

to abide by the rules of those Rooms; these rules appointed the Committee of the Rooms arbiter in the event of disputed bets. It also appears that a *locus penitentiae* was awarded to Mr. Hart, and that he still decided to ignore the verdict of the Rooms Committee. The sequel was that the secretary of the Rooms was instructed by the Committee to make a formal report as aforesaid of Mr. Hart's contumacy to Messrs. Weatherby, as acting for the Jockey Club. The result was that Messrs. Weatherby published in the *Racing Calendar* an official notification that Mr. Hart had been reported as a defaulter in bets by the Newmarket Rooms, and that as such he was warned off the Heath and all other premises of the Jockey Club. The notification formed the subject of libel, for which the present action was brought.

The action practically went no further than the opening. Upon the face of the story alleged by the plaintiff the learned judge was asked to decide whether such a publication was "privileged" or not. If it were a *prima facie* privilege, then, there being no suggestion by the plaintiff of express malice on the part of Messrs. Weatherby (which, if shown, would oust privilege) the defendants would be entitled to judgment. It was admitted by counsel for the plaintiff that he was a member of the Rooms, and as such was bound by the Rules of the Club and also by the Rules of Racing. After hearing this the judge ruled that there was no case to go to the jury, and entered judgment for the defence on the grounds of "privilege."

Mr. Hart's proper step would have been to request a new investigation, a "new trial" by the same authority to which he had pledged submission when he joined the "Rooms." If that had failed him he should have given way, and should have considered that if he was to be considered justified in being contumacious because he was not "convinced" by the award, then *pari passu* any future disputant over whom he might subsequently obtain a victory before the same tribunal would be equally justified in keeping him at bay, and so in the long run verdicts of the Rooms in disputed bets would be reduced to farces.

We have taken this *in extenso* from the *Field* as this question has often cropped up as to the power of Tattersalls and the Racing Clubs. Some of our readers will remember the case of Owen McGee v. Auckland Racing Club. Then counsel appeared to be in a quandary, and could find no racing precedent, relying on the Lytleton case and one or two others of a similar kind. A clever counsel could have won the case for the plaintiff; however, the verdict was right in equity. This case, we think, will form a precedent—therefore our interest in it.

#### ENGLISH RACING NOTES.

RACING dies hard in England. By the last mail the details of the Liverpool Derby and Manchester Meetings, the last of the season, are to hand. What would colonials say to racing at the latter end of November amidst rain, hail, wind, etc., the course being covered with hay and straw in case frost should come on in the night and put a stop to the racing? Still such is the case. Here in the colonies, if it happens to be wet in the morning the races are put off. However, there are some old hands in New Zealand who have stood the cold and wet of Newmarket Heath and Aintree, also the fog and smoke at old Trafford during the autumn, and have even then enjoyed the racing, there being good fields and finishes, the majority of the owners and trainers looking out for their winter oat bill and the jockies for the last tips of the season.

The minor races are of no interest to those here, so the principal ones are all that are given. The Liverpool Meeting commenced on November 4, in fine weather; a very large party had assembled at Lord Sefton's Croxteth Park, and the stands were well filled. The sixty-first Liverpool St. Leger was won by Mr. A. Taylor's b g by Buchanan—Lady Charlie, 7st 13lbs. who defeated Sir F. Johnstone's Ben, 8st 7lbs. by a short head; Lord Calthrope's Heresy, 9st 4lbs, third, four others being behind them. The Knowsley Nursery Handicap of 500 sovs., five furlongs, resulted as follows:—Mr. Dyas' b c Vivid, 7st, 1; Mr.

Fairlie's Guardian, 6st 6lbs, 2; Col. North's St. Simon of the Rock, 6st 10lbs, 3.

The second day was beautifully fine and the attendance large. The Grand Sefton Steeplechase produced a field of only seven. Old Gamecock, who was top weight with 12st 4lbs, struggled on gamely into the straight, he was then done, the race resulting in an easy win for Lord Zetland's ch g Chonfleur, 4yrs., 10st 7lbs; Mr. Liddell's Magic, aged, 10st 13lbs, 2; Roman Oak, 11st 11lbs, 3. On the third day the weather began to break, heavy rain falling with a high wind. However, the racing was of a first-class description. The Aintree Hunt Steeplechase attracted a field of seven, and resulted in an easy win for Mr. Clayton's Saint, 1; Lord Cholmondley's Father O'Flynn, 2; Mr. Leigh's Lord of the Glen, 3. Then came the principal race of the meeting—the Liverpool Autumn Cup of 10 sovs., with 1,000 sovs. added. This race has for years past been a very heavy betting one, the present being no exception. Mr. Abington's Lady Roseberry, 5yrs, 7st 8lbs, was made favourite, and eventually won easily; this made her second Liverpool Cup victory. Her victory was not received with much enthusiasm, owing to the tactics that had been used. The fourth day had to be postponed owing to the frightful gale blowing and the course being fairly under water. It was resumed on Saturday, but owing to many persons and horses having taken their departure the racing was of little interest.

The Derby Meeting of three days commenced on November 11. This meeting, notwithstanding the lateness of the season, is one of the most popular. The county stand was filled with the aristocracy of Derbyshire, all the neighbouring houses being filled for the occasion. English ladies, especially those of the Midland Counties, are not deterred by a little bad weather. The county families were represented by Lord and Lady Hartington, Lady Dudley and her son the Earl, Lord and Lady Loudon, Lord and Lady Churchill, and many others. The first day broke cold and foggy, but towards noon the sun managed to struggle through. The card contained six items. The principal race was the Chesterfield Nursery Handicap of 1,000 sovs., by a subscription of 25 sovs, five furlongs. This brought twenty-four two-year-olds to the post. This lot of youngsters gave Mr. A. Coventry a great deal of trouble, and it was at least forty minutes before he got them away to a good start, the race resulting as follows:—Mr. T. Cannon's Billow of Ocean Wave—Green Frederica, 7st 11lbs, 1; Mr. R. H. Coombes' Conachar, 8st 4lbs, 2; Mr. C. G. Paget's Euphony, 8st 11lbs, 3. Won by three-quarters of length, head between second and third. Fourteen started for the Selling Race of 300sovs., and seventeen for the Markheaton Welter Handicap. The smallest field of the day being seven for the opening race, a small selling one.

On the second day the weather was better, the attendance being very large, and the fields good. There were seven events on the card, and for the Priory Nursery Handicap twenty started; for the Allerstree Plate of 200 sovs. the same number faced the starter. The Chatsworth Stakes of 500 sovs., five furlongs, attracted a field of twenty-four. It resulted in a clever win for Mr. Barclay's Elgiva, 3yrs, 6st 3lbs; Prince Sotzkoff's Lord George, 4yrs, 8st 5lbs, 2; Mr. "Abington's" Juggler, 5yrs, 9st 9lbs, 3. Won by three-quarters of a length, neck between second and third. Thursday, the third day, the races had to be put off until the next day owing to a dense black fog, and this reduced the interest in the last day's racing, which calls for no comment.

The Manchester Meeting of three days concludes the English racing season. This year it was not stopped by either frost or fog, though it rained, especially on the last day, almost incessantly. The fields as usual were large, and the racing good. The only race that calls for any comment is the Manchester November Handicap of 20 sovs. each, with 1000 sovs. added—the last of the big handicaps. Nineteen started for it. A vexatious delay in the heavy rain tried the patience of the drenched spectators, until at last the flag fell to an excellent start. The race was run at a good pace considering the heavy going. As soon as the straight was entered the result was quickly set at rest, only

Partington and Shall We Remember being in the race, a quarter of a mile from home, the former winning by three lengths. The race resulted as follows:—Duke of Beaufort's Partington, 3yrs, 7st 5lbs, 1; Mr. Milner's Shall We Remember, 3yrs, 8st 10lbs, 2; Mr. Saville's Ringmaster, aged, 8st 7lbs, 3. Five started for the Final Handicap, and the season ended in a downpour of rain the majority of race goers being glad that this was the end.

#### VOLUNTEER NEWS.

[Volunteers and others are invited to contribute to this column. All communications should be addressed to "Carbine," and left at the office of this paper not later than Wednesday in each week.]

[BY CARBINE.]

The intending reps. held a final sweepstake match on Saturday afternoon last at the Onehunga Rifle Range. The distances were 600 and 700 yds, ten shots at each range. The average shooting was very good. The scores are:—

Name	600 yds	700 yds	Total
Corp. H. Doughty, 'A' B.	39	26	65
Sergt. McCallum, 'O' B. . .	28	34	62
Gun. Moore, 'A' B. . .	29	32	61
Bomb. Webster, 'A' B. . .	28	29	57
Mr. Nutt, A.M.C. . .	30	27	57
Mr. Kelly, A.M.C. . .	37	20	57
Lieut. Haultain, 'A' B. . .	25	31	56
Gun. Henderson, 'A' B. . .	24	30	54
Gun. Greenshields, 'O' B.	28	25	53
Pvt. McCarthy, V.R. . .	14	37	51
P.O. J. Spinley, P.N. . .	25	25	50
Sergt. Soall, C.G. . .	30	20	50
Major Skinner, Staff . .	33	14	47
Sergt. Fairs, 'O' B. . .	28	17	45
Gun. Brown, 'O' B. . .	10	31	41

The Auckland and Ponsonby Navals paraded at the Drill Shed on Friday evening last, Jan. 9th, for inspection by Lieut.-Col. Hume. The attendance of each company was very fair, under Capt. Parker and Miller. A few movements were gone through in the shed, but the floor, which is still in a disgraceful state and hard to turn on, made some of them rather awkward. Col. Shepherd was present, and there was a splendid muster of the Artillery Band, under Drum-Major Kearsley.

The Auckland reps. left for Napier on Thursday last to attend the meeting to be held there. Twenty-one men have entered, and should all give a good account of themselves. They are as follows:—

#### "A" BATTERY.

Lieut. Haultain, 2nd year as a rep., shoots fairly well.  
Sergt. J. Parslow, ex-champion, a very old rep., always makes a good show.  
Corp. H. Doughty, 2nd year as a rep., present champion of Auckland district. Young shot of 3 years standing. Very steady.  
Bomb. J. Webster, finished second for carbine championship, 1886. Has attended several meetings and is always successful.  
Gun. C. P. Taylor, good steady shot, has a splendid record, and should make things pretty merry.  
Gun. A. Henderson, old rep., held 'A' Battery Belt three times. Most consistent shot.  
Gun. E. Buchanan, has attended several meetings. One of last years champion team. Very steady.  
Gun. J. G. Buchanan, has twice represented Auckland. Did fairly well at last meeting.  
Mr. F. V. Kelly, 1st time as a rep., shoots very fairly.

#### "O" BATTERY.

Sergt. M. McCallum, 2nd year as a rep., holds Company's Challenge Cup, and has been doing tall shooting in matches of late.  
Gun. Greenshields, 1st year as a rep., is a promising young shot, did fairly well, at A.R.A. last month.

#### PONSONBY NAVALS.

P.O. Spinley, 1st year rep., shoots very fair, present holder of Company's belt.

#### VICTORIA RIFLES.

Capt. Cooper, rep. for several years, always gives a good account of himself.

#### CITY GUARDS.

Sergt. Soall, one of the oldest reps. Very consistent.

Sergt. Craig, 1st year rep., has been doing very poor shooting of late.

Pvt. Osborne, old rep., shoots well.