



# Highway Act 1835

1835 CHAPTER 50 5 and 6 Will 4

**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.**

. . . <sup>F1</sup> 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; . . . <sup>F2</sup>; 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 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 [<sup>F3</sup>level 1 on the standard scale], . . . <sup>F1</sup>

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**Changes to legislation:** There are currently no known outstanding effects for the Highway Act 1835, Section 78. (See end of Document for details)

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#### Textual Amendments

- F1** Words repealed as provided by Statute Law (Repeals) Act 1989 (c. 43), s. 1(1), **Sch. 1 Pt. X**
- F2** Words repealed by Statute Law (Repeals) Act 1973 (c. 39), **Sch. 1 Pt. VI**
- F3** 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**

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There are currently no known outstanding effects for the Highway Act 1835, Section 78.