

# MAINE STATE LEGISLATURE

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**MAINE PUBLIC DOCUMENTS  
1948-1950**

**(in three volumes)**

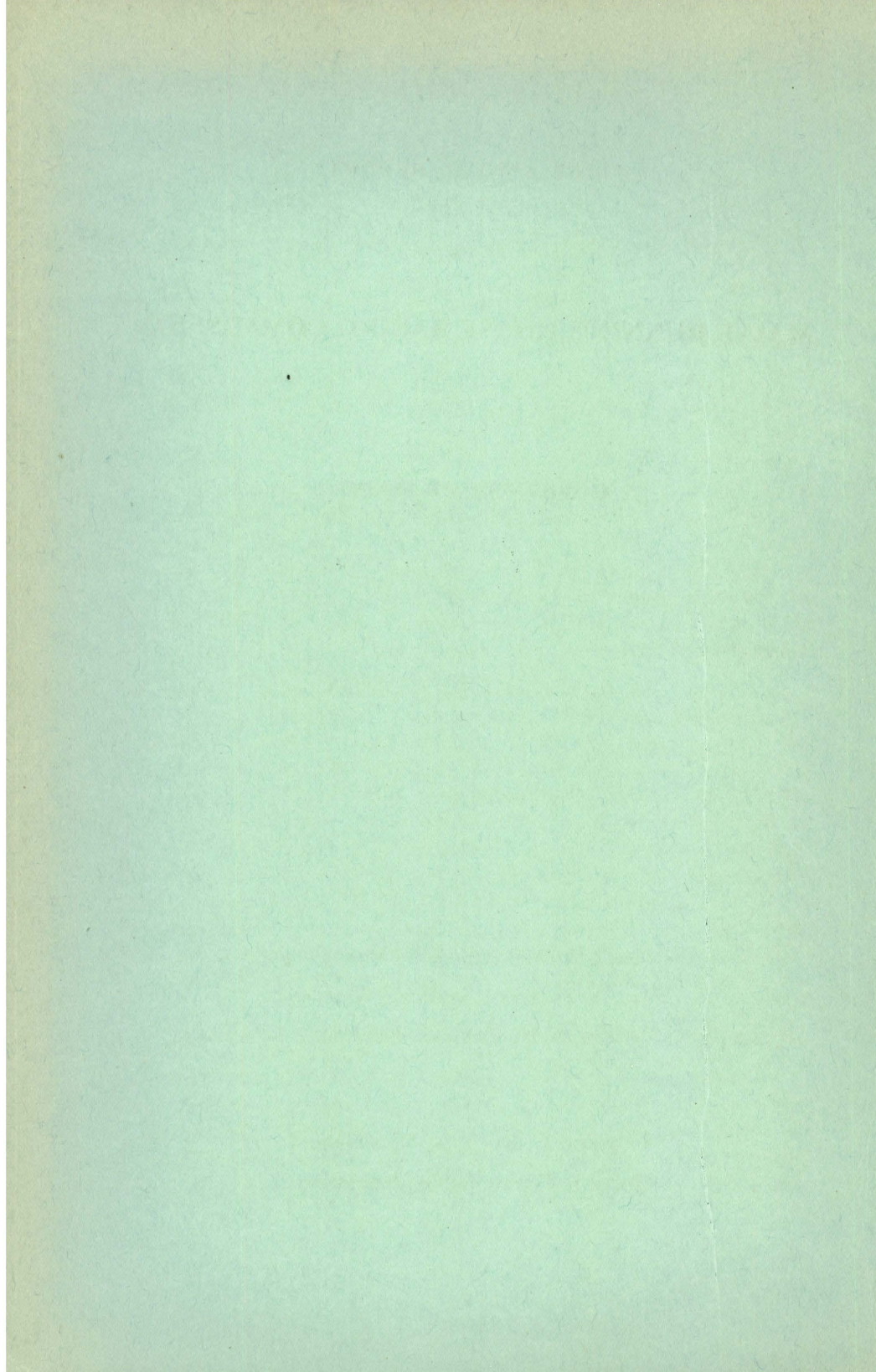
**VOLUME II**

FIRST ANNUAL REPORT  
of the

**Maine Running Horse  
Racing Commission**

to the  
GOVERNOR  
State of Maine

**1950  
Racing Season**



**FIRST ANNUAL REPORT**

of the

**MAINE RUNNING HORSE RACING COMMISSION**

to the

**GOVERNOR OF MAINE**

1950 *RACING SEASON*

NATHAN H. WHITTEN, *Chairman*, Bangor

PAUL A. DUNDAS, *Secretary*, Waterville

FRANK H. TOTMAN, Houlton

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EDWARD C. ROUNDY, *State Steward*

JOHN F. WOOD, *Executive Secretary*

January 1, 1951

*To His Excellency, FREDERICK G. PAYNE*  
*Governor of Maine*

In accordance with Chapter 77-A, Revised Statutes, enacted by Chapter 289 of the Public Laws of 1949, the first annual report of the Maine Running Horse Racing Commission, covering the 1950 racing season, is respectfully submitted herewith.

NATHAN H. WHITTEN, *Chairman*

PAUL A. DUNDAS, *Secretary*

FRANK H. TOTMAN

**FIRST ANNUAL REPORT  
OF THE  
MAINE RUNNING HORSE RACING COMMISSION  
1950 Racing Season**

**Racing in Maine**

By virtue of the power vested by Act of Legislature, the Maine Running Horse Racing Commission issued to the Maine State Raceways, Inc., license to operate running races at Scarborough Downs from July 1, 1950 to September 9, 1950, inclusive, exclusive of Sundays. Maine State Raceways, Inc., had complied with the Legislative Act and with all rules and regulations issued by the Maine Running Horse Racing Commission. Due to financial troubles, Maine State Raceways, Inc., terminated their meeting on September 5, 1950, after receiving approval from the Commission.

**Income to State**

The public pool for the total 57 days of racing at Scarborough Downs was \$5,476,814.00. The revenue to the State of Maine from this source totaled \$273,840.70, or 5% of the total pool. The State's percentage of breakage amounted to \$40,871.45, making a total of \$314,712.15. Income from license fees, as provided by Act of Legislature and by Commission regulations, which required licensing and registration of jockeys, owners, trainers, exercise boys, grooms, valets, colors, and assumed names, and fines imposed by the Stewards, totaled \$6,866.25. In addition, the State is to participate in one-half of the unclaimed ticket account, exact amount not to be determined until the first of March, 1951, estimated at \$2,000.00. Income from these sources makes a grand total of \$323,578.40 collected by the State.

**Explanation "Unclaimed Ticket Account" and "Breakage"**

*Unclaimed Ticket Account.* This account represents an accumulated pool of unclaimed wagers. According to law, it may be controlled by the racing association until the first Monday in December following the respective racing meet. It is the duty of the racing association to cash all outstanding tickets submitted to them prior to this date.

Any balance remaining in this account as of the first Monday in December is turned over to the State Treasurer, together with a statement of the unclaimed ticket account. The State Treasurer is authorized to disburse funds from this account to holders of unclaimed tickets upon order from the Commission. After the expiration of three months, one-half of such moneys still in the custody of the State Treasurer is to be credited to the General Fund and one-half of such moneys is to be paid to the licensee.

*Breakage.* So-called breakage is composed of the odd cents of all redistribution, exceeding a sum equal to the next lowest multiple of ten, after commission has been deducted from each dollar wagered. Accumulated breakage is divided by law, one-half for the account of the State and one-half for the account of the licensee.

(Note: No provision for minus pools was made in the law governing running races. The Commission, therefore, ruled that any minus pools would be for the account of the licensee and could not be charged to the State's share of breakage, which is customary in some other States where running racing is legalized. A minus pool originates when a small field goes postward and there is an outstanding odds-on choice.)

## **Commission Activities**

This being the first legalized running horse racing in Maine, it was necessary for the duly appointed Commission to organize and formulate rules and regulations, issue licenses and generally supervise any race meet authorized by the Commission. Organization of the Commission was completed and shortly after, applications for licenses were received from the Gorham Raceways and Maine State Raceways. Hearing was called in Augusta, in the office of the Commission, on January 4, 1950. As a result of this meeting, there was a merger of the two applicants and the Commission authorized issuance of a license to the Maine State Raceways, Inc., to operate running races at Scarborough Downs, from July 1, 1950, to September 9, 1950, inclusive, and exclusive of Sundays, providing they met all of the rules and regulations of the Commission prior to July 1, 1950. Maine State Raceways, Inc., had complied with the rules and regulations of the Commission by June 15th, and the Commission, therefore, issued them a license.

Immediately after the organization meeting of the Commission, it became necessary to adopt rules and regulations. Contact was made with other States in which legalized running race meets were held.



A set of rules was then drawn up and adopted by your Commission, after same had been approved by the Attorney General. Issuance of license to hold a meeting was granted upon the condition that the licensee "shall accept, observe and enforce said rules." The rules may be amended, altered or repealed by the Commission. The laws of the State of Maine and the rules promulgated by the Commission supersede the conditions of a race or a race meeting.

Appointments of the Commission included Edward C. Roundy, State Steward; John F. Wood, Executive Secretary to the Commission; Dr. H. N. Eames, State Veterinarian; and Warren A. Brooks, Supervisor of Pari-Mutuel Auditing.

After the issuance of license to the Maine State Raceways, Inc., they submitted a list of officials, all of whom were thoroughly checked by the Commission before being approved.

Rule No. 530 of the Rules of Racing adopted by the Commission, specifies that, "The saliva of the winner of each and every race shall be taken and from such other horses as the Stewards may direct." In accordance with this requirement, Dr. H. N. Eames was appointed by the Commission to supervise and to be responsible for the taking of these saliva tests. In cooperation with Dr. Eames, the Commission set up a system whereby there would be a representative of the Commission assigned to each winner, or at the discretion of the Stewards any horse so designated by them, said representative to accompany the horses from the unsaddling enclosure after completion of the race to the testing barn where said representative, hereinafter called "Observer," would report with the horse to Dr. Eames. In addition to the Observer there was, also, assigned a uniformed policeman to represent the Commission, whose duty it was to accompany the horse and the Observer to the testing barn and report to the State Veterinarian. The owner of the horse was to be represented, either by himself, his trainer, or groom. Dr. Eames received instructions from the Stewards as to whether they desired any additional tests, such as urine, in addition to saliva tests. Dr. Eames performed the tests himself in the presence of the uniformed policeman, Observer, and representative of the owner. Samples were identified by number and split in two parts, one for the State and one for the owner. All samples were immediately placed in refrigerators until the close of the day's operations. No Observer or uniformed policeman was dismissed from his charge until Dr. Eames signified that the tests were completed. At the completion of the day's racing, the State's samples were placed

in a container especially constructed for this purpose, locked and sealed, then turned over to a representative of the Commission. He, in turn, delivered same personally to the Railway Express Agency who delivered the container to the State Health and Welfare Department, in Augusta, with lock and seals intact. Arrangements were made by the Commission with Dr. Campbell, Director of the Division of Sanitary Engineering, for the State Chemist to analyze these samples. The Commission was notified within 48 hours whether or not samples were negative or positive. During the course of the meet, 458 saliva samples and 248 urine samples were taken. All proved negative. There were 4 samples, however, which indicated use of vitamins. When this was brought to the attention of the Commission, ruling was made and posted to the effect that horsemen were not to use vitamins within 48 hours previous to entry of horses in a race. The results of the State Chemist's findings indicated to the Commission that Maine was fortunate in having a high class of owners and trainers represented at Scarborough Downs. The system used by the Commission was set up so that a continuity of evidence could be presented in case of necessity. During the first week of racing, members of the State Police force were used by the Commission. This put an added burden upon the State Police Department and it was finally decided to use uniformed police of the Scarborough Department. In this connection, the Commission desires to express its appreciation of the cooperation received from Captain Adams and his men of the Scarborough Police Department; the plain clothesmen assigned to the Commission by Colonel McCabe of the State Police; to Dr. Campbell, Director of the Division of Sanitary Engineering, Department of Health and Welfare; and to James W. Fuller, State Chemist.

## **Rulings and Hearings**

*Stewards Report to Maine Running Horse Racing Commission.*  
"Conforming to the rules and regulations, we are submitting a Stewards' report covering the race meeting just concluded at Scarborough Downs.

"As the Stewards of the meeting, we worked under your jurisdiction and witnessed running horse racing inaugurated in Maine under daylight conditions, but changing to night racing due to unsatisfactory

financial return under the daylight conditions. The betting and attendance immediately improved and our recommendation is a continuance of night racing.

“We suggest that before next year’s racing certain changes in the rule book be accomplished to clarify certain rules and particularly pertaining to night racing; i. e., post time for last race (11:45 P.M. to 11:50 P.M. at latest) to avoid running into next day; change of officials—we suggest that the Racing Association, whenever any change is to take place in the official family, place in your hands for approval at least seven days before the contemplated change, the name of the new appointee together with his racing experience; claiming—horses excused by the Stewards after entering the track are deemed “non-starters” and a claim is not valid.

“Dr. Bartlett, Track Veterinarian, who has been associated with us during the present meeting has done an unusually fine job. His knowledge and desire to cooperate with the Stewards has been of great value to us in determining questionable conditions of many horses.

“We also want to call your attention to the efficient manner in which the Scarborough Police and the Inspectors handled the saliva and urine detail.

“We suggest that a recreation room be added to the Jockey Quarters to help eliminate certain unfavorable conditions around the Jockey Room. One real necessity for proper handling of races is the much needed communication service with the Starter at the three-quarter chute from the Stewards’ Stand. This could be a magneto phone, if desirable.

“One other suggestion that seems urgent is the making of an emergency exit from the roof to the grandstand (trap door and ladder would suffice) from the other end of the stand opposite to the present stairway. The officials on the roof have but one exit at present and this additional exit is deemed urgent.

“We are also including a complete record of all rulings made at this meeting.”

Respectfully,

/s/ Edward C. Roundy, State Steward

William L. Harron

Wilmer Brinton, Jr.

## **Rulings:**

July 12, 1950—For fighting on the runway and in the jockey room after the running of the sixth race on Tuesday, July 11, Jockeys A. MONTEIRO and T. WILLIAMS are hereby fined one hundred dollars (\$100.00) each.

July 15, 1950—After running of the first race, MARBLEHEAD, ridden by Jockey S. Chiapetta and finishing second, claimed foul against CORDON, the winner, ridden by Jockey J. Dickey. His claim was based on the fact that his mount was carried out from the head of the stretch and was hit in the face several times by Jockey Dickey who was attempting to keep his mount straight. From our observation and the report of the Patrol Judges, the claim was justified and CORDON was disqualified and placed second. Jockey Dickey was absolved of all blame as CORDON has a habit of running out.

July 17, 1950—After running of the eighth race, LAND'N SEA, ridden by Jockey A. Monteiro, finishing fourth, claimed foul against BROWN APPELL, ridden by Jockey F. Bone, finishing third. The claim was that LAND'N SEA was carried out at the head of the stretch and interfered with during the stretch run. From our observation, and the report of the Patrol Judges, the claim was justified and BROWN APPELL was disqualified and placed fourth. Jockey F. Bone was absolved from blame.

July 28, 1950—The Stewards recommend that the following paragraph be incorporated into the Maine Running Horse Racing rules and be placed under the section of the rules governing Placing Judges: If the finish camera fails to operate, the decision of the Placing Judges as to the order of finish of a race shall be final.

July 28, 1950—Apprentice Jockey J. EVERSOLE is fined twenty-five dollars (\$25.00) for careless riding in the third race on Thursday, July 27, 1950.

August 1, 1950—Jockey A. MONTEIRO is hereby suspended for five racing days for rough riding going to the first turn in the sixth race on July 31, 1950.

August 7, 1950—Jockey J. ANDINO, whose suspension by the Rhode Island Racing Commission does not terminate until August 15, 1950, was apprehended and ejected from the Scarborough Downs race track for exercising horses and being on the grounds during running

of the races. Due to the violation of the Rhode Island ruling, Jockey ANDINO will not be allowed on the Scarborough Downs grounds for the remainder of the meeting.

August 10, 1950—Jockey J. MARROCCO is suspended for five racing days for rough riding in the fifth race, Wednesday, August 9, 1950, effective Friday, August 11, 1950.

August 11, 1950—LAWANDOS, in the first race on August 10, 1950, bled and failed to finish. This is the second occurrence at this present meeting—the first occurrence coming on July 5th—and definitely establishes him as a bleeder. Said horse is hereby barred from further participation at this meeting.

August 12, 1950—Owner H. BARNETT is fined fifty dollars (\$50.00) for sending Golden Mean to Rockingham Park after Golden Mean had been entered in a race, this date, at Scarborough Downs, necessitating the Stewards to scratch said horse. (See ruling rescinding this order below)

August 12, 1950—Francis Polk, trainer of WILD BULL, who finished fourth in the sixth race on Friday, August 11, 1950, claims that FAST SLAVE, who finished third in the same race carrying 114 pounds, should have carried, under the conditions of the race, 117 pounds. A check of the records shows that a three pound allowance was claimed for FAST SLAVE to which he was not entitled and the claim is allowed. FAST SLAVE is thereby disqualified from third money and the official finish of the race is as follows: (1) I FORGOT; (2) ST. LOUISAN; (3) WILD BULL; (4) RISKING ALL. This in no way affects the betting.

August 14, 1950—In the event that the power fails and the lights go out during the running of a race, jockeys are instructed to pull up their mounts, as the race will be called off or run over.

August 15, 1950—Groom JASPER THOMAS is fined twenty-five dollars (\$25.00) and restricted to the stable area for the remainder of the Scarborough meeting for creating a disturbance at the saddling enclosure following the running of the seventh race, Saturday, August 12, 1950.

August 16, 1950—Due to mitigating circumstances, the fine of fifty dollars (\$50.00) assessed on Owner H. BARNETT was rescinded by the Maine Running Horse Racing Commission on recommendation of the Stewards.

August 19, 1950—Trainer H. STUTTS is hereby fined fifty dollars (\$50.00) for appearing in unfit condition in the winner's circle after the fifth race on Thursday, August 17, 1950.

August 24, 1950—BERNFAN, in the third race on August 23, 1950, bled and failed to finish. This is the second occurrence at this present meeting, the first occurrence coming on August 11th, and definitely establishes him as a bleeder. Said horse is hereby barred from further participation at this meeting.

August 29, 1950—Jockey C. MAIELLO is hereby fined fifty dollars (\$50.00) for failing to persevere with his mount, ICE CAP, during the running of the sixth race, Monday, August 28, 1950.

September 5, 1950—WHITCHTACK, ridden by Jockey M. Hernandez, finishing first in the fifth race, this date, was disqualified and placed second for interfering with MISS FLEETLINE during the stretch run. Jockey Hernandez was held blameless. The official finish follows: (1) MISS FLEETLINE; (2) WHITCHTACK; (3) WAR SPY; (4) UPTON.

### Claims:

<i>Date</i>	<i>Horse</i>	<i>Claimed by</i>	<i>Claimed from</i>	<i>Price</i>
7/3	Silver Reward	N. Cantore	H. H. Callahan	\$1,500
7/6	Fashion Plate	Mrs. J. Impalloria	Mrs. A. Briguglio	1,500
7/7	Paramount	Mrs. J. Impalloria	E. Constantin, Jr.	1,500
7/10	Moon Blue	M. D. Haynes	L. F. Warby	1,800
7/12	Georgia	E. B. Shipp	Mrs. G. Seabo	1,500
7/13	My Shirley	J. McCabe	R. J. Bauman	1,750
7/14	False Rumor	J. McCabe	Mrs. J. Campbell	1,500
7/14	Nomorwar	L. Barbieri	H. A. Kimball	2,000
7/15	Time of Glory	A. Lawand	Mrs. M. Jurgens	2,000
7/17	Bona Girl	J. Wynkoop	R. Nardini	1,750
7/17	Moon Blue	L. F. Warby	M. D. Haynes	1,750
7/20	Airsis	J. F. Murphy	Hanna Bros.	1,500
7/24	Moon Blue	Apponaug Stable	L. F. Warby	1,750
7/26	Rockwood Lou	L. F. Warby	Del Farro Stable	1,500
7/29	Fast Slave	J. McCabe	A. S. Moore	2,250
8/3	Wisecracker	J. Foti	C. Mouras	1,500
8/4	Kensington Gal	T. W. Smith	Mrs. L. McKnight	1,500
8/7	Supreme Moment	Mrs. F. Calcagni	Mt. Desert Stable	1,500
8/14	Checkmate	J. Johnson	J. L. Ayotte	1,750
8/14	Swinging Star	T. W. Smith	Mrs. R. H. Lomas	1,750
8/18	Ula	J. McCabe	Leo Boyle Stable	2,000
8/19	Tree Town	R. J. Bauman	Mrs. M. P. Wirth	1,500
8/28	Gates Mills	Camark Stable	D. Posey	1,500
8/29	Chaldson	Camark Stable	D. Posey	1,500
9/2	Gates Mills	E. B. Shipp	Camark Stable	2,000
9/5	In Fashion	Mrs. A. Parziale	Mrs. D. Hollingsworth	1,750

## **National Affiliations**

Shortly after its organization, the Maine Running Horse Racing Commission affiliated with the National Association of State Racing Commissioners. This organization serves as a clearing house for information regarding rulings made by officials of race meetings, including all violations of the rules of racing of the various States, and for information relative to changes in the rules of racing by the State Racing Commissions. This information is disseminated by the National Association in bulletins sent to individual members of the Commission.

## **Conclusion**

In concluding its first report, the Commission wishes to take this opportunity of congratulating the Maine State Raceways, Inc., on the general success of the first running horse racing meet to be held in the State of Maine. While it was not a financial success to the owners of the track, the history of inaugural meets indicates the same results. It is evident from the experience gained at Scarborough Downs that night racing is more popular than day racing. Accumulated losses of the first 27 days of day racing were considerably decreased by the increased patronage and wagering of the remaining 30 nights of racing. It is, therefore, the recommendation of the Commission that any future running horse race meets be confined to night racing only. It is apparent from a study of the financial statements of Maine State Raceways, Inc., that the meet would have been a financial success if it had been all night racing, and the management had not been too ambitious in the matter of purse money and employees.

While the meet was not a financial success to the operators, the State of Maine General Fund was enriched in the amount of \$323,578.40. In addition to the State revenue, Maine State Raceways, Inc., had a \$20,000.00 weekly pay roll for a period of ten weeks. This does not include pay rolls of owners and trainers operating at the track. We can conservatively estimate that a \$50,000.00 weekly pay roll was in circulation in the Portland-Scarborough area throughout the life of the meet. The Commission anticipates, with experience gained and popularity of the sport increasing, that the revenue to the State of Maine next year will be a minimum of \$500,000.00. It is the intention of the Commission to cooperate with the Maine State Racing Commission, the supervising body of harness racing, and, if possible, reduce the conflicting dates. The racing rules and regulations will be

revised, where experience has indicated it is necessary. The Commission welcomes any suggestions for the improvement of running horse racing which is consistent with the sport as operated in adjoining States.

Respectfully submitted,

MAINE RUNNING HORSE RACING  
COMMISSION

NATHAN H. WHITTEN, *Chairman*

PAUL A. DUNDAS, *Secretary*

FRANK H. TOTMAN



**MAINE STATE RACEWAYS, INC.**  
**Scarborough Downs, Scarborough, Maine**

**1950 Racing Season**

Pari-Mutuel Handle.....	\$5,476,814.00
Total Attendance.....	171,271
Average Daily Attendance.....	3,005
Average Daily Handle.....	\$96,084.00
Average Wager per Capita.....	\$32.00

**Comparison Between Day and Night Operations**

	Day Programs (27 Days)	Night Programs (30 Nights)
Pari-Mutuel Handle.....	\$2,459,361.00	\$3,017,453.00
Total Attendance.....	63,834	107,437
Average Daily Attendance.....	2,364	3,581
Average Daily Handle.....	\$91,087.00	*\$100,581.00
Average Wager per Capita.....	\$38.00	\$28.00

**State's Total Revenue from Meet**

Commission on Wagers (5% of Handle).....	\$273,840.70
Breaks ( $\frac{1}{2}$ of Total).....	40,871.45
Registrations, License Fees, and Fines.....	6,866.25
†Unclaimed Ticket Money ( $\frac{1}{2}$ of Total).....	2,000.00
Total.....	\$323,578.40

**Distribution of Pools**

	State of Maine	Maine State Raceways, Inc.	Total
Commissions.....	\$273,840.70	\$ 547,681.40	\$821,522.10
Breaks.....	40,871.45	39,886.95	80,758.40
Paid to Winning Patrons.....	—	4,574,533.50	4,574,533.50
Totals.....	\$314,712.15	\$5,162,101.85	\$5,476,814.00

\*Note: Races were canceled partway through the program on four nights in August because of fog. Excluding these nights would result in an average handle of \$108,581 and average per capita wager of \$30.00.

†Estimated.

**MAINE STATE RACEWAYS, INC.**  
**Scarborough Downs, Scarborough, Maine**  
**1950 RACING SEASON**  
**Denomination of Tickets Wagered**

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Wagers	DAILY DOUBLE		STRAIGHT POOL			PLACE POOL			SHOW POOL			Total Amount Wagered	%
	Number	Amount	Number	Amount	%	Number	Amount	%	Number	Amount	%		
\$50.00			5,383	\$269,150	9.6	1,652	\$82,600	5.8	1,523	\$ 76,150	8.2	\$ 427,900	7.8
\$10.00			86,166	861,660	30.9	31,979	319,790	22.6	17,105	171,050	18.3	1,352,500	24.7
\$5.00			78,507	392,535	14.1	32,327	161,635	11.4	17,072	85,360	9.1	639,530	11.7
\$2.00			633,418	1,266,836	45.4	426,932	853,864	60.2	300,653	601,306	64.4	2,722,006	49.7
	167,439	\$334,878										334,878	6.1
<b>TOTALS</b>		<b>\$334,878</b>		<b>\$2,790,181</b>	<b>100.0</b>		<b>\$1,417,889</b>	<b>100.0</b>		<b>\$933,866</b>	<b>100.0</b>	<b>\$5,476,814</b>	<b>100.0</b>

**Data on Combination Tickets**

\$6.00 Combination tickets sold from July 1 to July 25, inclusive . . . . . 37,153  
Average Daily Sale . . . . . 1,770  
Dollar Value of Average Daily Sale . . . . . \$10,620

\$6.00     \$4.00     Total

\$6.00 and \$4.00 Combination tickets sold from July 26 to September 5, inclusive . . . 39,419    48,471    87,890  
Average Daily Sale . . . . . 1,094     1,347     2,441  
Dollar Value of Average Daily Sale . . . . . 6,544     5,388     11,932