

County Council Minutes Meeting 10.10.38

Adjustment Old Age Pension Areas	29. 30.
Application for Public Road	41.
Ballyhealy South and Righraun Removal from Beaches	15. 16.
Bally Commons Rates on	3. 4. 21.
Barnewall Major Kilmanneek Drainage District	9 to 12. 45. 46.
Bastible Dr. G. and Discharge of Duties	26. 27. 52. 53.
Bishopswater to Rathaspeck Road	14.
Borris and Palace East - Railway line	62 to 66
Bree to Enniscorthy Road	16.
Breen Richard. Cartaker Bunclody Court	43.
Bridge Wexford	44. 54. 55.
Cartaking Bunclody Court	43.
Cartaker's Premises Gorey Courthouse Rates on	4. 26. 47. 48. 49. 50. 51.
Carters and Holidays with Payment	61.
Casey Sir Roger. Remains	64.
Claim Miss Palmer. Gorey Hill Quarry	21. 22
Clonmore Upper Lane Bree	43.
Collins Mrs. A. Gorey Courthouse Cartaker's Premises	26
County Medical Officer of Health	26. 27. 52. 53.
Crane John. Irish Woodworkers Union New Ross	9.
Donamore and Roney Roads	41. 42.
Doyle David Donamore and Roney Roads	41. 42.
Doyle Elizabeth Agnes and Mary Josephine Commital to Industrial School	19.
Drainage District Kilmanneek	9 to 12.
Duggan James - Employment of Men on Road etc.	15.
Duncormack Roads	59. 60. 61.
Dunne Rate collector. Rates New Houses Gorey	25. 26.
Employment of Men on Road etc.	15.
Enniscorthy to Bree Road Red Pat's Cross	41.
Enniscorthy New Bree Road	12. 13.

Flooding of Public Road at Ballykilly New Ross	18. 19.
Foot and Mouth Disease Protection against	58
Gurlong Y. Y. Duncormack Roads	59. 60. 61.
Giles Corner. Courtown Harbour	5. 6.
Glynn Parish Committee	4.
Grey Courthouse Bartaku's Premises	26. 47. 48. 49. 50 51.
" " Use of	7.
" Hill Quarry Claim Miss Palmer	14. 21. 22.
" Streets Sweeping	17. 18.
" Town Commissioners Rates New Houses	25. 26
Grant Road to Carra Pier from Rosslau Strand	28.
" " Maintenance	45.
Hennessy M. Y. Sheep Dipping Order	6. 7. 44
Hogan William Petrol Pump	40. 41.
Holidays with Payment Carriers	61.
Illness of Rate Collectors	5.
Industrial School Case Doyle Children New Ross	19.
" " " Johanna & Mary Molau	45.
Irish Technical Education Association Resolution re Clerical Posts	66. 67.
Irish Woodworkers' Union	9.
Johnstown Lower Lane	42. 43.
Joyce John M.C.C. Borris. Borris and Palace East Railway Line	62. to 66.
Rate collector M. Illness	5.
Tilmanoeek Drainage District	9 to 12. 45. 46
Lambert W. G. University Scheme	8.
Lane Blonnoe Upper Bue	43.
" Johnstown Lower	42. 43.
Little Major Borris and Palace East Rly Line	62. to 66.
Loan Road Machinery	28. 29.

County Council Minutes Meeting 10.10.38.

Loans Sealing Mortgages for	58. 59.
Loan Sewerage Scheme Camolin	55. 56.
Long Henry Flooding at Ballykelly. ...	18. 19.
Malone J. proposed Erection of Cow House	18.
Mohamy Cross Roads	61.
Murphy Morgan Johnstown Lower Lane.	42. 43.
New Ross Urban Roads Scavenging	5.
Nolan Johanna and Mary Industrial School application	45.
O'Kennedy J. Writing up Machinery Records	8. 9.
Old Age Pension Areas Adjustment	29. 30.
Old J. R. A and Political Prisoners. ...	66.
O'Loughlin J. Sweeping Gory Streets	17. 18.
Order Sheep Dipping	43. 44.
Overdraft	19. 20.
Palmer Miss Blain Gory Hill Quarry	14. 21. 22.
Part Payment of Rates	24. 25.
Payments	2. 23.
Payment of Rates on New Houses Gory. ..	25. 26.
Petrol Pumps William Hogan	40. 41.
Political Prisoners and Old J. R. A. ...	66.
Power Thomas St. Road Rathaspeck to Bishopswater	14.
Pendergast Thomas Sheep Dipping Order. ...	6.
Proposed Erection of Cow House	18.
" Weekly Payments to Road and Quarry Workers. ...	56. 57.
Protection against Foot and Mouth Disease	58.
Public Health Act's Special Expenses. ...	54.
Railway line Borris and Palace East. ...	62 to 66.
Rate collection Stake of	2. 23.
Rates on Bantey Commons	3. 4. 21.
" " Cartaker's Premises Gory Carthouse	4.

County Council Minutes Meeting 10.10.38.

Rates 'Part Payment'	24. 25.
Rates Seizure for	21.
Remains of Sir Roger basement	64.
Removal from Beaches Ballyhealy South and Ringbawn	15. 16.
Removal of Obstruction Scenic Views	28.
Resolution Re Clerical Posts	66. 67.
Ringwood J. S. Sanction to Increase of Salary	29.
Road Bree to Enniscorthy	16.
Road to Carne Pier from Rosslau Strand Grant	28.
Roads Duncormack	59. 60. 61.
Road Machinery loan	28. 29.
Road Maintenance Grant	45.
Road Mohury Cross Roads	61.
Road and Quarry Workers proposed Weekly Payments	56. 57.
Road Rathaspeck to Bishopwater	14.
Road Red Pat's Cross Enniscorthy to Bree	41.
Sanction Increase Salary J. S. Ringwood	29.
Scavenging New Ross Urban Roads	5.
Scheme University Scholarship	30. 31. 32. 33. 34.
Scenic Views Removal of Obstructions	28.
Scholarship Schemes	8.
Sealing Mortgages for loans	58. 59.
Secondary & Vocational Scholarship Schemes	8. 34 to 38.
Blackrock College Dublin Thomas P. Cullen	37.
Christian Brothers' School Enniscorthy	37.
" " " " Goey	37.
" " " " Wexford	37.
Clocar Lugaidh Monaghan	37.
Good Counsel College New Ross	37.
Lofts convent Goey	37.
" " " " Wexford	36. 34. 38.
St. Mary's College B...	24.

Counry Council Minutes Meeting 10.10.38.

Secondary & Vocational Scholarship Scheme

St. Louis Convent Carrickmacross	37.
St. Peter's College Wexford	36.37.

Seizure for Rates - Glynn Parish Committee	4. 21.
Seven Ratepayers from Brogan Ballyfad Application for Public Road	44.

Sewerage Scheme Camolin Loan	55. 56.
Sheep Dipping Order	6. 4. 43. 44.

Small Dwellings Acquisition Acts 38 to 40.

Application for loans	
Bernard Byrne, Brownswood, Enniscorthy	38.
Daniel Sheehan, Effernogue, Yems	39.
James O'Brien Ballygomau Barntown	40.

Consideration of Application	40.
Instalment of loan	38.

Sanction to Advances.

Mrs. M. Y. Halpin Gateen Dunclody	39.
Miss Mary Keegan Grey Corporation lands	39.
Thomas Mc Grath Railway Road. Grey.	39.
Leary Ellen, Ballywalla, Tilmuckridge	39. 40.
Soole Martin Attendant Mental Hospital Enniscorthy	13.

Special Expenses Public Health Acts	57.
Spreading of sand Enniscorthy Main Road	12. 13.
Stafford Y. Bullenstown, Duncormack Roads	59. 60. 61.
State of Rate collection	2. 13.
Sub. Committee No 4 Old Age Pension Areas	29. 30.

Sweeping Gory Streets	14. 18.
Travelling Expenses Weights and Measures Act	44. 45.
University Scholarship Scheme	30. 31. 32. 33. 34. 53. 54.
Anglin James N.	33.
Browne Thomas P. University Scholarship Scheme	33.
Corish Patrick J.	30. 31. 32. 33.
Cran Miss Una	32.
Lambert W. G.	8. 33. 34.
Scholarships awarded	54
" Generally	54.
Use of Gory boat house	4.
Wexford Bridge	44. 54. 55.
Weights and Measures Act. Travelling Expenses	44. 45.
Whitty Mr. Seizure for Rates	21.
Writing up Machinery Record J. O'Kennedy	8. 9.

WEXFORD COUNTY COUNCIL

MONTHLY MEETING - 10th OCTOBER, 1938

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 10th October, 1938.

Mr. D. Allen (Chairman) presided, also present Messrs. J. J. Bowe, Richard Corish, Christopher Culleton, John Day, Raymond Doyle, W. P. Keegan, John P. Kelly, James Kennedy, William Kinsella, Thomas McCarthy, Sean Murphy, Sean O'Byrne, Miss N. O'Ryan, Col. R. P. Wemyss Quin, Thomas Redmond, Patrick Ronan, Myles Smyth, and Malachi Sweetman.

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

The Minutes of last meeting were confirmed.

PAYMENTS

Treasurer's Advice Notes for the following amounts were examined and signed:-

Ordinary Account	£29299.	2.	1
Transfer to Public Bodies	£37452.	0.	0
Transfer Loan - Co. Wexford Vocational Education Committee	£526.	5.	0
Transfer Loan - County Vocational Schools	£61.	19.	9

CONFIRMATION OF MINUTES OF FINANCE COMMITTEE

MEETING 16th SEPTEMBER 1938: Minutes of this meeting were submitted as follows:-

The fortnightly meeting of the Finance Committee was held in County Council Chamber, County Hall, Wexford, on 16th September 1938.

Present:- Mr. D. Allen (Chairman) presiding, also, Messrs. P. Colfer, R. Corish, W. P. Keegan, John P. Kelly, Thomas McCarthy, J. Murphy, Sean O'Byrne and Miss O'Ryan.

The Secretary, Assistant Secretary, County Surveyor, County Solicitor and Rates Inspector were also in attendance.

The Minutes of last meeting were confirmed.

PAYMENTS

Treasurer's Advice Note for £7,765. 8. 8d was examined and signed.

RATE COLLECTION

STATE OF: The following shows the state of Rate

Collection to date:-

<u>Name of Collector.</u>	<u>Percentage Collected.</u>
1. S. Gannon	16.6
2. P. Doyle	15.3
3. J. Quirke	15.2
4. J. J. O'Reilly	15.0
5. J. Deegan	14.9
6. J. Cummins	14.4
7. D. Kenny	14.2
8. W. Cummins	14.1
9. P. Nolan	13.9
10. J. J. Sinnott	13.8
11. A. Dunne	13.4
12. M. McCarthy	12.0
13. J. Curtis	11.8
14. E. J. Murphy	11.1
15. P. Carty	10.9
16. J. Flood	10.9
17. W. Doyle	10.6
18. M. Kehoe	8.5

Average 13.5.

It was decided to notify Collectors that the percentage collected to date was less than at corresponding period last year and that it was essential that Collectors should push forward their collections immediately so that returns being submitted to Local Government Department on 30th September will indicate an improvement on the Collection as compared with last year.

RATES ON BANTRY COMMONS: Under date 4th September 1938, the following was read from Mr. Elgee, County Solicitor:-

"With reference to the question raised as to the collection of the Poor Rates on the above Commons, I write to say:-

It has been decided by the High Court in the Case of "The County Council of Sligo -V- Edward J. O. Cooke" that in order to succeed, the County Council would have to show that the person against whom a Claim was made for Poor Rates, was in actual physical occupation of the Lands on which the Rates were charged - This Decision is based on Sec. 71 of the Poor Relief (Ireland) Act 1838 which enacts "every Rate made under the Authority of this Act shall be paid by the person in the actual occupation of the Rateable Property at the time the Rate was made". Section 124 of the Act defines the word "Occupier" as including "every person in the immediate use or enjoyment of any hereditaments rateable under this Act".

As I understand it, the position is, that a number of the persons who have been rated in respect of the Commons claim, that they do not graze or make any other use of the Commons, and that they are not in the immediate use and enjoyment of the Rateable Hereditament and consequently, they were not liable for the Rates, and on this ground the District Justice dismissed the Summons.

Under these circumstances, in my opinion, the only course to adopt would be, for the Rate Collector to seize under his Warrant whatever Sheep or other Animals he could find on the Commons, as there is no possibility of success if proceedings were taken by Summons."

The Chairman said in connection with the matter of a Collector seizing on his own warrant the difficulty was that some of the ratepayers were meeting the demand for rates on the Commons. He proposed and Miss O'Ryan seconded the following, which was adopted:-

"That the Rate Inspector and Rate Collectors concerned

investigate the possibility of making seizure for Rates on Bantry Commons on the Collectors Warrants, and, if feasible, carrying out same."

SEIZURE FOR RATES: The following resolution, submitted to the County Council from Glynn Parish Committee, was referred to the Finance Committee for consideration:-

"Whilst making no comment on the action of the County Council officials in the recent seizure of cattle which, through no fault of the owner, strayed and remained on a derelict farm for one night only, beyond expressing our sympathy with the unfortunate parishioner who was compelled to buy back his cattle, we, on behalf of the parish, consider the condition of this farm as a snare and a danger to the whole community and we call upon the Minister for Lands to come to some agreement with the tenant of the said farm and take over the land for division so that this snare and danger to the community may be removed as soon as possible. That copies of this resolution be sent to the Minister for Lands, and to the Wexford County Council."

Mr. Colfer proposed and Mr. Kelly seconded the following resolution which was adopted:-

"That the resolution of Glynn Parish Committee relative to Land Commission taking over derelict farm of John Sullivan, Shanahona, Glynn, be submitted to the Land Commission for their favourable consideration. The Finance Committee are of opinion that the Land Commission should, as soon as possible, allot this land to suitable tenants."

RATES ON CARETAKER'S PREMISES GOREY COURTHOUSE: It was decided that Poor Rate amounting to £2. 3. 0 and Gorey Town Rate amounting to 9/-, as assessed on caretaker's premises, Gorey Courthouse, for the year ending 31st March, 1939, be recommended to the County Council for payment.

5

ILLNESS OF RATE COLLECTOR: Under date 7th September 1938, letter was read from Collector M. Kehoe (Rate District No. 18) that he was taking up duty immediately after his operation.

SCAVENGING NEW ROSS URBAN ROADS

The County Surveyor submitted letter which he had written to the Town Clerk, New Ross, as to scavenging of New Ross Urban roads (outside Main Roads). On behalf of the County Council the County Surveyor stated he was prepared to accept the offer of the Urban Council to pay £1 per week towards the cutting of grass and keeping of gullies clean on these Urban roads, work not to include removal of ash bins or other scavenging work beyond cutting of grass and cleaning of gullies. The Agreement was to be provisional as the County Surveyor stated it might not be possible to carry out the work at the figure mentioned.

Mr. O'Byrne proposed and Mr. Keegan seconded the following resolution which was adopted:-

"That the Finance Committee recommend the County Council to approve of agreement entered into between County Surveyor and Urban District Council of New Ross as regards the cutting of grass and cleaning of gullies on New Ross Urban roads."

GILES CORNER, COURTTOWN HARBOUR

The County Surveyor submitted correspondence which he had with Mr. G. Langley Taylor, Agent for the Estate of the Earl of Courtown, as to easement of Giles corner, Courtown, on Road 44M. Mr. Taylor wrote that the Trustees would sell the plot to the County Council for £10.

The County Surveyor opposed the proposal of payment in this matter.

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

6

"That, as regards the offer of Mr. Taylor, Agent for Courtown Estate, to sell to the County Council for £10 the small amount of land required for easement of Giles Corner, the Finance Committee are of opinion that as the removal of this corner will help the Trustees in the development of the Courtown Estate, the necessary amount of land should be offered free to the Council. If this be done the County Surveyor is instructed to proceed with the work of easement.

If it be refused we recommend the County Council to take no further action in the matter.

SHEEP DIPPING ORDER

A long explanation was received from Mr. Thomas Prendergast, Knockskimolin, Oulart, lay inspector under the Sheep Dipping Order, as to many cases in his district, for the week ended 27th August 1938, in which, although notices had been served, dipping was not carried out. Mr. Prendergast wrote that rain prevented the dipping, and sheep owners concerned had not sufficient house room to keep animals housed the night before. In other cases, sheep owners were engaged at harvest work.

The meeting considered that explanation of Mr. Prendergast's was not entirely satisfactory and decided to inform him unless he displays more energy in carrying out his duties the Finance Committee will recommend the County Council to take drastic action.

Under date 12th September 1938, Mr. J. Lynch, M.R.C.V.S. New Ross, wrote that on weekly report of Mr. M. J. Hennessy for week ended 10th September 1938 the names of sheepowners in his district did not appear. He had drawn the attention of the Inspector to the fact that very few of the sheep owners in his (Mr. Lynch's) district appeared on reports although the area was approximately two-thirds of New Ross District. Mr. Hennessy gave as an explanation for the small

7

number of sheep the dipping of which had been supervised in Mr. Lynch's area that very few notices of dipping came from Gardai owing to farmers being engaged at harvesting. He (Mr. Lynch) called to the Gardai stations at Duncannon, Campile, and Ballycullane, during the previous week and was assured that all notices to dip had been promptly forwarded to the Inspector.

It was decided, in view of report of Mr. Lynch, that Mr. Hennessy be asked for an explanation as to why, up to the present, he had attended few dippings of sheep in area of Mr. J. Lynch, M.R.C.V.S.

USE OF GOREY COURTHOUSE

The Secretary stated that at present the duties of District Court Clerk for Gorey were carried out by a Sergeant of the Gardai and applications had been made by

1. Mr. Coghlan Kavanagh, Gorey, for use of Courthouse for dances in connection with the raising of funds for the purchase of instruments for Pipers' Band.
2. Gorey Leather Workers for use of Courthouse for a similar purpose for brass or reed band.
3. Private persons for lessons in Irish dancing.

Mr. Keegan proposed and Mr. O'Byrne seconded the following which was adopted:-

"The Finance Committee have no objection to the use of Gorey Courthouse for any social purpose approved by the District Justice provided the persons utilising same shall pay for coal and light, provide a small fee to the caretaker and be responsible for any damage to the building or furniture etc."

SCHOLARSHIP SCHEMES

SECONDARY & VOCATIONAL: The following, under date 12th September 1938, No. Trg.2/48582 was read from the Office of National Education:-

"I am directed to acknowledge receipt of your recent communication, with which you enclosed a list giving the names of the candidates to whom your Council desires to award scholarships under the above-mentioned scheme. In reply, I am to convey the Department's approval of the awards, subject to the terms of the scheme being observed."

A number of claims for refunds of expenses for attending last examination under this Scheme were submitted. In most instances candidates were claiming three days' allowance of 3/- each day and in addition, return railway or bus fare for each day. The following resolution was adopted on the motion of Miss O'Ryan, seconded by Mr. O'Byrne:-

"That, in connection with claims for attending last examination under Secondary & Vocational Scholarship Scheme, the County Council be recommended to pay 3/- per day for each day of examination and one railway or bus return fare."

UNIVERSITY SCHEME: In connection with the Scholarship of Mr. W. G. Lambert, Sunnyside, Broadway (Agriculture), it was decided on the motion of Mr. Murphy, seconded by Mr. Kelly, that Mrs. Lambert (mother of candidate) be requested to submit reply from Professor Drew, University College, Dublin, in connection with this Scholarship.

WRITING UP MACHINERY RECORDS

Under date 16th September, 1938, the following letter was read from Mr. J. O'Kennedy, County Surveyor's Office:-

"I beg to make application for payment for writing up the records in the Machinery Yard, Enniscorthy.

The arrears that accumulated during my seven weeks' illness have only now been overtaken by me.

I spent four extra days in the Yard and that with working outside the office hours helped me to overtake the work."

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

"That Mr. John O'Kennedy, County Surveyor's Office, be allowed the remuneration for writing up Machinery Records which remained unpaid during the period of his illness, seven weeks at 10/- per week, £3. 10. 0."

IRISH WOODWORKERS' UNION

Under date 5th September 1938, John Crane, 27 Ard-na-Greine, New Ross, Hon. Secretary New Ross Branch Irish Union of Wood Workers, wrote:-

"That the increased rate of pay for carpenters in New Ross district would operate as from the 11th September 1938."

Mr. Corish said that a conference between the Waterford Builders Federation and local carpenters would be held soon and he proposed that whatever agreement was arrived at by the conference as regards carpenters' wages, would be observed by the County Council.

Mr. Kelly seconded this resolution which was adopted.

KILMANNOCK DRAINAGE DISTRICT

Under date 14th September 1938, the following letter (No. C.85.119/2/38) was read from the Office of Public Works:

"Major Barnewall of Kilmannock House has forwarded to us copies of correspondence he has had with you in connection with the drainage assessment on his lands, as set out in the Charging Order of 19th January, 1927.

As you are no doubt already aware he objected to the inclusion of his lands in the Drainage District on the grounds:-

- (1) that in August 1931 an adjoining proprietor - Captain Henehan - placed a dam or obstruction across a channel

downstream of his, Major Barnewall's lands, with the result that the latter lands are alleged to be waterlogged:

(2) that a drain said to be in a certain position was in fact never made, and that therefore his lands should not be included in the Drainage District.

We enclose for your information a copy of our reply to Major Barnewall together with a copy of the tracing which was enclosed with it.

We should add that there is some doubt, which it is now impossible to resolve by reason of the destruction of the original Award Map, as to whether the drain shown on the accompanying tracing is not the back drain referred to in Schedule B to the Final Award as having been constructed inside the embankment - in which case it would, of course, be maintainable as part of the works in the District. The matter is, however, of little practical importance in view of the fact that your Council are responsible for its maintenance out of the Trust Fund provided on the sale of the Cuffe Estate."

The following is copy of letter forwarded by Office of Public Works to Major Barnewall under date 14th September 1938 (No. C.85.119/2/38):-

"1. With a view to clearing up the position regarding the inclusion of your lands in the above-mentioned District, we beg to explain that the District, comprising some 509 acres of improved land, including the area in respect of which you are assessed, was originally formed in 1849 at a cost of approximately £9,837 which was apportioned over the 509 acres improved. The scheme was in the main one of slob reclamation as more than half of the lands now assessed were, previous to the drainage works, a fen or marsh. The lands for which you are now assessed were, with others, charged under the Award as Lot No. 1 380 acres, 1 rood, 21 perches of the Townlands of Ballyedock and Kilmannock, the reputed proprietor of which was Geo. P. Houghton. The works

//

carried out in the vicinity of your lands were:-

- (a) the making of an embankment about $1\frac{1}{2}$ miles in length from the River Suir to Kilmannock demesne.
- (b) the improvement of a short length of channel, south of the embankment, in the Campile tidal river.

There is no record however of the making of a drain such as is shown dotted in red on the tracing which you forwarded. Investigations which have been made indicate that it is improbable that a drain existed in this location at any time.

2. Reports made in connection with the Drainage Scheme show that it proved very successful during the period in which the works were in good condition. The District was however allowed to deteriorate, and its restoration was undertaken by us in 1925 under the provisions of the Drainage Maintenance Act 1924, at a nett cost to the district of £843 which was apportioned over the 509 acres comprising the district. The restoration works undertaken by us were necessarily confined to an overhaul of the original works, and as these did not include a drain in the position referred to by you no question arose of its formation or restoration. The responsibility for the maintenance of the District was transferred to the County Council by an Order made by the Minister of Local Government and Public Health, dated the 19th May, 1926.

3. With regard to the flooding stated to have been caused by a dam or obstruction in a channel downstream of your lands we enclose for your information a tracing showing:

- (a) the embankment (marked CD) already referred to at (a) in Paragraph (1);
- (b) a drain AB extending along the northern side of the embankment;
- (c) a sluice above the western extremities of the embankment and drain.

The embankment and sluice are items, the maintenance of which devolves on the County Council under the Transfer Order made in 1926, but we understand that the Council, are in

addition trustees of a fund, provided by the Land Commission, for the maintenance of the drain as well as the embankment and sluice. If, as would appear to be the case, the obstruction of which you complain has been placed across this particular drain we would suggest that you take up with the County Council the question of having the obstruction removed.

We trust that the foregoing information will settle the various points about which you have been in doubt."

It was decided that County Surveyor furnish report in this matter to next meeting of Finance Committee.

ENNISCORTHY MAIN ROAD AND SPREADING OF SAND

Under date 14th September 1938, the following was read from Mr. Elgee, County Solicitor:-

"As instructed, I have looked fully into the question of the power of the County Council to take proceedings against persons for spreading sand on the streets of Enniscorthy, which spreading, as alleged, polishes the surface of the street and makes it dangerous for traffic.

The offences in relation to Public Roads in respect of which the County Council are authorised to take proceedings are set out fully in Sections 9 and 10 of the Summary Jurisdiction (Ireland) Act 1851.

In my opinion, none of the offences as set out in the two Sections above referred to would cover the offence alleged here viz:- spreading sand on the streets for the purpose of preventing horses drawing loads from slipping on the smooth surface of the street when going up the hill at Enniscorthy, and this being so, as the only Authority which the Council have to proceed for offences on the roads, are those conferred by statute, no proceedings can be taken by the Council against those persons who are alleged to have spread the sand on the streets."

The County Surveyor said he pointed out the condition of this road to Mr. Ryan, Inspector Department of Local Government and Public Health, where the sand was not spread the original grooves remained in the road.

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

"That Mr. Elgee, County Solicitor, be instructed to obtain Counsel's opinion as regards the rights of the County Council in connection with the preservation of surface of main road in Enniscorthy Urban Area between Enniscorthy bridge and turn at Railway Station.

That the County Surveyor furnish Mr. Elgee with report setting out the exact position of this matter for the information of Counsel."

SMALL DWELLINGS ACQUISITION ACTS

Under date 13th September 1938 letter was read from Messrs. O'Flaherty & Son, Solicitors, Enniscorthy, returning amended application for Martin Toole, Attendant Mental Hospital, Enniscorthy, for loan under Small Dwellings Acquisition Acts. The amount now applied for was £162.

The Secretary stated that taking the estimated value of the house, £240, into consideration, the maximum amount of advance which Mr. Toole could receive was £145.

Mr. Kelly proposed and Mr. Corish seconded the following resolution which was adopted:-

"That, subject to the sanction of the County Council and the Minister for Local Government and Public Health, advance not exceeding £145 be made to Martin Toole, Attendant, Mental Hospital, Enniscorthy."

Under date 3rd September 1938, the Department of Local Government and Public Health wrote (H.23673/38-Loch Garman) stating that the Minister would not raise objection to the proposal of the County Council to advance under Small Dwelling

Acquisition Acts £230 to Thomas McGrath, Railway Road, Gorey.

GOREY HILL QUARRY - CLAIM MISS PALMER

Under date 10th September 1938, the following letter on behalf of Miss Palmer was read from Messrs. Huggard, Brennan & Godfrey:-

"We are instructed by our client Miss Harriett E. Palmer that there were two blasts carried out in Gorey Hill Quarry on Tuesday last the 6th instant. Both of these were heavy blasts but one was worse than the other and considerable damage was caused to our client's lands and crops and large stones were cast around our client's Dwellinghouse and Out-Offices. Detailed particulars of the damages have not yet been made out but we are writing to you now to give you Notice that our client will claim compensation for the damage she has suffered, particulars of which will be forwarded as soon as possible."

The following, under date 16th September 1938, was read from Mr. T. Treanor, Assistant Surveyor for the district:-

"Yours of 13th instant re claim of Mrs. Palmer and in reply to which I beg to state that during blasting operations on 6th instant some flying stones fell on Miss Palmer's lands. The first blast fired was mostly butt holes which usually cause stones to be carried farther than the main hole blasts and, because of this, I went to Miss Palmer's Yard to watch result. Miss Palmer was present, also, other members of family. No stone went near house but one fell in field some distance away. No damage was done to house."

It was decided to refer claim and report to the County Solicitor and County Surveyor for attention and for transmission to the Insurance Company.

EMPLOYMENT OF MEN ON ROADS ETC.

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

"That, in the opinion of the Finance Committee of Wexford County Council it is unjust and inequitable as provided by Workmens Compensation Acts that when men return to work after a week's illness they are only entitled to three day's pay. In our opinion they should be paid for the full week without having a waiting period intervene.

That the County Surveyor be instructed to put this view of Finance Committee before the Minister for Industry and Commerce."

Mr. Corish stated he had been informed that although it was the practice for County Council workers to be paid for Catholic holidays certain men working in Edenvale quarry, including James Duggan, Castlebridge, had not been paid for the 15th August last.

The County Surveyor said that the Conditions of Employment Act put some of these men out of the day's pay for the 15th August. It was a substituted day for a Public holiday under the Act referred to, and in the circumstances, he considered that he was not empowered to make payment as stated by Mr. Corish.

Referred to County Surveyor for report.

REMOVAL FROM BEACHES BALLYHEALY SOUTH AND RINGBAUN

Under date 14th September 1938 the following was read from Department of Industry & Commerce (Transport & Marine Branch) :-

"I am directed by the Minister for Industry & Commerce to refer to your letter of the 6th instant containing copy of resolution by the Council's Finance Committee concerning the restriction of removals of beach material from the fore-shore at Ballyhealy South and Ringbaun and to request you to state the considerations on which the Committee's opinion is based.

Mr. Murphy stated he had consulted the local people concerned in the matter and they were of opinion by fixing the 15 yards limit the frontage would be in the sea. He proposed that the Minister for Industry and Commerce be requested to fix 7 yards at each side of the bank towards the sea as a delimiting line for the removal of material from the beaches of Ballyhealy South and Ringbaun.

Mr. McCarthy seconded the motion, which was adopted.

ROAD - BREE TO ENNISCORTHY

In connection with above road, referred to Finance Committee for consideration by County Council meeting of 12th September 1938, the County Surveyor stated he had inspected this road with Mr. Ryan, Engineer of the Department of Local Government and Public Health and it was probable that the proposal of the Council to substitute this road for the road from Enniscorthy to Carley's Bridge would be approved. It certainly required attention more than any other road of its class in the County. He intended to carry out the work on the section from Knockmarshall to Victoria bridge and from that by the river to Wilton.

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

"That the County Surveyor call the attention of the Department of Local Government and Public Health (Roads) to the previous resolution of the County Council requesting that, as regards grants under Employment Relief Schemes Vote for repair of Rural Roads 1938/39, the road Enniscorthy to Bree via Red Pat's Cross should be substituted for road from Enniscorthy town to Carley's Bridge, included in the Scheme by instructions of Department of Local Government and Public Health (Roads) under date 14th June, 1938 (R/RM/32)."

ROAD - RATHASPECK TO BISHOPSWATER

Under date 13th September 1938, the following was read from Mr. Thomas F. Power, Latimerstown, Rathaspeck, Secretary Rathaspeck Branch of the Labour Party:-

"At a meeting of Rathaspeck Branch of the above held on September 12th, the condition of the road from Rathaspeck to Bishopswater was discussed. I was directed to send you the following resolution proposed by William Rossiter seconded by the Chairman, John McBride:

"That we ask the County Council to improve the road leading from Rathaspeck to the Borough Boundary at Bishopswater. At present, this road is in a very bad state of repair for any traffic. We urge your Council to give this matter serious consideration, as this road carries a large amount of traffic, and we hope that they will undertake to have it re-surfaced as soon as possible."

Referred for report to County Surveyor who stated that the road was rough and uneven and had been so since he came to the County. It bore a fair amount of traffic.

SWEEPING GOREY STREETS

Under date 8th September 1938, Mr. J. O'Loughlin, Secretary Gorey No. 1 Branch of the Irish Transport & Genral Workers Union wrote as follows:-

"I wish to bring under your notice that there is a man temporarily employed on the caretaking of the new Sewerage, Gorey. He is also doing part work on the sweeping up of the streets of Gorey. I would like to know from your Council is he going to interfere with 2 men who have been sweeping the streets for the past 16 years. This man has not even worked under the Council before. I would be very pleased if you could have this matter looked into at your next Council meeting."

The Chairman said that the man employed was not

displacing any other worker. He was cleaning up papers off the streets and keeping the gullies clear.

The County Surveyor mentioned that the arrangements in Gorey were the same as obtained in Bunclody and no objection had been made in the latter case.

PROPOSED ERECTION OF COW HOUSE

Under date 14th September 1938 the following was read from Mr. T. Malone, Newtown, Wexford:-

"I wish to enclose a piece of ground at Newtown with a concrete wall; as the plot is not thirty feet from centre of road I shall be grateful to have your permission to build the wall.

I require above ground to build a cow-house on. There was originally a house there. I intend to build the new wall in line with existing dwelling house near by (occupied at present by Martin Wickham). By doing so, I will be keeping inside original boundary, with the result that the road will be five or six feet wider than at present."

The County Surveyor stated he had inspected the place and could not see any objection to the proposed building.

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

"That the County Council be recommended to take no action relative to the application of Mr. T. Malone, Newtown, regarding the erection of cow house adjoining the premises."

FLOODING OF PUBLIC ROAD AT BALLYKELLY, NEW ROSS

Under date 8th September, 1938, the following letter was read from Messrs. Colfer & Son, Solicitors, for Mr. Henry Long, Ballykelly:-

"In reply to your letter of the 8th ultimo, we had an interview in July with Mr. Long. We informed him that we believed the matter could be settled by his giving his consent to allow an open drain to be constructed through his

field beside the fence. He informed us that he had removed the fence in question so as to let the small fields on either side into one.

He is now willing to allow a closed drain to be constructed which will carry the water to the Lower end of the field.

This offer is made with a view to facilitating the County Council and strictly without prejudice to our client's position."

The County Surveyor said he was not prepared to recommend the acceptance of Mr. Long's proposal.

On the motion of the Chairman, seconded by Mr. O'Byrne it was decided to recommend the County Council to instruct Mr. Elgee, Solicitor, to refer Messrs. Colfer & Son to their previous resolution in the matter which stated that in the event of promised communication from Messrs. Colfer and Son, Solicitors for Mr. Henry Long, not being regarded as satisfactory by Mr. Elgee, County Solicitor, proceedings as to the flooding of road at Ballykelly, be taken against Mr. Long, who, we are advised, is responsible for same.

INDUSTRIAL SCHOOL CASE

Notification as to application from District Court Clerk, New Ross, as to application to New Ross District Court on 13th instant, for the committal to St. Aidan's Industrial School, New Ross, of Elizabeth Agnes Doyle (4 years and 8 months) and her sister, Margaret Josephine Boyle (3 years old), father John Doyle, Mary Street, New Ross, labourer, was referred to Mr. Elgee, County Solicitor.

OVERDRAFT

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

"That the Minister for Local Government and Public Health be requested to extend the period for overdraft accommodation of Wexford County Council with their Treasurer (National Bank Ltd) amount £35,000 from 30th September 1938 to 31st January 1939."

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

"That the Minutes of Finance Committee in respect of meeting held on 16th September 1938 be received and considered."

RATES ON BANTRY COMMONS: The Secretary said that the Rate Collector was dealing with this matter and any steps he might take would be put before the Council in due course.

SEIZURE FOR RATES: Mr. Doyle pointed out that the cattle seized only broke in the morning of the seizure and their owner, Mr. Whitty, was put to a loss of nearly £15. Could anything be done to meet this expenditure?

The Chairman said that the Rate Collector (as he was entitled to do) made the seizure under his own warrant and it was unfortunate for Mr. Whitty that his cattle happened to stray on to the derelict farm at the time. The Council could not do anything in the manner suggested by Mr. Doyle.

CLAIM MISS PALMER, GOREY HILL QUARRY: The Secretary stated he had received on the 8th October 1938, a further letter from Messrs. Huggard Brennan & Godfrey, Solicitors, claiming £21. 12. 0 as the amount of loss suffered by Miss Palmer.

The County Surveyor said he had submitted all particulars including correspondence with Messrs. Huggard, Brennan & Godfrey, in this matter, to the Insurance Company and that morning he had received letter from the Company directing him to repudiate liability, so evidently they were going to fight the case.

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

"That Minutes of Finance Committee of 16th September, 1938, 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."

MEETING 30th SEPTEMBER 1938: Minutes of above meeting were submitted as follows:-

The fortnightly meeting of Finance Committee was held in County Council Chamber, County Hall, Wexford, on 30th September, 1938.

Present - Mr. D. Allen (Chairman) presiding, also present, Messrs P. Colfer, R. Corish, W.P. Keegan, John P. Kelly, Thos. McCarthy, Sean Murphy, Sean O'Byrne and Miss O'Ryan.

The Secretary, Assistant Secretary, County Surveyor and Rates Inspector were also present

Mr. Elgee, County Solicitor, wrote apologising for his absence as he was attending the funeral of Right Rev. Dr. Day, Protestant Bishop for Dioceses of Ossory, Ferns and Leighlin.

The minutes of last meeting were confirmed.

PAYMENTS.

Treasurer's Advice Note for £4,743: 19: 2d. (ordinary payments), £1,371: 13: 2d (Transfer Loan Enniscorthy Kiltaly Road) and £2,346: 18: 0d. (Transfer Loan Small Dwellings Acquisition Acts) were examined and signed.

RATE COLLECTION.

STATE OF: The following shows the state of Rate Collection to date:-

<u>Name of Collector.</u>	<u>Percentage Collected.</u>
1. D. Kenny	24.8
2. S. Gannon	23.9
3. E.J. Murphy	22.3
4. J. Deegan	22.2
5. P. Nolan	21.7
6. J. Quirke	21.5
7. W. Doyle	21.5
8. J.J. O'Reilly	21.5
9. J. Cummins	21.4
10. J. Curtis	20.4
11. P. Doyle	19.7
12. W. Cummins	19.6
13. A. Dunne	19.6
14. M. Kehoe	18.1
15. M. McCarthy	17.8
16. J.J. Sinnott	17.8
17. P. Carty	15.8
18. J. Flood	14.1
Average	20.4

The percentage collected at the corresponding period last year was 22.4 %

"PART PAYMENT" OF RATES: The following under date 17th September, 1938, (G.22355/3/38 Loch Garman) was read from Department of Local Government and Public Health:-

"With reference to your letter of the 2nd instant and previous correspondence regarding the continuance of the system of acceptance of "part payment" of rates in respect of current rate warrants, I am directed by the Minister for Local Government and Public Health to state the figures furnished show that the operation of the part payment system has not resulted in any general reduction of the arrears. It seems clear that while payments have been made on foot of arrears, there has been an equivalent default on the current assessment with the result that the position in two of the areas was worse while the improvement on the other two was very small. The Minister does not consider that to continue a scheme of this kind indefinitely on the results shown would be entirely justified. He must therefore request that its operation for the current financial year be limited to cases in which (1) there is a definite period for the discharge of the arrears and (2) where there is agreement that the current assessment will be paid in full during the year. At the end of the year the Council should consider a report from you on the practical benefits of the Scheme. Unless the position will by then have changed substantially in comparison with the figures furnished for 1937-38 there would be no justification for a continuance of the scheme."

The Secretary stated that the amount paid through the system for past year was £4,206: 19: 7d made up as follows:-
Enniscorthy £1418: 12: 5d; Gorey £828: 6: 7d ; New Ross £269: 18: 7d and Wexford £1690: 2: 0d.

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

"That the Minister for Local Government and Public Health be requested to sanction the system of "part payment" of rates

on the same basis as has obtained to the present, in view of the fact that it is understood new legislation is being introduced under which it is anticipated the powers of Rate Collectors will be increased. The Council would then be in a position to decide what restrictions could be introduced in the "part payment" system in the event of that system being continued.

GOREY TOWN COMMISSIONERS AND PAYMENT OF RATES ON THEIR NEW

HOUSES: At the meeting of the Finance Committee on the 19th August, 1938, letter under date 4th August, 1938, was read from Town Clerk, Gorey, that at the meeting of Gorey Town Commissioners on 2nd August, 1938, they had decided that rates should not be paid on their new houses pending the decision of the Commissioner of Valuation on the appeal which had been made against these valuations.

The Town Clerk was asked to quote the Statutory Authority empowering the Commissioners to refuse payment of rates in the circumstances.

The County Solicitor also wrote that the County Council had no power to allow Gorey Town Commissioners to withhold payment of the rates in this connection.

It was decided in view of the statement that some of the houses were unoccupied to communicate with Mr. Dunne, Rate Collector, and direct him to furnish a list of Gorey Town Commissioner's new houses, completed and in course of erection. This was done on 25th August, 1938, and it was pointed out to the Rate Collector that the usual procedure as regards rate remission should be followed respecting any of these houses which were unoccupied.

Under date 27th September, 1938, Rate Collector Dunne wrote:- "In answer to yours I desire to inform you that all the houses built by Gorey Town Commissioners are now completed. Forty-eight were occupied by 31st March last and the other 18 got tenants last week. Of the 66 houses built 60 are already

in the rate books and the remainder were put on valuation list this year.

It was decided on the motion of the Chairman, seconded by Miss O'Ryan that letter from Rate Collector Dunne under date 27th September, 1938, be furnished Town Clerk, Gorey.

GOREY COURTHOUSE - CARETAKER'S PREMISES.

It was decided to furnish Mr. Keegan, Co. Councillor, with copies of extracts of minutes of County Council and Finance Committee in respect of vacation of caretaker's premises Gorey Courthouse by Robert Valentine, Temporary Caretaker, from the date Thomas Dwyer was appointed permanent caretaker.

Under date 28th September, 1938, the following was read from Mrs.A. Collins, Pearse Street, Gorey:-

"Robert Valentine will be getting the key to above premises in about 6-8 week's time. My mother (Mrs. McGrath) who is tenant of above will be transferring to a new house which is being built for her at Mayfield. It was expected that this house would have been finished at beginning of September. My mother has been assured by the Contractor Mr.T. Brennan, Carnew, that the house will be ready for occupation in six to eight weeks' time."

The following resolution was adopted on the motion of Mr. Keegan, and seconded by Mr. Colfer:- "That the County Solicitor be directed to take up from Robert Valentine possession of caretaker's premises at Gorey Courthouse as decided by County Council at their last meeting."

COUNTY MEDICAL OFFICER OF HEALTH.

The following under date 20th September, 1938, was read from County Board of Health and Public Assistance:-

"I am directed by the Wexford Board of Health and Public Assistance to inform you that Dr. C. Bastible, County Medical Officer of Health, was absent from the meeting of

the Board on Monday, 19th instant, and that no explanation for his absence was received by the Board.

"I am further directed to inform you that it was suggested that Tuberculosis Dispensaries at New Ross were not held on two recent occasions, and that no report relating to this matter was before the Board."

Copy of communication from Board of Health and Public Assistance was furnished Dr. Bastible, who replied as follows under date 29th September, 1938:-

"Your letter of the 23rd instant received together with enclosure. With reference to the first portion of the direction received by you from the Secretary of the Wexford Board of Health and Public Assistance, I should like to direct your attention to paragraph 10 of Section 21 (6) of the Local Government Act 1925.

"With regard to the second portion of your direction I fear it will be necessary for the Board of Health to particularise the exact dates on which Tuberculosis Dispensaries were not held at New Ross, because I am fully aware that Tuberculosis Dispensaries have been held at New Ross every Tuesday since my return from holidays on July 8th, 1938."

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

"That correspondence from County Board of Health and County Medical Officer of Health as submitted to this meeting be furnished to the Department of Local Government and Public Health."

"That the Minister for Local Government and Public Health be requested to arrange for investigation into the manner in which the County Medical Officer of Health has been discharging his duties."

GRANT ROAD TO CARNE PIER FROM ROSSLARE STRAND.

The following under date 19th September, 1938, (R/RG/32) was read from the Department of Local Government and Public Health (Roads):-

"With reference to previous correspondence regarding the need for reconstructing the road from Rosslare Strand to Carne Pier, I am directed by the Minister for Local Government and Public Health to inform you that he has obtained the sanction of the Minister for Finance to the making of a grant from the Road Fund to the Wexford County Council of 50 % of the cost of the proposed work, subject to a maximum grant of £2,100.

"Particulars of the work proposed to be carried out should be submitted for approval on the annexed form 11 which should be accompanied by a brief specification, detailed estimate and tracing, showing the location of the work.

"The enclosed loan application form should be completed and returned for consideration in connection with the proposed loan to meet the Council's share of the cost of the work."

REMOVAL OF OBSTRUCTIONS - SCENIC VIEWS.

Under date 19th September, 1938, the Department of Local Government and Public Health (Roads) wrote (RU/205/201.V) that a grant of £100 had been provisionally allocated to Wexford County Council to meet the cost of removing banks, hedges and high walls which obstruct scenic views.

Referred to County Surveyor for report.

LOAN - ROAD MACHINERY.

The Department of Local Government and Public Health wrote under date 15th September, 1938, (S.Loeh Garman):-

"With reference to your letter of the 13th instant in regard to the proposal of the Wexford County Council to raise a loan for the purchase of road machinery, I am directed by the Minister for Local Government and Public Health to state that he has sanctioned the Council's proposal to raise a loan of £3,600 to defray expenditure thereon, the loan to be obtained from the Council's

Treasurer and to be repayable over a period of five years with Interest at the usual rate."

SANCTION WRITING UP MACHINERY RECORDS.

Under date 14th September, 1938, the Department of Local Government and Public Health (Roads) wrote (R/RS/32):-

"With reference to your letter of the 6th instant, I am directed by the Minister for Local Government and Public Health to state that he will raise no objection to continuance for a further six months of the existing arrangement for the carrying out of the work of writing up machinery records at the Enniscorthy machinery yard."

SANCTION INCREASE SALARY MR.F.S. RINGWOOD M.R.C.V.S.

The following under date 17th September, 1938 (P.H.20946/38 Loch Garman (Sd) was read from the Department of Local Government and Public Health:-

"With reference to the entries in the Minutes of Proceedings of the Wexford County Council on the 8th ultimo and on the 13th June last on the subject, I am directed by the Minister for Local Government and Public Health to state that he has approved of their proposal to increase the salary of Mr.F.S. Ringwood, Veterinary Inspector in the Enniscorthy District, from £75 to £90 per annum in respect of duties under the Diseases of Animals Acts other than duties under the Bovine Tuberculosis Order, 1926, with effect as from the 13th May last."

ADJUSTMENT OLD AGE PENSION AREAS.

In connection with the proposed adjustment of Old Age Pension Sub-Committee areas the following under date 19th September, 1938 (In.1316/462/38) was read from Revenue Commissioners:-

"With reference to your letter of the 27th July last regarding the re-adjustment of areas of Sub-Committees in County Wexford, I am directed by the Revenue Commissioners to refer to the Financial Instructions for Pensions Committees

and Sub-Committees, November, 1935, which give the Local Pension Committee power to revise the salaries of Clerks within the limit determined by the Minister for Finance as applicable to the whole area served by the local authority.

"In view of these instructions, the proposed increase in the salary of the clerk for the No. 7 Area can be made possible only by a corresponding reduction in the amount payable to another Clerk or Clerks within your area."

In reply to the Chairman the County Secretary said that two district electoral divisions had been taken from District No. 2 and transferred to No. 7. The present yearly remuneration of Clerk of No. 2 Committee was £14: 5: Od. and of No. 7 £22:15s. The Sub-Committee of No. 7 gave their consent to the adjustment conditionally on their Clerk receiving remuneration for the added duties. The County Council had proposed an additional £2 for the work.

Miss O'Ryan proposed and Mr. Kelly seconded the following resolution which was adopted:- "That copy of letter from Revenue Commissioners under date 19th September, 1938, (In.1316/462/38) be furnished No. 7 Committee and point out to them that if they are not satisfied to allow remuneration of their Clerk to remain at its present figure the Scheme cannot be carried into effect. The County Council have done what they could to secure additional remuneration for the Clerk of No. 7 Sub-Committee without success. The Finance Committee cannot see their way to recommend any deduction from annual remuneration of £14: 5: Od. paid to Clerk of No. 2 Area. This is the smallest amount paid to any Sub-Committee Clerk in the County.

"In the circumstances the Finance Committee hope that Sub-Committee No. 7 may see their way to waive the claim on behalf of their Clerk for additional remuneration.

UNIVERSITY SCHOLARSHIP SCHEME.

The following under date 20th September, 1938, was read from Mr. Peter W. Corish, National Teacher, Ballycullane:-

"Your letter notifying award of Scholarship to my son Patrick J. Corish received. He is availing of Scholarship and he has taken up residence at Junior House, St. Patrick's College, Maynooth, where he intends to do his University course. I have forwarded your letter to him and he will send you any particulars required from there."

Under date 21st September, 1938, the following was read from Mr. Patrick J. Corish, Junior House, St. Patrick's College, Maynooth:-

"Received today your information re Scholarship and I wish to inform you that I am availing of it. I have registered as a Student of St. Patrick's College, Maynooth. I will send on the other information as soon as possible."

The following under date 22nd September, 1938, was forwarded by the County Secretary to Mr. Patrick J. Corish, (copy being also transmitted to Mr. Peter W. Corish):-

"I have yours and note you have entered Maynooth. There was no indication on your application form that you intended to pursue an ecclesiastical course. The County Council are not prepared to grant a Scholarship to a student entering Maynooth, and have refused Scholarships in previous years in such cases. I regret, therefore, that Scholarship will not be payable in your case."

The following under date 24th September, 1938, was read from Mr.P.W. Corish:-

"Yours of the 22nd and enclosed copy received for which many thanks. As regards the application form filled by my son, it was done in accord with his intentions at the time and in any case I do not recollect that it was required to specify which college of the National University it was intended to take the course, at. As regards your Council not granting Scholarships to Maynooth, I would point out that according to their regulations governing the award of scholar-

ships for this year, the scholarships are tenable at the National University and no one College of the University is either specified or barred. The course pursued in Maynooth is simply the same as that pursued by students, some lay, some clerical at another college of the N.U.I.

"I would request you to again bring the matter before your Council."

The following under date 29th September, 1938, was read from Mr. J. Elgee, County Solicitor:-

"Referring to our interview as to the above student (P.J. Corish) who, I understand, proposes to take his University course at Maynooth College.

"In the first place Maynooth is a constituent College of the National University and thus comes under the terms of the Scheme as one of the Colleges at which the County Council Scholarships are tenable.

"There is nothing in the Scholarship Scheme, as adopted by the Council which debar a student who may have obtained a Scholarship from taking a Divinity or Ecclesiastical course, so long as he follows the course of study at the College which is set out in his application form for liberty to sit at the examination. In this case I understand that Mr. Corish can take the course at Maynooth which he stated he proposed to take.

"This being so, in my opinion, Mr. Corish having obtained first place in the Examination can legally claim to be awarded the Scholarship, notwithstanding the fact that he proposes to take the Ecclesiastical course at Maynooth College with a view to entering the Priesthood.

"If the Council desire to debar Divinity or Ecclesiastical Students from the benefit of the University Scholarships in the future, they will have to insert a clause in the Scholarship Scheme to the effect that Students who propose to take a Divinity or Ecclesiastical course for the purpose of entering the Priest-

hood or any Religious Order shall not be eligible to sit for or be awarded a Scholarship by the County Council ."

It was decided to adjourn consideration of award of University Scholarship to Mr. Patrick J. Corish until next meeting of the Finance Committee and in the meantime that the Chairman, Messrs Corish and McCarthy with the Secretary would interview Very Rev. Monsignor Cleary P.P. Vicar Capitular relative to University Scholarships of County Council being tenable at Maynooth College.

Letters were read from Mr. James N. Anglim, St. Anne's, Duncannon, and Miss Una Crean, Riverchapel, Courtown Harbour, accepting award of University Scholarships.

Thomas P. Browne, Rock's Lane, Wexford, who wrote accepting University Scholarship asked to be allowed to take his course in Engineering instead of in Arts or Science.

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

"That we recommend the Council to agree to Thomas P. Browne, Rock's Lane, Wexford, to avail of his University Scholarship with a view to securing a Degree in Engineering."

With reference to application of Mr. W.G. Lambert, Sunnyside, Broadway, for award of continuing University Scholarship, the following under date 17th September, 1938, was read from Professor J.P. Drew, Dean of the Faculty of Agriculture:-

"I am in receipt of your letter of the 26th ult. relative to the renewal of the University Scholarship to William G. Lambert,

"There is a University regulation applicable to all agricultural students which is as follows:-

"Before entering upon the Third and Fourth Years' Courses, students, if not exempted by reason of any previous test, are required to give evidence of a practical knowledge

of Agriculture, or of an allied subject (Horticulture or Forestry), and for this purpose to pass such examination as may be appointed by the Faculty."

"I informed Mr. Lambert at the end of his second year courses that he had not sufficient practical experience of Agriculture to comply with this regulation, and I advised him to get on to a typical well-managed farm and to take part in all the routine farm operations for a year, after which he could present himself for the examination referred to above. This examination is held on the opening day of the session which this year will be the 12th October, and Mr. Lambert has until that date to prepare for it. Until he presents himself for the examination in practical agriculture I have no indication of the progress he has made in the meantime."

It was decided to adjourn further consideration of the application to next meeting of the Finance Committee.

SECONDARY AND VOCATIONAL SCHOLARSHIP SCHEME.
1939.

The following under date 16th September, 1938, (Trg.2/51575) was read from the Office of National Education:-

"I am directed to acknowledge receipt of your communication with which you enclosed copies of the proposed scheme for the award by the Wexford County Council of Scholarships in Secondary and Vocational Schools in 1939, and to forward the following observations in connection therewith:

Section 1. With regard to the proposed amendment to this Section of the Scheme, I am to say that the Department does not favour the principle contained therein, which appears to penalise clever children, whose parents might be in poor circumstances, or might possess only very slender means. The Department would therefore, like the Council to reconsider the matter, but if the Council is of opinion that the suggested addition should stand the Department will not oppose its introduction. I am to add that it is assumed that it is not

intended to prevent two or more members of a family from receiving bursaries in any one year

Section 2, paragraph 5, line 2. It would be desirable to insert the words, or other cause, after the words parents' means.

Section 8, line 4, "(h) Rural Science and Nature Study" should read "(h) Rural Science or Nature Study".

This alteration is necessary in order that the list of examination subjects may conform to the programme for National Schools.

Section 8, Numerous requests are received in the Office for copies of the question papers set at previous examinations. It is suggested, therefore, with a view to making the position clear, that an asterisk should be placed at the commencement of this section, and the following note inserted at the foot of the page:-

X Copies of the question papers set in 1938 for this examination may be obtained from Government Publications Sale Office, 3 and 4 College Street, Dublin, price one shilling and threepence per copy.

Section 12. In connection with the special entry form referred to in this section, it is suggested that (if not already provided for) arrangements should be made for the entry on the form of the Roll Number of the School, in the case of pupils attending a National School.

Provision is made for furnishing this information on the official form giving particulars of candidates for the examination, and its inclusion is of considerable assistance to the Department in relation to the examination arrangements and the award of Scholarships generally.

APPENDIX. Certain amendments have been made in the Syllabus which was issued in 1938. Two copies of the revised

syllabus are enclosed for your information, and I am to say that the existing version should be altered accordingly.

Subject to the changes intimated in the preceding paragraphs being made, I am to convey approval of the scheme for 1939.

The Department would be glad to learn at your convenience of your Council's decision in regard to the proposed addition to Section 1.

Please be good enough to submit, for official use, twelve copies of the Schemes when printed."

The following resolution was adopted on the motion of Miss O'Ryan, seconded by Mr. O'Byrne:- "That no change be made in the decision of the County Council to award one Scholarship only in the same year if two members of a family are entitled to award, this provision not to be made applicable to bursaries. That the other suggested amendments submitted by the Office of National Education be agreed to and the necessary changes be made in the Scheme."

In connection with renewals of Scholarships and bursaries under Secondary and Vocational Scholarship Scheme the following was read from the Department of Education - Secondary Education Branch, 1 Hume Street, Dublin:- under date 28th September, 1938:

"I am to convey the Department's sanction for the renewal in respect of the school year 1938/39, of the Scholarships awarded by your Council to the undermentioned pupils:-

Loreto Convent Wexford.

- Mary A. O'Neill (Intermediate Certificate Honours, 1938)
- Elizabeth Carty " " " "
- Elizabeth Ronan
- Mary E. Devereux
- Margaret Donovan
- Annie Donovan

St. Peter's College, Wexford.

- Laurence Jordan
- John K. O'Leary
- John J. O'Neill
- Edward Rutledge

St. Peter's College, Wexford.

Michael M. Lennon
John A. O'Brien (Intermediate Certificate Honours 1938)
William F. Doyle " " " "

Christian Brothers' School, Wexford.

Patrick J. O'Regan
James A. Leeson
Laurence J. McCrudden
Peter McDonald
William F. Ryan (Intermediate Certificate Honours, 1938)
Timothy F. O'Leary " " " "

Loreto Convent Gorey.

Anne Doran

Christian Brothers' School Gorey.

John Breen (Intermediate Certificate Honours, 1938)

St. Louis Convent, Carrickmacross.

Mary B. Power

Good Counsel College New Ross.

Donal O'Donnell

St. Ciaran's College, Bray.

Edward Carty

Christian Brothers' School, Enniscorthy.

Matthew Treacy (Intermediate Certificate Honours 1938)
Richard McConville " " " "
Samuel Jordan " " " "

With regard to Elizabeth Devereux and Annie Foley, Loreto Convent, Wexford, Maire O'Brien, Clochar Lughaidh, Monaghan, Peter Lawless, Christian Brothers' School, Gorey,, Thomas P. Cullen, Blackrock College, Dublin, Maurice Treacy, and Michael A. O'Hanlon, Christian Brothers' School, Enniscorthy I am to point out that they presented themselves at the Department's Intermediate Certificate Examination, 1938, and obtained a Pass without Honours. As, however, the pupils have another year in which to comply with the terms of your Council's Scheme, the Department has no objection to the renewal of their Scholarships for the current school year.

With regard to Margaret O'Leary and Mary A. Carroll, Loreto Convent, Wexford, who were awarded Scholarships in 1935, I am to point out that these students passed the Intermediate

Certificate Examination this year but did not obtain Honours. In the circumstances the Department is unable to sanction the renewal of their Scholarships."

The following resolution was adopted on the motion of Mr. O'Byrne, seconded by Mr. Murphy:- "That the County Council be recommended to agree to renewals of Scholarships and Bursaries under Secondary and Vocational Scheme in accordance with letter from Department of Education (Secondary Education Branch). We would request the Department to consider ^{re-} ^{their} refusal to agree to ^{renewal} ~~award~~ of Scholarships to Margaret O'Leary, Lady's Island, and Mary A. Carroll, Streamstown, Tagoat, in view of the fact that these students are at present attending a Secondary School and, it would be a hardship to insist on them returning home, without being allowed to complete their Scholarships.course."

SMALL DWELLINGS ACQUISITION ACTS.

INSTALMENT OF LOAN: The following resolution was adopted on the motion of Mr. Kelly, seconded by Mr. McCarthy:-

"That the Department of Local Government and Public Health be requested to sanction a transfer of £3,000 to the County Council by the Office of Public Works from Local Loans Fund, in respect of Instalment of Third Loan sanctioned under the Small Dwellings Acquisition Acts."

APPLICATIONS FOR LOANS: Bernard Byrne, Brownswood, Enniscorthy, Farm labourer, applied for loan of £150 on house at Ballynabanogue Enniscorthy, estimated to be valued at £220. Applicant stated his wages were 27/- per week and he had been in his present employment for 11 years.

Mr. McCarthy said that Byrne was really in a position of a steward and was not entirely dependent on a weekly wage of 27/-. He had no doubt Byrne, a hard working steady man, would be able to meet his liability.

The Secretary stated the maximum loan in this instance would be £135 a rent of 3/4d per week.

It was decided on the motion of Mr. Kelly, seconded by Mr. McCarthy to recommend advance not to exceed £135 to Bernard Byrne.

Daniel Sheehan, Effernogue, Ferns, applied for loan of £200 on house estimated to be valued at £350.

The Secretary stated that the maximum amount of loan in this case would be £175.

Mr. Kelly said that Sheehan was a mason in constant work; his father-in-law was a carpenter and they would require the minimum amount of labour in the erection of house. He proposed that an advance not exceeding £175 be provisionally agreed to Daniel Sheehan, Effernogue, Ferns. Mr. Colfer seconded. Passed.

SANCTION TO ADVANCES: Under date 3rd September, 1938, the Department of Local Government and Public Health wrote (H.23673/38) that the Minister had sanctioned advance of £230 to Thomas McGrath, Railway Road, Gorey.

Under date 15th September, 1938, the Department wrote (H.23672/2/38 Loch Garman) that the Minister would raise no objection to the advance of £175 to Miss Mary Keegan (house at Gorey Corporation Lands).

Under date 15th September, 1938, the Department wrote (H.85588/1938 Loch Garman) that the Minister would not raise objection to advance of £130 to Mrs. M.J. Halpin, Gorteen, Coolgreany.

ELLEN LEARY, BALLYWALTER, KILMUCKRIDGE: Under date 29th September, 1938, Mr. T. Treanor, Assistant Surveyor, Gorey District, wrote that shortly after the payment of £50 to cover stage which building had reached Mrs. O'Leary entered the Mental Hospital. She returned home some time ago but did not appear to be capable of having the work proceeded with. The husband was called on frequently, and on the last occasion he said he would make an effort to have the work done.

It was decided to refer the matter to the County

Solicitor to advise.

JAMES O'BRIEN, BALLYGOMAN, BARNTOWN: Under date 29th Sept., 1938, Mr. James O'Brien, Ballygoman, Barntown, wrote applying for another £50. He made some mistake about the amount he entered on his application form for the valuation of the house.

The County Secretary stated that the maximum loan which could be granted in this instance was £185.

It was decided on the motion of Mr. Kelly, seconded by Mr. McCarthy that loan to James O'Brien, Ballygoman, Barntown, be increased from £150 to £185, subject to the sanction of the Minister for Local Government and Public Health.

CONSIDERATION OF APPLICATIONS: The following resolution was adopted on the motion of Mr. McCarthy seconded by Mr. Murphy:-

"That as all moneys available under loans (Small Dwellings Acquisition Acts) have been allocated, no further applications be dealt with until first meeting of Finance Committee in January next, when list of persons to whom advances have been agreed and who are not availing of same can be presented.

PETROL PUMP WILLIAM HOGAN.

Under date 28th September, 1938, the following was read from Mr. William Hogan, Fethard-on-Sea:-

"Re Petrol Pump Licence No. 191 issued to me on 24th inst. I now find if I put down tank in my yard as I intended suction pipe would be too long for pump to draw.

"Under the circumstances I hereby make application to your Council for permission to put tank under footpath outside my store. Said footpath is 9 ft. wide from wall to kerb and at this particular point is never used. If given permission I would have tank and part of footpath covered with concrete.

"I would deem it a favour if you would place this matter before your Council at its meeting on Friday 30th instant."

It was decided to adjourn consideration of this letter to next meeting, Mr. Colfer to interview Mr. Hogan and ascertain

if anything can be done to comply with the resolution of the County Council that the tanks for all petrol pumps should be placed on owner's premises."

APPLICATION FOR PUBLIC ROAD.

Seven ratepayers from Croghan, Ballyfad, Inch, wrote under date 19th September, 1938, asking to have the lane leading from the County Road at Monalee bridge to their houses in Croghan Middle and Croghan Upper, taken over by the Council as a County Road and maintained as such.

It was decided on the motion of Mr. Colfer seconded by Mr. Murphy that the matter be adjourned for consideration to meeting at which Road Works Scheme for 1939-40 will be dealt with.

ROAD RED PAT'S CROSS, ENNISCORTHY TO BREE.

The following under date 24th September, 1938, (R/RU/205/2) was read from Department of Local Government and Public Health (Roads):-

"With reference to your letter of 27th July last relative to the road works proposed to be carried out during autumn and winter under the current employment schemes vote, I am directed by the Minister for Local Government and Public Health to inform you that he agrees to the substitution of the proposal providing for the improvement of the road from Red Pat's Cross near Enniscorthy to Bree via Galbally, subject to the condition that provision will be made under next year's employment schemes for the improvement of the road from Enniscorthy to Carley's Bridge.

"I am to add that particulars of the proposed works should be furnished immediately on the prescribed forms as indicated in paragraphs 9 and 10 of the instructions to County Surveyors relating to the preparation of schemes."

DONAMORE AND RONEY ROADS.

The following under date 22nd September, 1938, was read from Mr. David Doyle, Tomduff, Killena, Gorey:-

"Please bring to the notice of your members of your County Council the enclosed memorial signed by persons who have permanent sites here. And what is meant by this is to have a small bridge erected at the Roney Road by which Donomore Road and the Roney road would be joined up leaving a public lane along the sea coast much used by tourists during the summer months and public in general. The Roney end of lane is almost impassible at present. If your Surveyor will inspect the lane, on hearing from you the date, I will explain matters to him more fully."

The following is copy of the memorial referred to by Mr. David Doyle:-

"We, the undersigned, respectfully request you to bring to the notice of the members of the Wexford County Council the state of the Dunamore-Torduff road or lane. We should be glad if your Council will, at an early date, instruct the Surveyor to inspect the lane and have an estimate made for a relief grant which would be sufficient to put the lane in reasonable repair to carry the amount of traffic there is on it. In addition, to local residents who are using the lane daily, several summer visitors have permanent sites here and the lane referred to is the only one they can use to get to the sea."

The following resolution was adopted on the motion of Mr. O'Byrne, seconded by Mr. Kelly:- "That application relative to repair of Roney and Donamore roads be scheduled for repair under Minor Relief Scheme."

JOHNSTOWN LOWER LANE.

Under date 19th September, 1938, Mr. Morgan Murphy, Johnstown Lower, wrote that so far ~~xx~~ there was no sign of above lane being repaired. It was in a hopeless state with holes and bumps and with scoughs and briers meeting across the lane. It would be impossible to get up or down the lane in winter with holes full of water.

It was decided to inform Mr. Murphy that the lane had been listed for repair under Minor Relif Scheme and repair

would be carried out if lane was selected by Office of Public Works.

LANE CLONMORE UPPER, BREE.

Five ratepayers resident on above lane leading to their dwelling houses called attention to its very bad condition and it was extremely awkward and disagreeable to have to use it to get to their houses specially in winter. If the County Council would be good enough to supply stones for the repair of the lane the writers would draw them any reasonable distance and repair the lane.

Referred to County Surveyor for report.

CARETAKING BUNCLODY COURT.

Under date 17th September, 1938, the following was read from Richard Breen, Irish Street, Bunclody:-

"As the Bunclody District Court is now being held in St. Aidan's Hall of which I am caretaker, there will be a charge of 5/- per month for the cleaning and getting ready of the same. Two Courts have been held there August and September so that there is 10/- due to me. Hoping to hear from you soon."

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

"That we recommend the County Council to agree to the payment of 5/- per month to Richard Breen, for preparing Courtroom at Bunclody, cleaning up same after each court, and also for taking care of County Council furniture."

SHEEP DIPPING ORDER.

Under date 29th September, 1938, the Department of Agriculture wrote (L.4141/38) that no useful purpose would, apparently, be served by the attendance at sheep fairs of the Sheep Dipping Inspectors. The time of the Inspectors would be more profitably employed in attending to their ordinary duties.

was read from the Department of Justice:-

"I am directed by the Minister for Justice to refer to your letter of the 2nd ultimo, relative to the travelling expenses of members of the Garda Siochana acting as ex-Officio Inspectors of Weights and Measures, and I am to express regret that a reply has not been sent earlier to you.

"The matter has since been receiving the Minister's consideration and he is still in communication with the Commissioner, Garda Siochana, on the matter. It is hoped that it will be possible to take steps which will lead to a reduction of the expenses in question."

ROAD MAINTENANCE GRANT.

Under date 15th September, 1938, the Department of Local Government and Public Health (Roads) wrote (RGM/32) that a payment of £2,489 out of allocation for Road Maintenance Grant of £11,918 had been lodged with the Treasurer of the County Council.

INDUSTRIAL SCHOOL APPLICATION.

Under date 20th September, 1938, the District Court Clerk, New Ross, wrote that application would be made to New Ross Court for the committal to St. Aidan's Industrial School, New Ross, of Johanna Nolan, aged 11 and Mary Nolan, 8 years old, Meyler's park, New Ross. The mother, the surviving parent, was in a delicate state of health., suffering from tuberculosis, and was unable to look after the children.

Referred to Mr. Elgee, County Solicitor.

KILMANNOCK DRAINAGE AREA.

The following letter from Major Barnewall, Kilmarnock, Campile, as to drain on above drainage area to the County Council Solicitor was submitted:-

"In accordance with your letter of July 3rd, 1937, I placed my objections before the Board of Public Works, and I now enclose copy of their letter dated 14th instant,

dealing with the whole matter. I should feel obliged if you would place it in the hands of the County Surveyor whose attention I wish to draw to the last sentence of Paragraph I. If, as would appear to be the case, the County Council took over the responsibility entirely on the strength of the plans or tracing provided to them by the Board of Works (which included a drain that never existed) I am far from satisfied that the County Council cannot take steps to remedy the mistake which if not done will cost me over £100 while my lands derive no benefit whatever from the restoration work for which I am charged that sum plus maintenance.

"With regard to paragraph 3. Since 1931 I have repeatedly requested the County Council to have this obstruction removed, but no steps have so far been taken to do so, with the result that parts of the drain upstream have completely disappeared and has become a morass or swamp, and a dangerous trap for livestock in its vicinity. I may add that I have already had two beasts smothered in it one in 1937 and one in 1938, and to avoid probably further losses during the coming winter this obstruction must be removed and the drain upstream renovated immediately."

The County Surveyor said he had dealt with a substituted drain for the one which was believed to be non-existent. According to the map supplied by the Office of Works the drain was outside the County Council drainage area.

It was decided that the County Surveyor interview Major Barnewall in the matter.

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

"That the Minutes of Finance Committee in respect of meeting held on 30th September 1938 be received and considered."

GOREY COURTHOUSE - CARETAKER'S PREMISES: The following letter from Thomas Dwyer, permanent Caretaker, Gorey Courthouse, to Mr. Elgee, County Solicitor, under date 8th October 1938 was read:-

"I beg to inform you that I have received keys of caretaker's premises from Clerk (Miss Keegan) of Messrs. Huggard, Brennan & Godfrey, Solicitors, and I have noted that all Mr. Valentine's belongings have been removed."

Under date 3rd October, 1938, the following was read from Mr. Elgee:-

"With reference to our interview as to Gorey Courthouse and Robert Valentine, I write to say:-

On the 11th of March last the District Justice gave a Decree for possession of the Caretaker's Premises adjoining Gorey Court House, but placed a stay on the issue of the Warrant for possession until the 1st of June last.

On the 13th of June last the matter came before the County Council for consideration of a letter from Messrs. Huggard Brennan & Godfrey, Solicitors for Mr. Valentine, asking for further time to give up possession of the premises, when it was decided that further time until the 31st of July last should be given to Mr. Valentine.

I was under the impression that the matter came again before the County Council for consideration after the 13th of July and that a further extension had been granted to the 1st of September but I have been unable to verify this, and consequently I was in error when I stated that further time to that date, had been granted, either by the County Council or the

District Justice.

The Warrant for Possession is not ready for execution, and unless I hear on Wednesday morning, that Mr. Valentine has left the premises, I will have the Warrant placed in the County Registrar's Hands for execution, and arrange with him for a date to execute same, when some member of the Council's Staff will have to be in attendance at Gorey to take over possession."

Col. Quin said it appeared to him that the whole thing was a mistake.

Mr. Murphy - The letter from Mr. Elgee clears Mr. Keegan's side of it.

Mr. Keegan then referred to the following statement recently made by District Justice Fahy at Bunclody Court:-

"There is published in the local papers this week a report of meetings of the Finance Committee of the County Council and of the County Council itself in which the matter of the possession of the caretaker's premises in Gorey Courthouse is dealt with. This reports a Mr. Keegan as stating that he had been informed that Valentine had been granted an extension up to 1st September by the District Justice. This statement is wholly untrue. Mr. Keegan is also reported as stating that without any notice to the County Council a further extension up to 1st September, 1938, had been granted. This untrue statement is, in my opinion, grossly libellous on me, implying as it does that I had made an order in a case between two litigants behind the backs of one of the parties concerned. I shall have to consider the question as to whether these untrue statements constitute a contempt of this Court or not and also as to whether it is worth while compelling the withdrawal of these statements in High Court proceedings. Meanwhile, as this is the first public opportunity I have got of nailing these lies, I expect

that I will be afforded the same publicity as that given the report referred to. Furthermore, as these untrue statements may possibly be regarded as criminally libellous, I am contemplating having the facts submitted to the Attorney-General for consideration by him. I am awaiting advice on the whole matter."

Mr. Keegan, continuing, said he regarded this as a personal attack on himself. He held he did not go outside his duty either at the Finance Committee or the County Council meeting. His information that the time for Valentine to vacate the premises had been extended up to the 1st September came from the Secretary through Mr. Elgee, County Solicitor.

Mr. Elgee said that Mr. Keegan's statement was correct.

Mr. Keegan said he had been in public life for 30 years and nothing he ever said as a public representative had ever been challenged. He never had to withdraw anything and nobody ever called him a liar. From the time he first entered public life as a member of the old Board of Guardians up to the present nobody could ever point a finger at him. He had never called anybody a liar and never made any insinuations against the District Justice. He wished the Council to say if his action was or was not guided by a sense of duty. He held he did his duty fairly, honestly and above Board. The allegations against him were not going to end there.

Col Quin said if not the case would be subjudice, and the Council could do nothing at present.

Mr. Keegan said he asked the Council only to verify his statement. He considered it quite unfair to call him a liar without sufficient evidence. If public representatives were to be threatened in this fashion public life would become intolerable.

Col. Quin said that the remark objected to by the District Justice as to the extension, had been made however

innocently, by Mr. Keegan.

Miss O'Ryan said the County Council should take the responsibility for the remarks of Mr. Keegan in this matter in view of the information which had been given to him at meetings. As the report appeared in the Press it looked as if Mr. Keegan was talking without authority and in an irresponsible fashion. Councillors were very loyal to each other and she would not like to see any member attacked for doing something in which he was backed by authority. The Council, as a whole, in a matter of this kind, should take the blame and inform Mr. Fahy (District Justice) that the Council did not publish information with the intention of leading him or the public astray. She believed that they should stand by Mr. Keegan in his remarks and send the explanation she mentioned to Mr. Fahy.

The Chairman endorsed Miss O'Ryan's observations. When the discussion took place Mr. Keegan's remarks were fully justified on the information supplied to him by the officials of the Council and the Council should take full responsibility for these remarks. He looked on it as a very serious matter for the District Justice to put the whole County Council in the dock, because Mr. Fahy's observations really amounted to that.

Minutes of the Finance Committee having been read, Mr. Elgee, County Solicitor, said that the question of extension for Valentine was put to him at a meeting. He had not the file of papers with him, but he knew at the time Valentine was given an extension up to the 1st September by someone, whether the Council or not he could not say. He could not find anything in his papers showing by whom this extra time was given but he was quite satisfied he would not have given this information to the Council as to the extension up to the 1st September unless someone had told him of it. However,

he could not trace where it came from.

The Secretary stated on 26th August last he wrote Mr. Elgee and asked the date when possession was to be given up as the Council understood this was to be done on July 31st. There was no mention of September in that letter.

Mr. O'Byrne said it was a very serious matter that they should be given information from their officials on which they could not rely. To say that the District Justice gave an extension of time which he did not give according to his own statement had put the Council in an awkward position. He held that on the information given the Council any member would have made the same remarks as Mr. Keegan did.

After further discussion Miss O'Ryan proposed and Mr. Thomas Redmond seconded the following resolution which was adopted, Col. Quin dissenting:-

"That, in the opinion of this Council the statements made by Mr. Keegan as to extension of time given for vacation of Courthouse premises at Gorey Courthouse were justified on the information supplied to him by Mr. Elgee, County Solicitor.

That copy of this resolution be furnished Mr. Fahy, District Justice, and Mr. Keegan."

Mr. Keegan said he thanked the Council for the pains they had taken to vindicate his character and the Secretary for his trouble of getting out the minutes. He was also very thankful for the support of Miss O'Ryan and others in saying that he had not done anything wrong. He felt very proud to have the Council behind him in the matter. It was the first time he was attacked in that way during 30 years in public life and he felt proud to have the Council behind him.

COUNTY MEDICAL OFFICER OF HEALTH: The following, under date 6th October 1938 was submitted from Wexford Board of Health:-

"I am directed by the Wexford Board of Health and Public Assistance to acknowledge receipt of your letter of the 1st instant together with copy of a letter sent to the Finance Committee of the County Council by Dr. Bastible. The Board note that the Finance Committee have requested an investigation into the manner in which the County Medical Officer of Health has been discharging his duties. I am to refer to the statement of the County Medical Officer of Health that "Tuberculosis dispensaries have been held at New Ross every Tuesday " since July 8th 1938, and to state that this statement is untrue. No medical attendant was present at the New Ross tuberculosis dispensary on the 12th or 26th of July, 1938, or on the 6th or 20th September 1938. The return for the month of August is not yet in the hands of the Board. No medical attendant appeared at the New Ross T.B. dispensary on the 4th of October. When the return of attendance for the month of August has been received, it will be forwarded to you. I am further to call your attention to the fact that Dr. C. Bastible was absent from the meeting of the Board held on October 3rd."

It was decided to discuss the matter in Committee.

The Chairman said that since the meeting of the Finance Committee the general opinion of the public and of the County Councillors was that something more serious than what the Finance Committee proposed should be done. He (Chairman) was very sorry to have to move against a responsible officer in a very responsible position, but the conduct of the County Medical Officer from a public point of view was anything but creditable and the Council were bound to take strong action. He favoured the holding of a sworn

enquiry. As he said, it was a very serious step to take, but it could not now be avoided. He, therefore, moved the following:-

"That this Council, subject to the approval of the Minister for Local Government and Public Health, suspend Dr. Bastible, County Medical Officer, from duty pending the decision of the Minister as to the holding of sworn inquiry into the manner in which the County Medical Officer has been discharging his duties, and into the administration of his department. The County Council adopt this resolution after full consideration.

That the Solicitor to the County Council be directed to co-operate with the Solicitor to the Wexford Board of Health in preparing the evidence for the proposed inquiry."

Miss O'Ryan seconded.

Col. Quin thought it would be advisable if some further details of non-performance of his duty by the County Medical Officer were submitted.

Mr. Sweetman was of opinion it would be advisable to have a recommendation in the matter from the Board of Health.

After further consideration, the resolution was put and passed.

UNIVERSITY SCHOLARSHIP SCHEME: The Chairman proposed and Miss O'Ryan seconded the following resolution which was adopted unanimously:-

"As the Finance Committee have been advised they are empowered to award their University Scholarships only in strict accordance with University Scholarship Scheme, it is hereby resolved that said scholarships be awarded the first four successful candidates as set out in the Results of Examination furnished by the Academic Council of the National University, viz:-

1. Patrick J. Corish, Ballycullane.
2. Anglim James H., St. Anne's, Duncannon.
3. Browne Thomas P., Rock's Lane, Wexford.
4. Crean Una Maire, Riverchapel, Courtown Harbour."

SCHOLARSHIPS GENERALLY: The Chairman said a number of members mentioned to him that they would like if the whole question of scholarships were gone into, and some Councillors had suggested that a small Sub-Committee should be set up to consider it before they committed themselves to a further year's scheme. He moved that a small committee be appointed to consider the question of both Secondary and University Scholarships. The Council as a body had not given much consideration to the matter for a number of years, and he thought there was more or less an opinion abroad that the Schemes needed alterations in some respects, and the money could be spent to more advantage for the people of the County.

Mr. O'Byrne seconded and the proposal was adopted.

Miss O'Ryan, Messrs. McCarthy, O'Byrne, M. Redmond, Kelly, the Chairman and the vice-Chairman (Mr. Corish) were appointed as a sub-committee.

WEXFORD BRIDGE: Mr. Corish said that something should be done in the way of repair or the structure would collapse.

Mr. Kinsella said owing to the condition of the bridge a much less quantity of barley than in other years would be bought in Castlebridge and this would increase unemployment.

Mr. Corish said the question of repair had been talked of for a long time and something should be done immediately.

The Chairman said that Mr. Corish and he were with the Department a couple of months ago and the County Surveyor had been there on a couple of occasions. It depended on the Department when the repairs would be carried out.

The County Surveyor said as soon as they received the sanction of the Department he would be prepared to go ahead with the repairs.

After further discussion the following resolution was adopted on the motion of Mr. Corish seconded by Mr. Kinsella:

"That the County Surveyor communicate with the Department of Local Government and Public Health by telegram and ask them to have immediate steps taken in connection with the repair of Wexford Bridge."

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

"That Minutes of Finance Committee of 30th September 1938 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."

LOAN - SEWERAGE SCHEME CAMOLIN

The following motion stood in the name of Miss O'Ryan:-

"I hereby give notice of my intention to move at the meeting of Wexford County Council to be held in County Council Chamber, County Hall, Wexford, on Monday, 10th October, 1938, at 10.30 a.m. that the Wexford County Council consent to the borrowing by County Wexford Board of Health and Public Assistance of £4,700 (Four Thousand Seven Hundred Pounds) for the purpose of providing Sewerage Scheme for the village of Camolin."

This motion was circulated to members of the County Council on 5th September 1938.

In moving the motion, Miss O'Ryan said this Sewerage Scheme was absolutely necessary for the protection of the health of the people of Camolin, and great consideration as to the amount of loan and of the details of the Scheme had

86
been given by the Board of Health.

Mr. Ronan seconded the motion which was adopted.

PROPOSED WEEKLY PAYMENTS TO ROAD AND QUARRY WORKERS

The following motion of which he had given previous notice stood in the name of Mr. Culleton:-

"That the County Council devise a system of making weekly payments to Road and Quarrymen as fortnightly payments are out of date and very unsatisfactory."

In moving his motion Mr. Culleton said that the Wexford County Council irrespective of what other County Councils were doing in the matter, should take a generous view of his proposal. He believed the change from fortnightly to weekly payments could be made without a great deal of expense. When the matter was under consideration on a previous occasion it was stated that weekly payments would mean the employment of only one extra clerk. He did not see why the County Council should not pay weekly as was done by all business firms.

Mr. Corish seconded.

The Secretary read letter from Secretary of Dublin County Council stating they had made the change at the last meeting to the weekly system of payments and he would be reporting on the additional expense at the next meeting. They had to employ three additional clerks and a timekeeper for each road overseer, nine in all. There was additional expenditure in postage and in pay orders. His County Council had not finally decided on weekly payments for roadmen.

The Secretary said the same extra clerical assistance as in Dublin would have to be provided in Wexford if the proposal was adopted.

County Surveyor - It would be £250 to £300 a year extra for postage alone. The change would mean upsetting

my department because there would be an extra day or half day a week instead of fortnightly as at the present time. I would have to have extra clerical assistance in my office also. It would be better for the workers to be paid weekly but this would mean a lot of expense and trouble.

Mr. Bowe said he knew a great many road workers and none of them ever asked him to support a system of weekly payments.

The Chairman said that it could not be justified to put extra expense on the Council in view of their straitened circumstances in all directions. It was more important to employ as many men as possible and the expense of arranging for weekly payments would mean less employment. The adoption of the proposal would mean less money for road work and less men employed.

Mr. Culleton withdrew his motion as he said it appeared to be unworkable. He did not wish to put the Council to extra expense if this would mean less employment. No road worker desired to debar anyone from work in order to be paid weekly.

SPECIAL EXPENSES PUBLIC HEALTH ACTS

Under date 5th October 1938 the Department of Local Government and Public Health wrote (P.H.11146/38 Loch Garman (Pd)) forwarding Order made by the Minister on 15th September 1938 fixing areas of charge for special expenses of Rural Sanitary Authorities under Public Health Acts 1878 to 1931.

It was stated in the Order that the Area of Charge for providing and maintaining a water supply at Clonroche was the County Health District of Wexford.

PROTECTION AGAINST FOOT AND MOUTH DISEASE

Under date 30th September, 1938, the Department of Agriculture wrote forwarding copies of Order entitled "Foot and Mouth Disease (Imported Carcases and Packing Materials) Order, 1938," with explanatory memorandum.

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

"That the Wexford County Council will use every effort to secure full compliance with Foot and Mouth Disease (Imported Carcases and Packing Materials) Order 1938.

They suggest to the Department of Agriculture that copies of the Order and explanatory memorandum should be furnished the Veterinary Inspectors of each County Council."

SEALING MORTGAGES FOR LOANS

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

"That pursuant to the letter of Sanction of the Minister for Local Government and Public Health dated 15th September 1938 (S. Loch Garman) the sum of £3600 (Three Thousand Six Hundred Pounds) be borrowed from the National Bank Limited for the purchase of Road Machinery, said sum to be repaid within five years with Interest at the rate of one half per cent under the Irish Banks' rate varying subject to a minimum of £4 per cent per annum as in said letter of Sanction provided.

And it is further resolved that the Seal of the County Council be affixed to the necessary mortgage over the rates to secure said Loan."

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

"That the Seal of the Wexford County Council be affixed to the Deed of Surrender and Counterpart thereof, by the

County Council to the Enniscorthy Co-operative Society Ltd. of the Existing Leases of the Machinery Yard Premises at Enniscorthy and also that the Seal of the Council be affixed to the New Lease and Counterpart thereof from the Co-operative Society to the Council of the Machinery Yard premises, and a plot of ground adjoining same for the term of 99 years from the 1st day of October 1938, with a clause of Surrender at the end of any period of 20 years during said term, at the yearly rent of £75."

DUNCORMACK ROADS

Messrs. J. Stafford, Cullenstown, and Mr. J. J. Furlong, Littlegrigue, Duncormack, attended as a deputation to lay before the County Council their views respecting the roads leading to Duncormack Station.

Mr. Stafford said they were concerned principally with the roads from Wallace's Cross to Parle's mill and from Ambrosetown to Duncormack. They led to Duncormack railway station at which the traffic last year included 14,000 tons of beet and 10,000 tons of manure and coal. In addition, the roads served the mill which ground up to 6,000 barrels of corn. Under the contract system of road repair 90 cubic yards of gravel was formerly put on the road from Wallace's Cross to the mill and 84 yards on the other one. Under the present system the amount was 30 and 24 yards, respectively. Despite the fact that the tonnage on the roads had been reduced the traffic had trebled. They asked that these roads be re-classified so that they could be properly maintained. They were the only roads in South Wexford leading to a railway station that were not either tarred or concreted. Failing re-classification they asked that the tonnage of material be restored to the former figure and that an extra man be put on immediately for a month to prepare them for the beet traffic.

The County Surveyor said he estimated £615 for the section which included these roads and the Council cut it to £192. When his annual estimate came up he was told it was exorbitant and the cut had to be spread over the various sections more or less pro rata.

Mr. Furlong pointed out that there was a good deal of tillage in the district and considerable traffic over the roads for beet and corn. At present, this was not too bad but when the heavy traffic began they would become impassible.

Mr. Stafford mentioned a blind turn at the entrance to the railway gate. All that was required was that the hedge should be taken down.

Mr. Furlong mentioned that this had been put before the railway company who disclaimed liability. The roads were maintained by sea gravel which in view of present day traffic was hopeless.

The Chairman said that when the Road Works Scheme was under consideration at next meeting, consideration would be given by the Council to the representations made by the deputation from Duncormack.

Mr. Stafford said of course this would mean that nothing could be done until after March next and the crux was that in the coming winter the roads would become impassible. Even if the County Surveyor could spend £20 on it immediately it would greatly help.

Mr. Birthistle, Assistant Surveyor for the district, said that what the deputation stated in regard to the roads was quite true. They would be almost impassible for three months of the winter. He was doing what was possible to substitute quarry material for sea gravel.

The County Surveyor said he would see if it was possible to provide any small amount for repairs.

Mr. Stafford thanked the Council for the reception of the deputation and the attentive manner in which they had

listened to the statements.

ROAD MOHURRY CROSS ROADS

Mr. Bowe said if something was not done with above road it would be washed away; there was one continuous stream of water flowing over it.

Mr. Ennis said that there was a question of weirs and their height involved.

Mr. Bowe said that people walking over this road were covered with water to the ankles and the Council should not allow such a state of affairs to continue.

After further discussion it was decided, on the motion of the Chairman, seconded by Mr. Corish, that Messrs. Bowe and Lawlor, County Councillors, meet the County Surveyor, County Solicitor and Mr. Ennis, Assistant Surveyor, at Mohurry Cross and submit a report on the result of their visit to first available meeting of the Finance Committee.

CARTERS AND HOLIDAYS WITH PAYMENT

Mr. Corish raised the point as to the eligibility of a carter employed in New Ross district being entitled under the Conditions of Employment Act to holidays with pay.

The County Surveyor said that persons conveying persons or goods were not considered to be industrial workers and were not, therefore, ^{entitled} to the paid holiday.

Mr. Corish contended that transport of goods meant transport of merchandise and did not refer to the cartage of road material. A man who sold retail from a van was entitled to the paid holidays.

It was decided to refer the point to the County Solicitor for advice.

BORRIS AND PALACE EAST RAILWAY LINE

Mr. John Joyce, M.C.C., Borris, and Major Little came before the meeting as a deputation from Carlow Comhairle Ceanntair Fianna Fail relative to the proposal of the Great Southern Railway Company to close the railway line between Borris and Palace East.

Mr. Joyce said the proposal, if carried into effect, would be most detrimental to the interests of the people of Carlow and part of County Wexford.

Major Little said the matter was one of vital importance and the Council, as a body, had a reputation for jealous regard and guardianship of the interests and amenities of the people, and it was with confidence, therefore, he addressed them. The Great Southern Railways proposed that they close the line between Palace East and Bagenalstown. He could give a few figures in connection with the goods that were conveyed on that line. From Borris itself there were upwards of 200 wagons of cattle loaded and sent away. Under what was called the beet campaign, 24,000 tons, between Ballywilliam and Goresbridge went to Carlow via Bagenalstown. Of other goods there were something like 14,000 tons - cereals and goods for traders. If that weight of goods were taken off the railways and thrown on the roads, he would ask them to consider what would be the result. The roads had not been constructed to stand up to lorry traffic of that sort. In fact, within a couple of weeks of the beginning of the beet campaign, the roads would be no longer roads, but they would be ruts and furthermore, the County Councils, in order to strive to the utmost to keep the roads in the condition to bear that increase of traffic, would be strained beyond their abilities. He felt certain that the Council would see their own interest in the matter. If people on the short section of the line were going to be penalised in that monstrous fashion, people who sent their

beet from the South of the County via that line were going to be punished also. The result would be a stagnation of not only the agricultural industry, but of industries - trading and otherwise - throughout the South of Wexford, through Carlow and the surrounding Counties. It was an arbitrary proposal on the part of the Railway Company and he submitted that it should not be tolerated. He had stated what the condition of things would be, and he was in possession of facts which went to show that there were difficulties in the way. There were certain traders who saw in the present situation something to their personal advantage, and he would put the Council on their guard so that when obstacles came up they would be able to see them and brush them out of their way. People thought that if the railway was done away with they would be able to increase the number of their lorries. They would increase them only to the extent of their personal advantage, but not to the extent of meeting with and coping with the enormous tonnage which would be thrown on the roads. He would ask for the Council's sympathy by immediate action with regard to the line.

In reply to Mr. Corish, Major Little said they had not received official intimation from the railway company that the line was going to be closed. They had a representative committee operating in Borris in regard to the matter. Since the committee was formed no communication had been received from Mr. Floyd, of the Railway Company or Mr. Lemass, Minister for Industry and Commerce, except an acknowledgment of a communication. Deputies had communicated with them.

Mr. Corish said he had sent a letter to the Committee from Mr. Floyd, General Manager of the Railway Company, but there was nothing in it saying the line would definitely be closed.

Mr. Keegan said that the roads which would be affected could not stand up to lorry traffic and if the line was closed the farmers would be in a very bad position.

Mr. Joyce contended that if the railway was not available the beet industry would be seriously injured. Beet growers could not pay 8/- or 9/- per ton for transport by lorry to Carlow Factory.

Major Little, in reply to the Chairman, said the Committee dealing with the matter had intimation that unless there was a strong agitation by the public bodies of Wexford and Carlow and the merchants and farmers concerned the line would be closed. If the Railway Company decided to close ~~the~~ the line they should give sufficiently long notice to the Councils concerned to have their roads brought up to the standard of being able to deal with lorry traffic and thus replace the railway.

Mr. Corish did not agree with this. It was an acceptance of the proposal that the Railway Company could throw the traffic on to the roads. Independently of such a proposal they should protest against the closing of the line.

Mr. Doyle said from his knowledge of the Railway Company he would be surprised if they would not put on some alternative method of transport in the event of the line being closed.

Mr. Bowe said that the closing of the line might debar people from growing beet, as transport costs would be so high. The Railway Company had practically a monopoly of transport in the country, and even if they did not make money out of one small line they could still afford, to his mind, to run it.

Col. Quin said, while in favour of having the railway working it was a matter of £.S.D. If the line was not paying they could not expect ^{it} to be kept open. Goods were carried cheaper by lorry.

The County Surveyor said the Railway Company was in competition by lorry against the line to make a case against keeping the latter running.

Mr. Joyce said that porter to Borris was carried at 4/- per ton by the Railway lorry and 5/- per ton by the Railway line.

Miss O'Ryan said it was quite clear that they could do it cheaper by road, because they had not to maintain the roads, while they had to maintain their own tracks.

Mr. Redmond said he knew the Railway line all his lifetime. It would sever a link. He thought the least the Council should do would be to make a very strong protest against the closing of the line, because there was no doubt that this was going to affect the New Ross area very, very much in connection with fairs and probably in connection with the beet industry. How was the beet going to be transported from the farms if the line was closed? It could not be done on the road which could not carry the traffic that even the beet industry was going to throw on it. He was speaking to the Manager of a very big firm - the Shelburne Co-operative Society - three weeks ago, and he said it was going to affect them very much, because they had constructed their premises so that they were served by the railway. From the point of view of the farming interests alone in the New Ross area, he thought it was their duty to try to safeguard the line in any way they possibly could. He then proposed the following resolution:-

"In view of the fact that the closing of railway line between Borris and Palace East would seriously injure the interests of farmers, merchants and many others, we strongly protest against the closing down of this section of line. In our opinion, it should be possible to have this branch run on profitable lines. We request the Minister for Industry

and Commerce to use his influence to keep the line open and prevent the infliction of considerable hardship and loss on the public of the Counties of Carlow and Wexford.

Mr. Corish seconded.

In putting the resolution (which was adopted) the Chairman said it was most important for the people of Wexford that this line should remain open and for this reason alone the County Council were vitally concerned. If the Railway did not carry goods he did not see how - from a financial point of view - the Councils concerned could maintain the roads for this purpose. They simply could not afford the cost.

OLD I.R.A. AND POLITICAL PRISONERS

The following resolution was submitted from the Second Annual Convention of the National Association of Old I.R.A.:-

"That this Convention of the National Association of Old I.R.A. desires to remind the People of Ireland, that a number of Political Prisoners are being detained in that part of our County at present under the jurisdiction of the British Government, and we call on all Public Bodies, in every part of the County to unite in condemning this atrocity, and demanding its termination."

Miss O'Ryan proposed and Mr. Corish seconded the resolution which was adopted.

RESOLUTION RE CLERICAL POSTS

The following resolution was received from the Irish Technical Education Association:-

"That the Civil Service Commissioners, the Department of Industry and Commerce, Local Government Department and other Departments of State concerned, also Local Authorities be requested to amend regulations and syllabuses of their several examinations for Clerical Posts, in such manner as to offer a reasonable opportunity to students trained in

the Commercial Classes under the control of Vocational Committees to compete for and obtain these positions."

Several members pointed out that before considering the resolution they wished to be in a position to know what were the amendments required in the regulations and syllabuses.

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

"That the Irish Technical Education Association be requested to furnish further information as regards their resolution re examinations for clerical posts. The Wexford County Council do not regard the present proposal as sufficiently clear to take action thereon and request the Technical Education Association to clarify the position."

REMAINS OF SIR ROGER CASEMENT

The Secretary stated he had received an acknowledgment from the British Home Office of the resolution of the County Council asking that the remains of Sir Roger Casement should be returned to Ireland.

Denis Kelly

14/11/38

WEXFORD COUNTY COUNCIL

SPECIAL MEETING, MONDAY, 31st OCTOBER, 1938

MINUTES

County Hall,
WEXFORD.

N. J. FRIZELLE,
Secretary Wexford County Council.

1

A Special Meeting of Wexford County Council, summoned by directions of the Chairman, was held in County Council Chamber, County Hall, Wexford, on 31st October 1938, for the purpose of considering:-

1. Letter from the Minister for Local Government and Public Health concerning the resolution passed by the County Council at their meeting on the 10th day of October, 1938, suspending Dr. C. Bastible, County Medical Officer of Health, subject to the sanction of the Minister for Local Government and Public Health.

2. A Report by the County Solicitor in pursuance of the Council's resolution of the 10th October, 1938, as to the manner in which the County Medical Officer of Health has been discharging his duties.

3. What action should be taken ^{on} Nos. 1 and 2.

Present:- Mr. D. Allen (Chairman) presiding; also, Messrs. J. J. Bowe, P. Colfer, R. Corish, C. Culleton, W. P. Keegan, John P. Kelly, William Kinsella, James Lawlor, Thomas McCarthy, Sean Murphy, Sean O'Byrne, Miss O'Ryan, Michael Redmond, Thomas Redmond and Patrick Ronan.

The Secretary and County Solicitor were also in attendance.

The following under date 22nd October 1938 (P.H.26265/4/38 - Loch Garman (Sc)) was read from the Department of Local Government and Public Health:-

"With further reference to your letters of the 10th and 14th instant regarding the case of Dr. C. Bastible, County Medical Officer of Health, I am directed by the Minister for Local Government and Public Health to point out that the power vested in the Wexford County Council under Section 11 of the Local Authorities (Officers and Employees) Act, 1926, and the County Medical Officers of Health Order, 1926, to suspend Dr. Bastible is not subject to the Minister's

2

approval and the Minister is advised that the resolution passed by the County Council at their meeting on the 10th instant suspending Dr. Bastible subject to the Minister's approval is inoperative. It is also observed that the terms of the resolution purport to suspend Dr. Bastible from duty only pending the decision of the Minister as to the holding of a sworn inquiry into the manner in which Dr. Bastible has been discharging his duty.

The matter should be reconsidered by the County Council accordingly."

The following report and Statement of Charges against the County Medical Officer of Health from Mr. John Elgee, County Solicitor, were read:-

"In pursuance of the Resolution of the Wexford County Council of the 10th day of October 1938, I have consulted the Solicitor for the Wexford Board of Health and Public Assistance and, in conjunction with him, have considered statements obtained by, or furnished to us concerning the County Medical Officer of Health. We are both agreed that there is in these statements evidence to support:-

- (a) a charge that Dr. Bastible has ~~failed~~ failed to perform satisfactorily the duties of his office.
- (b) a charge that he has misconducted himself in relation thereto.
- (c) a charge that he is unfit to hold the said position.

I attach to this letter a draft containing charges, and particulars which are, in my opinion and that of the Solicitor to the Board of Health, warranted by the statements we have seen.

3

Draft Statement of Charges

1. That Dr. Christopher Bastible has failed to perform satisfactorily the duties of his position as County Medical Officer of Health inasmuch as:-
 - (a) On the 13th day of July 1938 in the grounds of the County Hospital at Wexford, Dr. Bastible was under the influence of drink to such an extent as to be incapable of performing the duties of his office.
 - (b) that on the 20th day of September 1938, at the offices of the Wexford Board of Health and Public Assistance Dr. Bastible was under the influence of drink to such an extent as to be incapable of performing the duties of his office.
 - (c) that on the 5th day of October 1938, at the Tuberculosis Dispensary at Wexford and at the V.D. Clinic at Wexford, Dr. Bastible was under the influence of drink to such an extent as to be incapable of performing the duties of his office.
 - (d) that in a letter dated the 29th day of September 1938, Dr. Bastible falsely reported to the Wexford County Council that he was fully aware that all Tuberculosis Dispensaries at New Ross had been attended between the 8th day of July, 1938, and the date of the letter.
 - (e) that Dr. Bastible made a report for a Meeting of the Wexford Board of Health and Public Assistance held on the 22nd day of August 1938 in which he falsely stated that 17 Tuberculosis Dispensaries had been attended during the month of July 1938.
 - (f) that Dr. Bastible made a report for a meeting of the said Board held on the 19th day of September 1938 in which he falsely stated that 19 Tuberculosis Dispensaries had been attended during the month of August 1938.
 - (g) that Dr. Bastible made a report for a meeting of the said Board held on the 17th day of October 1938 in which he falsely stated that 19 Tuberculosis Dispensaries had been

attended during the month of September 1938.

(h) that on the 12th day of July 1938, 26th day of July 1938, 6th day of September 1938, 20th day of September 1938, and 4th October 1938, Dr. Bastible did not attend the Tuberculosis Dispensary at New Ross as it was his duty to do; that he neither sought nor obtained permission to so absent himself and that he took no steps to arrange for the attendance of a substitute.

(i) that on the 19th September 1938 and 3rd day of October 1938, Dr. Bastible did absent himself from meetings of the Wexford Board of Health and Public Assistance without permission or explanation.

(j) that on the 23rd day of May 1938 and 29th August 1938, Dr. Bastible did not attend the Tuberculosis Dispensary at Gorey as it was his duty to do; that he neither sought nor obtained permission to so absent himself and that he took no steps to arrange for the attendance of a substitute.

(k) that on the 30th day of September 1938, Dr. Bastible endeavoured to prevent the performance by the officers concerned therewith of their duty under the Importation of Parrots (Temporary) Regulations, 1930.

2. That Dr. Christopher Bastible has misconducted himself in relation to his position as County Medical Officer of Health, inasmuch as:-

(a) on the 27th day of September 1938, at the New Ross Tuberculosis Dispensary, the conduct of Dr. Bastible towards a female patient, one Mrs. Johanna Bolger, was indecent and unprofessional in that during what purported to be an examination of the said patient, Dr. Bastible indecently assaulted her.

(b) on the 9th., 16th. and 23rd. days of August 1938 and on the 13th and 27th days of September 1938 at the

5

New Ross Tuberculosis Dispensary, the conduct of Dr. Bastible towards a female patient, one Bridget O'Connor, was indecent and unprofessional in that during what purported to be an examination of the said patient, Dr. Bastible indecently assaulted her.

3. That by reason of the matters aforesaid and of habitual intemperance, Dr. Christopher Bastible is unfit to hold the said position of County Medical Officer of Health for County Wexford.

On the motion of the Chairman, these documents were discussed in Committee.

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

"That we, the Wexford County Council, acting under Section 11 of the Local Authorities (Officers and Employees) Act, 1926, and having reason to believe that Dr. Christopher Bastible, County Medical Officer of Health, has failed to perform satisfactorily the duties of his position and has misconducted himself in relation thereto, and is unfit to hold such position, hereby suspend the said Dr. Christopher Bastible from the performance of his duties as County Medical Officer of Health from the date of this meeting, namely, the 31st. day of October, 1938".

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

"That the Office of Dr. Bastible, County Medical ^{Officer} /
Of Health, be taken over by the Secretary of the Board of Health and Public Assistance and that seals be affixed to the lock of this Office by said Secretary".

Denis Hurley

14/10/38