

meeting - 12th November 1909.

A meeting of the County Council, was held in the Council Chamber, Courthouse, Wexford; on 12th November 1909.

Present :- Mr. E. Hore, (Chairman) presiding.
Other members :- Messrs Fortune, Mayler, Browne, O'Neill, J. Bolger, Cummins, Kinsella, Asple, Mr. Codd, Kavanagh, J. S. Hearn, Michael Doyle, J. A. Doyle, Peacocke, Forrestal, Stafford, Kehoe, Walsh, Hickey, Fanning, Ennis; and James Codd.

The Secretary, the County Surveyor, and Mr. R. W. Elger, Solicitor to the Council, were also in attendance.

— Confirmation of minutes. —

The minutes of Quarterly meeting of 4th August and of Special meeting of 30th August were read and signed.

— Appointment of assistant Co. Surveyor. —

With reference to the appointment of assistant County Surveyor for No. 3 District, vice Mr. R. Brennan resigned. Communications from the Local Government Board, as follows, relative to examination of candidates for position were read :-

No. 120,705 - 11th October '09. No. 125,023 - 16th October '09. (to Mr. James J. Shortall), No. 124555 - 16th October '09, to Secretary Co. Council, and Mr. Edward A. Huggard.

Under date 3rd November, No. 128,380 - 1909 the Local Government Board wrote :-

"I am directed by the Local Government Board for Ireland, to inform the County Council of Wexford, that in accordance with their wishes, an examination was duly held at the Council's offices on the 20th and 21st ultimo, of candidates for the vacant position of assistant Surveyor in the county, and I am now to enclose a table showing the marks obtained by the several candidates in the various subjects of examination. Messrs Harrett, and Edward A. Huggard have qualified

in the subjects prescribed by article 4 of the Board's Order of the 16th November 1906, and each of these gentlemen is eligible for appointment as assistant surveyor.

The testimonials of the successful candidates are forwarded herewith for submission to the Co. Council.

The following result table accompanied this communication:-

Wexford County.

Assistant Surveyors Examination held on.
the 20th & 21st October 1909

| Candidate's name. | Roads & Building Construction (200) | levelling & Surveying (100) | arithmetic & mensuration (100) | English composition (50) | Total (350) | |
|--------------------------------|-------------------------------------|-----------------------------|--------------------------------|--------------------------|-------------|--------|
| 1. Michael Hassett | 65 | 56 | 85 | 20 | 226 | Passed |
| 2. Edw ^d A. Huggard | 40 | 63 | 36 | 30 | 169 | Passed |
| 3. Walter Clare | 81 | 30 | 54 | 20 | 185 | Failed |
| 4. Michael Howlin | 17 | 26 | 13 | 25 | 81 | Failed |

The Secretary stated he had received from Mr. J. J. Ryan, former Assistant Surveyor his diplomas etc., for the position. These were lodged on 9th November.

The Chairman ruled that Mr. Ryan's application could not be entertained, as it did not comply with the terms of the advertisement.

"Mr. Fanning proposed the election of Mr. Michael Hassett."

Mr. Kinsella seconded.

"Mr. Stafford proposed, and Mr. Kinsella seconded the election of Mr. Huggard."

A poll was taken with the following result:-

For Mr. Hassett:- Messrs Forrestal, G. Walsh, J. E. Maylor, Browne, Kinsella, O'Neill, Bolger, Hearn, Ennis, Peacocke, Kehoe, James Bodd, P. J. Fanning, M. Doyle, M. Bodd, J. A. Doyle Asple, Fortune, Cummins, Hickey, and the Chairman.- 21.

For Mr. Huggard:- Messrs Stafford and D. Kavanagh. 2.

The Chairman declared Mr. Hassett elected.

The successful candidate returned thanks.

It was arranged that Mr. Hassett take up duty on November 15th.

— Requisition to Tax Costs. —

Proposed by the Chairman, seconded by Mr. Hearn, and adopted:— "That the Requisition to tax costs of Mr. R. W. Elger, Solicitor, be signed and sealed and that Mr. J. J. Kelly, Solicitor, Wexford, represent the Council at the taxation."

— Voters & Jurors Fees. - Enniscorthy District. —

The Secretary mentioned that in the advertisement under which he was elected to the position of Co. Secretary there was the following provision as regards salary:—

"The aggregate salary is subject to revision on the officer appointed being called upon to discharge the duties of an existing clerk of Union under the Representation of the People Act, and the Jurors (Ireland) Act."

Mr. Ennis moved, Mr. Kehoe seconded and it was unanimously adopted:—

"That the whole of the emoluments under Voters and Jurors Acts in Enniscorthy Rural District be paid to our Secretary without any revision of his salary, but in order to settle the matter definitely as to the amount of revision which is to be made in respect of the other three districts, when they fall to the Secretary, that the Finance Committee investigate what the total emoluments in these three districts would be, and recommend to the Council by what proportion the Secretary's salary should be reduced."

— Poundage fees to Rate Collectors. —

Proposed by Mr. Ennis, seconded by Mr. Hearn, and adopted:— "That the Rate Collectors of the County be paid their poundage in respect of half-year ended 30th September."

— Polling Districts Act. —

The Local Government Board forwarded for the

information of the council, copy of Polling Districts and Registration of voters (Ireland) Act 1908, which gives power to county councils to alter Parliamentary Polling districts, and to alter the method of compiling lists of voters. Also General Order made by the Board prescribing the rules for carrying the act into effect."

"Postponed to future meeting to allow of Secretary bringing forward draft scheme."

Payment of Poundage.

The Secretary reported that all the Rate collectors with the exception of Messrs John Walsh, and J. B. Smith had closed their collections within the prescribed period.

Mr Walsh had outstanding on 31st September £265: 9: 6. He closed his collection on 8th October '09.

Mr J. B. Smith had outstanding £6: 14: 6 Rates due on a farm which had been taken over by the Estates Commissioners for division amongst other tenants. Particulars of the new valuations were not received from the Estates Commissioners until after the close of the half year, when Mr Smith collected the amounts and lodged them on 19th October.

Under date 14th October, (letter no. 122,458) the Local Government Board wrote that if the explanation of Mr Walsh, not to close in time was accepted by the Co. Council, the Board would not withhold their consent to the extension of time.

As regards extension of time in the case of Mr Smith, the Local Government Board wrote letter no. 131,377, under date 3rd November that in the circumstances they would not raise any objection to extension of time in this case.

The Finance Committee made the following recommendation as regards Mr Walsh at their meeting on 2nd October :-

"That we recommend the County Council to call on Mr Walsh for his resignation as Rate collector as from 31st March 1910. That a copy of the letter of Mr Walsh under date 3rd June 1909 stating he would resign if he did not perform his duties to the satisfaction of the Council, be furnished his duties, and

that they be requested to inform the Secretary if they are satisfied he should collect the current moiety of the rate. and further, that our Secretary lay before next meeting of the County Council a statement showing the percentage of the amount collected by Mr. Walsh in respect of each month of the past period from the date he received his warrant."

The Secretary stated that the warrants were issued to the collectors on 29th April and the following showed the percentage of the amount collected by Mr. Walsh each month from date of receipt of his warrant :-

| | |
|--------------------------|-------------|
| 31 st May. | nil |
| 30 th June. | 07 per cent |
| 31 st July. | 20 " " |
| 31 st August. | 26 " " |
| 30 th Sept. | 78 " " |

The Secretary stated that he had communicated with Mr. Walsh's Sureties. One of them - Mr. Aidan Walsh, Cffernoge, Fems, wrote under date 22nd October as follows...

"In answer to yours of the 16th inst., as I have not given Mr. Walsh timely notice to get a guarantee Society, I will continue his Surety for this collection."

under date 8th November 1909, the following was read from Mr. Matthew Cahane, Dubbergal, Fems...

"Your letter received I will continue surety for Mr. John Walsh, for this collection."

Mr. Ennis proposed, and Mr. Hearne seconded the following resolution, which was passed :-

"That the recommendation of the Finance Committee regarding the termination of Mr. John Walsh's office of Rate Collector, as from the 31st March 1910, be agreed to, as his Sureties are satisfied, and that in the circumstances that the Council agree to the payment of Mr. Walsh's poundage."

Mr. Ennis proposed, and Mr. Hearne seconded :- "That the recommendation of the Finance Committee regarding the payment of Mr. Smith's poundage be agreed to."

Passed.

Preservatives in cream.

Under date 11th October, the Local Government Board wrote, (letter No 11535-09) forwarding copy of Report made by Dr. J. H. Hamill to the English Local Government, on the use of preservatives in cream.

The Secretary read the recommendations of Dr. Hamill on the subject.

Report of Local Government auditor.

The Local Government Board under date 4th October letters No 118,785-09, forwarded reports of their auditor as to audit of accounts of Gorey Union and District Council for half-year ended 31st March 1909.

marked "Read."

Superannuation of Mr. James Barron, late Rate collector.

Under date 13th October, Sealed Order No. 121390, was read from Local Government Board, agreeing to a superannuation allowance of £20 per annum, to Mr. James Barron, late Rate collector.

marked "Read."

Road Limit of Expenditure - Gorey District.

Under date 27th August, Sealed Order of the Local Government Board, and No 91,645, consenting to extension of road limit of Gorey Rural District to £6,132: 10/- to 31st March 1914 was read.

Removal of Wrecks.

Under date 22nd September '09, the Department of Agriculture & Technical Instruction wrote, (letter No 6786.F.S.)

"Adverting to your letter of the 31st ultimo on the subject of the removal of wrecks off the Wexford Coast, I have to state, for the information of the Wexford Co. Council, that the Department think that, as an experiment, it might be well to deal with the six wrecks in the North Bay first. If the Co. Council should decide to adopt this course and undertake to satisfy themselves that the wrecks exist in the places where they are shown on the charts, the Department would consider the question of offering, within a limit of £100, one-third of the cost of removing the

wrecks to below the surface of the sand so that they could not be caught by sweeping.

Would you kindly say whether the Council's solicitor has yet expressed his opinion as to whether the Co. Council are liable or are empowered to remove the wrecks.

Before starting the work, the County Council, would, of course, see that the Board of Trade gave the necessary consent to the proposed operations.

The enclosures to your letter are returned herewith."

The Secretary said he had interviewed Mr. Elgee in connection with the matter and Mr. Elgee stated that in his opinion the Co. Council are not liable for the removal of these wrecks, and they have no power to contribute to the cost of removing them, having regard to the sections of the Merchant Shipping Act 1894, which deals with wrecks.

The Chairman proposed:— "That as the County Council have been advised by their solicitor that they have no power to contribute to the cost of removing the wrecks in Wexford Bays, altho' anxious to do so, the Department of Agriculture be asked to carry out the work.

The parties who had tendered for the removal had already gone to considerable expense in providing the necessary gear."

Passed.

Deepening of River Slaney.

Under date 15th September, the Department of Agriculture & Technical Instruction wrote letter N^o. 6782 F. B.:-

"With reference to previous correspondence on the subject of the proposed deepening of the River Slaney in the vicinity of Enniscorthy, I have to state, for the information of the Wexford County Council, that the attached agreement, in duplicate, has been drawn up, embodying the alterations referred to in your communication of the 3rd ultimo. The Department would be glad that, if the agreement is satisfactory, it should be executed on behalf of the Co. Council.

The plans and estimates referred to in clause 1. of the agreement will be forwarded by the Department's Engineer to the County Surveyor for signature.

The draft agreement approved by the Council's Solicitor is enclosed for reference. Kindly return it when done with.

Have the Board of Trade signified their consent to the carrying out of the proposed operations?"

Under date 26th October 09 the Board of Trade wrote letter No 13407 :-

"With reference to your letter of the 9th October relative to your application on behalf of the Wexford Co. Council, for permission to deepen a portion of the River Slaney at Ennisicorthy, I am directed by the Board of Trade, to inform you that upon receipt of a duplicate of the map already forwarded by you, together with a Postal Order payable to the Accountant General, Board of Trade, and crossed "Bank of England." for the sum of one shilling, as a nominal acknowledgment of the rights and interests of the Crown in the tidal lands to be interfered with by the proposed work, the Board of Trade will cause their formal consent to be inscribed upon both sets of plans of the work, one of which will be retained in the records of this office, the other being returned to you as the authority of the Council so far as the interests of navigation are concerned for proceeding with the work.

The map referred to is transmitted herewith to enable you to prepare the duplicate copy."

The Secretary stated that he had forwarded the map to the Department of Agriculture & Technical Instruction that they might make a duplicate.

The agreement entered into with the Department had been signed and sealed."

The Secretary stated that he had received duplicate map from the Department of Agriculture that day and had forwarded it together with the fee of 1/- to the Board of Trade.

Dredging Courtown Harbour, Etc.

Under date 1st November '09, the following letter (No 8174 F. B.) was read from the Department of Agriculture & Technical Instruction:-

"Adverting to your letter of the 6th ultimo, embodying the following resolution which was recently passed by the Wexford County Council:-

"That we would remind the Vice-President of the Department of Agriculture, of his promise in Parliament to Sir Thomas Esmonde to contribute £250 for suggested improvements at Courtown Harbour in addition to the grant for the repair of the sluicing apparatus at Courtown Harbour, previously promised."

I have to state that the Council are under a misapprehension in thinking that two separate contributions were promised by the Department towards the improvement of Courtown Harbour. My letter of the 22nd January, last, indicated two schemes, in regard to either of which the Department were prepared to consider the extent to which they could co-operate. One of these referred to the provision of a permanent crane and grab for dredging and the other to sluicing arrangements.

It was agreed at a conference subsequently held between a Committee of the Co. Council and the Department's Engineer that, before any ^{other} scheme was considered, the existing sluicing arrangements should be thoroughly overhauled and provision be made for their systematic working. The Department accepted that view, and on the 27th April, last, promised to contribute one half of the expenditure involved, such contribution to cover the cost of transferring the necessary plant to and from Courtown."

Proposed by Mr. Kinsella, seconded by Mr. Fanning and passed:- "That we request the Department of Agriculture & Technical Instruction to carry out the overhauling of the sluicing arrangements at Courtown Harbour, and to provide for the systematic working of same on the terms of their letter of 22nd January 1909, provided cost of work does not exceed a larger

contribution from the Co. Council than £100."

Sheep Dipping.

under date 2nd August '09, the following letter No. 4016-09, V.B., from the Department of Agriculture & Technical Instruction, was read :-

"With reference to your communication of the 31st ultimo, I have hereby to convey this Department's approval of the renewal, for the dipping period under the Autumn Dipping of Sheep (Ireland) (Temporary) Order of 1909, of the temporary appointments of Messrs Stafford, Leary, and McDonald, the Wexford County Council's Sheep Dipping Inspectors for Wexford, Gorey, and Enniscorthy districts respectively, with remuneration at the rate of £12 to each Inspector in regard to such period."

"The Secretary explained that the four Inspectors had written accepting a salary of £12 each as remuneration for autumn dipping period."

"Under date 11th October the following letter was read from District Inspector Fitzsimons, R.I.B., Wexford, relative to sheep dipping prosecutions :-

"I beg to inform you that the Sergeants of the different Sub Districts in this District, report to me that all the sheep dipping notices (form C) have been forwarded to you, and that all the sheep owners save the 12 named on attached list have furnished the necessary declaration to the Police. I request instructions as to prosecuting the twelve defaulters named."

Proposed by Mr. Peacocke, seconded by Mr. Kehoe and passed :- "That the Co. Council do not desire that any prosecutions should take place with regard to the Summer Dipping period 1909, in cases where sheep owners having dipped their sheep, failed to return the necessary declaration form "C" within the prescribed time."

Time for closing Rate collection.

With reference to a resolution of the County Council asking that the present period for closing the Rate collection should be extended the following question in Parliament by Mr. French M.P., and answer, was read.:-

"To ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to a resolution passed by the Wexford County Council asking for discretionary power for County Councils to alter the periods for closing the rate collection; and whether as in counties where the majority of the ratepayers are agriculturists the present periods for closing the collections inflict hardship, he will consider the advisability of introducing legislation in the direction indicated in the resolution."

Answer:- "The Local Government Board have received the resolution of the Wexford Co. Council referred to in the Question. With regard to the latter part of the Question, the Board have power under the Public Bodies Order to grant an extension of time to any collector for the completion of his collection when they are satisfied that the collector is unable for reasons beyond his control to complete the collection within the prescribed time. There does not therefore appear to be any necessity for legislation."

Sir Thomas Esmonde, Bart., M.P., forwarded on the same subject the following letter received on behalf of the Chief Secretary for Ireland:-

"On 14th August you forwarded to the Chief Secretary copy of a Resolution passed by the Wexford County Council, in favour of legislation enabling County Councils to have the rate collection closed on 31st April and 31st October - which is in each case a month later than at present.

The proposal is not a new one. It has been repeatedly considered and decided in the negative. Its adoption would result in serious embarrassment to Boards of Guardians, District Councils, and Committees of Lunatic Asylums, who would be kept out of the

first instalment of their demands for a month longer than they are at present, and who have no power to pay interest on overdrafts for current expenditure.

It has been pointed out that one of the greatest successes of the Local Government Act has been the excellent collection of the poor rate. Prior to the passing of the Act the collection usually dragged. Heavy arrears were invariably carried forward in two thirds of the counties of Ireland, and the not infrequent embezzlement by collectors was most difficult to detect.

Under the present system, collectors are required to lodge the full amount of their warrants within the period allowed for collection, and arrears are practically unknown. Embezzlement of rates for long periods without detection is now almost an impossibility, and the Boards of Guardians and District Councils get their demands honoured within reasonable time.

This excellent system has now been in operation for ten years, and Mr. Birrell thinks that you will agree with him that the possibility of changing it in the manner suggested cannot be contemplated."

marked "Read."

Sunday closing of Post offices.

Under date 7th September, circular letter was read from the General Post Office, London; stating that the Postmaster General had decided experimentally to have post offices which were opened from 8 a.m. to 10 a.m., on Sundays, opened from 8.30 a.m. to 10 a.m., as from 3rd October.

marked "Read."

Irish Co. Councils General Council.

Under date 20th October '09, Mr. A. Keogh-Nolan Secretary Irish Co. Councils General Council, wrote stating that the annual meeting would be held on 10th December, and if the Wexford Co. Council desired to have any matters discussed at this meeting notice of same should be forwarded not

later than 25th November."

The communication from the Irish Co. Councils General Council, was referred to the Finance Committee."

— Erection of Danger Posts. —

Under date 1st September, Mr. A. Boyse, Bannow, wrote asking if the Council had any objection to his erecting on behalf of the Irish Automobile Club, three lots of their danger posts in the vicinity of Bannow.

The Co. Surveyor said he had given permission to Mr. Boyse to erect these posts and on the motion of Mr. Hearn, seconded by Mr. Ennis the action of the County Surveyor was confirmed."

— Prosecution - Road Contractors. —

Mr. Stafford proposed, and Mr. Kehoe seconded:-

"That permission be given to the Co. Surveyor to prosecute the following Road Contractors if he considers it necessary:-

Sureties of James O'Reilly, nos 90, 90A, 137 Gorey.

Michael Maguire, no 270. Enniscorthy.

William Whelan, nos 93, 96, Wexford.

John Donnelly, no 178 Wexford.

Maryann Barty 31 Enniscorthy.

Andrew Walsh, 66A Wexford.

Peter Dwyer, 136 Wexford.

John Quirke, 263. Enniscorthy

Michael Nolan, 312, 313 "

Richard Miskella, 205, New Ross.

Moses Bolger 143, 103, Wexford

Sureties of Matthew Bullen (Decd) 154 Wexford.

William Harpur, 158 Wexford.

Daniel Connors, 58 to 62 Wexford

John Cake, 8 Wexford

John Roche, 157A. Enniscorthy

James Bolger, 21, 7, & 21A Gorey.

Terence Donnelly, 61 Gorey

Richard Murphy, 134, 134A. Enniscorthy.

Patrick Murphy, 38 Gorey

Michael Connors, 50 Gorey

Denis Kane, 62 Gorey

John Murphy, 14 & 108 Gorey

Michael Staunton 77 Gorey
 Anne Abraham, 4 Enniscorthy.
 James Dillon, 61 Enniscorthy.
 Owen Nolan, 56, Enniscorthy.

Passed.

Roads.

Under date 29th September the following letter was read from Mr. P. J. Shaw, Clerk, Enniscorthy Urban Council:-

"I have been directed by my Council to bring under your notice the dangerous condition of the thoroughfare at the turn of the Hurstbourne Road, Enniscorthy, on the Rural District Contract, owing to the wall bounding the Roadway being removed.

This matter was before the Rural District Council sometime ago, and was estimated for by the Co. Surveyor, but was allowed to drop at the time, and nothing has been done since.

My Council would be glad if your Council would direct the Co. Surveyor's attention to matter, with a view to having the danger complained of removed."

"The Secretary stated that he had forwarded a copy of this communication to Mr. Gaffney."

Under date 4th October the Kilmuckridge branch of the Trade & Labour League, wrote calling upon the Co. Council to adopt some means to repair the road at Upton Hill, near Kilmuckridge, as it was now dangerous to traffic.

This matter had been referred to the County Surveyor who wrote (under date 9th October) that James O'Reilly the contractor for this road, had gone away, and that his sureties were trying to get out of their responsibility. He intended asking the Co. Council for permission to prosecute them.

On the motion of the Chairman the following resolution was adopted:- "That we inform the Enniscorthy Urban District Council, that the County Surveyor had brought forward a proposal with

regard to the Hurstbourne Road, before the Enniscorthy Rural District Council."

The following letter under date 22nd September was read from Mr. Moses Kenny, 65 Main St. Gorey:-

"A tree stands opposite my shop door on the corner of Gorey Avenue - 65 Main Street - which is detrimental to my business, in as far as people coming up street, bringing their car on level ground to stand except they pass the tree and go beyond the shop door, they are blocking the footpath, for which one of my customers has been fined 3/6. I applied to the Town Commissioners, they say they have no power as the trees are vested in the Co. Council. I ask you to be so kind as to bring this matter before your next Council meeting and if possible have this removed. This tree was planted when the house was unoccupied."

Mr. Browne proposed, Mr. Kinsella seconded:-
"That the Gorey Town Commissioners be informed with regard to Mr. Kenny's application that the Co. Council see no objection to his request being complied with if they consider it advisable."

Passed.

Under date 28th October, the following letter was read from the Secretary, Cyclists' Touring Club, London:-

"An official of this Club, has drawn attention to the roads in your district from a cyclist's point of view, and describes them as practically unrideable in winter. In drawing your kind attention to the expression of opinion from an old and experienced cyclist, I shall be glad to know if your Council can see its way to take action with a view to improving its roads."

"On the motion of the Chairman the following resolution was adopted:- "That this matter be referred to the County Surveyor."

With regard to resolution received from Kilmuckridge Land & Labour League the following resolution was adopted on the motion of the Chairman:-

"That Mr. J. McCreary be informed that the Co. Surveyor has been given permission to prosecute the securities of the contractor for this road."

— The Breaking of a Contract. —

John Blake, Sinnick, Oulart, appeared before the Council and requested them to determine his contract on Road No 218 Enniscorthy District, on the grounds that the advertised description of road - "140 perches from the District bounds to the Wexford and Enniscorthy road." - was so vague that he believed it was a road near his own place, whereas it was a road at Sinnock, which was 15 miles away from his residence.

Mr. Elgee, Solicitor, said he had informed the Co. Council on several occasions that they had no power to determine road contracts.

On the motion of the Chairman it was decided that the matter be left in the hands of the Co. Surveyor."

— Shivebawn & Ballycullane Quarries. —

The question of the proposed purchase of Shivebawn Quarry was referred to the next meeting of the Co. Council, as Mr. Elgee explained that the consent of the Estates Commissioners to work this quarry had not yet been received.

With reference to quarry at Ballycullane Mr. Patrick Murphy appeared before the Council and explained that he was prepared to work this quarry and sell the stones to road contractors at 2/- per cubic yard.

Proposed by Mr. Ennis, seconded by Mr. Cummins and adopted :- "That this matter be referred to the meeting of the Co. Council on 1st December, in the that Mr. Murphy state in writing at what price he was prepared to sell stones from his quarry to road contractors, that the Finance Committee consider the offer of Mr. Murphy and report to the County Council meeting of 1st December."

Assistant Surveyor Paddle.

Under date 2nd November, Mr. Thomas Paddle Assistant Surveyor, Gorey; wrote:-

"I beg to apply for the third increment of £5 as per terms of my appointment as Assistant Surveyor."

Mr. Ennis proposed, Mr. Fanning seconded:- "That Mr. Paddle be granted an increase of £5 per annum being the third increment accruing under the terms of his appointment."

Passed.

By-Law Fowl markets.

Under date 30th August, the following letter was read from the County Inspector, R. J. C., Wexford:-

"With reference to your typed communication dated the 27th inst., relative to the above. I beg to be informed if your Council has passed a general authorization to the police to prosecute in the name of the Secretary to the County Council."

Proposed by Mr. Broune, seconded by Mr. Kavanagh:- "That we hereby agree to give a general authorization to the constabulary to prosecute in the name of the Secretary of the Co. Council for any breaches of by-law adopted by the Council in connection with the holding of fowl markets."

Passed.

Duncannon & Arthurstown Piers.

Under date 25th September, the following was read from Mr. R. W. Elger, Solicitor to the Co. Council:-

"I have received the letters from Mr. Wallis to you relative to the Piers at Duncannon and Arthurstown, and, from the information therein contained, and also from the fact that these two Piers have been vested in the Co. Council and are scheduled Piers, it is quite plain that they were built by the Board of Works out of Public money, and consequently under the provisions of the sections of the Grand Jury (Ireland) Act 1863 applicable thereto, the County Council are bound to preserve and maintain the structure of these Piers, and this being so I am of opinion that it is the duty of the Council, as the persons having the general management or control of

the Piers, to comply with Part 1 of "The Factory & Workshops Regulations of the 24th October 1904," and Fence, Light, etc., such Piers.

It seems clear that all the Waterford Harbour Commissioners have to say to the Piers is as to the bed or foreshore of the Harbours, and that they have nothing to say to the structure of the Piers themselves.

Under these circumstances I do not see that there would be any use in taking Council's opinion as to whether the Council were bound to comply with the provisions of the Docks Regulations of The Factory & Workshops Act."

marked "Read."

Tenure of Courthouses.

Under date 14th October the following referred to the County Council, from the Finance Committee was read, - from Mr. R. W. Elgel, Solicitor to the Council: -

"I have been looking up the matter with regard to the Petty Sessions Houses in the County, to see what could be done as to carrying out the Resolution of the Finance Committee of the Co. Council passed on the 25th September ult., but from what I can discover as to the tenure of these houses it seems to me that no steps could be taken in the direction indicated by the resolution, without the consent of the High Sheriff for the time being, as it appears plain that they are all vested in him as Tenant although the County Council pay the rents.

It also however, seems plain, that if the High Sheriff gives his permission the Co. Council can use these Petty Sessions Houses for any necessary legitimate purposes such as are specified in the Resolution, save upon such days as the justices require them for the holding of Petty Sessions or any other Court, and I do not think that the Landlord would have any right to interfere in the matter.

Of course if any of the Petty Sessions Houses have been let on a special agreement merely for the holding of Petty Sessions or other Courts the case would be different, as they could then only be used for such

purpose, but unfortunately I have been unable to ascertain how any of them are held."

Proposed by Mr. Peacocke, seconded by Mr. Bolger:-
 "That the Co. Council ask the High Sheriff for permission to utilize the Petty Sessions Houses of the County for the verification of weights & measures, and for such other purposes as the Council may require for the administration of the County business; as the Landlord of one of the Petty Sessions houses had refused to allow the verification of the weights & measures to be carried out there without extra payment."

Passed.

— Cattle Traffic from Rosslare. —

Under date 20th September, the following letter was read from the manager, Gt. Western Railway Co.:-

"In further reply to your letter of the 27th ultimo, I can only say that the obligation of the Gt. Western Company, in the matter of the conveyance of cattle from Rosslare is limited to the sea transit, and that if and when it becomes necessary for such transit to be effected, the company will be willing to make arrangements for what may be necessary in this respect.

In the meantime, however, I have no information tending to show what cattle traffic would be likely to pass either from Rosslare itself or via that Port if the company made arrangements for dealing with it.

The Council will be aware that the company run a steamship service from Waterford to Fishguard daily, and large numbers of live stock pass by that service, moreover, the company are given to understand that the great majority of Dealers prefer to send their animals via Waterford."

The Chairman proposed:- "That the manager of the Gt. Western Railway Co., be again requested to put on a weekly boat for cattle traffic to Bristol and Liverpool. That the Council desire to point out that the 'S. S. Voltair' had satisfactory cargoes to these markets when placed on Rosslare station. We believe if the service was again opened it would be successful.

In the event of receiving an unfavourable reply from the manager of the Railway Co., that the matter be referred to the Finance Committee, and that they be instructed to prepare a question to be asked in Parliament as to the obligation of the Railway Companies concerned."

— maternity Hospital at Co. Infirmary. —

messrs M. A. Ennis, and J. J. Kehoe, two members of the special committee appointed in connection with the powers of the managing committee of the County Infirmary relative to maternity Hospital there, reported as follows:—

"We the undersigned members of the committee appointed to study the case stated and the Council's opinion thereon, and to report to the Council; have carefully read the documents placed before us by Mr. Elgee, and whilst we dissent with considerable diffidence from the opinion of a leading King's Council, we are not satisfied that the entire management of the Lady Esmonde maternity Hospital is vested in the Governors & Governesses of the Co. Infirmary.

Section 9 of the Scheme settled by the Master of the Rolls on 4th March 1890 provides as follows:—

"The said Governors and Governesses shall have the same power of appointing a Surgeon and Nurse of said hospital, and of removing same respectively, as they possess or may from time to time possess in regard to the Surgeon and Nurse of the said Infirmary."

Our interpretation of the effect of this section is that the appointment of a Surgeon and nurse is now vested not in the Governor and Governesses but in the joint committee of management of the Wexford County Infirmary.

We advise the Council either directly or through the committee of management of the County Infirmary to pursue further investigation into the position of the Co. Infirmary committee in reference to the Lady Esmonde maternity Hospital."

"On the motion of Mr. Fanning, seconded by

Mr. Stafford the report was adopted."

———— Kilmore Harbour. ————

Mr. Hearn proposed :- "That we request the Department of Agriculture, to inform the Wexford County Council when they intend to carry out the promise of the Vice President with regard to the provision of a small dredger, and as to the clearing out of Kilmore Harbour."

Mr. Ennis seconded.

Passed.

———— Road Specification. ————

Proposed by Mr. Ennis, seconded by Mr. Doyle :-
"That we approve of the adoption of new road specification which has been drawn up by Mr. Gaffney, Co. Surveyor, in conjunction with special Committee appointed for the purpose, and the assistant Surveyors."

Passed.

———— Proposed new Bridge at Ferryarrig. ————

Under date 8th November 1909, letter No. 130,942-1909, from the Local Government Board, was read :-

"In reply to your letter of the 29th ultimo, relative to the contract for the construction of Ferryarrig Bridge in Wexford County, I am directed by the Local Government Board for Ireland to state that, if the County Council desire to exercise in this case the powers conferred on them by Article 27 of the Local Government (Procedure of Councils) Order, 1899, as amended, the Board see no objection to the arrangement."

marked "Read."

———— Newtownbarry Square. ————

The following resolution was received from Enniscorthy Rural District Council :-

"That we ask the County Council to take over the square at Newtownbarry for a sum not exceeding £50, as we are convinced it would be a great acquisition to the town and surrounding district."

Mr. M. Doyle proposed, Mr. Kavanagh seconded and it was passed :- "That we request the Local Government

Board under 59 & 60 vic cap 54 sec 1, should the Ennis-corthy Rural District Council so desire, to invest them with powers under section 104 of the Public Health Act 1878 and sections 31 and 33 of the Local Government (Ireland) Act 1898, to enable them to acquire Newtownbarry Square which is at present and has been for a considerable number of years passed, used as the fairgreen of Newtownbarry."

— Election Expenses Committee —

It was agreed that the date of meeting of Election expenses committee be fixed by the Finance Committee.

— Autumn Sheep Dipping —

Mr Peacocke proposed, Mr Browne seconded: -
"That the resolution of the North Wexford Farmers Society protesting against the autumn dipping of sheep Order be agreed to, and that a copy be forwarded to the Department of Agriculture."
Passed.

— The Budget —

Mr Browne proposed, and Mr J. A. Doyle seconded the following resolution: - "That we protest against the present Budget as being opposed to the best interests of Ireland."

The resolution on being put was defeated.

— Direct Labour —

The following letter was read from Mr J. R. Etchingham, Gorey, Hon Sec, Trade & Labour League, (Wexford Co. Executive)

"Kindly inform me at what time your Council would receive a deputation from the above to discuss the question of Direct Labour on roads."

"The meeting decided that they would not agree to receive the deputation."

— Irrecoverable Rates —

On the motion of Mr Ennis, seconded by Mr Peacocke, the following resolution was adopted: - "That the list of irrecoverable rates as submitted to this meeting be agreed to and signed by the Chairman."

Analyst's Report.

The following report from Sir C. Cameron, County Analyst, under date 8th November, '09. was read for the meeting:-

"Report of Sir Charles Cameron, C. B., M. P., Public Analyst, for the County Wexford, on articles submitted to him for analysis during the quarter ended 30th September 1909.

17 articles were received from the Food Inspectors R. J. C., as follows...

| <u>article</u> | <u>Number.</u> |
|----------------|----------------|
| Butter | 6 |
| whiskey | 6 |
| milk | 4 |
| cheese | 1 |
| | <u>17.</u> |

One certificate sent to Sergeant Madden, Fethard, for specimen of milk deprived of at least 30 per cent of its fat.

There were four specimens of butter analysed by directions from the Department of Agriculture and Technical Instruction for Ireland, Upper Merion Street, Dublin, which were taken up in the County Wexford. They were pure.

For Enniscorthy District Asylum one specimen of butter, one of water, and one drug were analysed. The butter was pure. The drug was incorrect. The specimen of water had the following composition.

One imperial gallon contained in grains...

Total solid matters, 14.888

Including

albuminoid ammonia 0.006

saline ammonia 0.003

nitric acid 1.500

chlorine 2.186

This is a good water.

For the Guardians of Enniscorthy Union six drugs and two specimens of tea were analysed. One of the drugs was incorrect. The teas were of good quality.

For the Guardians of Gorey Union, nine drugs were analysed. They were correct.

Four specimens of water analysed for Gorey Rural District

Council, had the following compositions.

One imperial gallon contained in grains.

| | No. 1. | No. 2. | No. 3. | No. 4. |
|---------------------|---------|--------|--------|--------|
| Total solid matters | 15.680. | 16.240 | 12.040 | 17.640 |
| Including | | | | |
| albuminoid ammonia | 0.028 | 0.042 | 0.007 | 0.0035 |
| saline ammonia | 0.044 | 0.021 | 0.012 | 0.0015 |
| nitric acid | 1.210 | Trace | 1.360 | Trace |
| chlorine | 1.888 | 4.478 | 2.982 | 1.888 |

No. 1 and 2. were polluted. No. 3 and 4 were good waters. No. 4 being exceptionally pure.

One specimen of water analysed for Larone Rural District Council had the following composition.

One imperial gallon contained in grains.

| | |
|---------------------|--------|
| Total solid matters | 10.640 |
| Including | |
| albuminoid ammonia | 0.010 |
| saline ammonia | 0.020 |
| nitric acid | 1.210 |
| chlorine | 1.292. |

A large amount of saline ammonia rather indicating polluted sources, but as it is the water was not unfit for use.

One specimen of feeding stuff was analysed for W. Armstrong Esq. Enniscorthy.

For Shillelagh Union, which is partly situated in the County Wickford, six drugs were analysed and were correct.

Total analyses. 53.

Charles A. Cameron.

marked "Read."

Edmund Hone.