

BASE BALL WAR LOOMING UP

National Commission Lays Down Law to the American Association.

REBAULT'S DEMANDS REJECTED

All Requests for Special Recognition Are Formally Denied—Ten Days Given Association to Make Its Reply.

CINCINNATI, O., Sept. 1.—In a finding minus all its and and as it is firm, the National Base Ball Commission has not only received every demand made on it by the American Association, but went farther in intimating that if the American Association decided not to operate under the rules of organized base ball, clubs would be placed in every city on that circuit. While no specific mention of a league to supplant the American Association was made it was implied unmistakably.

The American Association will have until September 10, to answer the commission and upon this answer will hinge the answer to a question that now stands paramount in the minds of base ball men, namely, "Will there be a base ball war?"

In its finding the national commission took particular pains to place the brunt of the worry on the shoulders of the American Association, and it is now up to this body to say whether there will be a war.

President Thomas Chivington said: "I intend to call a meeting of the American Association in the near future and, until this matter is settled by my league, I cannot say when it will happen."

The commission also awarded Player Brown of Burlington, Ia., to the St. Louis Americans. The Detroit club had a claim on Brown, but it was refused.

Chivington Issues Statement. President Chivington of the American Association issued the following statement tonight: "The American Association is today as important an organization in baseball as the National League was ten years ago in value of its franchise, plants and business prospects."

"Let the American Association does not ask to be placed on a par with the major leagues. It is willing to continue to contribute the best players of its clubs yearly to the National and American leagues in order that they may maintain the supremacy that the population of their cities and patronage entitles them to."

"It does not ask for separate representation on the national commission, nor does it seek to take from either the major or minor leagues any of the rights they now have."

The second clause covering the selection by the major leagues of one ball player from each club by purchase at a fixed price of \$5,000 is intended to carry out one of the first principles of organized base ball, enabling capable ball players to advance in their profession. It is also intended to check brokerage in base ball players, one of the most pernicious developments of the present laws governing the purchase and sale of players. With a purchase price of \$5,000 only the players whose services are needed would be taken from the American Association.

Would Make Sacrifice. "The American Association stands ready to make a sacrifice for this change, as the majority of league clubs would not again be called on to pay such prices as were paid for Marquard, Hunter and O'Toole. The only advantage sought by the American Association in this respect is that its teams would not be torn to pieces each year."

"The provisions of rule No. 36 of the national agreement make it necessary that the American Association should have all players purchased, whether on option or not, reported on or before September 1, while the major league clubs are restricted. This rule works hardship to many young players, who should be allowed to enjoy the advantage of schooling in the American Association."

"The American Association is freed from the National Association by the expiration of its agreement, and prefers not to again become identified with an organization that has shown itself antagonistic to the interests of the American Association in all legislative actions."

"The value of the franchise and the character of the ball parks and plants are in keeping with the progressive spirit of the national game and the population of its cities, and when the importance of the American Association is realized the patrons of base ball throughout the country will decide that the rules asked for are modest and based upon equity."

Text of Decision. The following is the full text of the commission's decision: "The commission is unanimous in the conclusion that it is without authority to act on the petition for special recognition which requires the affirmative vote of each of the parties thereto, to-wit: 'The National and American Association, the first part, and the National Association, party of the second part, firmly concurring that a disturbance of the delicate adjustment of conditions and relations under which organized base ball has attained prestige and prosperity, the most potent influence as long as its cardinal principles are observed, is undesirable, the commission recommends to the several parties to the national agreement that the radical and revolutionary changes proposed by the American Association along the lines of High Standard Essential. A high standard of sportsmanship and square dealing with patrons and players in the operation of league and conduct of clubs is an essential to the maintenance of the game on an elevated plane as exhibitions of skill and keen competition on the playing field. A strong central government, capable of checking club owners, as well as controlling players, affords the only possible guaranty of the retention by the game of absolute public confidence in its integrity and conduct, unless assured of the promotion of their welfare as a class by developing and perfecting them in their profession and enabling them to secure adequate compensation for 'expenses' and the most potent incentive to players to give their best efforts will be impaired. As parity of conditions cannot be maintained and protection to players in their professional prerogatives cannot be extended by the national and American Association beyond its own ranks, the commission therefore recommends that the American Association should be free to enjoy benefits under the national agreement without assuming all the obligations and responsibilities of the American Association, and that the American Association should be free to operate under the national agreement. Practically from the commencement of its contact with the National Association, the American Association has been active in the point of agreements designed to deprive the major and minor leagues of special legislation in its behalf."

THE NATIONAL AGREEMENT WERE CONFERRED ON THEM.

This revised national agreement was promulgated by the commission in March, 1900, but was rescinded when the American Association and the Eastern League refused to formally ratify it, although its acceptance by them had been made a matter of record over the signature of the attorney who represented them at the conference with the commission. With this experience in mind the commission determined to determine to what extent the petition now before it is an expression of the real wish and purposes of those who presented it.

The preamble to this petition recites that the membership of the American Association in the National Association will expire by limitation on September 6, 1911, and that the petitioners desire to remain organized base ball, independent of the National Association. A transcript of the records of its annual meeting in 1908, submitted by Secretary Farrell, shows that the life of the National Association was extended to September 6, 1911, that the American Association's vote being cast in the affirmative by Mr. Grayson of the Louisville club, who held the written proxy of President J. B. O'Brien, with the approval of the National Association by the adoption of the motion of Judge Kavanaugh that such recognition be accorded to Mr. Grayson.

The contention raised by the production of the National Association's records will not be passed upon by the commission at this time, but inasmuch as the American Association predicated its petition of August 1 upon its alleged 'freedom of all leagues not in organized base ball should receive special privileges of this character.' Each of these rights is fully enjoyed by every league under protection, and no league not in organized base ball should receive special privileges of this character.

That in lieu of the one-man draft by the major leagues from the American Association, the American Association shall permit the major leagues to select one player from each of the American Association clubs to be made on or before July 1 of each year, but the player so selected shall be permitted to finish the season with the club from which he is chosen. The drafting privilege cannot be abridged or applied to the rights of a player to advance in his profession as guaranteed by the third paragraph of the preamble to the national agreement. The number of players subject to selection from a club in Class A of which the American Association is a member, was in 1908 restricted to one annually, and many major league club owners approved this amendment to this national agreement as convinced that this reduction has been prevented from its purpose, to-wit:

1. That the conditions of Rule 36 of the national agreement shall apply to the American Association as it now applies to major leagues and that the clubs of the American Association shall have the right to go into the market and purchase players under the same conditions as the major leagues now do.

2. That the rights of an American Association club under Rule 36 are identical with those of a major league club, except that a player recalled by a minor club under an option agreement is subject to draft on September 1 from the club he is with on August 25. That provision is absolutely necessary to prevent collusion between minor league clubs to cover up players and deprive major league clubs of their drafting privileges.

Should the American Association be accorded equal privileges in recruiting its teams with the National and American leagues, either as an independent league or as a member of Class A, there is grave reason to apprehend that the control of the most promising players of the class B, C and D leagues would, in many instances, be congested for speculative purposes in American clubs and that the result of recruiting of major league teams would be seriously handicapped. It is patent to all, that the American Association has no advantage as a member of the National Association that more than compensates it for loss of talent in draft. With many players, whose major league career is closed, available annually at prices far below those at which graduates into major leagues are held, the American Association is enabled at a comparatively small outlay to build up the strength of its teams each year, thereby safeguarding itself against a professional race and insuring a profitable patronage for each of its teams.

Draft Not Serious Injury. The contention that the draft depletes the playing strength of each American Association team at the close of every season is not sustained by statistics. In 1908 when the one-man draft was inaugurated, all but two of the players selected from that league were turned or offered back to the clubs from which they were recalled. The draft price of \$5,000 made of all but two players drafted from American Association clubs in 1907 of all but one of all players drafted in 1908 and all but three in 1910.

It not infrequently happened that the chance to remain in the American Association was tendered to the club from which he was drafted. The draft price of \$5,000, which the national agreement was rejected, the aggregate number of drafts from 1907 to 1910, inclusive, amounted to 1,200. Of these players were retained beyond the succeeding season, 1,100. The American Association shall have the right to dispose of players to clubs of lower classification under options on the same terms as the major leagues now do.

That privilege is enjoyed by the petitioner, except for the requirement that a less recalled player reports before August 15 to be subject to draft. An above stated draft further concessions in its favor would be unwise and impolitic.

That the American Association agrees to waive all draft rights from all clubs in organized base ball. The commission on this subject appears in its comment on Paragraph 1. It should be rejected because restrictive to the right of a player to advance in his profession.

Offer to Pay \$500 a Year. That your honorable body shall be the agent to collect all such sums for the interests in base ball affairs (excepting internal affairs), and the American Association will pay annually for the support and maintenance of your honorable body.

The American Association was accorded in the revised national agreement, which it rejected in 1908, the right of appeal from the national board to the commission which would decline to assume a protective over or accept protection from an independent league. With full appreciation of the importance of organized base ball being permanently represented in the present circuit of the American Association, the commission extends to patrons and players its assurance that, regardless of the course of the petitioner (the American Association), this territory will continue under protection for an indefinite period, in order that a matter of such moment may receive proper attention, the commission hereby requires the American Association to consent to its jurisdiction on or before September 10, whether it will continue to operate under the national agreement or under the national agreement of the commission has directed to withhold payment of draft money for 1911 to the American Association, and that it be instructed by the chairman of the commission.

T. J. LYNN, B. R. JOHNSON, AUGUST HERRMANN, National Commission. Has Returned in Chicago. MILWAUKEE, Sept. 1.—Owner Harvace of the Milwaukee American Association has returned to Chicago with several other persons in Chicago real estate suitable for a base ball park. This fact has been brought forward whenever a controversy of any sort has arisen between the American Association and the major leagues. The Milwaukee owner has refused to talk on the subject, but there is little doubt that if an invasion is made this property will be used as a park. Former Business Revived. CHICAGO, Sept. 1.—It is reported that the national agreement were conferred on them.



Our \$5.00 School Suits

We have spread ourselves this fall in our effort to give our boys' trade the best \$5.00 suit on earth. \$5.00 is a very popular price for a suit, and our \$5.00 special is made from good looking, handsome, strong, durable fabrics, well sewed, with all weak points stayed and strengthened, and two pairs of pants to each coat. We have done everything that could be done to make this a Boys' ideal school suit. Our great extra pants \$5.00 suit — "seeing is believing." Plenty of other suits as well from \$3.50 to \$10.00, and are 50c or \$1.00 less than elsewhere.

BERG SUITS ME FALL SUITS... We are showing the new Fall Suits and models for men and young men—styles of authority—every one—direct from the House of Kuppenheimer, Schloss, Society and Stein-Block—the world's greatest tailors, and ours. They are 100 per cent value clothes, as full of genuine value as a gold dollar. You'll find not only the designs and patterns to please you, but the after-worth and wear that keeps on pleasing you throughout the long life of the garments. British, Semi-British and American vogues in the new Egyptian sand and metallic shades, \$18.00 to \$40.00. Other splendid models and styles at \$10.00, \$12.00 and \$15.00. Look 'em over today. THEY SAY... Those who have taken the pains to find out, that we have the only Hats in town and plenty of them. So great is our variety and styles that mere words are inadequate to describe their handsome lines and curves. You never saw such superb head styles for fancies tales. The Rough Quarter Backs, Velours, Erminy finish Hats, Ward's waterproof Wool Hats, Stetson's Beaver Brush Hats and the new wrinkle Alpine. The new low crown wide brim stiff hats will be extremely popular this fall and you won't find another showing in town half so complete. \$1.50 to \$7.00 and \$8.00. Berg Clothing Co. Manhattan Shirts. Everwear Hosiery for men, women and children. Stetson Hats. Uniforms of Every Kind.

received evidence for the last year that the American Association had an option on property on the north side suitable for a base ball park was revived today, following information of the national commission's action. President Chivington at Cincinnati denied, however, that the association has such an option.

Great Cricket Match Comes on Labor Day

Picked Teams Under Dean Tancock and Harry Forehead Will Battle for Championship. Promptly at 10 o'clock Labor day at Miller park a double-inning game of cricket will be begun between the two strongest picked teams of the city. The cricketers will lunch on the field, and the game will continue in the afternoon. The teams will be captained by Dean Tancock and Harry Forehead, the latter an ex-county player. Dean Tancock's team will be as follows: Dean Tancock, J. Neale, A. McGinn, George J. Young, J. Douglas, W. Van, Van, J. Brookbank, H. K. Easton, Rev. J. A. Williams, M. Tancock, A. Cameron, G. J. S. Collins and H. Lewis. Capt. Forehead's team: H. Forehead, T. Kenworthy, A. Hornage, H. Strehling, Geo. Pascock, A. Strachan, H. Foley, Chris. Sorenson, H. Watkins, H. G. Carruthers, Bert Smith and J. Dawson. This being the general wind-up of the cricket season, all admirers of the game are invited to come out and see the game played.

One Match More in Inter-Club Tennis

Ward and Platter Beat McCormack Brothers in Third Round of Championship Doubles. Ward and Platter beat McCormack brothers, 6-3, 6-3 Thursday in the third round championship doubles of the inter-club tennis tournament being held at the Omaha Rod and Gun club. This was the only match that was played, due to the fact that the other players had to play before darkness set in. No matches will be played tomorrow. The remainder of the matches will be played off Saturday afternoon and Sunday. The matches yet to be played are two in the fourth round of the championship doubles, the semi-finals and the final, and the doubles in the consolation doubles.

RESULTS IN THREE-LEAGUE. Rock Island Wins Third Straight Victory Over Deatur. ROCK ISLAND, Sept. 1.—Rock Island won its third straight victory over Deatur in a game played at the Rock Island Hotel. Batteries: Rock Island, J. J. Baker and Johnson. Deatur, J. J. Baker and Johnson. DAVENILLE, Sept. 1.—Davenport ran out four from Waterloo. Score: R. H. Davenport, 4-0; Waterloo, 0-4. Batteries: Karwin and Manning; Shookler and Quisenberry. DUBUQUE, Sept. 1.—Dubuque tried out Schuster, and he was pounded in the latter part of the game. Score: R. H. Dubuque, 11-4; Schuster, 0-2.

MOVEMENTS OF BALL PLAYERS. President Lynch Announces Approval of Contracts and Release. NEW YORK, Sept. 1.—President Lynch of the National League tonight announced approval of the following contracts and releases: Contracts—With Boston, Harry Gowdy, (assigned by New York), Danion F. Young, Fuller W. Thompson, C. Bradley Hogg, with Chicago, J. A. Rowan, (assigned by Philadelphia), with Pittsburgh, Willie Keeler, I. C. Henry, with Philadelphia, C. G. Curtis, (assigned by Chicago), Thomas F. Murray, with Pittsburgh, Willie Keeler, Releasees—By Chicago, to Philadelphia, National League, C. G. Curtis, by Philadelphia, to Chicago, National League, J. A. Rowan, by Philadelphia, to Galveston, Texas League, A. J. Beck, by Philadelphia, to Buffalo, Eastern League, Fred L. Beck, by Pittsburgh, to St. Paul, American Association, John Flynn.

JUNIORS SPRING SURPRISES

Larmon Brothers Show Decided Form in Tennis Play. RUSSELL WALLOPS E. SMITH. Two Brothers in Four Sets of Steady Play Defeat Smyth and Bushman in Doubles Contest.

Decided surprises were sprung in the Junior City tennis tournament Thursday by the two Larmon brothers, Russell and Park. Russell Larmon, the 16-year-old wonder at tennis, walloped Edward Smyth, thought to be a sure winner of this year's tournament, in four hot sets, and the Larmon brothers in four steady sets, winning the last three straight, trimmed Smyth and Bushman, one of the strongest of the doubles teams. Sievers Sussmann, the Omaha High school champion, trimmed Herbert Davis, in five sets Thursday in the other half of the semi-finals of the championship singles. Davis made a plucky fight and for a time it looked as if Sussmann's injury to his shoulder the early part of the week, might lose him the match, but he pulled through with flying colors. Larmon's victory over Smyth came so quickly that the bigger players hardly knew the match was gone. All of the sets were speedy and the games close, but Larmon seemed to be the superior man in taking the needed points in a pinch and won games after games. In the doubles the team work of the two brothers won more than any brilliant playing by either of them. They play together much and make few mistakes in covering the court and in playing and returning the ball. Sussmann and Davis are the speedier team of the two left in the doubles, but the steady persistence of the Larmons may carry them through to the championship. Norman Potter played his way right into the finale of the consolation singles, Thursday, defeating Bert Crocker, 6-1, 6-1, in the third round, and Harry Caldwell, 6-4, 6-7, in the semi-finals. Will Adams, one of the tiniest of the tiny players in the tourney, did a similar stunt in the kid's tournament, defeating B. Crawford by default in the third round, and W. Gross, 6-2, 6-2, in that semi-final. Consolation doubles were started Thursday.

SEMI-FINALS. Russell Larmon beat Edward Smyth, 6-4, 6-4, 6-1. Sievers Sussmann beat Herbert Davis, 6-4, 6-4, 6-1. Championship Doubles. Park and Russell beat Edward Smyth and Lawrence Bushman, 6-4, 6-1, 6-2, 6-2. Sievers Sussmann and Herbert Davis beat Walter Marriott and Clifford Paxton, 6-4, 6-2, 6-1.

Consolation Singles. Russell Larmon beat Edward Smyth, 6-4, 6-4, 6-1. Sievers Sussmann beat Herbert Davis, 6-4, 6-4, 6-1. Championship Doubles. Park and Russell beat Edward Smyth and Lawrence Bushman, 6-4, 6-1, 6-2, 6-2. Sievers Sussmann and Herbert Davis beat Walter Marriott and Clifford Paxton, 6-4, 6-2, 6-1.

SECOND ROUND. H. Caldwell beat E. Underland, 6-4, 6-4. F. Buhols beat E. Schall, 6-1, 6-1. Norman Potter beat Harry Caldwell, 6-4, 6-1. B. Caldwell beat E. Underland, 6-4, 6-4. F. Buhols beat E. Schall, 6-1, 6-1.

PRELIMINARY ROUND. E. Sussmann and D. Bushman beat Powell and Riley, 6-4, 6-4. Mooney and Vaughn beat Hinrichs and Riley, 6-4, 6-4. Lows and Sullivan beat Downs and Peters, 6-2, 6-2. McCree and Balbach beat Thomas and Gould, 6-4, 6-4. Lyke and Schall beat Murphy and Gross, 6-4, 6-4.

Kids' Tournament. SECOND ROUND. G. Allison beat L. Lova, 6-1, 6-4, 6-4. H. Caldwell beat G. Allison, 6-2, 6-1. W. Adams beat W. Gross, 6-0, 6-2. H. Adams beat W. Gross, 6-0, 6-2. W. Caldwell plays winner of Powell-Hud-schmidt match in semi-finals.

Omaha Player Defeats Townsend After Losing First Game. DENVER, Colo., Sept. 1.—Walter Scott Andrews, Jr. of the Denver Country club and J. G. McKaye of Omaha will meet in the finals tomorrow for the Colorado court tennis championship. At the Country club's courts today Andrews defeated E. Broadhurst in straight sets, 6-1, 6-2, 6-4, and McKaye disposed of T. B. Townsend after losing the first game, the score being 6-4, 6-2, 6-4.

Major Gantz Travels Fast in Iowa Race

Wins 2:09 Pace in Three Heats Out of Five—Tommy Horne Gets 2:15 Trot.

DES MOINES, Ia., Sept. 1.—(Special Telegram.)—Monday was the greatest racing day of the state fair. A crowd of 10,000 people watched the races until nearly 7 o'clock. The fast pace and fast trot were declared to be the greatest races ever seen here. In both of them the contest waged until the end with all very close heats. Summary: Two-year-old pace, half mile heats: Grata (W. C. Pemberton) 1:12 1/2; Andy Arme (O. H. Scholes) 1:13 1/2; The Conclusion (L. B. Brown) 1:14 1/2; Tilly Rice 1:15 1/2; Alice Pearce 1:16 1/2; Julia (Matt Kane) 1:17 1/2; Silver Bell (E. W. Farnum) 1:18 1/2; Aladdin P. Time 1:19 1/2; 1:20, 1:20 1/2. Major Gantz (Bohnstok Bros.) 4:11 1/2; Buck Muscovite (G. Muscovite) 4:12 1/2; Roy Wilkes (L. W. West) 4:13 1/2; Sam (A. Johnson) 4:14 1/2; Capt. R. (E. Farman) 4:15 1/2. Time, 2:09 1/2; 2:09 1/2; 2:10 1/2; 2:11 1/2; 2:12 1/2. 2:15 trot: Tommy Horne (Schinstock Bros.) 2:11 1/2; Brownie (E. F. Harris) 2:12 1/2; Alton (Allen Bros.) 2:13 1/2; Silver Bell (E. W. Farnum) 2:14 1/2; Kenyon (C. W. Kenyon) 2:15 1/2; Starlight (Dan McLeod) 2:16 1/2; Tom Smith (L. J. Smith) 2:17 1/2. Time, 2:16 1/2; 2:16 1/2; 2:17 1/2; 2:18 1/2; 2:19 1/2. Five-eighths mile running: McBeppo won, Kid Williams, second; Wray Mark, third; Ciss, fourth.

Advance Showing! Hart, Schaffner & Marx 1911 Autumn Clothes For Men Who Care HAYDEN BROS.

Not a Conversation Sale BUT A SHIRT---SHIRT SALE Silk, Flannel and Madras. Last call before Fall. \$3.50, \$3.00, \$2.50 and \$2.00 Shirts, all— \$1.15 Saturday Only. BLACK The \$2.50 HATTER and Bro. Ben. Showing Fall Hats and Selling Them 109 South 16th St. OMAHA.

Are You Thinking Fall Suit Thoughts, Sir? If so, you'll find it greatly to your advantage to take the road that leads to this HOUSE OF BETTER CLOTHES. The season's choicest models are here, carefully chosen from the productions of the WORLD'S BEST TAILORS. The Fall Suits are unusually handsome, while the fabrics and colorings were never so attractive. We've suits with quiet dignity for conservative men, and smart, snappy styles for young men who always want the latest fashion features. Our prices are modest, but the suit prices that confront you everywhere all sound alike and are meaningless until you see the values they stand for. If you will allow us to show you the new garments the pleasure will be ours, while you'll be at liberty to consider the buying proposition at your convenience.

VOLLMER'S "EXPERT CLOTHES FITTERS." 107 SOUTH SIXTEENTH STREET, OMAHA, NEB.