

KEPPERS DECLINES FIGHT WITH BREWER

Courts to Be Used in Opposing Landis' Decision.

LEAGUE MEETING ASKED

As Preliminary Coast Circuit Heads Are Urged to Unite for Special Session.

William E. Klepper, president, and Gus C. Moser, vice-president of the Portland baseball club and attorney for it, last night issued statements commenting on Judge Landis' decision in the Kenworthy case.

Mr. Klepper said he would fight the decision with every means at his disposal, including the courts. As a preliminary he telegraphed other Pacific coast league presidents asking that they unite to call a special meeting of the league in San Francisco next Friday.

Four club owners must make such a request to be mandatory on the president of the league to call the meeting. Mr. Klepper felt certain that the meeting would be called. He and Mr. Moser will attend the meeting and ask the league to declare itself.

Mr. Moser in his statement cited rules of baseball law to show that Judge Landis has exceeded his authority.

Here is Mr. Klepper's statement: "The decision by Commissioner Landis in the Kenworthy case is an unjustified prejudice, and it sets forth only those matters which are not in dispute."

He seems to disregard entirely the fact that I believed justified me in doing what I did. The real facts are these:

In the summer of 1931, Kenworthy was a free agent, having been previously released by Los Angeles. He had trouble with his eyes and it was doubtful whether he would be able to play baseball again. He was signed up in September, 1931, by Mr. Brewster, then president of the Seattle club, for the balance of that season, with a verbal understanding that if they could not come to an agreement by the year 1932, he should have his release and go to another club. His salary was a moderate one.

Battling Bonus Offered. At the conclusion of the 1931 season Kenworthy signed up for 1932 with the understanding that he was to have his eyes operated upon at his own expense that winter, and that aside from his regular salary, if he failed to play, he should have a bonus of \$500; and if he failed to play more than 100 games, he should have a bonus of \$1,000.

It was also agreed that if he could not come to an agreement with the Seattle club for the season 1932 he should again be a free agent.

He battled over \$300 in 1932; received his \$1,000 bonus and later signed up for 1933 with the Seattle club, with the understanding that if he were not retained as manager for 1933, he should have a bonus of \$1,000.

He should again be a free agent. Prior to the season 1932, James Bold, having become majority stockholder of the Seattle club, informed me that he was going to be elected president.

Side Agreement Written Out. The side agreement with Kenworthy made on December 1, 1932, for the season of 1932, was written out by Mr. Kenworthy, who was signing the regular contract, and in his own handwriting and was signed by me and Mr. Brewster, who had made the original side agreement with him.

While still president of the Seattle club, in the fall of 1932, Mr. Bold had told me that he was going to be president. I offered to sign Kenworthy up for the season of 1932, but he stated there was no hurry and to wait awhile.

Soon after he became president it became apparent to me that he was going to be president. I offered to sign Kenworthy up for the season of 1932, but he stated there was no hurry and to wait awhile.

It was in my business dealings it has always been my policy to make my word good, and I felt that I was doing only what I believed was best for one who had been a faithful and efficient employee. Perhaps I made some mistakes in my enthusiasm to give Kenworthy a square deal, but I have not won willfully nor intentionally violated any laws of baseball.

Kenworthy told me the clause of the season that he had had a talk with Bold and had agreed to be manager for 1932 and 1933, but that Bold would not sign him up until after he had been elected president. Later Kenworthy advised me that Bold only wanted to sign him up for one year, which was not satisfactory to him, and applied to me for the management of the Portland club.

Negotiations Held in Good Faith. Commissioner Landis in his decision says that Kenworthy was carrying on what on its face appeared to be a good faith negotiation with the Seattle club for the season 1932 with the Seattle officials.

These negotiations certainly were in good faith, because when I appeared before the commissioner recently I saw the telegrams and corresponded with them, and I saw that Kenworthy and Bold, in these telegrams Kenworthy frankly told Mr. Bold he was then negotiating with two other clubs. This shows conclusively that Kenworthy was negotiating in good faith and believed he had a right to conduct his negotiations if Seattle did not come to terms satisfactory to him.

There was no concealment, no fraud, no deception. Kenworthy and I were both acting in good faith, in the belief that he was free agent and had a right to negotiate. Certainly we did not believe that he would not have been applied to the national board to be declared a free agent, nor would he have appealed from the decision of the national board to Commissioner Landis.

No Wrong Seen in Telegram. Commissioner Landis refers to telegram of November 13, in which Kenworthy asked if I would stand by him if he should be chosen as manager. I can see nothing wrong in that telegram, and I did agree to stand by him. It was my intention all along, if Kenworthy was not declared a free agent by baseball authority, that I would negotiate a deal with Seattle for his services. In fact at that time I felt satisfied that Walter McCredie would be chosen as manager for Seattle.

Now, referring to the telegrams of January 19, I am frank to confess that both Kenworthy and myself did keep from Judge Landis the fact that we had exchanged a number of telegrams concerning Kenworthy's employment as manager for Portland.

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