

6. We are somewhat confused at the charge that Mr. Rupp "deliberately sacrificed the physical welfare of the players". We know of no incident which would justify such a charge. On the contrary, all information shows that he has always been extremely solicitous of their care, and that players on his teams are always in superb condition. The only instance cited in Judge Streit's charge is based on an incident that occurred in Madison Square Garden in 1948. Ralph Beard, suffering from a sprained ankle, was taken by the team trainer to the official physician of Madison Square Garden. This doctor injected Novocain, taped the ankle, and Beard played that night. We have before us statements from two of the most eminent surgeons in Kentucky explaining that this was proper medication for the injury, that it in no way should be associated with the use of narcotics to stimulate players, and that in their opinion there could be no harmful result therefrom.

7. Coach Rupp has stated that he had information of the payment of sums of money to certain players beyond the legitimate scholarship allowances of the Southeastern Conference. This practice is not condoned. The Southeastern Conference at its last meeting in December, 1951, upon the motion of Dr. Kirwan, our representative, adopted a rule which now requires all athletes to make affidavit that they have not received and will not accept any inducements beyond the legitimate Southeastern Conference scholarships. It was also stated by Coach Rupp that certain players received rather generous expense and entertainment allowances following bowl games. Steps have already been taken to eliminate such practices, and we charge officials of the University to exercise such diligence as to insure that they will not recur.

8. We note that one of the players is quoted as saying that when the team lost, "We were lucky to get something to eat." The impression created by such a statement is that the team was paid excessive subsistence sums when it won but that it was made to suffer privations when it lost. We have before us records showing the subsistence payments to all players in connection with every game during the years 1947-52. We find that in all instances the same subsistence allowance was paid all players on these trips. We find that these amounts were adequate but not excessive and that variances in amounts for different games reflected the number of days covered by such subsistence payments.

9. Judge Streit is of the opinion that the University is spending an excessive amount of money on its basketball program. Others may share his opinion. However, in the \$107,000 budget for 1951 there was \$17,000 for travel, which included trips from New York to Seattle and New Orleans; guarantees paid other teams; cost of transporting the Band and SUKY to the S.E.C. Tournament; and other items charged to the basketball team only for bookkeeping purposes. We would point out that amounts of money spent on the athletics program, duly recorded and covered by C.P.A. audit, were honestly and openly administered. Furthermore, it should be emphasized that this was money realized from gate receipts and that not a dollar of taxpayers' money was spent on the athletics program. It in no way reflected a burden on the general funds of the University. We point out that a complete report of the finances of the Athletics Department is periodically made in the press. So far as we know we are the only university which does this.

10. Judge Streit charges that athletics are "highly systematized and commercialized enterprises" at Kentucky. We agree that they are "highly systematized" but see no reason why this should be condemned. Our teams are superbly coached and equipped and are well organized. Their finances are administered and audited as is proper in the case of any public enterprise.