



Railways Clauses Act 1863

1863 CHAPTER 92

PART I

CONSTRUCTION OF A RAILWAY

Level Crossings

5 Trains not to be shunted over level Crossings.

Where the Company is authorized by the Special Act to carry the Railway across a Turnpike Road or Public Carriageroad on a Level, it shall not be lawful for the Company in shunting Trains to pass any Train over the Level Crossing, or at any Time to allow any Train, Engine, Carriage, or Truck to stand across the same.

6 Company to erect Lodge at Point of Crossing.

For the greater Convenience and Security of the Public, the Company shall erect and permanently maintain a Lodge at the Point where the Railway crosses on the Level the Turnpike Road or Public Carriage Road ; and the Company shall be subject to and shall abide by all such Regulations with regard to the crossing thereof on the Level, or with regard to the Speed at which Trains may pass the level Crossing, as may from Time to Time be made by the Board of

If the Company fails to erect, or to maintain, such Lodge, or to appoint or keep a proper Person to watch or superintend the level Crossing, or to observe or abide by any such Regulation as aforesaid, they shall for every such Offence be liable to a Penalty not exceeding-Twenty Pounds, and also to a Penalty of Ten Pounds for every Day during which the Offence continues after the Penalty of Twenty Pounds is incurred.

7 Board of Trade may require Bridge instead of level Crossing.

The Board of Trade may, if it appears to them necessary for the Public Safety, at any Time after the passing of the Special Act, require the Company, within such Time as the Board of Trade directs, and at the Expense of the Company, to carry the Turnpike

Status: This is the original version (as it was originally enacted).

Road or Public Carriageroad either under or over the Railway by means of a Bridge or Arch, instead of crossing the same on the Level, or to execute such other Works as, under the Circumstances of the Case, may appear to the Board of Trade best adapted for removing or diminishing the Danger arising from the level Crossing.

Where the Road is so carried either under or over the Railway, it shall not be necessary for the Company to erect or maintain a Lodge at the Point where the Road is crossed, or to appoint a Person to watch or superintend the Crossing thereat, nor shall they be liable to any Penalty for Failure so to do.

8 Power to Company to take additional Land for such Work.

If the Board of Trade certifies that the Public Safety requires that additional Lands be taken by the Company for the Purpose of the Work directed by the Board of Trade to be executed, the Company may, subject to the Provisions of The Lands Clauses Consolidation Act, 1845, or The Lands Clauses Consolidation (*Scotland*) Act, 1845, as the case may require, enter upon, take, and use, all or any Part of the Lands specified in the Certificate of the Board of Trade as being necessary for the Purpose of the Work; and the Board of Trade before issuing the Certificate shall cause at least Three Months Notice to be given to any Person who may be entitled to claim under the last-mentioned Acts, or otherwise, Compensation in respect of the taking of such Lands or in respect of such Work.