

Meeting held 2nd April 1902

A meeting of the Wexford County Council was held in the County Council Chamber, Courthouse, Wexford, on Wednesday, the 2nd April 1902 at 2 o'clock p.m.

Present - Sir Thomas A. G. Esmonde Bart M.P. Chairman presiding

Other members present - Mr E. Hore, James Codd, J. Donohoe, J. B. Hearn, W. Whitty, J. Sinnott, C. A. Peacocke, J. J. Walsh, M. J. Redmond, Laurence Murphy, John Cummins, Capt Barrett-Hamilton, Mr. Hickey, P. Ryan, M. Browne, John Bolger, Thaddeus Bolger, and Capt L. A. Bryan.

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

The Minutes of last Meeting were read and signed.

Payments on Demands.

Payments on account of demands as recommended by the Finance Committee to Guardians, District Councils and Asylum were made.

Credit Balance.

The Secretary reported that the credit balance on the General Account was £407/8/18.11 and on the Subsidiary Account £288/6/9.

Half yearly Payments.

Correspondence between the Chairman of the Council (Sir Thomas Esmonde) and the Secretary to the Local Government Board with reference to the question of half yearly payments was read. In their letter No 12370: 1902, Wexford County, the Local Government Board under date March 7th 1902, wrote that "a decision of the County Council to adopt the provisions of the Article referred to (Article 27) as amended can only affect new contracts. The Local Government Board desire me to add that the question of the alteration (if any) to be made in the salaries of the existing officers in consequence of any provisions of the Procedure of Councils Order of 1901 can only be considered after the appointed day after inquiry

as to the actual increase or diminution of their duties consequent upon the change."

In connection with this matter, the Chairman read the following motion of which he had given notice:-

"That Article 27 of the Procedure of Councils Order 1899 as amended by the Local Government (Ireland) Provisional Order Bill No. 3 be adopted by the County Council of the County Wexford and that the Local Government Board be requested forthwith to reduce the salaries of the County Surveyor and Assistant Surveyors accordingly."

He requested permission from the Meeting to delete from the notice the word "forthwith" in the third last line and that the words "as occasion arises" should be substituted for the word "accordingly."

The resolution would then read -

"That Article 27 of the Procedure of Councils Order 1899 as amended by the Local Government (Ireland) Provisional Order Bill No. 3. be adopted by the County Council of the County Wexford and that the Local Government Board be requested to reduce the salaries of the County Surveyor and Assistant Surveyors as occasion arises."

The Council having unanimously agreed to give permission for the proposed alteration in the terms of the resolution, it was proposed by the Chairman and passed unanimously.

Proposed by Mr Donohoe seconded by Mr Cummins and passed -

"That Mr Healy K.C. be asked if we are still at liberty to proceed with the cases against the Local Government Board sealed Orders increasing the salaries of the County and Deputy Surveyors."

In connection with the payment of the costs of the Inquiry held by the Local Government Board into the questions of the salaries of the County and Assistant Surveyors, letters Nos. 7421: 1902 under date 11th February

1902 : 9040 : 1902 Wexford County under date 17th February 1902 : 10393 : 1902 Wexford County under date February 22nd 1902 and 11094 : 1902 under date 27th February 1902 from the Local Government Board were read. The last mentioned communication stated :- "As you consider you will be able to obtain ~~information~~ ^{authority} from the Council at their next meeting to repay to the Local Government Board the costs in question the Board will make no deduction in respect of these costs from amounts payable from the Local Taxation Account until after the date of the Council's Meeting."

The following letter under date March 22nd 1902 was read from Mr R. W. Edgee :-

"The Solicitors for the Local Government Board have taxed their costs in the cases brought by the County Council against the Board for Writs of Certiorari to set aside the Scaled Orders fixing the salaries of the County and Assistant Surveyors in May last to the sum of £52.11.10 and have now applied for payment of the amount, so you will please bring the matter before the Council in due course."

The following recommendation of the Finance Committee on these matters was read :-

"Proposed by Mr Peacocke, seconded by Mr Walsh -

"That as it appears under the Act of Parliament to be mandatory on the Council to pay the amount of the costs of the Inquiry held by the Local Government Board (£30.8.0) and the costs of the Solicitors to the Local Government Board in the cases brought by the County Council against the Board for Writs of certiorari (£52.11.10) we recommend the Council to pay these amounts under protest."

"Passed."

On the motion of the Chairman the recommendation of the Finance Committee was adopted.

Financial Relations.

In connection with the question of the

financial relations between the Wexford Corporation and the County Council, the following resolution to be laid before the meeting of the County Council was read from the Enniscorthy Rural District Council :-

"Proposed by Mr Bleary, seconded by Mr Boulighan and passed nem. con. - "That the Rural District Council is of opinion that the three other District Councils should appoint a deputation from each to meet the Council here on a day to be hereafter arranged and consult together in reference to the points of difference between the Urban Council of Wexford and the County Council with the view of ascertaining how the matter will affect the Rural District Councils of this County, and that the County Council be required to furnish the Clerk of this Council with copies of the correspondence. That the Local Government Board be requested not to sanction the arrangement between the Wexford Urban District and the County Council until the matter is considered by the Rural District Councils of the County. That Messrs J. Bleary, J. Hennessy, J. Asple, J. Bolger J.P., J. Boulighan and J. J. O'Dempsey, Solicitor, be appointed a Committee to meet the other District Councils."

Letters from the Wexford Rural District and the Local Government Board No. 8502:1902 Wexford Rural District under date 19th February 1902 and 10460:1902 under date 26th February 1902 were read. In the last mentioned communication, the Local Government Board pointed out that "no agreement between the County Council and the Urban District of Wexford can have any valid effect until it shall have been made the subject of a Provisional Order, which must be confirmed by Parliament and that no such Order can be made by the Board until after the holding of a local Inquiry."

"The expenses of the Inquiry would be in the first instance county at large charges and would be leviable off the several urban and rural districts in the county in proportion to valuation. The Board desire me to add that if the application for an Inquiry be not made by the County Council early next month (March), there will not be time available for the holding of the Inquiry and the submission of the Provisional Order to Parliament during the present session."

A copy of this letter was forwarded the Chairman of the Council (Sir Thomas Esmonde) and he wrote that it would be better allow the question to stand over until it had been fully discussed by the District Councils.

The Chairman proposed the adoption of the following recommendation of the Finance Committee, and the motion was carried:-

Recommended- That the Council make no Order on this correspondence, having regard to the resolution already arrived at in the matter, and that the attention of the Local Government Board be called to their letter to the Council, No. 53423 under date 28th September 1901 and to their letter to Messrs M. J. O'Connor & Co. under date 22nd October 1901 No. 59106."

Mr Webster's dismissal.

Under date 20th February 1902, letter No. 4421/1902 Wexford County, the Local Government Board, wrote - "With reference to the resolution of the Wexford County Council of the 4th instant relative to the conduct of Mr Webster, County Surveyor, in connection with the maintenance of certain bridges in the County, I am directed by the Local Government Board for Ireland to state that they have nothing to add to their letter of the 13th ulto. on this subject."

Mr Donohoe moved that the correspondence in the case of Ferrycarraig Bridge be referred to Mr Healy for his opinion.

Mr Edgell - You have already been advised by Counsel that you cannot dismiss

Mr Webster.

Mr Donohoe - not without the sanction of the Local Government Board. What we want to find out is if the Local Government Board are justified in expecting us to retain an officer who has given us dissatisfaction.

Mr Elgee - It comes to the same thing.

Mr Donohoe - It does not, because there are such things as Law Courts and Judges.

Mr Elgee - What is the question to be asked Mr Healy?

Mr Donohoe - Refer our correspondence and the reply of the Local Government Board, to counsel and formulate a question whether the County Council must submit to that position, whether, in fact, we are bound to retain an officer in whom we have no confidence.

Mr Hore - It is ridiculous to pay five guineas for that opinion when we know we are bound to retain Mr Webster. Mr Healy has given his opinion that we cannot dismiss him.

Mr Donohoe - And have we no remedy?

Mr Hore - No remedy whatever at present.

Mr Donohoe's resolution was seconded by Mr J. Bolger, but lost on a division.

Estimate of Rates.

Under date 24th Feby 1902, the Local Government Board (letter no. 10337:1902 Wexford County) wrote acknowledging receipt of the Estimate (Forms 24 and 25) of the County Council of Wexford for the year ending the 31st March 1903.

marked "Read."

Auditor's Reports

Reports of J. A. Baker Esq, Local Government Auditor as to audit of accounts of Enniscorthy Union and District Council and Gorey Union and District Council accounts for the half year ended 31st September 1901 were read.

Compensation - Ex-Warder P. Keegan

The Secretary of the General Prisons Board under date 5th March 1902 wrote enclosing copy of a letter received from the Treasury awarding Patrick Keegan, Ex-Warder Drogheda Prison a compensation allowance of £52-14-3 of which £13-1-1 is payable by the County Council of County Wexford as successors to the late Prison authority, in consideration of his services as turnkey of Wexford Prison prior to the 1st April 1878 the date when the General Prisons Board took over charge of the Irish Prisons and Bridewells.

A letter dated 7th March 1902, from Mr Patrick Keegan, applying for the pension was also read.

The following recommendation of the Finance Committee was confirmed on the motion of the Chairman:-

Recommended- That we request the General Prisons Board to give the Council particulars of the age and term of service of Patrick Keegan, ex-turnkey before deciding whether they would pay the superannuation or commute the amount."

Draft Mortgage

Under date 7th February 1902, the Board of Works forwarded draft mortgage for £1200 for approval of the Council.

The Secretary said the draft mortgage had been approved of by the Solicitor to the Council, Mr Elgee.

The following recommendation of the Finance Committee was unanimously confirmed:-

"That we approve of the draft mortgage from the Board of Works for £1200 for loan for alterations to Enniscorthy Asylum and we request that the Board of Works pay this amount direct to the Council they having advanced £1144-19-5 for the Asylum on this loan to pay off the contractor."

Pauper Lunatics

A circular was received from the Under-Secretary, Dublin Castle, under date 25th Feby 1902 stating that the Treasury had agreed to make the necessary financial arrangements which would enable the Lord Lieutenant

to order a payment "on account" equal to about 50 per cent of the previous years actual amount for each Local Authority to be made out of the Local Taxation Account to the County Council early in the month of April each year in respect of the grant in aid of the maintenance of pauper lunatics and that the balance would be paid each year as heretofore.

marked "Read".

Fertilizers & Feeding Stuffs

The Secretary, Department of Agriculture &c under date 6th December 1901, letter No. 24538/01, wrote acknowledging receipt of letter of the 28th November and stated that the Department could not approve of the Itinerant Instructor in Agriculture taking samples under the Fertilizers and Feeding Stuffs Act 1893 as the work thus involved would seriously interfere with the discharge of the duty for which he was appointed and referred to Circulars Nos. 20011 and 22789 issued by the Department in which it was recommended that the Secretary of the County Committee should discharge this duty.

Under date 19th February 1902, letter No. 25662/02, a circular letter was received from the Department of Agriculture in connection with this matter, enclosing copy of a circular previously issued by the Department and asking to be furnished with particulars respecting any action which the Council may have determined to take in this matter.

Referred to the County Committee of Agriculture.

Analyst's Report

The following report of Sir Charles Cameron, Analyst, for the quarter ended 21st December 1901, was read:

"To the County Council of the County of Wexford.

Mr Chairman and Gentlemen — I beg to

report that I have made the following analyses during the quarter ended on 31st December 1901.

For the Sergeants of the Royal Irish Constabulary, acting as Inspectors of food, the following articles were analysed:

<u>Article.</u>	<u>Number</u>
Butter	48
Milk	44
Whiskey	19
Buttermilk	11
Rum	3
Brandy	2
Linseed Meal.	1
Margarine	1
Bread	1
Cheese	1
Gru	1
Total	132

The specimen of linseed meal was not pure linseed meal but ground linseed cake from which nearly all the oil had been abstracted.

The specimen of margarine was composed almost entirely of fats foreign to butter.

Of the specimens of milk five were of very poor and doubtful quality but not sufficiently so to warrant certificates of adulteration.

The remaining articles were of good quality.

For the Guardians of New Ross Union six drugs were analysed. One of them, namely, Tincture of Ferric Chloride was slightly deficient in iron; another, namely, Compound Tincture of Benzoin was rather low in extract.

For the Guardians of Wexford Union six drugs and a specimen of whiskey were analysed. The drugs were correct. The specimen of whiskey was of good quality.

For the Guardians of Enniscorthy Union eighteen drugs were analysed. One of them, namely, Compound Tincture of Cardamoms, was low in extract. Three specimens of tea

analysed for the same Union were of good quality.

For the Guardians of Gorey Union fourteen

drugs and three specimens of milk were analysed. One of the drugs, namely, Tincture of Aconite, should be labelled Liniment of Aconite; another, namely, concentrated Solution of Krameria, was very low in alcohol. One of the specimens of milk was of very poor and doubtful quality but not sufficiently so to warrant certificates of adulteration.

For the Enniscorthy Co-Operative Society, two specimens of basic slag, one of linseed cake and one of cotton cake were analysed with the following results.

	100 parts contain.	
	No. 1 Slag.	No. 2 Slag.
Phosphate of Lime	36.03	42.73
Equal to Phosphoric Oxide	16.50	18.42
* Fineness	88.88	81.58

* The percentage that passes through a sieve with 10,000 holes to the square inch.

The specimens of linseed cake and cotton cake contained 13.43 and 9.43 per cent of oil respectively.

A most careful analysis failed to trace poison in the viscera and food given to a calf which was sent for analysis by R. Malone Esq. V.S. Wexford.

For G. J. Deache Esq. V.S. Enniscorthy, the stomachs of two lambs and lamb drink were analysed. The lamb drink contained carbolic acid and chloroform.

For Shillelagh Union which is partly situated in the county of Wexford nine drugs were analysed. They were correct.

There were ten specimens of butter analysed by directions from the Department of Agriculture and Technical Instruction for Ireland, Upper Merrion St. Dublin, which were taken up in the county of Wexford. They were pure.

Total analyses. 212.

I am, Gentlemen,

Your Obedient Servant,

Charles A. Cameron.

Public Analyst.

51 Pembroke Road,

Dublin,

February 17th 1902.

Tool House Wexford Bridge

Mr R. W. Elgee wrote under date 11th February 1902 stating that Mr Webster, County Surveyor, had procured payment of six years rent of the tool house near the new bridge, up to the 25th March 1899, and enclosing receipt for the £1.10.0 paid him on the 11th February for rent from September 1899 to March 1901. He requested from the Council, payment of the half years rent from the 25th March 1899 to September 1899.

The Finance Committee made the following recommendation :-

Recommended - That the amount claimed by Mr R. W. Elgee in the above letter be paid, and that the attention of the County Surveyor be called to the condition of the house in question and that he be asked if he has an inventory of the tools.

On the motion of the Chairman, the portion of the above Minute dealing with payment to Mr Elgee of the amount of rent claimed was confirmed. JWC

In reply to Mr Peacocke, Mr Webster said that he had ordered the contractor to repair the door of the tool house.

The question as to the condition of the house and the inventory of the tools was referred to Mr Webster for his report.

Asylum.

Dr Draper & M. S. Enniscorechy Lunatic Asylum, under date 5th March 1902 forwarded copy of a resolution passed by the Committee of Management as to contributing to a Central Psychological Laboratory from the funds at their disposal under the Act 1867, Ch. 17, Sec. 25.

Mr Donohoe moved - "That we are prepared to co-operate with the other County Councils in Ireland for the establishment and maintenance of a pathological Laboratory for Asylums"

The Chairman moved the following recommendation of the Finance Committee:-

"Recommended- That we postpone the consideration of this resolution for further information."

Mr Donohoe consented to withdraw his resolution until it was ascertained what action the other County Councils would take on the question, and the motion of the Chairman was carried nem. con.

State of Rate Collection

The Secretary reported all the Collectors had lodged the full amounts of their warrants in time with the exception of Col^r Barden who was a day late for lodgment with a balance of £109.

Postal Arrangements

In connection with the proposed transfer of the districts of Ramsgange and Hook from the Waterford to the Wexford postal area, the Postmaster General under date 5th March 1902 wrote referring the Council to previous communications from him on the subject on the 7th July and 12th September 1900 the 10th August and the 28th October 1901, and more especially to the letter of the 23rd of November last in which he explained the reasons which precluded him from adopting the suggestion and pointed out that a transfer to Wexford would entail a service materially inferior to that at present afforded.

The Postmaster General added that the circumstances were unaltered and regretted that he was constrained to adhere to his previous decision.

marked "Read"

New W. & M. Stamps

Mr G. J. Talbot, County Inspector R.I.C.,

wexford wrote that the design of the verification stamps for the use of Ex Officio Inspectors of weights and measures in Ireland had been changed and that it was desirable that the Local Authorities should adopt the new design as soon as possible. He enclosed copy of the new design.

The County Inspector also forwarded a Return showing number of stamping punches in the County on which design required to be changed.

On the motion of the Chairman the following recommendation of the Finance Committee was adopted:-

"Recommended- That we comply with the request and ask the County Inspector R. I. C. for particulars as to how many punches required to be refaced and how many need to be replaced to enable the Council to advertise for the work."

Expenses - juries (I) acts

Under date 24th March 1902, Mr P. A. Pope, Clerk New Ross Union wrote claiming a sum of £2-5-6 balance of remuneration due him under the Juries (Ireland) Acts. Particulars of how the amount was made up were enclosed.

On the motion of the Chairman, the following recommendation of the Finance Committee was adopted:-

"Recommended- That our Secretary be directed to request the Local Government Board to furnish this Council with copy of letter sent by them to Carlow County Council in connection with claim made by Mr Pope, ^{Clerk} of New Ross Union under the Juries (Ireland) Acts."

Mr P. O'Daly, Secretary to the Gaelic League, Dublin, forwarded a statement issued by the Executive Committee in reference to the recent decision of the Intermediate Board to appoint in future none but foreigners as Examiners of Irish and requesting the views of the Council on the matter.

Proposed by the Chairman seconded by Mr Peacocke and passed:- "That we protest

against the appointment of a foreigner as Examiner of Irish under the Intermediate Education Board."

Mr C. P. Kingston, Secretary County Council, Kings County, under date March 1st 1902 forwarded copy of a resolution passed by his council in reference to the clause in the Local Government Board Act which excludes Ministers of Religion from membership of representative bodies, elected under the act, for consideration of the Council.

Proposed by Mr Peacocke, seconded by Mr Walsh and passed :-

"That we concur with the resolution of the County Council of Kings County as to exclusion of Ministers of Religion from membership of representative bodies elected under the Local Government Act."

Sale of Waste Paper.

It was decided that the tender of Messrs Walker & Son, for a quantity of waste paper at 6/- per cwt. be accepted.

Credit Balance

Capt Bryan proposed the following resolution of which he had given notice :-

"That credit banks in country districts deserve the support of the Wexford County Council and of the Community at large."

Mr Whitty seconded. Passed.

Encroachment on Robert St. New Ross.

Mr J. B. Hearn submitted the following notice of motion by way of resolution :-

"I hereby give notice to move at the meeting of the Council to be held on April 2nd 1902, that the Very Rev^d Canon Kavanagh P. P. New Ross, be granted permission in concurrence with the action of the New Ross Urban Council at its meeting on the 12th ulto. to encroach a few feet on that part of Robert St. not used by the public

which is in front of entrance to the new Catholic Church to fill up the dangerous hole on the south side of same street, and to build a retaining wall so as to widen the street, and render it more accommodating for the public as well as for the congregations going to and from the Church."

The Chairman seconded.

In reply to the Chairman, the County Surveyor said that the proposed alteration would be an improvement to the existing roadway.

Passed unanimously

Deputy Returning Officers

The following recommendation of the Finance Committee was confirmed on the motion of the Chairman:-

"Proposed by Mr Edmond Hore - We recommend that the Returning Officers be empowered to pay a sum of £10 to the Deputy Returning Officers for their duties outside of those specified in Rules 3 to 10 in connection with the District Council Elections."

"Mr Codd seconded

"Passed."

The Financial Statement Books of Receipt and Expenditure, Registers of Separate Charges, and Mortgages, Applications and Proposals, and Rate Collectors Lodgments were produced by the Secretary written up to date.

Edmond Hore,