

Annual meeting - 14th June 1909.

The annual meeting of the Wexford Co. Council, was held in the Council Chamber, Court House, Wexford on, 14th June 1909.

Present :- Mr. E. Hore, Vice-Chairman (Presiding)
Other members :- Messrs Patrick Fortune, J. E. Mayler, M. Browne, P. O'Neill, J. Bolger, J. Cummins, A. Kinsella, J. Asple, M. Codd, W. Kavanagh, J. S. Hearn, M. Doyle, J. A. Doyle, G. H. Peacocke, W. Forrestal, J. J. Stafford, J. J. Kehoe, G. Walsh, M. Hickey, Thaddeus Bolger, P. J. Fanning, M. A. Ennis, and James Codd.

The Secretary; the County Surveyor; and Mr. R. W. Elger, were in attendance.

— Vote of Condolence. —

On the motion of Mr. Peacocke, seconded by Mr. Kehoe the following resolution was adopted :-

"That we tender to our esteemed colleague, Mr. Kinsella, our sincere condolence in the loss he has sustained by the death of his brother."

— Representatives from R. D. Councils. —

The following Chairmen of District Councils, and representative of Gorey Rural District Council (under section 3. of the Local Government (Ireland) Act, subscribed the usual declaration of office :- Messrs. J. Bolger (Enniscorthy); M. Hickey, (New Ross); G. Walsh; (Wexford) and P. J. Fanning (Gorey).

— Confirmation of minutes. —

The minutes of last meeting were read and confirmed.

— Election of Chairman. —

Mr. Ennis proposed the election of Mr. Hore, as Chairman of the Council for the coming year.

Mr. Peacocke seconded the proposition which was unanimously adopted.

Mr. Hore returned thanks for his election and subscribed the usual declaration of office.

— Election of Vice-Chairman —

Mr. John Bolger proposed Mr. Ennis, as Vice-Chairman of the Co. Council. Mr. Hearn seconded; but Mr. Ennis refused to accept the position.

Mr. Bolger also declined to act as Vice-Chairman.

Mr. Cummins proposed Mr. Peacocke as Vice-Chairman. This was seconded by Mr. Kavanagh.

Mr. Peacocke however declined to take the position.

Finally Mr. Peacocke consented to allow his name to go forward as Vice-Chairman, and was appointed unanimously.

Mr. Peacocke returned thanks for his election, and subscribed the usual declaration of office.

— Election of Committees —

Proposal Committee:- On the motion of Mr. O'Neill seconded by Mr. Kehoe, the entire Council was appointed a Proposal Committee."

Finance Committee:- Mr. Kinsella proposed, Mr. Stafford seconded, and it was passed:- That the following members be appointed as the Finance Committee:- Sir J. H. G. Comond, Bart M.P., Messrs E. Horu, J. E. Mayler, Mr. Brown, P. O'Neill, John Bolger, A. Kinsella, J. Asple, J. S. Hearn, C. H. Peacocke, J. J. Stafford, J. J. Kehoe, Gregory Walsh, Mr. A. Ennis, and James Codd."

Diseases of Animals Act Committee:- On the motion of Mr. Peacocke, seconded by Mr. Ennis, the following resolution was adopted:- "That the members of the Co. Committee of Agriculture & Technical Instruction constitute the Executive Committee under the Diseases of Animals Act."

— Notices of Motion —

American mails:- Mr. Ennis moved the following and of which he had given previous notice:- "That this Council desires to call the attention of the Postmaster General to the facilities offered by the Fishguard-Rosslare route for carriage from Queenstown of the American mails from London, the Continent, and the entire South of England and Wales, and to point out that the adoption of this route will

accelerate the delivery of these mails by at least two hours over present arrangements; and, that this acceleration might be increased by at least a further hour by the construction of a connecting line of Railway between either Cork and Fermoy, or Youghal and Dungarvan."

This was seconded by Mr. Peacocke, and adopted, and it was decided that copies of this resolution be forwarded to the Postmaster General; the Chief Secretary for Ireland; Sir Thomas Esmonde, Bt. M. P., Mr. Peter French M. P., the Secretary of Western Railway Co., England; and the St. Southern & Western Railway, Co., Ireland."

Ferryarrig Bridge:- Mr. Ennis moved the following of which he had given previous notice:- That plan and estimate for a ferro-concrete bridge received from Mr. de Vilian, M. J. C. C., be submitted to the incoming County Surveyor, and that he be instructed to report thereon, and as to any alternative methods which may suggest themselves to him for dealing with the present unsafe and unsatisfactory condition of Ferryarrig Bridge, in order to place it in a thoroughly efficient condition, to the following Committee:- Messrs C. H. Peacocke, John J. Kehoe, J. Aspley, P. O'Neill, M. A. Ennis, and John Bolger, who are requested to prepare a report on the subject for presentation to the August meeting of the Co. Council."

This was seconded by Mr. J. Bolger and adopted.

Shivebawn Quarry.

Mr. Tanning moved the following of which he had given previous notice:- "That a sum of £10 be allowed for the purpose of opening the quarry at Shivebawn."

Mr. Kinsella seconded the motion.

In connection with the matter the Co. Council at their last meeting passed a resolution agreeing to purchase this quarry for a sum of £30 from Mr. Bullen and allowed a sum of £5 to Mr. Abraham Grange in view of the recommendation from Sir Thomas Esmonde and Mr. Tanning, and on condition that Mr. Grange allowed the lane from the roadway to be altered so

as to enable an engine to enter and pass out easily provided also that the same was done at two places in the lane where there are awkward turns.

Under date 11th May the following letter was read from Mr. Grange:-

"In reply to yours of the 5th inst., I beg to say that your Council should allow me two pounds for the trespass of the fences, as your Council may do me a good deal of damage on one place. Mr. Laddie called and asked me to communicate with you. If you do not allow the two pounds I won't allow the fences to be interfered with.

Under date 8th May the following was read from Mr. J. Laddie, Assistant Surveyor:-

"I was speaking to Mr. P. J. Fanning re purchase of Bullen's quarry at Shievaun.

It is desirable that the Co. Council allow something (at least £10) for the opening of the quarry. Should a resolution be necessary for this object; if you would kindly forward one in type to Mr. Fanning he will propose it at the next meeting of the Council.

The contractors in the neighbourhood are all complaining as the time is getting short for getting out their material for the next measurement."

On the motion of the Chairman, seconded by Mr. Ennis the following amendment was adopted:-

"That acting on the advice of Mr. Elgee, our Solicitor this matter be referred back to the District Council to ascertain if they are satisfied that the £10 proposed to be paid for the opening of the quarry, should be a Rural District charge, and that, in the meantime, no further steps be taken in connection with this matter until Mr. Bullen satisfies Mr. Elgee that he has a proper title to that portion of his land which he proposes to sell as a quarry."

a. Road Contractor's Grievance

The following letter was read from Mr. Michael Brown, Commercial Quay, Wexford, Road Contractor, under date 12th June 1909:-

"I was given two roads (nos 90 and 166) by the Wexford Rural District Council and without any previous notice to me opposition was made at the last meeting of the Wexford Co. Council on the part of Mr. Davis. It was urged by his Solicitor that I should not get a road contract principally because I had been prosecuted in respect of a road contract. It is true I was prosecuted but I was prosecuted only as a surety for a contractor. I never had a road myself. I had four contracts under the Co. Surveyor and these I did well, at least I was paid for them in full and no complaint was ever made about them. What I complain of now is that this road was taken from me behind my back, without any notice having been given me, on statements that I could have challenged and unless I receive the two roads given to me by the District Council I cannot see my way to do the other road as the better road was taken from me and the worse one left with me. I am sure the Co. Council will see that I get fair play in the matter."

"No order was made."

Mr. Ennis gave notice that he would move the following motion at the next meeting of the Council:-

"That in future the Co. Council will refuse to consider any application as to breaking a road contract unless notice has been served on the contractor accepted by the District Council."

— Appointment of Co. Surveyor. —

The following letter under date 11th June 1909, and No. 70,785-09, Wexford County, was read from the Local Government Board:-

"With reference to previous correspondence relative to the appointment of County Surveyor in Wexford County, I am directed by the Local Government Board for Ireland to state that of the 28 candidates whose names were submitted to this Department by the Council, the following 11 candidates are qualified for appointment; viz:- Messrs G. A. Adair; W. J. Barry; John Caffery, R. B.

Chillingworth, S. Gaffney, J. J. Hannigan, J. Moran, Jeremiah J. Murphy, R. F. M. O'Connor, J. J. O'Sullivan, and Thomas Walsh.

Of the remaining 12 candidates 5 withdrew their applications or did not attend the Civil Service Examination, 5 failed to satisfy the Civil Service Commissioners as to their qualifications and 2 were, in the opinion of the Board, ineligible to be allowed to attend the examination.

The election of County Surveyor may now be proceeded with and the Board trust that the Council will be successful in securing from amongst the eleven qualified gentlemen referred to above, a capable and energetic Engineer who will carry out his duties to the satisfaction of the Council and the ratepayers."

Applications from the following candidates for the position of County Surveyor (who were in attendance) were read :-

W. Fitzgerald Barry, Co. Surveyor, Monaghan.
 Stafford Gaffney, 46 Northumberland Road, Dublin.
 Robert B. Chillingworth, 21 Charlemont Place, Dublin.
 Ignatius O'Sullivan, The Highland Railway, Engineer in Chief's Office, Inverness.

Mr. P. O'Neill proposed Mr. Barry, as Co. Surveyor.
 Mr. J. Bolger, seconded Mr. Barry's appointment.

Mr. Stafford proposed the appointment of Mr. Gaffney as County Surveyor.

Mr. A. Kinsella, seconded, this proposal.

Mr. B. Kavanagh proposed Mr. O'Sullivan (there was no seconder).

A poll was taken with the following result:-
 For Mr. Gaffney:- Messrs Brown, Mayler, Kinsella, Forrestal, Stafford, Walsh, J. Bolger, Fortune, J. A. Doyle, Asple, Kavanagh, Cummins, and Hickey - 13.
 For Mr. Barry:- Messrs O'Neill, Hearn, J. Bolger, Ennis, Peacocke, Kehoe, James Codd, Fanning, Michael Doyle, Mark Codd,

and the chairman. - 11.

The chairman declared Mr Stafford Gaffney, elected County Surveyor.

Mr Gaffney returned thanks for his election.

It was agreed that Mr Gaffney take up duty 1st July '09.

— Appointment of Sheep Dipping Inspector. —

Applications were received from the following for the position of Sheep Dipping Inspector in New Ross Rural District :-

1. Gerald Flood, Castlboro
2. Andrew O'Brien, Milltown, Kellanne.
3. John J. Egan, Boley, Ballycullane.
4. Andrew J. Kehoe, Ballindoney, Ballywilliam.
5. Edward Doyle, Palace West, New Ross.
6. Thomas Cadogan, Newbawn.
7. Patrick Roche, Ballyanne, New Ross.
8. Patrick Barty, Donard, Glorroche.
9. Edward J. Moore, Palace East, New Ross.
10. John Whitty, Rathturtin, Palace.
11. Peter Byrne, Templeudigan.

Applications were also received from James Byrne, Rathgarogue, on 26th May; and L. J. Doyle, Old Ross, on 2nd June.

The advertisement of the appointment stipulated that applications should be lodged on or before 22nd May.

Applications from the following who were in attendance were read :-

1. Gerald Flood
2. John J. Egan
3. Andrew J. Kehoe
4. Edward Doyle
5. Thomas Cadogan
6. P. Roche
7. Patrick Barty
8. Edmond J. Moore.

Mr O'Neill proposed and Mr Browne seconded the election of Mr Flood.

Mr Fanning proposed and Mr Mark Ladd seconded the

election of Mr. A. J. Kehoe.

Mr. Michael Doyle proposed and Mr. G. Walsh, seconded the appointment of Mr. Cadogan.

Mr. Hori proposed and Mr. J. J. Kehoe, seconded the appointment of Mr. J. J. Egan.

Mr. Stafford proposed and Mr. J. A. Doyle, seconded the appointment of Mr. Edward Doyle.

Mr. John Bolger proposed and Mr. J. Cummins seconded the appointment of Mr. P. Roche.

Mr. Mayler proposed and Mr. Kavanagh seconded the appointment of Mr. E. J. Moore.

A poll was taken with the following result:-

For Flood:- Messrs Browne, O'Neill, Peacocke, & Kavanagh. - 4.

For Egan:- Messrs Kinsella, Forrestal, Hearn, Ennis, Kehoe, James Codd, J. Bolger, Fortune, Asple, Hickey, and the Chairman. - 11.

For Kehoe:- Messrs Fanning and Mark Codd. 2.

For Doyle:- Messrs Stafford, and James A. Doyle. - 2.

For Cadogan:- Messrs Walsh and Mr. Doyle. - 2.

For Roche:- Messrs J. Bolger, and Cummins. 2.

For Moore:- Mr. Mayler. 1.

Mr. Moore then dropped out, and Mr. Mayler refusing to vote on the second poll the voting for the other candidates remained the same as on the first poll.

A poll was taken as to which of the following should drop out, viz:- Cadogan, Roche, Doyle, and Kehoe, which resulted as follows:-

For Cadogan:- Messrs Walsh, Mr. Doyle, and Hickey. - 3.

For Roche:- Messrs Forrestal, Hearn, J. Bolger, J. Bolger, Cummins, and the Chairman. - 6.

For Doyle:- Messrs Stafford, James A. Doyle, and Asple. - 3.

For Kehoe:- Messrs Browne, Mayler, Kinsella, O'Neill, Ennis, Peacocke, Kehoe, James Codd, Fanning, Fortune, Mark Codd, and Kavanagh. - 12.

Messrs Doyle, and Cadogan having received the same number of votes a poll was taken between them with the following result:-

For Cadogan:- Forrestal, O'Neill, Hearn, J. Bolger, Kehoe, Walsh, Fanning, Michael Doyle, J. Bolger, Cummins, Kavanagh, Hickey. - 12.

For Doyle:- Messrs Browne, Mayler, Kinsella, Stafford,

Ennis, Peacocke, James Codd, Fortune, J. A. Doyle, M. Codd, Asple, and the Chairman:- 12.

The Chairman gave his casting vote in favour of Doyle.

A further poll was then taken as between Flood, Egan, Kehoe, Doyle, and Roche, with the following result:-

For Flood:- Messrs Browne, O'Neill, Peacocke, & Kavanagh - 4.

For Egan:- Messrs Kinsella, Forrestal, Hearn, Ennis, Kehoe, James Codd, Walsh, Michael Doyle, J. Bolger, Fortune, Asple, Hickey, and the Chairman:- 13.

For Kehoe:- Messrs Mayler, Fanning, and M. Codd - 3.

For Roche:- Messrs J. Bolger, and Cummins - 2.

The Chairman declared Mr. Egan elected; as he had a clear majority of the Council.

Mr. Egan returned thanks.

—Application from Mr. Webster, Co. Surveyor.—

Under date 14th May the following letter was read from Mr. Webster, Co. Surveyor:-

Gentlemen,

Referring to the question of my Resignation and my application for a grant of compensation, I have conferred with my Solicitor, as suggested, and am advised to rest my claim under Section 120 of the Local Government Act 1888, and Section 115 Sub-sections 18 & 19 of the Local Government Act 1898, which concedes the principle of an officer being given compensation, and refers the assessment of compensation to the Superannuation Act of 1859, Section 7. The Section of the Act of 1888 is included in the Local Government Act as a Schedule, and declares that every existing officer who suffers any direct pecuniary loss by abolition of office, or by diminution or loss of fees or salary shall be entitled to compensation for such pecuniary loss from the Co. Council.

The Superannuation Act of 1859 recites that it shall be lawful for the Commissioners of the Treasury to grant to any person retiring or removed from the public service, in consequence of the abolition of his office, or for the purpose of facilitating improvements in the organization

of the department to which he belongs, by which greater efficiency and economy can be effected, such compensation as on a full consideration may seem to the said commission a reasonable and just compensation.

In my case I would respectfully submit that my office was either abolished, or on the other hand that my salary was reduced by resolution before my resignation, and I therefore suggest that it would be reasonable to give me such compensation as you may consider fair. I wish to add that I shall leave the matter in your hands, withdrawing any legal claim, unless such claim as you may approve of my making. I would suggest that compensation might be given and that I on my part should undertake if the allowance of compensation should be the subject of any surcharge, to refund any money paid to me on foot of the compensation so paid.

I would like to point out that I have had 18 years service as County Surveyor in the Co. Wexford, in addition to 2 years in the same capacity in the Co. Kerry, and I suggest that such a term of office might justly be considered to merit compensation or a retiring allowance."

This communication was considered by the Finance Committee at their meeting on 15th May when the following recommendation was adopted:-

"That Mr. Elger be furnished with a copy of Mr. Webster's letter and that he be prepared to advise the Co. Council at their next meeting as to their position with reference to Mr. Webster's letter."

The Chairman wrote under date 15th May as follows:-

"As to Mr. Webster's letter my view is that in consideration of Mr. Webster's 18 years connection with the County, the Co. Council ought to meet his request if it can do so legally."

I would suggest that our Solicitor be invited to look into the matter and advise as to what our powers are, and if we have power either to make him a retiring allowance, or to grant him an annuity. I would favour his being given a lump sum - that sum to be

fixed after fair consideration of the case, in a friendly way."

Mr. Elgee submitted the following opinion which he had received from Mr. J. J. Malony, K. C.:-

"Mr. Webster was appointed County Surveyor of Wexford prior to the passing of the Local Government (Ireland) Act 1898, and by Section 115 of that Act he became an officer of the Co. Council in like manner as if he had been appointed by that Council.

Section 88 (4) of the Act provides that part of the payment to every Co. Council out of the Agricultural Grant shall be deemed to be paid in respect of part of the salary of the Secretary of the County Council and of the Co. Surveyor and of an Assistant Surveyor, and any such Secretary or Surveyor or Assistant Surveyor shall not be appointed or removed nor shall his salary be fixed or altered without the concurrence of the Local Government Board.

In the present case the Co. Council passed a resolution on the 17th February 1909 to the effect that the County be divided into two parts, and that two Surveyors be appointed at salaries of £400 each, to cover salary, travelling expenses and any allowance for clerical assistance. If this resolution was valid and operative at the time of its passing it would necessarily mean the removal of Mr. Webster from the position he then held, and if he were appointed to one of the new offices the effect would be both a change of status and a reduction of salary. In my opinion, however, such a resolution until it was sanctioned by the Local Government Board had no effect whatever, and notwithstanding the passing of the resolution Mr. Webster continued to hold his position of County Surveyor. It is impossible therefore for Mr. Webster to claim compensation on the ground that his office was abolished prior to his resignation. Sub-sections 18 & 19 of Section 115 do not apply to the present case because it cannot be said that the duties of Mr. Webster were either increased or diminished within the meaning of the Section by

anything done in pursuance of the act.

In my opinion Mr Webster is to be regarded as having resigned office, and the question of superannuation depends entirely upon the effect of that resignation. Under Section 118 (1) every existing officer who was by the act transferred to the Co. Council, and would if he were to retire on the appointed day be qualified for a superannuation allowance, should without prejudice to any existing right, when he resigns or ceases to hold his office for some cause other than misconduct be entitled to receive a superannuation allowance on the scale and according to the acts and Rules relating to His Majesty's Civil Service. Sub-section (2) provides that the expression "qualified for superannuation allowance" shall mean qualified as regards age and length of service, and the devotion of his whole time to the service. The qualification as regards age and length of service of a County Surveyor is prescribed by Section 2 of the Co. Surveyor's Superannuation Act 1875 (38 & 39 Vic Cap 50). By that section a County Surveyor to be entitled to a superannuation allowance (apart from the question of permanent infirmity of body or mind) must have completed the full age of 60 years and have served ten years at least in the County. It follows therefore that Mr Webster in order to become entitled to an allowance must—
(a) have attained the age of 60 years, (b) have served ten years in the County, and (c) have devoted his whole time to the services of the County. If he satisfies these conditions the County Council may in their discretion, with the consent of the Lord Lieutenant, grant a superannuation allowance, and in estimating and awarding such allowance they must proceed according to the principles laid down and limitations prescribed by the Superannuation Act 1859."

The following recommendation of the Finance Committee was adopted on the motion of Mr Ennis seconded by Mr Peacocke: "That we approve of Mr Elger's action in taking Council's opinion in regard to Mr Webster's claim for compensation."

The following recommendation of the Finance Committee was laid before the meeting:-

"That having obtained the opinion of Mr. J. J. Malony, K. C., copy of which we direct our Secretary to furnish to Mr. Webster, the Council find they are unable legally to comply with Mr. Webster's claim for a grant of compensation on his resignation."

Mr. Browne proposed:- "That on account of Mr. Webster's long service in this County, and on account of the peculiar circumstances of his resignation this Council agrees, with the sanction of the Local Government Board to give him a lump sum as compensation."

Mr. Kinsella seconded.

"The Chairman declared the resolution carried he (Chairman) being the only dissentient."

Mr. Browne proposed:- "That subject to the sanction of the Local Government Board, Mr. Webster be given £300 compensation for loss of salary."

Mr. Kinsella seconded.

Passed unanimously.

Paying Authority

On the motion of Mr. Kehoe, seconded by Mr. Peacock the Council agreed to payments amounting to £318 : 12 : 2, as recommended by the Finance Committee.

Road Specification

Mr. Aspley gave notice of motion of his intention to move at next meeting of the Council:- "That a small committee of the Council be appointed (in conjunction with the Co. Surveyor and Assistant Surveyors) for the purpose of revising the existing road specification."

Recommendations-Committees.

On the motion of Mr. Ennis, seconded by Mr. Peacock the various recommendations of the committees of the Council from 4th May were confirmed.

Proposed Waterford Bridge.

Under date 7th June, the clerk of the Privy Council.

Dublin Castle, wrote that the Privy Council would meet on some day towards the end of June for consideration of the following resolution received from the Corporation of Waterford:-

"That this Corporation, in view of the facts now before them are strongly of opinion that a ferro-concrete bridge would not be a suitable bridge over the Suir at Waterford, that a steel bridge would be the proper structure, and request the Privy Council to alter their decision and give us a steel bridge of the design of Messrs Baker & Hurtzig; and that a Committee consisting of the Mayor, High Sheriff, Alderman Hearn, Councillor McDonald, and Councillor Kenny, be appointed a deputation to wait on the Privy Council in reference thereto."

Under date 10th June, the Clerk of the Council, Dublin Castle, wrote that the sitting of the Privy Council for consideration of resolution of Waterford Corporation would be on Tuesday 10th instant, at 11 o'clock a.m.

Mr. Ennis moved the following recommendations of the Finance Committee:- That we approve of the action of Messrs Ennis, and Keacocke, in instructing Mr. Elger, Solicitor; as regards the proposed Waterford Bridge."

"That we instruct our Council to call Mr. de Vesian as a witness on behalf of the Waterford Co. Council, (on the terms of his letter to Mr. Ennis) before the Committee of the Privy Council to deal with the inquiry in connection with the proposed Waterford Bridge."

"That Mr. Ennis be requested to attend the Privy Council Inquiry re Waterford Bridge on behalf of the Waterford Co. Council."

Mr. Keacocke seconded.

"Passed."

— Sealed Orders Local Government Board. —

The Local Government Board forwarded copies of Sealed Orders relative to the following:- Supply of water at Strahart; area of charge Rural District of Enniscorthy; Supply of water at Ballindaggin; same area of charge; and sewerage of Glynn - area of charge R. D. of Wexford.

marked "Read."

— Rates in collector Lennon's District. —

In connection with a communication from messrs M. J. O'Connor & Co., asking the Local Government Board, if they would sanction a recommendation for refund to Rate collector Lennon of uncollectable rates where there is no stock or chattels, on a holding that could be seized under a collector's warrant or under a warrant of any court, the Local Government Board wrote (letter No 61340-'09) under date 8th May that this was a matter that in the first instance should be brought before the Co. Council, and that in the absence of any recommendation from the Council, the Board could not express any opinion on the matter.
marked "Read".

— appointment of Mr Michael Walsh, Rate collector. —
Under date 13th May 1909, the Local Government Board wrote, (letter No 60736-1909) as follows:—

"The Local Government Board for Ireland have had before them the replies to queries respecting the appointment of Mr Michael Walsh, as Poor Rate collector in Wexford County; and I am to state that the Board have approved of this appointment on the terms set out in the query form, returned herewith, which should be carefully filed for future reference.

As regards the security of Mr Walsh, I am to inform you that the Board will raise no objection to the proposal mentioned in your letter of the 6th instant, to accept a bond from the Yorkshire Insurance Co., Ltd., in this case, provided such bond is in the form prescribed by the Public Bodies Order 1904.

I am to add that the Bond in question should be submitted for the Board's inspection in due course."

marked 'Read'.

The Secretary stated that Mr Walsh's bond had been forwarded to the Local Government Board for their inspection.

— Appointment of Mr. H. O'Reilly assistant Co. Surveyor. —

Under date 13th May 1909, the Local Government Board wrote (letter No. 60709) approving of the appointment of Mr. Henry O'Reilly, as an assistant Surveyor, at a salary of £80 per annum, rising by increments of £5 annually to £100.

marked "Read."

— Payment of Poundage to collector John Walsh. —

Under date 4th May 1909, the Local Government Board wrote (letter No. 54542) assenting to the payment of poundage fees to collector John Walsh, on his collection for the past half-year.

marked "Read."

— Audit of Accounts - Gorey Rural District. —

Under date 29th April, the Local Government Board forwarded (letter No. 57715) report of their Auditor on his audit of the accounts of Gorey Rural District Council for half-year ended 30th September 1908.

marked "Read."

— Dredging Kilmore Harbour. —

Under date 5th May 1909 the Department of Agriculture and Technical Instruction wrote (letter No. 3042-89. J.B.) as follows :-

"Adverting to your letter of the 5th instant, I have to state, for the information of the Wexford County Council that the question of dredging Kilmore Harbour is not one of draught of vessel but of the class of dredger that could deal with the silt in that Harbour. The recent experiment with the Department's vessel "Eag an Bealach" proved that sand pumping there was not possible, but no difficulty arose with regard to draught.

The Department have been informed that both grab and bucket dredging were unsuccessfully tried at Kilmore. It is possible, however, that the appliances used were not suitable.

The Department are endeavouring to hire plant for the purpose of making further experiments at Kilmore. Dredging plant that seems likely to suit is at present

engaged elsewhere."

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

"That the attention of the Department of Agriculture be called to the fact that Mr. Russell on 21st September '08, promised a small sand pumping dredger to the Co. Council of Wexford to deal with Kilmore and similar Harbours and as the Department have not provided this dredger and as the "Tag an Bealach" experiment was a failure they be requested to take steps to provide suitable plant for the purpose."

Removal of Wrecks.

On the motion of Mr. Fortune, seconded by Mr. Kehoe, the following resolution was adopted:-

"That the Board of Trade and Department of Agriculture, be requested to agree to the removal of the two additional wrecks at Burracloe, as marked on the accompanying chart."

Courtown Harbour.

Under date 5th May 1909, the Department of Agriculture & Technical Instruction wrote as follows - (Letter No. 2885/09 - J.B.) -

"Adverting to your letter of the 28th ultimo, I have to state, for the information of the Wexford Co. Council, that the protection of the foreshore near Courtown Harbour is a matter solely for the Council; and the Department are ^{not} prepared to contribute to the cost thereof.

The Department are, however, ready to carry out the repair of the sluicing apparatus, under arrangement with the Council, and to contribute one half the cost thereof, as indicated in my letter of the 27th ultimo."

On the motion of Mr. Kinsella, seconded by Mr. Janning the following resolution was adopted:-
"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 the suggested improvements at Courtown Harbour in addition to the grant for the repair of the sluicing

apparatus at Courtown Harbour, previously promised."

— Compulsory Sheep Dipping Order. —

Under date 10th May (letter no 2002-09. v.B.) the Department of Agriculture & Technical Instruction wrote approving of the appointments of the following as Sheep Dipping Inspectors for 1909 :-

Gorey District :- Aidan Leary.

Ennisorthy District - Randal McDonald.

Wexford District - William Stafford.

marked "Read."

— Fethard Harbour. —

The Secretary read correspondence which he had had with Mr B. D. Oliver, Engineer to the Department of Agriculture &c., relative to improvements at Fethard Harbour.

It was decided that arrangements as to a visit to Fethard by Mr Oliver be made by the Secretary and that he inform the Committee appointed to deal with the matter of the date and hour of same.

— Fatal Accident at Courtown Harbour. —

Under date 3rd June 1909, the following letter was read from Mr P. Stapleton, Harbour Master, Courtown:-

"I beg to report that while engaged painting the Flagstaff on Courtown Harbour Square, on this date, Thomas Bolger fell from same and sustained a compound fracture of the thigh and a broken collar bone, and is also suffering from shock. He was attended by Dr. Nolans and is going to Hospital this evening, the cause of the accident was a pin coming out of a shackle."

This man agreed to paint the staff for 4/- which sum I paid him and same is paid annually for the painting of same."

Under date 5th June the following was read from Mr Stapleton :-

"I am sorry to inform you that Thomas Bolger died in Gorey Hospital on this date."

Under date 7th June 1909, Mr Stapleton wrote as follows :-

"I beg to inform you that an inquest was held on the late Thomas Bolger, by Mr. Ellis, and Dr. Stephenson on 5th inst.

The jury found that the late Thomas Bolger, came by his death by falling from a flagstaff at Courtown Harbour, on 3rd inst., said flagstaff being defective.

I beg to add that I was not informed that an inquest would be held till after 4 p.m., therefore I had no time to communicate with the Co. Council, but I asked for an adjournment which the magistrates told me lay in the hands of the jury, and from the composition of same I came to the conclusion it would not be granted therefore I withdrew it. Of course you will see the evidence in the local papers."

The Secretary stated at a meeting of the Finance Committee in May '07 the following resolution had been adopted:-

"That our Secretary request Mr. Elgee, Solicitor, to have prepared for the annual meeting of the Co. Council on the 10th June a list of the officers whom he considers should be covered by insurance under the new Workman's Compensation Act."

When Mr. Elgee prepared the list referred to, the Council advertised for and entered into a general policy of insurance as regards the officers referred to by Mr. Elgee, but no provision was made as regards protection by insurance in respect of casual labour. As a matter of fact neither Mr. Elgee, nor the Secretary was aware that there was any casual labour employed by Co. Surveyor, or Harbour Masters; and the workmen employed at Sarasill Quarry, and on works in charge of the Co. Surveyor were covered by another policy of insurance."

"This matter was postponed till the next meeting of the Council."

— Dues.— Courtown Harbour. —

At the meeting of the Finance Committee on 15th May, the following resolution was adopted:-

"That the attention of the Courtown Harbour Committee

be called to the fact that the arrears of dues have increased from £21: 14: 6d at 31st March 1908, to £29: 15: 3d at 31st March 1909, and that the Committee be requested to furnish a report to the next meeting of the Co. Council in reference to the matter, embodying their views as to the best means of dealing with the arrears."

The following was received from the meeting of the Courtown Harbour Committee held on 1st June:-

"The Courtown Harbour Committee beg to inform the Co. Council with reference to their letter of May 15th that the arrears of dues have increased owing to the winter fishing on which the fishermen depend for their livelihood being an entire failure, few men earning more than a few shillings the whole winter.

We have directed the Harbour master to make every effort to collect as much as he can of the outstanding dues; and hope that in time a considerable reduction of the arrears will be made."

"Adjourned to next meeting."

Limit - Road Expenditure.

Under date 5th June the following letter was read from Mr. Webster, Co. Surveyor:-

"I find that if all the liabilities connected with road maintenance for the year ending March 31st 1910, were paid for within the year in the Rural Districts of Gorey and Enniscorthy, the limits of expenditure authorized by the Local Government Board in these two districts would be considerably exceeded. This is due to the fact that the prices for road maintenance have greatly increased, mainly due to the special efforts, which have been made to procure stones from the best quarries, even when such quarries are far from the roads, and the increase for Enniscorthy Rural District is also partly due to the expenditure incurred for steamrolling in the vicinity of Ferns, and to the large number of special works approved of at the last half-yearly meeting. I would suggest that the Co. Council should ask the Local Government Board to sanction an increase of £800 to the limit of expenditure for Gorey Rural District, and of £250 to that of Enniscorthy Rural District.

I do not anticipate that all the liabilities will be paid within the year ending March 31st 1910, but I believe the sanction of the Local Government Board will be required where the liabilities exceed the authorized limit."

"On the motion of Mr. Ennis, seconded by Mr. J. Bolger the following recommendation of the Finance Committee was adopted:-

That we ask the Local Government Board to sanction the increase of £800 to the limit of expenditure in Gorey Rural District, and an increase of £200 in Enniscorthy Rural District for the term of five years."

— Chairmen. Rural District Councils, etc. —

Communications were received from the clerks of the Rural District Councils of Enniscorthy, New Ross and Wexford, as to the appointment of Messrs Shaddus Bolger, Michael Hickey, and Gregory Walsh, as chairmen of these Councils.

Mr. Brighton, Clerk Gorey Rural District Council wrote that Mr. T. J. Fanning had been appointed the representative of the District Council, under Section 8 of the Local Government (Ireland) Act, the Chairman of the District Council, Mr J. H. G. Comonde, being already an elected member of the County Council."

marked "Read."

— Castle Traffic. Rosslare Harbour. —

At the last meeting of the Co. Council the following resolution relative to the opening of Rosslare Harbour as a port for Castle Traffic, was adopted:-

"That our Secretary invite the Agricultural & Farmers Societies of the County, with the Castle Dealers and Shippers of the County, to meet in conference with the representatives of the Co. Council, to consider the grave question raised by the letter of the Gt. S. & W. Railway Co., with regard to Castle Traffic of the County, and the steps which might be taken to ensure the opening of a suitable service from Rosslare to Fishguard. That a copy of the letter of

the Gt. S. & W. Railway Co., be forwarded to those concerned, and that the Committee be requested to hold a special meeting to consider the matter.

That the following be appointed as a Committee to assist the Secretary:- Messrs Ennis, James Codd, Browne, Peacocke, Aspley, Hickey, and Walsh."

The Secretary stated that the following bodies had agreed to send delegates to the Conference:-

New Ross Agricultural Society; Gorey Farming Society; Cushinstown Farmers Association; Forth Agricultural and Industrial Association; Wexford Agricultural Society; North Wexford Farmers Society; Wexford Rural District Council; New Ross Urban District Council; New Ross Rural District Council; Enniscorthy Urban District Council; Gorey Rural District Council; Enniscorthy Rural District Council.

No replies had been received from cattle Dealers and shippers.

The Chairman proposed that the proposed Conference re cattle Transit from Rosslare Harbour be held on 26th inst. at 2.30 p.m. in the Co. Council Chamber. "Passed."

— Change of Surety. —

Under date 7th June, an application was read from Mr. John Forrestal, District Councillor, Enniscorthy; asking to be relieved of his suretyship for William Doyle, Rathduff, Killanne; (Road No. 118 Enniscorthy District) and submitting the name of Mr. Jeremiah Murphy, Rathnure, in his place.

The following resolution was adopted:- Proposed by Mr. Peacocke, seconded by Mr. Kehoe:-

"That we agree to substitute the name of Mr. Jeremiah Murphy, Rathnure, Killanne; as security for Mr. William Doyle, Road Contractor; for Road No. 118 Enniscorthy District) provided that Mr. Doyle and his sureties enter into a new bond with the Secretary to the Co. Council, previous to our next meeting; at the Courthouse, Wexford."

— Telephone Line - Gorey. —

at the last meeting of the County Council the following

resolution was adopted relative to an application from the Postal authorities:-

"That the Post office authorities be given permission to have erected an overhead telegraphic line in Gorey, in accordance with the application of the 20th April, line to be erected to the satisfaction of the County Surveyor, and to be removed on six months notice from the Co. Council."

The Acting Superintending Engineer wrote under date 6th and 12th May pointing out that the insistence of the removal clause would probably have the effect of causing the abandonment of the work.

In consequence of this the Chairman of the Council had agreed to the deletion of the removal clause from the way-leave consent, anticipating the next meeting of the Council."

On the motion of Mr. Ennis, seconded by Mr. John Bolger, the following resolution was adopted:- "That as Sir Thomas Comond, is aware of the wishes of the inhabitants of Gorey, we confirm the interim permission given by him for the deletion of the removal clause relative to the poles for a telephone service in Gorey."

Opening of Post Offices on Sundays.

Under date 7th May the following communication (No 211281-08) from the Secretary to the General Post Office, London; was read:-

"I am directed by the Postmaster General to acquaint you for the information of your Council, that he has been carefully considering the question of modifying the present hours of attendance at Post Offices on Sundays with the view of restricting Sunday labour and thereby enabling the staff concerned to enjoy a longer period of rest.

As he stated in a public speech recently, as well as in the House of Commons on the Post Office estimates the other day, Mr. Sydney Buxton would wish to open the telegraph offices on Sunday half an hour later, namely at 8.30 a.m. instead of 8 a.m. He is strongly inclined to think that, while a reduction of the Sunday attendance would certainly be a great boon to postmasters, sub-postmasters

and others, it would ~~not~~ entail any serious drawback; or, in other words, that the public could assist to improve the conditions of service in the post office without materially affecting their own convenience.

In Scotland it is already the usual practice to open Telegraph Offices on Sundays for one hour only, from 9 a.m., to 10 a.m.; but in England, Wales and Ireland, the hours, generally speaking and except at the largest offices, are from 8 a.m., to 10 a.m.,

Returns which have recently been taken at a large number of representative offices show that the amount of business transacted at Post offices between 8 a.m., and 8.30 a.m., on Sundays is comparatively small. This information confirms the impression that no serious inconvenience would be caused to the public if the time of opening were altered to 8.30 a.m.

The proposal does not contemplate any general alteration of attendance at very large offices where exceptional facilities for the transaction of Telegraph business on Sunday^{are} afforded, although in individual cases it may be found to be practicable to modify the existing arrangements.

In some cases Post offices are also open for the transaction of telegraph and certain kinds of business at later periods of the day; but any change affecting those periods would depend on local circumstances and each case would have to be considered on its merits.

Comments already made on Mr. Buseton's proposal appear to him to indicate that his suggestion may be generally viewed with favour; but, before taking any definite steps in the matter, he is anxious to have some further indication of public opinion, and he directs me to enquire your Council's views on the change as affecting the public within its area.

The Postmaster General will be glad to hear from your Council on the subject as early as circumstances permit."

Mr. J. Bolger proposed:- "That this Council has no

objection to the opening of Postal Telegraph Offices on Sundays at 8.30 a.m., instead of 8 a.m., as at present."

Mr. Stafford seconded.

"Passed."

— Poisons & Pharmacy Act. —

The following made application for the issue of licenses under the Poisons & Pharmacy Act 1908, for the sale of poisonous substances :-

Messrs James Sinnott, The Ballagh; Edmond Doyle, (junr) Broadway; John J. Purcell, Broadway; Alexander Kinisella, Gorey; John S. Hearne, Bawn James; New Ross; Patrick J. Doran, 26 main St. Gorey; James Walsh, Danescastle, Bannow.

In connection with the application of Messrs Brien and Keating, Wexford; adjourned from last meeting of the Council, the County Inspector, R. J. C., reported that applicant had now a place specially set apart for the sale of poisons on the premises.

On the motion of Mr. Stafford, seconded by Mr. Ennis, the above licenses were granted.

The following resolution was adopted on the motion of the Chairman, seconded by Mr. Peacocke:-

"That the Inspector General R. J. C., be requested to allow the Constabulary to report to the County Council on applications for licenses under Poisons & Pharmacy Act. 1908."

— Weights & Measures Regulations - Punches for Stamps. —

Under date 7th June a letter was read from the County Inspector, R. J. C., stating that 36 punches for obliterating stamp marks, and 24 punches for impressing date marks were required for the various petty sessions districts of the County.

Proposed by Mr. Hore, seconded by Mr. Peacocke and passed :- "That we request the County Inspector to obtain the necessary punches required under Weights and Measures Regulations referred to in his letter of 7th June."

On the motion of Mr. Stafford, seconded by Mr. Aspley the following resolution was adopted :- "That we request

the Co. Inspector to furnish us with information as to the basis for the levy of charges to traders under weights & measures acts, and to state to what purpose the funds received by the police are applied."

— Ex-Officio Inspector - Food & Drugs Act. —

Under date 4th May the County Inspector R. J. B. Wescford wrote requesting that acting Sergeant Matthew Donaghy of Wescford be appointed as official Inspector under the Food & Drugs Act, for the petty sessions district of Wescford, and Sergeant James Considine, of Killinick for the petty sessions district of Killinick.

Proposed by Mr. Ennis, seconded by Mr. Kehoe, and passed:-

"That acting Sergeant Matthew Donaghy of Wescford be appointed as official Inspector under Food & Drugs Act for Petty Sessions District of Wescford, and Sergeant James Considine, of Killinick for Petty Sessions District of Killinick."

— Children Act 1908. —

Communications were received from the petty sessions clerks of Wescford, Duncormack, and New Ross, and District Inspector O'Neill, R. J. B. Gorey, as to applications to be made to Petty Sessions Courts, relative to the committal of children to Industrial Schools, under the Children Act, 1908.
marked "Read."

— Erection of House on Newtownbarry Square. —

The following resolution adopted at a special meeting of Newtownbarry Branch of United Irish League and Town Liner's Association was read for the meeting:-

"That we as representatives of the Town and Public at Large claim the right to the market place as a public thoroughfare for holding fairs and markets and this house is an obstruction to the people holding same. And we want the Co. Council to have Mr. Hall-Dare's right to this market square, questioned, as we are convinced that it is the

Co. Council who has the right to receive the rent of it for the past nine years. We also ask the Council to have this Iron Horse removed forthwith."

Mr. Elger said he had received the following letter from Mr. Hall-Dare's agent:-

"Mr. Hall-Dare sent me on your letter of the 8th May and instructed me to say that in his opinion the erection of temporary premises for a shop at corner of Market Square is no obstruction to anyone - not nearly as much as has often been caused by erection of booths, stands, etc., for the purpose of a circus without any question being raised. I think that you should give me some specific instances of what obstruction is caused, and on whose complaint the Co. Council is acting as Mr. Hall-Dare can see no grounds for any complaint or any grievance to anyone is being caused at present."

Under date 12th June 1909, the following letter from Mr. R. W. Hall-Dare, was read:-

"Referring to your recent letter as to the Square in Newtownbarry. The temporary shop has been placed there pending the erection of a house by Mr. Shackaberry, to whom I intend giving a lease of a building site, which will be in line with the other houses on that side of the Square. It is right to add that the Square is my property, and is let at an annual rent by me to a tenant, who has charge of the Square - otherwise I have always kept control of it."

Mr. M. Doyle proposed that Council's opinion be obtained with regard to the rights of the Public in the Market Square, Newtownbarry.

Mr. J. Bolger, seconded.

"Passed."

Claim for Advertising.

In connection with a claim made by Mr. N. J. Cosgrave, Wexford, for advertising in the Wexford Independent, the Finance Committee referred the matter to Mr. Elger, Solicitor to the Council; who wrote as follows under date 18th May:-

"I am in receipt of your letter of the 10th instant, with copy Resolution of the Finance Committee direct-

ing me to advise them as to the claim made by Mr. N. J. Cosgrave, on behalf of the County Wexford Independent Co., on foot of the contract by that company for inserting advertisements in the Wexford Independent Newspaper for the County Council for the year ending the 31st March last.

I have considered the Resolution and the documents you sent me therewith, and there appear to me to be three questions involved in the case.

The first is will the Finance Committee consider the claim at all which I think they can decline to do having regard to the fact that the contract was not fulfilled.

The second question is, if they do consider it, what sum they would pay. It seems to me that the proper amount would be £15 : 16 : 8d, that is, the contract for the year was £40, out of which £10 for the quarter ending 30th June last was paid, leaving £30 due. The work was done up to the 21st November 1908, and the proportion of the contract from the 30th June to that date being 4 months and 22 days, would be £15 : 16 : 8d, this would leave £14 : 3 : 4d towards the cost of the advertisements which during the period between November 1908 and 31st March 1909, were inserted in three Newspapers at a cost of £17 : 3 : 6 but I doubt if the Finance Committee would have a right to charge for inserting in more than one Newspaper. So that they could not deduct the difference between the £14 : 3 : 4 and the £17 : 3 : 6 from the £15 : 16 : 8d.

The third question is, however, the most serious of all, and that is, if the Committee decide on paying, whom should they pay; Mr. John Butler who signed the contract, subsequently ceased, I understand, to have anything to do with the company, and the company itself, has, I also understand, ceased to exist, and I am not aware of the Sureties who jointed Mr. Butler in the Bond having any right to ask for payment, as they have had to pay nothing under the Bond, and I think that under all the circumstances of the case the safest course for the Committee to adopt

would be to decline to pay and let any party who thinks he is entitled to the money sue for the amount and then the Co. Court Judge can decide who is the proper party to receive payment. I return the tender, bond etc."

The communication from Mr. Elge was considered at the meeting of the Finance Committee on 29th May when the following recommendations were adopted:-

"That the Committee are prepared to recommend the Co. Council without prejudice to pay £10 : 16 : 8 to the legal representatives of the Co. Wexford Independent Co., Ltd., on their establishing their legal right to receive this amount, and to accept same in full discharge of any liability under the advertising contract with the Co. Council."

"That in the event of Mr. R. W. Elge, Solicitor to the Council holding it to be safe and prudent to do so, that a copy of the resolution passed by the Finance Committee this day relative to the claim of the Co. Wexford Co., re advertising contract be forwarded Mr. R. J. Borgrave, Wexford."

Mr. Ennis moved, and Mr. Bolger seconded, the adoption of the foregoing resolution of the Finance Committee.

Mr. Ennis also proposed, and Mr. Bolger seconded the following resolution which was adopted:-

"That the sum of £10 : 16 : 8 be paid for the Co. Wexford Independent Co., to Mr. M. J. O'Connor, Solicitor on Mr. O'Connor giving a personal guarantee to indemnify the Council against any claims to the amount by any person, and against any surcharge by the auditor."

— Road Contractors —

Mr. Joseph Bolger, Ballyconran, applied to be relieved of road contract in Gorey District.

Mr. Elge said the Co. Council had no power to relieve the contractor, and surties of their responsibilities
"no order was made."

— Irish Co. Councils General Council. —

The Secretary of the General Council of Irish Co. Councils wrote that the heavy expenditure incurred by the General Council in having the Irish cause against the existing Railway System in Ireland placed before the Vice Regal Commission by eminent counsel had completely exhausted the resources of the General Council and they were therefore compelled to ask the Co. Councils this year to pay the full affiliation fee £10 payable under the Local Government (Ireland) Act 1902.

The following recommendation was made by the Finance Committee meeting of 29th May '09 :-

"That we recommend the County Council to pay the full affiliation fee to the Irish Co. Councils General Council."

"On the motion of Mr. Ennis, seconded by Mr. Keacocke the Council confirmed the recommendation of the Finance Committee that the full affiliation fee of £10 be paid."

— Ballythomas Quarry. —

Under date 14th May the following letter was read from Messrs M. J. O'Connor & Co., Solicitors, Gorey:-

Terence Dunne v. Owen Bolger, Moses Walsh, & Alice Purcell.
Michael Kavanagh v. Same.

In these two cases we applied at Gorey Petty Sessions to-day for a Magistrates Order to enable our clients, the complainants, who are Road Contractors, to enter the lands of Ballythomas known as Ballythomas Quarry to obtain Road materials.

The Defendants appeared and raised the point that they were not in possession of the lands at all, that the person in possession of the lands was Lord Powerscourt and that it was against him that proceedings should have been brought. The Magistrates agreed with this view and dismissed the summonses without prejudice. The Defendants asked for costs and we objected on the ground that the action of the Defendants misled our clients, because the Defendants had previously agreed with the County Council for the sale of this same quarry for which

would be to decline to pay and let any party who thinks he is entitled to the money sue for the amount and then the Co. Court Judge can decide who is the proper party to receive payment. I return the Tender, Bond etc."

The communication from Mr. Elgee was considered at the meeting of the Finance Committee on 29th May when the following recommendations were adopted:-

"That the Committee are prepared to recommend the Co. Council without prejudice to pay £10 : 16 : 8 to the legal representatives of the Co. Wexford Independent Co., Ltd., on their establishing their legal right to receive this amount, and to accept same in full discharge of any liability under the advertising contract with the Co. Council."

"That in the event of Mr. R. W. Elgee, Solicitor to the Council holding it to be safe and prudent to do so, that a copy of the resolution passed by the Finance Committee this day relative to the claim of the Co. Wexford Co., re advertising contract be forwarded Mr. R. J. Borgrave, Wexford."

Mr. Ennis moved, and Mr. Bolger seconded, the adoption of the foregoing resolution of the Finance Committee.

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— Road Contractors —

Mr. Joseph Bolger, Ballyearan, applied to be relieved of road contract in Gorey District.

Mr. Elgee said the Co. Council had no power to relieve the contractor, and surties of their responsibilities
"no order was made."

— Irish Co. Councils General Council. —

The Secretary of the General Council of Irish Co. Councils wrote that the heavy expenditure incurred by the General Council in having the Irish cause against the existing Railway System in Ireland placed before the Vice Regal Commission by eminent counsel had completely exhausted the resources of the General Council and they were therefore compelled to ask the Co. Councils this year to pay the full affiliation fee £10 payable under the Local Government (Ireland) Act 1902.

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our clients required an Order to enter, and the magistrates refused to allow the Defts any costs.

We think it right to bring to your notice that in the case of our client Mr. Jerome Dunne, he is bound under the terms of his contract to obtain materials from this quarry and as he did his best to obtain the Order to enter the Quarry and failed, the Co. Council cannot blame him if he now finds himself unable to fulfil the condition in this contract with regard to material.

We should mention that Mr. G. H. Richards from your office and Mr. Thomas Paddle, Deputy Surveyor, attended in Court and gave our clients and ourselves all the assistance they possibly could."

"This letter had been considered by the Finance Committee at the meeting of 29th May when the following recommendation was adopted:-

That our Secretary furnish a copy of the communication of Messrs O'Connor & Co., Solicitors to Mr. H. Webster, Co. Surveyor; and Mr. Paddle Assistant Surveyor; and that the former be requested subject to the approval of the Co. Council, to endeavour to allow the contractors in question to provide stones from some other quarry."

Mr. Ennis proposed, and Mr. Bolger seconded the following resolution of the Finance Committee:-

"That our Secretary furnish a copy of the communication of Messrs M. J. O'Connor & Co., Solicitors; to Mr. Henry Webster, Co. Surveyor; and Mr. Paddle Assistant Surveyor; and that the former be requested to endeavour to allow the contractor in question to provide stones from some other quarry."

— Special Work in Enniscorthy District. —

With reference to Special Work W. in Enniscorthy District to construct footpath from bridge to the Chapel of Newtownbarry - for which Andrew Kehoe Rossard, was accepted contractor at £110, at last meeting of the Council, the following order had been made by the Co. Council:- "approved provided the contractor carry out the work with flagging instead of concrete; failing this; work to be referred back to District Council."

Under date 23rd May a letter was read from the contractor that he would carry out the work in flagging marked "Read".

— Rate collectors John Walsh & J. L. Doyle. —

With reference to resolution of last meeting of County Council that Rate collectors John Walsh, and James L. Doyle, be allowed to remain in office provided they would give a written guarantee that they would collect the rates regularly in future and if they would not do so, they would resign; - the following letter under date 3rd June was read from Mr. John Walsh:-

In reply to yours of the 29th ult., asking for a guarantee that I would collect the Rates in my district regularly in future, or in the event of failing to do so, I send in my resignation; I beg to inform you that I hereby agree to the terms

Under date 12th June '09, Mr. J. L. Doyle wrote:-

"To fulfil a verbal promise made to your Co. Council, I now promise that if I am unable (unless through illness) to do much better at my present collection than on former occasions, I will resign in October."

marked "Read."

— Analyst's Report. —

The following report from the County Analyst for quarter ending 31st March '09, was laid before the meeting:-

City Laboratory
17 Castle St. Dublin
10th May 1909.

Report of Sir Charles Cameron, B. Sc., M. D., Public Analyst, for the County Wexford; on articles submitted to him for analysis during the quarter ended 31st March 1909.

27 articles were received from the Food Inspector R. J. C., as follows...

article	number
Butter	10
milk	9
whiskey	8

Port Wine	2
Cheese	1
Total	27.

Certificate sent to Constable White, Gorey, for specimen of milk adulterated with at least 10 per cent of added water.

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

For the Guardians of Gorey Union twelve drugs were analysed. Two were incorrect.

For the Guardians of Enniscorthy Union nine drugs twenty-two specimens of tea and nine of wine were analysed. The drugs were correct. The specimens of tea and wine were analysed to ascertain which was best for use in the workhouse.

One specimen of water analysed for the Guardians of Wexford Union had the following composition. One imperial gallon contained in grains.

Total solid matters 61.320.

Including

albuminoid ammonia 0.010

saline ammonia 0.002

Nitric acid 2.800

Chlorine 10.387

Sulphuric acid 2.000

Equal to calcium Sulphate 2.800

a good water.

For the Enniscorthy Co-operative Society two fertilizers were analysed. One was not up to standard.

For Messrs W. & S. Armstrong, Enniscorthy, two fertilizers were analysed.

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

Total analyses. - 99.

B. A. Cameron.
marked "Read."

Gorey Road Contractors.

Mr. P. O'Neill, Ballingarry, Gorey forwarded the following resolution adopted at a meeting of Gorey Road Contractors:-

Resolved:- That we the Road Contractors respectfully request the Wexford Co. Council, to change the system of paying salaries from half-yearly to that of quarterly; as we believe that such a change would entail no additional cost as your Council are making important changes all round."

No Order.

The Land Bill

The following resolution was received from Kilkenny Union:-

"That we earnestly request the Irish Parliament any Party to have a compulsory clause inserted in the new Land Bill compelling Landlords who purchased portions of land estates in Ireland since the passing of the Ashbourne Act be now compelled to re-sell to the tenants on the same number of years which the other tenants purchased for in such estates."

marked "Read."

Acquisition of Quarries

The following resolution adopted at Enniscorthy Rural District Council on 19th inst., was read:-

"That we call upon the Co. Council to acquire all suitable quarries from which stones can be obtained for the building of labourers cottages throughout the entire Rural District of Enniscorthy, as at present stones cannot be obtained without extra cost and additional labour, with the result that at present there are about 26 cottages under the last scheme which cannot be built owing to the contractors being unable to procure stones."

Proposed by Mr. Ennis, seconded by Mr. Asple, and passed:- "That the Enniscorthy District Council request they have absolutely no power to purchase quarries from which to obtain stones for the erection

of labourers cottages.

— Purchase of Petty Sessions Houses. —

The following resolution was received from Waterford Co. Council :-

"That we call on our Parliamentary Representatives to use their endeavours to obtain an Act of Parliament enabling Co. Councils to purchase the Petty Sessions Houses in their respective Counties and to provide for the maintenance of same, the present system under which County Councils can only rent the Houses being objectionable and expensive and the several Councils notwithstanding the payment of Rent for any number of years under the existing law being unable to acquire in the Petty Sessions Houses an interest other than that of Tenants."

marked "Read."

Edmund Fox.

Special meeting - 26th June 1909.

A special meeting of the Wexford County Council was held in the Council Chamber, Courthouse, Wexford on 26th June 1909.

Present:- Mr. E. Hare, Chairman (presiding)
Other members:- Messrs C. H. Peacocke, James Codd, M. Brown, M. Codd, M. A. Ennis, J. Asple, and J. Cummins.

The Secretary, and Mr. R. W. Elger, Solicitor, were also present.

— Vote of Condolence to Mr. A. Kinsella, M. B. C. —

The following letter from Mr. A. Kinsella M. B. C., in reply to a resolution of condolence passed by the Co. Council on the death of his brother was ordered to be inserted on the minutes on the motion of the Chairman seconded by Mr. Ennis:-

"I am in receipt of yours of the 18th inst., forwarding me copy of resolution passed by the Co. Council on the death of my dear brother. Words can scarcely express how much I appreciate such kindness from my colleagues on the Council, and to them I beg to return my heartfelt thanks.

To you also I am deeply thankful for your kind expression of sympathy. Such expressions tend to lighten the burden of grief which comes to the lot of us all sometime in our lives.

Again thanking the Council and yourself, for your great kindness in this my time of trouble."

— Opposition to Road Contracts. —

Mr. Ennis moved the following of which he had given previous notice:- "That in future the County Council will refuse to consider any application as to breaking of a road contract unless notice has been served on the contractor accepted by the District Council."

Mr. Peacocke seconded the motion which was adopted."

Road Specification & upkeep of Roads.

Mr. Asple moved the following of which he had given previous notice:— "That a small committee of the Council be appointed (in conjunction with the County Surveyor and Assistant Surveyors) for the purpose of revising the existing road specification, and of considering the question of the general upkeep of the roads."

Mr. Ennis seconded the resolution which was adopted.

The following committee was appointed:— The Chairman, and Vice Chairman, Messrs Asple, Ennis, J. S. Hearn, P. J. Fanning, John Bolger, and W. Forrestal.

Burkestown Quarry.

On the motion of Mr. Cummins, seconded by Mr. Peacocke, the following resolution was adopted:— "That in the event of our Secretary not hearing within the next fortnight from Mr. Oliver, Engineer of the Department of Agriculture & Technical Instruction, relative to fixing a day for his visit to Fethard Harbour, that the committee appointed to visit Fethard Harbour and Burkestown Quarry, be specially requested to inspect and report on the advisability of the Co. Council acquiring this quarry."

A Road Contractors Grievance.

Under date 26th June the following letter was read from Patrick Morris, Road Contractor, Ballyconran Craanford:—

"I respectfully beg to direct your attention to a matter which is causing me great trouble, I got two road contracts no. 113, and 121 at Gorey District Council meeting November. to commence on the 1st April 1909 for a term of five years. The Council's specifications for those contracts provided for material from Slievebawn Quarry. At the time I tendered for the above contracts I understood negotiations were pending for the purchase of this Quarry by the Co. Council, and it was on this understanding that I took the contracts. As I do not see any immediate prospect of this quarry being made available

under the circumstances I find myself utterly unable to fulfil my contracts, and ask the Co. Council to either relieve me of those contracts or allow me to substitute the best field stones I can get for the present year. I would not trouble the Council only that I see no other option in the matter."

On the motion of the Chairman, seconded by Mr. Peacocke the following resolution was adopted:-

"That a copy of letter from Mr. Patrick Morris, Ballyconran, be forwarded to County Surveyor and Mr. Paddle, Assistant Surveyor; and that they be requested to do what is possible for this contractor as the Council consider he has a grievance."

— The Valuation Lists. —

The Secretary laid before the Council lists for revisions of valuation.

On the motion of Mr. Ennis, seconded by Mr. Peacocke, the following resolution was adopted:-

"That the several lists for revision of valuation as laid before the Council by our Secretary be forwarded for revision to the Commissioner of Valuation."

— The American mails for Fishguard. —

Proposed by Mr. Ennis, seconded by Mr. Cummins and passed:-

"In view of the reply of the Postmaster General to Mr. Peter French, M.P., in the House of Commons, we invite him to specify what are the difficulties in carrying a heavy American mail by the Fishguard route, as we have made close inquiry into the matter and cannot discover any such difficulties, and we would further point out that we have not suggested that the mails from the north of England should be carried by that route, but only those from the south of England (south of Birmingham) London and the Continent."

And that copies of this resolution be forwarded to Sir Thomas Esmonde, Mr. Peter French M.P., Mr. John C. Redmond M.P., the Postmaster General, and the Chief Secretary for Ireland."

Proposed Bridge at Waterford.

Mr. Elger made the following statement to the meeting relative to the inquiry by the Committee of the Privy Council as to the erection of new bridge at Waterford:-

"I appeared again on behalf of the County Council (by Counsel) before the Privy Council. All the contributory Councils were represented as was Waterford Corporation.

The latter tried to get in evidence as to the respective merits of steel and iron and ferro-concrete, but the Privy Council would not have it. They would not allow any evidence of that kind to be given. The only evidence they would allow to be given was anything that would show a good and valid reason why the Waterford Corporation had changed their mind as to what the bridge should be constructed of as between the first hearing of the appeal and the 4th May, when the Waterford Corporation held their meeting. They could give no such satisfactory evidence, and the Privy Council adhered to the decision they had given on the first hearing and decided on having a ferro-concrete bridge. They directed that each County should see the plans and specifications furnished, and if they had any objection to make to these plans and specifications to make them within a fortnight."

On the motion of Mr. Ennis, seconded by Mr. James Codd, the following resolution was adopted:-

"That the report received from our Co. Surveyor relative to plans and specification of proposed ferro-concrete bridge at Waterford, be forwarded by our Solicitor (Mr. Elger) to the Committee of the Privy Council."

Fatal accident at Courtown Harbour.

Under date 15th June 1909, the following letter was read from Messrs Huggard & Brennan, Solicitors:-

"You are hereby requested to take notice that Thomas Bolger of Courtown Harbour in the County of Wexford on the 3rd day of June, whilst in the employment of your Council painting a flag staff situate in the square

at Courtown Harbour, fell from said flag staff and was fatally injured, and died on the 5th day of June.

We are instructed to claim compensation from your Council on behalf of the deceased's widow, Mary Bolger, and her nine children, who were wholly dependent on the deceased."

Letters from the Harbour master at Courtown, under date 3rd June, 5th June, and 7th June; as appearing on minutes of last Co. Council meeting were read:-

The following recommendations of the Finance Committee, were agreed to on the motion of the Chairman, seconded by Mr. Doyle:-

"That the Co. Council instruct their Solicitor (Mr. Elgee) to ascertain from Messrs Huggard & Brennan, the amount of compensation they claim on behalf of the Widow and children of Thomas Bolger of Courtown."

"That we request the Courtown Harbour Committee to inform the Council whether in their opinion the flagstaff at Courtown Harbour serves any practical or useful purpose or whether it would not be better to have it removed. Also to furnish their observations with regard to the responsibility of Harbour Master in connection with the recent accident."

"That Mr. Elgee be instructed to take steps to cover the liability of the Co. Council fully, with regard to all claims under the Workmen's Compensation Act 1906, Employers Liability Act 1880, Lord Campbell's Act 1846 and Common Law. That he be instructed to perfect a policy at once in conjunction with the Secretary, if he considers the rate reasonable, and that the policy of insurance for works in the County Surveyor's hands be referred to Mr. Elgee with the object of seeing that it covers all liability of the Council."

— Dues Courtown Harbour. —

Under date 1st June the Harbour master Courtown Harbour forwarded the following minute of Courtown Harbour Committee:-

"The Courtown Harbour Committee beg to inform the Co. Council with reference to their letter of May 15th

that the arrears of dues have increased owing to the winter fishing on which the fishermen principally depend for their livelihood being an entire failure few men earning more than a few shillings the whole winter.

We have directed the Harbour master to make every effort to collect as much as he can of the outstanding dues; and hope that in time a considerable reduction of the arrears will be made.

M^r. Cummins proposed and the Chairman seconded the following resolution which was adopted unanimously :-

"That our Solicitor M^r. Elger be instructed to take whatever steps he considers necessary to recover amounts for arrears of dues - Courtown Harbour."

— Jubilee of most Rev D^r. Browne D. D. —

The following resolution was adopted on the motion of M^r. Ennis, seconded by M^r. Peacocke :-

"That we the Wexford Co. Council desire to associate ourselves with the spirit of the resolution adopted by the Gorey Board of Guardians, on the motion of Sir Thomas Comonde, that an address of congratulation be presented to the most Rev^d D^r. Browne, Lord Bishop of Ferns, on the occasion of the silver jubilee of his consecration.

With a view to joint action we invite Sir Thomas Comonde to call a meeting of representatives of the various public bodies in the County in order that the Catholic laity of the entire diocese may unite in honoring their Bishop."

We appoint the following delegates to represent the Council:- The Chairman, Messrs M. A. Ennis, and C. H. Peacocke."

— Deputy Coroner for North Wexford. —

Under date 8th June D^r. W. C. Cauler, Coroner for North Wexford wrote asking the Council to appoint as his deputy, D^r. A. B. Stephenson, Gorey.

On the motion of M^r. Peacocke, seconded by M^r. M. Bodd the following resolution was adopted :-

"That we hereby appoint D^r. A. B. Stephenson, Gorey, as

Deputy Coroner for North Wexford."

— Sanction of Mr. Gaffney, as Co. Surveyor. —

Under date 23rd June the following letter (No 77196) was read from the Local Government Board :-

"With reference to the entry in the minutes of Proceedings of the Wexford Co. Council on the 14th instant, relative to the appointment of Co. Surveyor, I am directed by the Local Government Board for Ireland, to state that they have approved of the appointment of Mr. Stafford Gaffney, as County Surveyor. The salary (£500) which is attached to the office in question has already been sanctioned, vide Board's letter of the 12th March last, No 40,067/1909."

— Sheep Dipping Inspector - New Ross District. —

Under date 16th June the Department of Agriculture & Technical Instruction wrote (letter No 2434) approving of the temporary appointment of Mr. John J. Egan, Boley, to act as Sheep Dipping Inspector for New Ross District during the present compulsory sheep dipping period at a remuneration of £14 for the period."

— Poisons & Pharmacy Act 1908. —

Under date 18th June the following letter (No 400242) was read from the Inspector General R. J. C. :-

"I have to acknowledge the receipt of your letter of 17th instant, and to acquaint you, for the information of the Wexford Co. Council, that as Parliament has thrown the responsibility of granting licences under Section 2 of the Poisons & Pharmacy Act, 1908, on the Local authorities, the Royal Irish Constabulary cannot undertake any duty in connection with the inspection of premises of applicants for licences or reporting on such applications. They will, however, be prepared to assist the Local authority with their advice in any particular case, if so desired"

"No order"

— Claim for Demurrage. —

Under date 23rd June the following letter was read from Mr. J. J. Dunphy, Ship Agent, New Ross :-

"The schooner 'Emma Alice' wanted to get down through Bridge here at 10.30 this a.m., and had a pilot on board, but the caretaker John Kough, would not open for her until 1.30 which prevented the vessel getting into berth at the Quay to load grain to-day.

I am instructed to apply for one day's demurrage on 67 ton Reg. at 4^d per ton - £1: 2: 4d which kindly remit."

The Secretary stated he had referred this letter to Mr. John Kough, caretaker of New Ross Bridge for his explanation, and had received the following reply under date 20th June :-

"In reply to your letter of 24th instant, I beg to state that the mate of the schooner 'Emma Alice' came to me on Wednesday evening last, and arranged to go through the bridge at 9.45 a.m., Thursday morning after the arrival of the mail train.

I was ready on Thursday morning at the time fixed to let the vessel through, but she was not ready until about 11.30. at that time trains were on, namely the incoming train from Wexford arriving at 11.30 and the in and outgoing trains from and to Waterford at 12.30 and 12.40 respectively. As the regulations provide that the Bridge should be open to the public for traffic at least 15 minutes before and 15 minutes after the arrival or departure of any train I could not allow the vessel through until about one o'clock at which time she went through. I was about on the Bridge from 9.30 until 11.30 and I can prove that the vessel was not ready until 11.30. You will therefore see who is to blame for the delay."

The Finance Committee had considered the matter and recommended that a copy of Mr. Kough's letter be forwarded Mr. Dunphy and that he be informed that in the circumstances the Co. Council declined to consider his claim."

"The recommendation of the Finance Committee was adopted on the motion of Mr. Ennis, seconded by Mr. Peacocke."

Budget Taxes- Locomotives.

under date 11th June the Secretary of the Highways Protection League, asked the opinion of the Co. Council as to the taxation of all mechanically propelled vehicles according to horse power or weight, whichever should prove to be the greater.

It was decided to adjourn the consideration of the matter to a larger meeting.

Railway & Harbour Charges.

The following resolution was received from Kerry Co. Council:-

Resolved- That as the Treasury Grant in Relief of Railway and Harbour charges was last year only £4,068 as against over £6,000 a few years ago, and as Railways are used for general as well as for local use, we ask the Government to arrange for a refund of the whole of the Railway charges over 6^d in the £ instead of half the excess as at present. Copies to be forwarded members of Government, and Co. members, with a request that steps be taken to have this provision included in one of the Bills- Land Bill Finance, or other Bill; to be passed this session, and thus afford much needed relief to poor and overtaxed Counties."

adjourned to next meeting.

Printing & Advertising.

A series of resolutions adopted by the Irish Trade Union Congress held at Whiteknights 1909 in Limerick, and dealing with advertising and home industry was laid before the meeting.

"It was decided on the motion of the Chairman seconded by Mr. Peacocke that the consideration of these resolutions be referred to the next meeting of the Finance Committee."

Collection of Poor Rate.

Mr. Cummins gave notice of his intention to move at next Co. Council meeting:- "That the time for closing the poor rate collection be extended by a month for each half-year so that the collection would

close on 30th April and 31st October in each year
instead of 31st March and 30th September as at present.

Edmund Horn