FORM No. 3.

THE ROADS IMPROVEMENT ACT (NORTHERN IRELAND), 1928.

Statutory Declaration by person claiming compensation not exceeding One Hundred Pounds.

I, of
aged years and upwards do solemnly and sincerely declare as follows :—

1. I was on and prior to the (*a*) day of 192 , the absolute owner (or (*b*)) of all That and Those that parcel of land in the Townland of Barony of (Town of Parish of) and County of containing acres roods and perches statute measure or thereabouts which was vested in the Council of the Administrative County of (Urban District of) on the said (*a*) day of 19 , by a Vesting Order made by the Ministry of Home Affairs on the day of 19 , in accordance with and subject to the provisions of the Schedule to the Roads Improvement Act (Northern Ireland), 1928, and in respect of which parcel of land I claim the sum of as compensation (to be paid to the trustees of the settlement under which I hold as such limited owner).

(*a*) Date of vesting.

(*b*) In the case of a limited owner set out the nature of the interest.

2. My title to the said parcel of land as such absolute owner (limited owner) was as follows :—

(Here set out the title in separate paragraphs. In the case of a limited owner the names and addresses of the trustees of the settlement should be given to enable payment of the compensation to be made to them.)

3. For not less than six years prior to the vesting of the said parcel of land in the said Council I was (and I verily believe my immediate predecessor in title was) in actual occupation and in full free and undisturbed possession and enjoyment and receipt of the rents and profits of the said parcel of land and no claim has been made by, or acknowledgment given to, any person in respect of the said land or the rents or profits thereof save as herein set forth.

4. Save as herein set forth, there was not at the time of the vesting of the said parcel of land in the said Council any charge or incumbrance affecting the same.

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Statutory Declarations Act, 1835.

Declared and Subscribed before me at
in the County of this
day of 19 .

Roads Improvement : Adaptation of Enactments.

THE ROADS IMPROVEMENT (ADAPTATION OF ENACTMENTS) REGULATIONS, 1928, DATED THE 7TH DECEMBER, 1928, MADE BY THE MINISTRY OF HOME AFFAIRS.

1928. No. 126.

To the Council of each Administrative County in Northern Ireland ;

To the Council of each County Borough in Northern Ireland ;

To the Council of each Urban District in Northern Ireland ; and

To all others whom it may concern.

WHEREAS it is enacted in effect by Article 10 of the Schedule to the Roads Improvement Act (Northern Ireland), 1928, that as soon as a vesting order has been made under the said Act, any question of disputed compensation arising between the local authority and any person interested in any land to which the vesting order relates, or land injuriously affected by the works proposed to be carried out by the local authority, shall be referred to and determined by an official arbitrator; and the provisions of the Second Schedule to the Housing of the Working Classes Act, 1890 (except Articles (14) to (27) inclusive), as amended by the Acquisition of Land (Assessment of Compensation) Act, 1919, shall apply accordingly, subject to such adaptations as the Ministry of Home Affairs may prescribe as being necessary for the purpose of making those provisions conform with the provisions of this Schedule:

And whereas it appears necessary to the said Ministry to make the adaptations set forth in the Schedule to these Regulations of the said provisions of the Second Schedule to the Housing of the Working Classes Act, 1890, as so amended, for the purpose of making those provisions conform with the provisions of the Schedule to the Roads Improvement Act (Northern Ireland), 1928:

Now, therefore, the Ministry of Home Affairs, in exercise of the powers vested in it by Article 10 of the Schedule to the Roads Improvement Act (Northern Ireland), 1928, and of every other power in this behalf enabling the Ministry, hereby makes and prescribes the following Regulations:—

1. These Regulations may be cited as "The Roads Improvement (Adaptation of Enactments) Regulations, 1928."

2.—(1) In these Regulations unless the context otherwise requires—

(*a*) the expression "the Ministry" means the Ministry of Home Affairs;

(*b*) the expression "the Act" means the Roads Improvement Act (Northern Ireland), 1928; and

(*c*) the expression "local authority" means the Council of a County, County Borough or Urban District.

(2) The Interpretation Act, 1889, as applied to Northern Ireland by the Interpretation Act, 1921, shall apply for the purpose of the interpretation of these Regulations as it applies for the purpose of the interpretation of an Act of Parliament.

(3) For the purpose of making the said provisions of the Second Schedule to the Housing of the Working Classes Act, 1890, as amended by the Acquisition of Land (Assessment of Compensation) Act, 1919, conform with the provisions of the Schedule to the Act, those provisions shall be adapted and shall read and have effect as set forth in the Schedule to these Regulations.

SCHEDULE.

SECOND SCHEDULE TO THE HOUSING OF THE WORKING CLASSES ACT, 1890 (EXCEPT ARTICLES (14) TO (27) INCLUSIVE), AS AMENDED BY THE ACQUISITION OF LAND (ASSESSMENT OF COMPENSATION) ACT, 1919, AS ADAPTED FOR THE PURPOSE OF MAKING THE SAME CONFORM WITH THE PROVISIONS OF THE SCHEDULE TO THE ACT.

Deposit of Maps and Plans.

(1) The local authority shall, as soon as practicable after the making of the Vesting Order and before making an application for the appointment of an official arbitrator, cause to be made out, and to be signed by their Clerk or some other principal officer appointed by them maps and schedules of any lands to which the vesting order relates and lands injuriously affected by the works proposed to be carried out by the local authority (which lands are hereinafter referred to as " the scheduled lands "), together with the names, so far as the same can be reasonably ascertained, of all persons who immediately prior to the making of the vesting order were interested in such lands as owners or reputed owners, lessees or reputed lessees, or occupiers.

(2) The maps made by the local authority shall be upon such scale and be framed in such manner as is hereinafter set forth, that is to say :—

(*a*) The maps shall be upon a scale of not less than one inch to every 220 feet, and unless the whole of such maps shall be upon a scale of not less than one inch to every hundred feet an enlarged plan shall be added of any building, yard or garden upon a scale of not less than one inch to every hundred feet.

(*b*) Each field, enclosure, road, passage, house or building to which the vesting order relates, whether wholly or in part, shall be clearly shown on the maps, with the fences of the lands abutting thereon accurately indicated, and with the areas acquired marked in acres, roods, and perches, statute measure, and clearly defined by boundaries.

(*c*) Each separate parcel of land or property of any kind shall be indicated and marked on the maps by a distinctive number corresponding to a number assigned to such property in the schedule of the scheduled lands.

(*d*) The maps shall show the names of the townlands, electoral divisions, county districts and counties in which the scheduled lands are situated, and all townland boundaries so far as they intersect or closely adjoin the scheduled lands.

(*e*) The scale of the map shall be clearly marked thereon and the points of the compass and a portion of any closely adjoining street or road shown, with the name thereof, or with words indicating the towns or villages to or from which the street or road leads.

(3) The local authority shall deposit such maps and schedules at the office of the Ministry, and shall deposit and keep copies of such maps and schedules at the office of the local authority.

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(6) As soon as an official arbitrator has been appointed in accordance with the provisions of the Administrative Provisions Act (Northern Ireland), 1928, the Ministry shall deliver to him the maps and schedules deposited at its office, and the local authority shall publish once in each of three successive weeks the following particulars :—

(1) The appointment of the official arbitrator ; and

(2) The deposit at the office of the local authority of the copies of such maps and schedules as aforesaid, with a description of the situation of such office, and a statement of the time at which such copies may be inspected by any person desirous of inspecting the same.

Such publication shall be made not only by advertisement, but also by placards and handbills affixed in conspicuous places on or near the scheduled lands, and also

by leaving a notice thereof at each house to which the vesting order relates, and also by sending a notice thereof by post to all persons who immediately prior to the making of the vesting order were interested in such lands as owners or reputed owners, lessees or reputed lessees or occupiers, so far as they can be reasonably ascertained.

(7) In every case in which compensation is payable under the Schedule to the Act by the local authority to any claimant, and which compensation has not been made the subject of agreement (in this Schedule referred to as "a disputed case"), the official arbitrator shall ascertain in such manner as he thinks most convenient the amount of compensation demanded by the claimant, and the amount which the local authority may be willing to pay; and after hearing all such parties interested in each disputed case as may appear before him at a time and place of which notice has been given, he shall proceed to decide on the amount of compensation to which he may consider the claimant to be entitled in each case.

(8) The official arbitrator shall give notice to the claimants in disputed cases by causing such notice to be published or otherwise in such manner as he thinks advisable, of a time and place at which the difference between the claimants and the local authority in disputed cases as to the amount of compensation to be paid will be decided by the official arbitrator.

(9) After the official arbitrator has arrived at a decision on all the disputed cases brought before him, he shall make an award under his hand and seal, and such award shall be final, and be binding and conclusive (subject to the provisions concerning an appeal contained in the Schedule to the Act) upon all persons whomsoever, and no such award shall be set aside for irregularity in matter of form, but the official arbitrator may and, if the local authority request him so to do, shall from time to time make an award respecting a portion only of the disputed cases brought before him.

(10) Such award as aforesaid shall be deposited at the office of the Ministry, and a copy thereof shall be deposited at the office of the local authority, and the local authority shall thereupon publish notice of the deposit having been made at the office of the local authority of a copy of the award.

Special Powers of Arbitration.

(11) The official arbitrator shall have the same power of apportioning any rent-service, rent- charge,chief or other rent, payment, or incumbrance, or any rent payable in respect of lands comprised in a lease, as two justices have under the Lands Clauses' Consolidation Act, 1845.

(12) The official arbitrator in fixing the amount of compensation to be awarded may in the case of the severance of any house, building or manufactory, have regard to and take into account any loss or damage which has been occasioned by or may ensue from such severance and award compensation therefor in addition to the value of the part of the premises taken by the local authority.

(13) Subject to the provisions of Article 18 of the Schedule to the Act, the amount of purchase money or compensation to be paid in pursuance of section one hundred and twenty-four of the Lands Clauses Consolidation Act, 1845, in respect of any estate, right, or interest in or charge affecting any of the scheduled lands which the local authority have through mistake or inadvertence failed or omitted duly to purchase or make compensation for, shall be awarded by the arbitrator and be paid, in like manner, as near as may be, as the same would have been awarded and paid if the claim of such estate, right, interest, or charge had been delivered to the arbitrator before the day fixed for the delivery of statements of claims.

If the arbitrator is satisfied that the failure or omission to purchase the said estate, right, interest, or charge, arose from any default on the part either of the claimant or of the local authority, he may direct the costs to be paid by the party so in default.

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Costs of Arbitration.

(28) The fees payable in respect of the proceedings before the official arbitrator, which shall be in accordance with the scale prescribed under the Acquisition of Land (Assessment of Compensation) Act, 1919, and all costs, charges, and expenses (if any) which may be incurred by the Ministry in carrying the provisions of the Schedule to the Act and this Schedule into execution, shall, after the amount

thereof shall have been certified under this article, be paid by the local authority; and the amount of such fees, costs, charges, and expenses shall from time to time be certified by the Ministry after first hearing any objections that may be made to the reasonableness of any such fees, costs, charges and expenses by or on behalf of the local authority; and every certificate of the Ministry certifying the amount of such fees, costs, charges, and expenses shall be taken as proof in all proceedings at law or in equity of the amount of such respective fees, costs, charges, and expenses, and the amount so certified shall be a debt due from the local authority to the Crown, and shall be recoverable accordingly.

Further, any such certificate may be made a rule of a superior court on the application of any party named therein, and may be enforced accordingly.

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Miscellaneous.

(30) The official arbitrator may call for the production of any documents, other than any formal offer made by the local authority, in the possession or power of the local authority, or of any party making any claim under the provisions of the Schedule to the Act, which such arbitrator may think necessary for determining any question or matter to be determined by him under the Schedule to the Act and this Schedule, and may examine any such party and his witnesses, and the witnesses for the local authority, on oath, and administer the oaths necessary for that purpose.

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(32) All notices required by this Schedule to be published shall be published in a newspaper circulating within the jurisdiction of the local authority, and where no other form of service is prescribed, all notices required to be served or given by the local authority under this Schedule or otherwise upon any persons who immediately prior to the making of the vesting order were interested in the scheduled lands, shall be served in the manner in which notices are authorised to be served by Section 16 (1) of the Act.

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Given under the Seal of the Ministry of Home Affairs this 7th day of December, One Thousand Nine Hundred and Twenty-eight.

D. L. Clarke,

(L.S.) Assistant Secretary.

ROYAL ULSTER CONSTABULARY.

Pensions : Form of Declaration.

MINISTRY OF FINANCE WARRANT, DATED 16TH OCTOBER, 1923, PRESCRIBING FORMS OF DECLARATION TO BE SUBSCRIBED BY POLICE PENSIONERS AND LISTS OF PERSONS ENTITLED TO ATTEST SUCH DECLARATIONS.

1928. No. 70.

In pursuance of the powers conferred by virtue of sec. 4 of the Appropriation (Northern Ireland) Act, 1923, the Ministry of Finance for Northern Ireland hereby prescribes :—