

horse by setting him back for running, when it shall be left to the discretion of the Judges. [See Rule 16, Sec. 4; Rule 29, Sec. 1; Rule 35, Sec. 2; and Rule 40, Sec. 2.]

SEC. 3. A distanced horse is out of the race, and if in any heat one horse shall distance all competitors, the race will then be completed, and the winner shall be entitled to the entire purse and stakes contended for, unless otherwise stipulated in the published conditions of the race. [See Rule 36, Sections 1 and 3.]

RULE 38.—RANK BETWEEN DISTANCED HORSES.

SEC. 1. Horses distanced in the first heat of a race shall be equal, but horses that are distanced in any subsequent heat shall rank as to each other in the order of the positions to which they were entitled at the start of the heat in which they were distanced.

RULE 39.—TIME AND ITS RECORD.

SEC. 1. In every public race the time of each heat shall be accurately taken and placed in the record, and upon the decision of each heat the time thereof shall be publicly announced by the Judges, except as provided in these rules concerning those heats which are not awarded to either of the leading horses.

SEC. 2. It shall be the duty of the Judges of the race to take the time as aforesaid, or to appoint some suitable person or persons to assist them in that respect and no *unofficial* timing shall be announced or admitted to the record. [See Article 20, of By-Laws; See also Rules 40, 41, and 43.]

RULE 40.—HORSES TO BE TIMED.

SEC. 1. The two leading horses shall be separately timed, and if the heat is awarded to either, his time only shall be announced and be a record or bar as the case may be; and if the winning horse shall afterwards be ruled out of the race for fraud or ineligibility, he shall retain the record or bar acquired by the time so announced. [See also Rules 39, 41, and 43.]

SEC. 2. In case of a dead heat, the time shall constitute a record or bar for the horses making the dead heat; and if for any other cause the heat is not awarded to either of the leading horses, it shall be awarded to the next best horse, and no time shall be given out by the Judges or recorded against either horse; and the Judges may waive the application of the rule in regard to distance in that heat, except for foul riding or driving. [See also Rule 32, Sec. 1.]

SEC. 3. The time shall be taken from the pole horse, or from the horse that is selected to score by.