

### RIGHT OF WAY FOR AUTOMOBILES.

**P**ROPOSALS on the part of the New York Board of Aldermen to impose certain restrictions upon pedestrians have evoked somewhat heated editorials in the daily press on the divine right of the wayfarer to walk where he pleases. As the matter has some practical interest for physicians who use automobiles, it might be profitable to consider the subject from the point of view of the man who drives. It may be safely premised that a large part of traffic accidents to pedestrians—we may guess at a third—is the result of utter carelessness upon their own part usually occasioned by their sudden determination to step from the curb without due consideration of what may be coming. We do not here consider children, who can hardly be regarded as responsible, but adults, some even being men. Every driver can testify that but for his watchfulness the number would be infinitely greater. In the metropolitan district the automobilist is regarded as an outlaw; it is true he pays to the State

a tax varying with the horsepower of his engine, which is supposed to insure him certain privileges, notable among them being a picturesque and striking license tag; in addition he is permitted to regard his automobile as a personal asset taxable under the Federal Income Law, and in return for these special taxes he is rigidly restricted by law to certain rates of speed and to certain fixed courses (many of which he must recognize by intuition) and, when all is said and done, in the event of an accident the sympathy of the jury is invariably with the pedestrian; and unless the automobilist has protected himself with an expensive liability insurance, he must pay out of his own pocket for defending himself even though he is known to be in the right. Indeed so clearly is this recognized that the average man who has had an accident that is clearly not his fault is more than ready to pay reasonable blackmail in return for a release that will save his going to court.

On the other side of the picture the pedestrian has certain spaces set aside for his exclusive use for which, unless he be a property owner, he pays nothing. He has the right of way at definite crossings, also without expense. He may enter upon and leave trolley cars with security and he claims the right for himself and his children to utilize the entire street, not only for legitimate travel but for games of all sorts, for roller skating, or for any other purpose that suits his fancy. It is perfectly proper, in a land where a man's personal liberty is recognized, for him to do as he pleases in regard to crossing streets—if he pleases he may cross the railroad tracks at his personal peril—but why should the driver of a vehicle using ordinary precaution and threatened by all manner of ordinances restricting his movements be less free and burdened with greater responsibility than the pedestrian who pays nothing and is unhampered by law? If it is fair to hold a driver of a vehicle to certain restrictions, it is equally fair that the pedestrian should also be made responsible for his own movements. If he chooses to dash across a roadway in front of an approaching car, at least it should be made evident that by that act he puts himself outside the protection of the law. The maudlin babble that is constantly being poured forth in behalf of the downtrodden wayfarer is a form of sentimentality calculated only to get votes. It is time that the rights of the drivers of vehicles should be recognized and that a definite responsibility should be placed upon the pedestrian so that in the event of accident there shall be no doubtful question of blame with the preponderance of sympathy against the man on the box in favor of the man in the street. Berlin and some other European cities have adopted a traffic rule requiring a pedestrian about to cross a street anywhere between intersecting streets to face squarely and proceed at right angles to the curb. If he neglects this precaution he must assume the responsibility for accident. It seems an excellent rule and deserves a trial.

H. G. W.