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12th February, 1934.

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WEXFORD COUNTY COUNCIL

MEETING 12th FEBRUARY, 1934

M I N U T E S

County Hall,  
WEXFORD.

N.J. FRIZELLE,  
Secretary, Wexford County Council.

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A meeting of Wexford County Council was held in County Council Chamber, County Hall, Wexford, on 12th February, 1934.

Present:- Mr. Ml. Doyle, Chairman, presiding; also Messrs. James Armstrong, John Brennan, James Cline, Patrick Colfer, Richard Corish, John Culleton, John Cummins, T.F. D'Arcy, James Gaul, Col.C.M. Gibbon, James Hall, Patrick Hayes, Michael Hickey, Michael Jordan, William P. Keegan, John P. Kelly, Thomas Maylor, Thomas McCarthy, Sean O'Byrne, Miss Nellie O'Ryan, Col. R.P. Wemyss Quin and Myles Smyth.

The Secretary, Assistant Secretary, Co. Surveyor, Co. Solicitor and ~~two~~ four Assistant Surveyors were in attendance, Mr. Cullen, being absent through illness.

The Minutes of 8th January, 1934 and of special meeting of 22nd January, 1934, were confirmed.

#### PAYMENTS

Treasurer's Advice Notes for £7834:8:6d were examined and signed.

#### VOTES OF CONDOLENCE

A vote of condolence was adopted to Mr. Corish, Co. Councillor, in the death of his uncle, Capt. Murphy, Station Road, Rosslare, on the motion of Mr. Cline seconded by the Chairman.

A vote of condolence was adopted to Mr. J.P. Kelly, Co. Councillor, in the death of his uncle Mr. John Byrne, Mangan, Killanne, on the motion of Mr. Cline seconded by Mr. O'Byrne.

A vote of condolence to Mr. Birthistle, Assistant Surveyor, in the death of his father-in-law, Mr. P.J. Cousins, Old Pound, Wexford, was adopted on the motion of Miss O'Ryan seconded by the Chairman.

The Secretary, Co. Surveyor and Co. Solicitor



joined in their expressions of sympathy.

CONFIRMATION MINUTES  
FINANCE COMMITTEE

The Minutes of Finance Committee in respect of meeting held on 1st February, 1934, were submitted as follows:-



The fortnightly meeting of the Finance Committee was held in County Council Chamber, County Hall, Wexford, on 1st February, 1934.

Present:- Messrs. James Hall, Sean O'Byrne, John J. Culleton, Thomas McCarthy and J.P. Kelly.

On the motion of Mr. Hall seconded by Mr. O'Byrne the Chair was taken by Mr. McCarthy.

The Assistant Secretary, the County Surveyor and County Solicitor were also in attendance.

The Minutes of last meeting were confirmed.

#### PAYMENTS

Treasurer's Advice Note for £3549 was examined and signed.

#### RATE COLLECTION

STATE OF: The state of the Rate Collection was submitted as follows:-

<u>Name of Collector</u>	<u>Percentage collected 1933/34 Warrant excluding arrears.</u>
1. S. Gannon (No.6)	55.4
2. E.J. Murphy	54.6
3. J. Curtis	53.2
4. P. Nolan	52.8
5. M. Kehoe	52.2
6. J.J. O'Reilly	51.9
7. M. McCarthy	51.6
8. S. Gannon (No.10)	51.6
9. A. Dunne	51.5
10. J. Quirke	50.4
11. J. Cummins	50.3
12. W. Doyle	50.2
13. D. Kenny	50.2
14. P. Carty	48.6
15. W. Cummins	48.5
16. J. Deegan	46.8
17. P. Doyle	46.0
18. J.J. Sinnott	45.7
19. M. Murphy	44.4
20. J. Flood.	44.1
	<u>Average... 50.0</u>

The collection showed a reduction of 4% as compared with corresponding period last year.

POUNDAGE FEES: The following letter from the Department of Local Government and Public Health, under date



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26th January, 1934, No.G.7518/1934 Loch Garman, was read:-

"Adverting to your letter of the 18th instant, I am directed by the Minister for Local Government and Public Health to state that he has carefully considered the case of Collectors who have failed to qualify for poundage within the terms of the sanction conveyed in this Department's letter of the 6th ultimo and he has decided that, subject to a reduction of 5% from the amount normally accruing he will raise no objection to poundage being paid in respect of lodgments to 30th November last, to those Collectors who will have lodged by the 31st inst. amounts equivalent to 50% of their current warrants (excluding arrears). "

It was decided that poundage fees on lodgments to 30th November 1933, less deduction of 5 per cent be paid the following Collectors who had accounted for 50 per cent of the current warrants, excluding arrears:- J. Quirke, W. Doyle, M. McCarthy, P. Nolan, J. Cummins, J.J. O'Reilly, D. Kenny and A. Dunne.

On the motion of Mr. O'Byrne seconded by Mr. Hall it was decided to request the Minister for Local Government and Public Health to sanction payment of poundage fees to the remaining Collectors on the terms of the Minister's letter of the 26th January, 1934, No.G. 7518/1934, Loch Garman, on condition that 50 per cent of current warrant, excluding arrears, be lodged by 28th February, 1934.

RATES ON MOUNT ST. BENEDICT: The following under date 31st January, 1934, was read from Collector A. Dunne:-

"Fr. Sweetman sent me a cheque to-day for £50 as he promised to do some time ago. I have not lodged it yet, as I would like to know if the Finance Committee will agree to my accepting that amount on Account, and putting a temporary stay on pending proceedings. As I informed



"you some time ago, he promises to pay a further £25 before end of March. He has also promised to make his total payments this year (to 31/12/34) equal to full year's current rate plus 10% of Arrears.

"I will be glad to know Finance Committee's decision in the matter."

It was decided that Collector A. Dunne be informed that the Finance Committee cannot direct that the contemplated proceedings against Father Sweetman for the recovery of outstanding rates be dropped. Owing to the large amount of arrears of rates due on Mount St. Benedict the Finance Committee are not in a position to accept Father Sweetman's offer and in the circumstances they have no option but to have the case dealt with by the Courts.

COLLECTION DISTRICT No.13: The following letter was read from Mr. J.J. O'Reilly, Temporary Rates Inspector:-

"Re Collection of District No. 13, I find that Michael Doyle, who I nominated to carry on my collection while I am engaged as Temporary Rates Inspector, is unable to take up duty for some time. I am arranging with Mr. Art Dunne (Collector of District No.15) to carry on my Collection in the meantime.

"I hope this will meet with the approval of Finance Committee."

It was decided on the motion of Mr. O'Byrne seconded by the Chairman that Mr. Art Dunne (Collector for No.15 District) be appointed Temporary Collector for No.13 District on condition that no objection is raised by Mr. Dunne's or Mr. O'Reilly's Sureties.



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SOW DRAINAGE DISTRICT

Under date 22nd January, 1934, the following letter was read from Mr. P.D. Jordan, Solicitor, Enniscorthy, enclosing resolution adopted by Ratepayers of the River Sow Drainage District:-

"I have been instructed by the ratepayers of the River Sow Drainage District to forward you copy of the enclosed resolution, passed at their meeting on the 14th instant.

"I have sent copy of the resolution to the Commissioners of Public Works."

The following is the resolution referred to in foregoing:-

(1) "THAT this meeting of the Ratepayers of the River Sow Drainage District having considered the terms of re-payment of the loan granted in 1928 for the purpose of draining the River Sow, and having regard to the fact that owing to present uneconomic agricultural conditions, the increase in the value of the land drained is not appreciable, being UNANIMOUSLY of opinion that the proposed terms of re-payment of the loan are altogether unreasonable requests that the period for re-payment of the whole loan should be extended over a period of twenty years from the present date.

(2) "THAT in view of the fact that the expenditure of the loan itself was of no advantage to the ratepayers, We are UNANIMOUSLY of opinion that it is grossly unjust to burden the ratepayers with immediate payment of arrears of instalments over a period of more than four years from 1928, during which they derived no advantage whatever from the loan."



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The Finance Committee decided to wait for reply from the Office of Public Works to the resolution adopted by the County Council at their meeting requesting that arrears outstanding be spread over a period of ten years.

#### MALICIOUS INJURY APPLICATIONS

The following applications for Compensation for malicious injuries were referred to Mr. Elgee, Solicitor:-

Patrick Fortune, Corah, Ballycarney, damage to one Ransome plough; amount claimed £10.

Peter O'Connor, 48, Wafer Street, Enniscorthy, damage to motor-car. Amount claimed £15.



The following resolution was adopted on the motion of Mr. O'Byrne seconded by Mr. Olince:-

"That the Minutes of Finance Committee in respect of meeting held on 1st February, 1934, be received and considered.

RATE COLLECTION - STATE OF:- A Return of amount of Rate collected to 12th February, 1934, for each Rate Collector was submitted. This showed that 51.4% of the Warrant had been lodged as against 56% for the corresponding period last year.

POUNDAGE FEES:- In connection with the recommendations of the Finance Committee, the Department of Local Government and Public Health wrote under date 10th February, 1934, (G.16010/34 Loch Garman) that the Minister would raise no objection to the payment of normal Poundage less a reduction of 10% on lodgments to the 30th November last, in the case of Collectors who accounted for 50% of their current warrant (excluding arrears) by the 28th February, 1934. Poundage at the rate indicated in the Department's letter of the 26th January, 1934, could be paid Collectors W. Cummins and P. Carty.

Mr. O'Byrne proposed and Mr. Hall seconded the following resolution which was adopted nem. con:-

"That in view of the great difficulty of securing payment of rates in several districts of the County, we request the Minister to reconsider his decision as to deduction of 10% of Poundage, in the case of Collectors who accounted for 50% of their warrant excluding arrears by the 28th instant and agree to the deduction of 5% in these instances."



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RATES ON MT. ST. BENEDICT:- Mr. Keegan proposed and Mr. D'Arcy seconded the following resolution:- "That owing to the manner in which Fr. Sweetman is providing employment in his immediate district, by growing tobacco and otherwise his offer to the Rate Collector in regard to the payment of his rates be accepted."

Mr. Elgee, Co. Solicitor, said the Council had no power to accept such an offer.

The Chairman said he did not consider the resolution in order. He knew things were very bad with the farmers, but he was not going to put forward any irregularity.

Mr. McCarthy contended that the acceptance of Fr. Sweetman's offer would set a very dangerous precedent and pointed out that the Ministry had refused to allow Wicklow Co. Council to hold up the collection for two weeks only.

Col. Quin proposed and Mr. Hickey seconded the confirmation of the Minute of the Finance Committee.

Mr. Corish said they should look very carefully into the fact as to whether they were right in interfering between a Collector and a ratepayer.

Messrs. D'Arcy and Keegan then added to their resolution the following:- "This resolution to be subject to the sanction of the Minister for Local Government and Public Health."

Mr. Hall held that they should not have any vote upon a resolution which the Chairman said was not in order, but the Chairman replied that he was pressed so much by members in favour of the acceptance of the offer that he would test the feelings of the meeting in the matter.

A vote was taken on Mr. Keegan's motion with the following result:-



FOR:- Messrs. Armstrong, Clince, Colfer, Cummins, D'Arcy, Keegan and Kelly. - 7

AGAINST:- Messrs. Gibbon, Hall, Hickey, McCarthy, O'Byrne, O'Ryan, Quin, Smyth and the Chairman. - 9

DID NOT VOTE:- Messrs. Brennan, Corish and Gaul (3) Messrs. Culleton, Hayes, Jordan and Meyler (4) were not present when poll was taken.

The Chairman declared the motion lost.

Mr. Keegan demanded a poll on the Resolution as to confirmation of Finance Committee's recommendation.

This resulted as follows:-

FOR:- Messrs. Culleton, Gibbon, Hall, Hickey, McCarthy, O'Byrne, Quin, O'Ryan, Smyth and the Chairman. - 10.

AGAINST:- Messrs. Armstrong, Clince, Colfer, Cummins, D'Arcy, Keegan and Kelly. - 7.

DID NOT VOTE:- Messrs. Brennan, Corish and Gaul. (3) Messrs. Jordan, Hayes and Meyler (3) were not present when poll was taken.

SOW DRAINAGE DISTRICT: The Chairman said it was absurd to say that the drainage ratepayers did not derive any benefit from the loan and grant.

Mr. O'Byrne said that from all independent information the job was a decided success.

Mr. Kelly said it was a very good job. These people through the efforts of the Council got a free grant of £5000 and it was acknowledged by every fairminded person that whatever defects existed after the ~~first~~ <sup>first</sup> work had been more than rectified by the work carried out under the £5000 free Grant.

The recommendation of the Finance Committee was approved on the motion of Mr. Cummins seconded by Mr. Clince.

The following resolution was adopted on the motion



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of Mr. Armstrong seconded by Mr. Hall:- "That the Minutes of Finance Committee in respect of meeting held on 1st February, 1934, be and are hereby confirmed."

#### RATES INSPECTORSHIP

The following under date 8th February, 1934, (G.9875-1934 Loch Garman Fa) was read from the Department of Local Government and Public Health:-

"I am directed by the Minister for Local Government and Public Health to advert to your letter of the 23rd ultimo in regard to the position of Rates Inspector, and to state that the Minister will be prepared to remove the suspension of Mr. O'Kennedy as from the date that Mr. O'Kennedy relinquishes his office as Rates Inspector whether by resignation or by the County Council terminating his service in that capacity with the Minister's approval.

"On being notified that the office is vacant the Minister will consider the Council's proposals as set out in the Minutes of 22nd January.

"The Minister approves of Mr. O'Kennedy being paid his salary up to that date on which he ceases to hold office as Rates Inspector."

The following under date 12th February, 1934, was read from Mr. J. O'Kennedy:-

"Will you please ask your Council to accept my resignation from the position of Rates Inspector.

"I would like to take this opportunity of tendering to them and yourself my appreciation of the kindness and consideration shown to me during my period of office."



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The following resolution was adopted on the motion of Mr. O'Byrne seconded by Mr. Corish:- "That the resignation of Mr. J. O'Kennedy as Rates Inspector be accepted and be regarded effective as from this date. That we again request the Minister for Local Government and Public Health to consider favourably the transfer of Mr. Tim Moore from Office of Co. Surveyor to the position of Rates Inspector and the appointment of Mr. O'Kennedy as Chief Clerk in Co. Surveyor's Office."

RATE COLLECTION DISTRICT NO. 7

The following under date 10th February, 1934, (G.11806-1934 Loch Garman Fa) was read from the Department of Local Government and Public Health:-

"Adverting to your letter of the 26th ultimo, containing copy of recommendations from the Council in regard to the appointment of a permanent rate Collector for Collection District No. 7, I am directed by the Minister for Local Government and Public Health to state that he is not prepared to reconsider the decision conveyed in this Department's letter of the 9th December last. The position should accordingly be advertised."

The following resolution was adopted on the motion of Mr. O'Byrne seconded by Mr. Clince:- "That in view of the long and efficient service given by Mr. J. Deegan, as temporary Rate Collector in No. 7 District, We request the Minister for Local Government and Public Health to reconsider his decision that the appointment should be advertised and that he approve of Mr. Deegan being appointed Permanent Collector."



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VACANCIES CO. WEXFORD  
VOCATIONAL EDUCATION COMMITTEE

The following under date 7th February, 1934, was read from Mr. Wilmot, Chief Executive Officer, County Wexford Vocational Education Committee:-

"In reply to your letter of the 26th ult. regarding the recommendations of my Committee to your Council in which you stated that the Council considered it advisable to postpone consideration of the recommendations until Mr. Doyle's notice of motion had been disposed of, I beg to inform you that the decision of my Committee, at its meeting held on the 5th instant was to postpone the consideration of the filling of the third vacancy caused by the withdrawal of his name by Mr. M. Kehoe, N.T., until the next meeting of the Committee."

After discussion the following resolution was adopted on the motion of Mr. O'Byrne seconded by Mr. Corish: "That consideration of recommendations from County Wexford Vocational Education Committee as to filling vacancies thereon be adjourned pending recommendation from said Committee as to the third vacancy."

Mr. O'Byrne mentioned the recommendations went away from the principle of the Co. Council when appointing the Committee to give equal representation to the <sup>sections of the</sup> four County areas. The present proposals would give a bigger number of representatives to one <sup>section</sup> ~~district~~ as compared with the others.

TECHNICAL CLASSES AND  
GOREY COURTHOUSE

The following under date 1st February, 1934, was read from Mr. T. Powell, Principal Teacher, Gorey Technical School:-

"I have been instructed by Gorey Sub-Committee to



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"inform you that the temporary class rooms in the Court House, provided through the courtesy of Wexford County Council, have been vacated since 13th January, 1934.

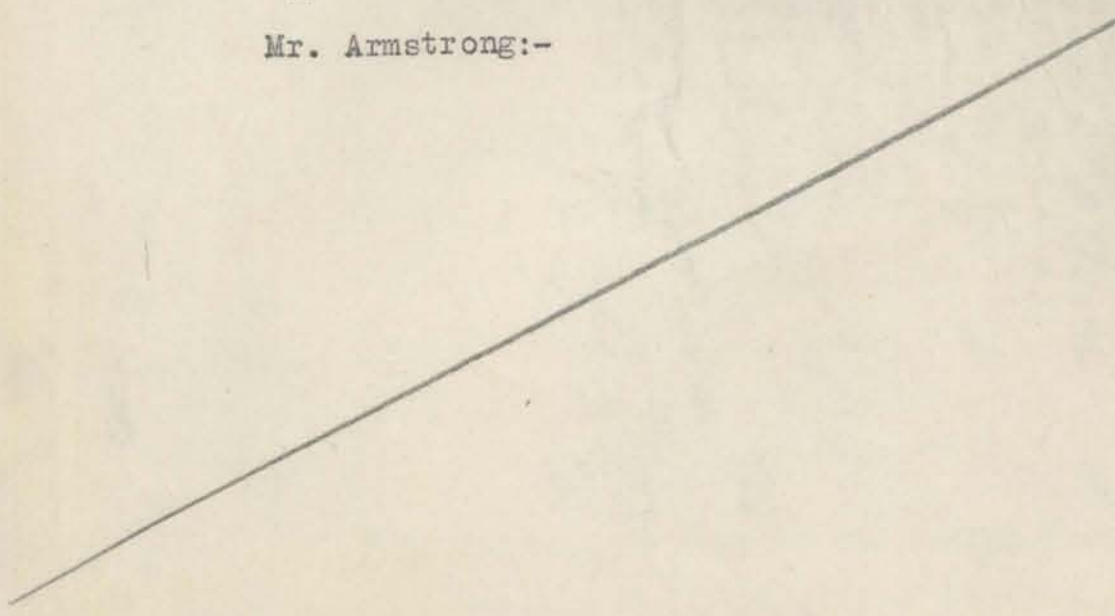
"I am further instructed to convey the thanks of the Sub-Committee to the County Council for their very real help, and the practical co-operation shown, in furthering Vocational Education in Gorey and district by extending the use of these rooms to the school when classes were being conducted under great difficulties.

"The action of the County Council is indicative of the live interest that they have always shown in County Schemes of Vocational and Technical Instruction, and it is felt that the success of Gorey Technical Classes is attributable, in no small degree, to Wexford Co. Council."

The following resolution was adopted on the motion of the Chairman seconded by Mr. Armstrong:- "That letter from Mr. T. Powell, Principal Teacher, Gorey, as to technical classes which had been held in the Courthouse, Gorey, be inserted on the Minutes of this day's meeting."

#### TOWN & REGIONAL PLANNING BILL

The following report of Committee appointed to consider the provisions of above Bill was submitted and approved on the motion of Mr. Clince seconded by Mr. Armstrong:-





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TOWN AND REGIONAL PLANNING BILL 1933.

A meeting of the Committee appointed to consider the provisions of the Town and Regional Planning Bill, 1933, was held in the County Council Chamber, County Hall, Wexford, on 1st February, 1934.

The following members of the Committee were in attendance:- Messrs. J.P. Kelly and Sean O'Byrne.

The following members of the Finance Committee also attended:- Messrs. T. McCarthy, James Hall, and J.J. Culleton.

The Assistant Secretary, the County Surveyor and Mr. Elgee, County Solicitor, were also in attendance.

Copies of the Bill and communications from the General Council of County Council under dates 30th November, 1933, and 22nd December, 1933, had already been supplied to the Members of the County Council.

The following letter from the General Council of County Councils under date 30th January, 1934, enclosing copy of communication from the Department of Local Government and Public Health, was read for the meeting:-

"I have been directed to forward for your information the appended communication received from the Department of Local Government and Public Health relative to the suggested amendments to the Town and Regional Planning Bill, embodied in the Preliminary Report of the Emergency Committee which was transmitted to you on the 30th November last.

"I shall be glad to be informed whether the provisions of the Bill have yet been considered by your Council and, if so, whether they have formulated any suggestions or amendments."

The following is copy of the letter from the Department of Local Government and Public Health, referred



to in communication from General Council of County Councils:-

"Adverting to your letter of the 10th November last regarding the Town and Regional Planning Bill, I am directed by the Minister for Local Government and Public Health to state, that the suggested amendment of Clause 9 of the Bill, so as to provide, that all the costs and expenses of the planning scheme, and of the execution of works consequent on such planning scheme, should be borne by the planning area involved could not be adopted. A Planning scheme for a portion of a County Health District may deal with the improvement of roads in the area, or perhaps the making of a new line of road. The duty of executing such work would be assigned to the appropriate responsible authority in accordance with Clause 32 of the Bill and the expenses of the work would under Clause 37 (3) of the Bill be defrayed in the same manner as expenditure on roads. A scheme may also include provisions relating to sanitary services, and the execution of such works, by the appropriate sanitary authority, will be governed by the existing law. It is desirable to have a good deal of elasticity in regard to the expenses of planning schemes, and the provisions of the Bill have been framed accordingly.

"As regards the suggested amendment of Clause 10 of the Bill, a planning authority may desire to spread the expenses of the making of a scheme over a number of years, or a responsible authority may desire to borrow in order to meet a compensation award, and it seems to the Minister that it would be undesirable to make any such borrowing powers subject to a statutory limit. Any borrowing powers exercised under the Bill



"would be subject to the sanction of the Minister in the usual way.

"As regards Clause 14, the cost of any works to be undertaken by a responsible authority, under a Dublin Regional Planning Scheme or a Cork Regional Planning Scheme would be the subject of negotiations between the local authorities concerned before the Planning Scheme is approved and the provisions in the Bill could not be amended on the lines suggested by your Committee.

"As regards Clause 15, it is proposed to retain the provisions as they stand. A proposal for an extension of boundaries of a Local Government area could not properly be included in the Bill. The views of your Committee in regard to compensation have been noted. Clause 62 of the Bill lays down that in default of agreement, claims for compensation, are to be determined by arbitration, under and in accordance with the Acquisition of Land (Assessment of Compensation) Act, 1919, as amended by the Acquisition of Land (Reference Committee) Act, 1925. The rules for the assessment of compensation laid down in the Act of 1919 provide that no allowance shall be made on account of the acquisition being compulsory, and the value of land shall, subject as provided in the act, be taken to be the amount which the land if sold in the open market by a willing seller might be expected to realise; provided always the Arbitrator shall be entitled to consider all returns and assessments of capital value for taxation made or acquiesced in by the claimants.

"It would not be possible to include in the Bill any provision on the lines suggested by your Committee to meet cases where it is considered that an inflated value is put on property proposed to be acquired for public purposes. In this connection, I am to draw attention to



"the provisions of Section 5 (1) of the Act of 1919 under which an Arbitrator, where his award to a claimant does not exceed the amount offered to the claimant by the acquiring authority, may order the claimant to bear his own costs and to pay the costs of the acquiring authority so far as such costs were incurred by the authority after the offer was made to the claimant. No provision can be included in the Bill dealing with the provisions of the Intoxicating Liquor Act, 1927. The remaining matter dealing with advertisements, etc., referred to in your Committee's report on the Bill appears to be covered by the provisions of the Bill."

The opinion of Diarmaid Fowsitt was submitted as follows:-

"SAORSTAT EIREANN"

"TOWN AND REGIONAL PLANNING BILL - 1933"

"COPY COUNSEL'S OPINION"

"I have carefully perused the Town and Regional Planning Bill 1933 (hereinafter referred to as "the Bill") and have failed to find amongst its 63 Sections any Section that expressly makes it obligatory on a County Council or other Local Authority in Saorstat Eireann to make or execute a District or Regional Planning Scheme within the meaning of the Act. In the absence of any such compulsory provision I cannot see that any liability will be imposed by the Bill (when it is placed on the Statute Book) upon the Wexford County Council other than such liability under the Act as it may voluntarily undertake "for the orderly and progressive development" of the area in respect of which it is the local authority.



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"Under and by Virtue of the Bill the Council will, in addition to its functions, powers and duties as Local Authority be the "Planning Authority" for the County Health District of County Wexford with all the functions, powers and duties as such Planning Authority given it by and under the Bill. I am not called to advise on such functions, powers and duties but only as to the Council's liabilities under the Bill as introduced in the Dail.

"Before deciding to make a Planning Scheme the Council is empowered if it should so desire by Section 22 (1) to cause the whole or any part of its County Health District "to be examined and surveyed and the circumstances and requirements thereof to be investigated for the purpose of deciding whether a Planning Scheme should or should not be made for such District or any part thereof and of making such Planning Scheme if decided upon". The Bill does not in this Section or elsewhere compel the Council to cause such examination, survey and investigation of its District to be undertaken Section 22 (1) hereby says that the Council "may" so do; furthermore there is no time specified within which such examination, survey and investigation must be undertaken; the same Section authorizes the Council so to do "at any time" after the Bill is enacted and comes into operation by an Order to be made by the Minister for Local Government and Public Health. In case the Council should decide to cause such examination, survey and investigation of its District to be undertaken it will obviously incur liability, but what the cost of and expense of such examination, survey and investigation may be, I have no means of ascertaining. The amount of such cost and expense will depend on whether the whole or only a part of the County Health District will be so



"examined, surveyed and investigated, and of course it will also depend on the extent to which the Council may rely on its County Surveyor and the Staff working under such Officer, and on the information already available for the purpose in the County Surveyor's Office. If it so desires the Council may under Section 5 of the Bill "appoint such and so many officers as it shall consider requisite" to undertake such examination, survey and investigation and the work of making and executing a Planning Scheme. This Section is wide enough to empower the Council to appoint such Officers permanently or temporarily as it may deem fit and proper. The expense of such examination, survey and investigation as well as of the making or executing of a Planning Scheme is to be raised pursuant to Section 9 (1) (a) "by means of the Poor Rate equally over such and so many Townlands in the County Health District in relation to which such expenses were so incurred as the Minister, on the Application of the Council, may at any time and from time to time determine, and unless or until the Minister makes any such determination equally over the whole of the County Health District". Under this Section the expenses so incurred by the Council may be levied off the particular Townlands in relation to which such expenses may have been incurred. It will be seen from the foregoing that unless and until the Council causes an examination, survey and investigation to be undertaken on its behalf under and pursuant to the Bill, the Bill imposes no liabilities whatsoever on the Council.

"Assuming that the Council has caused such examination, survey and investigation to have been made and that it has before it the results of same by



"way of a Report from the County Surveyor or other specially appointed Expert, such Report is not binding upon it. The next step as provided in Section 20 of the Bill is the passing of a Resolution of (one month's notice of which must be given to every Member and Notice of which must be published at least once in each of two daily Newspapers circulating in the District) by more than half the members of the Council deciding to make a Planning Scheme for the District or any specified part thereof. Until such Resolution is passed in the prescribed manner the Council will have incurred no liability or expense other than such expense (if any) as it may have incurred in the preliminary examination, survey and investigation of the District or any part of it (above referred to). Furthermore the Council is not compelled to adopt such Resolution and any such Resolution (if proposed) may be defeated by a bare majority of the Members of the Council and thus all future liability may be avoided in respect of any proposed Planning Scheme. But once such a Resolution is carried it cannot (vide sub Section (2) of the same Section 20) be revoked by any subsequent Resolution or Act of the Council. I have no means of measuring the extent of the liability that will be incurred by the Council on passing a Resolution deciding to make a Planning Scheme. The limitations of such liability will depend wholly on the particular Planning Scheme that may ultimately be adopted with the Minister's sanction. But as already pointed out the cost of carrying any such Scheme into effect may be chargeable on the whole of the County Health District or on particular townlands in such district and Section 10(1) of the Bill gives the Council borrowing powers to defray any expenses incurred



"in the making or execution of a Planning Scheme.

"From what I have written herein, it will appear, that the Council has it in its own volition to put the Bill when enacted into power in its own District or to abstain from so doing.

"The Bill, however, may affect parts of the County Health District with liability through the action of internal or adjoining Local Authorities. Every Borough and Urban District Council within County Wexford is, under Section 11 (2) of the Bill the District Planning Authority for the purposes of the Bill for the District of such Council or Urban District. Each such District Planning Authority may, under the Bill, decide to make a Planning Scheme for its District and by virtue of an Order <sup>to be</sup> made by the Minister under Section 15 of the Bill may formulate a Planning Scheme for such District extending into and over a contiguous area (to be specified in such Order) of the County Health District proper. Such Order cannot be made by the Minister until due notice is given to the Council and the Minister is satisfied that "the development of the contiguous area proposed to be the subject of such Order should be co-ordinated with the development of the Planning District to which such contiguous area is proposed to be added". On the making of such Order by the Minister the Council will cease to be the Planning Authority for such contiguous area and will not be liable for the cost of the execution of such Scheme in such contiguous area. For example, the Town Council of Wexford Town if it decided to make a Planning Scheme which embraced the District running Southwards to Rosslare Harbour could develop such Scheme over such District provided the Minister so ordered. As from the date of such Order the County Council would have no



"authority to plan a Scheme of development for the Rosslare District - that would then devolve on the Wexford Town Council and the expense of the Scheme would be chargeable on the Wexford Town Council District and on the Townlands in the Rosslare District affected by such planning Scheme - The Bill making it possible likewise for any of the adjoining local Authorities in Counties Wicklow, Carlow, Kilkenny and Waterford, to affect particular parts of the County Health District of the Wexford County Council with liability under the Act.

"Furthermore, the Council may, if it chooses, voluntarily, by resolution passed in accordance with Section 12 of the Bill decide to join with any or all of such adjoining Counties to form "a Planning region" for the purposes of the Act. Sub-section (7) of the same Section 12 provides for the defrayal of expenses of any Regional Planning Authority set up under this Section, but here again the Council is free to join in forming a Regional Planning Authority or to decide to remain outside and thus avoid liability for any Planning Scheme formulated by such Regional Authority.

"In this Opinion I have confined myself exclusively to the question as to the liability proposed to be imposed by the Bill upon the Council. I have not dealt with such questions as the need for legislation of this character or as to the need for its application throughout the County Health District of County Wexford or any particular part of that District. Generally, I would say, that the powers to be given to Local Authorities under the Bill appear to me to be useful and necessary especially, in the case of Towns and Urban Districts, and whether such powers are employed on the passing of the Act by any particular Planning Authority or are deferred to a future date and



"generation must, in my opinion largely depend on the trend of further opinion towards the employment or non-employment of such powers in the District of such Planning Authority, and of course on the ability of the Local Ratepayers to defray the costs and expenses involved in the making and execution of a particular Planning Scheme."

Mr. Elgee, Solicitor, stated that it was clear from the opinion of Counsel that the County Council could not be compelled to adopt a Planning Scheme unless they themselves so desired.

Mr. O'Byrne stated it appeared clear from the Sections of the Bill referred to in the communications from the General Council of County Councils that a Planning Scheme which might be adopted by an adjacent County Council or an Urban District Council inside County Wexford could (if such Scheme embraced part of Wexford Co. Council Area) assign to the Wexford County Council or the County Wexford Board of Health the duty of executing certain works in relation to the carrying out of a Scheme proposed by such a Planning Authority.

After discussion the following resolution was adopted:- "That the General Council of Co. Councils be requested to again endeavour to have the Bill amended so as to provide that the execution of works, consequent on a Planning Scheme, should not be assigned to a Local Authority which is not the Planning Authority, without the express approval of the Local Authority concerned."

It was also decided that copy of Counsel's opinion be forwarded to the General Council of Co. Councils provided Mr. Fowsitt, B.L., raises no objection to this being done.

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Under date 6th February, 1934, the following was read from Mr. Fawsett, B.L.:-

"I have now perused the print of the Bill as amended in Committee. The Bill as introduced contained 64 Sections: as amended it consists of 73 Sections. I cannot find in the Amended Bill any Section or Sub-Section that makes it obligatory on a Local Authority to decide to make a Planning Scheme or to join with one or more adjoining District Planning Authorities in forming a Regional Planning District.

"As regards Section 36 of the Bill as introduced (now Section 42 of the Bill as amended in Committee) this, in my opinion cannot have the effect feared by your Council. Its provision can only become operative where one Local Authority voluntarily consents to make a contribution to another Local Authority in respect of the expenses of a Planning Scheme undertaken with its previous approval and co-operation."

#### ROAD WORKS SCHEME

The following under date 5th February, 1934, (R/RGM/32) was read from the Department of Local Government and Public Health (Roads):-

"I am directed by the Minister for Local Government and Public Health to refer to your letter of the 26th ultimo forwarding copies of the Road Works Scheme for 1934/35 as adopted by the Wexford Co. Council, and to state that the action of the Council in fixing the figure to be included in the Road Works Scheme for 1934/35 for all roads and works at £40,000 is to be regretted. It is noted that while the Co. Surveyor estimated the amount required for the maintenance of main roads at £41,374 (excluding loans) the Council allowed only £13,239, thereby making a reduction of



"almost 70 per cent. in regard to the principal traffic routes of the County. Such a sum being entirely inadequate to meet the requirements the Minister would not feel justified in notifying any grant for the upkeep of Main Roads in County Wexford for 1934/35 unless the Council are prepared to reconsider their decision and allow a reasonable sum for the upkeep of the Main Roads. In regard to the County Roads, the Council have reduced the County Surveyor's estimate by about 50 per cent. It is the duty of the County Council to make adequate provision for the maintenance of all main and county roads in their area. It must also be pointed out that if once the roads of the County are allowed to get into a bad state of repair the Council may incur a heavy financial loss in getting them into condition again. The reductions made by the Council do not permit even the moderate sum required to surface-dress their roads and deterioration of such roads must follow. In so far as the Surveyor's estimate related to the full maintenance of existing improved roads it should have been adopted without modification.

"It appears to the Minister that the Council in order to be eligible for Road Fund Grants and to save extensive outlay in repairs in the near future should seriously consider the question of allowing at least the same amount as last year for the upkeep of Main and County Roads respectively.

"To enable the County Council to reconsider the matter the Minister has assented to such departures as may be necessary from the rules and regulations of the Public Bodies Orders, 1925-1931."



Col. Gibbon said that as the farmers who represented the general body of ratepayers were in a worse position this year than last, there should be some reduction in their expenditure. So far as he could see, the only item which could be dealt with by the County Council to secure any appreciable reduction was the roads. The Board of Health and Public Assistance, the Mental hospital and the other subsidiary bodies furnished estimates which could not be reduced by the Council, but at the same time it would be unreasonable to expect the farmers who were in a much worse position than last year, to agree to the same amount of Rate as for 1933-34. He suggested that the Council might agree to a proposal to raise £50,000 for roads provided the Government would furnish a grant of £10,000. This proposal would really confirm what had been done previously.

The Chairman pointed out that unless they agreed to the suggestion of the Department of Local Government and Public Health, they were going to lose the Grant, and they might as well face this fact now, as at another time. He recommended they should stick to the Estimate already adopted and let the Government do what they pleased in reference to the Grant. With all the money that had been spent on the Main Roads it should not be so difficult to keep them in good order for the one year at the reduced amount. Every time they decided upon having a reduced road estimate they had been overruled by the Minister.

Miss O'Ryan pointed out that if the Council decided upon having a reduced figure, it would not be reasonable for them to complain of bad roads later on. Several members who had voted against the amount



agreed to last year were asking the Co. Surveyor all through the year to provide them with perfect roads.

Mr. O'Byrne said the Council realised the state of the Country and it was only right and just if any relief in rates could be obtained, it should be given. But, he asked, in connection with the Road Estimate, was it economy to agree to £40,000 when for the sake of another £4,000 they could spend the same as last year viz. £55,000. Was it economy to lose a Grant of £11,000 because they refused to spend £4,000. He then proposed the following resolution:- "That this Council agree to allocate a sum of £55,755 for maintenance of roads etc. for financial year 1934/35, on the understanding that a similar Government Grant to last year viz. £11,603 is forthcoming."

Mr. Corish seconded.

Col. Quin pointed out that notwithstanding the fact that the Co. Surveyor's estimate every year was reduced the roads were manifestly improving every year. The Council were not definitely promised in the letter from the Department that if they agreed to last year's scheme they would get the same amount of grant. It seemed to him to be all bluff.

Mr. D'Arcy contended that the present road programme was driving people out of business, breaking their legs, injuring their horses, destroying their carts. He would be prepared to propose that they spend £50,000 on the County Roads if anybody would second him.

The Chairman stated that the people would afford to do with a middling road rather than pay the extra 1/- in the £1, in their rates. Another thing which aggravated the Minister was the high estimate of the



Co. Surveyor. It was not the business of the County Surveyor to drag the Minister on to the Council, with an Estimate which he knew would not be approved by them.

The Co. Surveyor pointed out that in submitting his estimate, he considered it his duty to set out a figure which, in his opinion, was necessary to maintain all the roads of the County in a proper and efficient condition. When he did submit this Estimate he said most distinctly that it was up to the Council to decide what money they were in a position to spend on the roads.

Col. Gibbon held it was the duty of the County Surveyor to say what amount was necessary to keep the roads in a perfect condition. It was also the duty of the Co. Council to say what they could afford under this head. The suggestion of Mr. O'Byrne that the extra £15,000 to be spent on the roads would considerably mitigate unemployment was scarcely correct, as in his view, most of the increased money would be spent on tar which was obtained outside the County and gave no relief to unemployment inside it. The Main and Link Roads with few exceptions had been thoroughly bottomed and strengthened, and as 75% of the increased money would go to tar or concrete the extra employment would be inconsiderable.

The Co. Surveyor mentioned that all trunk roads had been dealt with but several link roads and portions of others had not been bottomed, up to the present. He gave instances of these.

Mr. Corish pointed out that the Council would be taking a very serious step if they refused to fall in with the views of the Minister, and allow the roads to deteriorate. The Chairman was not correct in his statement of what the extra expenditure would mean on



the rates. In his opinion, a good deal of the extra £15,000 would be spent on labour and it would certainly be better to have men at work than giving them relief, which would also have to be provided by the ratepayers. The extra amount of £15,000 would represent an increase of 2½d in the £. on the rates and not 1/- in the £. as stated by the Chairman.

Mr. Kelly supported the view of Mr. Corish and pointed out that he could not see that any other County Council had made such a drastic reduction in the Co. Surveyor's estimate as had been done in Wexford.

Chairman - Many of them have a lower rate.

Mr. Kelly said that if in the view of the County Surveyor it took over £90,000 to maintain the roads properly, they could not expect efficiency by spending less than half the amount.

After discussion the Chairman proposed and Col. Quin seconded the following resolution:- "That the Council confirms the resolution adopted at last meeting viz. to provide a sum of £40,000 for the maintenance of all roads for the financial year 1934/35."

Col. Gibbon then withdrew his suggestion as to proposing £50,000 to be spent on roads, provided the Government gave a State Grant of £10,000 and a Vote was taken on the Chairman's amendment to confirm the £40,000 agreed to by last meeting of the Council.

The following is the result of the Poll:-

FOR: Messrs. Brennan, Culleton, D'Arcy, Gibbon, Hall, Hickey, Jordan, Meyler, McCarthy, Quin, Smyth and the Chairman. - 12.

AGAINST: Messrs. Armstrong, Clince, Colfer, Corish, Cummins, Gaul, Hayes, Keegan, Kelly, O'Byrne and O'Ryan.



The Chairman declared the amendment carried.

On being put as the substantive resolution it was passed without dissent.

#### GENERAL CATTLE DISEASES FUND

Under date 24th January, 1934, the Department of Local Government and Public Health wrote (Circ.15/34) that a further assessment for the purposes of the Cattle Diseases Fund equivalent to a rate of  $\frac{1}{2}$ d in the £. on the valuation of Counties and County Boroughs would shortly be necessary, probably in April next.

The following resolution was adopted on the motion of Mr. Armstrong seconded by Mr. O'Byrne:- "That a sum equivalent to the Rate of  $\frac{1}{2}$ d in the £. be included in estimate for 1934/35 as recoupment for expenditure from General Cattle Diseases Fund.

#### SOUTH WEXFORD HARBOURS

Under date 1st February, 1934, (149/34) the Department of Agriculture wrote that the resolution of the County Council calling attention to the condition of harbours in South Wexford would receive the consideration of the Minister.

Mr. Cummins said they had received a similar reply to several resolutions relative to these harbours but nothing was ever done.

#### FORESHORE AT BALLYCONNIGAR

The Chairman read a letter from Rev. T. Quigley, P.P., Blackwater, asking the Council to receive a deputation, in regard to use of strand at Ballyconnigar and stated that as no official intimation of the request had been received up to the present ~~and~~ the matter could not have appeared on the agenda paper.

Mr. Cummins proposed and Mr. D'Arcy seconded the following resolution which was adopted:- "That Standing



"Orders of the Council be suspended to allow of reception of deputation from Blackwater district in connection with the proposed prohibition of removal of gravel from Ballyconnigar foreshore."

The deputation consisting of Messrs. P. Cullen, Inch, Denis Corrigan, Knocknasilloque and P. Keating, Ballyconnigar, were then heard.

Mr. Cullen, who acted as spokesman for the deputation, said a proposal had been made to close the Strand and a petition, he understood, had been forwarded on behalf of labour to have the drawing of stone and gravel prohibited so as to give employment in the quarries ~~He protested~~ against forfeiting this source of supply and against the taking away from small working farmers this means of livelihood. Some of them have their sons employed and large families supported by the drawing of stones and gravel which is drawn inland as far as five miles from this ten mile stretch of coast centred at Ballyvaldon. Some of those who signed the petition said they only did so upon the misrepresentation that it would lead to a reduction of rent and rates, and if they could now do so they would withdraw their signatures. In fact the majority of those with land bordering the foreshore who signed it are now signing a protest. Numerous industrious families of small working farmers all along the coast would lose their chief means of livelihood, and it would cause an increase in the rates. These people are as worthy of consideration as labourers as those who now seek to take away their subsistence. They looked to the County Council to save them in their distress at the threatened peril to their livelihood.

The Co. Surveyor, in reply to Mr. D'Arcy, said he



had not received any intimation as to the closing of the strand in question. A section of Ballyvaloo had been closed and the new proposal was to extend this to Morriscastle, five or six miles away.

Mr. Corrigan mentioned that a man named Owen Leacy went round to the farmers whose lands adjoined the foreshore and induced them to sign a petition to close the place on the grounds that they would get a reduction of their rents and rates, and they did so. There were twenty-eight small farmers and their families who earned their livelihood by drawing stones and gravel from the foreshore.

The Co. Surveyor stated that the Co. Council obtained a large number of sea stones from this strand and dealt with them through the breaker. There was no quarry in the district and these broken sea stones provided very good material.

The Chairman said that before the foreshore was closed there would have to be a public inquiry at which all interests would be represented. They had no reason to believe at present that anything was being done. He thought the deputation and those they represented could remain quite easy, as nothing could be done until a number of preliminaries had been carried out. The Council would support the farmers concerned in every way, but at the moment he did not see any reason for uneasiness.

Miss O'Ryan recommended the deputation to forward a memorial to the Department of Industry and Commerce protesting against the proposal.

The Chairman said that unless it could be proved that coast erosion was taking place, he did not see how the foreshore could be closed.

Mr. Smyth pointed out that a good deal of material



was drawn from above high water mark and he did not see how the State could object to farmers whose lands adjoined the foreshore, drawing away this material. If all these foreshores were closed it would be a great loss to the County.

The Chairman said they would watch the matter very closely if only for their own sakes.

The deputation thanked the meeting and withdrew.

### MINOR RELIEF SCHEMES

In accordance with instructions of Co. Council the Co. Surveyor submitted the following report in connection with grants under Minor Relief Schemes Vote:-

<u>Description of Lanes</u>	<u>Co. Surveyor's Estimate.</u>	<u>Sanctioned by B.O.W.</u>
<u>GOREY DISTRICT:</u>		
Millquarter Lane	160	140
Riverchapel, clean river	60	
Monagarrow Lane	180	160
Cloologue Lane (£40 Grant transferred to No.7)	50	
Dundrum Tinacree Lane	350	100
Aughinacaulmeen Lane	250	
<u>ENNISCORTHY DISTRICT:</u>		
Ballyprecus Lane (£150 Grant cancelled)	350	
Marshallstown Lane	125	100
Knockatober Lane	150	120
Garrynisk Lane	200	100
Ballinadrishogue Lane	175	
<u>WEXFORD DISTRICT:</u>		
Ballinrooaun Lane	50	50
Brownstown (clean river)	30	30
Old Boley do	30	30
Ballygeary Lane	50	50
Ballygillane (clean stream)	100	100
Neamestown Lane	70	50
Ballygrangans Drainage	60	50
Killinick Lane	100	
Killinick Lane	80	
Milltown Lane	40	40
Treacystown Lane	70	70
Clonerane Lane	70	
Bannow Lane (Green Road)	30	
Bannow Lane	20	
Bannow Lane	80	60
Gurteenminogue - Fardystown Lane	100	80
Mountcross & Bridgetown Lane	40	40



<u>Description of Lanes.</u>	<u>Co. Surveyor's Estimate</u>	<u>Sanctioned by B.O.W.</u>
<u>NEW ROSS DISTRICT:</u>		
	£.	£.
Oreacoon Lane	100	
Aclamon Lane	100	
Knockroe	200	
Rathimney	70	50
Garrycullen Lane	200	70
Yoletown Lane	100	80
Gorteens Lane	100	60
Ballyhack Lane	130	100
Clongeen Lane	50	

BOARD OF WORKS:

Tinnabaun, Tomcoyle Lane		100
Boira Drainage		300
Middletown Lane		150
Clonee, Kilcloran (lane)		100
	<u>£4120</u>	<u>£2380</u>

FORWARDED TO B.O.W. and  
Co. Surveyor notified that  
these works cannot be  
undertaken at present.

	£.
Corah Lane	500
Tubberneering-Ballygullen lane	170
Clonmines Lane	20
Yoletown Lane	60
Kilbride Lane	70
Priest's Lane, Boley	50
Ballymotey-Garrymile lane	120
Cullenstown Road	90
Owenstown Lane	120
Nuke Lane, Arthurstown.	60

Miss O'Ryan said that she should protest against the manner in which lanes had been selected for Grants by the Board of Works. Some of those which had been left out of their list were more important than those for which a grant had been allocated.

Mr. Brennan said that no money had been spent in the Northern portion of New Ross District. It had all gone down to the Hook and to the barony of Shelbourne.

Miss O'Ryan proposed and Mr. Corish seconded the following resolution which was adopted:- "That we express out dissatisfaction with the manner in which lanes had been selected by the Office of Public Works for repair. In future we consider such selection should be made in



"conjunction with the County Surveyor."

Mr. O'Byrne proposed:- "That we protest against the action of the Office of Public Works in promising this Council a sum of £4,200 from Minor Relief Schemes Vote and then agreeing to expenditure covering practically only half that amount. The Co. Council had gone to considerable trouble in allocating works under the Scheme to cover £1050 for each of the four rural areas of the County but their selection appears to have had no influence with the Office of Public Works which allocated the amount provided (only half that promised) in a "haphazard manner". The Co. Council Committees had allocated the money to the most necessary jobs in each district in view of their public utility and the amount of employment they would give and ~~they should~~ protest very strongly against the manner in which they had been treated."

Mr. Hall seconded the resolution which was adopted.

#### DRAINAGE MAINTENANCE

The following under date 22nd January, 1934, was read from Co. Surveyor:-

"In striking Rate it will be necessary to make provision for cleaning drainage channels etc., in the Sow Area. I have gone into this matter carefully, and find it practically impossible to calculate accurately any estimate of the cost as it is uncertain to what extent large work may be necessary on sloping banks. I consider, however, that a sum of £120 should be ample to meet the current year's requirements, and in subsequent years there should be no difficulty in making a close estimate of the cost, which, I believe, will be considerably lower than this amount."

The following resolution was adopted on the motion



of Mr. Kelly seconded by Mr. O'Byrne:- "That £120 be included in Drainage Rate for Sow area for maintenance of drains thereon for financial year 1934/35."

Col. Gibbon said as regards works in drainage areas certain Inspectors came down from the Office of Public Works inspected drains, went back to Dublin and made reports without having consulted the Co. Surveyor or any public representative in the district. If a stranger came into the County one did not know who he would meet and in consequence what ideas he might pick up. Arrangements should be made by his department to consult with the Co. Surveyor and if it was a big job with the local public representatives.

It was decided that copy of remarks of Col. Gibbon in this connection should be furnished the Office of Public Works.

LOAN FOR CONVERSION OF WEST WING,  
COUNTY HALL

The following resolution was adopted on the motion of Mr. O'Byrne seconded by Mr. Kelly:- "That a sum of £224 be brought into Rate Estimate for 1934/35 to meet instalment of loan of £1900 - balance of loan of £2900 to be utilised in conversion of West Wing of Co. Hall - for said financial year.

COUNTY LIBRARY SERVICE

Miss Connolly, Librarian, submitted her estimate of receipts and expenditure for next financial year. This covered a grant from Co. Council of the equivalent of a half-penny rate plus £100 a similar amount to that allocated for the previous year. She pointed out that on the expenditure side two important items were missing viz. "Repayment of Loan" and "Fittings". The Library Committee had been promised a Grant of £425 from the



Carnegie Trust which the Committee proposed to pay down at once as part payment of £1000 of the loan obtained by the County Council for £2,900 for conversion of West Wing of County Hall to provide amongst other purposes library premises, the Committee to hold these rent free after the repayment of the £1000. Fittings had been omitted because at the time the estimate had been prepared their cost was not available. The Committee intended retaining the £25 (excess of income over expenditure) to provide shelving though it was not anticipated that all necessary shelving could be provided for that amount.

Mr. O'Byrne proposed and Mr. Hall seconded the following resolution which was adopted:- "That the Council include in its Rate Estimate for financial year 1934/35 a sum of £934 for library purposes. That we agree that the £25 (excess of library income over expenditure) go towards the cost of providing shelving and that the question of adjustment of repayment of the £1000 (of loan of £2900) for which Library Committee are to be responsible be referred to the Finance Committee for examination and report."

The following resolution was adopted on the motion of Mr. O'Byrne seconded by Mr. Hall:- "That as recommended by County Library Committee, Rev. Brother O'Loughlin, New Ross, be appointed a member of Co. Wexford Library Committee vice Rev.Br. J.C. Carew resigned owing to his transfer from the County."

#### COURTOWN HARBOUR

The Harbour Master, Courtown, forwarded letter from John O'Connor & Co., Merchants, Gorey, asking when the Harbour would be open for transport purposes as the Seed and Mamures Season was fast approaching, also letter from Capt. W.H. Kearon, Wave Crest, Arklow, Co. Wicklow, asking



a similar question, and stating that a Welsh Colliery owner had inspected the harbour about a week ago relative to bringing in cargoes there.

The Co. Surveyor stated he had already given an account of the interview they had in Dublin with Department of Industry and Commerce as regards the remission of the emergency duty in connection with the purchase of Crane and Grab for Courtown Harbour. The Ministry had asked to be supplied with the specification which had been sent to them but no reply had been received up to the present. He had obtained a list of thirty-eight names of firms from practically all over the World and had asked them for quotations. A number had replied without making a definite offer. Three definite quotations were received; The Irish German Trading Co., quoted at £1950, Figuee Harlem at £1187, and a Belgian Firm at £2039. He had received the first reply from America that morning from a firm which stated they could not deal with the matter. The English firm - Taylor and Hubbard of Leicester - had quoted at £741, the machinery to be delivered in Wexford. Even with the emergency duty of £148 the total for this firm would be only £889 as against £1187 for the German Firm. The Council would see, in spite of the emergency duty that the English Company, which was most reliable, gave the lowest quotation.

Mr. Keegan said every possible effort should be made to procure the crane and grab without delay. He would ask the Co. Surveyor to speed up the matter, more particularly in view of the fishing industry.

The Co. Surveyor stated that the specification of the machinery had been supplied to the Minister for Industry and Commerce, in connection with the application for remission of duty.

It was mentioned that probably if Mr. Corish



interviewed the Minister he might be able to induce him to allow the machinery in free of duty, as it was required in connection with the fishing industry.

Mr. Corish said in his opinion the Minister would not give way.

In reply to Mr. D'Arcy, the Co. Surveyor said in his opinion, it was unlikely he would be ~~able~~ able to obtain a quotation lower or more satisfactory than that of Messrs. Taylor and Hubbard.

After further discussion Mr. D'Arcy proposed:-

"That the Co. Surveyor be authorised to procure Crane and Grab for Courtown Harbour, cost not to exceed £1000, as already agreed to by this Council."

Mr. Hall seconded the resolution which was adopted.

Mr. O'Byrne proposed the following resolution which was seconded by the Chairman and passed:-

"That we request the Minister for Industry and Commerce to remit duty on crane and grab for Courtown Harbour as these articles were being purchased by the Co. Council for national purposes."

#### SECONDARY & VOCATIONAL SCHOLARSHIPS SCHEME

The following list of applicants for award of scholarships under above Scheme was submitted. Copies were supplied to Co. Councillors with agenda paper:



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WEXFORD COUNTY COUNCIL

LIST OF APPLICANTS -

SECONDARY & VOCATIONAL SCHOLARSHIP SCHEME 1934

To be considered at meeting of Co. Council

on 12th February, 1934.

Name and Address of Applicant.	Occupation of Parent or Guardian	Valuation Etc.	Children under 18 years old.
11. <u>Brennan James P.,</u> 3, Pearse Street, Gorey.	Postman.	£ 3	3
22. <u>Byrne Patrick J.,</u> 12, Pearse Street, Gorey.	Motor-car Owner.	3	5
33. <u>Carty Elizabeth M.,</u> Donard, Clonroche.	Unemployed.	-	3
41. <u>Cousins Patrick,</u> St. Iberius, Broadway.	Labourer	3	5
55. <u>Darcy Eileen,</u> Ballywalter, Gorey.	Farmer	109	2 (over maximum Valuation.)
66. <u>Deacon Leslie J.,</u> Clonroche.	Labourer	-	2
<u>Donnelly Patrick O.,</u> Hilltown, Ballymitty.	Shopkeeper & Farmer	8:10	5
88. <u>Doyle Bridget Teresa,</u> Drimmagh, Rosslare.	Railway Checker.	3:15	4
99. <u>Doyle Kathleen M.</u> Churchtown, Bridgetown.	Carpenter.	2:15	5
100. <u>Doyle Sean,</u> Quay Road, Duncannon.	Shop Assistant.	4:10	3
111. <u>Foley Mary,</u> Rathimney, Gusserane.	Farmer.	30:	8
12. <u>Finn Joseph,</u> 16, Main Street, Gorey.	Garage Proprietor.	18:	7
113. <u>Fenelon Gerald Wl.,</u> Church View, Tagoat.	Railway Clerk.	3:10	6
14. <u>Goff Johanna,</u> Allenstown, Broadway.	Farmer	52:	-
15. <u>Holmes Eileen,</u> Mayglass, Ballycogley.	National Teacher.	-	9 (applicant over age.)
16. <u>Hurley Annie,</u> Garryduff, Campile	Farmer	17	1



Name and Address of Applicant.	Occupation of Parent or Guardian	Valuation Etc.	Children under 18 years old.
17. <u>Jordan Maria,</u> <u>Kilmisten, Castlebridge</u>	Farmer	£ s. 95:	11 (over maximum Valuation)
18. <u>Kavanagh Edward,</u> <u>Ballare, Broadway.</u>	Labourer	-	5
19. <u>Kelly Edward,</u> <u>10, Grattan Tce. Gorey.</u>	Railway Porter.	3:	3
20. <u>Keogh Ml.,</u> <u>Castletown, Inch.</u>	National Teacher.	6:	4
21. <u>Kehoe Tos. G.,</u> <u>Boolabawn, Glynn.</u>	Farmer	45:15	5
22. <u>Mulligan Mary T.,</u> <u>Craan, Craanford, Gorey.</u>	Farmer	57: 5	5
23. <u>Murphy Eileen,</u> <u>Johnstown, Castlebridge</u>	Mason	-	6
24. <u>Murray Elizabeth,</u> <u>Scarnagh, Inch.</u>	Farmer	93:	6 (Over maximum Valuation)
25. <u>O'Brien Mary,</u> <u>Gusserane, New Ross.</u>	Farmer	5:	2
26. <u>O'Keeffe Alice Mary,</u> <u>Station House, Rosslare Strand.</u>	Station Master	-	6
27. <u>Reddy Margaret M.</u> <u>Charlesfort, Ferns.</u>	Farmer	10:10	1
28. <u>Sheil Hubert,</u> <u>5, Pearse Street, Gorey.</u>	Railway Porter	3:	8
29. <u>Swords George,</u> <u>North Parade, Gorey.</u>	Road Ganger	4:10	10
30. <u>Todd Edwin Fintan,</u> <u>The Bungalow, Kilrane.</u>	Labourer	-	5
31. <u>Walsh Nicholas,</u> <u>Killurin, Co. Wexford.</u>	Labourer	:10	10
32. <u>Warrington Mary M.</u> <u>80, Main Street, Gorey.</u>	Watchmaker.	6:	4

N.J. FRIZELLE,  
Secretary, Wexford County Council.

County Hall,  
WEXFORD.  
7th February, 1934.



As regards No. 3 (Elizabeth M. Carty) it was mentioned that though her father was unemployed her mother was an Assistant National Teacher.

Mr. Kelly said that these people purchased a farm for payment of which a good part of the small salary of the mother went to pay. They were in poor circumstances.

After discussion the following resolution was proposed by Mr. Kelly and seconded by Mr. Brennan:-

"That this Council consider, in view of the circumstances of her parents, that Elizabeth M. Carty, Donard, Clonroche, is eligible to compete for award of Scholarship under Secondary and Vocational Scholarship Scheme.

A vote was taken with the following result:-

FOR: Messrs. Armstrong, Brennan, Clince, Colfer, Corish, Cummins, D'Arcy, Gaul, Hayes, Hickey, Keegan, Kelly, Myler, McCarthy, O'Byrne, O'Ryan and Smyth. - 17

AGAINST: Messrs. Culleton, Gibbon, Hall, Jordan, Quin and the Chairman. - 6.

The Chairman declared the motion carried.

The Secretary stated he wished to have the valuation given in respect of No.14, Johanna Goff, Allenstown, Broadway, verified.

The following resolution was adopted on the motion of Mr. Gaul seconded by Mr. Colfer:- "That Johanna Goff, Allenstown, Broadway, be declared eligible to compete for award of Scholarship under Secondary and Vocational Scholarship Scheme provided it be found on investigation that the valuation of her guardian (Henry Cullen) does not exceed the limit set out in the scheme."

Mr. O'Byrne proposed and Mr. Corish seconded the following resolution:- "That Ml.Keogh, Castletown, Inch, whose father is principal Teacher in elementary National



School, be declared eligible to compete for award of Scholarship under Secondary and Vocational Scholarship Scheme."

A vote was taken on the proposal with the following result:-

FOR:- Messrs. Armstrong, Clince, Colfer, Corish, Cummins, Gaul, Hayes, Kelly, McCarthy and O'Byrne. - 10.

AGAINST:- Messrs. Brennan, Culleton, D'Arcy, Gibbon, Hall, Hickey, Jordan, Keegan, Meyler, O'Ryan, Quin, Smyth and the Chairman. - 13.

The Chairman declared the motion lost.

The following resolution was then adopted on the motion of Mr. O'Byrne seconded by Mr. Gaul:- "That as regards list of applicants for award of Scholarships or bursaries under Secondary and Vocational Scholarship Scheme we hereby consider the following eligible to compete for same:-

1. James P. Brennan, 2. Patrick J. Byrne, 3. Elizabeth McCarthy, 4. Patrick Cousins, 5. Leslie J. Deacon, 6. Patrick O'Donnelly, 7. Bridget Teresa Doyle, 8. Kathleen M. Doyle, 9. Sean Doyle, 10. Mary Foley, 11. Joseph Finn, 12. Gerald W. Fenelon, 13. Annie Hurley, 14. Edward Kavanagh, 15. Edward Kelly, 16. Thos. G. Kehoe, 17. Mary T. Mulligan, 18. Mary O'Brien, 19. Alice Mary O'Keeffe, 20. Margaret M. Reddy, 21. Hubert Sheil, 22. George Swords, 23. Edwin Fintan Todd, 24. Nicholas Walsh and 25. Mary M. Warrington.

"That application from Eileen Murphy be provisionally accepted subject to receipt of medical certificate provided by the Scheme."



PAYMENT OF MOTOR INSURANCE  
BY INSTALMENTS

The following resolution was adopted on the motion of Mr. Kelly seconded by Mr. Hall:- "That we call on the Minister responsible to bring in immediate legislation whereby motor car and motor lorry owners will be enabled to pay the third Party Insurance by quarterly or half yearly instalments. That copy of this resolution be forwarded to the Minister for Industry and Commerce and to the Minister for Local Government and Public Health."

POISONS & PHARMACY ACT LICENCES

The following resolution was adopted on the motion of Mr. O'Byrne seconded by Mr. Clince:-

"That renewals of licences under Poisons and Pharmacy Act 1908 be issued to Wm. Hogan, Fethard-on-Sea, and Wm. B. Jackson, 31, Main Street, Gorey.

OVERHEAD TELEGRAPHIC LINE

The following resolution was adopted on the motion of Mr. O'Byrne seconded by Col. Quin:- "That this Council hereby consents to the erection of overground Telegraphic line from end of existing line on Main Road to Wexford opposite Mental Hospital to Main Gate of Brownswood Sanatorium, Enniscorthy."

ROSSLARE COAST ROAD

The County Surveyor said he considered the coast road at Rosslare should be closed. The Council had made this application previously but the Minister had refused to sanction its closing. The road was barricaded at either end and warning notices had been put up. The present position was not satisfactory and he recommended that application should now be made for its permanent closing.



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The following resolution was adopted on the motion of Mr. O'Byrne seconded by Mr. Clince:- "That application be made to the Minister for Local Government and Public Health to close the coast road at Rosslare as we consider this thoroughfare dangerous to the public."

#### CUTTING OF HEDGES

The Co. Surveyor submitted report from Mr. R. J. Ennis, Assistant Surveyor, furnishing list of persons who were not cutting their hedges:-

- (1) John Sullivan, Gurteen, Bunclody - Hedges etc., on Road No. 45 Bunclody-Carnew. Has some cut, but not nearly enough.
- (2) Charles Skrine, Ballyrankin, Strahart - Trees with low boughs on Road No. 47 Ferns-Clohamon. Has done nothing. (a bad case).
- (3) Richard Kelly, Prospect, Bunclody - Hedges on Road No. 45 Bunclody-Carnew. Has cut about one half, but has done nothing more for a considerable time now.
- (4) Mrs. Sunderland, Ballinastraw, Wells - Boughs and hedges on Road No. 29 Wexford-Gorey. Has cut some, but not nearly enough.
- (5) Mr. William Lee, Clasheen, Killena - Boughs, hedges on Road No. 29 Wexford-Gorey. Has cut some, but not nearly enough.

The following resolution which was adopted on the motion of Mr. Corish seconded by Mr. O'Byrne:- "That the County Solicitor be instructed to notify the persons reported to this meeting by Mr. Ennis, Assistant Surveyor, as failing to cut their hedges that unless they carry out this work to the satisfaction of the Surveyor they will be prosecuted."



REPAIR OF LANES

The Co. Surveyor in reply to Mr. Kelly said that the repair of Ballymotey Lane had been before the Council on several occasions, and two successive Grants for its repair could not be applied to it because one of the adjoining land holders refused to sign the memorial that he was satisfied the repair should be carried out.

Mr. Kelly said he had been informed that the man in question had owed seven years' rates and three years of this had been wiped out as irrecoverable. The lane was one of the worst in An Saorstat and if its repair could be effected it would open up a wide stretch of country. All the ratepayers with the exception of the man objecting paid their rates promptly and it was a very undesirable state of affairs if they should be deprived of a passable thoroughfare owing to the action of one man. A doctor's motor-car had "stuck" in this lane and three carts had been smashed in it recently. Mr. Kelly asked if the Council had no compulsory powers to compel the objector to allow the repair to be carried out. There was a contract from the time of the Grand Jury on one half of the lane.

Mr. Hall agreed with Mr. Kelly and urged that any step possible should be taken to have the repair effected.

The Co. Surveyor said that under Minor Relief Schemes Vote all adjoining owners of land had to be satisfied and if even one objected the proposed repair could not be carried out.

It was decided that the Finance Committee look into the circumstances under which the objector in this case had according to Mr. Kelly, three years of Rates wiped out.

The matter dropped.

It was decided on the motion of Mr. O'Byrne seconded



by Mr. Clince:- "That the following applications for repair of lanes etc. be scheduled for consideration in connection with Minor Relief Schemes Vote when money under this Vote will be available:-

Lane in Boira South, Kilmuckridge; Bannpark Lane;  
Mountain Turf Road from Clologuebeg to the Turf Field;  
Lane Shroughmore-Clonjordan; Knockduff, Ballycarney;  
Cullentra Lane, Kiltelaly; Saltmills - Grange;  
Fisherstown and Dollar Point."

#### COMPLAINT OF CONDITION OF ROADS

Mr. John Cheevers, Horeswood, Campile, Hon. Sec. Labour Party, Horeswood Branch, forwarded resolution as to putting in passable condition Roads 701 and 789 as both were in a deplorable state. This would relieve the distress among the unemployed in the district who are in serious plight.

Mr. O'Neill, Assistant Surveyor for the district, reported that No. 701 was part of a contract road. It carried most of the traffic to Campile and considering the amount of money allowed was in a fair state of repair. The second road carried most of the traffic to Campile from Duncannon, Arthurstown and Ramsgrange. It was very narrow in some places but otherwise is in fair order.

It was decided on the motion of Mr. O'Byrne seconded by Mr. Clince that copy of report of Mr. O'Neill be furnished Mr. Cheevers.

#### APPOINTMENT OF GANGER

Mr. Hall said that notwithstanding the order of the County Council that no man should be employed at road work who was a farmer he found that M. Keyes to whose employment exception had been taken by the County Council at a recent meeting as this man held twenty-five acres of land was still acting as a Ganger. He could not under-



stand why the instructions of the Council were not carried out.

Mr. Treanor, Assistant Surveyor for the District, said he had furnished a report to the Co. Surveyor as to the employment of this man. The regulations laid down that a man on an uneconomic holding was entitled to employment provided he registered at the local Labour Exchange. The man had so registered and as the work was being done under a Relief Grant and this man's name had been furnished to him (Mr. Treanor) by the Labour Exchange he was bound to employ him. He appeared to be the man on the job most capable of carrying out any instructions and for that reason had been appointed charge hand.

Mr. Hall said there was some question of men working on this job being threatened with victimization as they were supposed to have made to him the complaint of Keyes having been employed. He (Mr. Hall) wished to say that no one connected with the work or with labour called his attention to the matter. If any attempt were made at victimization he would see it would not succeed, as he would bring the matter before the Council and go as far as possible in the matter.

Mr. Treanor said he had nothing to do with any rumours as to victimization and would not countenance anything of the kind.

Chairman - We made an order about this man the last day and now Mr. Treanor says that as his name was submitted from the Labour Exchange he was bound to be employed.

Mr. Treanor said that when the name was given by the Labour Exchange he could not turn down the man. He would have his remedy.

The Chairman said that he thought what the Council



suggested should have been carried out. We are tired making rules and they are always flouted by the Surveyors. My advice to them is that they should carry out the regulations.

Mr. Gorish - If it is a Relief Grant job the Surveyor must accept the names given by the Labour Exchange. The matter dropped.

PROPOSALS FOR PAYMENT

The following resolution was adopted on the motion of Mr. O'Byrne seconded by Mr. Clince:- "That the several proposals for payment including proposals for payment of Road Contractors, as submitted to this meeting be and are hereby approved and that Pay Orders for same issue from this meeting."

REPLY TO VOTE OF CONDOLENCE

A resolution was adopted on the motion of Mr. O'Byrne seconded by Mr. Kelly that the following reply from Mr. Jordan, M.C.C., to vote of condolence in the death of his Aunt Miss Higgins be inserted on the Minutes of Meeting:-

"I am in receipt of your letter informing me that a vote of sympathy was passed with me by the Co. Council at their last meeting.

"Will you please convey my sincere thanks to the members of the Council for their kind vote of sympathy. I also wish to thank you personally for your sympathy and also the members of the staff."

It was decided that the remainder of the business be adjourned to next meeting.

*Michael Doyle*