

The Baseball Players Fraternity and What It Stands For

A Brief Review of the Baseball Players' Fraternity, Its Origin, Final Incorporation, Its Purpose in Being and What It Aims to Accomplish

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The gist of the following article by David Fultz, founder of the Baseball Fraternity, has already been given to the public press. We believe, in justice to the new organization, it should receive a fair and impartial hearing before it is either condemned or commended. Inasmuch as there seems to be a great deal of misinformation in various circles as to the aims of this organization, we are pleased to present the following article by Mr. Fultz with a brief word on the origin of the Fraternity, its early history, and a clear declaration of its principles and purposes.

THE Baseball Players' Association is at last a reality. This institution, which has been the goal of the players' ambition for many years, of whose benefits he has dreamed in seasons of adversity is at last fairly started on its career.

There seems to have been more than the usual amount of misapprehension in regard to the new organization. The public, which always shows a generous attitude toward its favorite players, have perhaps not fully understood the scope of the fraternity. For a fraternity it is whose object is two-fold: first, to benefit that distinctive class of the community known as a professional baseball player, second to aid our National Game on its road to a still greater sphere of usefulness and popularity.

Inasmuch as there seems to be considerable doubt as to the exact purposes in being of this newest of brotherhoods, it seems in keeping with good policy at this time to explain the workings of the organization a little more fully than has seemed expedient hitherto.

The history of the organization may be treated briefly. Some two years ago several players came to me personally as a man who had for years played the Na-

tional game and also as a practising lawyer in the city of New York. They felt the need of co-operation among the players to entitle them to a fair discussion of those differences which inevitably arise between four hundred men and their employers. It was at this time that the great need for such an institution became deeply impressed upon my mind and I determined that if it continued to seem advisable to work for the establishment of such a brotherhood. Nothing of consequence, however, was accomplished toward this work until the early part of the season of 1912. At that time the feeling among the players for the need of such an organization seemed more widespread than ever, and this feeling gradually crystallized under the small amount of leadership which was given it till it culminated in that final act on the sixth day of September, 1912, when the organization was genuinely incorporated. In compliance with the membership corporation law of the State of New York a certificate was filed with the Secretary of State and the County Clerk incorporating this organization under the name of Baseball Players' Fraternity. As explained in the charter, the general purposes of the fraternity are as follows:

To have every reasonable obligation of the players' contract lived up to by both contracting parties. To secure adequate protection from abusive spectators. To discountenance and abolish as far as possible rowdiness on the field. To be of financial assistance to deserving ball players. To advise the player concerning any real or fancied grievance, and, in the event the former exists, to prepare his case for him. To instill into the player a pride in his profession and to use the strongest possible influence to induce him to keep himself in condition and to give his employer the best service of which he is capable.

It has been argued by some of the opponents of the fraternity that there is no need for an organization, that the rights of the players are amply protected by the National Agreement, which is an agreement entered into by every league in the United States, 43 in number. In order that the situation may be understood, it is necessary to keep in mind the fact that when a player signs a contract he enters into an agreement which binds the owner for only ten days, while the player is bound for the remainder of his professional career. Never again has he the power to contract; he may be bought, sold, traded, leased or given away and all without his consent. He must sign any contract which is placed before him, for the reason that under the rules of the National Agreement he is a property right of the original contracting team and no other team may negotiate with him. The star often gets his price through threat of retirement, but the majority of the players have absolutely nothing to say about their salaries.

With these rules, however, when justly administered, we have no fault to find; we realize their necessity; baseball is a peculiar business and must be governed by peculiar laws. We simply mention them to show the opportunity for grave injustice when this abnormal power falls into the hands of an over-reaching magnate, and to show the utter helplessness of the player when he contends for his rights single-handed.

Is there a need of an organization? A few instances of the abuse of this power will answer the question very conclusively: Several years ago a player

signed a contract containing the proviso that it could be renewed by the magnate at the same figure or the player should be released. The next season the player was tendered a contract for exactly half of what his previous contract called for. He protested without avail, he demanded his release and received the ultimatum that he would play under that contract or quit. He had to play.

Another player under contract with a major league team at a certain figure, was sold to a minor league. The contract tendered him called for \$600 or \$700 less than the major league contract; he refused to report and undertook the management of an independent team. Later he brought an action against the major league team; although his independent team had for some time regularly played exhibition games with major League teams, and had several contracts for future games, these contracts were broken and all teams and players in organized baseball were forbidden to play against any team with which he was connected. Later the player withdrew his action and the ban was immediately lifted.

Recently a player was released from a major league team to a minor league; notwithstanding the fact that in his case, by the rules of the National Agreement, it was necessary to procure waivers from all the other major league teams, and that two of them were very anxious to get him and were willing to pay him what his contract called for, the player was "railroaded" into a minor league and by the deal lost several hundred dollars' salary besides having irreparable injury done his baseball reputation.

Another player who had signed a contract with a major league team for 1912, was sold to a minor league team. This team, however, would only pay him an amount \$150 less per month than his original contract called for. The player demanded his unconditional release according to the terms of his contract; it was refused. He offered to pay for it, as other teams were willing to give him his price; with like result. He refused to go to the minor league team and has reported daily at the major league club's grounds, although he has received no salary since June 23d.

Another player signed a three years' contract for the seasons of 1911, 1912 and 1913 at a salary of \$4,000 per season. Last July the player was sold to a minor league and is being paid \$2,000 per season.

These cases are legal anomalies—the contract is not assigned or the salary would be the same; when the slight of hand performance is over, however, the player is still bound, while the owners have had an immunity bath and may compel the player to accept any salary they choose to pay. If this principle is sound, this last mentioned player could be made to accept not \$2,000, but \$1,000 or \$100, or even a postage stamp. These are all actual occurrences and can be easily verified.

Another very popular practice is to sign a player to a contract, release him to a minor league team at a reduced salary, under an optional agreement, which is simply the old "farming" system under a more euphonious name, and recall him in the fall; when the player takes stock, he finds himself several hundred dollars shy and again bound to the same old contract. All the money does not come in through the turnstile.

We are told that ample redress can be had from the National Commission. We do not wish in the slightest way to be understood to reflect upon the probity of this body as now composed, we simply set forth the facts and call attention to the law of probabilities. The National Commission is composed of three members: the presidents of the two major leagues and a third person selected by them; this person at the present time is a club owner. The player who has a grievance, therefore, goes before a body composed of men not only elected by, but paid by and chosen from the very faction with which he has his controversy.

This is contrary to the basic principles of equity. Since law has been law, so well recognized have been the frailties of human nature, that a judge or juror of even the highest integrity has been disqualified from sitting on a case in which he is even in the remotest degree interested. Until the National Commission is composed of absolutely disinterested persons, it will never gain the full confidence of the players or public.

We are said to desire representation

on the commission. We have no present intention of making any such request; if later, however, we should ask it, we believe the request would be eminently fair. This our critics deny and say that "There is no more reason why the player should have a representation on the National Commission than there is for having a representation of litigants on the bench of a court of law." With this we heartily agree; but while we concede that there is no *more* reason, we insist that there is no *less* reason, and unfortunately for the objection the litigant *has* a representation on the bench; he tries his case before a judge in the election of whom he has had a voice, whose salary he helps to pay and whom, it is now contended, he should be able to recall, while the player goes before a body which is a creation of and owes its existence solely to the will of his opponent.

It is argued that the player is well paid. That he is well paid is no reason he should not organize. The star is well paid, we are frank to admit; the average player not so well, and some players very poorly. Many people will be surprised to learn that there are men playing in the big leagues for \$900 per season. A pitcher who led his league a few years ago and who is considered to have won the pennant for his team, was under a \$1,200 contract.

No artisan is well paid who does not get a fair proportion of the money he helps to make. A glance around the league circuits at the stupendous equipment recently completed or now under construction would convince the casual observer that after paying salaries, the magnate still has enough left to keep the wolf out of the garage. If this is not conclusive proof, let the skeptical one attempt to purchase a share of stock in any of the clubs; the price quoted him will remove all doubt.

But with this we have no contention, we are exceedingly glad to see the magnate prosper; he has made large investments in an uncertain business and deserves large profits; we do, however, object to having the player represented as overpaid. With the amount of salaries, we have little concern, as we most emphatically shall not foolishly attempt to standardize a wage scale; with the pos-

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sible exception of requesting that the young player who is brought from a minor league shall be paid at least as much as he has been receiving.

The fraternity will endeavor to procure legislation which will prevent a repetition of the Cobb strike and of the occurrence which caused it. While regretting the strike, we realize that it did a great deal of good in bringing forcibly to the attention of the public and magnates an abuse to which the player has been subjected for many years. The professional is a man of high tension, otherwise he does not make a good player. To expect him to go placidly about his work while some degenerate under cover of the crowd hurls abusive and obscene epithets at him, is to expect too much.

The ballplayer of to-day is of far higher mental and moral calibre than the one of ten years ago. Baseball for him has grown to be a legitimate business. To say that he, as a class, is unreliable, irresponsible and incapable of conducting his affairs, is exceedingly unfair and is simply a survival of that fast vanishing spirit of paternalism with which the player has for many years been surrounded. That there have been dishonest ballplayers and that there will be more, we regretfully admit. Broken faith there has been, contract jumping there has been, but we desire this fact to take deep lodgement; for every contract

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jumping ballplayer, there has been a dishonest magnate who held out the "lure," and the magnate has always taken the initiative. During the war of 1901-02, many sterling players held firmly to their contracts, although dishonest magnates were offering them thousands and thousands of dollars to desert their teams in mid-season and perhaps ruin their employers.

The National Agreement of 1903 was promulgated by the magnates not to protect them against the contract jumper, but primarily to protect them against the avarice of some of their own number.

Recently there has been much newspaper comment upon accusations made by a magnate regarding attempts to fix a league race and impugning the honesty of its president. While we know that such statements are absolutely ridiculous and have not the slightest foundation, we think, in view of the fact that the magnates show an exceeding lack of confidence in one another, that the ballplayer would be foolish in the extreme to leave himself longer at the absolute mercy of anyone who without his consent might become his owner.

The fraternity has a membership of 286; almost every player in the two big leagues is enrolled. The stars, while having nothing to gain personally, have unselfishly "gone out in front" to aid their less fortunate brothers. The players have never before been so thoroughly organized nor so thoroughly in accord. For a man to go back now would be to exhibit a color distasteful to every athlete. There will be no deserters. We have every confidence that the players will "stick."

We expect no antagonism from the fair-minded progressive owner. President Johnson has gone on record as favoring the movement. He is a far-sighted man of business sagacity; he knew that an organization of some kind was inevitable, and, if we mistake not, he is much gratified that the movement has developed along the lines that it has. We expect the co-operation of not only President Johnson, but President Lynch and Chairman Herrmann.