



Highway Act 1835

1835 CHAPTER 50

LXXVII Drivers of Waggons or Carts not to ride thereon unless some other Person guide them. Drivers causing Hurt or Damage to others, or quitting the Road, or driving Carriage without Owner's Name, or not keeping the Left or Near Side, or interrupting free Passage, if not the Owner to forfeit 20s. ; if he be the Owner, 40s. Proceeding if Driver will not discover his Name.

And be it further enacted, That if the Driver of any Waggon, Cart, or other Carriage of any Kind shall ride upon any such Carriage, or upon any Horse or Horses drawing the same, on any Highway, not having some other Person on Foot or on Horseback to guide the same (such Carriages and Carts as are driven with Reins, and are conducted by some Person holding the Reins of all the Horses drawing the same, excepted) ; or if the Driver of any Carriage whatsoever on any Part of any Highway shall by Negligence or wilful Misbehaviour cause any Hurt or Damage to any Person, Horse, Cattle, or Goods conveyed in any Carriage passing or being upon such Highway, or shall quit the same and go on the other Side of the Hedge or Fence inclosing the same, or negligently or wilfully be at such Distance from such Carriage or in such a Situation whilst it shall be passing upon such Highway that he cannot have the Direction and Government of the Horses or Cattle drawing the same, or shall leave any Cart or Carriage on such Highway so as to obstruct the Passage thereof; or if any Person shall drive or act as the Driver of any Waggon, Cart, or other such Carriage not having the Owner's Name as hereby required painted and remaining legible thereon, and shall refuse to tell or to discover the true Christian and Surname of the Owner or principal Owners of such Waggon, Cart, or Carriage; or if the Driver of any Waggon, Cart, or other Carriage whatsoever, or of any Horses, Mules, or other Beast of Draught or Burthen, meeting any other Waggon, Cart, or other Carriage, or Horses, Mules, or other Beasts of Burthen, shall not keep his Waggon, Cart, or Carriage, or Horses, Mules, or other Beasts of Burthen, on the Left or Near Side of the Road; or if any Person shall in any Manner wilfully prevent any other Person from passing him, or any Waggon, Cart, or other Carriage, or Horses, Mules, or other Beasts of Burthen, under his Care, upon such Highway, or by Negligence or Misbehaviour prevent, hinder, or interrupt the free Passage of any Person, Waggon, Cart, or other Carriage, or Horses, Mules, or other Beasts of Burthen, on any Highway, or shall not keep his Waggon, Cart, or other Carriage, or Horses, Mules, or other Beasts of Burthen, on the Left or Near Side of the Road, for the Purpose of allowing such Passage; or if any Person riding any Horse

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or Beast, or driving any Sort of Carriage, shall ride or drive the same furiously so as to endanger the Life or Limb of any Passenger; every Person so offending in any of the Cases aforesaid, and being convicted of any such Offence, either by his own Confession, the View of a Justice, or by the Oath of One or more credible Witnesses, before any Two Justices of the Peace, shall, in addition to any Civil Action to which he may make himself liable, for every such Offence forfeit any Sum not exceeding Five Pounds in case such Driver shall not be the Owner of such Waggon, Cart, or other Carriage, and in case the Offender be the Owner of such Waggon, Cart, or other Carriage, then any Sum not exceeding Ten Pounds, and in either of the said Cases shall, in default of Payment, be committed to the Common Gaol or House of Correction, there to be kept to hard Labour, for any Time not exceeding Six Weeks, unless such Forfeiture shall be sooner paid ; and every such Driver offending in either of the said Cases shall and may by the Authority of this Act, with or without any Warrant, be apprehended by any Person who shall see such Offence committed, and shall be conveyed before any Justice of the Peace, to be dealt with according to Law; and if any such Driver in any of the Cases aforesaid shall refuse to discover his Name, it shall and may be lawful for the said Justice of the Peace before whom he shall be taken, or to whom any such Complaint shall be made, to commit him to the Common Gaol or House of Correction, there to be kept to hard Labour, for any Time not exceeding Three Months, or to proceed against him for the Penalty aforesaid by a Description of his Person and the Offence only, without adding any Name or Designation, but expressing in the Proceedings that he refused to discover his Name.