

HONEST JOHN AND ARGOT RACE.

Match Contest For \$300 Won by
The Latter at the Fair
Grounds.

BOTH WERE HEAVILY BACKED.

Fair Sized Crowd on Hand Looked
For Crooked Work But the Race
Was Apparently Straight.

For some time there has been a dispute
about the racing ability of J. Y. Rich's
horse, Argot, and C. K. Kelo's Honest
John, an effort has been made to ar-
range a race between the two fast ani-
mals.

In Thursday's races Honest John beat
Argot but the latter's friends insisted
that the animal did not have a fair
chance and they began clamoring for a
change between the two. It was finally ar-
ranged that the horses would race at the
state fair track yesterday afternoon for
a side bet of \$500. Both horses had plenty
of admirers who were out to see the
contest, the Brigham City horse had plenty
of backers and they had little trouble in
getting their money covered.

Pools sold with Honest John the slight
favorite. The "weight" on the horse was
supposed to be 110 lbs. and at first betting
was slow. It is estimated at least \$1,000
was wagered on the outcome of the
event.

The first start was false but in the next
one Honest John made an attempt to
get through on the pole but was cut out
stretch Argot moved along rapidly on the
outside and closed up the gap. It was
then apparent that the latter's friends
were practically done for. The latter's
jockey made a hard fight on the finish,
but Argot came along steadily and won
the race by five-eighths of a
mile and the time was 1:03 1/2.

HIGH SCHOOL VS AGGIES.

Teams Will Meet and Battle on Logan
Gridiron This Afternoon.

At Logan this afternoon the Salt Lake
high school football team is engaged in
a gridiron battle with the Aggies. The
local team is greatly handicapped by
being out of practice for several days.
The team will line up as follows: Rich-
mond, center; Hennessy, right guard;
three right tackle; Pierce, right end;
Quincy, left guard; Harris, left tackle;
Jensen, left end; Hansen, quarterback;
Richardson, left halfback; Blintz, right
halfback; Weller, fullback; Harris, Wolf
and Greenbeck, substitutes.

RYAN WAS SUMMONED

To Appear Before Jockey Club Stewards
—Was Ruled Off the Turf.

New York, Oct. 10.—John J. Ryan, a heavy
operator on the turf, has been summoned
to appear before the stewards of the city
jockey club to be questioned. It is said,
regarding his standing in view of the
fact that he was ruled off the turf for
the Port Erie jockey club for an al-
leged infraction of turf regulations five
years ago. Ryan was on hand at the
summons hour, but a quarrel with the
stewards was lacking and the matter was
postponed. Ryan had been out of the city
for several days and was not to ap-
pear when he returned to the betting
ring. He is said to have an interest in
three books now operating at Morris
Park. Ryan declares he knows absolutely
nothing about the "Ringing" and is con-
fused with which he was ruled off at
Port Erie and that he refused at that
time to go beyond that to defend him-
self. For that reason he says action was
taken against him. He is quoted as say-
ing he will not submit quietly to a
measure barring him from the betting
ring because the jockey club stands com-
mitted to the attitude of ignorance that
betting on the races costs.

Famous Horse Killed.

New York, Oct. 10.—Richard Croker's
famous American stallion, "Buck," has
been destroyed on orders from his owner,
says a World dispatch from London. The
old sire had developed an enlargement
of the hind leg, from which he suffered
greatly.

Jack Clifford Whipped.

Helena, Mont., Oct. 9.—Kid Fredericks
of Butte knocked out Jack Clifford of
Butte in the seventeenth round of what
was scheduled to be a 20-round fight here
last night. Fredericks was the aggressor
all the way and after the eighth round
had all the better of it.

Weaver Goes Home.

Buck Weaver has gone on his home at
Lakin, Kan., and will remain there for
the winter. Although not definitely
known, it is understood that he will
not return to the league next summer to
captain the Salt Lake team. At the league meeting last
Friday night at Spokane, McCloskey
will represent Salt Lake.

RACES AT LEXINGTON.

The Fifteenth Transylvania \$5,000 Purse
Was Won by Caspian.

Lexington, Ky., Oct. 9.—Six thousand
people braved the biting west wind to-
day to see Caspian win the 15th annual
and second favorite in the betting, win the
fifteenth Transylvania \$5,000 purse. Kent,
who took second money, was purchased
from Dick Denley of Wichita, Kan., by
H. S. Strathers for \$1,500 just before the
second heat and made a strong bid for
first place in this heat.

The feature of the day outside the
Transylvania was the new world record
made by Dan R. for a pace, a mile
in 2:14. Dan R. went the second
heat in 2:14. There were two other
contests for the free-for-all race for amateur
drivers. C. K. G. Billings drove Green-
leaf and H. R. Drayton drove Dan R.
In the first heat Dan R. broke before
finishing the quarter pole and Green-
leaf ahead a hundred yards. At the
major scratch Dan it made up good dis-
tance, but was still trailing three lengths
behind. A hundred yards from the wire
he caught Greenleaf and in a driving fin-
ish sent him out by a neck in 2:15 1/2, go-
ing the last quarter in 29 seconds. In
the next heat Dan R. led from start to
finish and went the mile in 2:04 1/2, beat-
ing his competitors by several lengths.

SUMMARY.

First race, 2 1/2 furlongs, purse \$1,000.—
Maurice won the first, third and fourth
heats in 2:14, 2:14, 2:15. Gray Gem
won the second heat in 2:14. Marion
Wagner, Tapsey, Robinson, The Doctor,
Walker Smith, Pug, Guy Fortune, Tonsa
and Taro have all started.

Second race, 2 1/2 furlongs, trotting, purse
\$1,000.—Dan R. won three straight
heats in 2:14, 2:14, 2:14. Laundry Boy,
Jack, Maid, John Caldwell, Tonsa,
Casper, Mail, Kirkwood Jr., The Cres-
cent, Jessie Kennedy, Miss Primity, Eu-
dora G and George M also started.

Third race, the Transylvania, 2 1/2 furlongs,
purse \$5,000.—Caspian won three
straight heats in 2:11, 2:08, 2:08. Kent,
Blind Bay, Hawthorn, John Mac,
George Macoville and Kinney Low also
started.

Fourth race, 2 1/2 furlongs, purse \$1,000.—Di-
rector Miller won two straight heats in
2:14, 2:14. Panting, C. O. D. Reaper,
Mowry, Ethel Mae, Galey, Red
Bird, Mary Jordan, Dan Direct, Geo.
Cottrell and Money Musk
also started.

Fifth race, free-for-all, having to wear on
—Dan R. defeated Greenleaf in two
straight heats. Time, 2:15, 2:04 1/2.

SAN FRANCISCO AND RE- TURN \$31.50.

Los Angeles and Return \$44.50.
Oct. 9th to 13th inclusive, via Oregon
Short Line from Salt Lake. Limit Nov.

MR. DUNCAN'S STORY.

What He Has to Say of the Drug Store
Tobacco Case.

To the Editor:
In Thursday night's issue of the
Deseret News an editorial appeared in
which comments upon the case against
the Lloyd Drug company were made,
and among others that "the law was
clearly violated." In fairness to Mr.
Lloyd, it seems that both sides of the
case should have been heard before
expressing such an opinion.

The Walker boy came to Mr. Lloyd's
store and said he wished to buy cigars
for Mr. Whittaker, who was a customer
of the store and in the habit of buying
cigars. The boy was well known to the
clerk and Mr. Lloyd and it was well
known by them that he did not smoke.
As to the prior alleged sale, which
was not charged in the com-
plaint, the defendants were ready to
prove that it did not occur.

It happened that the cigars purchased
were not for Mr. Whittaker but that
the boy simply used that name and the
boy simply used that name and after
procuring the cigars gave them to
Mrs. Simpkins, who had evidently in-
structed the boy to make the misrepresen-
tation in order to induce the sale and
thus get evidence against Mr. Lloyd.

However that may be, if the boy was
telling the truth, he was the agent of
Mr. Whittaker, and the sale was not to
the minor but to a person legally au-
thorized to purchase cigars. The stat-
utes of most of the states are simi-
lar to ours, and the courts in construing
them have almost uniformly held that
where the minor discloses the name of
his principal, and cigars or liquor are
delivered to the minor for the principal,
the dealer is not guilty of selling or
delivering cigars to minors, within the meaning of such
statutes. The supreme court of Con-
necticut says it would seem to be with-
in the letter of the statute, but it is
clearly not within its spirit. The ob-
ject of the law is not to prevent the
sale of cigars to minors or agents of
minors, but to prevent the sale of tobacco
to them for their own use. The sale or
delivery is not to the minor, but to
the person he represents. If the boy
was not telling the truth, there was no
sale or delivery to anyone for the use
of such person, and the boy was guilty
of obtaining goods under false pre-
tenses.

This may be "sophistry" as the writer
of the editorial referred to calls it, but
it is the reasoning adopted and fol-
lowed by the highest courts in nearly
all the states where the question has
been presented. If a minor cannot act
as a messenger or agent in such a case,
the legislature should pass a law to
that effect.

The statutes forbidding the sale or
delivery of tobacco to minors is a good
law and efforts to enforce it are cer-
tainly worthy, but when resort is had
to deceit in order to convict innocent
persons, this means is worse than the
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