

Supt. Entitled to Same Warning As Caddie, Player

By WILLIAM JABINE

A Delaware case involved a supt. who was watering the first green of a course on which he had been employed for about five years. He was hit by an approach shot played from about 80 or 90 yards from the green, the ball hitting his cheekbone and causing a painful injury.

Testimony showed that he was watering the green at about 6:45 p.m. on a summer day. When he saw some players approaching, he pulled the hose off the green to a point on the opposite apron about seven yards from the pin. While standing there he was hit by the nine iron shot played by the defendant.

The plaintiff testified that he did not actually see the defendant and heard no warning. The defendant, however, testified that he had called, "Watch it, Fred", but there was considerable question as to whether he had called out before making the shot, or when he realized that the supt. was in danger.

Warning Inadequate

His two companions gave differing testimony on this point, and in commenting on the situation the superior court of Delaware said: "In any event the warning here given to the supt. in full view, standing approximately 20 feet or seven yards from the pin on an 80 or 90 yard drive, appears inadequate. As a general rule, one who is about to strike a golf ball must, in the exercise of ordinary care, give an adequate and timely notice to those who are unaware of his intention to play and who may be endangered by the play." Commenting on the situation, the court said that although it could find no cases involving injuries to a supt., there seemed to be no good reason why a supt. should not be entitled to the same warning as a player or a caddie.

The trial court awarded the sum of \$1500 as damages for pain and suffering, plus special damages of \$160.50. The de-

fendant appealed the verdict to the supreme court of Delaware.

That Court upheld the decision of the trial court. It disposed of the defendant's contention that the supt. had voluntarily placed himself in a position of danger in the following language: "In this case, according to the testimony most favorable to the plaintiff, the plaintiff did not even see defendant and had no knowledge of his presence until after the injury. We do not see how it can be said under such circumstances that the plaintiff voluntarily exposed himself to a danger which he did not know existed."

No Contributory Negligence

To the contention that the supt. was guilty of contributory negligence, the supreme court replied: "Plaintiff was required to make reasonable use of his faculties and to discover any dangers or any conditions to which he might become exposed. His responsibility is that of an ordinary prudent person under similar circumstances. (Citation) But a failure to look for any danger when there is no reason to apprehend any is not contributory negligence. (Citation) The fact that the plaintiff was where his duties called him to be also is a matter to be considered in determining the question." (Robinson v. Meding, 163 A. 2d 272.)

N. J. Turf Scholarship

The New Jersey Golf Association has established a four-year scholarship program of \$500 per year for the study of turfgrass management at Rutgers University. The recipient will be a candidate for a Bachelor of Science degree. The purpose of the scholarship is to encourage greater numbers of agricultural college graduates to become supts. or work in some related phase of turfgrass management. The funds will be raised as a part of the caddy scholarship program of the N. J. Golf Association. Contributions of member clubs have been the main source of support for the very successful caddy scholarship awards of the past.

Jaycee Golf Handbook

The U. S. Jaycees, in collaboration with four other groups, has published a booklet, "Jaycee Junior Golf Instructional Handbook." The Jaycee international tourney is scheduled for Huntington, W. Va., Aug. 20-25.