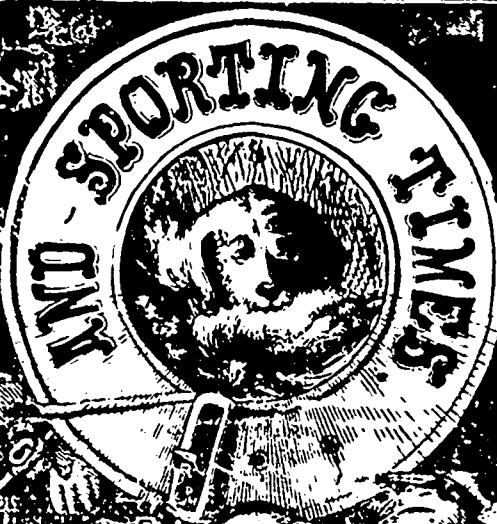


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AN IMPORTANT DECISION.

An important and interesting case touching the liability of railways as common carriers for injuries received by horses while in transit, has been recently decided by the Supreme Court of the United States. On May 20, 1869, Gov. John Bowie, through his agent, contracted with the Baltimore and Ohio Railroad to ship from the City of Washington to the City of Baltimore four horses, among them the mare Australia, by imp. Australian, dam Undine, by imp. Yorkshire. The horses were in charge of Major Bacon, as the agent of Gov. Bowie; and before attempting to load them upon the train he took the precaution to pay to the agent of the company the charges for transportation. A car having been pointed out as the one upon which the horses were to be shipped, Major Bacon, after examination, rejected it. Another was brought out, and having been placed in a part of the depot of the company, designated by the agent, Major Bacon was by him directed to put the horses aboard. He examined the platform over which the horses were to pass to the car, which was made by raising two scantlings in the door of the car, the other ends extending to the platform of the depot, on which the horses were standing at the time, which were covered with boards or planks, laid across from one to the other. Major Bacon looked at this arrangement, pronounced it unsafe, explained to the company's agent that the horses were race-horses and very valuable, and told him that the mare Australia was worth at least \$20,000. The agent pronounced the platform safe and ordered the horses put on the cars. They tried to put Australia on, but she refused to go. They then tried the other horses, and they passed over the platform in safety, and it was then supposed Australia would follow, but she again refused. The agent then ordered the men in the service of the company to take possession of Australia, and back her over the platform on to the car. Major Bacon objected to this, but the men took the bridle and proceeded to do as ordered. Major Bacon seized the bridle and urged them to desist. He was obeyed, however, and the mare was backed on the platform, and when near the car stepped her hind foot off, and in her effort to get back she broke the hind leg, which rested on the platform, and became permanently useless from the injury for the turf. It appeared in proof on the part of the company that in a place prepared and used by the company to load horses on the cars, and that this was not used on the occasion, but was in a different part of the depot from the one temporarily adopted, and was so constructed that a similar accident could not have resulted had it been used on this occasion.

Governor Bowie failing to obtain a settlement from the company, procured the services of Messrs. Bernard Carter, of Baltimore, and R. T. Merrick, of Washington, as his attorneys, and brought suit for damages in the Supreme Court of the District of Columbia, where the injury occurred, March 4, 1870. The case was twice tried; the first time a verdict for \$8,000 was

These rulings of the court are not only just, but place the responsibility of railways, as common carriers of live stock, upon grounds entirely reasonable, and well supported by common sense. As a rule these great corporations are slow to remedy the wrongs they inflict upon the property of individuals, and too often disregard the fact that fancy stock of all kinds are more valuable than ordinary animals, although they cost their owners fancy prices. It is well understood, that railway companies as a rule attempt to cut down the damages they inflict by the negligence of their agents, until it amounts to oppression to the injured owner. It is true that they charge higher rates for transporting such animals, but when an injury occurs they too often wish to place the value of the injured animal on a par with horses for ordinary uses, and if they cannot effect such an arrangement, they refuse all accommodations, and force the injured owner to appeal to the courts for redress, and then delay justice as long as a tedious course of litigation will permit.

The courts of the country are fully apprised of the prevalence of this unwise policy, and, therefore, when juries take the reins in their hands, and visit punishment on these companies by rendering excessive verdicts against them, the courts are slow to interpose their power to set aside such action, or even to revise them.—*Spirit of the Times.*

FORM IN THE TROTTER.

Form is of more importance than mere action. The cat-horse is able to fold the knee, but you cannot train him to get over the ground rapidly or to last through a race of broken heats. He bends the knee, but cannot reach and gather quickly, is overtopped with weight, and therefore fails in a trial which is decided by speed and courage; and the cause of his failure is lack of form. One of the best writers on the horse has furnished us with rules for the selection of a thoroughbred. We are advised to choose an animal with "a deep and wide back and loin;" with a chest to "afford sufficient room for the heart and lungs," but not too wide, for "an open bosom is regarded as a sure sign of want of pace;" "the back ribs should be long, or, as such a formation is generally called, 'deep,' so as not only to give protection to the contents of the belly, but to afford a strong attachment to the muscles which connect the chest of the hips;" the ribs "must be set wide apart and not huddled up together;" "for fast roadwork, where the failure of the legs is generally the limit to the amount of work, a very heavy carcass is an objection, as it increases the weight upon them; and an over-topped horse—that is one with a body too big for his legs—is a most worthless brute;" a projecting neck, moderately long and proportionately thin, wide jaws and intelligent head, broad above the eyes, thin nostrils, which should open under exercise and show the red lining membrane; shoulders obliquely placed and broad blade, well-clothed with muscles; long thighs approaching almost to the proportions of the greyhound; hocks full-size and clean, and

TROTTING IN ENGLAND.

GREAT MATCH FOR £200, BETWEEN BOBBY AND JACK.

One of the most interesting matches ever decided in Cottonopolis was brought off over the Manchester racecourse on Tuesday, Dec. 3, between Mr. George Hardy's Bobby, of Manchester, and Mr. William Broomhead's Jack, of Sheffield, who had been engaged to trot one mile for £100 a side. The event created much interest, and by half-past two (the time announced for the start) close upon 4,000 had assembled. Owing to a dispute arising as to how the horses should start, it was nearly three o'clock when the contest commenced, and in the interim some heavy wagering took place. At the outset the Sheffield animal had slightly the call, but the weight of money behind Bobby soon told a tale, and eventually 5 to 4 was laid in his favor. Both animals looked in the pink of condition. The former, who has not been seen in public since Steel Grey lowered his colors over this track on May 1, 1876, had been trained by Archie Campbell at Irvine, Scotland, he stands 15 hands 2 in., and is rising nine years old. Jack is the same height as his opponent, and eight years old, and was prepared by Harry Giddings at Crow Knowl Farm, Tollerose, Udderstone, near Glasgow. Mr. Hardy, having won the toss, stated that the start should be a flying one, but before Mr. John Henry Cooper, who acted as starter could be apprised of this he fired the pistol and sent the horses on their journey. Bobby, who had the inside berth, commenced badly, and before Campbell could get him down Jack had obtained a lead of about eighty yards. On getting under weigh, however, the former gradually drew on the Sheffield representative, who was driven in a light sulky by Harry Giddings, but again rising on rounding the bend for home, Jack once more went away with a commanding lead. The race was now virtually over, for the driver of Jack was able to take it easy, and maintaining the lead to the finish, the Sheffield horse won cleverly by a couple of lengths. After the race Mr. Hardy, on learning that the horses were not despatched to a flying start, laid an objection on those grounds, and after an investigation into the matter, Mr. John Cooper, of Sheffield, who filled the double office of stakeholder and referee, decided that it was no race. The owner of Jack, however, would not agree to another meeting, and as no agreement could be arrived at the affair remains in abeyance. It is to be regretted that such a mistake as regards the mode of starting should be made, and it is impossible to say what the upset will be. The time could not be taken owing to the horses not being visible until nearing home.

PACIFIC COAST BLOOD-HORSE ASSOCIATION.

A meeting of the members of this Association was held at San Francisco, Cal., on the 30th ult., for the purpose of adopting rules for the government of the club and course, etc.

Veterinary.

ONTARIO VETERINARY COLLEGE MEDICAL SOCIETY.

The usual meeting of the above Society was held Thursday evening of last week in the lecture room of the College. Prof. Smith in the chair. Forty-five members present. Mr. F. C. Grenside, of Guelph, read an essay on Spavin, and Mr. E. Prentice, of Chicago, read a communication on a very severe case of Punctured Foot. Both papers were very warmly debated. Prof. Smith then gave a short but very instructive lecture on Spavin, he then referred to Mr. Prentice's paper and recommended the course of treatment pursued by that gentleman. Mr. Massie, of Smith's Falls, and Mr. McCormick, of London, Ont., will furnish papers for next evening. The meeting was then adjourned until Thursday, January 9th, 1879.

THE CENTRAL VETERINARY ASSOCIATION MEETING.

The third meeting of the Central Canada Veterinary Medical Association, took place at the Victoria Hall, Brockville, on the 12th inst., the President, A. O. P. Coleman, V. S., of Ottawa, in the chair. The meeting having been called to order, the President, after a few introductory remarks, introduced Mr. T. A. Allen, V. S., of Brockville, who read a very carefully prepared, and highly instructive paper, on Anasarca, at the conclusion of which Dr. Vaux made a few remarks of a very complimentary character to Mr. Allen and the Association, stating how much pleasure it had given him to be present at this gathering.

Mr. Hutching, V. S., of Watertown, N. Y., briefly criticized the paper and paid a well-deserved tribute to the writer, strongly eulogizing the writings of Prof. Williams upon this subject. The President then summed up, speaking highly of Mr. Allen as a practitioner, stating how briefly and carefully he had gone over the subject of the essay on Anasarca, which name suggested so much thought and discussion, and offered so many labyrinths in which to wander. Upon the motion of Mr. Hutching, seconded by Dr. Vaux, a vote of thanks was passed to Mr. Allen for his valuable communication.

The next meeting of the Association will take place at Ottawa, at the commencing of the ensuing year. Before breaking up, Mr. Allen was asked by the President, in behalf of the Association, to tender to the Mayor and Corporation its sincere thanks for their kindness in granting the use of the hall for the meeting.

The Ring.

DWYER-ELLIOTT PRIZE FIGHT.

ARTICLES OF AGREEMENT.

Billiards.

AN EXHIBITION AT HAMILTON.

There was a fair audience at Noble's billiard parlors James street, Hamilton, on the 10th, to witness the billiard exhibition between W. Burleigh and J. P. Puelan, of Hamilton. The exhibition opened with an American four-ball carom game, 600 points, in which Burleigh was to make the full score in a single run. He failed in doing this and Puelan won the game. Burleigh's principal runs were 237, 186, 167, 111 and 78, and Puelan's single and run 126. The next game was a three-ball French carom, 100 points up, and as will be seen by the score, the play was not brilliant, although each made some exceptionally fine shots.

The score is as follows:
Burleigh—0 0 12 8 1 10 0 1 17 1 0 1
16 0 2 0 1 1 2 1 2 0 8 5 5 5 0 0 0 2 2
—100
Puelan—11 1 0 0 1 1 7 1 4 1 1 13 4 1 0
8 0 4 0 0 2 0 1 5 2 0 0 1 0 4 6 0—82.

At the conclusion of the game Burleigh gave a number of fancy shots, which were judiciously applauded by all present.

BILLIARDS IN MONTREAL.

A match between Mr. Masse, of the Club St. Pierre, and Mr. Lavigne, of the Club St. Jacques, came off at the Richeheu Hotel, Montreal, on the evening of the 13th. The match was for 200 points, and was closely contested throughout. A number of brilliant shots were made. At the beginning of the game the odds were in favor of Lavigne, who, when the first half was concluded, stood 111 points to his antagonist's 81. Ten minutes was allowed, after which play recommenced. Both contestants were excited all through, but Lavigne became more nervous as the game approached the end and lost several chances, Masse gaining steadily and winning by ten points. The members of the two clubs of which these gentlemen are the champion players, and a number of other amateurs were present, and at intervals as the match progressed, the excitement became intense.

GUELPH.—Burleigh gave an exhibition of his skill in Lindsay's billiard rooms, Guelph, on Friday evening. He averaged 88 points with 21 runs, making a total of 695. What he was scoring this number Mr. A. Sharpe scored 72. Afterward Burleigh made