

Will We Be Ruled By Men or Law?

American government, on both state and federal levels, is based upon three distinct and separate branches: the legislative, the judicial and the executive.

The first makes the laws, the second determines whether they conform to the state and/or federal constitution by interpreting the intent of their language, and the third is presumed to enforce them.

Michigan right now is confronted with the usurpation of law-making by an appointive agent of the executive branch. This man, Securities and Exchange Commissioner Lawrence Gubow, has ruled that a Michigan licensed real estate broker who allows himself to become prejudiced against selling property for another because of the race, color, religion, appearance, background, etc., etc., of a potential purchaser will forfeit his state license.

AND THIS, RULES Gubow, will happen even though the real estate man himself may not be so prejudiced, but is merely carrying out the requests of the owner of the property.

To be sure, Gubow has not ruled that the property owner is directly controllable by his office—since the property owner does not have to have a state license to sell his property. But Gubow's ruling does deny a property owner in Michigan the professional services of licensed realtors—even though the statute enacted by the Michigan Legislature does not contain within it the meaning and intent of such bureaucratic right to rule as Gubow has manifested.

Gubow, of course, is being supported in his ruling by Michigan's Attorney-General Paul Adams. Adams' official opinion, of course, bears the status of law, unless reversed by the courts . . . a move, we believe, that ought to be made by the Michigan Realtors' Association.

A SPECIAL LEGISLATIVE committee that investigates such rulings has opposed Gubow's ruling. Its chairman de-

clares that the Legislature never gave such authority to Gubow or to any other agency of Michigan's government.

However, it doesn't plan to challenge the ruling; instead, its chairman states that the next Legislative session will be asked to amend the law involved, explaining in more detail its meaning . . . to the end that no bureaucrat may, on any grounds, prevent a licensed realtor from earning his living by selling property, or any property owner from employing a realtor to help him effect such a sale.

In brief, Michigan is faced with the challenge of whether a bureaucrat may so interpret a state law as to deny any citizen his civil rights in property matters.

This comment, you notice, does not go into the controversial subject of whether or not prejudice can legally interfere with a man's right to buy or sell property; we are concerned solely with the usurpation of legislative power by an appointive state agency.

TO REQUIRE A REALTOR to make a property owner comply with a bureaucrat's rules is, actually, to remove control of the sale of such property from its rightful owners.

Finally, and perhaps most important of all, it should be recalled that for too many recent years appointive bureaucrats, especially in the federal government, have made thousands of rulings that have the force and effect of legislatively enacted laws. Now this tendency is creeping into various state governments.

This problem is a challenge to all citizens, regardless of political party.

Do you want duly elected and responsible-to-our-legislators to make your laws . . . or do you want appointed people in governmental departments to make rules in accordance with their individual whims and caprices . . . or even as the result of political pressures?

That's one of your many concerns, as responsible citizens in a democracy.

From The Eccentric's Point of View . . .

If all the private griping about taxation, done by U.S. citizens, were made known to those who tax and spend your dollars, you'd pay less taxes. Especially if you made it known to your U.S. Congress which—more than at any peace-time in our history, properly may be labelled: "Wasteful prodigal, spendthrift, pork-barrelish."

You gotta hand it to Tennessee's Estes Kefauver, who has just won re-election to the U.S. Senate. That smiling joker of the unceasing hand-shake (as well as shake-down of millions for his TVA ideas) won over a more conservative opponent. Yes Sir, that's votes among them that Tennessee stills—we mean hills.

For 11 years local attorney Clarence W. (Clancy) Blenman has been a member of the Birmingham zoning board of appeals, serving without financial compensation. On behalf of our community, we say: "Thanks, Clancy, you've earned a rest!" He rightly can say that he not only is a Birmingham resident, but one of its good citizens.

Dick Nixon already has rejuvenated Dwight Eisenhower's political party. Had Ike allowed some of the V-P's aggressive manner to rub off on him, Ike might have lowered his score on the golf course . . . and the political course, too.

The Birmingham Eccentric

Published every Thursday at Birmingham, Mich., in The Eccentric Building, 1225 Bowers Street. Telephone Midwest 4-1100

GEORGE R. AVERILL
Editor and Publisher
PAUL NEAL AVERILL
Business Manager
GEORGE W.M. AVERILL
Managing Editor
DAVID F. GIBB
Advertising Manager



ONE THING OR ANOTHER

BY GEORGE W.M. AVERILL

Of the hundreds of musical instruments, the one which thrills me most is a multi-manual pipe organ.

The beautiful combination of sounds which come from its mighty throats is wondrous to hear.

Many of us yet can recall the movie houses which used to have a "sing along" intermission led by the organist who came into view from the orchestra pit.

THESE DAYS HAVE LONG passed. But memories linger on.

Today the electric organ and its sound box has taken the place of the compressed air organ and its pipes.

This is like putting a 12-piece orchestra at the head of a full-dress military review. The result is music—but hardly the same sounds.

I've been reading with amazement the periodic articles which my daily newspaper cousins in Detroit have been publishing on "life in the suburbs". Practically all the articles have concerned the problems, the thorns, the dissatisfactions of residing in

the suburbs. Good Heavens! Who ever seriously believed that a suburban existence was all peaches-and-cream?

Conversely, it's not a continual struggle through barbed-wire entanglements, either!

Local government officials are getting much closer to having Congress enact a long-sought provision.

It would provide for federal payments in lieu of real property taxes or assessments on certain U.S. properties.

Nearly 20 years of effort lie behind the Senate's recent enactment of this bill. It is now before the House's committee on interior and insular affairs for consideration.

WITH THE FEDERAL government taking on more and more of its citizens' cradle-to-the-grave responsibilities and duties, more and more prime taxable real estate has been acquired to house the growing army of federal employees.

It's nice to see local governments (people) may soon get back some of what was thought to be lost in the federal sink hole.



PEOPLE'S COLUMN

Enjoys Honolulu Article

To the Editor:

When I complimented you on publishing your wonderful article in The Birmingham Eccentric, you suggested that I write and tell how much I have enjoyed reading "Citizen Pans Views Of Our 50th State," by C. Allan Harlan (Aug. 11 issue).

Honolulu must be a lovely spot, and he described it all so beautifully.

I hope he will write some more lovely articles for we all need the lift they give us in these troubled times.

Virginia P. Hamilton (Mrs. James)
612 Ann, B'ham

Happenings of Long Ago

Hits of News Gleaned From Old Files Of The Eccentric

50 YEARS AGO

August 19, 1910
Donald F. Noble, an Oakland county attorney announced himself the Republican candidate for prosecuting attorney of Oakland county. Noble, a graduate of the University of Michigan is running against the incumbent, Andrew L. Moore.

It was announced to Birmingham residents by Thomas E. Newton, vice-president of the Fair Association that the Wright brothers airplane was secured for this year's state fair, before any other fair had signed them. The planes will make several flights each day.

At a city council meeting, councilman Schinack moved that the treasurer be granted an extension of 30 days to collect taxes. The motion was passed.

30 YEARS AGO

August 21, 1920
The village commission split at its last meeting on a proposal to permit bowling on public bowling alleys on Sundays. The proposal was put forth in the form of a petition by Russell Chapman, proprietor of the Birmingham Bowling Alleys.

The formal opening of the Barnum School has been scheduled for Oct. 3, when villagers will be invited to inspect the new building. The school is expected to enroll 540 students and will have a staff of 27 junior high and grade school teachers.

Plans are complete at the Bloomfield Open Hunt club for the eleventh annual meeting in point-to-point and steeplechase races and hunter trials at Oakdale Farm, Saturday, Sept. 27.

15 YEARS AGO

August 16, 1935
"Yes it was a great day Tuesday when Birmingham led you her pent up emotions as President Truman announced that Japan had surrendered, marking the end of World War II. Within minutes after the announcement cars began filing

up Woodward avenue as hundreds of families hurried to the business area."

"The Oakland County Equalization Committee report for the current year set an equalization value of \$400,000,000 on the taxable real and personal property of the county."

"The old familiar order of 'Fill 'Er Up' was heard again yesterday at Birmingham gasoline stations as Price Administrator Chester Bowles announced at about 11 a.m. that gasoline, canned fruit, and vegetables had been freed from rationing."

"The trouble with political jokes is that sometimes they get elected."

Experience is what make a fellow who makes the same mistake twice from admitting it the third time around.

Overheard by the water cooler: "Sure I'm neurotic. It's the only normal thing about me."



One of the few benefits of this inflationary era is that a kid can't get sick on a nickel's worth of candy any more.

The trouble with political jokes is that sometimes they get elected.

The best super salesman we've ever heard about is the fellow who sold two milking machines to a farmer with only one cow—and then took the cow as down payment.

LEGAL NOTICES

FOR SALE
THE TOWNSHIP BOARD OF BLOOMFIELD TOWNSHIP, having been authorized to sell the following real estate, described as:
"The Southwest 1/4 of the Northwest 1/4 Section 11, Bloomfield Township, Oakland County, Michigan, containing 30.42 acres.
Sealed bids will be received for said property up to and including September 12, 1950. Deposit of 5% of the bid (cash or certified check) to be included with bid. We reserve the right to reject any and all bids.
ARNO L. HULET
Supervisor

Address: Bloomfield Township 4110 W. Bloomfield, Bloomfield Hills, Mich.
21-21 Miller, Canfield, Paddock & Stone, Atty., 314 Wabash Bldg., Birmingham 7-6113

STATE OF MICHIGAN—The Probate Court for the County of Oakland, in the Matter of the Estate of LEAN OLD FREEMONT FLICKINGER, Deceased.
At a session of said court, held at the Probate Office in the City of Pontiac, in said County, on the 24th day of July A. D. 1949.
Present: Honorable Arthur E. Moore, Judge of Probate.
Order appointing time for hearing claims.

Notice is hereby given and it is hereby ordered that the time and place for hearing and the filing of claims against the above estate shall be the 4th day of October 1950 at 10 o'clock in the forenoon at the Probate Office in the Court House at the City of Pontiac, Michigan.
All creditors or claimants against the above estate are further notified and ordered to prove their claims at said hearing and to file their claims with this court with the necessary supporting affidavits, under oath, containing sufficient detail to enable the court to determine the nature and amount of the claim.
It is further ordered that notice be given to all interested parties as shown by the records in this cause by delivering a copy of this order to each of them personally, by mailing such copy to each of them by registered mail, return receipt requested, and by registered mail with return receipt requested, addressed to their respective last known addresses as

shown by the files and records in this cause. And it is further ordered that public notice thereof be given by publication of a copy of this order once each week for three successive weeks previous to said day of hearing in the Birmingham Eccentric, a newspaper printed and circulated in said county.
ARTHUR E. MOORE,
Judge of Probate.
22-23, 24 Miller, Canfield, Paddock & Stone, Atty., 3456 Penobscot Bldg., Detroit 24
7-2977
STATE OF MICHIGAN—The Probate Court for the County of Oakland, in a session of said court, held at the Probate Office in the City of Pontiac, in said County, on the 2nd day of August A. D. 1949.
Present: Honorable Hiram E. Smith, Judge of Probate Livingston County acting in the temporary absence of Arthur E. Moore, Judge of Probate of Oakland County.
In the Matter of the Estate of JEAN WETZEL, Deceased.
Blanche George Titus having filed a petition praying that an order be made in said court be admitted to Probate as the last will and testament for said estate, and that administration of said estate be granted to Blanche George Titus and Jerome William George, the executors named in said will, or to some other suitable person.
It is Ordered, That the 6th day of August, 1949 at 10 o'clock, in the forenoon, at said Probate Office, is hereby appointed for hearing said petition.
It is further Ordered, That public notice thereof be given by publication of a copy hereof, once each week, for three successive weeks, previous to said day of hearing, in the Birmingham Eccentric, a newspaper printed and circulated in said County, and that prospect cause a copy of this notice to be served personally or by registered mail, return receipt requested, to each of the known heirs at law, legatees and devisees at their last known place of address at least ten days prior to said day of hearing.
HIRAM E. SMITH
Judge of Probate Livingston County acting in the temporary absence of Arthur E. Moore, Judge of Probate of Oakland County.
22, 24, 25

OLGA
FERRIS GARDNER
COAL & OIL CO.
LI 3-2500

POTTER
Moving & Storage Co.

no.1 specialist
in storage!
agent of

POTTER
Moving and Storage Co.
2253 COLE
MI 4-4612
Mo. 1 on R. E. Highway • Mo. 1 in Service • Mo. 1 in Your Community

SANITONE CARE
DOES MORE FOR
WASH and WEAR!

- More than even the most careful hand laundering can do!
- Never fades, shrinks or stiffens garments.
- Flings out all the dirt.
- Gets out stubborn spots.
- Duplicates the mill finish of the fabric with Style Set®
- Socks, shirts, suits never get that washed-out look.
- Colors, patterns keep their like-new luster.
- Our perfect press preserves original shape and fit.
- Call on us today—see the difference!

SHIRTS LAUNDERED . . .
In By 10 a.m., Out By 5 p.m.

Brown's
EXCLUSIVE CLEANERS
1791 West Maple
MI 4-2100

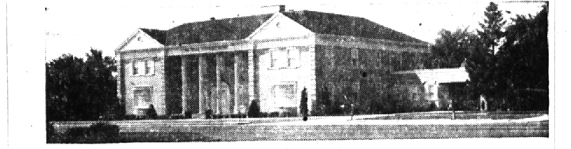
The way you furnish your home—
REFLECTS YOU . . .
AND YOUR WAY OF LIFE!

Your home is a window to your personality, so let the finest side of you show through with . . .

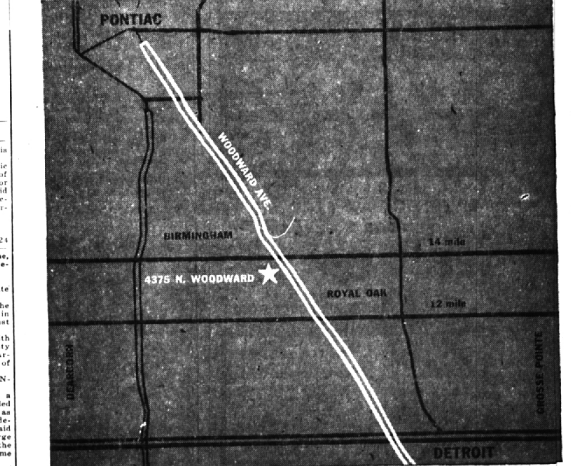
- CUSTOM FURNITURE
- REUPHOLSTERY

... designed by Elliott's to "show you off".

ELLIOTT'S of Waterford
5400 DIXIE HIGHWAY
OR 3-1225
"fine furniture and quality carpeting since 1924"



Centrally located to serve you better



One of the country's outstanding establishments at prices everyone can afford

For private consultations or guided tours, call LIberty 9-0500

Wm. Vasu Funeral Home
3737 NORTH WOODWARD AVENUE • ROYAL OAK, MICHIGAN