

FIRST ROUND-TABLE DISCUSSION  
ON MATTERS PERTAINING TO RACING

HELD AT THE

OFFICES OF THE JOCKEY CLUB

250 PARK AVENUE

NEW YORK CITY

WEDNESDAY, JULY 1, 1953

Those present:

GEORGE D. WIDENER .....	The Jockey Club
OGDEN PHIPPS .....	The Jockey Club
JOHN HAY WHITNEY .....	The Jockey Club
MARSHALL CASSIDY .....	Steward
JOHN P. CAMPBELL .....	Racing Secretary
CYRUS S. JULLIEN .....	Track Management
LUKE O'BRIEN .....	Track Management
ROBERT F. KELLEY .....	Public Relations
ALEX BOWER .....	Public Relations
A. B. HANCOCK, JR. ....	Breeder
CLIFFORD LUSSKY .....	Breeder
E. BARRY RYAN .....	Owner
SOL RUTCHICK .....	Owner
PRESTON BURCH .....	Trainer
HIRSCH JACOBS .....	Trainer
FRANK ORTELL .....	Newspapers
J. SAMUEL PERLMAN .....	Newspapers
TED ATKINSON .....	Jockey

INTRODUCTION BY  
MR. GEORGE D. WIDENER

I want to thank you all for coming here to participate in this round-table discussion.

Because of the complications and pace of racing today, we never have an opportunity to hear what people who are in another branch of the activity than ourselves think about various problems.

The purpose of this conference is to get every element in racing together to exchange viewpoints. There is absolutely nothing official about this; it is definitely not a turf congress.

You have all been supplied with a list of questions which have been submitted. In order to conclude our discussion within a reasonable time we would appreciate very much your confining your remarks to the topic and making them as brief as possible.

At the conclusion of the discussion on the subjects contained in the prepared list, any additional questions may be brought up before this group.

QUESTION 1. "IS THE SCALE OF WEIGHTS FAIR IN THE FALL?"

MR. WIDENER: That's been under controversy for several years. I think Mr. Campbell probably should be asked first to express his opinion.

MR. CAMPBELL: I think it ought to be raised a little for 3 yr. olds. In fact I made out a tabulation of the scale with Kilroe a couple of years ago which I still have. I think 3 yr. olds in the fall have a little the best of it.

MR. CASSIDY: Jack, would you care to state how much that amounts to, how many pounds?

MR. CAMPBELL: No, I don't remember, but I think it ought to be raised at least two pounds anyway. The different distances are a factor, especially in the long races, the 3 yr. olds have a good deal the best of it.

MR. PHIPPS: Are you recommending that, Jack?

MR. CAMPBELL: I recommend that they raise it for 3 yr. olds in the fall.

MR. BURCH: I saw Mr. Campbell's recommendations last fall and I thought they were very fair.

MR. WIDENER: And you would be in favor of it?

MR. BURCH: I would be in favor of it.

MR. JACOBS: I saw the list Mr. Campbell had last fall and I thought it was very good. I think his schedule should be adopted.

QUESTION 2. "SHOULD NEW YORK-OWNED HORSES HAVE FIRST CALL ON STABLING ROOM?"

MR. WIDENER: Let us hear what track management has to say about it.

MR. O'BRIEN: I would say no. First of all, there are not enough New York horses, exclusively New York horses, particularly for spring racing. I think it is desirable to bring in outside horses and not have New York owned exclusively. They had that experience in Maryland where they had to give preference to Maryland horses, wound up with a lot of bad horses on the grounds many times and excluded good horses.

MR. PERLMAN: I think that is one of the basic problems that the HBPA has up in some states which I think would be a menace to racing. I think the freedom to ship horses around the country to race wherever you want to is the basic freedom which should never be curbed because if you ever started, where is it going to end? You wind up where every state is going to retaliate and you are going to find you will cheapen the sport. It will absolutely destroy racing. It will result in the cheapest type of horses getting the stables because they are owned by certain people who happen to be living in a certain state.

MR. WIDENER: I would like to add my view that I don't think it should be confined to New York Horses.

MR. PERLMAN: In fact, I think the HBPA, which is a national organization and which is made up of people who ship all over the country (why, when you get to Florida in the wintertime there are practically no Florida horses), has never taken a national position against making that part of a code which they should have, in my opinion. I think it is more important to them than it is to anyone else.

MR. RUTCHICK: I'm in favor of the officials, management and the racing secretaries of the various tracks assigning stalls to whomever they select for their meetings.

MR. WIDENER: Such as we do today?

MR. RUTCHICK: Right.

MR. JACOBS: On that subject, I don't think there should be any discrimination against horses shipping from out of state, but what are we going to do in New York here, people that live in New York, if all of the other states give preference to local horses? They are doing it in New England, they're doing it in Chicago. I think it's a very bad thing. I didn't know the HBPA did anything like that. They might have kept quiet on it, but I don't know of anyone doing it.

MR. PERLMAN: I can give you the facts. Last year Vice President Kohout, of the Illinois Division, who is also a member of the Legislature, introduced the bill and he has reintroduced the bill this year and I think was only a week or two ago elected again as vice president of the Illinois Division.

MR. JACOBS: Well, he did that as a member of the Legislature.

MR. PERLMAN: But he also holds an official position in the organization, as the head man in the state.

MR. BURCH: I would agree with Mr. Perlman on that. Certainly we shouldn't bar some good horses because he's owned by someone outside of the state.

MR. WIDENER: I think any stable that's good enough to come east should be welcome if stalls are available.

### QUESTION 3. "WHAT SUGGESTIONS CAN BE MADE TO TIGHTEN FOAL REGISTRATION PROCEDURES?"

MR. WIDENER: Let's have Mr. Cassidy say what's being done now and then we can hear from the breeders as to what suggestions they may have.

MR. CASSIDY: We felt that the authenticity of colts can be better established by having the procedures tightened. That is, the report sent in to the Jockey Club within 24 hours of the coverage of any mare, by the owner of the mare and the coverage statement by the owner of the sire within the same time. Not wait until the breeding season is over but at the time of each coverage, together with the signatures of witnesses. We think it may be necessary to even have field crews go out from the Jockey Club later to authenticate breeding and, if necessary, take pictures of the foals with the mares in the field, all of which of course would be rather expensive. Maybe at that time we could tattoo them and file the complete description with all the markings. We feel that a lot should be done to tighten it up and we would welcome suggestions from the breeders or owners. Mr. Lussky might have something to say about it.

MR. LUSSKY: I believe I would rather pass that on to Mr. Hancock.

MR. HANCOCK: Well, I don't know how you are going to do it. It strikes me that your idea of having the daily reports of your stallion owners is a good one. I don't know how your pictures are going to help you too much. You're going to have to do that practically at weaning time. You have a lot of baby hair on the colts up until the first of September and the markings are pretty well hidden. I think it would be wonderful if you could get tattooing done but I've heard that it wasn't satisfactory to tattoo at that young an age.

MR. CASSIDY: You mean from the physical standpoint or the permanency of the tattoo.

MR. HANCOCK: The permanency of the tattoo.

MR. CASSIDY: I don't think that's been determined yet. I think they have been tattooed and the markings are still fairly legible.

MR. WIDENER: How would that affect breeders out in the country, small breeders. Wouldn't it make it difficult for them?

MR. HANCOCK: I don't think so.

MR. WIDENER: They could comply with it just as well?

MR. HANCOCK: I think so.

MR. JACOBS: I think the best thing would be to visit every foal within 2 weeks after he's foaled, take the pictures of his chestnuts and also of the horse. A plain camera can do it. Have everyone file it within two weeks after foaling and in that way you can check on it pretty well, the chestnuts are pretty good to check on.

MR. WIDENER: It's going to take a big crew to do that.

MR. JACOBS: No, let the breeders themselves, they can do it with a plain camera, I think any breeder can do that.

MR. HANCOCK: Doesn't the picture have to be standardized—the distance?

MR. CASSIDY: Yes it does, but I'm sure the contour never changes. The contours of the four nighteyes would be sufficient for identification until such time as the horse comes to the races and at that time, if they check with the foaling date pictures, the complete calibrated pictures could be taken. I think that's a very good suggestion.

MR. JACOBS: I think it's a very good thing for a man himself to know. You won't have any trouble if something happens with one. You won't get mixed up or anything, you can always check on it. The nighteyes are like a fingerprint.

MR. HANCOCK: Let's find out something here. You're trying to get away from fraud, is that it?

If the breeder takes his own pictures he can send you anything.

MR. CASSIDY: He wouldn't have any reason for not sending the right pictures at that time.

MR. JACOBS: He could send them in within two weeks after the foaling.

MR. LUSSKY: Would the pictures cover the sire and the mare?

MR. CASSIDY: No, the report at the time of service would indicate the sire and mare.

MR. LUSSKY: You take a place like Kentucky where there's a lot of breeding, you probably wouldn't run into a man in that whole area that would falsify breeding. But now if you go outside of that area, you may find small areas, because you've got maybe 15 or 20 states right now where they're breeding horses, and they have outside sires, and breed them themselves and some of these sires are hardly registered, and I don't see how you could cover those.

MR. CASSIDY: We're not aiming at Kentucky. You don't need rules for the good people. You make rules for the people who are liable to try and get away with something.

Don't you think any rule or regulation you have eventually becomes common knowledge and that people have to live up to certain rules and regulations if you are going to have properly organized breeding procedures.

MR. WHITNEY: Take the case of our friend in California, Stremmel, why wouldn't this procedure have helped him? He could have shifted his foals around any way he pleased and once it was established that this foal belongs to this mare, you're stuck with it.

MR. CASSIDY: That's true, except that if you had a picture of a foal's nighteyes and a picture of the foal running beside the mare, the mare whose markings are established, you would immediately determine his dam. Then the certificate of stallion services would indicate his sire particularly if witnesses swore in affidavit form to the services.

MR. WIDENER: Do you think we are doing as much as can be done now, Arthur?

MR. HANCOCK: I think so. I don't think the pictures of the nighteyes are going to prove a thing myself, you can take any pictures and send them in here, any at all.

MR. WIDENER: It depends entirely on the integrity of the breeder.

MR. HANCOCK: I think the best thing you can do is demand a covering certificate as of the date of the covering.

MR. CASSIDY: I think that, with an affidavit of a witness at the time of foaling. Then to commit a fraud he takes a great chance by going to somebody and saying, "I want you to testify to a lie." He's putting himself in someone else's hands.

MR. HANCOCK: You've got a lot of help around some of these small farms that don't know one horse from another.

MR. PERLMAN: Would it be too expensive for The Jockey Club to have a representative in an important area like Kentucky?

MR. WIDENER: We've considered that several times.

MR. PERLMAN: It seems to me that with the number of foals that are born now, if you raise the registration fee just a little bit it would probably cover the cost and give you the protection.

MR. WIDENER: That's a question we take up a little later on, the increased registration fee, which will probably take care of just such a plan as that.

MR. HANCOCK: There's one thing you could do, I don't know whether any of you heard of trying to make a nursing mare take a foal or not, but that's a difficult problem, and if you have a man around there and he's checking foals in different places—and he probably can cover most of Kentucky in one day—you'd never have any trouble then in switching foals, I don't think.

MR. PHIPPS: It's probably not in Kentucky, though, that we have the problem. It's the outlying districts.

MR. CASSIDY: Well, he's speaking of it as a project rather than the character of the people in it.

MR. HANCOCK: The thing that kind of worries the breeder is this. About 3 or 4 years ago I sent a mare to a stallion, say 1500 miles from Kentucky, to be bred. They came back the next August with the breeding dates. We put the mare in the foaling barn as of the date she should have foaled and she was 3 months late foaling. Now something went wrong. I don't know what it was, but the foal was registered. I would think the date they give you with the daily reports would give you a very good out for not registering certain foals. There have been instances we all know about where a man will send a mare to your farm and breed her to your horse, and that's true. We had this happen where a mare was bred to a bay horse at my place, she was a bay mare and when I saw the foal it was a weanling, and it was gray. I know he had a gray teaser. Whether he knew it or whether it was just an accident, or whether it was done by fraud, I don't know. That's something I don't see how in the world you can stop. That foal should never have been registered, I don't think.

#### QUESTION 4. "SHOULD THE USE OF HORMONES AND VITAMINS BE ALLOWED?"

MR. PHIPPS: It seems to me we've had the question of doping for a great many years and it certainly was very bad and injurious to the horse in the old days when narcotics were given. Then we passed a rule that no stimulant should be given to a horse. We employed methods to check on the honesty of the people and we thought we had checks sufficient to apprehend anybody who did stimulate. It has come up lately that because we have no quantitative analysis, anything such as hormones, vitamins or adrenalin can be given to the horse and we have no way of telling whether it has been administered or not. A great many trainers are doing this now, and is it fair to the ones who are sticking to the letter of the law? Also, hormones, vitamins and adrenalin, which are parts of the body of the horse's secretions probably do not injure the horse.

MR. PERLMAN: In the New York law, it's not a stimulant, it's a drug. Any drug at all.

MR. PHIPPS: That is true, but is that law correct?

MR. PERLMAN: I don't think so myself.

MR. HANCOCK: I disagree. I'd rather they'd go back to hopping than using the hormones on mares. I looked the record up after I got this questionnaire, on 1,000 maiden mares bred, up to a certain date—I've forgotten the exact date—we had 96% pregnancies the first year. Now we're running about 55% pregnancies on maidens. We're having more slips and everything else and I can't attribute it to anything in the world except the use of male hormones to drive a mare out of season when she's racing.

MR. PHIPPS: I'm not talking quite so much on that as I am on what is stimulating the horse before the race—it was really adrenalin and a strong dose of vitamins which can't be detected.

MR. PERLMAN: There was a very long discussion at the last meeting of the National Association of State Racing Commissioners in that connection.

MR. CASSIDY: I think that possibly the thing that racing is concerned with is the fact that the unscrupulous get by with certain stimulations that are not detectable and people who are scrupulous and won't do anything wrong are forbidden certain of these body-building drugs that are used with human beings. The question is whether there isn't some way or some rule which may be written which precludes the use of narcotics and certain specified drugs, rather than all drugs. No one wants to ease up the rule so people can hop horses, but does the rule go too far or does it not?

MR. BURCH: What comes to my mind is, do we want to stop hormones and vitamins, or not, and if we do, how are we going to stop them?

MR. PHIPPS: There doesn't seem to be a way that we can detect whether they have been given.

MR. BURCH: If the Jockey Club says no hormones or vitamins, I want to live up to the rules, I won't use them. But some man buys my horse, it's running bad, and gives him hormones or vitamins, and the horse improves and wins a lot of races, what can I do? I'm a sucker.

MR. KELLEY: If it's not dragging it out too much, I think this particular thing has very strong implications in connection with public relations. Not so much with the regular racing writers, but particularly magazine writers, script writers for movies, are constantly coming to me and saying, "What is the rule against doping horses?" I feel that the rule in New York is terribly indefinite and very vague. I think it is unfair to racing in its relation to the general public. Frequently a fellow will be put down for a short period of suspension or perhaps not even suspended at all, and the uninformed and uninitiate will feel that something rather wrong has been winked at where it may be that he's just used a thing that is not actually doping. The rule as it is written now I think is very bad from a public relations standpoint. I was thinking if anything concrete could develop it might be a good thing to have a Jockey Club committee suggest a new rule.

MR. WIDENER: I'm sure the commission would consider anything they thought would be an improvement over what they've got.

MR. WHITNEY: It seems to me there's still a very real distinction between administering vitamins and hormones as medication and as a stimulant. We are talking about a massive dose in one case administered certainly by hypodermic injection, and I don't see how you could possibly ever agree that that was admissible, because as Arthur Hancock suggested, that is injurious to the animal and certainly would give an unfair advantage to those who are doing it and actually defrauding the public. We're back to the age old problem of how do you prevent stimulation by means of narcotic or any other commodity, which is a policing job, it seems to me, rather than one that a rule could possibly cover.

MR. CASSIDY: I think you're right. I think also one of our troubles is that the rule in New York, because of its elasticity (and this part I think is good), has permitted the officials to refrain from punishing a man who we could not even suspect of guilt, if he were proven entirely innocent of any complicity, connivance, participation or even knowledge. We are happy that we don't have to suspend somebody simply because the rule says he must be suspended if his horse is found to have been administered a drug. The rule in New York does not make that mandatory, and where the Stewards haven't found any evidence of guilt—and that's been in about 4 cases—they haven't suspended the trainers. I think New York has the only rule in which that's permissible and we think it's good. We don't like to suspend people simply because the rule says if his horse is found to have been stimulated a trainer must be punished. That's the main difference I think between the New York rule and the rules in other states.

MR. JACOBS: In connection with vitamins, I don't think anyone is allowed to give a horse any vitamins if the horse is going to run within a day or two. The papers carried a lot about One Count getting B-12 last year and he was a very weak horse. After he got the B-12 he finally developed into a good horse and as soon as people

read anything like that there was a big run on B-12 right then. But I'm not saying he got that right on top of his race, though. He probably might have had it at different intervals when he wasn't racing. For myself, I've tried vitamins, all kinds of vitamins and the more I try them, the less races I win. But the average person, if the horse improves, thinks that the vitamins did it.

MR. BURCH: We haven't reached any conclusion on that.

MR. WIDENER: We just wanted to get everybody's opinion.

MR. CASSIDY: I don't think this is the place to reach a conclusion.

MR. BURCH: But we really have no expression on it.

MR. JACOBS: The main thing, I don't think anybody should be allowed to give any horse any kind of vitamin that's going to race, within 24 or 48 hours before the race. It's in the rules now anyhow.

MR. BOWER: I think the whole problem is important enough that something should be done with the veterinarians and the racing chemists and see if something could be worked out.

MR. WIDENER: I imagine that is being done.

MR. PERLMAN: They discussed it for several days in Boston and a lot of papers were given out but no conclusions were arrived at because the Commissioners were going to study it. They fear the same thing that everybody fears, that if you start relaxing the laws, you are going to get back to the good old days.

MR. PHIPPS: The chemists admitted though that there was a good deal going on?

MR. PERLMAN: No, they discussed it more from the standpoint that there are many medicines that horses should be permitted to take the same way that humans take them, especially medicines that aren't stimulants, that aid a horse's health. They have some drug now that acts against blood worms and you are not permitted to give it and yet there's really no reason, if the horse has worms, why he shouldn't have it. No decisions were reached.

MR. CASSIDY: Experiments have been made on various drugs, I don't know how many, hundreds of them, and almost in every case it has a different life period. Also the manner in which it is administered has a lot to do with it. If it's administered by way of stepped-up doses, or intermittent doses, say 4 hours apart or 6 hours apart, over a period of time it will last considerably longer than if it was given in one dose, in a shock dose.

MR. RUTCHICK: The only way our problem could be solved is through our veterinarians—if you have jurisdiction over them—that they cannot use a needle of any kind or give anything to a horse 48 hours before a race. Most of the horsemen are using veterinarians and they claim it does not show in the saliva test. If you could have jurisdiction over veterinarians, I believe you could eliminate this problem.

MR. CASSIDY: Sol, that's ridiculous, because you can needle a horse with a little practice just as well as a veterinarian. And another thing, if we specify the number of hours—24 hours—we're sticking our necks out because if something is found in the horse, how can we prove it was given to the horse within 24 hours.

MR. RUTCHICK: I'm buying vitamins now. Dr. Wright is selling them. He delivered me 30 pounds and he's charging me \$90 and I use it in my feed and we don't stop, we continue giving it up to a race. He tells me not to worry about it, everybody's using it. And I'm using it too. It looks like rice. It's not injected. You put it right in the feed.

MR. RYAN: Mr. Phipps, you intimate that large doses of vitamins might mask some other element that might be given at the same time?

MR. PHIPPS: No, I'm really thinking that adrenalin is the one that is given.

MR. RYAN: I'm thinking of Mr. Jacobs' problem here, the question as to how much the vitamins and hormones move the horse up.

MR. PHIPPS: I think adrenalin is the one that is being used mostly.

MR. RYAN: Adrenalin is classified, is it not, as a stimulant?

MR. PHIPPS: It would be a stimulant, yes.

MR. RYAN: It's classified as a stimulant as opposed to testosterone or B-12 or something like that. They're in a different category, are they not? I think adrenal cortex or adrenalin is actually a stimulant whereas B-12 or testosterone, the male hormone, is not classified as a stimulant. I see reason to tighten up if hormones and vitamins would mask the injection of a stimulant such as adrenalin, but if it doesn't mask an actual stimulant when it's given, I see no reason why we shouldn't go on fooling ourselves giving B-12 and thinking that we are helping ourselves a great deal because, like Mr. Jacobs, I question just how much vitamins and hormones do to actually stimulate a horse to make him perform better. It may keep his health better and therefore help him perform better, but whether it actually makes them for just that one day perform better is a question I'd like to have answered.

MR. CASSIDY: Well, it doesn't mask anything else. We can depend on that.

MR. PHIPPS: We can't check adrenalin because it is part of the secretion of the body of the horse and we have no quantitative test.

MR. BURCH: I spoke to Hirsch, we had not heard that adrenalin was commonly used. We generally get the tips if there's anything around. I agree with Mr. Hancock. I don't know it to be a fact but I'm afraid that hormones do hurt for breeding mares.

MR. WHITNEY: Could we get those figures?

MR. HANCOCK: They're my personal figures.

MR. WHITNEY: Maybe we could get the Blood Horse to do it.

MR. HANCOCK: It's very true that testosterone, administered to a female in season, will eventually cause a pouch or sac to come on the uterus, which will prevent her from coming in season. I don't know whether it will prevent her for life or whether it's just a question of a year or two years until she absorbs it. But we do have a very bad record now for breeding maiden mares and we used to have a very good one.

MR. WHITNEY: Do you get from the training stable, whoever it might be, an account of what has been given each animal?

MR. HANCOCK: No. But we can pretty well tell. A mare comes to me that has been trained by a very reputable man, she will show very well. But some of these stables that you get now, these large public claiming stables around the country, when a lot of those mares are picked up by a breeder and sent in, their cycles are very irregular.

MR. CASSIDY: Couldn't it be something else, Mr. Hancock, although it's pretty normal to presume that it is hormones, but could it be anything else that would have that result?

MR. HANCOCK: I don't think it could be anything else. Back in the days when they were hopping horses, the mares would come in season and you could get them in foal. Now you can't get them in foal.

MR. BOWER: I wonder if that trouble has been experienced by anyone beside Mr. Hancock, who has an excellent veterinarian on his place. Dr. McGee, who is also a top man talked to me about it and it's fairly common now that if you bring a mare off the race track you can't get her in foal. That seems to be the result of the use of the hormones.

MR. HANCOCK: I've talked to veterinarians all over the country, every time I get one, I ask him, because it's a problem with us.

MR. CASSIDY: Don't you think that should be publicized somewhat?

MR. BOWER: I tried to get into it once and I didn't get anywhere. I got kind of slapped down. I don't remember the circumstances now but the idea was generally scoffed at.

MR. CASSIDY: I think you've got enough facts to substantiate any statement like that and I think if horsemen were advised of it, you would find that it would decrease considerably.

MR. BOWER: I don't know, I don't think that a horseman who doesn't breed cares a whole lot.

MR. CASSIDY: He care's a little, because this is his business.

MR. BURCH: If he's big enough he cares a little, but the little fellows don't care. I think you might be able to get some expression out of this meeting on that question. I think that Hirsch and maybe Mr. Rutchick would go along with me if the meeting would recommend the prohibition against injections of hormones, but as far as vitamins are concerned, I think they are generally used to build a horse up and not to stimulate. I don't think it comes in the same class and I don't think there is any harm in giving a horse vitamins.

MR. WIDENER: We agreed that there would be no recommendations—just an exchange of viewpoints.

MR. WHITNEY: The prevention of the use of any hypodermic application of these compounds might be a thing to be studied. I would think if some of us could get together and get the material that the chemists are working up for the racing commission, we might come up with some reinforcement of the present rule.

QUESTION 5. "WOULD A STANDARD ENGAGEMENT FORM, IN EITHER DUPLICATE OR TRIPPLICATE, FOR JOCKEY AGENTS BE ADVANTAGEOUS: ONE FOR THE PERSON EMPLOYING THE JOCKEY, ONE FOR THE RACING SECRETARY'S OFFICE AND ONE TO REMAIN IN THE AGENT'S BOOK, THIS STANDARD FORM IN BOOK FORM TO BE PRINTED BY THE RACE TRACK OPERATING AT THAT TIME?"

MR. CASSIDY: I would like to say that we tried that system in New York. We had jockey agents books printed and we gave them to the agent for him to give a receipt, a copy to the man making the engagement and one to us. We found that horsemen wouldn't take the receipts. Anytime an agent made an engagement for a rider and offered the horseman the receipt, he wouldn't take it. So it proved absolutely valueless.

MR. WHITNEY: What is the purpose of it, what is it supposed to cover?

MR. CASSIDY: It's the confliction of the engagements of a jock as to who has the prior call.

MR. ATKINSON: A great deal of an owner or trainer's business is conducted more or less on the fly, isn't it? You're going to the track with a set of horses and you run into Tim or Mitchell or one of the other agents and you engage a rider and that's all there is to it. On the whole I don't think there are too many conflictions you have to iron out, anyhow, are there?

MR. CASSIDY: This didn't come from New York and we haven't had many conflictions in New York. We do have a system in N. Y. which I think would be practical any place. We stamp an official book and the agent can only use the one book. He is requested to post in ink in the first column on the left his first call, second column, second call, etc. We check the books when a protest is made.

MR. LUSSKY: What supervision has a race track owner of jockey agents?

MR. CASSIDY: The Commission licenses them. Then they are under the direct supervision of the Stewards. The Stewards have control over all persons connected with racing.

MR. HANCOCK: Most of the trouble we have on the race track, this is speaking as a commissioner, we can trace pretty near back to jockey's agents. Of course we don't have the caliber that you all have up here.

MR. ATKINSON: I think that's true in a great many racing areas. The jockey agents' badge is primarily a touting badge and the point is that I think it goes right back to the licensing authority. They license a man to be an agent for no other reason than he puts in an application. Why, I don't know. If a little more care were used about the

background perhaps of the men who apply for agents' licenses, I think you could eliminate a great many of them.

MR. CASSIDY: I can give you a little information from New York that will also help. To be a jockey agent in New York, you have to be an authorized agent of a stable. In other words, you must have the endorsement of some stable that's racing there.

MR. HANCOCK: Of course you have a little different problem. Down there we might have 800 horses at a race meeting and there would be 400 different stables. A jock will come in, if you've turned one down, and he'll say, "Oh, my dear friend here is my cousin and I can't do without him, he's brought me along." And you listen to him and you've just got no chance.

MR. CASSIDY: Every place has its own problems.

MR. JACOBS: A good rider generally has a pretty good agent, and to be a good agent, he's got to know horses. A pretty good agent, what he does the first thing, he will take a lot of those races and he'll put someone's name in his book right off the reel. Because I know I saw my own name in some books already that I never even engaged to ride at all. And he'll generally have those names in there, and then when you come up and you've got a pretty good horse and you say, "How about such and such a race," he'll have a name there, but he'll say, "All right, you can have it. He isn't going to use it." And that's what the agents will do. But if he took the first horse that came along, he'd be on probably eight bad horses a day. And he'd be a very bad agent to have. So they have to protect themselves too.

MR. CAMPBELL: They keep races from filling.

MR. JACOBS: On that point about keeping races from filling, they're probably responsible for a lot of races not filling. They're mostly responsible for races not filling. And nine times out of ten, if I've got some halfway decent horse, I never engage a rider. I don't engage him probably till when the entries come out I'll put one on. Because if he's a pretty good horse, and you've got one of them down, everybody knows he's going in the race. He knows so and so is going in the race, and then the race doesn't fill. And they're actually responsible that way for a lot of races not filling.

MR. CASSIDY: Well, what's the answer?

MR. JACOBS: The only answer you could have would be to put the riders on that afternoon, that's all. I mean, if you want them to get away from that part of it. But still and all you'd have to have a rider engaged anyhow.

MR. HANCOCK: I've often thought and I don't know whether it's practical at all, I'd like putting a man in the secretary's office.

MR. CASSIDY: We tried that—a single agent.

MR. PERLMAN: You have a rule in California where the rider has to be named.

MR. JACOBS: That's a joke too.

MR. PERLMAN: But it works.

MR. JACOBS: Anything will work if you make it work. That rule was put in California on account of Longden.

MR. PERLMAN: I think it works very well from the standpoint of the public. But we're not discussing that now.

MR. JACOBS: That's why the rule was put in effect. Longden would wait until scratch time. Wait that afternoon, and he would ride the best horse.

MR. CASSIDY: Have you any solution for the jockey agent problem. We've tried everything we could think of.

MR. WHITNEY: Isn't it working all right?

MR. CASSIDY: This question didn't come from New York.

MR. RUTCHICK: The only solution is for the Stewards to take hold of the agents, don't have them mark up races, tell them everytime they mark an owner and haven't got the owner's or trainer's permission, they are liable to a fine or suspension, and just warn them, and you'll get better results out of it.

QUESTION 6. "SHOULD OWNERS BE REQUIRED TO STAKE JOCKEYS TO 10% OF ALL WINNING MONEY OF ALL RACES?"

MR. WIDENER: Is that customary?

MR. ATKINSON: In New York I don't think I've missed 3% or 4% during the 10 years I've ridden here of getting 10% of winning fees only, of all races.

MR. CASSIDY: How about in other places?

MR. ATKINSON: It's a little bit less I think in New England.

MR. CASSIDY: Is that voluntary or is it by request?

MR. ATKINSON: It's voluntary. Absolutely, very seldom do you make an engagement on that basis.

MR. CASSIDY: Would you say there are any agreements made to that effect by an agent?

MR. ATKINSON: Oh yes, I doubt if he ever asks. He comes around afterwards with his hand out.

MR. PERLMAN: I would say that the information I've gathered from all over the country is that almost 100% of jockeys, the good jockeys, get it and they get it because the owners know now, at least they assume, that they are not going to get Teddy Atkinson or Eddie Arcaro unless they do. In fact, the Jockeys' Guild asked to discuss it with me and were considering making it mandatory, but up to this point they decided not to.

MR. CASSIDY: I think they'd kill their stakes if they did that.

MR. ATKINSON: I'm against making it mandatory because very often you run into some little guy, like Eugene Lutz wins a race, you don't want to take anything from him.

MR. PERLMAN: Possibly that's the reason they decided against it.

MR. HANCOCK: The Jockeys' Guild got out something the other day, Ted, and sent it to the commissioners down the country, a scale of payment.

MR. ATKINSON: Yes, a graduated scale of riding fees.

MR. HANCOCK: Now let me ask you a question about that. Is that riding fee supposed to be in addition to the 10%?

MR. ATKINSON: Well it very seldom is. Most stables even in New York deduct it. In one fashion some stables deduct it from the purse and you get 10% of the balance, which is only a \$5 difference to the jock. In others, they deduct it from the 10%. In fact I'd say most of them in New York deduct it from the 10%.

MR. WHITNEY: This question meant to ask 10% over the fee.

MR. PERLMAN: I think with this particular problem there should be no recommendation.

MR. WIDENER: We're not taking any position on anything. This is just a general discussion.

MR. WHITNEY: Ted's answer, I understand, is that what you get is the equivalent of 10% including the fee.

MR. JACOBS: In a \$3500 purse, you get \$2275 to the winner, I always give him \$177.50. He already got the \$50.

QUESTION 7. "SHOULD AN INDIVIDUAL BE PERMITTED TO HAVE AN APPRENTICE CONTRACT ON MORE THAN TWO BOYS AT THE SAME TIME?"

MR. BURCH: That's been discussed among the trainers and we couldn't understand why such a rule was made to restrict a stable to 2 apprentice boys. Our difficulty has been in getting help and the only way we get help is to start them as apprentices. Some of us think—I don't know whether we're all agreed on it—but some of us think that the more apprentices there are employed the better for the horsemen in general.

MR. ORTELL: I think that perhaps some of that trend against more than 2 apprentices was started in Canada within the last year, and I think one of the ideas behind

it was some stables were signing up more boys than they had opportunities for. The result was that some of them never got a chance to ride. I think that was one of the main reasons.

MR. BURCH: Ted, was that started by the Jockeys' Guild?

MR. ATKINSON: I know that we have taken a very firm position in favor of a rule like that. Whether that rule was started by the Guild, I can't say.

MR. BURCH: Ted, what is your objection to it.

MR. ATKINSON: In the first place, we feel that to some extent it's a dodge in an effort to get cheap help on the part of many a horseman who has no intention of making a jockey and most of these kids who do sign an apprentice contract, have visions of grandeur. They're not coming around with the idea of being exercise boys. Many of them, it's true, are not going to be anything more than exercise boys, but that being so he shouldn't be denied the opportunity of trying to be better than an exercise boy, and if a trainer signs up 3 or 4 others, one will stand out, or at least the man will always think that one stands out and the others will have no chance.

MR. BURCH: Don't you think that if it's limited to 2 apprentice boys, it should be one boy for so many horses in the stable rather than two boys for one man. Suppose a man has one horse and 2 apprentice boys, and another stable has 40 horses in training and they're only allowed 2 apprentice boys.

MR. ATKINSON: Well that wouldn't seem fair at all, but to the boy it wouldn't seem fair either to have three of them and two of them get no chance. Even in the case of the 2 boys, I personally am against that.

MR. WHITNEY: That stable with 40 is probably going to have a contract rider, in addition.

MR. BURCH: At the present time, just take my own stable, we have 2 apprentice boys receiving equal chances. I did have another apprentice boy, that is, I was going to take another boy when this rule was called to my attention and I let the boy go. I think he will be very sad at having to leave our stable.

MR. RUTCHICK: I have to go along with Ted on that. I don't think it's fair to those kids to have too many kids in the stable. There's only one that will develop out of the bunch, because they'll always favor someone; he's a better talker, or the foreman would say something like this boy will make a rider, and a lot of them don't get a chance. I'm really against it.

MR. WIDENER: You're for having a limited number?

MR. RUTCHICK: That's right.

MR. RYAN: Could we cut down the period of the contract a little so as to give a boy a chance to get out, instead of making a 5 year contract, give him a chance to move? If you don't increase the incentive to develop apprentices, where are we going to get the riders from. The exercise boy problem today is terrible.

MR. BURCH: But you can't get exercise boys unless you have apprentices.

MR. ATKINSON: That's perhaps true, but I don't think they should be brought on the race track to become exercise boys through the subterfuge of the promise of riding.

MR. WHITNEY: Would you be in favor of contracting exercise boys?

MR. ATKINSON: No, I would be in favor of contracting them without any apprentice jockeyship involved.

MR. BURCH: That's what Mr. Whitney asked you.

MR. ATKINSON: Yes, I understand.

MR. CASSIDY: But you're contracting labor. What would you do with your grooms? What you're trying to do is put a clamp on the employment of a person to keep him with you. What are you going to do with grooms?

MR. ATKINSON: Why do anything then? Why not hire your apprentice kids as day labor or however you do hire them.

MR. BURCH: Ted, on that I've had a lot of experience, and I found that, as Mr. Rutchick says, only 1 in 100 of them ever makes a jockey. And the only good you



ever eventually get out of them, and the real good, is that you do make a jockey out of one. But I've also found that anyone that wanted to get away from you didn't have any trouble getting away from you.

MR. CASSIDY: That's Max's argument. His argument is that he can't keep his help and the only way he can keep them is to have them under contract. But that's a poor excuse for an apprentice contract, just to keep your help. I think that maybe there's a possibility of changing it to this extent—if the apprentice boy contract provided a regular exercise boy's salary after his first year. But there aren't many owners who would want that.

MR. PERLMAN: Are there no restrictions on it?

MR. CASSIDY: Limitations, yes, but they're below the exercise boy's salary.

MR. PERLMAN: Presently a trainer can have as many apprentices as he wants to?

MR. CASSIDY: No, not in New York.

MR. PERLMAN: Is that rule only in New York? :

MR. CASSIDY: At the moment it's only in New York and Delaware.

MR. LUSSKY: If you hired a boy at 16, say he's going to school, and then he had to get a permit to go to work at 16, you have to specifically state what duties that boy is going to perform—whether he's going to exercise a horse or rub a horse, or walk a horse, you have to state the limits of what the boy is going to do. You haven't got a wide range with a boy of 16.

MR. CASSIDY: For an apprentice or an exercise boy the working papers are the same.

MR. LUSSKY: You couldn't take a boy off the street here and put him on horses. He'd have to have a certain amount of training first. One of the most prominent riders today was in a similar situation as you mentioned here, that was Eddie Arcaro. He came to Roscoe Goose and wanted Roscoe to take him on, that's when he was just starting to ride. And Roscoe said, "No I can't take you, I've got two other boys now, and you wouldn't have much chance with my stable because I couldn't give you much opportunity to make good." So he turned around and went to some other place. So that's the injury you do to a boy when you extend the list down to an unreasonable amount of exercise boys. They just don't get a chance.

MR. WIDENER: You're supporting the rule.

MR. LUSSKY: Yes, I'm supporting the rule.

MR. WHITNEY: As a point of information, if you didn't have a contract on a boy, and you suddenly saw that this is one out of a hundred, you want to keep him, you'd be in a free market as far as he was concerned, and you'd be able to pay him what you thought he was worth and hold him by that method rather than by contract. The contract limits what you are able to pay him, unless you change the contract.

MR. BURCH: Labor has gotten to be a very serious problem. Of course not so much in New York as in the outlying districts. In New Jersey, it's terrible. My son's down there now. He said that half the trainers down there have just a few horses, have no grooms, they can't get grooms, and the only exercise boy they have is a boy that will come around, get on the horse, gallop him, bring him back to the stable, turn him over to the man and get his \$2 and go on to the next one. That goes on all the time down there. One boy gallops 10, 12, 15 horses a day and the little fellow, who has 2 or 3 horses, rubs them, cools them out, does everything except ride them.

MR. CASSIDY: Don't you think that problem is just one of employment that would exist anyway.

MR. BURCH: I think if there's more incentive to make jockeys, we'd have more help around the race track.

MR. CASSIDY: Ted Atkinson is a jockey. And he probably makes more money than half of us in this room. That's a pretty good incentive for a boy to become a jockey, isn't it. If the material is there for exercise boys, or for grooms, which you say are equally hard to get, it's a matter of dollars and cents. If you pay them enough you

can attract them to work for you. But why offer apprentice jockey contracts just to get them to work as exercise boys.

MR. PERLMAN: Is Mr. Burch in a different position than most stables because he races two divisions?

MR. CASSIDY: Yes, I think that's worth a consideration.

MR. PERLMAN: Actually some stables race in three different states, I've seen the same stables at Delaware, Monmouth Park and New York.

MR. CASSIDY: In a stable with several owners, each owner can have 2 apprentices. Provided, of course, that each owner qualifies on the number of horses he has.

QUESTION 8. "SHOULD JOCKEY AGENTS BE REQUIRED TO TRANSACT ALL THEIR BUSINESS WITH JOCKEYS WHEN RACING IS NOT IN PROGRESS?"

MR. ATKINSON: I think that's unfair. After all, during the course of the afternoon things come up that perhaps need immediate attention, and I don't see why they shouldn't be allowed to take care of the jocks. It probably could be done the following morning or after the races but I don't see any point in it.

MR. CASSIDY: I think one of the things that is quite annoying, and I'm taking Belmont Park now, in front of the jock's room, is a beehive of jocks' agents all afternoon. They're the only ones who are permitted to talk to a rider, except an owner, but the public see these agents talk to the riders and then leave and talk to other people. They get funny ideas in their head. It's just a question of whether the business of being a jockey isn't sufficiently absorbing for him to be a jockey without thinking about tomorrow or yesterday in between races.

MR. ATKINSON: There's a certain amount of need to do it in the afternoon, I know one point. For instance, a horse runs badly and the agent immediately assumes that this animal isn't worth riding back, for such and such a race a week later.

MR. CASSIDY: Couldn't that be done just as well the next morning or a week later?

MR. ATKINSON: Well quite often his booking is done right there in the afternoon. Meanwhile, if the jock can talk to the agent he might have an explanation, some reason why that horse ran that badly which is understandable and excusable.

MR. CASSIDY: You think it's essential that they conduct their business in the afternoon?

MR. PERLMAN: Is it possible to do it in the jocks' room?

MR. CASSIDY: It isn't that, it's the interruption and the traffic in and out of the jocks' room. It's just a question of whether it's essential for the jocks and for racing, or whether it's something that could be done another time.

MR. ATKINSON: I just don't think that there is enough confusion caused by having the jocks and agents confer during the afternoon to eliminate it.

MR. CASSIDY: I don't think there is with you and I don't think there is with Arcaro and a lot of the boys, but some boys are in conference with their agents all afternoon.

MR. ORTELL: I believe it could create a hardship for some of the better boys because I've been around the paddock and quite often they're engaged to ride a stake race out of town. If he has just one mount here, why he has to go confer with the jockey to see if he's willing to go up there to ride.

QUESTION 9. "CAN LATE JOCKEY INFORMATION BE SUPPLIED TO THE PRESS BY (1) INFORMATION OBTAINED FROM JOCKEY AGENTS DURING THE AFTERNOON BY AN ASSOCIATION EMPLOYEE; (2) RULE ORDERING THE NAMING OF JOCKEYS BY 4:00 P. M. THE DAY BEFORE THE RACE?"

MR. CASSIDY: The idea is to get the jockeys prior to scratch time the following day. Mr. Ortell will probably like to speak on that subject.

MR. ORTELL: There's been a great deal of complaint among the afternoon papers and one of the morning papers regarding the issuance of entries without jockeys. There are so many "No Boys". As the rule now stands there is no information as to who is going to ride a horse, if a horse is open without a jockey, until the next morning at 8:30. That works a hardship on the afternoon papers who we think give a great deal of space and publicity to New York racing. We feature races to come, and we don't want to work a hardship on anyone but we felt that during the afternoon the management could specify some one to collect these jockeys by 4 o'clock the afternoon before. Usually all trainers have a jockey selected and I don't think there'd be any hesitancy on their part in giving them out for publication. That was No. 1, and if we had them by that time, we could send them in to our offices and it wouldn't be a mechanical problem then, as it is now in the morning. We figure that they could be set up when they make over the pages at night. It would be quite a saving. It would prevent anyone having a monopoly as they do in the mornings now on the jockeys and it would help out in public relations. As it is now of course I could scout around if I wanted to do it and pick them up. I don't. Some of the other boys don't have the complete data on the charts and cards as myself, I fill them in. Well, I'd say 80% or 90% of the time I'm correct but I'm not speaking for myself. As it stands now it's all right. I'm speaking for the majority who have passed this question around the stand and asked if they were in agreement with it. And those who were directly involved were for it 100%. Now we feel that we don't want to make any recommendations who should do it, but someone worthwhile, trustworthy, whom the associations would look on with favor. They should appoint someone and pass this out to us when they accumulate these riders.

MR. PHIPPS: Mr. Ortell, do you mean this to be absolutely mandatory.

MR. ORTELL: Oh no, we don't want to work a hardship on anyone. If there's a boy that has 2 or 3 calls in a race, and the entries come out, there's a large field and one boy gets three horses in the 20 horse field, we know that he can't ride 3. The next morning those who had 2nd and 3rd call can go and get someone else or if he finds he wants to waive the apprentice and put somebody else on, that's all right with us. But they give us what is at hand around 4 o'clock. We don't want to work any hardship on any jockeys, trainers or owners. Very often you see in the entries some apprentice rider, as when Lester was in his heyday here in the spring, on 3 horses. Well, he's on 3 horses, but next day you'd find they'd get another apprentice or waive the apprentice on some one of his mounts and put another boy on. We don't want them to do that the day before but to give us what they have. Very often in some of the conditional allowances or overnight handicaps you get 8 or 10 horses in there, and 2 riders. They don't name a rider, they accept the weights, the secretary's office gives what information they have—they're not responsible for it. But we feel that about 4 o'clock that afternoon the owner or trainer would have selected a jockey and wouldn't mind making it public.

MR. PERLMAN: I can't see what objection there is to doing what they do in California. It is working exceptionally well there. They have to name their jockeys, and the handicappers get a better chance, the public gets a better break. If the entries and everything are important enough to be published—and obviously they are because that's the whole foundation of creating interest in racing—surely the man who is going to ride is something the public should know. He eventually gets it the next morning. He buys a paper that is early enough, and is usually out several hours before. I see no reason in the world why it shouldn't be contained in our papers at night. All the afternoon papers go to press many hours before we do. I think, generally speaking, the California papers probably do a better job than any other papers that publicize racing. They do a wonderful job. They also have an earlier closing of entries. They close at 9 o'clock in the morning. Now if the entries don't close early enough, the handicappers have to rush through their handicaps and ratings.

MR. WIDENER: Let's hear from an owner or trainer and see what he has to say.  
MR. PHIPPS: As an example, if you have to do it that way, I'd want to have Ted ride on Saturday for me. Greentree is putting a horse in. There's no way of my being able to know until pretty late if I'm going to get Ted.

MR. PERLMAN: The man who can answer the question is Hirsch Jacobs because he raced in California where he had to do it.

MR. JACOBS: You can do anything when you've got to do it but I don't think it's right, getting all the riders you can at 4 o'clock, I believe in giving them to the newspapers, but many a time, like you say with Ted, Mr. Whitney might have a horse in, he might not run him tomorrow. I might have one in that same race and I'd like to wait until scratch time.

MR. WHITNEY: Can't you do that in California?

MR. JACOBS: No. You're not going to take a boy off. Once you put a boy on, you don't take him off.

MR. PHIPPS: I think that's pretty tough because you put on a better boy, in other words, I put my horse in with this X on. He's not as good as Ted, and I've taken him off and said he is not as competent as I want on my horse.

MR. WIDENER: The boy won't want to ride again under those conditions.

MR. PHIPPS: I think you've hurt the boy.

MR. JACOBS: I don't believe in preventing a man from getting the best boy he can get.

MR. ORTELL: The only objection is that by four o'clock you know what boy is under contract to so and so stable. You see he has no horse in and it's open. You find out if he's engaged. If he's not engaged, then you engage him, or get the next best available boy. But as I pointed out, a race comes out and some boys are on 3 horses. If that's the latest information we have, that's all right, but give us what you have.

MR. WHITNEY: How are you going to collect that information?

MR. ORTELL: That's very easy, if they give me permission, you can collect it from the jocks' agents. They know more than anybody else.

MR. RUTCHICK: There are many entries that I have made without having a rider, trying to get a rider, trying to get Ted, Eddie Arcaro, Gorman, or whoever it may be, and they say, "Well, my stable is putting a horse in for tomorrow, but I don't know if we're going to run. We may not." Therefore I leave it open until next morning and I wait for scratch time. If this boy is available, I'd like to have him instead of having some other boy, but I am in favor of whoever engages a boy, the newspapers should have the jockeys. I wouldn't want to hire a boy I can't get, I like to wait until I get my right boy if I can get him.

MR. ORTELL: Sol, this is not mandatory.

MR. PERLMAN: I judge it entirely by the fact that if it is working well in California I don't think there should be any prejudice against something that's working well at other race tracks, because other race tracks use it.

MR. CAMPBELL: In California, they make them claim a boy by 4 o'clock in the afternoon and the next day the man's got a horse in a \$100,000 stake and he finds out he can get a much better boy, do you mean he shouldn't be allowed to get him?

MR. PERLMAN: Mr. Campbell, in a \$100,000 stake, I'll give you the jockey a week in advance.

MR. CAMPBELL: I've seen it many, many times where a man can improve his jock and I think he ought to be allowed to improve him at any time.

MR. PERLMAN: You could possibly make it in a way where a man who has a second call on a jockey should be permitted to leave it open. I don't know.

MR. PHIPPS: That's what Ortell is saying.

MR. PERLMAN: I've discussed it with many, many owners in California, with not a single dissenting vote. I asked a lot of people about it just for my own information. It works very well.

MR. RUTCHICK: Mr. Perlman, you said "owners." How about the trainers? It's their problem and I'll tell you why it's their problem. If Gorman is open tomorrow in a race and I didn't get him, my owners will say to me, "Why didn't you wait?"

MR. JACOBS: We used to have the assistant clerk of the scales at one time get all the riders in the afternoon, all that they had. I think Nelson Strang used to do that years ago. And Murphy, I believe, used to take them too.

MR. CASSIDY: He does now, if they come in with it.

MR. JACOBS: He used to have them all in the afternoon and by pretty near 4 o'clock I believe, you got over 90% of them. The only ones you don't get are the ones where one might hear that so and so might scratch tomorrow so I'll wait and put him on. And I think we ought to see that they're open to the newspapers at that time, anyhow.

MR. CASSIDY: They are open, and orders have been so given, as you probably know. There has been a notice on the overnight entries since early this spring and carried several times, telling horsemen to name their riders at the time of entry, we permit them to change the next morning by scratch time if they request it. When they have engaged their rider later, they have been told to the clerk of scales. We stopped agents giving any engagements out because of the handbook operators and the fact that they were getting information that wasn't going to the press. So the agents were told to give their engagements to the clerk of the scales alone and we have had them posted on the notice board in the secretary's office. There it's available to all the press, not to any particular person.

MR. ORTELL: That's in the morning, Marshall.

MR. CASSIDY: No, that's in the afternoon.

MR. ORTELL: Then I've been in the dark.

MR. WHITNEY: Would it be possible—I don't know anything about this—to require the agents, at four o'clock in the afternoon, to report to one specific person and give the riders?

MR. CASSIDY: Yes, they have those orders. It has been the policy in New York not to require a horseman to name a rider where it was a disadvantage to him but permit him to wait and get the best rider available.

MR. ORTELL: My suggestion would be that someone be appointed by the association to distribute these, send them to the press and see that they get into the proper hands by 4 o'clock, the ones that are available.

MR. CASSIDY: That's perfectly all right.

MR. BURCH: I think you have to make a request of the trainers to help you on that.

MR. CASSIDY: We will.

#### QUESTION 10: "SHOULD SPURS BE PROHIBITED?"

MR. ATKINSON: I think you would find 90% of the jockeys in agreement to prohibit them.

MR. WIDENER: Riding as short as you do, isn't it very difficult to use spurs?

MR. ATKINSON: Very difficult.

MR. WIDENER: Are they effective?

MR. ATKINSON: Well the ones you find effective are the ones that have been tampered with as a rule. All that are allowable are side rollers, and they are placed at such an angle in the spur that it's real difficult to even reach the horse with it, even at full length you must turn your foot a little bit. And I would say that the ones that are effective have been filed, as a rule, and the momentary effectiveness is certainly no good anyway. A horse that runs from the steel points probably won't the next time. Most of the jocks object to them on general principles anyway because they just don't feel effective and they are in your way.

MR. CASSIDY: Don't you think the damage that is done occasionally to a horse by blood streaming down his side offsets any good that could possibly result?

MR. ATKINSON: I agree.

MR. CASSIDY: How about it from the horseman's standpoint?

MR. RUTCHICK: I've never used them. I believe they do a lot of harm.

MR. JACOBS: The only time I ever use them on mine, is if I happen to claim a horse, and he had them on the last time he started I didn't pay any attention to it, and the jock came down to the paddock with spurs on.

MR. BURCH: I don't think they should be barred in training, but I haven't used spurs in racing since, well, I can't remember.

MR. CASSIDY: Does anybody think they should be permitted?

MR. JACOBS: I don't think they should be permitted.

MR. RUTCHICK: I don't think they should either.

MR. JACOBS: Jumpers use them a lot but they ride long.

MR. WIDENER: It's a different thing on the jumpers.

#### QUESTION 11. "WHAT CAN BE DONE TO DISCOURAGE THE EXCESSIVE USE OF LEAD PONIES IN THE PARADE TO THE POST?"

MR. ATKINSON: I fail to see why that comes in for so much criticism all the time. What is the objection to it?

MR. WIDENER: It mars the appearance of the parade to see 8 or 9 horses in a field and 7 or 8 lead ponies. Also it affects the view to the public when going in one direction. When they go up the chute at Belmont Park, they never do get a look at them. That's one objection, there may be a lot more others, I don't know.

MR. ATKINSON: Of course I feel that there are so many horses whose performance is definitely improved by the use of a lead pony in riding to the post. I dare say as good a mare as Snow Goose would have been worthless if you tried to get her to the gate alone.

MR. WIDENER: Do you think it's overdone?

MR. ATKINSON: Possibly.

MR. PERLMAN: They have to pay for it don't they?

MR. WIDENER: Yes, but it's only a minor charge, \$10.

MR. PHIPPS: In other words, this would not eliminate Snow Goose from the lead pony service.

MR. WIDENER: No. But people take advantage of it. A lot of it is not necessary.

MR. CASSIDY: It's the excessive use, not the use.

MR. ATKINSON: What would be wrong then in raising the fee?

MR. WIDENER: Increase it to \$25 from \$10?

MR. CASSIDY: It goes to charity.

MR. JACOBS: I'll tell you what started it. There's a lot of horses that need a pony. You don't want your horse to get hurt. He'll back up, or one thing or another. But what started the excessive use of it was when Calumet—Ben Jones, every horse he ran, whether it needed a pony or not, he sent to the gate with a pony and it sort of got to be fashionable then. Everybody started copying it.

MR. PERLMAN: Is it possible to have the lead pony on the inside?

MR. CASSIDY: We do. They change over as they go by.

MR. ATKINSON: Oftentimes too, you have an inexperienced pony boy . . .

MR. JACOBS: And they step over on a horse. They do more damage then they do good at times.

MR. RUTCHICK: I would suggest that the pony fee should be raised to \$25. That will eliminate a lot of ponies.

MR. CASSIDY: Some state has passed a rule which prohibits the use of lead ponies entirely. And in New York some years ago—at one of the tracks—horses could only be led to the post by a man on foot.

MR. BURCH: They did start to eliminate lead ponies altogether at Belmont Park a great many years ago.

MR. CASSIDY: Yes, that's correct.

MR. BURCH: But I don't know why it wasn't successful.

I remember, because I had a horse that I thought would run away sure going to the post and that ruling came up without my knowing anything about it. They stopped my pony when I was in the paddock. He got to the post all right, but I was scared to death.

MR. CASSIDY: That's the time I was speaking of. They then required them to lead the horse to the post on foot.

MR. WHITNEY: I'd like to count how many people, say at Aqueduct on Saturday, would have their aesthetic sensibilities wounded by lead ponies in the parade.

MR. RUTCHICK: Slim Sulley had a horse only last year, a pony wouldn't help him any, so he had his groom walk him to the gate.

MR. WHITNEY: Could you charge \$25, and let the owner get the benefit of the deduction, since the money goes to charity?

MR. ATKINSON: I will talk it up among the riders. I don't know if it will do any good or not.

MR. PHIPPS: I think there's quite a shortage of competent jockeys now with racing having expanded as much as it has. Are we doing everything to develop new riders and retain the older ones?

MR. ATKINSON: Well, no. One thing that I have thought could be done is the business of talent scouting for riding material. They do it in other sports and it seems to me that it could be worked out in some way for racing. You need small, light men and if they don't happen to be growing up around centers of racing, they'll never be attracted to racing.

MR. CASSIDY: Suppose you had a talent scout and you sent him to Idaho to select and encourage 4 or 5 people to come to racing. Then he's got to find the stables to take them.

MR. ATKINSON: Exactly,

MR. CASSIDY: You mean arrangements should be made in advance.

MR. ATKINSON: Yes, it would have to be contracted for in advance. Naturally they wouldn't be given, immediately, 4 or 5 year term contracts. There would have to be a probationary period involved in every case. You might find they wouldn't like to be around horses after they have been on a farm or race track.

MR. CASSIDY: I think that's a good idea. I think Mr. Phipps has in mind possibly the weight scale.

MR. PHIPPS: I had everything in mind. I wanted to get ideas from them.

MR. BURCH: That particular thing would work fine in conjunction with a jockey school. What ever became of that?

MR. CASSIDY: They had a school in Detroit and they had a school some place else.

MR. BURCH: I think a jockey school in New York would work.

MR. BOWER: I would like to hear what Ted things about increasing weights—whether some boys are forced out who are not a great deal overweight.

MR. ATKINSON: Of course the way you could eliminate that would be to put the weight scale at—say, the average weight in this room is what, 180 pounds?—you get up that high you could get plenty of riders. That's all on the basis of available material. The higher you go the more material is going to be available.

MR. WIDENER: Do you think more boys would stay in if the weight was 120 pounds? Do you think they'd stay in another 2 or 3 years?

MR. ATKINSON: They might stay, but you'd find that many more boys who could normally do 125 would be reducing to ride at 20. In fact, the reducing problem would increase as you got higher, because the number of available riders to reduce a little bit would be that much greater.

MR. CASSIDY: New York is the only state in the Union, I believe, that still retains the national proposal of some years ago that the weights be scheduled at a higher rate than they were before. Mr. Campbell has that in his conditions—not more than so many

pounds below the scale. But no other state has retained that. Do we have more heavy riders in New York than they do any place else because of it?

MR. ATKINSON: No, I'd say it's about equal.

MR. CASSIDY: Then it hasn't done much good.

MR. ATKINSON: I've never felt that it would do any good. You'd have more jockeys reducing the more you raise the scale of weights.

MR. BURCH: Ted, are you sure about that? Don't you think we have more heavy riders in New York than any place else?

MR. ATKINSON: No sir. You'll see more boys in the box, or as many.

MR. BURCH: Yes, but they don't carry the weights, they're reducing to ride lighter than our boys. You don't find boys like Gorman, Guerin, Nichols. They can't ride any place except New York.

I think it's helped the heavy boys in New York and I think it should go further.

MR. PHIPPS: You don't think it hurts the horses to carry more weight, do you?

MR. BURCH: No I don't.

MR. CASSIDY: We want more good riders to remain active.

MR. PERLMAN: I think the idea expressed here is that the weights should be raised all over the country, it would have an excellent effect on keeping the good riders riding.

MR. PHIPPS: Are we doing as much for apprentices in developing new riders?

MR. WHITNEY: I think you might do something around here with a television program or radio program or something to inform people who don't have any idea of what a jockey's career is all about. Mothers of small boys think they are sending their boys into a life of crime. I think we could well undertake a public relations program and in a couple of years' time see how much material you would get. If you got enough material then you could screen it out and have good caliber boys.

MR. CASSIDY: With that thought in mind we have intended making a movie, in color, of a jockey's career from the beginning. Arcaro was to be the jockey. And it would show his development, his experience, and then the finished rider in the end.

MR. PERLMAN: You know what we could probably get it into? Some of these television programs when you broadcast a very big race.

#### QUESTION 12. "SHOULD AN OWNER WHO ONLY HAS A LEASED HORSE BE PERMITTED TO CLAIM?"

MR. CASSIDY: That's a *single* leased horse.

MR. PERLMAN: What's the rule now?

MR. CASSIDY: The rule permits any owner, and an owner is a lessee, to claim. It's been the practice throughout the years for men to come here from other states without horses on the grounds, and lease a horse for a period of a week, month or year. He races the horse in his name the next day claims a horse and then he's in business. I don't think it's right. If he leases 5 horses, that's a different matter.

MR. HANCOCK: We had the same thing come up in Kentucky in a commission meeting this year. A man leased a horse, then claimed and we disallowed it.

MR. CASSIDY: We have to when we are satisfied that the lease is for that specific purpose, but many times it is hard to tell for sure. Whereas, if the rule did not permit him to claim on the lease of one horse, you eliminate that problem, I think.

MR. PERLMAN: Can you lease a horse from a man who's racing on the grounds?

MR. CASSIDY: Certainly.

MR. RUTCHICK: I have never leased a horse to anyone and never will. But that provision in the claiming rule would stop racketeering.

MR. BURCH: Wouldn't you have to go further than one horse? Why can't that man lease two horses just as well as one?

MR. CASSIDY: It's just a minimum.

MR. JACOBS: I think that by putting a certain number, it might stop that.

MR. JACOBS: You hate to see someone claim a horse you know didn't claim for himself; he claimed it for someone else and then when the 30 days are up you see that horse go right back to that party.

MR. O'BRIEN: Does a lease have any specified time in it?

MR. CASSIDY: Yes, I think it should. I think a rule should have a restriction on the right claim in respect to leasing—whether it be the time the lease has been in force, or the number of horses, to justify the lessee's position, as an owner racing in good faith at the meeting.

MR. BURCH: That couldn't be left up to the Stewards of the meeting?

MR. CASSIDY: It can be. It does say racing in good faith. But as I told Mr. Hancock there's a point there where it is pretty hard to separate between the man who is eligible and the man who is not eligible. It's a very fine line and I think the rule should separate it so that we don't have any difficulty. The question here is whether it isn't advisable to restrict that type claim, and if it is, request The Jockey Club or some other governing body to consider it and devise some rule which would eliminate it.

MR. BURCH: Really the only harm in that claiming is the man who comes to New York to claim and taking him out. There's no particular harm if he claims a horse and races him in New York.

MR. CASSIDY: Except that you make it open claiming during that period of time when you let him come and lease. I'm in favor of open claiming. Don't get me wrong, but that's not our rule.

MR. BURCH: If Bill Jones doesn't claim him, why Dan Smith will.

MR. JACOBS: When you stop having claiming, then it's bad.

MR. ORTELL: Why should a man be permitted to lease a horse and make claims? I think it should be prohibited.

MR. WHITNEY: No matter what number?

MR. CASSIDY: No. Mr. Woodward leases all his horses.

MR. PHIPPS: King Ranch too.

MR. JACOBS: Mine are all leased.

MR. WIDENER: He doesn't mean that kind of a lease.

MR. CASSIDY: Well it's a lease and you've got to consider it.

MR. PERLMAN: You mean if Greentree got down to one horse then they couldn't claim?

MR. O'BRIEN: I think there should be a time element in a lease.

MR. CASSIDY: I think so too. A horse should have to be leased for more than 30 or 60 days before a claim could be made.

MR. WIDENER: I think the best idea is to make it a 60 or 90 day time that he has to carry the horse, rather than the number of horses.

QUESTION 13. "WHY DO WE NOT ENTER FORTY-EIGHT HOURS BEFORE A RACE INSTEAD OF TWENTY-FOUR HOURS (WE DO FOR MONDAY'S RACES WITHOUT TROUBLE)."

MR. CAMPBELL: Well every hour we enter ahead of time, makes it worse for the association. If you enter 48 hours ahead of time, you've got 24 more hours for track conditions to change or a horse to get sick, to wreck a race. You do it on Saturday for Monday, and it would be better if we took entries on Sunday, but nobody wants to work on Sunday. If you enter 48 hours before a race it's no benefit to anybody that I know of.

I took a vote twice on it, about early entries, and the trainers were overwhelming in keeping it at 24.

MR. PHIPPS: I think some trainers breeze their horse, they put him in the entries, and the race doesn't fill or they're on the eligible list or out altogether, so they have to do it again. They don't know how to train their horse with the assurance they were going to run and the race was going to fill.

MR. PERLMAN: The fact that you take them Saturday for Monday completely disproves the argument, because your Monday cards are always filled, if anything a little earlier than the others and your Monday cards on the whole are every bit as good as any others you have during the week.

MR. CAMPBELL: It still doesn't obviate the fact that track conditions can change during that time and wreck a card.

MR. PERLMAN: I don't see that it makes any difference. Sometimes they don't change over a weekend and sometimes they change in 2 hours. The weather is certainly something you can't predict.

MR. CAMPBELL: But you should take advantage of the other 24 hours if you can.

MR. PERLMAN: I think it has many advantages in this respect. It has no great advantage to us. I think if we could sell a paper at the race track in New York with the past performances for the next day's races, the way we do in California because of the vast difference in time, I think it would be a great advantage because a lot of owners and people that go to the track in the afternoon would like to have a paper with the past performances. We don't do that and it has no advantages to us at all but it would be a great advantage, particularly for the other newspapers if entries were closed earlier in the day, like 9 o'clock in the morning, because the handicappers just don't have a chance. How can a man get entries at 12 o'clock and do a decent job in making the lines, prices, comments, handicaps—the handicappers don't do justice to themselves, the public doesn't get a decent break, because we have no time to do it. It's far less of a hardship for use because we don't go to press until 6:30 at night. Another thing, when entries are late you miss many editions which have very wide circulation. That is not nearly as bad in New York as it is in other places. Generally speaking I think New York entries are closed better than any place in the country and are less of a hardship. In Chicago for a while they were closing entries at 5 o'clock in the afternoon, we were going to press at 5 without past performances and we finally discontinued them. But I think if entries were closed at 9 o'clock, you could start taking them the previous afternoon and keep them open until 9 o'clock in the morning. I know it's a great advantage to the newspapermen and also to the race track because every edition that's published would have them in. Some days you don't close early and you miss probably a million in circulation.

MR. BURCH: I agree with Mr. Perlman except that I feel like Mr. Campbell does, that some of your races are going to be scratched down on account of changes in conditions. A great many horsemen today blow their horses out or give them a sharp move the day before the race. If the horse is already entered in a race before you do that, that will influence you a whole lot whether you will run him or not the next day. The hardship is all with the racing associations, not with the horsemen.

MR. JACOBS: I think the hardship will be on the racing associations. New York especially runs a lot of small fields—you get good races with small fields—you take a 5 horse race with good horses, one blows out, pulls up a little sore, you can't run him, whereas the day before he wouldn't have put him in at all.

MR. PERLMAN: I don't think there's any advantage to having the 48 hours. I think 9 o'clock the next morning would be just as good. What time do you usually get your entries now?

MR. ORTELL: Yesterday for instance we got them 11:25.

MR. JACOBS: You say 9 o'clock. I know Santa Anita had a 9 o'clock closing but how many days would it close at 9 o'clock? When I was out there, very seldom was it closed at 9 o'clock. Many days it was 10 o'clock.

MR. PERLMAN: If you made it at 9 and got them at 10 I think it would help the newspapermen.

MR. JACOBS: I mean it wasn't closed until 10 o'clock. Here they close at 10. Now and then they might be a little later.

MR. RUTCHICK: I believe we have the best Stewards in the country right here in New York. When it comes to scratch, they let us out. A horseman gives a reasonable excuse. That's more than we get out of town. And if you're going to make entries 48 hours in advance with short fields—4 or 5 horses—Mr. Campbell lets the race go. And at 48 hours, you may have walkovers.

MR. WHITNEY: What about 9 o'clock?

MR. RUTCHICK: 9 o'clock—it might be worked out instead of 10:30.

MR. PERLMAN: I think the caliber of races in New York, where you permit 5 horse fields, sometimes even 4, that 48 hours would definitely not be advisable. At Lincoln Downs in Providence, Gordon Morrow the racing secretary, has found it to be a great advantage, not having to close a certain period ahead. He can keep it open and frequently get other horses that he could not have otherwise gotten. He has been very successful with it and has been able to get good field at all times.

MR. CASSIDY: It's quite different there.

MR. PERLMAN: It would be a great advantage if the newspapers could get entries even by 10.

MR. ORTELL: May I supplement Mr. Perlman's statement. I think this year the New York newspapers supported racing wholeheartedly. Now the question is, what time do I have to get the entries in. The same applies to all afternoon newspapers. When Wall Street reports come in, they don't care for anything downstairs. All machines are turned over to Wall Street. Racing's late. They're lucky they can get a machine. They have to give the foreman on the floor a badge to go to the races and a ticket for his wife once in a while. So an earlier closing would help that situation out. Then with us, if we get the entries late, he says, "Well, I can't figure them out, I can't get any dope." "Oh, pick them anyway, give us something. We've got to have something." If we don't get those machines going, they'll take them away from us. That applies not only to the World Telegram but to all. Wall Street closing seems to have a tremendous influence. So we must get out of the way. I think that a little earlier closing would help a whole lot.

MR. RUTCHICK: I believe it could be worked out. I don't think any of us would have any objection to closing the entries at 9:30.

MR. JACOBS: I've got a telephone and I can call my entries in if it was 9 o'clock I'd do it. But generally, you've got a lot of horses, you get them in and out, and time catches up on you and at 9 o'clock you have to hustle.

MR. BURCH: Mr. Campbell, would there be any disadvantage if you took entries the afternoon before?

MR. CAMPBELL: We're always willing to take entries the afternoon before.

MR. BURCH: And close them the next day?

Would there be any disadvantage? Would it hurt your races? Would it get out that so and so is in the 5th race?

MR. CAMPBELL: It probably would.

MR. LUSKY: Would this be a remedy to it or a disadvantage if every day you had 2 substitute races in your book. I'm in a commercial business and if we get a telephone order we get a little bit quicker service than if it's a mail order. If you had 2 substitute races every day and the trainer was negligent in not turning in his entries in time enough for you to release it at 9 o'clock or 9:30 then you would use one of the substitute races in case the race doesn't fill. And it wouldn't take you no longer than a week to get every trainer on the race track to take care of his own entries to see his horse is entered in a race he wanted to go. That would be my solution.

MR. CAMPBELL: I think I started putting on the substitute races and did away with it around here because a lot of them put them in the substitute races, and they would go in other races, and then the substitute races wouldn't fill and they'd get sore about it. So I put very few substitutes on now.

MR. O'BRIEN: I'm in favor of closing 24 hours, not 48 hours. Knowing how the horsemen make the entries at the track, I have particularly in mind Hirsch Jacobs,

because I know he blows his horses out that morning and if it's all right he goes over and makes the entry. Perhaps we could step it up a half hour in the morning for the convenience of the public.

MR. WIDENER: I think that's a very great handicap on the trainers, don't you?

MR. O'BRIEN: The trainer at the time is pushed with the ten o'clock closing, or 10:15. It does work a hardship on the trainer. But I think with our liberal scratch rule in New York the 48 hours isn't possible.

MR. CASSIDY: I think Jack conducted a poll on the subject.

MR. CAMPBELL: I conducted 2 polls 2 different years. 95% to 98% of the trainers were all in favor of the 11 o'clock closing time. The first poll was 9 o'clock the second poll was 9, 10, 10:30 and 11. 85% of those were in favor of the 11. And we had that meeting and agreed on 10:15, which they said would be satisfactory. If you get it much earlier than 10:15 it's not very convenient.

MR. CASSIDY: From your standpoint, is there any difference, one way of the other? From the operational standpoint in closing them at 9 o'clock?

MR. CAMPBELL: You have to get those men out there at 6:30 in the morning and we've got 3 different race tracks for them to go to.

MR. JACOBS: It's a hustle and bustle to get over. They close them at 9 o'clock at Santa Anita, but all you had to do all morning was to keep looking at your watch. It's all right if someone has one or two horses, or you got some stable agent.

MR. PERLMAN: I think it should be tried. It all depends on whether you want a sport which you are going to publicize in the newspapers or just a roulette wheel and keep the numbers secret. I think an effort should be made because the hardship on the newspapermen I think is greater than the hardship on the trainers.

MR. KELLEY: I think it's important to stop talking about hardship on the newspapermen. It's not a hardship on the newspapermen. If they can't get the entries they can't get them. The hardship falls eventually on racing and the purpose of this meeting to my mind is to try to get a universal idea of what is good and what is bad for racing. Frank speaks of the machines being lost to the stock market, it's not hurting Frank, it's hurting racing. I think it's important to get that fact in mind. The newspapermen are not asking for favors for themselves. They are asking for the ability to do a better job for the eventual good of racing. If racing can get along without the public why then they can go ahead and do it. But it cannot get along without the public and the newspapermen are not fighting anyone, or criticizing anyone, they are simply trying to do as good a job as they can because they too are a part of racing. If racing fails, they fail and they lose their job.

QUESTION 14. "WHY DON'T THE RACING ASSOCIATIONS HAVE MORE OPTIONAL CLAIMING RACES, WITH BEATEN RACES AS PART OF THE CONDITIONS? THIS MOVE WOULD SERVE TO STOP RACKETEERING."

MR. CAMPBELL: Well I'm experimenting with the optional claiming races to see how they work out.

I can't say I like very much of them.

MR. CASSIDY: What do you think is the value of optional claiming races?

MR. JACOBS: They're all right in their place, a few of them scattered through. I don't say use all optional claiming races.

MR. CASSIDY: But what is the value?

MR. JACOBS: If you have a horse, you might run any horse, say, for \$5,000. You don't think he's that good. You don't think he's a good horse, you think he's worth \$5,000. And he happens to win. If you don't lose him, there might be a race that you could run him in an optional claiming race then, run him back say for \$5,000. Then if he wins, maybe you could run him in an optional claiming race for \$7500 without losing him.

MR. CASSIDY: You could run him in a claiming race without losing him.

MR. JACOBS: You're going to lose him if you run him in a claiming race and it might be a young horse. You might save him, you might not lose him, that's all. But I'm not saying you can't run a \$20,000 horse for \$5,000 without taking a chance. If you've got a horse that you never ran in a claiming race and you run him for the claiming price, you've got to run him for the claiming price first to be eligible to run in an optional claiming race, and if you run him for \$5,000 in a claiming race, you're going to give someone a chance to claim a pretty good horse. If you get away with it you're doing all right but if you don't get away with it you're out of luck.

MR. CASSIDY: But the rule is just protecting a man against his judgment. If he thinks his horse is worth \$5,000 and he runs him in a \$5,000 claiming race and he wins, then he is supposed to use his judgment to run him for \$7,500 or \$10,000 or in a condition race.

MR. BOWER: The point of it is, Mr. Cassidy, if you've got a \$5,000 horse and you like him, why do you have to put him on the block all the time?

MR. CASSIDY: That's the caliber and type horse you get. It permits other horses to be run in that category that may be of a considerably higher value.

MR. BOWER: The trouble is you have a horse you want to keep, he's a useful horse you have no place to race him except in a claiming race.

MR. CASSIDY: Of course, that's the category. That's the only category we have.

MR. JACOBS: You have any horse, you run him in a claiming race for \$5,000 and he happens to win it or he might even get beat. Then the next time you run him you don't want to lose him, you run him back for that optional claiming for \$5,000 without the claiming price, and you still got a chance to keep him and you're running him in the same class.

But the way they had it out there, you ran in an optional claiming race say for \$5,000 and you ran without the claiming price and you won it, you couldn't run him back in that \$5,000 class any more unless you put the claiming price on. Then he's subject to claim.

MR. CASSIDY: That stops a good horse from going on. It stops him from going on winning races for \$5,000.

MR. JACOBS: He can't run for \$5,000. You run him in the next one for \$7,500. In the class for \$7,500, you run him without the claiming price, and if he should happen to win that, well then he's got to move up into the next class. Then if you find he's not good enough to move up, that he can't win one of the higher ones, you still have the option of dropping him with the claiming price on where he's subject to claim. Nobody's putting anything over by it that way. Everyone has some young horses or any kind of horses he'd like to keep.

We'll get on to Peter Lane. He won for \$15,000 but he also won for \$7,000 so he was eligible for a race for \$7,500 because he had run for \$7,500 that year and he was eligible. Hoplite won for \$7,500 but he also ran for \$3,500 and he was eligible. He won two races for \$3,500.

QUESTION 15. "DO GROOMS AND OTHER STABLE HELP HAVE TO SLEEP IN STABLES?"

MR. BURCH: I think that means do you have to have them in there to protect your horses.

MR. BOWER: It might also have reference to the lack of facilities at some tracks.

MR. CASSIDY: It's whether sleeping accommodations should be provided outside the stables or whether the grooms are needed there for the protection of horses at night, and whatever other matters you want to speak about.

MR. BURCH: I have a night watchman and he's sufficient in the stable at night. Of course when he gets in any trouble there's got to be some grooms nearby which he can

reach. My grooms sleep in the house right close to the stable, and he can get to them pretty quick. But I don't think it's necessary to have the grooms sleep in the stable.

MR. JACOBS: I don't think any groom should be allowed to sleep in a stable. It's all right to provide houses right near the stable, but not in the stable. That's where all your fires have a chance to start. One comes in drunk or one thing and another. If they sleep in the stall, that's their home and they're all smoking in there. And then they have to have heat there. That's where the trouble starts.

MR. RUTCHICK: A man shouldn't be allowed to sleep in the stable. We don't need the men to sleep in the barns because we have a watchman. Hirsch has a watchman. But the barns that have no watchman, there's a problem there. Something should be done by the management.

MR. BURCH: I think it has been done at Belmont Park. I don't know what they do in other stables but I know the Belmont Park watchmen have a clock.

MR. WIDENER: He goes to every stable that has not got a watchman.

MR. BURCH: He comes anyway. He comes to mine.

MR. WIDENER: Well then he checks on both.

MR. BURCH: He's got to punch his clock in our stable.

MR. PHIPPS: Why should they not be forced to have a watchman of their own in addition to the Belmont force?

MR. WIDENER: You can't force a person to do that.

MR. BURCH: I think all the big stables have.

MR. RUTCHICK: But you can't force the little fellows with two or three horses.

MR. CASSIDY: You have 30 stalls in a stable and you have 10 people stabling there, if the 10 people stabling there would put together and hire one watchman for the stable it wouldn't amount to much.

MR. RUTCHICK: That would be very good.

MR. CASSIDY: So that could be handled by the horsemen—prorated by the number of horses.

MR. RUTCHICK: That could be handled all right.

MR. RYAN: I'd like to see that system in effect, but I wonder if the management couldn't assign a watchman and make it mandatory in a public stable. The way I am at Belmont Park—I happen to have my own watchman—but there are five other people there. Those other people have never made any offer to me to use my man or to help pay his way. I don't ask them to and they haven't asked me. But couldn't management put a man in there from 6 P. M. at night until 6 A. M. and require us to prorate it on the number of horses we have in the barn to pay that man's salary.

MR. WIDENER: That's what we are doing. The watchman visits every barn.

MR. RYAN: He visits my barn too, and he has other barns to visit too, so he's away from the barn a good deal of the time. If we put a man right in that barn and left him there all night—you, the management, put a man in there, and we all assumed his salary, he'd stay right in that barn and not go to any other barn.

MR. WIDENER: It could be done, but I think it is going to be a tough job for management to provide the watchmen. That would be the only trouble.

MR. PHIPPS: The big stables all feel it is necessary to have their own watchmen. It is probably more important for the small stables on account of fire. Whether management should supply them and have them pay for it, or whether they should be told they have to have a watchman, I don't know.

MR. RYAN: Mr. Phipps, you'd have five watchmen in my barn,

MR. PHIPPS: No. I mean one watchman per barn and the cost is split.

MR. RYAN: If management put a man in there, I think everybody would be willing to pay his way, but I think management would have to put the man in there because a man who would satisfy me wouldn't satisfy the fellow on the other side.

MR. O'BRIEN: I have an objection to it because the man you put in there would probably be blamed for anything that went wrong with the horses during the night. I

discussed this with Sol Rutchick last March after the fire at Jamaica and I suggested that perhaps the horsemen might do it on their own, engage Pinkertons, but I pointed out the expense of that. To a man with 2 or 3 horses, the expense is terrific.

MR. CASSIDY: Not prorated.

MR. O'BRIEN: Prorated it's terribly high. It comes to \$37 something per day, and that's over \$1,000 a month.

MR. CASSIDY: \$37 a day for a watchman?

MR. O'BRIEN: You have 2 or 3 shifts, 8 hours a day.

Or two shifts at night, they only work 8 hours.

MR. CASSIDY: How many horses are in the stable you are speaking of.

MR. O'BRIEN: We can accommodate 22 to 26 stalls.

MR. CASSIDY: It would cost them a little over \$1. a day, wouldn't it.

MR. WIDENER: A man could take care of two stables, couldn't he?

MR. O'BRIEN: We have a fire patrol—Pinkertons going around in a car and I think we are pretty well protected. Actually the thing you all object to is the groom sleeping in the barn. The fire that we did have, there were I think 13 horses in the barn, there was nobody sleeping in the barn. There were two boys sleeping in the house right beside the barn who never heard the alarm or anything else. Our watchmen had to rout them out to get the horses out. It has slight advantages. I can see where the small horsemen favors the groom sleeping with his horses, in case something goes wrong. Provided the room in which he is sleeping is fire-retarded. You'll always have the difficulty of getting the men out of the sleeping quarters to the fire, and those barns go up awfully fast, as Hirsch Jacobs and everyone else saw.

MR. CASSIDY: How would it be if the grooms stayed in the stable or slept in the stable provided they slept in the stalls or tack rooms that were properly protected from the expansion of a fire.

MR. JACOBS: That would be the only way you could let anyone sleep in the barn. To have it fireproof so at least if a fire did start there you'd have a chance to put it out.

MR. CASSIDY: Would that be satisfactory?

MR. BOWER: It seems to work at Keeneland, where they have put in 3 tack rooms at the end of each barn of concrete block construction and concrete floors. They have gas in there too so you won't have any coal stoves or anything like that going.

MR. JACOBS: With the fires and all it looks like the only thing we can do is what Belmont Park is doing. And in the long run it will be the cheapest thing of all. Put the sprinkler systems in, then you'll be able to sleep at night a little better. I think in the long run, no matter what we put in, like fire-retarding paints, one thing or another, you spend a lot of money but when one of these barns goes up, that fire-retarding paint burns right up too. It's all right with a small fire, but as soon as you get enough heat, it doesn't last. For what it costs, in the long run the sprinkler system will be the best thing.

MR. O'BRIEN: Personally I think fire hazards can be eliminated by the strict observance of the rules by the owners or trainers or whoever is in charge of the stable.

MR. WIDENER: It's very much better now.

MR. O'BRIEN: Any fire we had at Jamaica was traceable to the improper use of electrical equipment. They put 3-way plugs in an outlet where there is only supposed to be one.

MR. WIDENER: I think they're checking on that pretty carefully now.

MR. O'BRIEN: We have hounded them on that and we don't intend to let up. You can't stop fires, there are always accidents, but I think careless fires have been well taken care of in New York.

MR. PHIPPS: The last fire at Belmont, nobody was in there.

MR. WIDENER: But I think somebody probably went in there and smoked.

MR. O'BRIEN: One thing connected with this, when a boy gets discharged, the trainer or owner should immediately take up those identification cards, I think some action should be taken on that.

MR. CASSIDY: We're putting a notice on the overnight entries which calls the attention of the owners and trainers to their responsibility to pick up the cards and report them as soon as discharged.

MR. O'BRIEN: The unemployed with an identification card is dangerous. Because he goes out, gets half crooked, comes in on the identification card, goes in some stable where he doesn't belong and falls asleep. That's the fellow who causes the trouble. It's not the fellow who's working in the stable.

QUESTION 16. "WHY NOT ESTABLISH A CLOSED AREA OF THE STABLE SECTION LIKE SANTA ANITA."

MR. WIDENER: I can answer that—we have already established that this year.

MR. ORTELL: You're only speaking for Belmont Park. It's not the same at Aqueduct or Jamaica.

MR. O'BRIEN: You mean the fencing in of the stable area?

MR. ORTELL: Well the closed area at Santa Anita, it is my understanding that no one can get in unless they have a badge, or a card of admittance.

MR. JACOBS: They don't stop horsemen that they know, or grooms that they know. You take the watchmen on the gate, if they know a groom or owner or trainer, you don't have to show a badge, they let you go right through. At one time they wouldn't. But I know when I was out there, they'd let you go through.

I really think it's foolish when you've got a man at the gate, supposing you're going into Belmont Park and the man knows you, you've got to hunt through your papers.

MR. WIDENER: I have to each time I go in.

MR. JACOBS: I think it's foolish for the ones that they know. If someone comes up that they don't know I think they should ask.

MR. CASSIDY: I think the men should be made conscious of it. The only way you're going to make it clean is by being strict.

MR. O'BRIEN: I think the New York tracks are pretty tight on that.

MR. JACOBS: They'll let somebody go through if they know them.

MR. ORTELL: The restrictions on the stable area can't be too severe.

Evan Shipman was in California a few years ago, and I think he wrote the Citation story which I complimented him on, and he said: "You know I had a time getting in to see Jimmy Jones. I didn't get in. I had to wait until he got out. I waited up on a hill and watched him until he left the stable area before I could get hold of him."

MR. CASSIDY: I went out there a few years ago with Carleton Burke. We couldn't go in the stable area without getting badges issued to us.

QUESTION 17: "WHY CAN'T THE RACING ASSOCIATION INCREASE THE POLICE FORCE WHERE IT IS MOST NEEDED, IN THE STABLE AREA? THESE MEN COULD DO A MORE EFFICIENT JOB IF THEY WORKED ON FOOT, AND THOROUGHLY CHECKED CONDITIONS IN EACH BARN EVERY DAY."

MR. WIDENER: I think that is being done, myself.

MR. JULLIEN: It is being done.

MR. RUTCHEK: I'm stabled at Jamaica, and I honestly believe that if we had men on foot to go under the shed from barn to barn during the entire night, you may find a lot of drunks here and there.

MR. O'BRIEN: We do check the barns every night.

MR. RUTCHEK: No, they have a car, they just pass by. It isn't enough. I have a watchman, you don't have to go under my shed. I'm talking about all the barns now, where they have no watchman. They should go right under the shed and if there are empty stalls there, they should look in them. You'll find some undesirables.

MR. CASSIDY: I think that's a good idea.

MR. O'BRIEN: We do have our watchmen punch the clocks in those stables.



QUESTION 18. "WOULD A UNIVERSAL CLAIMING RULE BE DESIRABLE?"

MR. CASSIDY: I would say definitely it would.

MR. JACOBS: I lose more horses than I claim, though.

MR. CASSIDY: Would a universal claiming rule be good?

MR. JACOBS: Something that might work good in one section might not work good in another section.

MR. CASSIDY: I don't think it's quite meant that way. It means for instance in some states, every horse has to, if he's claimed, regardless of where he finished be advanced 25% for 30 days. Some states only require the winner. In others provide that the horses not race elsewhere until the conclusion of 30 days, some don't.

MR. PERLMAN: The N. A. S. R. C. has a special committee dealing with the uniformity of rules and they are very anxious to get uniformity although they haven't made too much progress. But if this committee would be in favor of it and if we could draw up a recommendation,

MR. WIDENER: We don't want to do that at this meeting.

MR. CASSIDY: You think it's being taken care of?

MR. PERLMAN: I don't think it is. I think they need some guidance. I think if a definite proposal would come up before them, and if the National Association, which itself has no jurisdiction, went on record in favor of it, I think there would be a reasonable chance that all these commissioners would go back home and propose it.

MR. CASSIDY: I think the topic that we discussed a moment ago about a horse being claimed by an owner who only has a leased horse has partly to do with the claiming rule. And I think all of those things, if they were discussed and brought out and formulated into a practical, sensible rule and submitted to the National Association, it might do some good.

MR. PERLMAN: The fact is that the Jockey Club rules are the foundation of our racing rules in this country. And I think if the recommendation came from The Jockey Club it certainly would get more consideration than it would get from any other source.

QUESTION 19. "WHY NOT HAVE A STANDARD FORM AS A RECEIPT FOR OWNER OR TRAINER OF THE JOCKEY CLUB PAPERS DEPOSITED AT THE RACE TRACK. THIS FORM COULD BE USED AS A DUPLICATE IF TRACK SHOULD LOSE OR DESTROY THE ORIGINAL PAPERS."

MR. CASSIDY: We do.

MR. WIDENER: Is that a question sent in?

MR. CASSIDY: It's a question sent in. But we do have a standard receipt.

MR. HANCOCK: We don't have in Kentucky.

MR. CASSIDY: We do in New York. The certificate is deposited, the man gets a receipt from the identification department where he files. The registration certificates are not surrendered except on return of the receipt and if the horse is claimed, the new trainer gets the certificate and the receipt becomes void. Otherwise that receipt is good if he went to the next track here.

MR. HANCOCK: We don't have anything like that at home. A man takes his registration certificates in to the secretary and there's nothing returned.

MR. CASSIDY: That's a local problem. If you like we'll give you some of our forms. I'll see that you get them.

MR. LUSSKY: I'm speaking about Kentucky, not New York, but if a disastrous fire were to occur in the secretary's office and destroy all of those certificates in the secretary's office, if a trainer or owner has that receipt from the secretary, and his original papers are destroyed for one reason or another in the secretary's office, would The Jockey Club issue papers quicker on that receipt than they would any other way?

MR. CASSIDY: Certainly. All we would need would be confirmation of the loss.

MR. LUSSKY: That they had been destroyed?

MR. CASSIDY: Yes. There'd be no trouble at all.

MR. LUSSKY: When we lose papers in Kentucky we've got to get a photograph and everything else.

MR. CASSIDY: That's in a different category. But if you had a receipt showing that the certificates had been destroyed by fire, you'd get them immediately.

MR. LUSSKY: But we have no receipt.

MR. HANCOCK: We'll have that this fall.

QUESTION 20. "WHY CAN'T ALL NEW YORK TRACKS HAVE A REGULAR PROJECTION ROOM WITH SEATS FOR JOCKEYS?"

MR. JULLIEN: I'd love to have one if I could find the space for it. That's the only reason why we don't. We are anxious to have a decent projection room.

MR. O'BRIEN: We'd like to have one too, if we had the space.

MR. PHIPPS: When will that be?

MR. O'BRIEN: That's the \$64 question.

MR. JULLIEN: There's a survey under way that hasn't been completed as yet.

QUESTION 21. "IN VIEW OF THE ACUTE STALL SITUATION WHICH NOW EXISTS AND AS A MEANS TOWARD CUTTING DOWN "MASS PRODUCTION, WHY NOT (A) REINTRODUCE THE GELDING ALLOWANCE; (B) RAISE THE FOAL REGISTRATION FEE?"

MR. BURCH: Would that operate favorably?

MR. CASSIDY: It might cut down the bad sires.

MR. BURCH: But it wouldn't cut down on the number of foals.

MR. JACOBS: Does the stallion get the benefit of 3 pounds? That's something to be figured out.

MR. PHIPPS: I think that's very important and I wouldn't think that he did.

MR. BURCH: That's the reason the rule was changed.

MR. PERLMAN: You mean that a gelding would get an allowance of 3 pounds?

MR. BURCH: They still get it in England.

MR. CASSIDY: They get it in other states right now.

MR. BURCH: I think maybe the (B) in there would do more good than the (A).

MR. CASSIDY: Well that may have to come anyway. But how about the (A), is there any other argument for or against it?

MR. RYAN: Just pick up the paper any day and you'll see \$100, \$300, or \$200 sires.

MR. HANCOCK: How many mares do they get, though?

One of them could take care of the mares they all get.

MR. RYAN: They're still breeding them. Just pick up any copy of the Morning Telegraph and look at the many sires that have no license to be standing.

MR. HANCOCK: That's not going to cut down the number of foals.

MR. RYAN: It may give a man an incentive if he thinks he's going to get three pounds to cut a gingerbread 2 yr. old instead.

MR. HANCOCK: Anyone who has mares is going to breed them. It will improve your stallions, but it won't do anything for your over-production. Of course I don't agree with you that there is any over-production.

MR. RYAN: You don't come up against the stall situation.

MR. CASSIDY: Maybe it's underproduction of stalls.

MR. PERLMAN: I think the main problem of course is not in the summertime. It's the fact that far too many horses want to race in the wintertime. In Florida they make so many stalls available, you take Hialeah it runs for 40 days, 9 races a day, that's 360 races, multiplied by 10 horses a race, makes 3600. That's about the number of horses you've got there. You've got about one race for each horse, it's ridiculous. Bob Read made a speech at the National Association. He figured out that there 2500 horses in

Florida, which was less than there really were, and he figured out on that basis the number of purses—but who tells these guys to go there? Why should a man go to race in a place that he knows he can't get many starts? But they go there for reasons of their own.

MR. RYAN: You take an owner who has a male beast, which has a pedigree, and may have a chance to be a stud, he's going to leave him entire. But some horse by Cigarette Package out of Bull Durham that has no pedigree, that he buys at a yearling sale—and there are many throughout the country, not only your selected sales at Keeneland but many other sales around the country, California, Maryland, other places, every yearling that goes in those rings will be sold. \$100, \$150, \$250, whatever it may be. And some of them have terrible pedigrees and you know and I know that very few of them are going to turn out to be decent racehorses, and yet some of them will find their way to some stud and will breed on. So we multiply this bad breeding program. I think it may possibly cut down some of this bad breeding. It may not have much effect, but it may cut it down.

MR. ORTELL: I think its effect will be very small. We had an epidemic of that around here in New York some years ago and I'll tell you some of those geldings just dominate with that 3 pounds and are darn hard to beat.

MR. CASSIDY: They become tough horses.

MR. PERLMAN: Even if you did that you'd have to confine it entirely to claiming races. You certainly wouldn't want them to go into a first class race and give a gelding an allowance against a good horse.

MR. RYAN: But that horse in the main will be a horse with some pedigree and he wouldn't have been cut in the first place.

MR. PERLMAN: A lot of good horses are cut because they couldn't train them.

MR. BURCH: I don't think the gelding allowance would affect the racing so much. To allow the 3 pounds I don't think would affect your races very much. Because all those good geldings that you remember and I remember won their races without the allowance. They won handicaps. And they weren't allowed 3 pounds in the handicaps. There was a horse raced here in New York as a gelding that was a ridgling, and there was a big rumpus about it when they found he was a ridgling. There was a question of whether they'd take away the purses that he had won but all the purses he had won were handicaps, so he hadn't benefited by the 3 pounds anyway. "Go Between"—do you remember that one Mr. Widener?

MR. LUSKY: 80%—I have this data from my office—80% of the stake winners of today come from 10 broodmares of about 60 years ago. I don't know whether you all know that or not. Understand what I mean? 80% of the stake winners today can be traced back to 10 broodmares that were racing some 60 to 65 years ago.

MR. BURCH: Mr. Widener, may I suggest something for your consideration. On that 3 lb. allowance for geldings, I think it might be worth some good to us if we did not allow the gelding allowance in stakes. Of course most of our stakes are handicaps anyway. If we didn't allow the gelding allowance in stakes I don't think it would do any harm to our races, and I think it would help our breeding.

MR. HANCOCK: I'll agree to that, but you couldn't put it in any stakes.

MR. BURCH: He's penalized enough in that he's not eligible to the Belmont or the Withers.

MR. CASSIDY: I don't think you'll find enough people in favor of the gelding allowance to change the rule.

MR. BURCH: I think it deserves some consideration.

MR. CASSIDY: I do too, but I think you'd find it hard to get a majority in favor of it. The last part of this about the registration fee has been discussed.

QUESTION 22. "THE EVER-GROWING PROBLEM OF STALLS HARRIES BOTH THE PUBLIC BREEDER AND THE SMALL BREEDER WHO RACES HIS HORSES. MANY PROSPECTIVE CUSTOMERS OF THE HIGHEST TYPE ARE AFRAID TO ENTER THE GAME BECAUSE THEY HAVE HEARD THAT STALLS WILL BE UNAVAILABLE TO THEM. ALSO, MANY SMALL BREEDERS ARE UNABLE TO SECURE STALLS WHEN THEY DESIRE TO RACE. PERHAPS A PARTIAL ANSWER WOULD BE THE DEVELOPMENT OF AN EXPORT MARKET. IN THIS LINE, IT IS INTERESTING TO NOTE THAT WHILE PURSE DISTRIBUTION HAS INCREASED SEVENTY PERCENT FROM 1945 TO 1951, YEARLING PRICES HAVE, IN THE SAME PERIOD, DECLINED TWENTY PERCENT."

MR. PERLMAN: Is that right, about yearling prices declining on the average?

MR. HANCOCK: Yes, since 1945 it has. I sent that question in. I don't know what the answer to it is, but I do know we have many people who come to the sales to buy yearlings and then go away without any, or maybe with one when they intended to buy 5, because they know they can't get stalls.

MR. WIDENER: Do you mean stalls immediately after they're bought?

MR. HANCOCK: No, I mean to race.

MR. CASSIDY: You mean there are not enough stalls throughout the country for the horses.

MR. HANCOCK: At the good tracks. I don't think there's any problem as far as I'm concerned, as far as the breeder's concerned, at Cranwood Park for instance. But it's darn difficult to sell a man a \$20,000 yearling and have him come back next year and say "I couldn't get stalls in New York, I couldn't get stalls in Florida or Chicago," and have him go out of the game. I could name 3 or 4 or 5 people who have come in and gone out.

MR. CASSIDY: Mr. Hancock, don't you believe that condition would exist almost irrespective of how many stalls you have? For instance, in New York we have in the neighborhood of 3 or 4 thousand stalls, and we have 10 thousand applicants for them. So that if we increased our stall space 100% we still wouldn't be able to take care of the horses that want to come here. Somebody has got to be shut out. Now the person who buys new horses and hasn't established his position in racing, doesn't get the same consideration as those who have been in the business and have raced here in New York. Then there's another thing, if you were to double your stalls in any locality you don't improve racing there because it spreads the money around too much, there are too many horses there and not enough races to keep them going. There's a limit to the number of stalls a track can have in any locality.

MR. O'BRIEN: Another thing, in the spring we'd get all the 2 year olds in the world. If we gave the space to the 2 year olds, we'd shut out the older horses, and we can't do that. We've got to restrict the number of 2 year olds.

MR. PERLMAN: You have the opposite problem in Florida. I think the number of stalls in Florida makes the thing economically unsound.

MR. JACOBS: Another thing, why the yearling prices have been dropping, so many big buyers that we've had the past years are all raising horses themselves today. You can name any number of them that are breeding themselves.

MR. PERLMAN: These figures, though, are not right in relation to good horses, they are only right in relation to volume, because you've had a lot of sales in which a lot of horses have gone into the sales that didn't belong there at all. But I think your Keeneland sales the past two years have been the best you've ever had.

MR. HANCOCK: No, 1945 was the best year. 1946 was better than the last three years then it slid off and came back up.

MR. PERLMAN: Another thing, don't forget that you people were selling an awful lot of horses privately, which doesn't get into that situation.

MR. HANCOCK: The figures are right there and can be shown to you. The yearlings did average \$6,200, \$6,300 in '45, then about \$4,700, \$4,800 in '51. Even in New York, where we used to see a wonderful card, I would say four days out of six now you see a maiden race, a good race, and 4 or 5 claiming races. The incentive for the breeder is not there any more to try to breed a good horse when mainly all of your races are from \$10,000 down to \$3500.

MR. PHIPPS: I think one trouble is, especially on a Saturday, there's a stake at Monmouth, New England and Delaware. So those horses which would fill a secondary feature, say, are all running in a stake somewhere.

MR. PERLMAN: I think the opportunities today to breed good horses have never been as good, because the purses are just going up all over the place. I think the problem is that every race track is trying so hard to fill races with good horses and can't get them. The good horses simply aren't there for the opportunities. At Hollywood Park the smallest purse is \$4,000. In New York it's \$3,500, with an average for non-stake races that runs well over \$4,000. In New Jersey you have a minimum of \$3,000 and Delaware is the same. The opportunities for good horses have never been as great but the horses aren't there.

MR. PERLMAN: How many stalls are there in New York.

MR. CASSIDY: Close to 3,000.

QUESTION 23. "THE NEXT ONE IS PURSE DISTRIBUTION: IT SEEMS THAT THE OPPORTUNITY FOR THE MIDDLE CLASS HORSE HAS DIMINISHED. A HORSE MUST EITHER BE ABLE TO COMPETE IN STAKES OR DROP DIRECTLY INTO CLAIMING RACES IF HE IS TO HAVE A REASONABLE EARNING CAPACITY."

MR. CASSIDY: I don't believe that's true in New York.

MR. HANCOCK: We worked out something down there. Alec came over and we got some papers. It's rather amazing that on the day of the Kent stakes at Delaware, the earnings of those starters in the Kent stakes, there were 10 or 11 listed, was around \$135,000 or \$140,000, of which Jamie K. had earned \$75,000. There was an allowance race, a very good allowance race, on the same program, and the starters in that had earned about \$60,000. The last race of the day, \$3,500 platers, a mile and an eighth the ones who were entered, the past two years had earned \$140,000. I disagree with Mr. Jacobs. I believe anyone with average intelligence can go into a claiming race today for \$4500 and claim a sound horse that will run over a distance of ground, and run him 52 times in the next year and triple his money. I've seen it done too often.

MR. JACOBS: You're only talking about the ones that are successful. You don't see the ones that are not successful.

MR. PHIPPS: He qualified his statement by saying a sound horse.

MR. JACOBS: But when you put that money in there, you have no guarantee that he's going to be sound when he comes out.

MR. WIDENER: Arthur, don't you think that a handicap for \$7,500 is for the middle class horse?

MR. HANCOCK: Yes sir.

MR. WIDENER: Well I think we run quite a few of those here.

MR. HANCOCK: You'll find their earning capacity is nothing like the horse that ran in the last race of the day.

MR. CASSIDY: There's a reason for that. A horse that runs in a \$3500 claiming race may run 5 times to a horse that runs in a \$7500 condition race.

MR. HANCOCK: Is it because a \$3500 horse is sounder? Or because there are more opportunities.

MR. CASSIDY: No, he gets more opportunities because there are more horses of that category and more races are provided for them. You get 1000 horses at a race track, 750 of them are cheaper grade.

MR. HANCOCK: That's exactly what I'm trying to say, but those horses that you are providing the greater opportunity for are still \$3500 horses, but there are a good many of those other horses. I'm breaking it down to average earnings per head, and you're going to find the average earnings of the \$3500 horse is a good deal more than the average earnings of the \$20,000 horse who runs for \$7500 purse. I think it's wrong.

MR. CASSIDY: How can you alter it? Take New York, what can they do?

MR. PERLMAN: The reason actually is very obvious. The opportunities are there for those horses or you can't fill the races. Many days in New York the reason that you see 2 claiming races and 2 maiden races is simply because the other races for better horses didn't fill.

MR. HANCOCK: Can't the man who allocates the stalls control that situation some way?

MR. CASSIDY: How?

MR. HANCOCK: I don't know, I'm not on that end of it.

MR. CASSIDY: What we try to do is get the best horses we can and have as many races for the best horses as will fill. That's the objective of New York racing. But how can you do it, we'd like to know how to do it.

MR. HANCOCK: This goes back to the yearling market because that's the only business I know anything about. What you say about the last three years having been very very good is true, the sales have been good if you look at them superficially, but a \$5,000 bid would have bought 78% or 80% of all horses that went into the ring—that's not a healthy state. You've got those few top horses that bring fantastic prices, \$50,000 down to \$20,000, but then you fall off to a very bad bottom.

MR. PERLMAN: Do you think that's related to the stalls?

MR. HANCOCK: It's related to the stalls and purse distribution.

MR. PERLMAN: I really doubt it, because most of your customers for good horses have to be 90% people who have had experience in racing. If you could interest 10% to come in and buy horses, it would be tremendous. Those 90% who are in have raced and had no difficulty in getting stalls. In fact as far as New York is concerned, New York has the best racing and the good horses can move to Delaware, Monmouth Park, all over the place and they'd be glad to take them. In fact, tracks like Suffolk Downs, Monmouth Park and Garden State go out of their way to interest people who have good horses. But of course if a man has one good horse and 10 dogs, they can't go ahead and give him 11 stalls.

MR. HANCOCK: The answer to it, as I say, is the fact that if you've got a decent horse that has won a couple or three races, you can go anywhere in the world with him, and you haven't got any place to run him. You won't find a race a month.

MR. CASSIDY: Where can you get the competition for him?

MR. HANCOCK: There are lots of those horses.

MR. CASSIDY: We tried to get them, we tried very hard to get them.

MR. ORTELL: Mr. Hancock, I want to tell you about the better class races. A racing secretary, now I don't mean Mr. Campbell, but as a rule, if you've got a pretty good horse, and he knows he can make a race for him, he's going to deliberately bar you and make you run Saturday. He's what you call a Saturday horse. You get one opportunity a week. Where a \$3,500 horse, an 8th race horse, can run anytime he wants. I have heard racing secretaries say, "Well, I'll save him for Saturday." You can't blame him, he's got his job, but they have Saturday horses, Tuesday horses and Friday horses.

MR. PERLMAN: I think it's more than that. We see it in our own office every day when we get entries from the various tracks. We've got all the conditions that were originally established. At tracks like Arlington Park, New York, Delaware and even Monmouth Park every day that they've got three good races carded nearly two of them are out, and they have to put on a substitute or split another race. The problem isn't that there aren't enough races for the good horses, it's that they don't fill, there aren't enough of those kind of horses for competition. In fact that is probably one of our great prob-

lems. If we had enough horses, in my opinion, today, to fill the good races, that would gradually eliminate those bad horses, because there would be no races.

MR. JACOBS: I think the whole set-up has been wrong for a long time. The difference in the purses between the better grade horses and cheap horses is very little. You take a \$3,500 race for your cheapest horses. You get another race for a \$4,000 purse or a \$4,500 purse, they're liable to be your best horses on the grounds. And they're running for \$4,000 or \$4,500. Your difference is too small. That's why so many of those good horses don't earn anything at all. Take California, Hollywood Park, where they had to add all that money to it. Instead of raising the minimum from \$3,500, they could have kept it at \$3,500. They could have made a lot of those races 7, 8, 10 thousand for the better horses. But instead of that they raised the \$2,000 horses, they let them run for \$4,000, it wasn't right. And so many race tracks have been doing the same thing. The difference between the better horses and the cheaper horses, the purses are very small. The cause of that HBPA difficulty was with a lot of the racing secretaries who put on better grade races that they knew weren't going to fill, and then they substituted a cheap race. Then they went around bragging that they saved their salary, by putting the cheap races on and saved the money for the association. One racing secretary used to brag about that. He'd put a lot of trick races on he knew had no chance of filling. I'll tell you where they made their mistake. When they had a low minimum, they'd put on a \$100,000 race, take all the purse money and make one \$100,000 race and starve everybody else out. They never had any in-between races.

QUESTION 24: "SHOULD THERE BE FIFTH PLACE MONEY."

MR. WIDENER: I'd say no.

MR. O'BRIEN: I'd say no.

MR. CASSIDY: I'd say no too.

MR. JACOBS: I was always under the impression to the victor go the spoils. It wouldn't make any difference to me, I'm probably as many times 2nd, 3rd, 4th or 5th. And it wouldn't make a bit of difference to me myself. I can't say whether it will do good. It will spread the money around to more people maybe.

MR. BURCH: The only place that would work good would be to the association in those long races, the stakes, where they would want to get a few more horses in.

MR. PERLMAN: I've made a study of this, probably to a greater extent than anyone else, and if you make an analysis of what happens to your money at a race track and who gets it, you find that the racing situation is so economically unsound that it finally results in this great problem you have with horses. The thought that increasing the purse money would be a solution to it, is wrong. Because in New York where you give 65% of your purse money to first, it stands to reason that if you have approximately 4,000 horses running here per year and you have roughly 200 days of racing and 1,600 races, you haven't even got one race for each horse to win. Not even one, if you divide them up evenly. And if you make an analysis of it, which I did, you find that 90% of your horses can't pay their way, no matter who won the races. It would make no difference at all. And if you increased your purses 100% you would still wind up with exactly the same percentage of horses that don't pay their way. In my opinion the race tracks, in order to solve their own problems with horsemen, should study it—I don't know what the study will reveal. You can't run a race meeting with just winners. You've only got 8 winners a day and you have to have 80 horses. It's not sound that the horsemen who put on the show must all lose money except 10%. This whole purse distribution, the way it exists today, is unsound and it's unsound from the standpoint of the race track owner. The race track owner should not be stubborn in maintaining something that was set up in 1894 when The Jockey Club was formed. You have that situation in England and France, and what has developed? In England and France the purses, except in stakes, are completely unimportant. Every stable has to be a betting stable, has to hide

their workouts, in England particularly. In France today there's a movement on foot amongst horsemen to restore books because they're all going broke, and if you restore books they at least think that they will get a horse ready and get a price where the public will not get it in the mutuels. In England the racing is completely for betting purposes and is not nearly on the level as our racing is except in the big stakes. And I think it's a great problem. I don't say that fifth money is the answer to it at all, but I think you have to study it, because the way it is today, it cannot be sound. I think that the problems with the horsemen are going to continue unless some way is found for the people who start the horses and race them, to make a living out of it. This public stable business like they have in California has become a menace. I don't think any man should have 70 horses. In California you have 4 men there who control 300 horses. You can see what it leads to, they can control jockeys, they can control the whole situation. I don't say they do, but the possibility exists there where they can control races. I think they are the most serious problems that face racing today. It is not logical when you read in the paper 2 billion dollars bet this year, 3 billion, race tracks handling 2 million a day, and where 90% of the horsemen have to lose money. It isn't right. And it has nothing to do with the purses. The purses are big enough but they're going to too few people. I think that your idea that there are too many \$100,000 races is completely right. I think if a track has one \$100,000 race as a feature, yes. In California they have 4 of them. If you had one, that would be the big race and if you reduce the others to \$75,000 it would make some sense. But when you start just pouring it on and pouring it on and one stable winds up with a million dollars, it isn't sound and I think The Jockey Club should offer leadership, I think they should study it. I know what the evil is, but I haven't got the answer to it.

MR. WIDENER: The great problem is that everything costs so much today, your labor, feed, etc.

MR. PERLMAN: Yes, but take a race track like Santa Anita last year. They gave away an average of \$55,000 a day in purses—do you know what happened in an analysis of the meeting? 40% of the stables that raced there didn't win one dollar.

MR. CASSIDY: I don't think your problem specifically applies to the fifth horse money.

MR. PERLMAN: I didn't say that it did. I only said that it should be studied and that maybe the solution is that a man shouldn't pay his jock mount or something like that. You'd be surprised how those fifty dollar bills count when you start 50 horses during a meeting and you can't even get a fourth. I don't know if that's the answer, I haven't got the answer. It might need to be studied for a year by taking every race track into consideration, by taking the whole picture. You might come up with a lot of answers that the horsemen should know. But that isn't the whole thing. The point is that we have a free enterprise system, and if a man wants to lose his money we certainly have no right to stop him. And you also have the problem of a lot of trainers who undoubtedly are responsible for keeping a lot of horses in training in order to get 12 and 14 dollars a day instead of turning them out because they aren't sound and never will race.

QUESTION 25. "WOULD THE RACING ASSOCIATIONS FURNISH FOR THE PRESS INDEX NUMBERS OF ALL HORSES ON THE OVERNIGHT ENTRIES?"

MR. CASSIDY: It would take a man to check those numbers and keep them up. It's done at tracks all over the country.

MR. O'BRIEN: We'll take it under advisement.

MR. ORTELL: We could start it from the 1st of July on. The system that Joe has is unsatisfactory.

MR. CASSIDY: Suppose you take it up with Mr. O'Brien and Mr. Jullien later.

QUESTION 26. "WHY CAN'T ALL FACTORS PERTAINING TO A FOUL CLAIM BE SUPPLIED IMMEDIATELY TO THE PRESS?"

MR. CASSIDY: It is done, but not directly to the press. It's done over the loudspeaker. There were two cases at Aqueduct, I understand, 2 foul claims in steeplechase races and no report was made. It is our intention and desire to give the press and the public the information about foul claims before the case is decided.

MR. ORTELL: I think you misunderstand the question. After the race instead of 3 or 4 different boys, running to contact the Stewards, you call up after you've made your decision.

MR. CASSIDY: We do that.

MR. ORTELL: Well we haven't been able to get it.

MR. CASSIDY: We give it to Capossela to speak over the loudspeaker.

MR. ORTELL: Yes, Cappy does it, but that isn't enough. We want the facts.

MR. CASSIDY: O.K., you'll have it.

QUESTION 27. "IS NOT THE RULE WHICH REQUIRES A HORSE TO BE ON THE GROUNDS AT TIME OF MAKING AN ENTRY OF SERVICE TO THE BEST INTERESTS OF RACING?"

MR. CASSIDY: Our rule says that horses are not eligible for entry unless stabled on one of the New York race tracks or at a farm which has previously been approved by the Stewards. The only farms that are approved are for steeplechase horses, so no other place is approved.

New Jersey horsemen object to it, they think that we stop their horses from coming in and winning a race. We're not doing it to stop them.

They have asked Mr. Rutchick to try and get the rule changed in New York.

MR. RUTCHICK: I have taken it up with the horsemen, and the horsemen are in the majority against it. Against bringing in horses overnight. New York horsemen feel that they should be identified properly and if they want to race here, let them apply for stalls, get stalls, then ship their horses in here, and make their entry when the horse is on the grounds.

MR. WIDENER: I think if he wants to run here he comes the day before and makes his entry.

MR. CASSIDY: He can do that.

MR. RUTCHICK: If you're in good standing, they'll give you stalls and I have taken it up and answered them. Yesterday they had their meeting in Jersey and they decided that they will still have New York horses come in there.

MR. CASSIDY: That doesn't make any difference to us.

MR. ORTELL: I think somebody abused that privilege. They had a horse in at Delaware and at Monmouth Park.

QUESTION 28. "WHAT COULD BE DONE TO ENCOURAGE HOSPITALIZATION COVERAGE FOR ALL STABLE EMPLOYEES?"

MR. JACOBS: I think it would be a good thing to try to talk to everybody about it and see if everybody can get it.

MR. CASSIDY: Everybody can get it.

MR. JACOBS: The cost is \$2.28 a month for a man, then if he puts his wife in it I think it's \$4.76 and then if he puts his family in it it comes out to \$5.74. I know I've had it for all of my men, although I have a lot of new ones that I neglected to put on.

MR. RUTCHICK: When I had 16 men working for me this spring, I carried compensation insurance, and right now I have 13 new men and it looks like they're going to cancel the policies themselves, because once they don't work for you they wouldn't continue paying. The HBPA in New York is trying to get the horsemen to make a group out of it, where it would be a lot cheaper. I talked to Mr. Max Hirsch, the American Trainers' Assn., to let them come in on this thing. It would be a great help. But there are those little fellows that just don't care.

MR. PERLMAN: That's something for you people to do yourselves.

MR. RUTCHICK: I pay it myself.

MR. PERLMAN: Have you taken it up at a meeting of your organization.

MR. RUTCHICK: I've taken it up several times, and it seems I can't get them together.

MR. CASSIDY: Well, keep trying.

QUESTION 29. "DO THE FIGURES FOR SATURDAY ATTENDANCE DURING THE 1953 SEASON INDICATE THAT TELEVISION IS CUTTING INTO OUR CROWDS?"

MR. WIDENER: As far as Belmont is concerned, we had 4 bad Saturdays out of 5. I think television has helped the races, though.

MR. PERLMAN: I've been travelling around the country a lot. I think that you did the greatest service to racing this year in televising the races, particularly those races with Native Dancer which brought to the attention of millions of people the sport, the way it is run. No matter if it did hurt you a little, which I do not believe it did, I think it created a phenomenal interest in the sport. They see the way it is conducted, they see the race track, see the people that are there. A lot of people who have never been to a race track think it's some back alley with a bookmaker in a derby hat, or something, and I think one race can't hurt your program.

MR. CASSIDY: I think that the race televised is fine—our stakes. But I think the race televised, not for local consumption, is the proper thing to do.

MR. PERLMAN: You think they should eliminate the local consumption?

MR. CASSIDY: Eliminate the local area.

MR. PERLMAN: I don't think so. Don't forget that in New York you have millions of people who have never been to a race, and even if you lose 1 or 2 thousand people, which I doubt, look at the goodwill you've created for the future of racing.

MR. JACOBS: In televising those big races, I know if it's a bad day, there are many people who won't come out that day. Over all it might do some good for other days, but for that day in particular it's really surprising how many people won't come out to see it. I know if I haven't got anything in that day myself, I'll stay home and watch it if it's a bad day. I know several Saturdays my wife and children stayed home. If it's a bad day they prefer to see it on television and there are so many people you run into the same way.

MR. RUTCHICK: I myself many a Saturday don't come out. I see it on television. If it weren't for television I'd be out at the track to see the big race.

MR. LUSSKY: Prior to the war we had a depression and the race tracks weren't going to fool around taking care of the public. That's going back 15 to 20 years. Then a war came on and we had a restriction on the race tracks and then that restriction was lifted. You've only had a few years for the race tracks to readjust themselves to the increased curiosity or whatever you want to call it of the public about the race tracks. Down in Florida, at the height of the season, people are not going to spend 25 dollars a day for a room then go to the race track and have to stand up. No matter where you go, Louisville or Chicago, the accommodations are not there for the public. I think that's where your trouble is.

MR. WIDENER: I don't think that keeps them away, but I do feel television creates new interest which in the long run will build up better attendance.

MR. PERLMAN: In connection with public relations, there's nothing you can do in public relations that will equal a Tom Fool or Native Dancer race.

MR. KELLEY: It seems unrealistic to say it does not hold down attendance to a certain extent. I'm sure it does in every sport.

MR. WIDENER: I don't think so. In baseball, yes. But people go to the races primarily to bet.

MR. JACOBS: There's a lot of people who like to see a good horse run, and if they're there, they'll bet, but if they can see it on television, they'll stay home and watch it. Many people tell me the same thing.

MR. KELLEY: You have to balance the benefits against the cost.

QUESTION 30. "WHY ISN'T THE MORNING LINE PRINTED ON THE PROGRAM?"

MR. CASSIDY: The reason it isn't printed on the program is because it is subject to change for late scratches and track conditions which makes it confusing to the public.

MR. PERLMAN: I think that can be easily overcome because you have the same situation now. You put up the morning line and it's copied by hundreds of people.

MR. CASSIDY: But from the time the program is printed in the morning, you may have 7 or 8 scratches that may affect that entire line in any race, but on the board that's out there, the line is changed when there's a late scratch.

MR. PERLMAN: But most people get their odds before the first race. I go there frequently and see them lined up there in front of that board, hundreds of them. Frankly, I think the public want it.

MR. CASSIDY: Do you think their wanting it, and giving them something that isn't accurate is a good idea?

MR. PERLMAN: It's 95% accurate.

MR. ORTELL: Most all of our tracks, and a great many of them TRA members, are printing the morning line on the program. They must have given it a good test. The New York tracks are the only ones I know of in the eastern section that's not doing it.

MR. CASSIDY: We'll take it up with management.

QUESTION 31. "WHY DON'T THE RACING ASSOCIATIONS OPERATE THEIR OWN FIRE FIGHTING EQUIPMENT, STAFFED BY TRAINED MEN, ON THE GROUNDS OF EACH TRACK? THIS IN MANY INSTANCES WOULD PREVENT THE FIRE FROM GAINING HEADWAY, AND SUCH FIRE COULD BE COMPLETELY CONTROLLED WITHOUT THE TERRIBLE DESTRUCTION THAT HAS OCCURRED IN THE PAST."

MR. CASSIDY: Actually each track is so close to the city fire department, which is far superior to any private organization, I doubt that there's too much value to be gained.

MR. WIDENER: We have at Belmont, since our last fire there, a fire truck with a trained crew on 24 hour duty. We figured the other way too about the city firemen, they're right across the street. But the day we had the last fire there they were out on 2 other fires and they couldn't get there until 20 minutes after it started. Ordinarily they get there within 2 or 3 minutes. So we decided we would get one big fire truck and keep it on hand at all times. I understand the other tracks have done the same.

MR. RUTCHICK: At Jamaica, the last fire we had, it took 20 minutes before the fire department came down.

MR. ORTELL: I think they should have one wagon with at least 500 feet of hose on it and each of the three trucks carry 150 feet of hose.

MR. JACOBS: I think each track should have one. Just for an illustration, I was at Santa Anita several years ago, they had 2 fires there, and they've got their own fire equipment there and in the 2 fires the end stall burned where the fires were, but if they had to wait for outside fire equipment to come in the whole barn would have gone up.

One minute counts so much. But you've got to have a trained crew.

QUESTION 32. "IF A QUALITY PURSE RACE FAILS TO FILL AND A CHEAPER RACE IS SUBSTITUTED, SHOULD AN ASSOCIATION ADD THE UNUSED PURSE MONEY TO OTHER RACES?"

MR. JACOBS: We'll look at any condition book. The racing secretary has so much money to allot for say a ten day book and he'll have a \$3,500 minimum then he'll have

a race \$4,000 and then another one maybe \$4,500. Then he might have a \$7,500 race. If he didn't write that one race he had for \$7,500 he'd probably would have made the race he wrote for \$4,500, he'd have made that for \$7,500. They might be the best horses on the grounds too. I think if that \$7,500 race doesn't go that day, it should be given to the better horses that day. I don't say it should be given to the cheap horses. I had the some controversy with Dr. Strub. They had a clause in their condition book that if the better races didn't fill, that money wouldn't go to any of the other races. And one day he had a race for \$7,500 purse, condition race, and it was 1 mile and 1/16, for non-winners of \$5,000 since Sept. 15th. 4 days later they had a \$5,000 race, and it was non-winners of \$10,000 since that same date, which was for better horses but it was a smaller purse. The reason that was a smaller purse, they had a handicap on that day of \$7,500. I said, "Now suppose that \$7,500 handicap doesn't fill, don't you think that money should go to that other race? If it was worth \$7,500 one day, don't you think it's worth \$7,500 another day. They're condition horses, they're probably the best horses you have."

MR. RYAN: I think Mr. Jacobs is exactly right and I think that Jersey and Delaware are doing exactly what you are talking about. I have put horses in down there in non-winners of 2 other than maiden or claiming, \$10,000 claiming races. In the book they'll read \$4,000 or \$4,500. You get down there and run and they've raised them to \$5,000 or \$5,500. They've done it all through this meeting at Delaware and they've done it at Garden State. They're padding the in-between horses. They may not take the \$2,500 and stick it on one race first but they'll stick a thousand on one, five hundred on another.

MR. PERLMAN: I think it comes back to the point that Mr. Hancock made before which I think is something The Jockey Club should give serious consideration to, and offer leadership to the rest of the country—that is statistics show that the good horses which run in the better races, are not winning, can't win as much money as the cheaper horses. There are many reasons for it, but one of the reasons is that the value of purses in relation to value of horses is not proper. It's better in New York than anywhere else.

QUESTION 33. "WHY CAN'T THE RACING ASSOCIATIONS ASSIGN ONE MAN TO CHECK, ALONG WITH THE TRACK SUPERINTENDENT, ON THE DAILY CONDITION OF THE RACE TRACK? THIS WOULD BE BENEFICIAL AS REGARDS THE SAFETY OF HORSES."

MR. RUTCHICK: That's my question. I believe the superintendent has too much to do. He's in charge of taking care of the track and other facilities, he has so much to do, I believe the track management should have a track superintendent just to take care of the track alone.

MR. CASSIDY: You mean have a track man.

MR. RUTCHICK: Just to take care of the track. At Jamaica we have one track superintendent there, he's in charge of stall assignments. The last two months he didn't have enough help, and he couldn't do justice to the track. They didn't sprinkle the track certain nights because they didn't have help.

MR. CASSIDY: Sol, have you taken it up with management?

MR. RUTCHICK: I've mentioned it and I've got nowhere with it.

MR. CASSIDY: If you come in there with me when we open at Jamaica, we'll talk to them about it.

MR. JACOBS: I think it would be a good thing if there could be a man appointed who would know something about it. (There's been a lot around who knows)—to measure the cushion and all, to try to have a consistent cushion, day in and day out so that the rail will be the same as out from the rail. They need a competent man. Many times, you go around the rail, it's deep one day. At Aqueduct, they were pushing it out one day a week and the day that they pushed it out if you ran on the rail that day, you were all right, but any other day you went in there it was bad. The cushion determines the speed and everything else. I think that should be maintained the same depth day in and day out.

QUESTION 34. "WHY, WHEN LICENSES ARE ISSUED TO OWNERS, AND TRAINERS FOR A FULL YEAR, ARE THEY NOT PERMITTED TO RETAIN THEIR BADGES WHEN THEY HAVE TEMPORARILY LOST THEIR HORSES THROUGH CLAIMING RACES AND ARE IN THE PROCESS OF PURCHASING NEW HORSES."

MR. CASSIDY: I agree with it completely.

MR. RUTCHICK: That's my question. We have a lot of trainers here who owned horses or trained horses, one or two horses, lost their horses, paid their license for the year, and now they have to pay tax.

MR. CASSIDY: Let's not talk anymore, we'll arrange it.

QUESTION 35. "WHY NOT MAKE THE CLAIM RULE, INSOFAR AS IT PERTAINS TO TWO-YEAR OLDS, BE WRITTEN SO THAT A HORSE CLAIMED MUST BE RAISED 25% FOR 90 DAYS (REGARDLESS OF WHERE THE HORSE MAY FINISH IN THE RACE INCIDENT TO THE CLAIM), AND IN THIS WAY GIVE SOME PROTECTION TO THE OWNER WHO HAS SPENT TIME AND MONEY BRINGING THIS HORSE TO THE RACES?"

MR. CASSIDY: That of course should be discussed with the racing commission.

MR. HANCOCK: In Kentucky, we talked this thing around and tried to protect the fellows down there who breed a few horses and try to race them themselves. They were always crying they might have a decent little horse and lose him the first time he ran him. So we put in a closed claiming rule for 2 year olds only. It hasn't worked. It's been abused and abused.

MR. RYAN: This is my question, and by way of explanation I would like to give you some sort of example. I buy a little yearling for \$6,500, \$6,000, \$7,500, and I break him and carry him for the winter. I struggle around and he bucks his shins and he coughs and so on and so forth. I get him to the races, and I don't expect to have a Native Dancer, I just want to have a little gingerbread horse. So I run him for \$6,500 maiden, \$7,500 maiden and say he finishes fourth. That's fine. I run him back again in the same kind of race and he finishes second. If he showed any improvement they say, "Well, there's a man got a 2 year old, he's good and sound, I'm going to Narragansett this summer and that would be a useful horse for me." All I want to get is my winning purse out of him so that I can carry the expenses, because even if I lost him for \$7,500, I'm probably taking a \$2,500 licking, because I've carried him all that time. In other words, all I want to do is protect that man, let him win a race. If he wins too many somebody is going to reach in and get him because they're going to say, "Well I'll wait 90 days and run him back later on." But if I win my little race and maybe win one more I'm satisfied. It's just a little protection. The man who goes to the yearling sales and buys a \$7,000 yearling and tries to run him for \$7,000 the next year, he's lucky if he's got a \$7,000 yearling percentagewise, he's got a pretty nice yearling.

MR. CASSIDY: Don't you think if this rule is good for 2 year olds it's good for all horses?

MR. PHIPPS: I think it's more important for the 2 year olds.

MR. WIDENER: I think it's a very good suggestion.

MR. HANCOCK: That's what we were trying to do down home. But we went the wrong way. This rule sounds to me like it's much more sensible. I wonder if 90 days is necessary. If 60 days isn't enough.

MR. CASSIDY: 60 days used to be the customary time.

MR. RYAN: 60 or 90, it's just a little protection.

MR. WIDENER: What if the horse gets sick in between time. He might be out for 60 days before you could put him back into a race.

MR. RUTCHICK: 60 days I don't believe are enough. It should be 90 or 120.

MR. ORTELL: I think 90 would be effective, though.

MR. RUTCHICK: I agree with you.

MR. RYAN: We don't want to stop a man from claiming a horse, he should have a chance to claim. But just make him think twice before he puts the money in.

MR. HANCOCK: What I was going to recommend down home was 33 1/3% and 60 days. But this may be better.

MR. CASSIDY: I think in your present rule the winner is increased 25% for 30 days, isn't it? That's the present rule. I would stick as close to the percentage for both of them as you could altho you might change the period of days. I mean, include the non-winners along with the winner and then change the number of days. Of course this rule can take horses out of racing. This rule can hurt your racing secretary's office a little bit because if this horse is claimed, it may not be good enough to run for \$10,000 if he's run for \$7,500 or something like that. It also promotes racing horses without the interest to win. You run a horse over his head possibly for 90 days. I am for protecting the owner, I just wonder if this doesn't need a little more thought and study to arrive at a more practical solution. But I am thinking of the other side of it, taking horses out of racing and racing them where they don't belong, and that's not good for the public. 90 days is a long time when a man is going to have to try to get some return for his money.

MR. RYAN: I would be willing to settle for 60 days, but as it stands now, we have no protection whatsoever.

MR. CASSIDY: There is another rule, and I think the New York State Commission adopted it as an optional rule and I don't believe it's ever been used. It's a rule that has something to do with a 2 year old that has been either bred by the owner or bought at a yearling sale by him. If run in a claiming race, that horse may only be claimed by an owner of a starter in that race. It's evidence of an intent to do something along the lines that you are proposing. I think the horsemen getting together with the commission, would be good and I think it would also be good for the Jockey Club to consider it.

MR. WIDENER: I think it's a very worthwhile thought.

MR. PHIPPS: Jock would like to have this question brought up for discussion: "THERE'S BEEN A GOOD DEAL OF CRITICISM OF THE YEARLING SALES. KEENELAND PASSED A RULE YOU COULD NEVER BID IN ON YOUR HORSES—NOR GIVE 10% TO TRAINERS BUYING THE HORSES, AND SO FORTH. I THINK THERE'S A FEELING THAT AT CERTAIN YEARLING SALES THOSE RULES HAVE BEEN FORGOTTEN AND IT'S A VERY BAD THING FOR RACING." Certainly when a new owner comes in and learns about this he says it's a racket and have you any solution to it? I know it has been occurring lately.

MR. HANCOCK: In trying to run the sales company down home I hired the New York Protective Agency and they have trained men down there who are very representative looking fellows. They look like they might be trainers or fellows who are going to buy a race horse, and they couldn't prove a thing for us. We knew it was going on and I knew it was going on and I knew who was doing it, but I couldn't prove it. And I know it's a very dangerous thing for a sales company to point a finger at a fellow and say, "Look! Here's what you did and it's against the law." It's against the Kentucky state law.

MR. BURCH: You mean paying the 10%?

MR. HANCOCK: Yes, or bidding in your own horses. If you put horses up for sale, according to the Kentucky Law you've got a right to make one bid and one bid only.

MR. BOWER: I think from my observation of the sales and hearing complaints from people, it goes on and it's very hard to prove. I think perhaps the only approach to it is to call the consignors together, lay the facts before them and point out to them that it's in their own best interests in the long run not to engage in any of those shenanigans at a sale, that they will alienate more people and in the long run they will stay in business longer if they don't do it. I think it just has to be put on the basis of self profit or something.

MR. HANCOCK: The only thing we can do down home, we've got one little out, and that is a selective sale, we just don't select everybody's yearlings. But it's more prevalent than we would like even down there and I think it's much better there than most places.

MR. RYAN: Along those lines, Fasig-Tipton is attempting to take the same stand.

MR. HANCOCK: Of course you've got to say one thing for the poor little consignor. When he goes into the sales and puts a horse up he has absolutely no protection. If that's his one horse and he's counting on it to eat over the winter he's in a pretty bad spot. He ought to have some protection somewhere. I don't know what it can be. It certainly shouldn't be any 10% or anything like that. But there should be a way for him to protect himself. I've always thought the best way in the world to sell a horse was with a reserve price, but it has gotten so in this country, if you put a reserve on a horse immediately the public thinks there's something wrong with him and that's the reason you did it. And they will not bid. The sales company at home will welcome any suggestions from anyone as to how we can police our own ranks better. We've tried and done the best we can. We just don't know where to go from there.

MR. BOWER: In California this year I notice their yearling sale has specified a minimum opening bid. \$500 is very small but it's something, anyway.

MR. WIDENER: Has anyone got any other questions to ask?

MR. PERLMAN: There's one question I thought would be on here, but it isn't and I may be sticking my neck out, "BUT IT'S THE QUALIFICATION RULE IN NEW YORK."

It seems to me something should be done about it. The only place in the United States where that holds now is here and Delaware.

It's very unpopular with the public and it seems to me that if it was left to the discretion of the Stewards they could still do exactly what is being done now when they considered that it was necessary. I really believe that the public relations of the New York race tracks is suffering through that. The Jamie K. thing last year created a tremendous amount of adverse publicity in the newspapers. As long as your Stewards can still put a horse last, if it is left to their discretion the same way as with everything that goes on in racing, why shouldn't they be trusted with that. When two horses go out there fighting it out and the others aren't in any way interfered with, it seems very unfair particularly where you have mutuel machines and people bet a tremendous amount of money for place and show, that those people should lose their money in the case where a filly swerved and undoubtedly justified being disqualified, but yet didn't come near any other horse. I think that The Jockey Club ought to take that under serious consideration. I think they're being stubborn about it, and I think the general opinion throughout the country is against it.

MR. CASSIDY: It's such a big question I think it's one that to get any place you'd have to have the Commission in on the discussion and unfortunately the Commission didn't attend.

MR. PERLMAN: I know the Commission would have to do it and I know Ashley Cole has been against it. But I honestly believe if The Jockey Club changed their minds on it, the Commission would.

MR. CASSIDY: I don't think The Jockey Club at the present is inclined to change its mind.

MR. PHIPPS: What are the defenses for the rule?

MR. CASSIDY: I don't know if I can give you all the reasons for it. In the first place, Mr. Perlman says the people who bet on this horse, place and show, and lose their money, shouldn't lose it.

MR. PERLMAN: No, I didn't say that. I said they shouldn't lose it if that horse did not interfere with any other horse.

MR. CASSIDY: That's what I mean—they shouldn't lose it under the conditions. What those people lose, someone else gains. Somebody else gets that money for the

horses that were moved up. Anyone who is disqualified in any sport, or game, isn't disqualified in respect to one individual, he's disqualified in the contest in which he's competing—that's rowing, running or anything else. In addition to that, Stewards are not concerned with criticism about their judgment, whether they are correct or not, but they're concerned with the possibility of collusion. A boy may be riding a horse that has a lot of speed and he has one horse to beat. The man who owns him is betting on him, he knows his horse is say 3 or 4 to 1, and there's probably only one horse that can overtake him. He's going to be out there in front. He can tell his rider "If this horse moves up on you in the stretch, take him in or out from the fence because no matter what happens, I'm going to bet enough money to win a big bet." And he can put that horse in the fence to stop him from going through. You're going to have a hard time justifying disqualifying him to last place simply because he stopped the horse from moving in on the rail.

MR. PERLMAN: If the thing is deliberate, I would accept the judgment of Marshall Cassidy as to what should be done, still there's nothing to stop you from putting him last.

MR. CASSIDY: Sam, if you can tell me what is deliberate and what isn't deliberate you are God Almighty. I've judged races and watched riders for many years. Many times that I can tell, but there are equally many times that I can't tell.

MR. PERLMAN: But you're the only ones in the entire North American continent that sticks to that rule today.

MR. CASSIDY: That doesn't mean we're wrong.

I know people whose opinion you value very highly. Take Joe Palmer, I know you valued his opinion, he was just as strongly opposed to a change.

MR. PERLMAN: My opinion why it should be changed is based on public opinion more than anything else. The public consider the rule to be very unfair. When you have mutuel betting and a lot of outstanding horses like Native Dancer, Bewitch and all these unbeaten horses, the public flocks there to put thousands of dollars on them. Something happens where the horse swerves, and they lose all their money, they think it's unfair and I think it's unfair.

MR. CASSIDY: Of course I disagree with you when you say it is unfair. I don't think it is unfair. I agree with you when you say the public likes it the other way better. But I don't agree with you on it being unfair.

MR. PERLMAN: That of course is a matter of opinion, and the percentage is against the opinion held by The Jockey Club. You haven't any tracks anywhere except New York and Delaware that follow that rule.

MR. ORTELL: Marshall, I think you're carrying it a little too far about the boys. I know that they all respect you and honor you and they don't take any advantage of the Stewards. They know they are going to be fairly treated. In addition to that you have the film patrol which all the stewards and patrol judges are very competent in reading. The present rule is a hardship on the public, because they're not at fault, and they say, "Well if the Stewards can't control the boys, then we should get some stewards that can control them." We have pretty clean riding, I will say that.

MR. CASSIDY: What do you mean by it's unfair to the public?

Do you think it's unfair to disqualify a horse?

MR. ORTELL: No, you worked under both rules, you worked in Florida and you worked here and I don't think anybody disagreed with you in case of fouls in Florida.

MR. CASSIDY: How do you determine the extent of the interference in a race. Suppose a horse, going into the turn on the backstretch comes over and forces a horse on the inside of him to pull up and some horse running fast behind him, runs up on his heels, and he has to pull up because the horse is stopped in front of him, and in succession the horses behind him have to pull up. Wherever those horses finish who were indirectly affected by what the horse did in the first place, would you disqualify that horse behind them, or the horse behind him?



MR. ORTELL: You're getting technical.

MR. CASSIDY: I'm getting technical because it's a technical problem.

MR. ORTELL: If you'll give me a diagram, I'll tell you what I'd do.

MR. PERLMAN: Suppose you could use your discretion to put him second or last, what would you do?

MR. CASSIDY: If I were operating under the rule which was optional, I probably would put him last.

MR. PERLMAN: That shows you can still put him last.

MR. CASSIDY: How can you justify that to the public?

MR. ORTELL: Campbell and Rainey did it last winter.

MR. CASSIDY: You'd have to give me the cases to see if they're the same thing or not.

MR. PERLMAN: This thing that you're discussing happens very rarely.

There are many other things that happen in every race and you people are there to protect the public. And yet you seem to think you should not have the authority to do something that is being done at every race track in the country.

MR. CASSIDY: It isn't the authority, Sam. You've got it wrong. I wasn't talking about authority, and as I told you before, it doesn't make any difference to me whether people like what we have to do, we do it just the same. I think that some members of the press feel that the public are entitled to something more than they're entitled to. I don't think that people who bet on a horse that commits a foul are entitled to collect on the place and show bets simply because you can't prove that he didn't bother a horse that finished behind him.

MR. PERLMAN: But that's up to you, it's up to your discretion.

MR. ORTELL: But you've never lost that \$20 or \$50 out of your pocket.

MR. CASSIDY: But who does lose it, Frank? What this man loses somebody else gets.

MR. ORTELL: If I bet on a horse straight and place, and I see he interferes with the place horse, I shouldn't suffer because Jockey Falloff didn't try to keep a straight path. I know we don't have that trouble here. The boys do everything possible to keep a straight path and some of the boys are a little weak and can't help it, but I know you do feel a little hot under the collar because you say, well if I was down in Cahooz I'd have gotten my place money anyway.

MR. CASSIDY: What do you think would happen if you were to ask this question of the riders?

MR. ORTELL: I don't know what they'd say. I've never questioned any of them on it.

MR. PERLMAN: It would probably depend on who you asked. If you ask a young rider I'd tell you what answer you'd get—that they don't like the rule. The older fellows might like it.

MR. CASSIDY: What about the owners?

MR. JACOBS: I think the owners would like the rule where they place them second or third. As far as the public is concerned, I think the public likes it. Just mingle near the crowd and hear the remarks after a foul.