

COURT DENIES PLEA TO STOP CUE PLAY

**Ponzi Suit Against National
Billiard Association
Is Dismissed.**

PROCITA ADDED TO FIELD

**Takes Greenleaf's Place and
Insures Entry of Ten in the
Tourney Opening Monday.**

The application by Andrew Ponzi, world pocket billiard champion, to restrain the National Billiard Association and the Hotel Pennsylvania from holding a tournament at the hotel was denied yesterday by Supreme Court Justice McCook.

The court acted after hearing statements by Eugene Untermyer, counsel for the billiard association, that Ponzi had refused an invitation to play in the tournament unless he received a bonus of \$1,000 for the three weeks he would be required to spend away from his duties as manager of a billiard room.

Ponzi Held in Default.

Mr. Untermyer denied that any of the players in the tournament would be advertised as "champion," but admitted that the winner would be known as "champion" because of Ponzi's default.

Justice McCook asked Ponzi's attorney to explain "how your client gets his money."

"Until recently the Brunswick-Balke-Collander Company paid the champion, but in 1932 the National Billiard Association, a subsidiary, took over the promotion," replied the attorney, Walter Rosenbluth. The attorney also said the National Billiard Association awards prizes running from \$350 to \$1,500, the latter amount going to the winner. The entry fee is \$250, and even if a player is last he gets back his fee plus \$100 and 4 per cent of the gate receipts.

Did Not Post Fee.

Mr. Untermyer told the court that in addition to asking the bonus Ponzi had failed to file his entry fee. "If we agreed to Mr. Ponzi's demand the result would be that all

the tournament players would be on our necks for bonuses."

"What this boils down to," said Justice McCook, "is that the association declined Ponzi's ultimatum that he must be paid \$1,000 bonus or else he wouldn't play. Therefore he is out of the tournament. Unless you can show me something beyond that to justify the claim that he is aggrieved, I must deny the application."

Meanwhile Clyde A. Storer, president of the National Billiard Association, announced that Joe Procita of Gloversville, N. Y., had been named to take the place of Ralph Greenleaf in the field of ten competitors. Greenleaf, thirteen times world champion, withdrew because of illness.

Mr. Storer also announced that Pete Durocher of Des Moines and Herbert Ramsey of Philadelphia have been appointed as referees of the event, which starts Monday and continues through Dec. 21.