



The Gentleman's Journal

TORONTO, FRIDAY, JANUARY 10, 1879.

P. COLLINS. PROPRIETOR
OFFICE:—No. 90 KING ST. WEST.

All Communications intended for the "Sporting Times" should be addressed P. COLLINS, Sporting Times Office—and not to any of our employees. This will avoid any delay.

Managers, Agents, Doorkeepers, &c., of Amusements, and Managers and Secretaries of Racing Associations, Shooting Clubs, Athletic, Base Ball and Cricket Clubs, &c., &c

Are respectfully informed, that all Correspondents of the *Sporting Times* are supplied with a card of a Red color, with the name of the city or town and correspondent, signed by the proprietors of this paper, with a punch stamp of a horse's head upon the right upper corner, and dated January 1, 1879, each card running for three months. No person is authorized to use any other credential on our behalf. Managers will save themselves from imposition by demanding an exhibition of said card, and refusing to accept any excuse whatever for its non-production. The card is not transferable; and if it be presented by any person other than the one whose name it bears, managers and others will retain it and mail it to this office.

Persons applying for the position of Correspondent are respectfully requested to consider SILENCE A POLITE NEGATIVE.

DATES CLAIMED FOR 1879.

CANADIAN.

Hamilton..... July 1 to 8
Dundas..... May 24

ICE RACES.

Napance.....Jan. 9 to 10
Port Perry.....Jan. 22 to 23
Campebellford.....Feb. 5 to 6
Ottawa.....Feb.

ENTRIES CLOSE.

Port Perry.....Jan. 20

AMERICAN.

TROTTING.

Milwaukee, Wis..... June 2 to 6
Chicago, Ill..... July 15 to 19
Cleveland, O..... July 22 to 25
Buffalo, N. Y..... Aug. 5 to 8
Rochester, N. Y..... Aug. 5 to 8
Cleveland, O..... Sept. 9 to 12

RUNNING.

Savannah, Ga..... Jan. 21 to 25
Charleston, S. C..... Feb. 5 to 8

NEWSPAPER DECISIONS.

1. Any person or persons who takes a paper regularly from a Post Office, whether printed in his name or another's, or whether he has subscribed or not, is responsible for payment.

If a person orders his paper discon-

A JUDICIAL DECISION.

It is sometimes spoken of that the turf laws are far from being perfect on account of the numerous disputes to which they give rise. The same evidence would condemn our civil and criminal codes, although they have the advantage of being construed and applied by gentlemen specially educated for that purpose. Even the "best of books" would not come out scathless if it were subjected to the same ordeal. The evidences of disputes founded on its teachings as interpreted by the leading lights are too prominent to admit of a doubt. Turf matters are too frequently in the hands of inexperienced men whose personal egotism is the only claim they have to occupy a prominent position. Under these circumstances it would be singular if at times differences did not arise. It may be true that some of the rules are not well enough defined, or are not comprehensive enough in their scope, but it must be remembered that racing, as conducted to-day in America, is but of recent origin, and the experience that age gives to practice will do much to remedy the few defects under which the racing rules now suffer from their imperfect condition. Disputed points are being settled and knotty cases are being unravelled by competent authorities; unlooked for contingencies are being provided for so that the present rulings will stand as precedents in time to come. In this way the progress to perfection is slow but sure, and in few years there will be but few circumstances that can occur on a race track but will have a rule to govern them in the fullest spirit of equity.

At the recent sitting of the Board of Appeals in New York a case was brought before them which was plain enough on its face, but in which practice had obtained an ascendancy over the rules. It is provided by the Rules of the National Trotting Association that a winning horse is entitled to all the money if he should distance the field in any part of the race, or to any premiums that should have gone to horses had they not been distanced. If, for instance, there were four or more horses in a race, and the premium money divided into four parts, but only two of the starters remained in the race until the finish, then the winner would be entitled to not only the first money, but to the third and fourth moneys as well. It was upon this question the dispute arose. The bill of the races announced that a horse distancing the field would be only entitled to first money. In the race there were three starters; A. won the first and second heats, B. the third, in which C. was distanced, and A. the fourth and race. A's owner put in a claim for first and third moneys, which was disputed by the Association under the condition of the bill, as well as to the fact that A. did not distance C., that being accomplished in the heat which B. won. The Board held that the rules of the National Association are to be strictly and literally followed in such cases, and where a member seeks to avoid the application of a rule by a published condition, no greater latitude shall be given to that condition than is conveyed by its expressed terms; in other words the condition shall not be stretched to accomplish more than is required by the said application of its terms. It was then ordered that A. was entitled to the first and third moneys. It was held that the distancing of C. by B. and not by A. was immaterial to the merits of the case. If A. had distanced B. and C. he would have been only entitled to the first money under the specific condition of the race, but as only a portion

"plurality" is given, we can see how it is applied to the recent mayoralty contest. From the daily press of Tuesday we learn that the total vote was 7,786. Now for any one candidate to have a majority he must have polled more than one-half the total vote, the successful candidate must receive a number of votes to exceed those of other candidates to be elected by a "majority." Of these 7,786 votes, Beatty polled 2,880, and Close 2,163, the remainder being divided as follows: Manning, 1,097; Turner, 778; Britton, 728; and Medcalf, 140. On this showing it will be seen that Beatty had no "majority," but was really elected by a minority vote. However, he obtained a "plurality" of votes over Close, the next highest candidate, of 717, being the excess of votes cast for Beatty over Close, one of the several competing candidates. In the same way Close had a "plurality" of votes over Manning or Turner, &c. The figures given above are not official, but are no doubt accurate enough to answer the purposes of our explanation. In a case like this it is easy to imagine that some hard feelings have been engendered between the principals to the wagers, but there is no reason to claim that the better informed took advantage of a "catch;" they are entitled to the premium on their superior knowledge however acquired, and the assertion that there was a misunderstanding of the proper meaning of the word "majority" on the part of one of the principals to the bet, can have no weight when arriving at a decision. So far as the *SPORTING TIMES* is concerned, it has given its readers timely warning for years past of this question, and if through this they have become better informed than their neighbors upon a subject that it is premised every man professing a knowledge of the English language is acquainted with, the gain should be theirs. It is not consistent that a man should suffer under a disability for his superior information, and when the merits of the matter have been so frequently set forth in a public journal like ours, a claim of exemption for ignorance, never valid at any time, will carry no weight with it. This question is thus freely dealt with to-day, on account of considerable sums of money being staked on the result in this city, and the fact that several enquiries have been directed to us. It makes no difference how inconsiderate newspaper reporters may attach headings to their election news, it is without doubt that the mayor-elect in this city did not have a "majority" at all, but was elected by a "plurality" vote over the next highest candidate. With the experience gained in the present election, it is not likely there will be a recurrence of the misunderstanding of the word "majority."

MORE HIPPODROME ATHLETICS.

Toronto was favored with one of those now fashionable hippodromic affairs on Monday evening last at the Lyceum Theatre, in the shape of a Græco-Roman wrestling match. It was announced for \$500 a side, between Andre Cristol, champion wrestler of Europe, and a gentleman from Quebec, with the further statement that the stake money was deposited in the hands of an hotel-keeper in Montreal. This was quite sufficient to give the match away, and almost everybody looked upon it as a gate money affair. However, a few who had not forgotten the fine exhibition given by Profs. Miller and Bauer in the Royal Opera House here some time ago, took advantage of the opportunity to renew their acquaintance with the Græco-Roman sport. It is unnecessary to say that

become disgusted at the misrepresentation used and fraud practiced in working up these detestable affairs, and when the genuine article appeals for support, it has to overcome the prejudice that has been created by the counterfeit. It is the interest of all athletes—professional and amateur—to frown down and expose such parasites on sport, and their efforts should be to popularize their games, which can best be done by having everything conducted up-and-up, without any opportunity to cavil at the genuineness or fairness of any contest that may be indulged in.

A DIFFICULTY.

It is just a week since we received a copy of any of our New York exchanges, on account of the snow blockade of the railways in that State. As sporting and horse matters are quiet in Canada at this season of the year, it has rendered our labors in getting up a paper this week very difficult—as much so in anticipating the arrival of our exchanges as in their non-receipt. It is a very exceptional circumstance that the main arteries of travel in the Empire State should be closed for almost a whole week, and this incident is not likely to occur again for some time. In consequence of this disability, the *SPORTING TIMES* this week will be short of its usual American news to a great degree, a contingency that our readers will to a certain extent be prepared for. The matter requires no apology on our part, as it could not be provided against under any circumstance, but this explanation is given to show what difficulties newspaper publishers meet with at times in getting up their budgets.

ATHLETIC RULES.

On one of our inside pages to-day will be found the Rules of the New York Athletic Club now published for the first time in Canada. We have frequently been asked for these Rules, but the fact of them not being in print was an obstacle in complying with our correspondents' wishes. All the leading contests in America are conducted under these rules, and in many points they are deemed preferable to the English ones. Every athlete in the country should have a copy of these Rules for reference and guidance. Instances have come to our knowledge where matches for goodly sums have been made to be conducted by the Rules of the N. Y. A. C., while the principals were ignorant almost of such a code of law in existence. A knowledge of the Rules will prevent many disputes; and as most all the leading branches of athletics are comprised in this compilation, it will be found a valuable auxiliary not only to athletes, but also to those who are called upon to officiate as judges in any games. They can not be had in book form, so this copy of the *SPORTING TIMES* should be carefully preserved for reference.

Sporting Gossip.

Forty-six horses were purchased in the Montreal market and shipped to the United States last week. They averaged \$50 each. The Indianapolis reporter now prays "give us this day our daily murder," and his prayer is usually heard.

Mr. James R. Keene, of New York, has purchased the famous colt Spendthrift for \$17,500 and 25 per cent. of his winnings next season. He is by imported Australian, dam Aerolite by Lexington, and was foaled in 1872.

rectly across the harbor which will prevent a track being made.

Mr. J. P. Wiser, M. P., of Prescott, accompanied by his wife, was recently driving the fancy team Rocket and Queen, when they attempted to run away, being startled at something. Mr. Wiser was thrown out, happily without injury, and the team was stopped by Mrs. W. before much damage was sustained.

The Ottawa Winter trotting Club will give a local meeting to-morrow on their new track, St. Louis dam. Arrangements have been made to have the track properly fenced and railed for the big meeting in February.

We have received several communications from horse owners in the States enquiring about ice races and the prospects in Canada this winter. Managers of these winter events should keep us posted on their proceedings and intentions. The major portion of the benefit is likely to be reaped by them.

Crosses of stout thoroughbred stallions on the best common mares of the country, supply the horses for shipping abroad.

The location of the Queen's Plate in Ontario for 1879 is commenced to be talked about. If we are to have a Jockey Club they should be up and doing if they wish to secure the trophy for the inauguration of the new organization.

James Sutherland, Esq., Reeve of Woodstock, performed a praiseworthy action on the streets of that town one day last week. A spirited horse belonging to a well-known horseman, had obtained control over his driver and was running down Dundas street at a terrible gait, the onlookers being fearful of a dreadful accident, when Mr. S., with rare presence of mind, and at a great personal risk, made a jump, seized the bridle, and brought the run-away to a stand still. He was congratulated on all hands for this brave action.

Mr. Harry Buchner, a popular horseman of Port Colborne, was defeated for the office of Reeve in that village in the recent municipal election.

Mr. Amos Robinson, of the Hall, Brockville, recently purchased the two-year-old trotting colt Sleaton. He is a handsome bay of good proportions, was bred at Rysdyk's Stook Farm, Prescott, sired by Chestnut Hill, dam Jennie Rysdyk by Rysdyk's Hambletonian; 2nd dam Fanny, by Rysdyk's Hambletonian. This is a strong in-breeding, Chestnut Hill being by Rysdyk, he by Rysdyk's Hambletonian.

Mr. Thomas Bearman, a well-known hotel-keeper, died in Hamilton last week. He was a brother of Mr. Fred. Bearman, of the American Hotel of that city, and at one time was associated with him in business. Lately he has been keeping hotel in Ingersoll, but was obliged to give it up on account of ill-health. A short time ago he returned to Hamilton, thinking his health would be benefited by the change, but the insidious pulmonary complaint with which he was afflicted was too much for his constitution. He leaves a wife and two young children to lament the loss of a loving husband and kind father.

The winter meeting at Port Perry will take place on January 22 and 23. The entries close on Jan. 20. The following is a singular condition attached to the bill:—"Any person stopping at the Port Perry House, J. Thompson, proprietor, will not be allowed to take any part in the races, as he refused to subscribe to the fund."

"I am positive, your Honor, the horse was going at a 2:30 gait," remarked an intelligent witness in a case of immoderate driving heat.