



COURTESY OF BOB MAYETTE AND THE SARATOGIAN

NINTH ANNUAL ROUND TABLE DISCUSSION  
ON  
MATTERS PERTAINING TO RACING  
HELD BY  
THE JOCKEY CLUB  
IN THE  
NATIONAL MUSEUM OF RACING  
AT  
SARATOGA SPRINGS, N. Y.  
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**INDEX TO TOPICS**

Apprentice Contracts—procedure of denying second contracts and requests for minor extensions . . . . . 20

Corporations operating racing stables—sale of stock to public . . . . . 16

Drug Cases—question of arbitrary denial of purse if no conclusive action taken implicating the stable . . . . . 28

Equine Research—problem of financial backing . . . . . 22

Increased costs to owners by way of feed bills, labor, etc., in proportion to income . . . . . 32

Inquiry Sign—(a) Desirability of Stewards' initiating action . . . . . 18  
 (b) Prompt publicizing of results following conclusion of investigation . . . . . 17

Lameness in race horses—percentage of different age categories, principal contributing factors and effect of juvenile futurity purses . . . . . 25

Night Racing . . . . . 33

Public's Interest . . . . . 30

Purse Distribution Problems—share of medium-value horses not equitable . . . . . 10

Split Races—should owner-coupled horses be arbitrarily placed in each end . . . . . 8

Stallion Owner—financial protection via service certificates . . . . . 13

Stud Managers' Course . . . . . 27

Transfer of Ownership—recorded on back of each foal certificate . . . . . 21

Turf Course—restrictions on use in favor of distance racing and/or quality horses . . . . . 7

Two-year-olds—limitation on frequency of racing . . . . . 9

INTRODUCTION BY

GEORGE D. WIDENER

*Chairman of The Jockey Club*

I am very pleased to welcome you all to this, our Ninth Annual Conference on Matters Pertaining to Racing.

I think most all organizations and categories in Thoroughbred racing are represented here today. We have quite a long program at the end of which we would like to show you a film taken at Belmont Park when General and Mrs. Eisenhower were there. It will take about ten or twelve minutes after which we are to be the guests of The New York Racing Association for luncheon in the Club House.

Marshall, you are the moderator. Will you proceed?

Panel: HIRSCH JACOBS  
CALVIN RAINEY

1. WOULD IT NOT BE BETTER TO RESTRICT THE USE OF THE TURF COURSE TO THE HIGHER CLASS HORSES AND USE IT ONLY A FEW TIMES A WEEK?

MR. JACOBS: I do not think it would be a good idea to just use the turf course for the good horses. There might be some horses worth \$3,500 or \$5,000 who, when they get a chance to run on the turf, might turn out to be the best horses in the country. The only way you're going to find out about them is to run an occasional race of all types. You can't find out just training them.

MR. RAINEY: I think if you do run cheap races on the turf you should restrict them to a very few because we're trying to promote good turf racing in this country so it will help international races. You should have fewer cheap races and stick to the better horses because by the time the important stakes come up at the end of the meeting the grass course is usually chopped and chewed up. Of course, if you could have an alternate course on which to run your cheaper races, it would be an advantage, but with one turf course at a track I don't recommend cheap races.

MR. CASSIDY: Have you any comments you'd like to make, Tommy?

MR. TROTTER: Well, I think you should try to restrict it to horses of no less than maybe \$10,000 down to \$8,000.

MR. CASSIDY: Mr. Kilroe?

MR. KILROE: I can see what Mr. Jacobs wanted—you'd have to get a cross-section of horses out there because you can't just condemn them on the basis of a claiming race. I would like to see turf courses restricted as much as possible to distance racing. I think that's the one chance we have to lengthen out our horses and it's a shame to cut up the course with sprints when you can make it a preferred terrain for distance racing.

MR. STRUB: I'd like to ask a question. Isn't the purpose of this to save the course? I know at Santa Anita we have a turf course which we dog out for the workouts in the morning. I think a lot of saving of the course can be done by limiting the type of horses that work on it and then dog out for the works so that you don't run in the same path every time. We run about one race a day on an average on our turf course and at the end of the meeting I don't believe it's too cut up. I would go along with Hirsch Jacobs with the thought that we've got to give our cheaper horses a chance and if we take care of our course, especially in the training times, I think we can save our courses—at least we can in California—so that the course is still in good condition towards the end of the season.

MR. MOONEY: We allow just about every class of horse to race on our turf course. We do try to have distance racing only—very few sprint races on our turf courses. Our experience is very similar to the experience of those in California. We take extremely good care of the course and we do not allow training on the inner half. If we do find the course is getting too beat up in any one period we take the cheaper races off for a day or two.

MR. CASSIDY: Is there anyone else who would like to comment on this subject?

MR. ARCARO: Yes, I would. Mr. Cassidy, I know what Mr. Jacobs means about wanting to run cheaper horses. We in New York have one of the very few race tracks where that could be done, having an alternate course at Belmont Park. It would have to be redone a little bit, but you could have two courses there very easily.

MR. CASSIDY: Fitz, would you like to say something about the turf course?

MR. FITZSIMMONS: I would suggest running overnight handicaps on it. Then you'd get the top horses that you want to see run and they can come into some of your stakes. Run some of the handicaps. I think that would help both things.

MR. CASSIDY: Anyone else like to comment on this subject? Yes, Mr. Ward.

MR. WARD: I was just wondering about this phrase used here, "use it only a few times a week." I think the public likes turf racing. I think they prefer it over steeplechasing and hurdle racing. I wonder what is meant by "only a few times a week."

MR. CASSIDY: I imagine it's natural to try to conserve it and possibly that was put in there for that purpose without any specific objective. Yes, Hirsch Jacobs.

MR. JACOBS: I think one thing would save our turf courses—if we got back to doing what they do in Europe. Don't run with any stickers or any toes. It was tried at Santa Anita the first year and I thought it worked out very well. But some of the trainers kicked about changing shoes. You watch the horses run without the stickers and toes and you don't see the courses cut up at all. And I think it's better for the horse. I think everybody would be better off if we got back to it.

MR. RAINEY: Some years ago at Hialeah we tried eliminating the use of toes and caulks on the turf course and we almost had a revolution.

**2. WHEN A RACE IS DIVIDED (SPLIT) THE RULE SAYS IT SHOULD BE DONE BY LOT. HOWEVER, THIS IS NOT THE PRACTICE SINCE WHERE ENTRIES ARE INVOLVED THEY ARE ARBITRARILY DIVIDED WITH ONE HORSE BEING PLACED IN EACH END. IF THIS PROCEDURE IS CORRECT, WHY NOT TREAT EACH END AS A SEPARATE RACE AND GIVE EACH HORSE OF AN ENTRY AN EQUAL DRAW?**

MR. JACOBS: If there are any throwouts in a race that splits, and a trainer has two horses with different owners entered, both horses should get an equal draw to run. If both horses are drawn in, then each should be separated and put one in each race. Otherwise there could be 4 or 5 entries in each race and it would hurt the wagering on that race.

When a race is split without a full field, then an owner should be allowed to enter 2 horses with one in each end. In California, they will not let you put two horses in a race, if there are any thrown out.

MR. RAINEY: Well, of course you don't always know there are going to be throwouts when you go into a race. But I suppose the purpose for putting a horse in each end is for the Association's protection. If you split a twelve horse race you would hate to have two six-horse races, for instance, one with only five interests in it. The rule does, however, say that they have to be drawn by lot and divided by lot, but it isn't really done that way. The normal procedure around the country is, where the same owner is involved, to arbitrarily put one in each end.

MR. FITZSIMMONS: Marshall, you've got to give the owners all the chance you can to run and if there are two different owners in one stable, I can't think why each of them shouldn't have a chance to run. You've got to take care of the owners. If you don't we're all lost.

MR. CASSIDY: We try to take care of them as much as possible.

MR. TROTTER: Mr. Cassidy, we follow the procedure here of arbitrarily separating entries, one into each race and I think it does allow the owner with the single entry a chance to run his horse. As to the other side, if the same owner has two horses entered he may run them.

MR. KILROE: I think Mr. Trotter's just gotten around to answering the question we'd gotten away from in the discussion. The question is, if you're going to

split a race shouldn't you consider them as separate races and give a man a chance to run a horse in each end—as much chance to run a horse in each end as the individual owner would have to run one horse in either end. I, myself, can't see the equity in that. We split the race. We split the entries, as Mr. Jacobs says, basically for the benefit of the management, so we don't get a lot of couplings in one end. But as far as the equity of considering them separate races altogether, I can't follow that thinking. I think I remember the basis of this question last fall—it was one of the reasons I went to California.

*(Laughter)*

MR. CASSIDY: Well, actually, the New York State Racing Commission rule requires the race to be divided by lot and to be split by lot, so it's not quite in conformation with the rules to split them arbitrarily, is it? Mr. Hayes, would you like to comment on this?

MR. HAYES: I just came in and only heard the last part of it.

MR. CASSIDY: Do you want me to read the question to you?

MR. HAYES: If you will, please.

MR. CASSIDY: "When a race is divided the rule says that it should be done by lot. However, this is not the practice since where entries are involved they are arbitrarily divided with one horse being placed in each end. If this procedure is correct, why not treat each end as a separate race and give each horse of an entry an equal draw?"

MR. HAYES: Well, I'm in favor of that. If you've got two horses and you want them both in the same race—and only one owner is involved—I think it's better to split them and put one in each division.

MR. JACOBS: I think the way it's explained is wrong. Supposing you split a race because you had forty horses entered, and only twenty-four can run. If a man has an entry, you don't put one horse in each end to start with. You've got to draw first to see whether they get in. Neither one of them might get in. First they're in the draw, if they belong to different owners. If they belong to one owner, you've got to state which one you prefer. If you've got two or three owners, then you don't prefer. Each one takes a shake by itself. You draw for them first and if both get in then put one in each end. I think if you only had twenty-four horses in a split race, it's only fair and proper to put one in each end. It's only a case where there are going to be throwouts that you have to let them take the draw first.

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Panel: FRANK E. KILROE

THOMAS E. TROTTER

**3. SHOULD GOVERNING BODIES OF RACING IN THEIR RESPECTIVE JURISDICTIONS RESTRICT THE RUNNING OF TWO-YEAR-OLDS TO, SAY, FIVE OR SIX TIMES A YEAR?**

MR. KILROE: Well, I think Mr. Bruno would agree that his organization has enough trouble as it is without taking on the breeders of America. I think this question is related more to racing abroad than it would be to our type of racing here. I don't see how you can set any arbitrary limitation on the number of times a man can run his horse.

MR. TROTTER: Of course I feel along Jimmy's lines here that if we're going to

do that I think we're going to find eventually we're going to end up with a lot of cheap races. I think the two-year-olds are the backbone of racing and we have to give them plenty of opportunity. Here at Saratoga, I think we found that we've been splitting our two-year-old races and they've all turned out to be good races and they give the larger stables a better chance.

MR. CASSIDY: It's somewhat a case of supply and demand, isn't it?

MR. TROTTER: That's right.

MR. JACOBS: I think a man should be entitled to run his two-year-olds if he wants to. Sir Gaylord ran in Florida and he's one of the best we have today. If we restricted him to five or six times, he'd be through racing for the year. He wouldn't get a chance to show what he could do. I think many tracks don't like two-year-old races. They think the betting is lower. I don't think we should have too many two-year-old races early in the year, but about April I think we need plenty of two-year-old races. It's the only way you're ever going to find out whether a two-year-old is of any account. If you keep training him all year you'll find that instead of getting better, he'll get so he can't run at all.

MR. CASSIDY: Mr. Taylor, have you any thoughts on this?

MR. TAYLOR: Well, our experience has been that the public likes two-year-old races, and as a breeder and an owner I find that two-year-olds will pretty well tell you when they're ready to run. Some of them can run a lot and some of them can't run very much. I think it would be a great mistake to have any rule.

MR. ARCARO: That question is bad. I don't know how you can restrict a man from running a horse if he wants to. He can run him if he's a two, three or four-year-old.

MR. PERLMAN: I think if you'll study the statistics, the idea that two-year-olds race too much would have very little merit. In recent years, the two-year-olds that have run the most have wound up being among the best in the division. It all depends. You might restrict some man to starting his youngsters six times, but the way he trains them will break a horse down far more than the frequency with which he runs them. If you restrict them to five or six races, they'll wind up working horses excessively—and that's where most of the accidents and breakdowns happen. I would say that 90% of the time when a horse breaks down, he breaks down when he's being worked and not when he races. I do think that racing horses in January and February at a quarter of a mile and three furlongs is ridiculous and I think that a restriction to April 1st or May 1st—certainly April 1st—would have a far greater bearing on it than restricting the number of times that a horse runs.

MR. HANCOCK: Well, I don't know. It strikes me that a man ought to be able to do any damn thing he wants to do with his horse.

MR. BIGELOW: I think, Mr. Cassidy, that "governing bodies" means "racing commissions," at least it does in this country.

MR. CASSIDY: That's true.

MR. BIGELOW: And the answer to that of course, is "no." The governing bodies have no business interfering with the rights of the owners and trainers in that kind of thing.

MR. FINNEY: It would put the sales companies out of business.

#### 4. HOW CAN WE SOLVE THE PROBLEM OF PURSE DISTRIBUTION WHEREBY CHEAP HORSES EARN FAR MORE THAN THEY ARE WORTH AND IN-BETWEEN HORSES CANNOT PAY THEIR WAY?

MR. KILROE: What we are talking about is how we cut the pie here. What is not generally accepted, I think, is that the total area of the pie has limitations. You just can't keep adding money in on the top or in the middle—it's a matter of distri-

bution of the funds available. When you have a high minimum purse, that eats up a great deal of the funds available and when you have a rich stakes program, that takes it out the other end. The so-called in-between horse gets what's left. I frankly think that we can only improve our methods of distribution, but will never get a completely equitable one. You can't say that if a \$3,000 horse runs for a \$3,000 purse that a \$7,500 horse should run for a \$7,500 purse. There just isn't that kind of money around. There's been a lot of talk that too much money is given away in big purses. I looked over the last year's experience according to The Racing Manual and we had 37,655 races run for purses last year and 48 races were worth more than \$50,000 in added money. Those 48 races took up 5% of the net distribution available for the 37,655, so that in itself seems like a terrible chunk to devote to 48 races. If you count all the races that were worth \$50,000 or more, you find that there were 104 of those races and although they were .3% of all the races run, they got 8% of the net distribution. Well, you can argue for or against \$100,000 races, but they do have a definite promotional purpose and I think that you can't just run a purse program dedicated to the average horse. You're trying to encourage the exceptional horse and also increase our public appeal. If we don't get more customers than we have today, tomorrow we're in trouble because we're very soon going to be having less customers than we have today. The big races can be used by our publicity people to build up public interest.

MR. TROTTER: Well, I think we all know that the cheap horse is going to earn more money than the in-between horse because of the fact that there are more races. You can run a cheaper horse back a lot quicker than you can run a better horse. I think if you're going to try to get any more money for the better horse it may mean a cut-back on your stakes program and I think if you get into that it's got to be almost an agreement between tracks to keep the competition down.

MR. CASSIDY: Stakes are highly competitive and you don't have enough material to go around.

MR. TROTTER: That's right.

MR. CASSIDY: I gathered some statistics that bear out pretty much what both of you say. The number of races, for instance, in 1960 run in New York for the \$3,500 purse was 517 or 29% of the overnight races. There were 313 \$4,000 races, which were 17.9% of all the overnight races. The number of races for the better grade horses, of course, decreased tremendously. There was one \$15,000, one \$12,000 purse, and then they run from 15 races during the year for the \$4,700 and 15 for \$5,500, but for the \$5,000, they run 142 or 8%. It depends upon the material at hand what you can do. There isn't any question in my mind but that the minimum purse has received too much attention over past years and the desire of race tracks to keep their minimum purse high for argumentative purposes has hurt the in-between horse. It's been established and, as Jim said, you can hardly change it, you've got too much money going out in that field already and the only place you could recover some would be from the stakes or cut some of the cheaper races and you can't afford to do that because of the need for that type horse.

MR. JACOBS: I think you've got to keep your minimum up. I think in a lot of sections of the country they'll have one big race and it doesn't do them any good.

For illustration take Tropical Park. The last day of the meeting they run a \$50,000 race. They need a \$50,000 race like a man needs a hole in the head. It isn't warranted over a track like that. Take Santa Anita—they'll have some \$100,000 races, but they fit in with the rest of the program. They have a \$4,000 minimum, but it works out in a place like that. I know I went up to Lincoln Downs and I won a \$50,000 race there twice. It's really a joke to have a \$2,000 minimum—and then have one \$50,000 race at the meeting.

MR. CASSIDY: Mr. Hancock, have you anything you want to say on this?

MR. HANCOCK: I just think the good horse ought to have all the money you

can give him to run for. If you don't we might just as well quit paying \$1,000,000 for a good horse and \$100,000 for a mare and just go and breed all the darn horses you want and let them run.

MR. HENDRIE: John Mooney has some percentage figures on this question. Have you got them with you?

MR. MOONEY: In our own case we found that our cheapest horse is running for something like 45% of his value every time he races and our middle class horses are only running for about 18% of their value. We feel that our minimum purse has certainly reached about as high as it should go for a long time; that any improvement should come for the middle class horses. We feel that probably if we had a Utopian situation everyone would come to this conclusion that there should be a basic minimum purse, probably based on the percentage of a horse's worth, and then you could graduate the purses up from that. However, I realize that we are sort of ruled by the majority and the majority of horses, of course, are cheap and we'll probably never reach this Utopia.

MR. CASSIDY: Anyone else want to comment? Yes, Mr. Perlman.

MR. PERLMAN: I think that Hirsch Jacob's comment, particularly in relation to New England, isn't valid. I've been there for the last two years when they had the \$50,000 Massachusetts at Suffolk and was present several years ago when they had the rich Special at Lincoln Downs. These people don't see any good horses nor any of the great jockeys. Last year Eddie Arcaro and Shoemaker went there to ride and this year Eddie and several other prominent jockeys had mounts. Where normally on Wednesday they'd get about eight or nine thousand people, they had twenty-five thousand. It does a lot for racing when the smaller places can occasionally attract the outstanding horses and riders. The daily newspapers gave it a very big play. After Eddie won the race there must have been five thousand people around the winner's circle—I never saw anything like it—to cheer the horse and the jockey. I think it's great for racing. I do believe this, that the greatest problem is not that they have the odd big stake that gets some good horses and top jockeys, but the purse minimum. The H.B.P.A. has always fought for a high minimum and that, of course, is because the people who own most of the horses have most of the votes. I think that's probably one of the problems of democracy. One of the worst examples, I think, has been in San Francisco where the minimum purse is \$2,000 and sometimes for three or four days in a row every race will be worth \$2,000. That I think is the great problem. Another problem is the number of times a cheap horse will run. Look through the past performances at the end of the year and you'll find that many horses running in the cheapest races start thirty-five or forty times. Now no one will run an allowance horse that often. Obviously they don't have as many opportunities and can't run as often. But, of course, your allowance horse is very frequently moved up into the stakes area, where they have an opportunity to win some big purses.

MR. SHEHAN: I think that Mr. Perlman's points are well taken, but there is a formula that could be provided here that would solve some of the problems. If, as the contention is, these races are great promotional and propaganda material, what is to prevent the tracks at these smaller places putting up some of this money out of their advertising and promotional funds rather than taking it from a purse formula where the maximum is the minimum? And I think that should be given some consideration in these situations. There's no question but what these races help attract the crowd, but when the maximum is the minimum, then the horseman doesn't think that he should pay for the promotional efforts involved.

MR. CASSIDY: I think the horseman profits by the benefits of the promotion though, Tom.

MR. SHEHAN: That's right.

MR. CASSIDY: Even though the purses may not be large enough they're as much as they can afford and the fact that they're interesting the people in that lo-

cality to come to the races, I think, has an effect that is over a long period of time. Anyone else like to speak on this subject?

MR. JACOBS: How about letting Mr. Miller talk about Chicago? They put a \$3,500 minimum this year and let's know how racing is out there with a \$3,500 minimum.

MR. CASSIDY: Well, I don't think we should ask any specific questions of an individual here.

MR. JACOBS: I don't know if he cares to answer that or not.

MR. CASSIDY: Mr. Miller, do you want to say anything about it?

MR. MILLER: I should not want to say or even imply that a \$3,500 minimum purse policy is immune from problems or that it is a panacea. Neither would I care to support a general rule that would eliminate all of our spectacular purse races.

MR. FITZSIMMONS: I would suggest that a racing secretary who would have two of the very top stakes should write more races for the middle class horse. We have six claiming races every day and maybe one or two overnight races that your decent horses get in. Work on that and I think that would maybe give the stake class horse a chance to win as much money as the claimer. The claimer can run every day; the middle class horse maybe couldn't run once every two weeks, if he got in a race then.

MR. CASSIDY: Mr. Fitz, I think there are many more condition races offered in New York than anyplace else.

MR. SHEHAN: At Toronto, Mr. Gushen made a suggestion on this subject that I think has been somewhat overlooked here this morning and that was that in an effort to give these middle class horses more opportunities, the racing commissions and the tracks should consider the policy of making it mandatory to permit six horse fields in this type of classification. On the theory that it is not essential to require a ten or twelve horse field with this type of quality horse, there would be just as much play on it. It would give the owners more incentive to acquire these types of horses in areas where that is not now true.

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Panel: J. A. ESTES

A. B. HANCOCK, JR.

#### 5. WHEN IS A STALLION OWNER GOING TO BE ABLE TO PROTECT HIMSELF FINANCIALLY BY NOT SIGNING A BREEDING CERTIFICATE?

MR. CASSIDY: The Jockey Club requires the breeding certificates and also service certificates to be on file before the registration certificate is issued. I think there may be some question regarding who may sign a stallion certificate—whether it's the owner of the stallion or an authorized agent and our rule provides that either one may do so. I think the question probably is who is the proper authority, particularly in the case of a syndicated stallion.

MR. HANCOCK: Whenever you syndicate a horse there is appointed a syndicate manager and he is the one that's got to sign it. He can protect himself by not signing until he gets his money. There's no problem there at all.

MR. CASSIDY: If he isn't there, then of course his authorized agent can sign.

MR. HANCOCK: Yes.

MR. CASSIDY: Mr. Estes, have you anything to say on that subject?



MR. ESTES: It seems to me the question is not involved at all. It's very simple and Mr. Hancock has already given the answer.

MR. DOHERTY: I don't think that anyone has given the answer. The Jockey Club will issue the registration certificates without the breeding certificate having been signed by the stallion manager.

MR. CASSIDY: Do you think that The Jockey Club will issue it?

MR. DOHERTY: I know it will. It was my question.

MR. CASSIDY: Well, if it was issued, it would be under a peculiar circumstance that might be different from an ordinary routine matter. I don't know what circumstance you referred to but I have no doubt that something could happen whereby a transfer of a stallion from one authority to another might change the situation but I am sure that they would not issue a registration certificate without proper authority in the signing of the service certificate. That is definitely the rule.

MR. ESTES: You should have briefed me, Lou.

MR. DOHERTY: Well, this is my question, Mr. Cassidy. This spring I refused to sign three or four breeding certificates for a man who owed us some money. The horse was no longer in my possession but the stud year, seasons, occurred during the year that I did have the horse. There was a question, the man threatened to sue The Jockey Club, he threatened to sue me, he also threatened to sue Fasig-Tipton. The Jockey Club did issue the certificates.

MR. CASSIDY: I remember the case.

MR. DOHERTY: That was the reason for this question. We now send to The Jockey Club on September 1st a list of all mares bred to a stallion that you're managing. I see the purpose of that list. If the small breeding certificate for each individual mare—as Mr. Hancock supposes and as I supposed—is necessary to issue the certificate, I then see the purpose for that. But if the registration certificate is going to be issued in a case such as this, I think we should do away with the small breeding certificates. They're serving no purpose.

MR. CASSIDY: Do you know of an incident other than the one that you just mentioned?

MR. DOHERTY: No, I do not.

MR. CASSIDY: Don't you think the particular case that you referred to had extenuating circumstances?

MR. DOHERTY: No, I do not. I think the reason The Jockey Club issued the certificates was simply that the individual involved is known to be able to create a great disturbance.

MR. CASSIDY: The Jockey Club isn't afraid of that. You're being frank, but that's all right.

MR. DOHERTY: But I had refused—he owed me money. We had an argument about the horse in question, I had requested that the horse be moved. At the time of the syndicate meeting I said that I probably should collect my money before I allowed the horse to be moved but that I would go ahead and do it. The animals in question had become yearlings. They were up for sale. I had never signed the breeding certificates. This owner did not have registration certificates and he requested them from The Jockey Club. He was turned down because there were no little breeding certificates attached to the request. When he was told that he was not going to get the registration certificates until the breeding certificates were in your hands he then wrote a letter, or his attorney wrote a letter, stating that I owed him money, he owed me money, and so forth and so on; and threatened to sue. At that time I wrote you a letter and said that as far as I was personally concerned I would not sign the certificates but that if this situation was going to embarrass The Jockey Club I would agree to the issuance of the registration certificates. I think that's water over the dam. The purpose of the question is to determine whether or not this is going to

happen again. Mr. Hancock thinks that we can protect ourselves financially by not signing these certificates. I thought so too.

MR. HANCOCK: Well, you agreed though, Lou, didn't you, to The Jockey Club to let them issue the certificates? I mean, if you hadn't done that I doubt if they'd have issued them.

MR. DOHERTY: No, that's not correct.

MR. CASSIDY: There was another equation there. I think that the stallion had been transferred from your authority in the meantime, hadn't he?

MR. DOHERTY: After this breeding season had occurred, yes. At the time of the service the stallion was in my possession, no one else's.

MR. CASSIDY: Hadn't you signed the breeding certificates and not the report?

MR. DOHERTY: No, I had signed the report on which I had listed the total number of mares bred. I had not signed any breeding certificates at all. The reason I allowed the horse to go with the man owing me a board bill was the fact that I thought the lack of signature on the breeding certificates would preclude him from obtaining the registration certificates, which is what Mr. Hancock assumed. This is not true.

MR. CASSIDY: Well, as I remember it and I'm a little bit vague about it—the horse had been transferred from your authority and the person in charge, in authority at that time, signed them. And I can see what you mean he did not have control of the stallion at the time of the service.

MR. HANCOCK: Who owned the horse?

MR. DOHERTY: A syndicate.

MR. HANCOCK: Did this individual own part of the syndicate?

MR. DOHERTY: Yes, he did.

MR. HANCOCK: Well, Lou, you could have protected yourself by keeping that horse on your farm.

MR. DOHERTY: I'd rather be rid of him.

MR. GREEN: I'd like to ask a question if I may.

MR. CASSIDY: Yes, Mr. Green.

MR. GREEN: (Addressed to Mr. Doherty) Did he owe you money for stallion services?

MR. DOHERTY: He did not. He owed me board on the shares, the shares he owned in the horse.

MR. GREEN: Well, I don't see that that's got much to do with stallion services. I know it has something to do with it, but I mean it's not that directly.

MR. DOHERTY: I consider board on a share of the horse, since the man owns the share, is practically the same as the stud fees as far as the management of the horse goes.

MR. GREEN: Well, as far as management goes, but it's not the same thing though, is it?

MR. PERLMAN: May I ask just one question? If you get a list the previous year from the stud manager that certain mares have been served by a certain stallion, why is the other certificate signature still required? Doesn't that prove that the mare has been served?

MR. HANCOCK: Yes, but the man hasn't paid his money for his season yet.

MR. PERLMAN: Well, that's the whole point. Is The Jockey Club primarily interested in whether a mare is a Thoroughbred or whether the bill has been paid?

MR. CASSIDY: Both are required, Sam, the service certificate and the stallion report are required before the certificate is issued.

6. ACCORDING TO AN ARTICLE IN THE JULY 15 ISSUE OF THE BLOOD-HORSE, A CORPORATION IS BEING FORMED TO OPERATE A RACING AND BREEDING STABLE. THE STOCK IS TO BE SOLD TO THE PUBLIC. IS NOT THIS DETRIMENTAL TO THE BEST INTERESTS OF RACING?

MR. HANCOCK: I don't know. I haven't any comment on that at all. I think it could be or could not.

MR. CASSIDY: Mr. Estes, have you any comment?

MR. ESTES: I wrote a very short note on it because it did present some alarming aspects, and I thought it might not be repeated very much in the press. I think the stock was to be sold to the public to acquire and operate a breeding and racing establishment. It is a very nebulous thing when you go to sell stock in a company of that sort. There are no physical assets to begin with, or very few, and it could be made into an extremely good racket. Corporations starting out from scratch, more or less, and selling stock to the public could leave us all with a rather black eye.

MR. CASSIDY: I think it is a very serious thing to permit stock to be sold on a racing stable. As far as the breeding is concerned I don't think that is quite as bad. Mr. Cole, you have some ideas about corporations.

MR. COLE: I have no special feeling about this but I think that the more we continue to call for individual responsibility the better it is for racing. You can reach the individual so much easier than you can a group hiding behind a facade like a corporation.

MR. CASSIDY: Well, I believe that we have been requested to determine all ownerships whether it's holding of stock or any participation in a corporation in order that the people who own part of a horse in that manner would be on record. I think if the exchange of stock in a corporation such as that can be done without the knowledge of the authorities and undesirable people get into the racing business without any public notice it's a dangerous procedure. Mr. Bruno would you have any comments?

MR. BRUNO: I substantially agree with your remarks.

MR. BIGELOW: I can't say that it would be detrimental but I can't see how it would enhance the best in racing to any extent. Our rules prohibit it.

MR. MILLER: In one instance, Mr. Chairman, our Commission was asked to comment to the S.E.C. on the preliminary prospectus of the corporation that I believe Mr. Estes is referring to. I should say that if this is an example of the pattern of corporations created for this purpose it would be very detrimental to racing. First of all the prospectus did not disclose the racing record of the horses that are to be used as part of the assets of the corporation. The corporation proposes to breed and lease horses. If the prospectus had reflected the racing earnings of the horses it would have disclosed that this was a very undesirable business to be a part of because the earnings were considerably less than the cost of operation.

MR. CASSIDY: Any other comment?

MR. PERLMAN: We had quite a little experience with this. We have had many, many people who have tried to advertise in our newspapers to sell shares in a stable or to form a stable. One of them wanted to advertise 50,000 shares at \$1.00 a share. We have turned them all down. We have been threatened with suits, which have never materialized. I don't know of anything that could be more detrimental to racing, because in every instance these people are not registered and if there is any way for racing commissions to have a rule, on a completely legal basis, that could limit the number of people who could be involved in a corporation that owned horses, I think it would be very desirable.

MR. FINNEY: Several years ago our company was approached and asked whether we would select or recommend horses for a corporation that was being

formed I think in New England. They wanted to pass the buck to us to select the horses to be bought at the Belmont racing sales. We said we thought this would be a terribly bad thing in many ways. It is not new at all.

Panel: JOHN F. KENNEDY

WILLIAM S. MILLER

7. FOR SOME REASON THERE SEEMS TO EXIST IN THE PUBLIC MIND AN INFLEXIBLE CONNECTION BETWEEN THE "INQUIRY" SIGN AND DISCIPLINARY ACTION. AFTER SEEING THE SIGN FLASH, MANY RACEGOERS APPEAR TO THINK SOME SORT OF UNDERHANDED "DEAL" HAS BEEN ARRANGED IF THEY HEAR NO FURTHER ANNOUNCEMENT CONCERNING THE INQUIRY OR SEE NO NOTICE CONCERNING IT IN THE NEXT DAY'S NEWSPAPER. WOULD IT NOT BE ADVISABLE TO PUBLICIZE THE RESULTS OF ALL INQUIRIES, WHETHER DISCIPLINARY ACTION IS TAKEN OR NOT, AND GOING A STEP FURTHER, TO EXPLAIN TO THE PUBLIC ANY UNUSUAL CIRCUMSTANCES EVEN IF THERE IS NO OFFICIAL INQUIRY? JUST THE SIMPLE STATEMENT "CLAIM NOT ALLOWED" OR "NO ACTION NECESSARY" WOULD ASSURE THE PUBLIC THAT THE STEWARDS ARE ON THE JOB AND HAVE INVESTIGATED THE MATTER.

MR. CASSIDY: I think Mr. Kennedy that you can explain what is done in New York.

MR. KENNEDY: Well, Mr. Cassidy, in my personal opinion the more direct information that is given to the public and the press in any instance instills more confidence in the operation. I think that immediately when a jockey claims a foul an appropriate announcement should be made. I think that in the interim, the approximately ten minutes it takes the Stewards to examine the film and talk to the jockeys and patrol judges, an appropriate explanation can be made about what is going on. And when the determination is arrived at, then the announcement can be made that one of the riders alleged he was interfered with at the  $\frac{3}{8}$  pole or  $\frac{1}{4}$  pole and after the examination of the films, the Stewards did or did not allow the result to stand. I think this information should be made available to the press as we do by closed circuit television to show the action on the track as well as explain the decision. I also think it is good policy the next day for the Stewards to issue a ruling whether or not the rider was given days or whether he was held blameless. I am also of the opinion for several reasons, that if it is an entirely frivolous claim, the rider should be fined.

Again, the films of these races I think should be made available to those people who want to see them other than the owners and trainers involved, the following day at a specific time, as is done at many tracks throughout the country.

You can tell by looking at the films, not only the determination of an inquiry made but the trainers are seldom that close to a race and I think they can see things in the pictures which will be constructive for the training of the horses concerned.

MR. CASSIDY: Thank you, Mr. Kennedy. Mr. Miller?

MR. MILLER: I agree wholeheartedly with Mr. Kennedy.

MR. CASSIDY: Of course that is exactly what is done in New York and I think it is probably done in most places. Mr. Strub don't you do exactly that in California?

MR. STRUB: What are you speaking of specifically now, the showing of the film to the public?

MR. CASSIDY: No, not the public. The announcement of what has happened and an explanation of what has occurred and the results, etc.

MR. STRUB: I believe Mr. Kennedy is correct that the public should be fully informed and we do just that in California.

MR. CASSIDY: Mr. Hendrie, what is the procedure in Canada?

MR. HENDRIE: The procedure is identical with Mr. Kennedy's explanation. I sometimes question the advisability of inviting the public to see these films because, in my estimation, it depends entirely on which horse the \$2.00 was bet as to the result of the thinking of the person who sees it; however, the public are invited in Canada.

MR. CASSIDY: On occasions in New York when a demonstration seems to be forming they have permitted the public to select a committee of two or three members of the public to go in and look at the film. Anyone else like to comment on any other phase of this question?

MR. ARCARO: Now that the question has been brought up I would like to make a point here. I don't believe that enough times the Stewards or patrol judges claim a foul instead of waiting for the rider to claim it. If the foul is obvious I think that if the Stewards would do it it would take a lot of heat off the riders. In the Kelso thing, I think that it was an obvious foul and they should have claimed it instead of letting me do it. It created quite an uproar at Belmont after the race. That is just citing one case. I believe in many cases the Stewards and the patrol judges should claim or put up the inquiry. It is not a foul. If the public sees it they would take it a lot better if the Stewards do it rather than the rider doing it.

MR. CASSIDY: I think you may be correct but I am sure in a great many cases we have put the inquiry up when anything has happened.

MR. ARCARO: That's right, but not enough.

MR. CASSIDY: I was just going to say I think there is a tendency to lean towards that procedure by the rider. I believe they fail to see the significance of permitting the rider to make the original claim.

MR. ARCARO: I am sure that is the only reason. I am sure in the Kelso incident if I hadn't claimed a foul they certainly would. Of course I wasn't going to take any chances.

*(Laughter)*

I think it would have taken a lot of heat off the riders.

MR. CASSIDY: Actually the Stewards' putting the inquiry sign up would encourage a rider to claim a foul even if in his own mind there probably wasn't one.

MR. ARCARO: I don't mean a promiscuous claim. I am against too many foul claims. There are many times that it is obvious but the Stewards wait for you, they know you are going to claim. But instead of waiting for you they should do it.

MR. CASSIDY: I don't think you will find that the Stewards fail when it is obvious. Sometimes they wait because they want to be sure the boy himself will make the claim. Mr. McLean, what do you think about it?

MR. McLEAN: I had the impression that the public would prefer to have the rider claim than the Stewards. I have heard many comments that the Stewards are interfering or perhaps in some instances from the more radical members of the public that there is a rinky-dink and a fix in; that if the rider had been bothered he would have claimed. And I think that they feel that the rider is the person who should know. It is a difficult thing for the Stewards to put up the inquiry without a lot of hullabaloo from the public if it occurs on the backstretch or somewhere where the public couldn't see it. Then I think in those instances it becomes much better that the rider claims. If it is in front of the stand where everybody sees it the public would be more understanding, I think.

MR. DUNNE: Well I am a sort of one of the defendants here from Arcaro. In the incident to which he referred we were by no means certain that there had been a foul and it was a fairly important race. And as far as I am concerned, and I think I can speak for Mr. Rainey and Mr. Davis, we would have had egg all over our faces if Arcaro had said, "No, the horse didn't bother me." We didn't have a report from the patrol judge. And we can't look around corners very well. I think the way it was done was much better. Of course as Eddie said, it would take some heat off him, which I am not particularly interested in.

*(Laughter)*

We would have looked pretty silly if he had said, "No I wasn't bothered." Enough people now don't think we know very much without encouraging them that way.

*(Laughter)*

MR. LAUDER: Well, I don't know Eddie's feeling on that but I do know that from the position the Stewards are in at Belmont which is the same as the press box is in, this happened coming through the stretch and you are looking through horses and not head-on to them. It is pretty hard sometimes to tell whether an inside horse comes out or the outside horse is going in or if there is an actual contact. I think maybe the patrol judge at the finish might have something to say about it.

I don't know whether he did before the claim was made by Eddie or not.

MR. DUNNE: He didn't have a telephone at that time. He has got one now.

MR. CASSIDY: I don't think this is a question of an individual incident. I think it is a question of policy. The Kelso case could be one way or another and could be an error on either side. I don't think anything serious happened as it resulted, but it is a question of whether the Stewards are delinquent in not putting the inquiry sign up.

MR. MILLER: Mr. Cassidy, may I comment on this?

MR. CASSIDY: Yes, Mr. Miller.

MR. MILLER: I agree with Mr. Arcaro that some claims of foul are valid while others are frivolous, but we must bear in mind that the inquiry sign is flashed for both. I feel the patrons should be informed of the reason for the inquiry, and when the matter has been resolved by the Stewards, the patrons should be advised that a foul either did or did not occur.

MR. CASSIDY: Anyone else like to comment?

MR. PERLMAN: I think that Mr. McLean's statement certainly needs to be commented upon. Surely the Stewards are not going to take the position that the public is not involved just because the jockey might fail to make a claim, and that the Stewards are not going to protect the public. I think that is a very serious matter.

MR. McLEAN: I didn't mean that, Mr. Perlman.

MR. PERLMAN: But that is exactly what you said.

MR. McLEAN: May I try to clarify that. In any and every instance if a rider does not claim a foul we put up the inquiry ourselves but it has seemed to me that the public like riders to claim if there is a reason for a claim of foul. I think that the public feel that the rider knows more about it. They don't like an objection anyway.

MR. PERLMAN: It depends on whom they have bet on.

MR. McLEAN: Yes, exactly. We make so many people happy and so many not happy.

MR. PERLMAN: I don't believe that Stewards should act on the basis of being in charge of public relations. Stewards should act on the basis of what happens on the race track and rule accordingly. And I think Eddie's point is well taken too. I think if Stewards think that something is involved they should order an inquiry. That does not mean that anything happened. The thing is to go ahead, look at the film and then decide whether anyone was at fault. In fact, yesterday there was a race here in which a foul was claimed. They finally disqualified the horse that finished fourth instead of the horse the claim was against. In my own experience viewing

films for many years and watching racing, the jockeys don't always know what has taken place. They are wrong very frequently as to what really happened in a race. They are too closely involved and the pictures frequently show that someone other than the one the foul is claimed against is responsible. I think that what you previously stated obviously is not what you really mean, because otherwise it would be a very serious matter so far as the public is concerned.

8. WITH REFERENCE TO APPRENTICE CONTRACTS, WHAT SHOULD BE THE PROCEDURE IN DEALING WITH

- (a) SECOND CONTRACTS?
- (b) REQUESTS FOR EXTENSIONS FOR ONE DAY OR SO BECAUSE OF A TRACK NOT BEING ABLE TO OPERATE?

MR. CASSIDY: Mr. Kennedy, would you like to comment on this question?

MR. KENNEDY: Well, I don't believe that there should be a second contract. I think it is very important from a control standpoint and in fairness to the horsemen and the rider that the integrity of the original contract should be preserved and if there are any transfers that the continuity of those transfers should be properly kept.

MR. CASSIDY: And what about portion "B" of the question? "REQUESTS FOR EXTENSIONS FOR ONE DAY OR SO BECAUSE OF A TRACK NOT BEING ABLE TO OPERATE?"

MR. KENNEDY: I don't want to be completely negative, but I don't believe in that either because usually a contract is for a four or five year period, a day or so does not have any real effect on the whole thing. And usually if one track is shut down for a day or so another track will be running. It is not a healthy thing to extend for short periods. I think those extensions should be considered only on a basis of military service or serious injury or something like that.

MR. CASSIDY: Mr. Miller?

MR. MILLER: Generally, I agree.

MR. CASSIDY: Eddie?

MR. ARCARO: I agree with Mr. Kennedy. I don't think it is that important.

MR. CASSIDY: Mr. Fitzsimmons?

MR. FITZ: Well, I don't think it is too important either. Just a couple of days or so, but a couple of weeks might make a difference.

MR. JACOBS: I agree with Mr. Kennedy.

MR. CASSIDY: Anyone else? Yes, Mr. McKellar.

MR. MCKELLAR: This may or may not be germane to the subject, but the subject of developing riders is near and dear to my heart. I would like to hear some talk about the advisability of giving the contract holder of a rider during his next year after he has lost the bug, a 3 lb. allowance rather than the original contract holder. In other words, this would enable me to develop my rider and then sell him to a more active owner or trainer and that gentleman or outfit would have the 3 lbs. I think that the history of developing riders shows that your large well-heeled stables and public trainer outfits do not develop, but it is the little fellow that develops the rider and takes time with him. And I again toss this out with the chance of giving this little man a shot of the profit for his labor.

MR. CASSIDY: The only difficulty about that, Mr. McKellar, is that is a subject that has been discussed so many times and there are so many pros and cons that it would take quite a while to discuss. I don't know whether we would have time to stop here and do it now. I shall make a note that if we have time at the end of our agenda we discuss it then.

9. HOW CAN WE ENFORCE THE REGULATION THAT TRANSFERS OF OWNERSHIP BE RECORDED ON THE BACK OF EACH FOAL CERTIFICATE?

MR. MILLER: Well, I think it is simple to enforce it and I think it should be done. It should be a rule of the racing commission that the association be required to adhere to that.

MR. KENNEDY: I agree in theory with Mr. Miller, I think in practicality, it is difficult at many tracks where they have to solicit horses, to bring The Jockey Club certificate endorsements up to date or to be sure what has transpired since it was sold by a sales company or maybe with agreements on the cuff all over the place. I think when you are racing you can enforce it by requiring that when there is a transfer of ownership, the form be executed through the Stewards, and that a copy of that form go to the registration book clerk and another copy to the certificate clerk and have him keep it up during racing. But the problem I see is where a track which is soliciting horses, and wants them to come, just how far will they go back with these cheap horses?

MR. CASSIDY: I think if all the racing commissions, were to pass a uniform rule requiring that this be done, it could be done. When a horseman or owner registers at any race track, and he files his registration certificate, which he should be required to do, the certificate should be checked that the record on the reverse side shows that the horse is owned by the person who is registering the horse. It is a check that should be made anyway. In New York, as you know, for every horse that is claimed, the Association makes the transfer on the back of his certificate, I think that if a certificate shows that a horse is owned by anyone other than the man who registers him, the certificate should be brought up to date before the horse is permitted to start.

MR. KENNEDY: I agree with that, sir. What I was speaking of was when you get in litigation or trouble about this it usually is about something that happened several years back. You could, as of a certain date, require that a man registering a horse be the proper endorsee. I agree to that.

MR. CASSIDY: I think if that's done it would bring it up to date because people would keep their certificates current. Mr. Taylor?

MR. TAYLOR: Is the requirement new in New York? I've lost horses by the claiming route, and I've yet to sign a certificate.

MR. CASSIDY: The Association makes the transfer if you lose them by claim.

MR. TAYLOR: They make it?

MR. CASSIDY: They make the transfer. If you sell them privately, you're supposed to do it.

MR. TAYLOR: Thank you very much.

MR. MILLER: Well, now, Mr. Cassidy, isn't it generally followed throughout the country?

MR. CASSIDY: It isn't and that's why I think it should be. I think it is of great importance. Mr. Bruno, don't you think so?

MR. BRUNO: Yes, sir. I made a note of it and we hope to have an interim meeting of the Uniform Rules Committee later this year and we'll see it's on the agenda.

MR. CASSIDY: Thank you very much. Anyone else want to comment on this?

MR. FINNEY: Mr. Cassidy, may I say that we handle about fifteen to eighteen hundred certificates a year and I find that wherever they come from, the claims are generally recorded. The big problem we have is when we get people selling mares, selling yearlings sometimes, that have changed hands, the change of ownership has never been recorded. I don't think your trouble lies at the race track. It lies throughout the entire country, through people who are willing to buy horses without a

proper transfer of the property involved made to them and people who sell them the same way. It seems to me that your proposition is hopeless to enforce. For years and years we've been fighting this battle, but people just ignore it.

MR. CASSIDY: I think that field is quite different. You're going into the breeding field and before a horse comes to the track. I think that if this is put into effect throughout the country, you will find that there will be more respect for the certificate. They won't be able to race without it, and it will be up to date. Then, when the mare goes into the breeding service, she will come off the race track properly recorded. And when they apply for the registration of her foal she should be recorded and the owner of the mare at that time. But that is another phase of it. I think that your problem immediately is with racing. When the horses come to the track they should be certainly certified in the owner's name who brings them there.

DR. GILMAN: Mr. Cassidy.

MR. CASSIDY: Yes, Dr. Gilman.

DR. GILMAN: I believe that every time there's a change of ownership with the trotters they send the certificate to Columbus, Ohio, and a new certificate is issued to the new owner. I'm not saying that's good, but it is one way of solving this problem.

MR. CASSIDY: That has been considered and discussed, but that's quite an enormous problem because of the number of Thoroughbreds racing throughout the country and the number of race tracks. They'd be lost in the mail and it would be hard to keep track of them. I think if the Association of Racing Commissioners passed a rule that they must be recorded the problem would be solved. Anyone else?

MR. DONOVAN: Marshall.

MR. CASSIDY: Yes, Mr. Donovan.

MR. DONOVAN: On this matter, by virtue of lawsuit at Hialeah last winter this question came up and as you say there's no problem of transfer where horses are claimed. But in private sales it is a different story. It was certainly amazing to me to see the number of instances where the transfers were not so registered. The Florida Commission incidentally has on their agenda for their next meeting to pass a rule requiring that when a horse is claimed, sold or transferred, the transfer authorization shall be filled out in triplicate and filed with the Commission Steward and the racing secretary. This form is to be furnished by the Commission. It is probably a rather difficult rule to enforce as Humphrey mentioned but the control naturally comes when the horse ships into a track with his foal certificate, if such a rule were uniformly adopted. The burden under the rule of course is placed not on the race track but on the person filing the foal certificate. Florida is passing such a rule at the next meeting.

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Panel: DR. WILLIAM O. REED

DR. WILLIAM H. WRIGHT

#### 10. HOW CAN WE SOLVE OUR PROBLEM OF FINANCIAL BACKING TO INSTITUTE A COORDINATED, LONG-RANGE PROGRAM FOR EQUINE RESEARCH?

DR. WRIGHT: I'm not qualified to set up a program of soliciting funds for financial backing. However I might throw a monkey wrench into the problem by asking why haven't the equine research programs that have been set up in the past

received financial backing so this question should not or would not be asked? Maybe someone could answer that and solve the problem.

MR. CASSIDY: Whom would you ask? You just want to throw it out to everybody and see if anybody will answer it?

DR. WRIGHT: I think so.

MR. CASSIDY: Can anybody answer that question?

MR. BEARD: I can make some observations from the work that I've tried to do through the Grayson Foundation to raise money. This has not only been with the Thoroughbred but also with the Standardbred and the Quarter Horse people. The trouble I have found is basically that we are in competition for the contributed dollar—voluntary contributions. This quite obviously will not work. I think we must look at it from the point of view that it is a sound business proposition where each person interested in racing or each organization puts up a continuing and relatively small amount. In other words if we can broaden the base and have it a business expense, we can perhaps get the thing off the ground. To do this we must be on a broad basis—and this has been one of the criticisms which we have received—that your program is so limited it doesn't apply to me. So your program must be big enough to take care of the major areas of research in the horse, and that doesn't make any difference whether it is a Quarter Horse, Standardbred or Thoroughbred. We cannot delve too much in special interests. We can look to the registration associations—a suggested plan might be a small part of the registration fee; the race track on a scale basis according to the size of their operation. That would be a relatively small fee if everybody got in on it. And there is one area that is suggested as the best source that is very small—and I'm speaking of a hundredth of one percent on the total revenue to the state. Those are the three areas where they are more or less organized and where a small part of it could get the operation going.

MR. CASSIDY: This question is a combination of two or three questions that we have on the same subject and one of the provisions in one of the questions was that there were probably too many research programs and too many places to spread your money than having one research project for whatever different organizations might participate in it. It's the number of bites I think that one of these questions was complaining about.

MR. BEARD: I think that's very definitely true, Marshall, and what is happening is that there are little splinter projects all over but they're not coordinated in any way where they can get anything done. They get started on a job and the money runs out and then it's dropped. That's been one of the big problems—to get coordinated to a point where you can tie it all together.

MR. CASSIDY: Dr. Reed.

DR. REED: Mr. Cassidy, many of the large companies like General Motors or the larger firms earmark a certain percentage of their profits each year for research and this is one of the few businesses I know that does not. Maybe it should be taken out of the tote, I don't know how to handle that, but certainly there must be an answer from that standpoint. Now one of the prominent dog food companies in this country produces a preparation called K-D that's used for dietary dog food and they earmark I think it's one or two cents a can for a research fund. We have no way that we, at the moment, can ask for any contribution—I think from the standpoint of contributions we're dead. I think that it's very, very difficult for a man to say he'd like to have a contribution—he can give five dollars or five thousand depending on how he happens to feel or how good a year he had and that sort of thing. Another possibility might be the sale of stallion seasons like we have over here at the sale company each year. There might be somebody who would be willing to contribute—maybe Mr. Hancock would contribute a season to Nantallah.

MR. HANCOCK: Maybe Dr. Reed will give us one week's salary.

(Laughter)

DR. REED: All joking aside from the standpoint of continuing research funds it's been the experience of the companies that they must set up a thing over a long range period of time in order to be successful. And so far there isn't anything in that line at all. Much too much burden is placed on colleges. Colleges are just what they mean, they are to educate students in one field, and many times we put the burden of research on colleges with the thought that they can answer the problem. They are not equipped, not only equipment-wise but even knowhow-wise many times. I think if we could consolidate this thing like Mr. Beard says in some manner we might be able to get somewhere.

MR. CASSIDY: Mr. Donovan.

MR. DONOVAN: Well, I don't have any definite thoughts on it. I heard Clarkson's suggestion and I think it has a lot of merit. I wondered as I listened to it how those things are going to come about and how they're going to be created. If you get into the realm of a percentage, no matter how small it is, on the state's revenue going for anything other than the state you get into a very difficult area and I know Ted Bruno will say to you that the NASRC is having a pretty difficult job with a very minor dues increase and it's extremely minor as far as money's concerned. I think it should be done—I think the only way in the world that anything like this can be effectively done is by a continuing program. How it can be brought about I don't know. The segments of racing that Clarkson suggests are the ones who should make the contributions but how they're going to be compelled to do it is something that escapes me at the moment.

MR. BEARD: I might add it's escaped me too.

(Laughter)

MR. CASSIDY: Dr. Teigland.

DR. TEIGLAND: Our association has a Chairman of the Board, General Kester, who is working with The Mark Morris Foundation, which is a foundation set up for animal research. General Kester has been very much interested in setting up a central research group. He already has coordinated some of the research that has taken place. There is one research grant going through their foundation now on parasites in the horse. This work is being done in Texas. If we would provide a central area—aware of all of the research projects that were needed it might be that these directed funds would not be duplicated all over the country in small splinter projects as Clarkson points out. I think if we could tell research sources how the funds are to be used it might be easier to secure the money.

MR. CASSIDY: Anyone else want to speak on this?

MR. RAND: Mr. Cassidy.

MR. CASSIDY: Yes, Mr. Rand.

MR. RAND: Just how much money are we talking about? What would be necessary to carry it on?

MR. WIDENER: Clarkson Beard I imagine can answer that better than anybody else.

MR. BEARD: That is naturally a very difficult question to answer because you get into the realms of tremendous amounts of money. However, in checking with as many places as I can I've come to a pretty solid conclusion that \$250,000 a year would be an adequate program. A minimum program would be \$150,000 a year in a coordinated program. Below that, I think you're practically wasting your time.

MR. RAND: May I ask about how much is available now?

MR. BEARD: The best example I can give you is that the research that Grayson has been supporting has been \$43,000 a year. Other than that, you just get into a lot of smaller ones that are not on any kind of continuity at all and they'll vary from five to fifteen thousand dollars, but they do not go much beyond just that one grant and that's where most of them die.

MR. CASSIDY: Dr. Gilman.

DR. GILMAN: I think research is something that people kick around and don't really think about in its proper light. I don't agree with Clarkson Beard. As far as we are concerned, research should be done on race horse problems. For the breeders, it should be for broodmares and stallions and related problems. But if we're talking about race horses, we certainly need a place to do it. If we haven't got a place to do research then we have to go to this college or that college and we are apt to get lost in the shuffle. Months later, or even years later the money is gone, the work isn't complete and no one gets too much out of it. I think every track should have facilities to do post-mortem examinations on every horse that dies or is destroyed. If we don't do the proper post-mortem examinations we'll never learn what we should know about the horse. The post-mortem examination should be done by a man that's trained for this particular work, a pathologist, not a practicing veterinarian who is far too busy in his own private work to spend the time to do good post-mortems. There should be laboratory facilities along with the post-mortem facilities. We keep records on every horse that runs in New York. The practicing veterinarians also keep those kind of records—when osselets first started, when knees popped, how many times they were injected, etc. They take cardiographs on horses but seldom see the heart after the horse dies or is destroyed. They can't see the complete damage of the heart at post-mortem with what the cardiogram showed. I think that every track should have post-mortem facilities with a trained man to do this type of work. Little by little, we could get an awful lot of information and from this information we could branch out into other fields which could be solved over a period of time with the proper personnel and the proper cooperation. Research on race horses is very, very much needed.

11. WHAT IS THE PERCENTAGE OF LAME RACE HORSES TODAY GIVEN IN TERMS OF DIFFERENT AGE CATEGORIES? (This should include those retired because of lameness and if possible at what age and at what time during the period of training or racing they first became lame.)

- (a) What are the principal factors contributing to the development of lameness?
- (b) To what extent are seemingly irresistible juvenile futurity purses responsible?

MR. CASSIDY: Dr. Wright, you want to comment?

DR. WRIGHT: I suppose you can answer this all as one question or possibly break it up into an endless discussion. Do you mean a race horse from a two-year-old on or from a yearling on?

MR. CASSIDY: I presume it means the latter.

DR. WRIGHT: Well, first of all only about 50% of the yearlings get to the race track if they are weeded out before they are considered racing possibilities. After talking with ten different leading trainers they feel that of the 50% they get to the race track at least 25% of that group will fall by the wayside as two-year-olds and another 15% will fall by the wayside as three-year-olds. A lame race horse—I'm not quite sure what you mean by that because he may be permanently lame and retired as a two-year-old or he may have a transient lameness or he may have some degree of lameness between permanency and that which is transient. Two-year-olds are more subject to different types of lameness that may disappear than older horses. Possibly the older horses have more permanent lamenesses because they survived the lamenesses and the ailments that go with the young racing horse. I couldn't answer this question exactly as it's stated and especially on the principal factors that contribute to lameness because many people handle their horses differently, they have different ailments, they are required to run on different race tracks with different ailments. Possibly a good hard track might favor a horse whose tendons are a little bit more susceptible to injury than a horse who has a rather fragile or brittle

foot. On the other hand if the track is soft perhaps that may favor the horse that has a fragile foot and yet would be unfavorable to a horse whose tendons are not quite up to par. I don't know how to answer the (b) part of the question (To what extent are seemingly irresistible juvenile futurity purses responsible?) because someone has already stated that two-year-olds are the backbone of racing and if that is so I don't think that you could possibly eliminate the two-year-old racing prospect.

MR. CASSIDY: Do you think that racing two-year-olds is actually detrimental to them in their future life if you don't overdo it?

DR. WRIGHT: If you didn't race them as two-year-olds you wouldn't have as much lameness but it's like the man who never did anything, he never made any mistakes. I think that you would possibly fall into another group of ailments that might be just as detrimental as racing your two-year-olds.

MR. CASSIDY: Dr. Reed.

DR. REED: Well, I think there are contributory factors toward unsoundness—I quite agree with Dr. Wright's division or selection of the number of horses as they break down. Obviously a two-year-old, being more immature, the law of averages has to affect them more severely than it would affect an older horse. The older horse ultimately does break down because of age and wear and tear. But to get back to it I think that track conditions are a decided factor. There is a tremendous impetus on the desire for track records. I think that's a bad situation. In England they don't even time horses and they find that good horses are thought as highly of depending on what competition they meet as one who might have set a new track record here. We're racing on very, very difficult tracks today. We're racing even on frozen tracks or partially frozen tracks. We're racing on tracks that ordinarily you wouldn't consider racing on. We're racing nine races a day and we're having overlapping racing seasons. A horse does not even get a so-called vacation. And it's logical because the states get the income and as a consequence it's going to continue. So I think the answer to it if you want to call it an answer is do everything possible to make racing conditions safe in all ways. Now you can't tell a man who's training his horse and he's got a big stake coming up, that he ought to let up on this horse and not race him the rest of the year. It would be pretty hard to tell someone who had a horse like Sir Gaylord he ought to stop him with the Hopeful coming up a couple of weeks from now. But many times I think two-year-olds can be evaluated on the basis of their epiphyseal or bone formation. In answer to the (b) part of this question, which may be more important than anything else, Hirsch Jacobs said earlier that some horses are raceable as two-year-olds early in the year and I think if I had a fast, quick little two-year-old I'd probably be inclined to race him myself then. But for a horse with a future which everyone's looking for, that good horse—obviously you'd view it from a different standpoint and I think it comes back down to the traumatic wear and tear that the horse has as well as the maturity which can be only determined through epiphyseal junction.

MR. CASSIDY: Anyone else want to speak on this subject?

MR. RAND: Mr. Cassidy, one question I'd like to ask Dr. Reed.

MR. CASSIDY: Yes, Mr. Rand.

MR. RAND: Is a horse more likely to sustain an injury on a sloppy or muddy track than he is on a dry track?

DR. REED: He certainly is.

Panel: THADDEUS B. BRUNO

J. SAMUEL PERLMAN

12. THE ENGLISH JOCKEY CLUB SPONSORS A STUD MANAGER REFRESHER COURSE EACH YEAR. SINCE THIS TYPE OF LEARNING IS INVALUABLE WOULD IT NOT BE A GOOD IDEA FOR THE JOCKEY CLUB TO SPONSOR A SIMILAR PROGRAM?

MR. CASSIDY: They have had stud manager courses in Kentucky over a period of years with a great deal of success. Would you like to speak on it, Mr. Perlman?

MR. PERLMAN: Well, frankly I'm not too well acquainted with this. It seems this was the question possibly that Mr. Hancock should have discussed. It does seem to me that possibly the Thoroughbred Club of America in Lexington could consider a program like that. They might be in a better position than The Jockey Club to handle it, although as I said I'm not too well acquainted with it.

MR. CASSIDY: Mr. Bruno.

MR. BRUNO: The need for such a course I think is evident—it would be very, very valuable. Whether The Jockey Club is the agency to take on the responsibility of sponsoring it is another matter. This might well be a project that would interest the new organization of owners, trainers and breeders which has just come into being. This might very well be a matter for their interest.

MR. HANCOCK: I think it belongs down home because you've got more practical knowledge down there. I don't think The Jockey Club should do it, possibly not even the owner's association, but it seems to me the Thoroughbred Club of America, which did do it, can still do it. They did it three years in a row I think, didn't they, Joe?

MR. BOWER: We did it four years.

MR. HANCOCK: Four years?

MR. BOWER: It was sponsored by the Grayson Foundation, the American Thoroughbred Breeders' Association and the University of Kentucky. We had it about four years in the fall and it was quite successful, but in the fourth year our attendance began to taper off sharply and we concluded that the people who were interested in a course of that kind all had had an opportunity to attend. Since then, courses have been presented occasionally on a regional basis—the University of Illinois has taken it up, the State University of Washington—I think it's Washington State College,—has one each year, and I think perhaps the best way to handle it would be on a regional basis according to the needs of the horsemen in that area and, of course, they can draw on veterinarians and farm managers from all parts of the country.

MR. COMBS: I think he explained it very well, because we've had it down there for four years.

MR. FINNEY: I think that the statement that the English Jockey Club sponsors the course is incorrect. I believe that it's the Thoroughbred Breeders' Association which sponsored the course held at Newmarket, England, not the Jockey Club per se.

MR. CASSIDY: Thank you.

MR. GREEN: I think it's a good idea Mr. Cassidy, for people to go to school anytime they can.

(Laughter)

MR. DOHERTY: I think it would be a good idea for some organization to sponsor a course of this type in Lexington about once every five years. You'd have some new people coming along. As Alex said we ran out of interest the last time but my office gets so many letters asking for literature, books and so forth I think we now have a new market coming up.

MR. BOWER: I think Mr. Doherty may be right. I think perhaps we can have

one in Lexington every four or five years. In trying to have it on an annual basis we found out that our expenses increased and our attendance decreased and we were sort of getting out of proportion on it.

13. WHEN THE CHEMIST REPORTS A "POSITIVE" FINDING FOR A DRUG WHICH COULD NOT, AS A MATTER OF SCIENTIFIC FACT, AFFECT THE NORMAL PERFORMANCE OR SPEED OF THE WINNING HORSE IN A RACE, AND WHEN THE TRAINER, GROOM AND ALL OTHER PERSONS HAVING CHARGE, CUSTODY, CARE OR OWNERSHIP OF SUCH HORSE HAVE BEEN FOUND FREE FROM BLAME IN EVERY PARTICULAR, THEN WHY SHOULD THE OWNER OR OWNERS OF SUCH HORSE BE DENIED THE PURSE?

MR. PERLMAN: Well, I think you have to go into this a little because the question assumes a scientific fact which thus far has not been proved, nor has it been accepted by the National Association of State Racing Commissioners. I am a member of the committee that was appointed by the NASRC last year to study this problem, which was of course created by Butazolidin. This question assumes that certain drugs do not affect the speed of a horse. The Thoroughbred Research Committee has met many, many times under the able chairmanship of Neil Curry, chairman of the California Racing Board. All organizations in racing were represented—the Jockey Club, HBPA, Thoroughbred Club of America. The participants also included representatives of the American Thoroughbred Breeders' Association, the Association of Racing Chemists and the Society of Equine Practitioners. Representatives of each group had ample opportunity to state their thoughts on the subject. They could not come up with anything like a unanimous opinion and eventually recommended the rule that was adopted by the NASRC at their convention. This rule provides that you cannot use a drug that affects the speed of a horse. There were conflicting views, as I said before, but the adoption of the NASRC rule was the final recommendation. Personally, I strongly favored a uniform rule. The rule that was adopted does not really create uniformity because it leaves it to the discretion of each racing commission how to interpret whether the drug affects the speed of a horse. However, I believe the democratic process was never more evident than in the discussions of that committee. In fact, the NASRC itself had only one representative on the committee. The action of the committee was similar to what frequently takes places in Congress and in Parliament—they do the best they can to iron out differences and keep the organization together. I was not completely satisfied with what happened and am critical of some aspects of it. The fact remains that in New York they do not permit the use of Butazolidin or drugs of that nature which some people—particularly the vets—believe do not affect the speed of a horse. The commission disagrees. Therefore, the answer to the question here would have to be in the negative . . . the owner or owners must be denied the purse following a "positive" finding.

MR. CASSIDY: I don't think you've answered the question.

MR. PERLMAN: The question was "When the chemist reports a 'positive' finding for a drug which could not, as a matter of scientific fact, etc. . . ." There is no scientific fact. The person who asked the question says that when the trainer, groom and all other persons involved are not responsible, why should they be deprived of the purse? The fact is that the drug is a prohibited drug, so they must lose the purse.

MR. CASSIDY: Now you've answered it.

MR. BRUNO: To me this is one of the most provocative matters on this agenda and I'm extremely interested in having the reaction of those present on this subject. This covers a great many things. As Hirsch Jacobs knows, we devoted at least half

a day to the matter of the liability and responsibility of the trainer under the absolute insurer rule and I'm pleased to say that the uniform rule which we passed in Toronto in my opinion was very, very straightforward in that it did two things: 1) It eliminated the 48 hour rule which put the administration of any drugs or medicines out of the gamut of a time factor and 2) It left the determination of what was proper or improper to the discretion of the Stewards which is the place where we think responsibility and authority should lie. However the fact remains that when you tamper with this particular kind of a rule in many states you immediately run into the law. In some states a positive finding directs the Stewards to suspend the stable and the trainer pending the determination of the cases. I believe in New York, Mr. Cole, that your case is just the opposite—that nothing is done until you have determined the facts. In a matter of equity I think your approach to the problem is better than that in others. But the facts are that this is a very touchy situation which enters into a great many different areas and it can't be resolved on a black and white basis. I'm very interested in having the comments from those here about it.

MR. CASSIDY: Would someone like to comment on this particular question?

MR. DUNNE: Well, this question here—What is the normal performance of a lame horse, who is normally lame? You give him something which overcomes the lameness—well is he back to normal or is he beyond normal? Tricky question this is.

MR. CASSIDY: Magistrate Bigelow.

MR. BIGELOW: Well, as Mr. Perlman and Mr. Dunne have both pointed out without actually saying so, the question is pure gobbledygook. If it's a drug or a substance which as a matter of scientific fact does not affect the horse then obviously nobody's done anything wrong and the horse wasn't affected and the owner should have the purse. But if on the other hand it was a drug, never mind the scientific fact, which is forbidden in that particular jurisdiction and is a violation, then certainly the owner is affected by the wrongdoing of someone.

MR. CASSIDY: Mr. Estes, have you any comment on this?

MR. ESTES: I should like to disclaim having been the author of the question.

(Laughter)

Marshall, I would like to go one step further. I understand Mr. Bruno's perplexity and I also understand you don't have enough time for full discussion here—and he's heard everything you can tell him anyway, at least once. But the racing commissions are now in a very difficult position in that, in some jurisdictions they pass rules and then immediately permit transgressions of their own rules. I don't wish to force that issue, of course, but we are approaching it, and that's what Mr. Bruno is talking about, I think, in saying that this is a very serious and delicate question.

MR. CASSIDY: Mr. Jacobs.

MR. JACOBS: Who determined the scientific fact that it's not a drug.

MR. CASSIDY: Well, that I don't know. I didn't write the question.

MR. JACOBS: The way this is, if it is a scientific fact that it is not a forbidden drug they never should have mentioned it in the first place.

MR. BRUNO: I would like to say that in my personal opinion the commissions are attacking this in the proper manner: first, by delegating the determination of what is proper or improper to the Stewards. As we go along I am sure that time will work toward a solution that will bring equity to everyone which at the moment some state laws do not. I think this is a problem that will be enforced constantly—we're all aware of it—and I think we're working on it intelligently and I for one feel that we will obtain a solution to this and proceed with it.

DR. TEIGLAND: I think there's one thing that has been very confused in this whole issue—I don't think that I can clarify it now but I'm going to try. I think we should determine the therapeutic value of the drug. First, does it affect the normal horse that is sound or does it make the sound horse normal? We feel that many of the medications for therapeutic value have no effect whatever on a sound horse but



they do have an effect on an unsound horse in that they may correct his problem of unsoundness. However the other category of drugs would affect a sound horse above his normal performance. And this is where the conflict has come. What is a normal horse? I feel that a normal horse is a horse that is sound. If you can make this animal sound he can only perform to his normal ability. However if you stimulate a horse—it would make no difference what his problem was—if he were a completely sound horse you would stimulate him beyond his normal ability.

MR. PERLMAN: I'd just like to add one comment to the experience we had with the committee. There were two directly conflicting opinions: The chemists on the committee felt that Butazolidin affected the speed of a horse and the vets were unanimous in saying that it did not affect the speed of a horse. That was—and is—the problem.

14. A QUESTION THAT SEEMS TO BE PARAMOUNT IS THE NEGLECT OF THE PUBLIC'S INTEREST. A GLANCE AT ANY RECENT AGENDA OF THE TRA OR THE NATIONAL ASSOCIATION OF STATE RACING COMMISSIONERS SHOWS MANY ORGANIZATIONS BEING GIVEN AN OPPORTUNITY TO BLOW THEIR OWN HORNS. NOBODY OBJECTS TO THAT BUT THE HORN-BLOWING AND THE BUILD-UP HAVE SERVED TO PUSH THE PUBLIC'S INTEREST INTO THE BACKGROUND. HOW FAR DARE WE SQUEEZE THE PUBLIC?

MR. BRUNO: It seems to me that that's a two-headed question and I'd like to answer it in two parts. First—are we protecting the public interest? I think yes, we are. I think that the racing associations, the commissions, the operators, the Jockeys' Guild, the TRPB, TRA—are more and more concerned about seeing to it that they do everything possible to protect the public interest. In that area I think we are conscious of it and trying to improve our performance. Now as far as telling the public what we do, I think we can do much more. Unfortunately in this democratic society we are not always judged by what we do but by what people think we do. And I don't think that the average member of the wagering public is completely aware of the tremendous effort in time and thought that goes into the protection of the public by racing association offices, and commissions, in all the areas of racing. I think that it would be helpful to see to it that we continue our efforts to give the public more information about the things that we are actually doing than they now know about.

MR. CASSIDY: Mr. Shaffer, would you like to comment on this?

MR. SHAFFER: Yes, Mr. Cassidy. I think I have to agree with Mr. Bruno generally. I think, though, that the fact that racing has increased in the last ten years amazingly in popularity—much more so than other professional sports—would indicate that the public is to a degree receiving the message that we are looking after their interests. I think that it's self-evident that we aren't squeezing the public so far as the Thoroughbred Racing Association tracks are concerned in the fact that we brought into being the TRPB to patrol our racing to protect the public. I think that that more or less answers it so far as I'm concerned.

MR. PERLMAN: Well, the person who asked that question either has never attended any of the conventions or was not listening, if he was present. He says, "A glance at any recent agenda of the TRA or National Association of State Racing Commissioners shows many organizations being given the opportunity to blow their own horns." Of the organizations that hold national conventions, the biggest are the National Association of State Racing Commissioners, the Thoroughbred Racing Associations and the Horsemen's Benevolent and Protective Association. Which organizations were represented by speakers at these conventions? Well, they included The Jockey Club, Thoroughbred Club of America, Jockeys' Guild, TRA and

HBPA, among others. I never heard representatives of any of these groups "blowing their own horn." In fact, they came there to offer some very specific and sound suggestions for the betterment of racing. I have attended these conventions for the last fifteen years and I have been a speaker at some of them. Some of my remarks about these organizations were not too flattering and probably what they had to say about me was not flattering either. The question up for discussion now is completely wrong because these conventions are not "horn blowing" forums. Now, to get to the public. What does the public want? The public wants fine racetracks—tracks that are clean, have good accommodations, ample parking areas and well-supervised racing. I think the reason racing has grown so much in the last ten years is because most tracks have given the public what other sports have failed to give them. For example, most baseball plants are very, very old and situated in areas where there is little or no parking space. They haven't the facilities in relation to seating capacity or the concession areas that racing has to offer. In my opinion, the question is not a valid one.

MR. CASSIDY: Mr. Stewart, have you anything you want to say?

MR. STEWART: I would like to briefly add to what both Mr. Bruno and Mr. Perlman have said as well as Dale Shaffer and point out that at these meetings usually the groups that are speaking are mirroring the attitude of the public in one way or another. The racing commissions are very much concerned about the attitude of the public in their states because the attitude of the public indicates the success of racing in their states. The managements are always much concerned—they work through their own public relations groups, their own publicity groups, to try and reach the public in every way possible. I know that many of the tracks and many of the other organizations conduct polls of various kinds to see how more effectively the public can be attracted to racing. So actually at these conventions and at the other convention—most of our thinking is in the area of improving racing and more effectively bringing the public into our sport.

MR. ESTES: Several years ago I lost my vote on a related subject when I was a director of the Thoroughbred Club of America. Now, though I am president of it, I'm not speaking for the organization. I'm just reporting what seemed to me a very good possibility—that the Thoroughbred Club of America, instead of being centered in Lexington, Kentucky, should have been proliferated all over the country in individual clubs, wherever there were enough horsemen, or people who were simply horseplayers. That would not be so much for expressing public sentiment as for knowing what public sentiment is. If we had an organization that was more or less like, say, a Rotary International, the autonomous local clubs give us a communication with people at the grassroots level. I don't wish to sell the idea now, but I mention it as a possibility.

MR. CASSIDY: Mr. Lynch, would you like to say something?

MR. LYNCH: It would seem to me that the problem of public relations is all tied up in all these questions that you're presenting. Now, I can think of something along those lines—for instance there's some talk around tackrooms and among newspapermen that management at present, at a certain race track, is subsidizing race riders and also making riding assignments. I think this will be a story in the days ahead.

MR. CASSIDY: Mr. Hatton, would you like to say something?

MR. HATTON: No comment, although I'm glad that whoever it was asked question number 14 because that really gives them a chance to blow their horns.

MR. CASSIDY: Joe Val.

MR. VAL: Well, I think the newspaper men are constantly looking out for the public interest and they publish items that require management's attention. I think in many cases they are taken care of.

MR. NICHOLS: I look at it the same way Joe Val does.

MR. WARD: I say if we concentrate on improving the relationship between the press and management and all other departments of racing we're making a step in the right direction, because that's the way you're going to get over the good aspects of racing and things that you want to put before the public. To get across the feeling of racing to the people who love racing—to get that whole idea over to them I think that the press and the radio and television people are the ones that are going to be able to do it for you.

MR. CASSIDY: Thank you. Anyone else want to speak on this subject?

MR. MILLER: I'm not enchanted about public interest in and acceptance of Thoroughbred Racing in my State of Illinois. Instead of startling advances, I think we display startling retrogression. For example, in 1953 with 6 race tracks and 234 days of racing our attendance was 2,853,326, while in 1960 with 7 race tracks and 301 days of racing our attendance was 2,827,324.

MR. CASSIDY: Thank you. Does anyone else want to comment on this?

MR. PERLMAN: We get a lot of mail in our office and so far as the public is concerned an editorial that we had several months ago to the effect that Stewards do not take sufficient action against reversals of form brought the largest response. We received more mail during that week than we received in six months previously on all subjects. So that reveals the public does not feel it is being sufficiently protected by Stewards throughout the country when horses run last and then first, etc. I personally believe, too, that they were too lenient, but the public definitely feels very strongly apparently.

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Panel: WALTER H. DONOVAN  
GEORGE C. HENDRIE

15. WOULD IT BE BENEFICIAL TO ESTABLISH A COMMITTEE TO STUDY OWNER'S CURRENT EXPENSES IN CONNECTION WITH FEED AND CARE OF HORSES AND PERCENTAGES PAID TO VARIOUS PERSONNEL IN RELATION TO INCOME FROM WINNING PURSES?

MR. CASSIDY: Mr. Donovan, would you like to say something?

MR. DONOVAN: Well, I don't know that I quite understand the question. The income from winning purses—is that intended to mean the winner's share of the purse?

MR. CASSIDY: I imagine it's any part that they may win.

MR. DONOVAN: Well, we have changed the method several times over the years as to what the winner's share should be. You've got so much money—you've got four positions and there is a tendency in many areas now to request that the fifth horse be added which would probably compound this question a bit. I think the first part of the question, "Would it be beneficial to establish a committee to study owner's current expenses" particularly in connection with feed is a very good question and I think that such a committee would perform a very dutiful service. It seems to me that belongs in the area of the owners' organization and the HBPA.

MR. HENDRIE: I'm like Mr. Donovan—slightly confused as to the make-up of the question. However this committee's job would mean that owners reach agreement on the question of gratuities—I call them gratuities rather than percentages paid to various personnel—which would also extend to include the price of feed and

the price of shoeing, wages and things of that nature—I have to say that I think it would fall flat on its face. As far as the percentage in relation to gratuities to riders and trainers—I do think that's the owner's own business and is an agreement between the owner and his rider and/or his trainer. This doesn't say anything about the trainer of a public stable.

MR. CASSIDY: I tried to analyze it but I was under the impression that it probably has to do with the stable operations. Feed and care of horses probably means grooms and exercise boys. Percentages I suppose means the percentages paid to the help in the stable when a horse wins or to the rider and the trainer. I don't know exactly but that's my interpretation of it. I think it has been stated that that is a problem of the owners and I think the owners' organization would be the best to look into it. However this is open to any comment anyone would like to make on it.

MR. TASKER: I'd like to go ahead and explain the responsibility I intended in this question. I think it's one of great concern to many owners and the idea that they will do it in their own individual way has become somewhat abhorrent to them, because the barn next door has got a different deal and some are splitting the percentage through the stable and some are giving it only to foremen. An increasing number of owners in the last week or two have said can't we get together and agree on a suggested scale, not a firm agreement, but a suggestion of what we can do as a group that is fair, stop quibbling and arguing and at the same time try to make racing a little less unprofitable for the owners.

MR. DONOVAN: I might say this, Marshall. When you consider the great variations that exist throughout the country in the cost of feed and cost of medications and all that go into the owner's cost of running a stable—you wonder why some of these organizations—say like the owners' and the HBPA—in their self-interest would not get into a study of this problem. And it seems to me that in some sort of a manner—maybe a co-op or something of the kind—the matter might be resolved because it's a tremendous drain I'm sure on every man who attempts to run horses and needlessly so.

MR. CASSIDY: We've tried that years ago. I remember out on the west coast the association bought feed in bulk to save money for the horsemen and had a consistent price for it—bedding too—and they'd buy it at what they thought was a low market price and have it at the race track available for the horsemen at the cost price to the association. I think in the two years that it was tried out there prices dropped a little bit and it left the race rack with tons of feed and hay and not anything to do with it. It doesn't seem that it works very well on a proposition of that kind.

MR. DONOVAN: It seems to me the best a race track can do is to have an open area and to supply competition.

MR. CASSIDY: That's right.

MR. DONOVAN: From there on it's the problem of the man who pays the bill.

MR. CASSIDY: Anyone else like to comment on that?

16. IS NIGHT RACING FOR THOROUGHBREDS REALLY SO BAD THAT A MEMBER TRACK OF THE T.R.A. CANNOT OPERATE AT NIGHT EVEN THOUGH IT MAY BE THE ONLY WAY FINANCIAL SUCCESS MAY BE OBTAINED? WOULD IT NOT BE BETTER TO OPERATE WITH POLICE COOPERATION FROM THE T.R.P.B. THAN TO OPERATE INDEPENDENTLY?

MR. CASSIDY: Mr. Donovan.

MR. DONOVAN: Well, it's a two-part question.

MR. CASSIDY: Apparently.

MR. DONOVAN: I don't see that there's too much area for discussion. You might have to conclude, it's not a very pleasant thing to say, but if it is bad and the only way a track can run economically is by running at night, maybe from an economic standpoint the track shouldn't exist.

MR. HENDRIE: I have to disagree with Mr. Donovan. I cannot see why racing under lights cannot maintain the high standards of ethics that the Thoroughbreds are happy to have during the daylight hours. As Magistrate Bigelow and Eddie Taylor well know that's one of our great arguments in another field of our endeavours. If a track has the proper code of ethics and finds itself in a position where it cannot operate economically in the daytime, I can see no good reason why it should not be allowed to operate at night. I might add that personally and perhaps from a traditional standpoint I don't like it.

MR. SHAFFER: Mr. Cassidy, the member tracks of the TRA have voted several times on this question and on each occasion they've been unwilling to support night racing. That's their position as of this time.

MR. CASSIDY: I can testify to that. I was voting with them. Yes, Mr. Perlman.

MR. PERLMAN: Well, I agree with the point that if a race track can't be prosperous during the daytime and the choice is between operating afternoons or giving up and making way for harness racing I think it's wrong. It's wrong from another standpoint in that there are members of the TRA—for instance Woodbine—who race during the daytime but have harness meetings at night. There is no moral problem involved there that I can see and the same is true of Waterford Park. Waterford is a member of the TRA and its head also operates Fairmont Park, which races at night, so the thing has reached the point where certainly it is completely incompatible.

MR. CASSIDY: I think the second part of this question is probably worth commenting on—"Would it not be better to operate under the TRPB than to operate independently?"

MR. SHAFFER: I would definitely agree to that.

MR. SHEHAN: I think that there's one consideration here that has been overlooked—the TRA not accepting the possibility that some of these tracks are going to have night racing anyhow. They may be doing the general racing world a disservice in not accepting that practicality and inducing them to go in with them in their membership and then supervising their programs under that type of operation. I recall that way back when they opened New England the request was made to The Jockey Club that we have Stewards from The Jockey Club in New England and it was politely turned down according to my informants in management there. And I think that now we have come to see that we'd like to have Stewards extended to the managements of various tracks and had that been followed through at that time it wouldn't have created the vacuum that we encountered in the supervision of racing. Now that's just thrown out for the purposes of discussion and consideration here. I'd like to see all the tracks come under the supervision of the TRA.

MR. CASSIDY: Mr. McKellar, do you want to spend a couple of minutes on your question?

MR. McKELLAR: No, thank you.

MR. WIDENER: That draws our meeting to a close and we stand adjourned. I appreciate very much your coming. We are now going to show you the film—of the day General and Mrs. Eisenhower came to Belmont Park.