Clarkson dismisses 4 narcotics cases

By JACKIE KLEIN Taply the test for entrapment uniformly in every case, Clarkson asserted. "Was a government segment who effection that sentrapment." Thelieve in the accusatory system—the use of traditional complaints of insuring the substances against four suspects have been dismissed by District Court in the suspect in buying or self-to-dismissed by District Court in the suspect in buying or self-to-dismissed by District Court in the suspect in buying or self-to-dismissed the four were "trapped" by government agents who effect to commit an offense so he suspect to co

SOUTHFIELD

A number of alleged narcotics violation cases, tossed out of court by District Judge S. James Clarkson, will sappealed by Gakland County Prosecutor L. Brooks Patterson.

The dispute centers around a point of law, differing interpretations of what constitutes "entrapment." Clarkson recently dismissed charges of delivering controlled substances (heroin against four defendants, claiming they were trapped by government gents into committing a crime for the purpose of bringing an arrest.

"I do not care to comment publicly on Clarkson's actions for fear of advancing his campaign for appelate judge," Patterson said.

"He is looking for publicant." "And the office of advancing his campaign for appelate judge," Patterson said.

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"The trapment is when a law enfortement officer or government agent tricks or cajoles a person, not otherwise disposed, into committing a crime."

"In other words, when an officer puts an idea in a defendant's mind, pursues it and causes the individual to commit a crime by insistence, that's entrapment.

"The opposite is when a defendant's mind, pursues it and causes the individual's criminal predisposition to arrest him."

Clarkson disagrees. "It's hard for the officer takes advantage of the devil himself and putting for the officer in the officer hands and predisposition to arrest him."

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Suburbanites may be faced with yet another shortage. By the end of the year, it may take a great deal of looking to find apartments

Anothing to an Advance Mort-age Corp. quarterly Economic report, there are almost no vacan-ries in a number of oldinal County areas. In some there are even waiting lists. "Yeacnies are averaging about two percent in Oakland County today. In Farmington and South-field, the vacancies are less than

Suburbanites face. apartment shortage

ized sale of controlled substances if he were dressed like me and didn't have long hair."

"I reject both the objective and subjective tests," Clarkson said. "Anytime a prosecution is had by result of participation in a crime and temptation is used to get a conviction, that's wrong.

"In the West case, there was participation in the role of the devil and the defendant was tempted. Whether he had a prior record or not, that's illegal entrap-ment."

defendant had no prior record."

ACCORDING TO TESTIMONY, narcotics officers called
West three or four times and as a
result a "small amount" of drugs
was turned over to the agents.
"The transaction occurred as a
result of the actions of the harcotic
agent, not the defendent, "West's
attorney contended. Donigan was
arrested in a drug raid at the TelTwelve Place Apartments, 28400.
Lockdale, Southfield, in April.
Southfield police in cooperation
with the Oakland County Narcot
inthe Calland County Narcot
inthe Calland County and the county
in the Oakland County harcot
inthe quarters of an unce of
nearly pure heroin in the raid.

\$2,500 cash and surety and \$2,500 personal.

"This is another classic buy and sell case," Clarkson contended. The kid was picked up by NET officers with beards and hippie gath."

Clarkson dismissed one charge against Donigan July 1. He is being held for trial for using heroin which carries a one year maximum penalty, "Donigan admitted he received heroin in the mail from Taiwan," Clarkson said, "It's impossible to control that situation. The answer is getting the big guy and education.

is getting the big gay and education."
Undercover officers bought \$10,000 worth of heroin from Miss
Franklin, a school teacher who inves at 2955 Heritage Lane, and Romaine of Pontiac.
They were arrested and charged with delivery of controlled substances. Romaine, also charged with resisting arrest, posted a \$2,000 surety bond. Miss Franklin posted a \$1,000 personal bond.

CLARKSON SAID OFFI-CERS drove to Miss Franklin's home in an unmarked car and used

marked money for the heroin buy. The judge dismissed charges against the defendants.

"The government is getting involved in criminal cases," said Clarkson. "Do you want shades of Watergate in Southfield? Entrapment is an offshoot of the 'thief-taker' that was thrown out in Engiland as corrupt and the vigilante system.

land as corrupt and the vigname system.

"The United States Supreme Court uses the subjective test for entrapment. The court must look at the conduct of the police and the predisposition of the defendant. "Michigan courts use the objective test and looks to the fairness of the government agent or police officer involved to prove entrapment.

officer involved to prove entrapied to find the contrapied of the

Continued from Page 11A Countersigned: By_____ City Clerk (SEAL) (FORM OF TRUSTEE'S CERTIFICATE OF AUTHENTICATION) This Bond is one of the Bonds described in the within-mentioned Mortgage. . Trustee (FORM OF INTEREST COUPON) City Clerk (FORM OF REGISTRATION) Nothing to be Inscribed Below Except by the Trustee Date Name of Manner of Registration

8. Said Bonds shall be fully negotiable and passed by delivery, but shall be subject to registration as to principal only or as to both principal and interest in the name of the owner in the manner provided in the Mortgage.

subject to registration as to principal only or as to both principal and interest in the name of the owner in the manner provided in the Mortgage.

9. There is hereby created by the City and ordered established with the Trustee a trust found to be designated "CITY OF FARMINGTON HILLS INDUSTRIAL DEVELOPMENT REVENUE BIOND FUND - WHITE MOTOR CORPO-HATION PROUECT" which shall be used to pay the interest on and the principal of, redemption premium (if any), and premiums on certain previously retired Bonds as provided in the Mortgage, on the Bonds. There shall be deposited into the Bond Fund, as and when received, (a) the accrued interest received be deposited into the Bond Fund, as and when received, (a) the accrued interest received on exception of the Project if there be any balance in the Construction Funds, such amount representing income or protit derived from investment of moneys in the Construction Funds as are required to be deposited in the Bond Fund by Paragraph 3.6 of the Agreement; and (d) all other moneys received by the Trustee under and pursuant to any of the provisions of the Agreement when accompanied by directions from the City or Company that such moneys are to be paid into the Bond Fund, and (e) all other moneys received by the Trustee for deposit and the such as a such

The Bond Fand shall be in the cutody of the Trustee but in the name of the City, and the City hereby authorizes and directs the Trustee to withdraw sufficient funds from the Bond Fand to pay the Bonds and interest therein and redemption premiums, if any, as the same become due and payable and to make said funds withdrawn available to the Trustee for the purposes betreinhefer describeds.

withdrawn available to the Trustee for the purposes hereinbefore described.

10. There is hereby created and established with the Trustee 1 must fund in the name of the City to be designated "CITY OF FARMINGTON HILLS INDISCRIBED IN THE CONSTRUCTION FORD." WHITE MOTOR CORPORATION FORCE. The proceeds of the Series 1978 Bonds shall be paid to the Trustee for deposit in the Construction Fund, except that the accruach interest stall be deposited in the Bond study to pay the cost of the Project in the manner provided in the Sond study to pay the cost of the Project in the manner provided in the accruach and though the provisions of the Agreement and Mortgage, Moneys in the Construction Fund and Mortgage, the behavior of the Agreement. Upon completion of the Project and payment of all costs and expenses in-cidental thereto as provided in the Agreement and the Mortgage, the balance remaining in the Construction Fund, other than amounts retained by the Trustee for the payment of costs of the Project on them due and payable, shall be transferred to the Surplus Fund or the Bond Fund, as provided in the Agreement.

to the Surplus Fund or the Bond Fund, as provided in the Agreement.

11. There is beireby created and established with the Trustee a trust fund in the name of the City to be designated "CITY OF FARMINGTON HILLS INDUSTRIAL DEVELOPMENT SURPLUS FUND. WHITE MOTOR CORPORATION PROLECT." There shall be deposited in said Surplus Fund such moneys as are required to be deposited therein by the provisions of the Mortagae, and Agreement, and the moneys in the Surplus Fund shall be used for the purposes and at the times provided for such use by the Agreement and Mortgage.

10. The maintenance and repair costs of the Project, all taxes in connection therewith and other charges will be assumed and paid by the Company under the Agreement and, accordingly, the City has no obligation with respect thereto and all such costs, expenses, taxes and fees and charges shall be paid by the Company, as provided in the Agreement.

13. The Company will take out and continuously maintain in effect or cause to be taken out and continuously maintained in effect during the term of the Agree-

ment, insurance with respect to the Project of the types, in the amounts and with coverage and insured parties as provided in the Agreement. The City shall not be obligated to take out such insurance or to pay the cost thereof, but shall be protected thereby, it being the littent and purpose that the Company pay all costs in text. It is the context of the context

shall be used and disposed of in the manner provided, in the Agreement and the Mortgage.

14. Upon occurrence of an Event of Default (as defined in the Mortgage) and which has not been remedied as provided in the Mortgage, and open the filing of a suit or other commencement of judicial proceedings to enforce the rights of suit or other commencement of judicial proceedings to enforce the rights of the Mortgage, the Trustee and holders of the Bonds, among other rights and remedies, shall be entitled to the appointment of an receiver. The receiver may enter and take possession of the Project and administer, lease and maintain the same, with power to impose and collect charges suifficient to pay principal of, interest on and redemption premiums, if any, on the outstanding Bonds and for the hereafter arising therefrom in the same nanner and to the same extent as the City might do under the Agreement, Mortgage, this resolution and Act No. 62. In addition, upon the occurrence of an Event of Default (as defined in the Mortgage) and which has not been remedied as provided in the Mortgage, the Trustee for and on behalf of the bioder Bonds may foreclose the Mortgage on the Project and to the senter that such rights may lawfully be waived, neither the City nor anyone claiming through it or under it shall set up claim or seek to take advantage of any stay, extension or redemption have now or hereafter in force in the Mortgage or the foreclosure of the Mortgage and the City for itself all who may claim through or under it hereby waives to the extent it may avaidily do so the benefit of all such laws hereby waives to the extent it may avaidily do so the benefit of all such laws hereby waives to the extent it may avaidily do so the benefit of all such laws hereby waives to the extent it may avaidily do so the benefit of all such laws hereby waives to the feath of a such as a septiment of the Mortgage on an avaid to the extent it may avaidily do so the benefit of all such laws hereby waives to the destination of the may avaidly

15. The Company shall have the options and obligations to purchase the Project provided in Paragraph 18 of the Agreement for an amount of money specified in the Agreement. The City recognizes all of the rights of the Company to purchase the Project as provided in the Agreement. The City recognizes the right of the Company to make additions, improvements or modifications of or to the Project, and to remove Leased Eculopment and parts of the Site in the manner provided in the Agreement and Mortgard.

16. The City reserves the right to issue the Additional Bonds under the te and conditions set forth in the Agreement and the Mortgage which Additional Bonds shall be equally and ratably secured with the Series 1974 Bonds

and continuous set roots in the experient and the charges which continuous and the equally and ratably secured with the Series 1974 Bonds shall be equally and ratably secured with the Series 1974 Bonds the Margage, and as Trustee, principal paying agent and register. The Trustee shall signify its acceptance of the trusts imposed up the Mortgage. The Mortgage is the Mortgage in the Series 1974 Bonds shall be sold to the Underwrite in accordance with the terms and econditions set forth in the Underwriting Agreement to be executed and delivered by the City in accordance with Paragraph 21 hereof the City Clerk the date of adoption of this resolution, is hereby subjected by the City Clerk the date of adoption of this resolution, is hereby subjected by the City Clerk the date of adoption of this resolution, is hereby the control of the City Clerk the date of the City Clerk in the City Clerk in Clerk City Clerk in City Clerk in Clerk City Clerk and continuous control of the City Clerk Clerk City Clerk and control on Clerk City Clerk and control control on Clerk City Clerk and control control clerk City Clerk City Clerk and control control clerk City Clerk and control clerk City Clerk and control clerk

the city and The city Clerk is hereby authorized and directed to affix thereto the corporate seal of the City.

20. The Mortage on file with the City Clerk and on which has been endursed by the City Clerk the date of adoption of this resolution is hereby approved and incorporated in its entirety. The approved and incorporated in its entirety. The approved and the composition of the composition as required, for and on behalf of the City and the City Clerk is hereby authorized and directed to affix thereto the corporate seal of the City.

21. The Underwriting Agreement for the sale of the Series 1974 Bonds on file with the City Clerk and on which has been endorsed by the City Clerk and the date of adoption of this resolution, is hereby approved, and the Mayor and City Clerk are hereby authorized and directed to execute and deliver the Underwriting Agreement in substantially the form approved with such necessary and appropriate variations, omissions and insertions as required for and on behalf the City and the City Clerk is hereby authorized and directed to affix thereto the corporate seal of the City.

22. The City Clerk shall forthwith make annihilation to the Management of the City.

23. The City Clerk shall forthwith make annihilation to the Management of the City.

24. The City Clerk shall forthwith make annihilation to the City.

the City.

22. The City Clerk shall forthwith make application to the Municipal Finance Commission for an order of approval for the issuance of said Series 1974 Bodies as required by Act No. 25. in addition the City Clerk is authorized to fit in with the Internal Revenue Service the Statement of Election required by the Internal Revenue Code Requision Section 1,198-100 (vv) (a) and (b).

nue Code Regulation Section 1.189-10(b) (vi) (a) and (b).

21. The Mayor, City Cark, (c)ty Treasurer, City Attorney and other officials of
the City are hereby authorized and directed to execute and deliver such other optiones, certificates, and indivise or other documents or instruments as may be required
by said Agreement, Mortgage or Underwriting Agreement, or take any and all
such action which may be necessary or convenient to effectuate the execution and
delivery of said documents or the Bonds referred to in the preambles hereto. The
warranty deed conveying the Site and the Existing Plant and the bill of sale conveying the Leased Equipment, as required by the Agreement, are hereby accepted
when delivered.

me delivered.

24. This resolution shall be published in full in The Farmington Observer & control, and the full in the City Commission hereby deternes and declares to be a newspaper of general circulation in the City of Farmton Hills.

ton mills.

25. This resolution shall be effective upon such publication All resolutions and parts of resolutions insofar as they conflict with the pro-risions of this resolution be and the same hereby are rescinded.

I hereby certify that the foregoing constitutes a true and-complete copy of a Resolution duly adopted at the City Comell of the City of Farmington Hills, Michigan, at a Regular Meeting held the Zand ay of July, 1974, and that public notes of said meeting was given pursuant to Act No. 261, Public Acts of Medigian, 1864, including in the case of special public to the time set for the meeting, the control of special public and the control of special public and the control of special public and the control of the time set for the meeting. However, the control of the control

FLOYD A. CAIRNS, City Clerk City of Farmington Hills

2 injured in crash

FARMINGTON HILLS—A Farmington woman is reported to be in satisfactory condition after a car in which she was traveling was thit by another car at Halstead and 12 Mile Rd. Mrs. Alice Jamison was taken to Bolsford after the accident. The driver of the car, Charles Edward Jamison was taken to Bolsford after the accident. Witnesses told police that the Jamison car entered the intersection without stopping for a stop sign which was posted there.

As the Jamison car entered the intersection it was hit by a car being driven by William Wilson Fox of Walled Labo.

Fox told police the Jamison car palled into the intersection without varning, and he could not avoid hitting him.

ung him.

Jamison, who was cited for hazardous driving, told police he had not seen the stop sign.

one percent," said Joseph Gros, manager of Advance's regional income office in Southfield. He said that the apartment supply is not keeping up with the demand. In essence, the people want to move into the apartments faster than they can build them.

"There are a couple reasons why we are having this rental shortage," he said. "One would be the increased mortgage interest rates. "Another is that many units that should be rented are not because they are still under construction. Their completion is being delayed by the materials shortage."

After 1972, many developers began constructing condominiums instead of apartment complexes. "Condominiums have many more vacancies than apartments," Gross said.

CRAIG SMITH, president of Soloman and Smith Real Estate Company in Southfield, said, "We find very few vacancies in the area.

find very few vacancies in the area.

"The apartment construction industry is in a bad way now because of the mortgage interest rates. They are very high."

According to a recent survey, about 70 percent of all multiple family dwellings built this year will be rents. They some survey will be rents. They are the survey and they are the survey and they are the they are th