

Verdict Goes To Defendant In Moot Trial

Despite the testimony of a member of the Eugene police department in behalf of the plaintiff, a jury last night ruled in behalf of the defendant in the fifth moot trial conducted by the law school. The jury brought in a verdict favorable to Mr. Charles Foster, who had been sued for damages totaling \$249.50 by Mr. Walter K. Rodman.

The suit arose out of an automobile accident that took place on Hilyard street between 20th and 21st streets at 5 p.m. on April 12, 1949. A Chevrolet coupe of 1933 vintage, driven by Mr. Foster swerved into the path of Mr. Rodman's 1947 Ford sedan.

The defense claimed that the action taken by the defendant was the result of having a small child pursue a ball that rolled into the path of the oncoming auto. Counsel claimed that the action was the only alternative left open to Mr. Foster other than colliding with the child.

Counsel for the plaintiff held that Mr. Foster was forced to swerve into the Ford because he was going at a speed that was too fast to slow him to a halt within the 60 feet that separated him from the child. They further held that the brakes of the 16-year-old Chevrolet were in no condition to facilitate a stop of the type Mr. Foster was called upon to make.

To strengthen the case for the plaintiff, the testimony of Sgt. Elmer R. Bashaw, a member of the Eugene police department, was introduced. Bashaw stated that there was a 20-foot skid mark which showed the attempt of the defendant to stop his vehicle. On questioning the policemen, the plaintiff's counsel brought out the statement that a car going at 20-25 miles per hour could have stopped in time.

Two residents of Hilyard street were called into the trial. Testifying in behalf of the plaintiff was Mr. James Richman, 2026 Hilyard. John Brooke, 2046 Hilyard testified in the defendant's cause.

Further testimony favoring Mr. Foster was given by Myron D. Spadey, a University law student who was a passenger of Foster at the time of the accident.

After hearing Judge Hollis' closing statement, in which he urged they consider themselves in the place of the contestants, the jury filed out to deliberate. Fifteen minutes later they returned with the verdict in favor of the defendant.

Attorneys for the plaintiff were Mrs. Marylenn Sturgis, Ralph Johnson, and Harold Johnson.

Attorneys for the defense were James Schiller and Roger Dick.

Szatrowski Leaves

Zenon Szatrowsky, associate professor of economics and instructor of statistics, will leave permanently for the University of Buffalo.

Szatrowsky has been a member of the department of economics faculty for the past year.

Lilienthal Answers



DAVID LILIENTHAL, RIGHT, chairman of the Atomic Energy commission, answers questions fired at him by Sen. Bourke B. Hickel, (R-Ia) left, as three-week probe into management of United States atomic energy operations opened before a joint atomic energy commission in Washington. (AP Wirephoto)

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