

# Farmington Observer

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## District judge wages battle for 'gag' ruling

Despite the reluctance of other state officials to touch the "gag order" hot potato, a Farmington judge will press for a court ruling on the constitutionality of the state law.

Next week, Judge Michael Hand of the 7th District Court will pick up the gauntlet thrown down last year by Channel 7 (WXYZ) and the Michigan Association of Broadcasters.

Both Atty. Gen. Frank Kelley and the Michigan Supreme Court have

refused to get involved in the case, leaving Hand and the media to battle it out in federal court, where the legal clash began last September.

Hand and the media plaintiffs will appear before U.S. District Judge James P. Churchill on Oct. 16 for a pre-trial hearing on the gag rule. Hand invoked last fall. The case began after Hand ordered the suppression of all information concerning the arrest of a Farmington priest on a morals charge.

Members of the media received a temporary restraining order from Judge Churchill preventing Hand from citing contempt charges against those who disobeyed the gag order.

Atty. Gen. Kelley cited the lack of monetary damages in his refusal to defend Hand and his ruling, a position with which Hand takes issue.

"The case laws say that when a judge or certain other state officials are sued in the pursuit of their official

capacity, it is the duty of the attorney general to defend them," Hand said in his brief.

Judge Churchill expressed his dismay at the attorney general's refusal on the record last year.

That refusal leaves Hand and his former law partner, John Kiefer, holding the legal defense now that the ball is back in Judge Churchill's court.

barring the news media from revealing the name of the accused and the victim, along with all details of the alleged offense upon the request of defense attorney James Lawson.

Acting under the 1974 Michigan Criminal Sexual Conduct Act, Hand was required to issue the oral suppression upon the request of either the

prosecutor or the defense attorney.

The arrest of Fr. Gary Berthiaume of Our Lady of Sorrows Church in Farmington initiated the court battle. Berthiaume pled guilty last March to a reduced charge of gross indecency between males. He was sentenced to six months in the Oakland County jail and ordered to undergo psychiatric treatments by Circuit Judge Alice Gilbert. Berthiaume was released from jail some time ago.

HAND ORDERED the gag ruling

## Senate race steaming up for hopefuls

By JACKIE KLEIN

The political cauldron is starting to boil and bubble in the runoff for the 15th District state senate seat.

As they rev up their Nov. 7 election campaigns, the differences in styles, personalities and philosophies between Democratic contender Doug Ross, and Republican aspirant Markus Simon become increasingly apparent.

Ross, 35, who trounced veteran incumbent Sen. Daniel Cooper in a primary election upset, launched his Nov. 7 election campaign by walking door-to-door with an army of 2,000 volunteers. Ross spent \$50,000 in the primary.

Simon, a 69-year-old attorney who said he spent less than \$5 in the primary in which he was unopposed, has enlisted his wife and 10 children to help in the campaign.

Simon, unlike Ross, has no headquarters, campaigns at home and expects to spend \$2,000 on the race. Ross said he will spend about \$15,000.

Simon, who was a precinct delegate in Detroit in 1930 and considers himself a party standard bearer, maintains he's worked all his life and is a self-made, independent man.

He's taken verbal potshots at Ross, intimating his opponent didn't come up the hard way after graduating from Princeton, University of Michigan and London School of Economics.

"IF SIMON is saying I'm a rich kid from wealthy parents and I'm not self-supporting, he's way off base," Ross said.

"I worked my way through school as a musician in a dance band, and I got a full scholarship to Princeton. That doesn't make me any less or any more qualified to hold public office. All I've heard from Simon is that he came up the hard way and has 10 kids," he added.

Simon stresses he's 180 degrees apart from Ross in philosophies and believes he has an edge on the Democratic candidate. While Ross maintains the 15th district is 51.8 per cent Democratic, Simon claims it's more of a Republican stronghold.

Simon is a slight man who wears a \$3 elephant pin on the collar of a rumpled suit. Ross wears three-piece suits and presents an entirely different image from his opponent's.

Simon, who garnered 8,000 votes in the primary, says this is the first time

he can afford to be a candidate for election.

"My opponent brags about the schools he attended, but I'm a man of the people who knows their problems," he said.

"I went to night school to become an accountant, I've worked seven days a week as an attorney, builder, real estate broker and farmer. I know how tough it is to make a dollar. I've suffered plenty of losses myself."

ROSS MAINTAINS he's more experienced to address relevant issues because of his six-year involvement as director of Michigan Citizens Lobby and Common Cause.

"I've always been consumer oriented and I've developed a record of achievement," Ross said.

"I've headed strong PBB and single business tax lobbies, and succeeded in getting the legislature to make significant changes. I haven't seen Simon around in those six years. He has no record of involvement."

Simon charges Ross with being a "puppet of UAW" and a "grandstander." The Republican candidate said Ross wouldn't battle for the people if he won the election.

Ross denies he has any union ties and claims 99 per cent of his financial support in the primary came from individuals.

"There's nothing admirable about a candidate who spends very little money on his campaign," Ross said.

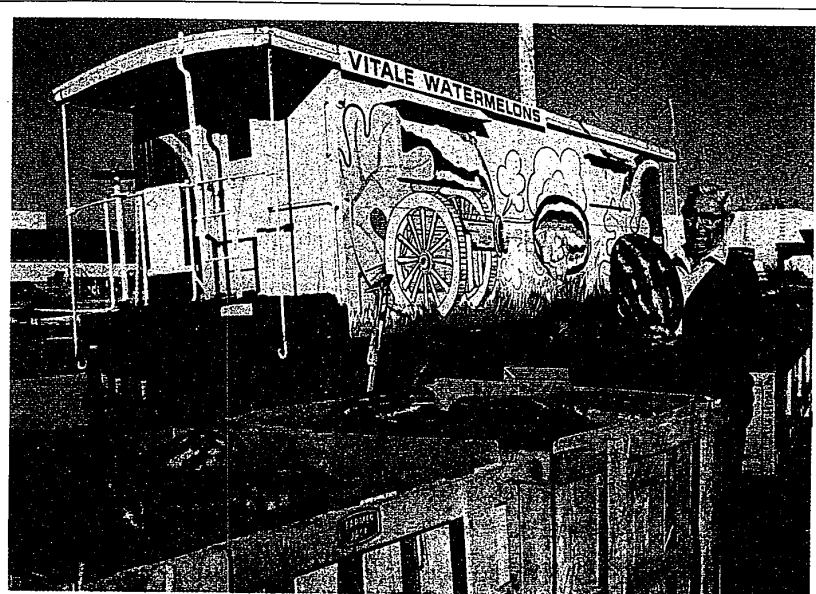
"Simon doesn't have time to garner support or gain exposure. He apparently lacks the resources to convey his views to his constituents."

Ross still indicates he's taking the November election against Simon very seriously and will campaign harder. Fund raising will be a special priority, he said, because of the campaign's \$15,000 debt from his primary victory.

Simon said he has the support of many Jewish organizations in which he is active. Word of mouth and his campaign committee, which includes his wife and children, will win the election for him, Simon maintains.

Ross, like some other local Democratic contenders for public office, has been highly visible throughout the campaign. Simon and Republican candidates have received little exposure from any quarters, including the local GOP club.

Simon said, "Is there a Southfield Republican Club? If there is I probably wouldn't join because nobody does my thinking for me."



While the watermelon season peaked around the middle of September, Tony Amodeo of Vitale Watermelon's at Detroit Eastern Market still has plenty for sale. (Staff photo by Charlie Kidd)

## Mouth watering delights Farmers' markets offer sensual paradise

A visit to Detroit's Eastern Market provides shoppers with a sensual encounter with the smells, colors, sights and tastes of Michigan's bounty.

The sensation of feeling fruits and vegetables bare of supermarket cellophane makes one take home more than planned.

While the likes of tomatoes, melons and peppers are pretty well picked over, pumpkins, apples, pears, onions, carrots and a host of other fall harvest fruits and vegetables are bountiful.

"Freshly harvested crops are available until about November, with pumpkins, squash and apples topping the list as best sellers," said Greg Patchen of the Michigan State Cooperative Extension Service of Oakland County.

"Apple crops are at their peak, along with potatoes, melons, leafy vegetables and corn." The melon and tomato selection has thinned out since the end of September, he said.

IN ADDITION TO the Eastern Market in Detroit, two other outdoor markets serving Oakland County.

One's in downtown Royal Oak at 316 E.

Eleven Mile. The other is in Pontiac at 2350 Pontiac Lake Road.

All three are open for business until mid-November with fall produce, fresh flowers and other Michigan delights.

The Eastern Market, which opened for business in 1890, is an ethnic paradise. During the week, almost everything is for large-quantity wholesale buyers. On Saturdays, retailers and wholesalers crowd the stalls and surrounding shops at the Russell and Gratiot roads area for the best buys.

Farmers and truckers arrive as early as 3 a.m. to set up their wares for the storekeepers who will arrive at 5 a.m. to bargain with them. By 9:30 a.m., the trucks begin to leave. Then one of the places to go is Butcher's Inn for a coffee and doughnut break.

It's a chance to sit among hard-hatted butchers wearing the white coats signifying their brand of "surgery."

If that isn't colorful enough, the nude over the bar centered between pictures of cattle draws amateur jokers, which probably have filled the inn for years.

On to more shabby, little, wonderful-smelling stores:

"Look at the raunchy olives covered with scum. I love them," said Eileen Worder of West Bloomfield, who knows all the specialties of the Greek grocery.

At the meat market, the shoppers speculate on some of the "delicacies."

AT ONE COUNTER, octopus—which the butcher said should be sampled as an hors d'oeuvres first at Greektown—is offered for sale.

"We're only looking," is a reply most often heard, as market-goers pass up goat meat for \$1.19 per pound and Irish whiskey candy bars for 75 cents each.

"Have you ever heard of mountain oysters?" asks one shopper. Curiosity and appetites abate when the butchers explain the 69-cent delicacy is hog testicle.

"Gemutlichkeit" was the word for Jacoby's restaurant, which features German food. The restaurant, at Brush and Fort, has been in operation since 1904. Some believe the name means tasty.

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## College fights calendar to regain days

By TIM RICHARD

Schoolcraft College will use its final examination period and two Saturdays to make up eight days lost because of a strike by faculty and secretaries.

Six days late in December and two Saturdays, to be arranged, were announced jointly by the college and the Faculty Forum, bargaining agent for some 350 instructors.

Meanwhile, President C. Nelson Grote reported 200 full- and part-time students have withdrawn because of the strike. The loss of their tuition and fees reduced college revenue some \$20,000, he said.

NEW SCHEDULES were distributed on campus last Thursday and Friday. Deadline for withdrawing and receiving full refunds was Friday.

But a college spokesman said that in case of "individual or estimating cir-

cumstances," the registrar's office would hear appeals this week.

The strike ran from Sept. 25 to Oct. 4, when it was ended by a circuit court order. The college and the unions are in the process of making their cases to a state fact-finder. The process should be complete early in November.

Meanwhile, the board of trustees will meet at 8 p.m. Oct. 16 to deal with projections of lost revenue. Not only did the withdrawals cost \$20,000, but enrollment is down seven to eight per cent this fall—to about 7,700 regular credit students.

If the trend continues into the winter (beginning in January) and spring (May) semesters," Grote told the board recently, "our tuition revenue will be off \$100,000 for the year. We will have to cut expenditures."

While the two-year college has never

had a deficit, board chairman Paul Kaded added, "it doesn't mean the college is flush with money. There is a potential for a tuition increase. It's something no one wants to do, but . . .

HERE IS HOW the lost strike days will be made up, according to the college-university agreement:

\* "Dec. 15, 16, 18, 19, 20 and 21 will be added to the fall semester instructional schedule." Five of these days were to have been the final examination period. A college spokesman said instructors who give final exams would probably do so on the last day of class or within the class period.

\* "Two Saturdays, or other appropriate time, will be arranged in consultation with the students, the instructors and the assistant dean to make up the additional time lost.

\* "Where such arrangements are not possible, the instructor will offer additional assistance to students.

\* "Part-time faculty shall make up

time lost in consultation with the students and the appropriate assistant dean, subject to the approval of the coordinator of the office of instruction.

## Fire campaign launched

The Farmington Area Jaycees, as one of their yearly projects, is urging persons to install smoke detectors in their homes.

In today's Farmington Observer appears a special brochure detailing the advantages of installing such a device.

The brochure is prepared by Jaycee members Brian Delaney and Howard Aldrich. Information for the brochure

was obtained with the aid of Norman Maddison of the Farmington firefighters and Farmington Hills Chief John Van De Voort. Funds were donated by the Alexander Hamilton Life Insurance Company, of Farmington Hills.

Additional brochures will be available at fire stations located both in the City of Farmington and Farmington Hills.