

SPECIAL MEETING.-6th OCTOBER 1913.

A Special Meeting of the Wexford County Council was held in the Co Council Chamber, Courthouse, Wexford, on 6th October 1913.

Present:- Mr John Bolger, Chairman, presiding.

Other Members:- Messrs A. Kinsella, James Codd, M. Doyle Junr, R. A. Rice, Patrick Rossiter, C. H. Peacocke, M. Gough, David Sinnott, J. T. Mayler, M. Doyle Senr., James A. Doyle, T. Asple, and P. J. Fanning.

The Secretary, County Surveyor, Mr R. W. Elgee, Solicitor, and Dr Wm O'Connor, Chief Tuberculosis Officer, were in attendance.

Solicitor's Costs.

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

"That the Seal of the Council be affixed to the requisition to tax the Miscellaneous Costs of our Solicitor (Mr Elgee) as from 30th September 1912, to 30th September 1913, and that Mr T. J. Healy, Solicitor, be appointed to represent the County Council at said taxation."

Loans-Steamrolling.

Proposed by Mr Rossiter, seconded by Mr Peacocke, and Resolved:-

"That the Seal of the County Council be attached to a Mortgage to The National Bank Ltd., to secure the sum of £1,700 in three sums of £520, £460, and £720, respectively, to be borrowed from the Bank in pursuance of the Consent of the Local Government Board dated 27th June 1913, said loan being for the purpose of steam-rolling roads as in said consent mentioned and to be repaid by five equal yearly instalments spread over a period of five years together with interest on the amount for the time being due at Three per cent per annum."

Road Material from Quarries.

Under date 17th September 1913, the Local Government Board forwarded for the information of the County Council the following Judgment of Chief Baron Pales, in the case of Britton v Tipperary (South Riding) County Council:-

IN THE HIGH COURT OF JUSTICE IN IRELAND.Kings Bench Division.

BRITTON

----V----

TIPPERARY COUNTY COUNCIL.(BEFORE PALLES C.B. AND DODD & MALONY JJ.,)J U D G M E N T.

1913-June 27th. PALLES C.B.

20 I.L.T.R.244

43 I.L.T.R.242

35 I.L.T.R. 44

39 I.L.T.R.256

The question argued is an important one not only because it is one which do often arises, but because there has been such a remarkable diversity of judicial opinion upon it, Mr Justice Lawson, in Smith v McIldowney (1) and Mr Justice Andrews, in Murphy v Macrory (2) have decided in favour of Mr Gibson's contention, while Mr Justice Murphy, in Latouche v Coady (3) and Mr Justice Johnson in Coplis v Nolan (4) have decided a contrary way.

I need not say that there is no Judge of modern times for whose opinion I have a greater respect than that of Mr Justice Andrews, and in addition to that we have in the report of Murphy v Macrory the reasons for the conclusion he arrived at. This shows that we must be careful in considering the case before coming to a conclusion, but I must say that I have arrived at a very clear conclusion upon it. I have no recollection whether it was argued before me on a civil-bill appeal as my brother Dodd thinks it was, but if it was I have no doubt that I decided in accordance with the views of Mr Justice Murphy and Mr Justice Johnson, as that has always been my view of the construction of the section.

I agree in much that Mr Gibson has said. I think it is against the genius of our law that an Act of Parliament should take away a man's property without giving him any compensation, and I agree that it requires affirmative, indeed coercive, words to do so, and I approach the question with that fixed opinion.

I decide entirely on the words of the section, Section 162 of the Grand Jury Act of 1836, as adapted by the Local Government (Adaptation of Irish Enactments) Order 1899, without reference to any English Act.

That Section enacts:-

"Every County Council and every Contractor for any work to be executed in pursuance of a resolution of a County Council shall have power and authority to dig for, raise, and carry away in or out of any lands, (not being a deer park, bleach green, orchard, walled garden, haggard or yard, or planted walk, lawn, or avenue, of a Mansion house), any gravel, stones, sand, or other materials, whether the same be found in the same or adjoining county, which may be wanted for the building, re-building, enlarging, or repairing any bridge, arch, gullett, pipe or wall, or for making repairing, or preserving any road or footpath."

In my opinion, having regard to the entire section, this clause in the section authorises not only the digging for, raising and carrying away the specified materials, but also their use in the specified building rebuilding, enlarging, making, repairing, or preserving.

Now what are the terms on which the County Surveyor or Contractor is authorised to do this? It is not without doing something in return that he was given the right. He "shall make such satisfaction for the damage done thereby, or by taking any such materials as aforesaid, as shall be assessed by three substantial householders." That is, it is a power to the County Surveyor or Contractor to take these materials upon his making a certain satisfaction, and the Legislature unquestionably did not consider that that was taking a man's property without giving him compensation.

Let us see then what that satisfaction is to be, the making of which is the condition upon which this right is given to the County Surveyor or Contractor. It is, as I read from the section, to be satisfaction for the damage done thereby or the taking of the materials as shall be assessed by three substantial householders, and the section goes on to say that these three householders in appraising the damages are not to include in their estimate the value of any stones, gravel, or other materials, but only the waste committed by breaking the surface and making a passage through the land, unless such stones, gravel, or other materials shall be taken from any quarries and gravel-pits bona fide demised with liberty to work the same-an exception that does not apply here.

Thus the Legislature says that this thing may be done upon satisfaction being made for damage by paying a certain amount of money to a particular person. What is the meaning of that? I hold that it is to make lawful that which would be otherwise unlawful. To authorise the taking of these stones which form part of the freehold of the land, and the applying them in the making of roads or other specified public works within the county, upon a sum to be ascertained in a particular way being paid in satisfaction I cannot add anything to that, The Legislature may have been right or it may have been wrong, but what it provided was:- "You may do this thing, which would otherwise be wrongful, on paying a certain sum to be ascertained by a tribunal constituted for that purpose".

What is the answer to that prima facie view of the section? It has been well put by Mr Kinahan. He argues that there would be an anomaly in holding that if the stones are taken from quarries which have been bona fide demised with liberty to work them, the estimate is to include the value of the stones taken, but if the person who works the quarry is not a lessee, but the owner in fee simple of the land, he is not to be paid such value. There is no doubt that anomaly. I agree however in the view put forward by Mr O'Connor that underlying the whole of this section is the idea that stones in situ, otherwise than in quarries actually worked or agreed to be worked, are of no value, and that this exception was introduced for the benefit of a lessee who was working or permitted to work as a trade an open quarry.

I hold that upon the true construction of the section the Legislature intended what it said, that these stones should be taken upon the terms of compensation being made for a particular thing in a particular way, and if these terms are hard terms in the present state of the country as distinct from the state in which the country was when the Act of William IV was passed, we have nothing to do with that. We must simply deal with the Act of Parliament as we find it.

We must give Judgment for the defendants.

Dodd and Malony JJ. concurred.

I certify the above to be a correct report of the
Judgment in this case.

J.G. Thompson, Barrister.

Reporting in the King's Bench Division for the Incorporated
Council of Law Reporting for Ireland.

23rd August 1913.

The Finance & Roads Committee discussed this matter, and referred it to Mr Elgee, Solicitor, for report, which Mr Elgee had furnished as follows:-

"In pursuance of the Resolution of the Finance & Roads Committee of the 24th September^{1st.}, directing me to report to the County Council ^{next} at their/meeting as to the effect of the Judgment of the Lord Chief Baron in the Case of Britton v The Tipperary (South Riding) County Council on the action of our County Council in taking Quarries by Agreement. I beg to say that I have perused the copy Judgment which you sent me and the Sections of the Act referred to in it and in my opinion the Judgment does not affect the County Council's action at all.

What the Chief Baron decided was that in cases where the County Surveyor or a Road Contractor obtain power to enter Land under the provisions of Sections 162 etc., of the Grand Jury Act compulsorily for the purpose of obtaining Stones, etc., for the repairs of any road, the Owner of the Quarry is only to be paid for the waste committed by breaking the surface of the Land and making a passage through it and not for value of any stones, gravel etc., taken out of the quarry, but the Judgment does not deal in anyway with cases where a quarry is taken by Agreement. It deals solely with compulsory taking.

The Judgment is rather a peculiar one as it is not stated in the first part of it what the question to be argued was, nor does it state in exact words at the end of it what the decision was, it leaves you to infer it from the words of the Section."

"NoOrder"

PROPOSED BARROW DRAINAGE.

Under date 15th August, the Under Secretary, Dublin Castle, forwarded Memorandum as to Draft Bill for proposed River Barrow Drainage and provision of Draft Bill.

This matter had been under consideration by the Finance & Roads Committee of the 3rd September 1913, when the following recommendation was adopted:-

"That we protest against the imposition of any taxation being imposed on this County for the drainage of the River Barrow as no benefit will be derived from this project by any of the ratepayers of the County. We demand that should the drainage works be carried out that steps be taken to safeguard the property of the ratepayers residing in the lower reaches of the river."

"On the motion of the Chairman, the recommendation of the Finance & Roads Committee was confirmed."

- New Member Co. Committee of Agriculture & Technical
----- Instruction-----

Mr M. Doyle, Cottage, Tagoat, wrote resigning his Membership of the County Committee of Agriculture & Technical Instruction.

A resolution was read from the County Committee recommending the appointment of Rev R. Fitzhenry, Adm., Enniscorthy, to the vacancy.

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

"That Rev R. Fitzhenry, Adm., Enniscorthy, be appointed a Member of the County Committee of Agriculture & Technical Instruction, vice Mr M. Doyle Junr., resigned."

"On the motion of Mr M. Doyle Junr., seconded by Mr Rossiter, the following resolution was adopted:-

"That Mr Peter Walsh, Killiane, Drinagh, be appointed an additional Member of the County Committee of Agriculture & Technical Instruction."

Tuberculosis Scheme under Insurance Act.

Under date 2nd October 1913, the following letter No. 51981-13, Wexford County, was read from the Local Government Board:-

"With reference to your letter of the 29th ultimo, relative to the arrangements of the Wexford County Council for the treatment of Tuberculosis, I am directed by the Local Government Board for Ireland to suggest that the County Council might authorise the Committee appointed by them on the 7th April last to proceed, in consultation with the Tuberculosis Officer, with the elaboration of the details of the Dispensary Scheme, such as, the selection of the site of the Central Dispensary, the preparation of plans and estimate of cost, the location of Branch Dispensaries, and the provision of temporary arrangements pending the completion of the Dispensary system, provided that the Committee's decisions are subsequently submitted to the County Council for confirmation.

It would be desirable that the County Council should now proceed to make definite arrangements in regard to the ten Sanatorium beds included in the Scheme adopted on 29th January last, and they might also enter into negotiations with the Insurance Committee with a view to the preparation of an agreement embodying the terms on which the County Council will assume responsibility for providing treatment for insured persons and

their dependants suffering from Tuberculosis."

Under date 3rd October, the Local Government Board wrote (letter No. 51,523-13 Wexford County) as follows:-

"I am directed by the Local Government Board for Ireland to acknowledge the receipt of your letter of the 27th ultimo, with enclosures, relative to the appointment of Dr William O'Connor, as Medical Superintendent of the Central Tuberculosis Dispensary to be established by the Wexford County Council, and, in reference thereto, I am to state, for the information of the County Council, that the Board have extended, for a period of six months, their provisional approval to Dr O'Connor's appointment.

I am to add that the evidence furnished in regard to the completion by Dr O'Connor of a six months' course of instruction in compliance with paragraph (b) of the Board's Order of the 19th July 1912, is satisfactory.

The Certificates which accompanied your letter are returned, herewith."

"On the motion of Mr Peacocke, Seconded by Mr Rossiter, Mr R. A. Rice, was appointed a member of the Management Committee under Section 5 of the Tuberculosis Prevention (Ireland) Act, vice Mr D. S. Goggin."

On the motion of the Chairman,

Seconded by Mr Rossiter, the following resolution was adopted:-

"That the details of the Scheme of the Council for the treatment of Tuberculosis as agreed to at the meeting on the 29th January 1913, be referred to the Managing Committee appointed by the County Council on the 7th April with liberty to make any alterations or amendments in these details which they, in conjunction with Dr O'Connor Chief Tuberculosis Officer, may consider necessary for the efficient working of the Scheme provided that the liability of the County Council will not be increased beyond the figure agreed to at the meeting of the 29th January 1913, viz:- £816 (practically the equivalent of one-half penny in the £) the Minutes of the Committee to receive the subsequent approval of the Council.

That the first meeting of the Management Committee be held at 10 O'Clock a.m., on 21st October in the County Council Chamber, Court House, Wexford."

On the motion of Mr Rice, seconded by Mr Peacocke the following

resolution was adopted:-

"That Mr Barry, County Surveyor, be requested to attend meeting of the Managing Committee."

Tuberculosis (Ireland) Order 1913.

Under date 12th August 1913, the Department of Agriculture & Technical Instruction wrote, approving of the proposal of the County Council to purchase one outfit for milk testing, cost not to exceed £25, and of the appointment of Mr R. Malone V.S., to carry out microscopical and bacteriological examinations necessary for the whole County for six months.

The Department further stated they had been advised that the fee of 2/6 for testing samples of milk was scarcely commensurate with the amount of work involved in a careful and exhaustive examination of milk of a cow suspected of tuberculosis.

The Department regarded the fee of 10/6 as recommended by the Veterinary Medical Association as on the whole a fairly equitable one, and had already approved of it for a period of six months in the case of another County.

Under date 8th August 1913, Mr R. Malone wrote that he was willing to carry out the microscopical examination etc., under the tuberculosis Order for the whole County.

As a considerable amount of time would be required in examining each sample he was sure on consideration that the Council would recognise that a fee of 2/6 per sample was inadequate. He was satisfied to accept whatever fee the Department would fix.

"The Finance & Roads Committee recommended that Mr R. Malone should be offered a fee of 7/6 per sample for testing milk for tuberculosis.

Under date 29th September 1913, a letter was read from Mr R. Malone, accepting the fee of 7/6 per sample for examination of milk samples.

"On the motion of Mr Peacocke, Seconded by Mr Rossiter, the recommendation of the Finance & Roads Committee was adopted."

The Finance & Roads Committee also recommended the acceptance of estimate of R. & J. Beck, Ltd., 68 Cornhill, London, (lowest estimate)

for supply of outfit for microscopical and bacteriological examination under Tuberculosis (Ireland) Order of the Department of Agriculture & Technical Instruction.

Under date 2nd September the Department of Agriculture & Technical Instruction wrote (letter 4278-V.B., 1913) approving of the acceptance of the estimate.

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

"That the question of the amount of fees or salary to be ^{paid} fixed to the Veterinary Surgeons for the work performed by them under the Tuberculosis (Ireland) Order 1913, be referred to the next meeting of the Finance & Roads Committee, the Committee to be empowered to make recommendations to the County Council as to the fixing of a standing salary as from the 1st June in each case for this work. That the Veterinary Surgeons of the County be requested to attend said meeting for the purpose of conferring with the Committee."

Death of Collector Lennon.

The Secretary reported the death of Mr A. Lennon, Rate Collector on 30th September, as the result of an accident, having been knocked off his bicycle by a runaway horse.

Mr Lennon had outstanding a sum of £144. 12. 8d. He had communicated with the Insurance Companies concerned as regards the amount of rates outstanding, and as to the accident."

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

"That we deeply regret the tragic death of Mr A. Lennon, Rate Collector, a valued and trusted servant of this Council, and offer his Widow and relatives our sincere condolence in the bereavement which they have sustained. That a copy of this resolution be forwarded to Mrs Lennon, Very Rev Canon Lennon, Duncormack, and Rev Albert Lennon, C. C., Courtnacuddy."

"It was decided that the election for successor to Mr Lennon, be held on 21st October at 2.30 p.m., in the County Council Chamber, Courthouse, Wexford."

Appointment of Assistant Surveyors.

The Local Government Board forwarded copy of Memorandum as to the qualifications, etc., of Assistant Surveyors as prescribed by their Order of 31st March 1913.

Marked "Read"

Audit of Accounts of Co.Council Etc.,

Under date 6th August 1913, the Local Government Board wrote (letter No. 41705-13, Wexford Co.,) forwarding the following report of Mr C. D. Barry, B. L., their Auditor, in connection with the Audit of the Accounts of the County Council for half-year ended 31st March 1913:-

"I have the honour to report that I have audited the accounts of the Accounts of the County Council of Wexford for the half-year ended March last, and I forward herewith, a certified abstract in pursuance of your Order.

The accounts were prepared and submitted for audit in a very satisfactory manner and no item of expenditure calls for any remark on my part."

Reports of Local Government Auditor as to audit of accounts of Enniscorthy Union and R. D. Council for half-year ended 31st March 1913, were also laid before the meeting.

Marked "Read".

Estate Duty Grants.

Under date 19th September, the Local Government Board wrote forwarding Paying Order for £1,202. 9. 1d first instalment of Estate Duty Grant payable to the County Council on behalf of the Guardians of the County for half-year ending 31st March 1914.

Under date 19th September 1913, the Local Government Board, wrote forwarding Pay Order for £1,087. 15. 11d being first instalment payable to the County Council as a Road Authority in respect of Estate Duty Grant for the year ending 31 March next.

Marked "Read"

Forms 20 & 22-Enniscorthy Rural District.

Under date 11th August 1913, the Local Government Board wrote (letter No. 40737-13) forwarding copy of letter which they had addressed

to the Clerk of Enniscorthy R.D. Council respecting a report of Mr E.A. Saunderson, L.G. Inspector, as to the careless manner in which forms 20 and 22 for Enniscorthy District had been filled,.

Marked "Read"

Proposed Road Board Grant.

Under date 25th September 1913, the following letter was read from the Secretary to the Road Board:-

"I am directed by the Road Board to inform you that they have had under consideration the question of further Grants to works of road improvement in Ireland and they have caused an inspection to be made of a considerable mileage of roads throughout the country.

As a result of their consideration they have formed the opinion that the sum which they are prepared at the present time to grant towards the cost of improvement work in Ireland would be best employed in contributions to aid the improvement of the lengths of road shown by a red colour on the Ordnance Map sent herewith.

You will observe that part of the mileage to the improvement of which the Board are disposed to contribute is situated in the County of Wexford, and I am directed to ask whether the County Council are prepared to undertake the improvement of the selected lengths of road with the assistance of a suitable grant from the Board, and to take steps to obtain the consent of the Rural District Councils whose consent may be necessary.

The improved lengths would have to be subsequently maintained on the improved standard by the Highway Authorities.

I am also desired to inform you that a similar letter is being sent to the County Secretary of each County in which roads marked red on the enclosed map are situated and that it is the intention of the Chairman of the Board to go to Ireland, accompanied by the Engineer to the Board, and to spend there the week commencing the 13th October for the purpose of conferring about the matter with representatives of the various Highway Authorities concerned.

The present intention of the Chairman is to be in Belfast on the 13th and 14th October, in Dublin on the 15th and 16th October and in Cork on 17th and 18th October, and he would be glad to know whether it will be convenient for the Chairman of your Council or any representatives of the Council who take charge of Highway matters, accompanied by the County Surveyor and some representatives of some of the more important Rural District Councils concerned to meet him in Cork on one of the days

named above with a view to discussing and settling the road improvements to be carried out during next year in your County with the aid of grants from the Board.

On receipt of replies from the various Authorities to whom this letter is addressed, definite appointments will be made for the proposed interviews."

The Secretary stated that in acknowledging this communication he had pointed out that it would be much more convenient for the representatives from Wexford to attend a Conference in Dublin than one in Cork.

On the motion of Mr Rossiter, seconded by Mr Rice, it was decided that the County Council be represented at the Conference between the Chairman and the Engineer of the Road Board, and the various local authorities concerned in the project outlined in the communication of the Road Board, by the Chairman of the County Council, Mr John Bolger, and Messrs Peacocke, and Fanning, with the County Surveyor. That Messrs Lynch and Hickey, Chairmen, respectively of the Enniscorthy and New Ross, District Councils be requested to attend the Conference and, in the event of being unable to do so, that they nominate substitutes.

That the Secretary of the Road Board be requested to fix the Conference with the Wexford representatives for the 15th October in Dublin."

Finance & Roads Committee Recommendations.

The following recommendations were presented from Finance & Roads Committee:-

"Purchase of two tarpaulins by County Surveyor cost not to exceed £6"

"Attendance of Mr Treanor, Senior Assistant Surveyor, at Tara Hill for two days each week during the period that Mr Paddle Assistant Surveyor, would be engaged in annual measurement of road metalling."

"Application of Mr Paddle Assistant Surveyor, for increase of salary in connection with his services at Tara Hill Quarry, as from 11th April last."

"Referred to County Council".

"Instructions to Mr Barry, County Surveyor, to attend next meeting of

Courtown Harbour Committee and lay before them report of Messrs Allanson-Winn, & King, as to proposed extension of the Piers."

"Sanctioning £1. 2/- paid by Harbour Master at Courtown, for salvage of discharging boat."

"Recommendation to Department of Agriculture & Technical Instruction to oppose by every means at their command any increase in railway rates, particularly rates for carriage of milk and parcels."

"Instructing Mr Elgee to prosecute all owners of motor cars and motor cycles who have not paid their motor licence duties, this instruction to be advertised in the local papers."

"Recommending consent of County Council to the erection of overhead telegraph line from Blackwater to Ford."

"Agreeing to authorise District Inspector O'Hara, Wexford, to expend 7/- in purchasing new weights under Weights & Measures Act."

"Refusing to pay for telegrams sent by Coroners in connection with the holding of Inquests."

"Asking Mr Elgee, Solicitor, to report on Circular letter (No. 135M-1913) of 8th September from the National Health Insurance Commission as to effect etc., of section 6 of the National Insurance Act 1913, dealing with insurance of officials of local or public authorities."

"The foregoing recommendations of the Finance & Roads Committee were confirmed on the motion of Mr Peacocke, seconded by Mr Rossiter."

Reports-County Surveyor.

Reports of County Surveyor to the Finance & Roads Committee of 3rd and 24th September, were read for the meeting:-

Arising out of these reports the following recommendations had been made by the Committee:-

"Appointment of Committee to visit Carne Pier and report as to whether they considered it a work of public utility."

Report of this Committee unanimously adopted that the pier in question was a work of public utility and should be maintained,

The Finance & Roads Committee decided that the County Surveyor should carry out any immediate necessary repairs to the pier!"

"Claim on behalf of Peter Cullen, Ballybreen, Ballindaggin, in connection with a sum of £14 (dealt with in report of Co. Surveyor) was referred to Mr Elgee, Solicitor, and the County Surveyor."

"Recommending arbitration as to items claimed by Mr Colhoun, Contractor for Ferrycarrig Bridge for extra work actually done and repudiating the claim of Mr Colhoun for £2137 . 10/- for delay etc.."

"Recommending the County Council not to proceed with the work of asphaltting footpaths and approaches of New Ross Bridge in view of the estimate of the County Surveyor for the work."

"On the motion of Mr Peacecke, seconded by Mr Rossiter, the foregoing recommendations were adopted."

University Scholarships.

Three applications were received for award of three Scholarships and two bursaries in connection with Irish University Act 1908.

The Secretary dealt in detail with the marks obtained by ^{the} three Candidates the totals of which were as follows:-

1.- Maurice Kinsella, Old Pound, Wexford	1052.
2.- John Connolly, 21 Trinity St., Wexford.	933.
3.- Miss Bookey, Newtownbarry.	869.

On the motion of Mr Peacecke, seconded by Mr M. Doyle Senr., the following resolution was adopted:-

"That in accordance with the terms of the University Scholarship Scheme, Scholarships valued £50 each, tenable for three years be awarded to:-

Maurice Kinsella, Old Pound, Wexford.

John Connolly, 21 Trinity Street, Wexford.

Miss E. Bookey, Newtownbarry.

We have satisfied ourselves that the parents or Guardians of the above-named students could not possibly provide them with University

Education without the aid of the Scholarship."

"Report was received from Professor Conway, Registrar of University College, Dublin, as to the progress of the County Council Scholars at the National University. The conduct and application of all the students were most satisfactory, and the renewal of Scholarships was highly recommended.

Marked "Read"

County Wexford Infirmary Finances.

Under date 11th September 1913, Mr M.J.Kavanagh, Registrar Co. Infirmary forwarded report of Sub-Committee of County Infirmary as to the finances of the Institution.

No Order.

Increased Rates on D. & S. E. Railway System.

The Board of Trade wrote letter No. 10333, under date 30th September enclosing copy of proposed increase of rates charged by the Dublin & South Eastern Railway Co.

Marked "Read"

Ballyhack Boat Slip.

Under date 16th September, the following letter (No. 5,091 F. B.,) was read from the Department of Agriculture & Technical Instruction:-

"With reference to previous correspondence on the subject of the proposed improvement of the accommodation for fishing boats at Ballyhack, I have to state, for the information of the Wexford County Council, that the Department's Engineer has prepared the accompanying plan which would appear to meet with the approval of the local fishermen better than the plan for the larger harbour originally contemplated. An estimate for carrying out the work now proposed is enclosed.

If the scheme meets with the approval of the Council, a draft Agreement will be forwarded to you for their consideration."

"The estimate of the Department for the work was £900."

On the motion of Mr Peacecke, seconded by Mr Rice, the following resolution was adopted:-

"That we approve of the plan for the improvement of Ballyhack Boat

Slip as laid before this meeting by Mr Oliver, Engineer of the Department of Agriculture & Technical Instruction, provided the Contribution from the County Council does not exceed £450. That we request the Department to carry out this work.

That the details of the work be arranged by Mr Oliver and Mr Barry, County Surveyor.

That the Finance & Roads Committee be given authority to execute the formal agreement between the County Council and the Department in the matter."

Kilmore Pier.

Mr J. N. Scallan, Solicitor, Enniscorthy, wrote forwarding an extensively signed Memorial from fishermen and ratepayers asking for the appointment of a Committee to inspect Kilmore Pier with a view to having a light erected at the end of the pier owing to the risk and danger of getting in there at present owing to want of a proper light.

On the motion of the Chairman, the following resolution was adopted-

"That the matter be left in the hands of Mr Gough, County Councillor for the division, to report to next meeting of the County Council."

Duncannon Hulk.

Under date 8th August 1913, the following letter was read from the Secretary, Waterford & Duncannon Steamboat Co.,:-

"Your favour of the 7th inst., addressed to Mr Poole (who has gone for a short holiday) to hand, and I note that your County Council has accepted a tender for the repairs of the Hulk.

My Company are prepared to undertake to maintain the Steamboat service between Duncannon and Waterford for the required time, viz:- three years, from the time that the Hulk will be replaced at Duncannon provided that the berthing accommodation is adequate, that is to say, that the Hulk will not be removed during the specified time, and furthermore that the continuance of the River service will not embarrass the Company financially.

The second condition is made simply to protect this Company from any claim that your Council might consider they were justified in making in the event of this Company going into liquidation, which latter event is very improbable considering that the Beat has now been on the Station almost six years and has during that time, even in poor years, earned sufficient to pay expenses, and I see no reason why she should

not do so in the years to come."

- Marked "Read"

Proposed Boys Club at Enniscorthy.

In connection with the proposal to utilise portion of the old bridewell at Enniscorthy for the purpose of establishing a Boys' Club, the following letter to Mr R. W. Elgee, Solicitor, was read from Messrs P. J. O'Flaherty & Son, Agents to Lord Portsmouth.:-

"Referring to your letter of the 29th September, His Lordship was never in the habit of interfering with sub-lettings or other dealings on his estate, therefore if it is merely a question of the County Council making a letting to Father Fitzhenry we see no reason to think his Lordship would be likely to raise any objection. Of course if a Lease is required to be made to Father Fitzhenry by his Lordship, a proposal would have to be made to us and submitted to him in the ordinary course."

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

"That Lord Portsmouth be requested to execute a lease to the Co. Council, of the Courthouse premises at Enniscorthy. That said lease to be acceptable to the County Council must provide for a sub-letting on lease to the Committee of proposed Boys' Club for Enniscorthy, to enable this Committee to have a suitable Club erected on the site of old Bridewell at Enniscorthy."

Sheep Dipping Order.

Sergeant Chambers, Carnew, reported the names of seven farmers who had exposed sheep for sale at Carnew fair on 10th September, without having the requisite declaration as to the dipping of the sheep.

The Chairman proposed, Mr Peacecke seconded, and it was adopted:-

"That Sergeant Chambers, R. I. C., be informed that it is not the wish of the County Council that any proceedings be instituted against the persons who exposed sheep at Carnew fair on 10th September without having a Declaration, as we believe this breach of the Order occurred through forgetfulness on the part of the persons concerned. If in future these parties are again found offending the County Council will assuredly prosecute."

Sending Co. Wexford Prisoners to Dublin & Waterford.

The following resolution was read from Gorey Rural District Council:-

"That we direct the attention of the County Council to the existing anomaly in forwarding prisoners from Gorey to Dublin or Waterford prisons for trifling offences and non-payment of small fines at considerable expense to the public. An instance in point is the case of a prisoner sent from Gorey on Wednesday last for the non-payment of a fine of one shilling. His train fare together with that of a policeman accompanying him amounted to £1. 14. 9"

"Adjourned to next meeting of County Council".

Close of Rate Collection.

The Secretary reported that all the Collectors had closed their Collections with the exception of Collector Andrew Lennon, who had £144. 12. 8d outstanding, and who unfortunately had died as the result of an accident.

On the motion of the Chairman, seconded by Mr M. Doyle Senr., the following resolution was agreed to:-

"That provided Mr Lennon's Books are found in order we agree to the inclusion of £144. 12. 8 arrears of Mr Lennon, into the Collection for March 1914."

Poisons & Pharmacy Act.

Mr A. B. Brennan, Coolgreany, applied for a licence under Poisons & Pharmacy Act.

"On the motion of Mr Peacocke, seconded by Mr Rossiter, the Licence was granted."

Insurance of Co. Council Employees.

Under date 8th September, Circular letter was read from the National Health Insurance Commission, as to the Insurance of employes of local and public authorities.

The Finance & Roads Committee had referred this communication to Mr Elgee, Solicitor for report, and Mr Elgee under date 3rd October, wrote as follows:-

"In pursuance of your communication of the 30th September, Ult., I beg to report for the information of the County Council that I have considered the question as to whether it would be more economical to

insure under the provisions of the National Health Insurance Act 1911, the persons who now come in, in consequence of the passing of the National Insurance Act 1913, or to adopt a pension Scheme something like that of Galway County Council, and I find it a very difficult question on which to give a definite opinion.

I understand there are thirty persons who must now be insured under the Act of 1913, (in addition to those already insured under the Act of 1911) viz:-Deputy Surveyors 5, Rate Collectors 21, and Clerical Staff 4, and to insure these under the Act would, as I estimate, cost about £17 per annum or perhaps a little more.

It would be almost impossible to estimate what the Cost would be under a Pension Scheme because that would entirely depend on how many of the 30 persons might hereafter come in under it.

Of course at present there are none of them, so far as I know, who would be likely to or could avail themselves of a Pension under the Scheme if adopted, so consequently the Scheme would appear to be more economical, but supposing that in the near future some of them could and did do so, say, even two or three, it would seem to me that the Cost per annum under it would far exceed the cost under the Insurance Act, for even if the Council could keep a Pension down to the low sum of (say) £10 per annum, two of such Pensions would exceed the Insurance payments.

On the whole therefore I am inclined to the opinion that to insure under the Act would be most economical, bearing in mind that there are no less than 30 persons who some time or other might^{and}/probably would be able to avail themselves of the Pension Scheme and the Pensions might come to something large.

The Council know what they have to pay under the Act, but they don't under the Pension Scheme."

On the motion of Mr M. Doyle Junr., seconded by Mr Rossiter, the following resolution was adopted:-

"That the employees of the Council be insured under the National Insurance Act, as suggested by Mr Elgee, in his report."

Courtown Harbour.

The County Surveyor laid before the meeting the report of Messrs Allanson-Winn & King, as to the proposed extension of the Piers at Courtown. The total estimate for the work was £18,670.

The following resolution was read::

"That the Joint Committee of the Courtown Harbour Committee, and the Courtown Harbour Improvement Committee, having heard Mr King's report, Beg to propose that we request the County Council to provide one-third of the cost of the work as detailed in Messrs Winn & King's report, and that they request the Development Commissioners to provide the remaining two-thirds."

The following resolution of Gorey Rural District Council (which had been carried by a majority of the Council) was read:-

"That we ask the County Council to adopt the proposal now before them for the improvement of Courtown Harbour by resolving to raise one-third the proposed cost provisionally on the condition that the Development Commissioners grant the remaining two-thirds."

We desire to reiterate our oft repeated declaration that the agricultural, commercial, and fishing interests of the Gorey District urgently require the carrying through of this improvement scheme."

Under date 3rd October, a resolution was received from fishermen and residents of Courtown Harbour and District, asking the County Council to adopt the Scheme of Messrs Allanson-Winn & King, and offering to pay the following rates on fish landed at the pier. viz:- 1d per box for plaice, and sole, 1d per cwt on Oysters and 1d per mease on herrings.

Under date 3rd October, a resolution was read from the Executive Council of the Irish National Trade & Labour Benefit Society, urging on the County Council the necessity of carrying out the improvements at Courtown Harbour.

Resolutions in favour of the extension of the pier were also received from Gorey Town Commissioners and the principal Shareholders of Ballycanew Co-operative Agricultural & Dairy Society.

The report of Messrs Allanson-Winn & King, Engineers, Dublin, as to extension of piers at Courtown Harbour, estimated cost £18670, was laid before the meeting:-

Mr King, Mr Barry, County Surveyor, Major Richards, Rev J. O'Grady, C. C., Rev R. Tilson, Rector Ardamine, Messrs John McLaughlin, P. Walsh D.C., and J. R. Etchingam, having addressed the meeting the project was discussed at length.

Mr Kinsella, proposed, and Mr Fanning, seconded the following resolution:-

"That we approve of the proposal for the improvement of Courtown Harbour, as outlined in plan and report of Messrs Allanson-Winn & King, and agree to raise a loan from the National Bank, Ltd., not exceeding £6,223 at 3 per cent, per annum, repayable in 45 years, this proposal to be subject to the Development Commissioners providing two-thirds of the cost required to complete the plan considered at this meeting."

The Chairman put the resolution, which he declared carried, with two dissentients.

Major Richards returned thanks to the County Council for the adoption of the resolution on behalf of the Courtown Harbour Improvement Committee.

Proposals for Payment.

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

"That the several Proposals for Payment in respect of items for fixed salaries and other fixed items of account and Rate Collectors poundage be and hereby approved."

(Signed)

B. A. Peacocke

Presiding Chairman.

Dated this 12th day of November 1913.

SPECIAL MEETING.-21st OCTOBER 1913.

A Special Meeting of the Wexford County Council was held in the County Council Chamber, Courthouse, Wexford, on 21st October 1913.

Present:- Mr John Bolger, Chairman, Presiding.

Other Members:- Messrs C. H. Peacocke, J. O'Connor, M. Doyle Junr., A. Kinsella, J. J. Stafford, P. O'Neill, J. Lynch, M. Gough, Lord Stopford, P. J. Fanning, M. Cloney, James Codd, Patrick Rossiter, J. T. Mayler, Michael Hickey, T. Asple, Mark Codd, M. Doyle Senr.,

The Secretary, the County Surveyor, and Mr R. W. Elgee, Solicitor were also in attendance.

County Surveyor's Report.

The following report was read from the County Surveyor:-

"As directed by you, I attended in Dublin on the 15th inst., to meet the Road Board with regard to advances to be made to this County for road improvement. Mr Lynch, Chairman of the Enniscorthy Rural District Council, also attended and we placed the claim of this County for special treatment before the Board. We were met by the Board with a statement that Wexford has a high valuation per head of population as compared with other Counties, and that special treatment could not be granted. Mr Lynch and myself pointed out that it was unfair to ask the Districts to lay out an increased expenditure for improvements of roads that were already in better condition than many others whereon the Board would grant no assistance for improvement and we referred specially to the Newtownbarry road.

After some discussion the Board agreed to include this line, that is, from Enniscorthy to Newtownbarry, with branch from Scarawalsh to Ferns, the latter already suggested, and we were offered half the cost of doing this road estimated at £3,500 and further the Board will give a loan free of interest payable in five annual instalments to the amount of the other half cost, namely £3,500. This is the assistance to be given in Enniscorthy Rural District.

In New Ross Rural District, the Board will give a free grant of £750 and a loan of £750 free of interest, repayable in five annual instalments to cover the cost of improving some three miles of road from Ballyanne to Corcoran's cross. I pressed the Board to give some assistance for

improving the road between New Ross and Duncannon where the present bad turns are made more dangerous owing to motor traffic, but for the present the Board declined to entertain this.

In Wexford District the Board has agreed to give a free grant of half the cost of raising and improving the flooded road at Farnogue up to £200, but the District must meet the other half cost of the work.

In all, the estimated cost of the improvement suggested in the County is £8,900 and of this the Road Board will give £4,500, and a loan free of interest repayable as above of £4,250.

In my opinion this assistance is well worth accepting on the terms granted, and I shall bring proposals before the several District Councils to cover work in each District."

On the motion of Mr O'Neill, seconded by Mr M. Doyle Senr., the following resolution was adopted:-

"That we recommend to the favourable consideration of the Rural District Councils concerned the offer of assistance from the Road Board as outlined in the foregoing report of the County Surveyor."

The late Mr Andrew Lennon.

On the motion of Mr Peacocke, seconded by Mr Lynch, the following letters in reply to vote of condolence in the death of Mr Andrew Lennon, were ordered to be inserted on the Minutes:-

From Very Rev Canon Lennon, Rathangan, Bridgetown:-

"Dear Mr Frizelle,

I beg to thank you very much for your note conveying the kind sympathy of the County Council to the Widow and Relatives of my brother the late Mr A. Lennon, I need not say that I appreciate very much the kindness and thoughtfulness of the Council in this matter.

I also wish to thank you very much for your own personal sympathy, and am glad to know that pleasant relations always existed between you and him."

From Rev Albert Lennon, C. C., Courtnacuddy:-

"I beg to say that I am very grateful for the kind letter of sympathy received from the Members of the Wexford County Council in connection with the recent death of my brother.

A resolution coming from the County Council is one which we appreciate over and above and value it extremely, because of the kindness

and thoughtfulness of the Council in sending it."

From Mrs A. Lennon, Eden Vale, Castlebridge:-

"I beg to return my sincere thanks through you, to the Chairman and County Council for their kind resolution of sympathy in reference to my recent^{sad} trial. I also take the opportunity of thanking yourself for your invariable courtesy to my late husband and myself."

The following report was read from Mr N. Kehoe, Deputy Checker of Rate Collectors' Accounts, for Wexford District:-

"I beg to report that I have examined the Accounts of the late Mr Andrew Lennon, Rate Collector, and hereunder is the result of my investigation:-

1st Moiety.

Amount outstanding at close of fortnight ended the 16th September 1913.....	£386. 0. 1
Apparently collected or amount for which receipts were issued or used.....	289. 11. 1½
Leaving uncollected as detailed in lists herewith...	96. 9. 0½

2nd Moiety.

Amount Collected-Receipt No.40 Kilpatrick E.D...	3. 11½
--	--------

At the close of the previous fortnight he had a balance of 8/10 in hand, since, he apparently collected £289. 15. 1- making a total of £290. 3. 11d.

Of this sum £257, 12. 7 has been lodged, which leaves a balance of £32. 11. 4d to be lodged.

Herewith I send you:-

- (1) Mr Lennon's Abstract Book.
 - (2) List of Uncollected Rates.
 - (3) Eight Collecting Books.
 - (4) Usual Report on Checking.
-

The Secretary stated he had written the National Benefit Life & Property Insurance Association (who were guarantors to the County Council for Mr Lennon on a fidelity bond), and to the representatives of the late Mr Lennon, calling on them to lodge £32. 11.4d.

Mr Lennon's representatives had since lodged this amount.

The following resolution was adopted:-

On the motion of Mr Peacocke, seconded by Mr Lynch:-

"That the Local Government Board be requested to allow the County Council to pay to the representatives of the late Mr Andrew Lennon, Rate Collector for No. 2 Collection District, who died on the 30th September as the result of an accident, poundage fees on the amount of Rate collected by him.

The County Council have made arrangements for the balance of outstanding Rates to be collected by his Successor in office."

At the suggestion of Mr Elgee, Solicitor, it was decided that correspondence between him and the Legal Insurance Company, be discussed in Committee.

After considering the matter the following resolution was adopted on the motion of Mr Peacocke, seconded by Lord Stopford:-

"That in the circumstances explained by our Solicitor, Mr Elgee- we deny any liability whatsoever under the Workmen's Compensation Act regarding the fatal accident to the late Collector Lennon.

That we leave the matter in the hands of our Solicitor-Mr Elgee-.

The Development Commission & Courtown Harbour.

Under date 14th October 1913, the following letter No. 2860-13, was read from the Secretary, to the Development Commission:-

"I am directed by the Development Commissioners to acknowledge the receipt of your letter of the 7th instant, forwarding a copy of a resolution of the Wexford County Council concerning the improvement of Courtown Harbour.

As your Council desire assistance from the Development Fund for this purpose, they will no doubt make formal application to the Treasury (if they have not already done so) in accordance with the Regulations enclosed I am to observe, however, that the claims of Courtown Harbour have previously been considered together with those of other Irish Harbours, and that the Commissioners see no present prospect that they will be able to recommend an advance from the Development Fund for its improvement."

On the motion of Mr Peacocke, seconded by Mr Fanning, it was decided that a copy of the letter from the Development Commission be sent to Sir Thomas Esmonde, and the Courtown Harbour Committee."

Rate Collector for No.2 Collection District.

Applications were received from the following for the office of Rate Collector for No. 2 Collection District, vacant through the demise of Mr Andrew Lennon:-

Dempsey, Henry. Ballina, Ballyvaloo, Blackwater.

Devereux, R.P. Rochestown, Drinagh.

Furlong, Michael. Ballyharron, Kyle.

Larkin, Bernard J. Taghmon.

Murphy, Gerald. Barmoney, Bree.

Parker, John. Killelan, Screen.

Rossiter, Gregory. Brookfield, Murrintown.

Ryan, John E. Ballygoman, Barntown.

The Meeting decided to take a vote.

The following is the result of first poll:-

For Mr Dempsey:- Messrs Fanning, Mayler, and Lord Stopford.-3.

For Mr Devereux:- Messrs James Codd, M.Doyle Junr., M. Gough.-3.

For Mr Furlong:- Messrs M.Codd, M.Doyle Senr., A.Kinsella, J.Lynch, P. O'Neill.-5.

For Mr Larkin:- Mr Hickey.-1.

For Mr Murphy:- Mr T. Asple.-1.

For Mr Rossiter:- The Chairman, Messrs M. Cloney, P. Rossiter, J.J. Stafford.-4.

For Mr Ryan:- Messrs J.O'Connor, and C. H. Peacocke.-2.

A poll was taken between Messrs Murphy and Larkin as to which of their names would be retained in next vote.

The following was the result:-

For Mr Murphy:- Messrs Asple, M.Codd, M.Doyle Junr., O'Neill, Lynch, Peacocke, Fanning, Cloney, J.Codd, Rossiter, Mayler, and the Chairman-12-

For Mr Larkin:- Messrs M.Doyle Senr., O'Connor, Kinsella, Stafford, Gough, Stopford, and Hickey.-7.

Mr Larkin then fell out.

A further poll was taken with the following result:-

For Mr Dempsey:- Lord Stopford, Messrs P. J. Fanning, and Mayler.-3.

For Mr Devereux:- Messrs M.Doyle Junr., Gough and J. Codd.-3.

For Mr Furlong:- Messrs M.Codd, Kinsella, O'Neill, J.Lynch, and M. Hickey.-5.

For Mr Murphy:-Messrs Asple, and M. Doyle Senr.-2.

For Mr Rossiter:-Messrs Stafford, Cloney, Rossiter, and the Chairman.4.

For Mr Ryan:-Messrs Peacocke, and O'Connor.-2.

A further poll was taken between Messrs Ryan and Mupphy as to which of their names would be included in the next poll.

The following was the result:-

For Mr Ryan:- Messrs M. Codd, M. Doyle Senr., O'Connor, M.Doyle Junr., Kinsella, Stafford, Gough, Peacocke, James Codd, Hickey, and the Chairman.-11.

For Mr Murphy:-Messrs Asple, O'Neill, Lynch, Fanning, Cloney, Rossiter, Mayler, and Lord Stopford.- 8.

Mr Murphy dropped out of the running.

A poll was taken between Messrs Dempsey, Devereux, Furlong, Rossiter, and Ryan, with the following result:-

For Mr Dempsey:-Messrs Fanning, Mayler, and Lord Stopford.-3.

For Mr Devereux:-Messrs M. Doyle Junr., M. Gough, and J. Codd.-3.

For Mr Furlong:-Messrs Asple, M.Codd, Kinsella, O'Neill, Lynch, and Hickey.-6.

For Mr Rossiter:-Messrs Stafford, Cloney, Rossiter, and the Chairman.-4.

For Mr Ryan:- Messrs M. Doyle Senr., O'Connor, and Peacocke.-3.

Messrs Dempsey, Devereux, and Ryan, having received three votes each, a poll was taken as to which of their names would be retained in the next poll.

The following was the result:-

For Mr Dempsey:- Lord Stopford, Messrs Fanning, Cloney, and Mayler.-4.

For Mr Devereux:- Messrs M. Doyle Junr., and J. Codd.-2.

For Mr Ryan:- Messrs Asple, M. Codd, M. Doyle Senr., O'Connor, Kinsella, Stafford, O'Neill, Lynch, Gough, Peacocke, Rossiter, Hickey and the Chairman.-13.

Mr Devereux then fell out, and a vote was taken between Messrs Dempsey, Furlong, Rossiter, and Ryan.

For Mr Dempsey:- Messrs Gough, Fanning, Mayler, and Lord Stopford.-4.

For Mr Furlong:-Messrs Asple, M. Codd, M. Doyle Senr., Kinsella, O'Neill, J. Lynch, and Hickey.-7.

For Mr Rossiter:-Messrs M. Doyle Junr., Stafford, Rossiter, J. Codd, Cloney, and the Chairman.-6.

For Mr Ryan:- Messrs O'Connor, and Peacocke.-2

Mr Ryan then fell out, and a vote was taken as between Messrs Dempsey, Furlong and Rossiter, with the following result:-

For Mr Dempsey:- Messrs Gough, Fanning, Mayler, and Lord Stopford.-4.

For Mr Furlong:- Messrs Asple, M. Codd, M. Doyle Senr., Kinsella, O'Neill, Lynch, and Hickey.-7.

For Mr Rossiter:- Messrs O'Connor, M. Doyle Junr., Stafford, Peacocke, Cloney, James Codd, Rossiter, and the Chairman.-8.

Mr Dempsey then fell out, and the final poll was taken as between Mr Furlong and Mr Rossiter, with the following result:-

For Mr Furlong:- Messrs Asple, M. Codd, M. Doyle senr., Kinsella, O'Neill, Lynch, Gough, and Hickey.-8.

For Mr Rossiter:- Messrs O'Connor, M. Doyle Junr., Stafford, Peacocke, Fanning, Cloney, J. Codd, P. Rossiter, Mayler, Lord Stopford, and the Chairman.-11.

The Chairman declared Mr Rossiter elected.

The following is Mr Rossiter's application:-

"I beg to apply for the position of Rate Collector for No.2 District, now vacant by the lamented death of Mr Lennon."

Mr Rossiter submitted a testimonial from Very Rev Canon Fortune, Piercestown, in which he stated that Mr Rossiter was an exceedingly good young man, and bore an excellent reputation amongst all classes. He was strictly temperate, upright, and honourable, industrious, and well connected. In Canon Fortune's opinion he was quite competent to fill the position of Rate Collector and he (Canon Fortune) had every confidence that if elected he would prove a satisfactory official."

Schemes of County Committees.

Under date 3rd October, the following letter No.A.13000-13, was read from the Department of Agriculture & Technical Instruction:-

"I have to transmit for the information of your Council the accompanying copy of the Department's circular letter dated 1st instant, on the subject of the exclusion of Members of County Committees, appointed under the Agriculture & Technical Instruction (Ireland) Act 1899 from participating in the benefits of schemes administered by such Committees.

The special attention of your Council is directed to the second last paragraph in the circular."

The following is copy of the Communication of the letter of the Department:-

"I have to state for the information of your Committee, that a question having arisen as to whether a member of a County Committee is debarred from participating in the benefits resulting from County Schemes the Department considered it advisable to submit the matter for the opinion of their legal advisers.

The Department are now advised:-

- 1.- that under Article 12, paragraphs (3), (4) and (6) of the Schedule to Application of Enactments Order 1898, it is not lawful for a member of a Committee appointed under Section 14 of the Agriculture and Technical Instruction (Ireland) Act 1899, to derive directly or indirectly financial benefit from the operations of any scheme administered by the Committee of which he is a member.
- 2.- that a member who has obtained any such benefit is ipso facto disqualified for continuing to act on the Committee, and under paragraph (11) of the Order becomes liable to a substantial fine for each occasion on which he acts or votes on the Committee subsequent to becoming disqualified, and further,
- 3.- that while a Committee appointed under the Agriculture & Technical Instruction Act may consist partly of members of the appointing Council and partly of other persons, the responsibilities and liabilities of each class of member are identical save that a member of the Committee who is also a member of the appointing body is in addition to the penalties above mentioned liable for a period of seven years to be disqualified for being elected a member of any Council or Board.

I have to add that as a Committee appointed under Section 14 of the Agriculture & Technical Instruction Act is a Committee of the body by which it was appointed, it follows from the foregoing that a member of the appointing body, although not a member of the Committee in question, cannot legally obtain any financial benefit from a scheme administered by such Committee.

Be good enough to submit this letter at the next meeting of your Committee."

"No Order"

All Ireland Industrial Conference,

Circular letter was read from Mr Maurice P. Riordan, Secretary Limerick Industrial Association, calling attention to the ninth All Ireland Industrial Conference in Limerick, on 22nd & 23rd instant, and asking the Council to nominate two members to attend.

University Scholarships.

Messrs George F. Duggan, and John Connolly, two of the Council's Scholars under University Scholarship Scheme, wrote asking permission to reside outside an approved hostel as no accommodation could be obtained at any hostel.

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

"That permission to reside outside hostels be granted Messrs Maurice Kinsella, George F. Duggan, and John Connolly, Scholars under University Scholarship Scheme, provided they furnish letter of approval of selected lodgings from their Dean of Residence."

Proposed Light at Pier Head, Kilmore.

In connection with proposal to erect a light at the pier head Kilmore, which was referred to Mr Gough, County Councillor, it was decided that the matter be postponed to the meeting of the County Council on 3rd December.

Ballingly Quarry.

Under date 10th October 1913, the following letter was read from Mr R. W. Elgee, Solicitor to the Council:-

"In pursuance of the resolution of the County Council of the 12th June last, and after consultation with the County Surveyor, I arranged with Patrick Hanlon, the Owner of the above Quarry, for the purchase of the Quarry for the sum of £100, subject to the consent of the Land Commission being obtained to his sub-letting the holding on which the Quarry is situate, he having purchased it under the Land Purchase Acts.

Hanlon however stipulated that if the Land Commission did consent but should require any part of the Annuity (£5. 11. 10 per annum) which he paid them in respect of the holding to be redeemed the redemption price should be paid by the County Council and not by him.

I then applied to the Land Commission for the requisite Consent and they have given it, but only on condition that 7/6 of the Annuity is placed upon the Quarry and redeemed the redemption price being £10.

I shall therefore feel obliged by your bringing the matter before the next meeting of the Council and ascertain if, in order to acquire the Quarry, they are prepared to pay this sum (in addition to the £100) as Hanlon will not do so."

Proposed by Mr Peacocke, seconded by Mr Asple and adopted:-

"That in order to acquire Ballingly Quarry, the Wexford County Council agree to redeem the annuity of 7/6 in respect of quarry as mentioned in Mr Elgee's letter, the total payment for this purpose not to exceed £10, and provided that the right of way through Mr Byrne's land be secured upon reasonable terms."

Assistant Surveyor Paddle.-Increase of Salary Application.

Under date 3rd July 1913, Mr T. Paddle, Assistant Surveyor, wrote as follows:-

"I beg to make application for some remuneration in connection with my services attending at Tara Hill Quarry during the weighing of the material there since the new arrangement of the 11th April last.

I have to attend practically on two days each week, I have to leave here at 7.30 each morning, and cannot return until about 6.40 each evening.

When the wind blows from an easterly direction it means inhaling in a cloud of dust for the entire length of a day, and equally uncomfortable in showery weather.

I do not wish to say, Mr Chairman, and Gentlemen, it is not part of my duty, but I believe it is rather unusual in the duties of an Assistant Surveyor.

Trusting Mr Chairman and Gentlemen, you will accede to my application as I feel sure you will do what is fair in the matter."

Mr Fanning proposed, :-"That Mr Paddle Assistant Surveyor be voted a lump sum of £10 per annum, so long as he has to attend at Tara Hill Quarry."

Mr Kinsella seconded.

As an Amendment Mr Peacocke proposed, and Mr Lynch seconded the following:- "That Mr Paddle, Assistant Surveyor, be voted a lump sum of £5 per annum so long as he has to attend at Tara Hill Quarry, and provided he discharges his duties in connection with the quarry to the satisfaction of the County Council and the County Surveyor."

"The Chairman took a show of hands on the amendment (Mr Fanning having withdrawn his resolution) declared it carried by 8 to 4, the other members of the Council having left."

Dated this 12th day of Novbr, 1913

B. A. Peacocke
Chairman.