

Meeting 3<sup>rd</sup> April 1903.

An ordinary meeting of the County Council was held in the Council Chamber Court House Wexford on April 3<sup>rd</sup> 1903.

Present - In the Chair: Sir Tho<sup>s</sup> H. Grattan Esmonde B<sup>t</sup> M<sup>p</sup> Chairman, and subsequently, M<sup>r</sup> C. H. Peacocke, Other Councillors - Messrs D. Dempsey, D. Kavanagh, James Codd, M<sup>r</sup> A. Ennis, M<sup>r</sup> J. Furlong, J. Bolger, M<sup>r</sup> Broune, J. J. Walsh, J. Cummins, and M<sup>r</sup> Hickey,

The Assistant Secretary, M<sup>r</sup> R. W. Elgee J<sup>r</sup> Sol<sup>r</sup> and M<sup>r</sup> Welster, County Surveyor were in attendance.

Minutes of meeting of February 3<sup>rd</sup> and of special meeting of March 28<sup>th</sup> were read and signed.

The Assistant Secretary read the following certificate from D<sup>r</sup> Douce, Wexford, "Cap<sup>t</sup> Pigott is suffering from a painful attack of neuralgia in the head, and is unable to attend the County Council."

On the motion of M<sup>r</sup> James Codd seconded by M<sup>r</sup> Ennis, the Assistant Secretary was appointed to discharge the duties of the Secretary during the illness of the latter.

The following recommendation of the Finance Committee was adopted on the motion of the Chairman, seconded by M<sup>r</sup> Ennis.

"That the District Asylum, Board of Guardians, and District Councils be paid a quarterly instalment of their Demands with the exception of the Wexford District Council. In the case of the latter we recommend that on the letter of the clerk (M<sup>r</sup> Kehoe) the demand be cleared off for the half year ending Sept. 30<sup>th</sup> 1903"

Circular letter from the Department of Agricul.



ture etc. under date 16<sup>th</sup> March 1903. as to the appointment of two representatives of the Co. Council of Agriculture, and regulations under section 24 of the Agriculture and Technical Instruction (Ireland) Act 1899. were read.  
 "On the motion of the ~~Chairman~~<sup>Mr. Dempsey</sup>, seconded by Mr. ~~Dempsey~~ Ennis, the two former representatives of the County Council on the Council of Agriculture, Sir Thomas H. F. Esmonde Bart. M.P. and Mr. G. H. Peacocke, were unanimously re-appointed.

On the motion of the Chairman, seconded by Mr. Dempsey the following were appointed to represent to Co. Council as Local Authority on the New Ross Rural School Attendance Committee. - Messrs James Shearne, Denis Cummins, John Cummins, Edward Nevill and William Thorp. These gentlemen filled the office previously and we recommended for re-appointment by the New Ross District Council.

On the motion of the Chairman it was decided that the following letters be discussed in Committee

George's Street Wexford  
 2<sup>nd</sup> April 1903.

Mr. dear Sir,

I enclose a copy of a letter dated the 30<sup>th</sup> ult. received by the County Surveyor from Mr. Otway, the Engineer of the Fishguard and Rosslare Railway Company, in which the Company offer to pay the County Council £950. in full discharge of all past or future claims in connection with the repairs of the Roads damaged during the construction of the Railway line.

Of course it is entirely a matter for Mr. Webster to say what sum he considers it would take to put the roads into repair now, but I don't see how the Council could



accept payment by instalments or enter into the question of future repair when it is impossible to say what might be required.

It would be very desirable to avoid litigation if possible, but at the same time if the company insist on the point as to future repairs I fail to see how it is to be done.

I think it would be well if the Council considered the matter in Committee.

With reference to the statement in Mr Otway's letter as to the company being prepared to go to the highest Courts that of course is inserted as a kind of threat and I take it the Council will be prepared to meet them there if necessary.

Yours sincerely

R. W. Elger.

The Secretary  
County Council.

Fishquair & Rosslare Railways & Harbours  
Engineers Office.

Inchicore, Dublin

30<sup>th</sup> March 1903.

H. Webster Esq

County Surveyor,

Wexford.

Without Prejudice.

Dear Sir

With reference to the intimation conveyed from the Bench on the 25<sup>th</sup> inst, when an adjournment for a fortnight was ordered, of the case against the Railway company, in connection with the repair of roads the company feel strongly that quite apart from the question of the liability in law, a question which they are prepared if necessary to take to the highest Courts, they are being called on to repair a far greater amount of damage than they are in any way responsible for, more especially when it is borne in mind that



the execution of the suggested repairs, the roads will be in a far better condition than they have ever been.

Having regard however to the suggestion of the Magistrates, and with a view of avoiding if possible further litigation the company would be prepared to meet the County Council on the following lines. The company will undertake to pay the County Council the sum of Nine Hundred and Fifty pounds in full discharge of all past or future claims that the County Council may have against the Railway Company, in connection with the repair of all roads during the construction of the Railway.

The heavy traffic over the roads in connection with the making of the line, is now nearly all finished, and the entire construction of the Railway will be completed next year.

This sum to be paid in four equal instalments, the first sum to be paid on acceptance by the County Council of this proposal and the remaining portions to be paid at equal intervals of two months from the date of first payment. In the event of the Council not agreeing to the above terms the Company are determined to test in the Superior Courts, the question of their legal liability for any of the alleged damage and of the jurisdiction of the Magistrates on the evidence before them to make any order at all in respect of damage done by the Company.

Will you be good enough to bring this letter before your County Council at their next meeting, which I understand from Mr. Elger, takes place on the 3<sup>rd</sup> April.

In the event of not receiving a reply to the above proposal on or before the 6<sup>th</sup> April the offer must be considered



as withdrawn.

Yours truly,

J. Otway.

In the course of the discussion, Mr. Webster said that he considered 8000 cubic yards of material were absolutely necessary to get the roads up to the level they were before they were injured by the Railway Company. Taking that at 4/- per yard which was a very low figure, and which only represented the expense of material and spreading - the cost would be £1600. The amount represented the damage done by the Railway Company to the roads up to the present. He considered the Railway Company should repair the roads themselves.

On the motion of the Chairman, seconded by Mr. Peacocke the following resolution was adopted *unanimously*.

"That this Council records its strong sense of the extreme inconvenience caused to the public by the condition of the roads in question, and by the long delay which has occurred in dealing with this matter, in spite of their long continued efforts to bring it to settlement. That it declines to accept the offer of the Railway Company of £750 in payment for the damage done to the roads considering it quite inadequate to repair the roads at present injured and makes no provision for future damage. Inasmuch as the Company have already repaired certain roads on the order of the Magistrates, this Council sees no reason why they should <sup>not</sup> carry out the provisions of the Act of Parliament."

On the suggestion of the Chairman the following correspondence was read:-

2 George Street  
Wexford  
3<sup>rd</sup> April 1903.



W. H. S. Pigott Esq.  
Secretary to Council  
Wexford

Dear Sir

Enclosed is a copy letter which we have been instructed to hand you. We shall be glad if you will read it at the meeting to-day, as our clients are employees of the County Council, and they only wish to have their characters vindicated.

Yours truly  
M. J. O'Connor & Co.

2 George Street, Wexford  
2<sup>nd</sup> April 1903.

Jas. Donohoe Esq. J.P. Co. Councillor  
Enniscorthy.

Dear Sir

We are instructed by Mr. Webster, Co. Surveyor, and the other Surveyors, to draw your attention to the statement which you made at the last meeting of the Wexford County Council in the following words:-  
"The Local Government Board bribed the Surveyors to resist the County Council." This statement has been published broadcast throughout the County in the "Free Press" and "People", but it was advisedly refused publication by the Reporter or Editor of the "Echo" and "Independent".

The statement alleges that our clients, as a result of a bribe given them by the Local Government Board, entered into a conspiracy with that Board to resist the County Council in the legal actions which the latter took.

The statement of yours is a slander of the foulest character. There is not as you well know, the slightest foundation for it, and our clients are surprised that you should have published it.

Obviously it is calculated to



do our clients considerable harm. We are instructed to request that you will, at tomorrow's meeting of the County Council, withdraw this slanderous statement. In the event of you doing so, we are instructed to take no further proceedings in the matter.

With regard to Mr Webster, you made another statement which is also untrue and absolutely unfounded, when you said that "He abandoned all his twenty three claims except one, - the inspection of the roads."

We are instructed to send a copy of this letter to the Secretary and each Member of the County Council, and also to the Secretary of the Local Government Board.

Yours truly,

M. J. O'Connor & Co.

Abbey House Enniscorthy

April 3<sup>rd</sup> 1903.

Dear Mr. Trizelle

I received a letter by parcel post from Mr O'Connor, Solicitor, on my return from Dublin last night, and it appears that a copy of same, has been sent to each County Councillor, to yourself and to the Local Government Board.

As I shall not be at the meeting to-day for the reasons explained to you on Wednesday, and as my absence and silence might be misunderstood by the Councillors present, I feel called upon to state for their information.

(1) That I decline responsibility for Newspaper reports, which often vary and are sometimes hostile.

(2) I decline to be intimidated by Mr O'Connor's stage fire-works from doing my duty to the Ratepayers.

(3) I think it bad form on the part of the Surveyors to raise side issues, the real one being the reduction of bloated salaries, for



imaginary duties.

44- I have sent Mr O'Connor's letter to Mr O'Flaherty with a copy of this letter, who will attend to any further correspondence on the subject, and I shall not regret if "this side issue" affords the County Council a public hearing of the merits, so far denied them, of the very scandalous abuse of power by the L. G. B.

Yours truly

J. Donohoe.

The Acting Secretary reported that Patrick Dunne, collector of Rate for No 10 Collection District died on March 27<sup>th</sup>. His collection for the half year ending 31<sup>st</sup> March 1903. had however been closed satisfactorily. Mr Peacocke proposed that the following recommendation of the Finance Committee with regard to the new appointment be confirmed.

"We recommend the County Council to advertise for a new collector at a Poundage rate of 6<sup>d</sup> in the £ and that the appointment should be made at the next quarterly Meeting to be held on May 5<sup>th</sup> 1903."

Mr Cummins moved - "That the new collector for No. 10 Collection District be paid a Poundage rate of 7<sup>d</sup> in the £."

Mr Hickey seconded.

On a poll the voting was as follows - For confirming the recommendation of the Finance Committee - Messrs Furlong, Brown, Walsh, Peacocke, Ennis, Codd, Kavanagh, and the Chairman. 8.

Against - Messrs Cummins, Hickey, & Bolger. 3.  
Declined to vote Mr Dempsey.

The Chairman declared the recommendation of the Finance Committee confirmed.

On the motion of the Chairman, seconded by Mr Peacocke it was decided that the security to be given by the new collector



be by approved Guarantee Society and be in the amount of £900.

On the motion of the chairman, seconded by Mr Ennis, the following resolution of the Finance Committee was unanimously confirmed:- "That a vote of heartfelt sympathy be passed to Mr Ryan, and the other members of the family of the late alderman Patrick Ryan, our friend and colleague, whose conspicuous ability integrity and courtesy, won the respect and esteem of the members of the Finance Committee and of the County Council, and whose death we regard as a serious loss, not only to his immediate relatives, but to the community at large" The resolution was supported by Mr Dempsey.

The acting Secretary reported that all the collectors had lodged the full amounts of their warrants for the half year's collection with the exception of £25 odd, which represented rates due by the Gt Southern & Western Railway Company, and the liability in respect of which had not yet been settled.

Mr Peacocke moved the suspension of standing orders to allow of the discussion of a motion which was not mentioned in the agenda paper.

The Chairman seconded the motion which passed without dissent.

Mr Ennis then moved.

"That a committee be appointed to obtain all possible information with regard to the undertaking being promoted by Lord Iveagh, and the Right Hon Com J. Parnell D.L. for improved transport facilities in Ireland, and to put the Co. Council in a position to make early



application to obtain for this county the conditions of the scheme."

The chairman seconded the motion which passed unanimously.

The following committee were then appointed Sir Thos H. G. Esmonde B<sup>t</sup>. M. P. Messrs M. A. Ennis, C. H. Leacocke, M. Browne, J. Codd, and J. Bolger, to meet on April 8<sup>th</sup> at 3 p.m. in the Court House Wexford.

On the motion of M<sup>r</sup>. Browne, seconded by M<sup>r</sup>. Dempsey, the following resolution was adopted:-

"That we consider the omission of decadal reductions in the new Land Bill is a grave defect, and we request our Parliamentary representatives to introduce into the proposed measure a clause dealing with this matter."

The Financial Statement Books of Receipt and Expenditure, and Financial Minutes written up to date were produced by the Acting Secretary and signed by the chairman.

The following books were also produced & written up to date - Register of Separate Charges, Register of applications and proposals, and abstract of Poor Rate collectors' lodgments.

Edmund Fore,