

Communists Set Free, Prosecutor Scored By Judge

Eleven Men Arrested At Camp Near Farmington Released At Pontiac

Eleven men arrested on charges of criminal syndicalism at the Workers' Camp on Twelve Mile road near Halsted road the afternoon of August 30, by a number of officers under direction of Prosecutor Norman C. Orr are free, following refusal of Judge John J. Schulte to accept a third complaint and grant a second continuance to the prosecutor's office.

In dismissing the case Judge Schulte made a formal statement reviewing the circumstances and his refusal to allow the prosecutor's office to daily with the case any longer.

The hearing was held last Friday morning in court at Pontiac. Assistant Prosecutor Curt L. Augustine appeared and asked a continuance. He said he knew nothing about the case personally, but that Mr. Orr was in Detroit and Assistant Prosecutor Charles L. Wilson was in Chicago.

Judge Schulte said that he had given his word that the case would proceed that day, and allowed the prosecution until afternoon to locate Prosecutor Orr. A few hours later, at 1:30 p. m., Assistant Prosecutor Wilson appeared and said that he had not yet departed for Chicago. He immediately moved dismissal of the old complaint, signed by Under-Sheriff Frank Greenan. It is understood that Under-Sheriff Greenan had declined to sign another complaint and Mr. Wilson offered one signed by himself, alleging the same crime. Judge Schulte refused to recognize the new complaint saying:

"I have tried very hard to clearly see my duty in the matter before this Court. As I said last Saturday I want to be fair to the people of the State of Michigan, but it is also necessary to be fair and just to the parties now before me, on a very serious charge. "I do not want it to appear that any unfair advantage has been taken of the office of the Prosecuting Attorney. I do believe, however, that under our constitution all parties accused of crime should be given a just and speedy hearing and trial, not one necessarily that might cause an injustice to an accused party, nor one that by its rapidity might be poorly prepared and cause a criminal to escape just punishment.

"It is fundamental that the courts of these United States must of necessity and to prevent the breaking down of law and order be respected, and people who fall foul of the law, whether justly or unjustly, will lose all respect for our courts should they break faith in a given word. Last Saturday you will recall I exacted a promise from the prosecuting attorney in charge of this case, that he would be prepared to go ahead with this examination today and granted to him a continuance for the purpose, as he stated, of apprehending three more parties. "This Court at that time fairly and clearly upon the record, made the statement that unless the Prosecutor's office was ready to proceed on Friday, September 12, 1930, that the cause would be dismissed.

"Mr. Curt Augustine, assistant (Continued on page five)

Farmington Ballots Going To Lansing

Notice to be in Lansing Friday at one o'clock with the ballot-box containing City of Farmington ballots cast at the primary election was received Thursday afternoon by City Clerk Nathan H. Power.

Inasmuch as it is said the recount will take two weeks, and also that clerks are required to guard the ballot-boxes, Farmington may have to do without its clerk for quite some time.

Apples Sent To Flower Show For Apple Sauce Bring Home The Prize

Full Stop Required At Main Corner

Farmington City officials have decided to require eastbound vehicles on Grand River to make a full stop before turning right on Farmington road.

The order, painted on the pavement, has been of little effect thus far, and it is planned to swing an overhead sign to warn drivers of the ruling.

Battle Occurs During Inquest

Lawyers Clash During Testimony Of Farmington Business-Man

Developments that startled the crowded court-room took place last Saturday morning at the second session of the inquest into the death of Mary Essex on the Farmington Cut-off August 23, and promised even more sensational events to come, at the continuation of the hearing on Saturday morning, September 20.

Lawyers clashed repeatedly and a witness with them during the testimony of Joseph Himmelspach, proprietor of the Farmington Dairy. Mr. Himmelspach provided a sensation when he testified that an attorney for and a relative of the girl involved in the accident had approached him in Farmington two days later, and had asked him if he was "interested in business in Detroit."

Before the spectators had overcome their surprise, the witness gave them another when he testified that he himself voluntarily approached former judge Aldrich Baxter, attorney for Henry Smith and told Mr. Baxter of the approach that had been made. Mr. Himmelspach explained that he had informed Mr. Baxter of it because he felt that an injustice might be done to the people of the State of Michigan, and to someone whom Mr. Himmelspach thought was not to blame for the accident.

Mr. Himmelspach also indicated in his testimony that the testimony given by State Trooper Cleo Koone, was considerably in error on important points. Attorneys battled vigorously at certain times, particularly when Mr. Himmelspach attempted to testify concerning his conversation with them. Finally Assistant Prosecutor Thomas Gillette, in charge of the hearing, declared that inasmuch as Mr. Himmelspach had testified regarding his conversation with one attorney, the same line of examination should be continued in regard to the other, but that after Mr. Himmelspach was through, there would be no cross-examination of witnesses.

The final sensation of the morning came when Mr. Gillette called for a bench-warrant for one witness, Ed Grimmer of Farmington Township, who had not appeared at the hearing. Mr. Grimmer had been in attendance the previous week, but was said to have gone to market in Detroit Saturday. The bench-warrant was to be for his appearance Saturday at ten o'clock ready to testify.

The hearing Saturday morning is to begin at ten o'clock in the court-room in the city building.

'Meanest Man' Takes Boy's Caddy Money

While on his way home from the golf links on Saturday little Carl Smith of Clarenceville was given a ride by two men in a new car. As they were driving along one man asked Carl how much money he made and when Carl told him he kicked the boy and made Carl give him his money and then put him out of the car. It being dark, Carl did not get the license number.

This is a story about apples—sauce-apples, in fact—but assurance is solemnly given that it is "no applesauce."

It has to with some humble apples sent for sauce to the women preparing the dinner at the Farmington Flower Show last week. Among the donations received was a bushel of apples from Mrs. William Hart.

Mrs. Hart sent the apples to be used in making sauce, but when they arrived, some of the women, including Mrs. Perry Wixom, decided that Mrs. Hart's apples were far too fine specimens to be made into sauce without some higher recognition. So the ladies, led by Mrs. Wixom, proceeded to pick out the best of Mrs. Hart's apples, polish them up, and enter them in the fruit contests at the exhibit which was going on upstairs.

The judges awarded first prize to Mrs. Hart's hastily entered apples, that had been consigned to the lowly fate of sauce. But sauce must have tang, and so should a good story about sauce. The tang in this story is—second prize went to Mrs. Perry Wixom.

HEAVY TRACTOR NEEDED TO FIX STREETS IN CITY

Equipment Not Sufficient To Scrape Down Surfaces; Seek To Rent Tractor

Farmington City officials are not unmindful of the uncomfortable condition of the City's streets, particularly Shiawassee and Warner streets, but have been handicapped by lack of proper equipment, it was revealed at the meeting of the City Commission Monday night.

Street Commissioner Amos Otis informed the Commission that a caterpillar tractor is necessary to break up the surface before much improvement can be made. The tractors owned by the City now do not have enough power and traction to do the job.

It was decided to attempt to rent a caterpillar tractor from J. Porath and Son, contractors on the Grand River paving job, for the work this fall. The City will probably buy a caterpillar tractor next Spring.

The surfaces of Shiawassee and Warner streets have been broken by heavy traffic and concrete laden trucks since Grand River was closed.

CEMETERY MONEY PROBLEM BOTHERS TOWNSHIP BOARD

Appropriation Of \$600 Instead Of \$200 Asked, On Basis Of Vote By People

Farmington Township officials are faced with a perplexing problem in regard to cemetery appropriations, which they are taking two weeks to solve.

Two hundred dollars each is being asked by the three cemetery organizations of the Township, for upkeep during the coming year. In past years, the total has been \$200 for all three, each getting one-third. At the annual Township business meeting in March, 1929, however, a resolution was passed by the voters present to treble the amount, giving each cemetery \$200.

The 1929 Board did not appropriate the larger amount, but the request for the \$200 each was repeated recently. The Township Board, endeavoring to "cut corners" wherever possible, in view of the Township's financial difficulties, is faced with the problem of obeying the voters' will, but against the dictates of economy.

Send in your news items.

School Boards' Joint Action For Tax Money Ends

"General Township Obligation, Bondman's Liability Only \$10,000," Is Report

Possibility of concerted action on the part of Farmington Township school districts to obtain money owed the districts by the Township virtually disappeared this week at the third meeting of the district boards.

That the debt is, in last analysis, a Township obligation, and that the former treasurer's bonding company can be held for only \$10,000, rather than for \$900,000, was reported to the school trustees. At the same time it was recalled that the Attorney-General and the Department of Public Instruction had advised that suits be started at once, but the adverse report appeared to have the greater effect upon the trustees.

Meanwhile, efforts will continue to try to relieve the school district in the worst plight, Clarenceville District No. 5. Factions exist, until the Township can meet its obligation. Officials are persisting in their endeavors to find some means of raising at least part of the money needed, to avoid the unfavorable consequences and injury to credit which it is feared a lawsuit would bring.

Advice Reported

A report of a conference with Pelton and McGee, Pontiac attorneys, was made by Ernest Blanchard, on request of the school trustees. Mr. Blanchard, who was accompanied by Trustees Charles Erwin and Elmer Doheny, reported that the attorney had advised him that "the debt becomes a Township obligation," which must be met by the Township.

They gave the opinion also, Mr. Blanchard said, that only the treasurer's \$10,000 bond, a "long term" bond, is liable for the undistributed funds, and that no action rests on the \$290,000 "short term" bond. This opinion was based on the assumption that the school district in question, like those of other township treasurers, covered County funds only, and not Township or school money. Should it appear that this particular bond specifically covered school funds, it is understood that the situation would be quite different.

"No Case Like This"

Mr. Erwin reported that the attorneys, after diligent search, had failed to find any mandamus proceeding similar to that which the school officials had been previously advised they could institute. In every case thus far, he said, the mandamus proceedings have involved embezzlement, defaulting, or converting to personal use, whereas in this instance there is nothing at all of that kind, but merely an error in distribution of the money.

Setrak Utjian of the Clarenceville district board asked if the attorney-general had not advised mandamus proceedings at once, and Mr. Erwin replied that this was true, but that the Pontiac attorneys believed that the districts "would not get very far" in doing so. Supervisor Arthur P. Coe said that he believes the larger bond covers all Township funds.

"Increase Own Burden"

In general discussion, it was remarked that a special assessment would almost certainly be levied in the Township if suit was started, and that it would only add to the present burden and cause more people to lose their property. "The same people who are now demanding the money for the school districts would have to pay for the Township levy," it was said. "Because the Township and the school districts are largely the same."

\$5 A Thousand

It is estimated that the tax for a special levy, if it was necessary (Continued on page four.)

Officials Decline

Pay For Election

Responsive to the call for economy in government everywhere nowadays, two Farmington Township officials Tuesday night took an unusual step toward that end. Supervisor Arthur P. Coe and Clerk Willard Campbell stated at the meeting of the Township Board that they did not wish to be included in payment of primary election board members, inasmuch as they receive annual salaries from the Township.

The pay of election officials is \$10 each.

Discuss Township Fire Protection

Lighter, More Practical Apparatus For Country Work Suggested

The problem of fire protection in Farmington Township, which has perplexed officials for some time, was discussed again Tuesday evening by City and Township authorities when City Commissioner Leo Gildemeister and Mayor Arthur Lamb conferred with the Township Board.

Commissioner Gildemeister, appointed to consult the Township Board, informed them that the sale of the City's fire truck has altered conditions in regard to the care of Township fire calls. The City's big LaFrance truck is too large to go out into the Township, Commissioner Gildemeister said, and is not the right type of truck for country work. Meanwhile, the depreciation on long runs is great, and there is no more advantage to the Township than would be obtained with a smaller truck, better equipped for rural fire-fighting.

Commissioner Gildemeister informed the Township officials that the City enjoys a special rate with the understanding that the City's big truck is to remain in town at all times for protection. However, the City has ample space to store another truck, and a trained and well-equipped force, and if the Township desired to obtain a light truck adapted to country work, Commissioner Gildemeister said, it could be stored in the City's fire hall and the City's volunteer force would undoubtedly answer calls for the Township.

It was pointed out that fire calls during August had cost the Township nearly \$600, due largely to grass fires, and this amount would go a long way toward buying a small chemical truck.

Commissioner Gildemeister told the Township Board that the City would answer calls at the present rate, \$20 plus the cost of men, for 60 days more, but that after that time the City would have to charge the Township \$50 a call, including men, as has been paid by Livonia, Southfield and West Bloomfield Townships. The Township Board will consider the matter at its next meeting and Commissioner Gildemeister agreed to return for another conference two weeks later.

A similar problem has confronted officials of Birmingham and Bloomfield Townships, a dispatch from there this week saying:

"The village fire department, in the future, will confine its activities to the village.

"This decision was reached by the village commission, Monday night, and orders were issued to the village manager to instruct firemen to answer alarms only within the village. In the past, the department also has served Bloomfield, Southfield and Troy Townships, charging the townships for alarms answered.

"Numerous grass fires, in the townships during the summer were fought by Birmingham firemen. The townships were billed at the regular rates. They objected to the cost, and a small truck was bought by Bloomfield Township for use in fighting minor blazes in the three town-

Nine Mile Paving Assessments To Be Told Sept. 24

Tax Levies To Be Announced, Objections Heard Next Wednesday Morning

The final step in putting through the \$355,000 Nine Mile road paving project, which has been opposed by the Oakland County Bankers' Federation, as well as citizens and taxpayers on the ground of excessive taxation, will be taken next Wednesday morning, September 24, by the Oakland County Road Commission when assessments for the improvement will be announced and the assessment roll reviewed.

The rolls will be open for inspection at ten o'clock on the morning of the date set. All citizens of Oakland County may

Tibbitts Redoubles

Fight On Road Tax

Karl Tibbitts of Farmington apparently gained headway during the past week in his campaign against high taxes, and particularly the Covert Road law. Last Saturday his picture and a story appeared in one Detroit newspaper, and on Monday another carried an even more detailed story with a three-column picture of Mr. Tibbitts seated on a tractor on his farm, in front of the sign pictured in the Enterprise two weeks ago.

After having sent out 1,000 cards with his story, Mr. Tibbitts this week planned to have printed and mail out 2,000 more to County, State and national officials.

appear and look over the assessments, although notice of the hearing has been limited, apparently in line with a recently-developed Board Commission practice of giving notice that is likely to come to the attention of but few in the assessment area.

The hearing is to be held at the northeast corner of section 36, Farmington Township, at the corner of Nine Mile and Fourth Gate (Ford Republic) roads. While taxpayers in the area half a mile on each side of the road are most affected, all of Farmington and Southfield Townships and the remainder of Oakland County will bear a part of the burden.

Work Under Way

Considerable work has already been done on the seven mile stretch, some of the bridge construction being already in. The paving consists of five miles in Southfield Township and two in Farmington Township. It is understood the Farmington Township at large share of the cost will be 25 per cent of two-sevenths of the cost. This will, it is calculated, mean an addition of about \$3,000 a year to the Township taxes, or about 40 cents a thousand valuation.

On the following morning, Thursday, September 18, at ten o'clock, the Road Commission will hold a review of the assessment rolls for Sunset boulevard, the paving of which at a cost of over \$400,000 was also protested by the Oakland County bankers. The meeting will be held at Lathrup Town Hall in Southfield Township. The road is located in Royal Oak and Southfield Townships, and will be paid for by taxpayers in the assessment area, in the two Townships, and the County at large.

ships. Birmingham was instructed to answer no further alarms in the townships unless calls came from township officials. "The decision to confine the department's activities to Birmingham was the result. No alarm will be answered in the outlying territory, the department being kept in the village for protection at all times. The townships must look elsewhere for protection, in event of serious fires."