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THE SUPERSESSION
OF THE
COLONELS
OF
THE ROYAL ARMY.

BY
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SECOND EDITION.

HENRY S. KING & CO.
65 CORNHILL & 12 PATERNOSTER ROW, LONDON.

1873.

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THE
SUPERSESSION OF THE COLONELS
OF THE
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WHEN Mr. Cardwell came into office he found, ready cut and dried, a grievance of a very grave character, under which the Colonels of Her Majesty's Army were suffering.

At that time the grievance complained of might easily have been removed by the exercise of very little liberality and energy on his part, and as every week that passed added to the hardship, one would have supposed that Mr. Cardwell would have lost no time in settling it one way or another; more especially as the Officers affected were some of the oldest and most distinguished in the service, deserving a certain amount of respectful consideration from the fact of their having commanded Her Majesty's Regiments, many of them in the Crimea and in India, while some of them had even held independent commands before the enemy, and others had filled

high and responsible positions on the Staff, in peace and war.

Whether Mr. Cardwell has shown that desire to redress their wrongs, that regard for the just rights of the members of an honourable and noble profession, which ought to be expected from its temporary head, I leave the public to decide after they have read the following pages. It is not my intention to enter into the history of the supersession, or to discuss the rights and wrongs of the case : a few words of explanation are alone necessary to introduce the subject to my readers, and the reports of the Royal Commissions, War Office Committees, and Select Committees of the House of Commons, which will be quoted further on, will sufficiently prove the fact of a hardship having been inflicted on the Colonels of our Army.

Up to the year 1854 it was an admitted principle that promotion from the rank of Lieutenant Colonel to the higher grades in the Army should proceed *pari passu* in the Royal Army and in the Army of the late East India Company ; and that the Officers of both Armies should be equally considered in a just participation of all advantages of Military rank. Previous to that year various contentions had arisen from occasional supersession, and in 1827 the Duke of Wellington laid down the following principle :—

“An Officer who has distinguished himself at the head of one of His Majesty’s Regiments, and who may thereby have rendered essential service at an important moment, must not



be liable to be superseded by one junior to himself in the rank of Lieutenant Colonel, either as Colonel, or, subsequently, as Major General."

In 1833 another case of supersession occurred, and Lord Hill, writing to the President of the Board of Control, in the course of a long argument, remarked:

"The only safe and unerring principle on which the system of promotion can be soundly and justly regulated as between the King's and the Company's Officers in India, appears to be that which has been already alluded to; that under no possible circumstances can it be permitted that a Lieutenant Colonel in the King's Service should be superseded by one junior to himself in the rank of Lieutenant Colonel, as Colonel, or, subsequently, as Major General."

Again,

"In all that has been said throughout the voluminous discussions which have taken place upon the subject of Military promotions in India since 1796, the ruling principle has ever been so to uphold the position of the King's Officers that they might not suffer in any collision of interests with the Officers of the Company's Army in their character or military dignity."*

I quote these extracts in order to show that supersession is no mere sentimental grievance, but that it was looked upon as a grave and serious question really affecting the interests of the Army, by such men as the Duke of Wellington and Lord Hill.

In the year 1854 a Royal Warrant was issued which made material alterations in the mode of promoting to the rank of Colonel. It also established

* Report of Committee on Supersession of Colonels. War Office, 1870.

a fixed list of General Officers, both for Her Majesty's and for the Company's Army ; but before this Warrant had time to show working results the Great Mutiny broke out in India. Then came the amalgamation of the two Armies, and, a few years later, the supersession now complained of commenced. To quote the report of a Select Committee of the House of Commons—*

“This supersession was caused partly by the Warrant of 1854, partly by the exceptional promotion in the upper ranks of the Indian Army, caused by the special pensions given by the Indian Government as an inducement to their Officers to retire after the Amalgamation, and partly by a Royal Warrant issued in 1864, rescinding another Warrant which had been issued in 1862, and which was considered by the Officers of the late East India Company's service to be an infringement of the Parliamentary guarantee securing them ‘the like pay, pensions, allowances, and privileges, and the like advantages as regards promotion and otherwise as if they had continued in the service of the Company.’ ”

In 1865 Colonels commanding Her Majesty's Regiments in India were superseded by Officers in the late East India Company's service, who though far junior to them in the rank of Colonel, were promoted to the rank of Major General. As soon as this occurred, Lord Sandhurst (who was at that time Commander-in-Chief in India) wrote home a strong protest on the subject, clearly pointing out to the authorities the mischief that would be done by

* Report of Select Committee on Army Colonels. 26th July, 1870.

the Royal Warrant of 1864, and the great hardship and injustice it inflicted on the superseded Colonels of the Royal Army, and asking for immediate consideration.

This letter of Lord Sandhurst did not meet with the attention which it deserved, chiefly through the delays arising in the India Office ; and so the evil was allowed to grow, till at length Sir John Pakington, in August, 1868, appointed a Committee to meet at the War Office, to consider and report on the supersession of the Colonels of the British Army.

The Committee was presided over by Colonel Egerton, the Deputy Adjutant General at the Horse Guards, and now Military Secretary to H.R.H. the Commander-in-Chief. Mr. Cochrane represented the India Office, and Major Marvin the War Office. The Committee, after careful consideration of all the circumstances of the case, recommended "as a partial amelioration of the present condition of the Colonels of the British Army," that "forty-five additional Major Generals be forthwith created." The expense of this arrangement would have amounted to £11,762 per annum for three years. The Committee also reported that :—

"The last Indian General promoted (there are at the present time some vacancies unfilled) passed over and superseded no less than 230 Colonels of the British Service, the seniors of whom date as Colonels of 1854 and 1855, many of whom distinguished themselves at the head of Her Majesty's Regiments in the several actions in the Crimea, at Alma, Inkermann, and Balaklava, and were mentioned in despatches.

“ More marked, and more anomalous still are the cases of the Colonels of the British Army who commanded brigades, or independent columns, or filled high Staff situations during the Indian Mutiny, and who are now in course of supersession by Officers of the Indian Army (many of whom, no doubt, took part in the same field services) who, at that date, held only the rank of Major.

“ It is only necessary to enumerate the following :—

- “ Colonel Heythorn, C.B.
- „ Sir E. Wetherall, C.B., K.C.S.I.
- „ Sir J. Douglas, K.C.B.
- „ Sir E. Greathead, K.C.B.
- „ Sir J. Jones, K.C.B.
- „ Sir D. Kelly, K.C.B.”*

Such was the state of things when Mr. Cardwell found himself at the War Office in January, 1869. A great wrong, chiefly owing to the carelessness of the House of Commons and the apathy of men in office, was being done to the oldest Officers of the Army which he was called upon to govern. The way to put a stop to that wrong, or, at least, to make some amends for it, had been pointed out by a Committee appointed by his predecessor, and, as I have said before, a very little energy and liberality would have put an end to a great grievance. But, unfortunately, Mr. Cardwell is a member of a Government which had pledged itself to economy, and which considered that the saving of a few pounds was of far more importance than ensuring a feeling of contentment in the public service.

Nothing was done, therefore, for a couple of months

* Return to an Address. House of Commons. Supersession of Colonels. June 24th, 1869.

after the War Office Committee reported, when the following letter from H.R.H. the Duke of Cambridge startled the repose of the War Office.

“ Horse Guards,
“ 5th March, 1869.

“ SIR,
“ I herewith forward for your information three letters from the Officers named in the margin, representing the supersession to which they are being subjected by the promotion of Colonels of the Indian Army to be Major Generals, who are very considerably their juniors.

“ As this supersession has now been going on for a long period, and will be of constant future occurrence, it appears to me to be a question of the greatest importance as affecting the interests of the whole body of Officers of the British Army, and I consider it one which merits your attentive consideration.

“ You are aware that a Committee was assembled some months since for the purpose of considering this subject, and that their Report on the same was submitted at the beginning of January.

“ I am, Sir, Yours,
“ (Signed) GEORGE.”*

This letter led to a series of negotiations between Mr. Cardwell and the Duke of Argyll; in the course of which, the contemptuous indifference of an economical Government on the subject of justice to its Officers was displayed by the following extract from one of Mr. Cardwell's letters to the India Office.

“ Mr. Cardwell feels that it will be of little use for him to apply to the Lords Commissioners of Her Majesty's Treasury

* Appendix to Report of Committee appointed to inquire into the supersession of the Colonels of Her Majesty's Army. 1870.

to sanction any expense for the relief of the Colonels, and, indeed, he does not feel disposed to do so, since the grievance has arisen entirely from changes in the Indian Establishment, over which the Treasury had no control, and in respect to which that Department was not consulted.”*

Mr. Cardwell appeared to forget, when writing the above, that the grievance also arose from carelessness in drawing up an Act of Parliament, and from the apathy of the War Office on the subject.

The correspondence was continued for some time upon the principle of doing justice if we can, but of course not if it costs money; and at last, in order to settle the question, a fresh Committee was proposed by Mr. Cardwell, to be composed of one eminent lawyer, and of Officers of the two Services respectively, and of too high rank to be themselves personally interested, but Mr. Cardwell wound up his letter to the India Office, announcing his intention to appoint the Committee, by the following paragraph, dated War Office, July 20, 1869:—

“Mr. Cardwell could not consent to refer to this Committee any proposals involving an increased charge upon the Estimates of this Department; but should propose to confine the reference to asking for their opinion upon the proper relative position of the Officers of the two Services.”

The Duke of Argyll responded as follows:—

“India Office, July 21st, 1869.

“In reply, I am to request you will inform Mr. Cardwell that

* Extract from letter, Appendix to Report of Committee appointed to Inquire into the Supersession of the Colonels of Her Majesty's Army. 1870.

the Duke of Argyll consents to the appointment of a Committee as proposed, upon the understanding that no suggestion can be entertained involving a charge upon Indian revenues."

In accordance with this liberal determination of the two members of the Cabinet chiefly concerned, the burlesque of another Committee was gone through, and the following directions were issued for the guidance of the distinguished persons composing it.

"1. The Committee will inquire into the effect of the existing Regulations on the present and future relative position of the Colonels of the two Services.

"2. If the Committee should be of opinion that these Regulations operate unjustly or unequally on the interest of Officers of either Establishment, they will report what alteration should be made in them, having regard to the Parliamentary Guarantee given to Officers of the Indian Establishment by the Acts of 1858 and 1860.

"3. The Committee will limit their Recommendations to courses which shall not involve increased charges upon either Imperial or Indian Revenues.*

"War Office, 3rd August, 1869."

With regard to these instructions, I will only remark that I believe no English Minister ever created a deeper feeling of disgust among those affected by any measure than did Mr. Cardwell by laying down the principle that England could only see justice done to her faithful servants on condition of its costing nothing.

However, the Committee was appointed, and was composed as follows:—The Vice-Chancellor, Sir Wil-

* Report of Select Committee, &c., 1870.

liam Milbourne James, President, Gen. Sir C. Yorke, G.C.B., Lieut. General Sir D. A. Cameron, K.C.B., Lieut. General R. Alexander, Lieut. General Hancock, Members, and reported on the 15th December, 1869. In the course of their report the following paragraphs occur :—

“97. It is impossible to estimate in what degree this disadvantage may be lessened to the junior Colonels of the British Service and those of the Staff Corps after the long period of 10 or 11 years, but it may be confidently predicted that the Indian Colonels of Cavalry and Infantry, who will remain to be promoted even on the reduced list of 80 or 90 General Officers of the Indian Army, will be even then so very far junior to the Colonels on the Amalgamated List of the British Army that any tolerable equality in the rise from Colonel to Major General in the two Armies will not be reached under the present Regulations at any period which it would at this time be possible to estimate.

“98. We cannot consider that the injury thus sustained by the Colonels of the British Army is one only of a light or temporary nature. The extent to which they are passed over by those of the Indian Service is most keenly felt by them, and if, as has always hitherto been held, it is important that in the two Armies serving the same Sovereign and acting together in all situations, equality of promotion in the ranks qualifying for Commands should be maintained, it seems to us highly necessary that some steps should at once be taken to check the progress of, if it may not be possible entirely to remedy, the inequality which now in so great a degree exists. With this view we feel justified in suggesting some measures which under a state of things less pressing we should hesitate to recommend.”

It is unnecessary to go into the question of the remedies proposed, because they were not adopted,

and Sir Charles Yorke and Lieut. General Cameron, in dissenting from the Report, state that the proposals suggested would be "a very inadequate remedy for the injury of which the British Army, as our Report shows, have good reason to complain."

Nothing further was done in the matter till well on in the Session of 1870, when arrangements of a most unsatisfactory nature, and which were almost resented as being worse than the evil they were designed to remedy, were made by Mr. Cardwell and the Duke of Argyll.

In consequence of this, I was asked by some of the injured Colonels to take up their case in the House of Commons; which I accordingly did, and gave notice that I should move for a Select Committee to inquire into the subject. The Government opposed my motion; but on the night upon which it was to come on, I had such an enormous majority at my back, that they gave in and granted me the Committee.

Now begins the almost incredible part of the story, to which I desire particularly to draw the attention of Members of the House of Commons.

On Tuesday, the 28th of June, it was ordered

"That a Select Committee be appointed to inquire into complaints of hardships urged on behalf of the Colonels of the British Army in consequence of their supersession by the Colonels of the Indian Army,"

and on Wednesday, 6th July, 1870, the following Select Committee was nominated:—

Mr. Chancellor of the Exchequer.
Sir Percy Herbert.
Mr. Grant Duff.
Sir John Hay.
Mr. Brand.
Sir Rainald Knightley.
Mr. Kirkman Hodgson.

Mr. Clay.
Mr. Sclater-Booth.
Sir Edward Colebrooke.
Mr. Goldney.
Sir Charles Wingfield.
Mr. Bourke.
Mr. West.
Major Anson.

Mr. Lowe represented the Treasury and Government generally. Mr. West was supposed to advise Mr. Lowe upon any legal points which might arise; Mr. Grant Duff and Sir Charles Wingfield represented the India Office and the interests of the Indian Officers, while Sir Percy Herbert and I represented the Officers of the Royal Army.

To our great surprise we found the Chancellor of the Exchequer much more favourable to us than we had expected. The Committee hardly required any evidence, being satisfied with that taken before the former Committees. Sir William Mansfield, General Egerton, and General Pears, the Military Secretary to the India Office, were briefly examined, and after two days' sitting, Sir Percy Herbert and I drew up our Report.

After shortly tracing the history of the supersession, and pointing out that the last Indian Colonel promoted had superseded no less than 279 Colonels on the British List, we recommended two courses, one to put a stop to supersession in the future, the other to make some amends to those who had suffered in the past. With regard to the former, we gave

an expression to our views in the following paragraph—

“ 14. Your Committee think it advisable that such a state of things should no longer exist, and they therefore recommend that the action of the Warrant of 1864, so far as it affects the promotion to the rank of Major General, should cease from this date, and that an Amalgamated List of Colonels be at once formed from the British, the Staff Corps, and Indian Local Lists, from which Amalgamated List promotions to the rank of Major General shall be made by seniority, according to the dates of Colonels' commissions.” *

With regard to the latter we adopted the Report of General Egerton's Committee, and recommended the creation of 45 Major Generals.

It was argued by some persons that our first proposal would lead to a breach of the Parliamentary Guarantee of 1858, which provided that all Officers of the late East India Company's Service “shall be entitled to the like pay, pensions, allowances, and privileges, and the like advantages as regards promotion and otherwise, as if they had continued in the service of the Company.” But Mr. Lowe stoutly maintained that it was no breach of such guarantee, and he cordially supported the first portion of our Report, promising to use the whole of his influence in the Cabinet to get it carried into effect on the condition that we should not press the last portion of the Report, which advocated the creation of 45 Major Generals.

* Report of Select Committee, House of Commons, &c.

This placed Sir Percy Herbert and myself in an awkward position. We did not like to throw over those who had been the principal sufferers, while at the same time it was a great gain to put a stop to supersession for ever. At that time we had not the slightest doubt, any more than we have at this moment, that our proposal was no breach of the Parliamentary Guarantee. It was clear to our minds that no Cabinet Minister would have spoken out in the way Mr. Lowe did, unless he had ascertained beforehand that the rest of his colleagues agreed with him, and that the sanction of the Duke of Argyll, as Secretary of State for India, had been obtained, in case of there being no other practical solution of the question possible. We were, therefore, morally certain that if we yielded to Mr. Lowe, supersession would be put an end to. On the other hand, we had a large majority of the Committee at our back, who were prepared to vote for the 45 Major Generals.

Now, from our knowledge of those most interested we felt sure that not a single Officer would wish his individual case to interfere for a moment with the extinction of what undoubtedly was and is a great evil to the service. I therefore asked the advice of gentlemen on the Committee whose experience was greater than my own, and, amongst others, Mr. Clay said to me, "I will vote for the creation of 45 Major Generals if you choose to press it, as I think they have been hardly used; but if you ask my advice, I should recommend you to withdraw that portion of

your Report, for, after the assurances you have received from the Chancellor of the Exchequer you will by so doing at least secure your main object."

This was the general opinion of the Committee, and in deference to it we withdrew the latter portion of our Report. I do not think it would have been possible to have shown more moderation than we did, but had I known what was behind, I, for one, should not have been quite so simple or accommodating.

On the afternoon of the day on which our Report was adopted, I told a permanent official of one of our departments what we had done, and what was the result of the Committee. He burst out laughing, and exclaimed, "Why, they will refer the recommendation of your Committee to a Royal Commission, to decide whether it is a breach of the Parliamentary Guarantee of 1858. All they wanted was to prevent your getting a recommendation from the Committee for the creation of an extra number of Major Generals." Of course I declined to believe such an assertion, but my informant was right, for after allowing the greater portion of the recess to pass away, Mr. Cardwell issued a Royal Commission to report on the legality of the Report of the Select Committee of the House of Commons. I believe it was not appointed till just before the Session of 1871, and as I did not succeed in getting their Report till June, one year after the Report of the Select Committee of the House of Com-

mons, I think I may fairly assume that the delay was intentional, in order to put off as long as possible any appeal that I might make to the House of Commons. The Commission was a formidable one. Lord Cairns was President, supported by Vice-Chancellor Sir William James and Baron Bramwell, while General Sir James Scarlett and Major General Stewart represented the Officers of the Royal and Indian Services.

The result of their deliberations was that they found the Report of the Select Committee to be a breach of the Parliamentary Guarantee of 1858. Now as the principal cause of the supersession grievance was the enormous retirement subsequent to, and in consequence of the amalgamation, I could not agree with this decision, but, of course, my opinion could not weigh against those of such distinguished judges and lawyers as composed the majority of the Royal Commission ; and I can call Sir Charles Wingfield, my staunchest opponent on this subject in the House of Commons, to witness that I have acted loyally by their decision. The Royal Commission, besides setting aside my Report, expressed themselves as follows :—

“ 21. We recognise to the fullest extent the hardship and sense of injustice which must arise and be felt in an Army united and frequently serving together, when all portions of the Army have not substantially an equal share of the promotions, the honours, and the emoluments of the profession ; and we think it probable that at the time of the legislation of 1858 circumstances which have since occurred, and have brought into greater

prominence the unequal working of the rules of promotion in the Indian and British Armies, were not foreseen.

“22. We entertain a strong opinion, if it is fitting that we should express an opinion, that the hardships and inconveniences to which we have referred should be removed. But the experience of these hardships and inconveniences cannot, as we think, be used to violate or to strain the construction of the Parliamentary Guarantee ; and their removal ought, in our opinion, to be effected by suitable arrangements (the nature of which it is not for us to indicate) in the British Army, and not at the expense or by a derogation from the rights of the Officers of the Indian Army.”*

The Government, of course, felt that something must be done, but it will hardly be credited that, in the face of this Report, Mr. Cardwell actually proposed to bring in a Bill repealing the Parliamentary Guarantee. In fact, sooner than be forced to spend a few thousand pounds for two or three years, they were prepared to use their influence to induce the House of Commons to violate their sacred pledges embodied in an Act of Parliament.

I believe this to be an undisputed fact ; at least, I was asked privately if I would support such a Bill if introduced by Mr. Cardwell, in order to carry out the recommendation of the Select Committee of 1870.

Let the reader remember that at that time a Parliamentary Guarantee had been passed, securing certain terms for the Officers of the Royal Army. Apart

* Copy of Report of Royal Commission on the supersession of Colonels of the British Army. Return to an Address of the House of Commons, June 5th, 1871.

from the doubtful nature of the course proposed, I do not think that such a proceeding on the part of the Government would have increased the security of the Officers of the Royal Army. I do not believe the Bill was ever draughted, but it was at all events made use of by Mr. Lowe to shift all responsibility on to my shoulders, as having refused to support the Government in their desire to give effect to the Report of my Committee, and when at the end of the Session I attempted to complain of the conduct of the Government in this matter, the only answer I received was a reminder from Mr. Lowe, that "the Army was made for the nation, not the nation for the Army."

Having now placed the facts connected with the Supersession before the public, I am content to leave them to judge of the fairness with which the Colonels of the British Army have been treated.









