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# MEMORIAL

ADDRESSED TO THE

HONOURABLE COURT OF DIRECTORS,

BY

CAPTAIN G. B. P. FIELD,

OF THE

*Bengal Military Establishment,*

DETAILING AN ACCOUNT OF THE CAUSES AND CONSEQUENCES

OF AN ILLEGAL AND UNPRECEDENTED TRIAL HE SUFFERED IN INDIA.

After an Honourable and Faithful Service of upwards of

*TWENTY-FOUR YEARS;*

And his unsuccessful endeavours to obtain redress from the Honourable Compa  
*41227*

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PRINTED FOR THE SATISFACTION OF HIS FRIENDS.

SEPTEMBER 1829.

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TO

P. AUBER, ESQ.

*SECRETARY TO THE HONORABLE THE COURT OF DIRECTORS,*

EAST INDIA HOUSE, LEADENHALL STREET, LONDON.

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SIR,

I have now the honor to transmit to you a letter to the address of the Honorable the Court of Directors, accompanied with the Copy of an original Memorial, and an Appendix,—and which allow me to entreat the favor of you to lay before their Honorable Court.

I also beg leave to state that certain original Documents, Copies of which are given in the above named Appendix, are in my possession, and in readiness for the Honorable Court's inspection whenever they may be called for.

I have the honor to be,

SIR,

Your most obedient and humble Servant,

G. B. P. FIELD,

Late Captain of the 23rd Regiment, Native  
Infantry, Bengal Establishment.

*Old City Chambers,*

London, April 22nd, 1829.

TO THE HONORABLE THE COURT OF DIRECTORS FOR THE AFFAIRS OF  
THE HONORABLE UNITED COMPANY OF MERCHANTS TRADING TO  
THE EAST INDIES.

GENTLEMEN,

I HAVE the honor to state that I have recently returned from your Bengal Presidency, with the permission of the Right Honorable the Governor General in Council, Lord Bentinck, for the express purpose of laying before your Honorable Court certain documents relative to a Court Martial, before which I was arraigned on the 17th day of January, 1828, and have now the honor to state as follows :

That on the 4th of August, 1828, I presented to the Governor General in Council, at Calcutta, a Memorial, of which with certain documents in explanation, I have now the honor to lay a Copy before your Honorable Court, together with some additional correspondence that has since transpired, also a recapitulation of the events, connecting in *one view* the *beginning*, progress, and conclusion of the whole business.

In apologizing for my troubling your Honorable Court in this manner, I humbly beg leave to say, that in common with all your civil and military servants in India, I have always relied implicitly on the protection, and vigilant, and impartial justice of your Honorable Court, and have every hope, that when the subject of my Memorial shall be taken into your Honorable Court's serious consideration, that the charges preferred against me by Lieut.-Colonel Faithfull at my late Trial will be found by your Honorable Court to be unsubstantial and erroneous ; and that the sentence awarded by the Court Martial is not founded on the principles of justice, or their proceedings during the Trial, correct.

I also beg leave to state to your Honorable Court that with respect to His Excellency the Commander in Chief's having confirmed the said Trial, that I humbly conceive it was entirely owing to the errors the Court Martial committed during their proceedings, in not allowing me to use my papers and documents, or to make my defence in a proper manner, or to push the investigation to a sufficient extent, to ensure the ends of justice ; consequently his Excellency had not a *fair* opportunity of judging of so extraordinary a case, and which circumstance I humbly conceive largely contributed to my present, though I trust—only temporary ruin,—consequently, I do not in the *slightest degree* attribute my present misfortunes to his Excellency Lord Combermere.

I have further humbly to state that I have not since my transfer to the Pension List received any part of my Military Pay or Allowances whatever, it being my wish to abstain from so doing, until your Honorable Court shall have formed a decision in regard to my unfortunate case ; and although I was unable to oppose such a measure with success, I could never consent to it with honor, as I should thereby at once compromise my reputation and character in the minds of those General Officers and other celebrated Commanders, and highly respectable individuals, who have so kindly furnished me with such valuable testimonials of character,—in fact I am proud to state that but one general opinion appears to prevail, throughout your Honorable Court's Bengal Army and Dominions, relative to my unhappy case.

All therefore that I now most earnestly entreat and pray for, is, that your Honorable Court will allow me to produce my original testimonials and documents to *prove* the contents of my Memorial ; and I will boldly venture to assert, that *even out* of the *attested* copies of the *proceedings* of the *Court of Inquiry* and *Court Martial alone*, I will clearly prove to your Honorable Court, my *innocence* of the harsh and imaginary charges preferred against me by

Lieut.-Colonel Faithfull, by showing to your Honourable Court the difference in the replies of the witnesses to the same questions, so conspicuously manifest on the face of those proceedings.

I also humbly beg leave to state to your Honourable Court that I have a wife and family of three young children, whom I have been compelled to leave at the Cape of Good Hope, destitute of support, in consequence of the heavy expences attendant on my voyage to England which has completely exhausted my pecuniary resources.

I therefore firmly rest my hopes on the well known justice and goodness of your Honourable Court.

And have the honor to remain with the greatest respect,

GENTLEMEN,

Your most obedient and devoted humble Servant,

G. B. P. FIELD,

Late Captain of the 23rd Regiment, Native  
Infantry, Bengal Establishment.

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## MEMORIAL.

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TO THE HONORABLE THE COURT OF DIRECTORS FOR AFFAIRS OF THE  
HONORABLE THE UNITED COMPANY OF MERCHANTS OF ENGLAND  
TRADING TO THE EAST INDIES.

The Memorial of G. B. P. FIELD, late a Captain in the 23rd Regiment of Native Infantry under the Presidency of Fort William, in Bengal, and now transferred to the Pension list of the same Establishment.

HUMBLY SHEWETH,

THAT your Memorialist had served with zeal and fidelity in your Honourable Court's Army upwards of twenty-four years, and has the honor to annex of numerous testimonials to that effect from celebrated Generals and distinguished Commanders, for zeal, ability, and courage, and general good character:—but in consequence of offence given by his anxiety to bring the Detachment of his Regiment which he commanded to a high state of discipline; a combination of Officers succeeded at last in bringing your Memorialist to a Court of Inquiry, (on which they were to be witnesses,) on a charge of a highly exaggerated nature.

This Memorial was forwarded by me to the Right Honorable the Governor General in Council at Calcutta, on the 4th August, 1828.

But in the opinion of the Court of Inquiry, composed of Officers of long standing and high character, it was impossible to decide on the merits of the case; and in consequence your Memorialist was brought to trial at a Court Martial,—an attested Copy of which he has the honor to annex.

Your Memorialist was accused of falsely asserting with a view of escaping a slight reprimand that was issued to a Committee by the Commanding Officer, Lieut.-Colonel Faithfull, "that *some discussion*" had taken place on the topics submitted to their consideration, and this charge was made in the most harsh, highly coloured, and exaggerated language, and upon this was your Memorialist brought to Trial.

The Officer commanding (Lieutenant Colonel Faithfull) having in consequence suddenly renounced a friendship of twenty years standing and becoming his bitter enemy, so far from



attempting to explain the difference in the assertions of both parties, pushed the matter forward, apparently with a view of ruining your Memorialist contrary to the wishes of Brigadier Vanrenan, Commanding the District, and Major General Sir Thomas Reynell, K.C.B. Commanding the Division. Though had your Memorialist's high character and long services been taken into fair consideration, no great exertion of charity could have been required on the part of Lieut.-Colonel Faithfull in supposing that it was very likely that the whole misunderstanding and mutual recrimination had originated in mistake, or the known enmity of the party towards your Memorialist, which a little patient investigation on the part of Lieut.-Colonel Faithfull might have discovered and settled without the necessity of having recourse to a Court Martial, particularly as he well knew the privacy of the case, deprived your Memorialist of the benefit of any witness to defend himself—such things are done daily, and such would probably have been done during the period of intimacy, and friendship in which they had previously lived.

But the worst view of the case was taken by Lieut.-Colonel Faithfull, who appeared to believe that your Memorialist had compromised his high Character and Commission for the attainment of an object of so puerile a nature as the escaping *his share* of a reprimand, for a mistake in the Proceedings of a Committee, and that he laboured under a total loss of that discrimination which has procured him such valuable testimonials of Character, and which Lieut.-Colonel Faithfull had formerly acknowledged him to possess.

Your Memorialist humbly begs leave to bring to the notice of your Honorable Court, that there is a *vast difference* in the answers given to the same questions on the Court of Inquiry, to that given at the Court Martial, on oath;—it cannot escape your Honorable Court that when the Members of a Committee are on bad terms with the President, but little conversation can pass between them, and under these circumstances sometimes a mere silence may be taken for assent or dissent to any proposition from either party.

Your Memorialist issued a Detachment Order which referred to the matter in question, and which was in accordance with the General Order on the same subject, *consequently correct*,—but as the result of the Committee was incorrect, it necessarily follows either that your Memorialist had been over-ruled in his judgment, or that he had totally forgotten the instructions he had himself given only a few hours before. It will be seen by the proceedings of the Court of Inquiry and Court Martial, that reference was actually made by the Committee to that Detachment Order at the very time alluded to in the charge, and if *no difference of opinion*, or discussion took place, for *what reason* was this reference made?

If the said reference was made *before* the Committee commenced business, it fully explains the account of that transaction given in your Memorialist's letters of the 16th and 25th July, 1827, set forth against him in the charge? If *after*, it still shews that some discussion must have taken place to occasion it?

Your Memorialist humbly begs leave to state that the witnesses had a great profit to expect from his ruin, and were therefore very suspicious witnesses in a case against him, but when your Memorialist endeavoured to effect the credibility of the witnesses, by producing certain written documents in his possession (copies of which are annexed) he was quite over-ruled, and even silenced by the Court, and which the Court are pleased to call in their proceedings "a strong recommendation," although your Memorialist does not hesitate to say, that he could have proved a conspiracy against him, had he been allowed to produce his documents, and to question the prosecutor and his witnesses from them. This must be considered a great hardship, for every thing in your Memorialist's humble opinion, seems to depend on the *value* of testimony and character in Courts of Honor.

Your Honorable Court will perceive that the whole of the ponderous and cruel charge given in against your Memorialist by Lieut.-Colonel Faithfull, entirely hinges on the word "*discussion*," and that the charge is entirely *inferential* and *artificial*, that the two chief witnesses at your Memorialist's trial (Captain Dunlop and Lieut. Platt) have said there was "no discussion," with a view to conceal their opposition to your Memorialist's Orders, as well as to ruin him for the sake of benefitting themselves, and that Captain Dunlop has actually derived an advantage from the result of the Court Martial, equal to the extent of

30,000 rupees (or £3,000,) inasmuch as he will obtain his majority ten years sooner by your Memorialist's expulsion than he otherwise would have done, which may have been an excitement, and perhaps accounts for the *difference* in his replies at the Court of Inquiry and Court Martial, to which your Memorialist humbly solicits your Honorable Court's notice.

That Captain Dunlop had been in the habit of forwarding frivolous complaints against your Memorialist, for the perusal of Major General Sir Thomas Reynell, K. C. B. thereby drawing forth replies, and then declaring those replies to be untrue, and that such was actually the case in regard to your Memorialist's letter of the 25th July, 1827, produced against him at his trial, and which was a reply to Captain Dunlop's letter of the 22nd of the same month.

That Lieut.-Colonel Faithfull had invited your Memorialist with his family in the month of March 1827, to his house at Almora, only a short time preceding the business of the Committee, and a distance of ten days journey from his Command at Moradabad, that during such visit he pressed your Memorialist to purchase Major Cock out of the Regiment, and used every argument in his power to do so, telling him the great advantage he would derive from such purchase, and stated that his object for agitating and recommending it was to bring on his connections in the Regiment, namely, Captain Hamilton his Brother-in-law, and Lieutenant Bean his Son-in-law; that both Lieut.-Colonel Faithfull and Lieut. Bean had written your Memorialist two or three letters on the subject—Extracts from two of which to this effect are annexed. But your Memorialist independent of his knowing that it was contrary to the rules of your Honorable Court's Army to purchase promotion in that way, had not the command of cash to accomplish Lieut.-Colonel Faithfull's wishes, who at the time advised your Memorialist to borrow it, which your Memorialist also refused to do. This circumstance gave offence to Lieut.-Colonel Faithfull, who at that period behaved with coolness to your Memorialist; and though perhaps it might be considered uncharitable to think so, yet this circumstance may probably have operated on his mind and excited that interest he has so apparently displayed throughout the case against your Memorialist for the sake of benefitting his connections in the Regiment. But even if *no such* motive influenced him, still the utmost wishes of Lieut. Colonel Faithfull has been realized by the result of the Court Martial, which has ruined your Memorialist, who was the senior Captain in the Regiment, and next for the majority.

That Lieut. Colonel Faithfull had in the month of November following, previous to your Memorialist Trial by Court Martial (as appears by his own orders annexed) deprived your Memorialist of his Grenadier Company which he had held for several years, and gave it to Captain Dunlop, an officer five years junior to your Memorialist, contrary to the regulations of the service, without assigning any reason whatever. That in the very last active service performed by the army, your Memorialist had the honor to lead the said Company to victory at the head of the Regiment, at the assault of Burtpoore. That your Memorialist communicated this act of injustice to Major General Sir Thomas Reynell, K. C. B. who kindly wrote to Brigadier Vanrenan commanding the District, to interfere and induce Lieut.-Colonel Faithfull to restore your Memorialist in his Grenadier Company. Thus Lieut.-Colonel Faithfull had commenced depriving your Memorialist of those honors he had gloried in so many years, and bestowing them on the said Captain Dunlop previous to your Memorialist's Trial, and which he humbly conceives may have been an encouragement to that Officer to attack your Memorialist's Character.

Your Memorialist also submits to your Honorable Court the marked injustice of Lieut.-Colonel Faithfull's having a third time pressed the business forward to Major General Sir Thomas Reynell, K. C. B. after it had received the final decision of Brigadier Vanrenan, commanding in Rohileund, and the whole of this matter pronounced to be frivolous, as appears by documents annexed from the Brigadier and Lieut.-Colonel Faithfull's *own private acknowledgement* of the same, this is a circumstance that is reprobated by every learned Commentator on Military law.

That Lieut.-Colonel Faithfull in his letters of the 8th and 10th of September, 1827, (which agitated this matter a third time) applied such unmeasured and abusive language to your Memorialist, that Major General Sir Thomas Reynell had no alternative but to order a Court

of Inquiry into the business, when Lieut.-Colonel Faithfull produced as the chief witnesses against your Memorialist, Captain Dunlop and Lieut. Platt, both of whom he knew were in great enmity with your Memorialist and who had been constantly behaving ill whilst under your Memorialist's Command, and which is fully proved by Lieut.-Colonel Faithfull's Letters annexed and those from his Adjutant Lieut. Holmes.

That Major General Sir Thomas Reynell declared in reply to Lieut.-Colonel Faithfull's abusive letters (above quoted) that Captain Dunlop's Letters contained *frivolous* and *unsubstantial* complaints against your Memorialist, and that "he regretted that Lieut.-Colonel Faithfull did not upon receiving the letters and documents treat the matter with that decision and authority vested in him as Commanding Officer of the Regiment, by at once removing Captain Dunlop to a Company at Almora, and thus confining within the Regiment, matters that ought never to have gone beyond it." The Major General also observes in the same letter, "that in the course of all his commands he cannot recollect any circumstance that had ever come before him where more industry had been displayed in working up original trifling matter into grave and serious offence," and your Memorialist begs permission to say, that Major General Sir Thomas Reynell is now in London and will no doubt testify to this effect, should your Honorable Court desire his valuable testimony.

That Lieut.-Colonel Faithfull had availed himself of your Memorialist's temporary absence for a few days from his command at Moradabad during the month of October 1827, to endeavour (apparently) to collect fresh matter to work up into similar charges against your Memorialist, but failed in such endeavour owing to your Memorialist having accidentally learnt it, as appears by the copy of a Memorial annexed, which your Memorialist did himself the honor to forward for the perusal of his Excellency the Commander in Chief.

That from the foregoing circumstances your Memorialist is induced to believe that a sudden feeling prevailed on the part of Lieut.-Colonel Faithfull, and some of his Officers, to ruin your Memorialist for the sake of obtaining a valuable step in the Regiment, that your Memorialist's conduct and character was evidently unsullied up to the day of his being so cruelly accused, which is fully proved, even by the acknowledgements of the Prosecutor and his witnesses contained in their own private correspondence with your Memorialist, (annexed,) and which he would never have produced under any other circumstances but the present ruinous ones, and the dire necessity of his case, as your Memorialist's object is not to criminate others unnecessarily, but to vindicate himself from the harsh and imaginary charges preferred against him at his late Trial by the Prosecutor, Lieut.-Colonel Faithfull.

Your Honorable Court on perusing the proceedings of the Court Martial on your Memorialist, will be doubtless struck with the unusual and remarkable circumstance that no question whatever was put to the Prosecutor Lieut.-Colonel Faithfull, either by the Court, the Judge Advocate, or by the prisoner; your Memorialist was forbidden to do so by the Judge Advocate at his Trial, although he had prepared a great many questions from the various documents in his possession (hereunto annexed,) and yet it will be seen on the same proceedings that the Prosecutor put whatever questions he chose to his witnesses. Thus, your Memorialist was neither allowed to produce his documents at his Trial, or to put such questions to the Prosecutor and his witnesses, from them, as he humbly conceives would have entirely exonerated him from the harsh and inferential accusations contained in the concluding averment of the charge preferred against your Memorialist, by Lieut.-Colonel Faithfull, and which your Memorialist *now* understands was an illegal restriction, and which he humbly submits to your Honorable Court's humane and superior consideration.

Your Memorialist humbly begs leave to state that he has not as yet received an attested Copy of the Court of Inquiry from the proper authorities, to whom he has made several applications, and waited nearly two months in Calcutta for it, until his pecuniary resources are nearly exhausted, and which has compelled him to annex an unattested Copy to this Memorial from the documents in his possession, in doing which however your Memorialist pledges his word to your Honorable Court that the questions, answers and opinion of the Court of Inquiry are correctly copied from the original document, by himself. Your Memorialist however does not doubt but that an attested Copy of the Court of Inquiry will be

sent after him, your Memorialist having applied to the Right Honorable the Governor General in Council for permission to proceed to England, when he will have the honor of waiting on your Honorable Court with the original and attested papers, Copies of which he has annexed.

Your Memorialist most humbly and respectfully begs leave to assure your Honorable Court, that he would rather cease to exist, than live with the least stain on his honor, after he had led such an exemplary life for such a length of years, in your Honorable Court's service.

That the sentence passed on him by the Court Martial is even worse than death, that your Memorialist is thoroughly conscious of never having been guilty of even the shadow of a crime, or ever having offended against the laws of honor in your Honorable Court's service.

Your Memorialist also begs leave to state that he had subscribed to the Military or Widow's Fund for about 20 years, and to the Orphan Fund ever since he had been in the service, both of which benefits he has been deprived of by the sentence of the Court Martial, and which is a great calamity to your Memorialist.

Such being the case and the result of the Court Martial having thrown your Memorialist from the high ascent to which he had risen, by gallant services and meritorious deeds, to utter destitution, beggary, and the lowest abyss of Military degradation. Your Memorialist therefore humbly prays your Honorable Court to peruse his testimonials, to weigh their contents, to give them a fair and impartial consideration, to consider the exaggerated charges brought against him, to remember the advantages resulting to the witnesses by his destruction, and to think of the utter destitution of his wife and infant family, the ruin of his anxious hopes and expectations after such a long course of faithful services, and he is persuaded that your Honorable Court will restore him to those duties in the discharge of which he has spent his life, and to that station in which he may again display his zeal and gratitude for your gracious commiseration.

And your Memorialist as in duty shall every pray,

G. B. P. FIELD,  
Late Captain of the 23rd Regiment, Native  
Infantry, Bengal Establishment.

### RECAPITULATION.

TO THE HONORABLE THE COURT OF DIRECTORS FOR AFFAIRS OF INDIA,  
&c. &c. &c. &c.

GENTLEMEN,

It may now be proper, with a view of trespassing as little as possible, on the valuable time and attention of your Honorable Court, briefly to recapitulate the principal points I have endeavoured to establish in the preceding Memorial, by adverting to the Appendix I have annexed to it.

In the first place I have shewn to your Honorable Court by Certificates from General Officers and others of distinction, (vide Appendix, letter A) that I had conducted myself with zeal and attention to my duty, and with propriety as an Officer and a Gentleman up to the date of my being accused by the Prosecutor, Lieut.-Colonel Faithfull; a period of twenty-four years; and that the confidence and friendship of these distinguished personages, who have honored me with such testimonials, has not *since* declined, or my character been shaken in their opinion by *any thing* that has been produced against me.

In the next place I solicit your attention to the consideration of extracts of certain demi-official, or private letters (B) from the parties concerned, shewing (apparently) their interested motives in bringing the subject of the matter contained in these papers before a General Court Martial, and disclosing the conduct of the two chief witnesses towards me, whilst I was in command of your Honorable Court's Station of Moradabad, and which I could never have proved to your Honorable Court had it not been from the Prosecutor and others concerned, corresponding with me in apparent terms of *friendship* and *sincerity*, about

Conduct and general character of Captain Field shewn by Certificates from celebrated Generals and others of distinction.

Interested motives of the Prosecutor and his Witnesses shewn.

the very time the occurrence alluded to in the charge took place, some of these extracts also, strongly indicate the great interest they felt to accelerate promotion in the Regiment by using their utmost endeavours to persuade me to purchase Major Cock out of it, for the sake of a *general benefit*; my refusing to comply with their wishes, or to consent to such purchase, I make no doubt has been the internal cause of the heavy misfortunes that at present attend me.

Frivolous complaints made against Captain Field, by Captain Dunlop for the purpose of *drawing forth* Captain Field's replies to them, and then declaring those replies to be untrue, and thus erecting a charge of falsehood against Captain Field.

Brigadier Vanrenan's disapprobation of Lieut.-Colonel Faithfull's conduct in directing me to place Captain Dunlop in arrest. Lieut.-Colonel Faithfull's acknowledgement that the business between Captain Dunlop and myself was all "*settled*."

Interested motives of Lieut.-Colonel Faithfull in *breaking* his word and agitating the matter over afresh for the third time to Major General Sir Thomas Reynell.

The abusive language of Lieut.-Colonel Faithfull the cause of Captain Field being brought to Trial by Court Martial.

Captain Dunlop's letter (C) which was pronounced by Major General Sir Thomas Reynell, K. C. B. and Brigadier Vanrenan to contain *frivolous* and *unsubstantial* complaints against me, laid the foundation of this ponderous fabric, and accidentally drew from me the subject of the Committee (D) contained in that letter (it is also mentioned in a private note to the Adjutant of the Regiment,) which *alone* was selected out of it by Lieut.-Colonel Faithfull, and the other subjects of the said letter which I could have proved (rejected,) the *privacy* of the one in question not admitting of my having any witness to defend myself.

Brigadier Vanrenan's letters (E and G) shews his disapprobation of Lieut.-Col. Faithfull's supporting a frivolous warfare between Captain Dunlop and myself, and counteracts my placing Captain Dunlop in arrest, (which I had done by Lieut.-Col. Faithfull's orders) and giving in charges against him, (F) Lieut.-Col. Faithfull *then declares* in a private (or demi-official, letter to me that the business between Captain Dunlop and myself, was *all settled*.

I have shewn by two letters (H H) that Lieut.-Colonel Faithfull unknown to me at the period again for the *third time*, agitated this matter over afresh to Major General Sir Thomas Reynell, K. C. B. in direct *contradiction* of his private letter above quoted, at the same time applying *such unmeasured* and abusive language towards me, that the General had no alternative, but to order a Court of Inquiry into the business, and this, Lieut. Colonel Faithfull did at a period he was actually corresponding with me in terms of *friendship* and *sincerity*, and receiving from me presents of Oil Paintings representing the Fall of Bhurtpore, the laborious works of my own hands.

I have next attached a Copy of the questions and answers given at the Court of Inquiry (I), together with my reply to them, also certain documents produced at that investigation, tending to shew a conspiracy against me, I have also attached marginal notes to the replies of the witnesses, which when contrasted with those given at the Court Martial, discovers *considerable prevarication* in their evidence, extracts (J) of demi-official letters, are also annexed to these questions and answers.

Prevarication and contradictory Evidence of the Witnesses clearly proved.

Vide Commander in Chief's order dismissing two Native Officers, for giving a different evidence at a Court of Inquiry to what they gave at a Court Martial.

In order to shew the impropriety of the witnesses giving a different evidence at the Court Martial to what they gave at the Court of Inquiry, (and which, I conceive in justice, ought to exonerate me altogether from an *inferential* charge) I have annexed an extract from a General Order by His Excellency the Commander in Chief (K) censuring such a practice in the severest manner, and issued only a short time preceding my trial.

I next solicit your Honorable Court to peruse the proceedings of the Court Martial (L), in doing which, I trust it may not be considered improper, my offering the following elucidations of the same.

Remarks on the formation of the Court Martial, its proceedings and its errors.

It had hitherto been the established custom in your Honorable Court's Army, that when an old officer like myself of upwards of twenty-four years standing, is to be tried by a Court Martial, that several Field officers of *long standing*, *known* talent, and *experience*, are selected for the purpose, and *particularly* too in a case like mine, that requires a nice judgement to define the separate merits of it. For example, for the trial of Captain Husband, H. M. 87th Regiment, at the Bengal Presidency, on the 22nd of April, 1825, (an officer of only sixteen years standing,) there were *four very old* Lieut.-Colonels, and three Majors, and the rest all Captains; it will be seen by the proceedings of the Court Martial that I *had not* this

*advantage* at my trial, only one Lieut.-Colonel (the President) two Majors, nine Captains, and three Lieutenants, in fact, *four-fifths* of the Members of the Court were *junior* in the service to myself, and the President was not a field Officer of *long standing*, he had *never* been President of a *General Court Martial* before, and *very shortly* after my trial, was *invalided*. To these circumstances I humbly conceive the errors the Court committed in their proceedings, are *alone attributable*.

The charge on which I was tried too, has evidently been very *hastily* made out by the Prosecutor, and on close examination *manifestly confutes* itself, inasmuch as the *first count* in it, (which is taken from a *private note* of mine to the Prosecutor's Adjutant, Lieut. Holmes, and intended to *prove falsehood* on my part (is actually dated the *16th July, 1827*. The *last count* in the charges is *inferential*, and *imaginary*, and states that the *substance* of the *first*, was to "*exonerate*" myself from the *third share* of the *censure* contained in a *reprimand*, issued to the Committee by the Prosecutor, Lieut. Colonel Faithfull, and dated the *22nd of July, 1827*, after my *private letter* quoted in the *first count* had been written. How therefore could it be to "*exonerate*" myself from *that reprimand*, which at the *time* I wrote my *private note* of the *16th July*, had not even been *thought of* by the Prosecutor?

The charge against Captain Field actually confutes itself, on close examination.

I now beg leave to solicit your Honorable Court's attention to a view of the evidence exhibited on the face of the proceedings of the Court Martial, and which is extremely contradictory and *evasive*, and does not accord with that given at the Court of Inquiry, and it will I trust be considered a strong presumptive proof in my favor, that the opinion Captain Dunlop still held, at the third meeting of the Committee (vide Lieut. Smith's evidence at the Court Martial) is stated by me to have been held at the first meeting, (vide first count of the charge) which he now denies, this is another circumstance from which my innocence of the charge may charitably be presumed, but independent of this strong evidence, the *very contradictory* evidence given by Captain Dunlop and Lieut. Platt, relative to their reading my order on the subject of the Committee might perhaps be considered by impartial persons to be conclusive.

Gross contradictions in the evidence of the Witnesses.

The next circumstance is the *rejection* of my first Defence by the Court Martial, and which I now think was a great hardship; it touched on all the private and public documents in my possession of an exculpatory nature, it was all the presumptive proof I could possibly produce (for the *privacy* of the case prevented my having any other,) it was all that any man in the world could possess, placed in so cruel a situation as I was.

Rejection of Captain Field's first defence before the Court Martial by which means his cause was defeated

The Court allowed me to read this defence to them, but when I attempted to read my *original documents* by which alone its contents could be proved, I was completely silenced, and the Court was immediately cleared,—and on its re-opening, I was informed by the Judge Advocate, Capt. Cook, that the Court could not receive my defence. I was then allowed till twelve o'clock the next day (a very *short* period) to make out another defence, I was extremely ill at the time, and quite inadequate to the task myself, I therefore applied to the Judge Advocate, Captain Cook to assist me, when he took my defence, and struck out all the leading points that alluded to my documents and wrote the whole of the *prefatory part* of my *second defence* himself, and which he read to the Court. I did not at the time contemplate that after my defence had been altered and in fact *mutilated to please* the Court, that they would *discharge* me the service. In fact, the Court seemed quite tenacious that I should say any thing that might *militate* against the Prosecutor, or his witnesses. Although in the defensive situation I was placed in, I was entitled by *military law* to do so. These mistakes in the proceedings of the Court must, I humbly conceive, be considered very great errors, as those learned Commentators on *Military Tribunals* (*Adye, Tytler and M. Arthur*) allow full scope to a Prisoner to impeach the *motives and conduct* of the *Prosecutor* and his witnesses, and which *should* have been permitted me at my Trial.

I do not conceive that it was in my power to object to the formation of the Court, or to challenge any of the Members of it, as being Junior in the service to myself.

I have annexed my rejected Defence (M) to the proceedings of the Court Martial for your Honorable Court's perusal, and which I had the honor to forward for the consideration of His Excellency the Commander in Chief, on the 24th of January, 1828, the day after the

Court Martial had closed the Trial, but in all probability it reached his Lordship too late to afford me any benefit, I received *no acknowledgment* of the *said defence* from the Adjutant General, but it was sometime afterwards returned to me agreeably to *my request*.

Further interest of Lieut.-Colonel Faithfull shewn by his endeavouring to produce fresh charges of a similar nature against me, by trying to convert another private letter, into a charge for "false statements."

On the 6th of February following, I transmitted to his Excellency the Commander in Chief, a Memorial (N), briefly shewing by its documents, the constant trouble I had with the two witnesses, Captain Dunlop, and Lieut. Platt and others, during the period of my command at Moradabad; also proving by certain communications between the Prosecutor, Lieut. Colonel Faithfull (O) and a Major Wallington (P) that the Prosecutor had made a further effort to convert *another private letter* relative to a certain Havildar (Q) into a *similar charge of falsehood* against me, but failed in such attempt from an *accidental* circumstance; an explanation of this circumstance (R) is attached to the aforesaid Memorial, also Extracts of Letters from the Prosecutor (S) and his Adjutant, Lieut. Holmes. (T)

A service letter (U) written in the year 1815, to "Lieut. Field" from "Captain Faithfull" is also attached to the said Memorial.

However this said Memorial too with its documents *evidently* reached the Commander in Chief's Camp *after* His Excellency *had confirmed* the Proceedings of the Court Martial, and consequently shared the same fate as my rejected defence, for by a letter received from Lieut. Colonel Finch, Military Secretary to His Excellency (V) I am informed that His Excellency could not "discover" on the face of the Proceedings of the Court Martial any improper motives on the part of the witnesses, and that consequently *no further documents could be required*, that His Excellency *had confirmed* the proceedings of the Court Martial, that in consequence of the Court having recommended me to favour, His Excellency would recommend Government to place me on the Pension Establishment. It was certainly *most true* that His Excellency could not *perceive* the *improper* and *interested* motives of the Prosecutor and his witnesses on the *proceedings* of the *Court Martial*, for the Court would not *allow* me to *produce my documents*, or to *question* the Prosecutor, by which alone, *such motives* could have been proved.

Captain Field's severe losses in the Military and Orphan Funds, which Funds he had subscribed to for upwards of 20 years for the benefit of his family.

On receipt of the above-named calamitous communication announcing the total destruction of myself and family, I thought perhaps that by addressing a letter to Colonel Finch (W) and soliciting the Commander in Chief's consideration of my being a married man, that he might place me pursuant to his decree on the *Invalid* establishment *instead* of the Pension List, it would at least have secured to my family the *benefits* of the Military and Orphan Funds, *until I could reach* England, and lay the whole of my unfortunate case before your Honorable Court; I did not receive an immediate reply to this communication. On the 6th of March following I addressed a letter (X) to the Adjutant General of the Army, soliciting permission to proceed to Calcutta, and to be allowed to take Copies of the proceedings of the Court of Inquiry and Court Martial, to this communication also, I did not receive an *immediate* answer.

From this silence to my two last letters, and from the length of time that had elapsed since my trial took place, and the sentence of the Court Martial not being then published, I was quite at a loss what to conclude; and in consequence of which, I addressed another letter, 21st March, 1828, (Y) to Colonel Finch again soliciting His Excellency the Commander in Chief to take into his humane consideration the *great losses* my family had sustained in the funds, from the hard sentence of the Court Martial, and at the same time stating my wish to proceed to Europe for the purpose of laying my case before your Honorable Court.

On the 30th of March following I received a letter from my old Commanding Officer, Lieut.-Colonel Commandant Nation, C. B. (an officer of *great celebrity* in your Honorable Court's Army (and whom I had been intimately acquainted with for 23 years past, and particularly during the campaigns under the late Lord Lake) who hearing of the unfortunate circumstance that attended me, kindly sent me a certificate of my zeal and attention to my duty, and particularly whilst before Bhurtpore, and his entire approval of my conduct whilst under his command, which certificate is exhibited amongst those I have annexed to my Memorial.

Lieut. Colonel Commandant Nation's certificate I immediately forwarded to Colonel Finch for the perusal of His Excellency the Commander in Chief, in a letter bearing date the 30th March, 1828. (Z)

To this letter also, *no reply* was sent me, I had proceeded to Futteh Ghur with a view of embarking on board a boat for the Presidency, but not being able to form any idea of the cause of my letters not being *replied to*, I *again* addressed a letter dated 9th April, 1828, (a a) to the Adjutant General of the Army, *again* soliciting His Excellency, the Commander in Chief's permission to proceed to the Presidency, (in the event of his Lordship having finally determined on my case,) and to be allowed to take Copies of the proceedings of the Court of Inquiry and Court Martial, the said letter also advanced *much argument* in defence of my cause, and gave *two* cases where junior Officers had accused their Commander's when *no witness* but *themselves were present*, one of which was *referred* to His Majesty's Council, and decided in favor of the Commandant, whose deposition *alone* was received *on oath* and considered a correct and decisive method; the other case happened in my own Regiment in 1821, relative to two junior Officers in it, who accused the late Colonel Alexander Campbell of *foul play* in a *Gambling transaction*; the Colonel's *character* and *situation* as *Commanding Officer* was *considered*, his deposition on oath taken before a Court Martial, and the two junior Officers *dismissed* the service; this charitable protection of the law was not granted me in my case, I was placed in arrest, deprived of giving my deposition on oath, and even *hindered* from making my defence in a *proper* manner, whilst the two junior Officers, Captain Dunlop and Lieut. Platt, swore eagerly to the *most exaggerated* charges made out by the Prosecutor, Lieut.-Colonel Faithfull; and *founded* on the assertions *they themselves* had *advanced*, by which means, *these two* Officers not only materially benefitted themselves, but utterly ruined me in your Honorable Court's service.

The day after the dispatch of the letter above alluded, I received a letter from the Adjutant-General of the Army (b b) conveying to me his Lordship's sanction to my proceeding to the Presidency, and stating that his Lordship had *actually* recommended to Government that I should be placed on the Pension Establishment.

On the same day also, I received a letter from Colonel Finch, Military Secretary, dated 5th April, 1828, (c c) directing me to make my application through the Adjutant-General for the *indulgence* of proceeding to Europe, and intimating that his Lordship could not *recommend* any *greater indulgence* than placing me on the Pension Establishment, and which would shortly appear in Orders.

Finding therefore that all further communication to His Excellency the Commander in Chief on the subject of my case, was useless, I addressed a letter in reply to the Adjutant-General's last one, dated the 10th April, 1828, (d d) soliciting the Commander in Chief's permission to proceed to Europe, for the express purpose of submitting the hardship of my case for the humane consideration of your Honorable Court, I also requested in the same letter that my first, or *rejected* defence, might be returned to me.

Pursuant to the above communications I embarked at Futteh Ghur for the Presidency on the 29th of April, 1828, and reached that place on the 13th of June following, and there found waiting for me a letter from the Adjutant-General, dated the 28th of April, 1828, (e e) which letter gave cover to my first defence, and conveyed to me His Excellency's the Commander in Chief's sanction to my applying to the *proper* authorities in Calcutta for permission to proceed to England.

On the 13th of June, 1828, (the day I reached the Presidency,) I addressed a letter to the Judge Advocate General, Lieut.-Colonel Bryant, (f f) stating that I had received a letter from the Adjutant General, containing instructions to me to apply to him for a Copy of the proceedings of the Court of Inquiry and Court Martial by which I was Tried.

The Judge Advocate General replied in a letter, dated the 13th of June, 1828, (g g) that a Copy of the proceedings of the Court Martial should be prepared for me, but that he had *no* Court of Inquiry, nor did *he conceive* that *any* Officer would give me a Copy of that document without the orders of the Commander in Chief. I was much disappointed by this reply, as I plainly foresaw I should be detained at the Presidency, and thereby put to a considerable expence for want of the document in question, it was of the utmost *importance* to me, as it clearly proved the *discrepancy* of the witnesses evidence by comparing it with their depositions sworn before the Court Martial.

Great disappointment of Captain Field, on finding that he could not obtain a Copy of the Proceedings of the Court of Inquiry, at the Judge Advocate General's Office, agreeably to the instructions of the Adjutant General



In consequence of which, and to prevent delay as much as possible, I addressed a letter on the 16th June, 1828, (h h) to His Excellency the Commander in Chief, stating the circumstance, and soliciting His Excellency's sanction to my procuring an attested Copy of that document, and which method I considered as most likely to ensure immediate success.

I also discovered on my reaching the Presidency that an order had been issued by the Governor General in Council, dated the 25th April, 1828, (i i) transferring me to the Pension Establishment pursuant to the recommendation of His Excellency the Commander in Chief.

On the 4th of August, 1828, I addressed a letter to the Right Honorable the Governor General in Council, through the Military Secretary to Government, Lieut.-Colonel Commandant Casement, C. B. (j j) forwarding my Memorial and soliciting its early transmission to your Honorable Court; at the same time stated, that should his Lordship in Council be most graciously pleased to *take the hardship of my case* into kind consideration, and *extricate* me from the calamitous circumstances I laboured under, I should feel grateful to his Lordship to the end of life.

In consequence of the Ship on which I had engaged my passage being on the eve of sailing;—on the 12th of August 1828, I addressed a letter (k k) to the Military Secretary to Government, stating the circumstance and soliciting to know *if my memorial* and documents were to be forwarded to your Honorable Court agreeably to my humble request, or if *any consideration* of the circumstances therein *set forth*, could be afforded me in India, to which I received an *immediate* reply from the Military Secretary (l l) informing me that my Memorial *was then* before Government, and as the papers were voluminous, some time would necessarily be required, for their *attentive perusal* and *consideration*, and on the 16th August, 1828, I received another communication (m m) from the Military Secretary (*Council Chamber*), intimating to me the Governor General's most gracious intention of forwarding my Memorial to your Honorable Court, by an early opportunity.

In consequence of my having addressed His Excellency the Commander in Chief, on the 16th of June, 1828, (before alluded to,) I received an *incomplete* Copy of the Court of Inquiry from Lieut. Birch, *officiating* Deputy Judge Advocate General, by order of His Excellency the Commander in Chief, dated the 29th of July, 1828, (n n,) the circumstance of this document being *incomplete*, was another very great disappointment to me, the Ship was about to leave the harbour on which I had taken my passage, I was compelled to embark without my having obtained a *perfect* Copy of the above named document, and which I anticipated would embarrass me in fresh difficulties on my reaching England, for want of *substantial* proof to my Memorial; in consequence of which, I addressed a second letter to his Excellency the Commander in Chief (o o) expressing my unfeigned thanks for his Lordship's most gracious compliance with my wishes, in granting permission for my being furnished with a Copy of the proceedings of the Court of Inquiry; at the same time stated my regret that the said document was *not complete*, and again solicited His Lordship's kind aid to cause it to be rendered so. I also wrote a letter the same day to Lieut. Birch, *officiating* Deputy Judge Advocate General, Meerut division (p p) in reply to his, in which I stated that the *evident* object of His Lordship would be *completely defeated*, were any portion of the Court of Inquiry proceedings detained from me, a Copy of which letter I enclosed to his Lordship.

Having obtained the necessary Certificate from the Pay department (q q) shewing there were no demands against me in that office, also one from the Accountant General, Military Department, (r r) proving that *I had declined* receiving any *pay or allowances* since the 15th of April, 1828, (the day I was struck off the strength of the Army,) until my case should be brought to the notice of your Honorable Court, also a Certificate from the Military Secretary to Government, (s s) shewing that I had obtained the sanction of the supreme Government to proceed to Europe.

I embarked on the Private Ship, Alacrity, paying *the whole* of the expences for my passage myself, I reached the Cape of Good Hope, on the 6th of December, 1828, and sailed from thence on the 23rd of that month, on which day I received a very extraordinary letter from Lieut. Birch, *officiating* Deputy Judge Advocate General (t t) which had been brought by some Ship from Bengal, forwarding to me the documents belonging to the Court of Inquiry

Another great disappointment to Captain Field, the Court of Inquiry Proceedings being incomplete.

Proceedings, which before he had *omitted to send*. A Copy of Lieut. Birch's letter, I felt it a duty I owed to myself, to forward for the perusal of *His Excellency the Commander in Chief*, (accompanied with my observations thereon) in a letter dated the 23rd December, 1828. (u u)

I have now shewn to you, Gentlemen, the substance of the papers contained in the Appendix, by which your Honorable Court will readily perceive that this mass of correspondence is *simply to prove* that the *heavy and cruel* charges brought against me by the Prosecutor, Lieut. Colonel Faithfull, entirely hinges on the two witnesses, Captain Dunlop and Lieut. Platts, saying there was "*no discussion*" at the meeting of a Committee whom I as *their Commanding Officer*, had myself ordered to take place the day previous to the one it met,—and had in that *very Order* explained in the most *clear, simple, and concise* manner, the exact duty they had to perform; they *acknowledge* to have read *that order* at the very meeting alluded to in the charge, they could have no excuse for not adhering to it had they been *inclined to do so*; but they *disputed* the meaning of the General Order, from which I had extracted mine, and thought that I had *misinterpreted* the meaning of it in *my Detachment Order*, as stated in *my reply* to the Court of Inquiry: my order conveyed my *opinion*, they acted in opposition to *both my opinion and my Order*; Captain Dunlop and Lieut. Platt both declared at the Court of Inquiry, that *they did read my Order* at the first meeting of the Committee, and have also said that it was *overlooked*. At the Court Martial, *Captain Dunlop* has denied the assertion he made at the Court of Inquiry, and sworn that he *did not read my Order*, at the meeting of the Committee above named, and Lieut. Platt's evidence at the Court of Inquiry states, that *we all three* entertained *one opinion*, which opinion is proved to be incorrect by that day's proceedings, and in direct opposition to *my own Order*; again Lieut. Platt states at the Court Martial that he knew my Order to be correct, but that his attention was engaged, this is the excuse he offers for not obeying my Order, and yet it will be seen by the Proceedings of the Court Martial that when his attention was awakened to the sense and tenor of my Order, by the words "*admissible, or inadmissible,*" being put to him, he did not scruple to vote in opposition to the instructions contained in that *Detachment Order*, because he manifestly thought in unison with Captain Dunlop, that *my Order* was an *incorrect interpretation* of the General Order on the same subject, and which Lieut. Smith has sworn at the Court Martial, that Captain Dunlop *did argue* at the third meeting of the Committee.

Prevarication of the witnesses clearly shewn.

These two witnesses have also laboured to insinuate that I united with them in opposition to *my own order*; issued by myself only a few hours before the Committee met. I *did not do so*, I mentioned to them that I conceived my Order was a *correct interpretation* of the General Order; they thought otherwise, it was then put to the vote (as appears by the Proceedings of the Court of Inquiry and Court Martial,) and they voted an opinion *opposite* to that stated in the said Order. In consequence of the *privacy* of the transaction, I cannot prove by *positive evidence*; the *bare circumstance* of my pointing out to them the *intent and spirit* of my own Order, and on this *simple and trifling* circumstance alone, the whole and every part of the charges against me hinges; although I trust it must be considered inconsistent with sound reasoning and common sense to suppose, that a man sits quietly down, and hears his orders and opinions contradicted, and acted against, without saying a *single word*; but the Witnesses have declared that such was the case; in doing which they have gone through a *series* of contradiction of their own assertions, I could not *possibly* have any thing but *presumptive* proof to shew my innocence of the charge: that proof I have shewn to your Honorable Court, and I humbly conceive it is of the most powerful nature that could be adduced under such trying circumstances. I have also shewn to your Honorable Court the enmity of the witnesses towards me; and I have humbly to state, that it has hitherto been the custom in all British armies for Court's Martial in such *peculiar* cases as mine to acquit a Commanding Officer when accused by junior Officers, who are to derive an *immediate* benefit from his *expulsion*, and particularly too when the substance of the charge, after being divested of all *malconstruction*, amounts to *nothing*.

It was not a subject that demanded the *serious* interference of a Court Martial, it was not for the *benefit* of your Honorable Court's service that this matter was brought forward by

*the Prosecutor*; but too apparently hurled at me as a *weapon* of destruction, and resorted to by the parties, only from the most *interested* motives.

The cause of the Witnesses giving a false evidence pointed out.

These considerations which the purest reason in its calmest state must, I humbly conceive, deem applicable to my case, were not likely to strike less forcibly on the minds of the witnesses alluded to, who *had realized* the case to themselves, who felt all the anxieties of an *intimate* concern in the scene, and were impressed with a strong conviction of *imminent* danger from the *least* disclosure of any opposition to their Commanding Officer.

At the same time, it must be deeply considered that they were in a great measure *driven* to such an extremity by the *violent* and *extraordinary* measures adopted by the Prosecutor, Lieut.-Colonel Faithfull, in his letters of the 8th and 10th of September, 1827.

Vide Brigadier Vanrenan's letter of instructions to the Court of Inquiry which at once shows the cause of the trial. Page 34

I should not have taken the liberty of judging so freely of the motives of the Prosecutor and his witnesses, had it not been that the *harshes*t, the most *forced*, and *unnatural* constructions, have been affixed to *my motives*; set forth in the charge against me by the Prosecutor, and which is *stated* to be by order of His Excellency the Commander in Chief, although it is *perfectly clear* and *visible* that my Trial was occasioned solely by the Prosecutor's writing his two letters of the 8th and 10th of September, 1827, for the perusal of Major General Sir Thomas Reynell, applying the most unmeasured and even gross language towards me.

Vide Proceedings of the Court Martial, page 58

The Prosecutor has also magnified it into an enormous crime, my not having reported to him the *dissent* of the two witnesses from *my opinion* and *my order*, and produced at the Court Martial a number of common place letters to prove that I did *not do so*. I most respectfully beg leave to state to your honourable Court that during the whole course of my services, I have *never* seen it done, and I affirm to your Honorable Court that it is not the custom of any British army to do so. For instance, I can even prove to your Honorable Court (beyond the shadow of a doubt) and which is given to me under the respectable signature of \* an Officer of high character and long standing in your Honorable Court's army, that the Court of Inquiry that investigated my case did actually consider that *there appeared* at the *time*, *strong* symptoms of a *conspiracy* against *me*, and yet *no mention* is made of it on the face of their proceedings. If the Prosecutor *really did* think it so great a crime my not reporting the dissent of the Members from my opinion when I forwarded the Rolls to him for his counter-signature as commanding the Regiment. How came it that he *signed* those *very* Rolls, without expressing at *the time* his disapprobation of them; and transmitted them himself in that *incorrect state* to the Adjutant General of the Army? It was on their being *returned* from the Adjutant General's Office; and then only, that he declared I had been guilty of a great crime, though in fact he had *actually done* the same *thing himself*, and the identical Rolls are now in my possession to prove so.

In concluding this subject, I cannot help lamenting the very great delay that has taken place throughout this business; it will be seen by the charge against me, that the circumstances alluded to, occurred in the months of May, June, and July, 1827. The Court of Inquiry into it did not take place until the 10th of October, 1827, and the Court Martial on the 18th of January, 1828; altogether a period of about nine months, before the subject was decided on, and the sentence *only published* in April, 1828; thus a whole year had elapsed before I was acquainted with the hard fate that awaited me, and the great distance I was situated at, from His Excellency the Commander in Chief, after the Court Martial had closed its proceedings, was probably the cause of the mistakes that occurred in furnishing me with a Copy of the Proceedings of the Court of Inquiry, and occasioned delay in the transmission of my letters on the subject to His Excellency's Military Secretary, and the Adjutant General, as in all probability His Excellency had confirmed the proceedings of the Court Martial, and sent them off to the Presidency without a *knowledge* of the *facts* relating to the charge.

13th August, 1828.

\* Extract. "After that, was in hopes of hearing again from you, with the opinion of Mr. Turton, but I conclude he is waiting for the perusal of the Court of Inquiry, it is altogether a most iniquitous business, and I have heard *even from* one of the *Members* of the Court of Inquiry that their appeared during that investigation *very strong* ~~evidence~~ *of a conspiracy* against you." N.B. I did not consult Mr. Turton in Calcutta, having changed my intentions and refrained from taking the advice of Counsel until I reached England.

I have now endeavoured as briefly as possible to sketch from the Appendix to my Memorial for your Honorable Court's perusal, an outline of the cruel and distressing circumstances that have led to my degradation from your Honorable Court's service; a service in which I had passed twenty-four years of uninterrupted prosperity. This degradation too, has been produced from matter of the most *trivial* and unimportant nature; and which was *magnified* into a crime of the *deepest dye* by the Prosecutor, Lieut.-Colonel Faithfull, and I regret extremely that I should have been compelled to *use* the *private* correspondence of the Prosecutor and his witnesses; but in the defensive step I have been *forced* to take, I humbly trust your Honorable Court will perceive, that I had no other *alternative*, the Prosecutor having *converted* a *private letter* of mine to his Adjutant, Lieut. Holmes, which was written in a *careless* moment of *confidence* into the substance of a charge against me, and the said private letter was handed about too amongst the witnesses until they had all *united in contradicting* the subject of it, as *appears* on the face of the proceedings of the Court Martial.

Under these unhappy circumstances I humbly present myself to your notice, I take it for *granted*, that when His Excellency the Commander in Chief confirmed the Proceedings of the Court Martial, that he was unacquainted with many of the circumstances contained in these papers, in consequence of their having been rejected by the Court Martial, I have therefore now produced them for your Honorable Court's humane consideration of my case. I have been utterly ruined in my *prospects* in life, I have been severely injured in my character and feelings, and whatever may have been my errors (if *indeed* any can be found throughout this business,) they surely have not *merited* a *punishment*, than which, a heavier, could *not possibly* have been awarded to the most abandoned and unprincipled character, that was ever arraigned before a military tribunal; and that too, for a *supposed* and *artificial crime*, of which I feel conscientiously innocent.

I therefore implore you, Gentlemen, to view with an eye of compassion the real sufferings of myself, and of my family, and that you will graciously condescend to take my case into your humane consideration, and restore me to my late situation in your service. I have served you, Gentlemen, faithfully for a series of years. My services *have even* been acknowledged by your supreme Government in India, and I have now returned to my native land expressly to make this appeal to the mercy, wisdom, and justice, of your Honourable Court, and to whom I feel confident, no injured man ever appealed in vain.

I have the honor to remain,  
Gentlemen,

With the greatest respect,

Your most obedient and devoted  
humble Servant,

G. B. P. FIELD.

22nd April, 1829.

**APPENDIX.****CERTIFICATES.**

No. 1.

(A)

Copy of a Certificate received from Major General Sir Thomas Reynell, K. C. B. late in command of the Meerut division of the Army.

Although the circumstances arising out of a difference between Captain Field and Dunlop of the 23rd Native Infantry, suggested to me the expediency of recommending that the former Officer should be removed from the command at Moradabad, which he held in right of being Senior Officer of the left wing of the Corps stationed there, and that *Captain Dunlop* should be transferred to a *Company* at Almorah, still *I think* it but just to state, that during a period of about twenty months that Captain Field commanded at Moradabad, I had no cause to consider him either deficient in zeal, or a general knowledge of his duty. In the month of November, 1826, I visited that station and made an inspection of the wing of the 23rd Regiment, which I *found in good* order, nor can I recollect to have had *any occasion* to find fault with any thing at the *station* over which Captain Field had *controul*.

His fault has been a want of correct judgment, and conciliatory manner in his treatment of, and intercourse with the European Officers, making them hostile in their feelings towards him, and thus occasioning disagreement and reference to higher authority.

Captain Field commanded one of the Grenadier Companies of the 23rd Native Infantry in my division at the assault of the North East Angle of Bhurtpoor, and upon that occasion as well as during the Seige, I have *cause* to believe that he did his duty as a *zealous* and *good* Officer.

Given under my hand at Cawnpoor, the 17th day of November, 1827,

(Signed)

THOMAS REYNELL,

Major General,

*Late in command of the Meerutt Division.*

N.B. The above Certificate from Sir Thomas Reynell, was entered on the proceedings of the Court Martial.

No. 2.

Copy of a Certificate received from Major General Sir Jasper Nicolls, K. C. B. commanding the Meerutt division of the Army.

I hereby Certify that Captain G. B. Field, of the 23rd Native Infantry, served under my command at the Assault of Almorah, and the reduction of Kumaon in 1815, and I *had every reason* to be satisfied with his conduct during that service.

(Signed)

J. NICOLLS,

Major General.

Meerutt, 16th February, 1828.

N.B. This was not received in time to be produced at the Court Martial, but was on its receipt forwarded to His Excellency the Commander in Chief.

## No. 3.

Extract of a letter from Brigadier J. Arnold Commanding in Rabilcund, dated 23rd August, 1819, to the address of Major Watson, Deputy Adjutant-General of the Army.

In adverting to Captain Field, he appears in my humble judgment and experience, to be an intelligent and smart Officer, and has in *addition* to the abilities he possesses as an *attentive* and *gallant* regimental Officer, the valuable talent of surveying and making able *topographical sketches* of infinite use in *all situations* with an *Army*.

N.B. This was entered on the proceedings of the Court Martial.

## No. 4.

Copy of a Certificate received from Major General Sir John Arnold, K. C. B. Commanding the Sangor division of the Army.

This is to certify that Captain G. B. P. Field of the 23rd Regiment of Native Infantry, served under my command in 1809, (the Campaign in Boondalcund) and again during my command in Rabilcund in 1818-19, in each period of which I was *highly satisfied* and *gratified* with his conduct as an *able*, *very intelligent*, and *industrious* Officer, performing all his duties in a *gentlemanlike manner*, and whose sentiments I had opportunities of appreciating and approving of.

(Signed)

J. ARNOLD,  
Major General, &c.

Sangor, Central India, April, 1828.

N.B. This Certificate did not arrive in time to be produced at the Court Martial.

## No. 5.

Copy of a Certificate received from Lieut.-Colonel Commandant, S. Nation, C. B.

This certifies that Captain G. B. Field, of the 23rd Regiment served under my command about eight months in 1825-6, during which time I found him attentive in the performance of his duty, and particularly so during the Seige, and at the Storm of Bhurtpoor, and I have *every* reason to be satisfied with his *conduct* as *being a zealous* and *good* Officer.

(Signed)

S. NATION,  
Lieut.-Col. Commandant,  
Late in command of the 23rd Regiment, N. I.

Secrora, March 21st, 1828.

N.B. This Certificate was not received in time to be produced at the Court Martial, but was on its receipt forwarded to His Excellency the Commander in Chief.

## No. 6.

Copy of a Certificate from Lieut.-Colonel Comyn, commanding 24th Regiment N. I.

I have much pleasure in committing to paper, that since I have had the pleasure of being made known to Captain G. B. P. Field, late of the 23rd Native Regiment, now some years, I have always been made to understand that he was *an upright and honorable man* and that I had never heard *any aspersions* thrown out against his character, to be injurious either to himself or the Honorable Company's service.

(Signed)

P. T. COMYN,  
Lieut.-Colonel,  
Commanding 24th Regiment, N. I.

Cawnpoor, 23rd April, 1828.

No. 7.

Copy of a letter received from Major Hearsey, at Bareilly, dated 23rd March, 1828.

My dear Field,

Although I do not think myself competent in giving my judgment in your case, yet as an impartial observer after having *duly seen* the Proceedings of the Court of Inquiry, and the charges produced by your Commanding Officer, and the process of the *Court Martial*; the whole leans on a most *frivolous* basis, and a mere word, *discussion*, is held up as the front of *all your offending*. The whole accusation is *inferential*, *unjust*, and the means to bring it forward very *ungentlemanlike*. Your private documents to the *Adjutant* are brought forward to criminate you, and you are not allowed to produce the *private* correspondence from the *Adjutant*, to vindicate the imputation only brought *inferentially* against you.

In the eye of the law the greatest crime you have committed is permitting yourself as President of the Committee, to be biased to the opinion of the *plurality* of the Members composing it, the blame lays to them, as the *order you issued in the order book* on the subject is distinct, *concise*, and to the *purpose*, and a *child* could not mistake the meaning of it, the two witnesses have said *one thing* at the Court of *Inquiry*, and *another* thing at the *Court Martial*, but when it was known to your commanding Officer that *both* those Gentlemen were not upon *good terms* with you, and had made frivolous complaints against you, it appears strange that they should be brought forward as witnesses, when in fact they were the *guilty persons*, as they acknowledge in their *answers*, and *you had fully stated your opinion in the order book*, the greatest crime that could be in such case laid upon your shoulders is error in judgment, and the *Lord knows* from the *highest* to the *lowest*, that we are not infallible.

From your private documents there seems to be a *conspiracy* against you, if this is well investigated it will go hard against Faithfull, and his associates, and may dismiss them the service.

To a person of your *standing* in the *Army* and who has hitherto given satisfaction, and fully done the duty which has fallen to your share, to the *satisfaction* of your superior *General Officers*, this latter attempt to *injure* your *character* must be very grating, but I feel confident if *properly investigated* that you will rise *higher* in the estimation of your brother Officers, and the stigma so *wantonly* thrown by Faithfull (for what motives he knows best) on you, will be entirely thrown off, and you will return to the service, and have a chance to raise up to that *rank* to which we all look forward as a means of competency hereafter.

The modern speciality introduced into the manner of the youth of the present date requires more reserve towards them, as a *Commanding Officer*, and had you been more *distant* and *strict* to those two Gentlemen, this would never have occurred.

For these twelve or fourteen years past since I had the pleasure of becoming acquainted with you, the impression of your conduct in the *minds* of the *Native Soldiers* of your Corps, your being beloved by them, shews more than any thing I can state in your favor.

Wishing you speedy justice, and which I have *no doubt* you will get,

I remain,

Your sincere friend and well wisher,

H. G. HEARSEY,

Major.

Bareilly, 23rd March, 1828.

No. 8.

Copy of a Certificate received from A. Webster, M. D. Assistant Surgeon, 2nd Extra Regiment, N. I. at Futteh Ghur, April 19th, 1828.

The undersigned has known Captain G. B. Field intimately for the last three years and a half, more particularly during a passage in the same Ship from the Cape of Good Hope to Calcutta, and he can honestly certify that *during that time* he has never

known or observed any thing in Captain Field's *conduct to detract* from the character of an Officer and a Gentleman; *on the contrary*, the undersigned, has always looked upon him as a man of the strictest and most honorable principles.

(Signed)

A. B. WEBSTER, M. D.  
Assistant Surgeon,  
2nd Extra Regiment, N. I.

Futteh Ghur, 12th April, 1828.

No. 9.

Copy of a Certificate received from R. Terraneau, Esq. Assistant Revenue Surveyor, Camp Pheenah, 13th January, 1828.

I do hereby upon my honor declare and certify to all to whom it may concern, that I have known Captain Field since his arrival at the station of Moradabad, that I have been in the habit of meeting him frequently in *society*, where he *has always* conducted himself like a Gentleman, and that I have ever found him to be to my family and myself, *kind, civil, and obliging* to the greatest degree.

(Signed)

ROBERT TERRANEAU,  
Assistant Revenue Surveyor.

Camp Pheenah, 13th January, 1828.

No. 10.

Extract of a Letter from H. Nelson, Esq. Revenue Surveyor, Camp, 17th January, 1828.

I assure you my dear Field, that it is want of health and the suffering of a bad complaint alone that prevents my instant attendance with you, and I hope you will not be offended at my inability to comply with your wishes. Were I called on to state what I know of you during the year and a half I have known you, I could with justice and truth swear, that I never knew you guilty of any action that would cause a Gentleman to blush: I wish you safe passage through your trial and every happiness,

And remain, my dear Field,

Your's sincerely,  
HOR. NELSON.

No. 11.

Copy of a Certificate received from Major Worsley, Commanding 53rd Regiment, N. I. Bareilly.

The undersigned has been acquainted with Captain G. B. Field, on the Bengal Establishment for some years, and particularly intimate with him at Bareilly in 1819, where he was stationed with his Corps; the undersigned then held the situation of Brigade Major to the troops in Rahilcund, and he can *faithfully* and *honestly* declare that Captain Field performed his duty during that time with *zeal* and *attention*; moreover the undersigned has always considered him as a man of *good* and *honorable* principles,

(Signed)

T. WORSLEY,  
Major,  
Commanding 53rd Regiment, N. I.

Bareilly, July 4th, 1828.

No. 12.

Copy of a Certificate received from N. J. Halhed, Esq. Judge of Moorshedabad.

In the year 1826, I became acquainted with Captain G. B. Field, then of the 23rd Regiment, N. I. on the Bengal Establishment, he being there in Command of a



Detachment of Troops at Moradabad, of which station I then held the appointment of Civil Judge:—an *official* and *private intercourse* of some months enables me to assert *my belief* that he is a man of *good* and *honorable principles*.

(Signed)

N. J. HALHED,  
2nd Judge of Moorshedabad, Provisional Court of Appeal, and  
Supernumery Member Revenue Board for Lower Provinces.

Calcutta, July 25th, 1828.

No. 13.

Extract of General Orders by the Right Honorable the Governor General in Council, relative to the conquest of Kumaon and Almora, in the Napaul Country, dated Futteh Ghur, 3rd May, 1815.

\* Now Captain  
Field.

Lieut. Field \* and Purvis of the 4th Regiment, with Lieut. Bell and Wilson of Artillery are also mentioned, in *strong terms* of commendation.

To all these officers the Governor General offers his *sincere* applause, as likewise to all the other officers, (Native as well as European,) non-commissioned officers and men, who have so becomingly supported the character of the British Army in this laborious service.

(Signed)

J. ADAM,  
Secretary to Government.

## EXTRACTS.

(B)

No. 1.

Extracts of Letters from Lieut.-Colonel Faithfull, Lieut. Adjutant Holmes, and Lieut. Bean, Numbered from 1 to 19.

Almorah, 2nd May, 1827.

My dear Field,

N.B. The whole  
of these Extracts  
were attached to  
my first defence  
which was reject-  
ed by the Court  
at my Trial.

\* Faithfull.

“What you say of your Adjutant does not at *all surprise me*, Faithfull hinted as much to me and others *more than once*, and particularly to Moule; you will be perhaps somewhat astonished to hear that the *Adjutant General* is acquainted in some degree with *his character*, and when F mentioned him to Watson to be appointed Adjutant to *your Wing*, he said “*Is this* the person *you wish to appoint*, who deserted his Company when *going on service*.” F \* answered that he had the *greatest dislike* in appointing the Chap, not knowing any thing of him, but as he had not *promised* the Adjutancy to any one, and it being at the *particular* request of his *old friend*, Colonel Stevenson, why *he could not refuse*,” He was sorry afterwards for giving it to *such a fellow*, but he could not break his word when once *given*.” I can well imagine his paying more attention to *his Horses* than *his duty*, and I don't *envy* you *the Command* with such a *precious Staff*.” I rather think the Sepoys have been telling F. about *Platt's violent temper* with the men, as I am sure no one *here* ever mentioned it, at least that I know of; even \* Cock was obliged to check him once or twice, on account of his *violence* with the poor Sepoys, and it has been mentioned to me fifty times by the *men of my Company*, so much on the subject,

\* Major Cock  
23rd Regiment.

Your's sincerely,

(Signed)

J. HOLMES.

Remark.—Surely if such was the *opinion* of Colonel Faithfull and his Adjutant, regarding Lieut. Platt's *character*, Colonel Faithfull ought not in justice to have brought

him forward as a witness against Captain Field, to whom he well knew Lieut. Platt had been behaving ill, whilst under Captain Field's Command. This Letter too, giving such an account of Lieut. Platt's character was written in the very month the business of the Committee happened.

No. 2.

Almorah, 19th June, 1826.

My dear Field,

The Sepoys who joined some days ago, I mean the old ones, say that *your Staff* is wonderfully improved to what he was at Ally Ghur. Your *lecture* has been of more service than I could possibly imagine, considering the *Tools* you have to *manage*.

I dare say he is in a great passion about my being *made Adjutant*. He *will never* get a Staff appointment in the Corps while we have our *present Commandant*, provided *any one else* is able to fill it.

Your's sincerely,

(Signed)

J. HOLMES.

Remark.—This also shews Lieut.-Colonel Faithfull's impression of Lieut. Platt's character.

No. 3 .

Almorah, 2nd July, 1826.

My dear Field,

"Another circumstance which gives me much pleasure is bringing *refractory* \* Lieut. Platt. *people* to their *senses*, without *flattery* I really *think* you have had more *forbearance* with, the *Gentleman* (your Staff \*) than I possibly *could imagine*, and on the whole you did right in not bringing the business *before Faithfull*, from *humanity* as well as other causes, which I am now persuaded would be of injury to him in his prospects, I now hope he will give you *no more trouble*, at the same time, I certainly would not *confide too much to him*.

Your's very sincerely,

(Signed)

J. HOLMES.

Remark.—This shews that I behaved *with great* forbearance to Lieut. Platt from *motives* of "humanity," by not bringing his conduct to the notice of Colonel Faithfull, and but ill *accords* with the *charge* given against me for malice, &c. &c. by Lieut. Colonel Faithfull.

No. 4.

Almorah, 19th July, 1826.

My dear Field,

I am sorry to find Cooper is so bad in not paying his Bazaar debts, also beating the public servants, &c. I have two or three times written to him on the subject of *ill using* the natives, I hope he does not follow a bad example which you have checked so \* Lieut. Platt. *effectually in another quarter*.\* He was not giving to thrashing his servants when before *Bhurt-poor*, neither did he play such pranks with the men as it appears he is now guilty of. Your forbearance is certainly more than the *generality* of Commanding Officers would put up with, and I consider him a fortunate chap, in being under you, *instead of Faithfull*, otherwise he'd in a very short time be *out of the Service*. Do you think my writing to him would be of *any service*? I might say the Colonel has correspondents *amongst the Sepoys*, who inform him of what goes on, &c.

Your's ever sincerely,

(Signed)

J. HOLMES.

Remark.—This is a further proof of my having behaved with lenity and forbearance to the Officers under my Command, who had been constantly misbehaving.

No. 5.

Almorah, 29th July, 1826.

My dear Field,

\* Colonel Faithfull.

I have mentioned to F.\* a part of your Letter with respect to Cooper, and his Horses, Establishment, &c. He remarked you shewed a great deal of forbearance, &c. and said if you at any time *thought proper* to deprive him of his Companies for *misconduct* in not writing for them, he'd of course *confirm* your proceedings, *being convinced you would not deal unjustly towards any one*. So that if advice fails to have the desired object, do as you *think proper* in that particular.

Your's sincerely,  
(Signed) J. HOLMES.

Remark.—When I questioned Lieut. Holmes at the Court Martial, relative to Colonel Faithfull having declared that "I would not *deal unjustly towards any one*," he *pretended* at first he did not *recollect it*, and when I produced his Letter in Court and shewed it to him, the Court said the *question* was inapplicable, and forced me to *withdraw* Lieut. Holmes's Letter, and thus I was hindered from using my documents in any way, and the *privacy* of the matter, not admitting of my having a witness on my side, I was prevented by the Court, from proving any thing I said in my defence.

No. 6.

Almorah, 5th August, 1826.

My dear Field,

Here is a note for Cooper which if you approve of, give it or send it *wafered*, if you think it will not answer the purpose intended, destroy it, as its useless *throwing Pearls to Swine*.

You will always be backed by Faithfull, as he says you *have shewn a great deal of lenity to C.*, I have certainly taken his part, deeming it consistent with your behaviour towards him, and from *what I observed in your private Letters* relative to C. and others, let me know your opinion, as I'd be sorry to say or do any thing to interfere with your Orders or intentions, with respect to Cooper, you knowing of course the best mode to be adopted towards the unlucky sheiks."

Your's ever sincerely,  
(Signed) J. HOLMES.

Remark.—This Letter is also a proof of my general character and behaviour towards the Officers under me.

No. 7.

Almorah, 6th August, 1826.

My dear Field,

The last Letter received from Dunlop, was dated I believe Dinapoor, you may therefore expect him by the beginning of October. You will not, I believe find D. very active as a drill or *any thing else*, I dare say he has not given his mind to study Torren's since he left the 7th, when I did.

Your's sincerely,  
(Signed) J. HOLMES.

Remark.—This Letter shews what I had to expect from Captain Dunlop, independent of my own knowledge of him for sixteen years past.

No. 8.

Almorah, 15th August, 1826.

My dear Field,

You will be strong when Dunlop joins, I do not think however he will be in acquisition with respect to a knowledge of *Torren's New Exercise*.

Your's very Sincerely,  
(Signed) J. HOLMES.

Remark.—This Extract is exactly a duplicate of the preceding one, and plainly shews the character Captain Dunlop held in the *Regiment regarding duty matters*.

No. 9.

Almorah, 5th September, 1826.

My dear Field,

I am heartily glad to find Cooper's reformation, your *Staff* mentions in a letter to Bean, he is wonderfully improved, he hints at some advice given to C. by *self*, a pretty fellow to *give advice certainly*. He is beginning his *old tricks again*, Faithfull declares that if a complaint is made of P.\* he will play the devil with him, P. is no favourite of the Colonel's, \* Lieut. Platt. on the contrary, he cannot bear him, considering him in the light of an ill *tempered, sulky fellow and selfish to boot*.

Your's sincerely,  
(Signed) J. HOLMES.

Remark.—This Letter also shews, that it was not fair or proper, in Lieut.-Colonel Faithfull bringing forward Lieut. Platt as a witness against Captain Field, whose *conduct and character* is described as above, both by his Adjutant Lieut. Holmes and himself.

No. 10.

Almorah, 22nd July, 1827.

My dear Field,

As I wrote you *some time ago* so it has turned out you will perceive by the accompanying Public, a great part of which is an extract from the A. G. letter that you and the Members are accused of want of common attention, &c.

Your's sincerely,  
(Signed) J. HOLMES.

Remark.—By the above letter it is evident that Lieut. Holmes and myself had communicated on the subject of the Pension Roll Committee which first sat in the month of May preceding, "*some time*" prior to the above date; and in all probability such communication on my part was made at the time the Rolls relating to the first Meeting of the Committee were forwarded, although Lieut. Holmes has sworn I made none whatever, but I did not keep a single *Copy of my private communications* to Lieut. Holmes, and many of his to me were *lost* or destroyed, and indeed all the foregoing ones were accidentally preserved, having laid in a corner of my room as waste paper, not conceiving they would ever be of the least use to me. Lieut. Holmes has also sworn that the first communication I made on the subject of the Committee was dated the 10th July last, and that the *incorrect* Rolls eighteen in number accompanied it, though it will be seen by the Proceedings of the Court Martial that the Rolls were only returned to Head Quarters of the Regiment from Calcutta on the 21st or 22nd July, *they could not have been sent to and from Calcutta in ten days*, when the usual period in the rainy season from Almorah to the Presidency and back again is at least forty days transmission by the post; *thus the fallacy of Lieut. Holmes's deposition on this point is plainly shewn*.

No. 11.

Extracts from Lieut.-Colonel Faithfull's letters to correspond with the original documents.  
Almorah, 13th June, 1826.

My dear Field,

You have anticipated my wishes *completely*, and I beg you will accept my best thanks for your ready compliance to my wishes on all occasions, and it will afford me much pleasure to have it in my power to do any thing for you,

(Signed) Your's ever sincerely,  
W. C. FAITHFULL.

Remark.—This at once shews that I always did my best to *please* Lieut. Colonel Faithfull on *all occasions*.

No. 12.

Almorah, 13th October, 1826.

My dear Field,

I hear General Reynell will be your way next month sometime, or early in December, to meet the Lord at Bareilly, you will *I know* make the best use of the time before you, to shew the *Wing* to him in a *good state*.

(Signed) Your's very sincerely,  
W. C. FAITHFULL.

Remark.—This shews that Lieut.-Colonel Faithfull was aware that I should do my best to *support* the *honor* of the Corps by shewing it in a *good state of discipline* to the General.

No. 13.

Almorah, 20th November, 1826.

My dear Field,

I am much pleased to find that General Reynell, expressed *his satisfaction* of the left wing, and shall hope to morrow will bring particulars from you.

(Signed) Your's ever sincerely,  
W. C. FAITHFULL.

Remark.—This surely shews that Lieut.-Colonel Faithfull was satisfied by the expression of Major General Sir Thomas Reynell's approbation of the left wing of the Regiment under my command.

No. 14.

Almorah, 14th January, 1827.

My dear Field,

I am happy to find by your's of the 10th, yesterday received, that we are to have the pleasure of seeing you after next muster, but both Mrs. F. and self hope we shall not be deprived of the pleasure of seeing Mrs. Field with you, so you must contrive to bring her with you, indeed I am desired to say you must not come without *her* and the *children*, for we have *plenty* of *accommodation*, and as I have ordered all the houses at the different stages from Bummorie to this to be put into comfortable order, this will I trust be an *additional inducement* as you will require no Tents beyond the foot of the hills either coming or returning, and the road is in excellent repair, in fact you will not know the country again, especially this place Almorah, I shall be happy to assist you *with whatever I can*, so only let me know in *time*,

(Signed) Your's very sincerely,  
W. C. FAITHFULL.

Remark.—Thus in the month of March, 1827, myself and family were put to the expence of visiting Lieut.-Colonel Faithfull, at Almorah, a distance of ten days journey from Moradabad, and *this pressing invitation* appears to have been given us with a view of personally persuading me to *purchase Major Cock out of the Regiment*, and when he failed in his object, he shewed himself cool to me, and has ultimately effected my ruin.

No. 15.

Almorah, 2nd February, 1827.

My dear Field,

I am sorry Captain Dunlop should have by his behaviour caused your bringing the *business* to my notice, and trust he will not again *give cause* for my being troubled. It was highly improper his *presuming to answer you on the Parade*, and his appeal to Lieut. Platt, *most improper*; however, as you assembled the Officers, and in their *presence* pointed out his *improper behaviour*, I of course have said little on the subject, with a hope that *your own interference will prevent a recurrence*.

(Signed)

Your's very sincerely,  
W. C. FAITHFULL.

Remark.—This shews that Captain Dunlop had been behaving ill to me previous to the business of the *Committee*, and that Lieut.-Colonel Faithfull disapproved of his conduct towards me; surely it was not fair in Lieut.-Colonel Faithfull, to bring him forward as a witness in the case of the *Committee*, which only happened about three months after he had written the above Letter, as appears by the date of his Letter, and the first sitting of the *Committee* in the month of May following.

No. 16.

Almorah, 27th April, 1827.

My dear Field,

Cock from whom I had a Letter yesterday, is determined on going home after the rains, so you ought to see what you *can do* ere he quits the country.

(Signed)

Your's very sincerely,  
W. C. FAITHFULL.

Remark.—This Letter was written after the visit to Lieut. Colonel Faithfull, at Almorah, as appears by the dates, and is in continuation of his *solicitation* (then made) to me to purchase *Major Cock out of the Regiment*.

No. 17.

Almorah, 16th August, 1827.

My dear Field,

You will yesterday have received the *final* decision of Brigadier Vanrenan on the subject between yourself and Captain Dunlop, which *renders unnecessary more Papers* being forwarded, as requested in your Letter of the 9th instant.

(Signed)

Your's very sincerely,  
W. C. FAITHFULL.

Remark.—Surely after Lieut.-Colonel Faithfull had received the *final* and *public* decision of Brigadier Vanrenan, Commanding the District, on the subject between Captain Dunlop and myself *relative to the Committee*, and *forwarded the same with the above acknowledgment* to me of its being all *settled*: it was the height of *injustice* his agitating the business over afresh, by writing his *abusive Letters* of the 8th and 10th September, 1827, for the perusal

of Major General Sir Thomas Reynell. The *sudden change* of his *sentiments* is visible between the above Letter, and *those Letters* (only a few days having elapsed;) it is also evident that whilst he was writing me in the above terms of *sincerity* and *friendship*, he was making arrangements for bringing this *business* forward, the result of which has been my ruin.

No. 18.

Extract from Lieut. Colonel Faithfull's *Son-in-law*, Lieut. Bean, 23rd Regiment, N. I.

Almorah, 24th December, 1826.

My dear Field,

You will find most excellent Roads from Bummourie to this place, don't forget to give me timely notice of your approach, and every thing you may require shall be *in readiness*, but there is lots of time to think of that, you'll say. I have seen, since my last to you, two Letters from connections of Oliver's, who positively affirm that he is not coming out to this Country again, and go so far as to say, that he will resign on the 5th of October, so we may 'ere long, expect to see it in Orders. *Now is your time* to write and ask Cock *what sum* would induce him on his becoming *entitled* to his *Pension* to resign the *Service*, so that *we may make arrangements for so doing*. It concerns you more particularly than any *one else* in the *Regiment*, tho' *all will benefit* in a degree, and of *course lend a helping hand to accomplish so desirable a step*.

Your's very sincerely,

(Signed)

J. D. D. BEAN.

Remark.—This also shews the object of the *invitation to Almorah*, as also Lieut. Bean's eagerness to induce me to purchase the majority from Major Cock, for the sake of benefitting himself, which Lieut.-Colonel Faithfull had also so strongly urged.

No. 19.

Almorah, 2nd February, 1827.

SIR,

Having laid your Letter of the 29th ult. before Lieut.-Colonel Faithfull, Commanding the Regiment, he desires me to express his regret that you have been obliged to bring the *conduct* of *Captain Dunlop* to his notice, and as you mention having assembled the Officers of the Wing, and pointed out to him the *impropriety* he has been *guilty of* with a suitable admonition, the Lieut.-Colonel hopes nothing of the kind will again occur.

I have the honor to be,

SIR,

Your most obedient Servant,

(Signed)

J. HOLMES,

Lieut. Adjutant, 23rd Regiment, N. I.

To Captain Field,  
Commanding Left Wing, 23rd Regiment,  
Moradabad.

Remark.—On the occasion alluded to in the foregoing Letter, Captain Dunlop was directed to *apologize to me* for certain expressions he used in the Parade, by order of Major General Sir Thomas Reynell, K. C. B. Commanding the Division, to whom the circumstance had been *communicated* by *Lieut. Colonel Faithfull*, Commanding the Regiment.

(C)

Moradabad, 22nd July, 1827.

SIR,

It is with sincere regret that I feel myself under the necessity of forwarding another representation against my immediate Commanding Officer, Captain Field, but the accompanying statement will be found I trust so clearly to evince a settled purpose on the part of that Officer to wound my feelings on even the most trivial occasions, that I confidently hope, not only to stand excused in the opinion of the Commanding Officer for the trouble I am reluctantly giving, but that an indulgent consideration to all the circumstances may induce him to grant me future security against such galling, (and I most respectfully venture to say,) unmerited reprimands.

I am unwilling however to intrude unnecessarily on the valuable time of the Commanding Officer, and proceed therefore without further comment, to a brief statement of recent occurrences.

One morning in last month while the Detachment was on Parade, in column of grand divisions, Captain Field rode up to me, who stood on the right hand of the 1st grand division, and reprimanded me for not giving the word to form square,\* now Captain Field a very few \* Front and rear form three deep. days before directed that the Officer in the Centre (whether European or Native) should give the word of command, and this order on the very morning in question, was repeated to Lieut. Smith by Captain Field, in my hearing; it was with no small surprise and mortification therefore I found that my own strict attention to this point should have subjected me to reproof on public Parade, in the presence of every officer of the detachment.

The second circumstance of which I have to complain, occurred on the morning of the 16th of June.

For some time previous I had felt far from well, and on the preceding afternoon, Mr. Bell came to my Bungalow, and advised me to report sick, this however I declined to do from a reluctance to absent myself from Parade without absolute necessity, and under an idea that I might find myself sufficiently recovered to attend a Parade which had been ordered for the next morning. It unfortunately happened however that when the morning arrived I found myself so much worse as to be unable to rise from my couch, and it was in this state of positive suffering that I experienced the additional annoyance of a public communication of Captain Field's disapprobation of my conduct in omitting to report my illness *through* the Surgeon, although at so early an hour,\* it was almost impossible for me to have done so, \* Eight o'Clock. In fact the Commanding Officer's displeasure was intimated to me before a sufficient time hardly had elapsed to enable me to procure the attendance of Mr. Bell, and to forward the required report. Actuated moreover as I was by a sincere desire to do my duty as long as possible (the sole reason for not acting the day before on Mr. Bell's recommendation;) I certainly felt it hard that this very desire, (which I considered rather to merit praise than censure,) should have called forth the Commanding Officer's displeasure and a communication of it, when as already stated, I was labouring under severe pain and confined to my bed.

A third instance of what I trust will appear unmerited rebuke occurred on the morning of the 20th instant.

Although I have been invariably most careful never to pass Captain Field without paying that mark of respect to which he is entitled as Commanding Officer of the Detachment, I am sorry to say that he has in several instances withheld that courteous return, which I have always considered as due not only to an Officer but to a private Soldier also. Unwilling however to evince what might be considered a spirit of litigation, I determined either to submit to what I considered a mortifying neglect than to trouble Lieut. Colonel Faithfull with a reference, and still made a point of noticing Captain Field whenever we happened to meet on the course or elsewhere. Notwithstanding this continual attention on my part to Military etiquette, it was publicly intimated to me on the 20th instant, that the Commanding Officer desired to see me at his Quarters (at a most inconvenient hour, considering the great heat of the weather and state of my health at the time,) for the purpose of reprimanding me for neglect on the very point to which I had (as above stated,) continued to pay such unwearied attention,



in proof of which, I can *confidently* appeal to every Officer of the Detachment and other residents at the station, with respect to Captain Field's not having returned my salute, the fact will be sufficiently established by particular expressions he used during the conversation, which took place on the 20th instant; on entering, Captain Field commenced by saying that he had directed me to attend for the purpose of reprimanding me, for not having saluted him that morning on the course. In reply, I assured him that I had bowed to him in passing, Captain Field then said that he had not observed it, on which I pledged my word of honor that I had, adding that for some time past he had entirely neglected to return the compliment, and thereby greatly hurt my feelings, the more so as the circumstance generally occurred in the presence of Mrs. Field; Captain Field replied, that he had invariably returned my salute, to which I stated to him that his omitting to do so had not only been remarked by myself, but by many Officers of the Detachment, Captain Field still contended that he always had saluted me, adding however that he considered it quite optional for the Commanding Officer to do so or not.

In the course of our further conversation, when by a more minute detail of circumstances I had apparently convinced him as to the omission, he declared that he had invariably returned the compliment whenever I saluted him, with a good will, the meaning of which expression I was totally at a loss to understand, although it establishes beyond a doubt the fact above stated.

With reference to what Captain Field may possibly urge as to my not making him a proper Military salute, I beg to observe that on all occasions of Parade or duty, I have uniformly done so, but when taking exercise either on horse-back or in a buggy, and meeting him generally with a lady in his company, I certainly considered that bowing was not only more courteous, but with a troublesome horse to manage, more safe and proper, nor could I ever have supposed that this mode of salutation could ever be construed as disrespectful, or subject me as it apparently has done, to severe reprimand. I am well aware that more length of service far from operating as an excuse for wilful negligence or professional ignorance, could justly be considered as an aggravation of the fault, but when an Officer of near twenty years standing, happens to be placed as I am under the command of one so nearly of my own standing, and doing duty with others who came to India from ten to nineteen years after myself, it does appear to me a case of great hardship that not even the strictest attention to matters both of Parade duty and Military etiquette can secure my feelings from being wounded, and my character as an Officer from being lessened in the eyes of my juniors, who ought rather to be brought to look up to me as an example.

In conclusion, I beg to observe that averse as I am to litigation and unwilling at all times to occasion trouble, no one of the cases above adduced would have appeared to me of sufficient importance to call for a reference, but when in so short a space such frequent repetitions occurred, the endeavour to allay unmerited acrimony by patient submission appeared quite hopeless, and at length therefore I reluctantly determined to submit a fair statement of what had occurred, for the consideration and decision of Lieut.-Colonel Faithfull Commanding the Regiment, in whose justice I feel the greatest confidence,

I have the honor to be,

SIR,

Your most obedient Servant,

(Signed)

J. DUNLOP,

Captain 23rd Regiment, N. I.

To Lieut. Holmes,  
Adjutant, 23rd Regiment.

Remark.—The foregoing insidious attack of Captain Dunlop's, laid the foundation of the whole of this cruel fabrication against me, and was evidently written with the same object and view as all his former frivolous complaints, namely, that of drawing forth replies and then declaring those replies to be untrue, and appealing to his associates (who were equally guilty with himself) to support him in contradicting my statements, and notwithstanding all

his complaints against me, were invariably pronounced to be frivolous; yet he was brought forward by Lieut.-Colonel Faithfull as a witness against me at my late Trial, and although his evidence against me at the Court of Inquiry and Court Martial exhibits the utmost possible discrepancy, yet it has been received, and unhappily for me I have fallen a victim to the designs of himself and party to ruin me, and who have so amply compensated themselves for their wicked labours by my expulsion from the Service, yet the whole has I humbly conceive been so clumsily conducted, as to render it almost impossible to escape detection.

(D)

Moradabad, 25th July, 1827.

SIR,

It is with extreme regret I am reluctantly under the necessity of forwarding to you the enclosed correspondence between Captain Dunlop and myself, for the perusal of Lieut.-Colonel Faithfull, Commanding the Regiment; in doing which, I cannot but consider that Captain Dunlop has made the most wanton and virulent attack on me, and been actuated throughout by the most evil motives towards me.

Unwilling as I am to trespass on the time and attention of Lieut.-Colonel Faithfull, Commanding the Regiment, I beg leave briefly to state the following circumstances:

That since Captain Dunlop forwarded his last reference against me, I had come to the firm determination of not reprimanding for any neglect whatever on Duty, without the consent of the Lieut.-Colonel, Commanding the Regiment, and which resolution I had rigidly adhered to ever since, and which I trust will be conspicuously manifest to the Lieut. Colonel, in the last act of Captain Dunlop's disobedience of orders regarding the Invalids, which I humbly conceive, merited some kind of admonition; at the same time I feel it impossible to avoid speaking to Captain Dunlop on points of Duty when he is neglectful, and particularly as his *written* professions of habitual correctness and accuracy by no means accord with his practice.

The difficulty of my dealing with an Officer on Duty like Captain Dunlop, who is bent on opposition, and inclined to say whatever pleases him best, and assert things diametrically opposite to the real state of the case, is, I confess very great, and respectfully hope may meet the consideration of the Lieut.-Colonel, Commanding the Regiment.

Captain Dunlop's lengthened out and immoderate detail of his feelings being galled and wounded by being simply spoken to on Duty, I humbly conceive is, merely to assist his purpose in prejudicing me in the eyes of my superiors; and whilst he complains of the sufferings of his own feelings, he has had but little mercy on mine, in offering so gross an affront to me, by introducing my wife's name in his public letter, particularly after I had told him of the indelicacy of unnecessarily mentioning a lady's name in the course of public conversation on Duty, and the more so as it is not in the smallest degree of the least use or assistance to his statements; it could therefore only be done with a view more effectually to wound my feelings. I feel that I cannot sufficiently complain of this indelicate act of Captain Dunlop's towards me, and respectfully hope the Lieut. Colonel may disapprove of it.

I regret to state that I have never met with that support and assistance on Duty from Captain Dunlop since he joined the Wing, and which I had a right to expect he would afford me, and I trust it will be manifest to the Lieut.-Colonel in the following instance: when I was President of the Committee for investigating the claims to Pensions, Captain Dunlop and Lieut. Platt were Members; when the former Officer, in total rejection of my advice, insisted that the families of those Sepoys who died on their return to Calcutta, were entitled to the Pension. I pointed out to Captain Dunlop that the Regimental Order was very short, clear, and concise, and that it was only those who died on the Burmese side of the Naaf River, whose families could receive the Pension, but he seemed to think that the General Orders meant otherwise, and therefore superceded the Regimental one, in which opinion I am sorry to say, Lieut. Platt sided with him, by which means I was overruled, and the statements of some natives taken, that *I do not think* would be admitted to the Pension.

This is the sentence from which Lieut. Colonel Faithfull extracted the charge,—he took as much of it as suited his purpose, and cut off the remainder which exhibits my motives in a very different light from what he has stated in the charge.

When the Committee sat a second time, Lieut. Platt happened to be reported sick, and the next senior Officer, Lieut. Smith, was of course appointed a Member in his room: Captain Dunlop again strongly opposed me, but luckily Lieut. Smith was of the same opinion as myself, and we adhered strictly to the Regimental Order on the subject, *I have merely mentioned this* as a single point of resistance on the part of Captain Dunlop, for I cannot *but think* he must *know better*.

I could frequently have noticed inattentions, &c. on the part of Captain Dunlop when on Parade, but from the resolution mentioned in the foregoing part of this letter, I refrained from so doing; and as to the acrimony Captain Dunlop talks of in his letter, it must entirely exist with himself, for he has frequently shewn a disposition to quarrel with me ever since I have known him, (a period of fifteen or sixteen years,) notwithstanding I have ever shewn an inclination to be on amicable terms with him, and particularly when he first joined the Wing at this place, and I think that the declaration contained in the latter part of my letter to that Officer, ought to have satisfied him.

I will not at present intrude any thing more on the notice of the Lieut. Colonel, Commanding the Regiment, but in conclusion have to say, that I most solemnly declare on my word of honor, (and am ready to testify on oath should it be necessary,) that the whole of the circumstances set forth by me in my reply to Captain Dunlop's letter are correctly stated, and that I never had the least wish to hurt that Officer's feelings in any way, my object being purely to carry on the Duties of the Wing in a proper manner, and agreeably to the Orders I receive from the Head Quarters of the Regiment; but, since Captain Dunlop has forced me to forward this Correspondence to you, I cheerfully submit the whole of the circumstances to the superior judgment and decision of Lieut. Colonel Faithfull, Commanding the Regiment.

I have the honour to be,

SIR,

Your most obedient Servant,

G. B. P. FIELD, Captain,  
Commanding Left Wing, 23rd Regiment.

To Lieut. Holmes,  
Adjutant, 23rd Regiment, N. I.

(E)

31st July, 1827

SIR,

On a perusal of the papers you have handed to me, I beg to inform you, that I am fully impressed with the *frivolous* nature of Captain Dunlop's complaint, and shall leave it to yourself to *comment* on and adjust the difference in any way you think proper; at the same time I would recommend that *Captain Dunlop* is removed *from Moradabad*, to the Wing at *Almorah*; but as the passage of the Terrai at this season is so dangerous; that however, would be no *obstruction* to *Captain Dunlop's removal* from Moradabad, as on the representation of your wishes *to that effect*. I will desire Captain Dunlop to do Duty with the Regiment at Bareilly until the beginning of November; in this event, the circumstances of *the case* must be brought under *Major General Reynell's* notice, which I should wish to avoid, for *independent* of the *trifling nature* of the representation, it is one of those circumstances which tend to give an unfavourable impression of our Service in the mind of an Officer, whose high opinion we should always be particularly anxious to obtain for it. Under this view I return the correspondence for your further consideration.

I have the honor to be,

SIR,

Your most obedient Servant,

J. VANRENAN, Brigadier,  
Commanding Rahlcund.

(Signed)

To Lieut. Colonel Faithfull,  
Commanding, 23rd Regiment, N. I.

- Remark.—On Lieut. Colonel Faithfull's receiving the foregoing letter of the 31st July, 1827, from Brigadier Vanrenan, Commanding in Rohilcund, he ordered me to place Captain Dunlop in arrest, and forward charges against him, (of course grounded on Captain Dunlop's letter of the 22nd July,) which I accordingly did to the best of my judgment and abilities, and which charges were forwarded to Brigadier Vanrenan, by Lieut. Colonel Faithfull, who desired him immediately to release Captain Dunlop from arrest, and directed him to return to his Duty, in a letter dated the 15th August, hereunto annexed,—the charges were as follows:

## (F)

Captain John Dunlop, Left Wing, 23rd Regiment, N. I. placed in arrest by me, on the following charges, viz.

1st. For having forwarded to Lieut. Platt, Adjutant of the Left Wing, 23rd Regiment, N. I. letter bearing date the 22nd July, 1827,\* to the address of Lieut. and Adjutant Holmes, for the perusal of Lieut. Colonel Faithfull, Commanding the Regiment, in which he had used the most disrespectful and insubordinate language towards me, his *immediate Commanding Officer*, and in having therein wantonly endeavoured to *traduce* my character as an Officer, by accusing me of a *premeditated design* to wound his (Captain Dunlop's) feelings and thereby tending to prejudice me in the mind of my immediate Commanding Officer, Lieut. Colonel Faithfull, Commanding the Regiment, by using the following expressions, "but the accompanying *Statement* will be found I trust so clearly to evince a *settled* purpose on the part of that Officer to wound my feelings on even the most trifling occasion; that I confidently hope not only to stand excused in the opinion of the Commanding Officer, for the trouble I am reluctantly giving, but that an indulgent consideration of all the circumstances may induce him to grant me future security against such *galling*, and I most respectfully venture to say, *unmerited* reprimands." \* See page 27.

2nd. For having persisted in forwarding the said letter to the address of Lieut. and Adjutant Holmes, containing the above disrespectful and insubordinate language towards me, his immediate Commanding Officer, by having declared in a letter to Lieut. Platt, Adjutant of the Wing, dated the 24th July, 1827, that "I see no reason to recall my letter to the address of the Adjutant of the Regiment," and which letter was in reply to one dated the 24th July, 1827, which I had directed Lieut. and Adjutant Platt, to write him, giving him a full explanation of all the circumstances complained of in his letter to Lieut. and Adjutant Holmes, together with a solemn pledge from me, that no censure had been *intended* or *awarded* him by me, in any of the cases alluded to by him in the said letter, to the address of Lieut. and Adjutant Holmes, or that I ever had the least wish to hurt his (Captain Dunlop's) feelings at any period, also *pointing out to him* other indelicacies contained in it towards me, and therefore requested he would withdraw the said letter, to the address of Lieut. and Adjutant Holmes, and that I also hoped he would express some regret for having forwarded it.

3rd. For having falsely and shamefully asserted in the above named letter to Lieut. and Adjutant Holmes, that it was publicly intimated to him on the 20th instant, that I desired to see him at my Quarters; "for the purpose of *reprimanding* him," when I had only *simply* told the Adjutant that I wished to speak with him; and my intention at that time being quite the reverse of passing any censure on him whatever.

4th. For having falsely and shamefully asserted in the above named letter to Lieut. and Adjutant Holmes, that I had on his entering my room told him that I had sent for him "for the purpose of reprimanding" him, and *then* and *there* behaving with rudeness and *disrespect* towards me his immediate Commanding Officer.

The whole or any part of the above conduct being disgraceful to the character of an Officer, subversive of discipline, and in breach of the Articles of War.

(Signed)

G. B. P. FIELD,

Captain,

Commanding Left Wing, 23rd Regiment.

Moradabad, 7th August, 1827.

(G)

Almorah, 15th August, 1827.

SIR,

On a consideration of the Papers which you have sent me regarding the arrest of Captain Dunlop, I have determined again to interfere and to withhold publicity to this very *frivolous transaction*; I regret that you should have caused Captain Field to place Captain Dunlop under arrest, because however improperly Captain Field may have *termed the conduct* of Captain Dunlop, it is quite clear to me the charges are untenable. There is nothing in Captain Dunlop's conduct deserving of such charges, and I desire he may be released from Arrest and return to his Duty, and that the act of Captain Field withdrawing the charges shall be considered as a full exculpation of the conduct of Captain Dunlop, from the charges of *falsely* and shamefully, as well as of *disgraceful conduct*, at the same time I highly disapprove of *Captain Dunlop's conduct* as expressed in my former letter to you. That letter and a Copy of this, I desire may be sent to Captain Field and Dunlop, accompanied by my determination to remove Captain Dunlop from *Moradabad* and to supersede Captain Field in his *command* at *Moradabad* *instantly* that I am acquainted with any more of this shameful quarelling, the latter I would now put in force but that I cannot spare the services of Major Wallington from Bareilly at this moment,

I have the honor to be,

SIR,

Your most obedient Servant,

(Signed)

J. VANRENAN,

Brigadier,

Commanding Rabilcund and Kumaon.

To Lieut.-Colonel Faithfull,  
Commanding 23rd Regiment, N. I.

N.B. I return the charges.

Remark.—It was on receipt of the above decision of Brigadier Vanrenan's returning the charges and ordering Captain Dunlop to be released from Arrest, that Lieut.-Colonel Faithfull wrote me his private letter of the 16th August, saying that the business was all settled, and that I should not require any *further documents* of public letters on the *subject*, thus the business rested until the 8th and 10th September following, when Lieut.-Colonel Faithfull again agitated the business (a *third time*) to Major General Sir Thomas Reynell, K. C. B. Commanding the Division, in the two following letters, in which he had used the most harsh and unmeasured language towards me.

(H)

Almorah, 8th September, 1827.

SIR,

In forwarding the accompanying Correspondence for the decision of the the Major General. I consider a little explanation to be required from myself.

On the original letters I had determined to decide, finding the *complaints of Captain Dunlop* to be *frivolous* and at the same time apprising Captain Field that his conduct in the command of the Wing, had not in my opinion been blameless, and that I *contemplated* making application to the proper quarter for his being relieved, when the season would admit.

2nd. It was only on receiving the next day the second reference, wherein Captain Field accuses Captain Dunlop of falsehood and shameful conduct, that I was induced to *forward* the whole to Brigadier Vanrenan; *charges* so incompatible with the character of an Officer, I conceived warranted an investigation before a *Court Martial*; and in returning them to Captain Field, it was then I suggested the necessity that devolved upon him to substantiate those grave *charges*.

3rd. Captain Field in forwarding to me the Proceedings of the Committee for investigating the claims of Pensions, omitted to mention the circumstance of his having been overruled by the junior Members, nor did he explain the inconsistency of his having signed as President, the very proceedings which he knew to have been incorrect, whilst the Members declare that no discussion on the subject ever took place in the Committee, until Lieut. Smith became a Member, when he pointed out the error they had committed.

I therefore respectfully contend that had I refused transmission to these Papers, I had been guilty of compromising the honor of the Corps, and an act of injustice to Captain Dunlop, in refusing him an opportunity of vindicating his character from a charge of falsehood.

(Signed)

I have, &c.  
W. C. FAITHFULL, Lieut.-Colonel.  
Commanding 23rd Regiment, N. I.

To Captain Craigie,  
Deputy Assistant Adjutant General,  
Meerut.

(True Copy from the Letter Book.)

(Signed)

J. HOLMES, Lieut.  
Adjutant, 23rd Regiment, N. I.

(H)

SIR,

Almorah, 10th September, 1827.

In appealing from the decision of Brigadier Vaurenan, and submitting the accompanying voluminous Correspondence for the judgment of Major General, Sir T. Reynell, K. C. B. Commanding the Division, I am actuated not only by a sense of justice towards the wounded feelings of Captain Dunlop who labours under the grave accusations of falsehood, and shameful and insubordinate conduct, (and which in Brigadier Vaurenan's opinion are without any foundation,) but also in vindication of the credit and character of the Regiment, I have the honor to command, which with all due deference and respect to Brigadier Vaurenan's opinion I think would be compromised, were matters allowed to rest without some further investigation.

The Major General's attention will doubtless be attracted to the very contradictory statements of Captains Field and Dunlop relative to what took place at the Committees for investigating Claims for Pensions, (of which the former Officer was President,) and it is with regret I am compelled to state my opinion, (after a most careful enquiry and perusal of the papers) that Captain Field has been guilty of a gross mis-statement, for the *mean* and *malicious* purpose of exonerating himself from blame, attributable to him for having transmitted Rolls for families of Sepoys whose claims were inadmissible, and throwing it on the two Members, Captain Dunlop and Lieut. Platt; this Captain Dunlop states in his letter of the 1st instant, can be *substantiated* by the concurring evidence of *Lieuts. Platt and Smith*.

In explanation of the 8th paragraph of Captain Field's letter of the 2nd instant, wherein he adduces a private letter of his own to Lieut. and Adjutant Holmes, to prove his dissent in the first meetings of the Committee, (which took place the 26th of May and 9th of June,) from the opinion of the Members; I must in justice state, that the note in question, is dated the 10th July, and not immediately after the first meeting, as Captain Field appears to investigate but three days after Lieut. Smith was nominated a Member, and who on that occasion pointed out by a reference to General and Regimental Orders, the error the first Committee had fallen into.

(Signed)

I have, &c.  
W. C. FAITHFULL, Lieut.-Colonel,  
Commanding 23rd Regiment, N. I.

To Captain Craigie,  
Deputy Assistant Adjutant General,  
Meerut.

(True Copy from the Letter Book.)

(Signed)

J. HOLMES, Lieut.  
Adjutant, 23rd Regiment, N. I.

Remark.—Major General Sir Thomas Reynell, K. C. B. Commanding the Division, in reply to the two foregoing Letters from Lieut. Colonel Faithfull, entirely exonerated me for giving in charges against Captain Dunlop, as it was done in consequence of the *orders I received* from Lieut. Colonel Faithfull; the Major General observed that, “it was most difficult to discover the object or advantage of Lieut.-Colonel Faithfull’s ordering me to place Captain Dunlop in arrest, and forward charges against him founded on what Brigadier Vanrenan had pronounced to be frivolous,” though in consequence of the language used towards me in the said letters of the 8th and 10th September, by Lieut. Colonel Faithfull, the Major General *had no alternative* but to order a Court of Inquiry, when Lieut.-Col. Faithfull brought forward as witnesses against me, Captain Dunlop, Lieutenants Platt and Smith, whose general behaviour to me whilst under my Command, will be manifest throughout these Papers. It is also strange that Lieut.-Colonel Faithfull should have blamed me in his letters of the 8th and 10th of September, (above quoted,) for forwarding charges against Captain Dunlop, when *I only acted in obedience to his orders* on the subject.

(1)

Proceedings of a Special Court of Inquiry assembled at Bareilly, by order of Brigadier J. Vanrenan, Commanding in Rohilcund, to investigate such matters as will be laid before it by the Major of Brigade.

Bareilly, 10th October, 1827.

President,

LIEUT. COLONEL KENNETT,

|                      |   |          |   |                  |
|----------------------|---|----------|---|------------------|
| CAPTAIN HERRING,     | } | Members. | } | CAPTAIN BLAIR,   |
| 37th Regiment, N. I. |   |          |   | 3rd Local Horse. |

The Court assembled this day at Ten o’Clock, pursuant to District Orders 30th ult., and Station Orders of the 9th instant.

Captain Hay, Major of Brigade, delivered to the Committee the following Letter of instructions from Brigadier Vanrenan, Commanding in Rohilcund, which is read and entered.

(COPY.)

Almorah, 2nd October, 1827.

SIR,

My Brigade Major will lay before the Court of Inquiry, of which you are appointed President, the accompanying Papers, extracted from a voluminous correspondence on a subject which has been decided on by Major General Sir Thomas Reynell, K. C. B.

2nd. The object of the present Inquiry has incidentally arisen out of that subject which the Court will *studiously* avoid touching on.

3rd. The Court will observe by these papers a most extraordinary discrepancy to exist between the assertions of Captains Field and Dunlop, relating to the proceedings of a Pension Roll Committee, which commenced its proceedings in May last, at Moradabad.

4th. The object of the Court in the first instance is to *reconcile* if possible, this discrepancy, and I have been particular in my selection of the Officers composing the Court, as I am convinced the existence of the mistake or misunderstanding out of which such discrepancy arises, can only be elicited by a patient and intelligent investigation.

5th. The Court will observe that Lieut.-Colonel Faithful, the Officer Commanding the 23rd Regiment, has *past* his *opinion* most decidedly against Captain Field’s veracity, *attaching motives* to that Officer’s conduct, derogatory to his character and his commission, it therefore becomes a matter of *justice* to Captain Field to afford him the *most ample* opportunity to prove *such* opinions *fallacious*, and the Court will not fail to give Captain Field the fullest means in its power, to make his best defence.

6th. It is perhaps unnecessary for me to point out to the Court that Captain Field standing in the situation of *an accused person* with heavy charges pending over him, is not required to commit himself before this Court, and the Court will as much as possible avoid placing him in that predicament.

7th. I shall require the opinion of the Court whether or not the contradictory statements of these two Officers (Captain's Field and Dunlop) can in any way be *reconciled* or *explained*.

8th. The opinion of the Court should on no account be divulged.

I have the honor to be,

SIR,

Your most obedient Servant,

(Signed)

J. VANRENAN,

Brigadier,

Commanding Rohilcund and Kumaon.

To Lieut.-Colonel Kennett,  
President of a Special Court of Inquiry.

Captain Field 23rd Regiment, and Captain Dunlop 23rd Regiment, called into Court.

Questions by the Court to Captain Dunlop.

Q. You were a Member of a Pension Roll Committee, which assembled at Moradabad, on the 26th May last, for the first time?

A. Yes.

Q. Was there any difference in the opinion of the Committee, on the subject of the claims of the men dying on this side of the *Naaf River*?

A. None whatever, nor the subject ever agitated.

Q. Were you all of opinion that the families of men dying on this side of the Naaf, from illness contracted on the Burmese side, were entitled to the Pension granted by Government?

A. They were admitted without any discussion.

Q. When did the Committee meet a second time?

A. I think about the 9th of June.

Q. Was there any discussion or difference of opinion in the Committee on the subject of claims then appearing before it?

A. None whatever.

Q. At your third Meeting on the 7th of July, when Lieut. Smith became a Member, was there at that time any discussion or difference of opinion expressed by the President or any of the Members, in regard to your Proceedings.

A. Lieut. Smith remarked that two of the claims about to be brought forward would be rejected, and in the course of conversation gave his reason for saying so, that he had heard the circumstance discussed at Almorah; in consequence of Lieut. Smith's remark, the General Orderly Book was sent for, which perfectly satisfied the Committee, and only one of the three claims were admitted.

Q. Will you inform the Court the reasons assigned by Lieut. Smith for saying that two of the claims would be rejected?

A. On account of their having died on *this side* of the *Naaf*.

Q. Did Captain Field ever start any objections to admitting claims to the Pension, on account of men dying on *this side* of the *Naaf*, previous to Lieut. Smith's doing so?

A. No, never *until* Lieut. Smith became a Member of the third Meeting.

N.B. There were no claimants how would there be any discussion, about them.



Remarks on the Court of Inquiry by  
G. B. P. Field.

No. 1.

It will be seen both by Captain Dunlop's replies at the conclusion of this Inquiry (as well as Lieut. Platt's) that these Orders were *not overlooked*, but *deliberately* read by each individual of the Committee.

No. 2.

\*Vide Lieut. Platt's evidence,  
Remark No. 11.

No. 3.

His recollection here *failed him*, but at the Court Martial he *positively* swears there was no opening address.

No. 4.

Most of Captain Dunlop's replies are *qualified* with this expression.

No. 5.

Vide Lieut. Smith's evidence at this Inquiry. Remark No. 21.

No. 6.

Lieut. Smith's replies at this Inquiry proves that I *did* enter into conversation, and dissent from Captain Dunlop in opinion. Vide Remark No. 15.

No. 7.

Lieut. Smith's reply at this Inquiry shows that I *did* endeavour to correct Captain Dunlop *before* the Order Books came, as well as *after*. Vide my Remark No. 17.

Q. Did you see the Regimental Orders of the 22nd May, and Detachment after Orders of the 25th May, forming the Pension Roll Committee, before it assembled on the 26th May?

A. Yes.

Q. How came the Committee so completely to overlook the *letter* and *spirit* of these orders as to admit without any discussion claims from the families of men, who died on the British side of the Naaf?

A. I really *don't know*, they were *overlooked*.

Q. Was any reference made to these orders by any Member on the Committee, on the 26th May or 9th of June?

A. No, none whatever.\*

Questions by Captain Field.

Q. When Lieut Platt frequently asked me for *my opinion* as to the admittance or non-admittance of Claimants on that day:—did I not desire him to give his own, and your's first, previous to my giving my opinion, when he wrote down the Proceedings of the Committee?

A. Yes, you did.

Q. On the meeting of the Committee on the 26th May, did I not (as President) communicate to the Members the object for which it was assembled?

A. I do not *recollect*.

Q. At the Third Meeting of the Committee did you not argue for a considerable time with Lieut. Smith, as to the General Orders granting the Family Pension.

A. Yes I *did*.

Q. Did you not conclude your argument with Lieut. Smith by using some very remarkable expressions, in which the words Commander-in-Chief, were introduced?

A. I might have done so in the course of conversation, but am not *aware of it*.

Q. Did you not make use of the following expressions: "I don't understand it, and perhaps the Commander in Chief does not?"

A. No certainly not to the *best of my recollection*.

Q. Did I not mention during your argument with Lieut. Smith that the Regimental Orders were *short* and *concise*; and that, there could be no doubt as to its meaning?

A. I do not *recollect* that you did.

Q. During your argument with Lieut. Smith, did I not send for the General, Regimental and Detachment Order Book?

A. All I recollect is, that on Lieut. Smith stating his objections to some of the Claims made, the Order Book was referred to.

Q. Did I dissent from Lieut. Smith's opinion at any time, during his argument with you?

A. I am not aware of Captain Field's entering into *any conversation* with *Lieut. Smith* at the time.

Q. On the third Assembly of the Committee, did I not state the object of its meeting?

A. I do not *recollect* that you did.

Q. Did I not assist Lieut. Smith in pointing out the meaning of the General Orders?

A. No *certainly* not, I was perfectly *satisfied* as to *its meaning*.

Q. Did you not dispute the meaning of it with Lieut. Smith for a considerable time?

A. We had a conversation regarding the Claims, and on Lieut. Smith pointing out, that he had heard it discussed at Almorah, and on the General Order Book being produced at *his suggestion*, I was perfectly satisfied.

This Evidence is read over to Captain Dunlop, and he acknowledges it to be *correct*.—Lieut. Platt, 23rd Regiment is called into Court, and questioned by the Court.

Q. Were you a Member of a Pension Roll Committee, which assembled at Moradabad on the 26th May and 9th June last?

A. Yes, I was.

Q. Was there any difference of opinion in the Committee on the subject of Claims of men dying on the British side of the Naaf River?

A. No, I heard none made.

Q. Were you all of opinion that the families of men dying on the British side of the Naaf from illness contracted on the Burmese side, were entitled to the Pension granted by Government?

A. That opinion appeared to be a general one, and entertained by *all* three.

Q. Was there any discussion or difference of opinion in the Committee on the subject of Claims appearing before it on their second Meeting?

A. None whatever.

N. B. There was no Claimants appeared before the Committee at the 2nd Meeting, how could there be *any discussion* about them; but *Captain Dunlop* and *Lieut. Platt* have both been eager to say there was *no discussion* on that day.

Q. Did Captain Field advise that the Claims on account of men dying on the British side of the Naaf after their return from Arracan, should be rejected?

A. No, not while I was a Member.

Q. Did Captain Dunlop oppose Captain Field in any opinion given at the Committee?

A. No.

#### Questions by Captain Field.

Q. Did you not say at the first Meeting, that Captain Wight must have been on the Committee at Almorah, and could inform us how they acted there relative to the admission of certain Claimants to the Pension?

A. No, I said that Captain Wight had been on the Committee, and I proposed reference being made to him, if Captain Field thought necessary, regarding the appearance of widows of high Cast men before the Committee.

Q. When the Committee assembled, did I not mention that it was *only those men who died* on the Burmese side of the Naaf River, whose relations were entitled to be *Pensioned*, and did you not remark that it would be best to *give all* the poor fellows a chance?

A. I certainly did not remark it, or was the question ever put to me.

Q. Were there any Order Books on the table either time the Committee met, and were they referred to?

A. The first time of Meeting I took the Order Books with me opened and laid them on the table, they were *read* but not *referred* to, except in the case of the different succession of heirs to the Pensions.

Q. As the Orders were only published a day or two before, how can you account for the Court having mistaken the meaning of the Regimental Orders 22nd May, and Detachment after Orders of the 25th May?

A. I account for it by the Regimental Order referring us particularly to an Order of Council, 28th October, 1825, in which the Roll of Pension Claims

No. 8.

If no discussion took place after reading the orders, how could Lieut. Platt tell this.

No. 9.

It will be seen by the *Proceedings* of the *Court Martial* that no claimants appeared at the second Meeting.

No. 10.

To my recollection nothing of this kind was said or thought of, but I have no witness to prove any thing that did happen at the Committee.

No. 11.

Does this shew that the orders were overlooked as Captain Dunlop has stated? Lieut. Platt draws a nice distinction between *reading* and *referring*, but in my humble opinion if my *Detachment* order was read no further reference was necessary.

is laid down and from which ours is copied and the Naaf river not mentioned, and sufficient attention not having been paid to General Orders by his Excellency the Commander in Chief, 31st March, 1827.

Q. Did the Committee regulate its Proceedings by Regimental or General Orders?

A. Chiefly by the Orders in Council, 28th October, 1825.

This Evidence is read over to Lieut. Platt, he acknowledges it to be correct, and is directed to withdraw.

Lieut. Smith, 23rd Regiment, is called into Court.

Questioned by the Court.

You were a Member of a Pension Roll Committee which set at Moradabad, on the 7th July last?

A. I was.

Q. Was there any difference of opinion in the Committee on the subject of Claims of the men dying on the British side of the Naaf?

A. There was a difference of opinion.

Q. State to the Court what was the difference, and what gave rise to it?

A. Upon the paper that contained the names of the Claimants being handed to me, by Captain Field, I remarked that two out of three Claimants would not be admitted, this gave rise to a short conversation, in which Captain Dunlop differing with me, Captain Field sent for the Order Books for reference, which clearly pointed out the line that was drawn between those men that died on the other side of the Naaf, and those that died after their return. Two claims were accordingly rejected and the other one passed.

Q. When you stated your objections to two of the Claims, did Captain Field coincide in opinion with you?

A. I do not think he did.

Q. Did Captain Field dissent from your opinion?

A. I don't think he did.

Q. Did Captain Field make any observations on the object of which the Committee was assembled previous to the objection made by yourself.

A. Captain Field said, here are three Claims to be laid before the Committee.

Q. Did any discussion take place in the Committee, and of what nature between Captains Field and Dunlop?

A. Yes there was a discussion, Captain Field was of the same opinion as myself, and Captain Dunlop differed.

Q. When Captain Dunlop differed in opinion with Captain Field, did he appear actuated by motives of personal hostility, or by a sense of Duty?

A. Certainly by a sense of Duty, conscious that he was right.

Q. Do you think that Captain Dunlop in the opinion he gave, was guided by General Orders or Regimental Orders?

A. He gave his opinion before the Order Books arrived.

Q. Who proposed sending for the Order Books, and for what purpose were they sent for?

A. They were sent for by Captain Field to settle the difference of opinion between myself and Dunlop.

Q. After referring to and perusing the Order, did Captain Dunlop become of your opinion?

A. He did.

Four o'Clock, the Court adjourns until to-morrow at 10 A. M.

No. 12.

This Order has nothing to do with the admission of Claimants on account of men dying on the Burmese side of the Naaf River.

No. 13.

Where the orders on the subject of Pensions not equally clear at the first meeting? as they appear to have been at the third meeting of the Committee.

No. 14.

It is very difficult to understand these replies unless they be intended to conceal the real truth of the matter under investigation.

No. 15.

This contradicts Captain Dunlop's reply. Vide my Remark No. 6.

No. 16.

Lieut. Smith knew that Captain Dunlop was not only wrong in his opinion but disputing my Detachment order.

No. 17.

This proves that I opposed the opinion of Captain Dunlop before I sent for the Order Books, and that the Books were sent for by me to endeavour to put him right.

No. 18.

In my opinion from the manner in which Captain Dunlop behaved, and the language he used, he did not become of the same opinion.

Thursday, 11th October, 1827.

The Court assembled pursuant to adjournment at 10 o'clock; the Proceedings of yesterday are read over, and Captains Field and Dunlop being in Court.

Lieut. Smith, 23rd Regiment, is called into Court, and the following questions put to him.

Q. From what took place between Captains Field and Dunlop, during the Meeting of the Committee on the 7th of July, did it appear to you that they had had any argument or discussion relative to the Claims for Pensions, on any of the former Meetings of the Committee?

A. Certainly not.

Questions by Captain Dunlop.

Q. Did not the objection made by you (when you came on the Committee appear quite new to Captain Field.

A. Yes it did.

Q. Did Captain Field allude to a similar opinion declared by him at the 1st and 2nd sittings of the Committee?

A. No.

Q. Did Captain Field on your opinion being expressed, refer to the General Order Book of March, 1827, and was it not *after* that *reference* that he agreed with you that a mistake had been made with regard to the Claims preferred in the former sittings?

A. It was after that reference that he decidedly agreed with me.

Questions by Captain Field.

Q. Did I not sometimes say to Captain Dunlop, whilst you were discussing the point relative to Claimants, that the Regimental Order was very short and concise, and could not be doubted?

A. After we had looked at the Order, I remember he said so.

Q. Do you recollect Captain Dunlop making use of any expressions in which the name of the Commander in Chief was introduced.

A. I do not recollect it.

Q. Did Captain Dunlop say, "well then I don't understand it, and perhaps the Commander in Chief does not?"

A. I don't recollect it.

Q. On the 26th of July when you were in my house, did I not bring the foregoing circumstances to your recollection?

A. Certainly not, or I should have remembered it now.

Q. When you were a Member of the Committee on the 7th July last, was it not the General Order by the Commander in Chief, that Captain Dunlop disputed the *meaning* of with yourself and me?

A. He did *dispute the meaning* for a short time, we read it over *once or twice*.

This evidence is read over to Lieut. Smith which he acknowledges to be correct, and is directed to withdraw.

The following questions are put by Captain Dunlop to Captain Field.

Q. When you sent the Proceedings of the 1st and 2nd Sittings of the Committee to the Head Quarters of the Regiment for the counter-signature of the Commanding Officer, did you either publicly or privately bring to Lieut.-Colonel Faithfull's notice, that you were aware that the Claims ought to be rejected, but that you had been overruled by the majority?

A. I don't recollect that I did on these occasions.

Q. What is the date of your first public or private communication to the Head Quarters of the Regiment, stating that you had been overruled by a majority?

No. 19.

It is I conceive quite *clear* from these *questions* and *replies* from the *parties* to *each other*, that on the 2nd day the Court of Inquiry met, these Gentlemen had prepared *questions* and answers for *themselves* to criminate me; and Lieut. Smith's replies, (which contradict some of those of the preceding day) are evidently made to correspond with a note of his to Lieut. Holmes, which will appear at the end of these Proceedings.

No. 20.

Vide my Remark No. 17, opposite Lieut. Smith's reply.

No. 21.

Captain Dunlop did not recollect this Vide Remark No. 5.

No. 22.

This *non-recollection* has been so often used by the witnesses against me both at my *Trial* as well as at this Inquiry, that I humbly conceive it has become conspicuous.

No. 23.

This is the strongest *presumptive proof* that it is *possible* to *adduce*, that Captain Dunlop did dispute the meaning of the General Order at the first Meeting of the Committee, as stated in my letters of the 16th and 25th July, quoted in the charge, and should in *truth* and *justice* exonerate me from that charge.

No. 24.

This said communication was drawn from me by Captain Dunlop's letter of the 22nd July, and not specially to report the business of the Committee as will be seen on reference to that Letter. Vide page 27.

A. The first public communication was made on the 25th of July. Captain Field's evidence is read over to him, which he acknowledges to be correct.

Lieut. Platt of the 23rd Regiment is called into Court and questioned by Captain Dunlop.

Q. As Adjutant of the Wing of the Regiment at Moradabad, you must have had in your possession the Letter Book of the Wing, containing Copies of Public Correspondence, and did you see the Copy of Captain Field's Public Letter reporting for Lieut.-Colonel Faithfull's information, that he was aware the Rolls were incorrect, but that he had been overruled by a Majority?

A. No I did not.

Quarter before One, P. M. the Court adjourns until Monday the 15th instant at 10 o'Clock, to enable Captain Field to make his defence.

Monday, 15th October, 1827.

The Court assembled at 10 o'Clock pursuant to adjournment.

Proceedings are read over. The Court is opened. Captains Field and Dunlop are called in, and Captain Field reads the annexed Statement.

Mr. President and Gentlemen of the Court,

I shall now endeavour to enter into a full and satisfactory explanation of all the circumstances now before you relative to this unhappy affair, that so greatly involves my Honor and Character as an Officer and a Gentleman, and point out to you such circumstantial proofs as will I humbly conceive, fully establish my innocence of this very grave and serious charge that has been brought against me by my Commanding Officer, Lieut.-Colonel Faithfull. In the first place, Gentlemen, I beg leave to detail to you the circumstances that took place during the Meeting of the Committee on the 29th May 1827, and 7th July last.

On the above named day I opened the Court, by saying to Lieut. Platt, who was in the double situation of Member of the Committee and Adjutant of the Wing, that the families only of those men who died on the Burmese side of the Naaf River were entitled to Pensions, when that Officer replied, that he thought the General Orders *included all those* that died on their return from Arracan, as well as those who died on the Burmese side of the Naaf River, and at all events, that it would be as well to give the poor fellows a chance of the Pension, also that Captain Wight at Almorah, must have been on the Committee there, and could inform us how they acted in the case; I then said to Lieut. Platt, that the Regimental Order was very short and concise, and that I thought there could be no doubt about it; the General and Detachment Orders were then read, also the Orders of Council, 28th October, 1825, both by Captain Dunlop, Lieut. Platt, and myself, when Captain Dunlop also said, that the General Order included all those that died on their return from Arracan, after they had passed the Naaf River; and that such was his opinion when the Committee sat on the 26th May last, is fully borne out by Lieut. Smith's evidence, which states, that it was the General Order by the Commander in Chief of the 2nd April last relating to the Naaf River, that Captain Dunlop disputed on the 7th July last, his opinion must doubtless have been the same on the 29th May last, and that neither Captain Dunlop or Lieut. Platt could possibly have been misled on that day by the Orders of Council, 28th October, 1825, appears *certain*, inasmuch as it has not the *least reference* to the point in question, namely, the admission of Claimants to the Pension of the relatives of those men "who were *killed* or died on the *Burmese* side of the *Naaf River*," all that the above Order was referred to for was, for the purpose of regulating the grade of relationship of the Claimants, and not the *admission* of *them*; yet Lieut. Platt states in his evidence, that this said Order misled the Committee to *admit* the Claimants to the *Pension* for those men who died on *this* side of the *Naaf River*; I solicit the attention of the Court to this part of Lieut. Platt's evidence; but to return to the subject of the Meeting of the Committee, that morning Captain Dunlop seemed *fixed in his opinion*, Lieut. Platt also

joined him in it, in consequence of which I considered myself overruled, and conceived it to be as stated in my Letter a resistance or rejection of advice, which being merely imaginary on my part might perhaps have been too severe a term for it, and not warranted by the occasion, I therefore regret having applied those expressions in my public Letter.

The whole of the above circumstances must certainly have escaped the memories of Captain Dunlop and Lieut. Platt, and I cannot sufficiently lament that their statements do not accord with mine, though I trust it will *appear to this Court* a most *remarkable*, and very extraordinary case indeed, that two *old Captains* (one of them Commanding Officer,) also an Adjutant of a Wing should take no notice of an Order, published *only the day before* the Committee met, issued by one of those Captains and in the hand writing of the said Adjutant, one of the Members of the Committee, which pointed out *so clearly* and in few words the duty they had to perform, that they should admit without the least discussion *Claimants* that were not entitled to the Pension, and I herewith beg leave to solicit permission to insert the said Order, issued by me on the 25th May last.

Detachment Order by Captain Field.—Agreeably to the foregoing Regimental Order, a Committee will assemble to morrow at 10 o'Clock, at the President's Quarters, for the purpose of investigating Claims preferred by relatives of men of the Regiment who *were killed or died on the Burmese side of the Naaf River*.

President,

CAPTAIN FIELD.

|                                   |   |          |   |                                     |
|-----------------------------------|---|----------|---|-------------------------------------|
| CAPTAIN DUNLOP,<br>23rd Regiment. | } | Members. | } | LIEUTENANT PLATT,<br>23rd Regiment. |
|-----------------------------------|---|----------|---|-------------------------------------|

After the decisions of Captain Dunlop and Lieut. Platt, Lieut. Platt wrote down the proceedings of the Committee, and as he entered the name of each *Claimant* he applied to me first for my opinion as to *admissible* or *inadmissible*, which I as often *refused*, telling him to *give his own* and take Captain Dunlop's first, which I believe is mentioned in *Lieut. Platt's* evidence before this Court, and thus the Committee ended for the first time, as alluded to in my Public Letter of the 25th July and 2nd September last.

For me to have entered into any altercation with Captain Dunlop and Lieut. Platt at this setting of the Committee would have been very unpleasant, as there was *no one else present* but ourselves, and I regret to say Captain Dunlop was on very bad terms with me, and Lieut. Platt did not speak or come near me except on duty, and the same dislike had for some time past prevailed throughout the *Officers* of the Wing, which I cannot account for, as I never had the *least difference* of a *private nature* with any of them.

I now beg leave Gentlemen, to detail to you to the best of my recollection the circumstances that occurred the second time the Committee sat, when Lieut. Smith became a Member in the room of Lieut. Platt reported sick; I commenced by saying that the relations of those men only who were *killed or died on the Burmese side of the Naaf River* were entitled to Pensions, when Lieut. Smith *instantly or simultaneously* seconded me in this remark (and he may have looked at the Papers at the same time, but I do not recollect that he did), Captain Dunlop then took up the question and argued it to a considerable length with Lieut. Smith, during which I *several times said* that there could be no doubt of it, that the Regimental Order was short and clear, and that the General Order though more detailed were just *as plain*, Captain Dunlop several times said but *we must adhere* to the *General Order*, which includes all those that died on their way from Arracan to Calcutta; those points were warmly argued between Captain Dunlop and Lieut. Smith, when I supported the latter Officer with a few words occasionally, but observing that Captain Dunlop still held his opinion, I sent for the General and Detachment Orderly Books, for the purpose of convincing Captain Dunlop of his having mistaken the meaning of *the General Order*; these Books were some little time coming, during which the conversation still continued regarding Claimants to Pensions, and I happened to mention to Lieutenant Smith, that I thought *five* of the Rolls made out at the

former setting of the Committee would be returned, in which he concurred in opinion with me, though he *has said* that I *agreed* with him on this point, yet I imagine that had I not have mentioned the circumstance, he would not at the time have known any *thing* about it; when the General and Detachment Orderly Books came, the General Order was read over to Captain Dunlop, both by Lieut. Smith and myself, *two or three times*, and the particular parts of it explained to Captain Dunlop, by us; the meaning of which he had *mistaken* and *disputed* with Lieut. Smith and myself, but Captain Dunlop appeared to me to hold his opinion to the last, and concluded with these *remarkable* expressions, "well then I don't understand it, and perhaps the Commander in Chief does not," these expressions were uttered in a kind of loose manner, and apparently without any meaning being attached to them, beyond shewing that he was not of *the same opinion* as Lieut. Smith and myself; relative to the meaning of the General Order of the 3rd April last, for it was the *meaning* of it that was disputed by Captain Dunlop, not the *existence* of it; this difference of opinion on the part of Captain Dunlop during the sitting of the Committee on the 7th July, was also included in the remarks made by me in my Public Letter of the 25th July last, and as Lieutenant Smith seems to *think that* Captain Dunlop was actuated by a *sense of duty* during his *discussion* on that morning, therefore my expressions in the above named Letter as already expressed, may probably have not been warranted or suitable to the occasion.

Though Captain Dunlop's argument was in direct opposition to my Detachment Order, and which Lieutenant Smith well knew.

Captain Dunlop has said in his Public Letter dated 1st September last, that it was owing to Lieut. Smith that further *mistakes* were prevented, and thereby infers that I was ignorant of the circumstance that only the relations of those men who were *killed* or *died* on the *Burmese side* of the *Naaf river* were entitled to Pensions, he is also joined in this *inferential opinion* by Lieut. Smith, both in the evidence of that Officer before this Court, as well as in his Private Letter to Lieut. and Adjutant Holmes, dated the 26th July, 1827, laid (before this Court by Lieut.-Colonel Faithfull, and which Letter (of Lieut. Smith's,) I cannot but think is of a very *curious tenor* from so junior an Officer, it also appears to be written on the 26th July, last, after Captain Dunlop had sent in a *reference* against me, to Lieut.-Colonel Faithfull, dated 22nd July last, and by *such* Letter of Lieut. Smith's it appears there has been a *cautious* and *secret* communication kept up against me between Lieut. Holmes, Lieut. Smith, and Captain Dunlop, and Lieut. Platt (the two Members of the Committee), but I shall *refrain* from making any remarks on this subject, and confine myself to the evidence and documents before this Court; I therefore trust that on the Court's *adverting* to my *Detachment Order* of the 25th May last, issued *only the day* before the Court met and other circumstances, that the inferences of these Gentlemen will appear to the Court to be *incorrect*.

I now beg leave Gentlemen, to solicit your attention to the Extracts and Copies of some private Letters written by me to Lieut. Holmes some days *before*, (as will appear by dates,) Captain Dunlop sent in his reference against me bearing date the 22nd July, 1827, and which reference gave *birth* to the present unpleasant affair now before the Court, these letters to Lieut. Holmes were written by me in a careless and confidential manner, at a time when neither myself, or any of the party concerned could have had the least idea that this business would have become the subject of a *public investigation*, nor did I ever keep a copy of them, not being *aware* at the time that they would ever be of the least use to me, and at the period I wrote my Public Letter dated 22nd September last, in which I *alluded* to these extracts and notes, (and which is proved by the date of Lieut. Holmes's note, No. 3.) consequently the *substance* of them were stated entirely at a guess, and without even recollecting when I had *written* them, and which I thought had been much earlier; these circumstances together with my mind being much embarrassed and agitated, from the *constant frivolous* references made by Captain Dunlop against me, I trust will *sufficiently* account for their not exactly according with my public communication of the 2nd September last, and it appears by Lieut. Holmes's Letter (No. 4.) that it was by mere accident that these notes were *preserved*: in one of these notes, No. 1, I have said that the Committee was doubtful, this is evidently a mistake; it ought to be "differed" as the Committee did differ on the 7th July last in opinion, as well as on the first occasion, and in my Public Letter of the 27th July last the proper word is used, I therefore trust the Court will admit this to be a *mistake*, and I have to hope that these

Extracts and *Private Letters*, together with other accidental circumstances, will give sufficient weight to the *communications* they contain.

I have to regret that Lieut. Colonel Faithfull should have made use of *these Private Letters* and Extracts, as I should have preferred producing them myself before the Court in my defence, nor did I ever know that Lieut. Colonel Faithfull had done so until I received Lieut. Holmes's *private note* No. 6.

I cannot describe to you, Gentlemen, how cruelly my mind and feelings have been harrassed during this unpleasant circumstance, and my distress heightened from the doubts cast on my *veracity* by Lieut. Colonel Faithfull my Commanding Officer, and which I am totally at a loss to account for, as I have been frequently under his Command for a period of twenty years past, and he has always before treated me with the greatest kindness, I am therefore quite unable to discover the cause of his having *prejudged* me in the present instance, or the cause of his Letters of the 8th and 10th September last.

It is now, Gentleman, about twenty-four years since I first entered the Service, and from the time I had the honor to serve with the Army under the late Lord Lake in 1805 up to the present period, my character and conduct as an Officer, was never once questioned; on the contrary, I have received the applause of my superiors; on the brilliant Assault of the fortified heights of Almorah on the 25th and 26th April, 1825, my conduct was noticed by Major General Sir Jasper Nicolls, K. C. B. and I received the thanks of that distinguished General in Public Orders, and ultimately the approbation of the late Most Noble the Marquis of Hastings, and even of my present Commanding Officer, Lieut. Colonel Faithfull, and when Lieut. Colonel Nation took his leave of the Corps at Burtpoor, he expressed himself satisfied with the cordial co-operation he received from us all during the Siege of that place, and Major General Sir Thomas Reynell, K. C. B. has even declared in a letter from the D. A. A. General Captain Cragie to the address of Brigadier Vanrenan, Commanding in Rohilcund, dated the 21st September last, that I am zealous and attentive to my duty, and that although I am rather more strict than there is any real necessity for, he makes no doubt I am actuated by motives for the good of the Service, although I am sometimes guilty of errors in judgment, such being the opinion of so distinguished a General as Sir Thomas Reynell of me, I leave it to the superior judgment of this Court to judge of the very great improbability of so *punctual* and *strict* an Officer as myself, having neglected to perform a duty laid down in a Regiment and Detachment order issued by myself only the day before the Committee met, or that I would even allow such an order to be wholly neglected without noticing it immediately, and I have further to state, that it was so strongly impressed on my mind at the time, I received the Regimental Order, that although my *Detachment Order considerably abridged*, yet I did not fail insert particularly the object for which the Committee was to meet, namely, for the purpose of investigating claims preferred by relations of men of the Regiment who were killed or died on the *Burmese* side of the *Naaf river* and which order is in the hand-writing of Lieut. Platt Adjutant of the *Wing*, in the Detachment Orderly Book," I am now thoroughly aware and conscious of having committed a very great oversight and error in judgment, in not having stated on the face of the proceedings of the Committee, that the two Members Captain Dunlop and Lieut. Platt were of a different opinion from myself, and which would have entirely prevented this unpleasant circumstance, and the dilemma I have fallen into for the want of an evidence being present on my side to witness the circumstance, and I trust it will not be considered improper to notice the bad terms Lieut. Platt has been on with me at various periods, since I have Commanded at Moradbad, and in consequence of such terms, the opportunities an Officer has in his situation of misbehaving to his Commanding Officer when he comes to his house on duty without the possibility of detection owing to the want of some impartial evidence being present, and which at a small solitary outpost like Moradabad, where there are sometimes only two or three Officers present besides the Commanding Officer, must often occur, I regret to say it has so happened several times on the part of Lieut. Platt, and I can call to my recollection one instance of Lieut. Platt's behaviour, that was witnessed, which took place at my house, some time back, when he came to me one morning for orders, and without my first noticing it; it was remarked to me by an old Field Officer, who happened to be passing the station at the



\* Lieut. Colonel Comyn, Commanding 53rd Regiment.

time, (and who until that period I never saw) and on the morning *alluded to* he had done me the honor to breakfast with me, and as the Lieut. Colonel\* is now at this station, should the Court deem it necessary to appeal to him for *truth* of this *assertion*, I should not hesitate to call on him to support it, I have also to state that I have often had trouble with Lieut. Platt in getting him to meet my wishes on points of duty, as well as other Officers of the Wing under my Command, and which perhaps may not be unworthy of consideration, in casting up a general evidence that may be given against me by Lieut. Platt. I have also to submit to the notice of this Court, the *curious manner* Lieut. Holmes acted *regarding my note to him No. 2*, and although he tells me it was *laid before Lieut.-Colonel Faithfull*, yet he privately and *secretly sends it to Lieut. Smith* first, with directions to him not to shew it to *any one*, when Lieut. Smith contrary to these injunctions shows it to Captain Dunlop and Lieut. Platt, and then returns it to Lieut. Holmes, *commenting in a most unfavorable manner* on my conduct, and requesting Lieut. Holmes to *preserve it with care*; all this from a *junior Officer* against me *his Commanding Officer*, may I trust not be considered *altogether fair*. All these circumstances I trust the Court will take into *consideration*, also the long course of years I have served with honor and credit to myself, and also reflect how deeply an unhappy circumstance of this nature might effect the prospects of a man, who is conscious of having virtually and in effect *always done his duty and ever acted for the good of the Service up to the present date*, and which is *even acknowledged* by his *superiors*.

In conclusion, Gentlemen, I have to add, that I place the fullest confidence in your judgment and experience in the Service, I place my honor in your hands, and in thorough consciousness of my *innocence* of the heavy charge brought forward against me by Lieut. Colonel Faithfull, I submit my case to your impartial consideration and decision.

G. B. P. FIELD,  
Captain,  
23rd Regiment, N. I.

#### Questions to Captain Dunlop by Captain Field.

Q. Was it the General Orders of the 31st March, 1827, or the General Orders of Council, 28th October, 1825, which occasioned the mistake the Committee made at its first Meeting?

A. Paying too much attention to the General Orders in Council, 28th October, 1825, and not sufficient attention to the other Orders issued on the occasion, *might* have caused the mistake.

Q. Were the General, Regimental, and Detachment Orders read over at the first Meeting of the Committee?

A. The Books were on the table *for reference*.

Q. Did you read the Orders above alluded to?

A. Yes, the *Detachment* and *Regimental* Orders were *read by me*, and the *General Orders* of Council, 28th October, 1825.

Q. Did you observe whether Lieut. Platt also read the Orders above alluded to?

A. I do not recollect whether he actually read them, but he might have done it.

Q. On reading those Orders, did you make any observations on the tenor of them?

A. No, certainly not.

Q. What rendered a reference to these Orders necessary, or what was the occasion of it?

A. There was no reference whatever made. The Books were on the table and I might have looked into them, but *no discussion* took place to occasion it.

There being no further questions to put to Captain Dunlop, his evidence is read over to him, he acknowledges it to be correct.

#### No. 25.

This is quite erroneous and will be easily discovered to be so by a reference to *that order* which has nothing to do with the admission of Claimants to the Pension; no more than the Muster Roll of one Regiment has to do with another although the *form* may be alike.

#### No. 26.

It is quite clear that this was a *tender subject* to Captain Dunlop, and at the Court Martial he foresaw that his Evidence would be *shaken* by such an acknowledgment, he therefore (on *oath*) *boldly denied altogether* having read the orders at the *first Meeting* of the Committee.

Lieut. Platt 23rd Regiment is called into Court, and the following questions put to him by Captain Field.

Q. Was it the General Orders of the 31st March, 1827, or the General Order of Council, 28th October, 1825, which occasioned the mistake the Committee made at its first meeting?

A. The General Order of Council, 28th October, 1825.

Q. Were the General, Regimental, and Detachment Orders, read over at the first meeting of the Committee?

A. They were not read aloud, but were *read* by each *Individual forming the Committee*.

Q. On reading those Orders did you make any observations on the tenor of them?

A. No, I am not aware that I made any observations on the tenor of them.

Q. Did any thing occur during the sitting of the Committee to render a reference to these Orders necessary?

A. We referred to the Roll as also to the list of succession of heirs, and I questioned the Claimants accordingly, I can't say whether the Committee referred to the Roll, but I did.

This evidence is read over to Lieut. Platt, which he acknowledges to be correct.

There being no further questions or Evidences to be examined, the Court is closed.

#### OPINION.

After a patient and attentive examination of the whole of the documents and Evidence, the Court is of the following opinion.

That the Statements made by Captains Field and Dunlop, cannot in any way be *reconciled or explained*. That no discussion or opposition on the part of Captain Dunlop took place during the first and second Meetings of the Committee, viz. on the 26th May and 9th of June, 1827. That some discussion did take place at the 3rd Meeting on the 7th July, 1827, but not of such a nature as to justify the report made by Captain Field, on the 25th July, 1827, in his Letter for the information of Lieut.-Colonel Faithfull, to Lieut. and Adjutant Holmes, 23rd Regiment, N. I.

(Signed)

J. KENNETT,  
Lieut.-Colonel.  
37th Regiment, N.I.  
*President.*

(True Copy.)

(Signed)

R. S. H. BIRCH, Lieut.  
Officiating Deputy Judge,  
Advocate General,  
Meerut Division.

The above questions, answers, and opinion of the Court of Inquiry are truly and correctly copied by me from the Copy furnished me by the Government in India.

G. B. P. FIELD.

No. 27.

Vide my Remark. No. 25.

No. 28.

It was *not likely* that Lieut. Platt as Adjutant of the Wing under my Command, would acknowledge that *he had opposed* my Detachment Order which he had written in the Book only a few hours before, and thereby *criminate himself*.

No. 1.

Notes and Extracts of Letters produced against me at the Court of Inquiry.

Moradabad, 10th July, 1827.

My dear Holmes,

Herewith I have the pleasure to enclose you the Statement of a claim to a Pension preferred since the Committee last sat. There are one or two claims about to be made for men that died at their houses and elsewhere since their return from Arracan, but as the *General Order* as well as the *Regimental* one specifies particularly that those only who died on the Burmese side of the Naaf River are entitled to have their Relations Pensioned, the Committee is therefore doubtful as to whether the above-named Claimants are to have their Statements brought before or no; will you therefore oblige me with a few hints on this subject by return of Dâk, you can enquire of the Committee at your Station how they acted in such cases as it appears to me hard that as these poor fellows died at their Houses from the sickness they got in Arrican, that their families should be deprived of the Pension, merely because they did not actually expire on the other side of the Naaf River.

(Signed)

G. FIELD.

(True Extract.)

(Signed)

J. HOLMES.

No. 2.

Almorah, 13th July, 1827.

My dear Field,

There cannot be a doubt on the subject of the Pension Rolls, you mention the heirs of those only who have died on the "Burmese side of the *Naaf river* are entitled to Pensions." The seven Rolls you sent in (Triplicate) I did not look at, if I except whether you admitted the claim or not, and the consequence is, five will be rejected, they have been sent to Head Quarters, and in all probability *Faithfull* will get a *Wig*, and I'll as a matter of course get *one also*. The Roll received this morning of a man who died at Sea, will not even be admitted, I shall ask the Colonel to send it, and it *may* pass muster. Have the goodness to send me a Roll of all Supernumeries of your Wing, agreeably to Division Orders of the 7th, to enable me sending it to Meerut, put their names down according to their standing in the Wing, not by companies; I mean by seniority.

The order regarding Pensions is peculiarly hard, but a line must be drawn as it was foreseen that the claims would be innumerable.

Your's sincerely,

(Signed)

J. HOLMES.

Remark.—The above note from Lieut. Holmes drew from me the following reply out of which Lieut. Colonel Faithfull formed the first *Count* in the charge against me at my late Trial.

No. 3.

Almorah, 9th September, 1827.

My dear Field,

Agreeably to your request, I send a Copy of your note to me, which is as follows:

No. 4.

"Extract."

16th July, 1827.

My dear Holmes,

I have just received your letter in reply to mine, on the subject of the Pension Claimants, in the first Committee that sat, my opinion was just as you have stated,

"not entitled unless on the Burmese side of the Naaf River," but Captain *Dunlop* and Platt thought otherwise and carried *it against me*; this last time the Committee sat Platt was reported sick, of course Smith was put on in his room and luckily happened to be of the same opinion as myself, though Captain D. again loudly disputed the point, and as two were of the same opinion of course we carried it against him. I am sorry if there was any mistake in the former statement, but it was really not my fault, as you will perceive by the above account of the Committee, and I sincerely hope no Wig will be sent to you or the Colonel; I wish you would be good enough to mention the circumstance to the Colonel.

I enclose you the Statement of deceased men's estates, which you sent me to fill up, excuse haste and believe me,

Your's sincerely,

(Signed)

G. B. FIELD.

(True Extract)

(Signed)

J. HOLMES.

The above is what you wrote me which was of course laid before the Colonel, will you in return oblige me with a Copy of my Letter to you, dated the 10th and 11th of July, the one you allude to in your Service letter. I have so much to do at present that I cannot write you another line.

Your's sincerely,

(Signed)

J. HOLMES.

Remark.—Though Lieut. Holmes keeps up this shew of *sincerity* in this communication, and tells me my note *was of course* laid before Lieut.-Colonel Faithfull; he never mentions a word about his having sent it to Lieut. Smith to comment on, and thus conceals his *insidious* correspondence from my knowledge; had I only known this circumstance, *previous to the sitting* of the Court of Inquiry, I should soon have forsaken the *hollow friendship* of Lieut. Holmes.

No. 5.

"Extract,"

Almorah, 3rd October, 1827.

My dear Field,

It is but fair to let you know the Colonel has introduced your note of the 10th, also that of the 16th of July, *with others* on the same subject into a Public Letter to *Brigadier Vanrenan's Address a few days back*.

Your's sincerely,

(Signed)

J. HOLMES.

Remark.—Lieut. Holmes still keeps up his *shew of sincerity*, although he had *actually* been *handing my private notes* about to Lieut. Smith and others in the Regiment, *solely* for the purpose of *getting the subjects of them contradicted*; and by the above acknowledgment, Lieut. Colonel Faithfull had *evidently* collected all *such kind* of private notes throughout the Regiment, with a view to criminate me before a Court Martial.

No. 6.

Extract from a letter from Lieut. Smith to Lieut. Holmes, Adjutant of the Regiment at Almorah.

Moradabad, 26th July, 1827.

My dear Holmes,

I lose no time in returning you Field's note,\* received last evening, and *which we* hope you will keep *with care* as it may be *wanted hereafter*. Knowing the exact state of things here, I took upon me to shew it against your advice to Dunlop and Platt, *as they* can only totally refute that part of it regarding themselves, the latter will I believe write

\* Dated the 16th July, 1827.

See page 38,  
Court of Inquiry  
and my Remark  
No. 15, opposite  
Lt. Smith's reply.

to you to day, but in case of an accident, I will briefly tell you that they both positively disavow the slightest *recollection* of any dispute or disagreement with Field about the Pension Claims, while Platt was a Member of the Committee. In fact, they deny that any objection whatever was made by Field. I can add *with truth* that the objection which I made on coming on the Committee appeared quite new to Field, and he did not allude, which is odd enough, to a similar opinion declared as he writes, to the first Committee, but on the contrary, referred to the General Order to see if I was right, and then agreed with me that a mistake had been made with regard to the first seven Claims.

But independant of this strong Evidence which of *itself* will perhaps be *thought conclusive*, he may easily be confuted out of his own mouth, thus, if he did in the first instance see the objection, if he expressed his opinion thereupon to the Committee, and if it was notwithstanding carried against him, how was it that in forwarding the papers to Almorah, he never noticed the error into which the Members had fallen, and which if even hinted at would have been detected both by you and the Colonel, and the latter would have returned the Rolls for correction? Is it not pretty clear therefore that he did not see the mistake till the 2nd Committee wrote you the accompanying note?

I was called away to attend a Meeting at Field's Quarter to hear your *Wig* read and he as *we expected* tried to throw the blame on Dunlop and Platt, who however strongly denied that he ever expressed an opinion differing from their's, he will doubtless persist in his assertion, but the two Members will of course be listened to.

Your's sincerely,

M. SMITH.

Remark.—The *truth* or *falsehood* of the above Letter of Lieut. Smith's regarding myself may *easily* be *judged* of, from his prevarication at the Court of Inquiry and Court Martial, so conspicuously manifest on the face of those Proceedings.

The foregoing Extract of Lieut. Smith's Letter was sent to the Court of Inquiry by Lieut.-Colonel Faithfull as evidence against me, and I need not make any remark on the words "*we hope you will keep it with care as it may be wanted hereafter,*" which sufficiently explains Lieut. Smith's motives for writing this Comment on mine of the 16th July, and which is evidently done with a view *that it might be produced* against me, and considering that he was an Officer of only five or six years standing, and myself his *immediate Commanding Officer* upwards of twenty-four years in the Service, it cannot be considered a *proper production*: he says "that I agreed with him that a mistake had been made in regard to the first seven claims; how could he have *known this*, if I *had* not mentioned it then, as he was not on the *first* Committee. He must have *secretly* heard my opinion which I had given at the first meeting of the Committee, from Captain Dunlop and Lieut. Platt, to whom he had shewn my private note of the 16th July received from Lieut. Holmes; and the very circumstance of Captain Dunlop's *disputing* the *meaning* of the General Order with Lieut. Smith and myself, *of itself alone*, corroborates both my statements contained in my letters of the 16th and 25th July, entered on the face of the Proceedings of the Court Martial; but Lieut. Smith has *refused* to *acknowledge* many things that was said at the Meeting at which he was present, and the *discrepancy* in his Evidence both at the Court of Inquiry and Court Martial, ought to vanquish all the inferences he has thrown out against me on both those occasions, which he has evidently done to assist Captain Dunlop and Lieut. Platt, in their cruel object of ruining me, to benefit themselves and escape detection of their disobedience of my Orders.

The following General Order which was issued on the 29th of August, 1827, (only a very few months preceding my Trial) is *here inserted* to *shew* that His Excellency the Commander in Chief had highly disapproved of Witnesses giving a *different Evidence* at a *Court Martial*, to what they gave at a *Court of Inquiry*; and from this circumstance I had grounded my hope that his Excellency the Commander in Chief, would have taken into his humane consideration the vast discrepancy of the Witnesses at my Trial, and the difference between their Evidence at the Court of Inquiry and Court Martial, which is so conspicuously manifest.

(K)

General Orders by the Commander in Chief, Head Quarters, Calcutta, 29th August, 1827.

The Commander in Chief on perusing the Proceedings of the Native General Court Martial, assembled at Barrackpore on the 30th May last, has remarked with deep concern that the depositions declared on oath before that Tribunal, by Soobedar Bowany Sing, and Jemedar Kumane Sing, of the Orissa Provincial Battalion, are most *essentially* and *materially different* from their Evidence before a Court of Inquiry, previously assembled to investigate the *same* circumstance, and adverting to the explanation of the palpable discrepancy by the former, that "that day I had not the Ganges water given me," and to the latter's having committed wilful and palpable Perjury, by declaring that the Evidence that he then gave on oath was strictly the same as that delivered by him to the Court of Inquiry; considers their conduct so *disgraceful* to them as *Officers*, as to render them unworthy of being retained in the *Army*, &c.

(A True Extract.)

(Signed)

THOMAS BARRON,  
Assistant Adjutant General of the Army.

The following order by Lieut. Colonel Faithfull was issued on the 2nd November, 1827, depriving me of my Grenadier Company and giving it to Captain Dunlop contrary to the regulations of the Service, previous to the Trial taking place.

Extract of Regimental Orders by Lieut. Colonel Faithfull, Commanding 23rd Regiment, N. I.  
Almorah, 2nd November, 1827.

*Captain Field* is removed from the *Left Grenadiers* and posted to the fourth Company, vice Captain Hamilton removed to the seventh Company, and *Captain Dunlop* from the latter to the *Left Grenadiers*.

(True Extract.)

(Signed)

J. HOLMES,  
Lieutenant Adjutant,  
23rd Regiment, N. I.

## PROCEEDINGS.

(L)

Proceedings of a European General Court Martial assembled at Meerut, on Thursday, the 17th day of January, 1828, by order of His Excellency General the Right Honorable Lord Combermere, Commander in Chief of all the Forces in India, and by virtue of a Warrant under the Hand and Seal of Brigadier J. W. Adams, C. B. Commanding the Meerut Division, being thereunto duly authorized by Warrant from His Excellency the Commander in Chief, for the Trial of Captain G. B. P. Field, of the 23rd Regiment, N. I. and of such other Prisoners as may be brought before it.

President,

Lieut. Colonel F. A. Weston, 35th Regiment, N. I.

Members,

|  |   |   |
|--|---|---|
| <p>All these Officers<br/>were Junior in<br/>their respective<br/>services to Cap-<br/>tain Field.</p> | <p>Major James Dunbur Tovey,<br/>Major S. Land,<br/>Captain P. T. Waugh,<br/>S. Enderby,<br/>A. J. Byrom,<br/>Thomas Monteath,<br/>A. Dickson,<br/>Samuel Bolton,<br/>George Blake,<br/>Arthur Gruebar,<br/>C. W. Cowley,<br/>Lieut. Charles M'Morine,<br/>C. Blair,<br/>John Hotham,</p> | <p>H. M. 31st Regiment,<br/>60th Regiment, N. I.<br/>10th Regiment, Light Cavalry<br/>H. M. 16th Lancers,<br/>Ditto<br/>35th Regiment, N. I.<br/>60th Regiment, N. I.<br/>H. M. 31st Regiment,<br/>Horse Artillery,<br/>H. M. 31st Regiment,<br/>31st Regiment, N. I.<br/>Horse Artillery,<br/>10th Light Cavalry,<br/>Horse Artillery.</p> |
|--|---|---|

Judge Advocate, Conducting the Trial.

Captain W. P. Cook, Deputy Judge Advocate General, Meerut Division.

The Court met at 10 o'clock in the forenoon of the above mentioned day. The Prosecutor, Lieut. Colonel Faithfull, and the Prisoner, Captain Field being in Court, the several General, Division, and Station Orders directing the Trial, and constituting the Court, &c. are respectively read.

The Warrants to the Officer Commanding the Meerut Division to assemble Court's Martial (an attested Copy) is read, as are also the President's and Judge Advocate's Warrants.

The President sworn.

Judge Advocate. Captain Field have you any objection to any of the Members sitting on your Trial.

A. None.

The Members sworn.

The Judge Advocate sworn.

The Charge is read as follows, viz.

Captain G. B. P. Field of the 23rd Regiment of Native Infantry, placed in Arrest by order of the Commander in Chief, and charged as follows:

Charge. Conduct unbecoming the character of an Officer and a Gentleman in the following instances, viz.

1st. In having in a Letter dated the 16th July, 1827, to the Address of Lieutenant and Adjutant Holmes of the 23rd Regiment of Native Infantry, falsely stated as follows: "in the first Committee that sat, my opinion was just as you have stated," not entitled *unless on the Burmese side* of the "Naaf River;" but Captain Dunlop and Platt thought otherwise, and "carried it against me," and in having further falsely stated in the same Letter, "I am sorry if there was any mistake in the former Statements, but it was really not my fault as you will perceive by the above account of the Committee."

2nd. In having in a Letter dated the 25th July, 1827, to the Address of Lieut. and Adjutant Holmes of the 23rd Regiment of Native Infantry, falsely stated as follows: "When I was President of the Committee for investigating the Claims to Pensions, Captain Dunlop and Lieut. Platt were Members, when the former Officer in total rejection of my advice, insisted that the families of those men who died on their return to Calcutta were entitled to the Pension. I pointed out the Regimental Order was very short, clear, and concise, and that it was only those that died on the Burmese side of the Naaf River, whose families were entitled to receive the Pension; but Captain Dunlop thought the General Orders meant otherwise, and therefore superseded the Regimental one, in which opinion I am sorry to say Lieut. Platt sided with him, by which means I was overruled, and the statement of some Natives taken, that I do not think would be admitted to the Pension."

Whereas upon the occasion referred to in each of the Letters quoted in the foregoing Counts, Captain Field did not make any objection or explanation of the nature alluded to by him, and did not express his disapproval for the reasons assigned by him, of any of the claims allowed by Captain Dunlop and Lieut. Platt, nor did he in forwarding the Reports of the Committee (bearing his own counter-signature as President) to the Head Quarters of the Regiment, submit any remark indicative of his dissent from the Members.

Such false statements as set forth in the foregoing Counts, having been wilfully advanced by Captain Field, for the dishonorable purpose of exonerating himself from censure, to which he was justly obnoxious by falsely and maliciously attributing the *whole blame* to Captain Dunlop and Lieut. Platt.

(Signed) W. C. FAITHFULL,  
Lieut.-Colonel,  
Commanding 23rd Regiment, N. I.

Almorah, 18th December, 1827.

Judge Advocate. Captain Field, do you admit yourself to be correctly designated by name and Corps in the Charge.

A. I do.

Judge Advocate. Are you Guilty, or not Guilty?

A. Not Guilty.

Judge Advocate. It is the Order of the Court that all Witnesses PLEA remain out of the Court, until they are respectively called on to give evidence in Court.

Judge Advocate. Colonel Faithfull if you have any thing to offer in observation to the Court in opening the case for the Prosecution, you will now be pleased to submit it.



**OPENING ADDRESS.**

\* Vide Lieut.-Colonel Faithfull's Letters of the 8th and 10th September, Page 33, H H, which plainly shows that he alone is my accuser.

Remark.—Lieut.-Colonel Faithfull states that he affords me an opportunity to prove my assertions, when he well knew that no other person was present at the Committee but the Witnesses for the Prosecution, who were my bitter Enemies, namely Captain Dunlop and Lieut. Platt.

**FIRST WITNESS.**

Colonel Faithfull addresses the Court as follows:

Mr. President and Gentlemen, Members of the Court, the Duty of Prosecutor on the present Trial has \* devolved on me by order of His Excellency the Commander in Chief, and though I regret the predicament in which Captain Field now stands, a sense of duty and of justice to the parties concerned has actuated me throughout, and led to the adoption of steps which I consider calculated to place beyond the shadow of a doubt the character of that Officer, by affording him an opportunity of proving the assertions he has made.

I will not trespass unnecessarily on your time; nor attempt to give a colouring to conduct which will be fully developed by the Evidence I shall adduce, and which I trust will satisfy you that I have in bringing the present question to issue neither compromised the respectability of the Regiment I command, nor sacrificed the Honor of the Service to which I belong.

(Signed) W. C. FAITHFULL,  
Lieut.-Colonel,  
Commanding 23rd Regiment, N. I.

Lieut. Joseph Holmes, Adjutant, 23rd Regiment, N. I. a Witness for the Prosecution is called into Court and sworn.

The Charge read to the Witness.

Examined by the Prosecutor.

Q. Look at these papers and say if they are Letters in the hand writing of Captain Field, and received by you from him in due course, according to their respective dates?

A. Yes, I received the whole of those in due course of Dâk, they are in the hand writing of Captain Field.

The Letters are read as follows:

My dear Holmes,

Herewith I have the pleasure to enclose you the Statement of a Claim to a Pension preferred since the Committee last sat, there are one or two other Claims about to be made for men that died at their houses, and elsewhere, since their return from Arracan; but as the General Order as well as the Regimental one specifies particularly those only who died on the Burmese side of the Naaf river are entitled to have their relations Pensioned, the Committee is therefore doubtful as to whether the above named Claimants are to have their Statements brought before them or no. Will you therefore oblige me with a few hints on this subject by return of Dâk, you can inquire of the Committee at your Station how they acted in such cases, as it appears to me hard, that as these poor fellows died at their houses from the sickness they got in Arracan, that their families should be deprived of the Pension merely because they did not expire on the other side of the Naaf River.

I have no news to give you and am busy getting off the Invalids, so excuse haste,

Your's sincerely,  
(Signed) G. B. FIELD.

10th July, 1827.

My dear Holmes,

Here are the Rolls of the eighteen men removed from the 2nd Grenadiers and 8th Battalion Company, in all 18 men. You will observe that they are all posted to Companies according to the Roll, with the exception of Shakh Mimrum and Surwul Sing; the former man requested

Remark.—It will be seen on reference to the Letter conveying the reprimand, this Letter of mine quoted in the first Count of the Charge was written before the reprimand was even thought of.

to be put in the 7th Company on account of his relations being in it, and the latter was equally pressing to be in the 5th Company, on this score, so I thought it would make no great difference accommodating them. I have just received your \*Letter in reply to mine on the subject of the Pension Claimants, in the first Committee that sat; my opinion was just as you have stated, "not entitled unless on the Burmese side of the Naaf River," but Captains Dunlop and Platt thought otherwise, and carried it against me; this last time the Committee sat, Platt was reported sick; of course the same opinion as myself, though Captain D. again loudly disputed the point; but as two were of the same opinion of course we carried it against him. I am sorry if there was any mistake in the former Statements, but it was really not my fault, as you will perceive by the above account of the Committee, and I sincerely hope no Wig will be sent either to you or the Colonel.

I also enclose you the Statement of deceased men's Estates which you sent me to fill up, excuse haste and believe me,

Your's sincerely,  
G. B. P. FIELD.

(Signed)

16th July, 1827.

(Service.)  
SIR,

Moradabad, 25th July, 1827.

It is with extreme regret that I am reluctantly under the necessity of forwarding to you the enclosed Letters, numbered from 1 to 4, between Captain Dunlop and myself for the perusal of Lieut.-Colonel Faithfull, Commanding the Regiment; in doing which, I cannot but consider that Captain Dunlop has made the most wanton and virulent attack on me, and been actuated throughout by the most evil motives towards me.

Unwilling as I am to trespass on the time and attention of Lieut.-Colonel Faithfull, Commanding the Regiment, I beg leave briefly to state the following circumstances.

That since Captain Dunlop had forwarded his last reference against me I had come to the firm determination of not reprimanding him for any neglect whatever on Duty, without the consent of the Lieutenant Colonel, Commanding the Regiment; which resolution I had rigidly adhered to ever since, and which I trust will be conspicuously manifest to the Lieut.-Colonel in the last act of Captain Dunlop's disobedience of Orders regarding the Invalids, which I humbly conceive merited some kind of admonition; at the same time, I find it impossible to avoid speaking to Captain Dunlop on points of Duty when he is neglectful, and particularly as his written professions of habitual correctness and accuracy by no means accord with his practice. The difficulty of my dealing with an Officer on Duty like Captain Dunlop, who is bent on opposition, and inclined to say whatever pleases him best, and assert things diametrical to the real state of the case, is, I confess very great, and I respectfully hope may meet the consideration of the Lieut.-Colonel, Commanding the Regiment.

Captain Dunlop's lengthened out and immoderate detail of his feelings' being galled and wounded by being simply spoken to on Duty, is I humbly conceive merely to assist his purpose of prejudicing me in the eyes of my superiors, and whilst he complains of the sufferings of his own feelings he has had but little mercy on mine, in offering so gross an affront to me by introducing my wife's name in his Public Letter; particularly after I had

How then could it be to exonerate myself from that reprimand, as stated in the concluding avowment of the Charge? and even if I had anticipated, or dreaded a future approach of it, should I have written to Lieut. Holmes, to mention the circumstance to Lieut.-Col. Faithfull; which would at once have put him in mind of it? This Letter also shews that I was not aware that it was such a crime not to have reported the dissent of the Members from my opinion at the first meeting of the Committee, and in my humble opinion this Letter also proves the charge to be imaginary and erroneous, it will also be seen on reference to the Letter conveying the reprimand, that Lieut.-Colonel Faithfull had done exactly the same thing as myself, and which in me he had magnified into an enormous crime, namely, that of forwarding Rolls to the Head Quarters of His Excellency the Commander in Chief bearing his own counter-signature that were inaccurate. Vide page 16, of these Proceedings.

Remark.—I was not permitted at my Trial to produce Captain Dunlop's Letter of the 22nd July, containing frivolous complaints against me, which drew forth this communication from me, in which the business of the Committee is incidentally mentioned.

personally told him of the indelicacy of *unnecessarily* mentioning a Lady's name in the course of public conversation on Duty, and the more so as it is not in the *smallest* degree of the least use or assistance to his statements, it could therefore only be done with a view more effectually to wound my feelings. I feel that I cannot sufficiently complain of this indelicate act of Captain Dunlop's, and respectfully hope that the Lieut.-Colonel may disapprove of it also.

I regret to state, that I have never met with that support and assistance on Duty from Captain Dunlop since he joined the Wing, and which I had a right to expect he would afford me, and I trust it will be manifest to the Lieut.-Colonel in the following instances; viz. When I was President of the Committee for investigating the Claims to Pensions, Captain Dunlop and Lieut. Platt were Members; when the former Officer in total rejection of my advice, insisted that the families of those men that died on their return to Calcutta were entitled to the Pension, I pointed out the Regimental Order was very short, clear and concise, and that it was only those that died on the Burmese side of the Naaf River, whose families were entitled to receive the Pension; but Captain Dunlop thought the General Orders meant otherwise, and therefore superseded the Regimental one, in which opinion I am sorry to say, Lieut. Platt sided with him; by which means I was overruled, and the Statements of some Natives taken, that I do not think would be admitted to the Pension. When the Committee sat a second time, Lieut. Platt happened to be reported sick, and the next senior Officer Lieut. Smith was of course appointed a Member in his room; Captain Dunlop again strongly opposed me, but luckily Lieut. Smith was of the same opinion as myself, and we adhered strictly to the Regimental Order on the subject. *I have merely mentioned this as a single point of resistance on the part of Captain Dunlop, for I cannot but think he must know better.*

I could frequently have noticed inattentions, &c. on the part of Captain Dunlop when on Parade, but from the resolution mentioned in the foregoing part of this Letter, I refrained from so doing, and as to the acrimony Captain Dunlop talks of in his Letter, it must entirely exist with himself; for he has frequently shewn a disposition to quarrel with me since I have known him, (a period of fifteen or sixteen years) notwithstanding I have ever shewn an inclination to be on amicable terms with him, and particularly when he first joined the Wing at this place, and I think that the declaration contained in the latter part of my Letter to that Officer ought to have satisfied him.

I will not at present intrude any thing more on the notice of the Lieut.-Colonel, Commanding the Regiment, but in conclusion have to say, that I most solemnly declare on my word of honor, (and am ready to testify on oath should it be necessary,) that the whole of the circumstances set forth in my Letter in reply to Captain Dunlop's are true, and that I never had the least wish to hurt that Officers feelings in any way; my object being purely to carry on the Duty of the Wing in a proper manner, and agreeably to the Orders I received from the Head Quarters of the Regiment; but since Captain Dunlop has *forced* me to forward this correspondence to you, I cheerfully submit the whole of the circumstances to the superior judgment and decision of Lieut.-Colonel Faithfull, Commanding the Regiment.

I have the honor to be,

SIR,

Your most obedient Servant,

G. B. P. FIELD,

Captain,

Commanding Left Wing, 23rd Regiment, N. I.

To Lieut. Holmes,  
Adjutant, 23rd Regiment, N. I.  
Almorah.

The Court cleared.

The Court resolve that the whole of the official letter of Captain Field, just read, be recorded as evidence.

The Court opened and the preceding minute read.

Examined by the Judge Advocate.

Q. Be so good as to produce the Regimental Order appointing the Committee at Moradabad on the claims to Pensions?

A. This is the Order Book of the Left Wing of the 23rd Regiment at Moradabad.

The Book is produced and the following order read and extracted from it, viz.

Detachment Orders.

Moradabad, Friday, 25th May, 1827.

Extract of Regimental Orders.

Almorah, 22nd May, 1827.

Captain Field will be pleased to assemble a Committee immediately on receipt of this order, and of which he will be President, with the next two senior Officers, Members for the purpose of investigating Claims preferred by relatives of men of the Regiment, who were killed or died on the Burmese side of the Naaf River, the attention of the Committee is particularly called to the Orders of Council, of the 28th October, 1825, and by His Excellency of the 31st March, 1827.

The Proceedings of individuals as closed to be immediately forwarded to the Head Quarters of the Regiment for the Commanding Officer's signature and transmission to the Head Quarters of the Army.

Detachment after Orders.

Agreeably to the foregoing Regimental Order a Committee will assemble to-morrow at ten o'clock, at the President's Quarters, for the purpose of investigating claims preferred by relatives of men of the Regiment who were killed or died on the *Burmese side of the Naaf River*.

President,

CAPTAIN FIELD.

|                 |            |                 |
|-----------------|------------|-----------------|
| CAPTAIN DUNLOP, | } Members. | } LIEUT. PLATT, |
| 23rd Regiment.  |            |                 |

Q. By whom was the Detachment order at Moradabad issued.

A. By *Captain Field* who *Commanded* the Wing.

Q. Have you the Reports of the Committee on the Pension Claims?

A. Yes, here they are.

Q. Look at them, and say if any remark is recorded on any of them by Captain Field, as President of the Committee, indicative of his dissent from the opinion of the Members, or either of them?

A. There is no remark of the kind.

Q. In transmitting those Reports to you, did Captain Field submit any explanation or observation for the information of the Commanding Officer by which it could possibly be inferred that any difference of opinion existed between the President and the Members or either of them, relative to any Claims of the relatives of Sepoys who died to the westward of the Naaf River.

A. None whatever.

Q. Is Captain Field's signature as President affixed to those Reports?

A. Yes.

Remark.—This Order issued by myself only the day before the Committee met, is in thorough unison with the General and Regimental Order on the same subject, and it is quite impossible to mistake the meaning of it as Captain Dunlop has stated, it also exhibits the very point disputed by Captain Dunlop at the third Meeting of the Committee, and which Lieut. Smith has stated at the Court of Inquiry and Court Martial that he did do.

Cross examined by the Prisoner.

Q. When you received my *private note* of the 16th July last on which the *first Count* in the Charge is grounded, did you shew it to Colonel Faithfull immediately or *forward it* to Lieut. Smith first for the purpose of obtaining his opinion on the subject it contained?

A. I first forwarded it to Lieut. Smith.

Q. Why did you send my *private Letter* to Lieut. Smith?

A. I doubted the truth of what it stated.

Q. How long was it after your receipt of my Letter of the 16th July that you communicated its contents to Colonel Faithfull?

A. I should imagine that it was about fourteen days after my receipt of the Letter.

Q. When the Pension Rolls were submitted to Colonel Faithfull did he make any *remark* on their inaccuracy, or desire you to *remark* it to me?

A. No.

Examined by the Court.

Q. Were all the reports of the Pension Committee received at the Head Quarters of the Regiment prior to the receipt of Captain Field's letter of the 10th July?

A. No, they were (eighteen in number Triplicate Reports) forwarded by Captain Field on the *same day* as his Letter of the 10th of July, and received at the *same time*, on the 30th I believe.

Q. Have you Captain Field's official Letter which accompanied the reports of the Committee, if so produce it?

A. I don't *recollect* receiving any Public Letter with the Reports.

The Witness confirming his Evidence which is read over to him withdraws.

Captain John Dunlop, 23rd Regiment, N. I. a Witness for the Prosecution is called into Court and sworn.

The Charge read to the Witness.

Examined by the Prosecutor.

Q. Be pleased to state to the Court what you know relative to the Charge.

A. There was *no discussion* whatever took place at the Committee regarding the Claims to Pensions, the only question put to me as a Member of the Committee was by the Adjutant, Lieut. Platt (another Member) "*admissible*" or "*inadmissible*?" and I said *admissible* after Lieut. Platt the junior Member had given his *own opinion* by direction of the President, Captain Field also gave his vote without the *least hint* at dissent "*admissible*."

Q. How often did the Committee assemble, and to which does your last answer apply?

A. There were three Meetings of the Committee *altogether*, between the 26th of May and the 8th of July, my answer applies to the *first* and *second* Meeting.

Q. Are you positively certain that on the first and *second* Meeting of the Committee, Captain Field did not express himself of opinion that the Claimants were not entitled unless the casualties occurred on the Burmese side of the Naaf River, or to that effect?

A. Yes, I am *most positive* that nothing of the kind ever occurred, not the most distant hint whatever.

Remark.—It cannot I trust be considered fair in a person handing about the *Private Letters* of another with a view to criminate him, and whom he outwardly professes a friendship for, and which private Letters were written in a careless and confidential manner, and in the hurry of business, for I had very little assistance from my Adjutant Lieut. Platt which was well known to Lieut. Colonel Faithfull, and is proved by the Extracts of Lieut. Holmes's private Letters to me, which I am compelled to produce.

Remark.—Here I was stopped by the Judge Advocate from putting any more questions to Lieut. Holmes during the Prosecution, or I would have questioned him regarding his own Letters shewing the behaviour of Lieut. Platt.

Remark.—This is quite impossible, for it will be seen on reference to the Letter conveying the reprimand that the *inaccurate Rolls* were only returned from Calcutta to Almorah on the 22nd of July, they could not have been forwarded with my letter of the 10th of July, as the usual time required for transmission by the Post to and from Almorah to Calcutta in the rainy season is at least forty days. This fact is well known to every person acquainted with India.

SECOND WITNESS.

Remark.—Although it will be seen by his further replies that there were no Claimants at all at the second Meeting. How can the above reply apply to that second Meeting.

Q. Are you equally certain no reference was made by Captain Field to the Regimental Order, as being very short, clear, and concise, as to the object of the Committee on these occasions?

A. Yes, I am equally certain.

Q. Were any Claimants admitted by the Committee on those occasions that were not entitled by the regulations to Pensions?

A. Yes there were.

Q. When Lieut. Platt was relieved by Lieut. Smith on the Committee, did any and what discussion take place, relative to the Claims to Pensions or to the orders respecting them?

A. On or about the 7th July, the new Committee assembled, the Rolls of the Claimants were on the table, and I think Captain Field handed them over to Lieut. Smith; upon Lieut. Smith having perused the Rolls he said three of those Claims would be rejected on account of the Sepoys not having died on the other side of the Naaf; some little discussion took place, when Lieut. Smith observed that he was at Almorah, when a similar Committee assembled, and Claims of that kind were rejected; upon which \*Captain Field referred to the General Order Book, and so also did I, and those Claims were not brought forward, and had not Lieut. Smith been on the Committee, \*I had no reason to suppose that the Committee would not have gone on in the same manner as the former one.

Q. Was the Order Book on the table or was it sent for by Captain Field in consequence of the discussion?

A. There were two on the table I believe at the time, and another was sent for and immediately produced.

Q. Previously to Lieut. Smith's observation on the inadmissibility of the Claims of the relations of men who died on the westward side of the River, did Captain Field make any reference to, or observation on the irregularity of the Committee having admitted similar Claims on the former occasion?

A. No certainly not.

Q. On closing the proceedings of the Committee, or at any other time did Captain Field intimate to the Members that it was his intention to make any representation to the Commanding Officer of the Regiment, that his opinion had been overruled by the Members, or either of them, or that Claims had been improperly received and passed by the Committee?

A. No never, but afterwards a reprimand was received, and we were assembled at Captain Field's Quarters to hear it read, when Captain Field asked the Members what he should say to the Commanding Officer of the Regiment regarding the irregularity of the Proceedings, Captain Field then said that it was owing to us (the Members) that the Proceedings were incorrect, and that he should state so to the Commanding Officer or something to that effect; \*Lieut. Platt said he had better not send any reply of the kind, but to *say for him* that no difference of opinion or discussion ever took place at either of the Meetings which he attended, I likewise told Captain Field that *no discussion* or difference of opinion ever took place, this was I believe on the \*25th or 26th of July, *after* the reports were returned from Calcutta.

Q. Was this the Letter you allude to as conveying a reprimand to the Committee and read at the Meeting on the 25th or 26th of July?

A. Yes, I believe it was.

Remark.—Lieut. Smith states at the Court of Inquiry that I did make *the remark*. Vide Proceedings of the Court of Inquiry, and my Remark thereon, No. 21, page 39.

Remark.—Only at the first Meeting of the Committee, there was no Claimants at the second Meeting, vide Captain Dunlop's reply page 53 of these Proceedings.

\* Vide my Remark on the Proceedings of the Court of Inquiry, No. 17, page 38

\* I also have every reason to believe that if Lieut. Platt had been on the Committee instead of Lieut. Smith, that Captain Dunlop and him would have argued the point against me.

\* Remark.—There is not the least union between *this* Statement and *that* of Lieut. Platt's alluding to the same occasion. Vide page 4 of these Proceedings.

\* Although Lieut. Holmes has sworn that I only sent these Rolls to Almorah on the 10th of July.

Letter produced by Captain Field, and read as follows: viz.

SIR,

In returning the accompanying Rolls this day received from the Adjutant General's Office, I am directed by Lieut.-Colonel Faithfull, Commanding the Regiment, to express his extreme surprise at the utter want of attention evinced by you and the Members of the Committee to the General Orders of the 2nd of April, and Regimental, 22nd May last, wherein your Duty was so clearly pointed out, had common attention been given thereto; it would have saved yourself and the Committee from the ridiculous predicament of having gravely weighed the pretensions, and actually admitted the Claims of heirs of men, who were neither included in, nor contemplated by the General Order on the authority of which the Pensions are claimed.

You will be pleased on receipt of this communication to re-assemble the Committee and minutely examine the Rolls herewith returned, and the Commanding Officer desires that you hold in recollection the responsibility that attaches to yourself and Members in the execution of a Duty, which in the present instance has been so loosely performed.

I have the honor to be,

SIR,

Your most obedient Servant,

(Signed)

J. HOLMES,

Lieut.-Adjutant,  
23rd Regiment, N. I.

Almora,  
22nd July, 1827.

To Captain Field, &c. &c.

P.S. This communication you are directed to read in presence of the Committee, and report having so done through me, for the Commanding Officer's information.

(Signed)

J. HOLMES, Lieut. Adjutant,  
&c. &c.

Q. On you and Lieut. Platt's remonstrating with Captain Field against his representation to the Commanding Officer, that the incorrectness of the Proceedings of the Committee was owing to them, did he insist on the blame attaching to them, and persist in his threatened accusation of their irregularity?

A. Yes he did to the best of my recollection.

Q. On that occasion did the Members, or either of them declare to Captain Field, that they would contradict his representation if he persevered in it?

A. No, Nothing further than begging him to state for us that no discussion had taken place.

By the Judge Advocate.

Q. Were the Regimental or Detachment Orders of the 22nd and 25th May, read by the Committee on their first Meeting, to investigate the Claims to Pensions?

A. No, I don't recollect that they were; they were on the Table, but I certainly did not read them myself.

Cross examined by Captain Field.

Q. Did you read those Orders before the Committee first met?

A. Yes.

Remark.—This reply of Captain Dunlop's is diametrically opposite to that given by him at the Court of Inquiry, and shews how tenacious he was of acknowledging that he read the Orders at the first Meeting of the Committee, Vide my remark on the Proceedings of the Court of Inquiry, No. 26, Page 44.

Q. Did you perfectly understand the *meaning* of those Orders when you read them?

A. No, I certainly could not have done so, or I should not have passed the claims of those men that were not admissible.

Q. Did I not on the 26th May last as President of the Committee communicate to the Members the object for which it was assembled?

A. No, no opening Address of any kind. Lieut. Platt commenced by calling in the men and putting the question to me "*admissible or inadmissible*," after giving his own opinion.

Q. Were the General Orders relative to Pension Claims on the Table on the 26th May, and did you or any one else read those Orders?

A. They were I *believe* on the Table, but I *did not refer to them*, but Lieut. Platt I *believe* occasionally did so on account of the form of the Rolls; Captain Field did *not refer to them to my knowledge*, certainly not to the *best of my recollection*.

Q. When the Committee met the second time about the 9th of June, what duty did they perform, and were *any Claimants* to the Pension then admitted?

A. I believe on that occasion *no Claims* were submitted to the Committee, and that it merely met to alter the form of some of the Rolls, which were found to be incorrect.

Q. At the 3rd Meeting of the Committee on the 7th July last, did you not argue with Lieut. Smith for a considerable time as to the *meaning* of the General Orders granting the Pension?

A. There was *some private* argument between Lieut. Smith and myself until I was convinced of *my error*.

Q. Do you call it a Private argument when met for a Public purpose?

A. Yes, Mr. Smith and I had a *discussion* between ourselves *privately* as Captain Field and myself, were not on *speaking terms*.

Q. Was that argument between you and Lieut. Smith relative to the purposes of the Committee; and if so, state what it was?

A. The only argument I had with Lieut. Smith was stating my reasons why I differed in opinion with him about the Claims to Pensions for casualties on either side of the River, that I had drawn for Batta for the whole Company including casualties on either side, and that the Military Auditor General only allowed for the Survivors of the Company, and deducted for those men who died since their return from Arracan, and stated as the reason that they were entitled to the Pension from Government, which was the cause of my not paying more particular attention to the Orders on that subject.

The Court adjourned at Three o'Clock until Eleven o'Clock to-morrow forenoon.

#### SECOND DAY.

The Court met pursuant to adjournment on Friday the 18th January, 1828, at Eleven, A. M.

The Members and parties being present, and the last witness under examination in Court, his Evidence of yesterday is read over to him and confirmed by him.

The Cross Examination by the Prisoner resumed:

Q. Who proposed sending for the Orderly Books at the 3rd Meeting of the Committee on the 7th July last?

A. I *believe* Captain Field sent for them and handed them over to me.

Remark.—Captain Dunlop's saying he could not *understand* the meaning of my Detachment Order is *very curious and quite impossible*; at the Court of Inquiry he said it was only *overlooked*. Vide Court of Inquiry and my remark, No. 1, page 36.

Remark. Vide my remark on the Proceedings of the Court of Inquiry, No. 11, page 37.

Remark.—Captain Dunlop did not think of the *Private argument* at the Court of Inquiry, and on due reference to my remark on the face of those Proceedings, No. 15, page 38. It will be seen that I *opposed his Private argument*.

Remark.—No such conversation ever took place at the Committee, and its *wonderful* the Court did not discover it to be erroneous.—It will be seen that the Order for Pensions was *only* published about *two months* before the Committee sat. The Grenadier Battalion to which Captain Dunlop had been attached was broken up some time prior to his joining the Wing under my Command in *October 1826*. How could he have drawn Batta for any Company in the Grenadier Battalion? That related to the Order for Pensions? And how is it possible the Auditor General could have given *such a reply*? before perhaps the Pensions had *even been contemplated* by Government.



Remark.—Lieut. Smith recollected at the Court of Inquiry, that I did oppose his opinion before the Books came. Vide my remarks on those Proceedings, No. 17, page 38.

Remark.—How does Captain Dunlop account for my Detachment order being so clear as to this particular point?

Remark.—Vide my Remark on the Proceedings of the Court of Inquiry, No. 17, page 38.

**THIRD WITNESS.**

Remark.—It was very unlikely under any circumstances that Lieut. Platt would acknowledge his opposition to his Commanding Officer, and particularly being Adjutant of the Wing under my command, and thereby criminate himself.

Q. Was there any discussion between you and myself at the third Meeting of the Pension Roll Committee on the 7th July?

A. No, not that I can recollect.

Q. You have stated that you disputed with Lieut. Smith the meaning of the General Order granting Pensions, will you point out to the Court in the Order now shewn to you, the part disputed?

A. I don't recollect any particular part of the General Order disputed, it was merely a private conversation between Lieut. Smith and myself.

Q. Did you at the time conceive I was ignorant of the meaning of the Letter and spirit of the General Order granting Pensions to the relations of those men who were killed or died on the Burmese side of the Naaf River?

A. I should certainly suppose so from Claims having been admitted that ought not to have been, I did not think so at the time supposing we were all right.

Re-examined by the Judge Advocate.

Q. When Lieut. Smith as you have stated pointed out to the Committee the inadmissibility of Claims for casualties on the west side of the Naaf, did Captain Field by expression or manner convey any appearance of surprise at the observation, or did he immediately confirm it, or refer to any former opinion given by him in support of that submitted by Lieut. Smith?

A. Captain Field immediately on Lieut. Smith's making his remarks agreed with him, and on reading the General Order over again was decided in that opinion, that Lieut. Smith was right, but no allusion or hint whatever was made by Captain Field, to his having given that opinion on any former occasion.

The Witness confirming his Evidence of to day, retires.

Lieut. John Platt 23rd Regiment, N. I. a Witness for the Prosecution called into Court and sworn, and the Charge read to him.

Examined by the Prosecutor.

Q. Were you Adjutant to the Left Wing of the 23rd Regiment and a Member of the Pension Roll Committee assembled at Moradabad on the 26th May last?

A. I was.

Q. Did Captain Field at any time at the Committee while you were a Member of it, give an opinion that Claimants were not entitled to Pensions for casualties on this side of the Naaf River, or to that effect?

A. He did not.

Q. Was the subject ever agitated or discussed by the Committee while you were present?

A. Not while I was a Member of it.

Q. Did Captain Dunlop at any time on the Committee oppose his opinion to any given by the President.

A. Not while I was a Member.

Q. Then you positively affirm that Captain Dunlop and yourself did not vote in opposition to Captain Field, or carry any point against him on the Committee?

A. Yes, I affirm it.

Q. Did you record or receive the votes of the Committee?

A. I did.

Q. What was the vote of the President for Claims for relatives of Sepoys who died on this side of the Naaf.

A. A silent nod of assent.

Q. Did Captain Field communicate to Captain Dunlop and yourself a reprimand to the Committee from the Commanding Officer of the Corps for the incorrectness of the Rolls passed by the Committee?

A. As far as *I recollect*, I read it aloud to the Committee by Captain Field's Order.

Q. Be pleased to state what passed on that occasion?

A. After reading it aloud Captain Field said, "now Gentlemen what shall we do," I immediately said I request you will say for me that the subject of the validity of Claims as regards the Naaf River was not agitated in my presence, or words to that effect.

Q. Did Captain Dunlop make any observation at the time?

A. I do not recollect.

Q. Did Captain Field make any reply to your remark or dispute its correctness.

A. I really do not recollect.

Q. When the Reports of the Committee were forwarded to the Head Quarters of the Regiment, did any Public Letter from Captain Field accompany them?

A. I do not recollect the forwarding of the Letter, but the Letter Book holds a Copy of a Letter purporting to have been forwarded with it.

Q. Be pleased to produce the Book in which that Letter is inserted.

A. Here it is, and the page in which the Letter is copied is signed by Captain Field.

The Prosecutor assuring the Court that the original Letter is not to be found, the Copy is accordingly read and extracted from the Book, as follows:

Moradabad, May 30th, 1827.

SIR,

I have the pleasure to forward the Proceedings of the Committee assembled for the purpose of investigating Claims to Pensions agreeably to Regimental Orders of the 22nd, and Detachment Orders of the 25th instant.

I have the honor to state for the information of Lieut. Colonel Faithfull, Commanding the Regiment, that the dates and occasions of decease are omitted opposite the names of deceased men of the Light Company, in consequence of their being no documents with the Wing from which the Committee could ascertain the same.

I have, &c.

(Signed)

G. B. P. FIELD, Captain,  
Commanding the Left Wing, 23rd Regiment.

To Lieut. Holmes,  
Adjutant, 23rd Regiment, N. I.  
Almorah.

Q. Look at this Letter and say if the Signature be in the hand writing of Captain Field.

A. It is his signature as far as I am able to judge. Letter read as follows.

(Service.)

Moradabad, 27th July, 1827.

SIR,

I have the honor to acknowledge the receipt of your Letter of the 22nd instant, returning the Pension Rolls, arrived from the Adjutant General of the Army, and in due compliance therewith beg leave to report to you for the knowledge of Lieut. Colonel Faithfull, Commanding the Regiment, that I immediately assembled the Committee, and in their presence read your communication on the subject to them, and caused the Rolls returned to be examined.

R

Remark.—This constant non recollection ought I humbly conceive to excite notice.

Remark.—This and other Letters of a similar nature, are produced against me to prove that I did not make any Public Report of being overruled at the first Meeting of the Committee, I did not at the time think it was necessary, and I knew it was not customary, else what is the object of three persons being on a Committee if the majority is not to carry the point under their investigation.

I have to express my regret to the Lieut. Colonel Commanding the Regiment, that this circumstance should have occurred, the more so, as my opinion on the point in which the mistake originated differed from that of the Members, and had it been adhered to, it would not have happened. The second time the Committee sat, one of the Members (a new one) coincided with me in opinion, and in consequence of which no mistake was made.

I have the honor to be,

SIR,

Your most obedient Servant,

G. B. P. FIELD, Captain,  
Commanding Left Wing of the 23rd Regiment, N. I.

To Lieut. Holmes,  
Adjutant, 23rd Regiment, N. I.  
Almorah.

Q. To your knowledge did any Public Letter from Captain Field accompany any of the Rolls to the Head Quarters of the Regiment, than that, a copy of which has just been produced?

A. I am not aware that any Letter was sent, but I conclude one was sent, a Copy is in the Letter Book.

The Prosecutor declaring that the original Letter is not forth coming, the Prisoner consents to the admission of the Copy in the Book, which is accordingly read and extracted as follows: viz.

Moradabad, 9th July, 1827.

SIR,

Herewith I have the honor to forward for the counter-signature of Lieut.-Colonel Faithfull, Commanding the Regiment, reports of the Committee for investigating Claims to Pensions, which re-assembled on Saturday last.

I have, &c.

G. B. P. FIELD, Captain,  
Commanding Left Wing, 23rd Regiment.

To Lieut. Holmes,  
Adjutant, 23rd Regiment, N. I.  
Almorah.

Examined by the Judge Advocate.

Q. As Adjutant of the Wing of the Regiment, at Moradabad, had you possession of Captain Field's Public Letter Book?

A. I have had possession of one all along, but of the former one Captain Field retained possession until lately.

Q. Had you possession of the Book in which Captain Field's official Letters were entered for the month of July?

A. I had possession of the Letter Book commencing 9th July.

Q. Were Captain Field's Letters of the 25th and 27th July in which he complains of the Members of the Committee having differed with and overruled his opinion, entered in the Office Letter Book then in your Possession?

A. No, they were not entered in the Book.

Q. Where those Letters shewn to you by Captain Field or their contents, as far as regards the Committee, communicated by him at any time to you?

A. I do not recollect Captain Field having shewn any Letters to me which he forwarded to the Head Quarters of the Regiment, which were not

Remark.—I was obliged to write all Public Letters of importance myself, as I could not depend on Lieut. Platt, who frequently even altered the rough Copies I gave him, much to my dissatisfaction. I therefore voluntarily did a great portion of his duty myself without even complaining.

Remark.—Captain Dunlop has sworn that I did communicate to the Members that I should state to Lieut.-Col.

entered in the Letter Book, and to the *best of my recollection* he never communicated to me the contents of any such Letters.

Cross examined by Captain Field.

Q. Did I not mention to the Committee on the 26th May, the object for which it assembled?

A. I am *not aware* that you did.

Q. Were the *General*, Regimental, and *Detachment Orders* on the table, relative to the admission of Claimants to the Pension, and were they read and referred to by *all three* of the Committee.

A. They were read by *all three* and referred to regarding the list of succession of heirs by the Committee occasionally, and I referred to the Roll by which I examined the Claimants.

Q. How came it that after you had read all those orders on the subject of Claimants, that you should so immediately have forgotten the object and purport of them?

A. My attention was completely occupied in the examination of those who preferred the Claims, and I must have been misguided by the form of the Roll, in which the Naaf River is not mentioned, neither is the *\*place of decease*, called for.

Q. Did you not as Adjutant of the Left Wing of the Regiment write my Detachment Order in the Order Book yourself for the guidance of the Committee, only a day or two before the Committee assembled?

A. I did.

Q. Was the meaning of that Order doubted by any one of the Committee at its first Meeting?

A. I don't recollect its being doubted; I had none myself, I dictated the Order myself and wrote it myself.

Q. Did you not make out and forward to the Committee at its third Meeting the Rolls of Claimants to the Pensions and were not some of those Rolls rejected by the Committee on that day?

A. I was sick on that day and do not recollect having seen the Rolls.

Q. You have stated that the General, Regimental, and Detachment Orders were read by the whole of the Committee, did you see Captain Dunlop read these Orders?

A. He had the Books before him and as far as I could judge was reading them.

Q. Was there any other person who understood English present at the Committee while you attended, besides the President and the Members?

A. Not to my knowledge, there was no European there.

Examined by the Court.

Q. What did Captain Field say after reading the reprimand, to bring the remark from you, that no discussion had taken place regarding the Naaf River in your presence.

A. He said, "now Gentlemen what shall we do," I recollect nothing else.

Q. Do you mean to say that no reference had been previously made by Captain Field to a difference of opinion with the Committee?

A. I am not aware of any.

Q. As the observation of Captain Field in no way bore reference to your answer, be so good as to explain why you thought it necessary to request him to say for you that the Claims as regards the Naaf River had never been discussed in your presence?

A. Because as far as I recollect the reprimand was conveyed on that account and the Rolls returned accordingly.

Faithfull that I had been overruled in my opinion and which was accordingly stated in my Letter of the 27th July, exhibited on these Proceedings.

Remark.—This contradicts Capt. Dunlop's Evidence.

Remark.—Vide Lieut. Platt's reply opposite my remark on the Proceedings of the Court of Inquiry, No. 27, page 45.

\* "Place of decease" is called for as appears by the inaccurate Rolls in my possession.

Remark.—Vide Lieut. Platt's reply, and my remark thereon, on the Proceedings of the Court of Inquiry, No. 8, page 37.

Remark.—It will be seen by a Private note (annexed to the end of the Proceedings of the Court of Inquiry) of Lieut. Smith's, that he also was present when the reprimand was read, in all four persons.

Remark.—The Letter conveying the reprimand contains no allusion whatever to discussion, Vide page 38, of these Proceedings.

Remark.—This is quite at variance with Captain Dunlop's deposition; and the whole of this part of Lieut. Platt's evidence is of an extraordinary nature, and in my humble opinion should not have any weight in Courts of Honor in giving a verdict against a prisoner.

M'Arthur, Adye, and Titler on Courts Martial and Military law, says, "that it is no evidence against a Prisoner, unless the exact words he uttered be proved and sworn to,"—but here are two accounts given of the same transaction by Captain Dunlop and Lieut Platt.

FOURTH WITNESS.

\* Remark.—This circumstance is the strongest presumptive proof that it is possible to produce that Captain Dunlop did dispute the meaning of the Order at the first Meeting of the Committee from his readiness to do it at the third Meeting, and his having persisted in his opinion even when he had read the Orders.

\* Remark.—This part of Lieut. Smith's evidence is quite at variance with that he gave at the Court of Inquiry—he never thought then of making me say, "Let us send for the Order Book and see." Vide Lieut. Smith's Evidence, Court of Inquiry Proceedings.

Remark.—Vide my remark No. 17, on the Proceedings of the Court of Inquiry, page 38.

Q. Did Captain Field preface his inquiry of the Members as to *what they should do*, by stating that his opinion had been overruled by them, and that he should represent such to have been the case, to the Head Quarters of the Regiment?

A. I am not aware that he did.

Q. Might he have done so, without your *hearing* him?

A. *Very probably he might.*

Q. How came you to make use of the word "*discussion*," that no *discussion* had taken place in your presence, if no observation had been made by Captain Field, alluding to *discussion* or *difference of opinion*?

A. I am *not aware* at present *why I did*, but that I *did* it I am aware.

Q. Did Captain Dunlop say any thing to you which could have occasioned your remark?

A. *No*, I was *induced* by what Captain Field said to make the remark. The witness having his evidence read over to him, confirms it, and withdraws.

Lieut. Mathew Smith, 23rd Regiment, N. I. a Witness for the Prosecution comes into Court, is sworn, and the charge read to him.

Examined by the Prosecutor.

Q. Did you relieve Lieut. Platt as a Member of the Pension Committee and attend its Meeting on the 7th July last?

A. I did.

Q. What passed on that occasion.

A. Soon after entering the room at Captain Field's Quarters where the meeting was held, Captain Field passed the Rolls of the Claimants across the table to me, on looking at them I made the remark that two out of the three Claimants would not be admitted, as the Sepoys on whose accounts the Claims were made, had died *after* their return from the Service to the Eastward. \*Captain Dunlop expressed *an opinion different* from that, and said that he thought the *General Order included all* men who had died in consequence of wounds or sickness on that Service. I said that I had seen the General Order, and remembered very well that those men that had died after their return were not admitted to the Pension, or to that effect. There was a *slight discussion*, a *very short one* between Captain Dunlop and myself. When Captain Field said, "\*let us send for the General Order and see." The Order Books were sent for, and Captain Field then expressed his opinion *agreeing with mine*, and the two Claims were rejected in consequence.

Examined by the Judge Advocate.

Q. Did Captain Field express any concurrence with your opinion before he sent for the Order Books?

A. *No*, he did not.

Q. Did he at that Meeting state that he held the same opinion as you had given at any former Meeting of the Committee?

A. *No*, he never did.

Q. Did he refer to any Claimants having been admitted to the Pension by the Committee on a former occasion, as irregular or contrary to the Orders you had pointed?

A. *No*.

Q. Had he any dispute or discussion with the Members of the Committee relative to the validity of Claims for casualties on the West side of the Naaf?

- A. No, *nothing further* than what *I have stated*.
- Q. Did Captain Dunlop after his discussion with you concur in your and Captain Field's opinion, relative to Claims on this side of the River?
- A. \*On first reading the General Order he *still thought* it admitted of two interpretations, but on reading it again *two or three times* he became convinced that such Claims were excluded.
- Q. Was any other European present at the Committee besides the President and Members?
- A. None.

Cross Examined by the Prisoner.

- Q. When I sent for the Order Books did I not say, that I did it to convince Captain Dunlop of his error in his argument with yours?
- A. No, I do not *recollect* that you did.
- Q. Did I not at that Meeting mention to you that I thought some of the Rolls would be returned that were forwarded at the first Meeting of the Committee?

A. *No*, but I remember saying so myself.  
The Witness having his Evidence read over to him confirms it and retires.

The Prosecution is closed. The Prisoner requesting time to prepare his Defence; the Court adjourns at Half-past Three o'Clock, until Tuesday next at Eleven o'Clock in the forenoon.

### THIRD DAY.

The Court pursuant to adjournment meet on Tuesday the 22nd January, at Eleven o'Clock, A. M.

The Members and Parties being all present the Prisoner is called on for his Defence, and accordingly reads an Address to the Court.

The Court is closed.

The Prisoner having introduced much irrelevant and *recriminatory* matter in his voluminous Defence, and it being extremely difficult to separate the *objectionable* parts from those which are pertinent to his justification, the Court *resolve to strongly recommend* to Captain Field to *withdraw* his Defence *altogether*, and to submit in a condensed shape whatever observations or information he may find applicable to the case for the Prosecution, or tending to his own vindication.

The Court is opened and the preceding minute read.

The Prisoner requesting the indulgence of the Court for a short time to make out another Defence. The Court adjourn at half-past Ten o'Clock till Twelve o'Clock to-morrow noon.

### FOURTH DAY.

Wednesday, 23rd January, 1828, Twelve o'Clock at noon.

The Members and parties all present.

The Prisoner in his Defence reads the following Address to the Court.

Mr. President and Gentlemen of the Court,

Bowing with submissive deference to the recommendation of the Court to withdraw my former Defence and to confine my justification Address to the strict matter of the Charge, but at the same time expressing *my regret* that by *this restriction* I am *debarred* from exhibiting many circumstances calculated to throw light upon my motives and conduct, as well as upon the *motives* and *conduct* of the Prosecutor and his Witnesses,

Remark.—Lieut. Smith declared that Captain Dunlop *did dispute* the Order at the 3rd Meeting of the Committee, and that I opposed him. Vide Lieut. Smith's Evidence Court of Inquiry Proceedings, page 38, and my remark thereon, No. 15.

\*Remark.—This is very strong presumptive proof in my favor, and accords with the account I gave of the Committee in my Letters of the 16th and 25th July, 1827, quoted in the charges, for Captain Dunlop *held* the same opinion at the *first* Committee.

Remark.—Vide my remark on the Proceedings of the Court of Inquiry, No. 17, page 38.

Remark.—My first Defence with all the documents *attached* to my *Memorial* was rejected by the Court.

Remark.—This was a *short* time indeed, I applied to the Judge Advocate Captain Cook to know, *what* the Court *would receive as a defence*, not feeling inclined to act in opposition to their *wishes* and *injunctions*, when the Judge Advocate wrote the *whole* of the prefatory part of my second Defence himself, and struck out all the documents I had annexed to it, he also *read* it himself to the Court, I was *very ill* at the time, and could not in *so short* a space have written *another Defence* myself, at the same time I had not the *least* idea that the Court would have found me guilty on *such Evidence* as is *exhibited* on these Proceedings.

I shall not detain the Court long by the observations I now respectfully beg leave to submit to their indulgent consideration.

The extremely awkward and difficult situation in which I am placed cannot have failed to occur to the observation of the Court; it has I conceive been manifest on this Trial, and would be rendered much more so could I be permitted consistently with the *Court's injunction* to enter more into detail on past occurrences not connected with the present Charge. That the two Witnesses on whose testimony the fallacy of my representations has been attempted to be chiefly supported on the Prosecution, had been a considerable time before that to which the Charge bears reference, and down to the present time, not only on cool and distant terms with me, but my most determined and bitter enemies. This circumstance alone would entitle me to ask the Court to cautiously weigh the Evidence of these Gentlemen, who must necessarily be biassed and prejudiced against me, but when the Court reflect that added to the inimical feeling possessed and *manifested* by them towards me of *long standing*, the *strongest interest* invited them to give a very contradictory Statement to mine of the same transaction to their Commanding Officer, and to the Court of Inquiry that investigated the matter, and still must have operated on their minds in giving their Evidence on this Trial; they will pause and digest the probabilities of the case those Witnesses have endeavoured to establish, and not only the probabilities, but they will satisfy their minds that the case can admit of no other possible construction, than that, which these *interested* and *prejudiced* Witnesses have put on it, before they will yield implicit credence to their representations of what passed upon the Committee, of which I was President and they were Members, as opposed to my written account of it soon after the occurrence.

The Court will have observed that no other person was present at any Meeting of the first Committee capable of giving any account of what passed in English there than myself, and the two Members; consequently the *truth* or *falsehood* of the different and contending statements by me, and by the two Members must rest entirely on the *credit* which may be justly due to our respective accounts of the transactions, after a full consideration of the comparative *motives* and *inducements* that must have influenced them.

Captain Dunlop and Lieut. Platt have the advantage over me in being able to defend themselves by their own oaths, and of numerical weight of assertion, while I cannot enjoy that privilege of so defending my conduct and character, I say Gentlemen to defend themselves, as it is *necessary* to each of those Witnesses that they should *convict* me of the charge in vindication of their own conduct, for they well knew that should they fail in such conviction, they would have to exchange situations with me, and be placed in the degrading situation of answering to a similar charge for false statements, as I am now unhappily compelled to do.

According to the evidence of these two Gentlemen, it would appear that the Committee met to commence on the duty appointed to them without any sort of *introduction* or *discussion* of the object of their Meeting, and that each Member instantly proceeded to quietly pass Claims to the Pensions in diametrical opposition to the Orders then lying on the Table, which had been referred to and read by each individual of the Committee at that Meeting: such a strange and quiescent procedure by a Committee, the Members of which were not on speaking terms with the President; and that all three should so suddenly unite for the purpose of setting aside the triple authority (the General, Regimental and Detachment Orders) under

which they were acting is incredible and quite irreconcilable to plain reasoning and common sense and I respectfully put it to the Court whether my *Private Letter* the 16th July, or *Public one* of the 25th of that month quoted in the charge, on the *contradictory statements* of the Witnesses Captain Dunlop and Lieut. Platt, give the most reasonable and probable representation of the occurrences of that Committee.

It can hardly be supposeable that an Officer who has been twenty-four years in the Service could easily forget the heavy responsibility and disgraceful, ruinous consequences of a deliberate and *malicious falsehood*, or that he could expect to escape detection, when he made that falsehood the vehicle of a public accusation of his brother Officers, as I am accused of having done by my official Letter of the 25th July. That Letter of itself shews that the circumstance of the difference of the Members with myself on the Committee, was incidentally mentioned with other matters pending between Captain Dunlop and myself, upon which both he and myself appealed to the authority of the Commanding Officer, and submitted to his decision or to that of higher authority; it was therefore utterly impossible for me to imagine that that part of my Letter of the 25th July which accused Captain Dunlop and Lieut. Platt of overruling my opinion on the Committee should be suppressed, or that Captain Dunlop would be dealt so harshly with by the superior authorities, as not to be afforded an opportunity of answering or explaining such a charge, or that it could be disconnected with the other parts of the same Letter.

Few people will encounter the hazard of a crime for the sheer love of vice, and without some strong inducement or cogent motive; let me ask the Court if any possible motive could have influenced me in writing my statement in my official Letter of the 25th of July, adequate to the danger or rather the certainty of its being detected to be false, which I must have known to be inevitable, had I been conscious of such falsehood?

If my object had been to prejudice Captain Dunlop by an underhand misrepresentation of his conduct, was it probable that I would forewarn him of my intention? That I should mention to the Committee as he has sworn I did, that I should report to Colonel Faithfull that it was the fault of the Members, or owing to them, that the reports of the Committee were incorrect? Here is an open and candid avowal to them of what I intended to do, and what I consequently did do; there was no attempt to deceive them or to lull them into a false security, while I was darkly meditating an imputation on their character or conduct; there is nothing like concealment which would have been used to cover an insidious attack by a man who was conscious of a false and malicious attempt to injure a brother Officer.

With regard to the allegation of the charge that I did not make any objection or explanation, or express my disapproval of the conduct of the Members in their proceedings in forwarding the reports of the Committee, I have only to observe that the Claims having been carried by a majority of the Committee, I did not conceive that it was at all necessary for me to trouble the Commanding Officer with my individual opinion. I was bound by the act of the majority in the same manner as any dissentient Member of this Court must adopt the opinion of the majority of the Members; but when the subject was mentioned to me by Lieut. and Adjutant Holmes, I did not hesitate to explain to him the cause of the inaccuracy of the Pension Rolls.

The Charge avers that my alledged false statement was wilfully advanced by me for the dishonorable purpose of exonerating myself from censure, to which I was justly obnoxious, by *falsely* and *maliciously* attributing the whole blame to Captain Dunlop and Lieutenant Platt.



\*Remark.—The Court on reference to the Detachment Order Book observe that the Meeting of the Committee was held on the 26th of July, to have the reprimand communicated to them the day after Captain Field's Letter of the 25th July was written.

(Signed) W. P. C. Dy. J. A. G.

Remark.—The foregoing remark was not made in my presence, or I should have explained it as follows. The post from Almorah to Moradabad never comes in until *very late* in the evening whereas all Letters for transmission by it, are obliged to be sent to the post office by *four o'Clock* in the afternoon. But why did the Court not advert to my Letter of the 16th July, quoted in the Charge giving a similar account of the Committee, and which was written before the reprimand was even thought of by the Prosecutor. Surely the Judge Advocate should have explained these circumstances as he wrote the whole of this part of the Defence himself.

Remark.—As far as this was written by the Judge Advocate, and the rest (which is taken from my first Defence) altered by him to meet the wishes of the Court.

The Court will have observed that the censure had been already passed\* and a very mild one it was, under the very irregular and careless circumstances that had apparently produced it: and I had nothing further to fear on that score; will any man of reflection or common sense believe, that I could commit myself in such a serious and disgraceful manner as is imputed to me for such a trifling puerile object? Is it possible that any man with his eyes open could wilfully risk his Commission, for the sake of absolving himself from a reprimand which applied to him only, conjointly with others, and which neither effected his honor as a Gentleman, or his reputation as an Officer.

I have no means Gentlemen of vindicating my conduct from the cruel Charge under which I labour, but by opposing my own assertions to the sworn testimony of the Witnesses, and by comparing the probability of each with the others, I have done so to the best of my ability, but in a case where the defendant is necessarily precluded from the benefit of Evidence by the *Privacy* of the matter in accusation, he is, I humbly submit, entitled to the most charitable construction of his actions and motives, and the slightest discrepancy in the Evidence of the Witnesses who have a *decided, immediate and permanent interest* in effecting his conviction, ought to be viewed with a jealous and suspicious eye: with this preface and with a view to set the Evidence for the Prosecution in the light in which it strikes my judgment, I will now proceed to comment on it in the order in which the Witnesses were severally examined.

The first Witness for the Prosecution is Lieut. Holmes, who states that he sent my private note to Lieut. Smith (*a very young Officer* in the Regiment) under my Command, because he doubted the truth of its contents; and thus acknowledges himself guilty of a breach of *moral obligation* as well as an *artful and bad* disposition towards a man, whom he *outwardly* professed a *sincerity* for; as is evident by his private communication on the subject before the Court, and which is certainly not very characteristic of the sincere friendship he professed, for if he was imprudent enough to form an intimacy with a person he disliked, he should never have been so unjust as to betray it; and I have to add that Lieut. Smith's reply to the said note contained some very severe remarks upon my conduct, and was publicly sent to the special Court of Inquiry by Lieut. Colonel Faithfull, and there produced against me; it also proves that a *cautious and secret* communication had been kept up against me, as well as his having *detained* it in his possession *fourteen days*, and then shewed it to the Prosecutor which was evidently not just or proper.

The second Evidence Gentlemen, is Captain Dunlop, who states that *there was no reference whatever* to the Orderly Books at the *first* meeting of the Committee, *nor did he even read them*; now Gentlemen, I am under the necessity of noticing to you that Captain Dunlop has been guilty of *gross inconsistency*, for at the special Court of Inquiry held at Bareilly, on this very business now before you, Captain Dunlop declared he *did read* the *General, Regimental, and Detachment Orders* and which has been proved by Lieut. Platt's Evidence on this occasion; but, Gentlemen, even agreeably to Captain Dunlop's own account now given of the words of the votes "*admissible,*" or "*inadmissible,*" being put to him by Lieut. Platt, it would most certainly have struck him that there was a great difference between the two kinds of Claimants: he *now acknowledges* that he *did* misunderstand the meaning of the General Orders, and at the Court of Inquiry that it was "*only overlooked*" at the first Meeting, and Lieut. Platt's Evidence now proves that he not only read all those Orders, but even *studied* them at this

first Meeting, Lieut. Smith's Evidence also proves that he did *mistake* the meaning of those Orders *even at the third Meeting*. Now, Gentlemen, as it is fully proved that he *did* read the Orders, and *did* mistake the meaning from the reasons assigned by Lieut. Smith, that he thought the General Order had *two* interpretations, hence Gentlemen it is most *evident* that he thought the General Order superseded the Regimental one, as stated in my Public Letter of the 25th July last, for it is quite impossible even for a child that can but just read to mistake the *meaning* of my Detachment Order: and as he *did* read that Detachment Order at the first Meeting, it fully and *amply* corroborates my statement contained in *my* Letter of the 25th July last.

With regard to the 2nd Meeting of the Committee Captain Dunlop is correct, there was nothing done but altering the Rolls, and very *little said*, for *neither* Captain Dunlop or Lieutenant Platt were on *good terms* with me; with regard to the third Meeting of the Committee, Captain Dunlop has at length acknowledged that the instant Lieut. Smith spoke as to the admission only of those men whose relatives died on the Burmese side of the Naaf River, I agreed with him (Lieut. Smith) in opinion; although at the Court of Inquiry Captain Dunlop puts a question to Lieut. Smith, to know if it was *not after* I had read the General Orders that I *agreed* with Lieut. Smith in opinion, and which Lieut. Smith answered in the affirmative, and this particular point (only *now acknowledged* by Captain Dunlop,) is stated in my Defence at the Court of Inquiry. As to the fourth Meeting of the Committee when the reprimand was read, I believe he sided with Lieut. Platt, as to telling me to say there was "*no discussion*," but this was in the shape of advice on the part of both of them; but I most solemnly declare that the long detail he has given of Lieut. Platt's reply is incorrect, nor does Lieut. Platt acknowledge it on his oath.

I now Gentlemen proceed to the third Evidence for the Prosecution, Lieut. Platt. This Gentlemen flatly denies that any discussion whatever took place whilst he was a Member, and pointedly and most directly confutes his Brother Evidence Captain Dunlop, not only on this occasion but at the Court of Inquiry, relative to Captain Dunlop's reading the Books of Orders on the subject of Claimants at the first Meeting of the Committee; Lieut. Platt acknowledges both at the Court of Inquiry and on this occasion, that he not only recorded the votes "*admissible*," or "*inadmissible*," in doing which he must *first* have *given* his own, but actually put that question to Captain Dunlop and myself: hence Gentlemen, is it not extraordinary that *nothing* as to the meaning of these words should strike him, *even if according to his own* statement there was no opinion given, or "*discussion*" took place; and he also says that my assent was communicated by a silent nod of the head, I believe he may be right there, for I could do *no otherwise*, after the *two* Members had *decided* on it.

I now Gentlemen, proceed to that part of the Evidence wherein Lieut. Platt states, that he read the reprimand received from the Head Quarters of the Regiment by my Order, but as to my saying, "*what shall we do*," is incorrect. When the Letter was finished, I said, "Gentlemen this is your *own faults*, if you had taken my advice it would not have happened," when he instantly replied, say there was "*no discussion*," but this, Gentlemen, was in the shape of *advice*, in which he was seconded by Captain Dunlop, and which Lieut. Platt has nearly acknowledged on his oath before this Court, and I submit to you, Gentlemen, if *his reply* is not favorable to my cause, and that it is quite evident there was a "*discussion*," or at least an opinion given by me.

The last Evidence for the Prosecution, Gentlemen, is Lieut. Smith, this Officer positively and directly confutes his brother Evidence Captain Dunlop, "that there was a *short discussion*," during which "I said, let us send for the Book and see," the Books were then sent for, on their arrival, I expressed my concurrence on looking at *them* but *not before*, whilst Captain Dunlop *says*, that I *instantly agreed* with Lieut. Smith before the Order Books came, as to the proper Claimants to be admitted, and that *nothing more was said* by any of the Committee; however, Gentlemen, the *special Court of Inquiry* would shew *otherwise*, and which I trust, Gentlemen, may be considered a substantial proof of the *discrepancy* and *inconsistency* of the Evidence given against me before this Court.

This, Gentlemen, is all the comment my humble abilities can bestow on the Evidence for the Prosecution that has been given against me by Captain Dunlop, and Lieuts. Platt, Holmes, and Smith, and I need hardly remark to you, that the oath of a man is little to be *regarded*, if before he is bound by it, he does not shrink from uttering an *untruth* out of regard to his honor, before a Public Court of Inquiry, which produced a Court Martial on a brother Soldier, whom they had no reason to complain of, except that he was obliged to be a little strict with them to keep them to their duty, which they were well inclined to neglect on all occasions, and whose *lenity* and *forbearance* towards them has even been *acknowledged* by the Prosecutor, and who has also declared to his Adjutant Lieut. Holmes that I am *a person* that would not do an *injustice to any one*. In their written communications against me these Gentlemen have kept up a show of *apparent* truth from *mutual communication*, and have appealed to *each other* to attest to their assertions with a *triumphant security*, as if nothing could be true that could not be proved by themselves, but when summonsed to attend before a just, honorable, and impartial tribunal, and divided from each other, they find themselves no longer able to hold their ground.

I will now, Gentlemen, proceed to give you every information in my power relative to the papers and documents before the Court, produced by the Prosecutor: in the first place, Gentlemen, I beg leave to point out to you the cause of my addressing my Private note of the 10th July last, to Lieut. and Adjutant Holmes, some *days before* Captain Dunlop sent in his reference of the 22nd July last, against me, the object of that note was to elicit from Lieut. Holmes, a reply which I could shew to Captain Dunlop and Lieut. Platt, whenever the Committee (which was a standing one) might meet again for the admission of Claimants, as Lieut. Smith was a temporary Member, and that those two Officers might be convinced of the meaning of the General Order from the opinion of others, and particularly as Lieut. Platt seemed to wish to obtain Captain Wight's opinion, at the sitting of the Committee the first time. In that note I mentioned that the Committee "doubted" I should have said "differed" in opinion because they did differ on both those occasions, and in my public Letter of the 27th July last the proper word is used, but a person is not always guarded in using words when he writes a *private* note in a hurry as that one evidently is. You will further *remark*, Gentlemen, that it is written after the Meeting of the third Committee, at which Lieut. Smith was present, and they even acknowledge in their *indirect* way that I *knew* the intent of the General Order, so that it was merely to satisfy Captain Dunlop and Lieut. Platt, for I *did not think* that Captain Dunlop was satisfied at the 3rd Meeting.

I now solicit the attention of the Court to a succinct account of my Services, and to the characters I have had the honor to receive from my superiors.

I had the honour Gentlemen, to officiate as Major of Brigade, to Major General Sir John Arnold, K. C. B. when he was Brigadier Commanding in Rohilcund, in the year 1819, and when I quitted that office, Sir John expressed his Public thanks to me for my exertions and attentions to the Duties in Rohilcund; Major General Sir Thomas Reynell, K. C. B. has also remarked that during the Siege and at the Assault of Bhurtpoor; I commanded a Grenadier Company, I had Gentlemen commanded it ever since the year 1819, (when present with the Regiment,) which Sir John Arnold's Letter plainly shews; but on the 2nd of November last the Prosecutor had *contrary to the regulations of the Service*, deprived me of my Grenadier Company and given it to Captain Dunlop, an Officer five years later in the Service than myself, which Gentlemen is not very fair, nor would the Prosecutor have liked it *himself* when *Senior Captain* of the Regiment, as I am now.

I arrived Gentlemen in the Country in the year 1804, I had the honor to serve with the Grand Army under His Excellency the late Lord Lake, in the arduous Campaign of 1805. In 1806, I served with the Forces assembled under General Ball, in pursuit of the Mahrattah Army. In 1809, I served with the Forces in Boondalcund, assembled there under General Sir Gabriel Martindale, K. C. B. when I was present at the Siege of Adjeeghur, and on that occasion, I commanded and led on a party from my Regiment, to the Assault of the outworks which we carried with the Bayonet. In the year 1815, I served with the Forces assembled under Major General Sir Jasper Nicholls, K. C. B. for the reduction of the Province of Kumaon and Almorah, and on the occasion of the brilliant Assault of the Fortified Heights of that place, I received the thanks of that distinguished General, in Public Orders, as also the approbation of His Excellency the late Most Noble the Marquis of Hastings; and Major General Sir Thomas Reynell, K. C. B. has done me the honor to say, that during the Seige and Assault of Bhurtpoor, I did my duty as a zealous and good Officer.

I now trust Gentlemen, that the cloud the Prosecutor has raised over my head will be dispelled by your calm and dispassionate judgment of the case, and my Character rendered even brighter than before. I well know Gentlemen, that you will weigh all the circumstances set forth in my Defence, the long course of years I have served with honor to myself, and credit to the Service, and also reflect how deeply a circumstance of this nature might effect the prospects of a man who is *conscious* of having both virtually and in effect ever done his duty, and *ever acted* for the *good* of the Service, and on no occasion have I ever swerved from the principles of honor, and which is even acknowledged by my superiors.

In conclusion, I have to add, Gentlemen, that I have the fullest confidence in your judgment and experience in the Service. I return you my best thanks for the patient hearing you have given me, and you will, I am *confident* Gentlemen, take into your *serious* consideration the *vast difference* between the Evidence given before *this Court* and that *given* at the *Court* of Inquiry, and from this and other circumstances I have adduced in my Defence, I trust the Court will consider the Charge unsubstantiated.

Gentlemen, I place my honor in your hands, and in thorough consciousness of my innocence of the heavy Charge brought forward against me, by the Prosecutor, I submit my case to your impartial consideration and decision, and trust my hitherto unsullied reputation to your Honorable Verdict.

(Signed)

G. B. P. FIELD, Captain.

23rd January, 1828.

Captain Field puts in, in evidence, a Letter attested to be a Copy of the original, by Captain Hay, the Brigade Major at Bareilly, dated Bareilly, 23rd August, 1819, and addressed by Brigadier J. Arnold to Major Watson, Deputy Assistant Adjutant General of the Army, Cawnpoor, from which the following Paragraph is read and extracted.

In adverting to Captain Field he appears in my humble judgment and experience to be an *intelligent* and *smart* Officer, and has in addition to the abilities he possesses as an attentive and *gallant* Regimental Officer, the valuable talent of surveying and making Topographical sketches of *infinite* use in *all situations* with an Army.

Captain Field also submits the following documents which are read and recorded.

“Although the circumstances arising out of a difference between Captains Field and Dunlop of the 23rd Native Infantry suggested to me the expediency of recommending that the former Officer should be removed from the Command at Moradabad, which he held in right of being Senior Officer of the Left Wing of the Corps stationed there, and that Captain Dunlop should be *transferred* to a Company at Almorah, *still* I think it but *just* to state that during a period of about twenty months that Captain Field Commanded at Moradabad, I had no cause to consider him either deficient in zeal or in a general knowledge of his Duty. In the month of November, 1826, I visited that Station, and made an inspection of the Wing of the 23rd Regiment, which I found in *good* order, nor can I recollect to have had any occasion to find fault with any thing at the Station over which Captain Field had controul.

His fault has been a want of correct judgment, and conciliatory manner in his treatment of and intercourse with the European Officers, making them hostile in their feelings towards him, and thus occasioning disagreement and reference to higher Authority.

Captain Field Commanded one of the Grenadier Companies of the 23rd Regiment, N. I. in my Division at the Assault of the North East Angle of Bhurtpoor, and upon that occasion as well as during the Siege. I have cause to believe that he did his Duty as a zealous and good Officer.

Given under my hand at Cawnpoor the 17th day of November, 1827,

(Signed)

THOMAS REYNELL,

Major General,

Late in Command of the Meerut Division.

To Captain Field.

(Extract.)

I assure you my dear Field, that it is want of health and the sufferings of a bad complaint, alone, that prevents my instant attendance with you, and I hope you will not be offended at my inability to comply with your wishes; where I called on to state what I know of you during the year and a half I have known you, I could with justice and truth swear that I never knew you guilty of any action that would cause a Gentleman to blush.

I wish you a safe passage through your Trial, and every happiness, And remain,

Dear Field,

Yours sincerely,

HOR. NELSON.

(Signed)

Camp, 17th January, 1828.

I do hereby upon my honor declare and certify to all to whom it may concern, that I have known Captain Field since his arrival at the Station of Moradabad, that I have been in the habits of meeting him frequently in Society, where he always conducted himself like a Gentleman, and that I have ever found him to be to my family and myself, kind, civil, and obliging to the greatest degree.

(Signed) ROBERT TERRANEAU,  
Assistant Revenue Surveyor.

Camp Pheenah, 13th January, 1828.

Lieut. and Adjutant Holmes is called into Court as a Witness for the Defendant, and on his former oath, is examined by the Prisoner.

Q. You have stated that you forwarded my *private* Letter of the 16th July, to Lieut. Smith, be so good as to produce his answer?

A. I have not the Letter now by me, it having been sent off with my baggage to day, the first march from this, but I will send for it if the Court wish it.

By the Judge Advocate.

Q. Be so good as to look at this paper and say if it be a true Copy of Lieut. Smith's reply to your Letter, forwarding Captain Field's of the 16th of July to him.

A. It is, and the Copy is in my hand-writing, there were other subjects unconnected with Captain Field's Letter, which are not inserted in the Copy.

This Letter is withdrawn by permission of the Court at the instance of the Prisoner.

Q. Did Colonel Faithfull ever intimate to you his belief that I was incapable of an act of injustice to any one.

A. I really don't *recollect*.

Q. Did you ever *inform me* to that effect?

A. *Not that I recollect*.

Q. Is not this Letter in *your hand writing*? (*shewn to the Witness.*)

A. Yes, it is dated the 29th July, and *must* have been written in 1826, although the *year* is not stated.

This Letter is withdrawn as inapplicable to the matter before the Court.

The Defence is closed.

Colonel Faithfull does not wish to trouble the Court with any reply to the Defence, and hopes that if Captain Field has succeeded in producing any thing favorable to his cause, the most indulgent consideration will be given to it.

The Court is closed for deliberation.

The Court having duly weighed and considered the Evidence for the Prosecution, and what hath been urged by the Prisoner in his Defence, do find him, Captain George Brydges Plantagenet Field, of the 23rd Regiment of Native Infantry, Guilty of the whole of the Charge exhibited against him, with the exception of the word *maliciously* in the concluding averment of the Charge, of which word they acquit him.

The Court having found the Prisoner Guilty of conduct unbecoming the character of an Officer and a Gentleman, in having made false Statements for the dishonorable purpose of exonerating himself from censure, to which he

Remark.—The Court advised me to withdraw this Letter, it is annexed to the Court of Inquiry, though I am not aware for what reason such advice was given, as I think in my humble opinion it shews the feeling of Lieut. Smith towards me.

Remark.—This is one of the documents rejected by the Court, from which I wished to question the Witness Lieut. Holmes, but the Court compelled me to withdraw it as *inapplicable*, although the question I put would have *injured no man*, and I conceive would have benefited myself. For the document see No. 6, page 22.

DELIBERATION.

FINDING.

SENTENCE.

was justly obnoxious, by falsely attributing the *whole* blame to Captain Dunlop and Lieut. Platt, as specified in the Charge, do adjudge him Captain George Brydges Plantagenet Field of the 23rd Regiment, N. I. to be discharged from the Service.

(Signed) F. A. WESTON,  
Lieut.-Colonel,  
35th Regiment, N. I.

W. P. COOK,  
Deputy Judge Advocate General,  
Conducting the Trial.

### RECOMMENDATION.

The Court having performed the painful duty of awarding the punishment due to the offence of which the Prisoner has been found Guilty, respectfully submit their unanimous recommendation of the Prisoner to the merciful consideration of his Excellency the Commander in Chief, on account of his length of Service.

(Signed) F. A. WESTON,  
Lieut.-Colonel,  
35th Regiment, N. I.  
President.

W. P. COOK,  
Deputy Judge Advocate General.

Approved and confirmed,  
(Signed)

COMBERMERE,  
General Commander in Chief.

A True Copy,  
(Signed)

J. BRYANT,  
Judge Advocate General,  
Bengal Army.

Remarks by the Right Honorable the Commander in Chief.

In consideration of the length of Service of Captain G. B. P. Field, the Commander in Chief will recommend to the favorable consideration of Government that he may be placed on the Pension List.

By Command,  
(Signed) J. FINCH,  
Military Secretary.

A True Copy,

J. BRYANT,  
Judge Advocate General,  
Bengal Army.

I hereby Certify that the above is a True Copy of the Proceedings of the foregoing Court Martial, furnished me agreeably to my request by the Authorities in Bengal, for the purpose of laying the same before the Honorable the Court of Directors in England, with a view to obtain redress to the circumstances complained of in my Memorial to them.

G. B. P. FIELD,  
Captain,  
H. C. S.

## DEFENCE.

(M)

The First Defence of Captain G. B. P. Field, before a Court Martial assembled at Meerut, 22nd, January, 1828, which was rejected by the Court Martial.

Mr. President and Gentlemen of the Court,

On entering into my Defence, it is particularly essential that I should address you a few words in explanation of the cruel and oppressive Charges that have been produced against me, before this Court, by the Prosecutor Lieut.-Colonel Faithfull; in doing which I shall take the most scrupulous care to confine myself to a bare recital of facts, and refrain from saying a single word which can be construed into a studied and artful appeal to your feelings: already Gentlemen do you know all the occurrences that have led to your assembly here; but while such knowledge will not, (I am convinced) sway or avail you in your decision, until I shall have proved my Defence by all the means in my power, and that the *privacy* of the case will admit of. I shall therefore Gentlemen, without further preface, proceed to put you in possession of the leading facts of the case, in order that when I have proved my Defence you may be able to judge of my innocence of the foul crime I am accused of, and which Gentlemen, I shall fully prove to you by a train of the most consistent, unqualified and indisputable evidence; chiefly contained in a number of documents hereunto annexed, as well as many of those that have been already before the Court, and that this ponderous Fabric of cruelty and oppression, is wholly without *foundation*, and has emanated from the most *harsh* and *unjust* measures, to which I have been exposed for this last six months past; not only from the party concerned, that has given such determined and I regret Gentlemen, to say, such *inconsistent* evidence against me, but from the Prosecutor Lieut.-Colonel Faithfull, whom in my own mind and humble opinion, I conceive, as far (as *internal conviction* goes) from subsequent behaviour, it is impossible to excuse from having felt and displayed an *extraordinary interest* in bringing forward this cause since its commencement. And in the course of this Defence, Gentlemen, I shall give you such testimonials of my Public and Private Character, as I trust will wholly absolve me from the horrible stigma of *falsehood*, *dishonor*, *meanness* and *maliciousness*, with which the Prosecutor has so gratuitously branded my character; and I shall also submit to your calm and dispassionate judgment the total improbability of my having after a period of four and twenty years Service, not only risked my prosperity, my honor, and character, as an Officer and a Gentleman, and which I will prove to you has hitherto been *unsullied*, but that of involving what is more dear to me than my own life, my unoffending family in irrecoverable ruin; such an act of deliberate, unnatural and unparalleled baseness, could not be found even in a heart the most abandoned, the most unfeeling, and senseless in nature, I need not tell you Gentlemen, that the *language of truth is uniform and consistent*; to depart from it safely requires a far better memory and discretion, than any of my accusers appear to possess, and which I shall clearly point out to you in the course of my comments on the Evidence they have given against me, but Gentlemen, I will not unnecessarily detain you; therefore, without further prelude, I will commence on the leading facts, that have caused your meeting together on this occasion, and forthwith proceed to give you an account of the beginning, progress and conclusion, of the whole business now before the Court, as follows.

On the 22nd July last, Captain Dunlop forwarded a letter to the Head Quarters of the Corps through me for the perusal of Lieut.-Colonel Faithfull, Commanding the Regiment; containing the most artful and frivolous complaints, on some very trifling points of duty. Observing as I did that the whole statement was nothing more than a gilded train of sophistry worked up in an extraordinary manner, without the *least foundation*; also that he charged me in the same letter with a *settled purpose to wound his feelings*, which I did not think very respectful to me as his Commanding Officer; I returned the said letter to Captain Dunlop

\* Vide Captain D's letter annexed to the Memorial, page 27.



\* Vide Captain Field's Letter, 25th July, page 29, quoted in the 2nd count of the Charges.

\* Vide Brigadier Vanrenan's letter 31st July, page 30.

\* Vide page 31.

\* Vide page 32.

\* Vide No. 17, page 25.

\* Vide Colonel Faithfull's letters 8th and 10th Sept. last, pages 32 and 33.

with a full explanation of all it contained, and a solemn assurance that I had no wish whatever to hurt his (Captain Dunlop's) feelings, and requested him to withdraw it, this he refused to do, and forced me to forward it to Lieut. and Adjutant Holmes, for the perusal of Lieut.-Colonel Faithfull, Commanding the Regiment; together with a letter from myself, on the \*25th July, in which I accidentally mentioned the circumstance of the Committee (and which has now become the object of your investigation) on that day he (Captain Dunlop) forwarded another letter in elucidation or support of the first, to the Adjutant of the Regiment for Lieut.-Colonel Faithfull's perusal to which I also replied and forwarded; my mention of the Committee in the one of the 25th July, was more in the shape of a *defence* than a *complaint* as the letter plainly shews, and not worded in that *mean* and *malicious* manner the Prosecutor has with so much *ingenuity* described in the charges exhibited against me. All these letters were forwarded to Brigadier Vanrenan, Commanding in Rohilcund, who pronounced Captain Dunlop's accusations to be frivolous and unnecessary to trouble the Major General, Commanding the Division with: in a letter dated the \*31st July, the Brigadier also desired the Prosecutor Lieut.-Colonel Faithfull, to settle the business in *any way he* thought proper; instead of doing which, the Prosecutor Lieut.-Colonel Faithfull, directed Lieut. and Adjutant Holmes to inform me by letter dated the 1st August last, that it was necessary for me to place Captain Dunlop in arrest, and forward \*Charges against him, of course founded on his letter of the 22nd July, which I accordingly did to the best of my judgment and abilities; which Charges were again forwarded to Brigadier Vanrenan, who pronounced them to be untenable in a letter dated \*15th August, and expressed his regret that Lieut.-Colonel Faithfull should have given me such instructions. The Prosecutor then sent me a \*private letter saying, the business (now before Court) was all *settled* as well as all the matter connected with it, and thus it rested for a short space, when Captain Dunlop again urged the whole matter over afresh through me as Commanding the Wing, to the Prosecutor Lieut.-Colonel Faithfull, Commanding the Regiment, for transmission to Major General Reynell, K. C. B. Commanding the Division. The whole correspondence was accordingly forwarded by me accompanied by my letter dated 2nd September last, in which the business of the Committee now before the Court is again mentioned by me, and of course relates to the crime against me, now before the Court; the whole of this Correspondence was forwarded by the Prosecutor to the Deputy Assistant Adjutant General, Captain Craigie, for the perusal and decision of Major General Sir Thomas Reynell, K. C. B. Commanding the Division, accompanied by two of the *most cruel and harsh letters* I ever read in my life, dated the 8th and 10th September last. I appeal to you, Gentlemen, if it was fair for the Prosecutor to *prejudge* me in the manner he has done, and if *such letters* are not calculated to *prejudice* me in the minds of higher authority; you will also, Gentlemen, observe by *these* letters that the Prosecutor has completely taken the *part* of Captain Dunlop, as he says, to prevent *the honor of the Corps being compromised*; but, Gentlemen, you will have an opportunity of judging before the conclusion of this Defence how far such *insinuations* against me can be established; to the correspondence and the two letters just named, the decision of Major General Sir Thomas Reynell, K. C. B. was conveyed to Brigadier Vanrenan, Commanding the District, in a letter dated the 21st September last; in which, Sir Thomas pronounces the whole of Captain Dunlop's accusations against me to be *frivolous* and *unsubstantial*, and *condemns* the measure of Colonel Faithfull's directing me to place him in arrest, he also directs the removal of Captain Dunlop to Almorah from the Wing of the 23rd Regiment; the said letter though it condemns me in some parts of it, mentions that Sir Thomas Reynell conceives *I acted for the good of the Service*, also that "I am *zealous* and *attentive* to the duties of my Command," and at the same time observes, "That in the numerous instances of this kind of disagreement between Officers that have come before him in the course of his Commands, that he does not recollect any one where *more industry* has been employed in working up original trifling matter into grave and serious offence; of course the Major General alludes to Lieut.-Col. Faithfull's letters of the 8th and 10th instant, forwarded for his perusal.

Having taken up as little of your time as I possibly could with the foregoing detail: I now Mr. President and Gentlemen, come to the actual matter of the Charges exhibited against

me, and which is directly before you, and I shall begin by giving you a simple *unvarnished* and *true* detail of all that happened to the best of my recollection, relative to the several Meetings of the Committee, alluded to in the Charges and Evidence before the Court, and which I shall establish from all the circumstances of the case, as well as the most *positive presumptive proof* that it is *possible* to adduce without the *help* of an Evidence, which the *privacy* of the case precludes the possibility of my having at the time.

At the first Meeting of the Committee I opened the Court, after Captain Dunlop and Lieut. Platt arrived at my house, the latter Officer being in the double situation of Member of the Committee and Adjutant of the Wing,) by saying, the families of those men *only* who died on the *Burmese* side of the *Naaf River* were entitled to Pensions, when Lieut. Platt said that he thought the General Order *included all those* that died on their return from Arracan, *as well* as those that *died* on the *Burmese* side of the *Naaf River*, *at all events* it would be *as well* to give *all* the poor fellows a chance of the Pension; also that *Captain Wight at Almorah*, must have been on the Committee there, and could inform us how they acted in the case, I then said that the Regimental Orders were *short* and *concise*, and that I thought there could be no doubt about it. The General, Regimental and Detachment Orders were then read, also the Orders of Council, 28th October, 1825, by *Captain Dunlop, Lieut. Platt*, and myself, when *Captain Dunlop* again said that the General Order included all those that died on their *return* from Arracan, after they had passed the Naaf: I again told Captain Dunlop that *I thought otherwise*, but Captain Dunlop seemed fixed in this idea, it was then put to the *vote* by my instructions to Lieut. Platt; he first asked my opinion but *I refused*, telling him to give his *own* and *Captain Dunlop's first*, the word *admissible* or *inadmissible* was then put, Lieut. Platt and Captain Dunlop then gave according to their opinion so delivered, "*admissible*," to *every* Claimant that came before the Court at that Meeting, to which I of *course submitted* and gave mine, by which means I conceived myself overruled as stated in my letter of the 25th July last, though Gentlemen, you will remark that this assertion of being overruled is merely *inferential* in that letter, inasmuch as the sentence concludes with saying, "*I should think he must know better*," though the Prosecutor has left that *part of the sentence out* of the charge, and thereby made *my assertion* as to the *rejection* of the advice, *positive*; it is most true there was *very little discussion* on the subject for Captain Dunlop and Lieutenant Platt were *positive* in their opinion as to the *meaning* of the General Order granting Pensions, consequently *no further discussion could take place* beyond what I have stated, and this was all that passed on that day.

I now Mr. President and Gentlemen, proceed to the business relative to the 2nd Meeting which took place about the 9th June last, on that Morning the only thing that was done by the Committee was to *alter* the form of the Rolls agreeably to a new form furnished from Head Quarters of the Regiment, consequently *no claims appeared* on that day before the Committee, nor any *particular* discussion necessary.

I now Mr. President and Gentlemen, come to the 3rd Meeting which took place about 7th July last, when Lieut. Smith became a Member, owing to Lieut. Platt's being reported *sick*, for he reported *so* on the morning the *Committee sat*, and I believe *well again* the same day, and which now under all the circumstances of the case has a *suspicious appearance*, inasmuch as the circumstance produced another Evidence against me.

However to return to the subject, I regularly opened the Court by saying, that the relatives of men who died on the *Burmese* side of the *Naaf River*, were *alone* entitled to Pensions, when Lieut. Smith *instantly* or *simultaneously* seconded me in this remark, (and he may have looked at the papers at the same time, but I do not recollect that he did,) Captain Dunlop then took up the question and argued it to a considerable length with Lieut. Smith; during which, I several times said to him that there could be no doubt about it, that the Regimental Orders were short and concise, and that the General Orders though more detailed were equally as plain; Captain Dunlop several times said, but we must *adhere to the General Order*, which *includes all* those that died on their way from Arracan to Calcutta; these points were warmly argued between Captain Dunlop and Lieut. Smith, when I supported the latter Officer with a few words occasionally; but observing that Captain Dunlop still held his opinion,

*I sent for the General, Regimental, and Detachment Orderly Books, for the purpose of convincing Captain Dunlop of his error; some little time elapsed before the Books were brought, during which the conversation still continued regarding the Claimants, when I happened to mention to Lieut. Smith, that I thought five of the Rolls made out at the former sitting of the Committee would be returned, in which he concurred in opinion with me. When the General, Regimental, and Detachment Order Books came, they were read over to Captain Dunlop both by Lieut. Smith and myself two or three times and the particular part of it explained to Captain Dunlop, the meaning of which he had mistaken and disputed with Lieut. Smith and myself, but Captain Dunlop appeared to me to hold his opinion to the last, and concluded with these remarkable expressions, "Well then I do't understand it, and perhaps the Commander in Chief does not," speaking in a kind of careless manner; these expressions convinced me that he was not of the same opinion as Lieut. Smith and myself, relative to the meaning of the General Order for it was the meaning of the General Order only, that was disputed by Captain Dunlop and Lieut. Platt at the first Meeting.*

With respect to the fourth Meeting which was for the purpose of hearing a reprimand read that had been received from the Head Quarters of the Regiment; when the Committee met at my house on that day, to the best of my recollection the letter was read aloud, and when finished, I said, "Gentlemen this is your own fault, if you had taken my advice it would not have happened," Captain Dunlop and Lieut. Platt replied (I think nearly together) "say there was no discussion," but that was uttered more in the shape of advice than a disavowal of the fact, Lieut. Platt was evidently in a bad humour and which he was frequently in the habit of displaying on duty, but I did not threaten them with any complaint to Head Quarters, nor did they threaten me saying "you had better not," as Captain Dunlop has asserted.

I shall now, Gentlemen, proceed to comment on the Evidence for the Prosecution that has been given in Court relative to these circumstances.

The first Evidence produced by the Prosecutor is Lieut. Holmes who states that he sent my private note to Lieut. Smith, a very junior Officer in the Regiment under my Command, because he doubted the truth of its contents, and thus acknowledges himself guilty of a breach of moral obligation as well as an artful and bad disposition to a man to whom he outwardly professed a sincerity for, as is evident by all his Private communications on the subject before the Court, and which is certainly not very characteristic of the sincere friendship he professed, for if he was imprudent enough to form an intimacy with a person he disliked, he should never have been so unjust as to betray it, and I have to add that Lieut. Smith's reply to the said note, contained some very severe remarks upon my conduct, and was publicly sent to the Special Court of Inquiry by Lieut. Colonel Faithfull, and there produced against me, it also proves that a cautious and secret communication has been kept up against me, as well as his having detained in his possession fourteen days, and then shewed it to the Prosecutor, which was evidently not just or proper.

The second Evidence, Gentlemen, for the Prosecution is Captain Dunlop, who states that there was no reference whatever to the Orderly Books at the first Meeting of the Committee, nor did he even read them at that Meeting, now, Gentlemen, I am under the dire necessity of noticing to you, that Captain Dunlop has been guilty of gross inconsistency before this Court, for at the Special Court of Inquiry held at Bareilly, on this very business now before you, Captain Dunlop declared he did read the General, Regimental and Detachment Orders, and which has been proved by Lieut. Platt's Evidence on this occasion, but even, Gentlemen, agreeably to Captain Dunlop's own account now given of the words of the votes "admissible or inadmissible," being put to him by Lieut. Platt, it would most certainly have struck him that there was a great difference between the two kinds of Claimants, he now acknowledges that he did misunderstand the meaning of the General Order, and at the Court of Inquiry that it was only overlooked at the first Meeting, and Lieut. Platt's Evidence now proves that he not only read them, but even studied them at this first Meeting, and Lieut. Smith's Evidence also proves that he did mistake the meaning even at the third Meeting. Now, Gentlemen, as it is fully proved that he did read the Orders, and did mistake the meaning of them, from the reasons assigned by Lieut. Smith, "that he thought the General Orders had two interpretations: hence, Gentlemen, it is most evident that he thought the General Order superceded the

Regimental and Detachment one, as stated in my Public Letters on the 25th July last, for it is quite impossible, even for a child that can but just read to mistake the meaning of my *Detachment Order*, and as he *did* read that *Detachment Order* at the *first Meeting* it *fully* and *amply* corroborates my Statement contained in my letter, 25th July last. Vide page 44 and Remark No. 26:

With regard to the second Meeting of the Committee, Captain Dunlop is correct, there was nothing done but altering the Rolls, and very *little said*, for neither Captain Dunlop or Lieut. Platt was on *good terms* with me. With regard to the third Meeting of the Committee, Captain Dunlop has at *length* acknowledged, that the *instant* Lieut. Smith spoke as to the admission only of those men whose relations died on the Burmese side of the Naaf River *I agreed* with Lieut. Smith, although at the Court of Inquiry, he puts a *question* to Lieut. Smith, to know if it was *not after* I had read the *General Orders* that I agreed with Lieut. Smith *in opinion*, and which Lieut. Smith answered in the affirmative, and this *particular point now* acknowledged by Captain Dunlop, is *stated* in my Defence before the *Court of Inquiry*, and is another redeeming argument of my letter, 25th July last (before the Court.)

As to the fourth Meeting of the Committee, when the reprimand was read, I believe he sided with Lieut. Platt, as to telling me to say "there was no *discussion*," but this was in the *shape of advice* on the part of *both* of them, and to *conceal the business*, and I most solemnly declare that the long detail he has given of Lieut. Platt's reply is incorrect, nor does Lieut. Platt acknowledge it on *his oath*.

I now, Gentlemen, proceed to the third Evidence for the Prosecution, Lieut. Platt; this Gentleman flatly denies that any discussion ever took place, or that I ever gave my opinion whilst he was a Member, and *positively* and most *directly confutes* his brother Evidence, Captain Dunlop, not only on *this occasion*, but also in his *replies* at the Special Court of Inquiry, relative to Captain Dunlop's *reading* the Books of Orders on the subject of Claimants at the *first Meeting* of the Committee, Lieut. Platt acknowledges both at the Court of Inquiry and on *this occasion*, that he not only recorded the votes "*admissible*" or "*inadmissible*" (in doing which he must have first given *his own*) but *actually* put that question to Captain Dunlop and myself, hence, Gentlemen, is it not extraordinary that nothing as to the meaning of *those words* should strike him, even if according to his own assertions there was *no opinion* given, or discussion ever took place? And he also says that my assent was communicated by a "*silent nod*" of the head, I believe he may be *right* there, for I could do no otherwise after the *two Members* had decided on it.

I now, Gentlemen, proceed to that part of the Evidence of Lieut. Platt, wherein he states that he read the reprimand received from the Head Quarters of the Regiment, by my order, but as to my saying, "*what shall we do*" is incorrect, (and is as I have already stated in my account of that Meeting,) and I submit to the superior wisdom of this Court, if the reply he has *given on oath* does not bear favorable to my cause, and that it is *quite evident* by that reply there was a *discussion* at the first Meeting, or at least an *opinion delivered* by me.

The last Evidence for the Prosecution, Gentlemen, is, Lieut. Smith, this Officer positively and *directly confutes* his brother Evidence, Captain Dunlop, that, "there was a short discussion," during which *I said*, "let us send for the Order Books *and see*." The Books were then sent for, when I expressed my concurrence on *looking at them, but not before*," whilst Captain Dunlop says that I *instantly* agreed with Lieut. Smith (*before the Books came*) as to the proper Claimants to be *admitted*, and that nothing *more* was said by any of the *Committee* beyond what *he has stated* on his oath to this Court. However, Gentlemen, the Proceedings of the *Court of Inquiry* would shew to the contrary, and which I trust, Gentlemen, may be considered a substantial proof of the discrepancy and inconsistency of *the Evidence* given against me before this Court.

This Gentlemen, is all the comment my humble abilities can bestow on the Evidence for the Prosecution that has been given against me by Captain Dunlop, Lieuts. Holmes, Platt, and Smith; and I need hardly remark to you, Gentlemen, that the oath of a man is little to be regarded, *if before* he is bound by it, he does not shrink from *uttering* an untruth, out of regard to his honor, before a Public Court of Inquiry, which produced a Court Martial, on a brother Soldier, whom they had no reason to complain of, *except* that he was *obliged* to be a little *strict*

with them to keep them to their duty, which they were well inclined on all occasions to neglect, and whose *lenity* and forbearance towards them has been acknowledged out of the *mouth of the Prosecutor*, and who has also declared to his Adjutant, Lieut Holmes, that I am a person "that would not be guilty of an injustice to any one." The proof of this assertion is *forthcoming*, Gentlemen, in its proper place. In their written complaints these very Gentlemen kept up a shew of apparent truth against me, from *mutual* communication, and have appealed to each other, to attest to their assertions with a *triumphant security*, as if nothing could be true that could not be proved by themselves, but when summoned before a just, honorable, and impartial Tribunal, and divided from each other, they find themselves no longer able to hold their ground.

I will now, Gentlemen, proceed to give you every explanation in my power regarding the Papers and Documents before the Court produced by the Prosecutor in the first place. Gentlemen, I beg leave to point out to you the cause of my addressing my note of the 10th of July last to Lieut. and Adjutant Holmes, *some days before* Captain Dunlop sent in his reference of the 22nd July last against me. The object of that note was to elicit from Lieut. Holmes a reply that I could shew to Captain Dunlop and Lieut. Platt, whenever the Committee (which was a standing one) might meet again for the admission of Claimants, as Lieut. Smith was only a temporary Member, and that those two Officers might be convinced of the meaning of the General Order from the *opinion of others*, and particularly as Lieut. Platt seemed to wish to *obtain Captain Wight's opinion*, at the sitting of the Committee the first time; in that note I mentioned that the Committee "doubted" I should have said "differed in opinion," because they did *differ on both those occasions*, and in my Public Letter of the 27th July last the *proper word* is used, but a person is not always guarded in *using words* when he writes a private note in a *hurry* as that one evidently is, you will further remark, Gentlemen, that it is written *after the Meeting of the Committee* at which Lieut. Smith was present, and they even acknowledge in *their way* that I knew *the intent of the General Order*, so that it was merely to satisfy Captain Dunlop and Lieut Platt, for I did not think that Captain Dunlop was satisfied at the 3rd Meeting.

Vide page 27.

But, Gentlemen, I will return to Captain Dunlop's letter of the 22nd July last, which gave *birth* to the matter now before the Court, together with the private notes to Lieut. and Adjutant Holmes, and which *private notes* were written in a *careless and confidential* manner, and at a time when neither myself or any of the party concerned could have had the most distant idea that this business would have ever become a subject of public investigation, consequently no *evil motives* could possibly accompany those communications. With regard to my note of the 16th July last, alluded to in my public letter of the 2nd September following, the contents of that note was merely stated at a guess. I *afterwards* wrote to Lieut. Holmes for a Copy of it\* (as I did not keep Copies of *private correspondence*) and I thought it had been a much earlier communication, or that I had written one prior to it. I was also misled in this idea by a note from Holmes.\*

\* Vide No. 4 page 46.

\* Vide Extract No. 10, page 23.

I shall now, Gentlemen, account to you for not having made any report of being overruled by the Committee to the Head Quarters of the Regiment; in the first place, Gentlemen, I never was to the best of my recollection on a Committee before where the Members differed, and I have always understood that any two of a Committee *could* carry it against a *third*, and in my letter 16th July, last named in the second count of the charge, it is *only mentioned* to that extent, though I certainly *did think* that there was some little obstinacy on the part of Captain Dunlop and Lieut. Platt, but it was not so much to communicate *the matter* of the Committee to the Prosecutor, as to express to him through the Adjutant *my anxiety*, that *any censure* should fall on him from what had happened at the Committee, from the difference of opinion of Captain Dunlop and Lieut. Platt, and on such occasions I was *never aware* that any particular report was required, and it did not strike me at the time to make any, but Gentlemen, it is very *remarkable* that the Prosecutor should make this a *serious* charge against me, *when he* forwarded *those very* reports, bearing his *own* counter-signature *with all their inaccuracy* to Head Quarters of His Excellency the Commander in Chief, from *whence* they were returned, as I thought they would be. In fact, if I had had a proper steady person for a

\* Vide Lieut. Holmes's letter No. 2, page 46.

Staff under me to have assisted me properly in my duty, as Commanding Officer of the Wing, nothing of this kind would have happened, and of course I should not be here in the humiliating light of a Prisoner. The Prosecutor *well knew* Lieut. Platt was not fitted for the situation and responsibility that was attached to his office as Adjutant of the Wing, and which fact is fully corroborated by Extracts of Letters from his own Adjutant, Lieut. Holmes;\* and in which, I am also exonerated from the very charges given against me by himself in the latter part of the second Count, namely, being "*malicious and dishonourable.*" Permit me to read you those \*Extracts, Gentlemen. But Gentlemen, I must return to the latter part of the second Count of the Charges, and which is *entirely inferential*; where is there any thing *malicious or dishonourable* in my note of the 16th July last? It can only exist in the *imagination* of the Prosecutor, who has cut off in the charge, the chief part of the sentence that was *intended for his information*; namely, that I sincerely hoped he might *not be reprimanded* were those *malicious or dishonourable* expressions? I should conceive, Gentlemen, you would think the contrary; and *even* in my letter of the 25th July last, the Prosecutor has again *curtailed* the concluding part of the sentence from which he *extracted* the charge which would also relieve me from the stigma of being "*malicious and dishonourable*" had it been inserted, and as to *exonerating* myself from any *supposed* blame there is *no such* request contained in *any of my letters*: the reprimand was to the *Committee* and not to *me singly*; for when any two Members of a Committee make a mistake, the *third* one must of course suffer any censure that might be attached to that mistake, without the possibility of escaping, and the circumstance was merely stated in my letter of the 25th July last, as an inference of *bad disposition* towards me. It is *really* Gentlemen, most difficult to defend charges of this nature that have no *direct* bearing. I have proved by the Extracts of Lieut. and Adjutant Holmes's Letters, in which the *acknowledgements* of the Prosecutor are contained, that I have shewn *forbearance and lenity* to particular Officers of the Wing under my Command. How then, Gentlemen, can the Prosecutor *associate* these circumstances with the *Charges* he has given against me of being *mean and malicious*, I have known the Prosecutor for this twenty years past, and until this occasion, Gentlemen, I never had during the whole of *that period* the least public or private difference with him. I well know that he is subject to strong passions and prejudices, and they must have prevailed him in a very great degree when he wrote his letters of *8th and 10th of September* last, and which has been the *main spring* that has set all this machinery in motion against me; it was certainly not *altogether fair* so suddenly to forget so old an acquaintance. In these said letters of the 8th and 10th September last, he talks of my having *compromised* the honor of the Corps, but Gentlemen, do my *past services* shew that I have ever been guilty of such a thing; I trust I shall fully prove to you that it *never has been the case*, and I hope it never will be; and allow me in reply, to read you a short Extract from a Letter from Major General Sir J. Arnold, K. C. B.\*, also a paper from Major General Sir Thomas Reynell, K. C. E.\*

I had the honor Gentlemen to officiate as Major of Brigade; to Major General Sir John Arnold, K. C. B. when he was Brigadier, Commanding in Rohilcund, in the year 1819; and when I quitted that office, Sir John Arnold expressed his public thanks to me for my exertions and attention to the duties of Rohilcund. Major General Sir Thomas Reynell, K. C. B. has remarked that I commanded a *Grenadier Company* at the assault of Bhurtpoor, and I had Gentlemen, *Commanded one* ever since the year 1819, when present with the Regiment, which Sir John Arnold's letter plainly shews. But on the 2nd November last, (*since the commencement* of this business now before you,) the Prosecutor has (*contrary to the regulations of the Service*) deprived me of a *Grenadier Company*; and given the one I held to Captain Dunlop, an Officer five years later in the Service than myself, which, Gentlemen, is not very fair, nor would the Prosecutor have *liked it himself*, when he was the senior Captain of the Regiment as I am now.

I arrived, Gentlemen, in the Country, in 1804, and I had the honor to serve with the Grand Army under His Excellency the late Lord Lake, in the arduous Campaign of 1805. In 1805 and 6, I served with the Forces assembled under General Ball, in pursuit of the Mahrattah Army. In 1809, I served with the Forces assembled in Boondlecund, under General

Sir Gabriel Martindell, when I was present at the Siege of Adgee Ghur, and on that occasion I Commanded and led on a party from my Regiment to the Assault of the outworks of that place, which we carried with the Bayonet. In the year 1815, I served with the Forces assembled under Major General Sir Jasper Nicholls, K. C. B. for the reduction of the Province of Kumban and Almorah, and on the occasion of the brilliant Assault of the Fortified Heights of that place, I received the thanks of that distinguished General, in Public Orders, as also the approbation of His Excellency the late Most Noble the Marquis of Hastings; and Major General Sir Thomas Reynell, K. C. B. has done me the honor to say, that during the Siege and Assault of Burtpoor I did my Duty as a *zealous* and good *Officer*. Do these past Services, Gentlemen, wear the appearance of my having *compromised* the *honor* of the *Corps* as stated in the Prosecutor's letters of the 8th and 10th September last.

It has too, been *ingeniously* circulated by the parties, Gentlemen, that I have shewn an unconciliatory disposition towards my Accusers, whilst in command at Moradabad, but I can assure you, Gentlemen, that I never had the *least difference* of a private nature with any of them. Everything that has happened in the *shape* of *difference* has related to Duty, I have been dragged by them into long and *litigious* correspondences containing *frivolous complaints* against me, and in consequence I was removed from the Command at Moradabad, obliged to quit a comfortable and *expensive dwelling*, and to sell my property for whatever I could get for it, to prepare myself to proceed to Almorah, where it was not *transportable*, and which circumstance incurred to me a loss of about five thousand Rupees.

But, Gentlemen, I will return to the matter now before the Court, how is it possible that I could from the *privacy* of the case *prove more* than I have done in these papers, to shew my innocence of the foul crime with which I am accused, and that too on so *trivial an occasion*. Falsehood, Gentlemen, is generally connected with *cowardice* and a *timid dishonest* heart, and which does not answer the description given of *me* by my *superiors on all occasions*? But how, Gentlemen, is it *possible* for me to make any further reply to such Charges. Every point of my character that has been attacked is boldly met by some *opposing truth*, and every thing I have said and done throughout this business, has been constant and uniform in all its connections with truth: whereas there is a *monstrous inconsistency* throughout the Evidence that has been given before this Court, and which Evidence you will do me the favor to bear in mind, Gentlemen, ought to accord *with that* given at the Court of Inquiry, and which *it does not*. This circumstance alone, Gentlemen, I humbly conceive ought fully to acquit me, independent of the strong and powerful proofs I have given you of my general character and conduct as an Officer and a Gentleman.

It is some times a happy thing, Gentlemen, for the innocent, that the corruptions of the heart are strangely blended with the confusions of the mind; we owe it to the bounty of Providence, and happy indeed it is for me in the present case, that I have found some resource in the weakness of the understanding of my Accusers, who whilst they assert there was *no opinion* delivered by me at the first Meeting of the Committee, they can give no account of the circumstance consistent with the *integrity* of *fair argument*. In fact, Gentlemen, notwithstanding their numbers, they are worse off than I am who have only the *evidence* of the *senses* to appeal to, and have shewn themselves far less able to support their accusation against me, than I have been to uphold in the *strongest* and *most vivid colors* my conduct and character, and innocence of the heavy crime alleged against me; and you may have observed, Gentlemen, that I have had no person to assist me throughout this business, nor have I asked any one to do it. I have solely confided to the inward consciousness of my innocence. At the same time, Gentlemen, whatever passages in my defence may appear to *you obscure*, from the want of ability to render them *otherwise*, I most humbly solicit you to question me in any way you please, as to their accuracy, and I trust that the cloud the Prosecutor has raised over my head will be dispelled by your calm and dispassionate view and judgement of the case, and my character rendered even brighter than before. I well know, Gentlemen, you will weigh all the circumstances set forth in my defence; the long course of years I have served with honor to myself, and credit to the Service; and also reflect how deeply a circumstance of this nature might effect the prospects of a man who is conscious of having both virtually and in effect ever

done his duty, and ever acted for the good of the Service: and on no occasion have I *swerved* from the principles of honor, and which is even acknowledged by my superiors. And you will I am confident, Gentlemen, take into your serious consideration the vast difference between the Evidence given before *this Court* and that given at the Court of Inquiry, and from these and other circumstances I have adduced in my Defence, I trust the Court will consider the Charges totally unsubstantiated.

In conclusion, I have to add, Gentlemen, that I have the fullest confidence in your judgment and experience in the Service. I return you my best thanks for the patient hearing you have given me. I place my honor in your hands; and in thorough consciousness of my innocence of the heavy Charges brought forward against me by the Prosecutor, I submit my case to your impartial consideration and decision, and trust my hitherto unsullied reputation, to your Honorable Verdict.

G. B. P. FIELD,  
Captain,  
23rd Regiment, N. Y.



(N)  
 Copy of a Letter to Lieut. Colonel Finch, C. B. Military Secretary, forwarding the following  
 Memorial for the perusal of His Excellency the Commander in Chief,  
 Meerut, 7th February, 1828.

SIR, In doing myself the honor to forward to you the enclosed short Memorial for the perusal and consideration of His Excellency the Right Honorable the Commander in Chief, allow me to entreat the favor of your kind aid in laying the same before his Excellency: and in apologizing for this intrusion, I humbly beg leave to say that I am at present distant from my Corps, and my anxiety to bring the circumstances contained in the said Memorial as early as possible to His Excellency's notice and humane consideration, together with the agitation of mind I labour under from my unfortunate situation, will I trust plead my pardon for the liberty I have taken in forwarding these papers to you.

I have the honor to be,

SIR,

Your most obedient Servant,  
 G. B. P. FIELD.

To Lieut. Colonel Finch,  
 &c. &c. &c.  
 Military Secretary.

To His Excellency the Right Honorable Lord Combermere, &c. &c. &c. Commander in Chief  
 of his Majesty's and the Honorable Company's Forces in India.

The humble Memorial of Captain G. B. P. Field, of the 23rd Regiment, N. I.

SHEWETH,

That your Memorialist has served the Honorable Company twenty-four years, and has during that period zealously and to the best of his abilities devoted his life to the faithful and *honorable discharge* of every duty required in his professional capacity; and not only made himself proficient in Military tactic, but actually attained a knowledge of other abstruse Military Science, which has been *noticed and recorded* by his *superiors*.

That he has been engaged in several of the most arduous Campaigns and dangerous Services that has occurred from the period of the Mahrattah War in 1805, under the late Lord Lake, down to the present time.

That on some of these occasions his conduct has been noticed and recorded by the *highest authority*, as also by General Officers of great celebrity, and he has been honored with their *public thanks* for his exertions on such occasions.

That during most part of the period your Memorialist commanded at Moradabad, he had the good fortune to *give satisfaction* to his present Commanding Officer, Lieut.-Colonel Faithfull, and has been on very intimate and friendly terms with him for about twenty years past, and which is manifest by innumerable letters in your Memorialist's possession until the month of August last, when the Lieut.-Colonel suddenly forgot *all former acquaintance* with him, and became prejudiced against him, owing *he believes* to Captain Dunlop having forwarded several letters against your Memorialist, containing the most frivolous complaints against him on trifling points of duty, and which were pronounced *to be frivolous* and unsubstantial by Major General Sir Thomas Reynell, K. C. B. Commanding the Division; one of which dated the 22nd July, (after every endeavour to induce Captain Dunlop to withdraw it) was forwarded by your Memorialist as Commanding the Wing of the 23rd Regiment, to Lieut.-Colonel Faithfull Commanding the Regiment; accompanied by a letter dated the 25th July last, in which your Memorialist was compelled to state the constant difficulty, vexation and trouble he had with Captain Dunlop on duty: and accidentally mentioned the circumstance of the Committee in the said Letter, and which Captain Dunlop *immediately denied*, and thus occasioned your Memorialist's Trial by Court Martial.

That Captain Dunlop, Lieut. and Adjutant Platt, (and others of the Wing of the Corps,) had kept up a *systematical resistance* against your Memorialist, during his Command at Moradabad, and in the course of their complaints against him, always appealed to each other to support their accusations, well knowing that at a small out-post like Moradabad, where there was only five or six Officers present at *any* period, (and sometimes only half that number) that their conduct could not be *witnessed* by any *but themselves*; and that your Memorialist was in consequence a *virtually isolated* man whilst on duty with them; and without the help of any *living Evidence* to support and defend himself against their accusations; and that he had nothing *but written documents* and *his own statements* to depend on, regarding such matters.

Your Memorialist humbly sheweth that such was his unfortunate case at his late Trial, and that *no European*, or Person was in the room that could *speak English*, or give any account of the *first meeting* of the Committee, but the *two Members, Captain Dunlop and Lieut. Platt*, except your Memorialist's family, who are of course debarred by law from giving any evidence *for or against* the matter in question.

Your Memorialist also prays leave to observe to your Excellency, that had these two Officers been in the habit of obeying your Memorialist on duty, (which *they had not*, as is evident by many of your Memorialist's Detachment Orders *hereunto* annexed,) that they would have been guided by his Detachment Order, which pointed out in few words *the duty they had to perform*, and which had been read and referred to by Captain Dunlop, and Lieut. Platt, at the first Meeting of the Committee, and that it was *quite impossible* to misunderstand the *meaning of that order*, as Captain Dunlop has *erroneously stated*, (and which independent of your Memorialist having advised them to adhere to it) of *itself* shews the *opposition* complained of in your Memorialist's letter of the 25th July last, on which the charge exhibited *against him is founded* by Lieut.-Colonel Faithfull, and which was considered at the time the said Letter was *written* in the *light of opposition* by your Memorialist.

Your Memorialist also humbly sheweth, no Officer in Command of a small outpost like Moradabad, could possibly escape from such *unfair and ungenerous practices* on the part of the *senior Officer* and his *Staff* under his Command, as well as others concerned, who of course *must constantly* come to his house on duty, and had therefore the opportunity of doing and saying what they pleased, without being the least liable to *detection*, and which *no man so situated* could possibly stand against.

Your Memorialist also humbly begs leave to observe that Lieuts. Holmes and Smith, two of the witnesses against him at the Court Martial, had kept up an *outward show of sincerity* towards him in their *correspondence* and communications, at the very time they were *handing* and passing his private letters about from one to another, many of which were written in unguarded and unsuspecting moments by your Memorialist, and some of these very letters have since been *produced* by the *party* and others concerned against him, and one of them in particular, 16th July last, actually framed the *chief part* of the *Charge* against your Memorialist at his late Trial; and yet notwithstanding all this *care* and *labour* on their part to *criminate* and *convict* your Memorialist, the Evidence given at the said Trial was of an inconsistent and *contradictory nature*, and widely differed from that *given* at the Special Court of Inquiry held at Bareilly, to investigate the said matter.

Your Memorialist also regrets to state, that *since the matter* that produced his Trial was brought before the Court of Inquiry at Bareilly, his immediate Commanding Officer, Lieut.-Colonel Faithfull, became so extremely *prejudiced against him* from the reports of Captain Dunlop and others under him; that during the *short period* your Memorialist was *absent* from his Command at Moradabad to attend the Court of Inquiry at Bareilly, to investigate the said matter, that Lieut.-Colonel Faithfull actually wrote a \*Public Letter, dated the 7th of October last, to Major Wallington of the 37th Regiment, who was sent to that Station to Command during the *temporary absence* of your Memorialist, to question the *veracity* of your Memorialist relative to a Havildar of the Left Grenadiers of the Corps; for your Memorialist humbly conceives that from the tenor of the Lieut.-Colonel's Letter it *could* be for no other purpose, notwithstanding your Memorialist had *furnished* the Lieut.-Colonel with a *demi-*

\* Vido Lieut. and Adjut. Holmes's letter 7th October last, by direction Lieut. Col. Faithfull, marked O and P, p. 77, 78.

\* Vide Extract of Lieut. Col. Faithfull's letters, No. 1, page 90. Vide Q and R, page 88, 89.

official statement of the case in the month of July last, agreeably to *his own orders*,\* contained in a letter dated the 10th of that month, and that *such Public Letter* actually questioned the point your Memorialist had explained in that demi-official statement as is manifest by the documents annexed, and with which the Lieut.-Colonel was satisfied at the time, and ultimately found it to be correct from the result of his enquiries through Major Wallington. Nevertheless your Memorialist humbly submits to your Lordship's indulgent consideration, that *such a measure* of the Lieut.-Colonel's exposed him to *great hardship* during the course of his Command, inasmuch as he required not only to be uncommonly exact and particular in his private and public communications, but *actually* to have *witnesses* to the *most trifling* matters of Duty he performed, during the Course of his Command, and which was often *impracticable* for him to do, situated as he was; he also further begs leave to state to your Lordship, that it was from *mere accident* that he came to a knowledge of the above circumstances, it having been mentioned to him in the course of casual *conversation* by Major Wallington, on your Memorialist's return to the Command of the Station, from the Court of Inquiry held at Bareilly.

Vide letter T page 91.

Your Memorialist further begs leave to state, that on the arrival of the Left Wing of his Regiment at Moradabad, from Bhurtpoor, in the month of March 1826, that he received positive instructions to *drill* them *thoroughly* in the new *Torren's Exercise*, of which they had at that time very little knowledge of; and *which orders* he set about to carry into effect with genuine zeal for the Service: that in consequence of *such orders* it was necessary to have *them out four times* a week for regular *drill* and *exercise*, besides other Parades. This circumstance of *hard drill alone* gave disgust to *many of the Officers* of the Detachment, and which he humbly conceives is manifest by *their constant attempt to neglect such duty* exhibited in *several* of your Memorialist's Detachment Orders hereunto annexed.\* Yet, notwithstanding this want of cordial *co-operation* on the part of the Officers under him, in the short space of eight months by his personal exertions he brought the *said Wing* of the Regiment into an *excellent* train of discipline and good order, and which was particularly noticed by Major General Sir Thomas Reynell, K. C. B. Commanding the Division, on his inspection of the Troops at Moradabad, in November 1826, and who on that occasion asked him if they could perform a particular *manœuvre* in *Torren's*; to which he respectfully replied they could go through any movement in *Torren's* he might do him the honor to call for. The Major General then called for *several* movements, all of which were promptly performed to his satisfaction.

\* Vide letter U page 92.

Your Memorialist also begs leave to state, that even so far back as the year \*1815, he was selected by Lieut.-Colonel Faithfull, to drill the Recruits of the Regiment, as is manifest by a document hereunto annexed; which he humbly hopes may furnish some idea of his abilities and acquirements as an Officer.

That your Memorialist humbly conceives the documents annexed to this Memorial, as well as those that accompanied his defence, fully establish the motives for the strong prejudice and bias of the Witnesses against him at this Court Martial, and he cannot *sufficiently* regret the circumstances of their having *so apparently influenced* the mind of Lieut. Colonel Faithfull against him, who had acknowledged in a demi-official Letter, through Lieut. and Adjutant Holmes, (during his Command at Moradabad,) that your Memorialist *was* a "person that would not be guilty of an *injustice* to any one," and in the said Letter vested him with the full power to act as he pleased relative to the management of *some Officers under him*, who had not behaved *quite correctly*. The Lieut. Colonel had also declared his opinion in some of those demi-official Letters that your Memorialist *had* shewn great *lenity* and forbearance to some of the Gentlemen under him, particularly to Lieut. Platt, and *even threatened* to act severely by that Officer, in the *event* of your Memorialist making any *public complaint* against him, which from motives of lenity and knowing the Colonel's *intentions* he did not do; yet notwithstanding this forbearance towards Lieut. Platt. he was one of the chief Witnesses against your Memorialist at the Court Martial.

Your Memorialist also begs leave to state that the above good opinion of the Lieut. Col. relative to your Memorialist's *conduct whilst in Command* at Moradabad, was the result of about twenty years knowledge and intimate acquaintance with him, and that during the whole of which period he *never* had the *least private* or *public difference* with the Lieut. Colonel,

Under these circumstances he humbly trusts that such *good opinion* delivered by the Lieut. Colonel, may *fairly* be considered as a *satisfactory* testimony of his conduct and character for *twenty years* past, and that such *expression of good conduct* and character together with the good opinion expressed by three consecutive General Officers of celebrity, whom he has had the honor to serve under, namely, Major General Sir John Arnold, K. C. B., Major General Sir Jasper Nicolls, K. C. B., and Major General Sir Thomas Reynell, K. C. B., will constitute a fair shield to rebut the Evidence given against him at his late Trial, by Witnesses whose minds were tinctured with prejudice, and biassed by *animosity* towards your *Memorialist*.

Your Memorialist had also obtained the good opinion of several Field Officers of distinction in the Army, during the course of his *long and faithful Services*, but who unfortunately for him at this period, are either dead or absent from the Country.

Your Memorialist also humbly begs leave to submit to your Lordship's indulgent consideration, that he could not consistent with the *Court's injunction* have introduced all these circumstances into his Defence at the said Trial, as they would have been considered *irrelevant* by the Court, nevertheless your Memorialist humbly conceives they expose *the motives and manner* in which he has been accused, as well as demonstrate the motives by which he has been actuated for the good of the Service, during the period he Commanded at Moradabad.

In conclusion, your Memorialist humbly prays your Lordship will take his painful and distressing case into humane consideration, the embarrassment and anxiety of mind he has undergone since the month of July last, is inexpressible, owing to your Memorialist's fears that his character and prospects in life might be considerably injured from the late *unforseen* calamities that have befallen him, and which he humbly trusts your Lordship's humanity and kind consideration of his long and faithful Services will *avert*, as he has a wife and family to support, and nothing but the Service to depend on to provide for them, and that the hard labor of twenty-four years, and the fair fame he had obtained during that period may not be overcast, by a *circumstance* which your Memorialist humbly conceives originated out of the most trifling matter, and grew up into magnitude, solely from misrepresentation, and your Memorialist as in duty bound shall ever Pray.

(O)

No. 1.

The following Letters and Documents relate to the subject of the Havildar Takoor Pursaud, alluded to in the foregoing Memorial.

Almorah, 7th October, 1827,

SIR,

I am desired by Lieut. Colonel Faithfull, Commanding the 23rd Regiment, N. I. to request that you will report to me for *his* information, the name of the present Pay Havildar of the second Grenadier Company of the Wing under your Charge, also that you be *kind enough to enquire if* Takorr Ram who held that situation on the return of the Company from Arracan, *ever* made application to *Captain Field* to be *continued* in the appointment when the Supplementary Company was disbanded.

I have the honor to be,

SIR,

Your most obedient Servant,

J. HOLMES, Lieut.

To Major Wallington,  
In charge of the Left Wing, 23rd Regiment, N. I.  
Moradabad.

A True Copy received from Major Wallington, 28th October, 1827.

G. B. P. FIELD, Captain,  
Commanding Left Wing, 23rd Regiment.

\*This was to question my private Statement furnished to Lieut. Colonel Faithfull by his own order.

(P)

No. 2.

Moradabad, 11th October, 1827.

SIR,

I have to acknowledge the receipt of your letter of the 7th instant, and in reply beg leave to acquaint you, for the information of Lieut. Colonel Faithfull, Commanding the 25th Regiment, N. I. that the name of the present Pay Havildar of the second Grenadier Company of the Wing under my Charge, is Gungur Bissun, Sepoy, but he is on leave of absence and will not return till the end of the month.

The Sepoy now acting as Pay Havildar is Sooj Bullee.

Takoor Sing the former Pay Havildar is also on leave of absence and will not return till the end of the month.

With regard to the information required by the Lieut. Colonel, whether Takoor Sing who held that situation on the return of the Company from Arracan, ever made application to Captain Field to be continued in the appointment, when the supplementary Company was disbanded; in the absence of that individual, the only information I have been able to obtain is, from Kenoo Sing Naick of the fifth Company, who was at the time of Thakoor Sing's return, performing the Duties of Havildar Major to the Wing, and he heard Gungur Bissun say "that he had taken Thakoor Sing to Captain Field, who informed him that the Company to which he was attached as Pay Havildar had been disbanded."

I have the honor to be,

SIR,

Your most obedient Servant,

E. P. G. WALLINGTON, Major,  
In charge of the Left Wing, 23rd Regiment.

To Lieut. Holmes,  
Adjutant, 23rd Regiment,  
Almorah.

(Signed)

A True Copy.  
(Signed)

G. WALLINGTON, Major,  
37th Regiment, N. I.

Remark.—Having on my return to my Command at Moradabad, from the Special Court of Inquiry, held at Bareilly on the foregoing matter, in the month of October, 1827, accidentally learnt from Major Wallington, that Lieut. Colonel Faithfull had been making the above enquiries during my absence, I immediately discovered that the object of such communication was to question my veracity regarding the private Statement I had furnished him with in the month of July preceding, agreeably to his own directions, and that it was done apparently with a view to add fresh Charges to those he had already given in against me, for falsehood and mistatements, and in consequence I instantly directed the following investigation.

(Q)

Statement relative to Takoor Pursaud, Pay Havildar of the old Left Grenadier Company, 23rd Regiment, not being appointed to the supplementary Grenadier Company, 23rd Regiment, which had been denominated the Left Grenadier Company of the Regiment, agreeably to Regimental Orders of the 24th August, 1826, taken by order of Captain Field, Commanding Left Wing, 23rd Regiment.

Moradabad, 24th October, 1827.

Questions by Captain Field to Takoor Pursaud.

Q. Did you ever say to Soobedar Ghussawun Sing, that you wished to be appointed to Gunga Bissun's situation?

A. No, I never did.

Q. Did you ever say to me that you wished to be appointed to Gunga Bissun's situation.

A. No, I never did.

Q. Did you ever make any written communication to Almora of any kind, complaining that you had not been appointed Pay Havildar, to the 2nd Grenadier Company?

A. No, I never did.

Question by Captain Field to Ghussawun Sing Soobedar.

Q. Did Takoor Pursaud, Pay Havildar of the late 2nd Grenadier Company ever complain to you that he had not been appointed to the new Grenadier Company (formerly the supplementary Grenadier Company?)

A. No, he never did.

Question by Captain Field to Gunga Bessun, late Pay Havildar, Supplementary Grenadier Company.

Q. Did Takoor Pursaud Havildar ever complain to you that he wished to obtain your situation.

A. No, he never did.

By order of Captain Field,  
(Signed) JOHN PLATT, Lieut.

Adjutant, Left Wing, 23rd Regiment, N. I.

In presence of Soobedar Setul, Pursaud, and Bubeechun Sing Jemedar, and signed by them in Hindoo characters.

Remark.—On my return from the Court Martial in the month of February 1828, as I passed through Moradabad; the *Sepoys of my Grenadier Company*, also *Native Officers and others* belonging to the Wing of the Regiment crowded round my tent, and told me that Lieut.-Colonel Faithfull on his return to Almorah, through Moradabad, had sent for Takoor Pursaud, *abused him*, and *turned him out of his situation* as Pay Havildar, (*notwithstanding the fine character he had given him in his private letter to me of the 10th July, 1827.*) in consequence of his Evidence being *favorable to me* at the above Inquiry, and which from other undeniable proofs *I know that Lieut.-Colonel Faithfull did do so.*

This circumstance happened *after* the Memorial to his Excellency the Commander in Chief had been forwarded.

G. B. P. FIELD.

(R)

Explanation of Takoor Pursaud, (alias Takoor Rams Case.) By Captain Field.

During my temporary absence on Duty to attend the Court of Inquiry at Bareilly, from the 3rd to the 17th October last, Lieut.-Colonel Faithfull addressed a letter to Major Wallington of the 37th Regiment, N. I. who was sent to Command there until I returned, for the *apparent* purpose of inquiring into my conduct, through the medium of Sooraj Bullee, Sepoy, and others, acting Pay Havildar of the Second Grenadier Company, relative to Havildar Takoor Pursaud of the old Left Grenadier Company, *not* being appointed to the situation of Pay Havildar in the Supplementary Grenadier Company, which *had been denominated* the left Grenadiers of the Regiment, agreeably to Regimental Orders of the 24th August 1826, (a copy of which is hereunto annexed,) and which letter of the Lieut.-Colonel's was accidentally read to me by Major Wallington, on my return to the Command at Moradabad; the purport of which appeared to me to elicit through the before named channel, "*if Havildar Takoor Pursaud had ever applied to me to be continued in the situation of Pay Havildar, in the new Grenadier Company.*" Although Lieut. Colonel Faithfull was assured by me he had *not* in a *demi-official statement* written by me to him agreeably to his own Orders, contained in a *demi-official letter* from the Lieut.-Colonel, bearing date the 10th July last; consequently I humbly conceive the Lieut.-Colonel *doubted* my word of Honor, and sought to convict me of an untruth through the foregoing medium, and which the above statement, publicly taken by the Adjutant of the Wing in my presence, will entirely remove even the *shadow* of a *doubt* from the mind of all high and impartial authority.

It may be proper with a view to prevent any misrepresentation of my conduct regarding Havildar Takoor Pursaud, Pay writer of the old Grenadier Company not being appointed to that situation in the new one, to state that the old Grenadier Company had been disbanded by Regimental Orders of the 24th August 1826, and the Supplementary Grenadier denominated the Left Grenadiers of the Regiment, I therefore considered the appointment of Takoor Pursaud abolished by Lieut. Colonel Faithfull's orders, and had the Lieut. Colonel at any period previously, expressed a wish that the said Havildar should have superseded the one of the *new*

*Grenadier Company*, (who had been appointed as far as I can ascertain a long time back by Lieut. Colonel Fagan and Captain Moule) Lieut. Colonel Faithfull's wishes should have been instantly met by me, and which I had already communicated to the Lieut. Colonel in my demi-official statement, furnished by his Orders in July last, and did not consider myself authorized to abolish *any appointment* in the New Grenadier Company without the Lieut. Colonel's orders, though had Takoor Pursaud, Havildar of the *Old Grenadier Company* made a regular and formal Complaint to me of his not being appointed to the situation of Pay Havildar in the New Grenadier Company, all that I could have done, would have been to have forwarded it to the Lieut. Colonel for his decision.

I have further to state that the Lieut. Colonel had appeared to me satisfied with the Statement I had furnished him with, *until the Court of Inquiry* took place at Bareilly, when I was *called* to answer to other matters of Charge preferred against me, when the Lieut. Colonel had recourse to the above measure, and which I humbly conceive was a very severe one, and had never before been exposed to such a measure, since I have been in the Service, and do not even now urge it as a complaint against Lieut. Colonel Faithfull, but with a hope that *similar inquiries* into my conduct on such *trifling of Duty* may not happen again.

G. B. P. FIELD, Captain,  
23rd Regiment, N. I.

Meerut, 8th February, 1828.

(S)

No. 1.

Extract of Lieut. Colonel Faithfull's demi-official Letter to me, relative to Takoor Pursaud, dated 10th July, 1827.

My dear Field,

" I have been sorry to learn that Takoor Pursaud who was the writer of the  
" Old Left Grenadiers, which lately returned from Arracan, has been superseded by the man of  
" the Supernumerary Grenadier Company, you have of course had good reasons for the appoint-  
" ment of the latter, and I *write this privately to know*, as from my knowledge of the former  
" since 1819, I have *ever* considered him a *steady well behaved* man, and when you consider  
" the number of years he has filled the situation, had he no claim more than going to the  
" eastward, that alone should have been sufficient, therefore if there be nothing against his  
" character, you will I am sure see the propriety as well as justice, in re-appointing him.

Yours very sincerely,

W. C. FAITHFULL.

Remark.—It is quite clear and evident that the Lieut. Colonel had (when he wrote the above letter to me) *totally* forgot the tenor of his Regimental Order, dated Almorah, 24th August, 1826. A Copy of which Order is as follows:

No. 2.

Extract of Regimental Orders, dated Almorah, 24th August, 1826.

The 1st Grenadier Battalion having been broken up, to which the Left Grenadiers were attached, the *Supplementary* will be *denominated* the Left or 2nd Grenadiers, from the 1st instant, all in excess to be borne on the Rolls as *Supernumeraries*.

In my demi-official letter to the Lieut. Colonel in reply to *his dated the 10th July, 1827*, I stated that the Havildar, Takoor Pursaud, had never *complained* to me or *told* me that he *wished* to be appointed *Pay* Havildar to the *New Grenadier Company* formed out of the *Supplementary* one, agreeably to the above Order, and which is the *very point questioned* by Lieut. Colonel Faithfull in his letter to Major Wallington through Lieut. Holmes, the Lieut. Colonel's Adjutant, dated 7th October, 1827.

## No. 3.

The undermentioned Extract from a Letter received from Lieut. Colonel Faithfull, will I humbly trust prove that I have always endeavoured to meet his wishes on all occasions, dated Almorah, the 13th June, 1826.

My dear Field,

"You have *anticipated my wishes* completely, and, I beg you to accept my best thanks for your ready compliance with my *wishes on all occasions*, and it will afford me much pleasure to have it in my power to *do any thing for you.*"

(Signed) Yours very sincerely,  
W. C. FAITHFULL.

## No. 4.

The following Extract from a demi-official letter from Lieut. and Adjutant Holmes also proves the good opinion the Lieut. Colonel entertained of me after twenty years acquaintance, dated in August, 1826.

My dear Field,

I have mentioned to F\* part of your letter with respect to Cooper. *He* \* Col. Faithfull. remarked you shewed a great deal of forbearance, &c. and said if you at any time *thought proper* to deprive him of his Companies for *misconduct* in not writing for them, he'd of course *confirm your proceedings, being convinced you would not deal unjustly towards any one.*

(Signed) Yours sincerely,  
J. HOLMES.

(T)

Extracts of Detachment Orders by Captain Field, shewing the difficulty he had with the Officers under his Command at Moradabad, in getting them to attend Drill, Exercise, Parades, &c. &c.

## Detachment Orders.

Moradabad, 10th April 1826.

Captain Field cannot pass over unnoticed the tardy attendance of Ensigns Cooper and Crawford at Drill this morning, and it not being the *first* time, he takes this opportunity of cautioning them against such neglect of their Duty, and *disobedience* of the Standing Orders of the Regiment.

## Detachment Orders.

Moradabad, 13th June, 1826.

Captain Field greatly regrets the disagreeable necessity he is under of again calling the attentions of Lieut. Cooper and Ensign Crawford to the 9th Section of the Standing Orders of the Regiment, their *non-attendance* at Exercise this morning being marked with gross neglect of the same, notwithstanding the *repeated* admonitions they have had on this subject. Captain Field now hopes this will be the last time he shall be compelled to notice their *disregard to Duty.*

## Detachment Orders.

Moradabad, 26th November, 1826:

Captain Field is sorry to be under the necessity of calling the attention of *all the Officers* of the Detachment, to the first Article, 3rd Section of the Standing Orders of the Regiment, and directs the strictest adherence thereto, and those Companies with whom European Officers may not occasionally be present, the Adjutant will be careful to observe that the Native Officers perform the Duties above alluded to.



## Detachment Orders.

Moradabad, 4th February, 1827.

Captain Field is again under the necessity of calling the attention of all the Officers to the first Article, 3rd Section of the Standing Orders of the Regiment, and trusts *its neglect* on the part of any Officer may not again fall under his observation, after this second warning.

## Detachment Orders.

Moradabad, 25th May, 1827.

Agreeably to the foregoing Regimental Orders a Committee will assemble to-morrow morning at Ten o'Clock at the President's Quarters, for the purpose of investigating Claims preferred by relatives of men of the Regiment, who were killed or died on the Burmese side of the Naaf River.

President,

CAPTAIN FIELD.

|                                   |              |  |
|-----------------------------------|--------------|--|
| CAPTAIN DUNLOP,<br>23rd Regiment. | } Members. { | LIEUT. & ADJUTANT PLATT,<br>23rd Regiment. |
|-----------------------------------|--------------|--|

Remark.—Had this last Order of mine been obeyed at the first Meeting of the Committee by Captain Dunlop and Lieut. and Adjutant Platt, I should have been spared the humiliating degradation of being brought to Trial by a Court Martial, and being accused of *ignorance* and *falsehood*, on a subject it is *manifest* by *that Order* I was *thoroughly well* acquainted with; but the foregoing and many other of my Detachment Orders too numerous to insert here, I humbly conceive sufficiently demonstrate the distress and difficulty I labored under whilst in Command at Moradabad.

(U)

Copy of a letter dated the 2nd of April, 1815, shewing even at that distant period the opinion Lieut.-Colonel Faithfull held of me as an Officer, when he was only a Captain in temporary Command of the Regiment, and myself a Lieutenant.

To Lieut. Field, Commanding a Detachment, 1st Battalion, 4th Regiment, N. I.

(Service.) -

SIR,

1st. It having become necessary that a smart Officer should be left with the Recruits of the Battalion at this place, you are appointed to that Duty, and the following instructions are for your guidance in respect to the Drill and management of them, so long as they shall remain under your Orders.

2nd. You will receive charge of the Battalion Recruits from the Adjutant, and march them to the place of Encampment I have selected, where they are to remain while here.

3rd. The Drill is to be out Morning and Evening, when you will personally attend and use every possible exertion in your power to bring forward the same, that the views of the Commanding Officer may not be disappointed.

4th. For the subsistence of the Recruits under your charge, a sum of 300 Rupees accompanies this, a receipt for which you will forward to me; and in the distribution of which I have to observe, that a sum not exceeding two Annas is to be daily paid each man, and a regular account kept of the disbursements made.

5th. You will be particularly careful that no altercation, or disturbance takes place between the people of the Town and men under your Command, and that to prevent the same, explain to them that they are not to enter the Town of Kasheepore without first obtaining your sanction.

6. You will report weekly to me the state of the Drill, and any casualties that may occur.

I have the honor to be,

SIR,

Your most obedient Servant,

W. C. FAITHFULL, Captain,  
Commanding 1st Battalion, 4th Regiment, N. I.

Camp Kasheepore,  
2nd April, 1815.

(Signed)

(V)

Commander in Chief's Office, Head Quarters, Camp Kurnaul, February, 1828.

SIR,

Having submitted to the Commander in Chief your letter of the 7th instant and Memorial; I am directed to inform you that your case having been fully investigated by the Court Martial, no further documents can be requisite; nor can His Excellency discover that improper motives can be implied against the Witnesses who appeared on your Trial to give evidence.

His Excellency has permitted me to inform you, that in consideration of your length of Service and the application of the Court in your favor, he will recommend to Government that you may be placed on the Pension Establishment, the nature of the Crime, of which you have been found guilty, not permitting his Excellency to mitigate the Sentence of Discharge from the Service, which has been passed.

I have the honor to be,

SIR,

Your most obedient and humble Servant,

(Signed)

J. FINCH,

Military Secretary.

On the receipt of the above calamitous communication announcing the fatal decision of His Excellency the Commander in Chief, and the total destruction of myself and family. With a view to induce his Lordship to change his decree of placing me on the Pension Establishment, for that of the Invalids, which would have secured to me the benefits of the Military Widow's Fund, also that of the Orphan Fund for my children in case of my death, before I could get to England and lay my case before the Honorable Court of Directors, and which the above circumstance had deprived me of. By the advice of a Military Friend, I wrote the following letter:

(W)

Bareilly, 20th February, 1828.

SIR,

I have the honor to acknowledge the receipt of your letter from Kurnaul, acquainting me with the unfortunate result of the Court Martial held at Meerut for my Trial; while I feel grateful for His Excellency's kind consideration in recommending to Government that the small provision allowed from the Pension Establishment should be made for me, I venture to hope it will not be deemed presumptuous my soliciting the further extension of his humane consideration, for my transfer to the Invalid Establishment, as was done in the case of Captain Jeremie; and which I trust his Lordship will kindly afford me in consideration of my having nearly served the specified time to entitle me to the Pension of my rank, which will enable me to return to my native land at the expiration of that period; also, as from a consi-

deration of my being a married man with a family of young children, who are with myself by this unfortunate calamity reduced from a state of comparative affluence, with the prospects of the Service before me, to one of poverty and total ruin. In addition to other favorable testimonials produced by me to the Court Martial, I beg to add the Copy of one just received from Major General Sir Jasper Nicholls, K. C. B.

I have the honor to be,

SIR,

Your most obedient Servant,  
G. B. FIELD, Captain,  
23rd Regiment, N. I.

(Signed)

To Colonel the Honorable J. Finch, C. B. Military Secretary  
to His Excellency the Commander in Chief,  
Head Quarters.

Remark.—On the 6th of March I addressed the following letter to the Adjutant General with a view of obtaining His Excellency's permission to proceed to Calcutta, to be furnished with copies of the Court of Inquiry and Court Martial, and proceeding to Europe as early as possible, and laying the whole of my unfortunate case before the Honorable the Court of Directors.

(X)

Bareilly, 6th March, 1828.

SIR,

Allow me to solicit the favor of your obtaining His Excellency the Right Honorable the Commander in Chief's permission for my being permitted to take Copies of the Proceedings of the Court of Inquiry, and also of the Court Martial, assembled for my Trial at Meerut. I have also to solicit that I may be permitted to proceed to Calcutta.

I have the honor to be,

SIR,

Your most obedient Servant,  
G. B. FIELD, Captain,  
23rd Regiment.

(Signed)

To Lieut. Colonel Fagan, C. B.  
Adjutant General of the Army,  
Head Quarters.

Remark.—No reply having been received to my letter of the 20th February, to the address of the Military Secretary, Lieut. Colonel Finch, C. B. I again addressed him as follows:

(Y)

Bareilly, 21st March, 1828.

SIR,

I did myself the honor to address the Adjutant General on the 6th instant, to solicit His Excellency the Commander in Chief's permission to proceed to Calcutta, and to be allowed to have Copies of the Court of Inquiry and Court Martial, but have not as yet been favored with an answer, and which indulgence I hope may be granted me; as in the event of his Excellency's resolution being fixed regarding me, as communicated in your letter dated from Kurnaul. I still humbly hope as a last resource, that by proceeding to Europe and laying my unfortunate case before the Honorable the Court of Directors for their humane consideration, I may yet benefit myself, as the whole of the calamity that has befallen me seems entirely to hinge on the Witnesses saying there was "*no discussion*," although their *own replies* together with *other circumstances* relative to the Orderly Books, &c. even shew that there *must* have been some *difference of opinion*, which together with the contradictory Evidence given by them at the Court Martial, and different answers given to similar questions

at the Court of Inquiry, I had hoped would have exonerated me from the Charge of which I have been found guilty, and of which my conscience entirely acquits me.

Should however my unhappy doom be fixed, I trust his Lordship will extend his humane consideration to placing me on the Invalids, as solicited in my letter to you of the 20th ultimo, in reply to yours above named, which would prevent my family from being deprived of the benefits of the Military Fund in case of my death, which Fund I have subscribed to for the last twenty years past; but even under *that circumstance*, it would still be my wish to proceed to England for the above named purpose.

Still however I cling to the hope that from the length of time that has elapsed since my Trial took place, that his Lordship will yet indulge me with a further consideration of the hardship of my case, and great length of my Services, which is even beyond that of *many Field Officers* in the Company's Service; during the whole of which period my conduct and character as an Officer and a Gentleman has never been once questioned. I also beg leave to say, that it appears rather hard to me that my private letters should have been made matter of such severe public charge against me, and that I was not permitted at my Trial to produce those of the Prosecutor's and his Witnesses to rebut such charge, some of which private letters were annexed to my first Defence, and which I did myself the honor to forward to the Adjutant General for his Lordship's perusal on the 24th January last. It also appears to me unusual that I should have been restricted (as was the case) by the Judge Advocate, from questioning the Prosecutor at my Trial, on the plea of his not being a Witness for the Prosecution; but this is a point I do not feel competent to make any remarks on.

I trust his Lordship will not deem it improper my proceeding to Futteh Ghur on the 24th instant from this Station, in anticipation of the leave already solicited by me preparatory to my embarking on Boats for the Presidency, as the season is now becoming very oppressive; and am fearful of endangering the health of my family in the event of my being compelled to proceed to Calcutta owing to the above misfortune.

I have the honor to be,

SIR,

Your most obedient humble Servant,

(Signed)

G. B. P. FIELD, Captain,  
23rd Regiment.

To the Honorable Col. J. Finch, C. B.  
Military Secretary to his Excellency  
the Right Honorable  
the Commander in Chief,  
Head Quarters.

Remark.—On the 30th of March, I forwarded to the Honorable Colonel Finch, C. B. Military Secretary, a Copy of Lieut.-Colonel Commandant Nation, C. B. Certificate to be laid before his Excellency the Right Honorable the Commander in Chief, with the following letter.

(Z)

Futteh Ghur, 30th March, 1828.

SIR,

I do myself the honor to enclose you the Copy of a Certificate just received from my late Commanding Officer, Lieut.-Colonel Commandant Nation, C. B. and shall feel greatly obliged if you will be so kind as to lay the same before His Excellency the Right Honorable the Commander in Chief, and humbly hope it may (together with those already forwarded) prove that I have not merited the terms used in the latter part of the Charge preferred against me at my late Trial.

I have the honor to be,

SIR,

Your most obedient humble Servant,

(Signed)

G. B. P. FIELD, Captain,  
23rd Regiment.

To the Honorable Col. J. Finch, C. B.  
Military Secretary to His Excellency  
the Right Honorable the  
Commander in Chief.

Having proceeded to Futteh Ghur in anticipation of leave solicited, and not having received any reply to my letters to the Adjutant General, dated 6th March, I had indulged a hope that from the length of time that had elapsed, His Excellency the Commander in Chief would still humanely take my unfortunate case into consideration; but being entirely in suspense I wrote the following letter to the Adjutant General of the Army.

(a a)

Futteh Ghur, 9th April, 1828.

SIR,

I did myself the honor to forward to you a letter on the 6th March last, to solicit His Excellency the Right Honorable the Commander in Chief, to grant me permission to proceed to Calcutta, and be allowed to take Copies of the Proceedings of my late Trial, also of the Court of Inquiry, on the grounds of which the Trial was ordered, but have not as yet been favored with any reply from you. I therefore again solicit the favor of such indulgence, as in the event of His Excellency's resolution being fixed to remove me from the active branch of the Service, pursuant to the Sentence of the Court Martial, as communicated in a letter received from the Honorable Colonel Finch, dated from Kurnaul in February last. It is my anxious wish to proceed to Europe as soon as possible and bring the hardships of my case to the notice and humane consideration of the Honorable the Court of Directors, as I humbly conceive there is not *a record in the Army* shewing where such severe measures has been adopted towards an Officer, who has proved himself zealous and attentive to his duty on all occasions, as I have done by the production of Certificates from *celebrated* Generals and *distinguished* Commanders, and whose character as an Officer and a Gentleman for twenty-four years past has never been the least tarnished, and who on the present occasion has been borne down by a torrent of enmity, and interest, and hope of profit on the part of three junior Officers; in the course of which, these witnesses in their haste to convict me, have actually so deeply committed themselves as to give *contradictory* statements on Oath at the Court Martial as well as different answers at that Trial, to similar questions put to them at the Court of Inquiry. This circumstance alone, I most respectfully and humbly conceive ought to have exonerated me from the highly exaggerated charges preferred against me by Lieut.-Colonel Faithfull; and had I been permitted to produce at the Court Martial, certain private documents containing the Extracts of private letters from the parties concerned, some of which I annexed to my first defence, and did myself the honor to forward to you on the 24th January last; in which Lieut.-Colonel Faithfull *had acknowledged* my lenity and forbearance to the Officers under me whilst in Command at Moradabad: these Extracts alone I humbly conceive, would have completely rebutted the *severe* and inferential part of the Charge he preferred against me for *falsehood, dishonour and malice*; terms which are *certainly not warranted* by any letter of mine on the subject of the Pension Roll Committee; and with regard to my attempting to escape a slight reprimand as stated by the Prosecutor in the said charge, no such thought ever entered my head, and which I conceive is manifest by the *very letters produced* at the *Court Martial* against me.

The main object of the witnesses appears to have been to establish an idea that I was totally ignorant of the meaning of the General Order regarding the Pension Claimants, when the Committee assembled; and yet my *Detachment Order* forming that Committee only a day before it met, is a most correct interpretation of the General Order; and it exhibits the *exact point disputed* by Captain Dunlop and Lieut. Platt, namely, that only those who died on the *Burmese side* of the *Naaf River* should be admitted, and completely rebuts their assertions on that head. My *opinion* of course is fully *delivered in that Order*, and had these Gentlemen at the time *not thought* that the General Order had two *interpretations* (as *sworn* by *Lieut. Smith*) at the first meeting of the Committee, they would certainly have conformed to it. Captain Dunlop and Lieut. Platt pretend it was *overlooked* at that *first meeting*, and have been guilty of great *evasion* on this point, both at the Court of Inquiry and Court Martial, to prove that they did not *refer to these Orders*; particularly Captain Dunlop, who has sworn before the Court Martial that he *did not* read my Orders, and has stated at the

Court of Inquiry that he *did do so*; and Lieut. Platt has proved that the said Detachment Order was referred to by all *three* of us at the first meeting of the Committee; hence it is quite clear that the *General Order was not overlooked*.

At the 3rd Meeting of the Committee, Captain Dunlop again disputed the meaning of it with Lieut. Smith and myself; though Lieut. Smith has endeavoured to prove my *ignorance of my own Order* in his replies, both at the Court of Inquiry and Court Martial, and refuses to *acknowledge* some of Captain Dunlop's expressions uttered at that Meeting; yet the great interest of Lieut. Smith in endeavouring to convict me is *manifest* by a private letter he wrote to Lieut. Holmes, which was publicly produced against me at the Court of Inquiry by Lieut. Colonel Faithfull, and which letter of Lieut. Smith commented very severely on my conduct, and was in reply to one received from Lieut. and Adjutant Holmes, enclosing mine of the 16th July last, named in the Charge, which he (Lieut. Smith) desires *him to preserve with care, as it may be wanted hereafter*. Such communications from Junior Officers to each other I humbly conceive fully demonstrate their motives even were there *no other circumstance* in the present case, such as enmity, &c. to excite suspicion, and I respectfully appeal to your high Military experience and knowledge of the Bengal Army, if such severe language founded on *so frivolous, so trifling, and peurile* an object as used and set forth by the Prosecutor in the Charge *against me* is not *calculated* to excite a lively interest throughout the Officers of the Regiment, to ruin me for the sake of benefitting themselves, particularly in an Army like ours where promotion is so slow. These said witnesses have contradicted *each other both at the Court of Inquiry, and Court Martial*, and it may not be improper to remark here that His Excellency the Commander in Chief was pleased to dismiss *two Native Commissioned Officers* from the Service on the 29th August last, for giving *different Evidence* at a *Court Martial*, to what they did at the Court of Inquiry. I should be very sorry that such a catastrophe should happen to the three Witnesses herein alluded to, who gave evidence at my Trial; nevertheless, as it is a case *exactly in point*, it ought I humbly conceive to acquit me of the Charge of which I have been found Guilty on such frail Evidence.

I am totally at a loss to conceive how the Court could possibly have found me Guilty of the Charge produced against me, unless it was from their not being acquainted with the Proceedings of the Court of Inquiry, and which I should conceive, (under all the circumstances and privacy of the case,) should have been produced to the Court by the Judge Advocate as evidence in my favor, particularly when it was so strongly alluded to by me in my Defence. Nevertheless I still hope this *fact of contradiction or discrepancy* on the part of the Witnesses will attract the notice and indulgent consideration of His Excellency the Commander in Chief.

I also beg leave to mention to you that at the time I was ordered to attend the Court Martial at Meerut, I was on *sick leave* at Bareilly, and being a perfect stranger at the former place, I had no one to assist me in my defence; nevertheless I made out one that I thought was fully calculated to rebut the charge, but the Court were pleased to consider it irrelevant, and the *Judge Advocate struck* out all the leading points of that defence, together with the documents annexed to it, and wrote the whole of the prefatory part of my second defence himself, which he read to the Court; and although I submitted to this alteration, (which I now cannot but think was detrimental to my exculpation) it was with a view to meet the wishes of the Court, and with a hope that they would acquit me, that I was induced to consent to such alteration, and *not from any other reason*.

I have further to observe, that it is remarkable Lieut.-Colonel Faithfull should have selected out my public letter 25th July last, named in the Charge, *the only circumstance* in it, that he well knew I was deprived of the benefit of *any Evidence*, and that he should disregard the other matter named in the said letter, which I could easily have proved, as well as *bringing forward* Witnesses to support *his Charges* against me, that he well knew, (and which is *proved* from the documents in my possession) were my most *determined* and bitter enemies.

Although it is not difficult to comprehend the motives and object of the Witnesses that appeared against me at my Trial, from the Evidence they have given against me, but the

probable motives of Lieut.-Colonel Faithfull in making out *such* highly coloured and *exaggerated Charges* against me, on such *trifling matter*, I forbear *at present* to mention, though *such probable motives* have been pointed out to me by some of my Military Friends of known judgment and experience, from the *private documents in my possession* in his own *hand writing*; and it is remarkable that up to the period of Captain Dunlop's forwarding frivolous complaints against me, the Lieut. Colonel professed a *sincere friendship* for me, and even praised me for my *lenity and forbearance* towards the *Officers under my Command*. How therefore can he reconcile the charges he has given against me with such acknowledgments. He *first* directed me to place Captain Dunlop in arrest and forward charges against him, which the late Brigadier Vanrenan *refused to forward*, and directed him to release Captain Dunlop from arrest. The Lieut.-Colonel then wrote me a private letter (which original *private* letter a copy of which I annexed to my first Defence,) and which I did myself the honor to forward to you, for the perusal of his Excellency the Commander in Chief, in which he stated that the whole of the business between Captain Dunlop and myself was *settled*: it was therefore most *difficult to understand* the object or advantage *to the Service*, of his again agitating the business afresh, and even Major General Sir Thomas Reynell, K. C. B. declared that he ought never to have allowed the circumstance to have gone beyond the Regiment.

I also beg leave to observe, that I cannot think it altogether legal in Lieut.-Colonel Faithfull's depriving me of my Oath as Commanding Officer at Moradabad, regarding the *statements* I so accidentally advanced relative to the Committee. I am ready to *swear to the truth* of those statements, whenever it may be *necessary* to do so; and I find there are two cases *exactly in point*, where Junior Officers had behaved ill to their Commanding Officers, one in Carroll's Code of Military Regulations relative to the Trial of Lieut. Thackery, of H. M. Sloop, Thorn. The privacy of the case precluded all other positive *evidence* but that of the *Commanding Officer*, and which was *accordingly admitted*, and Lieut. Thackery was dismissed the Service. Another case occurred in the Army, in my own Regiment, Lieuts. Jover and Crane accused the late Lieut.-Colonel, Alexander Campbell, of *foul play* in a *gambling transaction*; the two Lieutenants above named, were placed in arrest by Lieut.-Colonel Campbell. The Lieut.-Colonel was the only evidence against them owing to the privacy of the case, but his testimony and known character was considered sufficient, and the two Lieutenants were dismissed the Service. Now I beg leave to remark that my *conduct and character* has never been tarnished in the *slightest degree* since I have been in the Service, which is now twenty-four years; it is therefore hard I should be deprived of my *Oath* under similar circumstances, and it must be borne in mind that the two witnesses Captain Dunlop and Lieut. Platt could not at any stage of the business, *not even on Oath* before the Court Martial, *acknowledge* that there was any opinion delivered by me or discussion ever took place, without *deeply criminating* themselves; by shewing that opposition towards their Commanding Officer, *inferred* by me in my *public letter* of the 25th of July last, named in the Charge, and which the *law* even protects them from doing, notwithstanding *their Oath to disclose* the whole truth; consequently the very point of truth that would have exonerated me from the Charges, I was totally precluded from eliciting, as it was not to be expected that the Witnesses would ever acknowledge it, or criminate themselves.

In conclusion, I have to solicit that you will kindly do me the favor of bringing the circumstances set forth in this letter to the humane notice of His Excellency the Commander in Chief, in any way your superior judgment and consideration of the hardships of my case may deem expedient, as it is now going on *three months* since the Trial was closed, and the sentence of the Court Martial not as yet published, I am therefore at a loss to know if it is the Commander in Chief's *intention to carry* that Sentence into effect, or whether I am to consider a communication made to me by the Honorable Colonel Finch in February last, as the *final result* of His Excellency's deliberation on the Proceedings and Sentence of the Court Martial, and that I am thereby to consider myself at liberty to proceed to Calcutta, and apply for leave to embark for Europe, to which I humbly solicit your reply, as the truly painful and embarrassed state of my mind as to my future fate and the total destruction of myself and

family is indiscrutable, though I still cling to the hope that his Excellency the Commander in Chief will take the whole of my unhappy case into his humane consideration, and impartially weigh the merits of it, in his high judgment and opinion.

I have the honor to be,

SIR,

Your most obedient humble Servant,

To Lieut.-Col. Commandant Fagan, C. B.  
Adjutant General of the Army, Head  
Quarters of His Excellency the  
Commander in Chief, Camp.

(Signed)

G. B. FIELD, Captain,  
23rd Regiment, N. I.

Remark.—On the 10th of April I received the two following letters, which conveyed to me the final decision of His Excellency the Commander in Chief, relative to the sentence of the Court Martial.

(b b)

Adjutant General's Office, Head Quarters, Camp Baar,  
5th April, 1828.

SIR,

In reply to your Letter of the 8th ultimo, I am directed by his Excellency the Commander in Chief to inform you, that His Lordship has no objection to your proceeding to the Presidency.

His Excellency has recommended to Government that you should be admitted to the Pension Establishment.

With regard to the Proceedings of the Court of Inquiry and Court Martial, of which you solicit your Copies, your application should be addressed to the Judge Advocate General.

I have the honor to be,

SIR,

Your obedient Servant,

To Mr. Field,  
Late Captain, 23rd Regiment, N. I.

C. FAGAN,  
Adjutant General of the Army.

(c c)

Commander in Chief's Office, Head Quarters, Camp Baar,  
5th April, 1828.

SIR,

In reply to your Letter of the 11th ult., I am directed to acquaint you, that your application for a Copy of the Proceedings of the General Court Martial by which you were tried should be made to the Judge Advocate General, and that any indulgence which you may require for leave to remain in the Country, or to proceed to England, should be made through the Adjutant General.

I am further directed to acquaint you that His Excellency cannot consider himself justified in recommending any greater indulgence, than that you should be placed on the Pension List, and which has been granted by Government, and will consequently immediately appear in Orders.

I have the honor to be,

SIR,

Your most obedient humble Servant,

To Captain Field,  
23rd Regiment, N. I.

P. FINCH,  
Military Secretary.

Remark.—I did not reply to Lieut.-Colonel Finch's letter, but sent the following answer to Lieut. Colonel Fagan, Adjutant General of the Army.



(d d)

Futteh Ghur, 14th April, 1828.

SIR,

I have the honor to acknowledge the receipt of your letter of the 5th instant, communicating to me the final decision of His Excellency the Commander in Chief, on my late Trial, and his permission for me to proceed to the Presidency.

And in consequence I shall feel obliged by your making known to His Excellency the Commander in Chief my solicitation for leave to proceed to Europe, for the purpose of submitting the hardship of my case to the Honorable the Court of Directors for their humane consideration.

I have also to solicit the favor of you to return me my first Defence, together with the documents annexed to it, (some of which were original ones) and which I had the honor to forward to you on the 24th January last.

I have the honor to be,

SIR,

Your most obedient humble Servant,  
G. B. FIELD, late Captain,  
23rd Regiment, N. I.

(Signed)

To Lieut. Colonel Commandant Fagan,  
Adjutant General of the Army, Head  
Quarters of His Excellency the  
Commander in Chief, Camp.

P.S. Do me the favor to address any communication to me in future, to the care of Messrs. M'Intosh and Co. Calcutta.

Remark.—Pursuant to the foregoing letters I embarked on board my boat at Futteh Ghur, for the Presidency, on the 19th April, 1828.

(e e)

Adjutant General's Office, Head Quarters, Simla,  
28th April, 1828.

SIR,

Having submitted to the Commander in Chief your letter of the 14th instant, soliciting that your first Defence with the documents annexed to it might be returned to you, I have the honor, by directions of His Excellency, to transmit to you the several papers received with your letter of the 24th of last January, and to convey to you His Lordship's sanction to your applying to the proper Authorities in Calcutta, for permission to return to England.

I have the honor to be,

SIR,

Your obedient Servant,  
C. FAGAN,  
Adjutant General of the Army.

(Signed)

To Mr. Field, late Captain,  
23rd Regiment, N. I.

Remark.—Having reached the Presidency on the 13th June, 1828, I received the above letter from the Adjutant General returning my first Defence, and pursuant to his letter of the 5th April, 1828, I addressed the following letter to Lieut. Colonel Bryant, Judge Advocate General of the Army.

(f f)

Calcutta, 13th June, 1828.

SIR,

I have the honor to acquaint you that I have received a letter from Lieut.-Colonel Fagan, containing instructions from His Excellency the Commander in Chief for me to

apply to you for Copies of the Court of Inquiry and Court Martial, before which I was tried in January last, and as I am anxious to proceed to Europe, as soon as I can procure a passage, I earnestly entreat the favor of you to inform me, when it will be convenient for me to attend at your Office, for the purpose of copying the above papers.

I have the honor to be,

SIR,

Your most obedient Servant,

G. B. FIELD,

Late Captain,

23rd Regiment, N. I.

To Lieut.-Colonel Bryant,  
Judge Advocate General, Presidency.

P.S. Please to address to the care of Messrs. M'Intosh and Co. Agents, Calcutta.

(g g)

Judge Advocate General's Office, June 13th, 1828.

SIR,

A Copy of the Proceedings on your Trial shall be prepared for you immediately, but I have no Court of Inquiry, nor do I think any Officer will deliver a Copy of that document to you without the Orders of the Commander in Chief; probably it may be with the Deputy Judge Advocate who conducted your Trial, to whom you can apply, and to the Adjutant General to direct its delivery.

I am,

SIR,

Your obedient Servant,

(Signed)

J. BRYANT,

Judge Advocate General.

To Mr. G. B. FIELD,  
Late Captain, 23rd Regiment, N. I.

Remark.—I was greatly disappointed on my receiving the foregoing reply from the Judge Advocate General, as I fully depended on obtaining Copies of the Court Martial and Court of Inquiry, having come down the country about 1200 miles, and the Camp of His Excellency the Commander in Chief being fixed at Simla, a still greater *journey* from Calcutta, and the great probability of my being detained several months in Calcutta, and my pecuniary resources exhausted, in so expensive a city, for want of the Copy of the *Court of Inquiry*; and as I might probably again be referred to different Offices without success, I came to the determination of addressing the following letter to His Excellency the Commander in Chief.

(h b)

Calcutta, 16th June, 1828.

My Lord,

The unprecedented affliction I labour under will I trust plead my excuse for addressing your Lordship direct. I had applied to the Adjutant General for your Lordship's permission to be allowed to obtain a Copy of the Proceedings of my late Trial, also of the Court of Inquiry connected with it, and was informed by him that my application should be addressed to the Judge Advocate General, on my reaching the Presidency; I accordingly applied to him for these documents, the former he has consented to let me have, but the latter he states is not in *his possession*, and which requires *your Lordship's special permission* to be granted me, and refers me back to the Adjutant General. Copies of which letters I have the honor to annex. Under these circumstances I venture to hope that your Lordship's love of justice and humanity will order a Copy of the said Court of Inquiry with its documents annexed, to be delivered to me to the care of my agents, Messrs. M'Intosh and Co. Calcutta; from whatever Office it may be lodged in; and thus afford an unhappy and suffering individual

an opportunity of obtaining redress, who together with his unfortunate family has *suddenly* been reduced to *want* and *misery*, and deprived of every thing—*but life*, from the hard Sentence passed on him at his late Trial, and which was effected through the means of *False Witnesses* after an honorable and faithful Service of upwards of twenty-four years.

I have the honor to be,

My Lord,

With the greatest respect,

Your Lordship's most obedient

and very humble Servant,

G. B. FIELD, late Captain,  
23rd Regiment.

To His Excellency the Right Honorable  
Lord Combermere, &c. Commander in  
Chief of all H. M. and the Honorable  
Company's Forces in India,  
Head Quarters, Simla.

On my reaching Calcutta in the month of June, 1828, I discovered that the following Order had been issued, pursuant to Lieut.-Colonel Finch's (C. B.) letter, dated in February, 1828, annexed.

(i i)

General Orders by the Honorable the Governor General in Council.

Fort William, 25th April, 1828.

Mr. G. B. P. Field, late a Captain in the 23rd Regiment, N. I. is admitted to the Pension Establishment, from the date on which he was struck off the strength of the Army, on the stipend granted to a Captain of Infantry.

(A True Extract.)

(Signed)

THOMAS BARRON, Major,  
Assistant Adjutant General of the Army.

(j j)

Calcutta, 4th August, 1828.

SIR,

I do myself the honor to forward to you the accompanying Memorial and Copies of documents annexed it, paged from 1 to 129, addressed to the Honorable the Court of Directors, and which allow me to solicit the favor of you to lay before his Excellency the Right Honorable the Governor General in Council, accompanied with my humble and earnest solicitation that it may be forwarded to its destination by the first favorable opportunity; unless His Lordship in Council would most graciously condescend to take the extreme hardship of my case into his humane and merciful consideration, and extricate me from the calamitous circumstances that at present almost overwhelm me. Such an act of charity and justice, I should ever consider myself bound to acknowledge with thanks and gratitude to the end of life.

I have the honor to be,

SIR,

Your most obedient humble Servant,

G. B. P. FIELD, late Captain,  
23rd Regiment, Bengal, N. I.

To Lieut.-Colonel Commandant  
Casement, C. B. Military Secretary to  
Government,  
Presidency of Fort William.

P. S. I have the honor to state that my address is Messrs. M'Intosh and Co. Calcutta.

As the Ship on which I had taken my passage was about to leave the harbour I felt anxious to know if my Memorial had been *approved* of by *Government*, and if it was to be forwarded to the Honorable the Court of Directors, agreeably to my request of the 4th instant, and in consequence addressed the following to the Military Secretary.

(k k)

Calcutta, 12th August 1828.

SIR,

As it is my wish to embark immediately for England, permit me to solicit the favor of you to inform me if the Memorial and documents annexed thereto, which I did myself the honor to forward to you on the 4th instant, to the address of the Honorable the Court of Directors for the purpose of being laid before His Excellency the Right Honorable the Governor General in Council, is to be transmitted to England, agreeably to my humble request; or if *any consideration* of the circumstances therein set forth, can be afforded me in this country. I shall feel most particularly obliged by your reply.

I have the honor to be,

SIR,

To Lieut.-Colonel Commandant  
Casement, C. B. Military Secretary to  
Government.

Your most obedient humble Servants,  
G. B. P. FIELD, late Captain,  
23rd Regiment, N. I.

To the foregoing communication I received the following reply.

(l)

To G. B. P. Field, Esq. late Captain, 23rd Regiment, N. I.

Military Department.

SIR,

In reply to your letter of this date, I am directed to acquaint you that the papers therein referred to are before Government, but as they are very voluminous, some time will necessarily be required for their attentive perusal and consideration.

I am, Sir,

Your most obedient humble Servant,

(Signed) WILLIAM CASEMENT, Lieut.-Colonel,  
Sec. to Government, Military Department.

Council Chamber,  
12th August, 1828.

(m m)

On the 16th August, 1828, I received the following from the Military Secretary.  
To G. B. P. Field, Esq. of the Pension Establishment.

Military Department.

SIR,

I am directed to acknowledge the receipt of your letter dated the 4th instant, and to inform you that the Memorial and other documents which accompanied it, will be forwarded by an early opportunity to the Honorable the Court of Directors.

I am, Sir,

Your most obedient humble Servant,

(Signed) WILLIAM CASEMENT, Lieut.-Colonel,  
Sec. to Government, Military Department.

Council Chamber,  
16th August, 1828.

Additional Correspondence received since the original Memorial was forwarded.

In consequence of my having addressed his Excellency the Commander in Chief, on the 16th of August, 1828, to solicit permission for my being furnished with a Copy of the Court of Inquiry connected with my late Trial, I received the following letter from Lieut. Birch. Officiating Judge Advocate General at Meerut, accompanied with an *incomplete Copy* of the said document.

(q n)

Deputy Judge Advocate General's Office, Meerut Division.

July 29th, 1828.

SIR,

Agreeably to the requisition of the Adjutant General of the Army received by me a few days ago, I have the honor to forward the enclosed Certified Copy of the Proceedings of a Court of Inquiry, held in this Division in October, 1827.

I have to request you will favor me with an acknowledgment of its having reached you at your early convenience.

I have the honor to be,

SIR,

Your most obedient humble Servant,

R. J. H. BIRCH, Lieut.

Officiating Deputy Judge Advocate General,  
Meerut Division.

To Mr. G. B. Field,  
Care of Messrs. Mackintosh and Co.  
Calcutta.

Finding that the Copy of the Court of Inquiry forwarded to me by Lieut. Birch, was incomplete, and required a *certain document* (which I considered a *principal one*, and of the *utmost importance* to me,) I addressed the following letter to Lieut. Birch, and at the same time forwarded immediately, a Copy of it to His Excellency the Commander in Chief, as I had to embark on the private Ship, Alacrity, on the following morning, and could not possibly wait the result of any correspondence with Lieut. Birch, regarding the document that had been omitted to be sent me.

(o o)

(Copy.)

Calcutta, 14th August, 1828.

SIR,

I have the honor to acknowledge the receipt of your letter of the 29th ult., accompanied with a Copy of the Proceedings of the Court of Inquiry, connected with those of my late Trial, but I regret to observe to you, that the documents annexed to it are *deficient*, and requires the Extract of Lieut. Smith's letter of the \*16th July, 1827, to render them complete, and which Extract you will remark is strongly *alluded to* in my reply on the *face* of the *above named* Proceedings, you will also observe on reference to that reply, that the said Extract was *publicly* sent to the Court of Inquiry by Lieut.-Colonel Faithfull, to convict me at that investigation, and regularly entered on the Proceedings. It contained the following expressions of Lieut. Smith's, "I return you Field's letter of the 16th July (1827), which we *hope you will keep with care* as it may be *wanted hereafter*." Although I have got a Copy of the said Extract of Lieut. Smith's Letter, yet I consider than an attested Copy of it would be of the greatest service to me, and I trust I need not point out to you, that the *evident object* of His Excellency the Commander in Chief in directing you to furnish me with a Copy of the Proceedings of the Court of Inquiry, would be completely defeated, were any portion of it detained from me, I therefore hope it will be forthcoming, as I make no doubt it has occurred through *mistake*, and as I shall leave this for England, long before this letter can possibly reach you; if therefore you will be so good as to forward the said Extract of Lieut. Smith's Letter to my address to the care of Messrs. M'Intosh and Company, Calcutta, it will be carefully sent after me.

I have this day stated the circumstance, in a letter to His Excellency the Right Honourable the Commander in Chief.

I have the honor to be,

SIR,

Your most obedient Servant,

G. B. FIELD, late Captain,  
23rd Regiment, N. I.

To Lieut. Birch,  
Officiating Deputy Judge Advocate General,  
Meerut Division.

The following letter conveying a Copy of the foregoing one to Lieut. Birch, I did myself the honor to forward to His Excellency the Commander in Chief on the same day.

This should be  
26th July instead  
of the 16th.

(p p)  
(Copy)

Calcutta, 14th August, 1828.

My Lord,

I cannot sufficiently express my humble and unfeigned thanks for your Lordship's most gracious compliance with my wishes, in directing a Copy of the Court of Inquiry Proceedings to be sent me, which I have just received, and which I shall ever bear in grateful remembrance of your Lordship's kindness, yet at the same time I regret being under the necessity of annexing the Copy of a letter I have been compelled to address Lieut. Birch, officiating Deputy Judge Advocate General of the Meerut Division, on the subject of a deficiency of the documents attached to the above named Proceedings of the Court of Inquiry, and again troubling and soliciting your Lordship's kind aid on this subject, and trust that your Lordship's indulgent consideration of the severe losses I have suffered, and the distressed and calamitous situation to which I am now reduced, from the Sentence of the Court Martial, will pardon the trouble I am so reluctantly giving your Lordship, and which had your Lordship's Orders been acted up to, would have been satisfactorily accomplished without it.

I have the honor to remain,

My Lord,

With the greatest respect,  
Your Lordship's most obedient and  
much obliged humble Servant,  
G. B. P. FIELD, late Captain,  
23rd Regiment N. I.

To His Excellency the Right Honorable  
Lord Combermere, &c. Commander in  
Chief of His Majesty's and the Honor-  
able Company's Forces in India, Camp,  
Head Quarters, Simla.

Previous to my embarking on the private Ship, Alacrity, Captain Findlay, for Europe,  
I received the following Certificates from the Pay Department and Military Secretary to  
Government.

(q q)  
Certified that Captain G. B. P. Field, late 23rd Regiment, has received from this Office  
his Pay and Batta, &c. up to the 15th April, 1828, inclusive, and at present there are no  
demands against him on the books of this Office.

Fort William, Pay Office,  
12th August, 1828.

(Signed)

J. MALING,  
Pay Master.

(r r)

Military Accountant's Office, Fort William,  
12th August, 1828.

At the request of Captain Field of the Pension Establishment, he is furnished with this  
Memorandum, which states the cause of my having refused to grant him a Europe Certificate  
of last Pay, unless he drew up his arrears to the date of embarkation, as directed in General  
Letter from the Honorable the Court of Directors in the Military Department, dated the  
10th of November, 1824, paragraph eight, Captain Field having drawn his arrears only to the  
15th April last.

(Signed)

E. MORLEY,  
A. M. D.

(s s)

I do Certify that on the fifteenth day of August, One Thousand Eight  
Hundred and Twenty-Eight, Mr. George Brydges P. Field, of the Pension Establishment,  
late a Captain in the Honorable Company's Military Service on the Bengal Establishment,  
obtained the permission of the Supreme Government to proceed to Europe, embarking for  
such purpose on the Private Ship Alacrity, Captain Findlay.

Given under my hand at Fort William in Bengal, this 15th day of August, 1828.

(Signed)

W. CASEMENT,  
Lieut.-Colonel,  
Secretary to Government,  
Military Department.

(Signed) A. HEBERLET,  
Register.

Pursuant to the foregoing leave, I embarked on the Private Ship Alacrity, Captain Findlay, which sailed from Calcutta on the 19th August, and arrived at the Cape of Good Hope on the 6th of December following; but finding that the Alacrity was likely to be detained there about two months, I again embarked on the Private Ship Ceres, Commanded by Captain D. Warren, which sailed from the Cape of Good Hope, bound to England on the 23rd December, 1828, and on that morning I received a very *extraordinary* letter from Lieut. Birch, Officiating Deputy Judge Advocate General at Meerut, enclosing me a Copy of the Document connected with the Court of Inquiry, which he had omitted to transmit to me when he addressed me on the 29th July last, his communication is as follows :

(t t)

Deputy Judge Advocate General's Office, Meerut,  
1st September, 1828.

SIR,

I received your letter 14th August this morning, and though this reply will not reach you probably for a considerable period, I cannot allow myself to pass unnoticed the extraordinary insinuation thrown out by you as to my having detained a letter which should have accompanied the Proceedings of the Court of Inquiry, and other documents, of which I forwarded a Copy your address.

2nd. I now send a Copy of the Letter you intended to allude to, the date is the 26th and not 16th July, my reason for not having sent it before, was, that I was not certain that the document containing it had been submitted to the Court of Inquiry, and had grounds to conclude it had not. I have even yet some doubt of the document alluded to, though none whatever of the letter in question having been laid before the Court.

3rd. You will perceive by this that any thing rather than intentional negligence was the cause of this document also not being copied, and such copy transmitted to you; on re-perusal to day of the papers connected with the investigation, I perceive that I *should* have *forwarded* this also to you; and without hesitation, I beg to express to you my regret that I should not completely have understood the connection which would have prevented the certainly unintentional oversight as to the letter you require.

4th. I conceive I have now done all that could be expected in reparation of an omission, which was not the result of intentional negligence, and having so stated my regret, I have to ask what grounds you have to venture the insinuation your letter contains?

5th. You must be perfectly aware that I am an entire stranger to you, and that I had no concern with any part of the circumstances connected with this investigation into your conduct, I further assure you that I am not even personally *acquainted* with any *one* of the Officers concerned in any part of the Inquiry.

6th. What motive then could I have for "detaining" as you term it the letter in question? It could in no way effect myself, and as I am totally unconcerned and indifferent between *all* the *parties*, you ought to have known better than wantonly to insinuate so mean an action on one with whom you never had any acquaintance.

7th. As this may reach you after a lapse of much time, I will not *here say all I should* if you were shortly to receive it. Your circumstances naturally render you more irritable than perhaps you otherwise would be, and this I allow to be some palliation of your letter.

8th. But whilst I tell you that I *despise* your insinuation and repel it as totally unfounded, I would caution you as to allowing yourself to indulge in such insinuations, for their point will only recoil upon your ownself.

I have the honor to be,

SIR,

Your obedient Servant,

R. J. BIRCH,

Officiating Deputy Judge Advocate General,  
Meerut Division.

## Observations on Lieut. Birch's letter of the 1st September, 1828, by G. B. P. Field.

1st. In the second paragraph of the preceding letter, Lieut. Birch says, that he "had grounds to conclude" that the letter I "intended to allude to," had *not* been submitted to the Court of Inquiry, although I had assured him in my letter of the 14th August last, that it *had*, and in the same paragraph he states that he has yet some "doubt about it."

2nd. In the 3rd Paragraph he *contradicts* himself and acknowledges that he *should* have forwarded it, and apologizes for the *unintentional oversight*. It will appear on the face of my letter that I did attribute the detention of the said letter to a *mistake*, although it was impossible for me to tell how that mistake had happened, as the letter alluded to by me had been entered on the *proceedings* of the Court of Inquiry, and what grounds Lieut. Birch had to doubt its connection with that document I am at a loss to comprehend, as the letter alluded to could not *even* be lodged in his Office, unless it belonged either to the Proceedings of the Court of Inquiry or Court Martial, and as he entertained "*doubts*" of the matter (*which he never communicated* to me when he forwarded the *incomplete* Copy) it is a *wonder* he did not look at the latter named Proceedings, which would at once have convinced him that it did not belong to *them*, and could only belong to the *Court of Inquiry Proceedings*.

3rd. In the 4th paragraph he states that he has done all that could be expected in "*reparation of an omission*." I never *asked* or *wished* him to make any *reparation*, and it will be seen by my letter, I simply attributed it to a "*mistake*," and at the same time stated "that *were* any portion of it detained from me that the *evident object* of His Excellency the *Commander in Chief* in granting permission for me to obtain a Copy of the Court of Inquiry "*Proceedings would be completely defeated*." Surely such a document might be *detained* from *other causes* than the one Lieut. Birch seems to think that I *intimated* (and which by *his own account* of the circumstances has *proved* to be the case,) and being at the time anxious to depart from India, I adopted measures that I thought best calculated to *insure* the success of my object; namely, that of speedily obtaining a Copy of the Court of Inquiry Proceedings, the want of which document had detained me in Calcutta nearly two months.

4th. In the 5th paragraph of his letter he states that he is not personally acquainted with *any one* of the Officers, "*concerned* in any part of the Inquiry." If Lieut. Birch alludes to the *President* and the *two Members* of the Court of Inquiry (which I suppose he does) I have only to say that I have always spoken of them with deference and respect in my public communications, and *even now* add, that I conceive three more honorable men could not be found than those very Gentlemen, who composed the *Court of Inquiry*, but I do not exactly *comprehend* Lieut. Birch's allusion.

5th. In the 6th paragraph he talks of his *motives* which (of course as I know nothing of Lieut. Birch) I will readily grant all he says on *that* subject.

6th. In the 7th paragraph of his public letter, Lieut. Birch appears to court a *private altercation* with me, which I cannot consent to; he writes, "I will not *here* say all I *should*; were you *shortly* to receive it," I have not the least objection to hear at some *future* or *more convenient* period whatever Lieut. Birch has further to say on the subject, but I must decline entering into any such correspondence with him at present.

7th. In the 8th paragraph of his letter he offers me advice, which however, in my humble opinion, I think he should follow himself.

Remark.—As I conceive Lieut. Birch could not possibly have obtained the sanction of any of the Authorities in India, to address me such a public letter, as the one above alluded to, I considered it a duty that I owed to myself, to forward a Copy of the said letter with my observations thereon, to His Excellency Lord Combermere, whom I am confident could never approve of the feelings of an unfortunate man like myself being wounded by a young Officer *temporarily* officiating in a public Office, and who had received *his Lordship's orders* (through the Adjutant General of the Army) to furnish me with a correct Copy of the Court of Inquiry Proceedings.



The following is a correct Copy of the letter I addressed to His Lordship on the subject.

(u u)

Table Bay, Cape of Good Hope, 23rd December, 1828.

My Lord,

*t.t.*  
\*Vide (page) page  
10

I cannot sufficiently regret being under the necessity of submitting for your Lordship's perusal the Copy of a *public letter* to my address, just received from Lieut. Birch, officiating Deputy Judge Advocate General, at Meerut, wherein he complains of my having thrown out insinuations against him in my \*public letter of the 14th August last, a Copy of which I had the honor to forward to your Lordship on that date, and now beg permission to annex another Copy of the said letter; and at the same time have humbly to assure your Lordship, that not the slightest offence whatever was intended by me towards Lieut. Birch in the aforesaid communication, and am therefore exceedingly sorry he should have sent me *such a public letter*, for I cannot suppose he has the sanction of higher Authority to address me in such a tone.

It will be seen by the various documents received and forwarded by me, to, and from the different authorities, that I made the earliest application to the proper Offices to obtain Copies of the Proceedings of the Court of Inquiry, and Court Martial, that investigated my case, for the purpose of submitting the whole of these papers to the Honorable the Court of Directors, in the humble hope of obtaining the Honorable Court's humane consideration of the circumstances set forth in them; it will also appear manifest, that I was actually *detained* in Calcutta nearly *two months*, for want of a Copy of the Court of Inquiry Proceedings, and thereby put to an expence I was little able to bear; that at length I forwarded my papers to the Honorable the Court of Directors, *without* an attested Copy of that document; however just as I was on the eve of my embarkation for Europe, I received an *incomplete* Copy of the Court of Inquiry Proceedings from Lieut. Birch, and immediately did myself the honor to address your Lordship on the subject, and again solicited your Lordship's kind aid towards my procuring a perfect Copy of the document in question, but I have respectfully to assure your Lordship that I have never in any public letter whatever, attempted to define the cause of its not having been sent to me sooner; on the contrary I could not account for it; it might have occurred from a variety of accidental circumstances. Nor did I ever call for, or require, any explanation of the delay; and the one Lieut. Birch has thought proper to send me I really do not comprehend, but shall leave it to himself to elucidate.

My sufferings my Lord, are at present very great. Letters like Lieut. Birch's will not *alleviate* them. I have already experienced your Lordship's kindness in granting permission for my being furnished with a Copy of the Court of Inquiry Proceedings; and though now far removed from those scenes, and that Station, in which I had spent the greatest portion of my life; I still solicit your Lordship's protection.

And have the honor to remain

My Lord,

With the highest respect,  
Your Lordship's most obedient and  
very humble Servant,

G. B. P. FIELD,  
Late Captain of the Bengal Army.

To His Excellency the Right Honorable  
Lord Combermere, &c. Commander in  
Chief of His Majesty's and the Honorable  
Company's Army in India, Bengal,  
Calcutta.

East India House, 15th May, 1829.

SIR,

The Court of Directors of the East India Company, having had under their consideration the Memorial which you have addressed to them since your arrival in this Country, together with your Memorial and the several documents connected therewith which have been transmitted from India, I am commanded to acquaint you that the Court has been under the necessity of declining to comply with your application to be restored to the Service, and that they have confirmed the Proceedings of the Government of Bengal in your case.

I am, Sir,

Your most obedient humble Servant,

To Captain G. B. P. Field.

(Signed) P. AUBER, Secretary.

To the Honorable the Court of Directors for the affairs of India, &c. &c.

Gentlemen,

I have been honored with your reply to the Memorial and documents, I did myself the honor to forward through your Bengal Government, and also on my arrival in this Country, and lament to learn that your Honorable Court are under the necessity of declining to comply with my solicitation, to be restored to the effective branch of your Honorable Court's Service; but as the circumstances of my case, are so peculiarly painful and oppressive, I most humbly intreat your Honorable Court to pardon this second intrusion, and humanely to reconsider the great length of my Services; the testimonials of high character I have received, and already produced to your Honorable Court, from some of the greatest Generals in India; also the *nature of the evidence* given against me before the Court of Inquiry and Court Martial, and which (according to the ablest advice I can procure) does not bear out the article of accusation contained in the averment of the Charge exhibited on the face of those Proceedings, also the ruin of myself and family, and I feel persuaded your Honorable Court will yet arrest the progress of so severe a calamity by graciously condescending to re-consider my case and grant my humble prayer to be restored to those Duties, and that Station, in the faithful discharge of which I have spent the greatest portion of my life; and for such bounty and commiseration I shall feel extremely grateful to your Honorable Court,

And have the honor to remain,

Gentlemen,

With the greatest respect,

Your most obedient and humble Servant,

G. B. P. FIELD,

Bengal Establishment.

Old City Chambers,  
6th June, 1829.

East India House, 18th June, 1829.

SIR,

The Court of Directors of the East India Company have had under their consideration your letter renewing your request to be restored to the effective strength of the Bengal Army, and I am commanded to acquaint you that the Court see no reason to depart from the decision which they have already passed upon your case, and they are accordingly under the necessity of declining to comply with your present application,

I am, Sir,

Your most obedient humble Servant,

To Captain George B. P. Field.

(Signed)

P. AUBER, Secretary.

To the Honorable the Court of Directors for the Affairs of India, &c. &c.

Gentlemen,

I have been honored with your reply to my letter of the 16th instant, and regret to learn that your Honorable Court could not depart from your former decision on my case. Yet I humbly trust your Honorable Court will be so indulgent to an old and faithful Servant, who has been upwards of twenty-four years in your Honorable Court's employ, as to believe it possible that injustice may have been done him, and that amid the many high concerns that constantly press on the supreme authorities in India, a case of flagrant wrong done to an unoffending individual may have escaped observation and passed unredressed. On these grounds I most earnestly and humbly pray that your Honorable Court will do me the favor to refer the Proceedings of the Court of Inquiry and Court Martial (which I did myself the Honor to forward through your Bengal Government) to Sir John Becket, Judge Advocate General of His Majesty's Service, to whose high judgment and experience in Military tribunals, I am content to submit to, and to abide by his decision on the case.

I have been informed that such has been done by your Honorable Court on similar occasions, and therefore humbly pray that my case may derive the same impartial benefit.

As I most respectfully re-urge my protest against the proceedings of the Court Martial, as *irregular*, and its sentence as *erroneous*, as also the Evidence on the face of the Proceedings of the Court of Inquiry and Court Martial, and which I have been informed would not be received in any Court of Justice in this country.

I had indulged a hope that the explanations offered by me to your Honorable Court would have sufficiently proved that I have been an innocent sufferer throughout. I have not only been deprived of my situation in your Honorable Court's Service, but my character has been severely injured. I have been put to a heavy expence in returning to this Country to make my appeal to your Honorable Court. I therefore most earnestly entreat that your Honorable Court will graciously condescend to grant my humble prayer, and refer my unhappy case to Sir John Becket, and for such indulgence, I shall ever feel grateful to your Honorable Court.

I have the honor to remain,  
Gentlemen,

With the greatest respect,  
Your most obedient and very humble Servant,  
G. B. P. Field, Captain,  
Bengal Establishment,

29<sup>th</sup> June 1829,

EAST INDIA HOUSE,  
July 9, 1829.

SIR,

Having laid before the Court of Directors of the East India Company your Letter of the 29th ultimo, in which you request that the proceedings of the Court of Inquiry and of the Court Martial, held on you in India, may be referred to the Judge Advocate General of his Majesty's Army.

I have their Commands to acquaint you, that your request is wholly inadmissible.

I am SIR,

Your most obedient humble Servant,

P. AUBER,  
Secretary.

To Captain G. B. P. FIELD.

Remark.—The above reply from the Honourable the Court of Directors at once destroyed all hope of obtaining redress, by bringing my case under the competent revision and judgment of the Judge Advocate General of his Majesty's Army. The Court of Directors had adopted such a measure on a former occasion of similar complaint, and why I should have been denied the same benefit I am quite at a loss to conjecture.

*I am informed*

TO THE  
**RIGHT HONOURABLE THE BOARD OF COMMISSIONERS**  
FOR THE  
**AFFAIRS OF INDIA.**

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THE PETITION OF CAPTAIN G. B. P. FIELD, OF BENGAL MILITARY  
ESTABLISHMENT.

HUMBLY SHEWETH,

That your petitioner had served in the Honourable Company's Bengal Military Service in India upwards of twenty-four years, during the whole of which period he had the good fortune to give satisfaction to all his superiors, which is manifest from the numerous certificates he has received from general officers, and others of high rank and distinction, and which are exhibited in the accompanying Copy of Printed Documents, which he has the honour to lay before your Honourable Board.

That after such a long course of faithful services, a *frivolous charge* was preferred against your Petitioner by the Commanding Officer of his Regiment, and supported by some of the junior Officers of the said Regiment, who were to derive a great benefit by your Petitioner's expulsion; and whose interest in the result of his Trial by a Court Martial is clearly shewn in the above-named Printed Copy of Documents.

That your Petitioner's Trial by Court Martial was conducted in the most illegal and unprecedented manner, inasmuch as he was not allowed to put a single question to the Prosecutor (who was his accuser), or to produce his exculpatory documents, or to make his defence in a proper manner; independent of all which, the evidence given against him, and exhibited on the face of the Proceedings of the Court of Inquiry and Court Martial, is of so contradictory a nature, as to be (in the opinion of the ablest advice your Petitioner could procure) wholly unworthy of credit: nor is the article of accusation (even if the evidence was worthy of credit) borne out by any thing that is adduced on the face of the proceedings.—Vide page 34 to 83, Printed Documents.

That in consequence of the said illegal Trial; your Petitioner came to England to seek redress from the Honourable the Court of Directors, but regrets to say, that the Honourable Court have declined taking that view of his unhappy case, to which he had conceived himself justly entitled.

That your Petitioner had solicited the Honourable the Court of Directors to be so indulgent as to refer the proceedings of the said illegal Trial to the official opinion and judgment of the Judge Advocate General of his Majesty's Army, Sir John Becket; and that your Petitioner would abide by the decision of the said competent authority; but he regrets to say, that the Honourable Court declined to comply with his request (vide page 111, Printed Documents), although your Petitioner had been informed that the Honourable Court had done so on a former occasion of similar complaint.

That your Petitioner, feeling confident that his assertions relative to the said Trial are correct, he would still feel grateful if a reference to the official opinion of Sir John Becket, could in any

way be made, as he would cheerfully abide by it; and which your Petitioner craves leave to submit to your Honourable Board's superior judgment, would at once set the question at rest, and your Petitioner would have no further grounds for complaint.

Your Petitioner further humbly craves leave to observe, that as all Proceedings of India Courts Martial are sent home, and lodged in St. John Becket's office, there would be no difficulty in referring at once to the original document, should such reference be permitted.

But any mode, whatever your Honourable Board would condescend to sanction, for the fair and impartial investigation of your Petitioner's case, would be ever acknowledged with thanks and gratitude. And your Petitioner will be ever bound to pray.

LONDON, 14th October, 1829.

G. B. P. FIELD, CAPTAIN.  
Bengal Establishment.

*India Board, Nov. 30, 1829.*

SIR,

I have to acknowledge the receipt of your letter of the 14th ultimo, transmitting to me a Petition, with other documents therein referred to, addressed to the Commissioners for the affairs of India. They have been submitted to the Board, and I am directed, in reply, to inform you, that the Board, having given a careful consideration to the case as laid before them, do not feel themselves called upon to interfere with the decision of the Court.

I am, SIR,

Your most obedient humble servant,

G. BANKS, *Secretary.*

Captain G. B. P. FIELD,  
5, Great St. Helens, Bishopsgate.

Remark.—The foregoing reply was received by me on the 4th instant, and in consequence of the Honourable Board not feeling themselves called upon to interfere in my case, I was induced to address the following letter to the Court of East India Proprietors, in the hope that a consideration of the circumstances therein complained of may be afforded me.

TO THE  
**COURT OF PROPRIETORS OF THE EAST INDIA COMPANY,**  
FOR THE  
**AFFAIRS OF INDIA.**

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GENTLEMEN,

I humbly beg leave to submit to your attention and indulgent consideration, the accompanying Printed Copies of Documents relative to my removal from the active branch of the Honourable Company's Military Service; the reasons which induce me to trouble you in this manner, may be explained in a few words:—

I had the honour to serve twenty-four years in the Bengal army, and had the good fortune, during the whole of that period, to obtain the applause of my superiors (vide documents, page 18 to 12); at length I had the misfortune to be erroneously charged by Lieutenant Colonel Faithful (who commanded the Regiment to which I belonged), with endeavouring to escape *my share* of a reprimand which he himself had issued to a committee, of which I was president; and this charge was made in the most highly-coloured and exaggerated language, and of a tone and tenour foreign to any thing on military record (vide page 51), a part of which I was acquitted of.

A Court of Inquiry was ordered to investigate the circumstances relating to this charge, which stated in opinion, that the said circumstances could not be "reconciled or explained;" in consequence of which a Court Martial was assembled; but the Trial was conducted in a manner, partial, arbitrary, and illegal, in the following instances, viz. I was not permitted to put a single question to the prosecutor (who was my accuser also), and whose written documents I held in my hand, which directly bore on the charge; nor was I even allowed to question the witnesses to the full extent I wished: from these illegal circumstances, I was crippled by the Court in making my defence, and from eliciting any thing, during the prosecution, calculated to throw light on the motives of the Prosecutor and his party, or on the subject stated in the charge; and the three witnesses brought forward by the prosecutor, namely, Captain Dunlop, and Lieutenants Platt and Smith (three *junior officers* in the Regiment to myself), swore to whatever they thought would criminate me most, without even regard to *unison of statement*; and their evidence exhibited on the face of the Court of Inquiry and Court Martial proceedings, I am compelled to state, in *self-defence*, is grossly contradictory in its own shewing, and to which circumstance I respectfully solicit your attention (vide page 44, Court of Inquiry, No. 26, and page 58, Court Martial); exhibiting Captain Dunlop's false evidence (vide page 63), Lieutenant Platt's evidence, again contradicting Captain Dunlop, vide Lieutenant Smith's evidence (Court of Inquiry, page 38, No. 17), diametrically opposite to the evidence he gave at the Court Martial (vide page 64), and the whole of the evidence given against me at the Court of Inquiry and Court Martial, exhibits the same discrepancy throughout, and is, I conceive, wholly inadmissible.

The nature of the case was simply this; I issued an order, directing a particular duty to be performed by the party composing the committee, and which order was short, clear, and correct (vide page 55); the majority of the committee (Captain Dunlop and Lieutenant Platt) held an opinion in opposition to the instructions contained in the said order; and on the prosecutor's

(Lieutenant Colonel Faithfull) finding fault with the committee, these two officers, Captain Dunlop and Lieutenant Platt, *denied* that the order was adverted to at the meeting of the committee, and said, with a view to *conceal* their *opposition* and opinions, that there was "*no discussion*" on the subject; and this simple denial, and words of "*no discussion*," was held up by Colonel Faithfull as the *sum total* of all my offending, and in opposition to my *official statement* (page 54), as commanding officer of the detachment, and magnified by him into an enormous crime, by attaching motives to me which are no where to be found on the face of the proceedings of the Court of Inquiry and Court Martial. I have also to observe, that the said charge (in its own shewing) is contradictory in its allegations, namely, it avers that my private note of the 16th of July, to the Adjutant, was written to *exonerate* myself from censure (that is the reprimand sent to the committee by Lieutenant Colonel Faithfull), and dated the 22d of July (vide charge, page 51, and the letter conveying the reprimand, page 58), whereas the said private note was evidently written to the Adjutant long before Lieutenant Colonel Faithfull *thought* of his reprimand: how, therefore, could it be to *exonerate* myself from that reprimand, which, at the time I wrote my private note, had not even been contemplated by the prosecutor? I had *fully* done my duty, by issuing my detachment order, which at once adverted to the point disputed by the two witnesses, who have refused to acknowledge such dispute, and have given the most contradictory evidence possible on the face of the two investigations, and have *said* and *unsaid* the circumstance of their *reading* and *referring* to my detachment order at the period alluded to in the charge. I was bound, by all military rule, to adhere to the votes of the majority of the committee, however incorrect such votes might be; and the witnesses have shewn that they did actually vote an opinion *opposite* to the instructions conveyed in my detachment order, which I published only the day before. It is also made a part of the charge against me, that I did not report the votes of the witnesses dissenting from my order, although it is well known by every military man of the least experience, that it is not the usage of the service to do so, either at Committees, Courts of Inquiry, or Courts Martial. There is no order or regulation to that effect extant; had there been any, I might justly have been accused of disobeying it; but this circumstance too is also made an instrument of accusation against me by the prosecutor.

At the third meeting of the Committee it will be seen by Lieutenant Smith's evidence that I *again* opposed Captain Dunlop's opinion, but here I am sorry again to be compelled to point out the falseness of Lieutenant Smith's evidence, he declared at the Court of Inquiry, that I opposed the opinion of Captain Dunlop, before I sent for the Order Book, to convince him of his error (vide page 38,) and at the Court Martial, he contradicted himself, (page 64) and swore that I did not give an opinion before the Order Book came, in fact his evidence throughout is as false as the other witnesses, and a note of his, produced at the Court of Inquiry, (page 47 No. 6,) sufficiently explains his motives and interest in the investigation.

I have stated in a memorial to the Honourable Court of Directors, that I was pressed by the Prosecutor, and others in the Regiment to purchase Major Cock out of it, for the sake of a general benefit, (page 25, No. 16, and page 26, No. 18.) that I declined making such purchase, as I have always understood it was contrary to the rules of the service, to purchase promotion and such refusal, I firmly believe, was the cause of the charge being brought against me by the prosecutor and his party.

It will be seen that Lieutenant Colonel Faithful at one stage of the business submitted the case to the opinion of Brigadier Vanrienen, commanding the district (page 32,) who pronounced the whole of the matter to be *frivolous*, to which decision Lieutenant Colonel Faithful *consented* and wrote me that it was all finally settled (page 25, No. 17,) couching his letter in terms of friendship and sincerity at the very period he was meditating my ruin, for in a very few days after he wrote a letter to Major General Sir Thomas Reynell, levelling the most abusive language at me, (page 33,) the General also pronounced the business to be *frivolous*, but from the abusive language used against me by Lieutenant Colonel Faithful, the General ordered a Court of Inquiry to investigate the subject of such letter, when the prosecutor produced the witnesses alluded to, whom he well



knew were in the habit of disobeying my orders, (vide page 91,) and had been constantly wrangling with me on points of duty, he also knew that I had no witness to defend myself from their assertions, owing to the privacy of the case, under these unfair circumstances I was brought to a trial that was illegally conducted, and the evidence given against me by the prosecutor's party of witnesses, false in its own showing, I was prevented by the Court from putting any question to the prosecutor, debarred from producing my exculpatory documents, and hindered from making my defence in a proper manner.

It might not be improper also to remark, that the President of the Court Martial, Lieutenant Colonel Weston, was a person of no experience whatever, and otherwise unfit to have been President of a General Court Martial, and was invalidated very shortly after my trial. This circumstance was even noticed to me by a celebrated General Officer, with whom I conversed with on the subject, since my arrival in England, and in whose division Lieutenant Colonel Weston had served, whilst the General was in India. This, Gentlemen is not *declamation* but *fact*, and if necessary, I will prove the circumstance to your entire satisfaction. It will also be seen, that four-fifths of the members of the Court Martial were junior to myself in the service, (page 50), a circumstance which never occurred in India before, to all which, must be attributed, the illegal errors that were committed during the trial, and on the strength of the exparty, and false evidence exhibited on the face of the Court of Inquiry and Court Martial proceedings the said Court, (although they acquitted me of the worst part of the prosecutor's charge, namely, that of being "*malicious*"), they most cruelly and unjustly discharged me from the Service, and I was afterwards placed on the Pension List by Lord Combermere.

Let me intreat of you, Gentlemen, to examine the charge thoroughly, and I feel confident, you will acknowledge it to be nothing more than an interested and shameful insinuation of the prosecutor's against my character. I have said, that no such motives have been proved against me, but let me ask you, Gentlemen, what law or precedent is there in existence, for making out imputations against the *secret* motives and intentions of a man; to my knowledge, it is not sanctioned by any British Law, Civil, or Military, the motives of human actions have always been considered to be beyond the reach of human tribunals. Yet the charge against me is intirely built up by the prosecutor's attaching motives to my conduct, and which circumstance is noticed by Brigadier Vaurenan, in his letter of Instructions to the Court of Inquiry, (page 34). Is this justice, Gentlemen? will my past conduct and character attested by celebrated General Officers not outweigh such wicked insinuations? is a man after having faithfully and honourably served his Country and his Government for upwards of twenty-four Years, and endured the heat and toil of such a climate as India, to have the fair fruits of his honest labour dashed from his grasp? and sacrificed together with his wife and children, merely to gratify the insatiable thirst for promotion. I was the Senior Captain of my Regiment, and the next for a majority, but because I would not purchase the majority from Major Cock, this cruel and destructive charge was trumped up against me, by the party concerned, too manifestly for the purpose of obtaining, as Lieutenant Bean calls it, "*a desirable step in the Regiment,*" (page 26, No. 18), the whole art of such an accusation intirely exists in catching a man by himself, and then asserting any thing the party pleases; but had Military Law, and the regulations of the Service been adverted to in my case, I should have been protected from this shameful attack. The character of a Commanding Officer had hitherto been held sacred, both in his Majesty's and the Honourable Company's Service, from such attempts on the part of junior Officers, under his command, two cases of which I had given, (page 98,) but in my case, a very different course was pursued, I was placed in arrest, prevented from giving my testimony on oath, and condemned because the privacy of the matter precluded the possibility of my producing any thing but presumptive proof, that proof I have shewn to be entirely in my favour, without even nameing the

prevarication, and falseness of the witnesses, which of itself, ought to be sufficient to acquit me of a *frivolous* and *inferential* charge, but the Court Martial paid not the least attention to these circumstances, and how His Excellency Lord Combermere came to confirm such illegal and unprecedented proceedings I cannot take upon me to say, but there can be no harm in my stating one positive fact, which is, that his Lordship's confirmation of the said trial was at total variance with his own orders, on the subject of Courts Martial, (vide page 49), wherein he had dismissed two Native Officers without even a Trial, because they gave a different evidence at the Court Martial to what they gave at a Court of Inquiry: The witnesses, at my trial, have done exactly the *same thing*, and which I trust, Gentlemen, your humanity will take into consideration.

I now trust, Gentlemen, I have succeeded beyond the shadow of a doubt in proving to you the circumstances above stated, and to which, I solicit your indulgent consideration, such being actually the case I do presume to hope that you will acknowledge the reasonableness of my complaints, and if they are reasonable, I feel confident that your sense of justice will lead you to redress the cruel wrongs, and unprovoked injuries, I have suffered and that, (as I believe) it is within your power to assist a fellow creature whose sufferings have been so unparrelled and so unmerited), you will out of your humanity and goodness, either induce the Honourable Court of Directors to restore me to the active branch of their service, or adopt such other measure, as in your superior wisdom may be conducive to such restoration, and for such an act of Charity and justice, I shall ever feel myself grateful.

I have the honour to remain,

GENTLEMEN,

With the greatest respect,

Your most obedient humble servant.

G. B. P. FIELD, CAPTAIN.

Bengal Establishment.

December, 1829.