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MATTERS PERTAINING TO RACING

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INDEX TO TOPICS

Apprentice Jockeys—feasibility of trust funds	32
Birthdate of Thoroughbreds	35
Blacksmiths—should they be permitted to race horses	28
Butazolidin—its use and effect	23
Claiming—eligibility of owner having started stable with "policeman"	30
Claiming—limitations on owners having same trainer	25
Diseases in Horses—what progress has been made in research	36
Fillies and Mares—permitted to race after being bred	33
Harness Racing—competition to Thoroughbred racing	39
Jockeys—should they be permitted to own race horses	29
Names of Horses—prohibiting those suggesting reversal of sex	20
Names of Horses—refusal to grant obvious misspellings	19
Past Performance Charts—greater accuracy with use of strip-type camera	27
Post Time for First Race—advisability of late starting time	31
Purse Money—restriction to first four positions	36
Racing Program—desirability of nine races	31
Stakes Winners—possible classification	7
Stud Fee—who is liable when mare in foal is claimed	33
Track Record—not recognized if horse was stimulated	21
Trainers—adequacy of licensing system	20
Trainers—should they be allowed to ride own horses	29
Unions at Race Tracks—jurisdiction	39
Veterinarians—should they be permitted to race horses	28

INTRODUCTION BY
GEORGE D. WIDENER
Chairman of The Jockey Club

I am very happy on behalf of The Jockey Club to welcome you to the Seventh Annual Round Table Conference. I think that in the past some very good results have come from this meeting and I hope that this year some questions will be resolved which will benefit racing. We are planning to finish by one o'clock and Mr. Hanes has invited you to be guests of The New York Racing Association at luncheon. All of you will have a good appetite I am sure by that time. Marshall, will you take over?

1. WHAT HAS BEEN DONE BY THE COMMITTEE TO DEFINE A STAKES WINNER?

MR. CASSIDY: Mr. Humphrey, would you like to speak on this topic for a moment?

MR. HUMPHREY: Mr. Chairman, Gentlemen—last year at this meeting there was some discussion as to what might be done to have a new designation or some reclassification of stakes winners. Speaking particularly of breeding three generations from now, it seemed that it was not quite right to have the winner of the Podunk, a \$2,000 added stake, classified the same way as a stakes winner as the winner of The Belmont. Mr. Widener appointed a Committee of The Jockey Club to give the matter consideration. We did a good deal of study and we asked a good many people for their help and advice and came up with the thought that there might be—I think the original thought was suggested by you, Mr. Perlman—that there might be a new designation that would perhaps mean more. You might create a class that would then be called “classic winners.” The Committee was favorably impressed with that thought but when we got down to deciding what a “classic winner” would be we found we ran into a good deal of difficulty, so our Committee suggested to Mr. Widener that he appoint another Committee to see if they could agree on a designation of what a “classic winner” might be. I think it is very interesting that on that Committee, there were two Stewards (Calvin Rainey and Francis Dunne), two racing secretaries (Frank Kilroe and Charles McLennan), two breeders (A. B. Hancock and Leslie Combs), two track managers (James Stewart and Walter Donovan), two sales agency representatives (Humphrey Finney and William Evans), three racing periodical representatives (Sol Rosen, Joe Estes and William Robertson), two members of The Jockey Club (Gerard Smith and John Morris) and the Chairman of the Committee was Marshall Cassidy. Now they were asked to study the situation to see if they could define what a “classic winner” would be in a way that would be satisfactory to all of those racing interests and with a thought that there would be established a new category of classic winners—so that you would have stakes winners and classic winners. Now, Mr. Cassidy, you were the Chairman of that Committee, and I think the key to the interest here is the work that Committee has done on the subject.

MR. CASSIDY: I would like to start off by reading the report of one of the members of the Committee which certainly has taken a great deal of time and it is done in very minute detail. I think it will be interesting although it may seem a little long, but it is necessary that we present this to the Conference. The report came from William Robertson, Managing Editor of the Thoroughbred Record. *The Subject—Recommended definitions for types of stakes races.* Mr. Robertson's report is as follows:

General Situation—Mr. Widener's letter sets forth clearly and completely the situation among American stakes races as it exists today. No distinction in nomenclature is made between, for example, the \$125,000 added Belmont Stakes for three-year-old thoroughbreds of any origination at 1½ miles, scale weights—and the \$1,200 added Fonner Park Juvenile Sweepstakes, restricted to two-year-olds bred in Nebraska, at four furlongs, the conditions of which include weight allowances.

Mission—to define the term “classic” so as to include only those races which provide significant, valid tests of definitely superior racing class. Broadly speaking, to effect a distinction between the designation in permanent records accorded to the performance of *Cavan, winner of the 1958 Belmont Stakes, and that accorded

to the performance of Patty Kem, winner of the 1958 Fonner Park Juvenile Sweepstakes.

Factors to be considered—In the accomplishment of the mission, there are to be considered such factors as exclusiveness, conditions, tradition and value of the races concerned, as follows:

A—EXCLUSIVENESS: How many classic races should there be? Too great a number vitiates the mission, i.e. denies to the "classic winner" the distinction sought by such designation. On the other hand, establishment of too few classic races possibly could impugn those events that are so designated, i.e. certain other non-classic races might be demonstrated to be of equal or greater importance and significance than some classics.

A classic, therefore, should represent a level of racing achievement that is commonly accepted. The term should include only those races which meet the requirements—but it must include *all* such races.

B—CONDITIONS: What should be the conditions under which a classic race is contested? Included in this question are such matters as

1) Quality of Competition. Races restricted in any way as to class of the contestants, other than restrictions based on age and sex, should not be termed classics. This category would include races for horses bred in certain geographical areas, races for horses owned by residents of a certain State, races for "non-winners" of any variety including non-winners of stakes, etc.

2) Invitational Races. Such events as the Washington, D. C., International, United Nations Handicap and Pimlico Special are endowed with prestige but technically are not stakes since no fees are required of the participating owners. And, while they are designed to restrict quantity rather than quality of the contestants, they are to some extent restricted events. Every effort is made to attract the best fields possible, but this aim is not always realized; invitations are issued with a view toward obtaining the best possible likely starters to the exclusion perhaps of the best possible horses, and by its concept the International imposes some restrictions as to origins of the competing horses.

3) Handicap Races. A handicap race by its nature, which entails artificial manipulation of the manifested class of the contestants, contradicts the classic idea. Yet there are handicap races of great value and authority which, except for occasions when weight plays a too-prominent part in the result, are of classic significance. The Brooklyn for example has been won by such horses of classic stature as Exterminator (gelding, 135 pounds), Discovery (113, 123 and 136 pounds), Whirlaway (128), Assault (133), Tom Fool (136) and High Gun (132)—and it has also been won by Black Panther (105), Light Carbine (97) and Hephaistos (106). It would appear that those horses which won with their weight up deserve credit for a "classic" performance, whereas the others do not.

4) Distance. Races of such an abbreviated distance that luck of the running exerts an inordinate influence on the result, i.e. class does not have time to tell, ought not to be designated classics. Yet there are horses of undeniable brilliance up to a certain distance—and sprints occupy an important part of the American racing program. (Depending upon how broad a definition of the term "classic race" is desired, this question might resolve itself through establishment of minimum purse values. On the whole, pure sprint races, of less than one mile, for horses older than two do not carry large purse values.)

5) Two-year-old Races. There is an objection in many quarters to the idea of any race for two-year-olds being called a classic, but the number of important and valuable events for this division makes it difficult to exclude them except through adoption of the most stringent definition of a classic.

6) Breeding Significance. In theory all races are designed to test breeding, and

classics especially should be suited to this purpose. This question ties in with that of distance, above.

However, since a race is a measurement of performance, is it necessary, or even desirable, that geldings be excluded from classics? To do so would mean re-writing the conditions for practically the entire American stakes program.

C—TRADITION. Ideally, a classic race should have tradition, and sufficient stability so that victory in a given classic indicates approximately the same level of achievement one year as the next. Races subject to extreme fluctuations in value, significance, and conditions, ought to be excluded from classic designation.

D—VALUE. A classic race, naturally, should offer a purse so high in comparison with the purse of a routine, "average" race as to guarantee the appearance of the best horses available in the classic. A classic should in brief, be of considerably more than casual monetary appeal.

Specific Accomplishment of the Mission—Before attempting accomplishment of the mission, i.e. the establishment of a definition of "classic race" so as to arrive at optimum specific characteristics of exclusiveness, conditions, tradition and value, it is well first to examine in detail American stakes races as they presently exist. For this purpose the year 1957 is used as an example, since that is the most recent year covered by the *American Racing Manual* and there are readily available statistics relating to that year which have not yet been computed for 1958. (Note: overall totals for 1958 are available—711 flat racing stakes of a total added value of \$14,640,286 were contested last year and there were 439 individual "stakes winners" on the flat, plus 22 winners of steeplechase stakes. However, detailed breakdowns of these races into various categories as to value, distance, etc. have not yet been completed; and in any case there is no vital difference for discussion purposes between statistics for 1957 and those for 1958.)

BREAKDOWN OF AMERICAN STAKES RACES AS TO GENERAL TYPE

In looking over the structure of American stakes it immediately is apparent that outright adoption of the English definition of "classic" is not feasible. The English classics—1,000 Guineas, Oaks, 2,000 Guineas, Derby and St. Leger—have in common the following attributes:

- a) All are conditioned for three-year-olds exclusively.
- b) All are contested over a distance sufficient to provide a conclusive test. The Guineas races, it's true, are at one mile, which is considered a short distance; but the mile is run on the straight which permits a more reliable test than would be the case were the races run around two turns as in America.
- c) All are open only to potential breeding stock, i.e. entire colts and/or fillies.
- d) All are contested under scale weight, no horse receiving an advantage from another except for the standard sex allowance.
- e) All have long histories and great prestige.
- f) The value of any English classic is so tremendous in comparison to that of an ordinary, non-classic stakes race that, relatively speaking, any one of them is the financial equivalent of the Garden State Stakes in America.

Although the English definition of classic cannot be adopted to American use (and there is no particular reason why it should be), this definition can serve as a starting point, no more, in the breakdown of American stakes races as to general type. Working from the "classic concept" of matching thoroughbreds one against the other, each on its own merits, in a conclusive test of racing quality, a set of purely arbitrary trial specifications for an American classic might be derived:

- a) No stipulation concerning age of the contestants.
- b) Minimum distance of 6 furlongs for two-year-olds; 1½ miles for horses older than two.

c) No restriction against geldings. (A classic winner preferably should establish his superiority against all comers.)

d) Scale weight and weight-for-age events given priority.

e) Wide latitude as to history. If an important race deficient in chronological history reasonably can be expected to develop tradition, it should be included.

f) Minimum value of \$50,000 added. (Gross values are subject to such variation that basing the purse requirement on gross amount might result in a given race being a classic one year, but not the next.)

Starting with these arbitrary trial specifications, American stakes races could be grouped roughly as follows:

A—Definite Classic Caliber: Unrestricted races which satisfy all the foregoing trial specifications. Minimum added value \$50,000; minimum distance 6 furlongs for two-year-olds, 1½ miles for three-year-olds and up; contested at scale weights or weight for age; appreciable history or promise thereof.

<i>Two-year-old races</i>	<i>Three-year-old races</i>
Champagne Stakes (1 mile)	Belmont Stakes (1½ mi.)
Frizette Stakes (1 1/16 mi.)	Coaching Club American Oaks (1¼ mi.)
Futurity Stakes (6½ fur.)	Flamingo Stakes (1½ mi.)
Gardenia Stakes (1 1/16 mi.)	Kentucky Derby (1¼ mi.)
Garden State Stakes (1 1/16 mi.)	Preakness (1 3/16 mi.)
Pimlico Futurity (1 1/16 mi.)	Santa Anita Derby (1½ mi.)
	Wood Memorial (1½ mi.)

Other

Canadian Championship (1½ mi.)	Spinster Stakes (1½ mi.)
Jockey Club Gold Cup (2 mi.)	Woodward Stakes (1¼ mi.)

TOTAL: 17 events

(Distance of C. C. A. Oaks is that for 1959)

B—Virtual Classic Caliber: Races which satisfy all trial specifications except that which concerns weight. Certain weight allowances, specified in stated conditions of the race, permitted—but handicaps not included.

<i>Two-year-old Races</i>	<i>Three-year-old Races</i>	<i>Other</i>
Arlington Futurity	American Derby	Californian Stakes
Arlington Lassie	Florida Derby	Santa Anita Maturity
Princess Pat Stakes	Jersey Stakes	
Sapling Stakes	Monmouth Oaks	
Starlet Stakes	Westener Stakes	
Washington Park Futurity		

TOTAL: 13 events

C—Near Classic Caliber: Races satisfying the requirements of category A or B, except that added value is less than \$50,000 but is at least \$30,000. (In several cases, conditions of these races are such as to make the gross purse the equivalent of a \$50,000 added purse.)

<i>Two-year-old Races</i>	<i>Three-year-old Races</i>	<i>Other</i>
Del Mar Futurity	Delaware Oaks	Whitney Stakes
Hopeful Stakes	Leonard Richards Stakes	
Matron Stakes	Louisiana Derby	
Selima Stakes	Travers Stakes	
World's Playground Stakes		

TOTAL: 10 events

(Bay Meadows Derby and Futurity excluded because of lack of "history")

D—Probable Classic Timber: Races which technically are deficient in one re-

quirement of category A, B, or C, but which possess enough prestige so that their exclusion from classic status, assuming all the foregoing races to be so designated, would be questionable.

<i>Two-year-old Races</i>	<i>Three-year-old Races</i>	<i>Other</i>
Breeders' Futurity	Acorn Stakes (1 mile)	Pimlico Special
Kentucky Jockey Club Stakes	Arlington Classic (1 mile)	Washington, D. C. International
Saratoga Special	Chicagoan Stakes (1 mile)	
Spinaway Stakes	Kentucky Oaks (1 1/16 mi.)	

TOTAL: 10 events

(As it happens, all the two-year-old races listed above fail to meet the arbitrary trial specification regarding added money; the three-year-old races do not meet the distance requirements; and the other races are invitational and therefore somewhat restricted as to make-up of the field.)

CHECKPOINT

Already there are listed 50 races of more than ordinary added value and prestige, all of which are basically sporting in structure, that is ability is not deliberately penalized through assignment of weights by a handicapper. As modified by the conditions of the race, each horse runs on its merits.

At this point it can be seen that a definite decision will have to be made as to what, precisely, is to be the meaning of the new designation "classic." If the word is to distinguish the outstanding few horses of each generation, there already are too many races under consideration. If, however, the word merely is to separate proper legitimate stakes races from spurious ones, many more races are eligible.

To continue the breakdown of American stakes races as to general type, down through the entire spectrum, there are:

E—Prestige Handicaps: Handicap races of \$50,000 or more added value. Races which do not meet "trial classic" specifications in some respect besides weight are duly noted.

<i>Prestige Handicaps</i>		
American Handicap	Display H.	Lincoln Special (1 1/16 Mi.)
Arch Ward Memorial H.	Equipoise Mile	Los Angeles H. (7 fur.)
Argonaut Handicap (1 Mi.)	Gallant Fox H.	Manhattan H.
Arlington Handicap	Grey Lag H.	Massachusetts H.
Arlington Matron H. (1 Mi.)	Gulfstream Park H.	McLennan H.
Atlantic City H. (invitational in '57, not so in '58)	Hawthorne Gold Cup	*Hialeah Turf H.
Balmoral Turf H.	Hollywood Gold Cup	Inglewood H. (1 1/16 Mi.)
Beldame H.	Idlewild H.	(1 1/16 Mi.)
Brooklyn H.	John B. Campbell Mem.	Ladies' Handicap
Carter H. (7 fur.)	Trenton H.	Tropical H.
Delaware Handicap	Santa Anita H.	United Nations H. (invitational)
Santa Anita H.	Santa Margarita H.	Vineland Handicap
Saratoga H.	Suburban H.	Warren Wright Memorial H. (7 fur.)
Sunset H.	Sunset H.	

TOTAL: 48 events

(Wm. P. Kyne Handicap excluded because of lack of history)

*Now known as Hialeah Turf Cup; not a handicap.

F—"Legitimate" Stakes Races (in addition to those previously listed): Stakes races of any variety according to the present definition, of an added value of \$10,000 or more, which do not meet the requirements for inclusion in categories A through E. In general these are races which can be referred to as stakes in a catalogue or pedigree without stretching a point, as distinguished from those races which, though technically stakes, are popularly regarded as stakes in name only.

There are many famous and traditional races in this group, such as the Alabama, Black-Eyed Susan, Cowdin, Juvenile, National Stallion, Withers Stakes, Lawrence Realization, and Black Helen, Dixie, Dwyer, Jerome, Paumonok, Toboggan Handicaps, etc.

"Legitimate" stakes can be broken down further into sub-groups as follows:

No.	Added Value	Representative Examples
14	More than \$25,000	Dwyer H., Camden H., Bidwill Memorial H., etc.
102	\$25,000	Alabama S., Withers S., Fall Highweight H., etc.
78	\$20,000	Astarita, Black-Eyed Susan S., Paumonok H., etc.
72	\$15,000	Alcibiades S., Flash S., Nat'l Stallion Stakes, etc.
90	\$10-\$14,999	Bashford Manor S., Lafayette S., Ak-Sar-Ben H., Armed H., Bay District H., Boots and Saddle H., etc.
TOTAL: 356 events		

CUMULATIVE SUMMARY OF AMERICAN STAKES RACES AS TO GENERAL TYPE

Category	No. of events	Cumulative Total
A—Definite Classic Caliber	17	17
B—Virtual Classic Caliber.....	13	30
C—Near Classic Caliber.....	10	40
D—Probable Classic Caliber.....	10	50
E—Prestige Handicaps	48	98
F—Legitimate Stakes (besides those listed in above categories)		
more than \$25,000 added.....	14	112
\$25,000 added.....	102	214
\$20,000 added.....	78	292
\$15,000 added.....	72	364
\$10,000 added.....	90	454
* * * *		
(Races not under consideration for new definition of classic)		
Spurious Stakes (less than \$10,000 added value).....	187	641
Restricted Stakes (races restricted to foals of certain geographical area, etc., but not including invitational events)	56	697
* * * *		
Extra Runnings (races run in two divisions).....	16	713
Steeplechase and Hurdle Stakes	27	740
Total number of stakes races run in 1957.....	740	

(A breakdown of these races as to age divisions, distance, dirt and grass courses, and average added money is provided in the accompanying table.)

Discussion

It now should be possible to determine the number of classic races it is desirable to have, then to establish the definition of "classic" so as to include the appropriate number of races by referring to the "cumulative total" column of the preceding table.

For example, if the aim of the new definition is merely to distinguish between legitimate stakes and spurious stakes, a classic can be defined simply as a stakes race of added value of \$10,000 or more, in which case there would be approximately 454 "classics." Similarly, if a finer distinction is desired, the minimum added value could be stepped up to \$15,000, resulting in approximately 364 classics, etc.

If, on the other hand, the aim of the new definition is to point out the few horses in each generation which demonstrate conclusive superiority on the race course, perhaps the requirements for category "A" could be adopted, in which case there would be only 17 races designated as classics. If this number is too large, further adjustment could be accomplished by making more stringent the requirements as to age of contestants, value, distance, or history (a clause to the effect that a race must have had ten successive renewals under the same conditions, for example.)

Or, if it is decided that the most sought after events should be the classics regardless of the basic concept of the races concerned, the definition would boil down to a question simply of value. In this case, gross value rather than added money, should be the criterion, and there would be approximately 40 races eligible for classic status. For convenience, the 35 races of 1958 which grossed \$100,000 or more are listed herewith (this number is expected to increase, which is the explanation for the figure "40" above.)

Races Which Grossed \$100,000 or More in 1958

Distance	Event	Age Division	Type of Race
6 furlongs	Arlington Futurity	Two-year-olds	Allowance Stake
	Arlington Lassie	Two-year-olds (fillies)	Allowance Stake
	Princess Pat	Two-year-olds (fillies)	Allowance Stake
6½ furlongs	Washington Park Futurity	Two-year-olds	Allowance Stake
	Futurity (Belmont)	Two-year-olds	Scale Weights
1 Mile	Champagne Stakes	Two-year-olds	Scale Weights
	Arlington Classic	Three-year-olds	Allowance Stake
	Equipoise Mile	Three & Up	Handicap
1 1/16 Miles	Washington Park Hdcp.	Three & Up	Handicap
	Gardenia	Two-year-olds	Scale Weights
	Garden State	Two-year-olds	Scale Weights
1¼ Miles	Pimlico Futurity	Two-year-olds	Scale Weights
	Californian Stakes	Three & Up	Allowance Stake
	John B. Campbell Mem.	Three & Up	Handicap
	American Derby	Three-year-olds	Allowance Stake
	Flamingo Stakes	Three-year-olds	Scale Weights
	Florida Derby	Three-year-olds	Allowance Stake
1 3/16 Miles	Santa Anita Derby	Three-year-olds	Scale Weights
	Preakness	Three-year-olds	Scale Weights
	United Nations Hdcp.	Three & Up	Handicap

1¼ Miles	Kentucky Derby	Three-year-olds	Scale Weights	
	Westener Stakes	Three-year-olds	Allowance Stake	
	Santa Anita Maturity	Four-year-olds	Weight-for-age	
	Woodward Stakes	Three & Up	Handicap	
	Delaware Handicap	Three & Up	Allowance Stake	
		(F. & M.)		
	Gulfstream Park Hdcp.	Three & Up	Handicap	
	Hawthorne Gold Cup	Three & Up	Handicap	
	Hollywood Gold Cup	Three & Up	Handicap	
	Monmouth H.	Three & Up	Handicap	
1½ Miles	Santa Anita Hdcp.	Three & Up	Handicap	
	Widener Handicap	Three & Up	Handicap	
	Belmont Stakes	Three-year-olds	Scale Weights	
	Washington, D. C.			
	International (inv.)	Three & Up	Weight for Age	
	Sunset Handicap	Three & Up	Handicap	
	1⅝ Miles	San Juan Capistrano	Three & Up	Handicap
	1¾ Miles			

Distribution:

9 two-year-old races, 9 three-year-old races, 1 four-year-old, 16 three & up—
TOTAL: 35 events.

The preceding list, too, can be altered in size by including in the definition of "classic" stipulations as to age of contestants, value, weight conditions; distance, history, etc. Caution is recommended here, however, since a certain amount of area discontent could result.

For example, increasing the minimum distance of a two-year-old classic would eliminate all Chicago races—and Arlington and Washington Parks could maintain with some justification that six furlongs in the summer is just as suitable a distance as a mile in the fall. Similarly, raising the three-year-old distance would militate against the winter tracks which could, and undoubtedly would, maintain that 1¼ miles in the winter is as conclusive as a longer distance later in the year. (Chicago, it appears, would suffer all along the line through more rigid distance requirements.)

Making the list more exclusive by imposing even higher minimum purse values possibly would induce a mad scramble on the part of track managements to establish at least one classic event, to the detriment of a wholesome, well-rounded stakes program.

Invocation of "historical" or "traditional" criteria might give rise to accusations that New York is trying to corner the market on "classic races."

The opinion here is that weight requirements offer the best means of control. Perhaps, even, some thought should be given to defining a classic *winner* rather than classic *race*, possibly a definition such as:

"A horse which wins an event of added value at least \$50,000, or gross value at least \$100,000, at a minimum distance of six furlongs in the case of two-year-olds, one mile and one-eighth in the case of three-year-olds, and one mile and one-quarter in the case of older horses, shall be considered a classic winner provided said horse carries at least the amount of weight called for by the Scale of Weights and receives no weight concession according to the scale from any other horse in the race."

A definition of this sort would give recognition to horses which win important handicaps or allowance stakes with their weight up, but would deny recognition to those which win by virtue of weight concessions—and, of course, all winners of important scale weight and weight-for-age races would earn the classic designation.

In any case, it is unlikely that any definition can be devised which will meet with unanimous approval and, further, a fixed number of classic races cannot be guaranteed since, whatever the definition, it reasonably can be expected that some tracks will change the conditions of their races to suit—which could be very good for racing as a whole depending upon the definition selected.

* * * *

Opinions—Although there is now no universally accepted definition of "classic race" in America (some horsemen confine application of the term to just the three Triple Crown races, others include the Jockey Club Gold Cup, still others include any scale weight or weight-for-age stakes event), there is a rather firmly implanted general idea as to what a classic ought to signify. Therefore, and with due recognition of the fact that the whole idea of this study is to establish if necessary a completely *new* connotation of the term "classic race," I hesitate to stray too far from the old concept.

To have more than, say, 30 races (which amounts roughly to 1 race in 1,000) called "classic" cries out against the generic implications of the word. On the other hand, to designate only 30 classics does not completely accomplish the mission since no distinction would be effected between the designation of such disparate stakes events as the Metropolitan Handicap and the Black Canyon Highway Handicap.

France has its "Prix" and "Grand Prix" and other countries have "Premios" and "Gran Premios," so possibly America should have more gradations in its stakes designations.

Recommendation

Add to Part I, paragraph 9 of the Rules of Racing, after the definition of "Sweepstakes," the following:

"(b) A Premium Sweepstakes is a Sweepstakes of added value \$25,000 or more, or gross value \$50,000 or more.

"(c) A Classic Race is a Sweepstakes of added value \$50,000 or more contested under weight for age or scale weight conditions at a distance greater than one mile and one-eighth.

"Within the meaning of this definition, a horse which wins any Sweepstakes that is equivalent to a Classic Race in value and distance shall be considered a Classic winner, provided said horse carries at least the amount of weight specified by the Scale of Weights for that distance."

This double-definition would eliminate two-year-old races entirely from classic status, and severely curtail other races, but there would be ample opportunity to earn extra prestige via the "premium" race.

Only 7 races, under their present conditions, fit the classic specifications proposed above—the Kentucky Derby, Preakness, Belmont, C. C. A. Oaks, Canadian Championship, Jockey Club Gold Cup and Woodward—but horses can gain classic stature by winning any of 28 other races under appropriate circumstances. And, of course, there is the possibility (and hope) that the conditions of several other races would be altered to fit the classic pattern.

Alternate Recommendation (in the event the idea of two definitions in unacceptable)

Define Classic Race as follows:

"A Classic Race is a Sweepstakes of added value at least \$75,000, or gross value at least \$100,000, contested under weight for age or scale weight conditions at minimum distances specified as follows:

Two-year-olds: 6 furlongs before September 1, 7 furlongs from September 2-October 1, One Mile thereafter.

Three-year-olds: One mile and one-eighth before May 1, more than one mile and one-eighth thereafter.*

Older than three: One mile and one-quarter.

In the case of races exclusively for fillies and mares, races of \$50,000 gross value shall be considered as classics providing they meet other specifications outlined for such races."

*Preferably three-year-olds should be required to go at least one mile and one-quarter after May 1, but the Preakness would not qualify. It's unfortunate to have to tailor a definition to fit just one race—but it's difficult to exclude that particular race.

This definition takes in all races named in category "A" except the Canadian Championship (16 events), and opens the way for several races in other categories to qualify by the slight changes in their conditions. This definition, too, can be modified with a clause concerning allowance and handicap stakes winners which win with their weight up.

End of the Report

MR. CASSIDY: That's the end of Mr. Robertson's work. He has worked hard. The report is exceptionally well done and it took a great deal of time to do it. We had other letters from members of the Committee, the majority of which complimented Mr. Robertson on his presentation and have much more modified suggestions in respect to what extent a classic should go. The Committee met, or the members of the Committee that were available, last week and arrived at what they thought was a practical conclusion, at least for the time being, and that is contained in a letter that was sent in by Mr. Leslie Combs. The Committee approved the thought contained in this and submitted it to Mr. Humphrey. The letter reads as follows:

Dear Marshall:

I have your letter of June 5 and have gone over it and all the material to Define Classic Races very carefully with some of the members of the American Thoroughbred Breeders Association, Inc. and particularly Mr. Bower, Field Secretary. Our conclusion is that however desirable it might be to accord recognition to certain selected races, it probably would be unwise to attempt it, for various reasons.

For one thing, the conditions and the added money in stakes races are subject to rapid change these days, and I think a list of classic races therefore would have to be revised fairly often. There is no reason why revisions should not be made when necessary, but I think some tracks which presently do not have races of classic stature would alter the conditions of some races to make them conform to whatever standards might be used in selecting the classics. There would be nothing basically wrong with this, except that we now have so many major racing areas and so comparatively few top horses in any age group that many of the so-called classics would be won by horses of less than classic ability. In a matter of time the classic races would then be so diluted by numbers that the original plan of the Committee would be distorted.

Moreover, there inevitably will be disagreement as to what constitutes a classic race. Many people will favor a distance of 1¼ miles or more for horses older than 2, but many others have come to consider races at from 8 to 10 furlongs as being perhaps more representative of American racing. Then, of course, there are such searching races as the Fall Highweight Handicap, which appeals to many people and which offers a rather thorough test of a type of horse prevalent in America, but which could not honestly be called a classic, though at times it is a tremendous race.

Then again there is the present emphasis on rich races for 2-year-olds. I wonder

if in the long run these races may not be harmful to our young horses. Should some of these races for juveniles be left off the list there undoubtedly would be some complaints, yet there is reason for wondering if these races are fundamentally good for the sport. A decade or so ago perhaps one could have selected two or three races for 2-year-olds and considered them to be classics. But now there are so many 2-year-old races carrying large purses that the situation in this division has become distorted, and it might be some time before it becomes clarified.

Many students of racing decry the paucity of weight-for-age races, and would insist that this category be well represented on a list of classics, yet the scarcity of good older horses, and sometimes the lack of top 3-year-olds, causes these races to be less revealing in practice than in theory.

In sum, while there can be no lack of sympathy with an effort to establish a list of classics, it does not seem feasible at this time. In America we do have a long tradition of racing, yet the sport still seems to be in a state of growth and flux. So in the long run I doubt if any good would be served right now by compiling a list of classics, whereas I can see that confusion, rancor, and perhaps some unwise competition among race tracks would result.

Perhaps it would be better to leave matters as they are until conditions settle down, if they ever do, and continue our usual custom of selecting classic horses each year instead of trying to designate classic races. We have the Experimental Free Handicap, the Blood-Horse Handicaps, the Daily Racing Form selections, the TRA selections, and the Turf and Sport Digest Poll at the end of each year for designating the outstanding horses. Though various means are used by each group, there is a considerable unanimity of opinion as to the best horses of any given year. These choices are established on the basis of merit, and perhaps it is better to select individual champions this way than to try to establish standards for a group of races.

Best wishes,

Signed, Leslie Combs II

MR. CASSIDY: Now Mr. Humphrey thought, and we think, that presents a pretty good picture of what has been done so far and we would like to get the opinion of some of the people here about the subject. I think that possibly calling on some of the different organizations we can probably find out how their organizations feel. Mr. Gushen, what is your organization's opinion?

MR. GUSHEN: I don't want to make light of the report that was so judiciously prepared but it was quite complicated as I am sure everybody here realizes. I think that this report—the recommendations—certainly would have to take a lot more study than what we can give it here. We have only about two and one-half hours here, and I don't think this particular problem could be settled if we sat here for two and one-half weeks not two and one-half hours. I suggest that copies of this report and the recommendation be mailed to all of those in attendance to give them time to study it and digest it. Then have them write in their suggestions on it because I honestly don't think that anything constructive will come here this morning. It is too complicated a situation and there are too many facets of it for us to be able to discuss it without giving it more study.

MR. CASSIDY: I don't think we expect to come to a conclusion. I was speaking more of thoughts or ideas that you might add to what has already been said. Mr. Hooper, do you have any ideas?

MR. HOOPER: I don't. I might be a little prejudiced since I always have a sprinter and no distance horses, but I think there is a problem with too many big races for maybe all of the horses and not enough provision for the medium horses. But as for what is a classic, I haven't much of an opinion on that. I think horses, even if they are sprinters, should be entitled to some consideration and be classic-

typed. That is just my opinion. That may be to do with prejudice again, as I say most of my horses have been sprinters.

MR. PERLMAN: I think something needs to be done but I don't think we can accomplish it here. In fact, I think this discussion brings up a point that we might consider in the future that when you have reports of such length they should be mimeographed and sent to all representatives so that they can read it and digest it and consider it before coming to this meeting. I think something needs to be done. I think a start should be made. There are stakes winners today who win races of no significance whatsoever and yet they are termed stakes winners and some tracks have large purses for races that are not stakes. I think it is wrong and that a start can possibly be made by having stake races \$25,000 and up. It is impossible to have designations based entirely on the type of horses the race attracts because one year you will have a great field and the next year you will have a poor field and if you are going to leave it to the opinion of a board you will have so much trouble you will be sorry you ever touched it. It has to be an automatic definition and my own opinion is that money is the only way in which you can do it and the idea of distances, in my judgment, is not important because some of our greatest sires in this country have been horses that have not won over a distance. There are a lot of breeders who prefer horses that have speed to those that are plodders. You can get into a very long discussion here. A horse like Haste, for instance, has been very successful in many respects as a sire. Bull Lea, the greatest sire this country has ever produced, only won one race in his whole career over a distance of ground. So I think a discussion like that is endless. I believe you have to start somewhere and come up with a new definition in relation to a stakes winner, if not a classic winner. It will separate the class of horses at least and there will be some significance when they say this horse is a stakes winner. I think the Committee should stay in force and come up with a change that I am sure would be beneficial.

MR. CASSIDY: Thank you. How about the Sales Companies? They are concerned with the designation. How about it, Mr. Doherty?

MR. DOHERTY: I think that too much emphasis is placed on the word "classic." Perhaps with one certain circuit such as you have in England there could be a true definition that means classic. With the seven or eight different circuits that we have in America, I doubt if there would be any meaning within the word, if you broaden it. Last year when the Committee was appointed I didn't realize the emphasis was on Classic. I thought it was going to be an attempt to grade—A, B, C, D—stakes. I think for future generations that is important, whereas the term classic, the way we race, I don't think it would mean much except as an extra honor.

MR. CASSIDY: Is there anyone here who would like to make a comment on this topic?

MR. WIDENER: I agree with Mr. Perlman. I think it would be a very good idea to send a copy of Mr. Robertson's report to everyone here and let them write in their thoughts. I think the best way to do it is to grade them.

MR. HUMPHREY: What we want to know, of course, is whether this finishes our Committee's job or whether there is sufficient interest so that further study or further comment should be made with respect to it. I realize you can't reach any conclusions on such a complicated subject. I think this report demonstrates how terribly complicated this thing is but I should like to get an idea as to whether this should have further study. Is it desirable to do something to make some distinction between the kind of stakes that we now have. thinking of breeding three or four generations from now? In the first generation or two the name of the stake settles what it is but three or four generations from now you are not going to go back and look up what stakes the horse won, at least it would be very difficult to do that. Now do we want to have some reclassification of stakes races either in the classics, the premium stakes or mediocre stakes or the 1-2-3 stakes. do we want to do something of this kind as

Mr. Perlman suggested, or do we want to forget it and let time develop and see whether some change could be made ten years from now? Is this a subject to be pursued now or should it be just passed by and should we wait and see what happens? Now I'd like to get some ideas as to that. Is our Committee through and discharged or would you like some further effort made?

MR. CASSIDY: I think we can determine the consensus of the meeting by a show of hands asking two questions. The first is: Is it the sense of this meeting that we continue to try and arrive at a conclusion? The other question is: Is this as far as we should go at this time? Those that think it is desirable to continue to seek out a solution which may be valuable to racing please raise your hands.

A show of hands

Now will those raise their hands who think enough has been done and we should, for the moment at least, leave matters as they are?

A show of hands

It looks like we shall continue. Thank you. Therefore we will have this report mimeographed and send a copy of this and Mr. Combs's letter to all who are in attendance here today.

MR. HUMPHREY: I think the thing to do would be when this is sent out for everybody who is interested to write Mr. Cassidy their comments. From the letters that we receive we can get a lot of guidance.

MR. CASSIDY: Thank you.

* * * *

MR. CASSIDY: The next question is a very simple one.

2. WOULD IT NOT BE ADVISABLE FOR THE JOCKEY CLUB TO REFUSE TO GRANT NAMES THAT INVOLVE OBVIOUS MISSPELLINGS?

They give as an example—Repetoire. The Jockey Club's Registration Department since the beginning has been concerned, of course, when it receives a request for the name of a horse which is misspelled. In a great number of cases we write to the party who submitted the name and we find that the misspelling was deliberate. They want it that way and they want it for the same reason or a similar reason that a person does who combines two names and submits a name which is a combination of two names in the male and female branches of the pedigrees. I don't know whether we should refuse to accept any name that is misspelled.

MR. WIDENER: I would think you would have to accept the request of the person who sent it in. They were notified the name was misspelled and they still said they wanted it.

MR. CASSIDY: They are except when there isn't any word in the dictionary that you can find similar to it. Then too there are times when a name gets by but the general procedure is to write the person requesting the name.

MR. LAUDER: I'd like to add something to that. On a non-trade paper, of course with Mr. Perlman's paper they understand the spelling of horses names, but at the average newspaper if you send in a name misspelled we have a very smart man downstairs who knows how to spell it. He'll change it and so the correct spelling is a misspelling. Dr. Kaye has a horse named after him called Sir Alexandr Kaye. To make it fit they dropped the E in Alexander. I can't get it in the paper that way. I've written, I've talked, I've yelled, I've screamed, but they put the E in for me and make it right. I don't know whether you care whether you have misspellings of your misspelled names or not. That's not a good thing though. It's hard to have a misspelling in the paper.

MR. DUNNE: It's wonderful.
(Laughter)

MR. CASSIDY: I would think it might be just as well to refuse a proper word that is misspelled.

MR. WIDENER: What do you mean by a "proper" word?

MR. CASSIDY: A word that is in the dictionary. Do not accept it that way but if it is a made-up word accept that. Any further comments?

3. WOULD IT NOT BE ADVISABLE TO PROHIBIT ALL NAMES THAT SUGGEST THE REVERSAL OF THE HORSE'S SEX, i.e. THE CURRENT TWO-YEAR-OLD FILLY WITH THE ORIGINALLY APPROVED NAME "COUNT RULLAH" NOW RACING AS COUNTESS RULLAH?

It's a filly. There are some names that I don't believe have a gender.

MR. PERLMAN: This should not be permitted because a lot of people who do not follow racing too closely immediately get the impression that they are following a colt, instead of a filly, and I think this should not be permitted.

MR. CASSIDY: I think the feeling on this is unanimous. The next question is:

4. IS THE PRESENT SYSTEM FOR LICENSING TRAINERS THROUGHOUT THE COUNTRY ADEQUATE? COULD NOT SOME MORE SATISFACTORY METHOD BE ADOPTED TO INSURE THE LICENSING OF ONLY ENTIRELY CAPABLE TRAINERS?

I think that we have tried for many years to keep the standard of trainers high by giving them an examination which tests their knowledge and experience and also having endorsers sponsor them and appear in their behalf and be somewhat responsible for them. We try to be sure they are experienced and are sound and of good character. I imagine that this is done all over. I don't know. Magistrate Bigelow, how do you do it in Canada?

MR. BIGELOW: We follow your system, Mr. Cassidy. We give them a written examination which varies from time to time plus an oral examination.

MR. CASSIDY: Do you have references that are required and people who must endorse the application?

MR. BIGELOW: Yes.

MR. CASSIDY: What type of person endorses them? trainers?

MR. BIGELOW: Banks or other people in racing who are licensed.

MR. CASSIDY: But not on the qualifications as to ability.

MR. BIGELOW: As far as that is concerned, they get their license if they pass the written and the oral examinations.

MR. CASSIDY: Mr. Hancock, what do they do in Kentucky, do you know?

MR. HANCOCK: Mr. Combs would be more qualified to answer.

MR. COMBS: I think they do it the same way you do. They give an oral test.

MR. CASSIDY: No written examination?

MR. COMBS: No.

MR. CASSIDY: Do you require endorsers?

MR. COMBS: Yes.

MR. CASSIDY: Is there any other state represented here who would like to say what is done there. I think we shouldn't be lax at all. I think that's a very important function. I think we should certainly have a man who is pursuing a profession which makes him responsible for the condition of the horse. The next question is:

5. SHOULD A HORSE THAT HAS SET A TRACK RECORD AND SUBSEQUENTLY IS DISQUALIFIED FROM FIRST POSITION BECAUSE OF THE USE OF PROHIBITIVE MEDICATION BE ENTITLED TO THAT RECORD?

There are two rules involved and the following was adopted by the National Convention of the State Racing Commissioners:

"The time recorded for the first horse to cross the finish line shall be the official time of the race. In the event that a horse establishes a track record in a race and it later develops that the chemical analysis of any sample taken indicates the presence of a narcotic stimulant or local anesthetic then such records shall be null and void." For some time, a horse that won a race, if he was disqualified, did not get credit for having broken a record. The rules have been changed recently so that if he finished in front and finishing in front he broke a record, even though he was disqualified, he is entitled to the record itself. I don't know whether the question that we have now raised has ever been brought up on a national basis but personally I do not think that a horse that has been found to have been stimulated should be entitled to a record. He has had an assistance presumably which makes him perform better than he physically could otherwise. Mr. White, would you like to comment on that?

MR. WHITE: Yes, Mr. Cassidy. This question arose from the fact that until 1958, which was a year ago, there was no universal feeling as to what the time of the race should be. There was a great deal of discussion, at the time, if a horse was disqualified for any purpose whatsoever, about what the time of that race was because they time only the finish of a race. Therefore, say in the sixth race at Aqueduct there was a disqualification—then there would be a blank and there would be no time for the race. So in 1958, the NASRC met and they adopted and recommended unanimously, in most cases, certain uniform rules which would be adopted by all the states and enforced. One was the rule which you read, namely the time recorded for the first horse to cross the finish line shall be the official time of the race, and it was interesting at our Convention this year to see the record shows that 21 of the states had adopted that rule and four had not adopted it but since that time it is my understanding that the rule has been adopted by all states. However, the National Association felt that something under Illegal Practices should be set up in case a horse was stimulated and in the second rule which is under our Illegal Practices Rule it says if the chemical analyses show anything, the record will not stand. Of course, that still leaves the question: What is the time of the race? Now on that Rule, 21 of the states adopted it and four had not which shows the majority wanted it. There was one state involved which led us to understand from the report issued by that state that a race was run in record time, but the Stewards wouldn't let the time stand. However, since that time, I believe, that state has adopted the rule. But the purpose for bringing this up before this group is to get your views. Our National Association never has an opportunity to meet many of you gentlemen who are here though I understand all the organizations throughout the country are invited to participate in our Convention and also in our pre-convention meetings of the Uniform Rules which are held in November. They are also held just prior to the Convention itself and if there are any organizations here represented I am sure on behalf of the NASRC whom I represent here, we would be very happy to take your ideas to the next Convention or to the meeting of the Uniform Rules in November of this year, anything useful on this matter of the time of a race and as to whether or not a record should stand if a horse is disqualified for any purpose. Therefore, I would like to have this subject thrown open. We probably will get some ideas from those who never participated with us in our Convention which might give different slants to it. I have one slant here from one gentleman. How can you let it stand if the horse is disqualified and he cited the famous case of Thorpe who broke all the records at the

Olympics and was disqualified and his record was struck out and he returned all his medals. He was disqualified and should never have been in the race because he was a professional, but these horses are in the race and whether or not their record should stand or whether or not the track should put the time down as the official time or how it should be handled on the program, we don't know. We would like to hear something from the organizations that will not be present at our Conventions or at our meetings about this matter of the time of the race.

MR. CASSIDY: It seems to me that the time of a race unless it is a record time has a different significance than just breaking a record. If a horse is disqualified the only way you could compute or analyze the performance of the horses behind him would be the time that the first horse which crossed the finish line. Then you would have to consider how far the horses were beaten that finished behind him. I don't think that has any great significance. The horse that wins it, he is disqualified, so he doesn't get credit for anything. The fact that he ran three quarters in 1:12 or 1:13 or 1:14 is only a gauge to measure the speed of the horses that finished behind him. I think it is quite a different thing when a record is broken.

MR. PERLMAN: For Mr. White's information the instigation for this rule that you now have come from this body two years ago at the 1957 meeting. This Round Table passed a resolution recommending that change for the consideration of Commissioners and also the change in the disqualification rule in relation to entries. Therefore, actually the representatives here are well acquainted with that except that the commissions added that the record would not stand if it was a case of stimulation. I think this view is shared by most people.

MR. CASSIDY: Would anyone else like to comment on that?

DR. CATLETT: Mr. Cassidy, I feel very definite about that. I think if a horse has been stimulated that he is certainly not running normally or by his own power and I don't think the record should stand.

DR. GILMAN: When a horse has a positive saliva or urine test we don't know for sure that the horse was assisted by the drug. He might have been helped and then again he might not have been helped. How about the case at Belmont Park where a filly set a track record down the Widener Chute with a hurricane behind her? That horse we know was assisted and the record stood.

MR. CASSIDY: We must draw a line because I don't think we can decide on the velocity of the wind.

DR. GILMAN: I think that the track record should stand but there should be a note attached to the record such as this horse was stimulated, or there was a hurricane, etc., and people can take the record for what it is worth.

MR. CASSIDY: That's true. A good suggestion. Yes, Mr. Morgan.

MR. MORGAN: The Association of Official Racing Chemists which I represent had nothing to do with the adoption of this rule, but it certainly endorses it completely, because if a drug has been detected indicating that the horse ran under the influence of the drug, whether performance was favorably affected or not, it seems to me that any record established by that horse should not stand. It would defeat the entire object of the analysis of samples, because it would condone, at least in part, the illegal use of drugs.

MR. CASSIDY: Thank you.

MR. WHITE: I would like to point out that that's why the National Association put this phase of it for making the record null and void under Illegal Practices. The purpose was so that there would be no conflict between our Illegal Practices Group and our group for the other conduct of racing.

MR. CASSIDY: Any other comment? On to the next question.

6. IN AN EFFORT TO BRING THE USE OF A MEDICATION KNOWN AS BUTAZOLIDIN OUT INTO THE OPEN AND ITS USE UNDER THE CONTROL OF VETERINARY SUPERVISION THE COLORADO RACING COMMISSION HAS AUTHORIZED THE COMMISSION VETERINARIAN TO PERMIT BUTAZOLIDIN MEDICATION WITHIN 48 HOURS OF RACING. WHAT IS THE REACTION OF THIS GROUP TO SUCH PROCEDURE?

Dr. Catlett, do you know the effect of the drug?

DR. CATLETT: I am not familiar with the drug.

DR. REED: The drug is used in human medicine for an arthritic. I couldn't give much information on it. I would think that Mr. Morgan could give you a much better idea of it than I could.

MR. MORGAN: As Dr. Reed said, the drug is used in human medicine for arthritic and rheumatic conditions, particularly for gout, and it is accepted for the purpose to a considerable extent. It has been said recently by a State Racing Commission veterinarian that it is possible to rub horses "hot and cold" by judicious use of the drug. If that be true, its use should not be permitted. In any case my Association believes that the administration of any drug prior to a race should not be allowed.

MR. CASSIDY: Does the drug alleviate pain?

MR. MORGAN: There I am off my ground, Mr. Cassidy. Dr. Woodcock would be better able to answer that than I.

DR. WOODCOCK: I have had the opportunity of doing a little research work on this particular drug and it seems perfectly obvious that in many cases, a slight arthritic condition is relieved. Now whether it is due to the fact that it actually relieves the pain or whether it is due to some other action the drug may have on the entire system, I don't think we know as yet. I have had conversations with veterinarians from various race tracks and their opinion is that the drug does help in the case of old horses who are stiff and sore. Actually I believe that many horses are trained off this drug because it helps them to extend and they are able to go out there and perform better under the influence of the drug than without it. I don't believe there is any question that it may act favorably in some cases and it may act unfavorably in other cases. The point involved here is not whether or not this drug is actually helping because if it weren't helping it would very soon lose preference with the veterinarians and trainers. The point involved, I believe, is whether or not the horse can be run hot and cold. Here in New York, I don't believe it can. This is only my opinion, because of our pre-race examination. The kind of horse this drug will help is the kind of horse we find on the barred list here in New York because of what the examining veterinarian believes is a condition which prevents the horse from performing to his best ability. So I think that a discussion about this particular drug, in view of the fact that we haven't had a chance to do as much experimental work as is necessary, is a little premature. I feel that it is not quite the problem that it might appear to be on the surface wherever there is a pre-race examination. This drug wouldn't help a horse that has a bowed tendon and it wouldn't help a horse that had a fractured sesamoid because the pain involved is too great. It will help the old arthritic horses, the kind of horses that you would have at a "lesser" track. I would think that the drug at a "lesser" race track would be pretty valuable in that it would enable them to put on races of a decent caliber because the drug would help these old arthritic horses. The sum and substance of it is that we haven't had enough chance to do enough work on it. Last year I was talking about various drugs that were undetectable and so forth and I mentioned at that time we could use a little money for experimental purposes. We have such a thing in the Chemistry Research Fund and I think it would be a very wonderful thing if all the people con-

cerned with racing would show just a little bit more affection for that Fund and make their contributions a little larger so that we do work on these things.

MR. CASSIDY: You are going into promoting now.

(Laughter)

I want to ask a question: What is the difference between using cocaine or novocaine and this drug? Don't they all alleviate pain?

DR. WOODCOCK: In essence, they both alleviate pain, but we have found that cocaine will stimulate and so will procaine. This drug will not. This drug has no stimulating effect whatsoever.

MR. CASSIDY: You have found that out.

DR. WOODCOCK: We feel that way about it, yes.

MR. MORGAN: I think I can answer the question that you posed a few moments ago about whether it is just a pain killer or whether it has a curative effect. I use these terms with all deference to my veterinary colleagues. I have here a reprint of an article from the Journal of Pharmacology and Experimental Therapeutics, and in its opening paragraph it says this: "Phenylbutazone," that's the non-proprietary name for this product, Butazolidin is the trade name, "has effects in rheumatoid arthritis and related disorders similar in many respects to those exerted by cortisone and corticotropin." That means that it is not just a pain killer but has a more profound effect.

MR. CASSIDY: I would like to read a note that was sent out by a Commission veterinarian to horsemen. It says: "Horsemen, Please Notice. In an effort to bring the use of a medication known as Butazolidin out into the open and its use under the control of veterinarian supervision, the Colorado Racing Commission has authorized me to permit Butazolidin for medication within forty-eight hours before racing. This program involves no changes in the basic rules of medication and is only authorized on a trial basis. Your cooperation in adhering to the Rules may determine not only whether we continue the program here but whether a similar program might be set up in other states. So if you like the idea, cooperate!" Then he speaks about the procedure. "Consult with your veterinarian and if he advises use, you register your horse with me. The act of registering is automatic permission for your vet to treat the horse at his discretion within 48 hours of racing. Your vet will submit a record each day to my office which restricts you from treating your horse in one race and then running your horse without treatment at another time. We will be checking samples. If tests show that you failed to treat a horse listed for treatment or that you treated a horse that was not listed you are in violation and your case will be referred to the Board of Stewards and the Colorado Racing Commission in the same manner as a stimulation case. My list of horses under treatment will be confidential and will be kept under lock and key; however, if you claim a horse and you want to know whether it was under treatment I will give you the information." It seems to me this is experimenting with the use of a drug or medication in actual racing itself. I think it is a bad practice. I think it is something that could very well work for the detriment of racing.

DR. GILMAN: Butazolidin, as far as I know, has been used for the past three or four years at the race tracks. It is a dangerous drug, a very dangerous drug. First of all, I think that everyone should know that there are two forms of the drug: Butazolidin and Butazolidin Alka. The Butazolidin Alka contains atropine and atropine among other actions is a stimulant. The second thing that I want to bring out concerning this drug is that even though many horses got sounder after administration of the drug it is a temporary treatment. If you give the drug to a horse three or four times many horses become anemic as the whole blood system can and very often does become depleted. I know of one case where one dose was given to a horse and the next day the horse died. I know of another case where a stake horse ran for three or four months on Butazolidin and won some of the biggest races in the coun-

try. So it is a tricky drug and I do know that most horses will not tolerate it for any length of time. Doctor Woodcock brought out the fact that this drug would only be used on sore horses; certainly it would not be used on sound horses. The rheumatic, arthritic horse might be helped by the drug but bear in mind that this is a radical treatment and will only help for a few races at the most.

MR. DONOVAN: It seems to me that this is a rather elemental thing. I think we are in dangerous waters if we try to make any exceptions, if we have a 48-hour rule. If you want to experiment, do it on the basis of research—but on the race track I think it is wrong to try to make exceptions to the 48-hour rule for anybody.

MR. CASSIDY: I think that's the problem that we are concerned with. I think since this group represents the many interests in racing that our feelings should be disclosed to the NASRC as the state in question is represented by a Commission and this is an official request that has gone out from the NASRC.

DR. WOODCOCK: I am glad the 48-hour rule was brought into this, too, because here is a drug with which you could very easily get around the 48-hour rule. In view of the fact that we don't have any concrete information as to the length of time required for this drug to pass through or how long after the final administration of this drug will it be able to be found in the urine, it seems to me that the 48-hour rule will very easily prepare the way for one to be giving Butazolidin and if the positive sample comes up say, "I stopped it 48 hours before the race." There you are. You are licked right there with your 48-hour rule as soon as the man or the veterinarian says that he stopped giving this stuff 48 hours before the race. How are you going to prove that he gave it to him 24 hours before the race?

MR. CASSIDY: That question has been brought up before about the 48-hour rule.

MR. WHITE: I'd like to find out. This is something brand new to me as far as the Association is concerned. I am quite sure that they must have had considerable thought on it because the Chairman of the Colorado Commission is one of the strongest rooters and boosters of the 48-hour rule we have in the Association, and he also is a member of the Uniform Rules Committee. I'll get in touch with him. I am interested in this Alka because he may not have that information out there.

DR. GILMAN: The same company puts both of them out.

DR. WOODCOCK: The other thing I wanted to point out is that this preparation is very easily obtained at any drug store. The difference between the Butazolidins is this: the Alka was put in because originally the drug caused gastric disturbances to human beings. They put out the new form of Alka which contains a substance to relieve any kind of gastric disturbance and such in the human being. It's true it has some atropine in it and of course with the tremendous doses that are given horses there is a possibility of it stimulating. Other than that the reason for the Alka is nothing more than to alleviate stomach disorders.

MR. CASSIDY: Another question:

7. WHY SHOULD NOT TWO OWNERS OR THEIR REPRESENTATIVES WHO HAVE THE SAME TRAINER BE ALLOWED TO CLAIM HORSES OUT OF THE SAME RACE?

The Rule of the New York State Racing Commission is: "a. No authorized agent, although representing more than one owner, shall submit more than one claim in any one race; b. No trainer although training for more than one owner shall submit more than one claim." I can only give you my opinion on that. I think that the qualifications to claim in the Rule is that owners registered in good faith for racing and in some cases who have started a horse at the meeting are eligible to claim. I don't see how a man could be restrained from claiming simply because his trainer is training

someone else's horses who also wants to make a claim. I imagine that's the full thought about that although it mentions the authorized agent, too. If a man is the authorized agent for two people then he can only submit the claim for one of them. Francis, would you like to make a comment on that?

MR. DUNNE: That rule was adopted on one of Mr. White's theories—that Uniform Rule idea, they recommended it—and that's why the New York State Racing Commission adopted it.

MR. CASSIDY: Has it already adopted it?

MR. DUNNE: Sure.

MR. CASSIDY: Mr. White, that has been approved?

MR. WHITE: Yes, that was Rule 6 adopted last year. This particular rule is: No person can claim more than one horse in any one race and no authorized agent although representing several owners shall submit more than one claim for any one race.

MR. CASSIDY: Is that logical?

MR. WHITE: That was the consensus of opinion and the NASRC voted in favor of it. They felt that there should be just one claim by one person.

MR. CASSIDY: Isn't that contradictory to your other rules—that any owner is entitled to claim a horse in certain conditions?

MR. WHITE: The owner still can claim under this rule.

MR. CASSIDY: What's the difference if the owner can claim it or his authorized agent? The authorized agent has full power to act for the owner.

MR. WHITE: I think they probably tried to keep the authorized agent from getting into trouble. They thought both might claim in the same race the same horse.

MR. CASSIDY: If so, what?

MR. WHITE: It puts the Stewards in trouble.

MR. CASSIDY: Don't worry about the Stewards.

MR. RYAN: Mr. Cassidy, if I work for three owners and I put three claims in the same race for the same horse and Mr. Brady puts one in for the same horse, I have a three-to-one chance of getting him.

MR. CASSIDY: No. You are the trainer.

MR. RYAN: I put my three owners in. I'm going to get him in the barn. What's the difference? We are all friends. Don't you think there is a chance of collusion here? I've got a weighted balance going for me.

MR. CASSIDY: As a trainer, but you are not claiming the horse. You are acting as an agent for the owners. If the owners would let you. . . .

MR. RYAN: I think they would okay putting in the claim.

MR. CASSIDY: They might, that's true.

MR. RYAN: That's the reason for the rule prohibiting two owners with the same trainer from filing claims.

MR. CASSIDY: I'm sure that's the reason for the rule.

MR. RYAN: That's a good enough one.

MR. CASSIDY: That's a matter of opinion.

MR. RYAN: It's mine.

(Laughter)

MR. WHITE: Along the same lines, not quite that same example was used but the example used was Trainer A trained for Mr. B and Mrs. B. There could well be collusion between Mr. and Mrs. B to get the horse.

MR. CASSIDY: A man and his wife are considered one in racing.

MR. WHITE: They may be divorced.

(Laughter)

MR. CASSIDY: They no longer have the same interests but they are still man and wife if they go by that name. Magistrate Bigelow, what is your opinion?

MR. BIGELOW: We have satisfied both schools of thought, particularly the one mentioned by that gentleman in the back seat.

MR. CASSIDY: Mr. Ryan.

MR. BIGELOW: We permit authorized agents to claim for as many owners as they like to claim for but not if they are trainers and not trainers for any number of owners.

MR. CASSIDY: How do you justify the conflict between that and the rule which gives an owner the right to claim?

MR. BIGELOW: Mr. Ryan pointed that out very well I thought. A trainer with a public stable with five or six owners can put five or six claims in for the same horse, and as Mr. Ryan pointed out he has 5 or 6 chances against 1.

MR. CASSIDY: Of course he has to have the owners' consent.

MR. BIGELOW: Yes, theoretically yes. But a lot of trainers for a public stable are running the whole show. The owners do what they are told by the trainers.

MR. CASSIDY: Why can't the owners claim themselves?

MR. BIGELOW: They can. They can and the authorized agents can but not the trainers.

MR. CASSIDY: The trainer can't claim. He claims for the owner. He acts for the owner. The owner is making the claim.

MR. BIGELOW: He claims as an authorized agent of the owner. If he is an authorized agent for the owner and also trainer we don't let him claim. An authorized agent period or the owner himself would be allowed to claim.

MR. HENDRIE: Mr. Cassidy, in due deference to Magistrate Bigelow, I would like to go on record as disagreeing with the rule and agreeing with you.

8. WOULD NOT THE USE OF THE FILM PATROL OR STRIP TYPE CAMERAS BE ADVANTAGEOUS IN MAKING UP A MORE ACCURATE PAST PERFORMANCE CHART?

I think if cameras were set at all points where a call is made it would probably be more accurate. It is at the finish, and it is available for use to determine the accurate distance between horses.

MR. PERLMAN: We have looked into that many times and of course if we thought that it would improve the accuracy we would have our chart caller every morning see the movies but you can't call distances between horses that are running at you. The only way you could get more accurate information is if you had a photo finish camera at every point. We have tried that, at Hialeah. One year the late Mr. Jones of Jones Camera put a camera in at the eighth pole and we found that the difference between the camera and what the caller was calling was so insignificant that the tremendous cost did not justify it. The cost would be prohibitive anyway. It would cost you about \$500 a day (about \$100 a day for each point). If you multiply that by tracks it would wind up costing you about two million dollars additional a year. And we found this, that as far as the calls across the race track are concerned, they are absolutely perfect and the most important call is the finish and that of course is completely accurate. As far as that question on the film patrol is concerned, it is no aid to accuracy.

MR. CASSIDY: No, not the film patrol. This question says the film patrol or a strip type camera.

MR. PERLMAN: Yes, I agree. I think in time it may come about. We are working on the idea of closed-circuit television, but even then it is very difficult because unless you have colored television you can't designate the horses. It is very difficult. The chart callers call entirely by colors, but it could not be done from the film patrol.

9. CONSIDERING A RECENT STRIKE BY THE BLACKSMITHS, WOULD IT NOT BE ADVISABLE TO ABOLISH THE PRESENT RULE WHICH STATES THAT A BLACKSMITH OR PRACTICING VETERINARIAN CANNOT RACE A HORSE? IF THIS DOES NOT ELIMINATE THIS PROBLEM, WHAT WOULD BE A GOOD SOLUTION?

The solution, I would think, is keeping the rule. The idea of prohibiting a blacksmith from owning horses and practicing as a blacksmith is that it would give him control of another animal that he might compete against, a horse that he might want to claim as an owner. He would have his hands on the horse. He would have access to a competitor and it isn't considered good practice. The same way with a veterinarian. I don't say they would do anything wrong but they would know a horse's condition. If they wanted to claim him and they had been treating a horse and knew something about him, they would have a reason to claim a horse when he wasn't up to his best effort and go on and improve him. It isn't considered here in New York a good practice for a person to have two such licenses at the same time, and I for one, do not think he should. I don't think that has anything to do with the strike in New York. We had a strike in which the blacksmiths objected to an owner's shoeing his own horse. They wanted to shoe those horses themselves. They wanted a monopoly on the shoeing, irrespective of whether the owner was capable. The contention in New York was that if the owner was capable and was not practicing on other people's horses as a blacksmith that he should be entitled to shoe the horses and they wrote a rule which made it possible for him to do it, providing he passed an examination showing his efficiency in shoeing a horse. If he did pass the examination he would be permitted to shoe his horses, but that the trainer would not, if he was practicing as a trainer. He could not shoe the horse if he was just the trainer.

MR. FITZSIMMONS: Marshall, wasn't that rule the cause of the strike on the race track?

MR. CASSIDY: It was an after effect. The cause of the strike was they didn't want Mr. Nizlek to shoe his own horses.

MR. FITZSIMMONS: Why shouldn't he be allowed to shoe his own horses if he was capable of doing it?

MR. CASSIDY: We finally resolved it so that he could.

MR. FITZSIMMONS: . . . so that he could, but how about a blacksmith owning horses. What harm can they do owning horses? They aren't going to last too long anyway.

(Laughter)

You get a strike on your hands and you have trouble all over.

MR. CASSIDY: That's true.

MR. FITZSIMMONS: I'd like to see the rule thrown out altogether. If a trainer can shoe his horses, let him shoe them and if a blacksmith can afford to buy a horse, let him buy one.

MR. CASSIDY: Mr. Fitz, the contention is that if a blacksmith has been shoeing other people's horses. . . .

MR. FITZSIMMONS: I am talking about shoeing his own horses.

MR. CASSIDY: There is no objection, but he wouldn't be permitted to own a horse.

MR. FITZSIMMONS: They describe him here as a blacksmith shoeing his own horse.

MR. CASSIDY: That was just an argument to support their contention that Mr. Nizlek should not be able to shoe his horse. They didn't want anybody to shoe a horse but a blacksmith.

MR. FITZSIMMONS: We couldn't get our horses shod for two or three days there. I don't know what it was.

MR. CASSIDY: That's what it was, plus the blacksmiths wanted an increase in salary of \$6 a day for the two men that were standing in the Paddock. Any other comment on that? What rule do you have in Canada, Mr. Bigelow?

MR. BIGELOW: We have no rule against permitting a blacksmith to own horses, but in practice, no blacksmith has ever owned a horse. We do allow veterinarians to own horses. We have two cases of that kind and we proposed to make a rule prohibiting that but the horsemen gave us quite an argument about it. There are only two anyway so we decided to let that situation go.

MR. MOONEY: We have had that in Ontario where men have shod their own horses. I can think of one. In our province we haven't any trouble such as that.

MR. CLARK: Mr. Cassidy, as I understand it a trainer who qualifies can shoe his own horses.

MR. CASSIDY: Not in New York. Only if he owns them. The rule reads that if an owner can prove his efficiency. . . .

MR. CLARK: Suppose he is an owner and trainer, he trains his own horses?

MR. CASSIDY: Mr. Dunne, do you know that?

MR. DUNNE: If he is an owner and a trainer and he can pass this examination, which I am happy to say nobody has even tried to pass,

(Laughter)

he can shoe his own horse, but not his employers.

MR. HANES: Is that the direct case of Mr. Nizlek?

MR. CASSIDY: Yes.

MR. HANES: Mr. Nizlek is an owner and a blacksmith and a trainer. He shod his own horse and the complaint of the blacksmiths was that he actually did shoe his own horse. We asked the Commission to hold a hearing and the Commission did hold such a hearing. All parties were heard and the Commission decided that an owner-trainer who was capable of passing an examination to be a blacksmith, could certainly shoe his own horse. I believe that is the rule.

MR. DUNNE: Not a trainer, only an owner. It makes no difference whether he is the trainer or not. If he owns the horse and he can pass the examination he can then shoe the horse.

MR. HANES: The blacksmiths accepted that decision.

DR. GILMAN: Who passes on this ability to shoe?

MR. CASSIDY: Two blacksmiths, two trainers and the Commission Steward.

MR. DUNNE: Who has no vote, thank God.

(Laughter)

10. SHOULD A LICENSED TRAINER BE ALLOWED TO RIDE A HORSE THAT HE TRAINS IN A RACE? SHOULD A LICENSED JOCKEY BE ALLOWED TO OWN RACE HORSES?

In New York a jockey cannot own a race horse and I don't remember a licensed trainer ever applying for a jockey's license, do you, Francis?

MR. DUNNE: No.

MR. PHIPPS: Pete Bostwick was one.

MR. CASSIDY: That was under the Steeplechase and Hunt Rules, but the rule probably would apply both ways.

DR. GILMAN: Kenny Field trains and rides here at this meeting. That again is The National Steeplechase and Hunt Rules. Is that a different rule?

MR. CASSIDY: No, it's probably the same Rule. They probably all are.

MR. CLARK: Mr. Cassidy, would that Rule apply only in New York?

MR. CASSIDY: I don't know.

MR. CLARK: Of course that is not the case at the smaller tracks where a boy trains and rides his horses.

MR. CASSIDY: Here they can train and ride if they have a license to do it, but a jockey, I think, is not allowed to own a horse. That would be entirely up to each separate state what their rule would be.

11. SHOULD A PERSON BE MADE TO CLAIM A HORSE OF COMPARABLE VALUE WHEN STARTING A STABLE WITH A SO-CALLED "POLICEMAN" OR MAY HE BE FREE TO CLAIM ANY TYPE OF CLAIMER?

There are two problems in there. One is whether you could claim a horse of any value if you have started a horse of a low value and the other one is can you start a stable with the use of a so-called "policeman." We don't permit so-called "policemen" if we know it, so I guess the only question before us here is whether a man should be permitted to claim a horse out of any category if he lost a horse specifically in a cheap category. That's a question that has been bantered back and forth for a long time and I think that the greater number of states permit the man to claim a horse in any category if he is eligible. There may be some distinction if the horse is the last horse that a man owns. If he was claimed, the owner is given a period of 30 days in some states, and longer in others, to claim a horse to replace the one he lost. Dr. Gilman, do you have any comment on that?

DR. GILMAN: I am thinking of people coming into the business with a cheap horse. There is no value on the horse. Take a three or four year old maiden. They've run the horse a few times, four or five times and then decide they will build up a stable from that horse. Is it fair to take a horse on the running of that one horse?

MR. CASSIDY: We don't permit the claiming of a horse unless a horse has shown in competition that he has run a creditable race to establish the fact that he is registered in good faith for racing and is not a policeman. We have turned down I don't know how many claims if a man's only horse hasn't proven by starting in competition that he is worthy of racing. Dr. Catlett?

DR. CATLETT: I do believe some states do not have a rule covering that. In Florida, for instance, if you start a horse at the meeting that makes you eligible to claim.

MR. CASSIDY: I am speaking only of New York at the moment. Here we do review the past performance to find out whether a horse was entered in good faith for racing and is a good competitor.

MR. WHITE: I might point out, Mr. Cassidy, that this year we tried at our National Convention to straighten out some of these matters on claiming. They did adopt one rule which goes along the lines of what you quote about the 30 days that when a stable has been eliminated by claiming, the owner so affected if he has not acquired a horse or horses before the close of the meeting may obtain a certificate from the Stewards of the meeting and upon presentation of that certificate the owner shall be entitled to claim during the next 30 racing days at any recognized meeting in that State until he has claimed a horse. Stables eliminated by fire and other hazards may also be permitted to claim under this rule at the discretion of the Stewards. I know our experience at the hearing was most of them looked with great disfavor on a policeman, no matter what he tried to claim.

MR. CASSIDY: Of course there is a lot of controversy and always will be on a claiming race. A claiming race and the apprentice contract rule are the two things that are subject to a great deal of discussion. Are there any other questions or remarks?

DR. GILMAN: Will you give us the definition of a policeman?

MR. CASSIDY: A "policeman" is a horse that is not a true competitor that has run in a race for the sole purpose of making a man eligible to claim.

DR. GILMAN: That would have to be in the cheapest kind of race, wouldn't it, because if you had a horse in a \$10,000 claiming race and he was beaten 20 lengths it still might win for \$3,500.

MR. CASSIDY: He wouldn't be permitted to claim though unless he had run a creditable race in the race he was in.

12. HAS THE LATE FIRST RACE POST TIME PROVED POPULAR WITH THE PUBLIC?

I think that depends a good deal on location and I don't think it has ever been thoroughly checked but there have been more requests for a late first race post time than there have been for earlier ones. I don't know whether it is more popular with the public or not. I would say from the comments we heard prior to our change to late post time that they would be in favor of it. Who has had any experience with the changing of first race post times? Have you done it in Canada?

MR. HENDRIE: We moved our post time back later, and found it beneficial because it got us away from a traffic hazard.

MR. CASSIDY: How much?

MR. HENDRIE: Fifteen minutes only.

MR. DONOVAN: We endeavored to find out an answer to your question just what the public reaction would be at Garden State if we had a late post such as 2:30. We had the question on the program.

MR. CASSIDY: As a ballot?

MR. DONOVAN: Yes, and the answer we got was predominately for an earlier post time. We listed an earlier post time, but we found that everybody who voted for an earlier one was one of our employees.

(Laughter)

MR. CASSIDY: You had a 2:30 post time at the time the ballot was made?

MR. DONOVAN: We had a 2:30 post time and we weren't going to change it. But I think 2 o'clock would be better. Then New York came in and moved theirs back so then we thought we would take a second look at it.

MR. CASSIDY: Has anyone else had any experience with that? How about out on the Coast? Jim, do you know? Have they changed the post time out there?

MR. KILROE: Mr. Burke would probably answer that question better than I.

MR. CASSIDY: Carty?

MR. BURKE: I know that at Santa Anita, you see we race in the winter and we are fighting time all the time to get in eight races before dark, so we have to start at one o'clock.

MR. CASSIDY: You have no option. You have got to do it.

DR. CATLETT: I think that local conditions have a lot to do with it. I know at Michigan we have a 3:45 post and I think it has been proved the best because of the factories.

MR. CASSIDY: Here's a question that is practically the same as the last one:

13. IS A NINE-RACE PROGRAM DESIRABLE OR UNDESIRABLE? WOULD A SEVEN-RACE PROGRAM BE DESIRABLE?

I think it depends on what side of the fence you are on. Would anyone like to comment on this? No comment?

14. SHOULD NOT A MINOR JOCKEYS' TRUST FUND BE SET UP IN ALL RACING CENTERS WHEREBY JOCKEYS UNDER THE AGE OF 21 CAN KEEP ONLY A FIXED PART OF THEIR MOUNT FEES, THE REST GOING INTO A TRUST FUND BEARING INTEREST WHICH THEY CANNOT COLLECT UNTIL THEY ARE 21?

Should this conference go on record as approving such a plan and if so we should recommend to the Uniform Rules Committee of the NASRC that such a plan be considered by its members in the hope that they will recommend the universal adoption of such a plan to the next annual conference of the NASRC. We have such a provision on the contracts of all apprentices that a certain portion of their salary shall be invested or placed in trust for the boy to prevent the parents from acquiring all the earnings of the boy and using it up for living so that when the boy becomes of age and he may not be a jock anymore he has the money left. We haven't kept it enforced. We have no such Trust Fund set up on the race track. I know you do in Canada, Magistrate Bigelow. Will you tell us the experience you have had with it there?

MR. BIGELOW: We did it of course to correct the evil that you mentioned about fathers and mothers regarding their boys as assets and living off him. So we set up this Fund, not perhaps in the legalistic way they did in California bringing the Juvenile Court into it and so on, but by simply making an agreement with a Trust Company and the boys. If they are under 21, a fixed portion of their mount fees is put in the Fund. That portion is this. We let them keep \$100 every pay day (every pay day is every seven racing days, not every week). They keep the \$100 and any amount over that they keep half and the other half goes into the Trust Fund. They can't touch it until they are 21 except with the approval of us and the Trust Company, which in effect really is our concern. That's sufficient. We had a case just the other day where a boy had won around \$3,000 in the Fund and decided that he wanted to leave Ontario and go back to West Virginia where he was going to ride. His father came in with him, and quite clearly after I had talked to him for a moment or two, I realized the father regarded the boy as an asset and nothing more than an asset. Of course, if there had been such a fund in West Virginia where we could have sent the check that would have been perfect, but since they haven't such a fund there the only thing we could do was give the boy the \$3,000. He wasn't coming back to Canada ever again. It seemed a bit of a hardship to make him wait until he was 21, he's 18 now, before he could get this money and the father went on to say that he, the father, was very hard up. We have had this Fund in operation for about three or four years. We have in the Fund now roughly \$100,000.

MR. CASSIDY: I think it is wonderful. Eddie Arcaro, what do you think?

MR. ARCARO: The Jockeys' Guild went into this thing ourselves. It is pretty rough rough handling the kid's money. When you say a minor, that's a jockey, a boy doesn't ride until he is 18 hardly anymore and I don't think you are a minor when you are 18. We quit worrying about it. I don't think there is enough of it. Do you, Sam?

MR. BOULMETIS: No, not in the present day. I think the boy spends a lot of it today. I don't know, riders are more advanced.

MR. CASSIDY: We haven't so many apprentice boys in New York so we wouldn't have the same experience they would have at the smaller tracks.

MR. ARCARO: It is pretty rough handling somebody's money anyway. The boys that we talked to and we talked to a lot of apprentice riders, didn't want it themselves. They wanted to handle their own money.

MR. CASSIDY: I don't think it is so bad for them to handle it, but I think it

is bad for a guardian or person who has control over them to tell the boy what to do unless he has some protection.

MR. ARCARO: In California, of course, Shoemaker was a good example. They handled his money until he was 21. He had quite a bit of it. He was real successful. I think if Shoemaker hadn't had his money handled he would have had more of it.

(Laughter)

He's intelligent.

MR. CASSIDY: Any other comment on this?

15. HOW LONG SHOULD A MARE OR FILLY BE PERMITTED TO RACE IN COMPETITION AFTER BEING BRED? SHOULD A MARE OR FILLY THAT HAS BEEN BRED BE SO LISTED ON THE PROGRAM? WHO SHOULD PAY THE STUD FEE IF A FILLY OR MARE IN FOAL SHOULD BE CLAIMED? IF A MARE IS CLAIMED FROM A RACE AND LATER FOUND TO BE IN FOAL, MAY THE NEW OWNER SECURE REGISTRATION OF THE FOAL FROM THE JOCKEY CLUB IF ONE OF THE PREVIOUS OWNERS OF THE MARE WILL NOT PROVIDE THE STALLION SERVICE CERTIFICATE?

We have a regulation in New York which reads, "Mares who are or may be in foal will not be eligible for racing unless full information as to the services has been filed with the Racing Secretary and approval has been given by the Track Veterinarian that the mare is in shape to race. That information will be posted on the bulletin board in the Racing Secretary's Office." I think there is quite a problem if the mare is permitted to race and she is in foal and is claimed. The foal is born and the stallion's fee has not been paid. It makes it very difficult for the owner of the foal to get a service certificate without paying the fee. He has become the owner of the mare so he owns the foal. This doesn't happen very often but I would like to get some thoughts on the matter. Dr. Catlett, I notice that one of these questions is from Mr. Inglis in Michigan. Do you have any comments you would like to make on that?

DR. CATLETT: I don't, other than I have frequently run into that in Michigan and also in Ohio where a mare runs and is in foal and she is claimed. The new owner is often on the spot since he may be held responsible for the stud fee before getting a certificate for the foal. He probably would not have claimed the mare had he known she was in foal. I really don't know, but I would like to hear what someone else might say about it.

MR. DONOVAN: It seems that we are in the area of engagements here. In most states the engagements go with the horse. In New York, do the engagements go with the horse?

MR. CASSIDY: No, unless transferred. You still have a problem unless the track demands that information be posted and if the man who claims the horse doesn't have a service certificate from the owner of the stallion, he just isn't going to get it unless he pays for it, unless the man who owned the mare is held responsible for it because of having contracted for the service.

MR. DONOVAN: Why don't we leave it that way? Why don't we leave it up to him? Engagements are up to the previous owner.

MR. CASSIDY: I think that has to be a matter of legislation. Did you want to say something, Mr. Doherty?

MR. DOHERTY: Yes. I question very much as to who owes the stud fee. The number of times when a mare is bred to a horse and then goes back into training are probably very low and it happens so infrequently that I suggest you let the stallion owner worry about it.

MR. CASSIDY: . . . except they both would worry about it then. The owner of the mare that has been claimed would have a foal that is not eligible for registration unless he has the service certificate.

MR. DOHERTY: Actually I think this question was written to determine whether or not that claim would be legal. Whether that man would be required to pay the stud fee for that mare since he probably wouldn't have claimed her had he known she was in foal.

MR. CASSIDY: The fact that the mare is in foal must be posted to protect anybody that would claim her. Such information could be on the program.

DR. WOODCOCK: Isn't it true that in most stud contracts there is a clause that says that if the ownership of the mare changes hands the contract of the original owner is nullified and if the stud fee hasn't been paid he is still liable for the stud fee? That ought to answer the question as to whether or not the new owner is responsible.

MR. CASSIDY: Yes, that's so. Mr. Finney?

MR. FINNEY: I have from my father who could not be here this morning three comments on this particular question. The first one is regarding the A section. He feels that a mare or filly should be allowed to race until she shows by her action that it is time to stop her. She may be bred that year and not in foal. You have no assurance that she is in foal. The B question—If it is known that the mare is in foal it could be listed but unless she has been examined and shown to be pregnant there is no point in it whatsoever, and with regard to C which is presently under discussion, in almost all states stud fees are due and payable when the animal involved should be sold to leave the state; should a filly in training in foal be claimed, the burden of paying the stud fee should rest on the person who incurred the indebtedness.

MR. CASSIDY: Is there any other comment on this question?

DR. GILMAN: There is just one thing that I would like to add. In New York, as you know, we don't advertise the stud that the mare has been bred to because we think that it should not influence the claiming of the mare. A couple of years ago we had two mares running at our tracks that were bred; one was bred to One Hitter and the other was bred to Our John Wm. The one that was in foal to Our John Wm was claimed and Hirsch Jacobs gave the new owner the stallion certificate. I think that the man that breeds a mare and subsequently puts her in a claiming race is still responsible for the payment of the stud fee even though she is claimed. He made the contract.

MR. GREEN: I think that depends entirely on the condition of the thing. Suppose the man has to pay a stud fee. Who pays the stud fee?

MR. HANCOCK: Mr. Cassidy, you are going to look to the man who bred the mare to your horse for the stud fee.

MR. CASSIDY: That's right.

MR. HANCOCK: And if the horse is claimed it is the same thing. But, he in turn can hold up the registration certificate from the new owner. The new owner can't register his foal.

MR. CASSIDY: That's right.

MR. HANCOCK: The stallion owner is certainly going to look for the man with whom he made the contract for the money.

MR. CASSIDY: He is going to look to him and if it isn't paid and he doesn't give a service certificate, the foal can't be registered.

16. WOULD IT BE FAVORABLE TO MOVE UP THE UNIVERSAL BIRTHDATE OF THOROUGHBREDS TO FEBRUARY 1 OR MARCH 1?

In submitting this question reasons were given for moving it up to February 1 or March 1: 1. was the breeding season is short, 2. it would get Santa Anita and Hialeah off the 2-year-old hook, 3. it would encourage later yearlings' sales—July is too early for many yearlings, 4. it would not make for over production because at least in racing the laws of supply and demand will always sooner or later rectify the situation. I think to change the date from January 1 would be very unwise. I think it would only postpone the confusion from one month to another, and of course, we would lose the early two year old races which are of no importance to a lot of people and of great importance to others. It would shorten the breeding season I believe, but I would like to hear some comments on this because The Jockey Club is very much interested.

MR. WIDENER: I think one of the disadvantages of it would be the complications arising from imported horses. All those, except in South America, use January 1.

MR. CASSIDY: That's true, it would complicate that.

MR. WIDENER: As far as the breeder is concerned, I think he would probably get more mares in foal. They would have a later breeding date, say June or July—one more month, but I personally would not be in favor of it.

MR. CASSIDY: Let's hear from some of the breeders, Mr. Hancock.

MR. HANCOCK: There are two minds about the thing. You would get a lot more mares in foal. You wouldn't wear out the stallions so quick, but I don't see how the people would do it without confusion, what with imported horses and all that.

MR. CASSIDY: How about the sales companies? Mr. Doherty?

MR. DOHERTY: I think if you want to eliminate January and February 2 year old racing you should not attack that problem with a rule that would be second hand.

MR. EBELHARDT: I agree with Mr. Hancock. I think it would probably result in getting more mares in foal. Furthermore, in moving the date up it would develop sounder horses. Better pastures would provide better milk for foals and allow them to fully develop by being turned out daily. Quite frequently you find you are forced to keep foals in the barn because of the weather in the early months of the year.

MR. CASSIDY: Would that not be somewhat of a geographical situation?

MR. EBELHARDT: Mr. Cassidy, I was thinking about the breeders in Kentucky and in the Northern States. It would be to the advantage of these breeders to move the birthdate up 30 days in keeping with California and Florida weather. Perhaps 60 days might be better.

MR. CASSIDY: The advantages would be difficult to evaluate to be certain they would be comparable to the problems that might arise if a change was made in the date, what with foreign competition, etc.

MR. GREEN: Mr. Cassidy, in Kentucky the largest percentage of successful broodmare covers occur during the month of May. The resulting foals come the following April when conditions are very good for starting the young ones off right.

If the birthdate were moved up two or three months, most of the foals probably would come in June and most of the mares then would be bred in July. To my mind this would increase chances of infection in the mares while breeding because of the weather and the grass would definitely not be as good for the mares and new foals in July as in May. Heavy breeding in July might be harmful to the stallions because of the hot weather and greater chances of infection.

Weaning the foals from their dams would occur two months later (November

and December) as opposed to the ideal September and October time which is now used for weaning.

As you can see from my point of view, moving the birthdate up two or three months would be detrimental to the job of raising good horses.

MR. FINNEY: This is my father's opinion. He feels that there is nothing wrong with the January date and it shouldn't be changed and the particular feeling that he has in the matter is that he feels that the balance between nature's seasons and man's natural avariciousness, particularly in regard to the question of taking a chance on breeding a mare early and have a foal born just at the tail end of the preceding year, which of course now is at present a minor problem might, by moving the season up, become a considerable problem.

MR. DOHERTY: I think that we are all well aware of the advantages of later breeding but I think that should be arbitrarily limited by The Jockey Club rather than changing the birthdate in the animal itself which would develop complications. I think breeders would probably like a later breeding date, but I don't think that should be confused with birthdates.

MR. CASSIDY: Mr. Hanes, what do you think about it?

MR. HANES: I haven't got an opinion that is very valuable on it. I don't feel one way or the other. I like it the way it is but that is probably based on a lack of knowledge or prejudice rather than any basic thing.

MR. CASSIDY: In Canada, what effect might a change possibly have?

MR. MOONEY: You would probably have to move back five months for us.
(Laughter)

MR. BIGELOW: Mr. Hanes said beautifully what was in my mind. I am completely ignorant on the matter, but I like it as it is.

MR. MORGAN: May I ask a question from pure ignorance. Why race horses that actually are less than two years old? Why not use the actual age of a horse as of the day?

MR. CASSIDY: You mean for races?

MR. MORGAN: Yes.

MR. CASSIDY: I think there would be a lot of problems involved.

MR. DUNNE: That's what they do in Mexico. They don't race a two year old until it is two.

MR. CASSIDY: That's the racing people that have control of that.

MR. BURKE: I think the disadvantages would far outweigh any advantages to Hialeah and Santa Anita. I think you should leave the rule alone.

MR. WARD: You have finally educated the public to the January 1st birthday of all horses; if you start fooling around you will confuse them. After all the public are the people that you want to keep. Keep racing simple so that they can understand things. We are trying to get new fans, not to repel them.

17. SHOULD NOT THE DISTRIBUTION OF PURSE MONEY BE RESTRICTED TO THE FIRST FOUR POSITIONS?

MR. CASSIDY: At the last meeting of the American Trainers' Association a resolution was adopted opposing the distribution of money beyond the fourth horse. This subject has come before the Conference at least once before and I think probably twice. It has been discussed quite thoroughly. I think a large number of people are opposed to increasing the distribution beyond the fourth place and there are some people who are in favor of it. I think it will always be that way. However, we might as well get an expression of the current times. Mr. Gushen, you haven't said anything today.

MR. GUSHEN: Mr. Cassidy, there wasn't very much that I was qualified to

speak on. As far as the distribution is concerned, Mr. Cassidy, in some areas they pay fifth money but those are small areas and horsemen in those small areas feel that the little bit they get for that fifth money helps. They usually take it off the top. They don't take it off the 2nd, 3rd or 4th money. They take it off the top money. And in most of those areas the figure they use at the top is 60 or 65% of the purse money. It helps those horsemen in the small areas considerably. We don't have 5th money in the larger areas, only in the small areas and there the horsemen seem to be very well pleased with that type of distribution.

18. WHAT IS BEING DONE IN THE FIELD OF EQUINE RESEARCH TODAY?

There is another question similar to that.

19. HOW CAN THE AMERICAN ASSOCIATION OF EQUINE PRACTITIONERS BETTER SERVE THE RACING INDUSTRY?

MR. CASSIDY: Have you any ideas, General Kester?

GEN. KESTER: The question—how can the American Association of Equine Practitioners better serve the racing industry—I would rather someone else answer because we would like to know. The objective of the AAEP is to improve equine medicine and surgery any way we can anywhere we can.

We approached it from several angles. First, we attempt to round up all current professional information pertinent to equine medicine and disseminate it to our members. Second, in connection with research we attempt to give guidance as to what problems are most important and what research should be done—also where it can best be done.

Another objective is the standardization and improvement of rules throughout the States pertaining to the practice of veterinary medicine at race tracks. Perhaps some of you can tell us how to better attain these objectives.

The other question—what is being done in equine research? I think, comparatively speaking, by any standard of measure you want to take one must say practically nothing. Almost any business or industry diverts something like 5% of its income to research. Here we have a billion dollar business and practically nothing is going into research. This is not a healthy situation.

As to what research is actually being done, I expect Clarkson Beard of the Grayson Foundation has a closer feel of the pulse than I do. I should like to hear his opinion.

MR. BEARD: Yes, I have some information which I have been gathering the past six months or a year. I will speak first of the work that Grayson has been doing to try and organize. At the University of Kentucky where in the past most of the worthwhile research work has been done, they are working on the influenza complex centered around the virus abortion, some parasite work of a survey nature, testing new compounds as they come onto the market and keeping track of the parasite situation in the breeding area down there. They are also working on the classification of diseases that turn up in the post mortem room. They try and keep their eye on any trends that are developing one way or another. That is the basic work of the University of Kentucky. Most of that is supported by Grayson, with some support from others. Grayson is now trying to open a limited study on unsoundness. We have made a study and are endeavoring to get something started. There are 18 vets schools in the U. S. and Canada. I have been in touch with them recently to see what their situation is. There has been a large increase in the number

of horses coming into the clinics. In the past five years, it has as much as doubled in some cases. This is largely clinical in nature and has to do with chronic lameness and fracture repairs plus other small items. The research is small and more of what you might call splinter projects in that they may be tied in with studies of other animals of a similar nature, but they are very definitely limited in what they are doing. They are limited by lack of funds, holding facilities for the horses and personnel interested in horses. I know of no program which has tried work of major importance. To make this very clear, there is importance in what they do but that importance is limited in its scope. I can mention a few just to illustrate what I mean: the blood work of The Jockey Club, the breeding problems that have been studied by the ATBA, the project of the University of Miami on coughs. There are other small ones that are done privately for a specific purpose whose use is limited and the results are not disseminated where they do the industry much good. In England, the Equine Research Center, which is set up exclusively for working with horses, operates a clinic which has done parasite research work, probably the best in the world in that respect, and they are now engaged in some blood studies. Throughout the rest of the world we find that in Russia, Poland, the Balkan countries and the Scandinavian countries, where horses are used for work, there are projects going on and papers published in the veterinary journals. To give you some sort of idea of the overall picture, the veterinary bulletin which is published in England is a summary of veterinary papers published throughout the world during the year. There are about 4,000 of these in any year of which 3 per cent are on horses. So that our studies back up the remark of Gen. Kester that there has been practically nothing done of major importance in research in horses. We hope to get somewhat organized and get a balanced program where we can do some good as far as racing is concerned. We also hope to try and get the information about what is being done and get it disseminated so that it can be used.

MR. CASSIDY: Thank you. It seems to me that the groups that are concerned with this service to racing like the Equine Practitioners, the Grayson Foundation and various others if they got together and pooled their resources would accomplish more. I think that they could get more help from the people in racing.

MR. BEARD: We are endeavoring to do just that, working with the Equine Practitioners. We are going to develop a balanced program based on the needs of the veterinarians who are going to serve the industry. That's what we hope to do here very shortly.

MR. CASSIDY: Would anyone else like to comment on that?

GEN. KESTER: What is needed to solve research problems in equine medicine? Facilities and research people are now in being but are devoting little attention to horse problems. I think all the people interested in equine research are working rather closely together. There is no duplication or wasted effort of which I am aware. For example, members of the American Association of Equine Practitioners—my association—functions as advisor to the Grayson Foundation. We support and assist the Foundation in any way we can. One thing we don't have is much money to conduct research.

If the gentlemen who own the horses and control the horse business do not put up the money for research—not much will be done. No one is going to spend the time or money to solve your problem for you.

Actually the veterinary profession through its national organization, the American Veterinary Medical Association conducts a great deal of research. This is done through a trust fund by grants-in-aid to veterinary colleges. The fund is supported entirely by voluntary contributions from individual doctors of veterinary medicine. It amounts to several thousand dollars a year. The veterinarian's motivation is the hope that the research he supports will come up with new tools and methods that

will allow him to practice better medicine. Incidental to this and important is the fact that this research has benefited the livestock and poultry owners immeasurably. It has benefited the horse owner to a lesser extent. Unfortunately, the livestock owner is totally unaware of this research effort on the part of the veterinary profession and gives it no financial support. How much better it would be if livestock people recognized their disease problems and contributed to research that would solve those problems.

MR. CASSIDY: It is a long term program too. The work appears slow, when it really isn't. Would anyone else like to comment on that? The last question is:

20. IS THE THOROUGHBRED INDUSTRY SUFFICIENTLY COGNIZANT OF THE GROWING COMPETITION OF TROTGING AS A SPORT?

I think that anybody that operates a race track or is in the racing business realizes that the trotters have made a serious inroad in their appeal to the public, whether it is because they can race in the evening during leisure time, in the non-working hours, or because they are further sighted than we have been they have grown tremendously. I personally am inclined to think it is because they race at night. Does anyone know something about the problem?

MR. JAEGER: I am from Maryland and we have four night trotting tracks in our state, two of them were in the red because they were just on the border line and they race at night. And they are not very popular at all. It seems to me that New York is the only place where they are successful.

MR. CASSIDY: They are successful in California?

MR. BURKE: They are not comparable to Thoroughbred race tracks. Of course they don't race at night. They race in the day time. I think that they handle a little above 25% of what flat Thoroughbred tracks do. The attendance for their biggest days is about 16,000 as compared to maybe 60,000 for Thoroughbred racing. And their daily average, I would say, would be about 10. Wouldn't that be about it, Jim.

MR. KILROE: Yes sir.

MR. BURKE: . . . as compared to about 28 or 30,000 for the Thoroughbred tracks.

MR. WARD: The trotters did a tremendous job of staging that international race. It was a wonderful promotion and flat racing people can really learn certain facets of that promotion from the trotting people. Of course you talk about night racing. It wasn't all that. They got their interest because they got their track built before Thoroughbred racing did in this state. That gave them wonderful momento.

MR. CASSIDY: They had more help from the Legislature.

MR. LAUDER: They sure did. There were many of them at the Legislature too. I don't know, I don't say that Thoroughbred racing wasn't but they sure made themselves heard. I know I tried to write a story one time but I found out a lot of things that I couldn't print. They're not bashful. They're in business and like good businessmen they are going to make money. And they are working at that. As far as the sport goes, I don't know too much about harness racing. I don't know whether it is a sport or not.

MR. CASSIDY: Any comments?

MR. DONOVAN: Marshall, may I say something?

MR. CASSIDY: Yes, Walter.

MR. DONOVAN: I attended a hearing in Miami the other day held by representatives of the National Labor Relations Board and the purpose of the hearing was to make a determination which up to now had never been made by the National Relations Board, that is, whether or not they are going to take jurisdiction insofar

as unions at race tracks are concerned. In the case of the instance in California where they didn't resolve the question at all, all they said was that they would not take jurisdiction. So it is something that I think, as the examiner said, is going to be a pilot case and if they hold that they have jurisdiction at Hialeah then I think you can expect it to follow all over the country, and I think it is a matter of real import to everybody in racing.

MR. BOWER: What was involved in that case?

MR. DONOVAN: The carpenter's union brought the matter or the question up before the board. So now it is a jurisdictional matter. Of course you have this labor bill now pending in Washington. They are attempting to get rid of the so-called "no man's land" where the Board will not take jurisdiction and the local courts do not have jurisdiction. But we have been right in that area of no man's land for a long time. I thought everybody would be interested in that, in knowing that this matter is now up. As a matter of fact we think it is so important we are going to have Milburn of the TRA to join with our attorney in preparing the brief.

MR. CASSIDY: I want to remind you that you are all invited to be guests of Mr. Hanes's and the New York Racing Association at lunch in the Clubhouse and the bar will be open today in the Trustees' Room.

MR. WIDENER: I want to thank everyone for coming before we adjourn.