

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

1951

M I N U T E S

1951

Minutes of a Meeting of the New York State Racing Commission held at the office of the Commission, 745 Fifth Avenue, New York City, Wednesday, January 10, 1951, at 10:00 o'clock in the forenoon.

PRESENT:

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

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

The Chairman stated that he had been informed by representatives of the Racing Associations and also by Mr. L. M. Walger, Jr., Mutuel Manager at the New York race courses, that the American Totalizator Company would be able to furnish in time for the opening of the New York 1951 season on April 2, a sufficient number of the newly developed mechanically operated Daily Double vending machines, so that all Daily Double tickets could be sold from such machines. Mr. Walger and Mr. Luke H. O'Brien of Jamaica and Empire, recommend that the Commission amend its rule forbidding the acceptance of Daily Double wagers by messengers after twenty-five (25) minutes before the official post-time of the first race in the Daily Double so that messengers may accept such wagers up to fifteen (15) minutes before such post-time.

On motion duly made and seconded, Section 11 of Article XII of the Rules and Regulations of the Commission now reading as follows:

"Section 11. The authorized and uniformed messengers provided by the Associations shall give receipts to all patrons purchasing pari-mutuel tickets through them, and winning tickets shall be paid by such messengers only upon surrender of such receipts. No wager shall be accepted by any messenger after seven (7) minutes before Official post-time. No wager on the Daily Double will be accepted by a messenger after twenty-five (25) minutes before the official post-time of the first race in the Daily Double.

When such messengers are employed, specific pari-mutuel windows shall be designated for their exclusive use. Methods of operation shall, at all times, be in accordance with the rules and regulations of the State Tax Commission and these Rules and Regulations."

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

"Section 11. The authorized and uniformed messengers provided by the Associations shall give receipts to all patrons purchasing pari-mutuel tickets through them, and winning tickets shall be paid by such messengers only upon surrender of such receipts. No wager shall be accepted by any messenger after seven (7) minutes before Official post-time. No wager on the Daily Double will be accepted by a messenger after fifteen (15) minutes before the official post-time of the first race in the Daily Double.

When such messengers are employed, specific pari-mutuel windows shall be designated for their exclusive use. Methods of operation shall, at all times, be in accordance with the rules and regulations of the State Tax Commission and these Rules and Regulations."

The Commission considered the Florida Meeting of the National Association of State Racing Commissioners and the position which would be taken on various matters of interest by Chairman Cole who will attend the Convention as the Commission's representative.

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

A handwritten signature in cursive script, appearing to read "A. J. Miller", written in dark ink.

Secretary

Minutes of a Meeting of the New York State Racing Commission, held at the office of the Commission, 745 Fifth Avenue, New York City, on February 14, 1951, at 10:00 o'clock in the forenoon:

PRESENT:

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

The Chairman reported that due notice of the meeting had been given by mail to all Commissioners.

The Chairman presented to the meeting a letter from Marshall Cassidy, Executive Secretary of The Jockey Club, dated January 12th, stating that the following officials connected with the actual conduct of racing, have been approved by The Jockey Club, and requesting approval by the Commission.

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

He also presented to the meeting a letter from Mr. Cassidy, dated January 15th, stating that the following persons now employed in various departments by the licensed racing associations and The Jockey Club had been approved for temporary assignments, under the direction of The Jockey Club, to official posts connected with the actual conduct of racing:

Thomas Trotter	- Racing Secretary's Office
Dr. J. G. Catlett	- Horse Identification Department
Dr. Manuel Gilman	- " " " "
Dr. Mitchell Floyd	- " " " "
Frederick Meinz	- " " " "
Gerard A. Burke	- " " " "
Pierce Butler	- " " " "
William O'Connor	- " " " "
Howard Storms	- " " " "
Harry T. Palmer, Jr.	- Assistant Starter
Harold A. Plumb	- " " " "
David Chamberlin	- " " " "
Oscar Mackey	- " " " "
Lucas Dupps	- Lead Outrider
John F. Kennedy	- The Jockey Club Office
Nathaniel Sutcliffe	- " " " "

Upon motion duly made and seconded the said officials, whose names are set forth above, were duly approved.

Upon motion duly made and seconded, the Commission approved the designation of Mr. Harold O. Vosburgh, as Steward, representing the licensed racing associations for the 1951 season.

Upon motion duly made and seconded, nomination by the National Steeplechase and Hunt Association of Mr. John E. Cooper, as Racing Secretary and Handicapper for the Association for the year 1951, was approved.

Upon motion duly made and seconded, nomination by the National Steeplechase and Hunt Association of Mr. Fred H. Parks, as Steward, to represent the Association at the meetings of the Westchester Racing Association, Queens County Jockey Club, The Saratoga Association and the United Hunts Racing Association, was approved.

Upon motion duly made and seconded, the Commission redesignated Mr. Francis P. Dunne, as the official Steward of the New York State Racing Commission for the 1951 season.

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

RESOLVED, that the following persons be and the same hereby are appointed to the positions set forth opposite their names, as the seasonal staff of the Commission for the season commencing April 2, 1951, to hold such positions until the further order of the Commission:

<u>Name</u>	<u>Position</u>
Dr. Jordan G. Woodcock	Supervisor of Drug Tests
Bernard McNichol	Assistant to Steward
George W. Thompson	Assistant to Supervisor of Drug Tests
William Brennan	Inspector
— Charles E. Allcock	"
Louis Espresso	"
Frederick L. Kennedy	"
Thomas E. McKnight	"
William Gates	"
Robert H. Borough	"
Raymond A. Breton	"
Herman White	"
— Lawrence J. McMahon	"
Thomas Guilfoyle	"
Aldo J. Sagrati	"
Howard J. Gotterup	"

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



Secretary.

Minutes of a meeting of the New York State Racing Commission, held at the office of the Commission, 745 Fifth Avenue, New York City, on March 14, 1951, at 10:00 o'clock in the forenoon:

PRESENT:

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

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

The Chairman presented to the meeting a letter from Marshall Cassidy, Executive Secretary of The Jockey Club, dated March 2, 1951, stating that the following Stewards of The Jockey Club may at some time be called upon to substitute for either Mr. Vosburgh, Steward representing the Racing Associations or Mr. Cassidy, Steward representing The Jockey Club, in the event of their enforced absence from the track.

Mr. Joseph E. Davis
 Mr. Walter M. Jefforas
 Mr. John A. Morris
 Mr. Ogden Phipps
 Mr. Whitney Stone
 Mr. Alfred G. Vanderbilt
 Mr. F. S. von Stade
 Mr. George D. Widener
 Mr. William Woodward

Mr. Cassidy requested approval by the Commission.

Upon motion duly made and seconded, the Stewards named were approved to substitute for either Mr. Vosburgh, Steward representing the Racing Associations, or Mr. Cassidy, Steward representing The Jockey Club, in the event of the enforced absence of either Mr. Vosburgh or Mr. Cassidy from the track during the course of a meeting.

Upon motion duly made and seconded, the Commission approved the schedule of prices for admissions and seating privileges requested by the United Hunts Racing Association, for its meeting at Belmont Park on October 17 and 18, 1951, and set forth in the price schedule accompanying its letter dated February 17, 1951, said prices being identical with the per diem prices of Westchester Racing Association for the Belmont Park season.

Upon motion duly made and seconded, it was

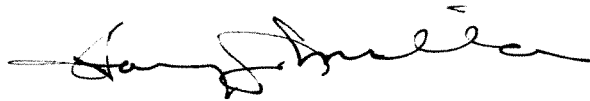
RESOLVED, that pending the receipt of at least one full unit of automatic Daily Double Vending Machines, the Daily Double windows will close twenty (20) minutes before post-time of the first race and no wager on the Daily Double will be accepted by a messenger after twenty-five (25) minutes before said post-time. That the provisions of Sections 10 and 11 of Article XII, which are inconsistent with this resolution, be temporarily suspended.

Upon motion duly made and seconded, the Chairman was authorized to appoint Mr. Arthur G. Beck as seasonal Inspector for the Commission in place and stead of Ralph Hill.

The Commission examined the plan for the improved Testing Enclosure at Aqueduct Race Course.

The Commission discussed the decision of the Court of Appeals which held that the delegation by the Legislature of the occupational licensing privilege to The Jockey Club was unconstitutional. Consideration was given to action to be taken by the Commission to meet the situation.

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



Secretary.

Minutes of a Special Meeting of the New York State Racing Commission, held at the office of the Commission, 745 Fifth Avenue, New York City, on March 29, 1951, at 10:00 o'clock in the forenoon.

PRESENT:

- Mr. Ashley Trimble Cole, Chairman
- Mr. William C. Langley, Commissioner
- Mr. L. A. Swirbul, Commissioner
- Mr. Harry J. Willar, Secretary
- Mr. Francis P. Dunne, Steward
- Mr. John P. Powers, Counsel to the Commission (Asst. Attorney General)

APR 1951

General discussion was had as to the effect of the Court of Appeals decision with respect to the powers of The Jockey Club. In view of the approval by the Governor of Senate Bill No. 3301 which had become Chapter 324 of the Laws of 1951, the Chairman offered the following resolution.

RESOLVED, that the Rules of Racing presented to and read at this meeting be and the same hereby are adopted as the Rules of Racing of this Commission with respect to running races or race meetings and with respect to steeplechases or steeplechase meetings and hunts meetings; and be it

FURTHER RESOLVED, that said Rules of Racing shall be deemed to be part of the Rules and Regulations of this Commission.

The Chairman said that as the result of the decision of the Court of Appeals and the adoption of the Rules of Racing by the Commission, it would be necessary to make extensive amendments to the Rules and Regulations of the Commission. There were presented and read to the meeting the proposed changes to be made. Upon motion duly made and seconded, it was

RESOLVED, that the Rules and Regulations of the Commission be and the same hereby are amended in the following respects:

Article II, Section 4. Strike out "of the Meeting".

Article III, Section 8. Strike out "and whenever the Joint Session of the Commission and two Stewards of The Jockey Club, by vote duly taken, has rendered a decision". Also strike out "or of such Commissioners and the Stewards who voted". Also strike out "or by the Joint Session of the Commission and two Stewards of The Jockey Club."

Article V, Section 1, now reading as follows: "The Rules of Racing prescribed by The Jockey Club with respect to running races or race meetings and by the National Steeplechase and Hunt Association with respect to steeplechases or steeplechase meetings, which have been approved by the Commission, are in force in the State of New York." -

shall read as follows: "Section 1. The Rules of Racing prescribed by the Commission with respect to running races or race meetings and with respect to steeplechases or steeplechase meetings and hunts meetings are in force in the State of New York, and shall be deemed to be part of these Rules and Regulations.

Article VI, Section 1, now reading as follows:

"Occupational Licenses

Section 1. Persons pursuing within the State of New York the following occupations shall be licensed by The Jockey Club or by the National Steeplechase and Hunt Association on and after February 1, 1947, and shall pay to said The Jockey Club or National Steeplechase and Hunt Association the amounts set opposite their respective occupational designations as the annual fees therefor.

Designation	Fee
Owner	\$ 5.00
Trainer	15.00
Assistant Trainer	15.00
Jockey (Running races)	25.00
Jockey (Steeplechases)	10.00
Jockey Agent	10.00
Stable Employees	1.00 "

shall read as follows:

"Occupational Licenses

Section 1. Persons pursuing within the State of New York the following occupations shall be licensed by the Commission and shall pay to the Commission the amounts set opposite their respective occupational designations as the annual fees therefor.

Applications shall be in such form as the Commission may prescribe from time to time. When filed, they shall be accompanied by certified checks, bank officers' checks or drafts or money orders for the amount of the license fee. Licenses, unless revoked for cause, shall be for the period of one year from April 1 of the year in which issued.

Designation	Fee
Owner	\$ 5.00
Trainer	15.00
Assistant Trainer	15.00
Jockey (Running races)	25.00
Jockey Agent	10.00
Stable Employees	1.00 "

Article VII, Section 11. Strike out "Steward of the"; before "print" insert "two" and change "print" to "prints"; strike out "and the Steward shall keep a permanent file of all such prints" and insert "and the negative thereof".

Article IX, Section 2. At the end of section add: "and be available at all times to representatives of the Commission".

Article X, Section 2. Strike out "of the Meeting".

Article XI, Section 3. Strike out "of the Meeting or the Stewards of The Jockey Club".

Article XIV, Section 4.(b). Before last word "wager" insert "amount of the".

Article XIV, Section 4.(c) Before last word "wager" insert "amount of the".

Article XV, Section 2. After "winner of" insert "and the second horse in"; strike out "of the Meeting".

Article XV, Section 3. Strike out "of the Meeting".

Article XV, Section 4. Strike out "of the Meeting".

Article XV, Section 5. After "representative" insert "if present"; after "witness" strike out "if present"; strike out "of the Meeting"; strike out "Stewards of The Jockey Club" and insert "Commission"; strike out "their" and insert "its"; strike out "they" and insert "it".

Article XV, Section 6. After "delivered" insert "promptly".

Upon motion duly made and seconded, the Commission approved the forms of applications for licenses and the forms of licenses.

The Commission also directed that all applications for licenses received should be examined and screened by a Committee consisting of the three local Stewards and the Secretary of the Commission; that such Committee should report to the Commission its findings with respect to all applications for renewals and separately all new applications; and that steps should be taken to investigate all persons filing applications for the first time, or who had not received licenses for the year 1950.

The Chairman was authorized to consult with the Pinkerton's National Detective Agency, Inc., as to its terms for

- (a) Screening applications for licenses of stable employees and issuing the same.
- (b) For investigating individual applications for other licenses.

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


Secretary.

Minutes of a Meeting of the New York State Racing Commission held at the office of the Commission, 745 Fifth Avenue, New York City, on Wednesday, April 11, 1951, at 10:00 o'clock in the forenoon.

PRESENT:

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

Mr. Cole stated that as no new matters had reached the stage where they could be discussed by the Commissioners, he had so advised Commissioners Langley and Swirbul, and they agreed to the calling of a Special Meeting for Wednesday, April 18th at 10:00 A. M.

The meeting adjourned at 10:15 A. M.



Secretary.

Minutes of a Special Meeting of the New York State Racing Commission held at the office of the Commission, 745 Fifth Avenue, New York City, on Wednesday, April 18, 1951, at 10:00 o'clock in the forenoon.

PRESENT:

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

The Chairman read a letter from Mr. Harold C. McCollom, counsel for The Jockey Club, dated April 2 with respect to declaring an "Emergency" for amendments to the Rules of Racing of The Jockey Club.

Upon motion duly made and seconded, the Commission declared an "Emergency" for the rescinding and altering by The Jockey Club of its Rules of Racing and ratified the action of the Chairman and Commissioner Swirbul in declaring such an emergency on April 3rd.

The Chairman presented the application of The Adjacent Hunts Racing Association, Inc., dated April 17th for a license to conduct a hunts meeting on Saturday, May 26th.

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

RESOLVED, that the application of The Adjacent Hunts Racing Association, Inc., dated April 17, 1951, for a license to conduct a hunts meeting on the premises of the Blino Brook Turf and Polo Club in the Town of Harrison, Westchester County, New York, on Saturday, May 26th, be and the same hereby is approved, and be it

FURTHER RESOLVED, that the Chairman be and he hereby is authorized and directed to issue a license in due form for the holding of said meeting and for pari-mutuel betting thereat, as provided by law, upon said The Adjacent Hunts Racing Association, Inc., paying the statutory fee therefor in the amount of \$25.00; and be it

FURTHER RESOLVED, that said The Adjacent Hunts Racing Association, Inc., shall not be required to maintain and operate the equipment required by Section 6 of the Pari-Mutuel Revenue Law, provided said organization furnishes other equipment and facilities to conduct such pari-mutuel betting and compute the pari-mutuel pools, to the satisfaction of this Commission and the State Tax Commission.

FURTHER RESOLVED, that the supervisory fee for the one-day meeting of The Adjacent Hunts Racing Association, Inc., on May 26, 1951, be and the same hereby is fixed, pursuant to Section 25 of Chapter 254 of the Laws of 1940 (Unconsolidated Laws, Section 7583) at the sum of \$35.00.

FURTHER RESOLVED, that the list of officials set forth in the schedule attached to the application of The Adjacent Hunts Racing Association, Inc., who will officiate at its meeting are hereby approved by the Commission.

Upon motion duly made and seconded, the Commission designated Mr. Robert B. Young, as the official Steward of the New York State Racing Commission for the hunts meeting to be held by The Adjacent Hunts Racing Association, Inc., on May 26, 1951, on the premises of the Blind Brook Turf and Polo Club, Harrison, N. Y., such services to be without compensation or reimbursement.

Upon motion duly made and seconded, the Commission designated Dr. Jordan G. Woodcock, Supervisor of Drug Tests, and one or more assistants to be designated by him, to secure such samples of saliva and urine as they may be advised at the one-day hunts meeting of The Adjacent Hunts Racing Association, Inc.

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

RESOLVED, that the Supplemental Rules to the Rules of Racing for Steeplechases, Hurdle Races and Hunts Meetings presented and read at this meeting, be and the same hereby are adopted as the Supplemental Rules to the Rules of Racing for Steeplechases, Hurdle Races and Hunts Meetings of this Commission.

The meeting then proceeded to consider applications for occupational licenses for the 1951 season and issued instructions to the Steward in connection therewith.

Upon motion duly made and seconded, the meeting adjourned.



Secretary.

Minutes of the Monthly Meeting of the New York State Racing Commission held at the office of the Commission, 745 Fifth Avenue, New York City, on Wednesday, May 9, 1951, at 10:00 o'clock in the forenoon.

PRESENT:

- Mr. Asnley Trimble Cole, Chairman
- Mr. William C. Langley, Commissioner
- Mr. L. A. Swirbul, Commissioner
- Mr. Harry J. Millar, Secretary
- Mr. Francis P. Dunne, Steward

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

RESOLVED, that The Adjacent Hunts Racing Association, Inc., be and the same hereby is authorized to make the following charges for its admissions and seating privileges, including tax, at its hunts meeting on May 26, 1951:

- Box Seats..... \$6.75
- Clubhouse Stand Seats... 4.50
- General Admission..... 2.50
- Boxes containing 6 seats...40.50

The Commission considered a proposal by Mr. Philip Godfrey that the claiming rules be amended to provide that no horse may be claimed in a claiming race for two-year-olds by any other than an original owner entering or racing a horse in that race, provided that the original owner may waive his rights to such a restriction at the time of entering his horse. Mr. Godfrey's suggestion also included a definition of an "original owner" as a person who either bred the two-year-old or purchased it as a yearling.

After an extended discussion of the rule by the Commissioners with Steward Dunne and Secretary Millar, and consideration of reports made to Chairman Cole, the Chairman was authorized to advise Mr. Godfrey that the Commission did not see any reason to change the existing rule.

The meeting then proceeded to consider applications for occupational licenses for the 1951 season and issued instructions to the Steward in connection therewith.

Upon motion duly made and seconded the meeting adjourned.



Secretary.

APR 20 1951

Minutes of the Monthly Meeting of the New York State Racing Commission held at the office of the Commission, 745 Fifth Avenue, New York City, on Wednesday, June 13, 1951, at 10:00 o'clock in the forenoon.

PRESENT:

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

The Chairman stated that the elastic starting tape had been in use on all week-days at the Belmont Park meeting since its start on May 14, for the purpose of starting horses through the field; that George Cassidy, official starter, had expressed his complete satisfaction with it and that the Chairman had attended at a testing of the tape and at two actual starts in which it was used. The Chairman moved that the elastic starting tape now in use at Belmont Park, be and the same hereby is approved for use in starting horses for races through the field, subject to further order of this Commission.

The motion was duly seconded and adopted.

The Chairman explained to the Commissioners that The Adjacent Hunts Racing Association, Inc., had requested on May 18, 1951, the approval by the Commission of John McNamee Sullivan as a Placing Judge, and Messrs. A. Porter Waterman and Thomas Glynn as additional Patrol Judges for the meeting of that Association on May 26. In view of the fact that no meeting of the Commission could be held prior to the Hunts Meeting, the Chairman gave his personal approval for these appointments and submitted them to the Commission for formal approval.

On motion duly made and seconded, the said appointments were approved by the Commission.

The Commissioners discussed at length, the matter of a Consolation Daily Double and the adoption of a rule to establish it. As the Commissioners were desirous of consulting other persons, it was agreed to postpone further consideration of the proposed rule until Saturday, June 16, at which time a Special Meeting of the Commission would be held in the Directors' Box on the roof of the Turf and Field enclosure at Belmont Park Race Course, following the second race.

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



Secretary.

July 11, 1951

Due to the absence from the City of the members of the Commission, the July 11, 1951, meeting was adjourned to July 18th.



Secretary.

July 18, 1951

Due to the continued absence of the Commissioners from the City the Special Meeting to be held on July 18 was adjourned without date.



Secretary.

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Minutes of the Monthly Meeting of the New York State Racing Commission held at the office of the Commission, 745 Fifth Avenue, New York City, on Wednesday, September 12, 1951, at 10:00 o'clock in the forenoon.

PRESENT:

Mr. Ashley Trimble Cole, Chairman
 Mr. William C. Langley, Commissioner
 Mr. L. A. Swirbul, Commissioner
 Mr. Harry J. Millar, Secretary
 Mr. Francis P. Dunne, Steward
 Mr. John P. Powers, Assistant Attorney General
 (At invitation of the Chairman)

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

RESOLVED, that the third paragraph of Section 10 of Article XII of the Rules and Regulations, now reading as follows:

"Daily Double windows will close twenty (20) minutes before the official post-time of the first race in the Daily Double.",

be and the same hereby is amended as of and from July 2, 1951, to read as follows:

"Daily Double windows will close ten (10) minutes before the official post-time of the first race in the Daily Double."

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

RESOLVED, that the first paragraph of Section 11 of Article XII of the Rules and Regulations, now reading as follows:

"The authorized and uniformed messengers provided by the Associations shall give receipts to all patrons purchasing pari-mutuel tickets through them, and winning tickets shall be paid by such messengers only upon surrender of such receipts. No wager shall be accepted by any messenger after seven (7) minutes before official post-time. No wager on the Daily Double will be accepted by a messenger after twenty-five (25) minutes before the official post-time of the first race in the Daily Double.",

be and the same hereby is amended as of and from July 2, 1951, to read as follows:

"The authorized and uniformed messengers provided by the Associations shall give receipts to all patrons purchasing pari-mutuel tickets through them, and winning tickets shall be paid by such messengers only upon surrender of such receipts. No wager shall be accepted by any messenger after seven (7) minutes before official post-time. No wager on the Daily Double will be accepted by a messenger after fifteen (15) minutes before the official post-time of the first race in the Daily Double."

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

RESOLVED, that Section 143 of Article XIV of the Rules of Racing, now reading as follows:

"A bell shall be rung ten minutes and a bugle sounded five minutes before the time fixed for the start." ,

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

"A bell shall be rung to indicate the time to saddle and a bugle sounded to indicate the time to go to the post."

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

RESOLVED, that Rule of Racing 172, now reading as follows:

"A horse's liability to be claimed is not affected by his walking over, but he shall receive all the money offered by the conditions of the race to the winner.",

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

"A horse's liability to be claimed is not affected by his walking over."

The Commission considered the report of the Laboratory that the drug ephedrine had been found and identified in the saliva of the horse KEEP RIGHT which won the fifth race at Saratoga Springs on September 1st.

Upon motion duly made and seconded, the Commission adopted the following order, viz.:

ORDERED

(a) that the trainer's license of Norman Tallman be and the same hereby is suspended from September 5 until 12:00 o'clock P. M. November 4, 1951.

(b) that horses in charge of trainer Norman Tallman be and the same hereby are suspended from racing during such period.

(c) that Philip Godfrey, as the owner of the horse KEEP RIGHT, is hereby denied any portion of the purse for the fifth race at Saratoga Springs on September 1.

(d) that the purse for the fifth race at Saratoga Springs on September 1 be distributed as in the case of a disqualification of the horse KEEP RIGHT.

The Commission further directed that the substance of the Order be communicated to Mr. Philip Godfrey the owner of the horse, Mr. Norman Tallman, the trainer and The Saratoga Association. It also approved a press release with respect to the matter. Copy of such press release is appended hereto.

September 12, 1951

The Laboratory of the New York State Racing Commission has reported that ephedrine has been found and identified in the saliva of the horse "KEEP RIGHT" which won the fifth race at Saratoga Springs on September 1st. The horse is owned by Philip Godfrey and trained by Norman Tallman.

Investigation by the Stewards of the Meeting with the assistance of the Thoroughbred Racing Protective Bureau elicited the following undisputed facts: "KEEP RIGHT" was acquired by Mr. Godfrey August 4. It developed almost immediately that the horse has chronic pharyngitis. A well-known and competent veterinarian who examined the horse recommended a nasal spray of a proprietary medicine produced by one of the leading manufacturers of standard pharmaceuticals in the country. This preparation, which contains 1% ephedrine, was administered to the horse by order of Trainer Tallman on several occasions, including an administration one hour before its race on September 1.

The Stewards of the Meeting suspended the license of Trainer Tallman on September 5, pending action by the Commission, and referred the case to the Commission for final action.

On the undisputed record before it, in which Mr. Tallman has been fully cooperative, the Commission has found that Norman Tallman has violated Rule of Racing 208(g) in administering to the horse "KEEP RIGHT", before a race, a "drug, stimulant or narcotic *** which is of such a character as could affect the racing condition of the horse in such race". In spite of Mr. Tallman's unblemished record, the Commission feels it has no other course to follow than to direct as follows: (a) that the trainer's license of Norman Tallman be and the same hereby is suspended from September 5 until 12:00 o'clock P. M. November 4, 1951; (b) that horses in charge of trainer Norman Tallman be and the same hereby are suspended from racing during such period; (c) that Philip Godfrey, as the owner of the horse "KEEP RIGHT", is hereby denied any portion of the purse for the fifth race at Saratoga Springs on September 1; and (d) that the purse for the fifth race at Saratoga Springs on September 1 be distributed as in the case of a disqualification of the horse "KEEP RIGHT".

The Commission then considered the fixing of dates for hearings on applications of Thomas R. Queen for a Trainer's license, Thomas W. Malone for an Owner's license and Donald L. Meade for a Jockey's license. The following dates were fixed:

Thomas R. Queen, Trainer's license, Wednesday, September 26, 1951, at ten o'clock in the forenoon.

Thomas W. Malone, Owner's license, Wednesday, September 26, 1951, at two o'clock in the afternoon.

Donald L. Meade, Jockey's license, Thursday, September 27, 1951, at ten o'clock in the forenoon.

The Commission discussed generally a proposed revision of its Rules and Regulations, including the Rules of Racing, and the Chairman in conjunction with Assistant Attorney-General John P. Powers, was authorized to discuss the matter with representatives of The Jockey Club before proceeding.

A general discussion was had with respect to a proposed amendment to the Rules which would establish a so-called Consolation Daily Double. The Commission directed a press release to be issued reading as follows:

"At a meeting of the Commission held today it considered at length a proposed amendment of the Rules for the establishment of a so-called Consolation Daily Double. The Commission decided it would not make any changes in the Rules during the present season."

Steward Dunne presented a report dated September 10, 1951, on the disposition of licenses which the Chairman directed be placed on file.

The Chairman read a letter dated September 5 which he wrote to the Attorney-General and the latter's reply dated September 7, from which it appeared that the Department of Law would no longer assign an Assistant Attorney-General to the Commission to act for it in hearings and other matters of Commission business, and in which the Attorney-General suggested that the Commission employ its own attorney or counsel for such matters. After discussion the Chairman was authorized to request the Secretary of State and the Division of the Budget and such other authorities as might be necessary, to permit the Commission to make such an appointment.

After further discussion, the Commission requested Mr. John P. Powers, Assistant Attorney General, who was present at the meeting on the Chairman's invitation, to accept appointment to such a position if the same should be authorized. Mr. Powers indicated that the proposal interested him and that he would give it consideration.

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



Secretary.

Minutes of a Special Meeting of the New York State Racing Commission held at the office of the Commission, 745 Fifth Avenue, New York City, on Wednesday, September 26, 1951, at 10:00 o'clock in the forenoon.

PRESENT:

Mr. Ashley Trimble Cole, Chairman
 Mr. William C. Langley, Commissioner
 Mr. L. A. Swirbul, Commissioner
 Mr. Harry J. Millar, Secretary
 Mr. Francis P. Dunne, Steward
 Mr. John P. Powers, Assistant Attorney General

Con Errico, jockey, charged by the Stewards with having carelessly crossed over in leaving the starting gate in the eighth race at Aqueduct on Tuesday, September 18, appeared pursuant to notice. The Chairman presented a communication signed by the three Stewards dated September 24, reading as follows:

"New York State Racing Commission,
 745 Fifth Avenue,
 New York 22, N. Y.

Gentlemen:

Jockey Con Errico was suspended for ten days July 27 for bearing out and causing interference at the Saratoga-at-Jamaica Meeting.

On August 18, at Saratoga up-State, he was suspended for twenty days for failure to maintain a straight course and causing interference.

On September 18, he crossed over shortly after the start and interfered with three other horses.

The Stewards would normally have suspended him for thirty days, but since they are limited to twenty days suspension by the Rules, they hereby are referring the case to the Commission.

Very truly yours,

STEWARDS, Queens County Jockey Club

Marshall Cassidy
 H. Vosburgh
 Francis P. Dunne"

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

RESOLVED, that Jockey Con Errico is hereby suspended thirty (30) days from September 20 for careless riding and interfering with horses shortly after the start of the eighth race at Aqueduct on September 18, such suspension to be terminated at 12:00 P. M. October 21.

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

A handwritten signature in cursive script, appearing to read "J. J. Miller".

Secretary.

Minutes of the Monthly Meeting of the New York State Racing Commission held at the office of the Commission, 745 Fifth Avenue, New York City, on Wednesday, October 10, 1951, at 10:00 o'clock in the forenoon.

PRESENT:

- Mr. Ashley Trimble Cole, Chairman
- Mr. William C. Langley, Commissioner
- Mr. L. A. Swirbul, Commissioner
- Mr. Harry J. Millar, Secretary
- Mr. Francis P. Dunne, Steward
- Mr. John P. Powers, Assistant Attorney General

The Secretary presented a letter from Steward Dunne requesting permission to act as Racing Secretary at Tropical Park, Florida, from November 30, 1951 to January 16, 1952. On motion duly made and seconded, the following resolution was unanimously adopted:

RESOLVED, that the Commission does hereby give its formal consent to the official Steward of the Commission, Francis P. Dunne, to act as Racing Secretary of the Gables Racing Association at Tropical Park, Coral Gables, Florida, at its race meeting commencing November 30, 1951 and ending January 16, 1952, and that the Chairman be and he hereby is authorized to certify this consent in writing.

The Commission approved the Certificate of Amendment of the Certificate of Incorporation of The Adjacent Hunts Racing Association, Inc., and authorized the Chairman to execute and attach thereto a certificate stating that in its opinion the purpose of the law and the public interest would be promoted by such amendment and that such amendment would be conducive to the interests of legitimate racing.

The Chairman presented a letter from Mr. Philip Godfrey, owner of the horse KEEP RIGHT in connection with which trainer Norman Tallman was suspended, and in which letter Mr. Godfrey requests an opportunity to have a re-hearing with respect to the matter. After consideration of the letter and discussion, the Chairman was authorized to advise Mr. Godfrey that the Commission is of opinion that nothing would be gained by such a re-hearing, as it believes that it is bound by the provisions of the rule to maintain the disqualification of the horse, which consequently deprives him of his share of the purse.

The meeting then considered the "Summary and Analysis of the evidence at the hearing on the Application of Thomas W. Malone for an owner's license dated October 8, 1951" which the Chairman had prepared. After discussion of the matter it was agreed that an owner's license should issue to Thomas W. Malone for 1951, but that the Chairman should advise him, in a personal interview, as to certain angles of his financial responsibility, and particularly as to its concern that he might at any time act for or in behalf of his father.

The Commissioners having informally decided that a jockey license should be denied to Donald L. Meade, and having authorized the Chairman to draft a statement of facts as shown by the evidence, discussed the same at considerable length, and it was formally determined to deny Meade the license.

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The Commission considered the matter of permitting Jockey Anthony Grillo to be licensed in the State of New York in view of his connection with the trial of the case of The People of the State of New York against Alphonse Persico for murder in the first degree. It was decided to refer the Minutes of the trial to Mr. John P. Powers for consideration and advice.

The Commission discussed a "Memorandum of Proposed Changes in the Rules and Regulations of the Commission" dated October 4, 1951, which resulted from consultation between the Chairman and representatives of The Jockey Club, comprising Messrs. Harold C. McCollom, Arthur H. Schwartz and Marshall Cassidy. As the Memorandum has been submitted to these gentlemen for consideration, after a brief discussion of certain parts of the Memorandum, it was determined to lay the matter over until the persons above named have had an opportunity to make suggestions.

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



Secretary.

Minutes of a Meeting of the New York State Racing Commission held at the office of the Commission, 745 Fifth Avenue, New York City, Wednesday, December 12, 1951, at 10:00 A. M.

PRESENT:

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

The Chairman presented letters from the six racing associations customarily licensed in New York requesting approval of racing dates for the 1952 season.

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

RESOLVED, that the Commission approve the following racing dates for the 1952 season, and that the Chairman be and he hereby is authorized to execute and deliver licenses in the usual form for the holding of race meetings and the conduct of pari-mutuel betting thereat; and be it

FURTHER RESOLVED, that the licenses of Empire City Racing Association and The Saratoga Association for the Improvement of the Breed of Horses, shall contain such provision, in line with the two opinions of the Attorney General dated December 31, 1946, as in the judgment of the Chairman may seem proper.

The racing dates and places approved are:

<u>Association</u>	<u>Dates</u>	<u>Days</u>
(Spring) Metropolitan Jockey Club Jamaica Race Course Jamaica, L. I.	Tuesday, April 1 through Monday, April 28, inclusive	24 days
Westchester Racing Association Belmont Park Race Course Elmont, L. I.	Tuesday, April 29 through Monday, June 9, inclusive	36 days
United Hunts Racing Association Belmont Park Race Course Elmont, L. I.	Tuesday, June 10 and Wednesday, June 11	2 days
Queens County Jockey Club Aqueduct Race Course Aqueduct, L. I.	Thursday, June 12 through Saturday, July 12, inclusive	27 days
Empire City Racing Association Jamaica Race Course Jamaica, N. Y.	Monday, July 14 through Saturday, July 19, inclusive	6 days
The Saratoga Association Jamaica Race Course Jamaica, N. Y.	Monday, July 21 through Saturday, August 2, inclusive	12 days
The Saratoga Association Saratoga Race Course Saratoga Springs, N. Y.	Monday, August 4 through Saturday, August 30, inclusive	24 days

(Fall)	<u>Association</u>	<u>Dates</u>	<u>Days</u>
	Queens County Jockey Club Aqueduct Race Course Aqueduct, L. I.	Monday, Sept. 1 through Saturday, Sept. 13, inclusive	12 days
	Westchester Racing Association Belmont Park Race Course Elmont, L. I.	Monday, Sept. 15 through Saturday, Oct. 4, inclusive	18 days
	Metropolitan Jockey Club Jamaica Race Course Jamaica, L. I.	Monday, Oct. 6 through Saturday, Oct. 18, inclusive	12 days
	Empire City Racing Association Jamaica Race Course Jamaica, L. I.	Monday, Oct. 20 through Saturday, Nov. 15, inclusive	24 days

The Secretary presented letter of Philip Godfrey dated November 19, 1951, objecting to the size of the purses at United Hunts meetings. He also presented a proposed letter of reply which was approved by the Commission.

The Chairman presented a petition signed by Philip Godfrey and 12 others, requesting an amendment in the Claiming Rule to limit claims to so-called "original owners". The Board approved a proposed reply prepared by the Chairman.

Upon motion duly made and seconded, the Commission confirmed the action of the Chairman in appointing Mr. Henry J. Gmuer to the position of Racing Inspector as the result of his certification in third place by the Civil Service Commission, following an examination for the post, in place of George S. Biscoll, the former incumbent.

The Secretary presented a letter dated October 25 from Luke H. O'Brien, as General Manager of Empire City Racing Association, requesting the Commission's approval of a revision of certain admission prices as the result of the enactment of the Federal Revenue Act of 1951, such prices being as follows:

"Complimentary Admissions

Clubhouse

Federal Tax	\$.12
State Tax	.5025
Service Charge	<u>.5775</u>
	\$1.20

Grandstand

Federal Tax	\$.11
State Tax	.195
Service Charge	<u>.545</u>
	\$.85

Complimentary Admissions

(For Horsemen Only)

Horsemen Clubhouse

Federal Tax	\$.01
State Tax	.5025
Service Charge	<u>.0275</u>
	\$.54

Horsemen Grandstand Special (Old Guard) are now tax-exempt."

Upon motion duly made and seconded the said admission prices were duly approved.

The Chairman advised the Commission that he had granted a leave of absence to John J. O'Brien, Senior Auditor, which was specially requested by the Division of the Budget for service as Chief Auditor of the State Crime Commission. The Chairman further reported that Mr. O'Brien was rendering service to the Commission Saturdays, Sundays and evenings on an overtime basis with the approval of the Division of the Budget.

The Commission discussed a proposal for fingerprinting all new applicants for licenses, especially owners' licenses, and discussed the campaign at one time conducted by the Thoroughbred Racing Protective Bureau with a view to fingerprinting all persons connected with racing. It was agreed that the Chairman should take the matter up with Mr. Spencer J. Drayton, with a view of ascertaining just how far he had carried this fingerprinting and what campaign could be arranged for fingerprinting all newcomers before licenses were issued.

The Chairman made a statement to the Commissioners with respect to delinquent accounts of owners and trainers with sellers of feed. It was agreed that notation should be made on the records of such persons with a view to declaring them financially irresponsible in the event that they should again apply for licenses.

The Chairman presented to the Commissioners a plan prepared by Racing Assistant John A. Martin for the enlargement of the Commission's quarters at Jamaica race course.

The Commission adjourned to 11:00 A. M. at the same place.



Secretary

Minutes of an Adjourned Meeting of the New York State Racing Commission held at the office of the Commission, 745 Fifth Avenue, New York City, Wednesday, December 12, 1951, at 11:00 A. M.

PRESENT:

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

The Chairman stated that this meeting was called to consider action on an owner's license granted to Larry Knohl, November 9, 1951, in view of reports received.

The Chairman stated that a person representing himself to be Mr. Knohl had telephoned him this morning and stated, among other things, that he would not attend the meeting.

The Chairman presented a copy of the telegram to Mr. Knohl dated December 6, 1951, signed by Harry J. Millar, Secretary, notifying him to show cause at this time and place why his owner's license should not be revoked for violation of certain provisions of Section 7512 of the Unconsolidated Laws and for making a false reply under oath with respect to inquiry on his application form as to whether he had ever been arrested or charged with a crime. The telegram was received in evidence and marked Exhibit #1. The Chairman presented a return receipt for registered letter signed "Irvin Knohl" for a copy of said telegram mailed to Larry Knohl at 75 East Beach Street, Long Beach, N. Y., which was marked Exhibit #2.

The Chairman presented owner's original application, signed by Larry Knohl and sworn to before Martha Fowler, Notary Public, October 5, 1951, which was marked Exhibit #3.

The Chairman presented letter of Robert A. Pinkerton, dated December 4, 1951, which was marked Exhibit #4.

The Chairman presented letter of Robert A. Pinkerton, dated December 7, 1951, attached to which is a four-page report on Larry Knohl, which was marked Exhibit #5.

The Chairman presented a report of the Thoroughbred Racing Protective Bureau, Inc., on Larry Knohl, dated December 7, 1951, consisting of six pages, which was marked Exhibit #6.

Upon motion of the Chairman the following resolution was adopted:

RESOLVED, that the Commission revoke and it does hereby revoke the owner's license granted to Larry Knohl November 9, 1951.

The Commission approved the following statement for public release:

"At a meeting of the New York State Racing Commission held this morning, it revoked the owner's license of Larry Knohl on the ground that Knohl has been guilty of fraud and misrepresentation in connection with his application for such license in that he therein denied that he had ever been arrested or charged with a crime.

(Sgd) Harry J. Millar,



Secretary."

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



Secretary.

APPROVED

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