



Highway Act 1835

1835 CHAPTER 50 5 and 6 Will 4

An Act to consolidate and amend the laws relating to highways in . . .
F1

England.

[31st August 1835]

Annotations:

Amendments (Textual)

F1 Words repealed by [Statute Law Revision Act 1948 \(c. 62\), s. 4\(b\)](#)

Modifications etc. (not altering text)

- C1 Short title “The Highway Act 1835” given by Short Titles Act 1896(c.14)
- C2 Meaning of “carriage” extended by Local Government Act 1888(c. 41, SIF 81:1), s. 85(1)
- C3 Preamble omitted under authority of Statute Law Revision (No. 2) Act 1890(c. 51)

1—4. F2

Annotations:

Amendments (Textual)

F2 Ss. 1—4 repealed by [Statute Law Revision Act 1874 \(c. 35\)](#)

5 Interpretation clause.

. F3 In the construction of this Act F3 the word “highways” shall be understood to mean all roads, bridges . . . F4, carriageways, cartways, horseways, bridleways, footways, causeways, churchways, and pavements; . . . F3

Changes to legislation: There are currently no known outstanding effects for the Highway Act 1835. (See end of Document for details)

Annotations:

Amendments (Textual)

- F3 S. 5 repealed (with the exception of the definition of “highways”) by Statute Law (Repeals) Act 1989 (c. 43), s. 1(1), **Sch. 1 Pt. X**
- F4 Words repealed by Statute Law (Repeals) Act 1989 (c. 43), s. 1(1), **Sch. 1 Pt. X**

6—18. F5

Annotations:

Amendments (Textual)

- F5 Ss. 6–18 repealed by Local Government Act 1933 (c. 51), Sch. 11

19— F6
21.

Annotations:

Amendments (Textual)

- F6 Ss. 19–21, 23–26 repealed by Highways Act 1959 (c. 25), **Sch. 25** and London Government Act 1963 (c. 33, SIF 81:1), s. 16(2), **Sch. 6 para. 70**

22 F7

Annotations:

Amendments (Textual)

- F7 S. 22 repealed by Statute Law (Repeals) Act 1989 (c. 43), s. 1(1), **Sch. 1 Pt. X**

23— F8
26.

Annotations:

Amendments (Textual)

- F8 Ss. 19–21, 23–26 repealed by Highways Act 1959 (c. 25), **Sch. 25** and London Government Act 1963 (c. 33, SIF 81:1), s. 16(2), **Sch. 6 para. 70**

27 F9

Changes to legislation: There are currently no known outstanding effects for the Highway Act 1835. (See end of Document for details)

Annotations:

Amendments (Textual)

F9 S. 27 repealed by [General Rate Act 1967 \(c. 9, SIF 103:1\)](#), **Sch. 14**

28, 29. **F10**

Annotations:

Amendments (Textual)

F10 Ss. 28, 29 repealed by [Rating and Valuation Act 1925 \(c. 90, SIF 103:1\)](#), **Sch. 8**

30 **F11**

Annotations:

Amendments (Textual)

F11 S. 30 repealed by [Highway Rate Assessment and Expenditure Act 1882 \(c. 27\)](#), **s.3**

31, 32. **F12**

Annotations:

Amendments (Textual)

F12 Ss. 31, 32 repealed by [Rating and Valuation Act 1925 \(c. 90, SIF 103:1\)](#), **Sch. 8**

33 **F13**

Annotations:

Amendments (Textual)

F13 S. 33 repealed by [General Rate Act 1967 \(c. 9, SIF 103:1\)](#), **Sch. 14**

34 **F14**

Annotations:

Amendments (Textual)

F14 S. 34 repealed by [Rating and Valuation Act 1925 \(c. 90, SIF 103:1\)](#), **Sch. 8**

Changes to legislation: There are currently no known outstanding effects for the Highway Act 1835. (See end of Document for details)

35 F15

Annotations:

Amendments (Textual)

F15 S. 35 repealed by [Highways Act 1959 \(c. 25\)](#), [Sch. 25](#) and [London Government Act 1963 \(c. 33, SIF 81:1\)](#), s. 16(2), [Sch. 6 para. 70](#)

36— F16
40.

Annotations:

Amendments (Textual)

F16 Ss. 36–40 repealed by [Rating and Valuation Act 1925 \(c. 90, SIF 103:1\)](#), [Sch. 8](#)

41 F17

Annotations:

Amendments (Textual)

F17 S. 41 repealed by [Highways Act 1959 \(c. 25\)](#), [Sch. 25](#) and [London Government Act 1963 \(c. 33, SIF 81:1\)](#), s. 16(2), [Sch. 6 para. 70](#)

42, 43. F18

Annotations:

Amendments (Textual)

F18 Ss. 42, 43 repealed by [Statute Law Revision Act 1950 \(c. 6\)](#)

44 F19

Annotations:

Amendments (Textual)

F19 S. 44 repealed by [Highways and Locomotives \(Amendment\) Act 1878 \(c. 77, SIF 59\)](#), s. 9

45 F20

Changes to legislation: There are currently no known outstanding effects for the Highway Act 1835. (See end of Document for details)

Annotations:

Amendments (Textual)

F20 S. 45 repealed by Highways Act 1959 (c. 25), **Sch. 25** and London Government Act 1963 (c. 33, SIF 81:1), s. 16(2), **Sch. 6 para. 70**

46 **F21**

Annotations:

Amendments (Textual)

F21 S. 46 repealed by Local Government Act 1933 (c. 51), **Sch. 11**

47 **F22**

Annotations:

Amendments (Textual)

F22 S. 47 repealed by Highways Act 1959 (c. 25), **Sch. 25** and London Government Act 1963 (c. 33, SIF 81:1), c. 16(2), Sch. 6 Para. 70

48 **F23**

Annotations:

Amendments (Textual)

F23 S. 48 repealed by Local Government Act 1933 (c. 51), **Sch. 11**

49 **F24**

Annotations:

Amendments (Textual)

F24 S. 49 repealed by Highways Act 1959 (c. 25), **Sch. 25** and London Government Act 1963 (c. 33, SIF 81:1), s. 16(2), **Sch. 6 para. 70**

50 **F25**

Annotations:

Amendments (Textual)

F25 S. 50 repealed by Statute Law (Repeals) Act 1973 (c. 39), **Sch. 1 Pt. VI**

Changes to legislation: There are currently no known outstanding effects for the Highway Act 1835. (See end of Document for details)

51— F26
70.

Annotations:

Amendments (Textual)

F26 Ss. 51–70 repealed by [Highways Act 1959 \(c. 25\)](#), [Sch. 25](#) and [London Government Act 1963 \(c. 33, SIF 81:1\)](#), s. 16(2), [Sch. 6 para 70](#)

71 F27

Annotations:

Amendments (Textual)

F27 S. 71 repealed by [Statute Law Revision Act 1874 \(c. 35\)](#)

72 Penalty on persons committing nuisances by riding on footpaths, &c.

..... F28 If any person shall wilfully ride upon any footpath or causeway by the side of any road made or set apart for the use or accommodation of foot passengers; or shall wilfully lead or drive any horse, ass, sheep, mule, swine, or cattle or carriage of any description, or any truck or sledge, upon any such footpath or causeway; or shall tether any horse, ass, mule, swine, or cattle, on any highway, so as to suffer or permit the tethered animal to be thereon; F29; every person so offending in any of the cases aforesaid shall for each and every such offence forfeit and pay any sum not exceeding [F30level 2 on the standard scale], over and above the damages occasioned thereby.

Annotations:

Amendments (Textual)

F28 Words repealed by [Statute Law Revision \(No. 2\) Act 1888 \(c. 57\)](#), s. 1, [Sch.](#)

F29 Words repealed by [Highways Act 1959 \(c. 25\)](#), [Sch. 25](#) and [London Government Act 1963 \(c. 33, SIF 81:1\)](#), s. 16(2), [Sch. 6 para. 70](#)

F30 Words substituted by virtue of [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), ss. 39, 46, [Sch. 3](#)

73 F31

Annotations:

Amendments (Textual)

F31 S. 73 repealed by [Highways Act 1959 \(c. 25\)](#), [Sch. 25](#) and [London Government Act 1963 \(c. 33, SIF 81:1\)](#), s. 16(2), [Sch. 6 para. 70](#)

74 F32

Changes to legislation: There are currently no known outstanding effects for the Highway Act 1835. (See end of Document for details)

Annotations:

Amendments (Textual)

F32 S. 74 repealed by [Highways Act 1864 \(c. 101\)](#), s. 25

75 ^{F33}

Annotations:

Amendments (Textual)

F33 S. 75 repealed by [Highways Act 1959 \(c. 25\)](#), [Sch. 25](#) and [London Government Act 1963 \(c. 33\)](#), SIF 81:1, s. 16(2), [Sch. 6 para. 70](#)

76 ^{F34}

Annotations:

Amendments (Textual)

F34 S. 76 repealed by [Statute Law \(Repeals\) Act 1973 \(c. 39\)](#), [Sch. 1 Pt. VI](#)

77 ^{F35}

Annotations:

Amendments (Textual)

F35 S. 77 repealed by [Statute Law \(Repeals\) Act 1975 \(c. 10\)](#), [Sch. Pt. X](#)

78 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.

... ^{F36} 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; ... ^{F37}; 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,

Changes to legislation: There are currently no known outstanding effects for the Highway Act 1835. (See end of Document for details)

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 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 [^{F36}level 1 on the standard scale], . . .

Annotations:

Amendments (Textual)

F36 Words repealed as provided by [Statute Law \(Repeals\) Act 1989 \(c. 43\), s. 1\(1\), Sch. 1 Pt. X](#)

F37 Words repealed by [Statute Law \(Repeals\) Act 1973 \(c. 39\), Sch. 1 Pt. VI](#)

F38 Words substituted by virtue of [Criminal Justice Act 1967 \(c. 80, SIF 39:1\), Sch. 3 Pt. I](#) and [Criminal Justice Act 1982 \(c. 38, SIF 39:1\), ss. 38, 46](#)

79— ^{F39}
96.

Annotations:

Amendments (Textual)

F39 Ss. 79–96 repealed by [Highways Act 1959 \(c. 25\), Sch. 25](#) and [London Government Act 1963 \(c. 33, SIF 81:1\), s. 16\(2\), Sch. 6 para. 70](#)

97 ^{F40}

Annotations:

Amendments (Textual)

F40 S. 97 repealed by [Summary Jurisdiction Act 1884 \(c. 43\), s. 4](#)

98 ^{F41}

Annotations:

Amendments (Textual)

F41 S. 98 repealed by [Costs in Criminal Cases Act 1908 \(c. 15\), Sch.](#)

Changes to legislation: There are currently no known outstanding effects for the Highway Act 1835. (See end of Document for details)

99 F42

Annotations:

Amendments (Textual)

F42 S. 99 repealed by Highways Act 1959 (c. 25), Sch. 25 and London Government Act 1963 (c. 33, SIF 81:1), s. 16(2), Sch. 6 para. 70

100 F43

Annotations:

Amendments (Textual)

F43 S. 100 repealed by Statute Law Revision Act 1874 (c. 35)

101, F44
102.

Annotations:

Amendments (Textual)

F44 Ss. 101, 102 repealed by Summary Jurisdiction Act 1884 (c. 43), s. 4

103 F45

Annotations:

Amendments (Textual)

F45 S. 103 repealed by Statute Law (Repeals) Act 1975 (c. 10), Sch. Pt. X

104 F46

Annotations:

Amendments (Textual)

F46 S. 104 repealed by Summary Jurisdiction Act 1884 (c. 43), Sch.

105— F47
108.

Changes to legislation: There are currently no known outstanding effects for the Highway Act 1835. (See end of Document for details)

Annotations:

Amendments (Textual)

F47 Ss. 105–108 repealed by Courts Act 1971 (c. 23), **Sch. 11 Pt. IV**

109 **F48**

Annotations:

Amendments (Textual)

F48 S. 109 repealed by Public Authorities Protection Act 1893 (c. 61), **Sch.**

110 **F49**

Annotations:

Amendments (Textual)

F49 S. 110 repealed by Statute Law (Repeals) Act 1975 (c. 10), **Sch. Pt. X**

111 **F50**

Annotations:

Amendments (Textual)

F50 Ss. 111, 113 repealed by Highways Act 1959 (c. 25), **Sch. 25** and London Government Act 1963 (c. 33, SIF 81:1), s. 16(2), **Sch. 6 para. 70**

112 **F51**

Annotations:

Amendments (Textual)

F51 S. 112 repealed by Statute Law (Repeals) Act 1989 (c. 43), s. 1(1), **Sch. 1 Pt. X**

113 **F52**

Annotations:

Amendments (Textual)

F52 Ss. 111, 113 repealed by Highways Act 1959 (c. 25), **Sch. 25** and London Government Act 1963 (c. 33, SIF 81:1), s. 16(2), **Sch. 6 para. 70**

Changes to legislation: There are currently no known outstanding effects for the Highway Act 1835. (See end of Document for details)

114, **F53**
115.

Annotations:

Amendments (Textual)

F53 Ss. 114, 115 repealed by [Statute Law \(Repeals\) Act 1975 \(c. 10\)](#) Sch. Pt. X

116 **F54**

Annotations:

Amendments (Textual)

F54 S. 116 repealed by [Highways Act 1959 \(c. 25\)](#), **Sch. 25**

117, **F55**
118.

Annotations:

Amendments (Textual)

F55 Ss. 117, 118 repealed by [Highways Act 1959 \(c. 25\)](#), **Sch. 25** and [London Government Act 1963 \(c. 33, SIF 81:1\)](#), s. 16(2), **Sch. 6 para. 70**

119 **F56**

Annotations:

Amendments (Textual)

F56 S. 119 repealed by [Statute Law Revision \(No. 2\) Act 1888 \(c. 57\)](#)

120 **F57**

Annotations:

Amendments (Textual)

F57 S. 120 repealed by [Statute Law Revision Act 1874 \(c. 35\)](#)

Changes to legislation: There are currently no known outstanding effects for the Highway Act 1835. (See end of Document for details)

F58F58 SCHEDULE

Annotations:

Amendments (Textual)

F58 Sch. repealed by [Highways Act 1959 \(c. 25\)](#), [Sch. 25](#) and [London Government Act 1963 \(c. 33, SIF 81:1\)](#), s. 16(2), [Sch. 6 para. 70](#)

.....
F58

Changes to legislation:

There are currently no known outstanding effects for the Highway Act 1835.