

HOUSE No. 125

Accompanying the second recommendation of the State Racing Commission (House, No. 123). Legal Affairs.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Forty-Nine.

AN ACT FURTHER REGULATING THE HOLDING AND CONDUCTING OF DOG RACES UNDER THE PARI-MUTUEL OR CERTIFICATE SYSTEM OF BETTING.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 3 of chapter 128A of the General Laws is
2 hereby amended by striking out clause (e) of sub-
3 section (5), as appearing in section 1 of chapter 505
4 of the acts of 1939, and inserting in place thereof the
5 following clause:—

6 (e) Such dog racing meetings may be held only
7 between the first day of April and the thirty-first day
8 of October, both dates inclusive, in any year; pro-
9 vided, that the commission may order the suspension
10 of a dog racing meeting, except one held in connection
11 with a state or county fair, during any week, between
12 the fifteenth day of August and the thirtieth day of
13 September, both days inclusive, in which a state or
14 county fair is to be conducted by an incorporated
15 agricultural or horticultural society within twenty-

16 five miles of such racing meeting if on or before the
17 fifteenth day of April preceding such meeting an
18 affidavit is filed with the commission by the officers
19 of such society stating that in their belief such dog
20 racing meeting will be in competition with said fair.
21 Instead of suspending any such meeting, the commis-
22 sion may determine the amount of loss suffered by
23 any such society as a result of the action of the com-
24 mission in not suspending a racing meeting and may
25 award a sum of money to any such society equal to
26 such loss as compensation for any such loss, which
27 sum shall be paid forthwith by the licensee whose
28 meeting is not suspended. Any person aggrieved by
29 any such award may appeal from the decision of the
30 commission to the superior court and have a trial
31 on the merits and may appeal from any judgment
32 therein to the supreme judicial court on questions of
33 law.