

has been the most effective method; but in our sandy loam soil all three ways have met with success.

In sodding the green solid after the foundation has been properly prepared, it is a good plan in black land or heavy soil to put on a three-inch layer of coal cinders and roll with a heavy roller. This makes for good drainage and discourages worms. This is not essential in sandy loam soil. Next put on a layer of about six inches of well-rotted cow manure and roll with heavy roller, then about three inches of loam soil. On this you carefully place your Bermuda sod. The grass should be clipped as closely as possible and the sod cut about ten inches square and  $2/3$  inch thick. After the green is covered, roll with heavy roller, being careful to have all undulation with gradual slopes to avoid trouble in the future from mowing and washing. When the green is covered and moulded into the desired shape, top-dress with good, rich sandy loam or leaf-mold, with cottonseed meal added to stimulate growth. We use 100 pounds of meal to  $2\frac{1}{2}$  yards of finely screened loam. This last top-dressing is not rolled but is raked perfectly smooth and watered by hand with a fine spray. As soon as the grass grows well, daily cutting and frequent top-dressing are essential to get a true putting surface.

If a green is not sodded solid, it can be spot sodded with pieces of sod dropped every ten or twelve inches, in rows about a foot apart, preferably with a small amount of cottonseed meal or well-rotted manure in the rows to stimulate growth. When the grass begins to run, use the same treatment as described for the solid sodding.

In seeding greens see that the soil is well worked and then rolled firm. Mix the seed (50 to 100 pounds, depending on size of green) with finely screened soil, about a gallon to the wheelbarrow load of soil, and sow the green until the entire space is covered; then top-dress lightly, smooth off, roll, and water thoroughly by hand, and cover the entire green with a light mulch, preferably short grass clippings. The green should be kept moist until the grass appears. Then rake off the mulch, being careful not to disturb the seedlings. This young grass should not be cut closely for the first month. Clipping it will cause it to put out runners and not grow straight up. Water at night and only with a light spray that will not disturb the surface of the green. Three top-dressings after the green is covered with grass will give the desired putting surface.

Be careful in the use of water and fertilizer during the summer months. Too much will make Bermuda grow rank and coarse. Cut close daily, top-dress once a month, and water at night once a week when absolutely necessary, and the greens will be kept in fine shape; at least under our conditions.

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## The Golf Ball and the Law of Trespass

E. J. MARSHALL

Nearly every course has one or two holes which parallel a neighbor's farm on which sliced or hooked golf balls are sown in profusion and growing crops are trampled beneath the feet of players and caddies. In most cases the neighbors are kindly disposed and recognize that the damage to fences and crops in each year is more than offset by the enhancement of land values arising from the location of the adjoining golf club; but now and then the feeling is not so friendly, and the irate farmer threatens to have the law applied to the golfers. To gain some idea of the rights and liabilities of the parties in such circumstances, the Green Committee of the United States Golf Association called upon counsel likely to take a sympathetic view of the golfers' side of the case, for an opinion, which, in substance, is as follows:

It is settled that an entry on land in the peaceful possession of another is deemed a trespass, without regard to the force used. Indeed, it is estab-

lished that any invasion of the property of another, whether above, below, or on the surface of the ground, constitutes a trespass. As the old-fashioned lawyer would state, "A trespass is committed *vie et armis* whenever a golf ball is driven, sliced, hooked, fozzled, bunted, or otherwise propelled or forced on the land of another, whether the said ball is followed or pursued by its owner, and (or) his caddy, and (or) his companions, and (or) their caddies, and (or) the gallery, if any."

It has been considered a trespass to throw stones or clods of earth on the land of another, or to shoot with a gun across such lands. It being clear that a trespass results whether the players actually enter upon the adjoining lands or not, the next question is, What becomes of the ball, and whose golf ball is it? Of course, the title to the ball does not pass to the adjoining landowner when it soars over or trickles under the fence; but the right of possession to the ball is another thing if legal rights are to be strictly enforced. The situation is analogous to trespasses by animals. Under the common law, when cattle were found upon the land of another doing an injury, the landowner, under certain restrictions, was permitted to seize and detain them as a pledge or security for the payment of the damages he sustained. The right of distraint of cattle has come to be regulated to a large extent by statute, since fencing laws have been enacted, but it seems that we must refer to the common law to find out the rights of the parties respecting the trespassing golf ball. It is obvious that the owner of the ball has no right, except by the grace of the adjoining property owner, to commit a second trespass and perhaps incur thereby more damage by searching for his ball. If refused permission to recover his ball after a tender of damages, he might commence an action for replevin, but would, of course, be obliged to pay all damages.

No landowner is obliged to submit to repeated trespasses, and he may in a proper case obtain an injunction to restrain future trespasses. It certainly would create a fine state of affairs if the owner of an adjoining property obtained, as he might, a permanent injunction prohibiting the members of a club from driving golf balls on his premises. In such a case, the players would lose stroke and distance, or distance only, whichever way the United States Golf Association ruled; and they would also become subjected to the pains and penalties of the law for their contemptuous and continuous violation of the injunction. It certainly would be tough to be put in *durance vile* for an inadvertent slice.

Some lawyers may take issue with the conclusions of this article; but it serves to indicate the propriety and good sense of keeping on good terms with neighbors. A little give-and-take on both sides is much better than insistence on legal rights. It is better for a golf club to arrange in advance to compensate its neighbor in some reasonable way for the damage he might suffer, and he in turn can minimize his loss by using the land for crops and purposes that will not be seriously injured by trespassing golf balls and players. It may be well for golf players to bear in mind the rights of the neighbors, and by friendly recognition of such rights and proper arrangements avoid the disagreeable consequences that may otherwise ensue.

(*Obiter.* The Committee would like to see the court that could stop the writer from slicing into the cornfield on the right of No. 1.)