



# Highway (Railway Crossings) Act 1839

## 1839 CHAPTER 45 2 and 3 Vict

An Act to amend an Act of the Fifth and Sixth Years of the Reign of His late Majesty King William the Fourth relating to Highways. [17th August 1839]

### Modifications etc. (not altering text)

- C1** Short Title given by [Short Titles Act 1896 \(c. 14\)](#)
- C2** Preamble (which recites [Highways Act 1835 \(c. 50\)](#), **ss. 71, 113**) omitted under authority of [Statute Law Revision \(No. 2\) Act 1890 \(c. 51\)](#)
- C3** Act excluded by [Light Railways Act 1896 \(c. 48\)](#), s. 12, **Sch. 2**
- C4** Act excluded (29.4.1992) by S.I. 1992/1113, **art. 3(3)**
- C5** Act excluded (21.5.1992) by S.I. 1992/1267, **art. 4(2)**  
Act excluded (22.6.1993) by S.I. 1993/1607, **art. 3(3)** (with arts. 8, 12(2), 13, 14)  
Act excluded (29.6.1993) by S.I. 1993/1651, **art. 3(2)** (with arts. 6, 8, 9, 10(2))  
Act excluded (27.7.1993) by 1993 c. xv, **s. 3(3)**  
Act excluded (1.9.1993) by S.I. 1993/2154, **art. 3(2)** (with arts. 5, 7, 9(6), 10)
- C6** Act amended (2.2.1994) by virtue of 1993 c. 43, **ss. 117(1)(6), 150(1)(e)** (with S.I. 1990/1380, **arts. 3, 4**); S.I. 1994/202, **art. 2**
- C7** Act: power to repeal or modify conferred by 1974 c. 37, **s. 15** (as amended (2.2.1994) by 1993 c. 43, **ss. 117(1)(6), 150(1)(e)**; S.I. 1994/202, **art. 2**) and (2.2.1994) by 1993 c. 43, **ss. 117(4)(6), 150(1)(e)**; S.I. 1994/202, **art. 2**
- C8** Act excluded (24.3.1994) by 1994 c. ii, s. 1, **Sch. Pt. II para. 5(3)(b)**  
Act excluded (31.3.1994) by 1994 c. iv, **Pt. II**, s. 15(3) (with s. 28)  
Act excluded (21.7.1994) by 1994 c. xi, **s. 3(3)**  
Act excluded (21.7.1994) by 1994 c. xv, **s. 3(4)**  
Act excluded (18.12.1996) by 1996 c. 61, s. 20, **Sch. 9 Pt. II para. 3**  
Act excluded (27.12.1995) by S.I. 1995/3188, **art. 2(2)**  
Act excluded (11.11.1996) by S.I. 1996/2714, **art. 3(6)**  
Act excluded (21.5.1997) by S.I. 1997/1266, **art. 3(6)**  
Act excluded (27.8.1998) by S.I. 1998/1936, **art. 3(6)**  
Act excluded (30.4.1999) by S.I. 1999/1306, **art. 3(4)**  
Act excluded (21.7.1999) by S.I. 1999/2129, **art. 3(5)**  
Act excluded (21.7.1999) by S.I. 1999/2382, **art. 4(1)**  
Act excluded (24.7.2001) by S.I. 2001/3627, **art. 3(2)(3)**

*Status: Point in time view as at 10/05/1997.*

*Changes to legislation: There are currently no known outstanding effects for the Highway (Railway Crossings) Act 1839. (See end of Document for details)*

**Commencement Information**

- I1** Act wholly in force at 30.9.1839 by s. 3 (now repealed)

**1 Proprietors of Railroad to maintain Gates where any Railroad crosses the Highway, &c.**

Wherever a railroad crosses or shall hereafter cross [<sup>F1</sup>any turnpike road or any highway or statute labour road for carts or carriages in Great Britain][<sup>F1</sup>the carriageway of a public road (within the meaning of the Roads (Scotland) Act 1984)], the proprietors or directors of the company of proprietors of the said railroad shall make and maintain good and sufficient gates across each end of such [<sup>F2</sup>turnpike or other road as aforesaid][<sup>F2</sup>carriageway] at each of the said crossings, and shall employ good and proper persons to open and shut such gates, so that the persons, carts, or carriages passing along such [<sup>F3</sup>turnpike or highway][<sup>F3</sup>carriageway] shall not be exposed to any danger or damage by the passing of any carriages or engines along the said railroad;

<sup>F4</sup> . . .

**Textual Amendments**

- F1** Words commencing “the carriageway...” substituted (S.) for words commencing “any turnpike road...” by Roads (Scotland) Act 1984 (c. 54, SIF 108), s. 156(1), **Sch. 9 para. 1(a)**
- F2** Word “carriageway” substituted (S.) for words commencing “turnpike or other road...” by Roads (Scotland) Act 1984 (c. 54, SIF 108), s. 156(1), **Sch. 9 para. 1(b)**
- F3** Word “carriageway” substituted (S.) for “turnpike or highway” by Roads (Scotland) Act 1984 (c. 54, SIF 108), s. 156(1), **Sch. 9 para. 1(b)**
- F4** Words in s. 1 repealed (10.5.1997) by S.I. 1997/553, reg. 12(1), **Sch. Pt. I**

<sup>F5</sup>2 . . . . .

**Textual Amendments**

- F5** S. 2 repealed (10.5.1997) by S.I. 1997/553, reg. 12(1), **Sch. Pt. I**

<sup>F6</sup>3 . . . . .

**Textual Amendments**

- F6** S. 3 repealed by Statute Law Revision (No. 2) Act 1874 (c. 96)

**Status:**

Point in time view as at 10/05/1997.

**Changes to legislation:**

There are currently no known outstanding effects for the Highway (Railway Crossings) Act 1839.