

DISCUSS THE LAW

Recent Decision of Circuit Judge Smith Causes Renewed Discussion of Law.

The recent decision by Circuit Judge George W. Smith, at Pontiac, in which the judge declared the village council had followed the law in charging the residents on the north side of Maple Street the total expense of connecting their private water pipes (running from their houses to the curb) with the public water main in the street, regardless of the fact that the main may be farther from one resident's curb than it is from some other resident's curb on the same side of the street or on the other side of the street, or on some other street, has caused a renewed discussion as to whether such a law is equitable.

Now, it may jar some people to learn that equitable tax or expense and equal expense usually are very different things when applied to public utilities such as sidewalks, sewers, paving, and water connections. 1. Sidewalks have been ordered of wood and when it decayed, it was ordered of cement, with on the other side of the street, no walk has ever been ordered again. Sidewalks this year have been ordered and built, some four feet wide, some six, some others twelve, and others sixteen feet wide. This tax or expense is not equal but who has the right to be equitable? 2. Sanitary sewers have been laid and an arm run out to the curb as often as the engineer thought necessary and the property adjoining has been assessed for it according to benefits, not per foot frontage, so that it means that a shorter frontage may pay more than a longer frontage according to the judgment of the special assessors. Then, too, one sewer district may be on a narrow street which has wide curb and another on a wider street and a narrower curb. Then, these assessments will not be equal but they will be equitable. Has anyone said it is equal expense to lay sewer or water pipe from curb line to property line when this distance varies, in Birmingham, from six to twenty feet? 3. Paving is paid for its per cent per foot, in different widths even on the same street but made into different districts, the intention being to have each front foot charged with all the paving in front of it. The citizens in Birmingham paid varying amounts from \$2 per foot to \$4. 4. Water pipes do not have to be put in at the time the mains are laid by the village and they never are, for nobody knows the size of pipe or location or number required. When a citizen wishes to use the water placed in the street at public expense, he is obliged to use it but as in the case of all public utilities, he must pay his own full expense, be it more or less and he should pay for the pipes from the curb to the main just as he should pay for his lot line to his house. A private sewer connection is a public benefit, walks and pavements are almost wholly for public use, but water is a home connection and after the village has given you the privilege of a free main, you should get water when you want it at your expense. Just as you would arrange for a citizen, if you wanted one. There is no more equity in the village laying water service pipe than for planting roses or furnishing free shrubbery.

Finally, the village treasury is owned by all of us but we only pay for our own uses, but not by luxuries for individual homes. When we speak of equity, we must remember that the treasury is not morally or practically required to make improvements and building expenses equal. All the public utilities of Birmingham are handled just as they are in Detroit with few little exceptions, but the water service pipe matters are exactly the same.

Stop the First Cold. A cold does not get well of itself. The process of wearing out a cold wears you out, and your cough becomes serious if neglected. Hacking coughs drain the energy and sap the vitality. For 47 years the happy combination of soothing antiseptic balsams in Dr. King's New Discovery has healed coughs and relieved congestion. Young and old can testify to the effectiveness of Dr. King's New Discovery for coughs and colds. Buy a bottle today at your druggist, 50c—Adv.

CARD OF THANKS. Mr. and Mrs. E. Van Derpool wish to thank their many kind friends and neighbors for their floral offerings and kindness during their late bereavement, and also wish to thank Rev. Chase for his consoling words.

Easy to See Resemblance. "Kit-to-hor" is said to be monkey language for "retreat" which may be true, though, as a matter of fact, it is the name of a very popular, soundly made, and like a dog, decorated with bad order of tin can and yelling discordance as the scene of action recedes rapidly into the distance.

Council Proceedings

Regular meeting of the Village Council, October 9, 1916. President, Philip Schlaack; Clerk, Thomas E. Harris. Trustees present: Trumbull, Brown, Jones. Absent: Harris, Daines, Parks. No quorum present; meeting was adjourned till October 11, 1916, at 7:30 p. m.

THOMAS E. HARRIS, Clerk. PHILIP SCHLAACK, President. Regular adjourned meeting of Village Council, October 11, 1916. President pro tem., W. B. Harris; Clerk, Thomas E. Harris. Trustees present, Parks, Trumbull, Jones, Harris. Absent: Daines, Brown, Jones. Present: Trumbull, Brown, Jones. The following letter of the Birmingham Fire Department be received and referred to the Water Committee: To the Honorable President and Council:

We, the members of the Volunteer Fire Department, of Birmingham, are now in the fourth year as an organization, and we have given our services, free of any cost to the village. Owing to the rapid growth of the village, we feel that it would not be any more than right and just, that we be paid something, as we feel it would be better in the upbuilding of our Department, which committee will be pleased to explain at your request. We herewith submit the following schedule: 1. Fifty cents (50c) for a call or fire, but not for less than \$1.00 for fire where we have to wet our hose, and fifty cents (50c) per hour or fraction for each member after one hour. No member to receive any fee who does not answer roll call on his return to the engine house in person. 2. As far as this schedule will be satisfactory, but you are at liberty to make any changes the committee sees fit. Our committee, Messrs. Black, Oleson, and Bailey will be present at your meeting October 2, and will be pleased to answer any question your committee wishes to ask.

Respectfully yours, The Birmingham Volunteer Fire Department. HARRY COCKERLINE, Sec'y. W. C. OLESON, Clerk. Yes, 4 nays, 0 motion carried. Jones moved, Trumbull seconded, that the report of the chairman of the Street Committee of the approval of the grading of the streets in the Adams Park Subdivision, be received, and that the Birmingham Realty Company be released from that part of their bond.

Yes, 4 nays, 0 motion carried. Jones moved, Parks seconded, that the insurance on boilers at waterworks be renewed for three years with the Fidelity & Casualty Company, of New York. Yes, 4 nays, 0 motion carried. Jones moved, Trumbull seconded, that the bill of the Royal Oak-Birmingham Auto Express be received and referred to Claims Committee. Yes, 4 nays, 0 motion carried. Among the pleasant memories my editor has stored away in the back of his noddle, one has to do with a visit to Birmingham, Michigan, when he once visited his lyceum chum at home. At that time, entertaining was more like a sporadic gathering and was even more of a gamble, so "Old Uncle Ezra" was not sure of even as much as paying for his property, but with circuits like Radcliffe going on a perpetual rage where attractions are scheduled to do nothing but earn, the spending time being limited, then who do do this circuit find, like Plumstead, that mortgages are made to fade as a Michigan out-of-doors when it snows."

Baby Had Whooping Cough. Mrs. Sam C. Small, Clayton, N. M. writes: "I have a beautiful little boy, four months old, who has had whooping cough when he was three months old. We used Foley's Honey and Tar and believe me, it cured him. It is now big and fat." Foley's Honey and Tar is a fine thing to have in the house for whooping cough, croup, cough, colds. Sold everywhere. Adv.

M. H. BLUNT'S AUCTIONS. Fred & Joseph Puvogel will have an unusually large sale of real and one-half miles east of Royal Oak, on Tuesday, November 14. See advertisement for particulars. Frank Bergman will have a clean-up sale on Wednesday, November 15, two miles east of Royal Oak. Thursday, November 16, John Preisel & Son have a very good sale, five miles east of Birmingham. A. H. Carlson is billed for a good sale of stock and tools on the King farm, two miles east and one-half mile north of Big Beaver, on Saturday, November 17. See advertisement. Monday, November 20, is the date set for Mrs. Agatha Wampler's sale of stock and tools, on Oakland Avenue, two miles east of Royal Oak.

Men Feel Tired, Too. While much is said about tired women it must be remembered that men also pay the penalty of over work. When the kidneys are weak, inactive or sluggish, when one feels tired, listless, irritable, has the "blue" in his eyes, and has the Foley Kidney Pills are tonic and strengthening. They act quickly. Sold everywhere—Adv.

ALLIES' BAZAAR

Mammoth Event Planned for Purpose of Feeding and Clothing Widows and Orphans of Europe.

With the high prosperity and ceaseless dynamic spirit of Detroit; and the wonder of it, these are housed within its corporate limits, approximately one half million people who feel a keen interest in the Allies' Bazaar, a grand exposition to be given November 15 to 25 for the purposes of raising funds to clothe and feed the hundreds of thousands of destitute widows and orphans of Europe. The stupendous event, entailing six months' preparation will be conducted in the new tabernacle on Grinley Field, the largest structure erected for Evangelist Billy Sunday, and which is the largest edifice ever built in Detroit.

The following nations are participating in the bazaar: England, Scotland, Wales, France, Poland, Canada, Belgium, Bohemia, Lithuania, Roumania, Armenia, and New Zealand, the last named being comprised of two individuals, the only New Zealanders in the city.

Throughout the building will be heard the voices of women, announcing their wares, in the majority of instances, the goods to be sold will have been donated, which means the little outlay will be required in staging the mammoth event. The enthusiastic campaign for cash and merchandise is at this time at its highest point of fervor, and each country is contending for the favor of a liberal public. Many and varied are the extra attractions. A great number of articles of war from exploded shells to the latest type English tank of armored motor car will be on view. These have been promised and many are enroute from Europe, through the kindness of banks and dignitaries over the continent. Several acceptances of invitations to persons distinguished in their spheres, have been received. It has been proposed that a contingent of the Canadian soldier forces of the 29th Battalion be stationed at Windsor, opposite Detroit, be presented before the public during bazaar week. This would establish a precedent of exception to rules being enlarged on account of the belligerence of Canada and the neutrality of America. On the spacious field adjacent to the tabernacle, Negotiations are pending to this end between the two governments. Michigan day at the big bazaar will be Saturday, November 25, when it is expected several thousand persons from both peninsulas of the state will visit Detroit and Fall charity event. Arrangements have been made for transportation in railroad rates.

Forget Your Aches. Stiff knees, aching limbs, lame back make life a burden. If you suffer from rheumatism, cold, lumbago, neuralgia, get a bottle of Sloan's Liniment, the universal remedy for many ways to apply; it penetrates without rubbing and soothes the tender flesh. Clear and restores vitality. Use for sprains, sore muscles or wrenched ligaments, resulting from strenuous exercise. Sloan's Liniment gives quick relief. Keep it on hand for emergencies. At your Druggist, 50c—Adv.

When Ezra Sang First Biss. From a high class periodical devoted to plays, actors, and the like, we extract the following good words for our townsmen, Ellsworth Plumbstead's play, "When Ezra Sang First Biss." "It has been estimated that Ellsworth Plumbstead has lectured on "When Ezra Sang First Biss" 5,777,463 times to 171,083,712 people in the United States. One of the men in this number who has not enjoyed "Ezra" may receive his money back at the door and no questions asked. Plumb has been doing time on the Radcliffe circuit for so long that a new generation has almost grown up since he started. At the present time he will have given 500 entertainments—going some. Oh, yes, these are consecutive dates. Plans write that he is afraid to sign up for forty-five more weeks, for fear he would lose title to his home in Michigan. Among the pleasant memories my editor has stored away in the back of his noddle, one has to do with a visit to Birmingham, Michigan, when he once visited his lyceum chum at home. At that time, entertaining was more like a sporadic gathering and was even more of a gamble, so "Old Uncle Ezra" was not sure of even as much as paying for his property, but with circuits like Radcliffe going on a perpetual rage where attractions are scheduled to do nothing but earn, the spending time being limited, then who do do this circuit find, like Plumstead, that mortgages are made to fade as a Michigan out-of-doors when it snows."

GARRICK THEATRE

"The Melting of Molly."

It is predicted that Mr. Frederick McKay's company in "The Melting of Molly" at the Garrick Theatre, Detroit, next week, beginning Monday evening, will provide an actual revelation from a theatrical viewpoint. For the foremost figure in this new play, a comedy with songs, Mr. McKay has selected an actress who has gone to the fore among the women of the stage with a tremendous stride. Reference is made to that most charmingly entertaining comedienne, Miss Irene Franklin. "The Melting of Molly" is described as a work of originality, being an adaptation of the "wonderfully attractive story of the same name, by Maria Thompson Daviess, and reconstructed for the stage by the author. So much has been written already about the coming of Miss Franklin and the "Melting of Molly," that a sure enough dramatic treat may be easily anticipated by all who appreciate the good plays of the present period. The thoroughly capable company of players will be found Grace Caryle, Helen Tracy, Sue Manamy, Clara Maykin, Nellie Phillips, Harold Vosburgh, George S. Trimble, Raymond Van Sickle, William Webb and William J. Conery, Jr.

Teek the Hurt Out of Her Back Mrs. Anna Byrd, Tusculuma, Ala. writes: "I was down with my back hurt for some time and could not stand up more than a few minutes at a time. I had tried many things but nothing helped. I bought a bottle of Foley's Kidney Pills and took it for a few days. It cured me. My back is now big and fat." Foley's Kidney Pills are tonic and strengthening. They act quickly. Sold everywhere—Adv.

ENOCH MATHER, M. D. Office and Residence at the "Grey Gables" 228 South Grand Avenue Mount Clemens, Michigan. All Rapid Railway Cars to Port Huron and Mt. Clemens pass the door. Non-Surgical Methods in the treatment of Cancer and Tumors. Hours—Until 12 m., 3 to 5 and 7 to 8 p. m.

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Decorations for the Interior

Let us decorate your table and help you reduce the high cost of living. A full quart of Olives for 25c. Ripe Olives, 10, 15 and 25c sizes; Stuffed Spanish and Queen Olives, Nut and Celery Stuffed Olives. Canadian Maple Syrup, 50c, \$1.00 and \$1.75. Michigan Syrup, 30c to \$1.00.

Pancake Season is Here

Teco Pancake and Buckwheat Flour. Henkel's Pancake and Buckwheat Flour. Aunt Jemima's Pancake and Buckwheat Flour. New York State Pure Buckwheat Flour. Cape Cod Cranberries, 10c quart.

MINER GROCERY CO. THE HOME OF GOOD THINGS TO EAT

Phone 230 Phone 222

The Birmingham Grocery

FRESH PACK DRIED FRUIT Peaches, Apricots, Apples, Prunes, 2 lbs. 25c. Bour's Coffees Old Water, All steel cut, lb. 40c. Sun Warty, known from coast to coast, lb. 35c. Royal Garden, the old stand by, lb. 35c. You Remember Spencer's Brand? Tea in bulk for 50c lb., and the perfect flavor it always had? PERFECTION is the brand. Now put up under our own label in half-pound boxes at 25c.

NEW PACK FIGS AND DATES SunKist Pears, Peaches, Plums, Apricots, Pineapple In pure cane syrup, 24 lb. can, 25c. Preserves, Jellies, Jams, and Royal's Imported Orange Marmalade. NEW YORK STATE SWEET CIDER IN BULK CHARCOAL Moxley's Special Oleomargarine, lb. 25c. FRUIT AND VEGETABLES

The Birmingham Grocery The Day-Light Store

Kidney Troubles Can Be Avoided

You cannot afford to neglect the slightest kidney ailment. It's hazardous to do so. The poisonous waste material which accumulates in the blood and if the kidneys become weakened it is impossible. That Man's Friend System. That's why neglect means trouble—the ailment becomes chronic and results in Rheumatism or Bright's Disease. NYVAL'S KIDNEY PILLS Assist the kidneys in their functions, strengthen them and prevent the ailment from becoming chronic. They cleanse the blood and increase the circulation and supply the proper nourishment to body tissues. They are a kidney medicine—intended for that and nothing else. Speedy and Positive Relief at 50 cents the box. Whatever a good drug store ought to have—and many stores don't—your drug stores don't keep—your friend, Nyval's. Come to us first and you'll get what you want. J. W. Cobb

Chronic Diseases and Cancer a Specialty ENOCH MATHER, M. D. Office and Residence at the "Grey Gables" 228 South Grand Avenue Mount Clemens, Michigan. All Rapid Railway Cars to Port Huron and Mt. Clemens pass the door. Non-Surgical Methods in the treatment of Cancer and Tumors. Hours—Until 12 m., 3 to 5 and 7 to 8 p. m.

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