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Birmingham Eccentric

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"For a Bigger and Better Birmingham"

FORTY-FIFTH YEAR—NO. 26. BIRMINGHAM, OAKLAND COUNTY, MICHIGAN, FRIDAY, OCTOBER 20, 1922. $1.50 PER YEAR—SINGLE COPIES 5c.

STATE MAY STOP LOCAL MOVIES

Baldwin Auditorium and I. O. O. F. Hall Do Not Meet Fire Marshal's Approval For Films

PICTURES STILL SHOWN

Because of the visit of a state deputy fire marshal to inspect the Baldwin high school, the grade schools and the I. O. O. F. building here last week, the report was circulated that the Baldwin Auditorium and the Odd Fellows Hall could not be used to show moving pictures in any longer. While nothing definite has been done, Supt. Vliet said late this week that there was a possibility that the showing of pictures other than educational films for the students would be stopped. Charles J. Hallock, of the Odd Fellows, also stated that the showing of movies at the Temple would perhaps be forbidden.

According to the inspector, the Baldwin auditorium seats should be fastened to the floor, he stated further that, since churches and schools had stared to show educational films, this law had not been strictly enforced, provided the building was fireproof and had plenty of exits. Moveable seats would be the only reason why the holding of moving picture shows would be forbidden in the Baldwin auditorium. In the case of the I. O. O. F. hall, the fire inspector said that it was against the state law to hold a commercial movie show in a building where the entrance was higher than two steps above the ground floor. In other respects both halls were given the approval of the deputy fire marshal. Pictures will be shown until further word has been received from Lansing.

Fire drills in all of the schools were held during the fire inspector's visit here. In the high school, according to Supt. Vliet, the students were all out of the building in one minute and 30 seconds. The grade schools made equally good records.

The deputy fire marshal commended Supt. Vliet on the absence of fire hazards in the local schools and the janitor service that was maintained.

"THE BUILDER'S SHOP"

To write about "The Builder's Shop" one must not only go through it but must also meet the proprietor, Mr. H. G. Field, whose pleasing personality has much to do with the attractiveness of the Shop itself. Mr. Field is a native of Michigan and was born in Saginaw. Most of his life, however, was spent in Detroit and its suburbs. Mr. Field is an able engineer, having graduated from the Engineering Department of the University of Michigan in 1893, and was a member of the engineering firm of Field, Hinchman & Gryll, consulting engineer. This firm is now Smith, Hinchman & Grylls. In 1914 Mr. Field came to Birmingham and engaged in general building construction. He built the Quarton Block, the Field Building, the additions to the Shain Block, and a number of homes in and about the village.

In 1916 he built the Field Building and started "The Builder's Shop," specializing in Hardware, Paints, Wall Paper, Glass and Glazing, and Window Shades.

Later he constructed a woodworking shop for the construction of made to order cabinet work, window sash and several doors. Now, however, this shop is mainly devoted to repair of furniture, the restoring of antique furniture and furniture refinishing.

Going through the shop or store proper, you see some very wonderful Antique Furniture of early Colonial and post Colonial period, Spindle Beds and great grandfather four posters with rope supports, a perfect feast for the eye in profusion; spinnets, rockers, Windsor chair, Sheraton, Hepplewhite, Chippendale pieces are scattered round about.

On the afternoon of October 28 there will be an exhibit of Special Pieces which are now being refinished. Mr. Field takes special orders for furniture to be shipped, and several States know much of the quality of wares carried. Games and toys are carried for the benefit of Christmas patrons.

Mr. Field has many calls for old colonial china, pewter ware, Delft, etc., also lustre ware. There is also a full line of special decorative paper for Hallowe'en, such as Dennison Crepes.

PHILATHEA BANQUET

Thirty-five members of the Philathea Class of the Baptist church met at the church last Tuesday evening and were tendered a banquet by the first division of the Ladies' Aid. A very interesting program followed, arranged by Mrs. Ruth Hall.

The president, Mrs. Ruth Lockrow, introduced Mrs. Rachel Bunyan, the toast mistress of the evening. She, with wit and charm, made merry the evening's program. Miss Margaret Brown gave words of welcome to Mrs. Jack Welch, the new teacher of the class. Mrs. Schultz followed with two vocal solos, accompanied by Mrs. Welch.

Mrs. Arthur Hampton, of the Highland Park Baptist church, was the speaker of the evening. Mrs. Hampton was very inspiring and earnest for the Christian work of all Philathea Classes and showed their source of power and strength to their church and organization. Mrs. Lockrow gave two vocal numbers, Mrs. Welch accompanist.

This being an annual meeting the following officers were elected:—President, Miss Alice Vorhes; vice-president, Mrs. Grace Todd; secretary, Miss Josephine Harris; assistant secretary, Mrs. Ina Nutting; treasurer, Mrs. Elmer Meeker.

Harold Spicer of Pontiac, is making his home with Mr. and Mrs. Henry Spicer of Martin street.

Any Block, other than Ford, rebored $1.50 per cylinder. Miller & Gibbons, 138 W. Maple Ave. adv25

Douglas MacLean and Buster Keaton—Tonight—Auditorium. Admission, 25c. adv26

ECO CITY GROWTH IS PHENOMENAL

Between $75,000 and $100,000 Spent On Improvements In In Neighboring Village

WATER, SEWER MAINS IN

The work of laying the several miles of water and sewer mains in Birmingham's booming new neighboring village, Eco City, is just about completed. The water mains are all laid and the sewer mains on the streets running off from Woodward avenue were completed last week. The big steam shovel that has been used for excavating for the 4-foot trunk line sewer along Woodward Avenue, is now busy filling in the big trench dug for these 4-foot crocks.

Remarkable progress has been made in this improvement work this summer in this locality. Between $75,000 and $100,000 has been spent on sewers and water alone. The residents are now supplied with excellent artesian well water from a well 200 feet deep, capable of pumping 1200 gallons per minute. This water is pumped into a 50,000 gallon elevated reservoir giving a 55-pound pressure in the homes.

The growth of Eco City is remarkable. No development like it has ever before taken place in this part of the country. Just a few months ago there were but a few houses. Today it is a thriving community of 400 home-loving, home-owning, contented people.

In the last few months over 100 homes have been built in Eco City. Its growth has been so rapid that by some it is called "The town that grew up over night." It is said that hundreds of more homes are to be built in the next few months and that hundreds of thousands of dollars have been made available for this purpose. Judging by the activity already taken place in the last few months this new community is destined to be built up solidly soon.

Woodward avenue is fast becoming a chain of model villages, leaving Detroit, one travels through Ferndale, Pleasant Ridge, Royal Oak, the new community Eco City, Birmingham and Pontiac. All these villages will probably have a greater growth in the future than they have had in the past as a result of the exodus that is taking place all over the United States from the big cities to the country. Woodward avenue will probably develop faster than any other of the main thoroughfares out of Detroit, for there are now 50,000 people living within access of Woodward avenue this side of the Detroit city limits, which assures rapid transit service being instituted out this way first.

A few years ago only the rich man could afford to live in the suburbs —but now with the street car, the automobiles, the bus lines, boulevard lights, sewer, water and gas, the middle class can own their own home in the suburbs and enjoy the beauty and comforts of the country and escape the irritating, noisy, smoky, dangerously congested sections of the great hustling, bustling, dirty city.

Not only will the people mostly own large pieces of property in the suburban districts, but they can own homes more beautiful than they are able to purchase in the city and for 75 per cent of the metropolitan rental. In the suburban districts real estate is now much less expensive than in the city. Large lots—sometimes two or three can be purchased by a family where if they desired a piece of land of equal size in the city, the price would be prohibitive, large lots in the city being used only as grounds for very large and expensive homes.

Eco City, our neighboring village, is populated by ambitious, industrious Americans, people who are now buying congenial, modern, up-to-the-minute homes with the same money that they formerly paid the city landlord for rent. Roger Babson, the noted statistician, said in a statement October 1st, "Tremendous movements from the city to the suburbs may be expected in the next few years. The automobile is to have as great an effect on living conditions as the sewing machine had on weaving, as the mill has taken the place of the home spinning wheel so the suburb is to take the place of the city for residential purposes, and Henry Ford's flivvers are going to have a great deal to do with this emigration from the city to the suburb."

Among those responsible for the growth and success of Eco City are two Oakland county men, Samuel W. Smith, who served Oakland county in the United States Congress efficiently for 26 years, and who was Oakland county's prosecuting attorney, and Manley Davis, son of Dan Davis of Oakland county, a family who have been residents of Oakland county almost since its origin.

RED CROSS MEETING

The annual meeting of the American Red Cross members of Oakland county will be held on Wednesday, Oct. 25, 2:30 p.m., at the Board of Commerce in Pontiac. Annual reports of the American Red Cross workers of Oakland county will be given. Election of directors for the coming year will be held. It is expected that a large number will attend the meeting.

MANY FINED FOR TRAFFIC LAW VIOLATIONS

Three men paid fines for speeding, three others for driving overloaded trucks, one man paid a fine when he pleaded guilty to a charge of driving a car while intoxicated, and three paid fines when found guilty of disorderly charges, in justice court this week.

Mrs. F. P. Book of Wing Lake, spent last week in New York.

Sunday, G. L. Stein of Kalamazoo, was a caller at the home of Roy E. Brown of Greenwood avenue.

Full line of Hallowe'en favors at Cobb's Drug Store. adv25

WANTED—Married couple; man, chauffeur; woman, cook and housework; reference; white. Phone Pontiac 7183-F22. adv26

UNIVERSITY WOMEN HAVE NOVEL PROGRAM

Local Branch To Stage Athletic Event In January At Auditorium

The Birmingham Branch of the American Association of University Women are announcing a most interesting and comprehensive program for this year. The pledge for the Scholarship fund, which it is hoped will equal last year's sum of five hundred dollars, is to be raised by ventures outside the regular routine of club meetings. The first money-making event was the movie given last week, Friday, at which more than $100 was cleared. Other financial projects now under way are a dance, and in January, a big athletic event. This latter event is to be given the Baldwin gymnasium and Coach Yost and Dr. May of the University of Michigan are picking a number of their best men to send here for an exhibition — wrestling, jumping and track events are to be staged together with a basketball game. Other features will be announced later.

Considerable time and energy have gone into the program with the hope of making it worth while, not only for the members, but for the community at large.

WOMAN'S LITERARY CLUB

The Woman's Literary Club met last Tuesday at the Presbyterian church and enjoyed a musical afternoon with the world-famed composers, Felix Mendelssohn and Robert Schumann, as the subject. Miss Curtis was the leader of the afternoon's program.

The opening number was Mendelssohn's hymn "Hark! The Herald Angel's Sing," sung by the assembly. Mrs. Singers gave a short sketch of the life of Mendelssohn. Mrs. Schultz gave two vocal solos from the oratorio "Ejijah"—"Hear My Prayer" and "O For the Wings Of a Dove." Miss Elsie Doying was her accompanist. Mrs. Ruth Lockrow "If With All Your Hearts" from "Elijah." Then followed a duet by Mrs. Singers and Mrs. Lockrow, the beautiful words of Burns, "O Wert Thou In the Cauld Blast," set to Mendelssohn music, was given with pathos and spirit.

Mrs. Taylor gave a brief resume of the life of Schumann. Miss Myra Walker gave a piano forte solo from Schumann and Miss Neva Nelson two violin solos from the named composers. She was accompanied by Miss Gratton.

The club extends hearty thanks to Mrs. Singers and all helpers for this very enjoyable musical afternoon.

The Home Economics department has charge of the next meeting, Oct. 24, at the Presbyterian church.

The Legislation committee calls attention to all women voters to registration and announces that all information for women will be given at the public library one week before election.

MRS. G. G. BOOTH ENTERTAINS

Among the most important social functions of the past week was the debutante ball, given by Mr. and Mrs. George Clough Booth, for their only younger daughter, Miss Florence Louise Booth, at Cranbrook, the Booth home in Bloomfield Hills.

The Booth home, which lends itself admirably to entertainments on a large scale, was magnificent in its elaborate decorations. The spacious hall in which Mr. and Mrs. Booth and their daughter received their guests, was decorated mostly with the gift bouquets sent to Miss Booth, the various colors and the varieties of flowers making a gorgeous background for the receiving party.

The entrance to the living room formed an arch of autumn foliage and dahlias, the flowers, ranging from yellow to a pale orange shade, were scattered among the foliage with great profusion. The sun room, decorated with the same flowers and foliage, together with the living room and library were cleared for dancing. In the dining room and oak room, where supper was served, dahlias and gladioli were the chief decorations.

The guests were chiefly members of the younger set and the younger married, there being many dinners and functions immediately preceding the ball.

Miss Booth wore a white brocaded velvet chiffon gown, charming in its simplicity, the skirt being draped over the bodice, sleeveless, was outlined with pearls. She wore a corsage bouquet given by her father, of palest ping roses, lavender sweet peas and pressed English violets. Mrs. Booth wore a gown of silver gray chiffon velvet and carried an arm bouquet of pink roses.

OBITUARY

Samuel Donaldson

Samuel Donaldson, 74 years old, of Troy, Mich., died at the Baldwin sanitarium, Kalamazoo, Saturday of last week. He had been ill for a year. Funeral services were held from the home in Troy Tuesday, with burial in Rosedale Park Cemetery. Rev. David Curry officiated at the services. Mr. Donaldson is survived by his wife; two daughters, Mrs. Lottie Delmighter and Mrs. Anna Martin; one son, Walter, and a sister, Mrs. Alex Groves, of 503 Ridgedale avenue, Birmingham.

FORD MOTOR ANNOUNCES CUT IN PRICE ON ALL MODELS

According to Conant-Osborne Co., local Ford and Lincoln dealers, the Ford Motor Co. late Monday night of this week announced a reduction of $50 on all Ford models. No reduction was announced on the Fordson tractor, Mr. Conant stated. The cut in price goes into effect immediately.

W. B. Brown of Southfield avenue, has returned to his home after a trip to the East. He attended the Florists' convention at Baltimore, going from there to Washington and New York.

SENIOR MOVIE

Douglas MacLean and Buster Keaton—Tonight—Auditorium. Admission, 25c. adv26

Theatres

DOUGLASS MacLEAN IN "THE HOME STRETCH"

The Senior Class of the Baldwin high school are putting forth their first movie for the season tonight at the Baldwin Auditorium. The picture that they have chosen as suitable for this occasion is Douglas MacLean in "The Home Stretch." The picture portrays the true life of a small town. The comedy selected is Buster Keaton in "Cops," which is one of the latest and funniest comedies released.

At The Temple

On Wednesday, October 25, the feature film on the Temple bill will be "A Harmony Finish." Among the well known movie players appearing in this picture will be T. Roy Barnes, Lila Lee, Lois Wilson and Walter Hiers. It is said to be an interesting picture. The plot, as the title suggests, is based on the subject of matrimony. "Bungalow Troubles," a laughable comedy, will complete the entertainment.

Thomas Meighan in "Our Leading Citizen" will be the attraction on Saturday, October 28. "Our Leading Citizen" was written for Meighan by George Ade. Meighan has a clever, well written, it is said. A magazine film is the added attraction.

Wallace Reid in "Across the Continent" will be shown at the Temple tomorrow afternoon and evening.

"Cappy Ricks" At The Howland

"Cappy Ricks," the well known international success, will be presented by the Princess Players at the Howland Theater, Pontiac, for one week starting Monday evening, October 23.

The play was taken from the Saturday Evening Post stories by Peter B. Kyne and has to do with the adventures of "Cappy", called the many-sided Cappy Ricks. Bennett Reed, the man who has been playing the comedy parts with the Princess Players, will be seen in "Cappy Ricks" as "Cappy". In this part, it is said, Reed will be seen at his best. Robert Burton and Marjorie Garrett have important roles in the play and the supporting cast will include Harvey Dunn and Edith Conrad, well-known Howland favorites. According to the management this play is the best the Princess Players have produced so far this season.

U. OF M. LEAGUE'S MOVIE

A moving picture program of unusual interest is to be offered Birmingham patrons of the silver screen, Friday evening, Oct. 27, in Baldwin auditorium. For the benefit of the new Women's Building in Ann Arbor, the Birmingham Branch of the University of Michigan League has procured five reels of "Miss Lulu Bett" with Lois Wilson and Theodore Roberts, and a Harold Lloyd comedy.

"Miss Lulu Bett" is from the novel and play by Zona Gale, and in picture form retains her inimitable charm in dealing with the lives of everyday American people. The story is typically American and deals with a side of small town home life not yet uncovered.

A BURNING QUESTION — WHO OWNS THE HOUSE YOU LIVE IN?

Since the time mankind ceased nomadic existence, and took to fixed habitation, land and buildings thereon, and interest therein has been the subject upon which local concern disposes of its allotment of Ford models and the evidence of ownership. This should be an incentive to all prospective purchasers of Fords to get busy immediately, and place their order for the car that takes you there and gets you back—the Ford, the Universal Car. Don't forget that this is also the local home of the Fordson Tractor.

TWO EXPERTS WILL SPEAK HERE OCT. 24

George Lord And Miss Estelle Downing To Discuss Issues Of Day

It should be welcome news to the voters of Birmingham that the Birmingham Branch of the American Association of University Women has arranged an open meeting for the evening of October 24th, in Baldwin high school, wherein many pressing questions of the moment are to be discussed by "those who know." Representative George Lord of Detroit, state chairman of the Special Commission on Taxation, has consented to speak on topics close to the life and interests of every resident of Birmingham.

He will touch upon state expenditures and the rapidly growing bonded indebtedness of both state and local governments. He will also explain the working of the state administrative board, that comparatively new feature of our state government. It would scarcely be possible to procure a speaker better qualified to deal with these topics.

Equally interesting will be the discussion of broader issues by Miss Estelle Downing of Ypsilanti. She will explain that formidable instrument the Esch-Cummins Railroad Act. Miss Downing will also set forth the main features of the Ship Subsidy bill, the passage of which President Harding is urging so strongly.

Altogether with two such splendid speakers and topics of such pertinent interest, the evening of October 24th should be set aside as having first call upon the time of all real citizens.

FIRST STATE BANK OF BIRMINGHAM

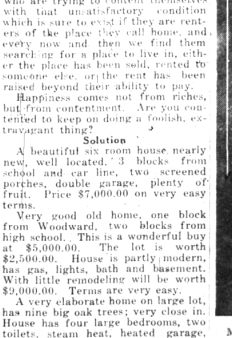
This bank, which is one of the leading institutions of its kind in the Village of Birmingham, was organized by Detroit Catholic Community, and moved to its present location in 1917, owing to the expansion of its business. In February, 1916, the capital stock was increased to $40,000 which in June, 1920, was increased to $100,000. The deposits of this bank grew from small beginnings to over One Million Dollars in 1920, and have been phenomenal, due to ten. The quarters of this bank are very commodious, and compare very favorably with banking places in larger centers. The savings department pays 4 per cent on savings accounts.

CONANT & OSBORNE

This firm consists of two of Birmingham's brightest and most capable young business men. Theirs is the Ford Sales and Service Station on Woodward avenue. Since coming to Birmingham, Messrs. Conant and Osborne have gained and held the confidence of the public. Their record for the sale of Ford cars of all models has been phenomenal, due to the fact that they are selling a first class product and because of the service given their patrons. They are a number of Ford Owners themselves, in the towns adjoining Birmingham that have commented on the speed with which this local concern disposes of its allotment of Ford models and the evidence of satisfaction. They carry a full stock of Ford parts and Auto Accessories for Fords and other makes.

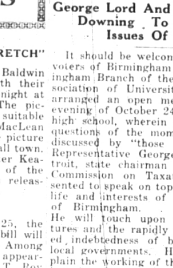
The best news that Conant and Osborne can give the public is an announcement that the Ford Motor Company has reduced the price on all models, Fifty Dollars. This should be an incentive to all prospective purchasers of Fords to get busy immediately, and place their order for the car that takes you there and gets you back—the Ford, the Universal Car. Don't forget that this is also the local home of the Fordson Tractor.

HAZEL E. CLARKE



Mrs. Clarke was born at Sand Lake, Rennsalear County, N. Y., after which her parents moved to Troy, N. Y., where Mrs. Clarke spent the first six years of her life. Most of her girlhood was spent in Flalls, one of the most beautiful cities of New York state. Mrs. Clarke was graduated from Lincoln high school after which she completed a business course at Union Business College, Elizabeth, N. J. In 1909 she came to Birmingham and has lived here ever since. In 1921 Mrs. Clarke, by special election filled out the unexpired term as Village Clerk, and in 1922 was re-elected to a full term of Village Clerk of Birmingham.

ROSELAND PARK CEMETERY



John A. Wendorph, Supt.

Birmingham is indeed fortunate in having their midst a burial park of such character as Roseland Park Cemetery, as it is but three miles south of the village, on Woodward avenue and the 12-mile road, makes it very accessible, and although "Roseland" is what might be termed a Detroit cemetery still, from its close proximity to our village many of Birmingham's leading citizens have been laid to rest within its gates.

Roseland, containing 226 acres, was organized in 1909, under the statutes of Michigan. All lots are given perpetual care and the cemetery is open to all denominations. It also has one of the largest Community Mausoleums in the country with a capacity of 1300 crypts, a chapel and temporary receiving vault, and was erected at the cost of $185,000. The trustees of the association has arrangements whereby families can purchase lots or crypts on very easy monthly payments.

Roseland has several Fraternal Society Plats such as St. Andrews, Clan Campbell, Knights of Pythias, also the Birmingham Lodge of Odd Fellows as well as the American Eagle Lodge of Detroit. Three years ago there was a section developed of five acres, fronting on Woodward avenue which is used exclusively for members and their families of the Masonic fraternity.

The officers of the association are: Henry M. Leland, president; Angus McLean, vice-president; Thos. McGiverin, secretary; Anne M. McCarthy, assistant secretary; Theo F. A. Odos, treasurer, and J. A. Wendorph, superintendent.

The cemetery has been developed and brought to its high standard under the supervision of Mr. Wendorph. Mr. Wendorph was born on a farm in New York State, where he spent his early childhood until 14 years of age when he applied for work at the Albany Rural Cemetery at Albany, where he remained for 14 years as driver at which he proved himself very efficient. But one day after driving the cart for about four years he volunteered to help J. A. Burns, who came to him and said, "Jack you are getting altogether too big and heavy for driving a cart, so I am going to promote you to grave digger"—and later was transferred to man of all work about the grounds. Mr. Wendorph had a natural ability for landscape gardening and later was encouraged to lay out a cemetery of 185 acres at Glen Falls, N. Y., at which place he spent five years, moving then to New Jersey, where he developed three cemeteries after which he finally moved to Michigan with his family, developing and landscaping Roseland Park Cemetery.

During the past year this Association donated to the American Legion Posts of Wayne and Oakland counties a plot of ground containing 250 graves for their indigent members.

Perhaps it would be of interest to know that Mrs. Fannie Joslyn, wife of Charles Joslyn, a Detroit attorney, was the first person to be interred here on June 18, 1909, and at the present writing there are nearly 4,000 interments.

CHARLES E. PLUMSTEAD

Mr. Plumstead is treasurer of the Village of Birmingham and serves in that capacity with much efficiency. He was born on Friday, Feb. 13, 1885, so nobody has to guess just exactly how old he is. Mr. Plumstead is a native of this nativity, but Birmingham is the community of his choice, and as Mr. Plumstead says, a person has to be born somewhere, so why not here? It is necessity, but when it comes to a domicile that's a matter of choice. Mr. Plumstead is a graduate of Birmingham high school, class of 1909, and of Michigan Agricultural College where he received a B. S. degree in 1915. He has been employed by a number of Detroit firm, all finding him a valuable and conscientious worker. He was with the Ford Motor Co., the Michigan State Telephone Co. and the Burroughs Adding Machine Co. He is a Republican and a member of the Knights of Pythias.

NOTED EVANGELIST HERE

"An evangelist to the nation" in the person of Dr. James S. McGaw, general secretary of the National Reform Association, is to address a public meeting in this city Sunday evening, October 22nd, at 7:30 o'clock, at the Methodist Episcopal church on the subject "The Banished Book and the Bad Boy."

TO RENT—Eight room house with garage, $55.00; six rooms and garage, $45.00; six rooms, no garage, $40.00. Each has furnace and bath. Also for winter, FURNISHED, seven rooms and garage, $75.00.

WHITEHEAD & STANDART CO. REALTORS

Insurance Of All Kinds in Best Companies

110 No. Woodward Ave. Ground Floor. Tel. 321 adv26

ADAMS CASE TO HAVE NEW TRIAL

Motion Granted To Try Case Against the Village Of Birmingham Again

VERDICT INADEQUATE

Declaring that the verdict of the jury was clearly against the weight of the evidence and that it was grossly inadequate, Circuit Judge Glenn Gillespie has granted the motion for a new trial in the case of Mrs. Julia Adams against the Village of Birmingham. The jury in the first trial held three weeks ago, awarded Mrs. Adams $1,000 damages against the Village of Birmingham because of the alleged damage done to her property, resulting from the sinking of a test well by the village on the Latham farm near her place. It is said that the sinking of the test well on the Latham farm caused a flowing well on Mrs. Adams farm to cease flowing and the resulting damage amounted to $45,000, Mrs. Adams declared.

In the decision handed down by Circuit Judge Gillespie, four reasons were given why a new trial should be granted. First, he declared that the verdict was clearly against the weight of the evidence. Second, because the verdict of the jury was contrary to the charge of the court. Third, because the verdict of the jury was grossly inadequate. And last, because the verdict of the jury was contrary to the instructions of the court, etc.

Continuing, the decision said, "Since the motion (for a new trial) was filed I have gone over the testimony of the court with the greatest care because of the feeling that except under unusual circumstances the nature deliberations of juries should not be disturbed. The power which is inherent in our court, to grant new trials is one that should be exercised with great care and only when it is clearly apparent that the verdict was without evidence to sustain it; contrary to the great preponderance of the evidence, or that the damages awarded were grossly inadequate."

"I am unable under any possible view of the testimony to see how the jury could have arrived at the verdict which was returned. The testimony was undisputed that plaintiff had expended the sum of $897.35 in digging and equipping a new well. Two of the defendant's witnesses testified that the loss of the well caused no damage to her property, and two of the defendant's other witnesses fixed the damages at from $1,000 to $2,000. Plaintiff produced a number of real estate dealers who testified that they were familiar with the property in the vicinity and that plaintiff's premises had been damaged from $50 to $75 per acre through the loss of the well. The great weight of the testimony sustained the plaintiff's contention that her property had been damaged, to some extent at least, by the loss of the well, but in arriving at the verdict the jurors evidently have ignored or overlooked this testimony. Under the circumstances, in view of the facts connected with the case, a new trial should be granted.

"In this connection it might not be out of place to say that reports have come to me that in considering this case much time was spent by the jurors in arguing the question of whether or not the village had the right to go outside of the corporate limits to secure a water supply and also the fact that because other suits of similar nature were pending against the village if a larger verdict were returned, it might seriously embarrass the village in its activities. Whether or not this report is true I have no means of knowing but if true, certainly the jurors went far beyond their authority and flagrantly disregarded the instructions of the court. It is especially unfortunate in view of the fact that the case occupied so much time that it is necessary to grant a new trial, but I cannot see my way clear to allow the verdict to stand in view of the testimony. Plaintiff's motion for a new trial will, therefore, be granted."

In the first trial, held three weeks ago, the case went to the jury on Monday, Sept. 25, and after deliberating for six hours returned a verdict of $1,000 damages for the plaintiff.

According to the testimony submitted by the plaintiff in the first trial, it was contended that the sinking of a test well by the Village of Birmingham on the Latham farm on March 17, 1919, caused a flowing well on her property to stop flowing. It is said Mrs. Adams sunk three other wells on her farm before she struck water. After the water was struck it was necessary to install an electric pump to bring the water to the surface. The plaintiff attempted to show that in the sinking of the well the village had violated an order of the court which allowed the sinking of the well only under the condition that it be kept under control at all times, and that it was not kept under control at all times, which plaintiff claims that this was not done.

The defense of the Village of Birmingham was based on two premises. First, that the sinking of the well did not affect any part of Birmingham and that the village therefore should not be made the defendant of the suit. The second point made was that the village did have the right to go outside of the corporate limits of the town to secure a water supply. Attorneys for the defense claimed that other wells affected by the sinking of this test well had come back to their natural flow and that the Adams' well would probably have done the same had not Mrs. Adams caused the pipe to be pulled and the site abandoned.

According to John J. Gafill, Village attorney, the new trial date has not been set, but he believes it will take place some time in January.

DURAND CIGARS, very mild. adv

WANTED—Tailor, Bushelman and Presser. Good salary. Geney's Cleaning Co., 12 W. Pike St., Pontiac adv26*

FOR RENT—Two light housekeeping rooms, furnished, heat, light and gas. 401 S. Woodward Ave. ad26-7