

GOLFER'S NEWEST TRAP

by

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MEMO to America's five million golfers:

There's a new kind of trap on the links these days. Even though you can't see it, it's staring you in the face every time you shoot. It won't hurt your score, but it can fracture your bank roll. Because of it, you can now golf your way into sudden poverty.

They call it a "damage suit"—and you're lucky if you haven't found out about it the hard way. Plenty of hapless golfers have. And with courses never more crowded (and verdicts never more generous), your chances of a disastrous trip to court are at an all-time high.

I don't mean that you should park your clubs in the ash can and take up tiddly-winks. But I do mean you should do a little thinking, while you pull on those spiked shoes, about something else beside the high price of golf balls and whether to try lofting over the tree on that dog-leg 13th.

As a starter, reflect on this shocking statistic: more than 10,000 people will get hurt—*badly* hurt, with shattered bones and concussions and blinded eyes—on our golf courses this year. Then tuck a few tips into your subconscious. These aren't *my* suggestions. I'm just another duffer who can't break 90 (and will never quit trying). These tips are based on the official, melancholy proceedings of the courtroom.

I. Obey golfing etiquette.

The reason isn't politeness. The reason is that, if you disregard the rules of etiquette, you'll have two strikes against you at the bar of justice.

An impatient North Carolina golfer teed off without waiting for the twosome ahead

to take their second shots. He figured he had plenty of room, but he was wrong. His ball clipped one of the twosome in the kneecap. The affair wound up in court, where the golfer's breach of etiquette set him back \$500 in damages.

In Pennsylvania, a golfer watched with disgust as his tee shot sailed out of bounds. He pulled a second ball out of his pocket for a Mulligan. This time his shot trickled a measly 40 yards out from the tree. Grimly he marched over to his bag, took out another ball, and fired once more—even though the other players had already started walking ahead. This time he drove a screamer—right into the side of a companion's head.

In the lawsuit that followed, the judge bore down hard on etiquette:

"The defendant violated a rule of the game and a custom known to all golfers, namely, that he had to play his second drive and was not permitted a third ball."

The tab: \$5000.

On a course in Virginia, a golfer felled his companion with an approach shot. The victim had been some distance ahead in the rough, searching for his lost ball. Sued for damages, the golfer protested:

"I was lying farthest away from the green, so it was my turn to shoot. He had no business walking out ahead of me."

"Maybe not," conceded the victim, "but when I couldn't find my ball, that changed the picture. Instead of taking his shot, he should have come up to help me hunt. At our club that's the etiquette."

Result: the defendant golfer was nicked for \$5000.

II. When in doubt, *always* holler "Fore."

O.K., so you're sensitive. You'd feel like a yokel, bellowing "Fore" at somebody way

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over yonder. You're not *that* cockeyed a shot. Well, when you get trotted into court to face a damage claim, don't say you weren't warned. Here is the warning:

In front of every golf ball there's a zone of danger. You're an optimist, and you should be by all means. It's good for your game. So you visualize that danger zone as a practically straight corridor, stretching a beautiful 250 yards right down the middle of the fairway.

But the law is a pessimist. The law sees slices and the law sees hooks. It sees the zone of danger as a wide V spreading out on both sides of the ball.

How wide is the V? One authority has suggested 33 degrees as the "angle of danger." That is, if anyone's within 33 degrees to left or right of a straight line, you've got to cry out.

But even that may not be enough caution to satisfy the law. In a Pennsylvania case a golfer swung at a tee shot, barely tipping the ball and squirting it off to the right at almost a 90-degree angle. A caddie got hit and sued, and the court held the golfer liable—to the tune of \$1000—for having failed to holler "Fore."

The Ohio Court of Appeals wrapped the whole thing up in a blunt sentence:

"It is a matter of common knowledge that the performance of a golf ball is completely unpredictable." Should you yell *after* the ball's in the air, if you see someone in danger? That's really touchy. If you do, you might still avoid an accident. But you also might—as the New York Supreme Court and the St. Louis Court of Appeals have warned—cause the victim to turn, face the ball and thus get hurt a lot worse. When there's any question at all, holler—and loud—before you swing.

III. Keep a special lookout for absent-minded caddies.

Sounds unfair? Well, when the chips are down in court, it's the caddies—at least, the younger ones—who walk off with the most verdicts. The main reason is that, because of their tender years, the law gives them an extra break (at your expense).

"Youth is impetuous," explained the Missouri Court of Appeals, "and not al-

ways inclined to pay strict attention to the matter in hand."

IV. Never forget this: you're playing with deadly weapons.

Did you know that a well-hit golf ball travels faster than 250 miles an hour?

All courts agree that a golf ball, by virtue of its speed and hardness, calls for an extraordinary degree of care.

The same thing goes for the head of your club, which (at a swinging 200 m.p.h.) also packs plenty of menace.

A cocksure girl golfer watched with scorn as a fellow player topped her drive. "Look here," she announced, "I'll show you how."

So saying, she gripped her driver and took a healthy swipe at an imaginary ball. Her form was perfect. The club whipped around in a perfect arch, conked her girl friend on the noggin, and laid her out cold.

"But I never dreamed she was standing right behind me," protested the girl when sued.

Nevertheless the court held her liable, saying she had no business brandishing such a dangerous instrument without first making sure the coast was clear.

How can you guard against the danger of a lawsuit? For one thing, by all means take out comprehensive personal-liability insurance—before you ever dig a divot. This policy gives you cheap, broad coverage specifically tailored for the purpose.

But that's just a second-best safeguard. The best protection is to stay on the friendly side of the law. As a rule, that's not hard to do. All it takes is a bit of mental conditioning, an honest, sober look at the sport.

Golf is a grand game, but it's not for daredevils and show-offs. Do you think—on the level, now—do you think safety is sissy stuff? Does it cramp your style to be careful? Then golf isn't your cup of tea. The rest of us five million golfers will thank you kindly if you'll get off the links.

But if you can have fun and still play fair with the other fellow, then don't worry too much about damage claims. The law has no quarrel with good sportsmanship.