

# Co. Council Minutes Meeting 9. 1. 39. Index.

Act Food and Drugs . . . . .	18
Act Weights and Measures . . . . .	14.
Amalgamated list and Abatement Form etc	11.
Application for New Road, Gaoy. . . . .	20. 21. 37. 38.
Asple J. The late . . . . .	3.
Ballincash Lane . . . . .	26. 27. 39. 40.
Barry Dr. Alice Ramon Sanatorium Medical Certificate of Stephen Hayes	6.
Bastible Dr. Charges Against . . . . .	9.
" " Position . . . . .	46 16 54.
Beary P. Temporary Clerical Assistant . . . . .	4.
Breen Nicholas, Milltown, Terns. . . . .	15. 16
Brown Andrew, Small Dwellings Act. . . . .	15.
Bus Route . . . . .	20.
Caulbin Road Flooding at . . . . .	38. 39.
Carr Nicholas, Small Dwellings Act. . . . .	16.
Charges in County Scheme . . . . .	13. 14.
Charges against County Medical Officer of Health	9.
Cleary Very Rev. Monsignor + The late Canon O'Brien Newbawn	3. 4.
Commission Drainage . . . . .	14.
Confirmation of Figures Road Works Scheme	4.
Congratulations to Dr. Staunton, Lord Bishop of Terns.	1. 2.
Contribution towards Travelling Expenses of Members	57.
Cottages for Village of Terns . . . . .	13. 44.
County Board of Health Cottages Proposed Loans Notice of Motion	41. 42. 43. 44. 45 46.
Courtown Harbour proposed Dumps . . . . .	29. 40. 41.
Courtown Road Giles Corner . . . . .	28



# Co. Council Minutes Meeting 9. 1. 39. Index

II

Bullen Mr. Asst. Surveyor. Garrenstack Lane.	24.
Cutting of Hedges . . . . .	19. 20. 37.
Damage to Road 859 Branch to Boya's Bay.	23. 24.
Dangerous Wall at Rosbercon, New Ross.	21. 22. 38.
Defaulting Road Contractor . . . . .	29.
Department's Inspector Visit of Rate Collection	10. 11.
Drainage Commission . . . . .	14. 32.
Eire Re-valuation of . . . . .	29. 30. 31.
Ennis Mr. Asst. Surveyor. Marshaldown Lane.	39.
Esmonde John L. J. D. Application for New Road.	20. 21.
Ex. Rate collector Philip Turlong . . . . .	12. 13.
Felhard. Ballymullane Road . . . . .	56.
Fidelity Guarantee Bond of Rate Inspector..	11.
Flooding of Road Lambliu. New Ross. . . . .	24. 25. 26. 38
" " " Fisherstown and Great Island	55.
" " " at Tilmachree . . . . .	23.
Food and Drugs Act . . . . .	18.
Fortune Michael. Ballincash Lane . . . . .	26. 27.
Turlong Philip. Ex. Rate Collector . . . . .	12. 13.
Garrenstack Lane . . . . .	24. 40.
Giles corner Gary. Courtown Road. . . . .	28.
Great Island and Fisherstown Flooding	55.
Hayes Stephen Clerical Assistant Illness	6.
Hedges cutting of . . . . .	19. 20. 37.
Healy J. Bus Route . . . . .	20.
Huggard Brennan & Goelvey Application New Road. Gary. . . . .	34. 38.
Hyde The late Mrs . . . . .	2.
Illness of Clerical Assistant . . . . .	6.
Industrial School Application . . . . .	31.
Inspectors Food and Drugs Act's Requisition	18.
Jordan M. Acknowledgment Vote of Condoence	4.



Co. Council Minutes Meeting 9. 1. 39.

III

Keegan Miss Mary Small Dwellings Acts 14.	
Keloe John. Lane at bountlow, The Ballagh 22. 23.	
Kennedy Patrick Defaulting Road Contractor. 29.	
Kinsella William. Lane at Castlewike, Barnew 22.	
Lake Jacumshaw	54. 55.
Lane Ballincash	26. 27. 39. 40.
" at Castlewike Barnew	22.
" " bountlow, The Ballagh	22. 23.
" Garerstacke	27. 40.
" leading to Marshalstown Church	26. 39.
" Martingale, Coolanain	28.
" Owenstown, Rathmackree	23. 38.
Langley Taylor G. Giles Corner bountlow Road.	28.
Larkin Geo. Owenstown Lane	23.
Larkin Patrick Commital to Industrial School	31.
Lists of Outstanding Rates	11.
Loan for Road Improvement.	45. 46.
Lord Bishop of Exm. Dr. Staunton. Congratulations	1. 2.
Marshalstown Lane	39.
Martingale Lane	28.
Monuments National	54.
Mullett Matthew Sanction to £60 S. D. A. A.	15.
National Monuments	54.
Notices of Motion Proposed Loans Co. Board	
of Health Cottages	H 1 to 46.
O'bonno James - Small Dwellings Acts 14.	
O'bonno Richard. Good and Things Acts 18.	
O'Neill P. Asst. Surveyor. Damage to Road 859	
Branch to Boyer's Bay	23. 24.
" " " " Dangerous Water at Rosbricon	21. 22.
" " " " Flooding of Road Camblin New Ross.	24-26.



# Co. Council Minutes Meeting 9. 1. 39.

IV

O'Ryan Miss B. Drainage Commission	32.
Outstanding Rates list of	11.
Overdraft Sanction to	31.
Owenstown Lane. Rathmacknee	23. 38.
Payments	1. 6. 9.
Position of County Medical Officer of Health	46 to 54.
Poundage	11. 12.
Proposed Dump at Boulton Harbour	29. 40. 41.
" Loans Notices of Motion. Co. Board of Health Cottages	41 to 46.
Rate Collection State of	10.
" " Visit of Department's Inspector	10. 11.
" Collectors' Poundage	11. 12.
" Inspector Fidelity Guarantee Bond	11.
" Outstanding list of	11.
Redmond Charles Sanction to £60. S. & A. Co	15.
Redmond Christopher Amalgamated list & Abatement Forms	11.
Repairs to Wexford Bridge	55. 56.
Requisitions Inspectors Food and Drugs Acts	18.
Re-Valuation of Tire	29. 30. 31.
Road Setland Ballycullane	56.
" Improvement Loan for	45. 46.
" Works Scheme. Confirmation of Figures	4.
" Work Suspension during Snow Storm	32 to 34
Rosbecon Dangerous Wall at	38.
Safety List	54. 58.
Sanction to Overdraft	31.
Scheme County changes in	13. 14.
" Road Works Confirmation of Figures	4.
Sheehan Daniel Small Dwellings Acts	15.
Sheehan Patrick Amalgamated list & Abatement Forms	11.



Small Dwellings Acquisition Act.

Nicholas Breen, Milltown. Tuns	15. 16.
Andrew Brown, Gloramona, Craanford	15.
Nicholas Carr, Tillanne	16
Catherine Flynn, Ballindoney Ballywilliam	15.
Mary Keegan, Y Gattau Senac. Gae. 17.	
Matthew Mullett, Knockduff Gae.	15.
James O'Connor, Ballynacree Castle town, Inch	17.
Charles Redmond, Ballinacraig Lower	15.
Daniel Sheehan, Efferogue	15.
Sanctions to Loans	15.

Somers Patrick. Lane leading to Marshalstown Church 26.

State of Rate collection 10.

Staunton Dr. Lord Bishop of Tuns Congratulations 1. 2.

Stoppage of Work on Roads 19.

Suspension of Road Work during Snow Storm 32 to 34.

Yacumshawe Lake 54. 55.

Temporary Clerical Assistance 4.

The late Mr. J. Asple, Galbally 3.

" " Mrs. Jordan, Ballyhamilton, Tuns 4.

" " Canon O'Brien Newbawn 3. 4.

The Traffic and "Safety First" Association of Ireland 57. 58.

Town Clerk, New Ross, Re-Valuation of Rate 29. 30. 31.

Travelling Expenses of Member Contribution Towards 57.

Syndall Colonel, Flooding of Road Camblin New Ross 24. 25. 26.

Visit of Department's Inspector 10.

Note of Sympathy with relatives of the late J. Asple 3.

" " " " Dr. Myle 2.

Weights and Measures Acts 17. 18.

Wexford Bridge Repairs 55. 56.

Whelan Mr. Flooding at Kilmacree 23.

Work on Roads Stoppage 19.



WEXFORD COUNTY COUNCIL

---

MONTHLY MEETING - 9th JANUARY, 1939

---

MINUTES

---

County Hall,  
WEXFORD.

---

N. J. FRIZELLE,  
Secretary Wexford County Council.

---



The monthly meeting of Wexford County Council was held in County Council Chamber, County Hall, Wexford, on 9th January 1939.

Present:- Messrs. Patrick Colfer, Christopher Culleton, Raymond Doyle, W. P. Keegan, John P. Kelly, James Kennedy, William Kinsella, James Lawler, Thomas McCarthy, Sean Murphy, Sean O'Byrne, Miss N. O'Ryan, Col. R. P. Wemyss Quin, Michael Redmond, Thomas Redmond, Patrick Ronan, Myles Smyth and James E. Walsh.

The Secretary, County Surveyor, County Solicitor and the five Assistant Surveyors were in attendance.

On the motion of Mr. O'Byrne, seconded by Mr. Ronan, the Chair was taken by Miss O'Ryan.

After confirmation of the Minutes of last meeting and votes of condolence, the Vice-Chairman, Mr. R. Corish, T.D., attended and presided for the remainder of the business.

#### PAYMENTS

Treasurer's Advice Notes for £3150. 10. 8d Ordinary Accounts; and £23537. 10. 0d transfers to Public Bodies on foot of demands, were examined and signed.

#### CONGRATULATIONS TO MOST REV. DR. STAUNTON, LORD BISHOP OF FERNS

Mr. M. Redmond, having spoken in Irish and English, said he wished to offer a vote of congratulation to Very Rev. Dr. Staunton on his elevation to the See of Ferns and on behalf of the County Council to welcome him to their midst.

Mr. McCarthy, in seconding, said that while few, if any of them, knew Dr. Staunton personally, they had heard of him as a great priest and scholar and a capable administrator. They heartily welcomed him to the diocese and he was sure that Dr. Staunton would prove a worthy successor to the many illustrious bishops who had occupied the See of Ferns in the past.



Mr. Kelly, on behalf of the Labour Party, associated himself with the vote.

Mr. Ronan, in associating himself with the resolution, wished to say that no more worthy priest, greater Churchman or greater scholar had been appointed to the See of Ferns during the past 1,300 years, and they wished him a Cead Mile Failte.

The Secretary stated that Dr. Staunton was a priest of very high educational attainments and experience. He is in close touch with the social problems of the time and will not be backward in trying to solve them. As Mr. Ronan said he would receive from the Diocese of Ferns a real Cead Mile Failte.

The County Surveyor and County Solicitor also associated themselves with the vote.

In putting the proposal which she declared adopted unanimously the Chairman (Miss O'Ryan) said she was sure that a very hearty welcome would go out from the premier body of the County representing the people of Wexford to Dr. Staunton.

#### THE LATE MRS. HYDE

Col. Quin proposed a vote of sympathy with the President of Eire on the death of his wife.

Mr. Ronan seconded.

The Secretary stated that Dr. Hyde had suffered a National loss in the death of his beloved wife, who was mourned by the Nation. The County Council and all its officers sympathised very deeply with him in his bereavement.

Miss O'Ryan, who was acting as Chairman, said she was sure the County Council would extend their deepest sympathy to Dr. Hyde on the death of his wife.



THE LATE MR. T. ASPLE, GALBALLY

Miss O'Ryan, proposing a vote of sympathy with the relatives of the late Mr. Asple, Galbally, an old member of the Council, said she lived close to the late Mr. Asple. He was always a very great friend of her family and was a man that they held in the highest esteem. He was really a figurehead in the farming community as he made farming pay. His farm was really a picture for anyone to see. He was a very worthy member of the Council in the past, and she wished to tender deepest sympathy to his relatives.

Mr. McCarthy seconded, and said he knew the late Mr. Asple for a long number of years as a member of the County Council and of the Enniscorthy Rural Council. He proved himself a very capable public man and he was also an outstanding farmer - one of the most extensive in the County.

The Secretary said for many years the late Mr. Asple was a member of the Council and displayed robust commonsense in every matter that came to his notice. He was held in high esteem by every member of the Council who had the happiness of his acquaintance.

The County Surveyor said that he remembered the late Mr. Asple on the County Council, and he quite agreed with what the Secretary had said. He always found the late Mr. Asple satisfactory to deal with.

The motion was adopted in the usual manner.

THE LATE CANON O'BRIEN, NEWBAWN

It was decided, on the motion of Mr. O'Byrne, seconded by Mr. Lawler, that the following acknowledgment of vote of condolence by County Council from Very Rev. Monsignor Cleary, P.P., New Ross, relative to the death of Rev. Canon O'Brien, be inserted on the Minutes of the day:-

"I wish to acknowledge receipt of your letter conveying the sympathy of the Wexford County Council on the death of



4

Canon O'Brien, P.P., Newbawn, and to assure you that Clergy of the Diocese of Ferns appreciate very much the action of your Council in this matter."

THE LATE MRS. JORDAN, BALLYHAMILTON, FERNS

It was decided on the motion of Mr. O'Byrne, seconded by Mr. Lawler that the following reply to vote of condolence to Mr. M. Jordan, Ballyhamilton, Ferns, Ex-County Councillor, in the death of his wife, be inserted on the Minutes of the day:-

"Will you please convey to the members of your Council my sincere thanks for their very kind vote of sympathy, and will you personally accept my gratitude to you for your very nice message of sympathy.

Let me assure everybody concerned that it is a source of great consolation to me to know that my old colleagues have not forgotten me in my hour of trial and I appreciate all your kindness very much indeed."

CONFIRMATION OF FIGURES ROAD WORKS SCHEME  
(This was the special business of the meeting).

The following resolution was adopted on the motion of Col. Quin, seconded by Mr. Kelly:-

"That the figures approved by County Council for allocation under Road Works Scheme (at meeting held on 12th December, 1938) for financial year 1939/40 be and the same are hereby confirmed as follows:-

Main Roads	£. 31,759
Third Class Roads	15,899
Fourth Class Roads	5,546
Improvement Main Roads	3,214
do. County Roads	1,764
Contingency Fund and Relief Vote	<u>6,173</u>
	£64,355.



CONFIRMATION OF MINUTES OF FINANCE COMMITTEE

MEETING 21st DECEMBER 1938: Minutes of this meeting were  
submitted as follows:-



6

The fortnightly meeting of Finance Committee was held in County Council Chamber, County Hall, Wexford, on 21st December 1938.

Mr. R. Corish (Vice-Chairman) presided and there were also present Messrs. P. Colfer, W. P. Keegan, John P. Kelly, Sean O'Byrne and Miss O'Ryan.

The Secretary and Assistant Secretary were also in attendance.

The Minutes of last meeting were confirmed.

#### PAYMENTS

Treasurer's Advice Note for £5036. 14. 2d was examined and signed.

#### ILLNESS OF CLERICAL ASSISTANT

The Secretary submitted the following medical certificate from Dr. Alice Barry, Peamount Sanatorium under date 13th December 1938:-

"I beg to certify that Stephen Hayes, Wexford, has been examined by me to-day and requires three months' sick leave."

The following recommendation was adopted on the motion of the Chairman seconded by Mr. Colfer:-

"That, in accordance with Medical Certificate of Dr. Barry, Peamount Sanatorium, under date 13th December 1938, the County Council be recommended to grant three months' sick leave to Mr. Stephen Hayes, Clerical Assistant in County Council Offices."

The following resolution was adopted on the motion of Miss O'Ryan seconded by the Chairman:-

"That the County Secretary be empowered to engage a Clerical Assistant with a competent knowledge of Shorthand-typing during absence of Mr. Hayes on sick leave. Remuneration to be fixed at next meeting of Committee."



7

TEMPORARY CLERICAL ASSISTANCE

On the motion of Mr. Colfer, seconded by the Chairman, it was decided to continue for the year to 31st December, 1939, the arrangements in operation for year 1938, and to increase the allocation of £90 to £100 for the year, 1939, as the County Council have agreed to increase the remuneration of Mr. P. Beary, Temporary Clerical Assistant, from 1s. 2d per hour to 1s. 3d per hour.



On the motion of Mr. Colfer, seconded by Mr. Kelly, the following resolution was adopted:-

"That Minutes of Finance Committee of 21st December 1938 as submitted to this meeting be, and the same are, hereby confirmed and approved."

MEETING HELD ON 5th JANUARY 1939: Minutes of Finance Committee in respect of this meeting were submitted as follows:-



1

9

The fortnightly meeting of Finance Committee was held in County Council Chamber, County Hall, Wexford, on 5th January 1939.

Present:- Messrs. P. Colfer, W. P. Keegan, John P. Kelly, Thomas McCarthy, Sean Murphy, Sean O'Byrne and Miss O'Ryan.

The Secretary, Assistant Secretary and Rates Inspector were in attendance.

On the motion of Mr. O'Byrne, seconded by Mr. Colfer, the Chair was taken by Miss O'Ryan.

The Minutes of last meeting were confirmed.

A 'phone message was received from County Surveyor (who is on sick leave) that he expected to be present at County Council meeting on 9th January 1939.

Mr. Elgee (County Solicitor) wrote that as he had to attend the funeral of Rev. Chancellor Rennison at Gorey, he could not be in attendance at the Finance Committee meeting.

#### PAYMENTS

Treasurer's Advice Note for £2910. 15. 2d was examined and signed.

#### CHARGES AGAINST COUNTY MEDICAL OFFICER

The Secretary stated that the Department of Local Government and Public Health had arranged for their Medical Inspector, Dr. McCormack, to hold a Sworn Inquiry into the charges brought against the County Medical Officer by the County Council on 18th January 1939 in the County Council Chamber, County Hall, Wexford, commencing at 10.30 a.m.

The various communications received in this matter from the Department of Local Government and Public Health were referred to Mr. J. Elgee, County Solicitor.



RATE COLLECTION

STATE OF: The following is the state of the Rate Collection to date of Finance Committee meeting:-

<u>Name of Collector.</u>	<u>Percentage of Warrant Collected.</u>
---------------------------	---

1.	P. Nolan	58.1
2.	J. Curtis	55.6
3.	S. Gannon	55.5
4.	J. J. O'Reilly	53.4
5.	A. Dunne	52.2
6.	M. Kehoe	51.9
7.	P. Carty	51.7
8.	E. J. Murphy	50.7
9.	J. Deegan	49.9
10.	D. Kenny	49.9
11.	J. Cummins	49.0
12.	M. McCarthy	48.4
13.	P. Doyle	47.9
14.	J. Flood	47.0
15.	J. Quirke	43.3
16.	W. Doyle	42.5
17.	J. J. Sinnott	41.6
18.	W. Cummins	41.1

Average 49.4.

At the corresponding period last year the amount collected was 50.2 per cent.

VISIT OF DEPARTMENT'S INSPECTOR: The following under date 14th December 1938 (G.24351/4/38 Loch Garman) was read from the Department of Local Government and Public Health:-

"I am directed by the Minister for Local Government and Public Health to acknowledge receipt of return of collection of rates for the month of November and to state that he takes a serious view of the very high percentage of outstanding rates prevailing generally in the County. The position is worse than that for the corresponding period last year.

The Department's general Inspector has been requested to make a thorough examination of the rate collection and any collector on whom he reports unfavourably will be dealt with severely. The Minister wishes it to be clearly understood that any falling off in the rate collection, which is already in a very backward state, will not, under any



//

The Secretary stated that as soon as the Inspector had fixed the date of his visit the Collectors would be notified.

LISTS OF OUTSTANDING RATES: The Secretary stated that these lists and which were being supplied by the Rate Collectors. would be brought to the attention of the Inspector of the Department of Local Government and Public Health during his interview with the Collectors.

FIDELITY GUARANTEE BOND OF RATE INSPECTOR: Under date 21st December 1938 the Committee of the Wexford Branch of the Local Government Officials Union wrote asking that the County Council would pay the premium of £3.2.6d on the Fidelity Guarantee Bond of the Rate Inspector. The County Council had paid the premium on similar bonds for the Rate Collectors and the Committee considered it was only necessary to bring the matter of the Rates Inspector to the notice of the Council to have him similarly treated.

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

"That the application of Local Government Officials' Union (Wexford Branch) for payment of annual premium of Fidelity Guarantee Bond of Rate Inspector be refused."

AMALGAMATED LISTS AND ABATEMENT FORMS ETC.: It was decided on the motion of Mr. Colfer, seconded by Mr. O'Byrne, that Patrick Sheehan, Green Street, Wexford, be employed on writing up Amalgamated Lists and issuing of Abatement Forms Agricultural Land and Amalgated Lists vice John Warner (appointed at last meeting and was unable to act). Also that Christopher Redmond, 13 St. Michael's Place, Gorey, be appointed to a similar post.

POUNDAGE: The following under date 17th December 1938 (G.3043/15/38-Loch Garman) was read from the Department of Local Government and Public Health:-



"With reference to your letter of the 5th instant on the subject, I am directed by the Minister for Local Government and Public Health to state he will raise no objection to the 31st December, 1938, being fixed as the date by which the condition for earning the second interim payment of poundage must be complied with.

This alteration in the terms of the Scheme is sanctioned on the distinct understanding that no relaxation of the conditions for the third interim and final payments will be entertained. No payment should, therefore, be made to Collectors who lodge between the 1st and 31st if there is to be any intention of allowing further departures from the Scheme for the current financial year. Payment of poundage may, accordingly, be made without further sanction to collectors who lodge the amount of the first moiety and the appropriate arrears before the 31st instant.

A copy of this letter may be sent to each Collector in the County."

The following resolution was adopted on the motion of Mr. O'Byrne, seconded by Mr. Keegan:-

"That, in view of the recent extremely inclement weather and snow storm in the County, by which a number of Rate Collectors were unable to call on Ratepayers during the latter part of December, we request the Minister for Local Government and Public Health to sanction the second interim payment of poundage fees to Collectors who reach the required standard by the 28th January 1939."

EX-RATE COLLECTOR PHILIP FURLONG: The Secretary stated that the Station Sergeant, Garda Siochana, Wexford, had interviewed him as to the following:-

1. Were the persons named in list supplied to the Garda Siochana on 13th September 1929 as having paid Rates to this Ex-Collector and for which he did not account,



still available and also the documents concerning Furlong's default.

2. Would County Council pay the expenses of bringing back Furlong to Wexford if he was arrested abroad.

The following resolution was adopted on the motion of the Chairman seconded by Mr. O'Byrne:-

"The Finance Committee recommend the County Council to inform the Garda Síochána they are not prepared to incur any expense in connection with bringing back Philip J. Furlong, Ex-Rate Collector, to Ireland for prosecution, as the County Council were not at any loss financially. The Insurance Company made good his default and, in our opinion, it is this Company which should be concerned in his return to this country."

#### CHANGES IN COUNTY SCHEME

Under date 21st December 1938 the Department of Local Government and Public Health wrote (30797-1938 Ilgh) that it was the intention of the Minister to amend and modify the Wexford County Scheme by substituting for Sub-Article (IV) of Article 15 a Sub-Article, copy of which was attached. Any representations in the matter which the County Council wished to make in the matter should be forwarded the Department on or before the 31st January 1939.

The proposed article deals with the admission of certain persons to institutions under the County Board of Health and with payment of medical fees.

The following resolution was adopted on the motion of Mr. Kelly seconded by Mr. Colfer:-

"That the County Council have no objection to the proposed modification of the Wexford County Scheme by substituting for Sub-Article IV of Article 15 thereof the suggested Sub-Article furnished by Department of Local Government and Public Health under date 21st December 1938 (30797-



14

1938-21st December 1938) provided no objection to this proposal is received from Co. Wexford Board of Health."

DRAINAGE COMMISSION

Under date 21st December 1938 the Secretary to the Drainage Commission wrote (E.9.):—

"With reference to your letter dated 17th instant, the Drainage Commission will be glad to note from the Resolution passed by your Finance Committee and confirmed by the County Council at their meeting on the 12th instant, that the Council intends to submit a written statement of evidence to the Commission.

I will bring to the notice of the Commission as soon as possible the Resolution passed by your Council on the 12th instant, suggesting that the Commission should hold meetings in each County to take evidence from local farmers. I think it well to point out, however, that as stated in my letter of the 25th ultimo, the Commission intend later to invite all interested individuals other than local authorities to submit a written statement of evidence in the first instance. After consideration of such statements as may be received, and having regard to their value, if it appears worth while to afford an opportunity to those who have been good enough to submit written statements to supplement them orally, the Commission will no doubt consider the desirability of holding meetings in provincial centres to take local evidence.

The Commission has not yet come to any decision as to the extent to which oral evidence from such persons should be taken, or as to the place where sittings should be held, but it would be manifestly an impossible task for the Commission to take oral evidence from every individual in the country interested in drainage."



SMALL DWELLINGS ACQUISITION ACTS

SANCTION TO LOANS: Under date 9th December 1938 the Department of Local Government and Public Health wrote (H.30,008/38 Loch Garmain) that the Minister would offer no objection to the proposal of the Wexford County Council to make the following advances under the Small Dwellings Acquisition Acts:-

Charles Redmond, Ballinatray Lower £160; Matthew Mullett, Knockduff, Gorey, £160.

The Minister was unable to approve of an advance exceeding £128 to Andrew Carton, Ballyhogue, which, with the grant represented 90% of the market value of the premises.

A further communication would issue relative to the applications of Andrew Browne, Clonamona, Craanford, and Catherine Flynn, Ballindoney, Ballywilliam.

DANIEL SHEEHAN, EFFERNOGUE: Mr. Elgee, County Solicitor, forwarded letter under date 13th December 1938 from Mr. John J. Bolger, Solicitor, Enniscorthy, in which it was stated that as there was not the slightest chance of Mr. Sheehan having his title in order and the loan sanctioned in time to have his house erected by 31st March 1939 he was not ~~xx~~ availing of Loan under Small Dwellings Acquisition Acts.

At the suggestion of Mr. Kelly, it was decided that consideration of this communication be adjourned to next meeting of Finance Committee.

NICHOLAS BREEN, MILLTOWN, FERNS: It was reported that the house erected by Nicholas Breen, Milltown, Ferns, under Small Dwellings Acts and for which loan of £175. 10. 0 had been made by the County Council, had been let to a Garda who was in occupation for several months. The final payment on foot of this loan was made to Mr. Breen in May 1937.

Under date 15th December 1938 letter was written to Mr. Elgee, (County Solicitor), asking him to communicate with Mr.



Breen and point out to him that he was expected to reside in the house for three years; and this period had not expired.

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

"That the County Solicitor be requested to furnish copy of explanation received from Nicholas Breen, Milltown, Ferns, as to the statement that he has let his house for the erection of which he had obtained Loan under Small Dwellings Acquisition Acts, and according to the conditions of the Scheme a borrower must reside in the house for at least three years."

NICHOLAS CARR, KILLANNE: The Secretary stated that letter under date 25th November 1938 from Nicholas Carr asking for an extra £30 to the amount of £90 already granted, was considered by meeting of Finance Committee on 9th December 1938. When he applied he believe he would have been able to get house built for £160 made up of grant and loan. He found now that house would cost £190.

It was decided that further report as to value of house be obtained from Mr. Ennis, Assistant Surveyor.

Mr. Ennis, Assistant Surveyor, wrote certifying that the value of the house which Mr. Carr was erecting was £200, viz., House £190, value of site £10.

This would entitle applicant to a loan of £110.

The following resolution was adopted on the motion of the Chairman seconded by Mr. O'Byrne:-

"That Mr. Elgee (County Solicitor) inquire from Mr. Carr if, in the event of £110 loan being sanctioned by the Minister for Local Government and Public Health, he would be prepared to build house and finish its erection by 31st March 1939."



17

MISS MARY KEEGAN: Under date 19th December 1938, the Department of Local Government and Public Health wrote (Cert. A.O.22745 - Gorey T.C.) that under the current Acts the house which Miss Keegan, 7 Grattan Terrace, Gorey, proposed erecting under Small Dwellings Acquisition Acts would not qualify for a grant as it was not completed before 1st October 1938.

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

"That the attention of the Minister for Local Government and Public Health be called to the resolution adopted by Wexford County Council asking for extension of legislation regarding period for completion of houses for <sup>which grants</sup> would be available under the Housing Acts."

JAMES O'CONNOR, BALLYNACREE, CASTLETOWN, INCH: This applicant applied for £270 on a house estimated at £400. The valuation of the holding in this case was only £2. 10.0 and the area of the holding two acres. The applicant, it was stated, lived in Dublin, and it was the opinion of the local people that he intended to utilise the house as a summer residence.

It was decided to refuse the application in this case.

#### WEIGHTS AND MEASURES ACTS

Under date 16th December 1938 the Chief Superintendent, Garda Síochána, submitted requisitions from the three Ex-officio Inspectors for supplies of stationery for year 31st December 1939. The Chief Superintendent stated the requisitions appeared to be reasonable.

The following resolution was adopted on the motion of Mr. Kelly seconded by Mr. Colfer:-

"That County Council be recommended to supply the necessary stationery for Ex-officio Inspectors under Weights and Measures Acts in accordance with Schedule attached to



letter of Chief Superintendent, Garda Síochána, Wexford, under date 16th December 1938."

FOOD AND DRUGS ACTS

In connection with the prosecution of Garda O'Toole V. Richard O'Connor, Coolcatts, for sale of milk alleged to be adulterated and in which a fine of 10/- was imposed with £1. 10. 0 for costs and £1. 1. 0 Analyst's Fee, by the District Justice, the County Solicitor (Mr. Elgee) wrote that the Circuit Judge on appeal had decided that the milk was not deficient in fats and the Order of the District Justice was reversed and £9. 11. 0 costs allowed to Mr. O'Connor's Solicitor, in connection with the appeal. It was necessary to obtain at first available meeting a Pay Order for this amount.

The following resolution was adopted on the motion of Mr. Kelly seconded by Mr. Colfer:-

"That the County Council be recommended to pay the sum of £9. 11. 0 costs awarded against them by Circuit Court Judge Comyn in allowing the appeal of Richard O'Connor, Coolcatts, Wexford, in case under Food and Drugs Acts."

REQUISITIONS INSPECTORS FOOD AND DRUGS ACTS

Under date 16th December 1938 the Chief Superintendent, Garda Síochána, forwarded Requisitions from the eight Ex-officio Inspectors for equipment required by them for half year ended 30th June 1939.

The following resolution was adopted on the motion of Mr. Colfer seconded by Mr. Kelly:-

"That the Requisitions for equipment required by Inspectors under Food & Drugs Acts in accordance with Schedule attached to letter of Chief Superintendent, Garda Síochána, Wexford, be approved and that the County Council be recommended to provide same."



STOPPAGE OF WORK ON ROADS

Mr. Colfer said he intended raising at the County Council meeting on 9th January 1939 the question of the stoppage of work on roads on 23rd December 1938 and for some days after and which, it was understood, had been directed by the County Surveyor, owing to the condition of roads through heavy snowfall.

CUTTING OF HEDGES

The following was read from Mr. Treanor, Assistant Surveyor for the district, under date 4th January, 1939:-

"Notices re hedge cutting were served on following on dates given in each case and same have not been complied with. I would recommend that proceedings be taken at next District Court as many others have also been served and if such proceedings taken it will materially help me in having this very important work carried out.

Those against whom proceedings now recommended are:-

Edward Moles, Camolin - hedge in Kilcloran - noticed 2/11/38.

Rd. Farrell, Coolook, Ballycanew - Road 215 - hedges in Coolook - noticed 23/11/38.

Mrs. Henry Tomkins, Ballycanew - Road 215 - hedges in Tomduff - noticed 23/11/38.

John Tomkins, Nevillescourt, Ballycanew - Road 215 - Hedges in Nevillescourt. - noticed 23/11/38.

Mrs. George Murphy, Garrynew, Killenagh - Road 216 - Hedges in Garrynew - noticed 22/11/38."

The following resolution was adopted on the motion of Mr. O'Byrne seconded by Mr. Colfer:-

"That the County Solicitor be directed to write to the five persons mentioned in report of Mr. Treanor, Assistant Surveyor, as having neglected to prune or plash hedges on their holdings adjoining public roads and inform them they will be prosecuted if the work be not carried out within fourteen days from the receipt of his letter.

That the County Surveyor be requested to report if any



action has been taken by the Assistant Surveyors of the other districts of the County in respect of cutting of hedges."

#### BUS ROUTE

Application was received from Mr. J. Healy (Healy and Collins), Main Street, Wexford, to run a bus for the convenience of his customers from Fethard, Duncannon, Arthurstown, Ramsgrange, Ballycullane, Wellingtonbridge and on to Wexford, on 7th January. This is a non-bus route.

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

"The Finance Committee have no objection to the running of Bus on Saturday, 7th January 1939, on Road which is not a Bus route from Fethard to Wexford via Duncannon, Arthurstown, Ramsgrange, Ballycullane, and Wellingtonbridge, by Mr. John Healy (Healy and Collins, Drapers, Wexford) for the convenience of his customers."

#### APPLICATION FOR NEW ROAD, GOREY

The following under date 13th December 1938, was read from Messrs. Huggard, Brennan & Godfrey, Solicitors, (New Road, Gorey) for Mr. John L. Esmonde, T.D.:-

"We are instructed by our client, Mr. John L. Esmonde that he is desirous to hand over to the Local Authorities the road leading to and serving fourteen houses built by him in the town of Gorey, adjacent to the road known as the Park Road.

If there are any further formalities to be complied with, we shall be glad to hear from you as soon as possible!"

The following provisions of Section 25 of Local Government Act 1925 were read for the meeting:-

25 (1) "If at any time after the appointed day the Council of any county or urban district by resolution passed after such notice as is hereinafter mentioned



declares any road which is not a public road, but over which a public right of way for foot passengers, animals, and vehicles exists and which connects two public roads and is not less than eleven feet wide in the clear, to be a public road, such road shall for all purposes be a public road."

- (2) "Not less than one month before passing any such resolution as is mentioned in the foregoing sub-section the council shall publish in at least two newspapers circulating in their county or district notice of their intention to consider the passing of such resolution."

The Secretary stated that in reply to queries the Assistant Surveyor for the district reported that the thoroughfare in question did not connect two public roads, but it was more than eleven feet wide.

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

"The Finance Committee are unable, in view of the provisions of Section 25 of Local Government Act 1925, to recommend the County Council to make arrangements to take over the road at Gorey town leading to fourteen houses recently erected by Mr. J. L. Esmonde, T.D., as it does not connect two public roads."

#### DANGEROUS WALL AT ROSBERCON, NEW ROSS

Under date 24th November 1938 the following letter (received from County Surveyor's Department on 15th December) from Mr. P. O'Neill, Assistant Surveyor for the district, was read:-

"During the recent heavy rains a 42 feet length of protection wall collapsed at School House Road, Rosbercon. There is a drop of 10 feet from road level to a bench of rock below. I understand that at this place the rock was excavated and the wall was then built. The rock is soft shale



and is weathering rapidly and will in time eat into the sewer which is only about  $3\frac{1}{2}$  feet from the rock face at this point.

There is a temporary protection erected and the place is safe for the present, but a further section of the wall may fall at any time.

I will be glad if you find out who is responsible for the erection and maintenance of the protection wall. If the County Council has got to assume the liability I think the Urban Council should raise the necessary funds in next year's Road Estimate."

Under date 16th December 1938, the Secretary wrote Mr. O'Neill, suggesting he should have an interview with the Town Clerk, New Ross, over the matter to ascertain whether the Urban Council, New Ross, or the County Council was responsible for repair.

No answer had been received to the present from Mr. O'Neill.

It was decided that the County Surveyor be requested to furnish his observations in the matter.

#### LANE AT CASTLEWHITE, CARNEW

The following under date 9th December 1938 was read from Mr. William Kinsella, Castlewhite, Carnew:-

"I am making application to your Council for the repairs of a lane leading to my place. It is about 300 perches long. There is four families has to go it. It was sent in by the road ganger about 2 years ago. Hoping the County Council will be able to do something at it for me."

It was decided that application for repair of Castlewhite Lane, Carnew, be renewed to the Office of Public Works.

#### LANE AT COURTLAW, THE BALLAGH

Messrs. John Kehoe, Patrick Doyle, Thomas Leamy, Margaret Doyle and Mary Kinsella wrote asking the County Council to have above lane repaired under Minor Relief



Scheme. If not possible to have it repaired in this way perhaps the Council would be good enough to supply some material for its repair from Ballymurray quarry.

It was decided on the motion of Mr. O'Byrne, seconded by Mr. Kelly, to list Lane at Courtlow, The Ballagh, in first instance, for repair under Minor Relief Scheme.

OWENSTOWN LANE, RATHMACKNEE

Under date 9th December 1938 Mr. Leo Larkin, Sallystown Ballycogley, wrote that he again wished to draw the attention of the County Council to the state of above Lane. It was altogether impassible and it was impossible to get a load up or down it.

Mr. Kelly proposed, Mr. O'Byrne seconded and it was agreed that Owenstown Lane, Rathmacknee, be listed for repair under Minor Relief Scheme.

FLOODING AT KILMACREE

The following resolution was adopted on the motion of Mr. Murphy seconded by Mr. O'Byrne:-

"That the County Surveyor be requested to furnish report as to the flooding by (it was stated) an ineffective water table of the cottage occupied by Mr. Whelan at Kilmacree."

DAMAGE TO ROAD 859 - BRANCH TO BOYCE'S BAY

The following under date 24th November 1938 to County Surveyor (and received in Secretary's department on 16th December 1938) from Mr. P. O'Neill, Assistant Surveyor for the district, was read:-

"I inspected the above road on November 16th. The water from a drain is turned on to the road and has torn it down to the sea. Last year I visited the place on a few occasions when the same thing was happening. I wrote to the owner and pointed out that the sea protection wall was



likely to suffer damage from the erosion of the filling behind, due to the scour of water down from this drain.

The owner is an elderly woman who at that time was living in Dublin and she said she knew nothing about it, but referred me to her son. The ganger has approached this man and he is unwilling to allow the water to go its usual course. He wants a water channel made down the side of the road to sea level. This particular field through which the drain runs is not worked by the owner, but is set to another person and I believe it is this man who started interfering with the water course in the first instance. I think it would be well to get Mr. Elgee to write to the lot and ask them to desist from diverting the water."

Under date 17th December 1938, Mr. Elgee, County Solicitor, wrote that in these matters the County Surveyor had to serve a specified notice and he did not see what could be done until the County Surveyor, who was ill, returned to duty.

It was decided to refer the matter to the County Surveyor.

#### FLOODING OF ROAD CAMBLIN - NEW ROSS

The following, under date 12th December 1938, was read from Lieutenant Colonel Tyndall, Oaklands, New Ross:-

"I am writing to know if anything can be done to abate the flooding of the low lying land, marshes and road between Camblin and New Ross, due to a big breach in the river bank near Camblin.

Four or three years ago an unsuccessful attempt was made to repair this breach in relief of unemployment but the attempt only left it in a worse condition than before and there are now other smaller ones. Before this big breach assumed its present proportions the marshes and road were only flooded at spring tides and the water soon ran off.



Now they are almost continually under water from Autumn to Spring and are becoming derelict.

As the Poor Law Valuation of these lands is very high this is a serious matter for the owners but the fact of divided ownership makes it very difficult for any one man to do anything while the owner of the land where the trouble really occurs is too small a man to do anything. I own one marsh, but also 4 houses which are continually flooded and neither I nor the tenants can do anything as the trouble begins a long way from them.

Again, there is a stretch of road between my lodge gate and New Ross about 150 yards which is continually under water from inches to feet of it and is impassable for pedestrians, cyclists, small cars and ass carts and these have formed a habit of coming through my demesne to avoid the flood and right past my hall door, a proceeding which I object to but hardly like to refuse to allow.

The raising of the level of this bit of road by 1" to 18" would more or less put this matter right or even the raising of the footpath would do a lot of good, but the real trouble is the big breach in the bank and the small ones which are growing.

It is much too big a job now for the owners and I direct the attention of your Council to it.

As I write this morning, 2 cars have just passed my door which means that the road must be impassable for them and I shall have to go a long way round myself to get to Ross."

The following report under date 15th December 1938 was read from Mr. O'Neill, Assistant Surveyor for the district:-

"The road complained of by Col. Tyndall is flooded at all high tides with a S. W. wind, and it is, as he says, impassable for almost all kinds of traffic.

If the breaches in the embankment that are the cause



of the flooding are not repaired it will eventually be necessary to carry out his suggestion of raising the road. The cost of this would be approximately £250."

It was decided to refer both letters to County Council meeting on 9th January 1939.

LANE LEADING TO MARSHALLSTOWN CHURCH

The following under date 23rd December 1938, was read from Mr. Patrick Somers, Ballydaw, Milehouse, Enniscorthy:-

"I read a report in last week's Press of a meeting of Wexford County Council in connection with a lane leading to Marshalstown Church. Some years ago a Minor Relief Scheme was carried out on that lane. In his report Mr. Ennis said I would not let him into my field to clean up the gripe. This is a confounded falsehood (lie) for Mr. Ennis. He got permission to clean up the gripe as far as he liked and also did so and drew the stuff and threw it out on the field and I had to spread it at my own expense. What I would not allow him to do was, he was wanting a corner off the field, which I would not give without compensation. I hope you will clear up this matter at your next meeting. I am acquainting a solicitor to see if a Public Official can make such false reports after he getting permission to go in on the field and clean up all he like. He trespassed on the field and drew the stuff upon the field with horses and carts and I had to spread it at my own expense. That, I was willing to do, but how dare he make such allegations after getting permission."

It was decided to adjourn consideration of this letter until reply from Mr. Ennis, Assistant Surveyor, had been received.

BALLINCASH LANE

It was decided that the attention of the County Surveyor be called to the following Order of Finance



Committee of 11th November 1938:-

"That Mr. Cullen, Assistant Surveyor for the district, should interview Mr. Michael Fortune, a member of the deputation which came before the Finance Committee, obtain all necessary data as to the proposal and submit same to County Council."

GARRENSTACLE LANE

Messrs. William Curtis, Michael Kelly, John Doyle, Thomas Kehoe and Clem Coyle, Garrenstacle, Ballyhogue, wrote under date 28th December 1938:-

"The undersigned ratepayers write to you to bring this letter before the members of the County Council with regard to the condition of the Garrenstacle Lane which is on the hands of the Council. It is in a disgraceful state and there is no such thing as continuing paying rates where there is such a large amount of rates paid every year. Any member of the Council or any Surveyor can come and inspect it. The whole centre of the lane at Macmine end is completely washed away down to the old foundation all on account of the dykes and water tables not being cleaned and cut for the last 10 years. We ask the same to be done immediately."

Under date 5th January 1939 Mr. Cullen, Assistant Surveyor for the district, reported:-

"I inspected this road recently and although material has been spread and outlets opened a good deal of damage has been done by heavy floods. The water tables certainly require a good deal of attention. The road is very narrow in places and farm carts have tracked the surface where softened by heavy frosts. It is not possible with money available to carry out any extensive work except an allocation could be made out of the Contingencies Fund.

Referred to County Council.



MARTINGALE LANE, COOLAMAIN

The following memorial signed by 24 Ratepayers was read and referred to County Surveyor for report:-

"We, the undersigned Ratepayers, respectfully ask the Wexford County Council to repair the lane known as Martingale Lane, Coolamain; at the present time and during the entire winter we are completely held up in our business. The lane is now flooded to a depth of about three feet. We cannot get home our crops from our land and without the aid of a horse and car we cannot get to the public road. Under the circumstances above explained, we again ask the County Council to do something to help us out of the difficulty."

GILES CORNER, GOREY - COURTOWN ROAD

The following under date 29th December 1938 was read from Mr. G. Langley Taylor, Agent, Courtown Estates:-

"I have received your letter of the 17th December concerning Giles Corner on the Gorey-Courtown Road. Provided you will buy the whole of the holding which we have at this corner I am prepared to recommend the trustees to accept the suggestion that it should be sold to the County Council at five shillings (5/-) per perch. You will appreciate that to have any of the land left with us would be quite useless."

The Secretary stated that he had asked Mr. Taylor to inform the Council what was the extent of the "holding" which the County Council were asked to purchase.

Under date 2nd January 1939 Mr. Taylor forwarded Plan showing the amount of land owned by the Courtown Estate at this corner.

It appeared from the Plan that the area was 12.8 perches

The following resolution was adopted on the motion of Mr. O'Byrne seconded by Mr. Keegan:-

"That the County Council be recommended to take over 12.8 perches of land from the Courtown Estate to provide for easement at Giles' Corner at the rate of 5/- per perch."



PROPOSED DUMP AT COURTOWN HARBOUR

The following, under date 22nd December 1938 to the County Surveyor, was read from Courtown Brick & Tile Works:-

"In connection with Dump at Courtown Harbour we beg to inform you that we have put your offer of £20 for the purchase of Quarry at Courtown Harbour before our Directors but they are not agreeable to accept this price."

It was decided to refer the matter to the County Council.

DEFAULTING ROAD CONTRACTOR

The following under date 19th December 1938 was read from Mr. Birthistle, Assistant Surveyor:-

"Contractor for Roads 745 and 750, Patrick Kennedy, Ballyvergin, is neglecting same badly. I would be glad to have a recommendation from the Finance Committee empowering me to prosecute or alternatively to take up the roads concerned as I may think fit after my next inspection."

The following resolution was adopted on the motion of Mr. O'Byrne seconded by Mr. Colfer:-

"That the County Council be recommended to empower County Surveyor to take up Roads No. 745 and 750 from Contractor, Patrick Kennedy, Ballyvergin, owing to default in their maintenance."

RE-VALUATION OF EIRE

The following under date 2nd January 1939 was read from Town Clerk, New Ross Urban District:-

"I am directed by the New Ross Urban District Council to draw the attention of your Council to a Bill for the Re-valuation of Eire recently introduced into An Dail and to solicit your assistance in having this Bill thrown out as entirely contrary to the best interests of the nation's social and economic progress."

It is suggested that the present system of taxation on



the basis of annual value as obtaining for such a number of years is iniquitous and antiquated. Almost all town shops and residences are very old and are over valued. The Travelling Shop; Post Office facilities for "Shopping by Post"; Railway "Delivery to Home" arrangements; Reduction of Licencing Hours; Transport facilities and such like, have all been perfected since the advent of the Old Valuation Acts - thereby reducing the value of the Towns for the purposes of trade and commerce. A re-valuation therefore can only mean an inequitable increase and corresponding taxation (National and Local) and at a time when revenue expenditure is calling on the Country's capital.

If there must be a re-valuation of Eire it should only take place concurrently with a revision of all existing laws of taxation and generally.

Now, my Council desire to start a campaign against the present re-valuation Bill because it is not wanted as the country cannot afford to contribute more to rates and taxes and consider the limit has been reached both collectively and severally. You will remember also that the Municipal Conference recently unanimously resolved to oppose a Re-valuation enactment.

You will also remember that at the 25th Annual Conference of the Municipal Authorities Association held in Galway a resolution was passed on the first day recommending a new method of valuation and rating having for basis the capital land value and ground rents, the repealing of all existing legislation in connection with the raising and levying of rates, and for the future that the owner of the premises alone should be the person or persons to be rated.

As you are aware it will take concerted action to keep this Bill from reaching the Statute Book and so my Council ask you to join in this campaign and to promote its objects



by resolution condemning the Re-valuation Bill and inducing your own T.D.s to vote against the Bill on all and every occasion and whilst doing so to advocate that the existing basis of taxation should be changed to that recommended by the Public Authorities of the State sitting in conference at Galway who should know and appreciate the wants of the people and their necessities."

The following resolution was adopted on the motion of Mr. Kelly seconded by Mr. Murphy:-

"That no action be taken on letter of Town Clerk, New Ross, as to Bill for re-valuation of Eire until the Committee have had an opportunity of examining its provisions."

#### SANCTION TO OVERDRAFT

Under date 23rd December 1939 the Department of Local Government and Public Health wrote (G.8195/5/38) that the Minister sanctioned temporary overdraft by the County Council up to 31st January 1939 of a sum, not exceeding in the aggregate £35,000.

#### INDUSTRIAL SCHOOL APPLICATION

The District Superintendent, Garda Síochána, Enniscorthy, wrote under date 2nd January 1939, that he would make application to Enniscorthy District Court on 19th January 1939 for the committal to an Industrial School of Patrick Larkin, Monart, Enniscorthy, 11 years and 6 months old, son of a labourer.

Referred to County Solicitor.



The following resolution was adopted on the motion of Miss O'Ryan, seconded by Mr. Murphy:-

"That the Minutes of Finance Committee in respect of meeting held on 5th January 1939 be received and considered."

DRAINAGE COMMISSION: Miss O'Ryan said if statements by persons interested in drainage in excess of individual requirements were furnished County Secretary he would collate them and send forward to Drainage Commission.

SUSPENSION OF ROAD WORK DURING SNOW STORM: In connection with this matter raised at the Finance Committee by Mr. Colfer, the County Surveyor stated he was ill when road work was suspended, but he consulted with the staff and could not see there was any use in having men walking round the country, plodding through snow, when no work was possible. He had telegrams forwarded to the Gangers and Assistant Surveyors to suspend all the men and close down the work until the weather improved. In the ordinary way if a man came on the job he would be entitled to payment for a wet day if he worked for the rest of the week. If the Council were satisfied he would pay such men for the period during which work was suspended owing to the snow storm. He felt that if he had allowed the men to continue he might be called to account for keeping them on while no work was possible.

Mr. O'Byrne said it was unfair to have stopped the men for Xmas Eve. The argument advanced by some of the Council when the proposal for increasing wages of road workers was being debated at last meeting was that they were being paid for broken time. If the days for which the stoppage took place had been wet the men would have been paid and he could see no difference as regards stoppage of work between rain and snow. The men had also lost the benefit of the



Catholic holiday owing to the stoppage. He proposed that they be paid for the time lost.

The County Surveyor said he had taken the action under discussion because he considered it the proper thing to do.

Mr. Keegan said there was plenty of work for the men in Gorey. It was impossible to get to the Churches or into Gorey town during Christmas week owing to the snow. The men could have been employed cleaning the streets and foot-paths and giving the people an opportunity of carrying on their business.

The Chairman believed it was a mistake to have suspended the work in Gorey town.

Mr. Treanor, Assistant Surveyor for the district, said he believed no man could have carried out any road work on the streets of Gorey during the snow because it was freezing as it fell and it was really dangerous.

Mr. Keegan said from a charitable point of view they should have made work for the men who were depending on the Council for their Christmas dinner; instead they were stopped by wire. It was surely a very bad principle to stop men during Christmas week and to leave them without their Christmas dinner.

The County Surveyor pointed out that in so far as the Christmas dinner was concerned the men were not affected, because the payment for that week would not be discharged till after Christmas and the amount due up to the preceding week had been forwarded each man on 21st December.

Miss O'Ryan held that the County Surveyor was justified in his action. If the work had not been stopped the Council would have appeared ridiculous in the eyes of the public for paying men who could not possibly work. Would the most advanced Labour member advocate paying the men if the snow had to continue for two or three weeks, as it



appeared for a time it might have done. When the Council arranged to pay for broken time it was never intended that this should exceed a day or a day and a half. It was not correct to state that the money would be stopped from the men, as a corresponding number of days would be found for them before the conclusion of the financial half year. In her opinion, the men would prefer to be able to say that they were able to work for their money than to have it presented to them for doing nothing - practically as charity.

Mr. Culleton, in seconding Mr. O'Byrne's proposal, referred to the statement made by Miss O'Ryan that payment would be made at the end of the year but who knew where the men would be when that time came. Was there any reason why the men should be hungry because they could not work owing to certain circumstances? If the Surveyors had not much to do their salaries would not be curtailed but it seemed as if the men who were getting wages would not be entitled to payment. He believed they were as much entitled to be paid for snowy days as wet days and he contended that this was provided for by the Direct Labour Scheme of the Council.

Col. Quin proposed the following amendment:-

"That the Council approve the action of the County Surveyor in suspending road work during the period it was impossible to carry on same owing to snowfall, and that no payment be made to road workers concerned for the period of suspension."

Mr. Colfer held that there were parts of the County where very useful work could have been carried out and it should have been continued there. It was a mistake to stop work all over the County.

Mr. Birthistle, Assistant Surveyor, speaking for himself and his colleagues, said everything had been done



to ensure that the workmen had wages for Xmas. He had all the work he could possibly arrange going full swing on three different jobs, in one gang 38 men being employed. He did not consider he was getting the fullest value out of this work owing to the weather. The Surveyors did not look for credit for what they did although they deserved it. As for the payment for the holyday any man who turned up for work on the last day on which he should have worked before the holyday was paid for the holyday. The men were stopped on Friday and Saturday, 23rd and 24th December, and in his opinion they had got every facility possible.

The County Surveyor stated that when the matter was brought to his notice he considered the point that if the men were paid for the snowy days the work would have to stop an equal number of days earlier next March. However, he was only concerned with the side of the question dealing with the work; payment was one for the County Council.

Mr. Keegan asked if the Gangers were working on the two days on which the men had been stopped.

The Assistant Surveyors stated in turn that no Gangers were paid except those who were either working or going around their districts informing the men of the stoppage.

Mr. T. Redmond said that the County Surveyor was the responsible officer and he was as much interested as any man could be in the men working under him. If it were possible under the law the County Surveyor would see that the men were paid for the period of the stoppage.

Miss O'Ryan seconded Col. Quin's motion and said if a plebiscite among the road workers was taken they would find an overwhelming majority in favour of the deputy surveyors. She never met a good road worker who did not say the Surveyors always gave them every fair play. The road workers would see there was very good reason for the Surveyor's action in this matter, as the County Council would be giving



the amount of money stopped for work carried out later on.

The County Surveyor said he believed he acted perfectly right in the matter but if the Council were satisfied he acted wrongly it was an error of judgement on his part.

The Chairman said that as there was a difference of opinion on the question he did not believe he should be asked to accept the resolution of Mr. O'Byrne in its present bald form, to pay the men for work that had not been done. There might be a question that under the Direct Labour Regulations they were entitled to payment and he suggested they should ask the opinion of the County Solicitor.

Mr. Elgee, County Solicitor, said as far as he could see when the men were absolutely unable to work the members voting for their payment would be surcharged.

The Chairman asked in view of this opinion would the proposer and seconder of the resolution for payment persist in having their motion put to the meeting.

Messrs. O'Byrne and Culleton said they stood by their proposal and wished to have a vote taken.

Mr. Keegan held that the motion for payment was out of order.

The Chairman said he was entirely opposed to Col. Quin's motion as he thought work could have been found for the men. On the other hand as the County Surveyor - the responsible officer - had issued a definite order to stop the work he did not believe they could be paid. If the Council were in favour he would propose that the matter be referred back to the Finance Committee for a thorough investigation as to the liability of the Council.

Mr. Ronan said as the County Solicitor had given his opinion it would be better to have a vote on Col. Quin's amendment and dispose of the matter once and for all.

Col. Quin's amendment was then put with the following result:-



For: Messrs. R. Doyle, Kennedy, Kinsella, McCarthy, Murphy, O'Ryan, Quin, M. Redmond, T. Redmond, Ronan, Smyth and Walsh. - 12.

Against: Messrs. Colfer, Culleton, Keegan, Kelly, O'Byrne and the Chairman. - 6.

Mr. Lawler did not vote. - 1.

The Chairman declared the amendment carried.

On being put as the substantive motion it was adopted without dissent.

CUTTING OF HEDGES: The County Surveyor said he had directed the Assistant Surveyors to deal with this matter of cutting of hedges. Subsequently he received a letter from Department of Local Government and Public Health that action should be taken in the matter. However, as he had given his Assistant Surveyors definite instructions that proceedings should be instituted against persons refusing or neglecting to cut their hedges and that only the one report (that of Mr. Treanor) had been received he concluded there had been no refusal to carry out the work in any of the other districts.

In reply to Mr. Keegan Mr. Treanor said he would call on the persons who had been reported by him to the Finance Committee and ask them to have their hedges trimmed without further delay.

APPLICATION NEW ROAD GOREY: Mr. O'Byrne asked if the Council could take over a public square which adjoined a public road.

County Surveyor - The sea is considered to be a public highway, so that all roads leading to the sea are regarded as public highways.

Miss O'Ryan - Our official reply is that the Council cannot take over the road, and those people are well versed enough to send us another application if there is any way



out of it.

In reply to Col. Quin the Secretary stated that if the Council took over the road they would be responsible for its future maintenance.

Mr. Keegan said this was a private road. It was decided to refer Messrs. Huggard, Brennan & Godfrey to the resolution of the Finance Committee.

DANGEROUS WALL AT ROSBERCON: Mr. T. Redmond said that the wall referred to in Finance Committee minutes had been erected by a private person.

The County Surveyor said that the foundation had not been sufficient to make a proper job and it would have to be rebuilt particularly as a new sewer ran along there now.

OWENSTOWN LANE: In reply to Mr. Culleton the County Surveyor stated that when inspecting this district relative to report as to flooding there the local people would be notified and could be present at the inspection.

FLOODING ROAD AT CAMBLIN: Mr. T. Redmond did not believe that raising the road would effectually obviate the flooding.

The County Surveyor said that if the road was raised above flood level it would be protected. This was really all the County Council could concern themselves with.

Mr. T. Redmond said there was no use in talking about this particular place unless the river banks were repaired. The damage there would cost the County hundreds of thousands of pounds in rates and otherwise if repair was not carried out. Mr. Kennedy, who travelled that road the previous night and that day could give them an idea of its condition.

Mr. Kennedy said the road was growing steadily worse for the past three or four years and not only the road but



good grazing land for two or three miles was useless as it was flooded practically all the time.

Mr. T. Redmond said the County Council should make a determined effort to get money from some source for the repair of the breaches in the banks of the River Barrow.

The Chairman proposed and Mr. T. Redmond seconded the following resolution which was adopted:-

"That the County Surveyor be instructed to prepare a case for special representations to the Office of Public Works and to the Land Commission in regard to repair of breaches in River Barrow banks between Camblin and New Ross and at Fisherstown, Great Island and Ballynabanogue."

The County Surveyor said that about a year ago he had accompanied an Inspector from Office of Public Works when inspecting Great Island.

MARSHALLSTOWN LANE: Mr. Ennis, Assistant Surveyor for the district, said that five or six years ago a Minor Relief Scheme job was carried out at the place. The water in a little stream on Mr. Somers' land was ponded back and it was necessary to have this cleaned to do anything effective. The Ganger asked Mr. Somers (Senior) for permission to do this but he refused and told him not to meddle with the field. The Ganger reported this to him (Mr. Ennis) and he thought that was final. Subsequently, it appeared that Mr. Somers (Junior) gave permission to have some cleaning done but he (Mr. Ennis) was never informed of this. All he knew was that Mr. Somers (Senior) had refused permission. He was very sorry if there was a grievance on the part of Mr. Somers through the misunderstanding which arose.

It was decided to explain to Mr. Somers, Senior, how the mistake in the matter had been made by Mr. Ennis.

BALLINCASH LANE: The County Surveyor said he had a map prepared for the work. The new lane would be 100 perches



long, and the old one was 600 perches, so that there would be a saving of 500 perches on travellers. The cost of the new lane would be £400, and a small bridge would cost £60, while the repair of the old lane to join the new one would be £200. The total would be £660.

Chairman - Where will that come from?

Miss O'Ryan - It will have to wait for the good times.

Chairman - Write back and tell the people concerned that the matter is being considered but that it will cost £600 and we have not the money at our disposal at the moment.

Mr. Kelly - Would it be too big to be done under a Minor Relief Grant?

Chairman - That would be a major work.

Mr. T. Redmond seconded the Chairman's suggestion, which was adopted.

GARRENSTACLE LANE: Mr. Cullen, Assistant Surveyor, said that £15 would put the place into passable order.

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

"That a sum of £15 be withdrawn from County Contingencies Fund for repair of Garrenstacle Lane."

PROPOSED DUMP AT COURTTOWN HARBOUR: The Chairman said that the price asked by the Courtown Brick & Tile Company was ridiculous.

The County Surveyor said that Lord Courtown was prepared to give a site for a dump, but it would be some distance from the town. He would see it and report.

Mr. Keegan said that if the Brick and Tile Company were going to retain the marlhole they had offered for dumping ground they should have it railed around.

Secretary - It is on his own property.

County Surveyor - It is fenced off from the road,



and that is all that concerns us.

Mr. Keegan - As the premier body in the County we would like to point out to them that they would be responsible if anything occurred.

Chairman - We have no responsibility.

It was decided to inform the Courtown Brick & Tile Company that the County Council could not see their way to offer any higher figure than £20 for quarry at Courtown Harbour proposed to be as a dump.

On the motion of Mr. Colfer, seconded by Mr. Kelly, the following resolution was adopted:-

"That Minutes of Finance Committee of 5th January 1939 as submitted to this meeting be, and the same are, hereby confirmed and approved except in so far as same may have been altered or amended by resolution adopted at this meeting."

PROPOSED LOANS - NOTICES OF MOTION

COUNTY BOARD OF HEALTH COTTAGES: The following motion, of which she had given previous notice and which was circulated to County Councillors on the 16th November, 1938, stood in the name of Miss O'Ryan:-

"I hereby give notice of my intention to move at meeting of Wexford County Council to be held on 9th January 1939 that consent be given by said Council to the Wexford Board of Health and Public Assistance borrowing supplemental loans for the purpose of completion of the Schemes for the provision of 1000 Cottages throughout the County Health District, and also 528 Cottages throughout the larger and smaller villages of the County as follows:-

	£.
In respect of 115 Cottages	7500
In respect of 208 Cottages	13600
In respect of 176 Cottages	2700
In respect of 129 Cottages	3200



In respect of 284 Cottages in Small Villages	£. 21868
--	-------------

In respect of 616 houses (balance of 1000 houses authorised).	<u>40000</u>
---	--------------

Total 88868."

Miss O'Ryan said that the motion might come as a surprise to most of the members, but it was really more or less a matter of book-keeping. When they came to the Council in the beginning of that housing scheme they applied for a large sum and the Council were very generous in passing it and she still believed that that sum would be sufficient. It was estimated at first that the cost of a house under the new scheme would be £250, but due to one thing or another and principally to the cost of building materials having gone up and the increased cost of labour, the cost was being brought up to £330, and the Department insisted, in respect of each scheme, that they must borrow the extra figure to pay off each scheme separately, although the other money was to their credit.

Chairman - And probably won't all be used.

Miss O'Ryan said in a scheme of, say, 240 or 280 houses to be built, probably not more than 200 would be built, so although they were asking for the money that day, they were of opinion that the £250,000 would not be exceeded. She did not think anyone would like to see them call a halt in building, although it would seem that housing was getting very expensive, but she understood the cost was coming down a bit. If it was the general opinion that the Board of Health should stop building, of course the Board would stop. In regard to asking additional sums, she wanted to point out that those sums were included in the sum already granted, and it was only a question of book-keeping. They had the best rent collection of any cottages in Ireland - 94 per cent collection at the close of the half-year, and two collectors had their warrants complete.



Mr. Kelly seconded.

Mr. M. Redmond said that he was in favour of Miss O'Ryan's motion. He would like to know when the next batch of houses would be built. There were people in his area clamouring for cottages, and there was no sign of their cottages being built.

The Chairman said that inquiries had been held in the different areas in regard to all the applicants for cottages. He thought that one had gone through and they were expecting word from the Government about the others. The Board were ready to go ahead. It was only a question of the Government giving word as to the result of the inquiries.

The motion was carried unanimously.

COTTAGES FOR VILLAGE OF FERNS: The following motion, of which he had given previous notice and which was circulated to County Councillors on the 23rd November 1938, stood in the name of Mr. Ronan:-

"I hereby give notice of my intention to move at the meeting of Wexford County Council to be held on 9th day of January 1939 that permission be given Wexford Board of Health to borrow £4015 (Four thousand and fifteen Pounds) required for the purpose of providing eleven additional cottages in the village of Ferns."

Mr. Ronan, in moving the motion, read the following extract from minutes of a Board of Health meeting on the 21st November 1938:-

"The Secretary read the following report on the number of houses in Ferns scheme: 'The original report of the County M.O.H. showed that there were 54 condemned houses in Ferns. The larger village order provided for the erection of 39 houses, portion on Murphy's land and remainder on Dunbar's land. When lay-out plan was submitted by Messrs. O'Sullivan and Jordan it showed 50 houses on what purported to be the land authorised to be acquired from



HH

Mr. Murphy. Examination showed that the lay-out encroached upon land that had not been authorised to be acquired. This consisted of an angle upon which stood a number of condemned houses and was also the property of Mr. Murphy. The matter was taken up with the engineers and after interviews and correspondence, advertisements were issued for the erection of 38 houses on the Coolbawn site. A tender was accepted, but the Insurance Company refused to complete bond. It was then decided by the Board to erect those 38 houses in addition to four on Dunbar's land by trades contract system under supervision of Mr. Flood. This was approved by Department but it would appear that Mr. Flood, in error, followed the lay-out and proceeded to erect the 50 houses shown on lay-out. Meanwhile, demolition orders had been made in respect of the houses situated in the angle referred to. When the orders became absolute, the Board considered it desirable to acquire this site, and instructions were given to the Board's solicitor to negotiate for its acquisition. The Board offered £50, but the owner wanted £75. The Board decided to adhere to their offer, and the solicitor has now written that agreement has been reached. It will be necessary to get the approval of the Department."

Mr. Kelly seconded the motion, which was carried nem. con.

Mr. Keegan drew the attention of the Health Board to repairs of cottages in his area. He had complaints every day with regard to repairs. Some years ago - roughly 16 or 17 years ago - the old District Council or Board of Guardians appointed a man to supervise repairs of cottages. He did not really want to dictate to anybody, but would draw the Board's attention to the fact that they should give a little more of their time to repairs and he might state, for recently built cottages.

The Chairman said that Mr. Keegan might take it from



him that the matter engaged very much of the time of the Board. They were keeping Mr. Keegan's point in mind.

Mr. Kennedy said that in his area a number of the old cottages were in a very bad way and he would ask the members of the Board to try to do something with them. Some of the old cottages were hardly fit for habitation. Some people said that they had applied for cottages to be repaired, and that was all they heard about it.

The Chairman said that any reasonable application that came before the Board was dealt with and he knew of many cases where contractors were appointed to do the work, and some had them on their hands for twelve months or over. When they complained they were told it was not easy to get men, because the best of the men were engaged on the building of cottages.

Mr. T. Redmond said that what the public wanted to know was why thousands and thousands were being spent on new cottages while good old cottages were being allowed to fall. Hundreds of cottages in the County were ready to fall and it was a question of a few pounds for repairs.

Chairman - That's a matter for the Health Board.

Miss O'Ryan - If any County Councillor sends in a report in regard to any house in his district needing repairs, I am sure the Health Board will see to it at once.

LOAN FOR ROAD IMPROVEMENT: The following motion, of which he had given previous notice and which had been circulated to members on the 7th December 1938, stood in the name of Mr. Corish:-

"I hereby give notice of my intention to move at the meeting of Wexford County Council to be held on 9th January, 1939, that Loan of £1,200 (One Thousand Two Hundred Pounds) be obtained from the Council's Treasurer, the National Bank Ltd. (repayable in five years), for the purpose of



strengthening and surfacing Road No. 744 from Urban Boundary at Belvedere, Wexford, (via Road at Wexford Sports Field) to Clonard."

In moving his motion, Mr. Corish said this was a very important road. It passed the Wexford Sports Ground and time and time again there were people coming to Wexford from outside the County. Those who frequented the field at matches heard complaints about the state of that road. The Urban Council had done their part up to the borough boundary and the road was pretty good now there. He would ask the Council to agree to borrow the amount. He supposed that over five years it would cost an average of £250 - £288 for the first year - one-sixth of a penny in the £. The instalment of the loan to finance the scheme was included in the road works scheme. It was only a question of passing it.

Col. Quin said he thought they were promised that they would pay no more for roads.

Chairman - You have already passed it. It is necessary to implement it with that resolution.  
Mr. Kinsella seconded.  
The motion was carried.

#### POSITION OF COUNTY MEDICAL OFFICER OF HEALTH

The following under date 23rd December 1938 (P.H.26265/13/38 Loch Garman Sc) was read from Department of Local Government and Public Health:-

"With reference to previous correspondence regarding the suspension by the Wexford County Council of Dr. Christopher Bastible from the office of County Medical Officer of Health for the County, I am directed by the Minister for Local Government and Public Health to state, for the information of the Wexford County Council, that he has instructed Dr. J. D. MacCormack, Medical Inspector, to hold a Sworn Inquiry on Wednesday, 4th January, 1939, at



47

10.30 a.m. at the Council Chamber, County Hall, Wexford, into the charges brought against Dr. Christopher Bastible by the Wexford County Council. The Inquiry is to be held in private."

Under date 29th December 1938 the following letter (P.H.26265/14/38 - Lach Garman Sc) was read from Department of Local Government and Public Health:-

"With reference to the Department's letter of the 23rd instant on the subject, I am directed by the Minister for Local Government and Public Health to state, for the information of the County Council, that in view of representations received from Messrs. Hayes & Sons, Solicitors, 41 & 42, Nassau Street, Dublin, that the fixing for the 4th January, 1939, of the date of the Sworn Inquiry into the charges brought against Dr. Christopher Bastible by the Wexford County Council would not give sufficient time for the preparation of Dr. Bastible's case, the Minister has agreed to postpone the Sworn Inquiry for a week. The Inquiry will accordingly, be held in the Council Chamber, County Hall, Wexford, on Wednesday, 11th January, 1939, at 10.30 o'clock a.m.

Dr. Christopher Bastible has been notified by this Department of the original date of the Sworn Inquiry and of its postponement to 11th proximo."

The following under date 30th December 1938 (P.H. 26265/17/38 - Lach Garman Sc) was read from Department of Local Government and Public Health:-

"With reference to the Department's letter of the 29th instant on the subject, I am directed by the Minister for Local Government and Public Health to state, for the information of the Wexford County Council, that in compliance with a further request received from Messrs. Hayes & Sons, Solicitors, 41 & 42 Nassau Street, Dublin, he has agreed to the postponement to Wednesday, the 18th January, 1939, at  
© WEXFORD COUNTY COUNCIL ARCHIVES



10.30 o'clock a.m. of the Sworn Inquiry into the charges brought against Dr. Christopher Bastible by the County Council. The Inquiry will, accordingly, be held in private in the Council Chamber, County Hall, Wexford, on that date and at that hour."

The following reply of Dr. Bastible to the charges submitted against him by the Wexford County Council was received by Mr. J. Elgee, Solicitor, from Department of Local Government and Public Health:-

"1. Dr. Bastible submits that he has always performed the duties of his office as County Medical Officer of Health in a satisfactory and efficient manner. He has been County Medical Officer of Health for County Wexford since the year 1930 and no complaint as to the performance of his duties has previously been made.

As regards the specific charges under this head:- (a), (b) & (c). These charges are quite untrue and unfounded. Dr. Bastible has never been incapable of performing the duties of his office as alleged. (d),(e),(f),(g),(h) & (j). All Dispensaries and Clinics were duly held and when Dr. Bastible was not present he made all necessary arrangements with regard thereto.

The Duties of Dr. Bastible, as County Medical Officer of Health, are supervisory and he is not bound to attend personally all Dispensaries and Clinics provided he makes proper arrangement for holding same, which he has done in every case.

(i) As County Medical Officer of Health Dr. Bastible is bound to attend only such meetings as he may be required or directed to attend. No request or direction to attend the meetings in question was either made or given.

(k) Dr. Bastible did not endeavour to prevent the performance by the officers concerned of their duty under the Importation of Parrots (Temporary) Regulations, 1930. On



30th September 1938 having received a complaint from a lady who had imported two budgrigars he telephoned to the Department of Local Government and Public Health and having placed the facts before them was given certain advice which he communicated to the officers in question.

The complaint, having been made to him as County Medical Officer of Health, he conceived it to be his duty to communicate the advice he had received from the Department of Local Government and Public Health to the officers in question.

2. (a) & (b) These charges are untrue and there is no foundation for same. No complaint has been received by Dr. Bastible from the patients referred to or any person on their behalf.

3. Dr. Bastible submits that on enquiry into the above charges it will be shown that they are unfounded; he denies that he has been habitually intemperate and that he is unfit to hold the position of Medical Officer of Health for County Wexford."

The following letter from Department of Local Government and Public Health under date 30th December 1938 (P.H.26265/14/38/Loch Garman - Sc) to Messrs. Hayes & Sons (Solicitors for Dr. Bastible), 41 & 42 Nassau Street, Dublin was read:-

"With reference to the Department's letter of the 29th instant, regarding the Sworn Inquiry to be held on the 18th January, 1939, into the charges made by the Wexford County Council against Dr. Christopher Bastible, I am directed by the Minister for Local Government and Public Health to forward, for consideration by the County Council the accompanying copy of a letter which has been received from Messrs. Hayes & Sons, Solicitors, 41 & 42, Nassau Street, Dublin, C.2., requesting certain documents and particulars in connection with the above-mentioned charges. A copy of



50

the Department's reply to that letter is also enclosed."

The following is copy of letter sent by Local Government Department under date 30th December 1938 (P.H.26265/14/38 Loch Garman (Sc)) to Messrs. Hayes & Sons, Dublin, Solicitors for Dr. Bastible:-

"With reference to your letter of the 23rd instant, requesting certain documents and particulars in connection with the charges brought by the Wexford County Council against Dr. Christopher Bastible, I am directed by the Minister for Local Government and Public Health to inform you that these documents and particulars are not available in this Department, but copy of your letter has been transmitted to the Wexford County Council for their consideration."

The following is copy of letter from Messrs. Hayes & Sons, Solicitors for Dr. Bastible, to the Department of Local Government and Public Health under date 23rd December 1938:-

"We are in receipt of your letter of to-day's date informing us that the Minister for Local Government and Public Health has instructed Dr. J. D. MacCormack, Medical Inspector, to hold a Sworn Inquiry on Wednesday, 4th January 1939, at 10.30 a.m. at the Council Chamber, County Hall, Wexford, into the charges brought against Dr. Christopher Bastible by the Wexford County Council.

In the first place, we would point out that owing to the intervention of the Christmas holidays the time at our disposal to prepare Dr. Bastible's defence to these very serious charges and to properly instruct Counsel on his behalf is altogether inadequate.

In our letter of the 13th instant we pointed out that Counsel would have to be instructed on behalf of Dr. Bastible and that we would have to be furnished with copies of a number of documents and we asked that as long notice as possible of the Inquiry should be given.



It is essential for proper preparation of our client's case that he should have access to or copies of all documents records and Minutes relating to the charges in question.

We understand that all these documents are in the power and procurement of the County Council and that Dr. Bastible has not access to same. In these circumstances, we must ask you to please furnish us with copies of the following documents and particulars of the following matters alleged in the charges:-

1. (c) Copies of the records of the Tuberculosis Dispensary and the V.D. Clinic held at Wexford on the 5th October 1938.

Particulars of the alleged incapability of performing the duties of his office as alleged.

- (d) Copy of the letter dated 29th September 1938, referred to.

Copy of the Records of all Tuberculosis Dispensaries held at New Ross between 8th July 1938 and the 29th September 1938.

- (e) Copy of the Report referred to.

Copy of the Records of all Tuberculosis Dispensaries held during the month of July, 1938.

Particulars of the alleged falsity of the statement referred to.

- (f) Copy of the Records of all Tuberculosis Dispensaries held during the month of August, 1938.

Particulars of the alleged falsity of the statement referred to.

- (g) Copy of the Report referred to.

Copy of the Records of all Tuberculosis Dispensaries held during the month of September 1938.

Particulars of the alleged falsity of the statement referred to.

- (h) Copy of the Records of the Dispensaries referred to.



Under what Order, Regulation or Authority is it alleged that Dr. Bastible should have personally attended the Tuberculosis Dispensaries?

(i) Copies of the Notices sent to Dr. Bastible requiring him to attend the Meetings referred to.

Copy of the Agenda and Minutes of each of the meetings referred to.

(j) Copies of the Records of the Tuberculosis Dispensaries referred to.

(k) Full particulars of alleged endeavour to prevent the performance of their duty by the officers referred to together with copies of any correspondence which passed in relation to same.

2. (a) Particulars of the alleged indecent and unprofessional conduct and of the alleged indecent assault and the time when it is alleged that same were committed.

Copy Records, showing all the attendances of Mrs. Johanna Bolger at the Tuberculosis Dispensary, the nature of her illness and full particulars thereof.

(b) Particulars of the alleged indecent and unprofessional conduct and of the alleged indecent assaults and the time when it is alleged that each of such was committed.

Copy Records showing all the attendances of Bridget O'Connor at the Tuberculosis Dispensary, the nature of her illness and full particulars thereof.

Also please furnish us with copies of the evidence submitted to the Minister in support of the charges.

Having regard to the documents and particulars which we require and the intervention of the holidays it seems to us that it will be impossible to properly prepare Dr. Bastible's case for such an early date as 4th January."

The following under date 6th January 1939 was read from Dr. C. Bastible, 50 Hannaville Park, Terenure, Dublin:-



"Having given careful consideration to the effect which my suspension must have on my future relations with members of your Council and with employees of the various Local Authorities who are under my control, I feel that it would be impossible for me to continue my duties as County Medical Officer of Health, even though (as I anticipate) the Inquiry, directed by the Minister should result in my favour.

Having come to this conclusion, it seems to me that, with a view to saving further expense to all concerned, I should at once inform the Council of my decision to resign.

Accordingly, without making any admission as regards the charges made against me, I tender my resignation as County Medical Officer of Health.

The following under date 7th January 1939 (P.H.68/4/39 Loch Garman) to Messrs. Hayes & Sons, Solicitors, from Department of Local Government and Public Health was read:-

"I am directed by the Minister for Local Government and Public Health to acknowledge the receipt of your letter of the 6th instant and copy of a letter addressed by Dr. C. Bastible to the Wexford County Council tendering his resignation as County Medical Officer of Health. In reply, I am to point out that during the discussion at this office on yesterday (6th January) with your representative, Mr. Hurley Solicitor, it was intimated to him that an officer cannot resign his office while suspended therefrom and that any proposal of Dr. Bastible to resign can only be conditional upon and to take effect from the removal of his suspension from office by the Minister should he so decide."

After discussion, the following resolution was adopted on the motion of the Chairman, seconded by Miss O'Ryan:-

"That, in view of the letter from the Minister for Local Government and Public Health, under date 7th January, 1939, (No. P.H.68/4/39 Loch Garman) to Messrs. Hayes & Sons,



54

Solicitors, Dublin, the Wexford County Council are not in a position to deal with the matter of the resignation of Dr. C. Bastible, County Medical Officer of Health, at this stage."

#### NATIONAL MONUMENTS

Under date 21st December 1938, the following (C.94. 49/1/36) was read from the Office of Public Works:-

"With reference to your letters of 20adh and 25adh Meitheamh last on the subject of Ferrycarrig and Mount Garret Castles, we have consulted the National Monuments Advisory Council in the matter and have to state that these Castles are National Monuments within the meaning of the Act.

In this connection we wish to add, however, that we are advised that a number of Churches situated in graveyards and therefore vested in the Local Authority are in need of repairs, and would be specially eligible for attention. Of these, the most important is the fortified Church at Clonmines, but those at Clone and Bannow are also in need of conservation works."

On the motion of Miss O'Ryan, seconded by the Chairman, it was decided that communication be sent to the owners of Ferrycarrig and Mountgarrett Castles to ascertain if they are prepared to vest same in the County Council.

Also, that the Secretary ascertain from the Secretary, County Board of Health, in how many of the vested graveyards are monuments which might be deemed to be of national importance and if necessary repairs had not been carried out recently at Clonmines.

#### TACUMSHANE LAKE

The County Surveyor submitted the following letter received by him from the Office of Public Works under date 31st December, 1938:-



55

"I am directed by the Parliamentary Secretary to the Minister for Finance to refer to your letter of 28th ultimo relative to the drainage of Tacumshane Lake and to state that in view of the previous history of this project he does not consider the work suitable for execution by means of a grant from the Employment Schemes Vote."

Acknowledgment of resolution from the Council of flooding at Tacumshane Lake was read from the Land Commission (J3846/38) 22nd December 1938.

#### FLOODING AT FISHERSTOWN AND GREAT ISLAND

Acknowledgement of resolution of County Council re above (Estate R.H.Ryland E.C.8483 and E.M.Gallwey S.855 - Co. Wexford) was received from the Land Commission.

#### WORKS UNDER MINOR RELIEF SCHEMES VOTE

In reply to Mr. Kelly, the County Surveyor said that he had received from Office of Public Works a preliminary list - 12 or 14 Works - which they had selected but this was not the full list.

#### REPAIRS TO WEXFORD BRIDGE

In reference to repairs to Wexford Bridge, Mr. Culleton asked if the work was going on at present. He had been asked to inquire as to what was the rate of wages paid to unskilled workers. Was it the ordinary rate to County Council workers or town rate?

The County Surveyor said it was the rural rate - the work was in the rural area - though some of the men might come from the urban area.

Mr. Culleton - I have been asked to raise the question. Probably there will be a protest, but let it be dealt with then. What is the proportion of the Grant. How much do we receive?

County Surveyor - Forty per cent.



56

Mr. Culleton - I have been asked also to inquire if that means that only trades union labour be employed - where the Government is giving any proportion of the grant.

The County Surveyor said there was nothing in the Government regulations governing this work about trades union labour.

#### FETHARD-BALLYCULLANE ROAD

Mr. Colfer referred to road from Fethard to Ballycullane and said it was in a very bad condition.

Chairman - A very, very bad road.

Mr. Colfer said the road was in a terrible condition at present, and he thought that a memorial was being prepared for submission to the Council. As they failed to get the road into a Grant Scheme he intended to give notice of motion that a loan be obtained for its improvement.

The County Surveyor said they did a little bit on the road under Relief Grant.

The notice of motion was accepted, the County Surveyor to find out the amount that would be required.

#### POISONS AND PHARMACY ACT LICENCES

On the motion of Miss O'Ryan, seconded by Mr. Sean Murphy, the following resolution was adopted:-

"That Renewal of Licences under Poisons and Pharmacy Act be granted the following:-

1. Gerald Murphy, Tacumshane.
2. John McNamara (Messrs. McCormack & Hegarty) Merchants, Quay, Wexford.
3. Michael R. Moran, Enniscorthy.
4. John Whelan, Irish Street, Buncloody.
5. Robert Butler, St. Ivers, Broadway.



CONTRIBUTION TOWARDS TRAVELLING EXPENSES OF MEMBERS

The following resolution was received from Wicklow Board of Health and Public Assistance:-

"That the Minister for Local Government and Public Health be requested to introduce legislation to amend Section 63 of the Local Government Act, 1925, so as to enable members of Local Authorities and Committees thereof to be paid expenses in respect of travelling from their residences to places of meeting and back to their residences after attendance at such meetings, together with a reasonable allowance for sustenance; non-attendance at three-fourths of meetings by reason of illness not ~~to~~ debar members from payment in respect of meetings actually attended by them."

The Chairman stated that the Minister for Local Government and Public Health was taking action as regards the re-adjustment of present arrangements for payment of contributions towards travelling expenses of members.

It was decided that the County Secretary communicate with Wicklow County Board of Health and Public Assistance and inform them of the Chairman's observations.

SAFETY FIRST

The Traffic and "Safety First" Association of Ireland, 19 Kildare Street, Dublin, forwarded the following resolution which was adopted on the motion of Miss O'Ryan, seconded by Mr. Smyth:-

"That this Council make a special appeal for the year 1939 to all users of public highways within our jurisdiction to exercise every care for their own personal safety; and every consideration for the safety of others; and endeavour to ensure they will not be the cause or the victim of an accident during this year."

Mr. Smyth said it would be of considerable advantage if instructions could be issued to the Schools and the



Gardai warning school children - particularly when school was just closed for the day - to keep to the left side of the road.

It was decided to ask the Traffic and "Safety First" Association of Ireland if they could put the suggestion of Mr. Smyth into force.

*Dennis Allen*  
13th Feb 89



WEXFORD COUNTY COUNCIL

---

SPECIAL MEETING - 20th JANUARY 1939

---

MINUTES

---

County Hall,  
WEXFORD.

---

N. J. FRIZELLE,  
Secretary Wexford County Council.

---



By directions of the Chairman, Mr. D. Allen, T.D., a special meeting of the Wexford County Council was held in County Council Chamber, County Hall, Wexford, on 20th January, 1939, to consider the position of County Medical Officer of Health.

Mr. D. Allen, T.D., Chairman, presided; also present, Messrs. J. J. Bowe, Patrick Colfer, Richard Corish, Christopher Culleton, Raymond Doyle, W. P. Keegan, John P. Kelly, William Kinsella, James Lawler, Thomas McCarthy, Sean Murphy, Sean O'Byrne, Miss N. O'Ryan and Patrick Ronan.

The Secretary and County Solicitor were also in attendance.

The following, under date 7th January, 1939, (P.H.68/4/39) was read from Department of Local Government and Public Health:-

"I am directed by the Minister for Local Government and Public Health to forward, for the information of the Wexford County Council, the accompanying copy of a communication addressed to Messrs. Hayes and Sons, Solicitors, Dublin, in reply to a letter received from them transmitting copy of Dr. Bastible's letter of the 6th instant addressed to the County Council."

The following under date 7th January 1939 (P.H.68/4/39 Loch Garman) is copy of the letter addressed to Messrs. Hayes & Sons, Solicitors for Dr. Bastible, County Medical Officer and referred to in the forgoing communication:-

"I am directed by the Minister for Local Government and Public Health to acknowledge the receipt of your letter of the 6th instant and copy of a letter addressed by Dr. C. Bastible to the Wexford County Council tendering his resignation as County Medical Officer of Health. In reply, I am to point out that during the discussion at this office



on yesterday with your representative Mr. Hurley, Solicitor, it was intimated to him that an officer cannot resign his office while suspended therefrom, and that any proposal of Dr. Bastible to resign could only be conditional upon, and should take effect from, the removal of his suspension from office by the Minister, should he so decide.

A copy of this letter is being sent to the County Council."

The following, under date 6th January, 1939, was read from Dr. Bastible, County Medical Officer of Health:-

"Having given careful consideration to the effect which my suspension must have on my future relations with members of your Council and with employees of the various Local Authorities who are under my control, I feel that it would be impossible for me to continue my duties as County Medical Officer of Health, even though (as I anticipate) the Inquiry, directed by the Minister should result in my favour.

Having come to this conclusion, it seems to me that, with a view to saving further expense to all concerned, I should at once inform the Council of my decision to resign.

Accordingly, without making any admission as regards the charges made against me, I tender my resignation as County Medical Officer of Health."

The following under date 9th January, was read from Dr. C. Bastible, County Medical Officer, 50 Hannaville Park, Terenure, Dublin:-

"With reference to my letter of the 6th instant tendering my resignation of the office of County Medical Officer of Health, I am informed that it is the view of the Department of Local Government and Public Health that an officer cannot resign his office while suspended therefrom.

It is to be understood then, that my proposal to resign is conditional upon, and is to take effect from, the



3

removal of my suspension from office by the Minister, if he should so desire."

The following, under date 12th January 1939, was read from Dr. Bastible from his Dublin address:-

"With reference to my letters of the 6th and 9th instant, while, as I have already mentioned, I do not admit the charges made against me, I realise they were not made by the County Council lightly or without due consideration.

An acceptance of my resignation (whether or not coupled with a request to the Minister to determine my Suspension with a view to making my resignation effective) would not be regarded by me as a withdrawal of the charges!"

Under date 13th January 1939, the following letter (No. P.H.69/9/39-Loch Garman Sc) was read from Department of Local Government and Public Health:-

"With reference to your letters of the 9th and 10th instant, regarding the suspension of Dr. Christopher Bastible from his office of County Medical Officer of Health for Wexford County, I am directed by the Minister for Local Government and Public Health to state, for the information of the Wexford County Council, that in compliance with a request from Dr. Bastible's Solicitors, the Minister has agreed to a further postponement to the 25th instant of the Sworn Inquiry into the charges made against Dr. Bastible by the County Council."

The following resolution was moved by Mr. McCarthy and seconded by Mr. Kelly:-

"That the County Secretary, having received a letter from Dr. Bastible in which he sets out he would not regard the acceptance of his resignation as County Medical Officer of Health by the Wexford County Council as a withdrawal of the charges formulated against him, the said County Council hereby accepts the resignation as County Medical Officer of



Health tendered by Dr. Bastible in his letters of the 6th day of January, 1939, and 9th day of January, 1939, to the Secretary of said Council, said resignation to take effect as from the date upon which the Minister for Local Government and Public Health terminates the suspension of Dr. Bastible, should the Minister so decide.

In the circumstances, as far as the County Council are concerned, they will not press for the holding of a Sworn Inquiry into said charges."

The resolution was then put and adopted, Mr. O'Byrne (who believed the Sworn Inquiry should be held) dissenting.

*Dennis Allen*  
13th Feb. '39