

## **An Unwanted Education**

By Robert E. Helm

You wouldn't ordinarily think \$1.80 would be worth starting an international incident over, but you must keep in mind three facts: (1) to my friend, Ron, good Scotsman that he was, any sum of money was significant; (2) both of us could be extremely stubborn if we believed that we were being taken advantage of; and (3) on the evening in question, both of us were three sheets to the wind from a night of pub crawling.

I was about to enroll in my law school's summer session at the University of London College of Laws and was visiting Ron in a small English town somewhere north of London. I've long forgotten the name, but it was a suburb with one of those unpronounceable Welsh names and a bus stop. At the pertinent time of night however, the buses don't run.

Before getting down to the serious business of studying, Ron suggested that I owed it to myself to have a weekend fling. It seemed a good idea. It's not that either one of us could afford to, or even planned to, drink to excess, yet people in the English countryside were friendly, liked Americans, and were anxious to buy a couple of visiting students a pint. Well, one pint leads to another, and another, and another ... and so on.

Let's just say that my lips went numb at 8:30 p.m., my nose at around 9 o'clock something, and my forehead was gone about ... well, some time later. When closing time came around, the only sensible decision we could make was to take a taxi home.

The cab driver seemed a likeable enough fellow and we began our journey into the night with good spirituous comments about our delicate conditions and how he hoped we wouldn't "tip" his cab with our being so tipsy and all. It seemed funnier at the time than it does 20 years later, but at

least we laughed then. In fact, if I recall correctly, the whole 10-minute ride was one joke after another as I tried desperately to remain in an upright position.

As we stopped in front of Ron's apartment, it was clear that he was willing to have me pay the fare. I started to reach for my money when I heard Ron yell.

“NO WAY! IT'S ONLY A ONE AND TEN FARE!”

I obviously had missed something, and as I tried to sort through the fog, I heard the cabby exclaim in a very sarcastic tone, “No sir, your lordship, it's a two and five.”

It has always been my custom to end a night of merrymaking on a high note; even at the most sober of times I detest street fights or arguing through a fog of beer. I pulled Ron aside and asked what was going on. He told me the driver was trying to charge us two pounds five for a one pound ten fare.<sup>1</sup>

It seems the taxis in this corner of Britain used no meter, but charged on a “zone” basis that depended on the distance of predetermined areas established by the licensing authority. Ron assured me that he took this ride often, and that “one and ten” was the proper fare.

I wanted desperately to lie down and \$1.80 seemed little to pay for the privilege, but my “guide” was adamant and, since I lacked a key to his apartment, I was, you might say, a prisoner of Ron's passion for not being “bloody exploited.”

What really began to irk me, however, was the thought that I might soon be a prisoner of the English constabulary, especially since I could understand enough of the cabby's yelling to know the police were on their way. I was positive my wife (who had remained in London convinced something like this would happen) would not bail me out and would leave me to spend my summer

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<sup>1</sup> I don't want to interrupt the story, but it took me a long time to learn the English monetary system, so it's only fair the reader allow me to use my knowledge. A pound equaled \$2.40 and consisted of 20 shillings worth 12 cents each. Therefore, the difference between what the driver wanted and Ron insisted it was worth was the \$1.80 that I alluded to

breaking rocks, raking peat, or whatever they do on English chain gangs. Sure enough, in what seemed a very short time indeed, one of those cute little English Fords with the flashing blue lights pulled up, and a stern-looking “bobby” got out.

I’m not sure of all that happened next or the proper sequence; all I remember for certain was Ron explaining that we weren’t refusing to pay the fare, but only refusing to pay an excessive fare.

That seemed reasonable. What did not was his pointing to me, explaining that I was a lawyer from America and that I would explain it all.

There were only two logical choices. I could start to cry and throw myself upon the mercy of the constable, or I could put to use all that first-year moot court experience I had so reluctantly gained back on the playing fields of Indiana. I don’t know how these decisions are made; perhaps someday a psychiatrist will explain it. All I remember is that I started to explain to the policeman that it was not a criminal matter, but was a civil dispute over the proper payment to a common carrier. I quickly added that it was obviously a contractual matter, that the cab was a common carrier whose rates were established by administrative regulation, and that the civil courts were the proper forum in which to adjust this dispute.

I learned early in life that if you stand your ground, look your opponent in the eye, and have a certain conviction in your voice, you can make him pause and, having done so, you’ve won the first leg of the race. This lesson was confirmed when the constable simply stated, “I have to call me corporal.”

Within a few minutes, there were two cars at the scene, both with lights flashing, and a corporal of the guard to whom I was now directed to tell my side of the dispute.

Again, I explained about common carriers, how they had fiduciary duties to their passengers,

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at the beginning of the story.

about contracts of passage, offers and acceptance, and administrative regulations, all of which made this a civil matter for the courts to decide. It certainly seemed obvious to me (and deep inside I prayed that it would to the corporal) that this was not a proper arena for the police.

My ploy seemed to work as the corporal soon exclaimed that he needed a sergeant. This time, no cute little Ford, but a large imposing vehicle that looked ominously like a “paddy wagon; the powers that be must have been convinced there was a riot going on, for out of the wagon appeared not only a sergeant, but three more “bobbies.”

Here it was the middle of the night, two cute cars with flashing blue lights, one “paddy wagon” with blue lights also flashing, four regular troops, a corporal, a sergeant, and me, surrounded like Custer. I sensed danger.

Having gone this far, however, it seemed a good idea to continue, so once again I found myself trying to explain our position to the new arrivals.

By now even you know the argument: Common carrier ... contract of passage ... administrative regs ... civil matter ... courts, and so forth.

There was a pause in the festivities, a silence that only a condemned man can ever know. Suddenly, the silence was broken by the cab driver yelling, “O.K.! O.K.! Give me the bloody one and ten.”

Just like that, the deadlock was broken, justice was satisfied, the investment in law school was justified, and my career as a successful lawyer was assured.

Before anyone could change their mind, and certainly before I fell down, I quickly reached in my pocket, pulled out a five-pound note and handed it to the driver. Imagine my shock to see him get into his taxi and start to drive off without giving me my change.

Somehow, I knew Ron would be no help, and the police stood by silently watched the

unfolding pageant. They showed no inclination to join in the festivities. I made a move to get in front of the taxi, screaming for my change, but he was too quick, I was too drunk, or both.

I stood helplessly, watching him drive off, as he yelled out the open window, "It's a civil matter, mate. See you in court."

Sometimes you have to know when to let go and sometimes, despite all the power and all the might, all the king's horses and all the king's men are going to have an omelet for breakfast.

Suddenly Ron, who had been silent for so long, began to laugh. Soon, so was I. Six English policemen shook their heads, turned off the blinking blue lights, and went back to the remainder of their evening.

Ron and I went to his apartment. I insisted that he was going to cook the omelet.