

The Omagh Rural District Electoral Divisions Scheme 1923: Climbing the North Face of the Eiger

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Introduction

The North Face of the Eiger is reputedly one of the most dangerous ascents for mountaineers. In modern times over 60 people are recorded as having lost their lives in the attempt. It is a climb to be ventured by only the brave or the foolish.

In terms of examining the complaints against Unionists between 1921 and 1972, there have been historical concerns about the series of boundary revisions of electoral divisions in the rural district councils of County Tyrone in 1923. These were applied in local elections the following year. One of the few areas for which we have detailed figures is the Omagh Rural District Council. It is the North Face of the Eiger

It poses a difficulty in that writers who are not notably anti-Unionist, such as Sidney Elliott, Patrick Buckland and John Whyte, have obviously been troubled by the arrangements in this council area. In attempting to address the “civil rights” movement’s accusations against the Londonderry Corporation, I have been struck by the fact that there is always more to these accounts than meets the eye. I have also noted that even very clever people can make mistakes.

The Omagh Rural District was not a hotbed of “civil rights” movement activity in the 1960s. By that time, it barely merited a mention. However, to suggest that the Omagh Rural District was an unimportant part of the world would be to invite the wrath of the ghost of W.H.Marshall, whose beloved Drumlister (sometimes spelled Drumlester) was one of the townlands which made up the Carrickmore electoral division ¹. Nevertheless, its political significance is known only to a smallish group of anoraks interested in Northern Ireland’s history.

However, a wider public reads the published works of anoraks, and absorbs an impression of wrongdoing, if not the details. The Omagh Rural District remains one more potential stain on the reputation of Unionists during the time of the Northern Ireland Parliament (1921-1972). My task therefore was to see if there is more to this than first meets the eye. Is there additional evidence which can remove at least some of the stain?

The Problem

After a revised scheme of electoral divisions had been approved, the Nationalists on Tyrone County Council produced a report which provided the following religious breakdown of the 39 new single member electoral divisions in the Omagh Rural District. Some of the spelling of electoral division names is not consistent around this time e.g. Benchran/Bencran/Bancran, Mayne/Maine, Rahoney/Rahony, but it is usually clear which division is being referred to. The same variable spellings apply to townland names. “Omagh Rural” is at one and the same time the name of the council and of an electoral division within its boundaries.

Figure 1: A Nationalist Analysis of the Electoral Register for the Omagh Rural District 1923 ²

SCHEDULE.			
Units in Omagh Rural District			
	Total number of L.G. voters	Catholic	Protestant
Aghafad ...	374	260	114
Benchran ...	429	188	241
Beragh ...	346	159	187
Camdesry ...	369	292	77
Carrickmore ...	473	394	79
Casletown ...	271	189	162
Corlea ...	319	130	189
Creggan ...	623	617	6
Crockanboy ...	506	471	35
Dervaghroy ...	415	202	213
Dromore ...	325	230	95
Drumquin ...	227	185	42
Dunbreen ...	350	137	213
Ecclesville ...	335	138	197
Edenderry ...	340	138	202
Fallagh ...	448	425	23
Fallaghearn ...	348	143	205
Fintona ...	390	239	160
Glenlark ...	385	317	68
Gortin ...	350	134	214
Greenan ...	345	227	118
Loughmacrory ...	451	409	42
Loughmuck ...	390	185	205
Mayne ...	319	126	193
Mountjoy F. East ...	303	122	181
Mountjoy F. West ...	366	150	216
Moyle ...	283	114	169
Mullaghslin ...	336	281	55
Omagh Rural ...	386	248	138
Rahoney ...	315	134	181
Seskinore ...	328	149	179
Sixmilecross ...	296	134	162
Sluggan ...	369	230	39
Tattymoyle ...	305	232	73
Drumharvey ...	293	102	191
Kilkerrey ...	349	92	257
Lifford ...	253	183	70
Moorefield ...	299	241	58
Trillick ...	231	99	132
	13,840	8,459	5,381
Population.	35,519	21,854	13,675
L. G. Voters.	13,840	8,459	5,381
Present elected representatives, who were elect- ed under the Proportional Re- presentation sys- tem ...		28	13
Under new Scheme— Elected repre- sentatives ...		18	21

The first thing we must say is that it is important not to misstate the problem. Patrick Buckland believed that Catholics and Nationalists had an electoral majority of 5,381 in the Omagh Rural District³. What we are discussing here is the number of people on a local government electoral register (the paper majority). Both main political groupings, Unionist and Nationalist, were so shy about nominating candidates that actual contested election results are thin on the ground. Secondly, Buckland has misread the data, or quoted someone who has misread it. As can be seen from Figure 1, Nationalists were claiming a paper majority on the register of just 3,078. The figure of 5,381 is actually the total number of Protestant voters on the register. Sidney Elliott made the same mistake in reporting “an estimated 5,000 nationalist electoral majority” in the Omagh Rural District⁴.

Elliott was troubled that “unionists turned a 26 to 13 deficit in 1920 into a 21 to 18 majority from 1924”⁵. He is trying here to compare a proportional representation election in 1920 using nine large electoral areas, with a first-past-the-post election in 1924 which was based on 39 single member electoral divisions.

Whyte drew the following conclusion about arrangements for rural district councils, largely in Co. Tyrone, “It would be unfair to compare the 1920 results with those immediately after 1922, because the nationalists boycotted many elections through the ’20s, but even if we compare them with the results for the 30s and later, when nationalists were trying to win as many seats as the system would permit, the changes are startling enough”⁶.

The phrase “nationalists were trying to win as many seats as the system would permit” is ambiguous and hence potentially misleading. If readers were to conclude that Nationalists were enthusiastically contesting electoral divisions held by their Unionist opponents in order to increase their representation, they would be sadly misled.

Between 1924 and 1967 (the last local elections under the first-past-the-post system), Nationalists in the Omagh Rural District Council area refused to nominate candidates in seats held by Unionists in any year except 1949. In that year just four of the 21 Unionist-held seats were contested (Benchran, Gortin, Mayne and Moyle). With reference to Whyte’s comment, there were no Unionist-Nationalist contests for the Omagh Rural District Council in the 1930s. Figure 1 suggests that in the Dervaghroy electoral division, Nationalists thought there were 213 Protestant voters and 202 Catholics. Any campaign manager on the British mainland would have been keen to contest such a seat, but in over 40 years there never was a challenge. The phenomenon of electoral shirking has been dealt with elsewhere⁷.

Proportional Representation

The Single Transferable Vote (STV) form of Proportional Representation (PR) had been imposed on Ireland by the British Government in 1919 before the creation of the Northern Ireland state. It was a cynical move designed to prevent Sinn Fein sweeping the board in local government elections in the South and West of Ireland⁸. This was not an Ulster problem and Unionists made it clear as the legislation was passing through Westminster that they would get rid of this means of electing councillors as soon as possible. It was, and still is, unacceptable in England, and it was unacceptable then in Ulster.

For the time being, local elections throughout Ireland were conducted in 1920 using the STV. For the Omagh Rural District Council, the Local Government Board, a Dublin based part of the British administration in Ireland, had divided the district into nine electoral divisions, five of which returned four councillors. This had odd consequences.

Alec Wilson was Chairman of the Ulster Extension Committee of the Proportional Representation Society of Ireland, and one of its Vice-Presidents. His analysis of the 1920 PR election, focused mainly on Belfast, was later reprinted by the Electoral Reform Society of Great Britain and Ireland⁹. He had toured Ulster prior to the elections, explaining how the STV worked, and conducting model elections e.g. in Enniskillen¹⁰.

After the local elections he wrote a letter to a local paper providing examples from Tyrone County Council elections demonstrating “the faulty nature of the 4-member allocation” under certain circumstances. He concluded that “Fundamentally the argument goes to show that PR does not work at its full advantage with less than 5 seats to fill”¹¹. Certainly, since PR was reintroduced in 1973, no-one would dream of having less than five representatives per electoral area, thus rather confirming Wilson’s contention. This is what happened in the Omagh Rural District in 1920:

Table 1: Seats Won in the PR Election for Omagh Rural District Council 1920¹²

Ward	Nationalists	Unionists	Contest
Omagh Rural	2	2	No
Fintona	3	2	No
Dromore	3	1	Yes
Drumquin	3	1	Yes
Gortin	5	1	Yes
Trillick	2	2	No
Mountjoy	1	2	No
Sixmilecross	3	2	No
Carrickmore	4	0	Yes
Totals	26	13	

The first thing to note is that, although PR was meant to encourage more nominations, five of the nine electoral areas were uncontested. This rather limits the conclusions that can be drawn from the 26-13 split between Nationalists and Unionists. The second thing to note is that, rather improbably, Unionists won a majority of seats in only one of the nine electoral divisions, Mountjoy, which returned three members.

Table 2: The Unionist Vote in Contested Seats for Omagh Rural District Council 1920 ¹³

Ward	Seats	Unionist First Preference Votes	Unionist % of First Preference Votes	Unionist % of Seats
Carrickmore	4	226	13.9	0
Dromore	4	339	30.1	25
Drumquin	4	499	38.8	25
Gortin	6	439	23.0	16.6

With so many uncontested seats, it would be unwise to draw too many conclusions from the PR results for either side of the argument, but it is clear from Table 2 that the Unionists share of seats was a little below their share of the first preference vote. If there had been five seats instead of four, Unionists would have had a very good chance of winning the extra seat in Carrickmore, Dromore, and Drumquin. The peculiar mathematics of the four seat area probably deterred Unionists from fighting electoral divisions which they probably would have contested if five seats had been on offer. Perhaps Unionists were also a little too ready to throw in the towel in not forcing contests in all areas.

Four seats do not seem to favour a party whose supporters are well dispersed, but has modest majorities in localised areas. Such a party would not be well placed to win three out of four seats under the STV system. The 39 single member wards drawn up in 1923 provided for a more localised, fine grained, intimate form of representation where wards with, on average, 355 voters could be identified with communities which would be swamped in larger PR electoral areas. The community of interest principle, which is so important to modern boundary commissions dealing with first-past-the-post elections, was largely disregarded by those drawing up electoral divisions for PR. Electoral divisions became mere aggregations of voters.

The Case for Revising Ward Boundaries

In October 1922, the Northern Ireland Parliament debated the Local Authorities (Elections and Constitution) Bill. Its main provision was to delay the triennial (three-yearly) elections for county councils and rural district councils from 1923 to 1924. The sole reason advanced for this was that many electoral division boundaries in rural districts needed to be revised, particularly in Co.Tyrone. The urban districts did not have such severe inequalities in population, but the position had become chronic in many rural districts.

Electoral divisions often dated back to the Irish Poor Law Act of 1838, which provided for elected Boards of Guardians to run Poor Law Unions. They administered

a rudimentary social security system. Until the Local Government Act of 1898, rural district electoral divisions could have different numbers of representatives and this mitigated some of the differences in the numbers of electors. However, the 1898 legislation dictated that divisions have equal numbers of councillors.

In introducing the Local Authorities (Elections and Constitution) Bill in the Northern Ireland Senate, Lord Massereene pointed out some of the problems in rural districts ¹⁴. He spoke in terms of equalizing population in electoral divisions rather than electors, because that was the language of the Local Government Act 1898, most of which still applied to Northern Ireland.

For instance, Paragraph 2.3.b. of the Act says of county divisions, “The county electoral divisions shall be arranged with a view to the population of each division being, so nearly as conveniently may be, equal, regard being had to a proper representation both of the rural and urban population, and to the distribution and pursuits of such population, and to the last published census for the time being, and to evidence of any considerable change of population since such census” ¹⁵.

In due course, it was generally agreed that, as children could not vote, it made more sense to talk about equalizing the number of voters, but population was often referred to at this time. Lord Massereene revealed that “They found on examination of the last census return that Armagh rural electoral division had a population of 2,300 while the Killeen division had only 869. Similarly in the Newry No.2 Rural District, the population of Camlough division was 3,985, as against the population of 969 in Tullyhappy. In County Down, one electoral division, Crossgar, in Banbridge Rural District, had only 675 inhabitants, as against 3,262 in Tullylish, and the same inequalities obtained in practically every rural district in that county. A more glaring inequality, in Belleek Rural District in Fermanagh County, was Mallybreen district electoral division, which had only 148 inhabitants, and had the same representation on the Rural District Council as Inishmacsaint with 2036 inhabitants. Similarly in Lisnaskea Rural District, Kilturk division had 165 inhabitants as against Rosslea with 2158. In Londonderry they found the Six Towns division with a population of 629 having the same representation on the Magherafelt Council as Castledawson with 2,786. In every district electoral division in Tyrone they found the same inequalities in every rural district” ¹⁶.

With specific reference to electoral divisions in County Tyrone, figures had been prepared by T.S.Strahan of the Ministry of Home Affairs. :

Table 3. Inequalities in Electoral Divisions of County Tyrone Rural Districts ¹⁷

Rural District	Highest Population	Lowest Population	Highest Valuation	Lowest Valuation
Castledearg	1563	436	3684	1191
Clogher	1359	546	5069	1506
Cookstown	2480	728	6442	1236
Dungannon	3152	615	9496	2608
Omagh	1611	324	5356	705
Strabane	2184	357	6114	732

Valuation or rateable value was relevant because ever since the Town Improvements (Ireland) Act 1854, there had been a legal requirement to take into account both population and valuation in fixing boundaries. This requirement was continued in the Local Government Act 1922 which said that “electoral divisions shall be arranged with a view of the population of each division being, so nearly as conveniently may be, equal, regard being had to a proper representation both of the rural and urban population, and to rateable valuation” ¹⁸. The intention was that rateable value should not be dramatically unequal between electoral divisions, so that they did not pay significantly different amounts of rates.

A Northern Ireland cabinet report said of some of the old divisions in the Omagh Rural District, “There are seven Electoral Divisions in the Fintona Dispensary District:- Carryglass, Derrabard, Draughton, Fallaghearn, Fintona, Seskinore, and Tattymoyle, Fintona, which has sent a Unionist to the District Council for many years, has a population of 1611 while Carryglass, Derrabard, Draughton and Tattymoyle have only 324, 325, 534 and 556 populations respectively or a total of 1739, yet each of these Divisions which have been Nationalist in Politics enjoyed the same representation as Fintona”. It concluded that such inequalities explained “why certain persons object to Redistribution” ¹⁹.

With regard to Counties Fermanagh and Tyrone, another cabinet memorandum commented that the inequalities, “so far as can be ascertained are mostly in favour of the Nationalist and poorer sections of the community” ²⁰.

The delay in getting the Local Government Act 1922 passed meant that there was not time to carry out revisions in time for the next elections due in June 1923. The Local Authorities (Elections and Constitution) Act 1922 therefore delayed county and rural district elections by a year.

Subsequently inquiries were held into the new boundaries of electoral divisions. The official notice about Omagh Rural District is set out in Figure 2 below.

Figure 2: Official Notice of Inquiry into Omagh Rural District Council Electoral Divisions ²¹

GOVERNMENT NOTICES.

NOTICE.

MINISTRY OF HOME AFFAIRS FOR
NORTHERN IRELAND.

**Alteration of District Electoral
Divisions.**

OMAGH RURAL DISTRICT.

THE Minister of Home Affairs for Northern Ireland hereby gives Notice that His Honour Judge Leech, K.C., has been appointed as Commissioner to inquire into the constitution of District Electoral Divisions in areas in Northern Ireland where it appears that considerable inequalities exist in regard to populations and valuations, and to report to the Ministry how such inequalities might conveniently be rectified.

The Commissioner will sit at the Workhouse, Omagh, on Wednesday, 21st February, 1923, at the hour of 10.30 a.m., to hear representations regarding the District Electoral Divisions situated in the Rural District of Omagh. Any elector or electors of the Rural District, local authorities or officials of local authorities wishing to make representations as to desirable alterations should forward to the Commissioner, c/o The Ministry of Home Affairs for Northern Ireland, Ocean Buildings, Belfast, a statement of such representations, with any relevant maps or statistics, so as to reach the Commissioner at least one week prior to the date of Inquiry, and should be prepared to attend personally or by an authorised representative at the Inquiry to support such representations, and to answer any queries in connection with them.

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The notice appeared in the *Ulster Herald* on 10 February 1923 and submissions had to be made by 14 February 1923, a week before the inquiry was held. Frank Gallagher complains that such notices were “The first announcement that a change was intended”²². This is not really believable. There is a difference between an official notice which is placed in a newspaper to meet a formal requirement, and the communication of information that the government wants to revise electoral division boundaries. Nationalists in the Omagh Rural District could hardly say “This has come as a complete surprise”.

Ever since the October 1922 debate in the Northern Ireland Parliament, they would have known that rural district elections had been delayed because the government wanted to revise rural district electoral divisions. They would also have known that a primary purpose of the revision was to make more equal the numbers in different electoral divisions. The Local Government Act 1922 stated that valuation (rateable value) would also be taken into account, and any Nationalist leader would have been fast asleep not to notice that. The Parliamentary debate had highlighted Co. Tyrone as a particular problem.

Thus when the official notice said that Judge John Leech KC “has been appointed as Commissioner to inquire into the constitution of District Electoral Divisions in areas in Northern Ireland where it appears that considerable inequalities exist in regard to populations and valuations, and to report to the Ministry how such inequalities might conveniently be rectified” (Figure 2), this was old news.

If Nationalists had ever intended to take part in the process, they would have been preparing a scheme of their own from October 1922 onwards. Would this have been a difficult task? Well, the Ministry of Home Affairs’ decision about the revised scheme (which made changes to the one submitted at the inquiry) was reported in the *Ulster Herald* on 30 June 1923. By the time that newspaper’s issue appeared on 18 August 1923, the Nationalists had a report detailing the numbers of Catholics and Protestants in each of the proposed 39 wards.

This was a relatively straightforward task because both Nationalists and Unionists had registration agents who kept detailed records of the religious affiliation of all voters. Between June 1920 and the next election in June 1924, both the Omagh Rural District Council and the Tyrone County Council were under Nationalist control. It would have therefore been relatively simple to compile valuation figures. Nationalists had also produced a map of the new electoral divisions in very little time.

The Politics of Non-Co-operation

But, of course, local Nationalists never had any intention of participating in the revision process. They were perhaps lucky that the Omagh Rural District Council and the Tyrone County Council had not been dissolved and a commissioner sent in to run their local authorities.

Although the Northern Ireland Parliament had been sitting since June 1921, responsibility for local government was not transferred from the Local Government Board in Dublin to the Northern Ireland Government until 1 December 1921. In anticipation of this development, Nationalists on Tyrone County Council were reported to have met secretly and it was heavily signalled that they would refuse to co-operate with the Northern Ireland Government and pledge allegiance to Dail

Eireann, effectively the Sinn Fein elected members sitting in Dublin as an unofficial assembly ²³.

True to form, there was a meeting of Tyrone County Council a few days later. Only a handful of Unionist councillors attended. One of these, Councillor Montgomery, pointed out that the council faced losing £45,000 in grants if it refused to acknowledge the authority of the Northern Ireland Government. The Council's Secretary warned that their overdraft limit at the bank was £30,000 and the council was already overdrawn by £24,000. This fell on deaf ears and a resolution was passed which instructed the Council's Secretary "to have no communication henceforth with the Local Government Board either in Dublin or Belfast" and stated "That we direct our Secretary to communicate with the Local Government Minister of Dail Eireann" ²⁴. This was interpreted as pledging allegiance to Dail Eireann.

Tyrone County Council subsequently circulated its resolution to other councils, urging them to pass similar motions. On 3 December 1921, the Omagh Rural District Council adopted the same position. The motion it passed, following Tyrone County Council, said "That we instruct our Clerk to have no communication henceforth with the British Local Government Boards either in Dublin or Belfast and that all Copies of Minutes and Returns be in future forwarded to Local Government Department Dail Eireann" ²⁵. At the adjournment, Sinn Fein activists, describing themselves as "IRA police" seized some documents, hoping to make it more difficult for the Northern Ireland authorities to take over the running of the council. It was later claimed by those authorities that the stolen documents were of little significance, the most important ones already having been put in a safe place. The IRA men narrowly missed the police, who secured the old Workhouse, which housed the offices of the Omagh Rural District Council ²⁶.

The Tyrone County Council offices at the Omagh Courthouse had already been taken over by the police as a precautionary measure to ensure that the administration of the council's affairs could continue. In the meantime, the Northern Ireland Government rushed through Parliament the Local Government (Emergency Powers) Act. This gave the government power to dissolve councils and appoint a commissioner to run their affairs "where a local authority refuses to perform the duties imposed upon it". By this time nine Nationalist controlled councils were pledging allegiance to Dail Eireann ²⁷.

After the excitement of the meetings which passed these motions, some councils thought better of their actions and decided they might temporarily co-operate with the Northern Ireland authorities. They included Tyrone County Council, Omagh Rural District Council and Omagh Urban District Council ²⁸. The Omagh Rural District Council confirmed its new position at a meeting on 10 December 1921. The resolution that was passed read: "That the Omagh Rural District Council in view of the altered political situation, and with a desire to promote a peaceful settlement, hereby decide, for the present, to send to the Northern Minister of Local Government the minutes and all other documents which hitherto they were required to forward to the Local Government Board, Dublin" ²⁹. The seven day rebellion was over.

These councils were fortunate. If they had continued in their defiance for a few days longer, they would have been in the same position as Fermanagh County Council, which was dissolved and placed in the hands of a commissioner. The commissioner remained in place until the county council and rural district elections in 1924 (in the urban districts, councillors were permitted to return after the 1923 elections).

In spite of drawing back from the brink, the Omagh Rural District Council Nationalists maintained a negative attitude towards the Northern Ireland Government. In Co.Tyrone generally, Nationalists were not inclined to co-operate with the authorities in redesigning the electoral divisions.

Judge Leech's Inquiry

The Government decided to put forward no plans of its own to the various inquiries which took place. Instead it invited any interested party to submit proposals. Nationalists could have taken up this offer if they had wanted to. When Judge John Leech KC opened the Omagh Rural District inquiry on 21 February 1923, only one submission was placed before him by two people from a Unionist community background, W.J.McClelland and John Colhoun, who were ratepayers in the Rural District. Nationalists boycotted the proceedings. George Murnaghan, a solicitor who appeared for the Omagh Rural District Council, or at least the Nationalist controlling group on the council, attended the inquiry to briefly outline its position ³⁰.

Murnaghan maintained that it was an inopportune time to hold an inquiry because an impending Boundary Commission may transfer the area into the Irish Free State. He wanted an inquiry into making the council areas in Tyrone more equal before the electoral divisions were examined ³¹. This was something way beyond the scope of Judge Leech's inquiry. Murnaghan felt the Ministry should have produced its own scheme of electoral divisions. Judge Leech responded by saying "If a scheme had been drawn up by the Home Office it would at once have been said that it was the Government's scheme. It was left to the local people to submit schemes. Why had not Mr Murnaghan's clients or some other ratepayers submitted schemes as well as these two gentlemen?" ³².

"What he [Leech] wanted was schemes to consider, not so much people coming in there to tear up the schemes that had been submitted, and placing nothing in their place, but a constructive policy. The policy of Mr.Murnaghan's clients was not to submit a scheme themselves, but to tear up any scheme which any other person might construct" ³³.

"Mr.W.E.Orr [a solicitor] said he appeared on behalf of a number of farmers and ratepayers who were interested in political affairs but had no connection with any political party. The scheme which had been submitted had not been prepared by any political party nor had his clients been actuated by political motives." He outlined some of the problems with the current scheme.

"There were serious cases of over and under representation. In the division of Fintona there was a population of 1,611, and in Carryglass only 324. That was a thing nobody could stand over. In Derrybard division there were 325, Drafton 534, and Tattymoyle 556. All these were in the same dispensary district. In Sixmilecross town there was a population of 1,220, Lisnacreight 379, Dromore 1,279, Drumakily 519, Beragh 1,203, Creggan 599, Athenry 1,076, Edenderry 569, Drumquin 1,044, Gortgranagh 488. Under the new scheme the population in each division would be 826 and it was proposed to have 39 electoral divisions. Some of the old divisions had no community of interests" ³⁴. The case for a revision of the electoral divisions was therefore well made.

The weight which each criterion was to be given had been outlined a few days earlier at the inquiry into the electoral divisions at Cookstown Rural District. Leech stated

that “inequalities have been removed by the new scheme, so far as population is concerned, but while the next Councillors will each represent the same number of electors, there will still be a great disparity in the rateable valuation which each represents. Judge Leech explained the principle he had adopted – to give greater weight to numbers than valuation, the latter being of only secondary importance”³⁵. Leech repeated these views in the inquiry into the Omagh Rural District arrangements. “As he had pointed out in other places, population was primarily what he went on, because if he went according to valuation an undoubted hardship would be inflicted on the humbler class of people who did not possess large tracts of land”³⁶.

Table 4 Voters in the Revised Scheme 1923³⁷ and Valuation Figures 1930³⁸

	Voters	Valuation
Aghafad	374	2616
Benchran	429	3306
Beragh	346	2798
Camderry	369	2920
Carrickmore	473	2592
Castletown	271	3875
Corlea	319	2625
Creggan	623	1459
Crockanboy	506	1844
Dervaghroy	415	3605
Dromore	325	3045
Drumharvey	293	2993
Drumquin	227	2115
Dunbreen	350	3360
Ecclesville	335	4532
Edenderry	340	4735
Fallagh	448	1821
Fallaghearn	348	4639

Fintona	390	1690
Glenlark	385	1789
Gortin	350	2627
Greenan	345	3132
Kilskeery	349	3724
Lifford	253	1873
Loughmacrory	451	1461
Loughmuck	390	4894
Mayne	319	2910
Moorefield	299	3249
Mountjoy Forest East	303	3147
Mountjoy Forest West	366	4314
Moyle	283	3238
Mullaghslin	336	1562
Omagh Rural	386	2594
Rahoney	315	5307
Seskinore	328	4082
Sixmilecross	296	2502
Sluggan	369	1878
Tattymoyle	305	2219
Trillick	231	3522

Although detailed valuation (rateable value) figures will have been available somewhere at the time of the inquiry, I have not been able to locate them. I have therefore used valuation figures for the Omagh Rural District electoral divisions from 1930, which are available in PRONI. There are notes in the valuation books showing how rateable value changed up to 1935. The changes are minimal, and this slow rate of change gives me significant confidence that the 1930 figures are a good indication of the position in 1923. Further evidence of this slow rate of change in rateable values is that the total valuation of the Omagh Rural District Council area under the 43 ward scheme which had operated before PR was £119,817³⁹. W.E.Orr stated at the inquiry

that the average valuation for the 39 proposed wards was £3072, giving a total valuation of £119,808⁴⁰. The equivalent figure in 1930 was £116,594⁴¹.

If we take the figures in Table 4 at face value, there is a weak negative correlation of -0.31 between the number of voters and the valuation of each electoral division. This suggests that a higher number of voters is, to a modest extent, associated with a lower valuation. However, it is clear that this figure is affected to a significant extent by two pairs of outlier values. Statistically speaking, an outlier is an unusually high or low value which can distort the overall picture we get about a data set, particularly in the calculation of mean averages and correlations.

In Table 4, the outlier values relate to the Creggan and Crockanboy electoral divisions. Between them they have an electorate of 1129. It was reported of Judge Leech that “His Honour said there might be instances where if the valuation was very low he might consider a little higher population, but that could only be done in the case of a town or village or district where geographical conditions were against increasing the size of the division”⁴². He is likely to have applied this rule to Creggan and Crockanboy.

However, with a mean average of 355 electors per division, it could be conceded that a greater emphasis on voter numbers would probably have awarded these areas three seats rather than two. That would effectively deal with the outliers. The effect of removing the outliers is to reduce the correlation between voter numbers and valuation figures to -0.14. This is as close as it possibly can be to a random relationship between these two variables. Judge Leech did not typically penalise lower valuation figures by including a greater number of voters in an electoral division.

Suppose that we accept that there was an arguable case for disregarding valuations altogether (thus ignoring the legal requirement). Creggan and Crockanboy could have been allocated three seats between them. This settlement of the outlier problem allows us to take a more realistic view of the average number of electors in the divisions where Catholics and Protestants had a majority on the electoral register. Setting the outliers to one side, we can conclude that electoral divisions with a Protestant majority had a mean average of 332 voters, while those with a Catholic majority averaged 358 voters. That represented a very reasonable attempt to equalize the number of voters while grouping people in recognizable communities.

Leaving Nineteenth Century Standards Behind

We can recall that Mr.W.E.Orr had told the inquiry that “Some of the old divisions had no community of interests”. It may seem slightly shocking, but the argument put forward by Orr was precisely that which would carry weight with a modern boundary commission attempting to create a ward scheme under a first-past-the-post system. If we make allowance for the fact that Orr spoke about population rather than voters, something like the Local Government Boundary Commission for England (LGBCE) would recognise the virtues of making electoral divisions more equal in size and based on the electoral division’s population having a community of interest.

This can be contrasted with the approach of Nationalists, which was articulated in a public meeting on 20 February 1923, the day before the inquiry sat. The meeting complained about a “gerrymandering procedure” before its participants had considered any proposed schemes⁴³. A good definition of gerrymandering would be in terms of boundaries drawn in an unnatural and unfair way to ensure that a possible

majority of votes for one party resulted in their returning a minority of representatives.

Nationalists applied to the term a different meaning. It simply meant any ward scheme that did not leave them in control. They deserved to be in control and boundaries should be manipulated to bring about that predetermined outcome. In the public meeting there was only one criticism of a scheme which they were anticipating but of which they had no knowledge. They were confident it would not leave Nationalists in control. There was no interest in objective standards against which the fairness of boundaries could be assessed ⁴⁴.

This favoured principle of boundary rigging was seen in the nineteenth century example of Belfast Corporation. The city originally had a small Catholic population and it was insufficient to win representation on the council in any of the five wards. When Belfast Corporation proposed a new ward scheme in 1896, it invited Bishop Henry's Catholic Association to draw the boundaries of the Falls and Smithfield Wards in such a way as to guarantee the election of Catholic representatives ⁴⁵.

But as the twentieth century dawned, this was not seen as a sensible way of doing things. So how much weight would be attached to a "We deserve to be in control" argument by a modern boundary commission dealing with first-past-the-post elections? The answer is, none at all. In an email to me, the LGBCE set out its position:

"The Commission does not take into account likely or possible political outcomes of its reviews. The distribution of voters of a particular party in any council area is immaterial to the Commission's deliberations.

When it agrees recommendations, the Commission must have regard to community interests and identities as set out in the legislation governing electoral reviews (Local Democracy Economic Development and Construction Act 2009). We would, therefore, not be able to ignore arguments about community identities regardless of the reason put forward" ⁴⁶.

People with similar community interests are grouped together. It follows, rather disconcertingly for some, that boundaries can be drawn in a natural and fair way according to objective criteria and not leave the "right" party in control. The most obvious reason for this is that one party has poor vote efficiency because its supporters are naturally concentrated in one or more areas where they waste votes building up large majorities ⁴⁷. Even more disconcerting perhaps for academics from a politics background who are not familiar with the principles of British public administration, a modern boundary commission would have been likely to listen with interest to the proposers of the Omagh Rural District scheme, and dismiss the Nationalists' arguments out of hand as being irrelevant.

A Politically Disastrous Strategy

The Nationalists' approach in the Omagh Rural District was politically disastrous. They developed a determined policy of non-participation and non-engagement which left them without influence. First, there was the policy of declaring allegiance to another country's unofficial government. If Nationalists had not drawn back at the eleventh hour, acting on that policy would have seen the council dissolved and placed in the hands of a commissioner.

They then refused to put forward their own ward scheme to deal with inequalities in the size of electoral divisions. Leaving just one carefully worked out scheme before Judge Leech placed them at a self-inflicted disadvantage. Nationalists then compounded the error by not attending the inquiry and putting specific objections to the ward scheme that was on the table. This left them completely without influence. At a meeting of Tyrone County Council in August 1922, after the final ward scheme was announced, one Unionist councillor was probably puzzled at the timing of the Nationalist complaints.

“Col.Howard called attention to the fact that a Commissioner [Judge Leech] held an inquiry into the matter when all parties got an opportunity of making representation. The Nationalists took no action. What was the good of bringing forward all these matters now? It looked like a piece of propaganda”⁴⁸.

Omagh Rural District Council Nationalists continued with their policy of sniping from the sidelines by boycotting the 1924 local elections. In 1927, they could only be bothered to nominate candidates in 13 of the 18 divisions which were most likely to return a Nationalist representative⁴⁹. It was not until 1949 that Nationalists could muster the enthusiasm to fight (unsuccessfully) four of the Unionist-held seats, and they never again nominated candidates against sitting Unionists⁵⁰.

Looking at the Map - the Distribution of Voters

We should now look at the way Catholics were naturally distributed in the Omagh Rural District. The Nationalists prepared a report for a meeting of Tyrone County Council in August 1923 which included a map of the new electoral divisions together with estimates of the number of Catholic and Protestant local government voters in each division⁵¹. The map is an important piece of evidence missing from most accounts of this issue and is included here as Figure 3.

The lesson from previous studies, such as that about the Londonderry Corporation, has been to look for vote inefficiencies, natural concentrations of population where one party wasted votes by accumulating large majorities⁵².

“Rallings et al made a... study of ward boundary reviews in London. The reviews were fair and conducted according to British standards but there were council areas in 2002 like Bexley, Croydon, Hammersmith and Fulham, and Merton which produced the ‘wrong winner’⁵³. The phenomenon identified in Brighton (Londonderry Revisited) is what Rallings et al call vote efficiency⁵⁴. To have one’s voters disproportionately concentrated in certain areas is an example of vote inefficiency. The application of British standards does not protect any party from vote inefficiency under the first-past-the-post system”⁵⁵.

Figure 3: Map of Omagh Rural District Council Electoral Divisions (C = Catholic majority; P = Protestant majority) ⁵⁶



An obvious area of interest on the map in Figure 3 is what I have called the Eastern Catholic Bloc, which consists of eight contiguous electoral divisions with Catholic majorities on the electoral register, shown in the top right of the map. According to the report drawn up by the Nationalists on Tyrone County Council, the numbers of Catholic and Protestant voters were as set out in Table 5 below.

Table 5: Omagh RDC Wards 1923 – Voters in the Eastern Catholic Bloc ⁵⁷

Ward	Catholics	Protestants	Total
Glenlark	317	68	385
Crockanboy	471	35	506
Fallagh	425	23	448
Loughmacrory	409	42	451
Creggan	617	6	623
Mullaghslin	281	55	336
Carrickmore	394	79	473
Sluggan	330	39	369
Totals	3244 (90.3%)	347 (9.7%)	3591
Catholic Majority	2897		

The first thing to note is that in this group of eight wards, the electorate was 90% Catholic. This concentration of Catholics and the ensuing vote inefficiency it produced, was not the result of drawing lines in strange places on maps. It was clearly a result of historical patterns of settlement.

As an aside, it should be pointed out that the promoters of the revised scheme drew hardly any new lines on maps. What they did in the vast majority of cases was to group townlands together, and their boundaries were drawn back in the mists of history. Where, in a few cases, townlands were divided, this was achieved by using old parish boundaries. In only one electoral division, Sixmilecross, was it necessary to define a completely new part of the boundary ⁵⁸. This practice of not drawing new lines on maps does, of course, make it very hard to cheat, and confirms that those boundaries are not unnatural.

The other notable feature of Table 5 is the fact that the Catholic majority on the register in this Eastern Bloc was 2,897. Recall that in Figure 1 the Catholic voting majority in the whole of the Omagh Rural District was claimed by Nationalists to be 3,078. Thus, almost the whole of this paper advantage is accounted for by just eight of the 39 wards. The significant Catholic majority on the register was not a feature of the whole of the rural district, but of just a small part of it.

Turning back to the map in Figure 3, the second feature of note is a bloc of 18 central electoral divisions with Protestant majorities stretching from Moyle in the north to Ecclesville in the south. See Table 6 below.

Table 6: Omagh RDC Wards 1923 – Voters in the Central Protestant Bloc ⁵⁹

Ward	Catholics	Protestants	Total
Moyle	114	169	283
Gortin	136	214	350
Dunbreen	137	213	350
Castletown	109	162	271
Mountjoy Forest West	150	216	366
Mountjoy Forest East	122	181	303
Corlea	130	189	319
Edenderry	138	202	340
Loughmuck	185	205	390
Fallaghearn	143	205	348
Rahoney	134	181	315
Ecclesville	138	197	335
Seskinore	149	179	328
Dervaghroy	202	213	415
Beragh	159	187	346
Sixmilecross	134	162	296
Benchran	188	241	429
Mayne	126	193	319
Totals	2594	3509	6103
Protestant Majority		915	

In terms of population, a cabinet memorandum stated that “if we take the 18 divisions in which the Nationalists in the Omagh Union claim to have majorities under the Redistribution we find that the total population (less Omagh Asylum) is 16,507, giving an average of 917 per division, while in the 21 Divisions in which the

Nationalists admit the Unionists have majorities we find there is a population of 17,887, or an average of 852 per division”⁶⁰.

Without a detailed knowledge of the Co.Tyrone countryside in the 1920s, it is difficult to know whether the electoral divisions always represented identifiable communities, but here is what we do know.

1. The promoters of the proposed scheme, whose suggestions were to be largely the basis for the approved scheme, claimed that their electoral divisions were based on the community of interest principle.
2. Nationalists did not contest this. They claimed that many of their votes were wasted, but that is the result of natural concentrations of population (such as in the Eastern Bloc) and the resulting vote inefficiency. They also complained that Unionists would be in control. That is not the same as saying that the community of interest principle was violated.
3. The predominance of Unionists in Central Bloc divisions was in no way reflected in the PR results in 1920. The weaknesses of the four member division and the tendency of large divisions to swamp these local communities may be in some way to blame. In the 1923 scheme there were 18 communities with Protestant majorities in the Central Bloc. Under PR, local communities would have been sacrificed in the cause of mathematical neatness.

John Whyte wrote that “when nationalist writers...print maps comparing the pre-1920 and post-1922 boundaries, and take this as proof that the post-1922 arrangements were unfair, they make an unwarranted assumption. Maybe it was the pre-1920 situation that was unfair. Another yardstick is available, however, which is less open to objection. This is to compare the electoral results obtained after 1922 with those obtained under PR in 1920”⁶¹.

Whyte asked the critical question once when he should, perhaps, have asked it twice. Maybe it was the PR results which were unfair in that they overruled many of the benefits of the first-past-the-post system. Like many academics, Whyte had a pronounced obsession with council-wide proportionality, although in the absence of any significant number of contested election results, establishing what that proportionality might be would prove problematical. He had a narrow view of what constituted the “right” outcome. If he was making representations to the LGBCE, his concerns would have been rejected as illegitimate. Modern British standards do not consider possible political outcomes in deciding the fairness of boundaries for first-past-the-post elections.

It is clear that, in England, PR has been roundly rejected with the eccentric exception of a minority of seats for the London Assembly elected by the party list system. It has not been rejected because citizens believe that the first-past-the-post system is more proportional. People reject PR because they think it has certain weaknesses and the first-past-the-post system has certain strengths. The rejection of PR involves the rejection of council-wide proportionality as the ultimate electoral value. It is no longer the key criterion to be applied in assessing ward schemes and indeed, in the eyes of the LGBCE, is of no relevance at all. Community of interest is more important. In Northern Ireland, the first-past-the-post system at this time was considered better because

1. It kept Ulster in line with the rest of the UK.

2. The large electoral areas required by PR, especially in rural districts, broke the link between the representative and a local community. “The essence of local government administration centres in the word ‘local’ and the areas represented should be local and not unduly large...For good local government there should be local specialised interest on the part of the Councillor”⁶².
3. PR was expensive for small councils to administer. Lord Londonderry told the Northern Ireland Senate, “We found that on taking over the administration of local services from the Local Government Board that several of these small communities were nearly bankrupt after the last elections owing to the high cost of conducting their elections on the Proportional Representation principle”⁶³; and it was too complicated for some voters to understand. “I found that there were nearly 10,000 spoiled ballot papers in connection with the elections in County Boroughs, Urban Districts and towns”⁶⁴.
4. STV (and this is a persistent modern complaint) gives each voter the chance to elect at most one candidate in a multi-member division. STV bestows a transferable vote, but it remains a single vote. Under a first-past-the-post system electing n representatives, voters would have n votes and be able to influence the election of all n councillors.
5. PR can create political deadlock.
6. STV does not usually respect the community of interest principle in creating electoral areas. The 1972 Northern Ireland legislation which governs the formation of wards in the post-1973 PR era has much looser requirements than the English legislation about first-past-the-post elections. It just says that “In determining the number and boundaries of wards within a district regard shall be had to-
 - (a) the size, population and physical diversity of the district” (Local Government Act 1972 Schedule 4 Part III par.17).

Where PR has been rejected as a system, it is usually pointless comparing the results which it achieves with those obtained under a first-past-the-post system. Both have quite different virtues and are assessed by different criteria. The issues which the Northern Ireland Local Government Boundaries Commissioner has to take into account for PR elections are flimsy in comparison with the LGBCE standards. They reflect a disregard for the community of interest principle, and do rather reflect the view that it really does not matter much where ward boundaries are drawn as long as wards have a roughly equal number of voters, given that councillors do not represent wards.

The modern British way of drawing boundaries for first-past-the post elections in a fair manner places the emphasis on the principles used to create those boundaries rather than on the political outcomes which they achieve. This makes politicians’ motives irrelevant (because objective criteria decide the issue of fairness).

If we are looking back from the perspective of a modern British first-past-the-post system to an era before the emergence of boundary commissions, it is perfectly appropriate to show a similar disregard for political motives, and simply apply the principles which a modern English boundary commission would apply. The nearer the generation of the scheme is to compliance with modern principles, the fairer it probably is. Proportionality is ignored because it is not a criterion applied by modern boundary commissions dealing with first-past-the-post elections. One reason why this is so is because rigging boundaries to bring about pre-determined results introduces corrupt practice into the process.

It is clear that the application of modern British standards was advantageous to Unionists. Because their supporters were more dispersed, the community of interest principle would benefit them more than the strict council-wide proportionality of PR. Victory went to the majority party in a smallish community, and the more communities in which a party was in the majority the better. By using the language and practice of community of interest, Unionists were well ahead of their time.

This principle seems to be becoming more popular over the years. In 2005, the Office of Deputy Prime Minister Housing, Planning, Local Government and Regions Committee produced a report for the House of Commons about local government Ward Boundaries. One of its conclusions was that “Evidence we received suggested two things: that too much weight is given to the criterion of ‘equality of representation’ and not enough attention is paid to the ‘interests and identities of local communities’”⁶⁵.

With the movement and concentration of Protestant populations due to the IRA terrorist campaigns in the latter part of the twentieth century, it is more likely that a greater Unionist disadvantage would be seen today under a first-past-the-post system. Protestants tend to be more concentrated in certain areas than they were. But Unionists cannot be blamed for the happy outcomes in the 1920s and 1930s. They were lucky rather than malevolent.

Conclusions

Most of the analyses of situations like that in the Omagh Rural District in the 1920s show little awareness of how modern British standards are applied to drawing up boundaries in first-past-the-post elections. They are too focused on proportionality at the level of an entire local government district rather than on the representation of smaller communities. As the twentieth century progressed, an emphasis on anticipated outcomes was rejected as dangerous. Community of interest and equal representation became the guiding principles.

The old schemes of electoral divisions for rural districts were over 80 years old in 1923, and serious imbalances of population had occurred. There was a pressing need for reform. The Unionists had made it clear in 1919 that reform would be in the context of the first-past-the post system, which was the British standard at that time.

The Catholic paper majority in the Omagh Rural District was almost entirely concentrated in the Eastern Bloc of electoral divisions. There, if they had ever been required to fight contested elections, Nationalist candidates would have been likely to waste votes building up large majorities. They would, in the modern terminology, have exhibited poor vote efficiency.

Elsewhere in the council area, Catholics had no such advantage. It came down to whether the community of interest principle had been correctly applied in the 21 electoral divisions which Nationalists simply conceded to the Unionists. Nationalists were silent on this point. They refused to challenge the details of the scheme that was put forward and did not propose a scheme of their own. The way the inquiries were set up, the system relied on an adversarial process to guide Judge Leech as to the merits of competing proposals. The Nationalists refused to play their part.

In the absence of these competing representations, Leech’s task was to come up with a scheme which eliminated the very large differences in population and valuation exhibited by the previous pattern of electoral divisions. The proposers of a scheme in

the Omagh Rural District provided population and valuation figures and maps. It was not Leech's task to come up with an ideal solution, but with one which met certain objectives, namely the equalization of population and valuation. He was given a means of achieving his goals, and he seems to have made a few amendments to the proposed scheme in coming up with a solution.

Arguments are possible about the details of the final scheme, but they relate to matters of small detail. Perhaps the Creggan and Crockanboy electoral divisions could have had three representatives between them instead of two if valuation had been completely disregarded. However, once an understanding is reached about the nature of modern British standards for drawing up boundaries under a first-past-the-post system and their lack of concern with anticipated or desirable electoral outcomes, the conclusion must be reached that this was quite an evenly balanced council area in terms of the number of divisions which could naturally and fairly be won by each side. As far as the approved scheme of electoral divisions is concerned, there is no evidence of serious malpractice. There is no smoking gun.

Omagh Rural District was often regarded as a case of significant unfairness. John Whyte rather recklessly stated that "when it comes to gerrymandering of local government boundaries, criticism is much more firmly based. Nationalists were manipulated out of control in a number of councils where they had a majority of electors. This is one of the clearest areas of discrimination in the whole field of controversy"⁶⁶. In asserting this he showed an ignorance of modern British standards of fairness in drawing up ward boundaries, and of the consequences of poor electoral efficiency in the natural distribution of a community's voters.

Because Omagh Rural District has been seen as a difficult case, and there is clearly more to this issue of alleged local government gerrymandering than first meets the eye, it is likely that the boundaries of electoral divisions in other rural districts, which were changed around this time, are not quite as controversial as was first thought.

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