

but this provision must not be so construed as to shield any trotting or pacing horse from punishment from running.

SEC. 3. In case of any horse (in a trotting race) repeatedly breaking, or running, or pacing, while another horse is trotting, the Judges shall punish the horse so breaking, running or pacing, by placing him last in the heat.

SEC. 4. To assist in determining the matters contained in Sections 1, 2, and 3, it shall be the duty of one of the Judges to call out during the progress of the race every break made, designating by colors or name the horse making it and the character of the break, and a Judge or assistant shall at once note the fact in writing.

SEC. 5. A horse breaking at or near the score shall be subject to no greater penalty than if he broke on any other part of the track.

RULE 31.—RELATIVE TO HEATS AND HORSES ELIGIBLE TO START.

SEC. 1. In heats one, two, three, or four miles, a horse not winning one heat in three shall not start for a fourth, unless such horse shall have made a dead heat. In heats best three in five, a horse not winning a heat in the first five shall not start for a sixth, unless said horse shall have made a dead heat, but horses so ruled out shall have a right to a share of the purse or premium, according to their rank at the close of their last heat. And where ten or more horses start in a race every horse not distanced shall have the right to compete until the race is completed—subject, however, to all other penalties in these rules.

RULE 32.—DEAD HEATS.

SEC. 1. A dead heat shall be counted in the race, and shall be considered a heat which is undecided only as between the horses making it, and shall be considered a heat that is lost by all other horses contending therein; and the time made in a dead heat shall constitute a record or bar for each horse making such dead heat. [See also Rule 40, Sec. 2.]

SEC. 2. Whenever each of the horses making a dead heat would have been entitled to terminate the race had he won said dead heat, they only shall start again.

SEC. 3. A horse prevented from starting by this rule shall not be distanced, but ruled out, and shall be entitled to share of the purse or premium according to his rank at the close of his last heat.

RULE 33.—TIME BETWEEN HEATS; PASSING TO THE LEFT; HORSES PERMITTED ON THE TRACK.

SEC. 1. The time between heats shall be twenty minutes