



## CHAPTER i.

An Act to authorise the mayor aldermen and  
burgesses of the borough of Sunderland to free  
the Queen Alexandra Bridge over the River  
Wear from tolls and for other purposes.

A.D. 1928.

[28th March 1928.]

**W**HEREAS the borough of Sunderland (in this Act called "the borough") is a county borough under the local government of the mayor aldermen and burgesses of the borough (in this Act called "the Corporation"):

And whereas by the Sunderland Corporation Act 1927 it was enacted that on the first day of April nineteen hundred and twenty-eight the boundary of the borough as existing prior to that date should be extended so as to include (inter alia) the urban district of Southwick-on-Wear:

And whereas under the powers of the North Eastern Railway Act 1900 the North Eastern Railway Company (hereinafter called "the company") the predecessors of the London and North Eastern Railway Company by agreement with the Corporation constructed a bridge (now known as the Queen Alexandra Bridge and hereinafter called "the bridge") over the River Wear partly in the borough and partly in the said urban district having two levels the upper one being for railway lines and the lower one for a road (hereinafter called "the road

A.D. 1928. — bridge ") and under the powers of the Sunderland Corporation Act 1900 (hereinafter called " the Act of 1900 ") the Corporation provided part of the land required for the construction of the bridge and reimbursed the company the amount paid by them for the acquisition of the remainder of the land so required and contributed the sum of one hundred and forty-six thousand pounds towards the cost of the construction of the bridge :

And whereas by the agreement made between the Corporation and the company set forth in the Second Schedule to the Act of 1900 and confirmed by that Act it was provided that the bridge should remain the property of the company but that the Corporation should have sole control of the road bridge and should have the other powers set out in the agreement with regard to the road bridge and should be liable for the repair and maintenance of the road bridge and also that the structure of the bridge should be repaired and maintained by the company and the expense should be borne by both parties to the agreement in equal shares and further that the company should pay any rates or taxes separately levied in respect of the railway and the traffic thereon and that the Corporation should pay any taxes separately levied in respect of the road bridge or the traffic thereon or receipts therefrom and that the rates or taxes (if any) levied in respect of the bridge as a whole and other outgoings or expenses applicable to or incurred in connection with the bridge should be borne by both parties to the agreement in equal shares :

And whereas by the Act of 1900 the Corporation were empowered to demand and take tolls in respect of persons animals and carriages passing over along or upon the road bridge and approaches respectively and were required if they constructed any tramway along the road bridge in lieu of tolls rates and charges in respect of the passage of tramcars along the road bridge to pay to the credit of the bridge revenue on the first day of January in every year the sum of fifty pounds until the road bridge became toll free :

And whereas by the agreement made between the Corporation and the Southwick Urban District Council set forth in the First Schedule to the Act of 1900 the Corporation were required to levy tolls for the use of the road bridge and were required to apply the tolls rates charges

and revenue derived from the road bridge (inter alia) in providing the interest on any moneys raised or borrowed by the said council for the construction of the approach road to the bridge referred to in the said agreement including the costs of the said council in obtaining any Provisional Order for the acquisition of the property for the said approach road together with the amounts necessary to be paid into a sinking fund or redemption fund or the annual instalments for the repayment of the moneys so raised or borrowed and the Corporation were further required after providing for such payments as were set forth in the said agreement to set aside the surplus to form a reserve fund by investing the same in or upon any securities in or upon which the Corporation might invest their sinking funds and accumulating the same in the way of compound interest until the fund so formed amounted to ten thousand pounds and it was also provided that so soon as the road bridge became toll free the annual income of the said reserve fund should be applied in or towards the maintaining cleansing and lighting the road bridge :

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And whereas it is expedient to free the road bridge from tolls and any payments in lieu of tolls and to repeal the provisions contained in the Act of 1900 and hereinbefore referred to with regard to the taking of tolls and the provisions of the said Act relating to the application of the bridge revenue as defined in that Act and to enact the provisions contained in this Act with respect to those matters :

And whereas it is expedient that the other provisions contained in this Act should be enacted :

And whereas the purposes of this Act cannot be effected without the authority of Parliament :

And whereas in relation to the promotion of the Bill for this Act the requirements of the Borough Funds Acts 1872 and 1903 have been observed :

May it therefore please Your Majesty that it may be enacted and be it 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 (that is to say) :—

1. This Act may be cited as the Sunderland Corporation Act 1928.

Short title.

A.D. 1928.

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Interpreta-  
tion.

**2.**—(1) In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith or by the Public Health Acts 1875 to 1925 have the same respective meanings unless there be something in the subject or context repugnant to such construction.

(2) In this Act unless the subject or context otherwise requires—

“The borough” means the borough of Sunderland;

“The Corporation” means the mayor aldermen and burgesses of the borough;

“The Act of 1900” means the Sunderland Corporation Act 1900;

“The road bridge” means the lower level of the bridge authorised by the Act of 1900;

“Revenues of the Corporation” includes the revenues of the Corporation from time to time arising from any land undertakings or other property for the time being of the Corporation and the rates or contributions leviable by or on the order or precept of the Corporation.

Road bridge  
to be toll  
free.

**3.** As from the passing of this Act all rights and obligations of the Corporation to demand and take the tolls authorised by the Act of 1900 in respect of persons animals and carriages passing over along or upon the road bridge and approaches and to pay to the bridge revenue as defined by the Act of 1900 the sums in lieu of tolls required by section 30 (As to tolls &c. on any future tramway on the road bridge) of the Act of 1900 shall cease.

As to road  
bridge  
reserve  
fund.

**4.** As from the passing of this Act the Corporation shall not be required to pay any further moneys into the reserve fund formed in pursuance of the agreement set forth in the First Schedule to the Act of 1900 and the Corporation may apply any moneys in the said fund in paying off the moneys borrowed by them under the powers of the Act of 1900.

As to  
moneys  
borrowed  
under Act  
of 1900.

**5.** Nothing in this Act shall affect the obligations of the Corporation with regard to the repayment in accordance with the provisions of section 36 (Incorporation of sections of Act of 1899 as to borrowing and repayment

of moneys &c.) of the Act of 1900 of the moneys which they are authorised to borrow under the Act of 1900. A.D. 1928. —

**6.** On and after the appointed day the following provisions of the Act of 1900 shall be repealed :— Repeal of sections of Act of 1900.

Section 5 (Scheduled terms of agreement confirmed);

Section 7 (Power to provide toll-gates and toll-houses);

Section 8 (Power to take tolls);

Section 9 (Locomotives Acts 1861 and 1865 to apply to road bridge) so far as that section relates to tolls;

Section 10 (List of tolls to be exhibited on a board);

Section 11 (Tolls to be taken only whilst board exhibited);

Section 12 (Power to vary tolls);

Section 13 (Power to compound for tolls);

Section 14 (For preventing toll collectors from taking undue toll or misbehaving);

Section 15 (Penalty on evading tolls);

Section 16 (Power to stop any person refusing to pay toll);

Section 17 (For settling disputes concerning tolls);

Section 18 (Power to lease the tolls);

Section 19 (Power to determine lease of tolls);

Section 20 (Lessees making default to be removed);

Section 21 (Corporation or lessee may remove collectors and appoint temporary collectors);

Section 22 (For preventing nuisances on the road bridge);

Section 23 (Same penalties for injuries to road bridge as under Act of 24 & 25 Vict. c. 97);

Section 26 (Toll-keeper may weigh carriages &c.);

Section 28 (Exemptions from tolls);

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The words “ For fixing the tolls to be taken for the use of the road bridge ” of section 29 (Byelaws);

Section 30 (As to tolls &c. on any future tramway on the road bridge);

Section 31 (Application of the bridge revenue);

Section 32 (When road bridge to be toll free);

The First Schedule.

Power to borrow.

**7.** The Corporation may from time to time independently of any other borrowing power borrow at interest for the payment of the costs charges and expenses of this Act the sum requisite and in order to secure the repayment of the said sum and the payment of interest thereon the Corporation may mortgage or charge the revenues of the Corporation and they shall pay off all moneys so borrowed within five years from the passing of this Act which period for the purposes of this Act and of any enactment incorporated therewith or applied thereto shall be “ the prescribed period.”

Application of provisions of certain local Acts.

**8.** The following provisions of the Sunderland Corporation Act 1899 and of the Sunderland Corporation Act 1907 shall subject as regards mortgages granted under section 55 (Power to use one form of mortgage for all purposes) of the said Act of 1907 to the provisions of that section extend and apply to and for the purposes of this Act as if those provisions were with all necessary modifications re-enacted in this Act (namely) :—

The Sunderland Corporation Act 1899—

Section 59 (Provision as to mortgages);

Section 68 (Protection of lenders from inquiry);

Section 70 (Audit of accounts).

The Sunderland Corporation Act 1907—

Section 48 (Certain regulations of Public Health Act 1875 as to borrowing not to apply);

Section 49 (Mode of raising money);

Section 51 (Mode of payment off of money borrowed);

Section 52 (Sinking fund): Provided that the A.D. 1928.  
said section shall be read and have  
effect as if the words "three  
pounds ten shillings per centum  
per annum or such other rate as  
the Minister of Health may from  
time to time approve" were in-  
serted in subsection (1) (b) of that  
section instead of the words "three  
per centum per annum."

9. All the costs charges and expenses preliminary Costs of  
to and of and incidental to the preparing applying for Act.  
obtaining and passing of this Act as taxed by the taxing  
officer of the House of Lords or of the House of Commons  
shall be paid by the Corporation out of the borough fund  
and borough rate of the borough or out of moneys to be  
borrowed under this Act for that purpose.

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