

MAINE STATE LEGISLATURE

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VOLUME II

THIRD ANNUAL REPORT

of the

MAINE

**Running Horse
Racing Commission**

to the

GOVERNOR OF MAINE

1952 Racing Season



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NATHAN H. WHITTEN, *Chairman*

FRANK H. TOTMAN, *Member*

PAUL A. DUNDAS, *Secretary*

December 20, 1952

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 third annual report of the Maine Running Horse Racing Commission, covering the 1952 racing season, is respectfully submitted herewith.

NATHAN H. WHITTEN, *Chairman*

FRANK H. TOTMAN, *Member*

PAUL A. DUNDAS, *Secretary*

THIRD ANNUAL REPORT
of The
MAINE RUNNING HORSE RACING COMMISSION

The third season of thoroughbred racing in the State of Maine has been recorded. The highlight of the season was the record mutuel handle of \$333,990 wagered at Scarborough Downs on Labor Day to break all existing records in the State of Maine. This is the first year in which wagering on any one program of races has surpassed the \$200,000 mark and this feat was accomplished three times during the past meet. On July 4th, the handle reached \$207,966 to break the previous record of \$188,090 set on Saturday, September 1st, 1951. On Saturday, August 30th of this year, a total of \$246,494 was wagered to set another new mark. Then on the following Monday, the previously mentioned handle of \$333,990 was established, making a total of \$580,484 wagered on the two racing days of the holiday week end.

A license to conduct running races was issued to Scarborough Downs by the Maine Running Horse Racing Commission on February 13, 1952, with authority to conduct a meeting of 56 racing days from June 28th, 1952 to September 1st, 1952, inclusive. In view of the fact that the 95th Legislature of the State of Maine enacted legislation which prohibited the operation of running races at night, this Commission requested an opinion from the Department of Attorney General limiting the hours of racing. That Department's interpretation of the term "in the daytime only" was to mean the time of day from one half hour before sunrise to one half hour after sunset. The Commission then authorized Scarborough Downs to operate between the hours of one o'clock in the afternoon and one half hour after sunset, local time.

The Scarborough Downs racing association elected to conduct racing on a "twilight" basis except for Saturdays and holidays, when they chose to operate afternoons.

The total mutuel handle for the 1952 season was \$6,833,128 as compared with a total of \$6,867,539 for 1951, a decrease of one-half of one per cent. The total attendance figure for 1952 was 142,498, a decrease of 34 per cent from 217,456 in 1951. The disparity in the percentages of decrease can be attributed to an increased interest in running races which is reflected in the average wager per capita, and the inability for many to attend the races in the daytime.

Revenue to the State from pari mutuel commissions, breakage, registrations, license fees, unclaimed ticket money, and underpayments amounted to \$403,758.18, a decrease of \$425.13 over 1951. For the three years of running horse racing in Maine, the State has received \$1,132,301.09 from the above sources. During these three years that running racing has been conducted, over \$600,000 has been paid in salaries to track employees. Of the total number of employees, over 80% have been Maine residents. Purses paid to horsemen have amounted to \$1,334,100 for the three year period.

During the 1952 season, 512 saliva samples and 426 urine samples were collected and analyzed. One urine sample proved positive and the owner and trainer of the horse involved were indefinitely suspended by the Commission. This suspension is still in effect and prohibits the operation of these two persons at any track in the United States and Canada.

The total number of urine samples obtained represented 83 per cent of the total winners. The procurement and analysis of saliva and urine samples is considered to be one of the most important phases of race track supervision. It is the desire of the Commission to obtain urine samples from all winners and be able to spot second and third horses occasionally. Present appropriation limitations, however, prohibit the employment of sufficient personnel to achieve this purpose.

Section 16 of the law governing running races specifies that "On or before the 1st Monday in December of each year, every person, association, corporation, trust or partnership, conducting a race or race meet hereunder, shall pay to the Treasurer of State all moneys collected during the year for pari mutuel pool tickets which have not been redeemed. Said moneys shall be retained by the Treasurer of State and he shall pay the amount due on any ticket to the holder thereof upon an order from the Commission. After the expiration of 3 months, $\frac{1}{2}$ of such moneys still in the custody of the Treasurer of State shall be credited to the General Fund and $\frac{1}{2}$ of such moneys shall be paid to the licensee."

Unclaimed ticket money totaled \$5,431.10 at the close of the 1952 meeting. Redemption of unclaimed tickets was made by Scarborough Downs until December 1st, when the remainder of the account amounting to \$5,257.50 was turned over to the State Treasurer. It is estimated that \$5,000 of this amount will remain unredeemed when the account is closed March 1, 1953, leaving \$2,500 as the State's share of unclaimed ticket money.

The Commission continued its membership in the National Association of State Racing Commissioners during 1952. This membership

proves its worth many times during the course of the year in its exchange of much valuable information necessary for the enforcement of Commission rules and regulations.

Edward C. Roundy was reappointed to serve in the capacity of Commission Steward during the 1952 meet. Dr. H. N. Eames was also reappointed as State Veterinarian. John F. Morrison was appointed to fill the position of State Supervisor of Pari-Mutuel Auditing.

The Commission expresses its appreciation to the following for cooperation and services extended by them: Department of Attorney General, Captain Adams and his men of the Scarborough Police Department, Dr. E. W. Campbell of the Division of Sanitary Engineering, James W. Fuller, State Chemist, and to Colonel McCabe and members of the Maine State Police.

RULINGS BY STEWARDS

(Confirmed by Commission)

1952

July 5—Jockey CALVIN STORMES is hereby suspended effective July 7, 1952, for the balance of the meeting (Sept. 1, 1952) for falsifying his application for jockey license and his case is referred to the Maine Running Horse Racing Commission for further action.

July 10—Jockey ROY S. DUNCAN is suspended for ten (10) racing days for rough riding in the 3rd race Wednesday, July 9, 1952. Suspension effective July 11, 1952 to July 22, 1952, inclusive.

July 14—During the running of the 5th race, Saturday, July 12th, Jockey J. D'Augustino on "Cheermeup," finishing second, claimed foul against Jockey A. Florio riding "Duel De," the winner, for interference during the stretch run. The claim was allowed and the corrected order of finish is: 1st, "Cheermeup"; 2nd, "Duel De"; 3rd, "Fighting Comet"; and 4th, "Abra."

July 14—Jockey ALBERT FLORIO is suspended for ten (10) racing days, July 15th to July 26th inclusive, for interfering with Jockey Joseph D'Augustino on his mount "Cheermeup" during the stretch run of the 5th race Saturday, July 12th.

July 18—In the 9th race July 18th, "Haj," ridden by Jockey Angel R. Rivera, the winner, was disqualified and placed second for running wide and interfering with "Fight For It," ridden by Jockey Harry Beauregard, who finished second. The revised order of finish is: 1st, "Fight For It"; 2nd, "Haj"; 3rd, "Janeariel"; 4th, "Chalsong."

July 19—Jockey ANGEL R. RIVERA is suspended for ten (10) racing days, July 21st to July 31st inclusive, for not maintaining a straight course and impeding the horse "Fight For It" in the 9th race Friday, July 18, 1952.

July 22—Jockey HARRY W. BEAUREGARD is suspended for ten (10) racing days, effective July 23, 1952 to August 2, 1952 inclusive, for rough riding in the 9th race Monday, July 21, 1952.

July 24—Trainer ANTHONY SCOLA is fined one hundred (\$100) dollars for fighting and creating a disturbance within the grandstand area on Tuesday, July 22, 1952.

July 25—The protest of Anthony Scola that the horse "H. A. Keller," finishing third in the 9th race on Thursday, July 24, 1952, was ineligible according to the conditions of the race is sustained. The corrected order of finish is: 1st, "Waydale"; 2nd, "Gay Siren"; 3rd, "Third Oval"; 4th, "Broadway Jim." "H. A. Keller" is disqualified and placed last.

July 26—Jockey JOSE MARTINEZ and Apprentice Jockey ANTHONY FALCO are fined \$25 each for fighting in the jockey room at the conclusion of the 5th race, Friday, July 25, 1952.

July 26—Jockey LEON HULSLANDER is suspended for ten (10) racing days, effective July 28, 1952 to August 7, 1952 inclusive, for rough riding in the 1st race Friday, July 25, 1952.

July 26—Jockey CLARENCE MARTINEZ is hereby suspended for a period of ten (10) racing days, from July 28th to August 7th inclusive, for continued disobedience at the starting gate.

July 29—"As Ordered," winner of the 7th race Monday, July 28, 1952, is disqualified from first position for running out and causing interference during the stretch run. The revised order of finish is: 1st, "Moon Dots"; 2nd, "Woodchuck Joe"; 3rd, "As Ordered"; and 4th, "Bonus Boy." Jockey William Miller is held blameless.

August 7—Apprentice Jockey FREDERICK YOUNG is suspended ten (10) racing days effective August 8, 1952 to August 19, 1952, inclusive, for rough riding after leaving the gate in the 3rd race Wednesday, August 6, 1952.

August 14—Jockeys DANIEL DRISCOLL and ALBERT FLORIO are fined twenty-five (\$25.00) dollars each for fighting in the Jockey Room after the running of the 8th race Wednesday, August 13, 1952.

August 15—Jockey JOSEPH D'AUGUSTINO is suspended for ten (10) days, August 16, 1952 to August 27, 1952 inclusive, for rough riding going into the first turn in the 8th race on Thursday, August 14, 1952.

August 16—Jockey WILLIAM RICHMOND is suspended for the balance of the meeting effective Monday, August 18, 1952 to September 1, 1952 inclusive, for extreme rough riding in the 1st race Saturday, August 16, 1952, and is denied the privileges of the grounds and stand areas for this period.

August 18—Upon a report of the State Chemist that the urine sample taken from the horse "Third Oval," winner of the 3rd race Friday, August 15, 1952, shows the presence of a drug of the nature of benzedrine, and after confiscation of hypodermic needles and various drugs from the quarters of Trainer ANTHONY SCOLA, said Trainer is hereby suspended indefinitely together with all horses owned and trained by him. Owner ANN HUNTER and all horses owned by her are also suspended indefinitely. The purse is ordered forfeited and awarded as in the case of a disqualification as follows: 1st money, "Paul's Strategy"; 2nd money, "John's Mistake"; 3rd money, "War Bubble"; 4th money, "Firesong." "Third Oval" is placed last. This case is referred to the Maine Running Horse Racing Commission for further action.

August 25—In the sixth race, Saturday, August 23rd, Jockey Joseph Santer, finishing third on "Dearies Round," claimed foul against Apprentice Jockey James Savoy and Jockey Louis Pafundi, riding "Organdie" and "Little Bob" finishing first and second respectively. The foul claim against "Organdie" was allowed and the revised order of finish is: 1st, "Little Bob"; 2nd, "Dearies Round"; 3rd, "Organdie"; and 4th, "Miss Sureshot." Apprentice Jockey James Savoy is held blameless.

August 28—Jockey ALBERT FLORIO is fined fifty (\$50) dollars for illegal use of his whip during running of the 3rd race, Wednesday, August 27, 1952.

September 1—Apprentice Jockey KENNETH GODKIN is hereby fined fifty (\$50) dollars for the use of obscene language in the winner's circle at the conclusion of the 4th race, September 1, 1952.

September 1—Jockey ANGEL R. RIVERA and Jockey Agent MARIO PINIELLA are suspended as of this date, September 1, 1952, for actions detrimental to the best interests of racing and the case is referred to the Maine Running Horse Racing Commission for further action.

RULINGS BY COMMISSION

1952

March 10—The suspension imposed on FRED W. BERMAN, trainer, on September 10, 1951 for negligence in the protection and guarding of the horse "Suprograph" on September 1, 1951 (Rule 524), is terminated as of this date and Trainer FRED W. BERMAN is restored to good standing.

March 10—The suspension imposed on REGGIE HAYHURST, groom, on September 10, 1951 for negligence in the protection and guarding of the horse "Suprograph" on September 1, 1951 (Rule 524) is terminated as of this date and Groom REGGIE HAYHURST is restored to good standing.

July 16—On Saturday, July 12, 1952, the Maine Running Horse Racing Commission reviewed the action of the Stewards in the case of Jockey CALVIN STORMES. Additional evidence was presented to the Commission which had not been submitted to the Stewards. In consideration of this evidence and other circumstances pertinent to the case, the Commission unanimously voted to reinstate Jockey CALVIN STORMES and place him in good standing as of July 17, 1952. Jockey CALVIN STORMES will be allowed to accept mounts on and after July 17, 1952.

August 25—In the matter of Trainer ANTHONY SCOLA and Owner ANN HUNTER, suspended by the Stewards of Scarborough Downs on August 18, 1952 and referred to this Commission for action, the suspension of Trainer ANTHONY SCOLA and Owner ANN HUNTER is continued indefinitely as voted at a meeting of the Maine Running Horse Racing Commission, this date, August 25, 1952. All horses owned or trained by ANTHONY SCOLA and ANN HUNTER are also suspended indefinitely. The horses involved are "Thunder," "Khartoum," "Thousand Ships," "Go-At-It" and "Third Oval."

September 1—At a meeting of this Commission held September 1, 1952, it was voted to continue the suspension imposed by the Stewards at Scarborough Downs on Jockey ANGEL R. RIVERA and Jockey Agent MARIO PINIELLA for conduct detrimental to the best interests of racing. This suspension is continued indefinitely pending disposition of their case with local authorities.

HORSES CLAIMED DURING 1952

<i>Date</i>	<i>Horse</i>	<i>Claimed by</i>	<i>Claimed from</i>	<i>Price</i>
6/30	Brush Mouth	A. S. Moore	M. L. Fallon	\$1,000
7/8	As Ordered	J. K. Wynkoop	M. J. Connors	\$2,000
8/15	Erigeron	Miss L. LeBeau	J. R. Dodd	\$1,000
8/16	Swan Maiden	J. H. Carter & D. H. Doherty	E. M. O'Brien	\$1,500
8/18	Brunhilde	J. H. Carter & D. H. Doherty	C. J. Piona	\$1,500
8/18	Sauchiehall	F. C. Dunlap	J. Moriconi	\$1,000
8/22	Star Spot	W. H. Barker	Pine Tree Farm	\$1,000
8/27	Choice Bits	L. Boyer	I. Prickett	\$1,500

COMPARISON OF RACING SEASONS

	1952	1951	1950
Pari-Mutuel Handle	\$6,833,128	\$6,867,539	\$5,476,814
Total Attendance.....	142,498	217,456	171,271
Number of Racing Days.....	56	56*	57
Average Daily Attendance.....	2,545	3,749	3,005
Average Daily Handle.....	\$122,020	\$118,406	\$96,084
Average Wager per Capita.....	\$48.00	\$31.50	\$32.00
Total Purse Distribution	\$422,400	\$426,000	\$485,700

*Because of double programs on two days in 1951, averages are computed on the basis of 58 programs rather than 56 racing days.

DISTRIBUTION OF POOLS

1952 Racing Season

	State of Maine	Scarborough Downs	Total
Commissions.....	\$341,656.40	\$ 683,312.80	\$1,024,969.20
Breakage.....	52,872.43	52,641.97	105,514.40
Paid to Winning Patrons		5,702,542.80	5,702,542.80
Underpayments.....	101.60		101.60
Totals.....	\$394,630.43	\$6,438,497.57	\$6,833,128.00

REVENUE TO STATE

	1952	1951	1950
Commission on Wagers (5% of Handle)	\$341,656.40	\$343,376.95	\$273,840.70
Breakage ($\frac{1}{2}$ of Total)	52,872.43	50,736.91	40,871.45
Registrations, License Fees and Fines	6,627.75	6,207.50	6,866.25
Unclaimed Ticket Money ($\frac{1}{2}$ of Total)	2,500.00*	3,374.95	2,781.20
Underpayments	101.60	487.00	
Totals	\$403,758.18	\$404,183.31	\$324,359.60

*Estimated.

**DENOMINATION OF TICKETS WAGERED
SCARBOROUGH DOWNS - 1952 RACING SEASON**

Wagers	DAILY DOUBLE		STRAIGHT POOL			PLACE POOL			SHOW POOL			Total Amount Wagered	%
	Number	Amount	Number	Amount	%	Number	Amount	%	Number	Amount	%		
\$50.00			4,974	\$248,700	7.0	1,281	\$64,050	3.6	675	\$33,750	3.3	\$ 346,500	5.1
\$10.00			123,159	1,231,590	34.6	45,835	458,350	25.8	19,732	197,320	19.4	1,887,260	27.6
\$5.00			88,715	443,575	12.5	42,565	212,825	12.0	18,506	92,530	9.1	748,930	10.9
\$2.00			816,048	1,632,096	45.9	519,984	1,039,968	58.6	347,455	694,910	68.2	3,366,974	49.3
	241,732	\$483,464										483,464	7.1
TOTALS		\$483,464		\$3,555,961	100.0		\$1,775,193	100.0		\$1,018,510	100.0	\$6,833,128	100.0