

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

**1946**

Minutes of a meeting of the New York State Racing Commission held at the office of the Commission, 745 Fifth Avenue, New York City, Thursday, January 10, 1946, at 4:30 P. M.

PRESENT: Commissioner Ashley Trimble Cole  
Commission David Dows  
Commissioner William C. Langley  
Secretary Harry J. Millar

The Chairman presented to the meeting a proposed form of press release with respect to the discontinuance of the Daily Double and offered the following resolution:

WHEREAS, the investigation conducted by this Commission into the subject of the Daily Double, has convinced it that its continuance is detrimental to the best interests of racing; be it

RESOLVED, that the racing associations to be licensed to conduct pari-mutuel wagering in the State of New York in 1946, be and they hereby are authorized to discontinue the sale of Daily Double tickets.

Upon motion duly made and seconded, the said resolution was unanimously adopted.

The Commission discussed the subject of attendance at the annual meeting of the National Association of State Racing Commissioners to be held at Los Angeles the week of February 25th. The Chairman read Miss Miner's letter of January 5, 1946, from which it was apparent that whoever attended as representatives of the Commission would have to pay their personal expenses in large part, as the allowance by the State would be greatly insufficient for the purpose. Upon unanimous consent the matter was held over for further consideration.

The Chairman presented and read to the meeting the letter dated January 4, 1946, of John J. Coakley, Treasurer of the Westchester Racing Association, submitting blueprints covering work projected and planned at Belmont Park for early installation. The plans submitted were:

1. (a) New typical plan for 40-stall stable and dormitory. The dormitory will be a two-story addition at each end of the barn, but separated from the stable proper by double fire-brick walls.
- (b) New 40-stall stable and dormitory plumbing plan.
- (c) Front view of stalls.
2. New typical plan for dormitory where building will be separate from the stable.
3. (a) Two-story cottage at Stable No. 8.
- (b) Plumbing plan of same cottage.
4. Plan of storage shed.
5. Typical plan of blacksmith shop.

The Chairman also presented and read to the meeting the report of Inspector John A. Martin dated January 8, commenting on the said plans, all of which involves recommendations for further strengthening of the contemplated structures.

The Chairman reported that he had discussed the matter with Mr. Coakley and that he was assured by Mr. Coakley that these plans are only of a preliminary nature to show characteristic new or additional buildings, that the number of such buildings to be erected is dependent entirely upon the availability of material and labor, that as and when material and labor become available, final detailed plans of the various buildings will be submitted to this Commission for formal approval and issuance of a permit as required by Section 7579, Unconsolidated Laws.

The Secretary was authorized to advise Mr. Coakley that these plans, which are understood to be of a preliminary character, are approved and that it is our further understanding that as and when material and labor becomes available for the erection of these new and additional buildings, detailed plans will be submitted to the Commission for formal approval and the issuance of a permit or permits as provided by Section 7579, Unconsolidated Laws.

The Chairman presented letter of Mr. Cassidy, Assistant Secretary of The Jockey Club, submitting for the approval of this Commission an amended Rule of Racing 65. When originally submitted under date of August 27, 1945, the Commissioners gave their approval in writing, but there had been no approval at a formal meeting. For this reason, upon motion duly made and seconded, the following resolution was unanimously adopted:

RESOLVED, that the Commission hereby approves, in all respects, the amendment to Rule of Racing 65, so that the same will read as follows:

Rule 65. Upon failure to register a horse before November 1st of the year of his birth, he may be registered prior to March 1st of his three year old year by special permission of the Stewards of The Jockey Club, but not thereafter. Provided the application to register be made prior to the January 1st next following his birth, the payment of a fee of \$10 will be required, and, after that date until March 1st of his two year old year the required fee will be \$50, and after that date and prior to March 1st of his three year old year \$100.

  
Secretary

Minutes of a meeting of the New York State Racing Commission held at the offices of the Commission, 745 Fifth Avenue, New York City, Thursday, February 14, 1946, at 9:30 A. M.

PRESENT: Mr. Ashley Trimble Cole, Chairman  
 Mr. David Dows, Commissioner  
 Mr. William C. Langley, Commissioner  
 Secretary Harry J. Millar

The Secretary stated that reasonable notice of this meeting was duly given to all members of this Commission by notice mailed February 8, 1946.

The Chairman presented to the meeting the applications of Metropolitan Jockey Club dated February 5, 1946, of Queens County Jockey Club dated January 31, 1946, and of Westchester Racing Association dated January 4, 1946, for the approval of certain alterations and the erection of certain structures at their respective race courses.

Upon motion duly made and seconded, the following resolutions were adopted:

RESOLVED, that the application of Metropolitan Jockey Club by letter dated February 5, 1946, for the approval of certain alterations and the erection of certain structures on the race course of said Metropolitan Jockey Club at Jamaica in the Borough and County of Queens, City of New York, pursuant to the provisions of Section 20 of Chapter 254 of the Laws of 1940 (Sec. 7579, Unconsolidated Laws), and of Article VI, Section 13, of the Rules and Regulations of the Commission, be and the same hereby is granted, and be it further

RESOLVED, that the Commission having examined and inspected the plans thereof filed with said application; and it appearing to the Commission from said application and plans that said alterations and structures are proper, the Chairman is authorized to issue to and in the name of Metropolitan Jockey Club a PERMIT for the said alterations and the erection of said structures.

Upon motion duly made and seconded, the following resolutions were adopted:

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RESOLVED, that the application of Queens County Jockey Club, by letter dated January 31, 1946, for the approval of certain alterations and the erection of certain structures on the race course of said Queens County Jockey Club at Aqueduct in the Borough and County of Queens, City of New York, pursuant to the provisions of Section 20 of Chapter 254 of the Laws of 1940 (Sec. 7579, Unconsolidated Laws), and of Article VI, Section 13, of the Rules and Regulations of the Commission, be and the same hereby is granted; and be it further

RESOLVED, that the Commission having examined and inspected the plans thereof filed with said application; and it appearing to the Commission from said application and plans that said alterations and structures are proper, the Chairman is authorized to issue to and in the name of Queens County Jockey Club a PERMIT for the said alterations and the erection of said structures.

Upon motion duly made and seconded, the following resolutions were

adopted:

RESOLVED, that the application of Westchester Racing Association, by letter dated January 4, 1946, for the approval of certain alterations and the erection of certain structures on the race course of said Westchester Racing Association at Elmont in the County of Nassau, pursuant to the provisions of Section 20 of Chapter 254 of the Laws of 1940 (Sec. 7579, Unconsolidated Laws), and of Article VI, Section 13, of the Rules and Regulations of the Commission, be and the same hereby is granted; and be it further

RESOLVED, that the Commission having examined and inspected the plans thereof filed with said application; and it appearing to the Commission from said application and plans that said alterations and structures are proper, the Chairman is authorized to issue to and in the name of Westchester Racing Association a PERMIT for the said alterations and the erection of said structures.

Upon motion duly made and seconded, the following resolutions were

adopted:

RESOLVED, that the application of Westchester Racing Association, by letter dated February 11, 1946, for the approval of certain alterations

and the erection of certain structures on the race course of said Westchester Racing Association at Elmont in the County of Nassau, pursuant to the provisions of Section 20 of Chapter 254 of the Laws of 1940 (Sec. 7579, Unconsolidated Laws), and of Article VI, Section 13, of the Rules and Regulations of the Commission, be and the same hereby is granted; and be it further

RESOLVED, that the Commission having examined and inspected the plans thereof filed with said application; and it appearing to the Commission from said application and plans that said alterations and structures are proper, the Chairman is authorized to issue to and in the name of Westchester Racing Association a PERMIT for the said alterations and the erection of said structures.

The Chairman reported that the efforts of the Commission toward having adequate provision made for the establishment of eating places for stable employees had met with a considerable degree of success due to the cordial cooperation of the Racing Associations with our suggestions. He further stated that the Commission would keep in close touch with this matter.

The Chairman further reported that he had taken up with the Long Island Railroad Company, the question of improving the railroad terminals at Belmont Park and Jamaica, and would report progress at a later meeting.

The Chairman presented a communication from the National Steeplechase and Hunt Association dated February 9, 1946, together with a copy of the Minutes of the Meeting of the Board of Stewards held February 7th, and a proposed amendment to Rule 248 of the Rules of Racing of the National Steeplechase and Hunt Association.

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

RESOLVED that Rule 248 of the Rules of Racing of the National Steeplechase and Hunt Association reading as follows:

Rule 248. In the absence of a specified contract, the fee to a jockey in Steeplechase and Hurdle Races not exceeding \$500 to the winning horse, shall be \$25 for a winning mount and \$15 for a losing mount; not exceeding \$800 in value to the winning horse, the fee shall be \$50 for a winning mount and \$30 for a losing mount. In all other Steeplechases and Hurdle Races, the fee shall be \$60 for a winning mount and \$35 for a losing mount.

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

Rule 248. In the absence of a specified contract, the fee to a jockey in a Steeplechase or Hurdle Race, shall be as follows:

When the value to the Winning horse does not exceed	Winning Mount	Losing Mount
\$500	\$25	\$15
800	50	30
1300	60	35
1800	80	45
in all others	100	60

The Commission considered the Memorandum of Opinion in the matter of R. Tom Smith, submitted by the Chairman, and upon motion duly made and seconded, the same was unanimously adopted as the opinion of the Commission, constituting three members of the Joint Session.

The Commission considered the form of Order or Determination in the matter of R. Tom Smith, submitted by the Chairman, and upon motion duly made and seconded, the same was unanimously approved.

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

RESOLVED, that Harry J. Millar, as Secretary of this Commission, be and he hereby is authorized to represent this Commission at the annual meeting of the National Association of State Racing Commissioners to be held at the City of Los Angeles, commencing on the 25th day of February, 1946, and to

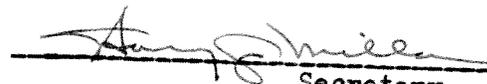
cast the vote of the New York State Racing Commission upon any and all matters before said meeting, at his entire discretion.

WHEREAS, Section 5 of Chapter 310 of the Laws of 1934 (Unconsolidated Laws, Sec. 7511), requires that there shall be three Stewards to supervise each race meeting and that one of such Stewards shall be the official Steward of this Commission; and

WHEREAS, there is no substitute for said official Steward in the event that he might be prevented from discharging his duties at a race meeting; now therefore be it

RESOLVED, that the Chairman of the Commission be and he hereby is authorized in the event that the official Steward of the Commission should be unable to discharge his duties for any reason whatsoever, to temporarily designate such person as he may select to be the official Steward of this Commission during the absence of the regularly designated official Steward.

There being no further business to come before the meeting, on motion, duly seconded, the meeting adjourned.

  
Secretary

Minutes of a meeting of the New York State Racing Commission held at the offices of the Commission, 745 Fifth Avenue, New York City, Tuesday, March 26, 1946, at 3:00 P. M.

PRESENT: Mr. Ashley Trimble Cole, Chairman  
Mr. David Dows, Commissioner  
Mr. William C. Langley, Commissioner  
Mr. Harry J. Millar, Secretary

The Secretary stated that reasonable notice of this meeting was duly given to all members of this Commission by notice in person.

The Chairman stated that the Division of the Budget had not yet segregated the Commission's budget for the year beginning April 1, 1946, and it was therefore not possible to determine at this time how many inspectors could be appointed to the seasonal staff.

The Chairman presented the following resolution which, upon motion duly made and seconded, was adopted, viz.:

RESOLVED, that this Commission appoint, and it does hereby appoint, the following employees which are deemed necessary and fixes their compensation at the amounts set opposite their respective names, said compensation to be paid by assessments made by this Commission as provided by Section 25 of Chapter 254 of the Laws of 1940, as amended by Section 1 of Chapter 167 of the Laws of 1946, viz.:

Steward of the Commission	Francis P. Dunne	\$150.00	per day
Assistant to the Steward		20.00	" "
Supervisor of Drug Tests	Dr. M. J. Dair	35.00	" "
Asst. to Supervisor of Drug Tests	John J. Hopkins	15.00	" "
Inspector	Rodger J. Minton	10.00	" "
"	Harry Fuller	10.00	" "
"	Bernard McNichol	10.00	" "
"	William Brennan	10.00	" "
"	Harry Graham	10.00	" "

Upon motion of Commissioner Langley the following resolution was unanimously adopted:

RESOLVED, that the Chairman, upon being advised by the Division of the Budget as to the number of inspectors to be allowed to the Commission for seasonal work on a per diem basis, appoint not exceeding four additional inspectors from the list in his possession.

Upon motion duly made and seconded, the following resolutions were adopted:

RESOLVED, that the application of Metropolitan Jockey Club, by letter dated March 20, 1946, for the approval of certain alterations and the erection of certain structures on the race course of said Metropolitan Jockey Club at Jamaica, County of Queens, pursuant to the provisions of Section 20 of Chapter 254 of the Laws of 1940 (Sec. 7579, Unconsolidated Laws), and of Article VI, Section 13, of the Rules and Regulations of the Commission, be and the same hereby is granted; and be it further

RESOLVED, that the Commission having examined and inspected the plans thereof filed with said application; and it appearing to the Commission from said application and plans that said alterations and structures are proper, the Chairman is authorized to issue to and in the name of Metropolitan Jockey Club a PERMIT for the said alterations and the erection of said structures.

The Secretary stated that applications had been received from the five Racing Associations requesting approval of the appointment of Harold O. Vosburgh as Steward representing the Associations at their race meetings during the season of 1946.

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

RESOLVED, that the appointment of Harold O. Vosburgh by the five Racing Associations as Steward representing the Associations at their respective race meetings during the season of 1946, be and the same hereby are approved.

The Secretary read to the meeting the letter of The Jockey Club dated March 20th, asking approval of the persons therein mentioned to be officials connected with the actual conduct of racing during the season of 1946. These persons are as follows:

Steward to represent The Jockey Club	--	Marshall Cassidy
General Racing Secretary and Handicapper	--	John B. Campbell
Starter	-----	George B. Cassidy

Placing Judges

C. Cornehlson  
Joseph Kyle  
Frank Kilroe

Clerk of the Scales

George Hyland-Sutcliffe

Assistant Clerk of the Scales

Nelson Strang

Paddock and Patrol Judge

Myron Davis

Assistant Paddock and Patrol Judge

Calvin Rainey

Patrol Judges

Walter J. Mara  
William Constantine

Timer

John Miller

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

RESOLVED, that the persons named by The Jockey Club as set forth in its letter to the Commission dated March 20th, to be the officials connected with the actual conduct of racing during the season of 1946, be and the same are hereby approved.

The Chairman made a statement to the meeting with respect to the Telefilm Patrol Service, of which he had witnessed an impressive demonstration, and stated that the Presidents of the four New York tracks operating in Zone 1 have decided to install the same for their race meetings in 1946, if the device should meet the approval of the Commission.

In the discussion that followed, the Commissioners were unanimous in the opinion that such service should be installed also for the Saratoga meeting, but that pending further discussion of the matter by the Chairman with The Jockey Club and with the officials of the Saratoga Association, approval of the

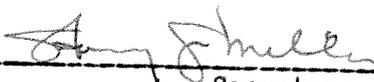
use of the service should be given.

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

RESOLVED, that this Commission hereby approves the use of the Telefilm Patrol Service on the New York race courses during the season of 1946.

The Commission then discussed the matter of the issuance of Staff Cards for the 1946 season and the matter was referred to the Chairman for his action.

There being no further business to come before the meeting, on motion duly seconded, the meeting adjourned.

  
Secretary

Minutes of a meeting of the New York State Racing Commission held at the offices of the Commission, 745 Fifth Avenue, New York City, Wednesday, April 3, 1946, at 4:15 P. M.

PRESENT: Mr. Ashley Trimble Cole, Chairman  
 Mr. David Dows, Commissioner  
 Mr. William C. Langley, Commissioner  
 Mr. Harry J. Millar, Secretary

The Chairman presented to the meeting the application of Queens County Jockey Club dated March 28, 1946, for the approval of the erection of a certain structure at its race course.

Upon motion duly made and seconded, the following resolutions were adopted:

RESOLVED, that the application of Queens County Jockey Club by letter dated March 28, 1946, for the erection of a toilet building in the paddock area at the race course of said Queens County Jockey Club at Aqueduct in the Borough and County of Queens, City of New York, pursuant to the provisions of Section 20 of Chapter 254 of the Laws of 1940 (Sec. 7579, Unconsolidated Laws), and of Article VI, Section 13, of the Rules and Regulations of the Commission, be and the same hereby is granted; and be it further

RESOLVED, that the Commission having examined and inspected the plans thereof filed with said application; and it appearing to the Commission from said application and plans that said structure is proper, the Chairman is authorized to issue to and in the name of Queens County Jockey Club a PERMIT for the erection of said structure.

The Chairman stated that The Jockey Club intended to amend Rule of Racing 206 to increase jockeys fees and requested our approval.

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

RESOLVED, that the amendment by The Jockey Club of Rule of Racing 206 now reading as follows, viz.:

Rule 206. In the absence of a specific contract jockey fees shall be as follows: in races where the value to the winner is not more than \$400, \$5 for a losing mount and \$15 for a winning mount; where the value to the winner is more than \$400 and less than \$900, \$10 and \$25; where the value to the winner is \$900 or more, \$15 and \$35.

so that the same will read as follows, viz.:

Rule 206. In the absence of a specific contract jockey fees shall be as follows: in races where the value to the winner is not more than \$400, \$5 for a losing mount and \$15 for a winning mount; where the value to the winner is more than \$400 and less than \$900, \$10 and \$25; where the value to the winner is \$900 and less than \$1300, \$15 and \$35; where the value to the winner is \$1300 or more, \$20 for a losing mount, \$25 for finishing 3rd, \$35 for finishing 2nd, and \$50 for a winning mount.

be and the same is in all respects approved.

After discussion, the Chairman was authorized to make such provision as circumstances will permit for the taking of additional saliva and urine samples and their analyses by the Laboratory, it being desirable to take such samples of as many horses, in addition to winners, as possible but not exceeding the horses finishing 2nd and 3rd.

There being no further business to come before the Commission, on motion duly seconded, the meeting adjourned.

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Secretary.

Minutes of a meeting of the New York State Racing Commission held at the offices of the Commission, 745 Fifth Avenue, New York City, Friday, April 5, 1946, at 11:15 A. M.

PRESENT: Mr. Ashley Trimble Cole, Chairman  
 Mr. David Dows, Commissioner  
 Mr. William C. Langley, Commissioner  
 Mr. Harry J. Millar, Secretary

The Chairman presented for the Commission's approval, proposed amendments to the Rules of Racing adopted by The Jockey Club.

Upon motion duly made and seconded the following resolutions were adopted:

Amend Rule 77 by inserting (a) before the existing first paragraph and adding the following:

(b) No person may have, at the same time, different forms of interest in different horses entered for races. His interest in all horses must consist of one, and only one, of the following: (1) sole ownership (including lease, or sale with contingencies, to him alone); or (2) membership in only one partnership (ownership by which may include lease, or sale with contingencies, to it alone).

Amend Rule 86 by adding the following sentence:

No person may be a member of more than one partnership.

Amend Rule 90 (b) to read as follows:

90 (b) A person, whether alone or as one of a combination of persons, cannot register more than one assumed name at the same time, nor can he use his real name so long as he has a registered one. An assumed name may not be used by more than one person, or one combination of persons, as the case may be. All horses in which any person has an interest must be raced under the same name - that is, under one only of the following names: (1) his own name; or (2) one assumed name; or (3) the name used by the partnership of which he is a member.

On motion duly seconded the meeting adjourned.

  
 Secretary.

Minutes of a meeting of the New York State Racing Commission held at the offices of the Commission, 745 Fifth Avenue, New York City, Monday, April 15, 1946 at 4:30 P. M.

PRESENT: Mr. Ashley Trimble Cole, Chairman  
 Mr. William C. Langley, Commissioner  
 In the absence of the Secretary the Chairman reported that due notice of the meeting had been given to Commissioner Dows by letter dated and mailed April 10, 1946.

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

RESOLVED, that Section 13, Article VI of the Rules and Regulations of this Commission, now reading as follows:

"Section 13. The erection of buildings, seating stands or other structures on the grounds of any Racing Association, and the alteration or the removal of any thereof, the cost of which shall exceed five thousand dollars (\$5,000) shall be made only with the written approval of the Commission and the issuance of a permit therefor, after the filing with the Commission of a description thereof, with plans showing the detail of the same and a detailed statement of the cost thereof."

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

"Section 13. The erection of buildings, seating stands or other structures on the grounds of any Racing Association, and the alteration or the removal of any thereof, shall be made only with the written approval of the Commission and the issuance of a permit therefor, after the filing with the Commission of a description thereof, with plans showing the detail of the same and a detailed statement of the cost thereof."

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

RESOLVED, that Subdivision (b) Section 1 of Article XII of the Rules and Regulations of this Commission, now reading as follows:

"(b) In all pools, the net amount for distribution shall be all sums deposited in the pari-mutuel pool less ten per centum (10%) of the total deposits plus the breaks, as provided by Section 7568 of the Unconsolidated Laws of New York."

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

"(b) In all pools the net amount for distribution shall be all sums deposited in the pari-mutuel pool less fifteen per centum (15%) of the total deposits plus the breaks, as provided by Section 9 of Chapter 254 of the Laws of 1940, as last amended by Section 1 of Chapter 339 of the Laws of 1946, and by Section S41-2.0 of Title S of Chapter forty-one of the Administrative Code of the City of New York. "

On motion duly seconded the meeting adjourned.

  
Secretary.

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Chairman.

Minutes of a meeting of the New York State Racing Commission held at the offices of the Commission, 745 Fifth Avenue, New York City, Thursday, May 9, 1946, at 2:30 P. M.

PRESENT: Mr. Ashley Trimble Cole, Chairman  
 Mr. David Dows, Commissioner  
 Mr. William C. Langley, Commissioner  
 Mr. Harry J. Millar, Secretary

The Chairman presented to the meeting a letter from the Secretary of the National Steeplechase & Hunt Association dated April 26, asking for approval of a meeting of Meadowbrook Steeplechase Association at Westbury on Saturday, September 28, 1946. As the date was acceptable to the Commission, the Chairman will instruct the Secretary to advise Meadowbrook Steeplechase Association to file the usual form of application for a license and to pay the \$25.00 fee therefor, as required by Section 7508 of the Unconsolidated Laws.

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

RESOLVED, that the charge for admission to race courses under the jurisdiction of this Commission of soldiers, sailors and marines in uniform, is hereby fixed at one-half of the amount fixed for such admission generally under authority of Section 15 of Chapter 254 of the Laws of 1940, as last amended by Chapter 479 of the Laws of 1946, whether or not such one-half of the amount fixed is less than the minimum prescribed by said statute.

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

RESOLVED, that Section 21 of Article XI of the Rules and Regulations of this Commission, now reading as follows:

"Section 21. In all races with five or more separate entries, Racing Associations shall provide win, place and show pools; in all races with four (4) separate entries, they shall provide win and place pools; in races of three (3) or two (2) separate entries, they shall provide only a win pool; and pari-mutuel tickets shall be sold accordingly."

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

"Section 21. In all races with five or more separate entries which start, Racing Associations shall provide win, place and show pools; in all races with four (4) separate entries which start, they shall provide win and place pools; in races of three (3) or two (2) separate entries which start, they shall provide only a win pool; and pari-mutuel tickets shall be sold accordingly."

The Chairman read to the meeting a letter of The Jockey Club dated May 9, asking approval of persons therein named to be officials connected with the actual conduct of racing during the season of 1946. These persons are as follows:

- Assistant Racing Secretary.....Julius Reeder
- Assistant Handicapper.....Frank Kilroe
- Placing Judge.....Nelson Strang
- Assistant Clerk of the Scales.....William Murphy

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

RESOLVED, that the persons named by The Jockey Club as set forth in its letter to the Commission dated May 9, to be the officials connected with the actual conduct of racing during the season of 1946, be and the same hereby are approved.

Upon motion duly seconded the meeting adjourned.

  
Secretary.

Minutes of a meeting of the New York State Racing Commission held at the offices of the Commission, 745 Fifth Avenue, New York City, Tuesday, May 14, 1946.

Present: Mr. Ashley Trimble Cole, Chairman  
 Mr. David Dows Commissioner  
 Mr. William C. Langley Commissioner  
 Mr. Harry J. Millar Secretary

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

RESOLVED, that Section 1(b) of Article XII of the Rules and Regulations of this Commission, now reading as follows:

"Section 1(b) In all pools the net amount for distribution shall be all sums deposited in the pari-mutuel pool less fifteen per centum (15%) of the total deposits plus the breaks, as provided by Section 9 of Chapter 254 of the Laws of 1940, as last amended by Section 1 of Chapter 339 of the Laws of 1946, and by Section S41-2.0 of Title S of Chapter forty-one of the Administrative Code of the City of New York."

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

"Section 1(b). In all pools, the net amount for distribution shall be all sums deposited in the pari-mutuel pool less ten per centum (10%) of the total deposits plus the breaks, as provided by Section 7568 of the Unconsolidated Laws of New York, and, in addition, not exceeding five per centum (5%) of said total deposits, where local laws are adopted or amended pursuant to Chapter 339 of the Laws of 1946."

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

RESOLVED, that Section 9 of Article XIV of the Rules and Regulations of this Commission, now reading as follows:

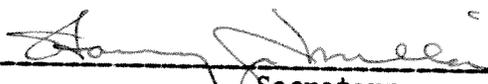
"Section 9. All containers previously used for specimens shall be carefully and thoroughly cleaned in the Commission laboratory and shall be sealed before being returned to the Supervisor. Each such seal shall bear the stamp of the laboratory. Seals on such containers shall not be broken except in the presence of owners or trainers or their representative, if present at the test. Only distilled

water shall be used to moisten gauze used in the collection of saliva. No basin, dipper, pan, or other container shall be used more than once in each day for the collection of saliva, urine or blood specimens and after such use each such container shall be carefully and thoroughly cleaned."

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

"Section 9. All containers previously used for specimens shall be carefully and thoroughly cleaned in the Commission laboratory and shall be sealed before being returned to the Supervisor. Each such seal shall bear the stamp of the laboratory. Seals on such containers shall not be broken except in the presence of owners or trainers or their representative, if present at the test. Only distilled water, with or without acetic acid, shall be used to moisten gauze used in the collection of saliva. No basin, dipper, pan, or other container shall be used more than once in each day for the collection of saliva, urine or blood specimens and after such use each such container shall be carefully and thoroughly cleaned."

Upon motion duly seconded the meeting adjourned.

  
Secretary.

Minutes of a meeting of the New York State Racing Commission held at the offices of the Commission at the Belmont Park Race Course, Elmont, New York, Wednesday, May 29, 1946, at 4:00 P. M.

PRESENT: Mr. Ashley Trimble Cole, Chairman  
 Mr. William C. Langley, Commissioner  
 In the absence of the Secretary, the Chairman reported that due notice of the meeting had been given to Commissioner Dows by telegram and letter sent May 28, 1946.

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

RESOLVED, that this Commission hereby fix at the sum of three hundred fifty dollars per day the amount to be reimbursed to the State for the cost of providing supervisory functions at race meetings and the expense of preventing the use of improper devices and the administration of drugs or stimulants, the said amount to be paid by the corporation or association conducting the race meetings at which such functions are exercised, pursuant to Section 25 of Chapter 254 of the Laws of 1940, as amended by Chapter 167 of the Laws of 1946.

The Commission discussed the application of Messrs. Louis A. Wehle and others, for the approval of a certificate of incorporation of Western New York Racing Association, Inc. Reports have been obtained on Mr. Wehle and his associates from Dun & Bradstreet, Inc., and Pinkerton's National Detective Agency. It was decided that further reports would be obtained from Proudfoot's Commercial Agency, Inc. It was also determined that Mr. Wehle and his associates would be requested to file with the Commission a statement signed by all of them, that in the event approval of the certificate of incorporation were granted, the capital paid in, and a permit granted to conduct running races with pari-mutuel betting, the original subscribers to the capital stock would enter into a ten-year voting trust under the laws of the State of New York, to ensure the continuance of the control of the enterprise in reputable hands.

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

RESOLVED, that the application of Queens County Jockey Club to change the place of its race meeting for the week beginning June 3 and ending June 8, 1946, inclusive, from Aqueduct Race Course to Belmont Park, be and the same hereby is approved; and be it further

RESOLVED, that the Chairman be authorized to issue an amended permit to said Queens County Jockey Club in the usual form, providing for the transfer of the said race meeting for the period above mentioned to Belmont Park.

The meeting also approved a press release with respect to the foregoing, copy of which is to be appended to the minutes of this meeting.

Upon motion duly made and seconded the meeting adjourned.

  
Secretary.

"FOR IMMEDIATE RELEASE

May 29, 1946

At a special meeting of the New York State Racing Commission held this afternoon, the Commission considered the application of Queens County Jockey Club to change the place of its race meeting for the week beginning June 3 and ending June 8, 1946, inclusive, from Aqueduct Race Course to Belmont Park.

The Commission has made a comprehensive inspection of the work in progress at Aqueduct Race Course, which is intended to materially increase the public facilities, both as to seating and comfort. However, in view of strikes which have interrupted the work, it is manifest that the improvements cannot be completed by Monday, June 3, the day for which the meeting was originally licensed to begin at Aqueduct Race Course. In order to serve public convenience, and probably public safety, the Commission has determined to permit the first week of the Aqueduct Spring meeting to be held at Belmont Park. Unless material progress is made at once in completing the improvement at Aqueduct, the Commission may be under the necessity of directing that some further part of the Spring meeting of Queens County Jockey Club be transferred from Aqueduct to Belmont Park."

Minutes of a meeting of the New York State Racing Commission held at the offices of the Commission, 745 Fifth Avenue, New York City, Thursday, June 6, 1946, at 9:30 A. M.

PRESENT: Mr. Ashley Trimble Cole, Chairman  
 Mr. William C. Langley, Commissioner  
 Mr. Harry J. Millar, Secretary  
 The Chairman reported that due notice of the meeting had been given to Commissioner Dows by telegram sent June 5, 1946.

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

RESOLVED, that the prices submitted by The Saratoga Association for the Improvement of the Breed of Horses, for clubhouse boxes at \$121.50 for the season, and grandstand boxes at \$81.00 for the season, both inclusive of taxes, be and the same hereby are approved.

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

RESOLVED, that this Commission approve and it does hereby approve, the amendment to Rule of Racing 224 now reading as follows:

"224. The Secretary of the Association shall retain two per cent (2%) of the gross value to the winner of every race, stake or purse exceeding \$2,500; and one per cent (1%) of the gross value to the winner of every race, stake or purse amounting to \$2,500 or less, and shall pay these amounts to The Jockey Club",

so that the same will read as follows:

"224. Each Association shall pay to The Jockey Club, for its supervisory and other services in the conduct of race meetings, \$300 per day for each day of its meetings."

The Chairman reported his conversation with Miss Ruth Miner, Executive Deputy Secretary of State, with respect to filling the position of Assistant to the Steward, and was authorized to advise Miss Miner that no such position could be filled at less than \$50.00 per day, which the Commission did not believe should be paid at the present time.

The Chairman also reported that due authorization had been given for the appointment of a pharmacologist to make certain tests at our laboratory, for which Dr. Alfred Gellhorn, Associate Professor of Pharmacology in the College of Physicians and Surgeons of Columbia University, would be retained at a per diem stipend of \$30.00.

The Chairman further reported that authorization had been received from Albany for the placing of Miss Doris W. Woehrlin in the position of Junior Racing Analytical Chemist at \$1,800 per annum. Miss Woehrlin will occupy the position on a temporary basis for the summer months.

The Chairman read to the meeting the letter of Mr. Paul E. Lockwood, Secretary to the Governor, dated June 3, inquiring with respect to the so-called "white cards" or "staff cards", and also read his reply to Mr. Lockwood's inquiry.

Upon motion duly made and seconded, the meeting adjourned.



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Secretary.

Minutes of a meeting of the New York State Racing Commission held at the office of the Chairman, Ashley Trimble Cole, Room 1901, 30 East 42nd Street, New York City, on the 17th day of June, 1946, at 10:30 o'clock in the morning.

PRESENT: Mr. Ashley Trimble Cole, Chairman  
 Mr. David Dows, Commissioner  
 Mr. William C. Langley, Commissioner

The Secretary, Mr. Harry J. Millar, recorded the minutes.

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

RESOLVED, that this Commission approve and it does hereby approve the amendment to Rule of Racing of the National Steeplechase and Hunt Association No. 281, now reading as follows, viz.:

"281. The Secretary of each Racing Association shall retain 2 per cent of the gross value to the winner of all Steeplechases and Hurdle Races (stake or purse) exceeding \$2,000, and 1 per cent of the gross value to the winner of all Steeplechases and Hurdle Races (stake or purse) amounting to \$2,000 or less, and shall pay these amounts to the National Steeplechase and Hunt Association.

This fee shall not apply to meetings sanctioned by the Hunts Committee."

so that the same will read as follows, viz.:

"281. Each association shall pay to the National Steeplechase and Hunt Association, for its supervisory and other services in the conduct of race meetings, \$60. per day for each day of its meeting. This fee shall not apply to meetings sanctioned by the Hunts Committee."

The Commission discussed the letter from Mr. Franklin S. Wood, enclosing a proposed plan for financing of a racing association to operate a race course on the Flushing Airport site in the Borough of Queens. The Chairman was authorized to acknowledge receipt to Mr. Wood and to request from him an outline map of the premises and its approaches, and also information with respect to the necessity for material fill and underpinning of piling.

The Commission discussed the request from the National Association of State Racing Commissioners contained in its bulletin dated May 31, 1946, that the tracks in New York be required to recognize the official button of the NASRC. At the suggestion of the Chairman, he was authorized to advise the National Association of State Racing Commissioners with respect to the legal requirements for free admission in New York State.

The Commission also discussed the matter of the incorporation of a racing association to operate a race course in the Buffalo-Rochester area. Pending the receipt of further information, the matter will be held over until the next meeting of the Commission.

Upon motion duly made and seconded, the meeting adjourned.

  
Secretary.

Minutes of a meeting of the New York State Racing Commission  
held at the offices of the Commission, 745 Fifth Avenue, New York City,  
Thursday, July 18, 1946, at 10:00 A.M.

PRESENT: Mr. Ashley Trimble Cole, Chairman  
Mr. William C. Langley, Commissioner  
Mr. Harry J. Millar, Secretary  
The Chairman reported that due notice  
of the meeting had been given to  
Commissioner Dows by telegram sent  
July 10, 1946.

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

WHEREAS, Louis A. Wehle, Thomas N. Nagle, Frederick M.  
Tobin, Harry C. Guess, M.D., William E. Kreiner, III, and  
Addison F. Vars, have heretofore petitioned this Commission  
for its approval of a proposed Certificate of Incorporation  
dated the 10th day of May, 1946, and duly executed and  
acknowledged by each of said petitioners; and

WHEREAS, this Commission is of opinion that the purposes  
of Chapter 440 of the Laws of 1926, as amended, will be  
promoted by such incorporation, and that such incorporation  
will be conducive to the interests of legitimate racing; now,

THEREFORE, BE IT RESOLVED, that this Commission approve  
and it does hereby approve said proposed Certificate of  
Incorporation and the filing of the same in the office of  
the Department of State; and be it further

RESOLVED, that the Certificate of such approval of this  
Commission be executed by the members thereof and attached  
to the proposed Certificate of Incorporation.

The Chairman presented to the meeting a letter from the Saratoga  
Association for the Improvement of the Breed of Horses, dated July 12, re-  
questing the permission of the Commission to issue a "Guest" badge at a  
price of \$50.00, including taxes, for the coming meeting of that Association  
at Saratoga Springs, New York.

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

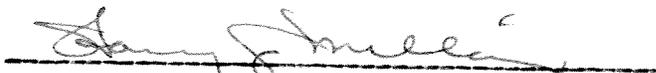
WHEREAS, the Saratoga Association for the Improvement of the Breed of Horses has applied for permission to issue a special, reduced admission Club House badge for its 1946 meeting at Saratoga Springs, the same to be designated as a "Guest" badge and priced at \$50.00, including taxes; and

WHEREAS, the receipt of the Association from such prices would be \$23.12 with Federal tax of \$15.36 and New York State tax of \$11.52; and

WHEREAS, the total price therefor covering a meeting of 24 racing days would be in excess of the minimum charge of one dollar and a half fixed by Section 15 of Chapter 254 of the Laws of 1940, as amended by Chapter 858 of the Laws of 1942; now,

THEREFORE, BE IT RESOLVED, that this Commission hereby fixes the price for a special, reduced admission Clubhouse badge for the 1946 meeting of the Saratoga Association for the Improvement of the Breed of Horses to be held at the City of Saratoga Springs, New York, commencing on the 5th day of August and ending on the 31st day of August, the same to be known as a "Guest" badge and priced at \$50.00, including Federal tax of \$15.36 and New York State tax of \$11.52.

Upon motion duly made and seconded, the meeting adjourned.

  
Secretary.

Minutes of a meeting of the New York State Racing Commission held at the Commission Laboratory, 148-11 Hillside Avenue, Jamaica, N. Y., Thursday, July 25, 1946, at 11:30 A. M., and subsequently adjourned to the Executive Offices of the Saratoga Association at Jamaica Race Course, Jamaica, N. Y.

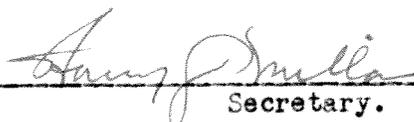
PRESENT: Mr. Ashley Trimble Cole, Chairman  
Mr. David Dows, Commissioner  
Mr. William C. Langley, Commission  
Mr. Harry J. Millar, Secretary

The Commissioners attended a series of tests by Dr. Alfred Gellhorn, Associate Professor of Pharmacology in the College of Physicians and Surgeons of Columbia University, involving the use of white mice in connection with the saliva test. About an hour and a half was devoted to these tests which will proceed and will include a visit to the Mobile Laboratory operated by Maryland Racing Commission.

The Chairman reported at length to the Commissioners with respect to the status of the application of Western New York Racing Association, Inc., consent to which had been formerly given at a prior meeting. The delay in releasing information of our action is at the request of the Racing Association, which believes that it would be embarrassed in obtaining options for a large plot if information were given to the newspapers in advance of the signing of the necessary option.

The Chairman also reported on the talk he had with Mr. Lawrence Holloran, one of the owners of the Flushing Airport site, of a proposed race course. The Chairman was authorized to proceed in his efforts to obtain, for the information of the Commission, reports of engineers who had examined this property in recent years for persons having a similar use in mind for the airport.

Upon motion duly made and seconded, the meeting adjourned.

  
Secretary.

Minutes of a meeting of the New York State Racing Commission held at 36 East 62nd Street, New York City, Friday, August 30, 1946, at 3:30 P.M.

PRESENT: Mr. Ashley Trimble Cole, Chairman  
 Mr. David Dows Commissioner  
 Mr. William C. Langley, Commissioner  
 Mr. Harry J. Millar, Secretary

A discussion with respect to matters concerning Western New York Racing Association, Inc., commenced at the Commission office at 9:30 A.M. and was continued at this meeting.

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

RESOLVED, that the proposed directors and officers of Western New York Racing Association, Inc., and the voting trustees to hold the entire stock thereof for the period of ten years from the date of its issue, as set forth in the following schedule, be and the same hereby are in all respects approved.

Directors

Lawrence D. Bell, Buffalo, New York - President Bell Aircraft Corporation

Donald A. Dailey, Rochester, New York,  
 Director and Member of Executive Committee,  
 Genesee Valley Trust Company

Harry C. Guess, Buffalo, New York  
 Doctor of Medicine

Seymour H. Knox, Buffalo, New York,  
 Chairman of the Board, The Marine Trust Company  
 of Buffalo

William E. Kreiner, III, Buffalo, New York  
 Plant Superintendent, William E. Kreiner & Sons, Inc.

Thomas N. Nagle, Rochester, New York  
 President, Whiting-Buick, Inc.

Frank G. Revoir, Syracuse, New York  
 President, Station WAGE

Paul A. Schoellkopf, Niagara Falls, New York  
 Chairman of the Board, Buffalo Niagara Electric  
 Corporation, and President, Niagara Falls Power  
 Company

Frederick M. Tobin, Rochester, New York  
 President, Tobin Packing Co., Inc.

Louis A. Wehle, Rochester, New York  
 Chairman of the Board, The Genesee Brewing Co., Inc.

Harry W. Wendt, Buffalo, New York  
 Chairman of the Board, Buffalo Forge Company

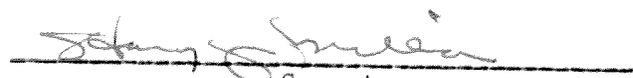
### Officers

Chairman of the Board	Henry W. Wendt
President	Louis A. Wehle
Vice President	Seymour H. Knox
Vice President	Thomas N. Nagle
Vice President	Harry C. Guess
Secretary	Patrick H. Hodgson, Buffalo, N.Y.
	Partner, Hodgson, Russ, Andrews, Woods & Goodyear
Treasurer	Donald A. Dailey
Assistant Secretary	John L. Wehle, Rochester, N.Y., President, The Genesee Brewing Co., Inc.
Assistant Treasurer	J. F. Schoellkopf, IV, Buffalo, N.Y. Vice President, Schoellkopf, Hutton & Pomeroy, Inc.

### Voting Trustees

Harry C. Guess	Buffalo, New York
Seymour H. Knox	Buffalo, New York
William E. Kreiner, III	Buffalo, New York
Thomas N. Nagle	Rochester, New York
Paul A. Schoellkopf	Niagara Falls, New York
Frederick M. Tobin	Rochester, New York
Louis A. Wehle	Rochester, New York
Harry W. Wendt	Buffalo, New York

Upon motion duly made and second, the meeting adjourned.

  
 Secretary.

Minutes of a meeting of the New York State Racing Commission  
held at the offices of the Commission, 745 Fifth Avenue, New York City,  
Thursday, September 5, 1946, at 11:00 a. m.

PRESENT: Mr. Ashley Trimble Cole, Chairman  
Mr. David Dows Commissioner  
Mr. William C. Langley Commissioner  
Mr. Harry J. Millar Secretary

Upon motion duly made and seconded, the Commission approved new  
Rule of Racing 278(b) submitted by the National Steeplechase and Hunt Asso-  
ciation, reading as follows, viz.:

"At race meetings outside the State of  
New York the Stewards of the National  
Steeplechase and Hunt Association may  
sanction variations in these rules to  
conform with local conditions."

The Chairman suggested that in advising the Association of the  
approval of the Commission, the Association be requested to ask all local  
Stewards to report to the Association at the close of each meeting such  
variations as they may make and that copies of such reports be promptly  
filed with this Commission.

Upon motion duly made, and seconded, the Commission authorized The  
Jockey Club to defer indefinitely the taking effect of new Rule of Racing  
77(b) with respect to different forms of interest in horses entered for  
races.

Upon motion duly made, and seconded, it was determined that mimeo-  
graphed copies of the Gellhorn-Morgan report on biological or so-called  
"Mouse Tests" be sent to all State Racing Commissions, the Federal Bureau  
of Narcotics, The Jockey Club, Thoroughbred Racing Associations, Inc.,  
Thoroughbred Racing Protective Bureau, Inc., American Trainers' Association,  
Horsemen's Benevolent and Protective Association, National Association of

State Racing Commissioners, and such other persons as in the opinion of the Chairman and the Chief Chemist, would be interested in the subject of the report.

The Commission discussed the matter of publicity releases by the Committee on Publicity of the National Association of State Racing Commissioners and remitted the matter to Commissioner Dows, as member of that Committee, for such action as he may see fit.

The Commission again considered the appointment of an Assistant to the Steward and authorized the appointment of Andrew W. Feeney to the position, provided that such appointment would not interfere with his continuance with the Commission as an Inspector after the close of the racing season in view of the services which he could render to the Commission in such capacity.

Upon motion duly made and seconded, the meeting adjourned.

  
Secretary.

Minutes of a meeting of the New York State Racing Commission held at the offices of the Commission, 745 Fifth Avenue, New York City, Thursday, October 10, 1946, at 9:30 A. M.

PRESENT: Mr. Ashley Trimble Cole, Chairman  
Mr. David Dows Commissioner  
Mr. William C. Langley Commissioner  
Mr. Harry J. Millar Secretary

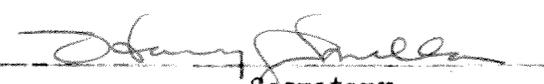
The Chairman reported that the Commission had received from Daniel J. O'Neil, attorney at Buffalo, N. Y., a document entitled "Certificate of Incorporation of The Buffalo Thoroughbred Horseracing Association, Inc." After consideration of the document and of the law and the Rules and Regulations of the Commission, the Chairman was authorized to refer the document to the Attorney General for advice as to our procedure.

The Chairman also reported on the latest information relative to the Western New York Racing Association, Inc.

The Commission considered the resolution adopted by the National Association of State Racing Commissioners at its annual meeting at Los Angeles in February, 1946, with respect to penalties to be imposed upon jockeys. The Commission at the same time considered whether or not it should recommend the adoption of these penalties by The Jockey Club in view of the fact that they would probably be enforced by all the racing states outside of New York.

The Commissioners further considered the number of inspectors the Commission would be required to keep on at the termination of the racing season, and it was determined that an effort should be made to retain the services of Michael Cohn, John A. Martin, Andrew W. Feeney, George W. Thompson and Harry Fuller. The Chairman was authorized to discuss the matter with the proper persons.

Upon motion duly made and seconded, the meeting adjourned.

  
Secretary.

Minutes of a meeting of the New York State Racing Commission held at the office of the Commission, 745 Fifth Avenue, New York City, Friday, November 1, 1946, at 10:00 A. M.

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

The Chairman reported that due notice of the meeting had been given to Commissioner Dows by letter sent October 29, 1946.

The Chairman presented two letters from Steward Dunne requesting the consent of the Commission to his acting as Racing Secretary at the Tropical Park meeting to begin December 2, 1946 and end January 16, 1947, for compensation. Also to serve as one of the Stewards at a one-day Hunt Meeting to be held at Middleburg, Virginia, November 16, 1946, without compensation.

Upon motion of the Chairman, and duly seconded by Commissioner Langley, it was

RESOLVED, that the consent of the Commission be and the same hereby is given to Steward Dunne to serve as Racing Secretary at the Tropical Park meeting from December 2, 1946 to January 16, 1947, for compensation; and to serve as one of the Stewards at a one-day Hunt Meeting to be held at Middleburg, Virginia, November 16, 1946, without compensation.

The Chairman is hereby authorized to certify this consent in writing.

The Secretary presented the application of the New York Racing Associations Charities, Inc., for a permit to hold a three-day meeting on November 13, 14 and 15, 1946, at Jamaica race course.

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

RESOLVED, that the application of New York Racing Associations Charities, Inc., dated October 30, 1946, for a license to conduct running races and a race meeting at Jamaica race course in the Borough of Queens, City of New York, on November 13, 14 and 15, 1946, be and the same hereby is granted for the said dates and period of time and at the place above mentioned, it being the judgment of the Commission that a proper case for the issuance of such license is shown, and be it further

RESOLVED, that upon the payment of the statutory fee of twenty-five dollars for each racing day, the regular form of license of this Commission shall issue to said NEW YORK RACING ASSOCIATIONS CHARITIES, INC., for said race meeting.

The Commission discussed the opinion of the Attorney General dated October 28, 1946, with respect to the proposed certificate of incorporation of THE BUFFALO THOROUGHERED HORSERACING ASSOCIATION, INC.

Upon motion duly made and seconded, the meeting adjourned.



Minutes of a meeting of the New York State Racing Commission held at the office of the Commission, 745 Fifth Avenue, New York City, Wednesday, November 6, 1946, at 4:30 P. M.

PRESENT: Mr. Ashley Trimble Cole, Chairman  
 Mr. David Dows Commissioner  
 Mr. William C. Langley Commissioner  
 Mr. Harry J. Millar Secretary

The Chairman reported that under date of October 24, 1946, there had been filed in the New York County Clerk's office the order of the Court of Appeals dismissing the appeal of Tom Smith to that Court, "with costs to the respondents". Such costs as may be taxed by the Attorney General on behalf of the Racing Commission will, of course, be retained by the Attorney General's office as part of the General Funds of the State.

The Chairman described a proposed legislative bill increasing the number of Commission Stewards to two so that one might function at the Buffalo track, if and when in operation, while the other would be functioning at a metropolitan track holding a concurrent meeting. The bill also provided that in the event of the inability of any Steward to act, one of the Commissioners or the Secretary could temporarily act as Steward without compensation. Suggestion had been made to the Chairman that besides creating two Stewards, two Deputies should also be created, these Deputies to receive no pay except when serving as Stewards.

The Chairman pointed out that it would be difficult to find proper persons for such positions and it would also be difficult to have Deputy Stewards available at all times, especially when no compensation is involved except when serving as Stewards. As a matter of practice, the Secretary of the Commission is at the race course practically every day and one or more of the Commissioners would be readily available.

The Chairman was authorized to have the bill introduced in the form drawn by him, providing for not exceeding two Stewards, and for the emergency use of one of the Commissioners or the Secretary.

The Chairman also presented a bill with respect to the procedure on appeals to the Joint Session. It was understood that this bill had met with the approval of the Chairman, Executive Secretary and Counsel for The Jockey Club, which is equally concerned with the Commission in the section to be amended.

The Chairman was authorized to have the bill introduced in the form submitted to the meeting.

The Chairman reported that he had requested Pinkerton's National Detective Agency, Inc., to make investigations and reports with respect to the incorporators of THE BUFFALO THOROUGHBRED HORSERACING ASSOCIATION, INC., and also its attorney, Daniel J. O'Neil, and the principal for whom the local newspapers stated he was acting, viz., Joe Smoot.

The Chairman also reported that he had been advised by the Attorney General that counsel for the above group had erroneously drawn their proposed charter under the provisions of the Stock Corporation law instead of the special provision of the Racing law.

The Chairman recommended that no action be taken with respect to THE BUFFALO THOROUGHBRED HORSERACING ASSOCIATION, INC., at this time. The recommendation was approved by Commissioners Dows and Langley.

The Chairman further reported that the Principal Soils Engineer of the Department of Public Works, Mr. Earl F. Bennett, had visited the Flushing Airport site with him and had been furnished with all information in the possession of the Commission relative to this proposed site for a race course. Mr. Bennett is to make a report after the Commission has obtained some further information requested by him.

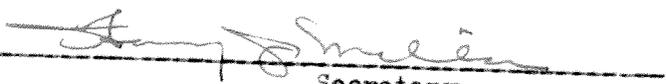
The Chairman recommended that he be authorized to request Mr. Franklin S. Wood, attorney for the Flushing group to make to the Commission a formal application for approval of a certificate of incorporation; a copy of such Registration Statement as the enterprise, if incorporated, would file with the Securities Exchange Commission to obtain consent to the sale of its securities to the public, and also architect's drawings to scale, showing the proposed site, with locations of all structures and their respective sizes and specifications for their construction. The Chairman stated that the architect's drawings would be submitted to the Department of Public Works for an opinion as to what borings should be made in the proposed site, and their location and the approximate cost thereof, which would have to be borne by the applicant.

The Commission accepted the resignation of Myles A. Rowan as Supervising Inspector, to take effect November 15, 1946.

Upon motion duly made and seconded, Andrew W. Feeney was appointed Supervising Inspector of the Commission from November 16, 1946, to serve during the pleasure of the Commission.

The Commission directed the Secretary to obtain from United Hunts Racing Association, Inc., a statement, in detail, of the distribution of their funds derived from the licensed meeting held on October 14 and 15, such report to be held in confidence by this Commission.

On motion duly made and seconded, the meeting adjourned.

  
Secretary