

A special meeting of the County Council was held in the Council Chamber, Court House Wexford on July 17th 1901.
 Present: Mr Edmund Hore presiding
 Other Councillors: Messrs. C. H. Peacocke, J. Donohoe, J. F. Walsh, J. Codd, M. Browne, James Sinnott, P. Ryan, W. Whitty, D. Dempsey, J. E. Maylor, M. J. Redmond, John Bolger, Lord Stopford, and Capt Barrett-Hamilton.

Capt Pigott Secretary, and Mr R. W. Elgee, Solicitor to the Council, were also in attendance.

Declaration of Office

Capt Barrett-Hamilton subscribed the usual Declaration of Office before taking his seat as a member of the Council.

Writ - Mr J. P. Murphy.

The following recommendations of the Finance Committee from the meeting of June 22nd were confirmed:-

That Mr Elgee Solicitor, accept service of the writ issued on behalf of Mr James P. Murphy Assistant Surveyor, and be directed to enter a defence to it, and also the writ served on behalf of Mr Webster. That Messrs Healy K. B. M. P. and Blaney B. L. M. P. be retained for the defence."

Counsel's Opinion

That we direct Mr Elgee as soon as he received the Affidavit and opinion from Mr Blaney in the case of the Sealed Orders to submit same to Mr J. M. Healy K. B. M. P."

Special meeting

That a special meeting of the Council be convened as soon as possible after the receipt of the opinion of counsel in this matter, and that a meeting of the Finance Committee assemble previous to the meeting of the Council to consider this question."

Writ of Certiorari

Mr Elgee submitted the opinion of Mr Healy K. B. M. P. to the Finance Committee Meeting on July 17th and the following recommendation was adopted by the Committee thereon:-
 That having heard counsel's opinion we direct Mr Elgee, our Solicitor, to proceed with the application for a writ of certiorari, in

the cases of the sealed orders of the 14th May 1901. issued by the Local Government Board, increasing the salaries of the County and Assistant Surveyors.

The recommendation was unanimously confirmed.

Re County Surveyor.

Letter No. 36585/1901 Wexford County under date 5th July 1901 from the Local Government Board was read.

The Local Government Board wrote, that, they had carefully considered the County Councils' resolution relative to the manner in which Mr Webster, County Surveyor, had discharged his duties in connection with the repair and maintenance of certain bridges in the County as well as the reports furnished by Mr Ryan C. E. and Mr Webster.

They had also examined the contracts and certificates for payment, but before arriving at any decision in the matter, they desired to be informed whether the County Council have anything to add in support of their proposal to dismiss the County Surveyor, and desire that an inquiry should be held; or whether they considered the papers now before the Board fully set out all the facts of the case upon which the Local Government Board are required to give their decision.

Notice to be posted on Bridges.

Capt Walker wrote that if he had been in attendance he would have moved - That a notice should be posted at both ends of the bridge cautioning the public that the bridge was closed for traffic pending repairs, and warning any persons who crossed the bridge that they would be doing so at their own risk and peril.

The Finance Committee recommended that the suggestion of Capt Walker as to the printing and posting of notices should be recommended to the County Council.

This recommendation was unanimously confirmed.

The following recommendation was agreed to. - Proposed by Mr Donohoe, seconded by Mr Peacocke -

In reply to the letter of the Local Government Board of the 5th July No 36585/1901, it is hereby resolved that our knowledge of the truth of Mr Ryan's report of the state

of the bridges is in our opinion sufficient evidence that Mr Webster is not entitled to our confidence and must be dispensed with. It will be necessary to expend a large sum of money on the bridges in question, immediately, and we could not possibly entrust such expenditure to Mr Webster. In this connection we would draw attention to the fact that he certified for payment of £11. 7. 6 for contract on Ferrycarrig Bridge, and withdrew his said certificate when he became aware that a proposal for the appointment of a committee to examine the bridge was made."

This recommendation was also adopted by the Council nem con

In connection with this matter, the Finance Committee at the meeting of June 22nd recommended that the request contained in the letter of the Local Government Board No 34045 with reference to the contracts of the Deeps, Ferrycarrig, and Wexford Bridges be acceded to, and that the documents they require be furnished to them.

This recommendation was confirmed.

The meeting of the Council was specially summoned to consider the questions of the sealed orders of the Local Government Board, and Ferrycarrig Bridge, and having disposed of these proceeded to deal with the following business, of which due notice had been given.

Rate Collectors' Security

In connection with the proposal to change the security of the Rate collectors, the Local Government Board, No 36584/1901 under date 5th July 1901 wrote that the expenses referred to in their letter of the 7th which the County Council should pay for any existing collector on change of security without any official notification that those in existence were insolvent, included the annual premium to the Insurance Company and any costs in connection with the preparation and execution of the Bond.

"No Order"

Sanction of Col^l Barden

The Local Government Board under date 29th June 1901 Letter No

36374, 1901. Wexford County, wrote sanctioning Mr John Barden as Rate collector for no. 21. collection District upon the terms of the answers to queries submitted by the Secretary.

The Secretary mentioned that Mr Barden had not yet completed his bond. Yesterday a query sheet had been received by him (Secretary) from the Equitable Accident Insurance Company, Manchester, in reference to this officer, which he had filled up and returned to the company.

On the motion of Mr Peacocke, seconded by the Chairman, it was ordered that the following letters be inserted on the Minutes:-

From Capt Barrett-Hamilton under date June 20th 1901. "Many thanks for your letter informing me that I have been unanimously co-opted on your County Council. I assure you I consider it a great honor and fully appreciated by me.

I hope to have the pleasure of thanking them personally before long"

From Lady Maurice Fitzgerald under date 15th June 1901-

"Please convey to the Chairman and the other members of the County Council my thanks for so kindly electing me a member of the Infirmary Committee."

Re. Ex-holl^r Mr Grath.

County Inspector Talbot R. I. C. writing under date 28th June as to the case of Michael Mr Grath, absconding Rate collector, stated - that application cannot be made for arrest, and extradition without some certain information as to where the accused is. A constable could not be sent out without such information. Therefore should the Secretary obtain any reliable information as to his whereabouts he would be glad of it as soon as possible. The police were continuing their enquiries as to Mr Grath's exact address.

The Secretary said he had caused enquiries to be made but could not get any reliable information with reference to Mr Grath's correct address.

Auditors' Report - Mr Grath.

Under date June 22nd 1901 the Local Government Board

letter N^o 35962 : 1901 transmitted a copy of the certificate of their Auditor Colonel Odara setting forth the result of his examination of M^o Grath's books etc. A copy of the certificate had been sent to the General Accident Assurance Corporation Limited.

From the certificate it appeared that the amount of receipts which had been detached from the blocks and were not accounted for amounted to £711. 18. 3½

In connection with this matter, M^o Elgee read a letter from the Manager of the Guarantee Society Perth, stating he had received the certificate of the Auditor and that he would submit the whole case for settlement to the Board of Directors on the 15th Inst. and he had not heard from him since.

appointment of School Attendance Committee

With reference to the appointment of the Gorey School Attendance Committee, the Commissioners of National Education wrote under date 27th June that it was desirable that a regulation should be made by the Council whereby the persons appointed by the Council to serve on the Committee shall be selected before the 1st June every three years so that the necessary correspondence with the Board Local Inspector relative to the appointment of suitable persons may be completed and the appointments notified to the Council before the 1st July.

Lord Stopford Proposed. - "That the School Attendance Committee for Gorey Rural District be selected by the County Council as local authority not later than the Quarterly Meeting to be held in May every three years."

M^o Redmond seconded the motion which was passed unanimously.

Telegraph Office - Ramoengrange.

Writing under date 1st July the officials of the Post Office in reply to a resolution of the County Council stated that the question of establishing a telegraph office at Ramoengrange had received careful consideration but the circumstances of the case did not admit of the request of the Council being complied with. The number of telegrams sent by residents in the neighbourhood is small, and the telegraph requirements of the locality appear to be

sufficiently met by the telegraph office at Anhurstown which is only about one and a half miles distant.

No Order.

Postage- Franchise Forms.

Mr N Kehoe, Clerk Wexford Union, forwarded a bill for 5/7 for balance of fines paid for franchise forms in excess of cheque received.

The Finance Committee recommended that this amount be paid and that the attention of the Guardians of the Wexford Union be directed to the advisability of establishing boxes for the reception of these Franchise forms to be collected.

Asset to Surveyor Kehoe- Salary

The following letter was read from Mr John Kehoe, Assistant County Surveyor, under date July 5th 1901:-

" I respectfully beg to call your attention to the fact that I was elected Assistant County Surveyor on the 28th March 1900, at a salary of £80 per year, and since then while I have discharged all the duties appertaining to that office I have received in salary the sum of £25" 0" 10 only. I now beg to apply for the balance and trust you will favourably consider my application. I may remind you that the Local Government Board refused to sanction payment of same to me until such time as I had succeeded in passing a qualifying examination which as you are aware I have now done. I feel certain that the County Surveyor will bear testimony to the efficiency with which the duties of the position have been discharged by me."

Mr Peacocke proposed that the request of Mr Kehoe be acceded to, that he be paid a sum of £54" 19" 2 arrears of salary at the rate of £80 a year from the date of his appointment, and that the Local Government Board be asked to approve of payment of this amount.

Mr Dempsey seconded and passed unanimously.

Auditors' Reports.

The Reports of Mr Baker, Local Government Board Auditor, as to his audit of the Accounts of the Enniscorthy Union and District Council were read.

Half yearly Meetings

The following resolution was received from the Tyrone County Council :-

"That in as much as the Local Government Board have been given power by an Act of Parliament of last session to reduce the number of statutory meetings of County and District Councils to two per annum, we request the Local Government Board to make an order to that effect for County Tyrone, and thereby save much time and money in accordance with resolutions already passed by this County."

On the motion of Mr Browne, seconded by Mr Donohoe, it was decided to adopt this resolution.

Co. Surveyors & private practice

The following resolution was received from the Royal Institute of Architects :-

"The attention of the Council of the Royal Institute of Architects of Ireland has been directed to recurring instances in which County Surveyors, under the new establishment of County Councils, are engaging in private practice both in Architectural and Engineering work. This Council is of opinion that in the interests of the public service it is desirable that the County Councils should avail themselves of the powers conferred upon them by Section 115, Sub-Section 18, of the Local Government (Ireland) Act 1898 for the purpose of making such arrangements with the County Surveyors as will enable them to devote the whole of their time to their official duties."

Irish National Teachers Congress.

The following resolution from the Irish National Teachers Congress was marked read :-

Resolved - "That we earnestly request the serious attention of the members of the new Councils to the urgent necessity that exists for putting into force throughout the country the compulsory clauses of the Irish Education Act of 1892; and we further request those local authorities who have appointed School Attendance Committees and have elected Attendance Officers to see that the compulsory clauses are really and not nominally enforced."

Loan £500 - Ferrycarrig B?

By permission of the Council, Mr Ryan moved the following Notice of Motion which had been given by Captain Wacker who was unable to attend:-

"That the Local Government Board be asked to sanction a loan from the National Bank for a sum not exceeding £500 to put Ferrycarrig Bridge into perfect repair until the required sum is passed by the Wexford County Council at the next Proposals Committee and that tenders be at once advertised for not to exceed £500 to carry out these repairs."

Lord Stopford moved that the matter be referred to the Bridge Committee to report at the Quarterly Meeting in August what sum and how it should be expended to have the bridge temporarily repaired to allow of its being opened for the winter, and he understood that it would take a very large sum of money to make it temporarily safe.

Mr Peacocke seconded the resolution which after some discussion was withdrawn.

The Notice of Motion by Mr Ryan fell through for want of a seconder.

Salaries - J. J. Scheme.

Proposed by Mr Peacocke, seconded by Mr Walsh and Resolved - "That we approve of the action of the Finance Committee in paying the salaries and expenses under the Technical Instruction Scheme of the Council out of the Subsidiary Account on the ground of urgency, and we direct the Finance Committee to pay these expenses in future out of the Subsidiary Account."

Expenses. Main Road Inquiry

With reference to the claim of the Local Government Board for £12" 11" 0 expenses incurred by them in connection with the holding of the Main Roads Inquiry, the Finance Committee recommended at the Meeting of June 25th the Council to refuse to pay as the County Council had not asked for the Inquiry and their Solicitor had protested against it.

In reply to the resolution of the Finance Committee the Local Government Board writing under date 11th July stated that they felt it incumbent to hold a local Inquiry into every appeal made by a District Council against the final declaration of a County Council in respect of main roads and they considered that the Wexford County Council and the District Council concerned would have had reasonable grounds for complaint if a similar course had not been adopted in their County. The Board trusted that the County Council would remit ^{the} amount and thus obviate the necessity of further proceedings in the matter.

The following recommendation of the Finance Committee from the Meeting July 17th was confirmed:-

"We recommend the payment of the £12" 11" 0 for the cost of the Main Roads Inquiry, and that same be a County at Large Charge."

Income Tax.

With reference to the claim for Income Tax on the Credit balance of the County Council, it was decided that the Surveyor of Taxes be informed that the Council have already appealed against this assessment.

Seal. - Agreement. Miss Proschwitzky

Proposed by Mr Donohoe and seconded by Mr Walsh:-

"That the seal of the County Council be affixed to the agreement between Miss Proschwitzky and the County Council as to the annual payment to be made her in settlement of the action taken by her against the County Council."

Level Crossing-Rosbercon.

On the motion of Mr Peacocke seconded by Mr Donohoe the following recommendation of the Finance Committee of June 22nd, was unanimously confirmed:-

Communications were read from the Solicitor of the Kilkenny County Council with reference to the level crossing at Rosbercon, and on the motion of Mr Aearn, seconded by Mr Donohoe, it was decided the following reply should be forwarded:-

"At a meeting of the Finance Committee held this ~~evening~~ ^{day} at which your letter in reference to the proposed level railway crossing at Rosbercon was considered as well as the reasons adduced by your Council, rendering it in your judgment advisable to have the alteration in the Railway Company's plans opposed in Parliament, I am directed by the Committee to inform you that in view of the fact that the local authority, the New Ross Urban District Council, unanimously approved of this level crossing in lieu of the elevated crossing contemplated by the original plans and as this approval has already received the confirmation of the Council, the Committee regret that they cannot see their way to recommend this Council to appear in Parliament with the opposition requested nor lend its name for the conduct of such proceedings."

Seal Agreement-Kilkenny Co. Council

The recommendation of the ^{Finance Committee} ~~County Council~~ that the seal of the Council be affixed to the Agreement entered into between the Kilkenny County Council and Michael Doyle for the tenancy of one of the vacant cottages at Mountgarret Bridge and that the Vice Chairman be authorized to attach his signature thereto was adopted without dissent.

Holiday - Asst. Secretary

Proposed by Mr Browne seconded by Mr Donohoe and passed - "That the Assistant Secretary be

granted a fortnight's holidays from
Saturday the 20th July.

Edmund Hore,