

**Minutes of the
New York State Racing Commission**

1952

M I N U T E S

1952

Minutes of a Meeting of the New York State Racing Commission, held at the office of the Commission, 745 Fifth Avenue, New York City, on January 9, 1952, at 10:00 o'clock in the forenoon.

PRESENT:

Mr. Ashley T. Cole, Chairman
 Mr. William C. Langley, Commissioner
 Mr. Harry J. Millar, Secretary

The Secretary reported that due written notice of the meeting had been given to all Commissioners.

The Chairman presented to the meeting a copy of the revised Rules and Regulations in three parts and the same were discussed at length.

Upon motion duly made and seconded, the following resolution was adopted:

RESOLVED, that the entire body of Rules and Regulations of the Commission, including the Rules and Regulations and the Rules of Racing adopted March 29, 1951, and the Supplemental Rules to the Rules of Racing for Steeplechases, Hurdle Races and Hunts Meetings adopted April 18, 1951, be and the same hereby are in all respects repealed.

Upon motion duly made and seconded, the following resolution was adopted:

RESOLVED, that the Rules and Regulations of the Commission, comprising three parts entitled respectively, PART I (Administration); PART II (Rules of Racing), and PART III (Special Rules of Racing for Steeplechases, Hurdle Races and Hunt Meetings) as presented to this meeting, be and the same hereby are adopted as and for the Rules and Regulations (including the Rules of Racing) of this Commission.

There being no further business, the Commission adjourned.



Secretary.

ADMITTED

Minutes of a Meeting of the New York State Racing Commission, held at the office of the Commission, 745 Fifth Avenue, New York City, on February 13, 1952, at 10:00 o'clock in the forenoon.

PRESENT: Ashley T. Cole, Chairman

Commissioners Langley and Swirbul being absent from New York, and unable to attend the meeting, there was no meeting.



Secretary.

Minutes of a Special Meeting of the New York State Racing Commission,
held at the office of the Commission, 745 Fifth Avenue, New York City, on
March 3, 1952, at 10:00 o'clock in the forenoon.

PRESENT:

Mr. Ashley T. Cole, Chairman
Mr. William C. Langley, Commissioner
Mr. Harry J. Millar, Secretary
Mr. Francis P. Dunne, Steward

The Chairman reported that he had called a Special Meeting of the Commission at this time and place by letters and telegrams to Commissioners Langley and Swirbul, which were sent February 27.

Upon motion duly made and seconded, the action of the Chairman in appointing Mr. Francis P. Dunne to have charge of the Licensing Bureau of the Commission for the season of 1952, from January 21, be and the same hereby is approved; Mr. Dunne to receive a salary of \$75. per day for five days per week until March 31, 1952, and thereafter to receive only his compensation as official Steward of the Commission.

Upon motion duly made and seconded, the following resolution was adopted:

RESOLVED, that John P. Powers of Ossining, New York, be and he is hereby appointed as of and from April 1, 1952, Counsel to the Commission, to have charge of such legal matters affecting the Commission and its jurisdiction as may be referred to him by the Chairman or by the Commission, to serve until the further order of the Commission, and that his salary be and the same hereby is fixed at the sum of \$7,500. per annum.

Upon motion duly made and seconded, the following resolution was adopted:

RESOLVED, that the Commission approve, and it does hereby approve, the charges to be made by Metropolitan Jockey Club during its 1952 meetings at the Jamaica race course, viz.:

	<u>General Paid Admissions</u>	
	<u>Clubhouse</u>	<u>Grandstand</u>
Price	-- \$3.35	Price -- \$1.30
Federal Tax	.67	Federal Tax .26
State Tax	.5025 (Patron pays .48¢)	State Tax .195 (Patron pays .19¢)
	\$4.50 Track pays .02½¢)	\$1.75 Track pays .1/2¢)
	<u>Clubhouse Exchange</u>	
Price	- \$ 2.05	
Federal Tax	.41	
State Tax	.3075 (Patron pays .29¢)	
	\$ 2.75 Track pays .01-3/4¢)	

Complimentary Admissions

<u>Clubhouse</u>		<u>Grandstand</u>	
Service Charge	- \$.5775	Service Charge	- \$.545
Federal Tax	.12	Federal Tax	.11
State Tax	<u>.5025</u>	State Tax	<u>.195</u>
	\$ 1.20		\$.85

Complimentary Admissions
(For Horsemen Only)

<u>** Clubhouse</u>		<u>Clubhouse Season</u>	
Service Charge	- \$.0275	Service Charge	- \$ 1.86
Federal Tax	.01	Federal Tax	.37
State Tax	<u>.5025</u>	State Tax	<u>12.06</u>
	\$.54		\$ 14.29

Paid Admissions

<u>Boxes</u>		<u>Reserved Seats</u>	
		<u>Clubhouse - 418 Seats</u>	
Price	- \$100.00	Price	- \$ 1.00
Federal Tax	20.00	Federal Tax	.20
State Tax	<u>15.00</u>	State Tax	<u>.15</u>
	\$135.00		\$ 1.35

<u>Grandstand - 529 Seats</u>	
Price	- \$ 1.00
Federal Tax	.20
State Tax	<u>.15</u>
	\$ 1.35

** For wives or husbands of Owners and Trainers only.

Upon motion duly made and seconded, the following resolution was adopted:

RESOLVED, that the following persons concerned as officials with the actual conduct of racing be, and they hereby are approved as such officials for the racing season of 1952:

Steward representing The Jockey Club	- Marshall Cassidy
General Racing Secretary and Handicapper	- John B. Campbell
Assistant Racing Secretary	- Julius Reeder
Assistant Handicapper	- Frank E. Kilroe
Starter	- George B. Cassidy
Placing Judges:	- William Constantine
	Joseph Kyle
	Fred H. Parks
Clerk of the Scales	- Calvin Rainey
Assistant Clerk of the Scales	- William A. Murphy, Jr.
Paddock and Patrol Judge	- Myron Davis
Assistant Paddock and Patrol Judge	- Walter J. Mara
Patrol Judge	- Austin McLaughlin
Timer	- John O'Hara

Upon motion duly made and seconded, the following resolution was adopted:

RESOLVED, that the following persons employed in various departments by the licensed Racing Associations are hereby approved for temporary assignment to official positions connected with the actual conduct of racing:

Thomas Trotter	now in	Racing Secretary's Office
Dr. J. G. Catlett	" "	Horse Identification Dept.
Dr. Manuel Gilman	" "	" " "
Dr. Herbert Cox	" "	" " "
Frederick Meinz	" "	" " "
Gerard A. Burke	" "	" " "
William O'Connor	" "	" " "
Howard Storms	" "	" " "
Nathaniel Sutcliffe	" "	" " "
Warren Mehrtens	" "	" " "
Harry T. Palmer, Jr.	Assistant	Starter
David Chamberlin	" "	" "
Oscar Mackey	" "	" "
Lucas Dupps	Lead	Outrider
John F. Kennedy	now in	The Jockey Club Office

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Upon motion duly made and seconded, the following resolution was adopted:

RESOLVED, that the Special Rules for the Bureau of Licenses presented and read to this meeting be, and the same hereby are, approved and adopted, the same to be in effect from February 1, 1952, and until further order of the Commission; and be it

FURTHER RESOLVED, that a transcript of such Special Rules be appended to the minutes of this meeting.

Upon motion duly made and seconded, the following resolution was adopted:

RESOLVED, that the following persons be, and the same hereby are, appointed to the positions set opposite their names as the seasonal staff of the Commission for the season commencing April 1, 1952, to hold such positions until the further order of the Commission:

<u>Name</u>	<u>Position</u>
Francis P. Dunne	Steward
Dr. Jordan G. Woodcock	Supervisor of Drug Tests
Bernard McNichol	Assistant to Steward
George W. Thompson	Assistant to Supervisor of Drug Tests
Arthur G. Beck	Inspector
Robert H. Borough	"
William Brennan	"
Raymond A. Breton	"
Louis Espresso	"
William Gates	"
Howard J. Gotterup	"
Frederick L. Kennedy	"
Thomas E. McKnight	"
Aldo J. Sagrati	"
Herman L. White	"
John Conaghan	"

Upon motion duly made and seconded, the following resolution was adopted:

RESOLVED, that Rule 31 of the Rules and Regulations of the Commission, now reading as follows:

31. All applications shall be referred to the Bureau of Licenses of the Commission, and no license shall be issued until after approval thereof by the Commission.

be, and the same hereby is, amended to read as follows:

31. (a) All applications shall be referred to the Bureau of Licenses of the Commission, and no license shall be issued until after approval thereof by the Commission.

(b) No application will be considered by the Commission unless substantial evidence first be presented to the Bureau of Licenses that the applicant will participate in racing during the season.

Upon motion duly made and seconded, the following resolution was adopted:

RESOLVED, that Rule 20 of the Rules and Regulations of the Commission, now reading as follows:

20. The staff of the Commission shall consist of a Secretary, a Steward, a Supervising Racing Inspector, a Supervisor of Drug Tests, a Racing Diagnostician, a Senior Auditor, and such other employees, permanent or temporary, as the Commission may determine within the lawful appropriation therefor.

be, and the same hereby is, amended to read as follows:

20. The staff of the Commission shall consist of a Secretary, a Steward, a Counsel, a Supervising Racing Inspector, a Supervisor of Drug Tests, a Racing Diagnostician, a Senior Auditor, and such other employees, permanent or temporary, as the Commission may determine within the lawful appropriation therefor.

Upon motion duly made and seconded, the following resolution was adopted:

RESOLVED, that Rule 243 of the Rules and Regulations of the Commission now reading as follows:

243. All statements of partnerships, of sales with contingencies, of leases, or of arrangements, shall declare to whom winnings are payable, in whose name the horse will run, and with whom rests the power of entry or of declaration of forfeit; and this information shall be published in the Racing Calendar or any such other publication as the Commission may designate.

be, and the same hereby is, amended to read as follows:

248. All statements of partnerships, of sales with contingencies, of leases, or of arrangements, shall declare to whom winnings are payable (which must be the name of the nominator), in whose name the horse will run, and with whom rests the power of entry or of declaration of forfeit; and this information shall be published in the Racing Calendar or any such other publication as the Commission may designate.

The meeting discussed several matters connected with the issuance of licenses, the examination of trainers, and the transfer from the main office to the branch offices, and from track to track, of the very considerable equipment of the Bureau of Licenses.

The meeting also considered the adoption of an amendment to Rule 134(b) for the establishment of a so-called "consolation double" and the matter was laid over for further consideration at the monthly meeting on March 12.

There being no further business, on motion duly made and seconded, the meeting adjourned.


Secretary.

Special Rules for the Bureau of Licenses

1. "Original applications" shall be required from all applicants who have not been licensed in New York in any of the three (3) immediately preceding racing seasons.

2. In all applications for licenses, applicants shall state and sign their first names in full and the initials of their middle names, if any.

(NOTE: in 1953 forms, print requirement for full first and middle names)

3. (a) Immediately upon receipt of "original applications", the License Bureau shall take steps to obtain (1) letters (3) from applicant's references; (2) statement from applicant's bank; (3) report on card-file check from Pinkerton's National Detective Agency, and reports from the Thoroughbred Racing Protective Bureau, The Jockey Club, National Steeplechase and Hunt Association and any other source approved by the Chairman or the Steward of the Commission.

(b) All reports specified in sub-division "(3)" of Rule 3, shall be in writing and signed by the agency furnishing the same, or, if "confidential" and so marked, shall be accompanied by memoranda of their source for the information of the Commissioners only.

4. (a) When "original applications" are complete with all supporting papers specified in Rule 3, they shall be referred to the Chairman for checking and from time to time the same shall be presented to meetings of the Commission for consideration.

(b) Minutes of all such meetings shall be prepared and kept by the Secretary and such minutes shall list the names of all applicants, the nature of licenses for which such applications are made and such other information as may be specified by the Chairman. Such minutes shall also state the determination of the Commission respecting the application.

(c) All applications approved by the Commission shall bear a notation to that effect, signed or initialed by the Chairman, and licenses shall issue thereon accordingly.

(Rubber stamp, black ink "Approved: _____)
(Chairman ")

5. ALL applications shall be referred to the Chairman for consideration by the Commission in same manner as provided in Rule 4 in all the following cases, viz.: where applicant

(a) has had his license refused or revoked in any state or any foreign country at any time;

(b) has been suspended by any other racing authority than the Stewards of the Meeting, or by any authority, including such Stewards, for a period exceeding twenty (20) days (including the remainder of the meeting).

(c) is reported in any publication (1) to have been charged with any crime; (2) to be or have been associated with others who have been so charged; (3) to have so conducted himself as to incur odium or even adverse criticism, whether connected with racing or otherwise.

6. In all cases where there could be any doubt that the application or the applicant could fall within any of the provisions of the foregoing Rules, or could otherwise be considered unworthy of a license, the application must be referred to the Chairman for consideration by the Commission, bearing in mind that the Commission regards it as of the first importance that its licensees shall all be at all times persons of character and integrity who would be a credit to racing and whose licensing by the Commission could be only for the best interests of racing.

Minutes of a Meeting of the New York State Racing Commission, held at the office of the Commission, 745 Fifth Avenue, New York City, on Wednesday, March 12, 1952, at 10:00 o'clock in the forenoon.

PRESENT:

Mr. Ashley T. Cole, Chairman
Mr. William C. Langley, Commissioner
Mr. Harry J. Millar, Secretary
Mr. Francis P. Dunne, Steward
Mr. John P. Powers, Counsel

The Secretary reported that due written notice of the meeting had been given to all Commissioners.

Upon motion duly made and seconded, the following resolution was adopted:

RESOLVED, that Rule 134(b) of the Rules and Regulations of the Commission be, and the same hereby is, in all respects, repealed, and in place thereof the following is hereby adopted as and for Rule 134(b) of the Rules and Regulations of the Commission:

"134(b) Should any horse in the second half of the Daily Double not coupled with a starter be scratched or excused by the Stewards after the running of the first race in the Daily Double, or if it be determined by such Stewards that any such horse not so coupled has been prevented from racing because of the failure of the stall doors of the starting gate to open, all money wagered on such horse shall be deducted from the Daily Double pool and all Daily Double tickets combining such horse with the actual winner of the first race in the Daily Double will share in a special Daily Double consolation pool formed by deducting from the total Daily Double pool the sum of all Daily Double combinations of which the said horse is a part."

Upon motion duly made and seconded, the Commission approved the designation of Mr. Harold O. Vosburgh, as Steward, representing the licensed racing associations for the 1952 season.

The meeting discussed several questions in connection with the issuance of occupational licenses.

The meeting approved the action of the Chairman in arranging for the movement of Commission files and equipment from track to track by an outside trucking organization.

The meeting discussed the question of examinations of new applicants for trainers' licenses and determined that such examinations should be conducted by the staff of the Commission rather than by the Stewards of the Meeting who have heretofore prepared and conducted such examinations.

There being no further business, upon motion duly made and seconded, the meeting adjourned.



Secretary.

Minutes of a Meeting of the New York State Racing Commission, held at the office of the Commission, 745 Fifth Avenue, New York City, on Wednesday, April 9, 1952, at 10:00 o'clock in the forenoon.

PRESENT:

Mr. Ashley T. Cole, Chairman
Mr. Harry J. Millar, Secretary

The Secretary reported that due written notice of the meeting had been given to all Commissioners.

The Chairman stated that Commissioner Langley's office had advised him that Commissioner Langley was out of town and would be unable to attend the meeting.

In view of the fact that there were no urgent matters on the agenda, Secretary Millar consulted Commissioner Swirbul and it was decided that he would not attend the meeting.

Items on the agenda will be held for the May monthly meeting.



Secretary.

Minutes of a Special Meeting of the New York State Racing Commission
held at the office of the Commission, 745 Fifth Avenue, New York City, on Wednesday,
April 30, 1952, at 10:00 o'clock in the forenoon.

PRESENT:

Mr. Ashley Trimble Cole, Chairman
Mr. William C. Langley, Commissioner
Mr. L. A. Swirbul, Commissioner
Mr. Harry J. Millar, Secretary

The Secretary reported that telephone notice of the meeting had been given to all Commissioners.

The Chairman reported that due to the fact that the Commission was unable to hold its regular monthly meeting on Wednesday, April 9, he had approved the application of Adjacent Hunts Racing Association, Inc., to conduct a hunt meeting at Purchase, N. Y., on Saturday, May 24, and issued a license therefor. He requested the approval of the Commission of such action.

Upon motion duly made and seconded, the action of the Chairman in approving the one-day hunt meeting of Adjacent Hunts Racing Association, Inc., at Purchase, N. Y., on May 24, 1952, and issuing a license therefor, is in all respects ratified and approved.

The Chairman further reported that as of April 25, 1952, he had approved the list of officials for the Adjacent Hunts Racing Association meeting to be held on May 24th, as set forth in schedule attached to letter April 24th from National Steeplechase and Hunt Association.

Upon motion duly made and seconded, the action of the Chairman in approving the list of officials for the Adjacent Hunts Racing Association meeting, is in all respects ratified and approved.

The Chairman also reported that as of April 25, 1952, he had approved the proposed charges for admission, membership subscription, clubhouse exchange and box seats, as set forth in schedule attached to letter dated April 24th, from National Steeplechase and Hunt Association.

Upon motion duly made and seconded, the action of the Chairman in approving the said list of charges is in all respects ratified and approved.

ADJACENT HUNT - Admissions
(tax included)

General Admission	\$ 2.00
Clubhouse Admission	4.50
Membership Subscription	15.00
Clubhouse Exchange	2.50
Box Seats	6.75

The Chairman further reported that as of April 25, 1952, he had designated Mr. Robert B. Young to act as official Steward of the Commission at the Adjacent Hunts Racing Association Meeting on May 24.

Upon motion duly made and seconded, the said designation by the Chairman, is in all respects ratified and approved.

The Chairman reported that as of April 8, 1952, he had approved the officials designated by the National Steeplechase and Hunt Association for the year 1952, as follows, viz.:

Mr. Fred H. Parks, Steward, at the meetings of the Westchester Racing Association; Queens County Jockey Club; The Saratoga Association and United Hunts Racing Association.

Mr. John E. Cooper, Racing Secretary and Handicapper.

Mr. Albert L. Acker, Jr., Assistant Racing Secretary.

Upon motion duly made and seconded, the action of the Chairman in approving the said list of officials is in all respects ratified and approved.

The Chairman also reported that as of March 20, 1952, he had approved the revised admission prices for the 1952 meetings of the Metropolitan Jockey Club, to meet the 15% tax on admissions levied by the City of New York as follows:

COMPLIMENTARY ADMISSIONS

	<u>Grandstand</u>		<u>Club House</u>	
	<u>1951</u>	<u>New</u>	<u>1951</u>	<u>New</u>
Association's service charge	\$.545	.55	.5775	.5825
Federal tax	.11	.11	.12	.12
State tax	.195	.195	.5025	.5025
City tax	-	.195	-	.195
Total	<u>\$.85</u>	<u>\$1.05</u>	<u>\$1.20</u>	<u>\$1.40</u>

HORSEMEN'S SPECIAL PRIVILEGE

Association's service charge	.0275	.0425
Federal tax	.01	.01
State tax	.5025	.5025
City tax	-	.195
Total	<u>\$.54</u>	<u>\$.75</u>

CLUB HOUSE SEASON BADGES (24 day badges)

Association's service charge	\$1.86	\$1.86
Federal tax	.37	.37
State tax	12.06	12.06
City tax	-	4.68 (24 X .195)
Total	<u>\$14.29</u>	<u>\$18.97</u>

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Upon motion duly made and seconded, the action of the Chairman in approving the revised admission prices of the Metropolitan Jockey Club is in all respects ratified and approved.

The Chairman also reported that at his request the State had authorized the making of a contract with A. E. Cron Company, Jamaica, New York, for the transfer of its equipment from the New York office to and between the various race courses for the 1952 racing season at the sum of \$850.00.

There being no further business, upon motion duly made and seconded, the meeting adjourned.



Secretary.

Minutes of a Meeting of the New York State Racing Commission, held at the office of the Commission, 745 Fifth Avenue, New York City, on Wednesday, May 14, 1952, at 10:00 o'clock in the forenoon.

PRESENT:

Mr. Ashley T. Cole, Chairman
 Mr. William C. Langley, Commissioner
 Mr. L. A. Swirbul, Commissioner
 Mr. Harry J. Millar, Secretary
 Mr. Francis P. Dunne, Steward
 Mr. John P. Powers, Counsel

The Secretary reported that due written notice of the meeting had been given to all Commissioners.

Mr. Powers stated that there should be an amendment to Rule 94 in view of the definition of "owner" appearing in Chapter 77 of the Laws of 1952.

Upon motion duly made and seconded, the following resolution was adopted:

RESOLVED, that Rule 94 now reading as follows:

"No horse shall be qualified to start for any race unless he is owned by a licensed owner and in charge of a licensed trainer.",

be and the same hereby is amended to take effect November 16, 1952, and to read as follows:

"No horse shall be qualified to start in any race unless he be entered by a licensed owner and in charge of a licensed trainer."

The Chairman presented a letter dated May 8 from President Jullien of the Queens County Jockey Club requesting permission of the Commission to make certain alterations of buildings and seating stands at Aqueduct race course.

Upon motion duly made and seconded, it was

RESOLVED, that a Permit be granted to Queens County Jockey Club to make the following alterations and improvements:

1. Grading and surfacing of an additional parking area back of the grandstand to accommodate approximately 1200 cars.
2. Laying of asphalt tile floor covering in the pari-mutuel lines and offices.
3. Installing of two toilet rooms on the mezzanine floor in the pari-mutuel lines of the grandstand.
4. Installing of 2340 seats in the open stand at the north end of the grandstand, to be similar in type and color to the seats now installed in the grandstand.

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5. Increasing the number of clubhouse boxes by extending the box area from its present northerly line to the next transverse aisle so as to permit the installation of eleven (including a double box) additional boxes, thus making a total of 121 boxes.

And be it further

RESOLVED, that the Chairman execute and deliver to Queens County Jockey Club a Permit in conformity with this resolution.

The Commission discussed the provisions of Section 7507, Unconsolidated Laws, authorizing the Chairman of the Commission or a member of the Commission designated by him, to attend ex-officio all meetings of the Stewards of The Jockey Club.

The subject of licenses was considered at length, and the Commission determined that on Monday next, May 19th, it would hold a Special Meeting at 10:00 A. M. to consider the applications filed to date and the issuance of licenses thereof.

There being no further business, upon motion duly made and seconded, the meeting adjourned.



Secretary.

Minutes of a Special Meeting of the New York State Racing Commission held at the office of the Commission, 745 Fifth Avenue, New York City, on Monday, May 19, 1952, at 10:00 o'clock in the forenoon.

PRESENT:

Mr. Ashley Trimble Cole, Chairman
 Mr. William C. Langley, Commissioner
 Mr. Harry J. Millar, Secretary
 Mr. Francis P. Dunne, Steward
 Mr. John P. Powers, Counsel

The Secretary reported that due written notice of the meeting had been given to all Commissioners.

Commissioner Swirbul advised that he was unable to attend because of a business matter.

The matter of licenses was discussed at length.

The Steward presented a list of those persons who had filed renewal applications. On his statement that no objection had been noted to any of these persons, the bureau of licenses was authorized to issue licenses on all renewal applications.

The Steward presented a list of person filing original applications which included all persons who, while licensed in years prior to 1949, had not been licensed since that time. Each name was discussed separately, the details of the applications were recited and licenses were duly authorized to be issued to all persons named on the original application list.

The same disposition was made of applications of trainers, jockeys and jockey agents.

All approved lists were duly initialed by Chairman Cole and Commissioner Langley.

The Commission discussed the question of a rule to regulate the conduct of assistant starters at the starting gate, and the matter was laid over for further inquiry and discussion.

The Steward called attention to an informal ruling by a representative of the Workmen's Compensation Board to the effect that all jockey coverage must be held by the owners and not by the trainers. The points raised by the representative of the Workmen's Compensation Board were embodied in a letter from the Steward to the Chairman which was referred to Counsel with the request that he take the matter up with the representative of the Workmen's Compensation Board and render an opinion to the Commission which could be sent to all owners and trainers.

There being no further business, upon motion duly made and seconded, the meeting adjourned.

Secretary.

Minutes of a Special Meeting of the New York State Racing Commission held at the office of the Commission, 745 Fifth Avenue, New York City, on Tuesday, June 3, 1952, at 10 o'clock in the forenoon.

PRESENT:

Mr. Ashley T. Cole, Chairman
 Mr. William C. Langley, Commissioner
 Mr. L. A. Swirbul, Commissioner
 Mr. Harry J. Millar, Secretary
 Mr. Francis P. Dunne, Steward
 Mr. John P. Powers, Counsel

The Secretary reported that due written notice of the meeting had been given to all Commissioners.

The matter of licenses was discussed at length.

The Steward presented a list of those persons who had filed renewal applications. On his statement that no objection had been noted to any of these persons, the bureau of licenses was authorized to issue licenses on all renewal applications.

The Steward presented a list of persons filing original applications which included all persons who, while licensed in years prior to 1949, had not been licensed since that time. Each name was discussed separately, the details of the applications and the reports thereon were considered and licenses were duly authorized to be issued to all persons named on the original application list.

The Commission recommended that further inquiry be made with respect to the application of A. J. Ostriker.

The same disposition was made of applications of trainers, jockeys and jockey agents.

All approved lists were duly initialed by the three Commissioners.

The Commission considered amendments to the Rules and Regulations, and the following resolutions were adopted:

RESOLVED, that Rule 124 be amended by adding thereto a new paragraph to read as follows:

"124(i) No disqualified horse shall be considered in any mutuel pay-off."

RESOLVED, that Rule 132(b) now reading as follows:

"132(b) If no ticket is sold combining the two winners of the Daily Double, the pool shall then be apportioned equally between those having tickets including the winner in the first race of the Daily Double and those having tickets including the winner in the second race of the Daily Double, in the same manner in which a place pool is calculated and distributed."

be, and the same hereby is amended to read as follows:

"132(b) If no ticket is sold combining the two winners of the Daily Double, the net pool shall then be apportioned equally between those having tickets including the winner in the first race of the Daily Double and those having tickets including the winner in the second race of the Daily Double, in the same manner in which a place pool is calculated and distributed."

RESOLVED, that Rule 132(c) now reading as follows:

"132(c) If no ticket is sold including the winner of the first race of the Daily Double, the entire pool will be paid to the holders of tickets which include the winner of the second race of the Daily Double."

be, and the same hereby is amended to read as follows:

"132(c) If no ticket is sold including the winner of the first race of the Daily Double, the net pool shall be paid to the holders of tickets which include the winner of the second race of the Daily Double."

RESOLVED, that Rule 132(d) now reading as follows:

"132(d) If no ticket is sold including the winner of the second race of the Daily Double, then the entire pool will be paid to the holders of tickets which include the winner of the first race of the Daily Double."

be, and the same hereby is amended to read as follows:

"132(d) If no ticket is sold including the winner of the second race of the Daily Double, then the net pool shall be paid to the holders of tickets which include the winner of the first race of the Daily Double."

RESOLVED, that Rule 132(e) now reading as follows:

"132(e) If no ticket is sold including the winner of either race, then the pool shall be paid to the holders of tickets, which include the horses finishing second in the two races of the Daily Double."

be, and the same hereby is amended to read as follows:

"132(e) If no ticket is sold including the winner of either race, then the net pool shall be paid to the holders of tickets, which include the horses finishing second in the two races of the Daily Double."

RESOLVED, that Rule 133 now reading as follows:

"133 If for any reason the first race of a Daily Double, or if for any reason the second race of a Daily Double, is cancelled and declared "no race", full and complete refund will be made of the Daily Double pool."

be, and the same hereby is amended to read as follows:

APPROVED

"133(a) If for any reason the first race of the Daily Double be cancelled and declared "no race", full and complete refund shall be made of the Daily Double pool."

"133(b) If for any reason the second race of the Daily Double be cancelled and declared "no race", the net Daily Double pool shall be paid to the holders of Daily Double tickets which include the winner of the first race."

RESOLVED, that Rule 287(b) now reading as follows:

"287(b) He shall report to the Stewards by whom or by what cause any delay was occasioned, and any cases of misconduct by jockeys when under his orders."

be, and the same hereby is amended to read as follows:

"287(b) He shall report to the Stewards by whom and by what cause any delay was occasioned, and any cases of misconduct by assistant starters or by jockeys when under his orders."

There being no further business, upon motion duly made and seconded, the meeting adjourned.



Secretary.

Minutes of a Special Meeting of the New York State Racing Commission held at the office of the Commission, 745 Fifth Avenue, New York City, on Wednesday, July 16, 1952, at 10:00 o'clock in the forenoon.

PRESENT:

Mr. Ashley T. Cole, Chairman
 Mr. William C. Langley, Commissioner
 Mr. L. A. Swirbul, Commissioner
 Mr. Harry J. Millar, Secretary
 Mr. Francis P. Dunne, Steward
 Mr. John P. Powers, Counsel

The Secretary reported that due written notice of the meeting had been given to all Commissioners.

Upon motion duly made and seconded, the Commission approved the action of the Chairman in giving his personal approval under date of June 12th to the admission prices, etc., to be charged by The Saratoga Association for its 1952 Meetings at Jamaica race-course and at Saratoga Springs, N. Y., as set forth in letter of Mr. Vincent McCarthy, Secretary, to Mr. Harry J. Millar, Secretary of the Commission dated June 10, 1952.

The Chairman read to the Commission a proposed letter of agreement between Queens County Jockey Club, Empire City Racing Association and Metropolitan Jockey Club and Columbia Broadcasting System, Inc., for broadcasting the feature race on each Saturday of the respective race meetings during 1952 on a sustaining and not a sponsored basis and without any monetary compensation to the Racing Associations. Upon motion duly made and seconded, the said agreements were approved.

The Commission considered an amendment to its Rules and Regulations involving a new Article entitled "Procedure for Hearings", and after discussion, the following resolutions were adopted:

RESOLVED, that present Rule 356 be changed to 356(a); that present Rule 357(a) be changed to 356(b) and that present Rule 357(b) be changed to 356(c).

FURTHER RESOLVED, that new Article XXV be added, including Rules 357(a) to (i), reading as follows:

ARTICLE XXV

Procedure for Hearings.

"357. (a) Whenever a matter has been referred to the Commission by the Stewards which involves an alleged violation by any person of any law or of any Rule or Regulation of the Commission, or whenever the Commission, on its own initiative, shall determine to take cognizance of any such alleged violation, the following procedure shall be followed in dealing with such matter, insofar as the same may be appropriate and effective under the circumstances as may be determined by the Commission in its sole discretion.

(b) Upon the receipt from the Stewards of a reference of any such matter, the Chairman shall forthwith acquaint the other Commissioners with the substance thereof, and upon approval of not less than two of such Commissioners, the Secretary shall, by pre-paid telegram or by mail, send to the most recent post-office address of the person charged with such violation by the Stewards or by the Commission, as such address may be shown upon the application for a license by such person or otherwise, a notice to show cause before the Commission at a place, date and time to be stated therein, why the license of such person should not be suspended or revoked, together with such other penalty as may be lawfully imposed, for such violation of the Rules and Regulations of the Commission as may be specified by the Stewards and/or the Commission, stating in such notice such particulars of the alleged violation as may reasonably acquaint the person charged with the nature thereof; and in such proceedings as may be initiated by the Commission, similar notice shall be given as directed by the Commission. A further or supplemental notice or notices may be given by the Commission in its discretion. Notice of hearing and specification of alleged violations shall be sent by mail or telegram at least five (5) days before the date fixed in such notice for such hearing unless, upon approval by at least two Commissioners, the time fixed therein be shortened.

(c) The order of proof in hearings shall be:

1. Evidence of the violations alleged.
2. Cross examination of Commission's witnesses.
3. Evidence by the licensee in defense or explanation.
4. Cross examination of the licensee and his witnesses.

Motions may be made at any time during a hearing by Counsel to the Commission or by the licensee or his counsel, but will not be deemed necessary to protect the rights of the licensee.

A reasonable time after the close of the hearing may be allowed by the Commission for the filing of briefs or memoranda by or on behalf of the person charged and any other person or persons interested; and in such case five (5) copies of any such brief or memorandum must be filed with the Commission.

(d) Hearings shall be conducted in such manner as to ascertain and determine the substantial rights of the parties and the Commission shall not be bound by common law or statutory rules of evidence or by technical or formal rules of procedure.

A licensee or his agent shall be entitled to obtain, at his own cost, from the hearing stenographer, a copy of the transcribed record of the hearing to which he is a party.

Records of the proceedings at such hearings shall be made and retained in the files of the Commission. Two Commissioners shall constitute a quorum for the hearing and determinations of any such proceeding.

(e) A licensee desiring to subpoena a witness may do so in the name of the Commission by its Secretary, and in the manner provided for subpoenas by the Civil Practice Act of the State of New York.

(f) Application for adjournment must be made in writing and filed at the office of the Commission in the Borough of Manhattan, City of New York, not less than forty-eight (48) hours before the time set for hearings and will not be granted except for good cause shown in such application.

(g) Upon the close of the proceeding the Commission shall, within a reasonable time after the receipt of copies of the record thereof, prepare and file with its Secretary its written findings and determination with respect to each and every allegation contained in the aforesaid notice and any supplemental notice, and copy thereof shall forthwith be mailed by the Secretary to the person charged and to his attorney if one has appeared in his behalf. The concurring votes of two members shall be necessary to a determination.

(h) No rehearing of any such matter shall be had except upon written application therefor and solely upon the ground of newly discovered evidence which should not have been made available at the hearing; such evidence to be specified in such application and the right to present the same shall be established to the satisfaction of the Commission.

(i) All penalties imposed by the Stewards or the Commission upon any person charged shall continue in full force and effect until the determination of the Commission is rendered, unless otherwise directed in writing by the Commission."

The Commission considered the matter of Ramon Bueno, licensed trainer, and unanimously determined upon the revocation of his license for violation of Rules 354(a) and 355.

The Commission further approved the proposed Findings and Determination and directed that the same be released, and a copy thereof be sent by mail to Mr. Bueno at the address appearing on the application for the license. Copy of the release is attached hereto.

The Commission considered the matter of Louis Tufano, licensed owner, and unanimously determined upon the revocation of his license for violations of Rule 353(f).

The Commission further approved the proposed Findings and Determination and directed that the same be released, and copies thereof be sent by mail to Mr. Tufano at the address appearing on the application for the license, and to his counsel of record, Mr. Samuel Rabin. Copy of the release is attached hereto.

The Commission then considered the matter of all pending applications for licenses and directed that those approved be promptly issued.

The Commission reconsidered its action in approving for licenses the applications of Samuel Tufano and Edward Tufano, the said applications to remain in abeyance without approval or disapproval, pending the action of Steward Dunne,

The Commission considered the question of Workmen's Compensation coverage in the light of Counsel Power's letter to the Chairman dated July 11, 1952. It was recommended that further consideration be given to the matter by the Chairman and Counsel and further report made to the Commission.

Upon motion duly made and seconded, the following resolution was adopted:

RESOLVED, that Rule 281 of the Rules and Regulations, now reading as follows:

"281. If a horse run in blinkers, muzzle, martingale, breast-plate or clothing, it must be put on the scale and included in the jockey's weight.",

be and the same is hereby amended to read as follows:

"281. If a horse run in muzzle, martingale, breast-plate or clothing, it must be put on the scale and included in the jockey's weight."

Upon motion duly made and seconded, the following resolution was adopted:

RESOLVED, that Rule 282 of the Rules and Regulations, now reading as follows:

"282. No whip or substitute for a whip shall be allowed on the scales, nor shall any bridle be weighed.",

be and the same is hereby amended to read as follows:

"282. No whip or substitute for a whip, blinkers, or number cloth shall be allowed on the scales, nor shall any bridle be weighed."

There being no further business, upon motion duly made and seconded, the meeting adjourned.



Secretary.

ASHLEY TRIMBLE COLE
CHAIRMAN

WILLIAM C. LANGLEY
COMMISSIONER

L. A. SWIRBUL
COMMISSIONER

STATE OF NEW YORK



FRANCIS P. DUNNE
STEWARD

HARRY J. MILLAR
SECRETARY

DEPARTMENT OF STATE
DIVISION OF THE STATE RACING COMMISSION

745 FIFTH AVENUE
NEW YORK CITY 22
PHONE ELDORADO 5-2234

FOR IMMEDIATE RELEASE

July 16, 1952

BEFORE THE STATE RACING COMMISSION

_____ :
In the Matter :
of : FINDINGS AND
RAMON BUENO : DETERMINATION
a licensed trainer : OF THE COMMISSION
_____ :

The laboratory of the State Racing Commission has reported that NIKETHAMIDE (Coramine) has been found and identified in the saliva of the horse "Byng" which won the third race at Belmont Park race course June 4, 1952. The horse is owned by Daniel Saint of Paris, France, and was trained by Ramon Bueno, who holds a trainer's license in New York for the year commencing April first, 1952.

At the hearing held on due notice to Mr. Bueno, he attended, accompanied by his groom and they denied that either had administered the drug to the horse. Evidence presented at the hearing showed that trainer Bueno kept a quantity of the drug Nikethamide (Coramine) in a small bottle in his tack room at Belmont Park, which he said that he administered to himself when he had dizzy attacks. He admitted having removed substantially all of the label which showed that the bottle contained Coramine.

In his tack room were also found by agents of the Commission, two hypodermic syringes of the capacity of 50 cc. and 20 cc. respectively and ten hypodermic needles. Mr. Bueno admitted his possession and use of the syringes and needles.

It was proven to the satisfaction of the Commission that the drug, Coramine, was a stimulant and could affect the racing condition of a horse in a race and that such drug had been administered to the horse "Byng" prior to the running of the third race at Belmont Park race-course on June 4, 1952, for the purpose of affecting his racing condition in such race.

Because of the removal by Mr. Bueno of the label on the bottle containing Coramine, an interloper could not have known that the bottle contained a stimulant. It seems evident, therefore, that the drug was administered to the horse by Mr. Bueno or at his direction, in violation of Rule 354(a) of the Commission, and the Commission so finds.

The possession of Mr. Bueno of the two hypodermic syringes and the ten hypodermic needles in his tack room at Belmont Park race-course, "within the grounds of a racing association where race horses are lodged or kept," and "in or upon the premises which he occupies or controls or has the right to occupy or control", is a clear violation of Rule 355 of the Commission.

On each of the separate grounds above recited, viz., his violation of Rule 354(a) and also his violation of Rule 355, and considering each such ground independently and separately from the other, the Commission, after consideration of the evidence before it, unanimously determines that the trainer's license issued by it to Ramon Bueno for the year commencing April 1, 1952, be and the same hereby is revoked.

Jockey Don MacAndrew then testified that Mr. Tufano personally told him at Belmont Park race-course on May 12 "he wanted the horse "Gondolier" beat 8 or 10 lengths"; that MacAndrew did not reply but in the race "let the horse get all he could get" and finished second, about a length and a half back of the winner.

MacAndrew, when asked by Counsel to the Commission, "Had Tufano ever given you orders of that nature before, that he wanted his horses beaten", replied "Yes"; that the horse was "Denver Dan" and the day some time prior to May 12, 1952, at Jamaica.

Jockey Eldon Coffman testified that on May 29 at Belmont Park race-course, Tufano's then trainer, James S. "Zach" Sharp, called him out of the jockeys' room and, saying that he was speaking for Tufano, told the jockey to give the horse "Gondolier" "a race". According to both Coffman and Sharp this meant that "Gondolier" was to be taken to the front at the start although the horse was one that should be ridden "off the pace" to come from behind. Such instructions, if followed, would result in that horse tiring and losing the race. Coffman told Sharp that he would not do it. Later, in the paddock, Tufano, who "looked kind of mad", gave the jockey substantially the same instructions. As Sharp put Coffman into the saddle he said, "Kid, if you want to win the race, ride him like you want him ridden." This Coffman did and was second at the one-eighth pole (one furlong from the finish), but the horse tired and finished second in a "photo finish".

A written statement made and signed by Sam Edmundson, formerly assistant trainer and, later, trainer for Tufano, on June 4 and witnessed by four persons, including two of the Stewards, reads as follows:

"On Thursday, May 29, 1952, Mr. Tufano called me at the trailer and told me to tell Mr. Sharpe to have Jockey Coffman give the horse Gondolier an easy race in the 7th race that day. I came to the track and met Mr. Sharpe in the paddock and gave Mr. Sharpe Mr. Tufano's message. Mr. Sharpe went to see Coffman and came back to me and said that Coffman refused to give the horse an easy race. I went across the street from the track and called Mr. Tufano and reported that Mr. Sharpe had refused to call him and told him that Coffman had refused to pull Gondolier. Tufano asked me if I would go and talk to Coffman and get him to pull the horse. I said that I would not go and that he had better come out himself. Mr. Tufano came out to the track and was in the paddock. While the horse was being saddled in the paddock, Mr. Sharpe first gave Coffman orders. After that I heard Mr. Tufano tell the boy to go to the front with the horse and the boy said there was too much speed in the race."

When Mr. Tufano was interrogated by the Stewards on June 5, he was asked, among other things, if he told jockey Coffman "to get the horse beaten", the examination proceeded:

"A. No, I didn't tell Zach (Sharp). I was standing there, I'm pretty sure I was standing there, when he gave instructions.

Q. Did you hear Zach's instructions?

A. Yes.

Q. What were his instructions?

A. To get the horse beat.

Q. You heard Zach say that?

A. Yes."

Quite plainly, Tufano, an experienced owner of a racing stable, has admitted that he stood by and heard his trainer order jockey MacAndrew to so ride "Gondolier" on May 12 as "to get the horse beat", and did not countermand the order.

Trainer Sharp later testified that "after the race was over with and "Gondolier" finished second, he (Tufano) came back screaming at me. He said "What the hell is this boy trying to do to me, you and this boy?" Sharp replied, "I don't know what you mean. I am not trying to do anything to you, only win races." To this Tufano replied, "Why this horse here is supposed to get beaten, and he came very near beating the horse I bet on. I bet \$50. on Fibroch."

It is evident that in his desire to have "Gondolier" lose the race on May 29, Tufano first ordered that it be given "an easy race" or be "pulled" and when those instructions were rejected by the jockey, he ordered that "the boy go to the front with the horse," to kill him off with the early speed.

The motive of Tufano in trying to have his own horse beaten in these two races can only be surmised. If it were beaten it might command a better wagering price when next it ran; or if it ran next in a claiming race, it would be less likely to be claimed if its record showed recent defeats; or it might have involved his bets on other horses.

Whatever his motive, it is clear to the Commission and it so finds, that Tufano's acts with respect to those two races and his horse "Gondolier" were improper, corrupt and fraudulent in violation of Rule 353(f).

Subsequent to the sending of the telegram dated June 5 advising Tufano to show cause why his license should not be revoked for violation of Rule 353(f), information was received by the Commission that Tufano had falsely answered question "5" in his application for an owner's license in 1951, when he wrote "no" to the question: "Have you ever been arrested or charged with a crime (except traffic violations)?" This charge was set forth in the specifications or bill of particulars given to Tufano's counsel on June 17.

The truth is that Tufano and four others were indicted in the United States District Court for the Southern District of New York, September 16, 1949, the charges endorsed upon the indictment reading: "Bribery, concealing material facts from War Assets Administration and conspiracy. (Title 18, Sections 80, 88, 91 and 207 United States Code, 1946 Ed.)." To this indictment Tufano pleaded not guilty. It has not been tried.

It is, therefore, clear that Tufano lied in his application for the 1951 license and the Commission so finds. As the Commission said in its findings in Matter of Fink: "There is probably no more important question in the application." In his application for a 1952 license Tufano failed to answer question "5" and such failure seems significant.

On each of the separate grounds above recited, viz., Mr. Tufano's violations of Rule 353(f) and his false answer to a material question in his license application in 1951, and considering each such ground independently and separately from the other, the Commission, after careful consideration of the evidence before it, unanimously determines that the owner's license issued by it to Louis Tufano for the year commencing April 1, 1952, be and the same hereby is revoked.

New York, July 16, 1952.

Minutes of a Meeting of the New York State Racing Commission, held at the office of the Commission, 745 Fifth Avenue, New York City, on Wednesday, September 10, 1952, at 10:00 o'clock in the forenoon.

PRESENT:

Mr. Ashley T. Cole, Chairman
 Mr. William C. Langley, Commissioner
 Mr. L. A. Swirbul, Commissioner
 Mr. Harry J. Millar, Secretary
 Mr. Francis P. Dunne, Steward
 Mr. John P. Powers, Counsel

The Secretary reported that due written notice of the meeting had been given to all Commissioners.

The Chairman made a statement to the Commission with respect to the charges and specifications filed against John B. Gandolfo, an employee of the Laboratory, who, as a Veteran, is entitled to be heard on charges against him.

The Secretary presented a letter from the Metropolitan Jockey Club dated August 22nd, asking approval of prices to be charged at its Fall Meeting. Upon motion duly made and seconded, the following charges were approved:

GENERAL PAID ADMISSIONS DAILY

<u>Clubhouse</u>			<u>Grandstand</u>		
Price	-	\$3.35	Price	-	\$1.30
Federal Tax	-	.67	Federal Tax	-	.26
State Tax		.5025 (patron pays 48 $\frac{1}{2}$ ¢)	State Tax		.195
N.Y.C. Tax		.195 (track pays 1-3/4¢)	N.Y.C. Tax		.195
		<u>\$4.70</u>			<u>\$1.95</u>

<u>Clubhouse Exchange</u>		
Price	-	\$2.05
Federal Tax		.41
State Tax		.3075 (patron pays 29¢)
		<u>\$2.75</u> (track pays 1-3/4¢)

COMPLIMENTARY ADMISSIONS DAILY

<u>Clubhouse</u>			<u>Grandstand</u>		
Service Charge	-	\$.5825	Service Charge	-	\$.55
Federal Tax		.12	Federal Tax		.11
State Tax		.5025	State Tax		.195
N.Y.C. Tax		.195	N.Y.C. Tax		.195
		<u>\$1.40</u>			<u>\$1.05</u>

COMPLIMENTARY ADMISSIONS DAILY
(For Horsemen Only)

<u>**Horseman Clubhouse</u>		
Service Charge	-	\$.0425
Federal Tax		.01
State Tax		.5025
N.Y.C. Tax		.195
		<u>\$.75</u>

PAID ADMISSIONS

	<u>*Boxes</u>	
Price		\$100.00
Federal Tax	-	20.00
State Tax		<u>15.00</u>
		\$135.00

Reserved SeatsSaturdays and Columbus Day Only

<u>Clubhouse - 418 Seats</u>			<u>Grandstand - 529 Seats</u>		
Price	-	\$1.00	Price	-	\$1.00
Federal Tax		.20	Federal Tax		.20
State Tax		<u>.15</u>	State Tax		<u>.15</u>
		\$1.35			\$1.35

*All boxes for 1952 were sold for both our Spring and Fall Meetings. The \$135.00 represents the Season Rate.

**For wives or husbands of Owners and Trainers only.

The Secretary further presented a letter from Westchester Racing Association dated August 25th, asking approval of prices to be charged at its Fall Meeting. Upon motion duly made and seconded, the following charges were approved:

PAID ADMISSIONS DAILY

<u>Club House</u>		<u>Grand Stand</u>	
Price	\$ 3.35	Price	\$1.30
Federal Tax	.67	Federal Tax	.26
State Tax	.5025 (patron pays 48 $\frac{1}{2}$ track pays 1-3/4 ϕ)	State Tax	.195
N.Y.C. Tax	<u>.1950</u>	N.Y.C. Tax	<u>.195</u>
	\$ 4.70		\$1.95

Club House Exchange

Price	\$2.05
Federal Tax	.41
State Tax	.3075 (patron pays 29 ϕ track pays 1-3/4 ϕ)
	<u>\$2.75</u>

COMPLIMENTARY ADMISSIONS DAILY

<u>Club House</u>		<u>Grand Stand</u>	
Service Charge	\$.5825	Service Charge	\$.55
Federal Tax	.12	Federal Tax	.11
State Tax	.5025	State Tax	.195
N.Y.C. Tax	<u>.195</u>	N.Y.C. Tax	<u>.195</u>
	\$1.40		\$1.05

COMPLIMENTARY ADMISSIONS DAILY (Cont'd)

<u>Club House (Horsemen Special)</u>		<u>Horsemen Club House Meeting</u>	
Service Charge	\$.0425	Service Charge	\$5.045
Federal Tax	.01	Federal Tax	1.01
State Tax	.5025	State Tax	9.045
N.Y.C. Tax	.195	N.Y.C. Tax	3.51
	<u>\$.75</u>		<u>\$18.61</u>

Turf & Field Club Members Badges

State Tax (daily)	\$.50 1/4¢
N.Y.C. Tax "	.19 1/2

Turf & Field Club Guest Badges (daily admission)

Price	\$3.35
Federal Tax	.67
State Tax	.5025 (patron pays 48 1/2¢ track pays 1 3/4¢)
N.Y.C. Tax	.1950
	<u>\$4.70</u>

<u>Grand Stand Meeting Boxes</u>	
Price	\$36.00
Federal Tax	7.20
State Tax	5.40
	<u>\$48.60</u>

<u>Grand Stand Daily Boxes</u>	
Price	\$4.00
Federal Tax	.80
State Tax	.60
	<u>\$5.40</u>

Grand Stand Daily Box Seats

Price	\$ 1.00
Federal Tax	.20
State Tax	.15
	<u>\$ 1.35</u>

Reserved Seats Grand Stand - Daily

Price	\$1.00
Federal Tax	.20
State Tax	.15
	<u>\$1.35</u>

The Commission approved a form of letter-contract between The Saratoga Association and Columbia Broadcasting System, Inc., dated June 24, 1952, for the broadcasting by means of live television of the feature race conducted by the Association at the Jamaica race track on each Saturday of its 1952 meeting at that track.

The Commission then considered the subject of licenses, and after lengthy discussion, granted approval with respect to certain applications.

There being no further business, upon motion duly made and seconded, the meeting adjourned.



Secretary.

Minutes of a Special Meeting of the New York State Racing Commission, held in the Stewards' Box at Belmont Park Race Course, Elmont, Long Island, New York, on Monday, September 22, 1952, at 2:30 o'clock in the afternoon.

PRESENT:

Mr. Ashley T. Cole, Chairman
Mr. William C. Langley, Commissioner
Mr. L. A. Swirbul, Commissioner
Mr. Harry J. Miller, Secretary
Mr. Francis P. Dunne, Steward

The meeting was called by telephone by the Chairman for the purpose of considering with the Stewards and the Racing Secretary a claim by Ben A. Jones for an allowance of eight pounds on his filly MARK-YE-WELL in the Lawrence Realization to be run on September 24th.

After considering the conditions of the two races won by the filly in Chicago, viz., the Arlington Classic and the American Derby, the Commission advised the Stewards that the two races last named were allowance races and as they were not weight-for-age races, the filly was entitled to the eight pound allowance.

On September 20th the Stewards had rejected Mr. Jones' claim for the allowance. Subsequent thereto, Messrs. Cassidy and Vosburgh reversed their positions and decided that he was entitled to the allowance.

The Racing Secretary and Mr. Jones were advised accordingly.

There being no further business, upon motion duly made and seconded, the meeting adjourned.



Secretary.

Minutes of a Meeting of the New York State Racing Commission,
held at the office of the Commission, 745 Fifth Avenue, New York City, on
Wednesday, October 8, 1952, at 10:00 o'clock in the forenoon.

PRESENT:

Mr. Ashley T. Cole, Chairman
Mr. William C. Langley, Commissioner
Mr. L. A. Swirbul, Commissioner
Mr. Harry J. Millar, Secretary
Mr. Francis P. Dunne, Steward
Mr. John P. Powers, Counsel

The Secretary reported that due written notice of the meeting had
been given to all Commissioners.

The Commission considered amendments to the Rules and Regulations
and the following resolutions were adopted:

RESOLVED, that Rule 23 now reading as follows:

"The Chairman is authorized to terminate the employment
of any member of the staff of the Commission at any time, and
shall make report thereof forthwith to the other members of the
Commission."

be, and the same hereby is amended to read as follows:

"23. The Chairman is authorized to terminate the
employment of any member of the staff of the Commission at any
time after such termination has been approved at a meeting of
the Commission or by written consent of the Commissioners."

RESOLVED, that Rule 34 be renumbered 34(a) and that there be added
thereafter the following, viz.:

"34(b) In addition to its powers to suspend or revoke
a license issued by it or as an alternative to the exercise
of any such powers, the Commission may impose such civil penalty
as may be prescribed by law."

RESOLVED, that Rule 172 now reading as follows:

"Weight for Age" means standard weight according to
the rules, and a race remains a weight for age race, even though
there be penalties and allowances."

be, and the same hereby is amended to read as follows:

"172. "Weight for Age" means standard weight according
to the rules. A "weight for age" race is one in which all horses
carry weight according to the scale without penalties or allowances."

RESOLVED, that Rule 199 now reading as follows:

"Motion pictures shall be taken of every race from start to finish and may be used by the Stewards to determine any question within their jurisdiction."

be, and the same hereby is amended to read as follows:

"199. Motion pictures shall be taken of every race from start to finish and may be used to aid the Stewards in determining any question within their jurisdiction."

RESOLVED, that Rule 222 be renumbered 222(a) and that it be amended by adding thereto a new paragraph as follows, viz.:

"222(b) All horses owned wholly or in part by the same owner or trained by the same trainer must be coupled and run as an entry."

RESOLVED, that Rule 291(a) now reading as follows:

"All horses shall parade and, under penalty of disqualification, shall carry their weight from the paddock to the starting post."

be, and the same hereby is amended to read as follows:

"291(a) All horses shall parade and, under penalty of disqualification, shall carry their weight from the paddock to the starting post, such parade to pass the finish line."

RESOLVED, that Rule 312(b) now reading as follows:

"The minimum price at which a horse may be entered in claiming races shall be twelve hundred dollars."

be, and the same hereby is amended to read as follows:

"312(b) The minimum price for which a horse may be entered in a claiming race shall be twelve hundred dollars but in no case shall it be entered for less than the value of the purse to the winner."

The Commission discussed a proposed amendment to Rule 354(a) to make the presence of a drug, stimulant or narcotic in a horse after a race, prima-facie evidence of its administration by the owner or by his direction. It was decided that such amendment should not be made.

The Commission again discussed a proposed new rule, 292(d), for the control of assistant starters in connection with the starting of a race, and it was decided to lay the same over for further consideration.

The Commission approved proposed amendments to Section 6 of Chapter 440 of the Laws of 1926 as last amended by Chapter 165 of the Laws of 1952, and of Section 9-b of Chapter 440 of the Laws of 1926, as last amended by Chapter 77 of the Laws of 1952, with respect to the Counsel of the Commission, and the Chairman was authorized to take the necessary steps to have such proposed amendments carried into effect.

The Commission also approved a proposed amendment to Section 25-a of the Pari-Mutuel Revenue Law to eliminate the \$200 fine and to substitute therefore a \$5,000 civil penalty, for violation of the terms of the licenses of the Commission, its Rules and Regulations or its statutes. The Chairman was authorized to take the necessary steps to have such proposed amendment carried into effect.

The Commission considered a number of applications for licenses and directed appropriate action thereon with respect thereto.

There being no further business, upon motion duly made and seconded, the meeting adjourned.

Secretary.

APR 19 1960

Minutes of a Special Meeting of the New York State Racing Commission,
held at the office of the Commission, 745 Fifth Avenue, New York City, on
Thursday, November 6, 1952, at 10:00 o'clock in the forenoon.

PRESENT:

Mr. Ashley T. Cole, Chairman
Mr. L. A. Swirbul, Commissioner

Also present were Mr. Harry J. Millar, Secretary; Mr. Francis P. Dunne,
Steward and Mr. John P. Powers, Counsel.

The Secretary reported that due written notice of the meeting had been
given to all Commissioners.

The Chairman presented a letter from The Jockey Club dated October 14,
1952, requesting the Commission's approval of the addition of Frank Ritz, an
Assistant Starter, to the list of officials approved for temporary positions
in the official field. Upon motion made and seconded, such approval was duly
granted.

The Chairman presented and read a request from Steward Francis P. Dunne,
for consent of the Commission to act as Racing Secretary at Tropical Park from
November 27, 1952 to January 15, 1953. Upon motion made and seconded, such consent
was duly granted.

Upon motion made and seconded, the Chairman was duly authorized to have
the new revised edition of the Rules and Regulations printed in a booklet, as
heretofore, instead of loose-leaf form.

The Commission considered amendments to the Rules and Regulations, and
the following resolutions were adopted:

RESOLVED, that Rule 38 be renumbered 38(a) and that there be added at
the end thereof, the following:

"(b) No person shall be eligible for an occupational
license if, during the term of such license, he would act as
farrier or veterinarian with horses racing under the juris-
diction of the Commission."

RESOLVED, that Rule 223 now reading as follows:

"No individual can have any interest in any horses for
racing purposes, except horses run in one only of the following
names: his real name, or his assumed name, or the assumed name
of one partnership of which he is a member, or the name of the
individual in which are run in accordance with Rule 248 the
horses of one partnership of which he is a member; provided,
however, that the foregoing provisions of this Rule shall not
apply if the horses are in the hands of the same trainer, in
which case they must run as an entry. The name in which any
horse is run must be the real or assumed name of the individual
owner, or the name of the partnership owner, of the entire
interest in the horse."

be, and the same hereby is amended to read as follows:

"No individual can have any interest in any horses for racing purposes, except horses run in one only of the following names: his real name, or his assumed name, or the assumed name of one partnership of which he is a member, or the name of the individual in which are run in accordance with Rule 248 the horses of one partnership of which he is a member; provided, however, that the foregoing provisions of this Rule shall not apply if the horses are in the hands of the same trainer, in which case they must run as an entry. The name in which any horse is run must be the real or the assumed name of the individual owner, or the name of the partnership owner (being its assumed name or the name of the individual in whose name the horse is run) of the entire interest in the horse. No licensed trainer shall have any ownership interest in a horse of which he is not the trainer."

RESOLVED, that Rule 278 now reading as follows:

"Any boy who has of his own free will and, if under age, with the written consent of his parents or guardian, bound himself to an owner or trainer for a term of not less than three years and not more than five years by written instrument, which has been approved by and filed with The Jockey Club, and after showing proof of at least one year service with a racing stable, is permitted to claim in all overnight races except handicaps the following allowances:

- (a) Seven pounds until he has ridden twenty winners;
- (b) Five pounds thereafter until he has ridden forty winners; if he has ridden forty winners prior to the end of one year from date of riding his first winner, the five pound allowance continues until the end of that year;

provided, however, that such allowances shall not be permitted beyond the period of three years from the date of his first winner.

- (c) After the completion of (a) and (b) for one year he may claim three pounds when riding for his original contract employer provided his contract has not been transferred or sold.

No allowance may be claimed for a period beyond the term of the contract, provided, however, that a contract of less than five years may be extended (if the boy is still a minor with the written consent of his parents or guardian) so that the total life of the contract is not more than five years. Under exceptional circumstances (such as the inability of an apprentice to ride because of war service or restrictions on racing or personal injuries) the Stewards may extend the periods provided for above."

be, and the same hereby is amended to read as follows:

"278(a) Any male between the ages of sixteen and twenty-five who has of his own free will, and, if under age, with the written consent of his parents or guardian, bound himself to an owner or trainer for terms of not less than three nor more than five years (subject to written extension if made for less than five years) by written contract approved by and filed with The Jockey Club, and after at least one year service with a racing stable, may claim in all overnight races, except handicaps, the following allowances:

- (1) Ten pounds until he has ridden one winner;
 - (2) Seven pounds until he has ridden twenty winners;
 - (3) Five pounds until he has ridden twenty additional winners; if he has ridden forty winners prior to the end of one year from date of riding his first winner, the five pound allowance continues until the end of that year;
 - (4) After the completion of conditions above numbered (1), (2) and (3) for one year he may claim three pounds when riding for his original contract employer provided his contract has not been transferred or sold.
- (b) An owner or trainer may not hold contracts on more than two apprentices at one time.
- (c) All holders of apprentice contracts shall be subject to investigation as to character, ability, facilities and financial responsibility; and shall, at the time of making the contract, own in good faith a minimum of three horses in training, or, if a trainer, shall operate in good faith a stable of at least three horses.
- (d) Contracts for apprentice jockeys shall provide for fair remuneration, adequate medical attention and suitable board and lodging for the apprentice; and approved provision shall be made for savings out of his earnings.
- (e) Under exceptional circumstances, such as the inability of an apprentice to ride longer because of war service or restrictions on racing, personal injuries or not having a full three year period from date of riding his first race to complete his weight allowances, the Stewards may extend the periods provided for above.
- (f) No apprentice shall be permitted to acquire his own contract."

RESOLVED, that Rule 284 now reading as follows:

"If a jockey intends to carry overweight exceeding by more than two pounds the weight which his horse is to carry, the owner or trainer consenting, he must declare the amount of

overweight to the Clerk of the Scales at least 45 minutes before the time appointed for the race, and the Clerk shall cause the overweight to be stated on the Notice Board immediately. Any failure on the part of a jockey to comply with this rule shall be punishable by suspension or revocation of his license."

be, and the same hereby is amended to read as follows:

"284. If a jockey intends to carry overweight exceeding by more than two pounds the weight which his horse is to carry, the owner or trainer consenting, he must declare the amount of overweight to the Clerk of the Scales at least 45 minutes before the time appointed for the race, and the Clerk shall cause the overweight to be stated on the Notice Board immediately. For failure on the part of the jockey to comply with this rule he may be punished as provided by Rule 195."

RESOLVED, that Rule 307 now reading as follows:

"If a jockey shall not present himself to weigh in, or if he be more than one pound short of his weight, or if he be guilty of any fraudulent practice with respect to weight or weighing, or, except as provided in Rule 305, if he dismount before reaching the scales, or dismount without permission, or if he touch (except accidentally) before weighing in any person or thing other than his own equipment, his horse may be disqualified and he himself may be punished."

be, and the same hereby is amended to read as follows:

"307. If a jockey shall not present himself to weigh in, or if he be more than one pound short of his weight, or if he be guilty of any fraudulent practice with respect to weight or weighing, or, except as provided in Rule 305, if he dismount before reaching the scales, or dismount without permission, or if he touch (except accidentally) before weighing in any person or thing other than his own equipment, his horse may be disqualified and he himself may be punished, as provided by Rule 195."

RESOLVED, that Rule 338(a) now reading as follows:

"No jockey shall bet on any race except through the owner of and on the horse which he rides, and any jockey who shall be proved to the satisfaction of the Stewards to have any interest in any race horse, or to have been engaged in any betting transaction except as permitted by this Rule, or to have received presents from persons other than the owner, shall have his license revoked."

be, and the same hereby is amended to read as follows:

"338(a) No jockey shall bet on any race except through the owner of and on the horse which he rides, and any jockey who shall be proved to the satisfaction of the Stewards to have any interest in any race horse, or to have been engaged in

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any betting transaction except as permitted by this Rule, or to have received presents from persons other than the owner, may be punished as provided by Rule 195."

RESOLVED, that Rule 338(b) now reading as follows:

"Any person knowingly acting in the capacity of part owner or trainer of any horse in which a jockey possesses an interest, or making any bet with or in behalf of any jockey except as provided in the preceding paragraph of this rule, or otherwise aiding or abetting in any breach of these Rules shall be suspended and his case reported to the Commission for such further action as it may deem necessary."

be, and the same hereby is amended to read as follows:

"338(b) Any person knowingly acting in the capacity of part owner or trainer of any horse in which a jockey possesses an interest, or making any bet with or in behalf of any jockey except as provided in the preceding paragraph of this rule, or otherwise aiding or abetting in any breach of these Rules may be punished as provided by Rule 195."

RESOLVED, that Rule 341 now reading as follows:

"A jockey or trainer under suspension shall not be permitted to train or ride in a race for anyone during the period of his suspension. Any person who shall employ a jockey or trainer in contravention of this Rule shall be suspended and his case shall be referred to the Commission for further action."

be, and the same hereby is amended to read as follows:

"341. A jockey or trainer under suspension shall not be permitted to train or ride in a race for anyone during the period of his suspension. Any person who shall employ a jockey or trainer in contravention of this Rule may be punished as provided by Rule 195."

RESOLVED, that Rule 343 now reading as follows:

"If a jockey engaged for a race, or for a specified time, refuses to fulfill his engagement, the Stewards may punish him."

be, and the same hereby is amended to read as follows:

"343. If a jockey engaged for a race, or for a specified time, refuses to fulfill his engagement, he may be punished as provided by Rule 195."

RESOLVED, that Rule 347 now reading as follows:

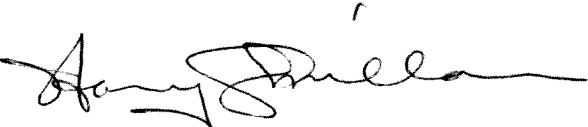
"Any owner or trainer employing a person in violation of the foregoing rule is liable to disciplinary action by the Stewards."

be, and the same hereby is amended to read as follows:

"347. Any owner or trainer employing a person in violation of the foregoing rule may be punished as provided in Rule 195."

The Commission considered a number of applications for licenses and directed appropriate action with respect thereto.

There being no further business, on motion duly made and seconded, the meeting adjourned.


Secretary.

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Minutes of a Meeting of the New York State Racing Commission, held at the office of the Commission, 745 Fifth Avenue, New York City, on Wednesday, November 12, 1952, at 10:00 o'clock in the forenoon.

PRESENT:

Mr. Ashley T. Cole, Chairman

In view of the fact that all pending business requiring the attention of the Commission had been disposed of at the Special Meeting held Thursday, November 6, 1952, Commissioners Langley and Swirbul were excused from attendance.

No quorum being present, the Chairman adjourned the meeting.



Secretary.

Minutes of a Meeting of the New York State Racing Commission held at office of the Commission, 745 Fifth Avenue, New York City, Wednesday, December 10, 1952, at 10:00 o'clock in the forenoon.

PRESENT:

Mr. Ashley Trimble Cole, Chairman
 Mr. William C. Langley, Commissioner
 Mr. L. A. Swirbul, Commissioner

Also present was Mr. Harry J. Millar, Secretary.

The Secretary reported that due written notice of the meeting had been given to all Commissioners.

Upon motion duly made and seconded, Rule 267(d) now reading as follows:

"(d) In all races except handicaps and races where the conditions expressly state to the contrary, fillies two years old are allowed 3 lbs., and mares three years old and upward are allowed 5 lbs. before the 1st of September, and 3 lbs. afterwards."

was amended to read as follows:

"267(d) In all races except handicaps and races where the conditions expressly state to the contrary, the scale of weights is less by the following: for fillies two years old, 3 lbs.; for mares three years old and upwards, 5 lbs. before September 1st and 3 lbs. thereafter."

Upon motion duly made and seconded, Rule 312 now reading as follows:

"(a) In claiming races any horse may be claimed for its entered price by any owner registered in good faith for racing at that meeting who has nominated a starter up to or including the race in which the claim is made, or by his authorized agent, but for the account only of the owner making the claim, or for whom the claim was made by the agent; provided, however, that no person shall claim his own horse or cause his horse to be claimed directly or indirectly for his own account."

was amended to read as follows, by adding a paragraph at the end thereof:

"312(a) In claiming races any horse may be claimed for its entered price by any owner registered in good faith for racing at that meeting who has nominated a starter up to or including the race in which the claim is made, or by his authorized agent, but for the account only of the owner making the claim, or for whom the claim was made by the agent; provided, however, that no person shall claim his own horse or cause his horse to be claimed directly or indirectly for his own account.

Provided, however, that the Racing Secretary, at any time and in his entire discretion, may write a special claiming race restricted to two-year-old horses

that have either been bred by their then owner or purchased by him prior to their two-year-old year, in which any horse in that race may be claimed by an owner having a starter in the race."

The Chairman outlined to the Commissioners briefly the results of the tests which were held at the suggestion of the Chairman at Belmont Park to ascertain the merits of fire retardant paints and coatings, and invited the Commissioners to attend the further tests at Belmont Park on Thursday, December 11, at 10:30 A. M.

The Commission considered the remainder of the license applications for the year ending March 31, 1953, and directed appropriate action with respect thereto.

The Chairman outlined briefly to the Commissioners a plan which he had submitted, in writing, to the Wicks Committee for the setting up of Agencies to receive off-course wagering, copies to be sent to the Commissioners for their consideration in advance of a proposed hearing at which Mr. Cole is to testify before the Legislative Committee on the basis of the aforesaid plan.

The Chairman presented to the Commission a letter from Joseph A. Albrecht, attorney at Buffalo, New York, dated December 1st, making inquiry with respect to the Commission's willingness to accept a request from a "group" for a race track in western New York. The Chairman, at the same time, outlined a proposed reply to Mr. Albrecht pointing out that a preliminary step would have to be taken in petitioning the Commission for approval of the filing of a certificate of incorporation under Section 7501, Unconsolidated Laws.

The Commission then took up for consideration applications by the Racing Associations for racing dates for the season commencing April 1, 1953. By invitation, Mr. James Butler and his counsel, Mr. William F. Bleakley, attended before the Commission and participated in a lengthy discussion of the position of the Empire City Racing Association.

Upon motion duly made and seconded, the following dates were approved for the racing season of 1953, and the Chairman was authorized to execute and deliver licenses in due form for the conduct of such meetings and for pari-mutuel betting thereat upon the filing of applications therefor and the payment of the statutory fees:

Spring and Summer Meetings

<u>Licenses</u>	<u>Course</u>	<u>Dates</u>	<u>Days</u>
Metropolitan Jockey Club	Jamaica	Wed., April 1 through Tues., May 5	30
Westchester Racing Assn.	Belmont	Wed., May 6 through Wed., June 17	37
United Hunts Racing Assn.	Belmont	Thurs., June 18 through Fri., June 19	2
Queens County Jockey Club	Aqueduct	Sat., June 20 through Sat., July 11	19
Empire City Racing Assn.	Jamaica	Mon., July 13 through Sat., July 18	6
Saratoga Assn. (Zone 1)	Jamaica	Mon., July 20 through Sat., Aug. 1	12
Saratoga Assn. (Zone 2)	Saratoga	Mon., Aug. 3 through Sat., Aug. 29	24

Fall Meetings

Queens County Jockey Club	Aqueduct	Mon., Aug. 31 through Sat., Sept. 19	18
Westchester Racing Assn.	Belmont	Mon., Sept. 21 through Sat., Oct. 10	18
Metropolitan Jockey Club	Jamaica	Mon., Oct. 12 through Sat., Oct. 17	6
Empire City Racing Assn.	Jamaica	Mon., Oct. 19 through Sat., Nov. 14	24
Total			196

The Secretary was authorized to release the action of the Commission with respect to racing dates for newspaper publication.

There being no further business, on motion duly made and seconded, the meeting adjourned.



Secretary.

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