

CANNOT WEAR BRACES £1000 Damages

Claim

MELBOURNE, Tuesday.

Claiming £1000 damages from A. P. Obank of Soudan Street, Coburg, for alleged negligence in the driving of a motor car in Brunswick Road, West Brunswick, on January 18 last, Victor Morris Letman, of Wallace St., West Brunswick, laborer and rigger, told Judge Wasley and a jury in the County Court today that as the result of the accident in which he was hurled off his bicycle, he could no longer wear braces, had difficulty in putting on his own coat, and was unable to swing his pick as he once done.

Obank in defence, denied negligence and alleged contributory negligence, including failure to give way to a vehicle approaching on his right hand side.

Opening Letman's case, Mr. H. A. Winneke told the court that Letman, who was 50 years of age, was riding his bicycle slowly along Brunswick Road on the morning of a bright summer day when a car driven by Obank, travelling at high speed, struck him in the back and hurled him

struck him in the back and hurled him into a gutter.

Letman had not recovered consciousness until the next day, Mr. Winneke continued, when he found himself in the Royal Melbourne Hospital. He remained a fortnight there, spent a month at the Caulfield Convalescent Hospital, and for several months was an out-patient. Both shoulders had been fractured and doctors who had attended him would say that the movements of both arms would be permanently restricted. In addition several ribs had been crushed and he had suffered from concussion and shock.

For nearly six months after the accident, Mr. Winneke said, Letman had been unable to earn anything, but was now capable of light laboring work.

Mr. J. V. Barry, who appeared for Obank, said it was his intention to put it that any reasonable man would have given way to the man on the right.

Judge Wasley remarked that he certainly intended to inform the jury that the new traffic code had not come into operation at the date of this accident.

The case is partly heard.