Outside the Lines

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Joe Bruno Stadium, Troy, NY

In This Issue

A History of the Toronto Blue Jays Franchise

By Allen Tait

The Toronto Blue Jays ownership history here is part of a joint project between the Business of Baseball Committee and the BioProject site. As they are completed, the histories will appear in this newsletter and be posted permanently at https://sabr.org/bioproj/topic/team-ownership-histories. *If you are interested in doing a team's history, or part of a team's history, such as the St. Louis Browns years of the current Baltimore franchise, please contact Andy McCue,* at agmccue48@gmail.com or amccue@sabr.org, *who will be coordinating the project. Several team ownership histories are already completed or under preparation, but many still need authors.*

The histories should be as comprehensive as possible, covering the changes in ownership, the price paid, the makeup of partnerships, the division of responsibilities among the partners, the reasoning of both the buyers and the sellers, and economically significant events within the era of each ownership group. There is no need to talk about events on the field unless they have a direct impact on the bottom line or a change in ownership. It is likely that arguments with cities over stadiums and threatened (or actual) re-locations will play a role in the essays. The histories should be long enough to tell the story, but should be as tight as possible. There is no set word limit. The essays should include endnotes on sources. Heavy detail, such as the holdings of minor partners, might well be left to those endnotes.

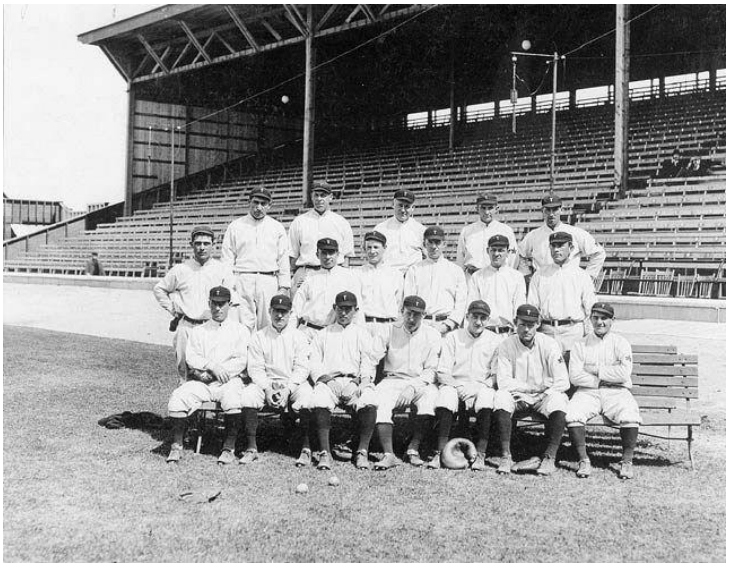
Research guidance will be available if needed. Over the long run, it will be necessary to keep updating these essays and the original researchers will be given first opportunity to do those updates.

Quest for a Franchise

Canadian sports conjure up images of ice hockey, curling and three-down football. However, baseball has a long and somewhat overlooked place in the Canadian sports scene. Prior to the arrival of major-league baseball in Canada (Montreal 1969, Toronto 1977), Toronto has had teams in baseball leagues since 1876,[1] notably the Toronto Maple Leafs of the International League from 1912 to 1967.

[1] William Humber, *Diamonds of the North* (Don Mills, Ontario: Oxford University Press, 1995), 208.

Paul Godfrey, first elected a Toronto alderman in 1968, played a key role in attracting major-league baseball to Toronto. Several factors spurred Godfrey's initiative:[2] The International League team moved to Louisville, Montreal acquired the Expos and Toronto's entry was reduced to an intercounty league franchise[3] for the 1969 season.



Before the Blue Jays, there were the Maple Leafs

In 1969 Godfrey approached Commissioner Bowie Kuhn in the Fort Lauderdale hotel where the winter baseball meetings were being held and asked for a franchise. The response: "Let me tell you the way we do it in major league baseball. First, you build a stadium. And then we consider if we want to give you a baseball team."[4]

Little progress was made until 1973. Godfrey had been re-elected and was selected as chair by his fellows. Godfrey promised to deliver a baseball franchise, domed stadium and conference center.[5] Obtaining financing to build a ballpark did not seem feasible so the focus was on renovating the existing Exhibition Stadium, which was then used for the Canadian Football League's Toronto Argonauts and rock concerts. In November 1973 Godfrey approached Ontario Premier William Davis with the following plan:[6]

- Use the existing covered north grandstand as bleachers.
- Build a new south grandstand near where home plate would be located.
- Extend a temporary fence between the grandstands to establish the outfield.
- Municipal council will contribute $7.5 million (all monetary figures in this essay are in Canadian dollars unless otherwise noted).
- Godfrey asked Davis for a similar amount. (Davis responded that no grant would be available, but an interest-free loan would be approved.)

Public support for the agreement was divided, likely because of economic conditions at the time. For example, according to Statistics Canada, the inflation rates for Canada from the years 1973-1975 were 7.8 percent, 11.0 percent, and 10.7 percent respectively. Notwithstanding public concerns, the Metro Toronto council did approve the renovation project, at an estimated cost of $15 million, by a vote of 23 to 6 in 1974. Further, the investment was considered a temporary facility until a domed stadium could be built. The actual renovation cost was $17.8 million.[7]

Now that government financial support for a temporary stadium was established, local businesspeople began assembling ownership groups to approach Major League Baseball and request a franchise. Initially three groups demonstrated interest.[8] One was fronted by Sydney Cooper, owner of C.A. Pitts Engineering Construction Ltd., which specialized in large-scale energy development, multi-lane highways, bridges, dams, tunnels, and marine construction.[9] Shortly after Montreal had obtained the Expos, Cooper formed the Toronto Baseball Company, comprising himself, his three Toronto business partners, and two Americans with connections to major-league baseball.[10] The Cooper group, initially interested in a National League franchise, also courted franchises not drawing well and supported Godfrey's efforts to

[2] Maxwell Kates and Bill Nowlin, eds. *Time for Expansion Baseball* (Phoenix: Society for American Baseball Research, 2018), 279.
[3] *Intercounty Baseball League, 100 Seasons Strong* (Self-published, 2018), 199, describes the league as "Southern Ontario's top independent baseball circuit."
[4] Stephen Brunt, *Diamond Dreams: 20 Years of Blue Jays Baseball* (Toronto: Viking, 1996), 17.
[5] Brunt, 17.
[6] Brunt, 18.
[7] Kates and Nowlin, 280.
[8] Ibid.
[9] Helena Moncrieff, "Sydney Cooper Eng.," *Canadian Jewish News Spotlight:* 2.
[10] Brunt, 20.

obtain stadium renovation funding. Ultimately, the Cooper group did not obtain the franchise as "after softening the ground, Cooper stepped aside as Labatt Breweries and others took up the cause."[11] A contributing factor appeared to be Cooper's being one of five men charged with defrauding the public of $4.2 million by bid-rigging on seven dredging contracts between 1969 and 1975. He went on trial in February 1978, was convicted May 1979, and began serving his sentence when his appeal was denied in 1981.[12]

A second unsuccessful group was headed by Lorne Duguid, a vice president of Hiram Walker and Sons distillers. The group included Harold Ballard, then owner of the Toronto Maple Leafs of the National Hockey League.[13] It is interesting to note, as recounted in the Canadian Broadcasting Corporation digital archives, that Ballard also had legal issues. He had been convicted on 48 counts of fraud, theft, and tax evasion in August 1972 for diverting business assets of $205,000 from his sport franchise for personal use. He was sentenced to nine years in prison but was released on parole in October 1973.

The successful group was fronted by the Labatt brewery. At the time the Canadian beer market was dominated by three breweries, Labatt, Molson, and Carling O'Keefe. While each brewery had a dominant market segment, Labatt did not have a strong presence in urban Ontario[14] and Toronto was (and remains) the largest urban center in the province. Completion of a feasibility study in 1974 confirmed that Labatt would benefit from associating with baseball.[15]

Initially the Labatt group approached the Cooper group about arranging marketing rights for Labatt should Cooper obtain a franchise. Cooper, after consulting with his partners, advised, "They thought that being associated with a brewery would be a bad idea, because it would adversely affect their chances of getting a franchise."[16] The Labatt group thought this response was "kind of strange,"[17] and Commissioner Bowie Kuhn confirmed that there was no issue with brewery involvement given that three clubs (Orioles, Cardinals, and Brewers) were owned by breweries.[18] The Labatt board then authorized pursuit of a franchise provided the Labatt stake did not exceed 50 percent.[19] To find partners, a high-level Labatt executive suggested contacting the Canadian Imperial Bank of Commerce (CIBC). The bank was interested but under Canadian law could not own more than 10 percent of a business. The bank chairman suggested a friend of his, businessman Howard Webster, who had previously expressed an interest in baseball. Labatt (45 percent) ultimately partnered with Webster (45 percent) and the CIBC (10 percent).[20]

During the period of the Exhibition Stadium renovations, there had been some preliminary discussions about the possibility of the Cleveland Indians, San Diego Padres, or Baltimore Orioles moving to Toronto although none of these discussions progressed to an announcement of a franchise move.[21] This was not the case in 1975 with the San Francisco Giants.

The Giants and owner Horace Stoneham were in financial trouble and for sale. Labatt calculated the value of the Giants at $8 Million US. However, there were competing bids of $10 million from a Washington, D.C., group and $15 million from the still-active Ballard group. Labatt came in with a bid of $12.5 million US.[22] On January 9, 1976, at 4:52 P.M. EST, Godfrey announced that the Giants' board had approved the sale and transfer of the team to the Labatt group, pending National League owners' approval. The price was $12 million US plus $1 million in trust for potential legal costs associated with breaking the Candlestick Park lease.[23] San Francisco Mayor George Moscone immediately took legal action that led to the issuance of a temporary restraining order against the transfer. By March 2, 1976, Moscone had found a local ownership group and the National League owners approved them, keeping the Giants in San Francisco. Details of the San Francisco ownership changes are contained in the SABR essay on the Giants ownership history prepared by Rob Garratt

[11] Moncrieff, 7.
[12] Brunt, 26.
[13] Brunt, 21.
[14] Brunt, 12.
[15] Brunt, 15.
[16] Brunt, 21.
[17] Ibid.
[18] Ibid.
[19] Brunt, 22.
[20] Ibid.
[21] Kates and Nowlin, 281.
[22] Brunt, 33.
[23] Brunt, 35.

(sabr.org/research/san-francisco-giants-team-ownership-history).

The existence of a natural rivalry with the Expos, combined with the near transfer of the Giants, meant that the Toronto ownership groups were focused on the National League. Little attention had been paid to pending expansion in the American League. The Seattle Pilots had relocated to Milwaukee after their inaugural 1969 season. The State of Washington had filed a $32 million antitrust lawsuit against the American League and the suit was dropped when the American League agreed to expand for the 1977 season.[24] A second franchise was expected to be awarded at an American League owners meeting scheduled for March 29, 1976, to avoid complexities of a 13-team league. The owners were willing to hear presentations from any group interested in a franchise.

Having "lost" the Giants officially on March 2, the Labatt group had 27 days to prepare a bid for an expansion franchise. Beyond other cities interested in a franchise, Labatt also faced competition from a recently assembled Toronto-based corporate consortium fronted by five business entities and leaders including Carling Brewery and businessman Trevor Eyton. Jerry Hoffberger, owner of the Orioles, having had brewery business dealings with Carling, was supportive of the Carling bid.

Exhibition Stadium, a renovated football stadium served as the first home of the Blue Jays

On March 29 the American League owners met and listened to presentations from all interested bidders, including the two bids from Toronto. The Labatt bid was accepted by a vote of 11 to 1. Hoffberger, supporting the Eyton group, was the lone dissenting vote. Hence, Labatt was awarded a franchise for $7 million US.[25] Eyton later became an important factor in construction of the domed ballpark.

American League President Lee MacPhail stated, "Several cities contacted us. Toronto was our first choice. Toronto is a large metropolitan area. The city has a newly remodeled stadium satisfactory to us. It's just being completed now. For baseball, it will hold about 50,000."[26] MacPhail did not identify the unsuccessful cities that bid, but it was public knowledge that Commissioner Kuhn was interested in placing a franchise in Washington. Given that American League teams had left Washington in 1961 and 1972, it is not unreasonable to surmise that this was a factor in the American league choosing a new market in Toronto over placing another expansion franchise in Washington.

The eight-year quest for a franchise (1969-1976) had required a political and business partnership, but there was some elbowing over dividing the credit. "Godfrey was very helpful from a general point of view as far as getting the stadium and baseball going and getting people to appreciate the desirability of Toronto," said an anonymous observer with connections "back to the franchise's beginnings." "But he didn't play any role in getting the team. The guys at Labatt resent Godfrey being credited with bringing baseball to Toronto, because he didn't put up the money. I think Godfrey deserves a reasonable amount of credit for bringing baseball to Toronto, but I think calling him 'the man who brought baseball to Toronto' is a bit of an overstatement. Still, Godfrey hasn't postured to get

[24] Kates and Nowlin, 282.

[25] Brunt, 47.

[26] *The Sporting News*, April 3, 1976: 28.

more credit than he deserves. And I think the Labatt resentment was an over-reaction."[27]

The new ownership group, fronted by Labatt, faced an early controversy over the selection of Blue Jays as the team name. A name-the-team contest reportedly generated 4,000 names from 30,000 entries. Given that a prominent beer brand for Labatt at the time was Labatt's Blue, there was some negative media and public suspicion that selection of Blue Jays was a marketing ploy. A Labatt spokesmen replied, "It wasn't lost on us, but it wasn't decided because of that. It was probably a 10 percent factor."[28]

The ownership group also faced financial pressure because the Ontario government prohibited the sale of beer at Exhibition Stadium.[29] A group calling itself the "No Booze at the Ballpark Committee" convinced the Ontario government that the sale of beer would create a rowdy environment, dangerous drivers would leave the ballpark, and it could lead to a slippery slope where beer would be sold at hockey games and other sporting events. Fans unhappy with the decision referred to the ballpark as Prohibition Stadium. The decision stayed in place until July 30, 1982, when the Ontario government allowed beer to be sold on a trial basis.

Local broadcasting rights were another area of negotiation. In 1977 there were no Canadian specialty sport channels. There were two primary national television networks. The Canadian Broadcasting Corporation (CBC) was a Canadian Federal Corporation and served as the nation's public broadcaster. The other network was the privately owned CTV. For 1977, CBC paid $1.2 million to broadcast 46 Blue Jays games in English and 18 in French.[30] By 1980, local television rights had grown to $3 million.[31]

The Building Years 1977-1982

Labatt, as the public face of the ownership group, brought a business perspective to operating the ballclub. Lacking executives with major-league baseball experience, Labatt hired key personnel with such experience. Notable among the early hires were Peter Bavasi, son of Buzzie Bavasi, as general manager, and future Hall of Famer Pat Gillick as assistant general manager. In December 1977 Bavasi was promoted to club president, remaining in the post until 1981, and Gillick was promoted to general manager, serving until 1994.

The owners treated the baseball club as an operating division and required an annual operational plan. This allowed Bavasi and Gillick to demonstrate they had business sense while setting realistic ownership expectations. For example, expansion teams usually have limited success in the early years, with attendance falling as the novelty wears off. The first plan was presented in the fall of 1977 after completion of the first season.[32]

Peter Bavasi, first Blue Jay GM

- The financial success of 1977 was not entirely expected and should not be expected in 1978 as novelty will be absent.
- Long-term financial success is expected based on the area's population density, high disposable income, success of other area professional teams, perception of inexpensive family entertainment, credible ownership and good public relations.
- To maintain fan interest going forward, signs of improvement must be shown necessitating a total financial and philosophical commitment to player acquisition and development by ownership and management.

A note about exchange rates. Most of the Blue Jays revenue was received in Canadian dollars and most expenses (player salaries, travel) are paid in US dollars. Although the Canadian dollar has briefly traded a few cents above the US dollar while the Blue Jays have been in operation, Bank of Canada charts show that the Canadian dollar has trended around 80 cents to the US dollar (occasionally dipping a few cents below 70). As a result, the Blue Jays incur an expense premium that has reached as high as 35 percent. Financial tools such as forward

[27] Brunt, 19.
[28] Brunt, 61.
[29] *Canadian Broadcasting Corporation Archives*, March 23, 1977.
[30] *The Sporting News*, April 9, 1977: 38.
[31] *The Sporting News*, April 26, 1980: 32.
[32] Brunt, 66.

exchange contracts are often used by Canadian companies to manage this risk and it is likely the Blue Jays would have deployed such strategies.

The ownership group, given a lack of turnover of baseball executives on the club, appeared satisfied with this approach through the 1980 season. However, the Jays, winners of 54 games in 1977, had only risen to 67 wins by 1980 and attendance had fallen from 1.7 million to 1.4 million. Further, baseball was facing labor issues culminating with the 1981 player strike. Bavasi attempted to address ownership concerns about the franchise with a lengthy address in January 1981.[33]

- The Blue Jays are one of a few remaining clubs attempting to make a profit and win games by developing players and trading for others.
- For long-term competitiveness, we need to start spending more lavishly to recruit better players and bind our younger players, so they can't escape through free agency.
- This spending pattern, given present ticket pricing policies and income patterns, makes meeting the profit objective very questionable.
- The Board needs to choose between major price adjustments or accept substantial cash losses until the club performs well enough to attract high attendance.
- Average player payroll has increased at a rate of nearly 30 percent per year for each of the last four years with no end in sight.
- Ticket prices and other revenue increases have not kept pace.
- When Toronto first obtained a franchise, business plans were based on the major leagues controlling the economic environment supported by the player reserve system.
- Beginning in 1976, an arbitration decision and a new union contract has created a virtual open player market.
- The impact on the Blue Jays has seen the 25-man payroll increase from $850,000 in 1977 to $2 million in 1980.
- The choices, higher ticket prices, not knowing what the market will bear; or limiting investment in talent and creating a public impression that management is not trying to win, could both lead to a fall in attendance.

[33] Brunt, 109.

By the summer of 1981, Bavasi began to prepare his fall report to the board, aware of growing ownership discontent with the direction of the ballclub. Attendance was falling, the team finished the season with a .349 winning percentage while Bavasi had previously projected that the team would be a .500 ballclub by 1980.[34] And a midseason strike had soured many baseball fans. The report cited four economic realities and four budget options.[35]

<u>Economic Realities</u>

- Of the five new owners of ballclubs in the past 18 months, three (White Sox, Cubs, and Mariners) have not shown player-spending restraint and it seems unlikely the existing big spenders will start to show restraint.
- Assuming the 1981 season had been played in full, the Blue Jays, with a payroll of $2.5 million, would have realized a profit of $1.7 million if attendance had met expectations for the unplayed games; however, if the Blue Jays had the average major-league payroll of $4.9 million, at the same attendance level a loss of $700,000 would have been incurred.
- The foreign exchange rate to the US dollar hurts profitability.
- Poor stadium lease terms (i.e. 16.2 percent of concessions and no beer sales) also hurt the bottom line.

The impact of these economic realities, the report said, is that increased spending on high-profile players, assuming they meet performance expectations and weather permitting, would lead to a substantial financial loss despite achieving a better won-lost record. A better record would increase attendance and a better local television contract; however, these increased revenues would be insufficient to cover the increased payroll cost. On the contrary, a failure to invest in better players would create a public confidence problem and a decrease in attendance would also have a negative impact on profits.

<u>Budget 1</u>

No major change to roster and a reduction of the farm system from six teams to five. Result, profit $600,000 with attendance holding at 1.4 million.

[34] Brunt, 117.
[35] Brunt, 118.

Budget 2

No major change to the roster and maintaining the farm system at six teams. Result, profit $400,000, with attendance holding at 1.4 million and future team advancement accelerated by results from maintaining the extra farm team.

Budget 3

Acquire two or three veteran players through trade, purchase or waiver claim and maintain the six farm teams. Result, break-even based on a slight increase in attendance.

Budget 4

Acquire two veteran players through trades, sign two free agents and maintain a farm system of six teams. Result, $1.3 million loss despite a 300,000 increase in attendance.

Bavasi recommended budget 3. However, due to friction between key parties in the front office, Bavasi resigned effective December 1981.[36] The internal friction within management had been building for some time. In 1981 Bavasi advised Blue Jays board vice chair Peter Hardy that Paul

Paul Beeston, first hire of the expansion Blue Jays

Beeston, the team accountant and the club's first hire, had resigned. Hardy recalled that he had had growing concerns about Bavasi and his management style and requested an exit interview with Beeston. A reluctant Beeston, after a lot of probing, stated his concerns. "Beeston let loose, painting a picture of a tyrannical boss, a terrified, demoralized staff, and others on the verge of leaving. Among the latter, Beeston told Hardy, was Pat Gillick, who would soon follow him out the door if Bavasi remained in place. "The killer," Hardy said, "was that he told me that Gillick shared the same view."[37] As Hardy recalled, the choice was we keep two and lose one or keep one and lose two.

Ownership did choose to invest long-term, following budget 4, and financial rewards were eventually realized. In 1982, the first year of Bobby Cox as manager, performance improved (75-84) although attendance fell to 1.3 million. On July 30, 1982, the Ontario government finally allowed beer to be sold at the ballpark on a trial basis.[38] There were conditions attached: Beer could be sold only at concession stands, with a maximum of two per sale, and no beer vendors were allowed in the stands. Further, if there were too many alcohol-related problems, permission would be revoked. The media questioned how many fans would be willing to pay $1.75 a cup, a concern that proved unfounded.

News reports from that era do not refer to public lobbying efforts to lift the beer ban. The extent of behind-the-scenes lobbying is unknown because of Cabinet confidentiality. Amendments to the Liquor License Act of Ontario in 1990 allowed the sale of alcohol at professional sporting events in the province.

SkyDome

Exhibition Stadium was intended to be a temporary facility until a domed stadium could be built. The ballpark had adequate capacity, 44,649, but seating could be uncomfortable. Only the outfield bleachers had a roof. Down the right-field line, the seats were aluminum benches.

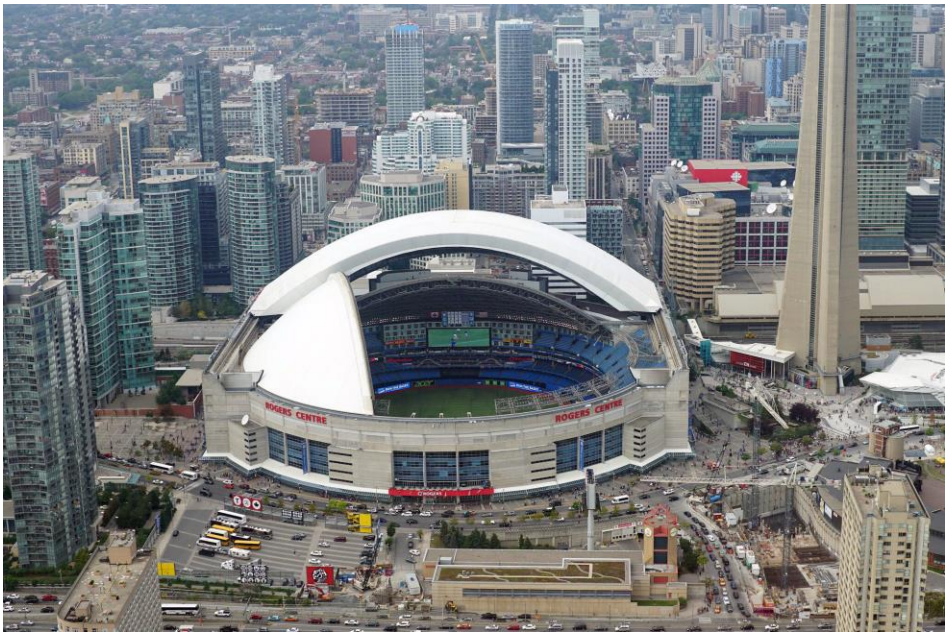
Weather was always a concern for early- and late-season games at Exhibition Stadium. Concerns were greater as the prospect of the Jays playing in the postseason became legitimate. While summers were pleasant in Toronto – average highs between 70 and 80 degrees Fahrenheit from June through September – the average lows and highs for April (33-53), May (43-65), and October (39-44) made for some unpleasant conditions. The discomfort level was magnified by the fact that the ballpark had no cover for fans except in the north bleachers and, particularly in the spring, the warmer southerly winds were cooled by Lake Ontario, immediately south of the stadium. The phrase "cooler by the

[36] Brunt, 133.

[37] Brunt, 131.

[38] *CBC Archives*, July 30, 1982.

lake" is used with some frequency in spring weather forecasts for Toronto.



The Rogers Centre, nee SkyDome, opened for business on June 5, 1989

Official progress for construction of a domed stadium began in 1983 when Ontario Premier William Davis proposed the construction of a $150 million facility supported by all three levels of government (federal, provincial, municipal).[39] After an eight-month study, a location was recommended at Downsview Park, 11 miles from downtown Toronto and adjacent to Downsview Airport, an air force base. The location was accessible by highway and public transit. However, the federal government was not interested in having a ballpark in the vicinity of the base.[40] Ultimately, the Canadian National Railway offered undeveloped rail-yard land by the downtown CN Tower and the site was selected in January 1985. The site was within easy walking distance of Union Station, a major transportation hub for the Toronto subway system as well as the primary commuter and intercity railway terminal.

The federal government was also not interested in providing financing, thus necessitating a public/private partnership with a sharing of profit and risk. An August 1983 feasibility study said, "Our analysis indicates that private financing is not a viable method for the domed stadium. The main reason is projected net operating revenues are insufficient to generate positive cash flows (after debt service)."[41] A 25-member corporate consortium was organized by Trevor Eyton, the CEO of Brascan and an early bidder for the team.[42] Each corporate partner agreed to contribute $5 million in exchange for exclusive promotion or concession rights. To increase the potential revenue stream, the project was expanded to include restaurants, a hotel, and a health club.[43] It is interesting to note that Brascan at the time was the controlling shareholder of Labatt. This meant that through the corporate ownership structure, Eyton now had a role in the ownership of the Toronto baseball franchise despite being an unsuccessful bidder in 1976.

The next task was selection of an architect. Four bidders competed for the contract to design and build the stadium, which would include a retractable roof. The award of the contract with a $225 million budget to architect Rod Robbie (six employees, zero experience in building skyscrapers, shopping malls, or convention centers) in conjunction with Canadian structural engineer Michael Allen to build the retractable roof was met with skepticism.[44] From a technology standpoint, the skeptics were wrong. The roof has worked as designed since the day SkyDome opened, June 5, 1989, with a seating capacity of 50,516.

Budget management for construction of the SkyDome was not a success story. The final construction cost for the dome, including interest charges, is estimated at $650 million.[45] The large budget increase was not strictly related to poor project management. Plans for a hotel and health club were added during construction. Although the original agreement was for a sharing of profit and risk between the corporate consortium and the

[39] Brunt, 150.
[40] Ibid.
[41] Ibid.
[42] Ibid.
[43] Brunt, 151.
[44] John Mays, "Designed SkyDome as 'a Pleasure Palace for the People,'" *Globe and Mail* (Toronto), January 6, 2012.
[45] Ibid.

provincial government, the government ended up protecting the consortium members from the overrun losses. This ultimately led to a $300 million write-off being incurred by the provincial government.[46] In 1993 the provincial government sold the SkyDome to a private company chaired by Eyton for $150 million. In 1999 SkyDome was sold again under supervision of a bankruptcy court for $80 million to Sportsco International Limited Partnership. In 2004 the current Blue Jays ownership purchased the $650 million stadium for $25 million and renamed the facility the Rogers Centre.[47]

The major factor for the decline in value was the accumulation of excessive debt during construction. By 1993 the debt had climbed to $400 million due to missed interest payments. This was worrisome given the cash flow generated after the Blue Jays won back-to-back World Series titles in 1992 and 1993 while drawing 4 million-plus each season from 1991 through 1993. A recalculation of cash-flow budgets indicated that the SkyDome had to be open for events 600 days per year to cover costs and generate a small profit.[48]

Despite the consortium purchase price at around the original stadium budget, finances did not improve. The 1998 bankruptcy filing indicated that the owners were losing $3 million a year and owed millions in back property taxes.[49]

An Era of Success 1983-1993

Ownership discipline to build a franchise and leave baseball decisions to experienced baseball executives like Pat Gillick paid dividends over this 11-year span. The Blue Jays were over .500 for 11 consecutive years and made five postseason appearances including back-to-back World Series titles in 1992 and 1993.

The 1985 season was the first in which more than 44 Blue Jays games were televised.[50] Canada's first Canadian sports channel, The Sports Network (TSN), had been launched September 1, 1984.[51] Although TSN was owned by Labatt, it picked up only an additional 40 games beyond the existing 44 that had been broadcast the prior year.[52]

During this era, the Blue Jays were led by Pat Gillick on the baseball side and Paul Beeston on the business side. Beeston, an accountant and the first hire of the Blue Jays, grew to understand the business of baseball. As one Labatt executive commented, "Once he started to deal more with some of the other baseball ownership, he developed quite rapidly."[53] In 1989 ownership changed the operating structure of the Blue Jays from co-vice presidents (Beeston and Gillick) and named Beeston president.[54]

Joe Carter hit the most famous home run in Blue Jay history

In August 1990, 45 percent owner Howard Webster died. According to the ownership agreement, the existing partners had the first right to purchase his ownership interest. The Canadian Imperial Bank of Commerce, by Canadian law, could not increase its ownership stake beyond the existing 10 percent. On November 1, 1991, Labatt purchased Webster's stake for $67.5 million.[55]

[46] Brunt, 151.
[47] Marcus Gee, "SkyDome's Legacy: Not with My Money, Never Again," *Globe and Mail*, June 3, 2009.
[48] *CBC Archives*, February 9, 2011.
[49] *CBC Archives*, November 26, 1998.
[50] *The Sporting News*, April 9, 1984: 30.
[51] *History of Canadian Broadcasting*, May 2014.
[52] *The Sporting News*, April 8, 1985: 36.
[53] Brunt, 191.
[54] Brunt, 192.
[55] Brunt, 215.

The June 1989 move to the SkyDome led to greater financial success. In 1991 the second full season there, the Blue Jays became the first professional sports franchise to draw 4 million attendance in a season.[56] This led to a profit of $17.5 million, up from $14 million in 1990 and $10 million in 1989.[57] However, this success led to a business challenge when planning for the 1992 season. Heading into that season, the Blue Jays still had not won a World Series title and having reached the 4 million mark in attendance in 1991 meant that if the club sold out every game, attendance would rise by only 74,000.[58] Management authorized additional spending, the World Series was won and in the spring of 1993, *Financial World* magazine estimated that the Blue Jays were tied with the Los Angeles Lakers for third most valuable franchise in sports at an estimated $115 million.[59] (The top two franchises were the Dallas Cowboys and New York Yankees.)

The Blue Jays increased their payroll in 1993 and were the top spenders in baseball. As a result, the Jays calculated that they broke even for the year, thanks to the playoff revenue, although Labatt realized profit through increased beer sales and broadcasting revenues.[60]

A Corporate Takeover – Interbrew Era 1994-2000

Since the inception of the Blue Jays, Labatt was perceived as the owner. However, the true corporate ownership structure was much more complex and led to a major change for the Blue Jays after their back-to-back World Series titles.

The Labatt corporate history dates from 1847 when John Labatt first began making beer. The company was privately held until 1945, when it went public to raise capital for a major expansion following World War II.

In the 1970s an investment/holding company, Brascan, began increasing its stake in Labatt. By the late ’80s, Brascan owned 41 percent of Labatt, making it the controlling shareholder. In February 1993 Brascan sold its stake in Labatt for $993 million to investment dealers who in turn sold the shares to pension funds and insurance companies.[61]

By the fall of 1994, Labatt was struggling financially. An investment in a Mexican brewery was not doing well due to a fall in the peso. The Blue Jays had a losing record; baseball had a strike canceling the World Series; because of the strike, attendance fell to 2.9 million from 4.1 million despite an Opening Day payroll of $41.9 million, second highest in baseball; and Pat Gillick retired in October. The Blue Jays’ profit of $3 million in 1993 became a $10 million loss in 1994.[62] Said Beeston, “The day that Brascan sold their interest, the company was in play, there was no major shareholder.”[63]

In May 1995 Onex Corporation, a private equity firm, launched a hostile takeover bid for Labatt.[64] This was a concern to the Blue Jays because it was believed the takeover would be financed by pension and mutual fund advisers and the sale of Labatt assets.[65] In June 1995 Labatt found a white knight in Belgian brewer Interbrew.[66]

Interbrew indicated it was not interested in owning the Blue Jays and asked Major League Baseball to approve temporary ownership. MLB agreed on condition that Beeston remain president of Blue Jay operations.[67] Beeston recalled that his first presentation of an operational plan to the new ownership was different from the Labatt experience.[68] He told a Belgian brewery representative in New York that 1995 attendance of 2.8 million for 72 home dates at an Opening Day payroll of $49.8 million (highest in baseball), and a losing record for the second year in a row had led to a $15 million loss. For 1996, Beeston said, the proposed budget was a small profit based on a $30 million payroll assuming projected attendance of 2.6 million and a Canadian dollar worth 73 cents US. The budget was approved.

[56] Brunt, 212.
[57] Brunt, 234.
[58] Brunt, 235.
[59] Brunt, 283.
[60] Ibid.
[61] Brunt, 297.
[62] Brunt, 298.
[63] Brunt, 297.
[64] Derek Decloet, “At Labatt, They Miss the Belgians,” *Globe and Mail*, September 15, 2006.
[65] Jacquie McNish, “Strike 3 for Gerry Schwartz,” *Globe and Mail*, January 19, 2001.
[66] Decloet.
[67] Brunt, 299.
[68] Brunt, 319.

Although ownership was to be temporary, Interbrew was unable to sell the Blue Jays until 2000. After two additional seasons of losing records, the Blue Jays had a winning record for the last three seasons of Interbrew ownership. That did not stem the tide of falling attendance; it declined to 1.7 million in 2000.

Rogers Communications 2000-Present

Rogers Communications Inc. purchased a 70 percent interest in the Blue Jays from Interbrew and the 10 percent Canadian Imperial Bank of Commerce interest in September 2000 for $165 million. A press release referred to the purchase being part of a North American trend to combine entertainment and communications companies. Rogers was Canada's largest cable company and owned a sports channel. Paul Godfrey was named CEO of the Blue Jays, and remained until 2008.

In 2004, when Interbrew was purchased by Inbev, Rogers acquired the remaining 20 percent interest in the Blue Jays. As of 2019 ownership of the Blue Jays is officially listed as Rogers Blue Jays Baseball Partnership, a private company. As a result, there is little financial information publicly available. A review of the Jays won-lost record under Rogers ownership, in conjunction with payroll data published by *USA Today* indicates that the current ownership group does invest in the team through the winning record/losing record cycles. From 2000 through 2018, the Jays have had a winning record 10 of 19 years with two postseason appearances. In the same time frame, Opening Day payroll has fluctuated between $45.7 million and $164.1 million, ranking between 7th and 25th in baseball.

Rogers ownership included significant control over broadcast rights. Sportsnet, a second Canadian sports channel, was launched in 1998. Sportsnet was originally a joint venture, including Rogers Media as it was then known. By 2004, Rogers was the sole owner of Sportsnet and effective for the 2010 season, Sportsnet became the sole broadcaster for all 162 Blue Jays games.[69]

[69] *2010 MLB Advanced Media*, May 20, 2010.

Recently Published Research

This column highlights recently published articles on topics that may interest members of the Business of Baseball Committee. If you are aware of a source that publishes articles of interest to the readership, please alert me so that I can monitor it.

Johnson, Thomas C., "Television, Pro Football and Mobile Privatization, 1939-1970," Historical Journal of Film, Radio & Television 41, no. 2 (June 2021): 338-53

This article examines the development of the pairing of pro football and television from 1939, the year of the first broadcast of a pro football game until 1970, the first year the NFL broadcast Monday night games on ABC. Highlighting text from periodicals, including Sponsor, a magazine that served commercial broadcasting, radio, and television advertising buyers from 1946-1964, this article deconstructs socio-historical contexts, both institutional and ideological, that contributed to the coupling of pro football and television. Importantly, it places this history into conversation with Raymond Williams's concept of mobile privatization to demonstrate that pro football's materialization on television engaged emerging domestic viewing patterns and rituals of the 1950s and 1960s, ultimately setting the table for how the American television viewing public watches and participates in the game today.

Kaal, Harm, "Boundary Disputes: New Approaches to the Interaction between Sport and Politics in the Postwar Years," Journal of Modern European History 19, no. 3 (August 2021): 362-79

Although often framed as politics ultimate 'other', it is hard to ignore that sport and the political are intimately connected. Historians, however, have up until now hardly reflected on the nature of this connection in the postwar years, on how the *politicisation* of sport has actually taken shape, and how actors and institutions have delineated, navigated, and crossed the boundaries between the two. This article tackles these questions through an analysis of three vectors of politicisation: political communication, struggles over the use of space, and governance and policy making. Based on a discussion of recent work at the intersection of political history, sport history, political science, geography, and communication studies, the article

unearths the relationship between sport and personalised modes of political representation, explores the role of sport spaces as sites of community building and conflict, and the instrumentalisation of sport in policy schemes of the welfare state. It shows how policy schemes and governance arrangements drew sport into the orbit of the state; maps the various actors and institutions at the intersection of sport and politics, ranging from local residents' groups to international non-governmental organisations; and highlights the gendered, exclusionary nature of new, popular forms of political communication through sport. All in all, the article makes the case for sport as a highly relevant field to engage with for those who are interested in the postwar history of political power, representation, communication, and governance.

Akhigbe, Aigbe, Melinda Newman, and Ann Marie, "Is There a Differential Market Size Effect in U.S. Free Agent Signings? Evidence From Localized Sentiment Trading," Journal of Sports Economics 22, no. 6 (August 2021): 678-721

We consider three professional sports and examine if there is a disparate return response to free agent signings with small versus big market franchises. After controlling for player ability, contract characteristics, and negotiation conditions, we find evidence of a more pronounced negative small market effect in response to both basketball and baseball signings, and a more pronounced negative big market effect in response to football signings. Our results suggest that differential market size sensitivities are complex, reflecting the influence of factors such as player ability and compensation in ways that are highly nuanced and unique to each league.

Burdina, Mariya, and Scott Hiller, "When Falling Just Short is a Good Thing: The Effect of Past Performance on Improvement," Journal of Sports Economics 22, no. 7 (October 2021): 777-98

Models of reference-dependent preferences show that an individual's utility depends on the difference between the outcome and a "neutral" reference point. Our paper investigates how distance from reference points affects future performance. We find that round numbers and personal bests motivate runners and that missing the goal by a small amount improves future performance. For those who achieve their goal, future performance suffers slightly. In empirical analysis, we use an extensive panel of marathon data, which contains a past running history for every runner in our sample and allows us to estimate runners' ability and experience.

Keeler, Zachary T., Heather M. Stephens, and Brad R. Humphreys, "The Amenity Value of Sports Facilities: Evidence from the Staples Center in Los Angeles," Journal of Sports Economics 22, no. 7 (October 2021): 823-63

U.S. cities have recently experienced a boom in new sports facility construction. Although these facilities can provide benefits to local residents, they may also generate negative externalities, making dwellings near a facility less desirable. Using a hedonic spatial difference-in-differences model, we analyze the impact of proximity to the Staples Center, a sports and entertainment venue in downtown Los Angeles, California, on house prices. Results indicate that the arena opening increased nearby house prices and that there were also positive "anticipation" effects associated with the announcement of the new arena location and local government approval.

Team Ownership Histories Project

By Andy McCue

The project (https://sabr.org/bioproj/topic/team-ownership-histories) continues to grow and evolve.

In the past few months, we've added John Bauer's essay on the ownership history of the Padres and Mark Stangl's piece on the Cardinals is in the editing process.

Also in the editing process is Bill Lamb's ownership history of the Indianapolis Hoosiers of the Federal League. This is part of an expansion of the project in which we search for ownership histories of teams in the Negro Leagues, AAGPBL, Federal League, Players League, Union Association, American Association and even the National Association. Several defunct National League franchises have already been completed and posted.

The newest work joins earlier essays on the Mets (Leslie Heaphy), the Boston Braves (Bob LeMoine), the Red Sox and Yankees (Dan Levitt and Mark Armour), the Indians (Dave Bohmer), the Dodgers (Andy McCue), the New York Giants (Bill Lamb), the Diamondbacks (Clayton Trutor), San Francisco Giants (Rob Garratt), Miami Marlins (Steve Keeney), Phillies (Rich Westcott), Blue Jays (Allen Tait), Mariners (Steve Friedman), St. Louis Browns (Greg Erion), both versions of the Washington Senators (Andy Sharp), the Montreal Expos (Joe Marren) and the Royals (Dan Levitt).

Working on drafts are Mike Haupert (Cubs), Brian Erts (Reds to 1968), Steve West (Rangers), Nick Waddell and Jeff Samoray (Tigers), Ed Edmonds (Reds from 1968), Ken Carrano (White Sox), Gary Olson (Twins), Seattle Pilots (Andy McCue), Pittsburgh Pirates (Joe Wancho and Blake Sherry) and Dennis Degenhardt (Brewers).

That leaves the Milwaukee Braves, Atlanta Braves, Washington Nationals, Colorado Rockies, Los Angeles Angels, Houston Astros, Philadelphia/Kansas City/Oakland Athletics, Tampa Bay Rays, and Baltimore Orioles.

Anyone interested in the un-assigned teams or those of defunct franchises should contact Andy McCue at agmccue48@gmail.com or amccue@sabr.org.

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A Call for Submissions

The Business of Baseball Committee has more than 700 registered members. We are sure many of you are doing research that would be of interest to your fellow SABR members. Please consider sharing your work in the newsletter, which is especially well suited to preliminary versions of work you may wish to publish elsewhere. *Outside the Lines* is an excellent outlet for the publication of your research on any topic of baseball that occurs "outside" the playing field. Submissions can be directed to Mike Haupert at mhaupert@uwlax.edu.

MLB Team Employee Directory Project Update

The Business of Baseball Committee has embarked on building a historical database of major league baseball employees. Sean Lahman has been helping compile the data, and we are in the queue with SABR's web consultant to turn our efforts into a more formal database.

We have a terrific group of volunteers who have made this project possible: to date we have completed roughly 1500 team-seasons and have another 100 or so assigned. All the media guides that we have access to either electronically or in hard copy have been either assigned or entered (other than 2020 and 2021). If you have access to historical media guides or other sources of employee information and would be willing to either copy the key pages for others or enter the data yourself, please let us know, and we can let you know if we need the team-seasons. We are also working on tracking down additional media guide team employee pages.

Please contact project coordinator Dan Levitt at dan@daniel-levitt.com with any questions or comments.

BUSINESS OF BASEBALL COMMITTEE

The Business of Baseball Committee co-chairs are Dan Levitt dan@daniel-levitt.com, and Mike Haupert (mhaupert@uwlax.edu. Haupert edits Outside the Lines. The committee's website is at http://research.sabr.org/business/. You should stay in touch with the site as we improve the look and add content.

Ed Walsh, an original Nats owner, recruited Clark Griffith

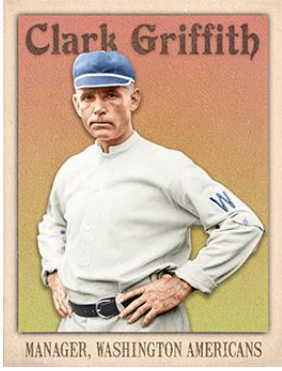
By Andrew Sharp

In October 1911, as the Philadelphia Athletics were playing the New York Giants in the World Series, Edward J. Walsh, an original stockholder and director of Washington's American League franchise, met with Cincinnati Manager Clark Griffith at Philadelphia's 30th Street Station.[70] That

[70] Shirley Povich, *The Washington Senators*, G.P. Putnam's Sons, New York, 1954: p 61, and an unpublished biographical essay on Edward Walsh shared with this author by Taylor Walsh, grandson of Edward Walsh.

meeting helped determine the fate of Major League Baseball in Washington for nearly 50 years.

Walsh was there to ask Griffith, the former pitcher who helped found the American League, if he would be interested in managing Washington, with a chance to become a part owner. Griffith, eager to gain part ownership of any big league club, had been thwarted years earlier in his attempt to buy a share of the Detroit franchise. He wasn't about to miss another chance.



Before the month ended, Walsh had Griffith meet with Washington team president Thomas Noyes, a man Griffith knew, and the board of directors at a club off Lafayette Square, near the White House. The board told Griffith that the team was doubling its capital stock in part to help pay for rebuilding the wooden stadium that had been destroyed in a fire the previous March. Several of the board members, all part owners of the team, let Griffith know that if he had the money, he could buy into the ownership group.[71]

Griffith's eagerness to take them up on the offer led several of the owners to raise their asking price to $15 a share from $12.50. However, Noyes, Walsh and Benjamin Minor agreed to sell 1,200 of their shares to Griffith for what they had originally paid for them. Then, if Griffith had the money to do so, he could buy 800 shares from the other directors at $15 a share, giving him 2,000 shares, or 10 percent ownership. That would make him the largest single shareholder. A deal was struck and on October 27, 1911, Clark Griffith signed a three-year contract to manage the Senators.[72]

At that point, Griffith did not have enough money for the shares he had agreed to buy. Turned down for loans by Ban Johnson and Charles Comiskey, Griffith mortgaged his ranch in Montana to complete the deal.[73]

With the help of the two finest seasons of Walter Johnson's career, Griffith led Washington to a second-place finish, winning 90 games in 1912, and a third-place finish and 81 wins in 1913. Their previous best finish had been sixth place, last achieved in 1902.

Noyes did not live to witness much of the success. He died of pneumonia at age 44 on August 21, 1912. At season's end, Minor was elected team president, Walsh was named secretary, and Rapley treasurer. The three men, who had become part owners at the establishment of American League baseball in Washington,[74] remained in their ownership roles until selling their shares to Griffith and his silent partner, William Richardson, at the end of the 1919 season.

Walsh remained on good terms with Griffith and handled some insurance work for the team over the years until his death in 1946.[75] When Walter Johnson arrived in Washington in 1907, he stayed briefly with Ed Walsh at the family's home in Chevy Chase.[76]

The son of Irish immigrants, Ed Walsh was born in Washington in 1870. His family lived above the grocery store they owned in Northwest D.C.'s Swampoodle neighborhood, home to the ballpark of one of the city's early professional teams, the National League's Washington Statesmen, from 1886 to 1889.

Walsh attended St. John's College High School and Georgetown University, where he played on the baseball team. After graduating from Georgetown in 1893, he began a career in the insurance business in the District. It's not clear how or when he came to know Byron Bancroft "Ban" Johnson, the founder of the American League, but in the fall of 1900, Johnson enlisted Walsh, lawyer Benjamin Minor, and William "Harry" Rapley, owner of the National Theater, as investors in a Washington franchise in the new major league.[77]

Although Johnson said publicly that Jimmy Manning, who essentially was moving his Kansas City team to D.C., and Fred Postal, a Detroit hotel

[71] Povich
[72] *Washington Post*, October 28, 1911.
[73] Ted Leavengood, *Clark Griffith*, McFarland & Co., Inc., Jefferson, N.C., 2011: pp 99-100.

[74] Taylor Walsh
[75] Interview with Taylor Walsh, grandson of Ed Walsh. Taylor Walsh is working on a biography of his grandfather.
[76] Taylor Walsh's biographical essay on his grandfather.
[77] Walsh

owner, would be the primary stockholders in the Washington team, Johnson himself held 51 percent of the shares.[78] Walsh, Minor and Rapley did not become owners until Manning and Postal were long gone.

In 1905 Johnson sold his shares to a local group that included Noyes, whose family owned the Evening Star, Scott Bone, Henry West, Thom Corcoran, Walsh, Minor, and Rapley.[79]

The key role Ed Walsh played in bringing Griffith to Washington is briefly mentioned in passing in previous histories of the Senators written by Shirley Povich (1954) and Tom Deveaux (2001).[80] Ted Leavengood also mentions Walsh in his 2011 biography of Griffith. While the name is familiar to most baseball fans, Ed Walsh is most often associated with the Hall of Fame pitcher for the White Sox. Even most diehard fans know nothing about the Ed Walsh who played an important role in bringing Clark Griffith to Washington.

Ed Walsh (not the Hall of Fame pitcher) and Ban Johnson (courtesy of the Walsh family photo collection)

[78] Povich
[79] Povich
[80] Tom Deveaux, The Washington Senators 1901-1971, McFarland & Co., Inc., Jefferson, NC, 2005.

Troy Triumphs? A New Perspective on Early Baseball Franchises and City Population

By Bruce Allardice

Modern business franchises, in baseball as well as in other businesses, will do, and are able to do, sophisticated market analysis, including demographic analysis of a potential market's population, in order to make informed decisions. However, this was not necessarily so in the 1870s. When the National League (NL) was started in 1876, League President William Hulbert and the original club owners wrestled with decisions about which cities would be awarded NL franchises. Much has been written about the factors Hulbert et al. faced in making those decisions.[81] Local interest, travel distance between cities, availability of rail connections, and competition from competing leagues and clubs were just a few of the many factors involved. This article will focus on the NL's first five years (1876-80) only, and on one specific factor—the size of the city admitted into the NL (see Table 1).

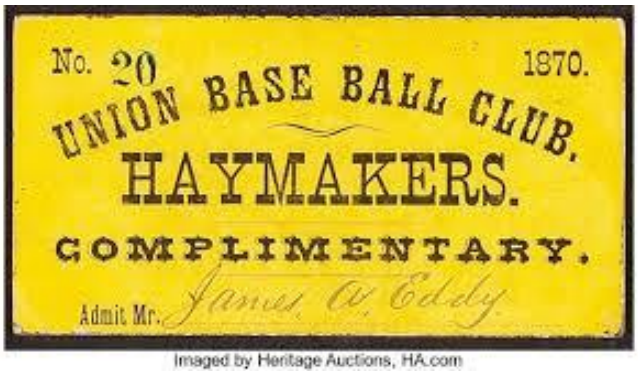
As has been pointed out elsewhere,[82] the chosen NL cities made little sense from a business marketing standpoint, given that club income was almost entirely dependent on ticket sales to the local population.[83] The three most populous cities (New York, Philadelphia and Brooklyn) were only in the league for one year. Not counting New Orleans and San Francisco due to their geographic remoteness from the other cities (and thus prohibitive travel times and costs for the other clubs), Pittsburgh and Baltimore were the obvious choices to replace the big-market clubs, but instead much smaller cities such as Worcester, Troy, Syracuse and Hartford

[81] Cf. Brian Martin, *The Tecumsehs of the International Association*, McFarland & Co., Inc., Jefferson, N.C., , 2015; Richard Hershberger, "The First Baseball War: The American Association and the National League," *Baseball Research Journal*, Fall 2020, pp115-125; David Bohner, "William Hulbert: Father of Professional Sports Leagues," *The National Pastime*, 2015, online at www.sabr.org; Charles Bevis, "Troy Trojans team ownership history," online at www.sabr.org.
[82] Hershberger, "The First Baseball War." James Quirk and Rodney D. Fort, *Pay Dirt: The Business of Professional Team Sports*, Princeton University Press, Princeton, NJ, 1992.
[83] Cf. Bruce Allardice, "The Chicago White Stockings of 1876: Baseball's Most Profitable Club," SABR *Business of Baseball Newsletter*, December 2019.

were chosen. There were huge disparities between the "big market" and "small market" clubs, much bigger than modern disparities.[84] For example, Chicago was twelve times as populous as Hartford, which perhaps explains why the Chicago franchise has lasted to the present, while Hartford moved after one year.

Analysis by Metropolitan Area Instead?

However, the above analysis depends on the population of the city, and the city with its 1880 boundaries. A better analysis of cities should follow a more modern, nuanced line and take into account 1880 metropolitan area populations as well, not just city populations. The "metro area" analysis, rather than the strict city analysis, is the better way to look at population for franchises of the 1870s and 1880s.[85]



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The initial difficulty with performing this analysis is that there are no official definitions of metro area for this period. For example, metro Chicago should include the surrounding towns that in the 1880s (especially 1889) Chicago annexed, such as Hyde Park and Jefferson, which form the Chicago we see today. Chicago had ever changing boundaries during this period, and is different from today's Chicago, so different that Chicago did not include the site that is now Wrigley Field. For metro calculations Cincinnati should include Covington, KY, across the Ohio River. Metro Pittsburgh should include the then-separate city of Allegheny, situated north of the Allegheny River (the two merged in 1903). Metro New York City can and should include Brooklyn NY (the U.S.'s 3rd largest city in 1880) and northeast New Jersey. See Table 2 for a new population ranking based on metropolitan areas.[86]

As can be seen, calculations by metro area population change the dynamic of city choices from using city figures alone. Most of the changes are incremental, since unlike today there were few suburbs surrounding the central city. While the population of most metro areas roughly correspond in rank to the core city population, cities that had adjoining population centers show a large increase. For example, New York City retains its number 1 rank (and increases its lead over #2 Philadelphia) as it absorbs Brooklyn (the #3 city) and northeast New Jersey (Jersey City and Newark). Pittsburgh jumps up dramatically (from 12th to 8th), based on including the city of Allegheny, and was thus a much more attractive choice for professional baseball.[87] The current Pittsburgh Pirates ball field is located in what was then the city of Allegheny. Albany wasn't even in the top 20 of cities, but climbs to 11th in metro population. Boston jumps over Chicago, as nearby cities such as Cambridge (52,669 population in 1880) are included.

Perhaps the biggest change is for Troy, NY, the "Collar City." This newer analysis should alter our perspectives on the 1879 admission of a Troy, NY

[84] An oft-cited "small market" in modern baseball is Milwaukee. The New York City metro population is twelve times the Milwaukee metro population (18 million vs. 1.5 million), albeit the New York City market is home to two teams. The 6-1 club-to-population New York/Milwaukee margin is much less than the 12-1 Chicago/Hartford disparity of 1876.

[85] The U.S. Census Bureau first gave official recognition to the metropolitan area concept for the 1910 census. However, the concept of a metropolitan area was well known in the 1870s. For example, the report on the 1875 Massachusetts state census discusses at length how the Boston area is much larger and more populous than Boston itself. See also "Comparative Progress of Cities in the Union," *Leslie's Illustrated*, December 24, 1870.

[86] Population numbers based on the 1880 census returns. Metro areas here are largely drawn on the research at www.peakblogger.com, supplemented by the author's research, and generally include any population within (at a minimum) five miles of the core city.

[87] All this had an impact on where the competing American Association (AA) located their franchises in 1882. The AA honed in on the big city markets such as Philadelphia and St. Louis that the NL wasn't serving. For more on the AA, see Edward Achorn, *The Summer of Beer and Whiskey*, Public Affairs, New York, 2014. It appears baseball quickly learned its demographic lessons. By 1885, the NL and AA had franchises in 12 of the top 16 metro markets. New Orleans and San Francisco were ruled out due to distance from the other cities, leaving Albany and Washington as the only plausible metro markets not covered.

club to the National League--and on the NL as a whole.[88]

While conventional articles focused on Troy's small population (56,000 in 1880, less than the NL's ostensible 75,000 minimum[89]) a more nuanced approach would be to look at Troy from the concept of metropolitan area. In 1879 Troy was part of a 4-city area that included West Troy (modern Watervliet, across the Hudson River), Cohoes, Lansingburgh (today, a part of Troy) and Green Island. All these are listed in the 1879 Troy City Directory and are within 4 miles of Troy. Looked at this way--a way that ignores technical city boundaries--metro Troy's population is about 93,000. And if one includes nearby Albany NY (only 7 miles away) and Waterford, the Troy-Albany metro population is around 180,000. It makes as much sense to include Albany's population as part of the Troy metro area, as including Brooklyn or Lower Manhattan in the New York City metro area. The distance from Lower Manhattan Island to the then-Polo Grounds was, after all, 10 miles—longer than the distance from Albany to Troy. Albany had quick railroad connections (a 25-minute commute) to Troy, with trains leaving every hour, plus horse-drawn carriages and hourly river steamers.[90]

93,000 would make Troy the 21st most populous metro area in the country, smaller than the metro areas of Buffalo (12th with 171,000), Providence (17th with 128,000) and Cleveland (13th with 169,000), but larger than metro Indianapolis (80,000) and Hartford (50,000), which had franchises prior to 1879. A Troy-Albany metro area (180,000) would be the 11th largest in the country, larger than the metro population of three of the more permanent 1879 franchises (Buffalo, Cleveland and Providence), larger than three previous admittees (Louisville, Milwaukee and Indianapolis) and much larger than 1879 admittee Syracuse.

Sources for 1876-80 Population Numbers

Another aspect that to this author's knowledge has never been touched on is the data on which population estimates were (and are currently) based. Baseball histories that deal with this subject invariably cite the 1870 and 1880 US censuses,[91] but the NL at this time period didn't have access to the 1880 US Census (the numbers didn't come out until July 1880). So what numbers DID the NL use? Since we don't know for sure, we can only set forth what numbers were then available. The 1870 US Census numbers were widely known, and could be used as a basis for decision, even though some complained at the time that the 1870 census undercounted the population.[92] What baseball historians have overlooked is a whole series of alternate census numbers and estimates that were readily available in the late 1870s. In those days states and cities often conducted their own censuses. Just for the states that had NL cities, Wisconsin, Massachusetts, New York and Rhode Island each conducted a census in 1875, Indiana in 1871 and 1877, and Michigan in 1874. The city of Philadelphia did its own census in 1876. Admittedly the scope of these censuses varied. Some only counted Heads of Household.[93] Others only covered

The Troy Trojans were members of the NL from 1879-82

[88] For background on Troy's admission, see Bevis; "Base Ball," *Cincinnati Enquirer*, January 28, 1879; "Baseball in Troy," *New York Clipper*, January 11, 1879; "Baseball Notes," *New York Clipper*, January 25, 1879.

[89] The 1878 NL Constitution, Article III, Section 2 set the 75,000 minimum, which could be waived by unanimous vote of the clubs. Hulbert's original intention was a 100,000 minimum.

[90] See the *Albany Argus*, March 25, 1879, and the 1880 *Troy City Directory*, for train and boat schedules.

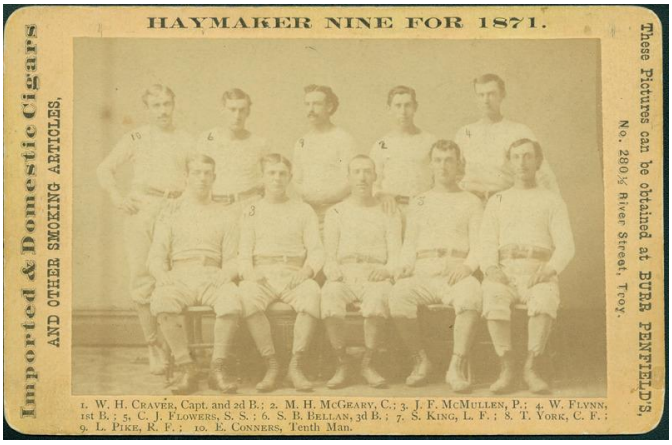
[91] Quirk and Fort, p 303.

[92] Cf. the *Cincinnati Daily Star*, September 28, 1875.

[93] The Head of Household count provided the basis for an accurate estimate of total population.

selected counties. But all these provided population data, which was more up-to-date for NL market analysis than the 1870 US Census.

Other sources provided population estimates. The American Railroad Guides provided estimates for major cities. City directories such as the 1875 *Louisville City Directory* gave population estimates based on multiplying the numbers of names in the directory.[94] Newspapers often listed their estimate of the local population. These unofficial estimates varied in quality, though most this author has seen appear to be pretty close to accurate.

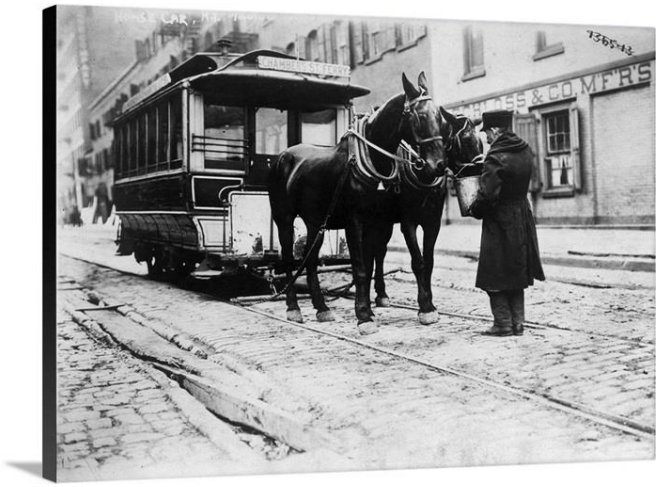


For Troy and other cities in New York between1876 and 1880, the 1875 NY State Census gave the most current official population numbers. In their 1879 decision to admit Troy, did the NL rely on the 1870 census numbers, the more-up-to-date 1875 census numbers, or a reasoned estimate of the 1879 population based on 1875 numbers? Ideally, they "should" have used the latter—but we don't know for sure what numbers they used.

None of this concerns the reasons *why* Troy was admitted, nor whether it *should* have been admitted. But it does indicate that historians should use a wider range of population data, along with a better understanding of urban geography, in their writings on the early NL. Considered in this light, and going strictly on metropolitan area population, Troy's admission to the NL made as much (or as little) sense as the admission of many of the cities that, in the first five years of the league (1876-80), were actually admitted.

Table 1: Population of 20 largest cities plus cities with NL franchise 1876-80

Rank	City	1880 Pop.	Yrs in NL
1	New York	1,206,299	1876
2	Philadelphia	847,170	1876
3	Brooklyn	566,663	1877
4	Chicago	503,185	1876-80
5	Boston	362,839	1876-80
6	St. Louis	350,518	1876-77
7	Baltimore	332,313	
8	Cincinnati	255,139	1876-80
9	San Francisco	233,959	
10	New Orleans	216,090	
11	Cleveland	160,146	1879-80
12	Pittsburgh	156,389	
13	Buffalo	155,134	1879-80
14	Washington	147,293	
15	Newark	136,508	
16	Louisville/Jeff. Co.	123,758	1876-77
17	Jersey City	120,722	
18	Detroit	116,340	
19	Milwaukee	115,587	1878
20	Providence	104,857	1878-80
21	Albany	90,758	
24	Indianapolis	75,056	1878
28	Worcester	58,291	1880
29	Troy	56,747	1879-80
32	Syracuse	51,792	1879
43	Hartford	42,015	1876



Horse drawn street cars made it easier to attend ballgames from the outer reaches of a ballpark's metropolitan area

[94] Newspaper estimates could lack accuracy. The 1875 *Louisville City Directory* (p 7), said that most cities took the number of names in their city directory and multiplied then by a factor of 3 or 4 to get total population. Multiplying the 40,000+ Louisville names by 3, the directory calculated the Louisville population at 124,000--almost exactly the 1880 US count. But the directory preferred multiplying by 3.5 or 4—which gave Louisville a much larger population than the 1880 census showed.

Table 2: Population of 20 largest metropolitan areas plus metro areas with NL franchise 1876-80

Rank	Metro Area	Metro Pop.	% Change
1	New York	2,234,000	85%
2	Philadelphia	949,000	12
3	Boston	658,000	82
4	Chicago	543,000	8
5	St. Louis	388,000	11
6	Baltimore	358,000	8
7	Cincinnati	307,000	20
8	Pittsburgh	265,000	70
9	San Francisco	238,000	2
10	New Orleans	219,000	1
11	Albany	178,001	98
12	Buffalo	171,000	10
13	Cleveland	169,000	6
14	Washington	164,000	7
15	Detroit	147,000	27
16	Louisville	143,000	16
17	Providence	128,000	23
18	Milwaukee	121,000	5
19	Rochester	103,000	17
20	Minneapolis	94,000	100
21	Troy	93,000	66
	Indianapolis	80,000	7
	Syracuse	71,000	31
	Worcester	60,000	3
	Hartford	50,000	22

Notes: The Albany figure is the Troy-Albany metro area. The Minneapolis metro figure increases dramatically when adding the Minneapolis population of 46,887 to neighboring St. Paul's 41,473.

Contributors

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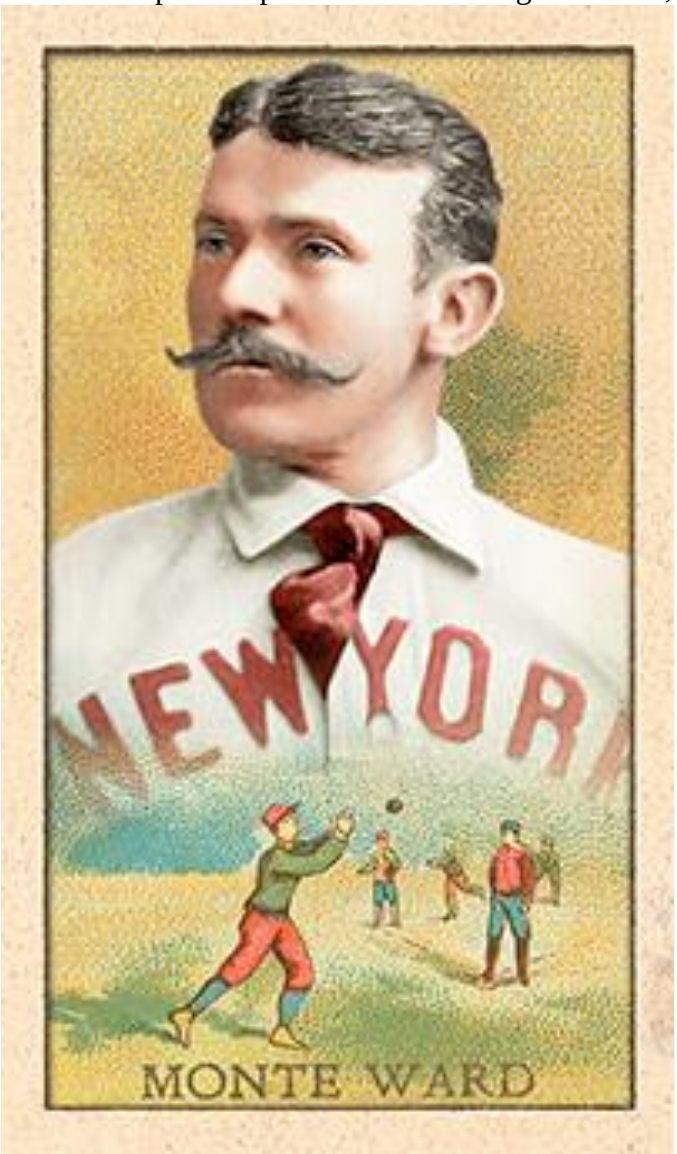
Is the Base-Ball Player a Chattel?

By John Montgomery Ward

This article originally appeared in Lippincott's Magazine in August of 1887

I should like to describe fully the relations which exist between base-ball club and player; but, as this is not possible in a limited article, I will confine myself to a consideration of these relations as they have been induced by the action of the reserve-rule. I will first describe briefly the origin, intent, and effect of the rule; I will then trace in detail its subsequent development; I will show that there has been a complete departure from its original intent,



John Montgomery "Monte" Ward, player, manager, executive, owner, union organizer, author, and lawyer

and in consequence a total change in its effect; that abuse after abuse has been fastened upon it, until, instead of being used to the ends for which it was

formed, it has become a mere pretense for the practice of wrong. Incidentally, I will touch upon some of the methods employed by clubs in their dealings with players.

The first reserve agreement was entered into by the club members of the National League September 30, 1879. By that compact each club was conceded the privilege of reserving for the season of 1880 five of its players of the season of 1879, and each of the eight clubs pledged itself not to employ any player so reserved by any of the others. The five men so chosen by each club were thus forced either to sign with the club reserving them at its own terms or withdraw to some club not a member of the League; and, as there were no such clubs then in existence, the reservation was practically without alternative. The club thus appropriated to itself an absolute control over the labor of five of its men, and this number has since been enlarged to eleven, so that now the club controls practically its entire team.

Art Soden, father of the reserve clause

The contracts of the players for 1879 contained no reference to any right of reservation by the clubs, nor was any such in contemplation at the time the contracts were signed: so that it was an *ex post facto* rule, and therefore a positive wrong in its inception.

In order to justify this extraordinary measure and distract public attention from the real causes making it necessary, the clubs tried to shift the blame to the players. They declared that players were demanding extortionate salaries, and that the rule was needed as a protection against these. They attempted to conceal entirely that the real trouble lay in the extravagant and unbusiness-like methods of certain managers and in the lack of good faith between the clubs themselves. According to them, the player who accepted a proffered increase of salary was a disorganizer and a dangerous character, from whom protection was necessary, while the club official who offered it was but a poor weak instrument in his hands. Was it really wrong for the player to accept a larger salary when offered? or was not the dangerous factor here the club, which in violation of faith with its associates enticed the player by offering the increase? And was it really against the players or against themselves that the clubs were obliged to combine for protection? The history of base-ball deals between different clubs is full of instances of broken faith, and in most such cases where a player was involved the favorite procedure has been to whitewash the clubs and black-list the player. Yet I do not hesitate to say that I believe base-ball has more to fear from the reckless and improvident methods of some of its managers than from all the faults of all the players.

In the enactment of the reserve-rule the clubs were probably influenced by three considerations: they wished to make the business of base-ball more permanent, they meant to reduce salaries, and they sought to secure a monopoly of the game.

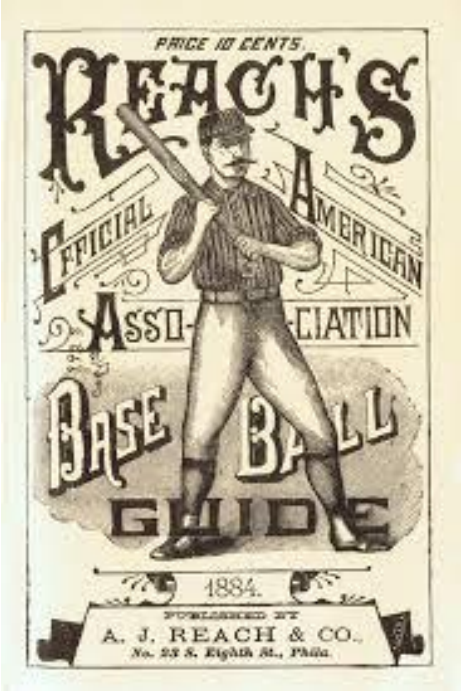
At the close of each season there was always a scramble for players for the following year: the well-balanced and successful team was especially subject to inroads, so that the particularly strong nine of one season was not unlikely to be a particularly weak one the next. The business of base-ball thus lacked stability. There was no assurance to the stockholders of a continuing fixed value to their stock, for the defection of a few important players might render it almost worthless. But with the right of retaining the pick of its players the club was assured of a good team, and the stock held its value.

Again, in this annual competition for players, clubs often paid extravagant salaries to certain very desirable men, and the effect was to enlarge the average scale so that it was assuming undue proportions. But with the privilege of retaining its best men at its own figures, the average salary would be forced down.

The third consideration, which doubtless had some weight, was the desire to create a monopoly. It was just beginning to be seen that base-ball properly managed might be made a lucrative business, though its real fertility was yet scarcely dreamed of. With all the picked players reserved to it and the prestige thus given, it was thought that the League might easily retain the control of the business.

But with the growth of the game in popular favor, and the consequent development of its money-

making features, the maintenance of this monopoly became more and more difficult. A rival organization did spring up, and the reserve-rule then lost much of its force, for many of the players were willing to accept the alternative of withdrawing from the League and joining forces with the new Association. The young aspirant developed such strength that it was found impossible to put it down, and the result threatened was a disastrous war in the competition for players and the favor of the public. With great good judgment and the remarkable instinct for self-preservation which has always characterized it, the League agreed with the American Association on the terms of an armistice. This was in the spring of 1883, and in the fall of the same year this armistice was made permanent in the great offensive and defensive alliance known as "The National Agreement." The parties to this were the four base-ball leagues then in existence. Each pledged itself, among other things, that its club members should respect the reservation of players by the club members of every other party, in the same manner as though they were all of the same league.



The American Association provided a brief respite from the reserve clause

The effect of this was that a player reserved was forced to sign with the club reserving him, or quit playing ball altogether. These four leagues included all the clubs in the country, and the alternative of withdrawing to another club was thus practically cut off. As new leagues have sprung up, they have been either frozen out or forced into this agreement for their own protection, and the all-embracing nature of the reserve-rule has been maintained. There is now no escape for the player. If he attempts to elude the operation of the rule, he becomes at once a professional outlaw, and the hand of every club is against him. He may be willing to play elsewhere for less salary, he may be unable to play, or, for other reasons, may retire for a season or more, but if ever he reappears as a professional ballplayer it must be at the disposition of his former club. Like a fugitive-slave law, the reserve-rule denies him a harbor or a livelihood, and carries him back, bound and shackled, to the club from which he attempted to escape. We have, then, the curious result of a contract which on its face is for seven months being binding for life, and when the player's name is once attached thereto his professional liberty is gone forever.

On the other hand, what reciprocal claim has the player? Absolutely none! For services rendered he draws his salary; but for a continuance of that service he has no claim whatever. The twentieth paragraph of the regular League contract declares that the club reserves the right to release the player at any time, "at its option," by ten days' notice, and that its liabilities under the contract shall thereupon cease and determine. That is to say, the club may hold the player as long as it pleases, and may release him at any time, with or without cause, by a simple ten days' notice; while the player is bound for life, and, no matter what his interests or wishes may be, cannot terminate the contract even by ten years' notice.

The uninitiated in "base-ball law" may say, "If players are foolish enough to sign such contracts they must expect to abide the consequences." But, as a matter of fact, the player has no volition in the case. A provision of the League prescribes a certain form of contract, no other is "legal" according to this "base-ball law," and no club dares offer him any other to sign: that printed form is presented to him with the alternative of signing it or none at all, and under such duress he has nothing to do but submit. At some other time I may write more fully of this contract, the most unique unilateral document extant; but for the present I quote it only to show its connection with the reserve-rule. One of its clauses declares the players bound "by the Constitution of the National League and the Articles and Covenants of the National Agreement:" among these latter is included the reserve-rule, and in this way it is worked into the contract which the player is forced to sign, and which is thereby given a semblance of legality.

This, then, is the inception, intent, and meaning of the reserve-rule in its simplicity: its complicity I will presently describe. It inaugurated a species of serfdom which gave one set of men a life-estate in the labor of another, and withheld from the latter any corresponding claim. No attempt has ever been made to defend it on the grounds of abstract right. Its justification, if any, lay only in its expediency. It was a protective measure which gave stability to the game by preserving the playing strength of the teams, and it acted as a check on the increase of salaries. Its immediate results were clearly beneficial, opposition to it died away, and, notwithstanding the peculiar, not to say servile, position in which it placed the players, they accepted it as for the general good.

But, however satisfactory in its original application, I scarcely believe there will be anyone found to justify it in the purposes to which it has been recently applied.

Instead of an institution for good, it has become one for evil; instead of a measure of protection, it has been used as a handle for the manipulation of a traffic in players, a sort of speculation in livestock, by which they are bought, sold, and transferred like so many sheep.

Ideal wrong will always work itself out in practical wrong, and this exception. The rule itself was an inherent wrong, for by it one set of men seized absolute control over the labor of another, and in its development it has gone from one usurpation to another until it has grown so intolerable as to threaten the present organization of the game. Clubs have seemed to think that players have no rights, and the blacklist was waiting for the man who dared assert the contrary. Players were cowed into submission, and were afraid even to resort to the courts for a remedy. But all this time there was a strong undercurrent of discontent, and for the past year it has required all the influence of the conservative element of the profession to hold this in check and maintain a sentiment in favor of peaceful and legal reform.

The first mistake was made at the initial attempt to apply the rule. As was to be expected the players chafed at first under the unaccustomed yoke. Hines, of Providence, declared that rather than submit to that club's reservation he would stay idle for a year. The construction was then evolved that even this would not free the player from the reservation, -- that, though the term of his contract had expired, and though the reservation was so distasteful that he would prefer the loss of a year's salary, yet he would still be held by it. That is to say, the life-estate was indefeasible: the brand of the club once upon the man, it might never be removed by any act of his own. A practical illustration of the working of this construction was given in the case of Charlie Foley. During the season of 1883 he contracted a malady which incapacitated him for play. He was laid off without pay, though still held subject to the direction of his club. In the fall he was placed among the players reserved by the club, though he had not been on the club's pay-roll for months. The following spring he was still unable to play, and the Buffalo Club refused to either sign or release him. He recovered somewhat, and offered his services to the club, but it still refused to sign him. Having been put to great expense in securing treatment, his funds were exhausted, and it became absolutely necessary for him to do something. He had offers from several minor clubs, to whom he would still have been a valuable player, but on asking for his release from Buffalo it was again refused. He was compelled to remain idle all that summer, without funds to pay for medical treatment; and then, to crown all, the Buffalo Club again reserved him in the fall of 1884.

The second abuse was a clear violation of the spirit of the rule, and a direct breach of contract on the part of several clubs. A clause in the old form of contract gave the club the right to release any player at any time, with or without cause, by giving him twenty days' notice. Of course this was meant to apply to individual cases and total releases. But several clubs, seeing in this a convenient means of escaping the payment of the last month's salary, gave all their players the twenty days' notice on September 10 and on October 1 dismissed them, instead of on November 1 as the contracts stipulated. One club did not even go to the trouble of giving notice, but, in open disregard of its contract obligations, dismissed its players October 1. Two of the men had courage enough to bring suit, and they recovered judgment, and finally got their full pay; but the others lost the month's wages. But now, the most extraordinary part of all, after formally releasing the men, the same clubs claimed

and were conceded the right of reserving them for the following year.

The third step was of a more serious nature; for, though no violation of contract, it was the beginning of the present odious system of buying and selling players. As the pecuniary returns of the game increased, the value of the individual player was enhanced: the strength or weakness of one position made a difference of thousands in receipts, and this set the astute managerial mind to work. Some scheme must be devised by which these gaps might be filled. It finally dawned upon him that this continuing claim upon the player's services was much akin to a right of property. Why, then, might this not be bought and sold, as are other rights of a similar nature?

Having found a purchaser, it would only be necessary to obtain the player's consent and the sale might be made. The result was a series of deals by which players were disposed of in this manner. Since the player's consent was obtained, it may be said that he was in no wise injured; but there were really two serious dangers. The first was that the club would be tempted to force the player's consent in one of the many ways at its disposal,-which, in fact, was frequently the case; and the second was in the part which the reserve-rule played in the transaction. If the buying club received a claim for the remaining term of the player's contract only, the price would be regulated accordingly and the deal perfectly legitimate. But a fictitious value was always given, because the buying club bought not only the player's services for the unexpired term of his contract, but the right to reserve or sell him again. It is not, then, the ordinary assignment of a legal contract-claim for future service which makes the price, but the anticipated operation of the reserve-rule. The rule is, therefore, being used not as a means of retaining the services of a player, but for increasing his value for the purpose of sale. This is a clear perversion of the original intent of the rule. The assertion of any such claim at the time of its adoption would have killed it then and there. The clubs claimed that the right to retain the services of a valuable player was necessary for the conservation of the game, and with that understanding the players tacitly acquiesced in the seizure. They never received any consideration for the concession; and when the Chicago Club sells Kelly for ten thousand dollars it simply makes that sum out of Kelly, for which it has never given him the slightest consideration. Kelly received his salary from Chicago (or such part as was not taken out in fines), and earned every dollar of it several times over, and yet the Chicago Club takes ten thousand dollars for releasing Kelly from a claim for which it never paid him a dollar, but which it acquired by seizure some years ago.

Mike "King" Kelly was sold by Chicago to Boston for the princely sum of $10,000, but he never saw any of the money.

Abuse number four is another step in the development of this traffic, in that it ignores entirely the player's consent, and the deal is completed without the slightest consultation of his wishes or interests. The selling club first secures the promise of the six clubs not immediately interested to keep hands off the player. The price being then paid by the buying club, the player is notified of his release to that club. By the pledge secured from the other clubs, none of them will employ him, and therefore, no matter how distasteful the change, or how many the reasons for wishing to go elsewhere, he is forced to go to his purchaser or nowhere.

Number five is a further extension of the scope of the reserve-rule, and cuts off entirely the player's only hope for escape. One would naturally suppose that the disbandment of the club with which he was under contract would release the player from all restrictions; and such was indeed the case until within the last year. But with the expected retirement of the St. Louis and Kansas City Clubs a number of first-class players would be thrown upon the market who would command good salaries if left to contract freely for themselves. The avarice of the clubs was equal to the occasion, and the League itself (whatever that may mean) reserved these men and peddled them out at so much per head. Without any regard to the fact that family ties and other considerations bound them to particular localities, the players were disposed of at the will of the

League here, there, or anywhere it saw fit, and through the same organized conspiracy were obliged to go as assigned or quit playing ball altogether. The player read in his morning paper that he had been sold to such a club, and in a short time, though the question of terms had not yet been mentioned, he received a notification to report on a certain date. This was all he knew or had to say about the matter. The price demanded by the League for several of these players was more than any club was willing to pay. For instance, in the case of McQuery the amount asked was one thousand dollars, afterwards reduced to seven hundred and fifty dollars. No club being found willing to pay so much, he was held until the 19th of April before being allowed to sign with any club. Though a good player, he was kept out of an engagement, received no salary, lost his opportunities for signing with some League or Association club, and finally was very fortunate to contract with a club of the International League.

The crowning outrage of all came in the shape of a resolution adopted by the American Association at its Cleveland meeting last spring. Though not a League measure, I mention it as showing the spirit of the clubs and the possibilities of the reserve-rule. Not satisfied with the passive conspiracy not to hire a reserved player if he refused to sign with the reserving club, the Association actually declared its intention of blacklisting him. For the mere refusal to sign upon the terms offered by the club, the player was to be debarred entirely, and his name placed among those disqualified because of dissipation and dishonesty! Has any body of sane men ever before publicly committed itself to so outrageous a proposition? Fortunately for the dignity of the Association and the interests of the game, no attempt has ever been made to enforce this penalty; if it had, it is just possible that the great reserve-rule might now exist only in the game's history and in the records of the courts.

The last step, which may scarcely be called a development-being rather a natural consequence of the system,-is the practice of "loaning" players. A man is loaned by one club to another on condition that the latter pays his salary and returns him on demand, much the same as a horse is put out to work for his feed.

These are, in part, the relations which exist between base-ball players and the associations by which they are employed. Is there a base-ball official who will claim them to be governed by any semblance of equity? Is it surprising that players begin to protest, and think it necessary to combine for mutual protection?

Encouraged by the apparent inactivity of the players, the clubs have gone on from one usurpation to another until in the eye of the base-ball "magnate" the player has become a mere chattel. He goes where he is sent, takes what is given him, and thanks the Lord for life. The demand exceeding the supply, the growth and cultivation of young players has become an important branch of the business. They are signed in large numbers, and, if they turn out well, are disposed of as a valuable commodity to the highest bidder. If they fail, they are simply released, and the cultivator has been at little expense. Indeed, the whole thing is becoming systematized, and is carried on with the utmost openness; so that it is not unusual to find a news paragraph announcing that such and such players are for sale.

In order to learn the sentiment of some League officials on this point, I approached Mr. John I. Rogers, of the Philadelphia Club. Mr. Rogers is a gentleman of superior intelligence and legal ability, and I was therefore not surprised to find him a rather weak supporter of the system. He freely admitted the injustice of selling a player without the latter's consent, and did not think the League had any right to reserve and sell the players of a disbanding club. He did claim, however, that a club had a right, with the player's consent, to sell its claim upon his future services, for in so doing he declared that the club was simply "compounding the value of those future services."

I have pondered a great deal over our short talk, and I think I know what Mr. Rogers meant by that specious phrase. He meant that a club which has a legal claim by contract upon the future service of a player may accept a cash consideration for the release of that claim at any time before the expiration of the term of contract; and in that I agree with him perfectly. I am sure he did not mean that a club may sell its claim on the future service of a player when that claim rests not on a legal contract, but simply on the reserve-rule. For such a purpose

that rule never gave a claim. It invested the club with a questionable right of reservation for one purpose only - namely, to retain the services of the player; not at all to sell him. The true consideration in such a sale is not the release of the claim, but the future service of the player. It proceeds, therefore, not from the selling club, but from the player; yet the former takes the cash. Every dollar received by the club in such a transaction is taken from the pocket of the player; for if the buying club could afford to pay that sum as a bonus, it could just as well have paid it to the player in the form of increased salary. The whole thing is a conspiracy, pure and simple, on the part of the clubs, by which they are making money rightfully belonging to the players. Even were we to admit, for the sake of argument, that the reserve-rule does give a right to sell, we naturally ask, what consideration did the club ever advance to the player for this right? What did the Chicago Club ever give Kelly in return for the right to control his future services? Absolutely nothing; and yet that club sells that right, so cheaply acquired, for ten thousand dollars! But, I repeat, it never gave such a right, and any such claim by one set of men of a right of property in another is as unnatural to-day as it was a quarter a century ago. The rule is a special statute of "base-ball law," made for a special purpose; it is of doubtful right when confined to that purpose, and it is of certain and unqualified wrong when applied to any other.

In the case of a sale with the player's consent at a time when he is under contract, the case is complicated. The club may properly sell its contract-claim, but in every such case the same wrongful element will be found to enter. The buying club pays a much larger price than the contract-claim is worth, because it expects to acquire also the right to reserve or sell. The case, analyzed, is this: the amount actually paid for the contract-claim is rightfully given, while every dollar in excess is taken from the player through the wrongful operation of the reserve-rule.

The remedy for these abuses may be difficult to find; the system has become so rooted that heroic treatment may be necessary to remove it; but go it must, like every other, founded upon so great injustice and misuse of power. The only question is, Whence shall the remedy proceed? Shall it come from the clubs, or from the players, or from both conjointly? The interests of the national game are too great to be longer trifled with in such a manner, and if the clubs cannot find a way out of these difficulties the players will try to do it for them. The tangled web of legislation which now hampers the game must be cut away, and the business of base-ball made to rest on the ordinary business basis. There will be little need, then, of extra-judicial rules to regulate salaries, for these will regulate themselves, like those of the dramatic and other professions, by the law of supply and demand; "base-ball law," that wonderful creation which no one individual seems ever yet to have mastered, will be laid away as a curious relic among the archives of the game, and the time-honored and time proven common law will once more regulate base-ball affairs; "deals" will be confined to legal limits; "phenomenons" and "wonders" will no longer receive advertising salaries, for the careful business manager will keep within justified figures; contracts may be made for periods of more than one season, the leagues will be composed of cities of nearly equal drawing strength, and the percentage system will be re-enacted, thus reducing to a minimum the temptation to compete for players; the players will catch the spirit of the new order; base-ball, to them, will be more of a business and less of a pastime; contract-breaking will be impossible, and dissipation will disappear; the profession of ball-playing will be looked upon as a perfectly honorable calling, and the national game be more than ever the greatest of outdoor sports. All of these changes may never come; many of them certainly will. But it will be when the game is governed by the law of the land, when its financial conduct is placed in the hands of thorough businessmen, when the "greats" and the "onlys," the "rustlers" and the "hustlers," have gone "down the back entry of time."