

EAST AFR PROT  
148/1-1

DOMESTIC  
C O  
4844  
R L  
9 11 03

Office or Individual.

Estimated by GPO

1909

Retirement

17 Jan.

Last Previous Paper

11/20/08

Submits further representation re: circumstances connected with his retirement & asks for some sort of compensation for moral & financial loss sustained, & lack of consideration with which he always has been treated.

General Dept.

H. J. R.

4/2

Mr Read

Mr Cox

Dr Mac Donald was retired for administrative reasons & the case seems administrative as much as personal.

We might have snubbed Dr. H. for not sending in his previous complaint thro' the Govt, but it did not appear to be a case in which that sort of line should be adopted.

We went, I think, to all lengths of courtesy in the letter respectful with which his last letter was answered, & I do not see what more we can do.

We can only reply thro' the Govt (send the Govt a copy of

to go to Mr

11/20/08

this letter) & gently hinting that it should have  
been sent thro' official channel, saying that  
in our previous communication it was fully  
explained to Sir Macdonald for what reasons  
his retirement was considered to be desirable,  
& also that he was treated in the matter of  
pension on as liberal a scale as the  
regulations affecting pension would allow.  
In these circumstances it is impossible for the Secretary of  
State to reconsider the case, or to ~~offer~~ offer  
compensation. T.C.H. 1/2

Mr. Antidote. So reply?  
W.J.R.  
17/2

Off. accordingly for cont. But  
instead of gently hinting it would  
be better to say definitely that  
the letter had ~~not~~ come through  
the Gov. and to give the reasons  
which are given in the Col. Reg.  
Let me see the  
Not Feb 1909  
at once

Mombasa 17th Jan. 1909  
REC 9 FEB 09

The Earl Crewe  
His Majesty's Principal Secretary of State for the  
Colonies

My Lord,

I have the honour to acknowledge receipt of a despatch  
"copy enclosed" dated at His Excellency the Governor's Office  
Nairobi 22nd December 1908, acknowledging Your Lordship's  
receipt of my despatch of 26th October 1908 and, with Your  
Lordship's permission I shall endeavour to answer His Excellency's  
despatch seriatim.

all  
42022/8

1. I would however, in the first place, beg to be allowed  
to tender Your Lordship my most sincere thanks for your kind  
expression of sincere regret that I am of opinion that I have  
been treated with discourtesy and want of consideration in  
the matter of my retirement. I much regret to say, I am still  
obliged to adhere substantially to that statement.

2. I was aware, that the proposals in connection with my  
retirement were communicated to Your Lordship, otherwise, no  
such insulting injustice could possibly have been offered me.  
I hope I sufficiently indicated to Your Lordship in my despatch  
of 26th October who caused such communications to be made,  
and how very unfair and misleading they were, and how such  
proposals were calculated to injure and deprive me, as they  
have, of my office and living.

With the very greatest respect I submit that it is no  
part of the functions of an official however highly placed,  
to bring his influence to bear in certain quarters to do a  
brother officer an injury.

But a highly placed official of the Medical Department  
as in other Departments is able nevertheless to exercise a  
real influence for good or evil on the conduct of administrative  
affairs and as I have clearly shown there say, unfortunately,

be little doubt that this influence was persistent and systematically used to my disadvantage and to do me an injury.

I trust Your Lordship will believe me, that my earnest desire in this correspondence is, to avoid as far as possible, indulging in personalities or any implied disrespect towards high officials of the Crown. But, the treatment which I have received at the hands of His Excellency the Governor, has caused me to treat with very grave doubt indeed, and reserve the statement contained in his despatch of 22nd December 1906: "that there was every desire to treat me with courtesy and "deal with me in as liberal a manner as the regulations would "allow". I do not wish to say, or imply, that His Excellency harbours any personal animus towards me, and the only conclusion that I am irresistibly driven to in the face of the facts reviewed is; that His Excellency allows himself, through perhaps care or important matters of State, or probably, or possibly, apathy, to be over-persuaded, which may in some way have led him to treat the matter lightly, and cause him to temporarily forget in some measure, what was due to a senior servant of the Crown in East Africa.

4. In reply to this para. of His Excellency's despatch and the reasons adduced therein for his actions. I am quite with His Excellency and agreed in my letter of 23rd November 1907, that it was right that a Medical Officer holding the position of Medical Officer of Health in Mombasa should be in possession of the technical qualifications for the post, and I maintain so still, this is given as the sole reason of my retirement. I must frankly admit that I really cannot reconcile His Excellency's statement with his subsequent actions. I was given no alternative whatsoever, nor an offer of transfer or further employment, but to vacate my post on the 31st of March 1908. A Medical Officer was appointed to fill it on the 1st of April who held no qualifications whatsoever in Public Health, notwithstanding the fact, that a Medical Officer holding the necessary qualification was actually present all the time.

(3)

in Umbasa, and is to this day. Apart from the infirmities done me, it surely cannot be maintained, that, because I do not possess Diplomas in Public Health, that that could be urged as a reason why I should retire from the service. Pushing such an argument or reason, to its logical conclusion about 90% of all the Medical Officers in the Colonial Service would have to retire. I think His Excellency must have written hurriedly and failed to realize at the time the deductions which would naturally follow on such a statement as he has made.

5. It is entirely misleading to state that while I was on leave which "I was compelled to take" that it was impossible to appoint a successor to my post. His Excellency must surely have forgotten the facts of the case, Dr. Ladford was appointed acting Medical Officer of Health before I vacated my post and I was instructed to hand over to him. I vacated my post on the 31st of March, and was obliged to rent a house, and not until I received a wire from the Lieutenant Governor through the Principal Medical Officer on the 24th April "copy enclosed" advising me to apply for leave did I do so. I am glad to think that the Lieutenant Governor, who has known me intimately for about 20 years in Africa could not stand idly by and see me being deprived of what I was entitled to. It is also stated that it has been made a condition in Dr. Haran's appointment that he should obtain the qualification of L. P. H. during his next leave "which falls due in about two and a half years hence 1911". I submit that it is but natural, and equitable that the same offer should have been made to me also.

I should like at this point, although not exactly relevant to the matter under reply" to be allowed to express to Your Lordship my high appreciation of Dr. Haran's qualifications and to be allowed to put on record my indebtedness to him for the very able and loyal assistance he has rendered to me in the past while I was his Principal Medical Officer" more

in Mombasa, and is to this day. Apart from the injustice done me, it surely cannot be maintained, that, because I do not hold a diploma in Public Health, that that could be urged as a reason why I should retire from the service.

Pushing such an argument or reason, to its logical conclusion about 95% of all the Medical Officers in the Colonial Service would have to retire. I think His Excellency must have written hurriedly and failed to realize at the time the deductions which would naturally follow on such a statement as he has made.

5. It is entirely misleading to state that while I was on leave which "I was compelled to take" that it was impossible to appoint a successor to my post. His Excellency must surely have forgotten the facts of the case, Dr. Madford was appointed acting Medical Officer of Health before I vacated my post and I was instructed to hand over to him. I vacated my post on the 31st of March, and was obliged to rent a house; and not until I received a wire from the Lieutenant Governor through the Principal Medical Officer on the 24th April "copy enclosed" advising me to apply for leave did I do so. I am glad to think that the Lieutenant Governor, who has known me intimately for about 20 years in Africa could not stand idly by and see me being deprived of what I was entitled to. It is also stated that it has been made a condition in Dr. Haran's appointment that he should obtain the qualification of L. P. H. during his next leave "which falls due in about two and a half years hence 1911". I submit that it is but natural, and equitable that the same offer should have been made to me also.

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particularly justify the outbreak of Plague in Mauritius in 1907. It is however strange, that if it were found necessary to appoint a specially qualified man to "Morona" in 1907, it has not been done yet. I only asked for six months viz. 1st April 1908 to September 1908, to complete my time, but was flatly refused to consider the question, the facts are more fully contained in my despatch of 26th October 1906.

6. I would here beg to give Your Lordship my assurance that I do not enter on this correspondence in any fight or contentious spirit, and have endeavoured to consider the whole matter as dispassionately as possible. I feel I need not mention to Your Lordship how it pains me that I should be under the necessity after all these years, of appealing to Your Lordship, for what is commonly called among Britisners single fair play. I do not think I have served my King and country so egregiously badly, as may be seen from my record enclosed to Your Lordship in my former despatch, that I should be subjected to such indignities and inconsiderate treatment. Epitetical as the expression may appear, I have given of my very best to the Imperial Service in Africa, I decline to believe that Your Lordship would in any way countenance or desire that a palpable injustice should be done to a senior servant of the Crown, I am therefore satisfied that I need not refer the matter else where, and that Your Lordship may be graciously pleased to reconsider the position, and cause that some reparation may be made me for the moral and financial loss I have sustained, and the very apparent lack of courtesy and consideration with which I have been treated.

I have the honour to be,

My Lord,

Your Lordship's

Most obedient servant,

*Walter H. Macdonald*

*W.H.M.*

# EAST AFRICA AND UGANDA TELEGRAPHS

No. of TELEGRAM 31

Code K.R. (Class No.) ..... FOR INLAND TELEGRAMS ONLY

Stamps to be affixed in this space.

| Origin and Service Instructions | No. of words   | CHARGES                               | Rs. | Ch. |
|---------------------------------|----------------|---------------------------------------|-----|-----|
| irobi                           | Sent at 5 P.M. | Transmission .....                    |     |     |
| State                           | To Mombasa     | Extra Address and Prepaid Reply ..... | 22  |     |
|                                 | By W.J.B       | Repetition .....                      |     |     |
|                                 |                | Total .....                           |     |     |

Mombasa 24/4/08.

Reply is prepaid  
Reply paid must .....

To Dr. Macdonald Mombasa

All alterations or corrections made in this telegram must be initialed by the sender.

|            |                  |                |                  |              |
|------------|------------------|----------------|------------------|--------------|
| 19. Lieut. | Governor has     | asked if you   | have applied for | leave stop   |
| answer no  | stop Better send | application at | once if you      | wish to draw |
| leave pay  | this month.      |                |                  |              |
|            |                  |                | sgd. J. W.       |              |
|            |                  |                | 24/4/08.         |              |

ROM P. M. O.

Note—The signature of the sender, when not to be signalled, must be written on the back of this form.

# NOTICE

## Receipts.

1. A receipt is given for every telegram, showing the amount of the charges paid and the time at which the message is handed in.

## Addresses.

2. The address of a telegram should be sufficiently full to enable it to be delivered without difficulty. In telegrams for towns of the street and the number of the house should be given. An address ordinarily used for letters is not necessarily correct or suitable for telegrams.

## Delivery.

3. Telegrams are delivered free of charge within five miles of a Postal Telegraph Office. Beyond this free delivery limit telegrams are sent by post without charge or by such other means as the sender may arrange and pay for. Senders of telegrams to addresses where the free delivery radius are advised to make a deposit for postage on handing the telegram, (unless addressed to a place where there is a house delivery of letters) is ordinarily kept at the nearest Post Office until called for.

A deposit for boat hire is required on telegrams addressed to ships unless the ships are along side a wharf, jetty, or pier. In cases where deposits are made for postage or boat hire no charge is made for notifying this to the delivering Office and any excess is refunded.

## Collation.

4. If the sender so desires a telegram can be repeated by being telegraphed back from Office to Office throughout the course of the journey. The charge for repetition, which must be paid when the telegram is handed in, is one fourth of the ordinary tariff. Telegrams containing mercantile quotations or figures, and telegrams written in cypher, or according to a preconcerted code, should always be repeated. No charge is made for a repeated telegram is given to the sender.

## Re-direction.

5. In cases where non-delivery of a telegram has been reported the sender is allowed to have the message re-directed to a new address on application to the Office from which it was sent and on payment of the cost of the necessary service telegram transmitting his message (minimum charge one rupee). No charge is made for the actual re-direction of the original message. The charges for paid service telegrams will be refunded on application to the Postmaster General should it transpire that they have been necessitated by any fault of the Post Office.

## Responsibility.

6. The Post and Telegraph Department of East Africa and Uganda does not hold itself responsible for any loss incurred in transmission, delay or non-delivery of this telegram.

Signature and Address

of the Sender.

NOT TO BE SIGNALLED



Governor's Office

Nairobi, 25th December 1949

REC-9 FEB 09

Sir,

I am desired to inform you that your letter of the 26th of October has been received by His Majesty's Principal Secretary of State for the Colonies.

His Lordship sincerely regrets to learn that you are of opinion that you were treated with discourtesy and want of consideration in the matter of your retirement.

I am to state that the proposals in connection therewith were communicated to His Lordship, and he is satisfied that there was every desire having regard to your long residence and service in Mombasa, to treat you with courtesy and deal with you in the matter of pension on as liberal a scale as the regulations would allow.

It was felt that in view of recent developments in the field of medicine you hardly possessed the technical qualifications which it is desirable for the holder of the post of Medical Officer of Health to have, and it was solely on this account that it was deemed advisable that you should retire.

It was understood from your letter of the 23rd of November that you accepted this view.

I am to add that so long as you were on leave of absence which you had earned by your service and were entitled to enjoy, it was not possible to appoint a successor to your post, but it has been made a condition of Dr. Starup's appointment that he should obtain the qualification of D.P.H. during his next leave of absence.

I have the honour to be,

Sir,

Your most obedient servant,

W. F. J. Jackson,

Lieutenant Governor.

W. B. McDonald,

Secretary.

M. Earl  
4844/09

S. C.

DRAFT.

Part of Post  
No 106

Enclosed: Lt. Col. Sir J. H. Sadler KCMG, CB. 27 Feb 09

MINUTE

Mr. Smith 19/2/09

Mr. Mainwaring 19

Mr. Ross Reid 24

Mr. Anstobus 24

Mr. Cox.

Sir C. Lucas.

Sir F. Hopwood.

Col. Sully.

The Earl of Crewe.

Sir  
With reference to my  
despatch, No. 598, of the 27<sup>th</sup> of  
November last, I have the  
honour to transmit to you a

or: I suggest as  
to the last para, as  
late to settle the  
as possible

copy of a further letter which  
has been received from Mr  
W. B. MacDonald with regard  
to the termination of his appointment  
as Medical Officer of Health  
at Mombasa.

11<sup>th</sup> Jan. 1899

at hand that the  
of the included  
of persons

Crewe

I have to request you  
to inform Mr Macdonald  
that the reasons for which  
his retirement was considered  
to be desirable were fully  
explained in the communica-  
tion which you made to him  
on receipt of my despatch above  
referred to; and that he  
was treated in the matter of  
pension on as liberal a scale  
as the regulations affecting  
pension would allow; and  
that in these circumstances  
I am unable  
~~to be responsible for me to~~  
reconsider this case on to offer

5  
I am at the same time  
I should  
you will, no doubt, desire  
Mr Macdonald's attention  
Sections 212 and 213 of the  
6/1/ol Regulations, 212 & 213

I point out to him that  
the rule requiring  
his action in addressing  
pension is of  
~~one or direct in the~~  
correspondence with  
the Sec of State  
under the regulations. It is  
through the Governor  
assisted that communication  
is based on this  
to the Govt should be  
strongly grounds of  
unaccompanied by the  
public convenience, as  
a report from the Govt  
explained in sec. 213 of  
the Regulations and  
transmitted through the  
Govt must be adhered to

any compensation  
In reply to  
Mr Macdonald I have to  
request you to intimate to him  
that his letter should  
have been transmitted, unsealed  
and in duplicate, to you with  
a request for its transmission  
to me in due course, as  
under the Colonial Regulations  
such communications when received  
by the Sec of State otherwise  
than through the Governor  
should be referred back to  
the Governor for his report.  
The rule is based on the  
strongest grounds of public

Consequence, in order that all  
communications may be duly  
verified, as well as reported  
upon, before they reach the  
Secretary of State.