

THE BOMB HAS COME

John M. Ward Summoned by the Old League.

DEFINITE CHARGES MADE.

The Players' Plans Very Definitely Pointed Out in a Plea.

CAPTAIN COMISKEY STILL FREE

The National League Baseball Club in New York has filed its request for an injunction against Ward and others. Some definite complaints are made. Comiskey states that he has not signed with any club yet. Sam Thompson and Myers leave the Brotherhood and sign with the Phillies.

SPECIAL TELEGRAM TO THE DISPATCH:

NEW YORK, December 23.—The first move in the suit against John Ward by the New York Baseball Club was made to-night when E. W. Beby, acting as agent for G. F. Dwyer, of counsel for the club, served a summons on Ward at his home, 180 West Seventy-sixth street. Ward was sick in bed with the grip, but was able to receive the papers. President Day, of the Metropolitan Exhibition, complaining of the defendant's alleged:

"That the business of the plaintiff is and has been since its organization in 1882 the giving and receiving of contracts of exhibition of baseball, and has entered into contracts and arrangements with certain other similar clubs throughout the country for that purpose."

THE PLAINTIFF'S PLEA.

He has continuously from its organization been engaged in securing and maintaining a team or body of skilled players, and has upon making his living in the aggregate to a very large sum of money, in order to enable it to compete in games with the other skilled teams or bodies employed by the other clubs in said League. The plaintiff is a professional baseball player, and has been such for more than two years, and is now one of the best players and most valuable men in the country. He has been employed by the plaintiff for the past four years, and is now in the position of what is known as shortstop. In which position he is a very good player, and is generally considered one of the most skilled in the country, and the defendant is also a player in general, and in the opinion of the general points of the game, and because of his general knowledge of the game, and because of his services employed by the plaintiff. That the defendant did, on the 22d day of April, 1888, in the State of New York, and before the court of justice of the plaintiff, the same having been executed with the intent under the name of the New York Ball Club, and in the manner herein by its duly authorized agent, Nicholas E. Young.

THE DEFENDANT'S CONTRACT.

And further, that prior to the execution of said contract the defendant presented to plaintiff an oral or supplemental agreement which said defendant was willing to enter, and received that the same be signed and executed by the plaintiff as part and parcel of the first contract, which was signed and entered into between him and the plaintiff under the name of the New York Ball Club, and by its duly authorized agent at the same time that the first contract was executed and delivered, and also, that prior to October 1, 1888, he had given notice to plaintiff that he intended to render services to plaintiff for the season of 1889, in the position of shortstop, and that he intended to do so, and did so, and did receive him within the meaning and under the provisions of the original contract, and that he ready and offered to execute the agreement that he would play for the plaintiff, and that he caused it to be published throughout the country, that he will not play with the club of the plaintiff during the season of 1889, and that he will, before mentioned contract with the plaintiff, will play with no club or organization, for the season of 1889, and that . . .

THIRTEEN OTHER PLAYERS.

No other similar contracts as aforesaid have, at the instance of defendant, declared and published that they will not play with the club of the plaintiff during the season, but will play with other clubs or organizations, and will offer their services or obligations with the plaintiff, and the reason of such irreparable injury the large amount of money that had theretofore been invested by the plaintiff in the organization, and the plaintiff being partially, if not wholly, lost, and that it is impossible to estimate the loss.

Action of the said defendant in violation of his contract.

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