



# Railways Clauses Consolidation (Scotland) Act 1845

## 1845 CHAPTER 33

### *Branch Railways*

#### **LXIX Power to Parties to make private Branch Rail, ways communicating with the Railway.**

And be it enacted, That this or the special Act shall not prevent the Owners or Occupiers of Lands adjoining to the Railway, or any other Persons, from laying down, either upon their own Lands or upon the Lands of other Persons, with the Consent of such Persons, any collateral Branches of Railway to communicate with the Railway, for the Purpose of bringing Carriages to or from or upon the Railway, but under and subject to the Provisions and Restrictions of an Act passed in the Sixth Year of the Reign of Her present Majesty, intituled *An Act for the better Regulation of Railways, and for the Conveyance of Troops*; and the Company shall, if required, at the Expence of such Owners and Occupiers and other Persons, and subject also to the Provisions of the said last-mentioned Act, make Openings in the Rails, and such additional Lines of Rail as may be necessary for effecting such Communication, in Places where the Communication can be made with Safety to the Public, and without Injury to the Railway, and without Inconvenience to the Traffic thereon; and the Company shall not take any Rate or Toll or other Monies for the passing of any Passengers, Goods, or other Things along any Branch so to be made by any such Owner or Occupier or other Person; but this Enactment shall be subject to the following Restrictions and Conditions ; (that is to say,)

#### **Restrictions and Conditions.**

No such Branch Railway shall run parallel to the Railway :

The Company shall not be bound to make any such Openings in any Place which they shall have set apart for any specific Purpose with which such Communication would interfere, nor upon any Inclined Plane or Bridge, nor in any Tunnel :

The Persons making or using such Branch Railways shall be subject to all Bye Laws and Regulations of the Company from Time to Time made with respect to passing upon or crossing the Railway, and otherwise; and the Persons making or using such Branch

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**Status:** *This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

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Railways shall be bound to construct, and from Time to Time, as Need may require, to renew, the offset Plates and Switches according to the most approved Plan adopted by the Company, and under the Direction of their Engineer.