

ROUND THE SPORTING WORLD

THE WHEEL AND THE LAW

Legal Status of the Bicycle Not Yet Clearly Defined.

IT, HOWEVER, IS A VEHICLE

Some of the Legal Decisions Which Have Been Called Forth by the Wonderful Growth of the Great Wheeling Sport.

From the Detroit Free Press.

The use of the bicycle for the purpose of locomotion and travel is so recent that as yet there is little adjudication as to the rights and liability of travelers employing it upon the highway.

The early advent of the bicycle met with strenuous opposition, both from pedestrians and agencies of the former contending that it was a vehicle and should be excluded from the sidewalk and the latter asserting that it was an object of terror.

Although Blackston, Coke and other common law jurists never experienced the sensation of a spin on a bicycle, yet we look to the law of the mother country for the earliest cases involving the law of the wheel.

A LEADING CASE.

The authorities, almost without exception, now recognize the bicycle as a "carriage" or "vehicle," entitled to the rights of carriages and vehicles in general, and no longer regard it as an obstruction to or an unreasonable use of the streets or roads, but rather a new and improved method of using the same.

But the court was of the opinion that it was a carriage in the full sense of the word, and that persons riding it might be said to "drive" it in the same sense that an engineer drives an engine, although he guides as well as propels it.

Investigation discloses American authorities. In applying the established law of the road to the wheel, probably it is not entitled to the dignity of a carriage, and while there is no authority for the statement it seems that the wheelman in riding on the road should be governed by the immemorial usage and custom applicable to horsemen.

THE LAW SUMMED UP.

1. Municipal corporations or cities are liable to a bicyclist for injuries incurred by reason of defective roads (i. e., unguarded embankment, a deep rut, a large stone), provided he is not guilty of contributory negligence.

2. A bicyclist has a right of action against the driver or owner of a vehicle who willfully or negligently causes a collision or damages his wheel while left standing by the street curb or roadside. It is the duty of a wheelman, however, to avert collision, if possible, and he cannot recover damages if his own negligence is the proximate cause of the injury complained of.

3. A bicyclist riding on the left hand side of the road probably assumes all risks and is prima facie guilty of negligence.

4. Vehicles going in the same direction on the rightmost may pass on either side.

5. Sidewalks are exclusively for foot passengers, but a foot passenger has a right to walk in the highway, and is entitled to cross the street where he may elect, but is guilty of negligence if he attempts to cross ahead of a vehicle.

6. A bicyclist employing an immoderate rate of speed on a highway or street may be liable civilly or criminally in case of accident.

STATISTICS OF TROTTING

Interesting Facts and Figures About Trotters and Pacers.

RECORDS THAT STILL STAND

In the Open Class, Queen Allx Holds the 2:03 3-4 and Fantasy in Proud of the Three-Year-Old Championship.

The new record books of trotting and pacing contain some interesting statistics relating to harness racing in 1895. Although no account is taken of races in which the winner's time is slower than 2:30, summaries of over 6,500 harness contests are printed this year.

Something like 1,200 meetings were held by the 1,000 or more driving clubs and fair associations, and at these meetings nearly 14,000 different horses started for the \$20,000 or more being up in prizes and stakes, says the Star.

GENERAL SPORTING NOTES.

Jim Daly has received the following from Corbett, "Try and force Fitzsimmons to fight me, and oblige your friend, John J. Quinn, manager for Peter Maher, to represent that celebrity on board his new Meteor in all the City's positively refuses to meet Corbett."

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FANTASY THE CHAMPION. Fantasy holds the champion 3-year old record, but it is 2:08 3/4, and not 2:08 1/2, as the turf guide has it.

PACE-SETTERS. A report has been going the rounds that William Simpson has decided to change the name of his champion pacer station from John E. Gentry to plain Gentry.

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and sufficient, 2.17%, together with a number of green youngsters. Spalden, who paced in 2:17 1/2 as a 2-year-old in 1895, has shifted to the diagonal gait, and he promises so well as a trotter that Mr. Simpson has entered him in the \$5,000 stake for the 2:30 class at Pleasantwood.

PURCHASE OF LOTTIE THOM.

The New York breeder has just purchased Lottie Thom, 2.23 3/4, the dam of H. R. C. Watson's Oscar Williams, 2:12 1/2, and the granddam of Rebecca Simmons. Like the dam of Bouncer, she is a daughter of Mambrino Patheen, and Mr. Simpson will breed her to a 4-year-old that is good enough to win the Pennsylvania.

Andrews will probably open the campaign with the Empire City stable at Mystic park, Boston, about the middle of June, going west in time for the opening of the grand circuit at Saginaw and coming down the line to New York.

After the Pleasantwood meeting the horses will go to Boston and other New England meetings, winding up the campaign in the west in October, with starts at Terre Haute, Louisville and Lexington. Mr. Simpson will probably give a high class meeting in September at Cuba, N. Y., where his breeding farm is located.

STRONG SHOWING OF PACERS.

The strong showing made by the pacers is one of the notable features of the statistics of 1895. Ten years ago the complete list of 2,300 pacers numbered less than 500 horses, and at the close of 1895 there were only 1,251 wheelers having records as fast as 2:30. Yet so rapid has been the rise of the speed that the number of pacers is now really over 12,000 trotters.

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