

Meeting, January 8th 1900

An ordinary meeting of the County Council was held in the Council Chamber Wexford on January 8th 1900
 Present - In the Chair, Sir Thomas A. G. Esmonde Bart
 presiding and subsequently Mr Edmond Hore
 vice Chairman, also Messrs M. Browne, Daniel
 Dempsey D. Power & Whitty jun^r, J. Donohoe
 C. H. Peacocke, J. F. Walsh, James Codd, Michael
 Hickey, John Cummins, P. Ryan, Owen Doyle
 and Lord Maurice Fitzgerald

The Secretary, Capt Pigott, and the Solicitor to the
 Council, Mr R. W. Edge, were also in attendance
 With reference to the question of payment
 of compensation to the Inspectors of Explosives, the
 following letter was read from the Local Government
 Board

No 72671, 1899

Wexford County.

Local Government Board Dublin

15th December 1899.

Explosive Officers.

Sir

Adverting to your letter of the 12th instant and
 enclosures relative to the claims of Inspectors of
 Explosives in County Wexford to compensation
 under the Local Government (Ireland) Act 1898 for
 loss of office. I am directed by the Local Government
 Board for Ireland to state that in their opinion
 Inspectors of Explosives who by reason of being employed
 in other business of the Justices in Petty Sessions, have
 not been transferred to the County Council, and who
 were in office on the 31st March 1898, and on the appointed
 day, are entitled to compensation on abolition of office,
 having regard to the provisions of section 120 (1) of the
 Local Government Act, 1898 set out in part two of the
 Seventh Schedule of the Local Government (Ireland) Act 1898.

I am Sir

Your Obedient Servant

A. H. Swaine

Secretary

The Secretary of the
 County Council of Wexford

This letter has been considered at a meeting of the Finance Committee held earlier in the day, and who had decided that a telegram should be sent to the Local Government Board, asking if in the event of the County Council awarding compensation to these officers, would the Local Government Board recommend that half the amount be returned to the County Council.

The Secretary explained that since the meeting of the Finance Committee he had received the following telegram from the Local Government Board -

"There is no provision in Local Government Act for 'recouping half the compensation paid to Inspectors of Explosives'"

The Secretary also mentioned that since the last meeting civil bill processes had been served on the Assistant Secretary at the instance of Messrs. J. O'Connor & Co. Solicitors, for some of the Inspectors of Explosives concerned.

Mr. Browne moved - "That in this case the law be allowed to take its course"

Mr. Cummins, seconded the resolution which was passed. Lord Maurice Fitzgerald dissenting and Mr. Owen Doyle declining to vote.

On the suggestion of Lord Maurice Fitzgerald the chairman took a show of hands on Mr. Browne's motion. Messrs. Walsh & Doyle did not vote. Lord Maurice Fitzgerald dissented, and the remainder of the members were in favour of the adoption of Mr. Browne's motion which was then declared passed.

Mr. Browne proposed that Mr. Elgee be given this matter in hands and that he be empowered to employ counsel at the hearing of the civil bill processes.

Mr. Dempsey seconded the resolution which was passed nem. con.

Resignation - Mr. Ryan.

With reference to the proposed resignation of Mr. William Ryan, Deputy County Surveyor, letters were read from Messrs. M. J. O'Connor & Co. Solicitors for Mr. Ryan. Also letter No. 68 145 1899 Wexford County from the Local Government Board which stated "that the enactments relating to the superannuation of officers of boards of guardians shall, with the necessary modifications, apply to the Officers

of County Councils, and that section 115 (3) of the Act, enacts that "For the purpose of the enactment relating to superannuation, the service of any existing officer of any authority before the transfer to a county or district council shall be reckoned as service under that council.

This matter had been before the meeting of the Finance Committee on that day, but the Committee had decided upon referring it to the Council meeting for decision.

In reply to a question Mr Elgee said that in his opinion Mr Ryan was entitled to compensation.

Mr Broome moved - "That the question as to whether it is compulsory on the County Council to give Mr Ryan superannuation, that they be asked to fix the amount the Secretary to the County Council furnishing the Local Government Board with all particulars as to Mr Ryan's length of service etc."

Mr G odd seconded the resolution. A show of hands was taken on this motion. Messrs Ryan, Hore, & Walsh, & Lord Maurice Fitzgerald took no part in the voting, the other members being found in favour of it. It was then declared carried by the Chairman.

Mr O'Connor then asked that he be allowed to withdraw Mr Ryan's resignation which was before the Council but which had not been accepted by them.

This request was acceded to.

Explosive Officer

A letter was read from Mr William Munro, Inspector of Explosives for the New Ross District claiming compensation under the Local Government (Ireland) Act.

No order was made thereon.

Scale - Election Expenses.

The scale of expenses in connection with the Urban Council elections as fixed by the Finance Committee was approved, subject to the sanction of the Local Government Board.

Loan - from Board of Works.

With reference to the application of the County Council for a loan of £6,000 from the Board of Works, a long correspondence was read by the Secretary, who explained that the Local Government Board had expressed their sanction to the proposed loan.

Letter No. 17281, Enniscorthy Asylum, from the Board of Works, having referred to the terms upon which loans could in future be granted for Asylum purposes went on to state "I am to refer you to sub section 14 section 9 of the Local Government Act 1898, which provides that plans shall not be carried into effect until approved by the Lord Lieutenant, and to state that it will be necessary to furnish evidence of His Excellency's formal approval in this case.

The Secretary said that on receipt of this letter he had arrived at the conclusion that His Excellency should have already approved of the plans, as the loan was only required to complete works which had been initiated by the late Board of Control, and for which a loan of £21,000 had already been issued.

He had written to Dr Crapes, the Resident Medical Superintendent, who was unable to furnish him with information as to where he would obtain evidence such as was required by the Board of Works.

Dr Crapes had however communicated with Mr Owen, the architect of the Governors, and forwarded the following extract from a letter which he had received from that gentleman - "Not clearly understanding the nature of the sanction required by the Board of Works, I called at their offices and found that there was a legal complication stopping the loan, which I am not competent to enter into, and that the only way out of the difficulty was to get the sanction of the Lord Lieutenant. Here another difficulty arose owing to the loan being required for the completion of the Repairs Account, so I called on the Inspectors and arranged with them to draw up a special Financial Statement showing the amount of money required under each of the general headings, and also the amounts which the Committee of Management had decided on since the Local Government Act.

"I have good reason to hope that this information will be sufficient to obtain the necessary sanction."

The Secretary said he had also communicated with Mr Smith, the chief Clerk of the late Board of Control and had received the following letter from that gentleman

Office of Lunatic Asylums

Dublin Castle 4th Jan 1900

Sir Referring to your letter of the 3rd instant, relative to an

application from your Council for a loan of £6,000 to complete works at Enniscorthy Asylum, I am directed by the Inspectors of Lunatic Asylums to inform you that the plans have never been formally approved by His Excellency, as such approval was not required previous to the passing of the Local Government (Ireland) Act 1898. They were however approved by the late Board of Control, which was the proper authority to approve of plans at the time the works were commenced. The present loan is required for the completion of works which were sanctioned by the late Board of Control. The authority for the execution of these works was granted by an Order in Council, but the granting of such authority is no longer vested in the Privy Council (please see Article 22 (1) of Local Government (Application of Enactments) Order 1898) but in the Local Government Board, and inasmuch as that Board have already approved of the granting of the loan it would be desirable for you, if you have not already done so to inform the Secretary, Board of Works to that effect.

I am Sir

Your Obedient Servant
James Smith

To the Secretary
Wexford Co. Council
Court House Wexford

The following letter was read from Dr. Drapes Resident Medical Superintendent, Enniscorthy Asylum under date 8th January 1900

I enclose herewith a letter which I have received from Mr. Fortune, contractor for the works at present in progress in the Asylum. It would be a very serious matter indeed, and occasion untold inconvenience, if the works had to be stopped from want of funds, and yet the contractor cannot fairly be expected to continue them at his own loss.

I shall therefore feel obliged if you will bring the matter before the Council, that they may if possible devise some means of procuring the necessary funds for the completion of the works.

The following was Mr. Fortune's letter -

Lower Church Street
Enniscorthy
5th January 1900

Thomas Drapes Esq. M.D.

Dear Sir

I beg to call your attention to the very large amount now due me on above (I believe £3,000). Now with this large sum outstanding it is impossible for me to carry on the works if I cannot obtain a very large instalment of the money in the course of the next week, and I will be compelled to stop the works and discharge the men.

This course will be very disagreeable to me. I would therefore ask you to urge on the County Council as strongly as you can at their meeting on Monday next the great pressing necessity of having the money raised at once.

There is also outstanding £150. from the Architect's last certificate. Looking at these facts and figures you must come to the conclusion that something must be done at once if the works are to be kept going on, and I would therefore ask you to use your best endeavours with the Council on Monday next to have the money raised either by loan from the Treasury, or by overdraft from the Bank. Another matter, and a very serious one, I must call your attention to is the large amount of interest I must pay on overdraft at present.

Again asking you to use your best endeavours to procure sufficient funds to meet the Architect's certificate

I remain Dear Sir

Yours Obediently

William Fortune

Mr. Donohoe said that it was absolutely necessary that funds should be obtained for the Asylum. They were in possession of all the facts from the correspondence that had been read. It was through no fault of the County Council that the loan had not been granted up to the present. In consequence of the serious position of affairs he would move that a sum not exceeding £800 be granted to the Asylum for the Building account until the loan had been received.

Mr. Dempsey seconded the resolution which was adopted

In connection with this matter a recommendation of the Finance Committee that the special statement referred to in Mr. Owen's letter be obtained from the Inspectors of Asylums, and that same be forwarded to the County Council for the sanction of the Lord Lieutenant, was approved, and that the Board of Works be urged to complete the loan without the delay.

Secy's Claim - Bring act into operation

In connection with the claim of the Secretary to the County Council for £100 for bringing the Act into operation letter No. 726. 28 Wexford County 1899 from the Local Government Board was read.

Mr. Donohoe proposed that the amount claimed by the Secretary be given.

Mr. Doyle seconded.

Mr. Browne proposed that the Council allow the Secretary £50.

Mr. Donohoe suggested that the Council should be unanimous in granting £75 to the Secretary. At the suggestion of the Chairman Mr. Browne withdrew his resolution and on the motion of Mr. Donohoe seconded by Mr. Doyle it was decided nem. con. "That the Secretary be allowed £75 for bringing the act into operation".

The Secretary expressed his satisfaction with the resolution of the Council.

Sir Thomas Comyns then left the Chair which was taken by the Vice Chairman, Mr. Edmond Hore.

Change in Form 4.

With reference to a recommendation of the Finance Committee as to the abolition of the analysis of separate and general charges in Form 4. It was decided on the motion of Mr. Doyle that the matter be postponed for the present half year.

Sanction of Secy's salary.

Letter No. 72628 Wexford County 1899 from the Local Government Board, expressing their sanction to the salary of £412, proposed to be paid to the Secretary was read.

approval of security of assist Secy.

Letter No 72. 598, 1899 from the Local Government Board approving of the amount of security proposed to be taken for the due performance of Mr. Frizelle's duties as Assistant Secretary, viz. £200 was read.

The Secretary reported that Mr. Frizelle's bond had been perfected.

Nuisance - in Irishtown

Letter N^o. 72. 598 Wexford County 1899 from the Local Government Board stating that the question of the nuisance existing at the Irishtown New Ross, was receiving the attention of the Board was also read.

Cess Collectors Compensation

In connection with letter N^o. 69. 620 Wexford County from the Local Government Board the Secretary reported that he had received a draft of £25. 5. 5. half the sum allowed to certain deputy cess collectors, who had through an error not claimed in the first instance the full amount of compensation to which they were entitled. The amount had been lodged to the credit of the County Council.

Overdraft

Letter N^o. 72. 282. 1899 Wexford County from the Local Government Board sanctioning an overdraft of a sum not exceeding £10,000 at a maximum rate of interest of four percent per annum was read.

Circular N^o. 73. 500, 1899 (Miscellaneous) from the Local Government Board was read.

Sanction of Secy. as Clerk to Local Authority

Letter No 4702/99 Col Wexford from the Veterinary Department expressing the approval of His Excellency, the Lord Lieutenant of the Secretary's appointment, as Secretary to the Local Authority under the Diseases of Animals Act 1894 at a salary of £48 per annum, was read.

A certificate from the Privy Council Office creating the office of Secretary of the Local Authority under the above mentioned act was also read.

Malicious Injury Claim

A letter was read from Mr. Huggard Solicitor requesting payment of £9. 10^s. decree given in the malicious claim of John Godkin was read. In this communication Mr. Huggard pointed out that his client could not allow the matter to

stand over indefinitely.

It was decided that the amount be paid at the next quarterly meeting of the Council

Grant to Irish Asylums.

The following resolution was read from the Committee of Management, Enniscorthy Asylum

"That the Asylum Committee desire to call the attention of the County Council to the statement made by the Most Rev. Dr. Kelly, relative to the Grant in Aid paid to Irish Asylums for 1898"

No order was made thereon

Rosbercon Land & Co. W. & W.Rly Co.

A letter was read from Mr. Shannon, Chief Engineer Dublin, Wicklow & Wexford Railway Co. acknowledging the receipt of a copy of Resolution passed at the last meeting of the County Council in connection with a piece of land the Company required at Rosbercon, New Ross. The letter was undate and dated 1st December 1899 and intimated that Mr. Shannon would bring the matter before his directors on the following Monday, but up to the present no further communication had been received from him.

Inebriate Homes.

A resolution from the Dublin County Council with reference to the establishment of Inebriate Homes was postponed for further consideration

Demand - New Ross Urban.

Mr. John Tobin Clerk to the New Ross Urban District Council wrote in reply to a letter from the Secretary to the County Council, that the collection of the Rates in his District was being actively proceeded with and the required payments to meet the demand of the County Council would be made without delay.

The Secretary reported that the urban District of Wexford had lodged £800 on account of the Demand made on them.

Catholic Emancipation Act.

The following resolution from the Corporation of Sligo was on the motion of Mr. Peacocke seconded by Mr. Owen Doyle adopted,

That this Council call upon all the Irish Members of Parliament to use their best endeavours to have

a clause in the Catholic Emancipation Act of 1829 dealing with Jesuits, Friars and Monks, revoked as soon as possible, as the clause holds every jesuit, Friar and Monk in the Kingdom, criminals in the eye of the law of England. That copies of this resolution be sent to the Chief Secretary for Ireland to all the Irish Members of Parliament and to all the County Councils and Corporations in Ireland"

Custody of Courthouses.

With reference to a resolution from the Longford County Council as to the custody of courthouses no action was taken
Irish Reform League

A letter was read from Mr A Keogh Nolan Secretary to the Irish Reform League asking that delegates should be appointed from the County Council to a joint conference of members of the All-Ireland League and of County Councils

It was decided on the motion of Mr Browne that the chairman (Sir Thomas Comond), Messrs Peacocke & Donohoe be appointed delegates on behalf of the Wexford Co. Council

Typewriter Council Office

For the supply of a Remington No 8 Typewriter two tenders were received from Messrs M'Kenzie, Dublin and Mr Wm. Simpson, Wexford. Both tendered at £23 " 9 " 6 less 5 per cent for cash in fourteen days. It was decided to order the machine from Mr Simpson

The warrants for the poor rate collectors for the collection of the half years rate 1899-1900 were then signed

February 6th 1900 Edward How.