

KILKENNY MAIN DRAINAGE

ARBITRATION INQUIRY

INTERESTING EVIDENCE.

On Tuesday last, at 11 o'clock, Mr. Patrick J. O'Neill, Kinsealy House, Malahide, Co. Dublin, who had been appointed by the Local Government Board as arbitrator between the Kilkenny Corporation and the persons interested in the lands required for the purpose of constructing drainage works for the city of Kilkenny, sat in the Assembly Room, City Hall, to hear evidence from all parties claiming any rights to or interest in the said lands.

Mr. Michael Buggy, solicitor, represented the Corporation.

Brackets as to the posting of notices throughout Kilkenny, and of the publication in the local Press of advertisements announcing the inquiry, was given by Messrs. John Flood, bill poster, and Nicholas Dunne, law clerk.

Colonel Mervyn de Montmorency, J.P., Inch House, from whom six acres of land at Purrellsinch have been taken compulsorily for the purpose of the filtration works, was then examined. In reply to Dr. Falconer, K.C. (who as instructed on his behalf by Messrs. Watters and Son, solicitors), he (Colonel de Montmorency) gave detailed evidence as to the possible loss and inconvenience which the taking of the lands and the proximity of the filtration works to his residence would entail. The deterioration in the letting value of the holding would, in his opinion, amount to 50 per cent. He thought, considering that the lands were being taken compulsorily, that 27 years' purchase of the profit rent as between the annuity payable and the rent he was receiving out of the lands by letting them on the eleven-month system would not be too high a price to ask for. In the course of his evidence Colonel de Montmorency suggested an alternative route for the roadway leading from the public road to the filtration works, and said if the alternative route were adopted the question of consequential damage arising from loss of access to the river for part of his land which would be cut off by the roadway, as shown on the plans, would disappear.

Mr. Buggy said he would consider the Colonel's suggestion and submit it to the Corporation for approval.

Mr. John O. Adair gave evidence as valuer on behalf of Colonel de Montmorency, whom he considered would be entitled to compensation to the extent of £1,500 for the land taken, depreciation in the character of the holding as a residence, etc.

Mr. James F. Reade, Engineer in charge of the scheme, gave evidence on behalf of the Corporation. He stated that the distance from Inch House to the filtration works was about a quarter of a statute mile. He did not consider that the construction of the works would decrease the value of the house.

Replying to Dr. Falconer, Mr. Reade said there probably would be a smell in the immediate vicinity of the works. The septic tanks were to be open; it was never his intention to have closed septic tanks there.

Mr. Alec. J. McCreery, auctioneer, etc., on behalf of the Corporation valued the 6 acres of land taken by the Corporation at £200.

Mr. Edward Fennessy, High street, who was represented by Dr. L. J. Watters, solicitor, gave evidence as to the possible effects of the scheme would have on his business in respect to the mill situated at Archersgrove. In the first place it would have the effect of decreasing the water pressure considerably, and if there was to be a storm overflow, as he believed there was to be, at the back of the weir at his mill, it would simply ruin the place for the reason that all the deposit from the river would, as was the case at present, lodge in his tail-races and on his land, and would have to be cleared away. He submitted that this would be very offensive; if this overflow was to be discharged at the back of his weir it would render the place unbearable. The taking of the sewage matter beyond his weir would mean a loss of water power to his mill. He understood

also that it was proposed to flush the sewer from a point about John's Bridge by water taken from the River Nore, and if that were so the loss of water power would be considerable, especially in dry weather. He considered that the gradient of the main—one in eight hundred—was entirely insufficient to carry away the solid matter. If the Corporation would give him a guarantee that there would be no discharge of sewerage between Kilkenny and the septic tanks, he would withdraw that part of his claim with reference to the deterioration of his property which would ensue from a discharge of sewerage, but his claim for loss of water power would still remain. He estimated he would lose two or three horse power a year. Any diminution of the water power would mean a decrease in the value of the mill.

Mr. James F. Reade said the storm overflow was not intended for the discharge of crude sewerage. If a discharge took place at the storm overflows it would be only when the sewerage matter would be diluted to six times its quantity by water. Anything up to six times the quantity of sewage matter the main was designed to carry could go on to the filtration levels, and anything over that would discharge itself at the storm overflows.

Mr. John Joseph English, M.I.O.E., gave evidence in support of Mr. Fennessy's claim, and criticised Mr. Reade's scheme in several particulars. He expressed belief that the gradient of one in eight hundred and eighty was not sufficient, and that it would require an immense quantity of water to flush the main. He presumed the flushing water was to be taken from the river.

Mr. Reade said the water would be taken from the mains.

Replying to Mr. Buggy, Mr. English said that the sewerage at present going into the river was just as useful in developing horse power at the mill as clean water; £12 a year was set down as the standard value of one horse power in regard to a mill.

Mr. Cornelius Cadle, engineer and millwright, Dublin, gave similar evidence.

Mr. Reade said it was very unlikely that any storm overflow would take place at Mr. Fennessy's mill, because it would have outlets further up the line. He repeated that the water for the flushing tanks would be taken from the water mains.

Mr. Wm. J. Reade, proprietor of the Ormonde Woollen Mills, who was represented by Mr. S. C. Webb, solicitor (Messrs. J. Poe and Son, solicitors), made a somewhat similar claim to that put forward by Mr. Fennessy, and evidence in support of it was given by Messrs. R. Dalgleish, manager of the mills, Mr. Wm. J. Reade, Mr. John Joseph English, and Mr. Cadle.

The inquiry then adjourned until Wednesday morning.

WEDNESDAY.

On Wednesday morning at 10 o'clock the inquiry was resumed.

Mr. Edward Dunphy, Sion, in reply to his solicitor, Dr. L. J. Watters, stated that it was proposed to run the pipes through his lands, for a distance of 650 yards; the value of his land was about £4 10s. per Irish acre. It was proposed to put a storm overflow within three hundred yards from his residence and there was the great possibility that this might become offensive if not dangerous. The line of pipes would run within sixty yards of a well which was supplied from springs coming from all round there, and from which all the water he required was procured, and if there was a burst the effect would be that the sewage matter would get into the water and render the well absolutely useless.

Dr. Watters said that in addition to the way leave, Mr. Dunphy was claiming for the damage and inconvenience which would be caused by the contractors entering on his private avenue in front of his house, and carting over it, thereby cutting up the avenue as well as some of his land.

Mr. John O'Adair estimated that Mr. Dunphy would be entitled to compensation to the amount of £84 10s.

Miss Anastasia Pembroke, who was represented by Mr. Nicholas Healy, solicitor next gave evidence. She stated she was owner and occupier of a house and garden at Purrellsinch; she bought the place out and paid £40 for it. The septic tanks at Purrellsinch would be close to her place and the pipe line would pass through her garden. She claimed £20 compensation.

Mr. Healy said he would also like to mention that if the alternative route suggested on Tuesday for the roadway leading to the filtration works, it would mean that the roadway would pass out right in front of Miss Pembroke's house, and of course the traffic up and down there would be a source of objection on her part.

The inspector said he was rather sorry to see so very little traffic in the streets of Kilkenny, but now it appeared that the inhabitants seemed to object to it; consequently he might put his sympathy in his pocket, because apparently he was out of sympathy with the inhabitants of Kilkenny (laughter).

On behalf of his father (Mr. James Wilsdon), Mr. Arthur J. Wilsdon, John Street, gave evidence as to how the making of the cutting for the pipes running through his land at "Bullock Park" would affect him.

Mr. Wilsdon was represented by Dr. L. J. Watters, solicitor.

Mr. J. O'Adair estimated that the compensation to which he considered Mr. Wilsdon entitled at £40 10s.

Mr. Patrick Brett, "the Pike" for whom Dr. L. J. Watters, solicitor, appeared, stated it was proposed to utilise a roadway leading from the highway to his saw mills and if he was deprived of the use of this laneway, and if his mill was blocked as a consequence, he would claim £3 for each day that the mill could not be worked as a result of his not being able to use the roadway.

The proceedings then terminated and the arbitrator in company of Mr. Jas. F. Reade, left to visit the places, in respect of which evidence had been given.