

EAST AFR. PROT.
4421

C. O.
7721
6 MAR 13

February 1913
Last previous Paper

MR H.E. WATTS CLAIM FOR COMPENSATION

for loss of cattle. His report by the C.V.O. is of opinion that Govt can in no way be held responsible and that in awarding any compensation at all he has been treated with more liberality than he had any right to expect.

103383/12
+3
H-2
None to return, sent to Capt. & Mrs. [unclear]

W. B. [unclear] to [unclear] for J. Anderson

I agree with the view which the Governor holds. It would be a most dangerous precedent to admit compensation for losses of this kind as a right. The sum of £150 given as an act of grace is a sufficiently dangerous move & we ought to be careful to safeguard ourselves by emphasising the fact that no "compensation" can be claimed & that the £150 grant was a piece of generosity. The Govt keeps up a large & expensive Agricultural Dept

1	2	3	4	5
1	2	3	4	5

C.O. 533 116

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had no settlers for the best
through that Dept but no
settles is bound to accept the
advice. Of course we
found of course when the Govt
Special giving the advice had
shown culpable ignorance or
carelessness, there wd doubtless
be some ground for considering
the award of some compensation,
but again solely as an act
of grace.

There is nothing to show whether
Mr. Watts has left England, so we
might write to the Secretary
address marking letter to be
returned. If he has left the
country.

? with ref. to letter of 30 Oct on
of 33383 per say that L.P. has
now received a ~~report~~ report from
the Gov. Cal. on the subject -
that give him the substance of
para. 2 & 3 of this disp. as
being the opinion of the Gov. in
the L.P. concerns - say that

his application cannot be further
considered.

W.C.C.

414

7/27/13

Mr. Read

? the proposed. And P.S. should not
to lose anything is to be written to Major
Henderson

[I do not think the inoculation question
is quite as simple as it looks. The settler
who is advised is probably told, or knows,
that if he rejects the advice his cattle
may prove the source of ^{an} indefinite
extension of infection.

This despatch & encl. contain no reference
to East Coast fever as I understand
33383 one of Mr. Watt's complaints is that
he was allowed to move clean cattle into
an area ⁱⁿ which the authorities had
good ground for believing E.C.F. to be
endemic.]

W.C.C. 7/27

Alfred
H. J. 3. 13

H. J. D.

7/27

Mr. Bottomley

Now letter to Mr. Watts
has come back - He has probably
returned to Victoria (P. 157)

had better
the first for
can not
found
H. J. 3. 13

Search 3/26 to
return in 2/26
1/26 that
the 2/26
of 4/26 - S.A.P.
W.C.C. 7/27

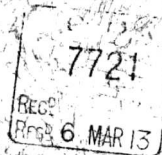
GOVERNMENT HOUSE,
NAIROBI.

EAST AFRICA PROTECTORATE.

BRITISH EAST AFRICA.

February 8th, 1913.

No. 82.



Sir,

In reply to your despatch No. 712 of October 28th respecting a claim to compensation preferred by Mr. H. E. Watts I have the honour to transmit herewith a copy of a report from the Chief Veterinary Officer giving a detailed account of the circumstances of the case.

2. It would, I think, be very dangerous to admit any liability on the part of Government for losses which are the result of experiments undertaken in the interests of the farmer themselves. It is very possible that the mortality amongst Mr. Watts' cattle would have been quite as great, if not greater, had they not been inoculated, and in any case he was a free agent

THE RIGHT HONOURABLE
LEWIS HARCOURT, P.C., M.P.,
SECRETARY OF STATE FOR THE COLONIES,
DOWNING STREET,
LONDON, S.W.

Mr. Storey
February 4th

agent in the matter and could have rejected the advice given by the Veterinary Department had he thought fit to do so.

3. I am therefore of opinion that Government can in no way be held responsible and that in awarding Mr. Watts any compensation at all we have treated him with more liberality than he had any right to expect.

I have the honour to be,

Sir,

Your humble, obedient servant,

Alonso Baynes

GOVERNOR.

PUBLIC RECORD OFFICE					
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1	2	3	4	5	6

Reference
C.O. 533 116

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82 Feb 8 1913

J.W.S.

No 63.19.12.

Office of the Chief Veterinary Officer,

NAIROBI.

4th February 1913.

To the
Hon'ble the Chief Secretary,
through the Hon'ble,
The Director of Agriculture,
NAIROBI.

C.O.
7721
REC'D
MAR 13

Mr H.E.Watts' claim for compensation.

In December 1910 Mr Watts made enquiries as to the advisability of having his cattle actively immunised against rinderpest.

Rinderpest was at that time prevalent in the herds of the natives in close proximity to Mr Watts' farm, and, as a mortality of from 80 to 90% had been recorded in some herds Mr Watts was recommended to have his cattle inoculated and was further informed that a death rate of 5% might be anticipated.

Veterinary Officer McCall visited the farm on the 8th January 1911 and at the request of Mr Watts, inoculated 487 head of cattle with virulent blood and serum.

The cattle at the time of the inoculation were in poor condition for owing to the drought good grazing was scarce, still the prevalence of rinderpest in the district left no other course open but to inoculate.

On the ninth day after inoculation several of the milk cows shewed a reaction, these were promptly re-inoculated with serum.

The herd was temperatured daily and in every case in which febrile reaction was recorded, reinoculation with serum was carried out.

The first death took place on February 5th and further deaths occurred till April 10th. According to Veterinary Officer McCall's records sixty-seven head of cattle succumbed, 14.3 per cent, and nineteen cows aborted.

Mr Montgomery, the Veterinary Pathologist paid several visits to Mr Watts' farm and in a report he furnished me he states:-

"Mr McCall has been provided with serum Nos. 3, 4, 5 & 6, since January, and has probably employed all these on Mr Watts' cattle. Prior to issue each serum is tested and the dose at which it is found suitable fixed. The sera in question were all found efficacious, and at the Laboratory we have had no trouble in the immunising of over two hundred head of stock.

As Mr McCall states in his report, the virulent blood which he forwarded here has been satisfactory, and is the strain still employed for the production and testing of sera. I understand, further, that the cattle of other owners were inoculated with this same blood without ill-effect.

As already reported in my letter of May 23rd 1911, I again repeat that the inoculations were carried out in a thoroughly efficient manner.

(3)

The cattle were in a low condition and their recuperative powers much reduced owing to the lack of good food. It is to be noted that when rain fell in April and fresh grass became available that the deaths ceased and the remainder of the herd regained condition.

Among cattle belonging to other settlers in the Iumbwa district which were inoculated by the same method and at the same time as Mr Watts' cattle, several violent reactions resulted but the death rate was low and the disease ceased within its normal period.

It is an acknowledged fact by Veterinarians who have carried out anti-rinderpest inoculations in various parts of the world that occasionally, for no apparent reason, severe loss is sustained as the result of such inoculation.

In this country, where resistance to the disease varies considerably, and where even the virus itself exhibits degrees of variation, it is probable that in any scheme adopted in the future for the suppression of rinderpest that a higher percentage of deaths may be recorded now and again than is at first anticipated.

Had rinderpest been introduced into Mr Watts' farm prior to inoculation I venture to submit that his losses would have been much more than 14.3 per cent.

The inoculation of Mr Watts' cattle was carried out in the best interests of the owner and the country at large and should everyone who has the

(2)

unfortunate to lose a higher percentage than at first anticipated be compensated for work genuinely carried out, it will be well nigh impossible for the Government to adopt measures in the future for the suppression of contagious diseases of stock with the prospect of having to meet exorbitant claims for compensation such as submitted by Mr Watts.

Not only has Mr Watts been given 2 150 compensation but he was given a temporary post as Stock Inspector to enable him to tide over his difficulties resulting from his cattle losses.

Robt. J. Sturdy

Chief Veterinary Officer.

The Hon. the Chief Secretary,

Passad,

(Signed) A.C.M.

4-2-13.

13 March 1913.

Sir,

With ref to the letter from
(33389) the Dept of the 30th of October

I am able to inform you
that he has now received
a report from the Gov^{rs}?

P. A. P. on the question of
your claim for compensation
for losses sustained
through cattle disease.

2. I ~~concur~~ ~~in the~~
~~opinion of the Government~~
~~that the P~~

2. In ~~the~~ ~~opinion~~
~~of the Government~~
that the Government should
cannot admit any liability
for losses which are the
result of experiments
undertaken

DRAFT.

C. Webb, Esq.
West Hill Road
Sturminster Newton
Dorset.

MINUTE.

Mr. Dorman Esq.
Mr. B. W. W. Esq.
Sir G. Fiddes.
Sir H. J. Esq.
Sir J. Anderson.
Lord Emmott.
Mr. Harcourt.

See afterwards to P.S.
Mr. B. W. W. Esq.
772/1

20/6

undertaken in the
interests of the former
and he suggested that it
was ~~not~~ ^{is} very
possible that the mortality

amongst you cattle would
have been as great, if not
greater, had they not been
inoculated, ~~as they~~ ^{as} in any
case that you were free to
reject the vaccine given by
the Veterinary Dept. Had you
thought fit to do so.

The Governor considers that
~~the~~ ^{the} ~~Service~~ ^{Service} can be in no way
held responsible, and
that, in receiving any
compensation at all you
have been treated more
liberally than you had any
right to expect.

I am to add that
~~there is no compensation~~
~~to be given~~ ^{to be given} for a stock theft by
Drs. It projects that your
application

Application cannot be
further considered.
I am
422

C. D.
R. 1 MAR
1913

Hand 16794

13 March 1913.

Sir,

I have the to acknowledge the receipt of your despatch No. 82 of the 8th of February, respecting the claim by Mrs. H. S. Watts for compensation on account of losses of cattle.

The substance of your despatch has been communicated to Mr. Watts, and he has been informed that his application cannot be further considered. I should be glad, however, to receive your observations on the complaint made

DRAFT.

C.P. No. 194

H.C. Bedford Reg. Cons.

MINUTE.

- Mr. Downie 710/5
- Mr. Bottomley 18/5
- Sir G. Fiddes
- Sir H. Just.
- Sir J. Anderson.
- Lord Emmott.
- Mr. Harcourt.

for conser.

2 dfts

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