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The Story of Horse Racing, Legislation, and Betting. Frampton's Legacy

Putting 7 pounds additional weight on one's horse may appear a short cut to losing cash although not to Tregonwell Frampton, keeper of the royal running horses at Newmarket through five reigns, from Charles II to George I.

Frampton was a professional horseman, a shrewd match-maker who made a good living from the horses he trained. On one famous occasion, however, this machiavellian character was outfoxed. He accepted a challenge from the Yorkshire baronet, Sir William Strickland, proud owner of Merlin, a racehorse acclaimed throughout the northerly counties. The match captured the imagination of the racing world: the champ of the north versus a favorite of the greatest southern tutor. Merlin was sent to Newmarket for acclimatizing under the care of a jockey-groom named Hesletine.

Acting on his master's directions, one of Frampton's grooms approached Hesletine who permitted himself to be 'persuaded' to run a secret trial between the 2 horses in order that Frampton would know whether or not to hedge his bets. Although the trial was supposed to be at the weights assigned for the match, Frampton's horse actually carried seven pounds excess, so that when Merlin won by only a length Frampton felt certain the race was his and plunged heavily. So did others; both those aware about the subterfuge and those merely assured in Frampton's judgement. Nonetheless Merlin too had carried half a stone too much in the trial: the reliable Hesletine hadn't fallen to his southern tempters and had informed his employer of the imminent trial which Sir William made a decision to exploit to his very own advantage. The result of the race was a reproduction of the trial; with both horses carrying 7 pounds less than in their previous encounter, Merlin repeated his one-length victory. Many of those who had banked on Frampton and his steed now faced bankruptcy.

Such were the losses sustained and the volume of property that changed hands that it is claimed that Parliament was stimulated to pass an Act in 1710 to inhibit unrestrained gambling. Part of the Act permitted anyone losing over £10 in a bet to take action in the courts to recover the money. Presumably it was assumed that the danger of not being able to retain loot would deter large—scale wagers. In reality the Act remained very much a dead letter, mainly because gambling men were often willing to honour their obligations.

If they weren't, there wasn't any need for them to invoke the Act as they could simply refuse to pay, there being no legal support for winners saying their booty. Only when losers paid out and then changed their minds could the 1710 Act be employed; but losers were disinclined to try this for other legislation passed in the same year had made it illegal to even make a bet of over £10, so to sue for the recovery of losses was to risk prosecution yourself. Generally, however, the authorities turned a blinkered eye. Perhaps they shared the view of the Victorian commissioner of the City police who believed it was decidedly an evil for a spirit of gambling to prevail among the busy community but had 'no wish to interfere with that class of folks who, having adequate funds and leisure, select so to get rid of their property?

The Act of 1710 had another important clause which specified that any person informing on offenders could obtain up to 3 times the money staked. This legislation too was infrequently, if ever, employed. The gambling elite would never tell on each other. Many of them may have had a unusual code of racing ethicality but honour would preclude informing; they would buy info from the stables but they would never sell proof to the authorities. Small lager betters would be unattractive to informants for the likely monetary rewards were scarcely sufficient to negate the risk of physical attack, In any case the informant could not be concerned in the bets himself, or he too could have to deal with prosecution: as far as racing was concerned this ruled out lots of the potential informing simply because betting books and [horse racing systems](#) were exceptionally non-public property.

Harriet Harman is a gambling enthusiast and columnist on [horse gambling](#) systems, including popular manuals and software like [Cash Master](#).

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