

4. The lands which will or may be expected to benefit—
- (i) by the operation of this Scheme; and
  - (ii) by the execution under the provisions of the Drainage Act (Northern Ireland), 1947, of drainage schemes facilitated by the operation of this Scheme are shown coloured red on Map No. 2 attached hereto.
5. In this Scheme references to the level of the Lough shall be construed as references to the level as recorded on the gauge maintained by the Ministry at the locks at Toomebridge (Co. Antrim).
6. This Scheme shall be known as the Lough Neagh (Levels) Scheme, 1955.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 26th day of July, 1955.

(L.S.)

(Sgd.) G. N. Cox,  
Assistant Secretary.

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#### EXPLANATORY NOTE

*(This Note is not part of the Order, but is intended to indicate its general purport.)*

Under the Lough Neagh (Levels) Scheme, which was made on 26th July, 1955, and confirmed on 9th April, 1956, the Lough will be controlled by the Ministry as far as possible within the range of levels of 50.5 feet and 50.0 feet above Ordnance Datum. This Order prescribes the date on and from which the Scheme shall be put into operation.

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#### LOUGH NEAGH DRAINAGE DISTRICT

ORDER DATED THE 28TH DAY OF NOVEMBER, 1958, MADE BY THE MINISTRY OF FINANCE UNDER SUB-SECTIONS (1) AND (2) OF SECTION 6 OF THE LOUGH NEAGH AND LOWER BANN DRAINAGE AND NAVIGATION ACT (NORTHERN IRELAND), 1955(a).

1958. No. 180

[C]

The Ministry of Finance (hereinafter called "the Ministry") in exercise of the powers conferred upon it by sub-sections (1) and (2) of section six of the Lough Neagh and Lower Bann Drainage and Navigation Act (Northern Ireland), 1955(a), and after consultation with the Ministry of Agriculture and the Drainage Council, hereby makes the following Order:—

#### *Application of this Order*

1. This Order applies to all watercourses in the Lough Neagh Drainage District for the maintenance of which the Ministry of

Finance was responsible as successor to the Lough Neagh Drainage Trustees under Part I of the Drainage Act (Northern Ireland), 1929(a), except the watercourses specified in the Schedule to this Order.

*Cesser of Ministry's Liabilities*

2. All liabilities of the Ministry, as successor under Part I of the Drainage Act (Northern Ireland), 1929(a), to the Lough Neagh Drainage Trustees, for the maintenance of the watercourses to which this Order applies, or for any dredging or drainage works in relation to such watercourses (including the maintenance of bridges, sluices and fences appertaining thereto) shall cease absolutely on the coming into operation of this Order.

*Liabilities and Rights of Occupiers*

3. Notwithstanding anything to the contrary contained in the Drainage Acts (Northern Ireland), 1925 to 1947, occupiers of land in the said drainage district on or through whose land any watercourse to which this Order applies runs, or of whose land any such watercourse forms a boundary shall, in relation to such watercourse (not being a main watercourse for the purpose of those Acts), have the rights and be subject to the duties and liabilities of occupiers of land under those Acts.

4. All (if any) bridges, culverts, weirs, sluices and other works forming part of or being appurtenant to the watercourses to which this Order applies and heretofore vested in the Ministry as successor to the Lough Neagh Drainage Trustees shall, on the coming into operation of this Order and by virtue thereof, vest in the person or persons in or upon whose lands the said works are situate according to the respective estates or interests of such person or persons in the said lands.

*Operative Date and Citation*

5. This Order shall come into operation on the 1st day of January, 1959, and may be cited as the Lough Neagh Drainage District (Maintenance of Watercourses) Order (Northern Ireland), 1958.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 28th day of November, 1958, in the presence of

(L.S.)

(Sgd.) *K. R. Shimeld,*  
Assistant Secretary.

## SCHEDULE

## Excepted Watercourses

6" O.S. Sheet No.	Name of Watercourse	Approx. length in miles	Page No. on Map referred to below
Co. ANTRIM			
16	Glenstal	.45	1
26	Culmore	1.37	2
36	Culnafay	.30	3
48	Carlane Branch	.33	4
62 & 66	Portmore Main	2.06	5 & 6
62	Portmore Main (from Portmore Lough)	2.06	5
62	Tunny Cut	.89	5
Co. ARMAGH			
6	Closet	2.86	7
8	Ballymartrim Water	2.31	8
8	Grange Blundel	3.87	8
8	Ballycullen		
9	Ballywilly		
10 & 14	Tullyhugh	2.51	10 & 11
Co. DOWN			
26	Gilford	1.73	12
Co. TYRONE			
39, 40 & 47	Lower Back River	1.1	13, 14 & 15
47 & 55	Canal Back	2.25	15 & 16
55	Rhone	2.3	16
62 & 62A	Derryoghill	.97	17

The said excepted watercourses are more particularly delineated and coloured red on the several maps marked "Lough Neagh Drainage District (Maintenance of Watercourses) Order, 1958" and signed for purposes of identification by K. R. Shimeld, an Assistant Secretary to the Ministry. Copies of the said maps have been deposited and may be inspected at the office of the Ministry at Law Courts Building, May Street, Belfast, and at the offices of the County Council for each of the Counties Antrim, Armagh, Down, Londonderry and Tyrone.

## EXPLANATORY NOTE

*(This note is not part of the Order but is intended to indicate its general purport.)*

The object of this Order is to provide for the cesser of the liability of the Ministry of Finance for the maintenance of certain watercourses in the Lough Neagh Drainage District and for the transfer of such liability, save in relation to main watercourses, to occupiers.