from the sanctioned Estimate.

(True Extract.)*

(Signed) C. HILL, Lieut.-Colonel, R. E.,
Commandant Sappers and Miners.

ORDER, No. 3532, 5th October 1864.

The Governor in Council regrets to learn from the correspondence above submitted, that Captain R. B. Kennedy, 23rd Light Infantry, attached to the Sappers and Miners, has neglected his Regimental duties, and that His Excellency the Commander-in-Chief is constrained to recommend this Officer's removal from doing duty with that Corps.

2. Captain Kennedy attempts to excuse his neglect of his Military duties, in consequence of his employment in special charge of the Works on the Tambracherry Ghaut. The Governor in Council cannot admit such a plea, as the duty was undertaken in connection with his Military duties while in Command of the Detachment of the Sappers on the Ghaut.

3. Under the circumstances brought to notice, the Governor in Council concurs with His Excellency the Commander-in-Chief that the above Officer should be removed from the Sappers; the retention of his service for special employment on the Ghaut in question being, however, left for consideration in the Department of Public Works.

(True Extract.)

Albion H. H. H.
Deputy Secretary to Government.

To the Adjutant General, with 3 enclosures.

- „ Public Works Department. *With 20 spare Copies*
- „ Controller of Military Accounts.
- „ Military Accountant.
- „ Examiner Pay Department.

1864 Dept
Recd for Oct 1

No. of Govt in the
Phil. Dept

Dec 10

1864

Enclosed with
the Com and in. say that
the R. S. Department should
be removed from the Dept.
and assigned to the
Civil Service for special
employment in the
Civil Service.

1864

1864

1864

As per Kennedy's removal
from the Sanitary Agent, which
he has had no long the direction, and
be prejudicial to the progress of
that work, the Government in forming
with the concurrence of the
Chief, wishes to retain the same
that Officer's conduct opera-
tions to their completion in
salary being made up to
200 per annum, and added
to the Budget of the
Salaries of the

1864