

EIGHTH 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.
SUNDAY, AUGUST 14, 1960

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 Moderator

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INTRODUCTION BY

GEORGE D. WIDENER
Chairman of The Jockey Club

I wish to welcome you all again to one of our Round Table Conferences. It is very gratifying to have had such an enthusiastic response to our invitations as we have had for this meeting. We hope that, as in the past, something will be developed here which help our racing conditions.

This year we have a new system. We are adopting the plan of the Canadian Conference in using panels for groups of related questions. In this way we hope to cover the topics more thoroughly and speed up the discussions.

Marshall is again our moderator, so let us begin.

Panel: FRANK E. KILROE

JOHN J. MOONEY

1. IN VIEW OF THE ESTABLISHED POPULARITY OF DISTANCE RACES OVER TURF COURSES, AND IN VIEW OF THE BREEDER'S NEED FOR HORSES TESTED FOR STAMINA, CAN ANYTHING BE DONE TO PERSUADE TRACK MANAGEMENT TO STRENGTHEN DISTANCE RACING PROGRAMS ON THE DIRT TRACKS?

MR. CASSIDY: Mr. Mooney has been working on this all this year with considerable success and I would like to ask him to speak first.

MR. MOONEY: In my view there are things that can be done. The whole task is mainly a matter of salesmanship. In the case of persuading a number of track managements, I think it would be necessary to have a committee formed to go around and sell them the idea as unless a track's management is really behind it and is convinced it is necessary it is impossible to carry out this plan to have more distance races. Once they are convinced, I think it is a matter of further salesmanship to sell the owners and trainers, and the trainers in particular, on the matter of the importance of having distance races.

MR. CASSIDY: John, what are the arguments you use to persuade the owners and trainers to race their horses over a distance of ground in preference to sprint races?

MR. MOONEY: In studying our own mutuel handle and attendance, we believe that they increase in both instances directly in ratio with the number of distance races we have. Not large increases, perhaps, but the mutuel handle always is greater on a distance race compared with the same type sprint race.

MR. CASSIDY: That reflects in benefits for the horsemen by larger purses. Jim, you've tried it and are still trying it and you've done a good job. We would like to hear what you have to say in this matter.

MR. KILROE: Well, Marshall, I am not particularly happy really with the showing we made in New York on distance racing, but it is something that cannot be handled unilaterally. I think in Canada they possibly have an advantage as their big racing is concentrated in one center. We have a tremendously competitive picture south of the border here and we must take that into consideration. No one track, in other words, can move the thing by itself. I think there is a lot to be said for Canada's point of having a committee to work a sort of agreed-upon program with the tracks within the states here. If each track would run, say, three mile-and-a-half races for a decent purse, then of course their meetings will develop enough horses to feed each other's program.

MR. CASSIDY: I would like to hear from some trainers, whether there are objections to racing more frequently over a distance of ground; whether the fact that you run over a greater distance deprives you of opportunities to run more frequently than at a shorter distance. Mr. Fitzsimmons?

MR. FITZSIMMONS: I have no objection to racing over a distance of ground anytime. I like to race over a distance of ground. You can train for the races. I think most of the trainers feel the same way.

MR. CASSIDY: Do you think you could run your horses as frequently over a distance of ground as you could in the sprint races?

MR. FITZSIMMONS: I think so. You wouldn't run them too often over any great distance. I think the shorter races are harder on horses, trying to make them do something they can't do. Distance races give a horse a chance. You give him a chance the first part of it, you've got plenty of time, and move him when you get

ready to move him. The other way you have to step all the way or you won't get anywhere.

MR. CASSIDY: John, what's your reaction to all this?

MR. GAVER: I just found out a few minutes ago that the conference had been moved again and was not being held at the Fasig Tipton stadium, so I don't know what you are discussing.

MR. CASSIDY: The question before this panel is the encouragement of more distance racing. The question I just asked Mr. Fitzsimmons was whether horsemen believe that it takes more out of the horse to run more frequently in distance races than it does in sprints.

MR. GAVER: I don't know whether I am qualified to answer that but I have often heard it takes more out of a horse to run more frequently over a distance of ground than it does in a sprint race.

MR. JACOBS: I think a mile-and-one-sixteenth and a mile-and-one-eighth are easier on a horse than a short race. When you start going into one-and-one-half, one-and-three-quarters, I think that takes a lot out of him. A horse can't run as frequently, I don't think.

MR. H. CLARK: I sort of agree with Mr. Jacobs. I think that a distance above a mile-and-one-eighth you couldn't run as frequently as you could that distance, but I think the classic race of one-and-one-quarter, one-and-one-half is certainly a good thing but I wouldn't want to have too many of them. Of course you don't have too many of that kind of horse.

MR. CASSIDY: Eddie Arcaro, in riding, don't you feel that a horse is put to a greater strain in a sprint than he is normally in a mile and a mile-and-one-sixteenth?

MR. ARCARO: Yes, I guess he is.

MR. BOULMETIS: I think so too. I think it takes quite a little strain. As Mr. Jacobs says, when you start going over a mile-and-one-quarter and a mile-and-one-half you have to have a horse that can stay that long.

MR. KILROE: Marshall, there's one point I'd like to add. We always talk about this distance racing as being beneficial to the breeders but whenever we get around to having a distance race in the program very often it turns out to be a series for starters for \$5,000 or less, which can hardly help the breeders, and we are not doing enough from the top. I went through the Manual quickly and found that last year for three-year-olds there were nine stakes in North America that were run at a mile-and-a-quarter, or more. That's the whole country and six of them were in New York. If you don't have big money races at a suitable distance for horses then your average grade horse will not even be tried at such a distance.

MR. CASSIDY: Would any member of the press like to comment on this?

MR. O'BRIEN: One thing about distance racing having popularity with the patrons—doesn't it make a lot of difference when you are figuring this out where the distance race starts? In other words, are you talking of a start in front of the stands or just a distance race being popular with the customers. This is addressed to Mr. Mooney.

MR. MOONEY: In our case, two of our tracks are a mile and that places all of the starts of a mile-and-over up to a mile-and-a-quarter up in front of the stands. I would say that the customers have a definite interest in seeing the start.

MR. O'BRIEN: What I was trying to bring out is that in New York if we ran a distance series, say a mile-and-a-quarter, at Belmont Park, it is further away from the patrons and I think less popular. I think the key to popularity is not distance racing but the fact that the start is in front of the stands. The patrons see the action, and see the horses start.

MR. CASSIDY: I think publicwise that's true.

MR. CLAY: This is only a consideration, and a minor one, but distance racing is certainly better television.

2. (a) LACK OF OPPORTUNITY FOR THE HORSE WHO IS ABOVE A PLATER AND YET CANNOT COMPETE IN STAKES.

MR. CASSIDY: I think we should take that up first without reading (b) and (c). Jim, have you any comments to make on that?

MR. KILROE: It continues to be the great lack in our American racing, I think, that there are very few instances of a strong well-balanced program. People will show heavily on \$50,000 stakes, then drop right down to their minimum purse without enough gradation in there. The question is where to get the money from for the middle horse. You can't just lower the minimum and pick it up. You can't persuade people to give up these prestige stakes they run, that's where most of the heavy spending is.

MR. CASSIDY: Do you think the lack of number of horses in that category has something to do with it?

MR. KILROE: I think the lack of opportunity results in the lack of numbers. People don't carry on with those horses. They will sell them around the country where they are good enough to run in the stakes rather than keep them around to run in a rather impoverished allowance group.

MR. MOONEY: I really didn't think there was a lack of opportunity for such horses myself, at the number of race tracks that are going now, and the number of races. I think it gives most of the horses we have an opportunity to run somewhere where they fit. I think probably one of the biggest faults of course in all managements is that they do not card races with small enough fields for their better quality horses. I think often that where five or six of them would make a well-matched field, the race is not used. Instead they use a cheap substitute. I think that's a mistake. In the long-range picture, if you are going to improve your breeding, I think those horses should have an opportunity for racing, regardless of the size of the fields.

MR. FLANAGAN: Marshall, if they revive high-priced selling stakes or claiming stakes would not that give this sort of horse better opportunities?

MR. CASSIDY: I think we have some of those here, that is, the high-priced selling races. I think it would give them more opportunity.

MR. FLANAGAN: Do you run \$20,000 or something like that?

MR. KILROE: We run \$30,000 in New York and in Florida I think they had some success running \$40,000 races. Those are overnight races.

MR. FLANAGAN: They don't have any of that sort of races where I race. It always struck me that if there were some high-priced claiming stakes for this intermediate class of horse, they would make very good races.

MR. JACOBS: I think the reason a lot of our big stables sell the middle horses is that the earning power is so small around here. You get a purse of \$4,000 or \$5,000 for a horse that can't compete in stakes in New York, where it should be \$10,000. That's where the whole trouble comes in. That's why people sell them. There's no reason to keep them. A \$3,500 plater will earn as much as a middle horse will in New York.

MR. CASSIDY: I think Mr. Mooney said something about the \$50,000 races.

MR. MOONEY: I think these two questions should be combined in a way. If we had fewer \$100,000 stakes, . . .

MR. CASSIDY: Let's go right into (b). As you say, they are related.

2. (b) ARE THERE NOT TOO MANY STAKES THROUGHOUT THE COUNTRY FOR \$50,000 OR MORE?

MR. MOONEY: I think there are too many. Take the horses we were talking about in the first part of this question. I don't believe we do give them enough opportunity and I believe we could spread the money better and definitely benefit yearling sales buyers, and give the breeders more opportunity if the money were distributed in that way instead of having so many \$100,000 races. Limit more of the

aces to \$50,000 added. The publicity value is about equal, except for race tracks that are competing. I think this would be an ideal situation to have, though, and I don't expect that they would ever arrive at that conclusion.

MR. CASSIDY: Competition makes that difficult.

MR. KILROE: I think John's point is the correct one. This is a free country and I think the racing economy is about the freest part of it. To tell a man he can't run a \$100,000 stake or shouldn't is like telling a fellow with a forty-room house in Palm Beach not to give big parties. If he can afford to give them he is going to keep right on giving them.

MR. CASSIDY: Don't you think there should be some coordination between the various tracks throughout the country? There are so many times that a track in a different locality is giving the same high-priced stake for the same quality horse and there are not enough horses to go around anyway. Couldn't that be better arranged?

MR. KILROE: Regionally that seems to work fairly well. Competition is between the regions. I think the tracks on the eastern seaboard are pretty well aware that there is no point in running right at each other with stakes because over a period of time you are just going to weaken your program, and the other fellow's too.

MR. CASSIDY: There are only two regions in that case, the west coast and the east coast.

MR. KILROE: Well, the midwest is a factor.

MR. SHEHAN: I think there is a point here on these substantial stakes where the law of diminishing returns applies to them. Originally many of them were put on for prestige value and I question whether many of them have attained the prestige now they were seeking.

2. (c) IS IT NOT TIME TO ACCEPT THE FACT THAT PLATERS OCCUPY A SUBSTANTIAL PART OF EVERY DAY'S RACING PROGRAM AND PROVISION SHOULD BE MADE FOR THEM IN PROPORTION TO THE VARIOUS OTHER CATEGORIES OF HORSES?

MR. KILROE: I couldn't quite understand that question, Marshall, whether they meant provision in terms of stabling space or in terms of opportunities on the day's program. I think more out of necessity than any planning the claiming race has become a larger part of the racing program in the country. As our competition for the stakes gets stronger we just have to fall back on the others to fill in our program. So I think they have plenty of opportunity and I think they get plenty of stabling space.

MR. CASSIDY: You've answered both sides.

MR. KILROE: I don't know whether I have or not.

MR. MOONEY: In our case our own Board of The Jockey Club has set a goal to have as many non-claiming or allowance races as possible. We have been striving for that for some years and are now up to 40% non-claiming races, including maiden races. We don't feel that that percentage is high enough yet. There is always going to be a place for the cheaper plater in racing. They are a necessity, but I don't think that by catering to them we are going to bring our standards up any higher than they are now. We must continually strive to cut down the number of cheap races. I think they have more opportunity right now than is really necessary.

MR. CASSIDY: Of course a lot depends on the market, the amount of racing throughout the area.

MR. MOONEY: I have a one-sided view here, a very provincial one.

MR. HANCOCK: Marshall, let me ask a question. I don't know the answer, but I'd like to know what a \$10,000 plater today would have run for twenty years ago?

MR. CASSIDY: I don't know who could answer that.

MR. KILROE: I'd say about \$3500.

MR. HANCOCK: It seems to me that our claiming prices have gone up in relation to the cost of seasons, yearlings and so on, and I often wondered what would happen if we just doubled the price of all platers right now. It might give the fellow who is buying a yearling or raising horses a little better chance to have some fun.

MR. CASSIDY: How would you go about that? You ought to have the answer.

MR. HANCOCK: I think if New York never ran any claiming race less than \$7500 you probably would see the same horses running.

MR. CASSIDY: I think we would too, some of them anyway.

MR. HANCOCK: It might be some sort of help, but you can see the problem.

MR. CASSIDY: Oh yes, I wish you had the answer for us.

MR. MOONEY: I think that is the answer. In a very few years we came from a \$1500 minimum to \$2500. We found that we only eliminated a few horses at the bottom, and the rest had a greater value.

MR. GUSHEN: I would like to know if you took a \$3500 plater and ran him for \$7500 and the purse remains the same, how does it benefit anybody? If a man ran an ordinary \$3500 horse for \$7500 and somebody claimed him and he invested \$7500 in that plater and then had to run him back for the same amount he gets for a \$3500 plater, I can't see where that's going to benefit anybody. It's a question of return. If a man has a \$7500 investment in a horse I think he should get more money for that \$7500 investment than he would for a \$3500 investment. And if the purse schedule is such that you can't distribute any more money to that category of horses, you have got to have the money to distribute someplace. In my travels throughout the country the biggest complaint I get from horsemen is that there isn't enough money distributed for the middle class horse. In some instances it just cannot be helped. You find in smaller areas where the minimum purse is \$2,000, the \$2,500 claiming horse will run for a \$2,000 purse and a \$7,500 horse will run for \$2,300. That's not very equitable. I am sure people cannot understand that. By the same token the distribution in that area does not allow them any more because while you run for a \$2,000 purse you will have the \$50,000 stake. When you argue with management about the \$50,000 stake they say that the minimum is too high. If the minimum is too high, then the stake is too high. We feel that if you run for \$2,000 you shouldn't have any \$50,000 stake because the \$7,500 or \$6,000 or \$10,000 horse just doesn't have any opportunity to earn much in proportion to his value.

It's an endless chain and this has been discussed many a year around this table. I remember a few years ago Mr. Widener made a statement and said he thought there were too many high stakes because it just did not give enough opportunity to the middle class horse to get the earning power he deserves. Of course we feel that way about it and have felt that way about it. Not that we want to eliminate it, but we feel that in some areas high stakes are permissible because there is enough money to distribute. But in many areas high stakes are not permissible because there isn't enough money to go around and the result is that the middle class horse suffers because the minimum stands where it was.

MR. CASSIDY: Mr. Stewart, how about California?

MR. STEWART: Are you talking about raising the minimum claiming price or are we in the general area of discussion? If we are talking about raising the minimum claiming price, as you know at some tracks there is a minimum. The horses there run for possibly \$3,500 or \$4,500 and then they go to the next track, which is a smaller operation with a smaller purse and stake schedule, and they drop back to \$2,000. So it is an artificial up-and-down depending upon the economy of the tracks

that are racing. Naturally you have to have a uniform price to accomplish anything in the general area of minimum claiming price.

MR. HANCOCK: I don't agree with Mr. Gushen when he says it wouldn't make any difference. You raise some horses, Mr. Gushen. If you breed a yearling and bring it to the race track and have it run for \$3,500, if you lose him you probably have a loss. At \$7,500 you might have broken even or made a little.

MR. GUSHEN: I take it from a different point altogether. If I think my horse is worth a little more than \$3,500 I shouldn't run him for \$3,500, I should run him for \$7,500. That's a question of the value of the horse. We are talking about the returns. I don't believe, Mr. Hancock, that taking a \$3,500 plater and running him for \$7,500 is going to do anything because you don't have enough purse distribution to compensate a man who is going to put the \$7,500 into that horse if he claims him. He'll have to run him as though he invested \$3,500 in him. As far as breeding horses is concerned, that's a different category altogether. You have a two-year-old you are going to run and you think the value of the horse is \$10,000, well then you shouldn't run him for \$5,000. A man should be compensated for the amount of money that he puts into a horse. If you are going to take a man and make him spend \$7,500 for a horse that is now running for \$3,500 and give him the same purse distribution you are going to find that people are going to get out of this business quicker than they do right now. There is no incentive there for making a higher investment.

Panel: DR. DAVID CRISMAN
DR. M. A. GILMAN

3. PROBLEMS OF BUTAZOLIDIN AND THE SO-CALLED 48-HOUR RULE.

MR. GAVER: Marshall, may I ask why this isn't written "Problems of analgesics and the 48-hour rule?" Why is butazolidin specified?

MR. CASSIDY: Butazolidin, as you all know, has caused quite a furor throughout the country. Its value, or lack of value, I don't think has been established too thoroughly. The fact that it comes under the classification of an analgesic which, as far as my information goes, is a depressant rather than a stimulant, although it is a mild stimulant. . . .

MR. GAVER: I beg your pardon. If you will look in the dictionary you will see that analgesic means pain-killer.

MR. CASSIDY: There are authorities here I think who will tell us about it.

MR. GAVER: That's Mr. Webster's definition.

MR. CASSIDY: At any rate, whatever it is, whether it is a stimulant or depressant, tranquilizer or whatever it is, it is a single product in a classification. It is an analgesic and there are a lot of analgesics. This is a special case because it has special attention. It started I think in Colorado and it has had special attention throughout the country. Its use has caused a lot of newspaper comment and has resulted in criticism I think by the public because of the fact that it is likened to hop or stimulants or fraudulent administrations. I am simply outlining the subject and will let the members of the panel speak for themselves.

DR. GILMAN: Butazolidin or phenylbutazone, which is the medical name for the drug, is put on the market by one company called the Geigy Chemical Corporation. It is distributed throughout the country by one distributor called Jensen-Salsbery Laboratories. It is put on the market as an analgesic or a pain-killer. Buta-

zolidin has been on the market for six or seven years. When any new drug comes out certain veterinarians will try it, others will wait to see how it works for others, and so on. It has been used in man and it has been used in all kinds of animals. About four years ago it started to be used at the race track; to a large extent in sore horses that had conditions that would not respond to any other type of treatment. At that time there was no test for it. As you all know, Colorado devised a test but up until that time nobody knew what horses were on butazolidin and what horses were not on butazolidin. Certain managements at certain tracks were satisfied to have it used as long as it didn't come out in the open. Certain horsemen liked to use it. Now that it has come out in the open it has been magnified terrifically but it is just one drug. Whether it should be considered a drug that is illegal and not to be allowed, or a drug that is legal and allowed to be used on race horses is the problem at hand. We do know that there are a lot of tracks throughout the country that haven't got a pre-race examination or an adequate pre-race examination. Because of that fact they have a lot of sore and lame horses going to the post. Track managements at these particular tracks do not like the reputation of having sore horses running at their tracks.

I want to bring out the fact that a sore horse is just a term used for horses traveling in pain. When you talk about a horse being sore, some of them are safe and sore and some are dangerously sore. Any sore horse will vary in his degree of soreness from race to race from day to day and so forth. So, when you talk about a drug being used for sore horses, it doesn't mean a thing. We know that butazolidin is not considered a stimulant and we know that butazolidin is put out on the market as an analgesic and all analgesic drugs are in the general classification of central nervous system depressants. We don't consider it the kind of depressant that will slow a horse up. But it is a drug which when used on the proper type of horse, a horse that does not extend his stride because of soreness, will improve that horse's performance in a race. In 1933 when the saliva and urine test was first instituted they mainly wanted to prevent the use of drugs which could change the performance of a horse in a race. We feel as though butazolidin used on certain horses, can change the performance of a horse in a race.

It is an analgesic drug and as Mr. Gaver says, an analgesic, if we don't talk about a drug, is something that lessens pain, but an *analgesic drug* is a drug that raises the pain threshold. So, in other words, the same pathology can be present causing the same amount of pain but the horse does not feel it as much, or he doesn't feel it at all. We don't think that too many horses get absolutely sound with butazolidin, they get sounder. But as far as Mr. Gaver's question is concerned, what is a stimulant? A battery is a stimulant to a horse, but it isn't a drug stimulant. But if you battery a horse he is stimulated, so we are not going to argue about terms. Butazolidin is just one analgesic drug put out on the market by one company. There are many other analgesic drugs on the market. How can we say that one company's product can be used to the exclusion of all other products. Aspirin, for instance, is a very mild analgesic. I don't know of any track that allows aspirin to be used on a horse. Jensen-Salsbery's brochure on butazolidin states that it is a more powerful analgesic than a combination of codeine and aspirin. The combination of codeine and aspirin as you all should know is a pretty powerful pain-killer. The indiscriminate use of butazolidin to a race horse is harmful to the horse. By indiscriminate use I mean that if two tablets is the dose for a horse, there's nothing to prevent a trainer from giving him ten tablets or twelve tablets, because if two tablets will make him sounder, ten or twelve tablets ought to make him sounder yet. Some trainers don't care what happens to the horse in the future for breeding, they don't care what happens to the horse in the future for anything else except that particular race. Humans can't be on butazolidin for any length of time and neither can horses, without harm.

Now, one of the most important facts is that it is impossible in our opinion for

any racing commission or any track to control the use of butazolidin. That seems to be the crux of the whole situation. In Chicago when they first came out and allowed butazolidin to be used this summer they said that it would be used under a controlled method. The Stewards would allow certain horses to be on butazolidin, the veterinarian would give the butazolidin and after the race no matter where the horse finished he would be sampled. Well as soon as they started there were almost 50 horses on butazolidin in one day. We know it is impossible for them to test all 50 horses plus the winners too. Now, if the veterinarian thought the horse should be on a certain dose of butazolidin, he leaves the butazolidin there and the trainer feeds it. It is fed just like sugar in the feed, or it can be given as a drench. It is very simply administered. What is preventing the trainer from not giving it? Nothing. So, we say it is impossible for any organization or any management to control the use of butazolidin. If you allow it, you might as well say you are giving the trainer the butazolidin and let him do whatever he wants with it. If he wants to use it, let him use it. If he doesn't want to use it, let him not use it. But don't say that you can control its use, because you can't.

It makes handicapping very difficult. Handicapping is hard enough as Mr. Kilroe would say. I asked Mr. Kilroe how does butazolidin affect his handicapping. He said, "It's just as bad," but he was kidding of course. However, if a horse was on butazolidin at a track and ran a good race, no handicapper can decide how much good that butazolidin did for the horse when he handicaps him at a track where no butazolidin is allowed. When the public realizes that certain horses are running on drugs, it would allow the same type of touting to go on in the club house as was in vogue in 1933, which is not good for the business.

If we allow butazolidin to be used, just one drug picked out of the pharmacopeia, on horses today, due to the petitioning of trainers, what would stop them from petitioning for the use of another drug tomorrow or another drug the next day and where will that all end? I think it is a bad precedent to set. We feel that more horses will be ruined than will be cured by the use of butazolidin. The reason for that statement is the large number of two-year-olds that were on the drug at Chicago. Why would a two-year-old have to be on butazolidin? It is because he is popping his knees or developing a splint, has buck shins or bad feet or something else of a minor nature. So the horse is put on butazolidin which masks the condition, he runs, aggravates the condition and you may have a cripple on your hands. There will be a lot of horses ruined that way.

Lastly, we feel that if you allow butazolidin to be used on lame horses to make them less sore and less lame, then in all fairness I don't see any reason why you should not allow tranquilizers to be used on nervous, high-strung horses to make them more normal horses in a race, and I don't see any reason why you should not allow respiratory stimulants to be used on a winded horse so he can breathe better, more like a normal horse, etc. That's my story on butazolidin.

MR. CASSIDY: Dr. Crisman? Incidentally, Dr. Crisman is President of the Association of Official Racing Chemists, as well as being a veterinarian.

DR. CRISMAN: Basically we are faced with a decision whether we should permit horses to race under the influence of drugs. Now, we hear a number of arguments in favor of butazolidin. I think that this is the usual manner of expressing it. Phenylbutazone is commonly known as butazolidin. It is administered orally or by injection and apparently is widely used to alleviate inflammation and pain associated with arthritic conditions. It is useful in reducing inflammations and discomfort resulting from sprains, bruises and other conditions of the racing animal. Horsemen and some veterinarians have been urging that this drug be permitted for use in racing animals at any and all times prior to a race. They argue that the drug enables the animal to perform in his usual form even though it does have an injury, or he is lame because of physiological disorder or has inflammation which causes pain or dis-

comfort on movement. They further argue that such medication should be permitted because the drug aids in reducing inflammation, may permit the animal to perform in nearly normal manner and not be conscious of pain. This they indicate protects the bettor and aids the availability of enough horses to fill the increasing number of races being scheduled.

Now the arguments against the use of butazolidin. I might say arguments against, or problems created by its use. First, it tends to break down the confidence of the public which has been built up over the past years. Second, there is a possibility that it may be injurious to some individual horses. Third, its use can tend to open the door to many other drugs—the same arguments used in behalf of butazolidin can be used for other drugs such as tranquilizers, etc., etc. Four, the system of running hot and cold must be guarded against. This will entail the collection possibly of 35 or more specimens of urine for examination as indicated by Arlington Park's statistics. I have used 35 as a conservative number. This cost will be considerable and the work involved tremendously increased. Furthermore, the chemists cannot guarantee that every administration of the drug must necessarily result in a positive test, because of such factors as the size of the dose, kind of administration, condition of the horse. Thus it will be difficult to administer penalties where charges of failure to administer the drug are made. Also, it may conceivably be used in large doses to mask the use of a prohibited drug. That's the summation.

MR. CASSIDY: Thank you, Dr. Crisman. Dr. Reed, I think you wanted to say something.

DR. REED: First of all, I will disagree with Dr. Gilman. If you go down to the corner drug store and buy a bottle of butazolidin the opening phraseology states that butazolidin is not analgesic.

DR. GILMAN: What is it put on the market for if it is not an analgesic?

DR. REED: It is put on the market for therapy for inflammatory tissue, like many others.

DR. GILMAN: Have you ever read the brochure that they put out?

DR. REED: Yes I have.

DR. GILMAN: Have you ever read the label?

DR. REED: Yes, and if you would like to see it I will be glad to show it to you. I think there is marked inconsistency here. I can't see the difference between treating inflammatory tissue with medication, or injection, radium, or anything you may use. The worst inconsistency to me is ice. You can ice a horse all day long and nobody says a thing. There have been amputations performed under ice, what is known as hypothermesthesia, not one, but many. I think we have to face the situation realistically and get a uniform ruling, a uniform way of thinking about it. You speak about icing. Nobody studying the Form knows if the horse was iced today, or iced last week, or if he is going to be iced next week. Nobody has a word to say about that. Certainly it has the same effect, an anti-inflammatory effect, as medication.

When you speak about the public's confidence, I agree with you. I think we should have the public's confidence and I think the way the problem is handled in Chicago is not good to instill confidence in the public. I think that information, if disseminated, should be disseminated only to Stewards and the racing commission and not to the public where they can immediately bring suspicion into play, where they can assume that if a horse is given butazolidin today he's going to win. That's not the case. Just as many horses finish dead last that have butazolidin. I think furthermore it is wrong not to permit a man to protect his property. In the same sense if a man pays \$100,000 for a horse, tomorrow something happens to his horse, he has to have treatment, you permit that. In the meantime some other ailment comes along, we can't treat that. This man has to lose all contact with reality. I think until we establish a uniform situation, we should eliminate everything, abso-

lutely everything, icing, hormones, drugs, everything, or I think we are doing all wrong, because this thing is vastly and grossly irregular.

MR. CASSIDY: I think it is irregular in the rulings in the different states. The National Association of State Racing Commissioners unanimously voted against permitting its use in Mexico last winter. And then a few of the states have permitted it. I think if we are to have uniformity we should have uniformity in the treatment of the rules that cover an incident like this.

MR. DONOVAN: From a technical standpoint I don't know much about this, and I am sure you can make a case for anything from a technical standpoint, but I think that the permissive use of a drug like butazolidin violates the entire concept of the corrupt practice rule which was put into effect back some 20 years ago, particularly that portion of it which prohibited the use of a stimulant. The concept was not to deny a man the right to protect his property. As Dr. Reed says, I think every owner and trainer has that right. There's nothing in the rule which says you can't treat a horse with anything you want to treat him with. The rules say, however, you can't give a horse anything that will change his racing condition in a race. That is the original concept of your anti-stimulation rule, your drug practice rule.

I think the big issue here is public reaction. It is a fact that can't be disputed, that for the past 20 years racing has grown in the public confidence. This hasn't come about lightly at all. I think this thing we are talking about is the care that we have taken, the efforts we have made to protect the public against horses running hot and cold. This, together with the constant influence The Jockey Club has exerted on racing and the work of the TRPB have gone far to establish public confidence. It is something we cannot trifle with. I think we have holes in the dike here when we have a permissive use of any drug by any racing commission. What we have built up over the years here hasn't come about by accident and can be very, very quickly destroyed. I am more concerned with the general welfare of racing than I am with drugs for sore-legged horses. I don't agree with Dr. Reed concerning public notice. I think that if this is going to be permitted the public is entitled to the information and I don't see how you are going to withhold it from them.

All the arguments that have been advanced, and I have heard no new arguments, were advanced in Mexico, thoroughly thrashed out, thoroughly discussed, and after a long deliberation, the commissioners voted unanimously to bar the use of butazolidin. Unfortunately, a short time after that there was a little crack in the dike but fortunately I think other states have held pretty much to the line and there has not been a general desertion of the uniform action taken in Mexico. I have heard arguments about icing, and whether icing will do the same job. I don't know, I'm not a technical man. But this I do know, that the best we can do is work with the tools we have in hand. Just like crime, it is inevitable, you're never going to stop it, you can pass all the laws you want to pass, you'll still have crime committed. The only tool we have at hand in dealing with these things is the saliva and urine test. Until something else comes along we have to rely on it. There are many things that the laboratory tests do not turn up. I think the research the chemists are doing and have done and plan to do in strengthening our laboratory tests is going to be a good thing. As time goes on I think there are going to be more drugs and hormones, that we are not able to detect. In one research going on now, which will be completed in a couple of weeks, Columbia University has been making tests on several of the steroids and one of them has to deal with cortisone. I learned the other day from Dr. Lieberman that in a couple of weeks they will come up with a procedure whereby it can be detected. We know through research we have been able to successfully come up with a method for detecting apomorphine, for instance, which previously we were unable to detect. As I say, we should do the best we can with the tools we have in hand. You can't do any more than that and I think we are very naive if we think we are going to reach perfection, because we are not. But in the meantime, by

virtue of permitting the use of any drug that does act as a stimulant, whether it is technically a stimulant or not, as John Gaver quoted the dictionary on stimulants,

MR. GAVER: On analgesics, Walter.

MR. DONOVAN: I mean the effect as a stimulant which will permit part of the body to perform in a certain manner, regardless of that, I don't know how long racing can survive the headlines that I see in the Chicago papers, "Three drugged horses win here." I don't think racing can survive that sort of public relations and I think it is a very serious thing. Personally I think we have a hole in the dike and the sooner we close it up the better off we are going to be.

MR. GAVER: I would like to ask Dr. Gilman a question. He says that butazolidin is not a stimulant, but then he goes on to say that horses given butazolidin will perform more boldly, will run better. Does he mean that if you take a perfectly sound horse and give him this product he will perform better or is it because the horse has rheumatism, arthritis or muscular soreness. I'd like to get that clear.

DR. GILMAN: If a horse is sore he does not stride out properly. He strides out shorter. He goes from one extreme to slightly shorter, to the other extreme of pulling up in a race because he is too sore to run.

MR. GAVER: You are talking about a horse that has something the matter with him.

DR. GILMAN: Nobody puts a sound horse on butazolidin.

MR. GAVER: That was my impression from what you said. You didn't qualify the soreness in the horse. I may be terribly thick but I still can't understand why this one particular product was selected to be barred. It seems to me very inconsistent and unrealistic to neglect in this thinking the other analgesics. I am not a chemist or a medical man, but we do know ice is used as an analgesic, as a pain-killer. Also, that the cortisones are used. And there's a product called azium—I don't know how to spell it but I've heard of it. If butazolidin is going to be barred—and I am not advocating its use—I think that everything should be barred. Every analgesic which you know of should be prohibited.

DR. GILMAN: I'd like to try to answer that. First we'll talk about icing, that seems to be the crux of it, we're calling it an analgesic. I know mostly all the horses that are iced and when they are iced. I think a lot of jockeys when they get on an iced horse can tell it too when they first come out of the paddock. But I want to tell you something and I'll invite anybody to the starting gate to prove this, any horse that is iced, by the time he gets to the starting gate, his legs are just as warm as though they had never been iced. Icing will change the circulation of the horse, it will constrict the blood vessels when they are in ice, and as soon as they are out of ice and start moving and warming up, they dilate and you've got the opposite effect, there's fresh blood and lots of it, and the legs are once again warm.

DR. REED: May I interrupt a minute? I have on many occasions had fractures, horses that had to be destroyed, and after the horse is destroyed, if you open the leg up that has been iced, there is no way possible that you can ever convince me that the circulation of that iced horse, when he gets to the starting gate, is going to be as normal as any other horse, because I know different. I can prove that.

DR. GILMAN: I've also posted horses that have been iced and I never found the bone to be cold or frozen or anything like that.

Now you talk about azium and other drugs. The question was on butazolidin and I would like to keep it on that subject because everytime they talk about butazolidin the whole question broadens out to the saliva and urine test and to all the other drugs and nothing is ever accomplished. The problem right now is butazolidin. These other drugs, these cortisone preparations are not analgesics, they are anti-inflammatory drugs. An analgesic attacks the one symptom of inflammation, pain,

while the anti-inflammatory drugs decrease all symptoms of inflammation, which are swelling, heat, pain on touch, and lameness.

MR. GAVER: May I interrupt a minute? Didn't Dr. Crisman read something there that butazolidin had an anti-inflammatory effect?

DR. GILMAN: Yes, it does.

MR. GAVER: You told me it didn't.

DR. GILMAN: I was talking about the other action of butazolidin, the analgesic action of the drug. It has other actions, and the anti-inflammatory action of butazolidin is one.

MR. GAVER: I can't argue with you about the inside effect of ice and what it does to the blood vessels, but I am not naive enough to think that when a horse is put in ice, the trainer simply puts him in ice for fun. He's put him in ice to kill pain.

DR. GILMAN: The difference is, when we examine a horse before a race, we don't allow him to be iced before this examination. If he is sound enough to run without the ice we don't care if the trainer ices him or not. But if you use butazolidin he is on the drug before our examination and we are not able to properly evaluate a pathology that we might find. Do you see the difference?

MR. GAVER: I have seen horses in the receiving barn time after time which were supposed to be in ice. A horse would step out of the tub and the groom wouldn't bother to put him back in. I guess the trainer thought he was iced and the owner thought he was iced. I've seen that happen time and time again. The whole thing is so inconsistent, and unrealistic to me that I just can't follow it.

DR. GILMAN: Why don't you ask Hirsch Jacobs? He ices more horses than anybody in this room.

MR. JACOBS: Thanks very much!

(Laughter)

MR. JACOBS: I ice a horse at different times, but after he gets sound I don't ice him. I'll ice him at the barn in the morning and I'll put him in the soaking tub of hot water when he's got something the matter with him. But when he's sound I wouldn't do it, there's no reason to do it then. If you see that an ankle might have some inflammation, you try to get it out. But when the horse gets sound and the ankle is cold there's no sense in putting him in. When I first got Action I used to ice him, keep him in the soaking tub all morning in hot water and ice him when I ran him, but after a while he got sound and I never did ice him after that.

DR. REED: Mr. Jacobs, you iced that horse because he was not sound.

MR. JACOBS: Certainly I iced him.

DR. REED: That contradicts Dr. Gilman's argument.

MR. JACOBS: But the horse would be sound when he ran.

DR. REED: That's right.

MR. JACOBS: But nothing was put into him to make him sound.

MR. GUSHEN: I want to ask Hirsch, you used ice on the horse because as you say there was something the matter with him and you felt that was done to improve his condition and help him extend himself more. And when the horse got sound you didn't do it anymore. Well, you don't use butazolidin on sound horses either. If a horse is sound there's no sense in giving him butazolidin. I talked to a man yesterday who had used butazolidin on a horse in Chicago. I said to him, "Why in the world did you use butazolidin on that horse. He's perfectly sound." He said, "Well, I don't know, they give you a pistol so you may as well use it."

(Laughter)

Seriously, what I am concerned with is this, I must take issue with some of the statements we have heard today. I have to take issue with Dr. Gilman because some of the statements he made—I don't know whether he meant them or not—were quite a reflection on the trainers, when he said that many trainers don't care what happens to a horse, that instead of giving a horse 2 tablets they give him 10 or 12.

Well, I'm not going to quarrel about the fact that maybe some trainers would, but by the same token I don't think any medicine should be outlawed because some people abuse the privilege of using it. You are not going to stop the use of sleeping pills because somebody commits suicide. You can overdo almost anything in the line of drugs. If you have a headache you take 2 aspirins, and if you take 20 it probably would make you awfully sick. But that's no reason to outlaw aspirin. My concern is this, with all of these various other medications that are being used, I think we cleared up the matter of ice, but Walter Donovan said he doesn't believe anything should be used that will change the performance of a horse. Ice changes the performance of a horse. You just heard Hirsch Jacobs say it.

MR. JACOBS: I wouldn't say it changes it.

MR. GUSHEN: Well, it makes him sound.

MR. JACOBS: I use it if I think it's going to help him, that's all. Sometimes I use hot water.

MR. GUSHEN: All right, let it be hot water. I am sure that most of the people who put horses in ice don't use it because there is a drive on in this country to eliminate ice. They do it for a reason. They think it's going to help him. The same thing with cortisone. A man doesn't inject a horse with cortisone because he wants to get rid of a bottle of cortisone. He thinks it is something that is going to help him. The same thing goes for vitamins, hormones, and how about a horse that's a bleeder? They allow you to inject a horse that bleeds with medication to stop him from bleeding. Certainly that's an attempt to change the performance of a horse. You hear a lot of things said around the table sometimes, you know, you feel that it is a reflection on the intelligence of people. You talk about confidence, confidence of the public. You are going to lose the confidence of the public because the public sees that this horse, in the papers, has had butazolidin. Suppose you put in the Racing Form that this horse was injected with cortisone. Would there be any different reaction? Or suppose you put in the paper that this horse had vitamins, this horse has had this, or that. What difference does it make? People don't know what cortisone is. The ordinary person who bets \$2.00 or \$5.00 doesn't know. Somebody has built an imaginary Frankenstein here. People are now afraid of something that actually does not exist.

All of these medications are used for one purpose, and that is only to get the horses racing as sound as possible. As far as the public is concerned, that's a bugaboo too. Are you protecting the public by allowing horses to go on the race track that are sore? Is that protection for the public? Time and time again when you go to the race track you see horses that are sore. The ordinary man who bets his \$2.00 or \$5.00 is not in a position to know if the horse is sore or sound. Yet he bets, and that horse is sore and does not extend himself, and that's just like going into a gambling house and playing with loaded dice. The man hasn't got a chance. You are protecting the public a lot more if you allow a trainer to medicate a horse to a point where the horse will be racing sound without stimulating or depressing him. And then, if the horse is sore when he comes out on the track, why certainly management should see to it that the horse is scratched. But time and time again I am sure people around this table have seen many horses—I have seen them myself—in many areas of the country, short priced horses go to the post that are sore. That's not protection for the public. I believe in protecting the public but I don't believe in protecting them by letting sore horses go to the post and not allowing a man to medicate them. I don't believe that racing does any good by not allowing Mr. Hancock to give a horse like Dunce something that will allow him to extend himself and run up to his potential. Or any other man that has a horse as long as he is not using a drug that will stimulate the horse. I think this is a lot of hogwash. We've built up a Frankenstein here.

MR. CASSIDY: Magistrate Bigelow, would you like to say something about the use of butazolidin?

MAGISTRATE BIGELOW: The only thing to say at this stage, Mr. Cassidy, is that this seems to be another case of where doctors disagree. I think we all know here that the N.A.S.R.C. has appointed a research committee, the chairman of which is Neil Curry who is also chairman of the California Horse Racing Board, and I believe you are a member of that committee, Mr. Cassidy. Their duty is to hear all the expert opinion that is available on butazolidin and finally make a recommendation to the N.A.S.R.C. I should think the N.A.S.R.C. would again agree unanimously, and perhaps Illinois and Kentucky would agree too, to implement the recommendations of this committee. That's why I think any expression at this forum, which of course can't make any decision, is a little premature. Any of us, after having heard these expert opinions, can't have any opinion one way or the other.

MR. CASSIDY: Do you have a definite opinion in respect to the treatment by other states of a rule that is supposed to have been passed unanimously by the N.A.S.R.C.?

MAGISTRATE BIGELOW: I don't think it would be proper for me to comment on that, Mr. Cassidy.

MR. CASSIDY: No, you're right. Mr. Widener, would you like to say anything?

MR. WIDENER: I expressed my opinion the other day. I thought butazolidin was a very wrong thing to use. I don't think it is anything that is going to help the horse, and furthermore it is harmful to the racing associations as far as the confidence of the public goes. That's one reason we should not allow it. We are doing everything we can to keep racing clean and we don't want to have any drugs or anything else interfere with that.

MR. SMITH: I'd like to say something, Marshall. I think my very good friend, John Gaver, extremely cleverly put the use of ice on the same level with the use of butazolidin and I think they blew up that ice to undue proportions.

MR. HANCOCK: I have a little old sore-legged horse called Duncie. I raced him in New York and raced him on ice. I sent him to Chicago and raced him on butazolidin and I guarantee nobody could tell the difference in his form.

MR. ARCARO: I agree with you. I rode him when you iced him.

MR. HANCOCK: And he ran pretty well.

MR. ARCARO: Yes, he did.

MR. HANCOCK: And he went pretty well out there on butazolidin. I don't like to use butazolidin. I've tried to find out whether it's any good. I've talked to some medical men who are supposed to know and I understand it has an effect on blood and I also understand it has an effect on bone marrow when used to excess. I think this resolves itself down to a question of medication and stimulation and I wish somebody, some group somewhere, would give us who race horses a list of those things we can use and those things which we cannot use.

MR. CASSIDY: Don't you think there is a difference between a rule which prohibits the administration of any drug or medication and one which says nothing about ice which is not a drug or medication?

MR. HANCOCK: I think you ought to tell us what we can do and what we can't do. I'm a producer of horses and the quicker you get rid of them the better my market.

MR. CASSIDY: It would be very difficult to tell you what you can do and what you cannot do specifically.

Dr. Wright, did you want to say something?

DR. WRIGHT: I think about everything has been said. The only thing that I can conclude is the fact that every stable, the owners, the trainers, the veterinarians probably have a policy of drug administration. It looks to me like the problem

depends on how they can handle that policy in accordance with the rules of racing. I don't think you can draw any one law that will tell every trainer, owner, veterinarian, to adopt a single policy. I think if you can get someone to mediate between the policy of the racing associations and the policy of the veterinarians and of every stable you might solve your problem.

MR. LOWE: I would like to ask for some professional opinion on what are the known side effects of butazolidin.

DR. REED: I might answer that. On Thursday of this week I called the University of Pennsylvania. I had been told prior to that that they had been treating a lot of horses with butazolidin. I have information from the University of Pennsylvania which I regard very highly. They are willing to make an affidavit to the effect that they have never treated any horse that they felt was suffering from deleterious effects from the use of butazolidin.

MR. CASSIDY: I'd like to ask a medical doctor. Dr. Kaye, do you know anything about the effect of butazolidin on a human being?

DR. KAYE: It produces very definite destructive changes in the blood, a condition known as agranulocytosis, produces liver damage, affects kidney functions. I have been listening here, and the question I would think is not so much about butazolidin as whether drugs should be used in order to improve the performance of a horse. If there are indications, medical indications, for relieving a particular condition, a drug should be used. And after the drug is used, when should that horse come to the races? In the treatment of these animals for rheumatoid arthritis or painful joints, or inflammatory changes, in the last 5 or 6 years they came out with butazolidin which is much more effective than the salicylates we used in former years to relieve pain and try to cure the condition. Butazolidin is a drug that can alleviate symptoms in 5 to 7 days. However, if you do use the drug, it must be used judiciously. You must be familiar with the heart status, you must be familiar with the functions of the kidney, you must determine the function of the liver. A good deal of laboratory work must be resorted to before you institute the use of that drug, which we do in humans.

Listening to what is going on here, they are just using the drug indiscriminately. I feel that the veterinarians, if they are going to use the drug, ought to do the same thing we do, because you can cause a lot of damage to that animal. The reason they are harping, it seems to me, on the use of butazolidin is because it is a quick pain reliever and it is not classified in the narcotic family, such as aspirin in combination with codeine, which you would not permit. I feel in the treatment of any condition, whether it be in a human or animal, after you have treated that animal I think he should be given a week, ten days, or two weeks before you let him come back to the races. You should not use this drug to better his performance and you should not use it the day of racing.

Now this discussion about icing, putting it on the same comparative basis with the use of butazolidin, there's all the difference in the world. Icing will simply cause constriction of the blood vessels as Dr. Gilman has brought out and I don't care whether you ice the horse for four hours or six hours, by the time he gets to the post those vessels will dilate and you try to bring the circulation back to as normal as possible in the animal. You can't compare icing of the horse or using hot water with the use of a drug. I would say without reservation I would not permit the use of any drug. I would even go further than stopping the use of a drug 48 hours before a race but I would go as far back as a week or ten days.

MR. GUSHEN: I would like to ask Dr. Kaye a question. Doctor, you say that butazolidin is used on human beings. Now can you cure rheumatism or arthritis with butazolidin?

DR. KAYE: We do not cure with it, we attempt to alleviate the pain.

MR. GUSHEN: That's what I want to find out. You can't cure a human being that has arthritis. Butazolidin is a pain reliever.

DR. KAYE: If he has rheumatoid arthritis we may arrest it and it may not recur. But if he has osteoarthritis you may not cure it, just relieve his pain.

MR. GUSHEN: That's what we are trying to do with the horses. You can't cure a horse that has muscle soreness, that's got rheumatism, but you just make him racing sound. And if we give the medication to a horse 10 days before, what help would it be to the horse as long as it does not cure the horse's condition? If this butazolidin as it is administered to humans is so dangerous that it destroys the liver and kidneys and everything else, how is it that it is permissible to use?

DR. KAYE: I did not say that at all.

MR. GUSHEN: Well you said indiscriminately, then.

DR. KAYE: Well the way the men talk around here it seems the horsemen would use it indiscriminately.

MR. GUSHEN: I resent that, I don't believe that that is right. Nobody wants to use any drug indiscriminately. If they want to use the drug then I think it should be administered by veterinarians.

DR. KAYE: In the first place it should not be used by trainers, it should be used under the guidance of a veterinarian.

MR. GUSHEN: I'll go for that.

DR. CATLETT: The more I hear of this discussion on butazolidin the more confused I become. The only information I can gather on it is from the people who are manufacturing the drug and they say it is an analgesic. One of our leading practitioners, Dr. Reed, just stated it is not an analgesic, then what is it? Why do 25% to 30% of the horses who go to the post in Chicago need this particular drug? I have been doing pre-race examinations for a good many years and I cannot recall a time when I thought even 2% of the horses that went to the post needed an analgesic, and if a horse did, I do not think he should be going.

DR. REED: Dr. Catlett, I think I can answer that in this manner. I have been asked many times, what percentage of horses are incapacitated at the race track for one reason or another. I would go so far as to say that in my estimation it would range up to 1/3 of the horses for one reason or another are not racing sound. It would be my opinion, humble as it is, that the short fields we have in New York reflects that somewhat.

MR. GUSHEN: I would just like to put this into the record. As far as butazolidin being administered to horses is concerned, out of 815 horses that have been administered butazolidin in Illinois for a period of 27 days from July 11 to August 10 inclusive, at Arlington, there were 83 horses that won out of 815 horses that had been administered. That's approximately 10%. More horses than 10% finished last. I am sure that if it was some kind of stimulant a horse wouldn't finish last if he was given butazolidin, and that if it helped every horse in the race, the four horses that were given butazolidin in one race would have to run in a 4-horse dead heat. But the truth of the matter is it will help some horses and will not help others. I think more horses are being administered butazolidin now than probably will be a month from now because if a trainer administers butazolidin to a horse and he finishes last, or next to last, next time the trainer is not going to use it because he sees it doesn't do him any good.

MR. CLAY: I think since the experts do not agree it means there is doubt and surely from the standpoint of public relations we should avoid any points of doubt or suspicion in racing. We have worked too hard, for 35 years or more, to build up public confidence. Anytime you inject factors of doubt or suspicion, you're beginning to tear that down.

MR. HANES: I don't know how the others feel, but I am left with a hopeless feeling of lack of knowledge by lack of agreement. I find that everybody here seems

to have a different idea and we are liable to get emotional and make decisions which are not worthwhile. I don't like to see us go away without some concrete evidence of our willingness to face up to a difficult problem and try to solve it. What I have heard here today is no solution. You have left me in a high state of confusion and I believe everybody else is in just such a state of confusion except those who have knowledge of the subject, like Dr. Gilman, Dr. Reed and other doctors around the table. I have no knowledge of it. But I don't like to leave it like that. I think it is too important to all the racing people in the country to leave it in a state of flux, hanging in the air where everybody seems to be in almost total disagreement.

I haven't heard anything from the state commission veterinarian. I wish he would say something about it before we leave. But my point is that I would like to see us do something worthwhile in this conference and not just talk. We have had one concrete example of that when we made a definite recommendation and something came of it. May I suggest for your consideration and for what it is worth—and I would think The New York Racing Association would certainly be willing to subscribe to such a program—that we find some group, there must be capable veterinarians in colleges and institutions—I am thinking primarily of a place like Cornell. Maybe we could employ the research department of the medical force at Cornell to start a real study and with a panel of veterinarians, the best we can employ throughout the country, pay them for it, and come up with an answer in which laymen like myself, who have no knowledge of the subject, might have some confidence. I have no confidence when I find men here who are intelligent veterinarians and who work every day in the field in total disagreement. I am not willing as a layman to say I am going to take Dr. Gilman's opinion against Dr. Reed's. Or Dr. Woodcock's or maybe Dr. Catlett's or someone else's. I am not willing to do that. I think it is unsound to make decisions on an emotional basis because someone thinks we may do racing some harm. I think we are doing racing harm by leaving this subject hanging in the air. I think we ought to do something about it and I would recommend to The New York Racing Association, and maybe the Jockey Club would join us, that we put up the money to start the investigation. Let's do a job on it. I think it is silly to sit around the table and talk, especially with us laymen who are liable to get excited about it. I'm not excited about it one way or another, I know nothing about it, and I haven't learned a damn thing here this morning!

(Laughter)

DR. CATLETT: Mr. Cassidy, I would like to add one more thing.

MR. CASSIDY: Just a minute, Doctor. Are you finished, Mr. Hanes?

MR. HANES: I should have been finished before I started.

MR. CASSIDY: You spoke wisely.

DR. CATLETT: I agree entirely with Mr. Hanes. It is a great idea, but I do feel this research should be conducted at race track level by experienced men. It should be done right on the track, and experimental horses used should be in training, and then we can see what effect the administration of the drug has on the horse. It could then be given to the laboratory for their examination. I believe our mistake is we are taking these theories from different text books and what-not, but we do not actually know. I'd like to see it done on the track level.

BRIGADIER MCKEE: Isn't Mr. Curry's committee going to do just what was suggested? Mr. Cassidy is on it and I thought it represented all factions in racing, trainers, veterinarians, owners, and so forth, and that they were going to make the investigation, and that it was under way, as Mr. Hanes suggested.

MR. CASSIDY: I was just going to ask Mr. Satz the status of it, but Mr. Hanes, I think you wanted to say something.

MR. HANES: Answering this query first, I want to get it away from factions, and here's what I want to do. Get away from race tracks and factions because we are

liable to get factions which have distorted views one way or another. Some people have very strong views, and some people are purely emotional. I don't think this is an emotional question. I think we ought to get it in the hands of experts and not in the hands of amateurs. We ought to do something concrete and get some expert advice, and if we haven't got good doctors around this board, we ought to get some. I think we've got them. And I still haven't heard from Dr. Woodcock.

DR. WOODCOCK: Mr. Hanes, the position of the American Association of Equine Practitioners has been well established in regard to this question. I believe that your suggestion of studying this drug is the only solution to it. I have been in many sessions where we have discussed this problem and all of them have been exactly like this one. There has been a great deal of dissension and a great deal of disregard for what has been found to be true by the only men available at this time to give concrete evidence as to the effect of butazolidin. And those men of course are the practitioners. I offer the services of our organization to appoint a committee and set the machinery in motion whereby we can have the drug investigated pharmacologically with horses. This is a very important point in my mind because evidently here is one drug that field evidence shows is entirely different in its toxic effect as far as horses are concerned in comparison with the human being. As I say, I offer the services of our organization to appoint the committee or set the wheels in motion whereby this drug can be studied by the pharmacological sections of several universities. After their study has been culminated and we put all of this information together I think we will have a better understanding of what the drug actually does to the horse. My organization as you know is interested in all types of research. I think it is entirely possible that in working on a project of this kind we might be able to find a few things out about a horse and his normal condition. I think that would be worthwhile to study.

MR. CASSIDY: Mr. Satz, do you have any information in respect to the investigations being made by Mr. Curry's committee?

MR. SATZ: Our work is two or three pronged. One, it deals, as you know from our discussions in New York—and I had hoped to catch up with Mr. Curry here—with the drawing of some basic rule that would be suitable to resolve some of the conflicting opinions. So until we got to the bottom of the overall problem, not only with butazolidin but some other drugs that are right around the corner that may be even worse in effect, we were going to get along with a basic rule or set of rules. In the meantime we would continue the investigations vigorously, not so much through this committee but through the N.A.S.R.C. research projects, along the lines that Dr. Woodcock discussed. Specifically, there is something going on at the University of Pennsylvania now. Also I think Clarkson Beard had some ideas that would be worthwhile talking about briefly this morning. I am going to pass to him as to that prong, so to speak, of the plan.

MR. BEARD: Right along those lines, after the meetings in New York I wrote to Mr. Curry and I have talked to him this week here, trying to set up just such a project. I talked to Mr. Donovan about it also. It stands right now as Mr. Satz stated: there are several prongs to this. Our concern in the research problem is to get it set up on a sound, unbiased basis, just to avoid the wrangling that is going on now. We have a rather broad outline of how to do that and Mr. Curry has it in hand and of course it will work itself right through that committee. I think that about covers as briefly as possible the ideas that are in progress.

DR. WOODCOCK: I might add to Mr. Beard's statement that we have been working with the Grayson Foundation as an organization attempting to help in every way we can on the project.

MR. CASSIDY: I think Mr. Hanes has made the most intelligent suggestion that this be investigated and research work done on it to come up with a logical and sound answer.

MR. WIDENER: I think everybody is agreed on Mr. Hanes's suggestion.

MR. GUSHEN: In regard to what Mr. Hanes said I would like to make a suggestion. I agree that a lot of investigation is in order but I don't believe we will get anywhere by investigating in a test tube. I think the best investigation you can make is actually on a horse. Inasmuch as The Jockey Club has done so much good work during the years, and I am sure everybody knows that this is the finest organization in racing, I think if they would come up with some suggestion whereby they would take a certain number of horses and study them for a certain period of time under certain conditions, I am sure everybody would accept their recommendation because they know they are unbiased and everybody would be happy with the result no matter what it would be. I would like to suggest that to Mr. Widener.

MR. WIDENER: I think that could be worked out in conjunction with Mr. Hanes's suggestion. Start the research and have a practical study made at the track at the same time.

4. HOW CAN THE ELECTROCARDIOGRAM BE USED TO HELP DETERMINE PHYSICAL FITNESS IN A RACE HORSE?

DR. GILMAN: The electrocardiogram has been used for years as everybody knows in man and animals to tell whether a heart is diseased or isn't diseased. In recent years throughout the world different groups have been trying to study and hook up electrocardiogram readings with performance of the race horse during the time he is racing and also in yearlings. I'm not qualified to answer this but I know Dr. Wright has done a lot of work on it and I think he should answer this question.

DR. WRIGHT: First of all, I am not a cardiologist and don't profess to be but I will give you my answer to this question. I don't think there is any machine or unit that is able to measure a horse's physical fitness. The use of the electrocardiogram is quite beneficial to all practicing veterinarians and those who are interested in the results of diseased conditions and their effect upon the heart. I think all horses which may have erratic performances need physical examination or possibly need further interpretation of certain symptoms which may exist, and the electrocardiogram is definitely an instrument in this line. Some fellows like Dr. Steel, Dr. Frazier, Dr. Cortlandt, have done successful work in this line and have established programs that they feel will tell us that certain groups of horses have potentials as stakes winners and others have not. That remains to be seen. It is interesting, and I think by comparative groupings of young horses, horses of certain age and conformation, along with breeding, this program can be worthwhile. In my opinion it should be conducted by the veterinarians and chemists. It doesn't actually need cardiologists for the actual physical work. The newspapers usually misconstrue the whole idea. There will be no rearrangement of breeding. I don't think it will affect racing or breeding or bring about a dissolution of what already exists. It certainly will be an adjunct to any physical examination a veterinarian might make on a horse that is racing.

MR. CASSIDY: Do you think that the scoring of a horse's heart such as Dr. Steel advocated is possible alone to determine the general quality of an animal?

DR. WRIGHT: Well I think people who have probably done work with horses and conducted a great many electrocardiograms such as Dr. Steel and several others would be better qualified to answer that. Yes, I would think that you may make some predictions but I think the future will hold forth the answer rather than the present.

MR. CASSIDY: Dr. Crisman, do you know anything about this subject?

DR. CRISMAN: No, I do not. I realize that the subject of prognosticating the performance of a horse by the cardiogram and estimating his ability to run is very fascinating and I have talked to Dr. Detweiler at the Veterinary School and he feels

that the cardiogram of course is only one factor in evaluating the racing ability of the horse. I do think that the cardiogram is important in certain cases where a horse collapses after a race. That horse should routinely have a cardiogram before he is allowed to run again. Delaware Park some years back toyed with the idea of running cardiograms on all the horses that were on the grounds in an effort to avoid horses' dropping dead during a race. However, they felt it was not practical because even if you did run cardiograms on every horse in the race that still would not guarantee the horses wouldn't drop dead during a race. I don't know if Mr. Field remembers that discussion or not, but we talked about that ten years ago.

MR. CASSIDY: We tried that here, we made cardiograms of some horses at Saratoga for a couple of weeks.

MR. ROSEN: I think in view of all the discussions on cardiograms and butazolidin I'm inclined to believe the Morning Telegraph and Daily Racing Form will have to employ doctors instead of handicappers.

(Laughter)

5. VALUE OF BLOOD TYPING.

MR. CASSIDY: On your table you have a copy of a study made on the Thoroughbred horse. I think Dr. Gilman can give you a brief summary of the report.

DR. GILMAN: If blood typing is used routinely at the race track it would be helpful in the following ways. It would be an aid in establishing correct parentage. As it exists today horses are registered with a certain sire and a certain dam, mainly on face value. There can be some honest mistakes where foals get mixed up and there can be some dishonest mistakes. When foals are sold for such tremendous prices people like to be more sure of the parentage. So it could be used for that purpose. In the case of double parentage, where two sires are mated with a certain mare during the breeding season, we may be able to tell which was the correct sire and rule out the incorrect sire. They can't do that in all cases with humans and it is going to be harder with horses. Blood typing will also enable us to give blood transfusions with less risk involved. There are many anemic horses today due to some pathology in the blood-forming organs that require constant treatment. Blood transfusions will be a great aid in keeping these horses in good condition.

In other cases where you have severe hemorrhage if there is little risk involved in giving transfusions you can replace that blood in a matter of minutes rather than taking months to do it.

In the case of broodmares which produce hemolytic foals, this condition is simply a blood incompatibility whereby the mare has antibodies in her blood and the sire's red blood cells are incompatible with them. When the foal is born, if the foal inherits the blood of the sire you have the same incompatibility that existed with the sire and dam but if the foal inherits the dam's blood, there will be no incompatibility. Through blood typing we will be in a position to choose a sire that will not be incompatible with that type of dam and also it will help understand the disease better. As a result of blood types, in humans they can do grafting, corneal grafts, other types of grafting, and when they have to use a piece of an eye or skin it would have to be from a person with the exact same blood type. We can't do any of that work in horses without blood typing. That in general is the future of blood typing.

Panel: FRANCIS P. DUNNE

JOSEPH F. FLANAGAN

6. QUESTION OF RIGHTS TO CLAIM A HORSE AS IS COVERED IN NEW YORK RULE 314 (a), (b) and (c)—WHETHER AN OWNER SHOULD BE DENIED THE RIGHT TO CLAIM A HORSE WHEN HIS TRAINER OR AGENT HAS ALREADY FILED A CLAIM IN THE SAME RACE FOR ANOTHER CLIENT.

MR. CASSIDY: New York just recently changed the rule so that it denied the right of a trainer or agent to claim for more than one owner in the same race even though he represented them as their agents.

MR. DUNNE: That rule was adopted by the New York Racing Commission because it was recommended by the National Association of State Racing Commissioners. They have a uniform rules committee. They recommended that this rule be adopted and that's why they adopted it. As far as talking about taking the rights away, I don't know that there are any rights. Sounds like a political question. They just changed a rule. He hasn't got any right to claim more than one horse in a race.

MR. CASSIDY: Doesn't the rule say that any owner who has started a horse in a race. . . .

MR. DUNNE: Not any more, they changed it. It used to be before it was changed. But I don't see the point in talking about rights, that sounds like the United Nations. It's a perfectly sensible rule, one stable can only make one claim. I don't see anything objectionable about it. Why should one public stable be allowed to make six claims for a horse and some other guy can only make one claim.

MR. CASSIDY: I should think it would be based upon the fact that the individual interest would have an inherent right by having started a horse and qualified.

MR. DUNNE: Well he hasn't got the inherent right. There's nothing inherent about it. It's just a regulation about claiming horses. This thing sounds like the Declaration of Independence, you take somebody's rights away from him.

MR. FLANAGAN: I think an agent should not be allowed to claim for a number of people in the same stable. Particularly where I race there are a number of stables that race platers and if they were able to put in 3 or 4 claims for a particular horse in a race against one claim from somebody else it gives them a very unfair advantage. It makes no difference to that stable really which one of the owners in the stable gets the horse, at least they have it in their stable. That is the reason as I see it for denying this right of owners and agents for owners in a stable.

MR. PHIPPS: Would you feel it would be all right if they could claim different horses? If a trainer has four owners would you say it would be all right if he put in claims for different horses in that race?

MR. FLANAGAN: I see nothing against that.

MR. PHIPPS: The rule at the present time prohibits that.

MR. FLANAGAN: If two people want different horses I should think that agent could act for the two people just as they could act individually.

MR. CASSIDY: This rule prohibits it. The New York rule 312 says, "In claiming races any horse may be claimed for its entered price by any owner presently registered in good faith for racing at that meeting who has nominated a starter up to or including the race in which the claim is made, or by his authorized agent." And this rule 314 says that the agent cannot claim for more than one owner even though he is the agent for both of them. That's the inconsistency.

MR. DUNNE: The question is about rule 314, now you've got 312. What are you going to do, remodel our whole set of rules this morning? It's been a long morning already.

MR. CASSIDY: This says, "No person shall claim more than one horse in a race" which is true. "No authorized agent, although representing more than one owner, shall submit more than one claim." That's the question that's brought up here.

MR. LOWE: I think this probably came up as the result of an authorized agent making a claim for one horse and another of the owners for whom he trained wanting him to claim another horse in that race.

MR. CASSIDY: That's what I think is inconsistent in the rule. The rule says in the beginning, "Any owner who is qualified in starting a horse and is registered in good faith may claim a horse." Then it goes on and says that this agent, his authorized agent, who may be an authorized agent for somebody else, can't claim one for him and one for whomever he is authorized agent for.

MR. LOWE: I think the rule should be clarified to permit the owner in the event he wants to claim another horse to do so.

MR. FLANAGAN: You would allow two owners to claim horses out of the same race?

MR. LOWE: Provided they were different horses.

MR. FLANAGAN: Would you qualify it by saying if the trainers were training in the same public stable they would not be allowed to do that?

MR. CASSIDY: I think they should be entitled to it. Any single owner who has qualified by owning a horse registered in good faith for racing and having started a horse at the meeting, whether he is in the same stable with another person or not, should be entitled to claim.

MR. FLANAGAN: In my opinion, if a public stable races a stable of claimers they should not be allowed to have more than one claim in a race.

MR. CASSIDY: Then who has the right, which one gets the right to claim? I don't agree with it, I don't like the rule, but then that's a matter of opinion.

MR. WIDENER: We can't take any action on it today anyway.

MR. CASSIDY: No, but I think it is a question on which we should hear from the trainers. Mr. Jacobs, what do you think about it?

MR. JACOBS: I think I know what the trouble was. A trainer in Florida last winter had about three claims in one race for different clients that he trained for. He claimed two out of one race and had two claims in for one horse. I think the Stewards made him return one.

MR. FLANAGAN: It can be abused that way.

MR. RUTCHICK: Mr. Cassidy, there's one question I want to ask. Where do they get the empty stalls to claim the horses?

(Laughter)

MR. GUSHEN: That's a fine question from the President of the New York Division. I believe this, that no trainer should be able to claim more than one horse out of a race. The owner doesn't claim the horse. 90 times out of 100 the trainer will make up his mind that he wants to claim a horse and he claims him for one of his owners, but I don't think he should be allowed to take out more than one horse.

7. SHOULD A HORSE BE ALLOWED TO BE CLAIMED IF FOR SOME REASON HE IS SCRATCHED ON THE WAY TO THE POST AND DID NOT RUN IN THE RACE? WHEN SHOULD A HORSE BE CONSIDERED A STARTER FOR THAT PURPOSE?

MR. BRADY: What's the rule now?

MR. DUNNE: 15 minutes before post time the horse becomes the property of the claimant.

MR. CASSIDY: Even though he is withdrawn on the way to the post.

MR. FLANAGAN: The rule I operate under in Maryland is that if a horse is scratched on the way to the post the claim is void. A claim is only operative after a horse has broken out of the gate.

MR. CASSIDY: Is that for claiming purposes or is that for the question of whether the bets are refunded?

MR. FLANAGAN: That's for claiming purposes.

We used to have a rule, and I think you did too, that in the case where there's a claim for a horse, if he is scratched in the paddock, the claim was void. As soon as he went on the race track he became a starter and if he ran off and had to be scratched or anything else, the claim stood. To me, that is the better rule. I prefer that, because it seems to me that you don't want to make too many rules to restrict claiming and all the rules seem to me to favor the owner of the horse. If his horse runs away on the way to the post and he doesn't get a run for the purse, you scratch the horse, but if he runs and comes back on three legs, the man who puts the claim in has to take him, whereas you ought to protect him too. He ought to insist on getting a sound horse. You protected the owner by voiding his claim when his horse ran off and was scratched.

MR. DUNNE: I'd like to see them change this rule and I think they will too.

MR. LOWE: It's one of the uniform rules. The horse is a starter when he leaves the starting gate and that's both for purposes of betting and claiming.

MR. DUNNE: We don't have too much luck with those uniform rules, when you see what they did to the other uniform rules.

MR. CASSIDY: I think we are in agreement on this. Let's go to the next question.

8. COULD LONG, TEDIOUS POST PARADES BE ELIMINATED BY HAVING THE HORSES ENTER THE PADDOCK FOR SADDLING, WITH THE NAMES AND NUMBERS OF THE HORSES DISPLAYED?

MR. CASSIDY: I think there are a lot of things a person could try to eliminate the long, tedious post parades. 80% of the betting is done after the horses leave the paddock. I think everything should be tried to cut that time down.

MR. DUNNE: I don't see how you are going to eliminate a long, tedious post parade by having another parade before. Why don't you just eliminate the long post parade? If you are going to have something else take the place of the thing you are eliminating you are going to be right back where you started from.

MR. CASSIDY: I think the parade in the paddock before they go on the track would cut the time down.

MR. ARCARO: I don't want to say anything on how you parade these horses, but we have a condition in New York that I would like to bring up and get corrected. We race pretty early in the spring around here and pretty late in the fall. When you have terribly bad days I don't think I should be on the phone calling the Stewards and having them get Mr. Dickinson, then Mr. Dickinson has to get to Mr. Hanes, and the card is over and we're all frozen. I think somebody should have control of the thing and say, "It's pretty unbearable, let's rush these horses to the gate." They do it all over the United States except in New York.

MR. CASSIDY: Couldn't you always get the parades cut when you wanted them cut?

MR. ARCARO: It's pretty hard. It takes you about three races to get it done. They do it and try to help, but I think they should do it without our asking. The Stewards should do it, or somebody should do it. I don't know who has power to change it. In Maryland they have a six minute parade in the spring of the year when it is cold. Isn't that right, Mr. Flanagan?

MR. FLANAGAN: Or less.

MR. ARCARO: In Canada, I found out when I was up there in the spring of the year, when it is unbearable they go right from the paddock to the gate. It's very important to us. New York is the only one that is backward in that respect.

MR. CASSIDY: I resent that.

MR. ARCARO: Well, we resent it too.

Panel: BRYAN FIELD

BILL LAUDER

9. SHOULD NOT THE FILM PATROL PICTURES BE TELEVISED TO THE PRESS BOX AT ALL TRACKS AS IT IS DONE IN NEW YORK?

MR. CASSIDY: It sounds a little smug to say it is done in New York and not other places, but I don't know whether it is done in other places or not. I think it definitely should be. Bill, you represent the press, would you like to speak on this?

MR. LAUDER: It was through working with you that we first got it in New York, Marshall. I know that when the press, the New York turf writers, went down to ask you for it, you at first did not think it was a good idea as maybe we wouldn't be able to read the pictures, we might get wrong ideas of what had happened in a race or might color our stories the wrong way. But you said you were willing to take a chance and I think you admit that possibly it helped our coverage of racing in New York, especially on stakes races when there is any question at all about the race. New York has cooperated fully with us. Anytime we ask to see a picture in the press box we can see it. Every day in New York the feature race is now put on automatically in the press box for us, because that's the race the fellows write about mostly. They watch the race with the glasses, think they see something on the backside, think they see something at the 3/8 pole, aren't sure, they look at the picture and they know what they have seen. I think it helps the coverage of racing, certainly in foul claims. At many places we have been outside of New York, when there has been a foul claim, a disqualification, we have great difficulty finding out actually what happened. The Stewards of course are busy, they've got another race coming up. They have deliberations with jockeys. Maybe they take a chance on us and let us look at the picture to see if we can see what happened. If we hang ourselves, that's our fault.

MR. CASSIDY: I can endorse your statement because it has done a lot of good in New York.

MR. FIELD: Through the years Delaware has had good success in following New York and I don't see why we shouldn't again.

MR. ROSEN: That would be valuable for our chart callers, particularly to be able to check and add whatever they may see to the footnotes. It would be a great advantage I think for the public.

MR. LAUDER: I would just like to add one thing. When we had the Widener Chute at Belmont, the straightaway, you start a six furlong race out there, I defy anybody in the stand to tell who comes out of the gate first and who bumps whom or anything else. We are shown the pictures in the press box at the conclusion of the race, run it over and back so that two or three fellows watching it could spot the 26 or 28 horses coming out of there. It helps the chart call, and we have a much better chart because we all use the same chart nowadays. It is made by Triangle and it is circulated by wire service, the Associated Press, to all newspapers all over the coun-

try that buy the service. We have an actual call on the start and know what is happening.

10. THE JOCKEY CLUB RULE OF RACING 79 (a) PROHIBITS A PARTNERSHIP FROM ENTERING AND RUNNING UNDER THE DUAL NAME LIKE "SMITH & JONES." WHY?

MR. CASSIDY: I think one of the basic reasons why it is done is because most places require a minimum of 25% ownership interest in a horse so that only four people could own a horse in New York and 10 or 20 could own him in those states that don't have a minimum of 25%. If you were to try to list all the owners of a horse on the program you are doing it for advertising purposes for the owners and you clutter your program. You don't have enough space for it. There may be other reasons too that I have not thought of at the moment.

MR. FIELD: Isn't there an implication in the rules that would definitely put the finger or responsibility on a single person and wouldn't this divide the responsibility?

MR. CASSIDY: One person is responsible anyway under the partnership rule.

MR. PHIPPS: There wouldn't be any difference in running under a stable name.

MR. LAUDER: In stables that run under a stable name you have more than one owner.

MR. WIDENER: There is one person who is tagged, who is responsible.

MR. CASSIDY: I think it is essential to keep it down to one name but I know there are arguments pro and con.

MR. FIELD: Hasn't it stood the test of time? Does anyone want to change it?

MR. CASSIDY: Yes, this question is here, one person does, anyhow.

MR. MOONEY: May I make a comment for George Hendrie in his absence? He felt that there was some discrimination in this rule under the present system because one of the reasons for having it was to limit the number of names on the program and he can't find anything that limits the size or number of names in an assumed name. For instance, he pointed out that under the present rule you could have a stable name such as "The North and South of Ireland Stable," and that would defeat the purpose.

MR. CASSIDY: That isn't a good argument because the Stewards have the right of discretion. There's another reason too, John, as there are two Canadian partners who want to get credit for their stakes. Will you explain it to them?

MR. MOONEY: We have a partnership in Canada, Larkin Maloney and Conn Smythe and they run their horses in three different ways. They own horses as individuals, then they run as a partnership and there is great confusion in national standings of course because one horse is running for one and earns so much and then another horse is running for both, and then Maloney is running by himself. They would like to race in New York but the fact that they can't have both names on the program stops them.

MR. FIELD: They can get an assumed name.

MR. CASSIDY: They have been told that but they want to get individual credit.

MR. ROSEN: Inasmuch as there isn't room enough for these names in the program, why do they have room for them in Kentucky and they don't have room for them in New York?

MR. CASSIDY: Do they have 4 or 5 names in the program in Kentucky?

MR. KNEBELKAMP: They don't have room. In the first place, about two years ago, 50 people went together and bought a horse. The Racing Editor of the Courier Journal was business agent for them, and of course you couldn't list all those names. That's an isolated case of course.

MR. FLANAGAN: What claiming rights do the men have in a partnership in New York?

MR. CASSIDY: A claim can only be made for a partnership. Whatever interest the partnership has, that's the sole interest they race under.

MR. FLANAGAN: A man in a partnership could not claim for his own account?

MR. CASSIDY: No.

MR. FLANAGAN: What is the theory behind that?

MR. CASSIDY: Two people would have the right to claim on one horse. A person who has only a 25% interest in a horse is not in racing sufficiently enough to qualify him as a bona fide owner, I don't think. It lets a man in on a shoestring to claim a horse with a 25% interest. You can buy a 25% interest in a cheap horse, run him and be eligible to claim.

Panel: EDDIE ARCARO

JAMES E. FITZSIMMONS

11. SHOULD A CONTRACT FORM FOR ALL JOCKEY ENGAGEMENTS BE MANDATORY?

MR. CASSIDY: It has been suggested that jockeys have a contract with the owner for every mount they ride and that both parties be required to file a contract and live up to the terms of it. The question is whether it should be mandatory that all these contracts be made or whether it should be optional and that if they both feel that the verbal contract or the agent's recording of the contract is not sufficient, they could ask for a specific contract.

MR. ARCARO: To start with, we do have contracts, slips that you sign, but that has been defeated a million different ways. I think this, if your word isn't good you don't last anyway. So a verbal agreement is just as good as a signed contract.

MR. CASSIDY: As you know, we have in New York a regulation that all engagements have to be filed with the clerk of scales, in advance. That is used in lieu of contracts in the majority of cases, particularly in overnight races. This was brought up I think by a case where you went to Puerto Rico and were late in coming back and there was some question about it.

MR. ARCARO: Oh yes.

(Laughter)

To start with, I called up from Puerto Rico and I was exonerated by the people I was riding for, so it would have been no different if I had been in New York and got sick and called the owner. I still don't think I was wrong.

MR. CASSIDY: If you're defending yourself, you don't need to. You don't think the contract should be mandatory.

MR. ARCARO: No, I don't think so, not only from the rider's standpoint but from the trainer or owner's standpoint. I think a trainer a lot of times would like to wait as the rider he wishes to have might be on a mount. The race might be two weeks away and I think he would like to wait to get a rider who in his opinion is a better rider. It gives him a chance to fluctuate. Mr. Fitzsimmons could answer that better than I.

MR. FITZSIMMONS: I don't want to wait too long if I can get him anytime.

(Laughter)

Do you mean to make all the engagements at the one time?

MR. CASSIDY: The question as I read it and from the information I have had before is that all engagements that you make in advance should be in contract form and both parties sign it. Do you think that should be mandatory, that they should have to fill these contracts out, or do you think that the contract should be done at the option of the owner and rider.

MR. FITZSIMMONS: I don't have any trouble with that. I take their word for it. Some people might want them to sign a contract, but I get along with them all right.

12. WHY CANNOT RACING COMMISSIONS OR THE TRACKS RULE THAT PONY BOYS MUST LEAD THEIR HORSES FROM THE SIDE WHEREBY THE PUBLIC CAN GET A CLEAR VIEW OF THE ANIMAL THEY ARE BETTING ON FROM BOTH SIDES IN THE POST PARADE?

MR. CASSIDY: I would imagine that the reason that is not being done is that it presents considerable hazard in shifting from one side to the other and the horse may be injured on the way to the post.

MR. WIDENER: That was tried in New York.

MR. CASSIDY: That was one side. They asked to see a horse lead on the off side so that the public could see the horse.

MR. WIDENER: Isn't that what they want here?

MR. CASSIDY: No, they want, when the horse comes back, to shift to the other side and lead him the other way.

BRIGADIER McKEE: Mr. Stewart does it at Hollywood with great success.

MR. CASSIDY: Do you shift from one side to the other?

MR. STEWART: They shift when they make the turn and start back except in instances where a horse is unmanageable. Then special permission is given by the Stewards. We have a lot of ponies on the track.

DR. CATLETT: Mr. Cassidy, that is done in Canada too and it works in 95% of the cases.

MR. ARCARO: Different states have different problems with that. In California I would say out of 12 horses, 10 of them will have ponies. They have out there what they call professional pony boys. I would say again that 80% of the horses that have a pony don't need a pony. That is their mode of doing things. But in New York you will notice there are very few ponies, and you only take a horse to the gate in New York with a pony if you need him. That's why we ruled it out in New York and that was our argument against it then. We don't take horses to the gate with a pony unless the trainer and the jockey get together and say, "Well, he's kind of a rogue and we can't get him over there." In Canada I noticed the other day, they had small fields, but 80% of the horses had a pony. They didn't need a pony but those kind of horses I can see you could shift. But I'm not too sure when I ask for a pony that I want to shift him. Otherwise I wouldn't have a pony to start with.

MR. WIDENER: I don't think the majority of pony boys are qualified to lead on the off side either.

MR. ARCARO: In California in the wintertime, with the two-year-olds, every two-year-old in the race, going $\frac{3}{8}$ of a mile, had a pony with him. Shifting them we've had a lot of accidents. They're babies, they're half scared to death, and they're not broke properly, so they raise right up when they bump against the pony. As I say, different states have different problems with that.

MR. FITZSIMMONS: I think all horses are trained in the morning so that if you are going to lead them you lead them on the right side. If you change in the

afternoon if the horse needs leading it would confuse him and you might have a lot of trouble. I don't think that would be the right thing to do.

MR. CASSIDY: I think in giving the public the view of the horse on both sides you are not giving them a great deal and I think it may result in injury or damage to an owner's horse, which is a very important consideration.

13. DOES THE APPRENTICE RULE NEED REVISION?

MR. CASSIDY: I think this question is one that is going to take some time and it is a serious one for many reasons. In my lifetime, which has been quite a while, I have seen the apprentice rule changed at least a hundred times, in different parts of the country, and changed back again, without any uniformity or perfection. I think we will have different conditions in different parts of the country and New York does not make many apprentice riders. The owners normally prefer to buy a boy that has already been made. Out west it is a business making an apprentice rider. And different conditions exist throughout the country which would affect the rule. I know Mr. Fitzsimmons has specific ideas in respect to the rule. He favors large apprentice allowances. I think Mr. Fitz you could tell them better than I could tell them just what you like.

MR. FITZSIMMONS: We have always tried to make jockeys in New York. Thirty years ago we had a rule where we got 7 pounds and that didn't work very well. Then when the racing commission came in or shortly after that they changed it back to 5. We went that way for 2 or 3 years and through Mr. Gaver and the Trainers Association we got it back to 7 again. Then for some reason it dropped back to 5 and it has been that way ever since, and everybody knows we need jockeys very badly. I would say 10 pounds until a boy has won 20 races and then 7 for a year or until he has won 40. In that way we cover two angles and get you jockeys. It's going to take 3 or 4 years to get them anyway and maybe longer and in the meantime the ones that don't make good as jockeys will drop into the exercise boy ranks. We certainly need both very badly.

MR. ARCARO: Boss, I've got to disagree with you.

(Laughter)

MR. FITZSIMMONS: I knew you would.

MR. ARCARO: First of all, there are two parts to the question. Are you trying to make exercise boys or are you trying to make jockeys?

MR. FITZSIMMONS: Jockeys, but in the meantime we are trying to make both.

MR. ARCARO: I don't think you can do that. I don't think a weight allowance will make jockeys any more than I think these novice races will make jockeys.

MR. FITZSIMMONS: Did you have apprentice races when you were learning to be a jockey?

MR. ARCARO: Yes, but I came up through a hard, tough school and knew how to ride when I started. Have you watched these novice races?

MR. FITZSIMMONS: Yes, they make a pretty good race.

MR. ARCARO: Do they? I'd like you to come in and look at some of the movies.

(Laughter)

It's just plain luck that they get home safe. I'll tell you it's a miracle!

MR. FITZSIMMONS: Well I think the public likes them just as well as they do the other races. I think we need more of them. But in the meantime after the apprentices get made, or partly made, they are going to drop back to the same 5 pounds and they're not going to get anywhere.

MR. ARCARO: Well I don't know, Mr. Fitz, whether giving them a lot of weight is fair to everybody.

MR. FITZSIMMONS: I wouldn't like to try to handicap you jockeys.

MR. ARCARO: Mr. Fitz, you've got to look at it another way. Here's a rider who spends 5 or 10 years of his life learning to be a good rider and you're going to drop somebody in there and say, here, we want a new-looking face, we're going to give him 20 pounds. I know damn well he'll beat them down at the 20 pounds.

MR. FITZSIMMONS: I didn't say 20, I said 10 pounds.

MR. ARCARO: 10 pounds, that's a lot. Ask Mr. Kilroe what 10 pounds will do to a horse. This is the only game in the world where you take the apprentice and try to give him something. Any other game he has to work for something.

MR. FITZSIMMONS: We always thought years ago it was just as important to make jockeys as it was to make horses.

MR. ARCARO: I think our system then is outmoded. Of course I have a plan for a jockeys' finishing school. You take these boys who are riding up here right now, I don't know how many there are but there are evidently 15 of them, and the majority of them are going to have two things happen to them in their life. They're going to make good exercise boys and great ping pong players. I can't see any future for the majority of them as riders. But I would like to have a jockeys' finishing school, put it on a farm someplace, with the right facilities and put six months or a year into these same boys.

MR. FITZSIMMONS: You mean have races for them?

MR. ARCARO: Yes, races, film patrol, proper teachers. In fact I have delved into it so far that I had Bert Thompson call Mr. Ellsworth out in California. He's willing to lend The Jockey Club the facilities and in that way you can get proper teachers, coaches. All top riders in America would go there and spend some time with these boys. We'd also housebreak a lot of them. This has many good phases and I don't think you are going about it right the way you are doing it now.

MR. FITZSIMMONS: And after you get through with them you give them 5 pounds. What owners are going to put them up to ride against you and these other top jockeys? Every jockey that has been made has cost some poor owner \$500 or \$600 or more. You included, I imagine.

MR. ARCARO: Oh, I could cost you more than that.

MR. FITZSIMMONS: We're thinking about future racing and jockeys are important.

MR. ARCARO: I'm trying to make them.

MR. FITZSIMMONS: You're not going to make them that way. You can make them exercise riders.

MR. CASSIDY: Mr. Fitz, I think Eddie's plan is good. Let him explain it.

MR. ARCARO: I'm not talking about taking a green boy from scratch, Mr. Fitz. I'm talking about going throughout the United States and screening boys who are on the verge of riding. They have already had a year or two years' experience with the owner or trainer who is trying to make them. Then they come into the finishing school and we put the polish on them that they need. It has been proven always that when you do come up with a good rider, and you give him 5 pounds, he has license to steal. We were trying to spot Shoemaker 5 pounds around here and he should have been giving us 5. So it can get out of balance that way too. But trying to make a group of riders, 12 or 15 as a starter, I think eventually this thing would spread to Florida and California, and I am only taking those two places on account of weather. If you get the thing set up properly I really believe you would come up with 15 to 30 polished apprentices. Now if they are polished enough the 5 pounds is enough, Mr. Fitz.

MR. FITZSIMMONS: If you can get the owners. The owners still have to ride him with that 5 pounds, after you get through with him. You have to ask some owner to put him up for 5 pounds to ride against you and the other top riders. You talk about Shoemaker, he's just one in a million.

MR. ARCARO: That name just came to my mind. You will remember one year Glisson came here and was top rider. I can go down the line and name some of them. But my plan is really the development of better riders. I'm not trying to slow the apprentices down.

MR. FITZSIMMONS: You're going to slow them down if you don't give them allowance enough.

MR. ARCARO: What are we going to do with the 1300 riders we have in the Guild?

MR. FITZSIMMONS: I'm not worrying about the riders. I'm worrying about the public and the owners. The owners are sportsmen who can afford to develop these horses every year and I don't think either the owners or the public are going to make any money. I am convinced the trainers and the jockeys are only in racing for what they can get out of it. Regardless of how many jockeys there are, they wouldn't stay in racing ten minutes if they couldn't make a good living at it. Now I wouldn't stay in it if I could do something else, but I'm too old now anyhow.

(Laughter)

MR. CASSIDY: Wouldn't this help the owners by having the boys they are trying to make themselves get the expert teaching and tutoring?

MR. FITZSIMMONS: But still you have to ride them against Arcaro with 5 pounds. My owners aren't going to let some apprentice boy ride against Eddie. They try to get him or somebody else.

MR. ARCARO: Solomone was here this spring and he had the lead on Arcaro, Ycaza and everybody else.

MR. FITZSIMMONS: That's right, he was one. But that's only once in a while.

MR. ARCARO: That again comes down to how he was trained.

MR. FITZSIMMONS: He was just one of those boys who could ride. There are not enough of them, Eddie, the riders you are talking about.

MR. ARCARO: They are not trained properly, that's my point.

MR. FITZSIMMONS: You're going to take 3 or 4 years to get them trained.

MR. ARCARO: No, I'm thinking it would take 6 months to a year before you are going to ride him, that's the type I am talking about. Put them in the finishing school. I don't want to fool with kids that are 13 or 14 years old and then grow up to be a giant in 3 years. I want those who by the time they are 16 or 18 years old are ready to ride. That's when you go out and select them, hand-pick them. You'll probably miss a lot of them but I think the ones you do pick are small enough and have the ability to work with. I really believe that every year you could come up with 12 or 15 as a starter to see how it works. It will only take you a year to find out.

MR. FITZSIMMONS: Mr. Hanes and Jimmy Kilroe have started in the way to handle that. The only thing I am worried about is after you get through with these boys, a lot of boys might come out of that who might be pretty good, you give them only 5 pounds. Give them 10 pounds and we will ride them against you and the other top riders. We'll take a chance. If we can't get you we'll take a chance on one of these boys once in a while. Give enough allowance and we'll do it. We'll handicap the jockeys.

MR. ARCARO: You'll handicap them all right!

(Laughter)

I don't think you'll make them that way. The allowance you will give them will be so great that they can make 30 mistakes in a race and still win. I don't think you should punish a guy who has worked all his life to acquire ability, to inflict that against him. I don't think it is fair in any sport in the world.

MR. FITZSIMMONS: I think your apprentice rule, Eddie, would keep your

old jocks up longer, and you're getting pretty old anyhow. It would keep you on your toes.

(Laughter)

MR. ARCARO: I've been on my toes for 28 years, but I'm talking for the majority of riders.

MR. FITZSIMMONS: I must admit I'm not worried about the riders. I'm primarily interested in the horses and the public of course, and indirectly I'm interested in the riders, and I'm not here too long for that, but I would like to have some riders and make something out of them.

MR. ARCARO: Well if you wait a year we might show you some.

MR. FITZSIMMONS: I'm going to have to wait, Eddie. I think Mr. Hanes and Mr. Kilroe are on the right road, but after they get enough boys in the field, whose going to ride them for 5 pounds? You've got to give them 10 pounds and then we can give them a chance. There's a pretty good boy right now here in New York. With 10 pounds he'd be riding every day.

MR. ARCARO: I know whom you mean. Well, he'll be a rider, Mr. Fitz, when I'm training horses, and that's going to be a long time. If you give a boy like him 10 pounds, you're not making a rider, you're giving him something. If you put him on a horse he's going to take the lead and what difference does ability mean? He can fall half off the horse and still win.

MR. CASSIDY: I think you're both talking about the same thing. You both want good riders.

MR. FITZSIMMONS: I don't think Eddie wants good riders.

MR. CASSIDY: I'd like to say something in defense of Eddie. I think he's been riding where I've been a Steward for more than ten days or so, and I know him pretty well. He has been the greatest aid to us in developing the young riders than anyone in the world. He has taken the young, green boys in the review of the pictures, he's pointed their faults out to them, pointed out their mistakes, he's even taken boys that were unmanageable home in his family and talked to them and told them the errors of their ways. I know of no one who has done more for his own profession than Eddie Arcaro. And he has some other good ideas. Let's hear about those. He has an idea that I think is very good, that in the apprentice rule a boy doesn't start to count his year until he has ridden five winners instead of after riding his first winner he has a year. That's very good because it gives a boy a chance to luck-up on some winner even before he is ready to go on and race, and then he has to be pushed because his time has started and he's too green. You like these apprentice races, Fitz, and I don't like to oppose my son-in-law or Mr. Hanes, but I don't like them at all and never have because I think they are dangerous.

MR. FITZSIMMONS: All races are dangerous, you can't get away from that.

MR. CASSIDY: Mr. Fitz, I know, but I've seen so many maiden jock races.

MR. FITZSIMMONS: And they were always all right. We had plenty of them in those days. And we had races in those days for boys who hadn't won 20 races, and gave them 3 or 4 pounds.

MR. CASSIDY: How can they learn riding with boys who don't know anything about it?

MR. FITZSIMMONS: The Jockey Club has always figured it was just as important to make jockeys as it was to develop horses.

MR. ARCARO: So do I, that's why I think this finishing school will be your answer.

MR. FITZSIMMONS: I think Jimmy Kilroe's idea would help the finishing school. You get them up there and learn to ride among themselves, and then at the same time you pick out the boys who are riding pretty good in that race and you put them up against the top riders and give them a chance.

MR. ARCARO: They'll have no trouble getting mounts with 10 pounds, I'll say that.

MR. CASSIDY: Eddie, do you want to make any more comments on apprentices?

MR. ARCARO: No, but I am so interested in this finishing school idea of mine I would like to have The Jockey Club interested enough to help me on it.

MR. WIDENER: We shall take it up with you and discuss it.

MR. BOULMETIS: Mr. Fitz, how many winners for 10 pounds did you say?

MR. FITZSIMMONS: Until they win 20 races.

MR. BOULMETIS: Then you haven't accomplished making riders. All you are going to do is have them ride out their 10 pounds and then they have to ride equal with us. I don't see where you are going to make riders if you are going to have them do that.

MR. FITZSIMMONS: I've been making riders all my life and I know that if the allowance is up you can give them a chance. If you can get them in more races you can make pretty good boys. We've had boys in the stable learning exercising and they get pretty good and want to ride. They are pretty good and you'd give them a chance to ride if they would get enough allowance, but you can't put them up in New York. So they want to go to the half-milers where they can make some money. You can't blame them for that. They don't stay with you and it costs you \$500 or more to make one. They're gone and you're out that amount, especially the trainers, public trainers. I've made boys and I've been trying to make them all my life.

MR. JACOBS: One way you can give apprentice boys a chance is to use the scale of weights. But racing secretaries rarely use it anymore.

MR. FITZSIMMONS: I'd like to see that myself.

MR. JACOBS: I don't know what we've got the scale for, you might as well toss it out the window. It's never used very much. If you have to carry 124 or 126 you'll give one of the boys a chance to ride with their 5 pounds, but the way it is now all you see is overweights for nearly every race. In Maryland in the fall of the year they've got 110 to 112 on them and they're all overweight.

Panel: HUMPHREY S. FINNEY

ROBERT L. GREEN

14. SHOULD THE BIRTH DATE OF THOROUGHBREDS BE CHANGED FROM JANUARY 1ST TO A LATER DATE?

MR. FINNEY: Mr. Cassidy, I feel that there's been a lot of useless talking about this matter and I think it is a good thing that it is coming out in the open now and is brought up here. I am absolutely opposed to any change in the present set-up. We have got enough things out of step in the world today without putting the United States out of step with the entire northern hemisphere. The first of January is accepted as the birth date of Thoroughbreds everywhere in the northern hemisphere. It's said that we are just doing this to copy the English. I tried to get some documentation on the question but I found that in England as long ago as 1812 the birth date of Thoroughbreds was May 1st. They even raced yearlings before that. At Catterick Bridge in Yorkshire in April, 1812, they had the Yearling Stakes. With respect to this country, I have a copy of the rules of the Maryland Jockey Club's incorporation and founding rules dated 1830. These specifically stated that all animals shall take their birth from the 1st day of the year in which they are born.

John Hervey, in The Jockey Club's wonderful history of racing, states that there was considerable feeling between the sportsmen of the north and the sportsmen of the south because all northern racing people believed in a January 1st birthday while the southerners, principally I suppose the Charleston Jockey Club and the New Orleans people, insisted on both May 1st birth date and a much lighter scale of weights. Those points Mr. Hervey said caused considerable discussion during the Civil War period.

As to the question of mares getting in foal, I have heard it said that if the birth date did not start until the 1st of April, a higher crop of foals would result. That I doubt considerably. I managed a large stud farm for about 15 years long ago and I found that after the middle of June when we got into the hot weather the mares did not show in heat and that my big percentage of conceptions occurred during April and May. I also found, and this has been borne out by some checking that I had done, that a considerable number of stallions, when the hot weather comes, decide to ease up a bit. I haven't checked with Dr. Kaye but I checked with my own doctor and he tells me the smallest percentage of children are begotten during the months of July and August. And I think the same probably is true of horses.

I have heard it said that the early birth date results in more dual parentage and that it's a stigma to have dual parentage. I am sure that the people who bred to Nasrullah and then had to switch to Princequillo aren't going to feel there is any stigma. In any case, of the 1675 yearlings sold at auction last year, which is about 20% of the crop, there were only four with dual parentage and those four yearlings together brought \$2,750. So I don't think that is a good argument.

Finally I think the first of January is a wonderful check on the part of nature on the possibility of just trying to breed a mare early "as she won't get in foal this time." I believe we would have much more of a problem of the mare who foaled, not the 29th day of December and the foal became a yearling two days later, but foaled the 28th day of March or earlier and the foal would be a yearling the 1st of April. I myself would like to see The Jockey Club settle this one question. I think it could be decided practically in this room as I see enough Stewards of The Jockey Club. If The Jockey Club says, "This is it, we are going to stick to it," I wish they would.

MR. WIDENER: Before Mr. Green starts, I would like to say that I think The Jockey Club is unanimous in feeling that the date should not be changed.

MR. GREEN: I don't have much to add. I do think the argument against changing the date because it has always been January 1st is a poor argument. I myself am against changing the date, but for other reasons. Most of them you mentioned, Mr. Finney. But a couple I would like to emphasize, one being that I presume the reason that most people who do wish to change the rule want to change it because they want to get more mares in foal. Well, they are not worried about the mares they do get in foal. The mares they don't get in foal is what the trouble is. And which mares are they? Are they the ones that you breed for a month or two or three and can't get in foal? If you extended the thing or changed it to a different period of time, I don't see how it would affect them. Or it's the late foaling mares that you don't have an opportunity to bring back anyway, and that's because of the previous year. It has nothing to do with the birth date.

MR. WIDENER: We have reached the end of our agenda here. We appreciate very much the discussions of the various members of the group and hope that some beneficial results will come out of it. There's luncheon waiting for us all at the track, the host being The New York Racing Association.