

BASE BALL CONTRACT VALID

Attorney Toole Says Reserve Clause Will Stand Test.

PART OF THE CONSIDERATION

Section to Draw that Portion of Salary is Paid for Consideration of Option on Services Next Year.

NEW YORK, Dec. 30.—The signing of Joe Tinker and Mordcau Brown with the Federal league has renewed the discussion in base ball circles regarding the legality of the reserve clause...

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.

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

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

Contract Goes Farther.

The present contract goes beyond that, however, and specifically provides that a portion of the salary 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 the whole situation deepened into a mad scramble for players, the whole system, which has made \$2,000 salaries possible, would go to smash, and the 'good old days' when Redburne used to pitch seventy games and play thirty more in the outfield each year for \$1,400 might come back again."

Mr. Toole was former President Thomas Lynch's legal adviser in the Thomas Poole case a year ago and is attorney for the Boston National league club.

Tinker Case is Reopened.

NEW YORK, Dec. 30.—In the absence of President Ebbets of the Brooklyn club, 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 League base ball club.

Mr. Ebbets, Jr., speaking for the Brooklyn club, said that Tinker was the property of the club, according to the rules of organized base ball, and could not violate his contract as acquired from Cincinnati until he refused to report for play next spring.

Federals Have No Reserve.

ST. LOUIS, Dec. 30.—President Steininger of the St. Louis Federal League club said today that the contracts of the Federal league have a ten-day clause, as do the contracts of the National and American leagues.

He denied, however, that the contracts have a reserve clause. The denial was prompted by the statement of President Ebbets of the St. Louis Americans, published here, that he had signed the Federal league contract and that it contained both the ten-day and the reserve clauses.

Mutt Wishes Jeff a Happy New Year

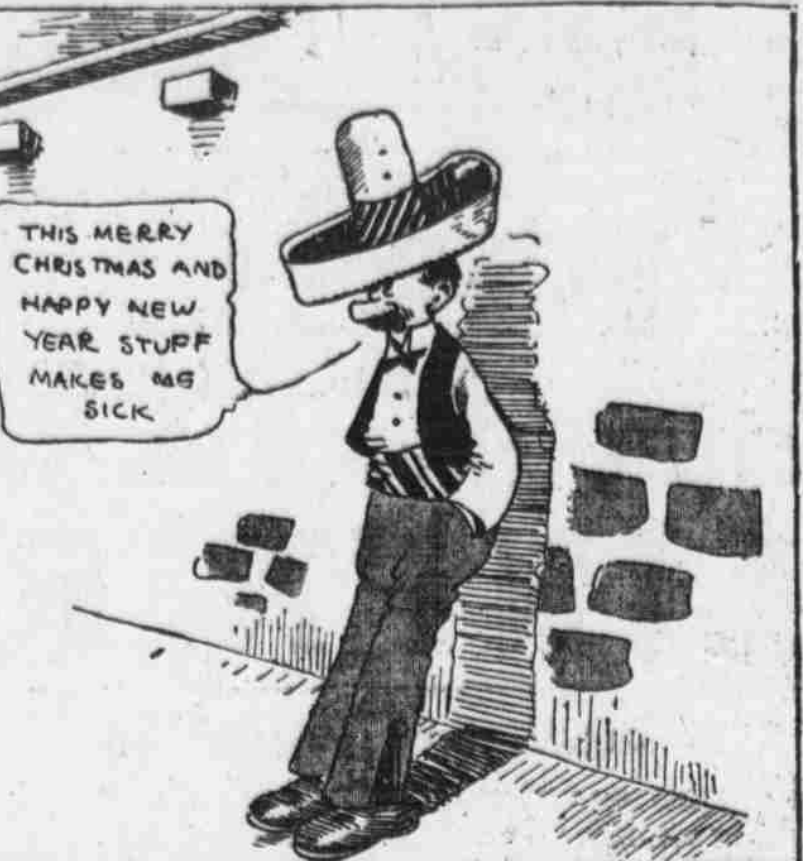
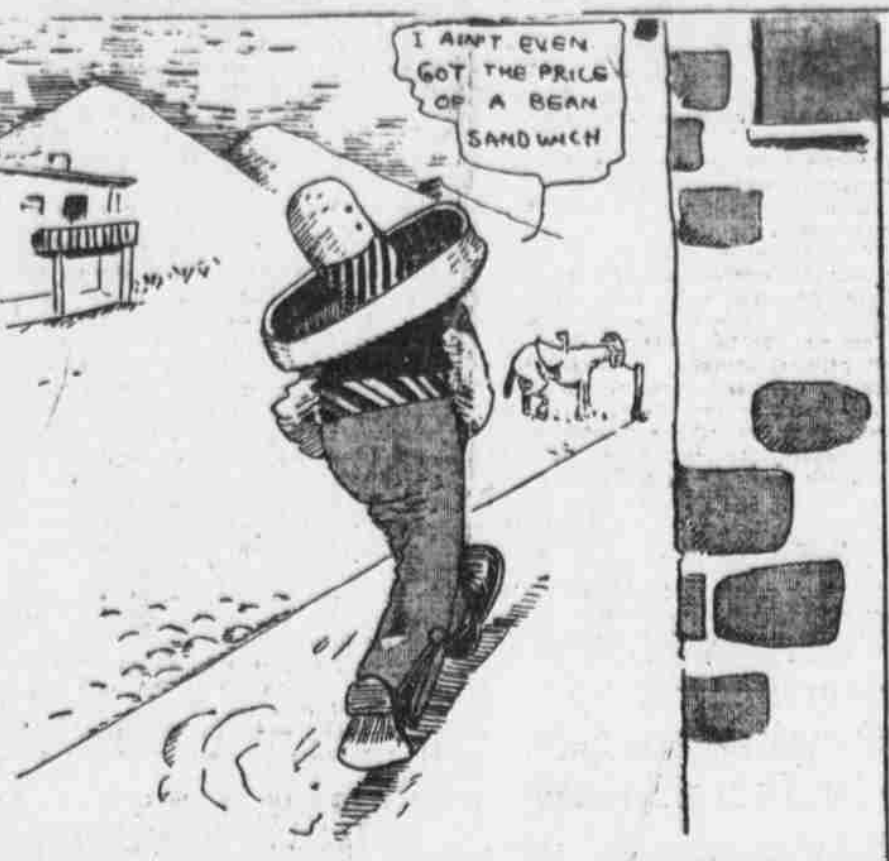


Table with 3 columns: Name, 1st, 2nd, 3rd. Lists names like Heaton, Lyle, Huntington, etc.

Table with 3 columns: Name, 1st, 2nd, 3rd. Lists names like Stanley, Straw, Yoss, etc.

Table with 3 columns: Name, 1st, 2nd, 3rd. Lists names like Learn, Fagerberg, Hough, etc.

Table with 3 columns: Name, 1st, 2nd, 3rd. Lists names like Hinton, Kline, Verity, etc.

D'Bernardi Says the Ralston Yards of M. P. to Be Built

After making an inspection of the Nebraska branches of the Missouri Pacific and the Great Lakes, Superintendent D'Bernardi reached the city on a special train Monday afternoon.

Superintendent D'Bernardi asserted that plans are being worked out for the Missouri Pacific's mammoth terminals to be constructed at Ralston, and that the work is progressing rapidly.

Director Says Too Many Fatalities Are Blamed to Gridiron

NEW YORK, Dec. 30.—The National Collegiate association at its eighth annual convention today received a protest against the tendency to attribute to football more fatalities than the same observed. George W. Ehlers, director of physical education at the University of Wisconsin, reported that of the four deaths among college players last season only one was due directly to football injuries.

JONES' PRICE FOR MULLEN TOO HIGH FOR VANCOUVER

LINCOLN, Neb., Dec. 30.—A dispatch today from Charles Mullen, who is at Seattle, says the deal whereby the manager of the Lincoln base ball club hoped to acquire an interest in the Vancouver club, has probably fallen through because of the high price Owen Jones or the Lincoln club has placed on Mullen's release.

QUESTION OF POOLING RECEIPTS TAKEN UP

DULUTH, Dec. 30.—At a meeting of club owners of the Northern Base Ball league here today most of the time was taken up with the question of the pooling of grandstand receipts. President Paulford of Winnepeg was firmly against the proposition and he was supported by President Blume of the Duluth club.

JESS WILLARD KNOCKS OUT GEORGE RODEL

NEW HAVEN, Conn., Dec. 30.—Joe Willard of Kansas knocked out George Rodel of South Africa in the ninth round of a scheduled twenty-round bout here tonight.

Peter Dillon Made 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 Sergeant A. T. Sigwart, traffic sergeant.

Peter Dillon was first appointed to the Omaha police force on October 11, 1889. With the exception of a short time he has been connected with the department for nearly twenty-five years.

Don't Swear Off Smoking

good cigars. Swear off on inferior ones. We know if you smoke the Chesterfield, 5c Each for one or a million 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 Bldg. 1028 Farnam St. Opposite W.O.W. Bldg. Phone—D. 3242. D. 2871.

DIRECTORY AUTOMOBILES, TRUCKS TIRES AND ACCESSORIES

Table listing various car models and dealers: Buick, Cadillac, Chevrolet, Little, Marmon, Maxwell, Overland, Pope-Hartford, Reo Fifth, Stevens-Duryea, Studebaker, Chase, Ohio, Standard, Woods.