

The Farmington Enterprise

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Committee To Act Against Free Shows

A committee of Farmington business men will come before the Farmington City Commission at its next regular meeting, Monday August 7, to enter a protest against the weekly free shows. Maintaining that the shows create a serious hazard to traffic, as well as other dangers, the committee will ask that the Commissioners act to stop them.

The weekly outdoor show has been an object of criticism from various city factors during recent years. When it was originally started Farmington business men contributed to support in the belief that it would draw outside trade to the city. Since then, it is reported that most of the business men have stopped contributing because they felt that the show had not fulfilled its purpose.

Other Hazards

While the main objection to the show is the traffic hazard it creates, critics maintain that there are other dangers. One of these mentioned is the type of pictures which are shown. Another is the nuisance created by children who throw stones, and otherwise add to the discomfort of patrons.

It was reported that several pieces of equipment had been stolen from cars parked in the used car lot adjoining the Blakeslee Motor Sales Co. during the time that the pictures were being shown.

Objections to the shows were brought to a head by the recent injury suffered by a man attending the picture. Horace Yules received serious injuries to the left eye when he was struck by a thrown stone.

POUR CONCRETE FOR BLEACHERS AT NEW SCHOOL

Workers at the site of the new high school gymnasium auditorium are pouring concrete this week for the bleachers surrounding the area where the gym is to be located, and if the good weather holds out, will be finished with this portion of their job by the end of the week.

The installing of pipes for the heating plant and plumbing fixtures is progressing along with the rest of the building. Electrical workers are also putting in conduits for wires.

About 75 per cent of the large structural steel girder have been hoisted and riveted into place. All the girders which will be above the gymnasium, and part of those which will cover the classroom room, have been erected.

At the present time workers are also occupied in pouring concrete for the floors of the future cafeteria and home economics room.

Y. T. C. PLAN MEETING AT BELLE ISLE

The Helen L. Hard Chapter of Y. T. C. held their regular meeting at the home of Mabel Ellen Leonard Wednesday. The Chapter decided to send one of its members to Camp Thorne, a Y. T. C. camp at Fenton, Michigan, with all expenses paid. After much discussion Bryce Greenman was selected to act as president of the council.

The next meeting will be held at Belle Isle, Thursday, August 3. All members are urged to be present. The group will leave from the home of Margaret Miles, at four o'clock. After the meeting a pot luck dinner will be served.

DIRECTORY PLANNED

Geo. S. Cotter of Maple Ave. is preparing a City and Township Directory for Farmington which, it is expected, will be published in a few months. Besides the names, occupations and addresses of the residents, it will show the County, City and Township officials, the public school officials and teachers, the churches and pastors, also the various societies and their officials. He respectfully asks cooperation of the householders when calling for information.

As a part of a course to familiarize them with automobiles, girl pupils in a Philadelphia high school are taught how to change a tire if necessary. On the road, of course, a simpler method is usually used to wait for some husky and sympathetic male to come along.

One Certainty Appears 'mid School Election Doubts

But of all the water of uncertainty and confusion that has developed around the recent election in Farmington School District No. 5, one certainty has appeared—as near as the future can be predicted with absolute accuracy. This is that the method of electing school trustees will be changed next year, to provide for nomination of candidates by petition and voting by formal ballot over a period of several hours.

"This process, 'setting up a voting precinct,' can be accomplished merely by decision of the Board of Education," an indication that the Board will do so to decide without hesitation, prior to next year's election. The step must be taken

Merchants Open In Tournament

Sixteen members of the Farmington Merchants' baseball team, Manager Hugh F. Brennan, and Assistant Manager, occasionally will leave Saturday to enter the State Tournament of the National Semi-Pro Championship at Grand Rapids.

Rapids qualified for the State after a berth by going to the finals of the District Tournament held in Farmington. They lost to River Rouge in the final game by the score of 7 to 5.

State Commissioner Henry DeHann, of Grand Rapids, notified Brennan that the first game of the tournament will be played Saturday, July 22, and that Farmington will meet the Grand Rapids Moxie team at 5:30 p. m. Saturday. The four teams entered are Mt. Pleasant Oils, from Mt. Pleasant, Mich.; Grand Rapids Wepmans; Jackson Outraces, Jackson, Mich.; and the River Rouge Merchants. Games will be played on Valley Field in Grand Rapids.

The winner of the State meet will be qualified to play the state winner in Wisconsin for the regional championship. The winner of the regional playoff is the national championship which will be held in Wichita, Kansas.

"I think we have a very good chance of winning the tournament," declared Manager Brennan. "We have good pitching, and our fielding and batting have improved greatly during the past year. We're going to give the boys a 100 per cent in Grand Rapids."

Farmington players who will make the trip are: Gwen Lancaster, Roger Bastion, Ed Shacter, Don Lee, and Ted Jarrett, infielders; Jim Hart and Bill Rose, catchers; Bill Watling, Ralph Cook, Harold "Ace" Elliott, and Russ Gelsinger, pitchers; and Dave Jones, Marvin Gelsinger, and Bill Lacey, outfielders.

Manager Brennan, on behalf of his team, wishes to thank the merchants of Farmington for the support and confidence given to the trip, and Farmington's trip to Grand Rapids would have been impossible.

Team Breaks Even
The Merchants broke even in two games over the weekend. On Saturday they defeated the Pontiac Yellow Coach and Truck nine, 13 to 5. This was the second time the Pontiac team have beaten the Merchants this season.

Harry Liebold, son of the famous Nemo Liebold, of the Boston Red Sox, is to be in a loosely planned trip to Pontiac in a 1939 Buick. He will be in the seventh and eighth innings.

Beat Dearborn 9 to 7
In the Sunday game the Merchants defeated the Dearborn Merchants 9 to 7. The game was called by the umpire, Walter G. Gelsinger, however, could not hold the lead given him by the Merchants and was shelved for 11 runs in the seventh and eighth innings.

The overprint statisticians find that the average housewife walks some five miles daily in the pursuit of her household duties. No, it is not the miles of automobile ride in going to the front door and telling persistent salesmen "Nothing today."

at least 30 days before the annual meeting.

Even though the District at the time of next year's annual assembly will have an auditorium which will easily accommodate a crowd as great as that of this year's meeting, 250 electors—and even twice that many if needed, the greater orderliness of the procedure and the apparently more settled condition of the law under that method are elements in favor of the election by formal nomination and ballot. The District has become rather large for effective handling of the meeting when, as this year, a large proportion of its electors turn out for the occasion.

Not Usually Needed
The change in method is likely despite the fact that probably more than half the time they had last year, only be necessary, but highly superfluous, because in most years there is scarcely a "corporate guard" at the meetings. At the time of this year's meeting, more than two or three electors besides the trustees attended, and it was necessary for one or two electors to make and support all the nominations and motions. Occasionally it has been even necessary for a trustee or two to help out with motions and nominations in order for the meeting to function.

But sometimes as this year, the method swings to the other extreme, and then the oral, impromptu nomination method becomes difficult.

The law providing for nomination by petition stipulates that petitions shall be filed with the Secretary of the Board, not less than 15 days, nor more than 30 days prior to election. Each petition shall have the names of at least 50 electors.

In adopting the nomination method, it is necessary that there be a registration of the qualified electors of the district, which must take place at least 30 days before election.

At least five days prior to election, the names of the candidates are published. Hours of election are fixed by the Board, and ballots are prepared as in general elections, with the names rotated, and an election board appointed.

From this it would appear that whatever is provided in Part Two which is inconsistent with Part One would not apply. However, the provision in Part Two which states that "a majority shall be required" was passed subsequent to the provision in Part One, according to Mr. Leonard, and this provision is a major dilemma. The inference, according to Mr. Leonard, is that the Legislature in enacting the later provision, intended to require a majority, but apparently failed to accomplish the purpose by neglecting to amend the provision in Part One.

Previous Ruling
Assistant Attorney-General Keller held the first election men that he had ruled a year ago in a similar case in Bellevue that the highest number of votes was sufficient, and that President Henney was

News Items always welcome.
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Board Likely To Seat Schreiber

Facing an evident conflict in State laws concerning majority vote at school elections and provisions which seem to directly contradict each other and also being under necessity of acting without further delay it appears likely that Farmington Board of Education will Friday evening, upon advice of its attorney, recognize as a member Paul G. Schreiber, who received the most votes in the close three-way contest for a place on the Board at the annual meeting.

Following a conference held Wednesday by Archie G. Leonard, Board attorney and Board President Spencer J. Henney with Assistant Attorney-General Arthur J. Kildler at Lansing, Mr. Leonard is preparing a written opinion to the effect that the highest number of votes elected, and that a majority vote is not required.

Not in confusion on the part of the Board, the candidates, or advice received, has been the cause of all the uncertainty, it appears, by the failure of the Legislature itself to make effective what seemed to be its intent. The consequence is two provisions which are probably as near to exact contradiction as any two which might be found in all the laws of the State.

Mr. Leonard indicated verbally that he believed the opinion which holds the highest number of votes is sufficient to elect, rather than that requiring a majority, to be the "stronger opinion of the law."

Part 1 of the General School Laws provides, under Grand Rapids school districts (which Farmington is one) that "the person or persons receiving the greatest number of votes shall be declared elected."

It states further that "all school districts organized and operating under the provisions of this chapter shall be governed" by the provisions of law contained in part two of this act except as is inconsistent with this chapter."

Part Two stipulates that in certain instances, the Farmington situation included, "a majority vote shall be required."

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Caught at 75 Miles An Hour In City

William B. Stoddard, of Detroit, was fined \$10 and \$5 costs by Judge John J. Schulte this week for traveling through Farmington on Grand River avenue at a speed of between 75 and 80 miles per hour.

Charged with improper overtaking and passing on Grand River avenue near 10 Mile Road, Jack Hanson, 19, of Detroit, appeared in Judge Schulte's court and paid a \$5 fine.

Frank Green, of Detroit, was arrested as he drove the wrong way on the cut-off, and was assessed a \$5 fine by Judge Schulte.

Township, City Valuations Up

Farmington Township and the City of Farmington both have slightly higher equalized valuations for 1939 than they had last year. The Township's valuation of \$4,547,755.01 represents an increase of \$104,775 over last year's total.

The City of Farmington was given an increase in valuation of \$1,000,000 over five per cent, over last year's valuation.

The increases in both the Township and the City are partially brought about by the amount of new building and improvement which has been carried on during the past year.

Carrying the same figure that has been placed on Oakland County, since 1935, the Board of Supervisors adopted the report of its committee on equalization placing the county's equalized valuation at \$210,000,000. In 1934 the equalized valuation was \$212,000,000.

LEGION BANQUET TO BE HELD IN FARMINGTON JULY 28

The annual district program and banquet of the American Legion will be held at the Salem Evangelical church, on Oakland avenue, Friday evening, July 28, according to an announcement made by Charles B. Elkin, commander of the Farmington Groves-Walker post.

The Farmington Post will be invited to present a Legion group comprising this district, and also to members of the Legion Auxiliary, who will hold their meeting the same night.

Both the Legion and the Auxiliary will be present at the banquet to be held at the church. Following the dinner, the Legionnaires will adjourn to the Farmington Legion house, where they will hold their annual election of district officers. The Auxiliary will remain in the church for their meeting.

Officers to be elected by the Legion are a district commander, an adjutant, finance officer, and a secretary.

Groves-Walker post planned a meeting for Thursday night, July 20, for the purpose of electing their own officers. The present staff of the Farmington post include Charles B. Elkin, commander; John Aland, senior vice-commander; Gordon Niles, junior vice-commander; W. B. Gambee, adjutant; Carl Trapp, finance officer; Carl Trapp, chaplain; and James Martin, historian.

Band Concert To Feature Ann Arbor Cornet Trio

One of the high lights of the band concert, to be given next Thursday evening, July 27, is a cornet trio made up of members of the Ann Arbor High School Clinic Band. The trio will play a number, "Polka Dot," by Dueltel.

This concert will be the fifth in a series of outdoor summer programs presented by the high school band under the direction of Alvin Banner. The concerts are given in the bandshell located on the high school athletic field, just north of the high school.

Following is the evening's program:
March—"Loyalty," by Skornicka.
Overture—"Scarlet Mask," by Ziegler.
The Program
Intermezzo—"Two Guitars," by Horlick.

Township To Repay City, Court Rules

Building and Zoning Codes Now In Effect

New houses or business concerns which are erected in Farmington in the future will come under the regulation of the Building and Zoning Codes both of which became effective Monday, July 17.

The codes place strict regulation on the type of homes, buildings and business enterprises which may be started within the city, and also regulate the kind of materials, and the building plans for the constructions.

Board Head To Deny Protest

In response to claims that the Southfield School Board members who were elected July 10 did not receive majority votes, President Roland Sharpener of the board, citing an opinion received from the office of the Superintendent of Public Instruction at Lansing, has declared that the board would meet Saturday and elect its own officers "just as if nothing had happened."

Pointing out that neither Mrs. Olive Kallman nor Elmer Hardow were voted to the Southfield board, received a majority of all the votes that were cast, Oscar Mullins, incumbent treasurer of the board is questioning the election.

Sharpener cited in his support an opinion received from Public Instruction officials at Lansing which stated that only a plurality vote is required for election of officers.

The Southfield situation was further complicated when it was pointed out that neither of the two members elected last year had received a majority vote.

Under the school laws when only one trustee is left on the board, that trustee is empowered to call a special election of the qualified electors of the district to fill the vacancies.

In both balloting in the July 10 election the voting was close. On the first vote, Mrs. Kallman received 27 and Hardow and William Harlow each received 24. On the second balloting Hardow received 24, Mullins, 20, and Harrison 17. In neither case did the elected members receive a majority vote.

The two members elected last year are Mrs. Eve Tesch and Roland Sharpener, president. Otto Esler, the remaining member was elected two years ago.

The first books presented to the Detroit of Michigan Library are still in active service. The books are a set of the Allgemeine Deutsche Real-Encyclopaedie in ten volumes, were published at Leipzig by Brockhaus in 1822 and presented to the University by Dr. Charles W. Dorup.

Farmington Township must repay taxpayers of the City of Farmington an estimated \$15,000 in Covert road tax payments, which were inadvertently assessed over a period of years by the County against the City, although they were Township obligations, according to an opinion just issued by Circuit Judge Frank L. Doty at Pontiac.

The Township won an important point in the decision in that the court held there could be no recovery of taxes paid more than six years prior to inception of the suit on January 20, 1938. The taxes improperly assessed were for the years 1926 to 1931, and all taxes paid before January 20, 1932, cannot now be recovered. This factor and a large amount of unpaid taxes reduces the probable recovery of city taxpayers from the \$11,000 assessed and stipulated by the city in its suit, to the figure which officials estimate at \$15,000.

The suit arises out of the fact that the City, even after its incorporation in 1926, for five years hereafter was assessed taxes on its "its portion" of Covert road taxes for roads built in the Township between 1926 and 1930. The agreement had been, when the Village of Farmington was merged with James Courtenay Highway, Eight, Nine, Ten, Twelve and Thirteen Mile Roads, and Orchard Lake Road, only one of which bordered the city. All were paved after the city became a separate tax as well as governmental unit.

A matter of six weeks in the amount to be recovered under the decision. The largest tax assessed in any of the six years was in 1931. Since 1931 taxes were payable up to March 1, 1932, and the statute applies as far back as January 20, 1932, the six-week period between January 20 and March 1 being that of heaviest tax payments will represent a large percentage of the 1931 taxes to be recovered. Those who hold prior to January 20, 1932, cannot recover under Doty rules.

Dismisses 6 Counts
The court dismissed six defense contentions of the Township, including one that the City could not sue on behalf of its taxpayers, that there could be no recovery of taxes voluntarily paid, and that the facts created no liability against the Township for what the City paid in its behalf. The court declared that although the City is not liable on the part of anyone, the City taxpayers "are the innocent victims" and should not be made to suffer thereby. What occurred amounted to "constructive fraud" on the City taxpayers.

The amount each taxpayer would be entitled to recover under the decision would take some time to compute and in most cases would be small. Unless there should be an appeal and reversal, it is expected some unified plan on the part of City taxpayers will be proposed for the common good.

The court decree provides there is to be an accounting to determine the exact total to be recovered. Schulte and Part of Farmington and Earl L. Phillips, plaintiff represented the City, Glenn C. Gillespie and Carl A. Braun of Pontiac the Township, Harry J. Merritt the county, as well as George A. Gram of Pontiac the County Road Commission.

Farmington Softball Team Wins 9 to 6

Farmington's softball team defeated Newburg 9 to 6 in a game played here Wednesday evening. This victory put the Farmington team ahead four to two in the series of games with Newburg. Farmington has lost two games, by scores of 9 to 0 and 8 to 5. These are the only two losses which the Farmington softball team has suffered in 24 starts this year. Last year they won the softball cup at the Wayne County Fair.

Send in News Items EARLY

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