



# Railways Clauses Consolidation (Scotland) Act 1845

1845 CHAPTER 33 8 and 9 Vict

*Crossing of roads, and construction of bridges*

**53 Proceedings on application to sheriff or justices to consent to level crossings of  
bridleways and footways.**

When the company shall intend to apply for the consent of the sheriff or two justices, as herein-before provided, so as to authorize them to carry the railway across any [<sup>F1</sup>road other than the carriageway of a public] road on the level, they shall, fourteen days at least previous to the time at which such application is intended to be made, cause notice of such intended application to be given in some newspaper circulating in the county, and also to be affixed upon the door of the parish church of the parish in which such crossing is intended to be made, or, if there be no such church, some other place to which notices are usually affixed; and if it appear to the sheriff, or to any two or more justices acting for the district in which [<sup>F2</sup>the proposed crossing would be situated], after such notice as aforesaid, that the railway can, consistently with a due regard to the public safety and convenience, be carried across [<sup>F3</sup>the road] on the level, it shall be lawful for such sheriff or justices to consent that the same may be so carried accordingly.

**Textual Amendments**

- F1** Words substituted by [Roads \(Scotland\) Act 1984 \(c. 54, SIF 108\)](#), s. 156(1), [Sch. 9 para. 3\(17\)\(a\)](#)  
**F2** Words substituted by [Roads \(Scotland\) Act 1984 \(c. 54, SIF 108\)](#), s. 156(1), [Sch. 9 para. 3\(17\)\(b\)](#)  
**F3** Words substituted by [Roads \(Scotland\) Act 1984 \(c. 54, SIF 108\)](#), s. 156(1), [Sch. 9 para. 3\(17\)\(c\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Railways Clauses Consolidation (Scotland) Act 1845, Section 53.