CHAPTER cx.

An Act to confirm a Provisional Order of the Local Government Board for Ireland relating to the Counties of Antrim and Londonderry. [31st July 1914.]

A.D. 1914.

WHEREAS the Local Government Board for Ireland have made the Provisional Order set forth out in the schedule hereto under the Local Government (Application of Enactments) Order 1898 being an Order of the Lord Lieutenant in Council made pursuant to the Local Government (Ireland) Act 1898: 61 & 62 Vict. c. 37.

And whereas it is requisite that the said Order should be confirmed by Parliament:

Be it therefore enacted by the King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows:—

1. The Order as amended and set out in the schedule hereto is hereby confirmed and all the provisions thereof shall have full validity and force. Order in schedule confirmed.

2. This Act may be cited as the Local Government Board (Ireland) Provisional Order Confirmation (No. 3) Act 1914. Short title.

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SCHEDULE.

COUNTIES OF ANTRIM AND LONDONDERRY.

Antrim and Londonderry.

Provisional Order made in pursuance of Articles 25 *and* 27 *of the Schedule to the Local Government* (*Application of Enactments*) *Order* 1898.

WHEREAS by article twenty-five of the schedule to the Local Government (Application of Enactments) Order 1898 the Local Government Board for Ireland are empowered to make a Provisional Order for altering the boundary of any county:

And whereas the townlands of Glenmanus Magheramenagh and Corrstown are situated in and form part of the administrative county of Londonderry and are included within the following administrative and other areas in that county that is to say the rural district of Coleraine the poor law union of Coleraine the county electoral division of Portstewart the district electoral division of Ballylagan the civil bill and general or quarter sessions division of Coleraine and the petty sessions district of Coleraine:

And whereas the urban district of Portrush is situated in and forms part of the administrative county of Antrim and constitutes the district electoral division of Portrush Urban and is included within the following administrative and other areas in that county that is to say the poor law union of Ballymoney the county electoral division of Portrush the civil bill and general or quarter sessions division of Ballymena and the petty sessions district of Portrush:

And whereas the said townlands form part of a contributory area of the county of Londonderry for the purposes of the Lower Bann Navigation and the said urban district forms part of the contributory area of the county of Antrim for the same purposes:

And whereas the Portrush Electric Lighting Order 1913 confirmed by the Electric Lighting Order Confirmation (No. 6) Act 1913 is in force in the said urban district and the area of supply for the purposes of that Order is the said urban district as now constituted:

And whereas it has been represented to Us the Local Government Board for Ireland by the county council of the county of Antrim that it is desirable that the common boundary of the counties of Londonderry and Antrim should be altered by the transfer of the said townland of

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Glenmanus and parts of the said townlands of Magheramenagh and Corrstown from the administrative county of Londonderry to the administrative county of Antrim and it appears to Us that the preservation of the existing boundaries would cause substantial inconvenience:

Now therefore We the Local Government Board for Ireland in pursuance of the powers given to Us by articles twenty-five and twenty-seven of the schedule to the Local Government (Application of Enactments) Order 1898 and by any other enactments Us in that behalf enabling do hereby order that from and after the date of the Act of Parliament confirming this Order the following provisions shall have effect:—

Definitions.

1. In this Order unless the context otherwise requires—

The expression "Local Government Board" means the Local Government Board for Ireland;

The expression "commencement of this Order" means the first day of April one thousand nine hundred and fifteen;

The expression "existing" means existing or in force at the commencement of this Order;

The expression "the maps" means the three maps each marked "Antrim and Londonderry County Boundary" and sealed with the seal of the Local Government Board;

The expression "urban district" means the urban district of Portrush;

The expression "Act of 1898" means the Local Government (Ireland) Act 1898 and the expression "Order of 1898" means the Local Government (Application of Enactments) Order 1898. 61 & 62 Vict. c. 37.

Any expression to which a special meaning is assigned in the Act of 1898 or the Order of 1898 has in this Order the like meaning.

Commencement of Order.

2.—(1) This Order shall except so far as is otherwise expressly provided and except so far as there is anything in the context or subject matter inconsistent therewith come into operation on the first day of April nineteen hundred and fifteen.

(2) For the purposes of the proviso to subsection (6) of section 68 of the Act of 1898 this Order shall be deemed to be made on the day on which it comes into operation.

Alteration of county boundaries.

3.—(1) The boundary between the administrative counties of Antrim and Londonderry shall be altered by the transfer from the administrative county of Londonderry to the administrative county of Antrim of the following area (in this Order referred to as the "transferred area") namely:—

(*a*) the townland of Glenmanus (which is coloured yellow on the maps);

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(*b*) that part of the townland of Magheramenagh coloured blue on the maps; and

(*c*) that part of the townland of Corrstown coloured green on the maps;

and the boundary between the administrative counties shall be that shown by the red line on the maps.

(2) For the purposes of the Local Government (Ireland) Act 1898 and (subject to the provisions of section sixty-nine of that Act and this Order) for all other purposes the transferred area shall form part of the administrative county of Antrim and shall cease to form part of the administrative county of Londonderry.

(3) Nothing in this Order shall alter the limits of any parliamentary county within the meaning of the Redistribution of Seats Act 1885.

48 & 49 Vict. c. 23.

Maps.

4.—(1) Within twenty-one days after the date of this Order one of the maps shall be deposited in the office of the Local Government Board one in the office of the secretary of the Antrim County Council and one in the office of the secretary of the Londonderry County Council Copies of the map deposited with the secretary of the Antrim County Council certified by him to be true shall be sent by him within one month after the date of the Act of Parliament confirming this Order to the Under Secretary for Ireland the Commissioners of Customs and Excise the Irish Land Commission the Commissioners of Public Works in Ireland the Board of Agriculture and Fisheries the Commissioner of Valuation the Registrar of Deeds the Registrar of Titles and the Registrar-General of Births Deaths and Marriages in Ireland.

(2) A copy of or extract from the map deposited with the secretary of either county council shall if certified by the secretary to be a true copy or extract be received in all courts of justice and elsewhere as primâ facie evidence of the contents of the map so far as the same relates to the alteration in pursuance of this Order of a county or other area and the map shall at all reasonable times be open to inspection by any person liable to any rate leviable within the urban district and any such person shall be entitled to a copy of or extract from the map certified by the secretary to be true on payment of a reasonable fee to be fixed by the council.

All sums received by the secretary of a county council under this article shall be carried to the county fund to the credit of the account in respect of county at large charges.

Consequential alteration of areas.

5.—(1) The transferred area shall form part of each of the following administrative and other areas in the administrative county of Antrim namely:—

The urban district of Portrush the union of Ballymoney the county electoral division of Portrush the district electoral division of

Portrush Urban the civil bill and general or quarter sessions division of Ballymena and the petty sessions district of Portrush

and shall cease to form part of any of the following administrative and other areas in the administrative county of Londonderry namely:—

The rural district of Coleraine the union of Coleraine the county electoral division of Portstewart the district electoral division of Ballylagan the civil bill and general or quarter sessions division of Coleraine and the petty sessions district of Coleraine.

(2) For the purposes of the Lower Bann Navigation the transferred area shall form part of the contributory area of the county of Antrim which comprises the urban district and shall cease to form part of any contributory area of the county of Londonderry and the respective liabilities of those counties and of any contributory areas therein in respect of contributions for the purposes aforesaid may be the subject of adjustment under or in pursuance of this Order.

Adjustments.

6.—(1) For the purposes of any adjustments which may be required in consequence of this Order or of anything done under this Order article thirty of the schedule to the Order of 1898 shall apply with the modification that where and so far as an adjustment is not or cannot be made under that article by agreement between the authorities interested the Local Government Board may on the application of any of those authorities make by order all such adjustments as appear to the Board to be requisite and proper and every such order of the Board shall have full force and effect notwithstanding any provisions to the contrary in section seventy-one of the Act of 1898 or any enactment amending that section or in any previous adjustment order or any award of the Commissioners of Public Works in Ireland.

(2) Any sum which is applicable to the relief of any agricultural land within the transferred area from rates shall be paid to the council of the urban district in exchange for an adequate exemption of the said land from rates and any question which may arise as to the sum so applicable or as to the council by whom it is payable may be determined by the Local Government Board.

Transitory provisions

7.—(1) For the purposes of any parliamentary or local government elections held after the commencement of this Order and before the parliamentary and local government registers for the year 1916 come into operation the areas affected by this Order shall be deemed to continue unaltered.

(2) Every person holding office at the commencement of this Order as county councillor district councillor or guardian for any electoral area affected by this Order and every county councillor district councillor or guardian elected for any such area at an election held after the

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commencement of this Order and before the registers for the year 1916 come into operation shall be deemed to have been elected for the electoral area as altered by this Order and the county council district council or board of guardians of which he is a member shall be deemed to have been elected for the county county district or union as altered by this Order.

(3) It shall be the duty of any officer of the Londonderry County Council or Coleraine Board of Guardians to render such assistance in the preparation and revision of the lists of voters in the administrative county of Antrim as the Local Government Board consider requisite for the purpose of facilitating the formation of the parliamentary and local government registers of electors for the year 1916 so far as the same relate to electors in the transferred area and the Local Government Board may by order make any special arrangements which they think necessary for the purpose aforesaid.

(4) For the purposes of the existing jurors' books the areas affected by this Order shall be deemed to continue unaltered until the new jurors' books come into operation.

Compensation of officers.

8. Any officer of the Londonderry County Council Coleraine Rural District Council or Coleraine Board of Guardians who by reason of this Order or anything done in pursuance or in consequence thereof suffers any direct pecuniary loss by diminution or loss of fees or salary shall be entitled to have compensation paid to him for that pecuniary loss by the county council of the county of Antrim and in determining the compensation regard shall be had to the conditions and other circumstances required by subsection (1) of section one hundred and twenty of the Local Government Act 1888 to be considered in cases of compensation under that section and the compensation shall not exceed the limit therein mentioned and the provisions of subsections (2) to (7) inclusive of that section shall apply accordingly with the substitution of references to this Order for references to that Act and with such other modifications as are necessary.

51 & 52 Vict. c. 41.

Application of adoptive Acts orders and byelaws and regulations.

9.—(1) The provisions of any public general Act adopted by the urban district council and in force in the urban district at the commencement of this Order and any order of the Privy Council of Ireland or Local Government Board applying to the urban district and then in force shall apply to the urban district as extended by this Order and references in any such orders of the Local Government Board to the area comprised in the urban district at the commencement of this Order shall be construed as references to the area comprised in the urban district as extended by this Order.

(2) Any byelaws and regulations of the Antrim County Council or the urban district council which are in force in the urban district at

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the commencement of this Order shall apply to the urban district as extended by this Order.

Amendment of provisional order and confirming Act.

62 & 63 Vict c. 19.

10. The area of supply for the purposes of the Portrush Electric Lighting Order 1913 and within the meaning of section four of the schedule to the Electric Lighting (Clauses) Act 1899 shall be extended so as to include in addition to the area described in the first schedule to that Order—

(*a*) the transferred area; and

(*b*) if before the expiration of twelve months from the commencement of this Order any other area is added to the urban district in pursuance of article twenty-six of the schedule to the Order of 1898 or otherwise the area so added;

3 & 4 Geo. 5. c. cliv.

and the said Order of 1913 and the Electric Lighting Order Confirmation (No. 6) Act 1913 shall accordingly have effect as if the areas described in this article were included in the first schedule to the said Order of 1913.

Pending matters and proceedings.

11.—(1) Every matter civil or criminal arising in or in relation to the transferred area before the commencement of this Order which would have been heard tried determined or otherwise dealt with by any court or justices may after the commencement of this Order be heard tried determined and dealt with in like manner as if this Order had come into operation before the said matter arose.

(2) Where any proceedings in respect of any such matter had begun before the commencement of this Order the same may be continued in like manner as if no alteration of boundaries had been made and existing recognisances may be enforced in like manner (as nearly as circumstances admit) as they would have been enforced if the alterations had not been made.

(3) All writs decrees and other processes in the hands of the sheriff of the county of Londonderry at the commencement of this Order and not wholly executed may after the commencement of this Order be executed in like manner as if no alteration of boundaries had been made.

Costs of Order.

12. The costs and expenses of the Local Government Board incurred in respect of the application for preparation making and confirmation of this Order shall be paid by the county council of the county of Antrim out of the county fund as a payment for general county purposes.

Payments to county of Londonderry and council of Coleraine

13. The county council of the county of Antrim shall pay to the county council of the county of Londonderry the sum of Seventy pounds and to the rural district council of Coleraine the sum of Thirty pounds towards the costs charges and expenses incurred by those councils in and about this Order.

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Compensation costs &c. how to be paid.

14. The compensation costs charges and expenses hereinbefore directed to be paid by the county council of the county of Antrim may be charged by them either wholly on the county of Antrim or wholly on the urban district or partly on the said county and partly on the urban district as the county council of the county of Antrim may determine.

Short title.

15. This Order may be cited as the Antrim and Londonderry Boundaries Order 1914.

Given under our seal of office this eleventh day of May in the year of our Lord one thousand nine hundred and fourteen.

(L.S.) (Signed) H. A. ROBINSON.

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