M.R.O. 14-5,420—28-10-25.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 1170 Press Mis,

Dated 30.4.18/818

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department,
30th April 1868.

Read the following papers:—

No. 688. Petition from A. F. KENNY, Esq., to the Secretary to Government, Revenue Department, Fort St. George, dated Madras, 2nd April 1868.

1. That on the 11th September 1861 your Petitioner received a Commission as Ensign in H. M.'s Indian Army.

2. That your Petitioner continued to hold such Commission until the 12th May 1864, when he was permitted to resign at his own request, which he did with the view of becoming a settler in New Zealand.

3. That your Petitioner was favored with testimonials from the Military Authorities of correct and gentlemanly conduct, and also from the Superintendent of the Province of Marlborough, in New Zealand, hereunto attached, and marked A., B., and C., respectively.

4. That from the 1st December 1867 to the 29th February 1868 your Petitioner was employed on the Government Chinchona Plantations under the immediate orders of Mr. C. R. Dawson, Assistant Superintendent of the Government Chinchona Plantations at Neddivuttum.

5. That on the 23rd of February last your Petitioner applied for and obtained leave of absence from Mr. W. G. McIvor, Superintendent, Government Chinchona Plantations, for the space of "two or three days," and on the following day, the 24th, availed himself of the leave granted to remain in Ootacamund.

The application for leave was verbal.

6. That on Tuesday, 25th of February, while your Petitioner was absent on such leave from the "Hooker Estate," of which he had charge, Mr. C. R. Dawson, the Assistant Superintendent at Neddivuttum, visited the same, and ordered the Maistry, "Sitha," who was in charge of the "Hooker Estate" during Petitioner's absence, to fire a piece of felled jungle contiguous to the nurseries on the next morning, i. e., 26th February.

The fact of the order to fire the jungle having been given by Mr. C. R. Dawson was stated in Mr. Dawson's private note to Mr. McIvor, reporting the fire, which was written from the Hooker Estate bungalow, and read out to me by him.

7. That on the next morning, the 26th, and before the arrival of your Petitioner from such piece of [illegible] Dawson's orders, did fire the jungle [illegible] That a very high wind was blowing at the time [illegible] Chinchona nurseries, and sparks [illegible] carried by the wind [illegible] nurseries which were thereby set on [illegible]

8. That your Petitioner returned [illegible] and 10 o'clock A. M. on the 26th February [illegible] found the nurseries destroyed; and on making inquiries concerning the accident learned from "Sitha," the Maistry in charge of the estate during Petitioner's absence, the facts before recounted, concerning the [illegible] under Mr. C. R. Dawson, during your Petitioner's absence, [illegible]

9. That on the following day, 27th February, your Petitioner received [illegible] the Deputy Superintendent, Government Chinchona Plantations, [illegible] hereunto annexed and marked D. The [illegible] of the blame and charging [illegible] with want of care and [illegible]

Rev. Department.

No. 1086

From Mr. Aylmer Kenny

Dated 2 April 1868

FOR ORDERS.

Mr. Kenny seems to have been dismissed without sufficient or indeed any cause according to his own showing. She has no wish to regain his position but he desires to be exonerated from the imputation of blame. Wh. is likely to prove detrimental to his prospects.

I suppose Mr. McLoor must be asked to explain - W.H.

I think so. This is not the first specimen of Mr. McLoor's trenchant style in ejecting his subordinates. WOH

by A

Jayne N.

...ge, at his own request, which he ... with the view of becoming a ...ler in New Zealand.

...hat your Petitioner was favored with ...monials from the Military Author... of correct and gentlemanly conduct ...ates, from the Superintendent of ...Provinces of Marlborough, in New-...land, hereunto attached, and marked ... and c respectively.

4. That from the 1st December 1867, to the 29th February 1868, your Petitioner was emp...

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2 April 1868.

To
The Secretary
to Government,
Revenue Department,
Madras.

The Humble Petition of
Aylmer F Kenny.

Sheweth,

1. That on the 11th September 1861 your Petitioner received a Commission as Ensign in H. M's Indian Army.

2. That your Petitioner continued to hold such Commission until the 12th May 1864, when he was permitted to resign, at his own request, which he did with the view of becoming a settler in New Zealand.

3. That your Petitioner was favored with Testimonials from the Military Authorities, of correct and gentlemanly conduct and, also, from the Superintendent of the Province of Marlborough, in New Zealand, hereunto attached, and marked a, b, and c respectively.

4. That from the 1st December 1867, to the 29th February 1868, your Petitioner was employed

on the Govt. Chinchona Plantations under the immediate orders of Mr. C. R. Dawson Assist. Superintendent of the Govt. Chin. Plantations at Neddiwuttum.

5. That, on the 23rd of February last your Petitioner applied for and obtained leave of absence from Mr. W. G. McIvor, Supt. Govt. Chin. Plantations, for the space of "two or three days," and on the following day, the 24th, availed himself of the leave granted, to remain in Ootacamund.

The application for leave was verbal

6. That, on Tuesday, 25th of Febr. while your Petitioner was absent on such leave, from the "Hooker Estate," of which he had charge, Mr. C. R. Dawson the Assistant Superintendent at Neddiwuttum visited the same; and ordered the Maistry "Sitha" who was in charge of the "Hooker Estate" during Petitioner's absence, to fire a piece of felled jungle contiguous to the [illegible] in the next morning, [illegible] Febr.

The fact of the order to fire the jungle having been given by Mr. C. R. Dawson was stated in Mr. Dawson's private notice [illegible] Mr. McIvor, which was written from the Hooker estate [illegible]

7. [illegible] next morning, the [illegible] the return of your Petitioner [illegible] leave of absence [illegible] Maistry [illegible] to Mr. C. R. Dawson's orders [illegible] the jungle [illegible]

[illegible] from the jungle towards [illegible] Chinchona Nurseries and [illegible] were carried by the wind from the jungle into the Nurseries [illegible] thereby set on fire

No. 36.

Government Cinchona Plantation
Ootacamund 16th April 1868

From
W. G. McIvor Esq.
Supt. Govt. Cinchona Plantations
Ootacamund

To
W. Hudleston Esq.
Secretary to Government
Revenue Department
Fort Saint George

Sir,

With reference to the endorsement on the Petition* of Mr. A. F. Kenny, late an Overseer on the "Hooker" Cinchona Plantation, under the direct orders of Mr. Dawson, the Assistant Superintendent of the Neddiwuttum Plantations, to whom the Petition was referred; I have the honor to enclose that Officer's observations on the subject.

*herewith returned

2. I am of opinion that the conduct of Mr. Kenny, in having absented himself from his work without permission, and to being absent without permission, at Author the fire took place, truly deserving conduct more serious censure than has been [illegible] upon him by the proceedings [illegible]

I have the honor to be
Your [illegible]
W. G. McIvor
Supt. Govt. Cin. Plantn.

REVENUE DEPARTMENT.

No. 1263

From Supt. Govt. Cinchona Plantations,

Dated 16th April 1868.

FOR ORDERS.

It is reported that Mr Kenny may have been absent from duty a day in excess of the "two or three days" for which leave had been granted to him by Mr Cross: opening that there was the case, and that punishment was really necessary he ought to have been punished for such excess absence, and not for the injury caused by an accidental conflagration, the result of a fire which Mr Cawston had ordered the Deputy to light on the morning of the 26th February, at which time Mr Kenny had not returned to duty.

(Here initial 16th do do,
O No 36)

The Govt. consider that Mr Kenny was not responsible for the lapsing Cinchona Nurseries on

this

Rec'd 89

Rec'd 1868 Sept 16th
Read 16th Sept 1868
No 1263
Supt. Govt. Cinchona Plantations
Nilgiris
Secretary to Govt.
Revenue Department
Fort St. George

Dated 16th April 1868
Rec'd 18th do
No. 36.
Supt. Govt. Cinchona Plantations
Nilgiris
Henry Kenny Esqr. late
Asst. Cinchona Planter
Nilgiris, and
his own Petition.

Memorandum.

Mr. Kenny entered the service of Government as Assistant Cinchona Planter on the 1st January 1866 on a salary of Rupees 100 per mensem. He was promoted to the grade of Cinchona Planter on the 1st January 1867 on a salary of Rupees 150 per mensem. He was promoted to the grade of Assistant Superintendent of Cinchona Plantations on the 1st January 1868 on a salary of Rupees 200 per mensem. He was promoted to the grade of Superintendent of Cinchona Plantations on the 1st January 1869 on a salary of Rupees 250 per mensem. He was promoted to the grade of Superintendent of Cinchona Plantations on the 1st January 1870 on a salary of Rupees 300 per mensem. He was promoted to the grade of Superintendent of Cinchona Plantations on the 1st January

In dispensing, on these grounds, with Mr Kenny's services — in other words dismissing him — from the 1st March, Mr McIvor has made Mr Kenny responsible for consequences with which the latter is not justly chargeable.

It seems to me then, that in so doing Mr McIvor has exercised his powers of superintendent indirectly and with improper severity, and I would order Mr Kenny's restoration to the situation from which he has been so hurriedly removed —

The Revenue Secretary has noted that in making an appeal to the Govt, Mr Kenny has only in view to exonerate himself and has no wish to regain his lost position. [illegible]

Mr McIvor does not at all meet Mr Kenny's complaint

which is to the effect that he was dismissed for that [illegible] during his absence from the plantations as have granted by Mr McIvor. I would tell Mr McIvor that the Govt. consider the dismissal of Mr Kenny as the grounds started to have been an arbitrary & unwarranted for measure. As Mr Kenny does not wish to go back it is hardly necessary to order his restoration. [illegible]

Mr A. [illegible] with Mr [illegible] on [illegible]

(Here inter 16th do do, 0 No 36)

The Govt consider that Mr Kenny was not responsible for the injury sustained by the Cinchona nurseries on the

I think the discussion of Mr. Kenny was precipitate and not justified by his conduct. He was absent on leave granted verbally by Mr. McIvor when the ~~acted~~ accident occurred. I think, however that Mr. Kenny when he obtained his extension of leave from Mr. McIvor should have sent to the Plantation to state that he would not return till such or such a time. When he left the Plantation he said he would be back next day. When he altered his intention he should have intimated it to his subordinates or a peasant at the Plantation. N.

20 Apl 68 R 21

[illegible]

Revenue Depart.

No. 1170.

Proceedings of the Madras Govt. under date the 30th April 1868.

Read the following papers.

From Mr. A. F. Kenny.

Submitting that the charges brought against him of carelessness and neglect by the Sy. Supt., Govt. Chinchona Plantations are unfounded, & soliciting that they be enquired into & the charges be withdrawn.

(Here enter 2d. Apl. 1868).

From the Supt. Govt. Chinchona Plantations.

Returns Mr. A. F. Kenny's petition with Mr. Dawsons & his own observations thereon.

(Here enter 16th do do, 0 No. 36)

The Govt. consider that Mr. Kenny was not responsible for the injury sustained by the Cinchona nurseries on the

the occasion in question but that it would have been better had he intimated to the native maistry that his absence from the plantation would be prolonged beyond what was originally intended. They cannot doubt that he considered his absence to have been sanctioned by Mr. McIvor.

Under these circumstances the Govt. deem Mr. Kenny's dismissal to have been precipitate & not justified by the facts of the case - but as he does not wish to rejoin the Deptt., they will not direct his reinstatement in his former position. [signature]

1 To A. Kenny Esqr. Deptd. 1st May
with testimonials returned

1 To the Supt. Govt. Cinchona Plantns.

[signature]

Revenue 1808 Deptt
Pro of Govt for April

No. 1170

Pro of the Madras Govt
dt 30 April 1808

From the Sup. Govt Chinchona
Pt. 21 May 1858 C No. 1774

No. 688 C 690