

Meeting, 6th February 1900

The Quarterly Meeting of the Wexford County Council was held in the Council Chamber, Courthouse, Wexford on Tuesday 6th Feb. 1900
Present: in the Chair, Mr. Edmond Hore, Vice Chairman.

Also: Messrs James Sinnott, Bryan Bolger, James Donohoe, James E. Mayler, John Cummins, Michael Browne, William Whitty, James Codd, Daniel Dempsey, Charles H. Peacocke, John J. Walsh, Michael J. Redmond, Laurence Murphy, Daniel Power, Owen Doyle, Patrick Ryan, Capt. Bryan, and Lord Maurice Fitzgerald, Capt. Pigott, Secretary to the Council and Mr. R. W. Elger Solicitor to the Council were also in attendance.

The minutes of last meeting were read and signed.

Letter No. 1884: 1900. Wexford County addressed to the Presiding Chairman by the Local Government Board was opened and read by the Chairman Mr. Hore. In this communication the Local

Government Board expressed their sanction to the payment of a sum of £75 awarded by the Wexford County Council under Article 17 (1) of the Transitory Provisions Order, 1898, to the Secretary as remuneration for expenses incurred and extra services rendered by him in bringing the Local Government (Ireland) Act, 1898, into operation.

With reference to the application of Mr. Matthew Bislawn, late Poor Rate collector and Deputy Poor Rate collector for compensation, Mr. M. J. O'Connor Solicitor, who is acting for Mr. Bislawn, said that he had submitted a case to Mr. J. M. Healy as to whether it was competent for the County Council to award compensation to Mr. Bislawn, Mr. Healy had given him the following opinion: "This is a very hard case and it appears to me that the Local Government Board, if pressed might yield to the view that Quierist was not effectively included in the scheme as he never received the Warrant to collect nor was treated as an officer by the County Council. It appears to me to involve more a matter of administrative equity than one of strict law, as I think the real intention of the parties is what should be examined."

Possibly the Local Government Board, might, if a strong resolution were again passed by the County Council to the effect that Mr. Bislawn should not be allowed to suffer through a mere misunderstanding, be induced to sanction the compensation.

Lord Maurice Fitzgerald proposed, Mr. Browne seconded, the following resolution which was passed nem. con. Resolved, That having submitted a case (giving all the facts and documents connected with this matter) to Mr. J. M. Healy, Q.C. M.P. who has given us the following opinion (opinion as above given) we the County Council of the County of Wexford, do hereby, subject to the approval of the Local

Collector Bislawn's Secretary remuneration, bringing Act into operation Compensation

Local Government Board, order that the sum of £267. 12. 7 be paid to Mr Brislawn as compensation and that we unanimously and respectfully ask the Local Government Board to sanction this payment.

With reference to the claim of Mr William Ryan Assistant Surveyor to a superannuation allowance, the Secretary read letter NO. 6783 1900, from the Local Government Board which stated that the Local Government Board had this question under consideration and hoped to be in a position to reply to the inquiry of the County Council before the 6th inst. The Secretary said he had not received any further communication from the Local Government Board on this matter.

Mr Ryan's superannuation

Mr Peacocke proposed, Mr Donohoe seconded, and it was passed "That the Local Government Board be telegraphed to and asked for their opinion on the point."

The following reply was received from the Local Government Board:-
"Board regret they are not yet in a position to advise the Council as to the Superannuation of the Assistant Surveyor. Local Government Board"

Mr Cummins proposed that Mr Ryan be granted a retiring allowance of £50. = Mr Power seconded. Mr Donohoe proposed that the matter be postponed till the next meeting of the Council. A show of hands was taken, and it was found that 7 were in favour of Mr Donohoe's amendment, and 10 against. Mr Browne moved as a further amendment that the sum of £25 be granted Mr Ryan as Superannuation. Mr Dempsey seconded. Mr Bodd proposed and Mr Peacocke seconded that no superannuation be granted. In support of this amendment Messrs Browne, Peacocke Bodd and Dempsey voted.

Mr Browne withdrew his proposition, and Mr Cummins also withdrew his, and on the motion of Mr Doyle seconded by Mr Cummins it was unanimously agreed to, that Mr Ryan be allowed a superannuation allowance of £40 per annum.

Previous to the disposal of this question the following resolution from the Wexford Guardians was read "Resolved that in obedience to the wishes of our constituents, we beg to protest against the proposed superannuation of Mr Ryan Deputy County Surveyor, and that the Clerk be directed to forward this resolution to the County Council."

Notice of the appointment of Capt William Gibson as Auditor of the Local Government Board to audit the Accounts of the County

Auditor

Council for the Half Year ending Sept 1899 was read by the Secretary Lord Stopford who is serving as Major in the 3rd Batt. Royal Irish Regiment wrote resigning his position as a member of the Finance Committee, the Committee of management of the Lunatic Asylums and of Committee for carrying out the Contagious (Diseases, Animals) Act, as he thought that possibly he might be taking the place of someone who might be able to attend regularly.

On the suggestion of the Chairman it was decided to request Lord Stopford to re-consider his resignation.

On the motion of Mr Doyle seconded by Lord Maurice Fitzgerald it was decided that the name of Mr James ^{Donohoe} be added to the Finance Committee.

Letter No 1788 from the Local Government Board sanctioning the scale of expenses in connection with the recent Urban Council elections as submitted by the County Council was read.

Scale of Election Expenses -

The following letter No 710/00. from Mr H. Williams Secretary to the Board of Works under date 25th January 1900 was read "I am directed by the Commissioners of Public Works to refer to the application for a loan of £6000 for completing structural and other alterations at Enniscorthy Lunatic Asylum, and to state that the Board are applying to the Local Government Board for necessary information with a view to early application to the Treasury for sanction to a loan." Letter No. 68.560. 1899. County Wexford, from the Local Government Board, awarding Mr Webster £100 for bringing the Local Government (Ireland) Act into operation was read.

Mr Donohoe proposed "That our Secretary inform the Local Government Board that this Council has already come to a decision after due consideration as regards the remuneration to be given the County Surveyor for bringing the Act into operation and inform the Local Government Board that they cannot re-open the question."

Mr Peacocke seconded the resolution which was passed unanimously.

A letter was read from Mr John Sweetman Hon Sec. Irish County Councils' General Council, stating that the Chief Secretary had given directions that in future a number of copies of orders and circulars issued under Acts of Parliament affecting the County Councils, would be sent to the County Secretaries to issue to the members of the Councils.

An.

Explosive Officer.

An application from Mr. Linnott Solicitor on behalf of Mrs. Cowan, Widow of Mr. R. A. Cowan Explosives Officer, was read and postponed, Mr. Linnott assenting.

Re-afforesting of Ireland.

The following resolution received from the County Council of Cork was proposed by Mr. Browne, "That as this County is everyday getting denuded of the little timber left standing which if allowed to proceed unchecked, will materially injure the present and future prospects of the County and destroy its beauty, that we ask the Irish members of Parliament to prepare a short Bill and do all in their power to pass it at the next Session to restrain and regulate the wholesale destruction of the Woods in the County, and compel every owner, seller, & purchaser, to plant two or three trees for every one cut down, and give power to the County Councils to deal with this subject, as also take steps towards the re-afforesting of Ireland. That we ask all the County Councils in Ireland to press this matter on their respective Counties as it is a matter of the greatest interest to all Ireland."

Capt. Bryan moved as an amendment "That we urge upon the new Department of Agriculture the necessity there is for the re-afforestation of Ireland and particularly the County Wexford."

Mr. Browne said he would withdraw his proposition in favour of that made by Capt. Bryan.

Mr. Peacocke moved the Cork resolution omitting the words "And compel every owner, seller, & purchaser; to plant two or three trees for every one cut down." Mr. Browne seconded the resolution as amended, and on being put to the meeting it was declared carried by the Chairman, - Capt. Bryan dissenting.

It was decided that the Secretary send copies of this resolution to the Parliamentary representatives of the County, the Chief Whip of the Irish Parliamentary party and the Chief Secretary for Ireland. (Rating Provisions) Two resolutions from the Dungarvan Urban Council and one from the Clare County Council dealing with the rating provisions of the Local Government (Ireland) Act, were, on the motion of Lord Maurice Fitzgerald seconded by Mr. Cummins postponed till next Quarterly Meeting.

National Assembly.

A resolution from the Dungarvan Urban Council, deeming as impracticable the resolution of the Wexford County Council establishing

A. National Assembly, was on the motion of Mr Donohoe marked "read". Letter No. 7539/1900. Wexford County from the Local Government Board, stating that, that body would raise no objection to the payment of £800 in respect of the building account of the Banuscorthy Lunatic Asylum in anticipation of the loan sanctioned by the Local Government Board, was read. A letter from S. Drapes R.M.s Banuscorthy Asylum enclosing a letter from the Asylum Contractor Mr William Fortune, which the ^{letter} requested should be laid before the County Council was read. The following is the letter from the contractor.

As I am kept so long out of money due me on Architects' certificates, I consider it only just that the County Council would pay the Interest on the amount. The balance left unpaid on the certificate issued on Nov 2nd 1899 is £150 and the second certificate for £550 was issued on Jan 8th 1900. I think in all fairness the County Council should take into consideration the Interest I have to pay on my overdraft at the Bank and should reimburse me for same. If you be good enough to draw the attention of the Council to this matter at their Meeting on Tuesday next, I have no doubt they will consider it only just to allow my claim for the Interest. I am assuming that the Council at their Meeting on Tuesday will order payment of the £700 now due me on the Architects' certificates."

Mr Donohoe proposed that Interest be allowed Mr Fortune Lord Maurice Fitzgerald seconded

Mr Cummins proposed and Mr Dempsey seconded that no Interest be allowed. On a poll the following voted in favour of allowing Interest - Messrs Sinnott, Bolger, Donohoe, and Lord Maurice Fitzgerald - 4.

Against Messrs Maylor, Cummins, Bryan, Whitty, Coad Dempsey, Peacocke, Walsh, Redmond, Murphy, Power, Ryan Browne and the Chairman - 14 Mr Doyle did not vote. The Chairman declared the resolution lost.

The final declaration regarding Main roads was then considered and adopted, on the motion of Mr Peacocke, seconded by Mr Doyle, the only change being the inclusion of one road in the Banuscorthy District.

The consideration of Tenders for Roads for which no tender was taken at the Rural District Council, ^{meetings} ~~councils~~ was then taken up. Keeping in repair 910 perches of the road

road between the Wexford and Oulast roads in Ballinteggart and the crossroads of ^{William Shiggins, Ballinteggart} Crosshue, at 6th per perch, naming as his Sureties Michael Leary and Matthew Leary, was accepted.

For the repair of Poul duff Pier, the Tender of Peter Sinnott at £18. (Sureties John Sinnott & Enoch Bullen) was accepted.

No. 11. in Gorey, repair 284 perches between Hempenstall's house in Scarnagh and the public road at Ballylarkin, for which no Tender was received, was given in charge of the County Surveyor for one Year.

Special Work - To make 11 perches of underground Sewer in the Streets of Gorey was also given in charge of the County Surveyor. The making of a Sewer at Camolin for which no Tender was received at the Rural District Council Meeting was referred back to the District Council. Enniscorthy District for the repairs of 272 perches of road at the turn of Drumgould to the bounds of the baronies of Ballaghkeen South and Scarawalsh no Tender was received and it was decided to refer the work back to the District Council.

In New Ross District two roads for which no tenders were received were referred back to the District Council. No. 11. To put in & repair a gullet at Shelbaggin was on the motion of Mr Cummins referred to the County Surveyor to take in charge.

Swine Rests.

A recommendation for the Contagious Diseases (Animals) Committee for the adoption of the Swine rests. Order by the Council was considered and confirmed, the Veterinary Inspectors to be asked to furnish a list of the lairs used for the resting of Swine in their Districts.

Scheduled Piers

Mr Browne proposed that Kilmore and all other scheduled Piers of the County be County Charges. Mr Cummins Seconded. On this matter a letter was read from Mr O'Sempsey Solicitor to the Enniscorthy Urban District Council that the resolution if adopted would be a nullity, as each application in connection with the Piers would have to be considered on its merits. Mr Donohoe proposed that the resolution be postponed for six months. After some discussion, Mr Browne agreed to postpone his notice of Motion till the next Quarterly Meeting of the Council to give Mr Elger the Solicitor to the Council an opportunity of looking into the matter.

Quarterly Meetings

The following dates were fixed for the Quarterly Meetings of the District Councils - New Ross, April 3rd at 12 o'clock Wexford, April 5th at 10.30 o'clock Enniscorthy, April 10th at 11 o'clock, Gorey, April 12th at 11 o'clock.

On the motion of
Proposals Committee meeting, April 14th at 10.30 o'clock.

Proposals for Payments etc.

On the motion of

Mr. Daniel Dempsey, Seconded by Mr. James Bodd the following resolution was adopted "Resolved, That the several proposals sent up by the proposals committee to the county council, as regards expenditure chargeable to the county at large be approved subject to the modifications and other orders noted thereon, and initialled by the chairman"

On the motion of Mr. Dempsey Seconded by Mr. Bodd the following resolution was adopted "Resolved, That the several proposals sent up by the Rural District Councils, of the several rural districts to the county council as set forth in schedules J. K. L. M. be approved subject to the modifications and other orders noted thereon and initialled by the chairman."

With reference to the applications for new works and maintenance of works received from the Rural Districts for confirmation in the case of the attempt to Bribe Gorey District Mr. O'Connor Solicitor opposed the granting of a contract to Michael Murphy for the repair of 133.1 perches of road, on the ground that this contractor had offered a bribe to his clerk. Garrett Lombard clerk to Mr. O'Connor was examined and stated that Murphy pushed a Bank note into his hand to induce him to divulge the figure at which another contractor, for whom Mr. O'Connor was acting, was tendering. Mr. Browne proposed that the contract be broken and the road placed in charge of the county Surveyor. Lord Maurice Fitzgerald seconded.

Mr. Power proposed, That Murphy (who was the old contractor) should be accepted. Mr. Dempsey seconded. The chairman declared the proposition to tear the tender, carried.

On the motion of Lord Maurice Fitzgerald Seconded by Mr. Doyle it was decided that a resolution of thanks be passed to Mr. Lombard for having brought the matter forward.

It was decided that the Rural District Council be informed that the reason for tearing the tender was because the county council had arrived at the conclusion that Murphy endeavoured by bribery to discover the figure at which another contractor was tendering, and they considered this sufficient to tear the tender.

On the motion of Mr. Browne Seconded by Mr. Doyle the following resolution was passed, "Resolved, That we hereby express our satisfaction at the union which has taken place amongst the different sections of the Irish Parliamentary Party, and we trust that this county and the country generally will cordially accept their choice of a chairman and

Irish Parliamentary Party

and leader, and give them the moral and financial support necessary for their existence as an Independent and powerful party.

On the motion of Mr. Cummins it was decided that a copy of this resolution be sent to the Chief Whip of the Irish party. Letters from the Local Government Board Nos 72, 719: 1899 New Ross Urban District and 3349: 1900 dealing with irrecoverable rates was read. In connection with the last mentioned letter the Secretary said that he had, by directions of the Finance Committee (whose minutes were read and confirmed) gone through the list of irrecoverable rates furnished by the collectors, and struck out such items as were not allowed by the letter of the Local Government Board. The total amount for the 21 collectors was £52.11.4⁵.

On the motion of Mr. Doyle Seconded by Mr. Board, It was decided that this amount be paid the collectors. On the motion of Mr. Donohoe the following resolution was passed unanimously "That the question of the arrangements of future road contracts with a view to having them placed on a more satisfactory basis be referred to the following committee Messrs. Cummins, Leacocke, Browne, Bolger, Owen Doyle, Edmund Hore and James Donohoe, and that Mr. Webster be asked to attend the meetings of the committee in question."

Mr. O'Connor Solicitor for Mr. Ryan Deputy County Surveyor handed in the resignation of Mr. Ryan. It was decided that the question of the salary to be given Mr. Ryan's successor be considered at the adjourned Quarterly Meeting to be held on the 23rd inst.

On the motion of Mr. Donohoe Seconded by Mr. Cummins it was decided to apply to the Local Government Board for sanction to a further overdraft of £10,000.

On the motion of Mr. Donohoe it was decided that the Secretary check the amount of interest charged and allowed by the National Bank as Treasurer to the County Council. With reference to application for new work from the Enniscorthy District Council, Register No. 32 it was decided as the proceeding was informal, as the application should have been treated as a provisional proposal that it should be rejected and the Clerk to the District Council be informed of the reason.

Feb. 23rd 1900

Edmund Hore

Meeting, February 23rd 1900

The Adjourned Quarterly Meeting of the County Council was held in the Council Chamber, Court House Wexford on Friday 23rd February 1900.

Present. - In the chair. Mr Edmond Gore vice Chairman other Councillors, Messrs J. J. Walsh, C. H. Peacocke, Patrick Ryan, Owen Doyle, James Donohoe, Michael Broome, James Codd, J. B. Heaume, Daniel Dempsey, James C. Mayler & Lord Maurice Fitzgerald

Mr R. W. Elgee Solicitor to the Council Mr Henry Webster, County Surveyor, and Mr N. J. Fizzelle Assistant Secretary to the Council were also in attendance Captain Pigott, Secretary to the Council was absent through illness

The following letter from Lord Stopford, under date February 10th 1900, from Curragh Barracks Aldershot was read:

"Will you please thank the County Council most sincerely for asking me to re-consider my resignation from the three Committees on which I have the honour to serve, and will you inform the Council that I have the greatest pleasure doing so, but hope that I am not keeping out anyone who would be a more useful committee man."

Reafforesting Ireland.

The following letter was read from Mr Peter French, M.P.

"I am in receipt of resolution on the subject of reafforesting Ireland passed by the Wexford County Council and I intend to call the attention of the House to it on the first opportunity"

Circular letter No. 12 M/1900 Miscellaneous from the Local Government Board, fixing the salary of Mr Webster, County Surveyor at £800 per annum the increase to date from April 1st 1899 was read.

Letter No. 8657, 1900 from the Local Government Board, awarding Mr Webster £100 for bringing the Act into operation was also read.

The last mentioned letter was first discussed. Mr Peacocke proposed - That we adopt the suggestion of the Finance Committee, and send a copy of the minutes of this committee dealing with this question to the Local Government Board. That we call the attention of the Local Government Board to the fact that the Council are certain, if the appointment of County Surveyor was open, they would be

Co. Surveyor's remuneration

"to obtain the services of a competent official at a salary less than the Council have been paying Mr Webster"

Mr Donohoe seconded the resolution which was passed Peacocke proposed. That we disapprove of the increase of salary proposed by the Local Government Board to be granted Mr Webster, and appoint a committee to draw up a resolution stating the reasons of this decision, which is to be forwarded to the Local Government Board.

"That the Committee to be appointed examine the list of increased duties furnished by Mr Webster when this matter was under the consideration of the Finance Committee"

Mr Dempsey seconded the resolution which was passed Lord Maurice Fitzgerald dissenting

The following Committee were then appointed: Messrs Browne, Peacocke, Codd, Walsh, Ryan, Dempsey, Donohoe and the Chairman of the meeting. Mr Hord, the Committee to meet on the 3rd March 1900

Mr Elger reported that since the last meeting of the Council the case of certain Explosives Officers against the Council, had been heard by County Court Judge Kane, and dismissed on the ground that the Council should have awarded superannuation and not a lump sum as compensation to these Officers.

New Form of Rate Book.

With reference to letter No 21. M: 1900 Miscellaneous from the Local Government Board prescribing new form of Rate Book the Council made no order

Letter No. 8685: 1900 Wexford County and No 10528 1900 Wexford County, from the Local Government Board were also read.

Superannuation - Mr Ryan.

Letter No 8743 / 1900 Wexford County from the Local Government Board with reference to the proposed superannuation of Mr William Ryan Assistant Surveyor was read.

Extension of time - Rate collection.

With reference to the collection of the Rate Messrs Doyle, M'Grath, James Barron, John Bannville, Alexander Barron, Nicholas O'Hanlon, Walsh, and Nicholas Moore, Poor Rate Collectors applied for an extension of time to close their collection until the first of May was read.

Mr Hearne proposed that the collectors where necessary be granted an extension of time to close their collection until the 26th April this extension to be subject to the approval of the Local Government Board.

Mr Doyle seconded the resolution which was passed
On the motion of the chairman it was decided that the Secretary communicate with the Rate collectors, and urge upon them the necessity of making every exertion possible in pushing forward their collection between this and the 31st March in order that the overdraft of the County Council with the Bank be cleared off.

In connection with the vacancy existing in the office of Assistant Surveyor on the motion of Mr Doyle seconded by Mr Dempsey it was decided that a special meeting of the Council be summoned for the 28th March for the election of Mr Ryan's successor.

On the motion of Mr Donohoe seconded by Mr Codd it was decided to adopt the following resolution
"That we give an undertaking to the County Treasurer that the overdraft of £20,000 will be paid off by the County Council before the 31st March 1900."

On the suggestion of Mr Hearn it was decided that the Secretary advertise for a successor to Mr Ryan & draw up the advertisement in conjunction with the County Surveyor, having first ascertained from the Local Government Board what the necessary qualifications for the office were.

A long correspondence from the Local Government Board and from the clerk of the Wexford Union with reference to the finances of the Wexford guardians was read.

On the motion of Mr Browne seconded by Mr Codd it was decided that the Wexford Guardians be granted a sum of £1,800 (on account of their demand) to carry them on.

On the motion of Mr Donohoe seconded by Mr Dempsey it was decided that a sum of £1,000 be paid to the Ennisorthy Lunatic Asylum, and that a further cheque be drawn in favour of the Asylum, being the balance of their demand, amounting to £991 " 12 " 5. be paid to the Asylum where required.

In connection with the proposed loan of £6,000 to the Council by the Board of Works it was decided that a sum of £9 " 12/- Receivable Order from the Board of Works to meet legal expenses be paid.

Gunpowder License. The Council agreed to the issue of gunpowder store license to Mrs Johanna Devereux for premises

at Danescastle, Bannow. These premises have been already licensed and the new license was caused by a change in the name of the occupier.

Resoltn. Re Contractors. The following resolution from the New Ross District Council as amended was unanimously adopted

"That striking off sums of money from defaulting contractors is a bad system, because it does not tend to effect the object for which it is manifestly intended, viz:- improvement of the roads. We consider it has the opposite effect, as it withdraws altogether from a road a sum of money and therefore a certain amount of work which should be expended on it."

We recommend for consideration the following course, to break a contract if the surveyor considers it necessary to defer the total amount of the quarter's payment on two consecutive occasions, and when re-opening the road for contract the surveyor shall draw up the specification so that the several sums deferred together with the ordinary amount for one year, shall be expended on it for one year and thereby leave the road in good order for traffic as soon as possible."

Advertising in two newspapers. Mr Owen Doyle gave the following notice of motion
"I beg to give notice that I will move at the next meeting of the Proposal Committee that the resolution of the Committee to insert the County advertisements in two papers be rescinded, and that the advertisements be inserted in the Wexford People at a sum to be fixed at the next meeting of the Proposals Committee."

Mr Owen Doyle proposed & Lord Maurice Fitzgerald seconded the following resolution which was passed nem con
"That in the opinion of this Council there is an urgent necessity for a thorough reform of Private Bill Procedure and that inquiries of a local nature should be conducted in Ireland"

Railway amalgamation. A resolution from the General Council of the Irish County Councils with reference to Railway amalgamation and the question of railway policy in Ireland generally was on the motion of Mr Browne seconded by Mr Peacocke marked "read"

The following resolution was on the motion of Mr Peacocke seconded by Mr Walsh passed unanimously:-

Committee. Re A. & J. H. & Co. "That the following committee be appointed to take into consideration the several provisions of the Agricultural and Technical Instruction (Ireland) Act 1899, with the view of reporting to this County Council the steps which should be taken in order to obtain whatever benefits the Act may offer to advance Agriculture and Technical Instruction in this country."

The following were appointed as the Committee under this resolution: Sir Thomas Esmonde, Messrs C. H. Peacocke, Brown, Donohoe, Hore, Codd, Walsh, Capt Bryan, and Lord Maurice Fitzgerald.

On the motion of Mr Dempsey Seconded by Mr Codd it was decided that the Estimate of Separate and General charges be adopted. Passed unanimously

The minutes of the Finance Committee of Feb 23rd were read and confirmed

~~Edward Hore~~

B. H. Peacocke

3rd April 1900