



EXTRA
GOVERNMENT GAZETTE.

[PUBLISHED BY AUTHORITY.]

Wednesday, AUGUST 24th, 1859.

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Western Australia,
Commandant's Office,
Perth, 24th August 1859.
GENERAL ORDER.

The General Court Martial directed to assemble on Tuesday next was convened for the Trial of Staff Surgeon David Field Rennie, M. D., of the Army Medical Department, upon the following charges:—

First Charge.

For Conduct unbecoming the character of an Officer and a Gentleman, to the prejudice of Good Order and Military Discipline, in having, at Fremantle, Western Australia, on some day between the Nineteenth of June, and the Twenty Sixth of June, One Thousand Eight Hundred and Fifty Nine, without the knowledge of Lieutenant E. C. Sim, Commanding Twentieth Company of the Corps of Royal Engineers, or of any other Officer of that Corps, sent for Second Corporal Simpson of that Company, and in the Surgery of the Royal Engineer Hospital, interrogated him, the said Corporal, in a clandestine manner, with the view of eliciting from him matter to be used to the prejudice of the character of Brevet Major Edmund Yeamans Walcott Henderson of the said Corps; such interrogations relating particularly to the manufacture of certain Presses, which had been made for the Public Quarter occupied by the said Major Henderson, under the directions of the said Corporal by the order of the Clerk of Works, Mr. James Manning, and with which transaction Staff Surgeon Rennie had no legitimate concern whatever.

Second Charge.

For vexatious conduct, unbecoming

the character of an Officer and a Gentleman, to the prejudice of good order and Military Discipline in the following instances.

First Instance.

In having, at Fremantle, Western Australia, on or about the sixth day of August, One Thousand Eight Hundred and Fifty Nine, addressed a letter to the Director General of the Army Medical Department, wherein he falsely and calumniously imputes to the aforesaid Major Henderson unbecoming conduct in the following words:—

“ I accuse him of—at a time when
“ six Soldiers of his own Corps were in
“ Jail waiting their trial for selling
“ Government property, allowing a simi-
“ lar charge to be preferred against
“ himself by Soldiers of the Royal
“ Engineers, and not clearing himself
“ of the imputation by the only course
“ open to an Officer—a Court Martial,
“ on the Men preferring it,” the fact
being that the matter had been taken
up and inquired into by Lieutenant-
Colonel Bruce, commanding the Troops,
who, although he found occasion
strongly to animadvert on the conduct
of the parties concerned, could elicit no
proof that any of the Soldiers in ques-
tion had made statements of their own
knowledge derogatory to Major Hen-
derson, and therefore disposed of the
matter according to his discretion, of
which fact he, the said Staff Surgeon
Rennie, was fully aware.

Second Instance.

In having, in the same letter, calum-
niously accused the aforesaid, “ Major
“ Henderson of having forwarded to
“ His Excellency the Governor a false
“ statement explanatory of an irregu-
“ larity connected with himself.”

Third Instance.

In having, in the same letter, accused the aforesaid Major Henderson of "knowing of the embezzlement of a considerable sum of Public Money by his chief Executive Officer, and in place of adopting means for his removal making efforts to screen him and retain him in the Public Service," such accusation being a calumnious misrepresentation of the real facts of the case.

Third Charge.

For insubordinate conduct, unbecoming the character of an Officer and a Gentleman, to the prejudice of good order and Military Discipline, in having, in the letter to the Director General mentioned in the second charge, and also in a letter dated Fifth August, One Thousand Eight Hundred and Fifty Nine, addressed to Lieutenant Colonel Bruce, Commanding the Troops, persisted in his calumnious statements against the said Major Henderson, notwithstanding that he was informed by Lieutenant Colonel Bruce, under date second August, One Thousand Eight Hundred and Fifty Nine, "that the Governor, as "the Head of the Convict Department, "was perfectly conversant with all the "matters brought forward by him, Staff Surgeon Rennie, and that His Excellency held Major Henderson's honor to "be in no way affected by the assertions "made against it;" and notwithstanding also that he, Staff Surgeon Rennie, was warned by Lieutenant Colonel Bruce, in a letter dated Twenty Sixth July One Thousand Eight Hundred and Fifty Nine, that it "behoved him to "consider well before he preferred any "allegation affecting the honor of any "Officer holding Her Majesty's commission."

Fourth Charge.

For conduct unbecoming the character of an Officer and a Gentleman, to the prejudice of good order and Military Discipline, in having, between the First day of June and the First day of July One Thousand Eight Hundred and Fifty Nine, encouraged the circulation of, and concerted with others to give publicity to, calumnious reports, prejudicial to the character of the said Major Henderson in relation to the Presses referred to in the first charge.

Commandant's Office,
Perth, Western Australia,
20th August, 1859.

J. BRUCE, LT.-COL.
Commanding the Troops.

Since a copy of the foregoing charges was served upon Staff Surgeon Rennie, the Lieutenant Colonel Commanding has received from Major Henderson Royal Engineers a memorandum, dated the 20th inst., signed by Doctor Rennie, wherein the latter Officer acknowledges the manner, to use his own words, "cruel in the extreme," in which he has assailed the character of Major Henderson, with statements contrary to fact.

The Lieutenant Colonel has likewise received, from Staff Surgeon Rennie himself, a letter dated the 22d instant, in which he "unequivocally acknowledges Major Henderson's honor to "be free from stain," and his own conduct, in having preferred allegations against it, "to be highly culpable." In his communication to Major Henderson, Staff Surgeon Rennie "throws "himself upon the generosity" of that officer, and implores him "to use his "influence" with the Officer commanding the Troops to avert further proceedings against him.

In extenuation of his own Conduct Staff Surgeon Rennie pleads

1st. That for years back he has viewed Major Henderson "as actuated "by unfriendly feelings towards him, "for which he could never account, "and which naturally developed similar ones on his part," and

2nd. That he has been actuated by a "mistaken sense of duty."

It must be left for casuists to determine how far the animosity revealed in the 1st plea may have been the parent of the perverted sense laid claim to in the 2nd plea. But the Lieut. Colonel considers that the conduct of Staff Surgeon Rennie must be ascribed to some other agency than that of a mere "mistaken Sense of Duty,"

Major Henderson, on the other hand, with that forbearance and moderation which have characterized all his actions in relation to Staff Surgeon Rennie, has forwarded the latter Officers' Memorandum with the following observations.

"I think Doctor Rennie has sinned "more against the Governor and yourself than against me. He fancied I "had injured and hated him, from the "Governor and you he had nothing "but kindness; he did all he could to "to ruin me and to blast my character, "and I shall be glad to forgive him."

The breaches of discipline set forth in the charges have been so complicated by Staff Surgeon Rennie's own deliberate acts, that their final adjudication are beyond the control of the Officer com-

manding the Troops in this Colony. In fact, copies of the documents which form the base of the Charges having been sent by Staff Surgeon Rennie himself to the Director General of the Army Medical Department by the last Mail, the Lieutenant Colonel commanding had no alternative but, by the same Mail, to address the Adjutant General of the Forces upon the subject, for the information of His Royal Highness the General Commanding in Chief.

Under all the circumstances above detailed, the Assembly of the General Court Martial is hereby countermanded. Staff Surgeon Rennie will proceed to England by the first opportunity, and on arrival will report himself to the Adjutant General as well as to the Head of the Army Medical Department, and abide the pleasure of the General Commanding in Chief.

The Lieutenant Colonel Commanding hopes that the melancholy exhibition which this case affords of the perversion of respectable talents, and the consequent damage of Professional Reputation, through the evil influence of ungoverned feelings, will serve as a warning to all undisciplined minds.

J. BRUCE,
Lieutenant Colonel
Commanding the Troops.

GENERAL AFTER ORDER.

*Commandant's Office, Perth,
August 24th, 1859.*

Upwards of twenty-four hours after the above order was written, the Lieutenant Colonel Commanding received from Staff Surgeon Rennie a letter of seven pages, requesting that the "Court Martial should proceed."

This letter, taken in connection with all Doctor Rennie's previous communications, leads the Lieutenant Colonel to think that that Officer is more a subject for a Medical Board than for a Court Martial.

The letter in question shall be transmitted with the other documents to the Adjutant General for submission to His Royal Highness the General Commanding in Chief.

Staff Surgeon Rennie, as already directed, will proceed to England by the first opportunity, and in the mean time his arrest is withdrawn to the extent of giving him the same freedom of movement as any other Officer, but he will not return to duty in this Colony.

J. BRUCE,
Lieutenant Colonel
Commanding the Troops.

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