

## The Farmington Enterprise

W. E. Lord, Editor

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Devoted to the upbuilding of Farmington and Oakland County

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## COME OUT IN THE OPEN

There was a time when the more "mud" a candidate for public office could throw at his opponent, the better his chances for election, but that time is long since passed into oblivion, nor do such methods avail in present-day political campaigns. People have no sympathy with a man that will resort to such tactics.

In the recent attack upon Judge K. P. Rockwell a scurrilous circular was scattered broadcast over the county in an attempt to besmirch the character of a man who has been in the public line-light for a number of years, and has given almost universal satisfaction in his present position, that of judge of probate.

In his reply, which is made in this issue, Judge Rockwell sets forth the fallacy of the article and the personal animosity of the author.

An attack of this kind begun but a few days before election, precludes anything but a categorical denial, which puts the word of one against that of another, without any chance of resort to the courts of law to establish the innocence of the one attacked, but there is little doubt but that such an attack will prove a boomerang upon the head of the author, and large numbers of voters, regardless of party affiliations, will be inclined to condemn such methods by rolling up on Judge Rockwell so enormous a majority that no one again will attempt to presume that Oakland county people will for an instant countenance mudslinging methods.

## MAKING A NAME FOR A TOWN

The citizens of every town have it within their power to make or mar their municipal name. It will be good or bad, just as they choose to make it.

We of Farmington are no exception to the rule, and the citizen who loves his own home will always bear it in mind.

There are many good points in favor of our community and when the stranger comes to our midst we should not fail to impress these facts upon his mind.

We should take him in hand, exhibit the community as you would a blooded horse, let him understand that he is among a fair minded, energetic and generous hearted people, and when he goes to other climes he will speak as he has been spoken to.

This is the way reputations are made.

But there is another side, and it is there that mischief is too often done.

The stranger enters our door and we immediately begin to complain of the community and of the people.

Nothing suits us. Nothing is as it should be. Everything is wrong and the town is on the way to the dogs.

And again the stranger speaks as he sees and hears.

That is the way reputations are destroyed.

Which is it to be with us.

We are glad to have our friends send in items for the Enterprise, but we like to get it while it is fresh. Please do not wait a week after an event happened before bringing us know about it. Send it along at once or call us by phone.

Anything coming later than Thursday noon is liable to be too late.

And also remember that unsigned communications cannot be used. We need to know the sender, though we do not use the name.

NO on Home Rule—YES for Probation means less money for the saloon keeper. Why should we boost for them? Where do they benefit the public generally? Adv.

We need the money. Why? The price of print paper has advanced only 500 per cent.

A young lady entered a bookstore and inquired of the very gentlemanly clerk—a married man, by the way—if he had a book suitable for an old gentleman who had been married fifty years. Without the least hesitation, the clerk reached for a copy of Parkman's "A Half Century of Conflict."

Protect your own home and your neighbor's home from the saloon by voting NO on the Home Rule amendment, that liquor people are trying to force the voters with. Adv.

## Time For Sales.

This is the time of the year when many persons are beginning to think of auction sales; either they wish to make a sale for themselves or are looking around for an opportunity to buy bargains at a sale.

For sale bills it is needless to say that the Enterprise plant is exceptionally well equipped to do your work on very short notice and our prices are most reasonable.

Political Advertisement

## FOR SHERIFF



So many people wish to hear from me as to whether I am "WET" or "DRY" To all, I wish to say: "I am absolutely "DRY," and will vote for "STATE WIDE PROHIBITION" and against "HOME RULE."

## ELLSWORTH ORTON

Candidate for Sheriff, Democratic Ticket.

Political Advertisement



Robert D. Heitsch  
Democratic Candidate

for

Prosecuting Attorney  
stands for devotion of public office to the public interest, and if elected promises to the people of Oakland County an administration of the office that is impartial and honest and effective to the best of his ability.

Political Advertisement

Arthur M. Young



CANDIDATE FOR  
County Treasurer

Second Term

Republican Ticket

Political Advertisement

## To the VOTERS of OAKLAND CO

My attention has just been called to a printed circular signed, "E. Foster," with a printed comment thereon by Robert D. Heitsch, Democratic Candidate for Prosecuting Attorney, apparently intended to impugn the motives of Mr. Gillespie, Republican Candidate for Prosecuting Attorney and myself, as Judge of Probate, in the administration of the estate of Ebenetus Baldwin, deceased.

Ordinarily circulars of this kind circulated during campaign for political effect, however vile their character or malicious their author I would not dignify with a reply, but in view of its purporting to give certain data, with a willful intent to mislead, inspired by the malice of its author, prompts me to reply by giving a brief resume of the facts referred to in the circular that the people may judge of its truthfulness and the motive that prompts it.

The estate of Ebenetus Baldwin like thousands of others, was probated in the Probate Court before myself with Edmund Foster as its administrator, who received his appointment December 16th, 1911, and concluded the administration May 3rd, 1915.

During the administration considerable time was occupied by the administrator in disposing of the lands of the estate which he represented, a considerable portion was swampy and of little value. Nearly all of the many heirs were represented by counsel and Mr. Foster was represented by Messrs. Perry & Lynch. The files disclose that a number of licenses to sell the real estate belonging to the estate were procured by the administrator in the Probate Court, the values of all of which were based upon the sworn testimony of the administrator and the witnesses produced by him in open court. During 1913 after considerable effort was claimed to have been made by the administrator he succeeded in selling a number of tracts of the land, A. Mr. Loech purchasing certain tracts and A. Mr. Barrows purchasing other tracts. These men are said to be living in the locality where the lands were situated although strangers to me. One forty acres was sold for six hundred (\$600) dollars; one eighty acres for six hundred and sixty (\$660) dollars, and one forty acres for two hundred and thirty-five (\$235) dollars. Later, November 21, 1914, the administrator secured a license from Circuit Judge Smith, who was acting in my stead while I was on a vacation, to sell the lands mentioned in the printed circular and sold to one E. Chamberlain, a client of Mr. Gillespie. The licensed price fixed by Judge Smith to cover the sale of the lands was for the sum of three thousand five hundred (\$3,500) dollars, which was based upon the testimony of Mr. Foster and the witnesses he produced in open court. A sworn report of the sale of these lands was filed by the administrator on December 6th, 1914, to E. Chamberlain for the sum of thirty-six hundred (\$3,600) dollars, that being the highest price obtainable. This report of sale was confirmed December 11th, 1914. The method and manner of selling any of the property therein in one parcel or more was left wholly with the administrator and I never advised him otherwise, except that he must obtain all he could for the same and at least the licensed price fixed by the court. I doubt if his own attorneys advised him otherwise. Who may have subsequently purchased any of these properties or how many times they may have been sold or mortgaged I do not know as I was not personally interested in any of them in any way, am not now interested in them in any way, and never expect to be interested in them in any way in the future.

That these properties may have very materially increased in value I do not doubt. They have not been like most other Oakland county properties unless they have increased in value. Countless examples could be given if necessary where properties have increased and multiplied in value, in some instances from five to ten times their original value during the last two or three years. An illustration of this kind is in the estate of Ann Gordon, incompetent, where the license to sell was granted and the sale made through the Circuit Court before Judge Smith, sometime like three years ago for seventy-six hundred (\$7,600) dollars, and now reported to worth upwards of one hundred thousand (\$100,000) dollars. While many of these properties which are sold either through the Probate or Circuit Court have materially increased in value, nevertheless, I cannot understand why any just criticism or credit could attach to myself or the Circuit Judge where sales of this kind have to be made.

That Mr. Foster's maliciousness is prompted by malice, the base of which lies in his method of handling certain matters of trust through the Probate Court wherein I was compelled to ask him to resign his trust and account for certain funds unaccounted for or I should be compelled to dismiss him, is apparent to all when the contents of certain files in the Probate office, a portion of which is of his own making, are made public. Particular reference is made to the estate of Mary E. Hammond, a mentally incompetent person, (file No. 771), of which he had been acting as guardian and to which I shall later allude.

Prior to the close of the same Ebenetus Baldwin estate, Mr. Foster filed a petition in the Probate Court by his counsel, June 22nd, 1914, asking that he be relieved from accounting to the estate for one thousand five hundred thirty-two and 52-100 dollars (\$1,532.52), claiming that it was lost through the failure of the Clearing Bank and alleging "that most of said monies had been so deposited in said bank only a few days when it failed." And this administrator alleges that he is entitled to be credited, in his account with said estate for the total amount of said loss. This request I was obliged to deny him on the showing made and on the ground that he was one of the officers of the bank up to the hour it failed. My order he contended was not right although no appeal was taken by him. A portion of this alleged loss, however, was later allowed him by stipulation of counsel for the heirs that the estate might be closed without further delay.

On March 30th, 1899, Mr. Foster was appointed guardian of Mary E. Hammond, a mentally incompetent person, and the files disclose that upwards of seven thousand five hundred (\$7,500) dollars in cash came into his hands as guardian, and his account filed by him December 8th, 1909, showed a balance on hand of seven thousand and one hundred ninety and 34-100 (\$7,199.84) dollars in cash. Sworn accounts were filed by him at irregular intervals many years of which no accounting by him whatsoever was made. I caused notices to be given him to file his accounts annually. A sworn an-

discloses balance on hand one thousand eight hundred fifty-five, 52-100 (\$1,855.52) dollars, and next sworn account filed by him June 14th, 1914, shows a balance of one thousand five hundred fifty-four and 14-100 (\$1,554.82) dollars.

A petition was filed in September, 1914, by Mrs. Harriet B. Fifield, sister of the incompetent, praying "that he be removed from his said office as guardian if he had improvidently invested the funds of his ward without the authority of the court; that he be required forthwith to render an account of his administration of said trust." A hearing was had on this petition at which time he filed, October 14, 1914, what purported to be a complete, detailed account of upwards of seven thousand (\$7,000) dollars, charging the estate with certain real estate, promissory notes, etc., without date, which the evidence disclosed at the hearing, a large portion of which was valueless and a portion entirely outlawed, the house and lot in question being in his individual name and not in the name of the estate. After the hearing in which he was ably defended by his counsel I gave him to understand that he would have to resign or I would be compelled to remove him. He expressed a desire to terminate his trust, but insisted that his successor should accept the assets listed by himself, which I refused to approve because I considered many of them valueless and termed them as valueless, and as they were termed at the time, "junk," also refused to accept any of his real estate. After a number of hearings I made an order on the 6th day of February, 1915, relieving him as guardian, appointing Mr. F. G. Ely as his successor and directing among other things as follows:

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the amount due from said guardian to the estate of Mary E. Hammond, at the date hereof, is determined and decreed to be the sum of eight thousand six hundred thirty-two and 64-100 (\$8,632.64) dollars, which amount is to be accounted for by said guardian in cash or loans secured by first mortgages on real estate at not less than fifty per cent of the value thereof as aforesaid, said mortgages to be approved by this court, and. His successor was unable to enforce this order until April 6th, 1915, and Mr. Foster was finally discharged as guardian and his bond cancelled May 8, 1915. Since the day of my making these orders the animosity that Mr. Foster has held towards me has been pretty generally known and his motive for the untruthful statement made in his circular established.

The above orders, decrees, petitions, annual reports and facts above stated are all a matter of public record in the Probate office and can be verified by anyone who desires to consult the files.

The affidavit contained in Mr. Foster's circular is not the first affidavit that he has ever made and if he is so desirous of the public reading his affidavits and wants something interesting, I suggest that he might invite them to the files in the Mary E. Hammond estate, and his sworn testimony as taken by the Court Stenographer, which is a matter of public record.

No publicity of these facts has ever been made by me outside of court and would not now be made save to show the facts as they are and the animus of the author of the circular. It is true that Mr. Gillespie occupies law offices formerly occupied by me while I was in the active practice of law, nevertheless, he is not my law partner now and never has been. However, were Mr. Gillespie ever to be my law partner, I am satisfied I would have no apology to make for him to the public. Just why the printed circular did not call attention to the fact that the license to sell this particular property was granted by Judge Smith and not by myself is evident. I think it is likewise just as apparent why I did not call attention to the fact that the value of these lands in the sale price was fixed only by the administrator and his witnesses and by no one else. Why he did not call attention to the fact that this property in question sold for more than the properties of the estate is just as apparent. Just why he did not call attention to the fact that I was not in any way interested in the property and had nothing to do with any enhancement in value that may have come to them is likewise just as apparent. In this, as in other cases where lands are authorized to be sold through the courts, the court, either Probate or Circuit, must necessarily be governed by the advice of the administrator and the testimony of such witnesses as he brings into court. The courts naturally trust and administrator who is sworn to look after the interest of the estate; they naturally trust that the administrator will produce reputable witnesses and of good judgment, who will testify in the interest of the estate. If the administrator fails or produces poor witnesses or those who do not give correct testimony, the courts are not to blame.

To my young friend, Heitsch, let me suggest that if the success of his campaign depends on mudslinging, he also might procure an affidavit from a certain gentleman in another part of the county, who has been assiduously busy in circulating these circulars. This gentleman's grievance lies in the fact that he filed a will which was totally disallowed by myself and still another person whom it became my duty to dismiss as guardian for mismanaging the entire fund of two children, who is now reporting that I charge too much for counsel in the Probate office, notwithstanding the fact that neither myself or anyone identified with the Probate office ever charge a cent for counsel. They might as well be willing to make an affidavit. At least I can recommend them as being eminently qualified for this kind of work.

For something like twenty years I have been in public life more or less and have made some enemies, have differed with some men in judgement. It may be they were right and it may be I was wrong; it may be I was right and it may be they were wrong. Nevertheless, so far as I know no one has ever heretofore attempted to question my honesty by innuendoes or otherwise.

This explanation I trust will be excused for its length.

In conclusion, I think it proper for me to state that I entertain no belief that the members of the Democratic County Committee or my opponent, gentlemen, whom I hold in the highest regard, have anything to do with this circular boomerang.

With this explanation I leave the matter in the hands of the voters regardless of party affiliation, asking that they deal with me only as they would want to be dealt with under similar circumstances.

Yours Respectfully,

KLEBER P. ROCKWELL,

Judge of Probate.

Try the Enterprise for job work. We can do anything that is printable, and at right prices.

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Ladies' World, Today's Magazine (with free pattern), Woman's World and Enterprise for \$1.55. The Enterprise, Modern Priscilla, Today's Magazine (with free pattern), and Woman's World for \$1.65. The Enterprise, Metropolitan Magazine, People's Home

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