



Railways Clauses Consolidation (Scotland) Act 1845

1845 CHAPTER 33 8 and 9 Vict

Crossing of roads, and construction of bridges

39 Crossing of roads.

If the line of the railway cross [^{F1}the carriageway of any public road], then, except where otherwise provided by the special Act, either such road shall be carried over the railway, or the railway shall be carried over such road, by means of a bridge, of the height and width and with the ascent or descent by this or the special Act in that behalf provided; and such bridge, with the immediate approaches, and all other necessary works connected therewith, shall be executed and at all times thereafter maintained at the expence of the company: Provided always, that, with the consent of the sheriff or two or more justices, as after mentioned, it shall be lawful for the company to carry the railway across any [^{F2}road], other than [^{F3}the carriageway of any public] road, on the level.

Textual Amendments

- F1** Words substituted by [Roads \(Scotland\) Act 1984 \(c. 54, SIF 108\)](#), s. 156(1), **Sch. 9 para. 3(6)(a)**
F2 Word substituted by [Roads \(Scotland\) Act 1984 \(c. 54, SIF 108\)](#), s. 156(1), **Sch. 9 para. 3(6)(b)(i)**
F3 Words substituted by [Roads \(Scotland\) Act 1984 \(c. 54, SIF 108\)](#), s. 156(1), **Sch. 9 para. 3(6)(b)(ii)**

Modifications etc. (not altering text)

- C1** S. 39 modified by [Transport Act 1968 \(c. 73\)](#), s. 117(6)

Changes to legislation:

There are currently no known outstanding effects for the Railways Clauses Consolidation (Scotland) Act 1845, Section 39.