

constructing or maintaining a golf course which owners and operators ought to bear in mind. There may be a legal hazard in the location chosen for the enterprise.

For instance, in laying out and establishing the Hillcrest golf course in the state of New York, the club placed its links along a busy highway where high speed traffic surged to and fro. It was separated from the thoroughfare only by a solid 6-ft. board fence.

One day a player whammed his ball in such manner from the fairway that it went sizzling over the fence and into the highway. Fate was at that instant rocketing an automobile along the road at nearly a mile a minute. The golf ball struck squarely against the windshield, shattering broken glass into the faces of the driver and another riding beside him, with horrible effect.

Rule Against Clubs

Courts and juries make field days of cases like that. The owners of the golf course were saddled with very heavy damages at the suit of the injured autoists. The court ruled that the owners were legally liable for damages upon either of two grounds: they permitted play on links too close to a public highway; and they were maintaining a nuisance dangerous to public safety.

There is no doubt that courts will penalize operators of golf courses in damages in favor of injured players whenever their acts of omission or commission can be reasonably found the moving cause of the casualties. This legalism is most frequently demonstrated in occurrences wherein the owners or operators are charged with responsibility for hurts which were actually inflicted by players using their courses.

The Alicia golf course at Memphis, Tenn., which charged a fee for the use of its links, employed a starter who went from place to place on the course to direct players when to shoot. Upon one occasion, a starter negligently had a player drive from a tee while a previous player from that tee was yet within striking distance and in full position where he was likely to be hit. He was in fact hit in the eye by the player whom the starter had negligently directed to drive without taking into consideration the previous player. Judgment was lodged against the golf course for that remissness. The starter was its agent. It was legally responsible for its agent's act. The law regarded it as only fair that it should stand back of whatever its agent did in the course of his employment.

Safety Rule Obligation

Another obligation of golf courses to its

players has been stated to be: "It is the duty of the owner of a golf course to exercise ordinary care in promulgating reasonable rules for the protection of persons who rightfully use its course, and in seeing that the rules are enforced." The owner, however, to indulge a repetition, is not an insurer, which means that it is not financially liable for mishaps, accidents, and misadventures on its course not due to its negligence or the negligence of its employees.

The Starmount golf course in Guilford county, N.C., adopted a rule that where two or more matches were going at the same time, the front match should be allowed at least two drives by those immediately following in order that the hazard of striking any forward player with a driven ball might be lessened or eliminated. Players on the course were familiar with the rule and the management employed rangers to enforce it and to supervise the course. The rangers became careless in time and often when they were needed they were in the wrong place.

Upon one occasion a twosome and a threesome were in play. The threesome was behind. One player in this match forgot the rule of the course and no ranger was on hand to remind him. He recklessly teed off prematurely without allowing a player in the twosome to move far enough from the tee for safety. The driver gave the ball a terrific whack, and it zoomed straight for the doomed player of the twosome. It struck him on the knee, the upshot of the injury being that he was made a cripple for life.

Thereafter nature took its course, which led directly into a court of law. The injured man demanded financial atonement from the golf course owners as well as from the player in the threesome who had negligently teed off. And he got it—from both. The golf course, said the court, was remiss in its duty to players for whose benefit it had made a reasonable rule. It had failed to have its rangers on hand to enforce the rule. Through that neglect and remissness, a player had been grievously hurt.

Cornell U Turf Conference March 18-19

Plans are being made for turf conference at Cornell University, Ithaca, N.Y., March 18-19. John F. Cornman, asst. prof., N.Y. State College of Agriculture, is arranging the program which will be presented primarily to golf course supts. but will provide valuable material for all interested in turf development. The conference at Cornell is being planned to initiate an active and aggressive program of turf research and education for New York state.