

Hearings before the Antitrust Subcommittee,
Committee on the Judiciary, H of R,
85th Cong.,

1st Sess.
Part 1, 2, & 3,
Serial No. 8.
August 1, 7, 8, 1957.

Robin Yost, Jerry Coleman **Roberts, Edward**

Mr. Singman (assistant counsel to
Chairman Celler): First, do you believe that
the reserve clause as it is today is essential
to keep baseball operating the way it is?

Robin *Roberts* (Phillies, NL Rep., BPA): I
would say that a reserve clause is

necessary.
adjusted in any way, I
never been tried.

Whether it can be altered or
don't know. It has

Edward Yost (AL Rep. BPA): I feel the
same way. Unless you can come up with
some other workable solution, I don't think
that the game can continue to operate without the
reserve clause.

Jerry Coleman (NY Yankees, AL Rep.,
BPA): Because I have heard no other forms or no other
policy mentioned by people who have been
thinking of this, I say the reserve clause is
necessary as such.

Later...

Mr. Singman: Do you think,

then, the players are generally satisfied with the reserve clause?

Mr. Yost: Yes, I do.

Mr. Roberts: I think most of them are and those that aren't feel there isn't anything they can do with it.

Mr. Coleman: I have had no complaints administered to as far as the reserve clause.

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Part 2,
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Stan

Musial

Mr. Singman: Then, do you now believe that the reserve clause should be left exactly the way it is today?

Mr. Musial: Yes, sir; exactly.

Mr. Singman: You think no changes could be made to make it fairer for the player?

Mr. Musial: I don't think so. I've studied this thing. Of course, I am for the baseball players at all times and trying to help the boys all I can, but I think the reserve clause as is would be sufficient because I haven't heard too many ballplayers complain about the reserve clause.

The Chairman (Mr. Celler): Have you heard any complaints from any players about the reserve clause?

Mr. Musial (St. Louis star): Sir, I don't believe I have heard one complaint about the reserve clause from our club, and I am sure in these various meetings that we attend that the reserve clause has never been brought up as a point of contention.

Bob

Feller

Mr. Singman: At this point, Mr. Feller, is it your idea to have baseball come within the purview of the antitrust laws?

Mr. Feller (Bob Feller, just retired from the Cleveland Indians and President of the Major League Baseball Players Association): With the exception of the reserve clause and franchise rights... As far

as having a player up for grabs every 4 years, as I say, my other plan was 5 years and a 2-year option, and after 3 years if he is dissatisfied give the club owner 2 years to dispose of him to another club, and his option could go on.

Hearings Before the Antitrust Subcommittee,

***Committee on the Judiciary,
H of R, 85th Cong.,
1st Sess. Part 3,
Serial No. 8.***

***Various dates in June, July and August,
1957.***

Chuck Bednarik and Jack Jennings

The Chairman: Do you know of any case in the 12 teams of the league where a man has

played for 2 years, become a free agent, and then _____ has sought to play with another team of that league?

Do you know of any such case?

Mr. _____ Jennings (Formerly of the Chicago Cardinals, player representative): No.

Mr. _____ Bednarik (Chuck Bednarik, Philadelphia Eagles): No... I imagine that is up to the individual coach.

For instance, I am playing for the Eagles, and we are _____ having a lousy year, I could easily say, "Gee, I'm tired of _____ playing for a loser. I want to go to the Bears; they are

not losing.” That is not fair. I came with the Eagles when they were a winning team, and, when things are tough, I believe I should stay with them. That is only fair.

Mr. Harkins (subcommittee counsel): You are aware in your contract there is a method by which you can become a free agent, and, after that, presumably, any member club in the league is in a position to hire you?

Mr. Jennings: That is right.

Mr. Harkins: That has never happened in the league?

Mr. Jennings: That is right.

Later, *discussing the draft.*

Mr. Pierce (subcommittee associate counsel): ... Do you think that if there were no draft there would be many teams losing money and would be unable to stay in the

league?

Mr. Bednarik: I think if there were no player draft, there wouldn't be 12 teams in football. There would probably be four teams.

Mr. Jennings: I don't think so, either.

Mr. Pierce: So you think, in the long run, the player draft helps the football players?

Mr. Bednarik: That is the only way.

Mr. Pierce: Don't you think if there were not this draft the teams would compete with each other to get good players and offer them bonus money?

Mr. Bednarik: Then there wouldn't be as many teams.

Mr. Pierce: What

you are saying is, no matter how we slice this, in the long run the draft helps the club and helps the player?

Mr. Jennings: That's right.

Mr. Bednarik: That's right.

Red Grange

Mr. Harkins: Dou you believe, Mr. Grange, that continuation of the draft is essential for football players to earn a livelihood playing

professional football?

Mr. Grange: ... I contend the only reason we have professional football today, as we know it, is because of the draft. Were it not for the draft, we wouldn't have the National Football League. We would have semipro leagues which would play within a radius of a couple hundred miles...

The Chairman: Mr. Grange, I would like to get your opinion— and I offer no opinion, one way or the other: Why is it that football has a draft and baseball does not?

Mr. Grange: I don't think any college baseball player in the United States could play big-league baseball, in the first place.

College football is much better, and I don't think a college baseball player would be drafted anywhere.

Kyle

Rote

Mr. Rote: The player, when drafted or placed on reserve, sacrifices a fundamental right in the American way of life— that right being his freedom to offer his services to whomever he pleases.

Yet, the player I cognizant of the fact that the NFL would suffer

immeasurably should each player have the opportunity to offer his services to each and any club.

The player is aware that pro football is unique in this respect... As far as the player is concerned, there is, at present, no check over the activities of the NFL as relates to the player. The draft and reserve clause are necessary to the pro game.

But they are not necessary when given free rein and result in abuses of the players' rights.

A players' association could serve as this sorely needed check.

Bob

Pettit

... In my opinion, the draft clause is for the good of professional

basketball inasmuch as it enables the weakest teams each year to have top choice of the eligible college seniors and thus strengthen themselves, and at the same time strengthen the league... In regard to the reserve clause, I do not see how professional basketball would be able to operate on a satisfactory basis without such a clause.

Again, it seems to me that the teams which are strongest financially would, at the end of the specified period, be able to gather the top talent at the expense of the teams which could not afford to pay the higher salaries.

Hearings Before the Subcommittee

***on antitrust and Monopoly,
Committee on the Judiciary,
U.S. Senate, 85th Cong.,
2nd. Sess.□
July, 1958.***

Mickey Mantle

Senator Kefauver: Do you think the unlimited reserve clause in your contract is a fair thing for the players?

Mr. Mantle: Well, I don't have any gripes. I have been very fortunate.

Senator *Kefauver*: Do you think there should be any limit on the number of years you are held under the reserve clause?

Mr. *Mantle*: I don't know. I don't think about his stuff very much. [Laughter.]

Ted Williams

Senator *Kefauver*: Do you particularly approve of that system?

Mr. *Williams*: Well, I personally don't see how baseball could

operate without the reserve
clause and still maintain the integrity of the
game...

Stan Musial (player rep at the time)

Senator Kefauver: Do you still
think, or do you not, that the
reserve clause should be limited to some
number of years?

Mr. Musial: No; I
do not. I think the reserve
clause of baseball— most ballplayers
understand the reserve clause
when they sign up...

Senator *Kefauver:* Have you, in your 20 years' experience, ever been dissatisfied with your salary or with the team where you were going to be sent to play?

Mr. *Musial:* No; I never have...

**Robin
player rep)**

Roberts (NL

Senator *Kefauver:* Do you

have any complaints from players about the reserve clause?

Mr. Roberts: No, sir. No, sir. When it originally came out, there were discussions about it not being the thing, and having it thrown out and everything... But after looking at it, and I know a lot of players have, I think players in general agree that baseball must have a reserve clause like it has now.

Senator Kefauver: Are you in favor of any limit on the number of years the reserve clause operates?

Mr. Roberts: I am in favor of only a discussion between the players and the owners on that, if there is going to be any discussion on it. I don't think anybody knows what would be the best.

Senator Langer: Mr. Roberts, are you in favor of the passage of this legislation?

Mr. Roberts: Yes, sir. I think if professional baseball owners themselves are in favor it, we are, because I believe— I

would say this: I think
anything that is good for them in this
particular line is definitely
going to be good for us. I think
it will help baseball in general.

**Edward
player rep)**

Yost (AL

Senator *Kefauver:* You
testified, I believe, before the Celler
committee that you thought a 10-year
limit on the reserve clause
might be a good thing.

Mr. Yost: ... If I remember correctly, I retracted that statement, saying that I thought the reserve clause, as is, was the way it should be. Now I am not certain, but I do feel that way now. If you limited it to 10 years, you would run into a lot of complications and difficulty when these 10-year men became free agents.

Jackie Robinson

Mr. Robinson: ... So I sometimes feel, myself, that when we see the Ted Williamses and the Mickey Mantles, and the Stan Musials down here testifying, that

perhaps when they say they like things as they are, I would certainly have to agree because of the tremendous salaries that they get. But I wonder whether or not the 8 or 9 or 10 men on the ball club would agree to what is happening today as the thing so far as the baseball player is concerned...

Senator Kefauver: Let me ask you, first, do you think there should be some limit on the length of time of a reserve contract?

Mr. Robinson: Yes;
I do, sir.

Senator Kefauver: What do you think about the draft system? Do you recommend an unrestricted draft?

Mr. Robinson: I think perhaps we would be hurting some of the owners that need protection, unless it were done after 2 or 3 years or so. The players do have to be considered, however.

If a ballplayer so desires, I think a ballplayer should have a say as to whether or not he should be subject to draft or not. In other words, I feel that a ballplayer should have some say personally in his baseball future.

Bob

Feller (Retired)□

Senator Kefauver: You once recommended, I believe, a limit on the length of the clause. reserve

Mr. Feller: Yes. Five yeas, I believe, or 3 years with 2 options, which would have been 5 years, anyway.

Senator Kefauver: You still feel that way about it?

Mr. Feller: ... Not as strongly as I did.

Bill Howton (Packers, and NFL player rep)□

Mr. Dixon (?): Let me make reference to this reserve clause. I understand that your contracts run for 1 year with an option for 1 year, and that you could not be cut more than 10 percent, or

something to that effect. Is that correct?

Mr. *Howton:* Yes, sir.

Mr. *Dixon:* How do the players feel about this limited reserve clause?

Mr. *Howton:* As we stated, it appears that it is necessary in the livelihood of professional football, in the event the reserve clause were dropped, the teams with the wealth would naturally buy the best ballplayers. The teams with smaller wealth would obviously fall in rank and eventually die

off. So the stronger teams would dominate the game, and it seems as though it is a strong stabilizer for the game although it puts the players in a bad bargaining position.