### PART OF THE CONSIDERATION

Section So Drawn that Portion of Salary is Paid for Consideration of Option on Services Next Year.

NEW YORK, Dec. 30.-The signing of Joe Tinker and Mordecal Brown with the Federal league has renewed the discussion in base ball circles regarding the legality of the reserve clause. The present form of National league base ball contract containing this clause was drawn up by John Conway Toole, an attorney of this city. His views, which are timely, are given in a statement published here today. He said:

The reserve clause, so called in the base ball contract is nothing new or strange in the law on contracts. It is merely the application of well established legal principles to a new situation. The essentials of a contract briefly

1. Parties competent to make an agree 2. Something to agree on.
3. A sufficient consideration for the bar-

We have all these requisites when a base ball manager and a player get together and agree on terms. If as a part of contract of service for this year, in hase ball or in seiling goods, a man gives to the employer an option on his time for next year, is it anything unusual? Not at

Contract Goes Farther.

The present contract goes beyond that, however, and specifically provides that a ortion of the malary agreed to be paid to the player is to be regarded as direct consideration for the privilege granted to the club of reserving the player.

The contract will stand the test in court or elsewhere, you may be sure. "The players are as much interested in upholding the reserve clause as are the owners. If at the close of each season whole situation degenerated into a and scramble for players, the whole systom, which has made \$500 salaries possible, would go to smash, and the 'good old days' when Radbourne used to pitch seventy games and play thirty more in the outfield each year for \$1,400 might ne back again."

Mr. Toole was former President Thomas Lynch's legal adviser in the Horace Pogel case a year ago and is attorney for the

Tinker Case in Resting. NEW YORK, Dec. M .- In the absence of President Ebbets of the Brooklyn ciub, his son, Charles Ebbets, jr., stated today that the board of directors will take no action at the present time regarding the action of Tinker in signing a contract with the Chicago Federal Langue Base Ball club. President Ebbets is in Porto Rice for his amuna vacation and will not return until January 20,

Ebbets, jr., speaking for the Brookly, said that Tinker was the property of the club, according to the rules of ornized base ball, and could not violate contract as acquired from Cincinnati until he refused to report for play next

Friedrals Have No Reserve. said today that the contracts of the Federal league have a ten-day ciar as do the contracts of the National and

He denied, however, that the contracts ished here, that he had a copy of the Pederal league contract and that it conained both the ten-day and the reserve

# With the Bowlers

DIADEMS.

DELICIAS

FARMONT FARMS.

281 29 179

126 179

126 279

120 281

121 142

125 143

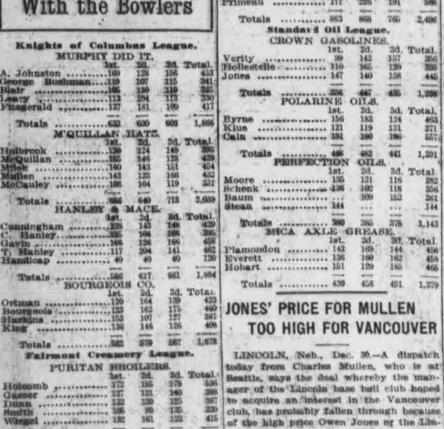
Commercial League.
Commercial League.
BESELIN TRADE-MARKS.
BESELIN TRADE-MARKS.
167 175 186 567

Totals LIQUID GOLDS.

740

DIADEMS.

| Section | Diagram | Diag



Mullen says the amount is more than the Vancouver club and himself feel able ATHLETICS LET OUT FOR to pay, as he is satisfied to return to A petition to Owner Jones was being circulated today asking that he negotiate with the Sloux City club, looking to the acquirement of Outfielder Davidson, who 3d. Total. 345 365 157 266 361 355 361 25 138 37

ager of the Lincoln base buil club hoped

club, has probably fallen through because

of the high price Owen Jones of the Lin-

coln club has placed on Mulisn's release

to acquire an interest in the Vancouver

#### is on the reserve list of Sloux City, QUESTION OF POOLING RECEIPTS TAKEN UP

club owners of the Northern Base Ball dash in % seconds and the 29 yards taken up with the question of the pooling sideration by the mational record comof grandstand receipts. President Pulford mittee of the Amateur Athletic union. of Winnipeg was firmly against the propsaition and he was supported by President Blume of the Duluth dub. Arrayed against them were the magnates of the

President de Cheveral of the Superior ciub is behind the proposition and he was their guarantee before the meeting ad-

Journs, which it is expected will be to-

# Mutt Wishes Jeff a Happy New Year

CHRISTMAS IS THE BUNK . I DIDN'T

GET A THING. I NEVER GET NOTHING.

CHRISTMAS, BAH! NEWYEAR! BAH!











Willard Weighed in at 225 pounds while Rodel tipped the scales at 190. After the first two rounds there was no question of Willard's superiority. Twice he sent the Boer to the mat for the count of nine and once for the count of one. Rodel did the mest of the leading, Williard re maining on the defensive. Tonight's bout was the first twenty-FRANK'S CANDY KIDS 2d. Total. 175 521 179 552 105 459 1at. 161 162 240 378 356 148 3d. 185 200 161 212 391 

### Director Says Too Many Fatalities Are Blamed to Gridiron

foot ball more fatalities than the game deserved. George W. Ehlers, director of physical education at the University of Wisconsin, reported that of the four the read of the head officers of Wisconsin, reported that of the four the read. foot ball more fatalities than the game several of the other streets in the west-Wisconsin, reported that of the four the road. 463 only one was due directly to foot ball injuries.

The deaths of Homer H. Wray Gettysburg, Pa., college and of Edward

enforce the rule against rough and unnecessary tackling. The practice, he said, however, can be eliminated entirely only by a higher standard of appreximanship. today from Charles Mullen, who is at He urged that foot ball steaths be in-

vestigated thoroughly to learn the real facts. The convention was opened by the president, Ivean R. L. E. Baron Briger of Harvard,

# INFRACTION OF RULES

MERCERBURG, Pa., Dec. 30 .- Arthur S. Robinson, one of the fastest sprinters ever developed at an American school, and Goellis and Captwell, scholastic stars of the first water, are no longer connected with Mercerburg academy. Alleged infraction of the rules of the institution is said to be the reason. Robinson, who comes from Westboro, Mass., league here today most of the time was in 20%. His record is still under con-Goelitz and Cantwell live in Chicago and to even time, has done the high hurdles in 16 seconds and the low in 15, the pole

vault in Il feet 6 inches and the high

It is expected there will be a acramble

among coaches to land these athletes

jump in 5.9.

for their team.

JESS WILLARD KNOCKS

OUT GEORGE RODEL

1.917

NEW HAVEN, Conn., Dec. 30.—Jose Williard of Kansas knocked out George Otal Rodel of South Africa in the ninth round of a scheduled twenty-round hout here Judge.

A Welcome Change.

"Before you take this house," said the honest real chtate agent, "I wish to tell you something that is against it."

"What's that?" asked Hemmandhaw.

"It's right next to a boller shon."

As he toek out his wallet to make the first payment. Hemmandhaw replied.

"Oh, that's all right! The family next) to where we now live has a parrot, a phonograph and a pair of twins."

Judge. A Welcome Change.

# tonight. The knockout blow was a right uppercut to the law. Willard Weighed in at 22 pounds while Ralston Yards of

Nebraska branches of the Missouri Pastated that no successor has been named to L. M. Dooley, who has resigned as superintendent of terminals to go to the Texas & Pacific as Inspector, of terminals. The vagancy will be filled by Superintendent D'Bernardj in time so that the new man will go on duty more than the several way of the several superintendent. The vagancy will be filled by Superintendent D'Bernardj in time so that the new man will go on duty more than the several superintendent. the new man will go on duty soon after the first of the year.

Superintendent D'Bernardi asserted that plans are being worked out for the Missouri Pacific's mammoth terminals NEW. YORK, Dec. 30.—The National Collegiate association at its eighth annual convention today received a property of against the tendency to attribute to the plans looking to the elevation of the plans looking to the elevation of the tendency to attribute to the plans looking against the tendency to attribute to the plans looking against the service in the omain police department of the service in the servic to be constructed at Ralston, and that

#### MACCABEES TO INSTALL OFFICERS IN PUBLIC

Morrissey of St. Ambrose Collegiate academy, Davenport, Prof. Ehler at act the Swedish auditorium, the Macabees, and produce a Strauss aria. You pound the bass notes generously and mix in a few trebles, and lo? a Wagner motif!

In the special title of trainic sergeant, and produce a Strauss aria. You pound the bass notes generously and mix in a few trebles, and lo? a Wagner motif!

Perhaps if you keep at a long and mix in a few trebles, and lo? a Wagner motif!

FOR LINCOLN HIGHWAY Just seventy years after General John installation of officers which will be installation of officers which will be given there Monday evening. Among the American authority of an American authority of an American authority of an American authority. With their business meeting last night 382 tributed to neglect of their injuries and Omaha tent No. 75, concluded the busiof Hamline university, St. Paul, he reported, cannot be traced to foot ball at all. The death of Verner S. Belyea of Norwich university, Northfield, Vt., the report finds, was caused by a fierce and unnecessary tackle which broke his block after he had already been tackled and

#### commander of Iowa and Nebraska, will be Peter Dillon Made open to the public. The degree team of the Council Bluffs lodge will have charge of the work of installing the officers. M. P. to Be Built of the work of installing the officers. a beinquet which will follow the Installa-

Running the Railroads. effice and the Belt Line. G central Super- "Where's the president of this rall- conductor, an acting sergeant, and Ser-

"He's at th' meetin' of th' legislature,

"He's in court, tryin' a suit,"
"Then where is the general passenger
agent?"
"He's explainin' t' th' commercial trav-

Somebody has invented a tonograph, or

2027 Farnam Street

# Acting Sergeant

Acting upon instructions from John J. Ryder, police commissioner, Henry W. Dunn, chief of police, issued an order yesterday making Peter Dillon, patrol conductor, an acting sergeant, and Ser-Peter Dillon was first appointed to the Omaha police force on October 14, 1889. With the exception of a short time he has been connected with the department for nearly twenty-five years. Besides being one of the oldest men in the service Mo., who healed his dangerous wound here, Mr. Dillon has made an excellent with Bucklen's Arnica Salve. Only 250. record in the department, and while the For sale by your druggist.-Advertiseappointment came as a surprise to most of the men in the department, they ap-

prec'uted the recognition given. Sergeant Sigwart is the oldest man in man in 1882 and has served almost continuously for the last thirty years. With Hays, the direction of the traffic officers the captains. The appointment of traffic sergeant carries with it the special task of directing all of the traffic officers and a notaphone, or something that writes the proper enforcement of the "rules of musical characters after the typewriter, the road." The new office carries with

know that General Fremont had marked out this particular route.

There was a fight on between Medicine Bow and Elk Mountain, Wyo., for the route between the two big points. H. E. Fredrickson, originally of Fremont, later of Omeha, state consul for the Lincoln highway, looked over the ground and decided on the Elk Mountain route, It remained for R. D. Myers, a banker of Hanns, Wyo., to discover in the old now laid out in an automobile, was the exact route laid out by General Fremont and his troops in 1843.

was prevented by G. W. Cloyd, Plunk,

# Don't Swear Off **Smoking**

# Chesterfield, 5c Each

you will make a resolution to keep right on smoking it. A good cigar never hurt anyone.

# Getten & Wickham

The House of Values 511 So, 16th St., the Her Grand Hotel Bdg. 1332 Parnam St., Opposite W.O.W. Bldg. Phones-D, 3343, D. 2871.

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D UICK-Nebraska Buick Auto Company, Lee Huff Mgr. 1912-14-16 Farnam Street. ADILLAC-

2054-6-8 Farnam Street G. F. Reim, Pres.

Cadillac Company of Omaha,

TTTLE\_ Doty & Hathaway, 2027-29 Farnam Street

Marion Auto Company, 2101 Farnam Street C. W. McDonald.

Maxwell Motor Sales Corporation, 205-207 State Bank Building

VERLAND-Van Brunt Automobile Company, 2010 Farnam St., Omaha. 18-20-22 4th St., Council Bluffa

DOPE-HARTFORD Van Brunt Automobile Company, 2010 Farnam St., Omaha. 18-20-22 4th St., Council Bluffs.

### GASOLINE CARS

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. R. N. Howes. Fred C. Hill. 2102-4 Farnam Street.

C TUDEBAKER E. R. Wilson Auto Company,

2429 Farnam Street

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HASE-Drummond Motor Company, 26th and Farnam Streets.

### ELECTRIC CARS

HIO-Van Brunt Automobile Company, 2010 Farnam St., Omaha. 18-20-22 4th St., Council Bluffa

TANDARD-

# C. W. McDonald.

2101 Farnam Street

# WYOODS-Drummond Motor Company,