Writ Prevents Suit Against Broker Firm

Stone Acts to Halt Litigation to Recover Funds

Settlement Awaited

Bars Creditors From Suing Howell, Usher & Mitchell

Horace M. Stone, receiver for the investment house of Howell, Usher & Michell, Inc., today took the first step to prevent creditors bringing legal action to recover stock which they allege they paid for but did not receive.

At Mr. Stone's request, Supreme Court Justice Cheney granted a temporary injunction restraining Mrs. Jeanette B. Sherwood of Cortland from continuing her Municipal Court suit to recover $1,560 worth of stock or cash.

Pending settlement of the affairs of the brokers, who are alleged to have appropriated $300,000 of their clients' money and securities to their own uses, court actions are out of place, Mr. Stone.

Notice of the injunction was served on Waters & Hodges, attorneys for the Cortland woman. The order is returnable this afternoon.

Identification of some of the stock held in the safe deposit box rented by Howell, Usher & Mitchell, has been made, Alexander L. Saul of the State Attorney General's office, announced today after conferring with John A. Powelson, certified public accountant, who is auditing the firm's books.

Stock that has been identified is the property of persons whose names are not on the list of 120 who are said to have been defrauded, according to Mr. Saul. After the audit is completed and proper application is made to the court, the identified stock will be returned to its owners.

Twenty-five shares of it are in the name of an Ithaca woman. That constitutes Foreign Power Securities Corporation of Canada stock, and five other shares are in the Power Corporation of Canada. The stock was purchased for the Ithaca woman some time ago Mr. Saul said.

Other instances in which stock was actually purchased for clients and came to the brokers in the clients' names, were cited by Mr. Saul. Appropriation of this, without the concent of the owners, is impossible.

With the list of customers who claim losses steadily growing, Mr. Saul today resumed questioning of employes and clients.

Big Advance Sale For Charity Game In Coliseum Dec. 17

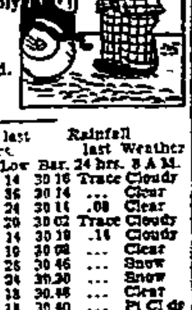
Advance sale of tickets for the Knights of Columbus charity hockey game between the Syracuse Stars and the Pittsburgh Pirates, to be played at the Coliseum Wednesday night, Dec. 17, indicate that one of the largest crowds of the season will be present when the two teams line up.

The proceeds of the game will be used by the K. of C. to buy shoes and rubbers for the needy children of Syracuse.

The House of Providence Drum Corps will play before and after the game and during the intermissions. Following the game the rink will be open for skating.

Tickets for the game are on sale at the Masonic Club, Knights of Columbus Hall, Eagles Hall and Elks club rooms. They may be also purchased from all members of the K. of C. Charity Committee.

The Weather



Mostly cloudy and colder tonight; Tuesday probably fair and continued cold.

Cities	Temp last 24 hrs. High	Low	Bar.	Rainfall last 24 hrs.	Weather 8 A.M.
Albany	26	14	30 16	Trace	Cloudy
Atlanta	46	36	30 14	...	Clear
Atlantic City	40	24	30 14	.08	Clear
Boston	30	20	30 02	Trace	Cloudy
Buffalo	26	14	30 10	.14	Cloudy
Calgary	..	10	30 08	...	Clear
Chicago	38	26	30 46	...	Snow
Cleveland	32	24	30.30	...	Snow
Denver	30	18	30.48	...	Clear
Detroit	32	18	30 40	...	Pt Cl'dy
Jacksonville	62	40	30.16	...	Clear
Kansas City	32	20	30 42	Trace	Cloudy
Los Angeles	80	52	30 18	...	Clear
Memphis	44	34	30 12	...	Rain
Miami	70	52	30.12	...	Clear
Montreal	.	6	30.24	.02	Pt Cl'dy
New Orleans	68	52	30 04	...	Cloudy
New York City	34	22	30 12	..	Pt Cl'dy
Pittsburgh	34	24	30.26	Trace	Cloudy
Salt Lake City	32	20	30 20	...	Clear
San Francisco	58	38	30 20	...	Clear
Seattle	52	42	30 16	.	Cloudy
St. Louis	36	32	30.30	Trace	Cloudy
Washington	40	34	30.30	..	Cloudy

LOCAL WEATHER CONDITIONS

Precipitation 24 hours ending 8 A.M.—.06 inch.

Temperature—8 A.M., 13 degrees. 10 A.M., 13 degrees. 12 M., 13 degrees.

Wind—8 A.M., north, 5 miles; 10 A.M., north, 7 miles. 12 M., north, 8 miles.

Humidity—8 A.M., 77%; 12 M., 73%.

Pressure—8 A.M., 29.58. 12 M., 29.62.

Sunrise, 7:30, sunset 4:31.

FIRE RECORD

Monday—8:30 A.M., automobile fire, Geddes Street and Erie Boulevard West.

MARRIAGE LICENSE

Max Herman Brinn, 302 Wilkinson Street, and Ella Lena Tuttle, 1538 Valley Drive.

BIRTH RECORD

Mr. and Mrs. Floyd Spaulding (Helen Archibald), 101 Miles Avenue, a son, Dec. 6.

Mr. and Mrs. George Kratzer (Mildred Morey), Baldwinsville, a son, Dec. 6.

Mr. and Mrs. Carlos DeLano (Constance Mullen), 337 Forest Hill Drive, a daughter, Dec. 7.

Mr. and Mrs. John Tindall (Mabel Cerrill), 1211 Milton Avenue, a daughter, Dec. 8.

Mr. and Mrs. Frank Wheeler (Catherine Coburn), 220 Fitch Street, a daughter, Dec. 8.

Mr. and Mrs. Robert Cummings (Ruth Bradley), 818 Milton Avenue, a son, Dec. 8.

Mr. and Mrs. Homer Bailey (Elizabeth Berry), 1339 South Cliff Road, a daughter, Dec. 9.

Mr. and Mrs. William Prime (Christine Gilbert), Liverpool, a daughter, Dec. 10.

Mr. and Mrs. Lewis Kinarh (Eleanor Emlow), 201 Milford Drive, a daughter, Dec. 10.

Mr. and Mrs. Ernest Drake (Catherine Bynn), 724 Hawley Avenue, a son, Dec. 10.

Mr. and Mrs. John Derr (Helen Condon), [illegible] Avenue, a son, Dec. 10.

Mr. and Mrs. [illegible] (Mary [illegible]), 275 Liberty Street, a daughter, Dec. 11.

Mr. and Mrs. Joseph Paoliotti (Mary Pardilat), 1805 Park Street, a daughter.

Former German Soldier, 80, Still Hopes to Find Job

Charles Lorenz Served Under Regime of Von Hindenberg

A little old man with silver-gray hair who lived through the glorious military days of the old German Empire celebrates his 80th birthday today silently in his reclusive quarters at 846 North State Street. Charles Lorenz, the old soldier and citizen, said on the morning of his birthday, "I wish I had a job."

That expresses the vitality of this man who watches with sad eyes the old and young passing by in search of employment. The same vigor that breathed through his erect little frame in those stern, gay days along the Rhine under the commandership of Von Hindenberg, inspires Charlie Lorenz upon the first of his octogenarian days of life.

Born on Dec. 15, 1850 in the tiny hamlet of Vittletz 14 miles from Coblenz on the Rhine, Lorenz lived in one of the most romantic parts of Germany. He saw the soldiers wander by and his eyes glittered. And at the age of 23 he was in the army under the military law of the empire, and he saw the great Von Hindenburg in numberless picturesque attitudes.

The old commander was a careful man with a keen sense of efficiency. He would stride through the ranks looking side-eyed at his men, examining in a glance their appearance. He would hastily walk through the steaming mess-halls tasting foods, inspecting utensils. This was the man Lorenz watched in his youth.

The windy days along the Rhine banks are memories. The young soldier with great coat flapping in the breezes, watching the sun set over the majestic river, lived like a gothic knight.

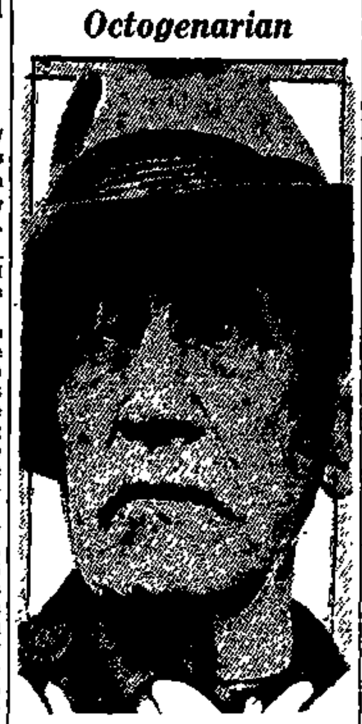
"They were days," says Charlie Lorenz, "when you lifted a stein of beer with two hands!"

Those are the words of the man who in his 80th year is still fighting. His ambition is to own a shop in which he can be of service to men. Today he shakes his head and thinks of more glorious times and he murmurs, "you couldn't have prohibition down there."

Lorenz has lived in America since 1891, and for more than nine years he was a constable in the Municipal Court of Syracuse. He worked for the city until three months ago. Since that time he has been unemployed.

The old man is spending his birthday peacefully. He has proven himself to be as valiant an American citizen as he was a soldier in the empire's army. And on his 80th year he expresses a desire to work.

Octogenarian



CHARLES LORENZ

D. T. Curtin Rites Fixed

Funeral Wednesday at Barton Home

Daniel T. Curtin of Oklahoma City, brother-in-law of Mrs. Harry G. Barton, 1030 Euclid Avenue, and at one time widely known in New York State as representative of a Chicago jewelry concern, will be buried in St. Mary Cemetery, this city.

Funeral services will be conducted in the Barton home at 9 o'clock Wednesday morning with a requiem high mass to be celebrated by the Rev. John J. McCreary, pastor, in St. Therese Church at 9:30 o'clock.

A native of New York City, Mr. Curtin, for many years prior to the World War, covered New York State as salesman for the firm of Morris, Mann & Reilly of Chicago, wholesale jewelry firm.

After serving in the war, Mr. Curtin entered the employ of the Van Raalter Company of New York City, wholesale clothing concern, and had since lived in the West.

Mrs. Curtin and Mrs. Barton are sisters. Mr. Barton is station master of the New York Central Railroad in Syracuse.

Survivors besides Mrs. Curtin are three sons, James, John and Daniel Curtin, Jr., all of Oklahoma City, and three brothers, John, Frank and Patrick Curtin of New York.

Mrs. Curtin and her three sons plan to make their future home in Syracuse.

FELLED AND ROBBED

Detective Louis McMahon is searching for two men reported to have knocked William Brown, 318 Shuart Avenue, to the ground last night at East Washington Street and South Crouse Avenue. Brown said the pair stepped out of an alley and knocked him down, taking a watch.

The W. I. Addis Company

DEXDALE Silk Stockings

1.00 to 2.95

GIVE HER A BOX OF THREE PAIRS

Change of Venue Asked in Elmira Walk Mishap Suits

A petition asking that the trial of actions brought against the Lowman Construction Company and the Blackmore Danzig Company be moved to Onondaga County has been filed by counsel for the companies, who claim they are unable to secure a fair trial in Chemung County.

The actions were brought by persons injured when a temporary walk and covering at a construction job in Elmira gave way and dropped the people into the cellar of the building. Two were killed and a score injured in the accident.

The petition filed by Bond, Schoeneck & King, counsel for the Lowman Construction Company, charges that the people of Elmira and Chemung County are prejudiced to such an extent that they would be unable to secure a fair trial there.

The defendants are raising the same question that was raised during the famous Barnes-Roosevelt slander action which was removed from Albany to Onondaga County.

Court Orders New Trial in Zoning Case

Justice Smith Rules Planning Board Has No Authority

The Planning, Parks and Recreation Commission has no jurisdiction in property line setback matters under the zoning act, Justice E. N. Smith of the Supreme Courts holds in a decision handed down in proceedings instituted by Henry J. Van Auken to force the commission to permit him to proceed with enlargement of his garage and automobile service station at East Fayette and Maple Streets.

Van Auken obtained a permit to enlarge his plant and when he started operations, neighboring property owners entered a protest, contending that the development would result in a depreciation of neighboring property and would create a traffic hazard by making the intersection a "blind corner."

The Bureau of Building, after an investigation, revoked the permit on the grounds that Van Auken was not building the addition in conformity with the plans which accompanied the application for the permit.

With operations halted, Van Auken engaged Senator George R. Fearon to start action in Supreme Court for a peremptory mandamus requiring the city to allow him to proceed with the construction of the new wing.

The city opposed Van Auken's petition through Frank P. Malpass, corporation counsel, the case being argued before Justice Smith.

The court had handed down an alternative mandamus which permits trial of the action in Special Term, unless the city appeals.

The decision states that a peremptory mandamus would have been issued in the case if more facts on the question of enlarging the existing building for prohibited purposes had been submitted.

Justice Smith holds that the commission has no authority under the zoning act to make provisions relating to so-called setback lines which is an act "separate and distinct from the so-called zoning" act.

In the proceeding permitted under the terms of the order, a definite decision as to how much of the property owned by Van Auken can be used for the plant addition is expected.

The decision gives five neighboring property owners, Albert Weinstein, Frank J. Hill, Lena A. Flattery, Harvey H. Bebb and Lillian Smith, the right to intervene.

Rises in Service

CAPT. JAMES F. WISE

James F. Wise New Captain In Fire Bureau

Lieutenant Appointed to Fill Vacancy Caused by Potter's Promotion

Three promotions in the Syracuse Fire Department were announced today by William W. Wiard, commissioner of public safety.

The appointments are made to fill vacancies which followed the promotion of Edward W. Gieselman from first assistant chief to chief of the department.

Fred C. Potter, captain of Engine Company No. 6, and first on the Civil Service commission's eligible list, announced on Saturday, was promoted to district chief to succeed Philip N. Eckel, made second assistant chief.

Lieut. James F. Wise of 144 Redfield Place, was promoted to captain succeeding Capt. Potter.

Fireman Herman Eabold of 849 South Avenue was promoted to lieutenant, to fill the vacancy caused by the elevation of Wise.

The promotions, the commissioner said, are effective as of today and the officers will be assigned by Chief Gieselman forthwith.

Policeman, Hunting for Burglar, Locks Self Up

Finally Gets Out of Building When Fellow-Officers Get Ladder

Patrolman Joseph Liquori, walking a beat south in South Salina Street from the downtown section, knows today what it means to be "locked up"—for he had that experience during the night in a building he entered to search for burglars.

It was shortly after midnight when the patrolman, trying doors along his beat, found one unlocked at 548 South Salina Street.

Liquori entered the building, found nothing amiss on the first floor and going to the second, the top floor, found some people in an office. The group was having a little social gathering and the patrolman, assured that tenants of the building were among those present, apologized for his intrusion.

To make certain no one else was in the place Liquori looked about other rooms on the floor and then went downstairs. But he learned to his sorrow that while he had completed the search, those who had been in the upstairs office had left the building and locked the door behind them.

Liquori was locked in and no amount of manipulating with the telephone switchboard could arouse the central operators.

Resigned to his fate, Liquori stood at the front door and finally attracted the attention of a man passerby who, acting on instructions shouted through the door, notified Police Headquarters.

A detail of police with Sergt. Peter Schug in command went to the place but were unable to force open the door or any of the windows to release Liquori.

Finally Schug sent the patrol to the barns of the New York State Railways for an extension ladder and Liquori was freed through a trap-door on the roof.

Urges Fees For Permits

Ruhland Would Levy Assessments

Levying of a fee of not less than one dollar for each permit issued by the Department of Health under the sanitary code, is recommended by Dr. George C. Ruhland, commissioner of health, in a communication to Mayor Marvin.

The commissioner said that the department under sanitary code provisions issues thousands of permits a year, but receives fee for only one type of permit.

The permit on which an assessment is levied is that issued for the operation of meat markets.

The commission points out that permits for 2,700 other food establishments were issued after inspection this year, but that the food inspection bureau received no fees from such sources whatsoever.

The commissioner favors adoption of a uniform fee system of not less than one dollar for all permits issued by the department arguing that such a program would aid materially toward maintenance of the food inspection bureau.

Autoist Tells Of Holdup in James Street

Thompson Road Man Says Auto Gunmen Robbed Him of $16

Morrow Wheatley of Thompson Road, Barton's Corners, reported to Sergt. Martin L. Dillon of North Syracuse, State Police today that he was stopped and robbed by two holdup men at James Street and Thompson Road last night.

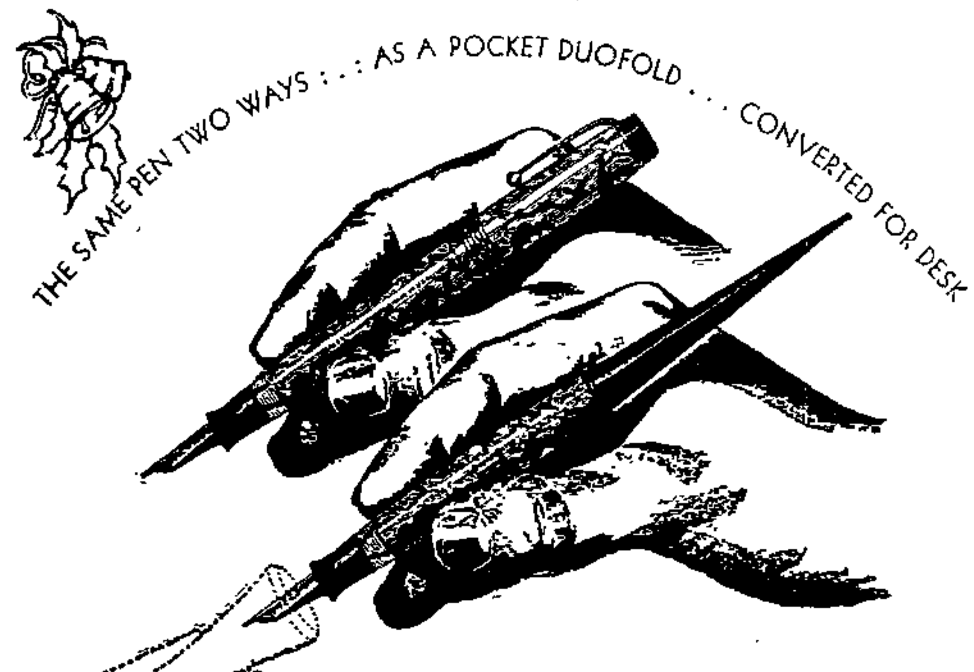
Wheatley reported that he was driving east in James Street at Thompson Road, on his way home, when the two highwaymen stopped in front of his car, each holding a gun. He said he stopped his machine and the two men boarded the car.

The victim reported to the troopers that the robbers took $16 from his pockets and then ordered him to drive. He said that as his car pulled away from the scene of the holdup, the two men got in another automobile and drove away.

Wheatley did not explain to the State Police why he had delayed until this morning to report the holdup and Sergeant Dillon and Trooper Arthur Hayes went to the man's home to question him.

Furniture Stolen At Summer Home

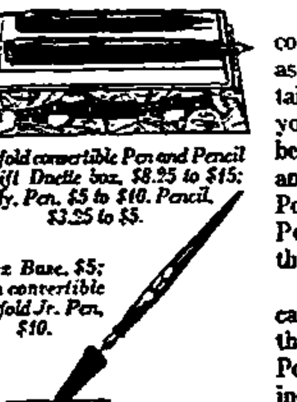
Thieves who entered the Delphi Falls summer home of Mr. and Mrs. Nicolas Korb, 804 Danforth Street, stole several articles of furniture, according to a report received today by Sergt. Martin L. Dillon, North Syracuse, State Police. It is believed the thieves entered the summer home last week according to the troopers.



This Christmas, Parker offers

A Gift Pen HAVING TWICE THE VALUE

at no extra cost . . . and Guaranteed for Life



Duofold convertible Pen and Pencil in gift Duette box, $8.25 to $15; singly, Pen, $5 to $10. Pencil, $3.25 to $5.

Onyx Base, $5; with convertible Duofold Jr. Pen, $10.

Actually—the new Parker convertible Duofold is twice as useful as the usual fountain pen. For those to whom you give this streamlined beauty can change it back and forth at will from a Pocket model to a Desk Set Pen. You virtually give them two Pens in one.

Later, as many as wish, can get a Parker Base and thus have a complete Desk Pen Set. With the Base, we include at no extra cost, an attachable taper to convert the Pocket Pen you have given. This formerly cost $1.

So in choosing Christmas Pens be sure to look for this famous imprint—"Geo. S. Parker—DUOFOLD." That means it holds 17.4% more ink than average, writes with Pressureless Touch, and is *Guaranteed for Life!* All dealers are now demonstrating.

The Parker Pen Company, Janesville, Wisconsin. Sales and Service Station, R-217, Ellicott Square, Buffalo, N. Y.

Parker Duofold

PEN GUARANTEED FOR LIFE • $5 $7 $10

Pencils to match $2.50 to $5—Other Parker Pens $2.75 to $3.50

GET YOUR "PARKER" AT FOOTE'S BOOK SHOP

316 SOUTH WARREN STREET

Headquarters for Parker Pens

Lindemer for glasses — Optometrists Opticians — 443 S. Salina St.

Headquarters for Parker Pens

WITHERILL'S

Only Eight More Shopping Days Before Christmas!

Bring Your Gift Lists Early to Witherill's

New Scarfs of Silk, Chiffon, Wool

$1 up to $2.95

Scarfs to be worn with holiday outfits—or to be packed in gay gift boxes! All silk Ascot scarfs—(new this year)—chiffons—and wool scarfs in colorful plaids or striking Roman stripes.

Irish Century Linen Damask Dinner Sets

$7.98 to $10.98

They make beautiful and useful gifts. Heavy quality, full bleached snow white—with satiny luster. Neat floral and conventional designs. One tablecloth, size 60x80 inches to 64x102 inches—and 8 to 12 napkins complete each set. Boxed for gift giving!

Toys! *Such a wide variety—and so low priced that you will find Toy-shopping a real joy at Witherill's.*

Reversible Letherette Jackets for Boys

$3.29

Regularly priced $5

Boys will like them and parents will like the remarkably low price that goes with them. All wool, plaid flannel lined—two muff pockets — adjustable cuffs—knit waist band—can be reversed in a jiffy and worn as a lumberjack, flannel side out. Sizes 6 to 16 years.

Our Greatest Men's Sweater Value To Date!

"Utica Knit" Fine Rib Coat Sweaters

$2.39

Taped Shoulders and Pockets

The ideal utility sweater. Wonderful for sports, office or home wear. A sweater every man wants and appreciates as a gift! Medium weight so it can be worn under a suit coat for the office. Brown heather, autumn heather and oxford. Sizes 38 to 46.

A Special Selling!

"Non-Run" Rayon Bloomers and Panties in Extra Sizes

55c

This specially knit, non-run fabric is much finer than the average rayon. It has luxurious softness which is found only in expensive garments. Carefully cut and tailored to assure perfect freedom in sitting or bending. Pink only. Sizes up to 56.

"Bemberg" Bloomers Panties, Vests

$1 and $1.29

Undies that cannot be distinguished from finest glove silk. Beautifully tailored and finished. Can be laundered the same way as pure silk. Unequalled for wear. Pink, Peach. Sizes 36 to 42. Vests $1—Panties, Bloomers $1.29.

Visit the Gift Shop

Balcony—Main Floor

Many gift offerings in various departments throughout the store are duplicated in the Gift Shop — where you can easily find the new—the unique — the beautiful gift. At low prices!

Fancy Pillows

$1, $1.59, $1.95 up

Stunning materials—damask—rayon velour and imported silk tops. In the best living room colors. Beautifully tailored. A wide choice of styles.

Cedar Chests of Walnut

Owing to Delayed Shipment Now

20% Less

These chests have genuine walnut exterior and full cedar interior. Beautifully designed and guaranteed mothproof. Many gift styles to select from.

Smokers' Stands End Tables Telephone Sets

No Christmas list is complete without one or more of these useful home gifts—all specially priced.

Smoking Stands at . . $3.95 up to $18.00

Telephone Sets at . . $4.50 up to $13.50

End Tables at . . $1.29 up to $10.50

Radio Benches

$1.95

Good looking — substantial — convenient. Metal stand with tapestry or velour seat.