

The Birmingham Eccentric

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10 CENTS

What Court's Decision Means to Oakland

Photo of Ballot, 4-A

How does the Michigan Supreme Court ruling on senatorial redistricting affect Oakland County?

The court held last week that the reapportionment amendment of the state constitution was invalid under the "equal protection" clause of the 14th amendment to the U.S. Constitution.

The court ordered the state legislature to reappoint the senators by August 20 "according to the number of inhabitants of the state as shown by the most recent United States census of Michigan."

The court directed that the senate's 32 seats be filled in an at-large, statewide election if the legislature fails to act by that deadline.

IN EFFECT, the court's ruling limited the senatorial party to the August 7 primary.

However, the names will be on the ballots in Oakland County.

If an appeal of the decision to the U.S. Supreme Court by the Republicans fails, the levers will be in the hands of voters cannot vote for the senatorial candidates.

But if the appeal wins, the levers will be unhooked so electors can vote for their choice for senator.

THE LEGISLATURE began an emergency session Tuesday to work out a solution to the reapportionment problem.

Sen. Farrell E. Roberts (R-Pontiac), Oakland's one senator, appointed chairman of a subcommittee to present a plan to the senate.

Roberts still will have to take time out from his reelection campaign. He is opposed by Mayor Robert Huber of Troy and Richard Kuhn of Waterford.

It is possible that all three candidates could become senators, although because all three live in the middle of the county, they would probably end up in the same district.

"ALTHOUGH Oakland County would gain 10 representatives from last week's decision," said county Republican Chairman Charles L. Lyle, "we feel that this gain should not be at the expense of those people of the state of Michigan who would then be without adequate representation."

"And that would include outgoing Democrats as well as Republicans," Lyle said county Republicans wholeheartedly endorse asking the U.S. Supreme Court to delay the redistricting "of the senate."

"In fact," he declared, "we here in Oakland County plan to aid in supporting the appeal now slated for the higher court."

"We have pledged \$10,000 to that cause and are soliciting dollars from all citizens to aid in protecting the individual's rights."

"We wouldn't have enough senators to vote for it," they declared. The U.S. Supreme Court justice handling the appeal has set a hearing for Friday and is expected to render a decision by Monday.

THE LEGISLATURE was expected to adjourn after hearing an address by Gov. Swainson Wednesday afternoon and resume its session Tuesday.

It was understood that if a stay of the state court's order is granted, the regular primary election will be held Aug. 7 and the legislature will then determine reapportionment at its next session, beginning in January.

Most of the bills suggested to divide Oakland County into two districts, one north of 14 Mile and one south of 14 Mile.

Roberts said Republicans will press for a Nov. 6 popular vote on redistricting, as suggested by GOP gubernatorial candidate from Bloomfield Hills George Romney.

Romney has asked for the early vote on the Constitutional Convention's plan for redistricting, based on 80 per cent population and 20 per cent area.

Gov. John B. Swainson has called this plan "preposterous."

THE STATE supreme court's ruling was made on a lawsuit by state AFL-CIO president August Scholle, Royal Oak resident, which has been before the court two years.

The court's seven justices split on party lines in their decision, four Democrats to three Republicans.

AN EDITORIAL Ruling Shows Power Held by One Group

The decision of the State Supreme Court on reapportionment of the state senate last week is another example of the political power wielded by one pressure group in this state.

The court upheld August Scholle's plea that the present reapportionment of the state senate violates the 14th Amendment of the U. S. Constitution. Scholle is president of the Michigan AFL-CIO.

Scholle is a Democrat. He long has held great influence in the Democratic Party and in the state government.

The court's decision was strictly along party lines, four Democratic justices opposed to three Republicans.

UNDER THE 1908 Constitution the senate was to be reapportioned every 10 years on a set formula. In 1952 the people of this state amended the Constitution to enlarge the size of the senate but freezing the size and shape of each district forever.

In retrospect we feel that such a provision was not in the best interests of a state with such a shifting population. However, the people voted for it and it is their decision.

Since the people's vote, the Constitutional Convention has met and modified the 1952 amendment by expanding the senate to 38 members and providing for future reapportionment every 10 years based on population (80 per cent) and geography (20 per cent).

Thus, a solution has been offered to bring the reapportionment provisions within the purview of the federal constitution; but, unfortunately, getting the new Constitution before the people in November is being blocked by this same Supreme Court.

WE DO NOT quarrel with the part of the decision that the 1952 amendment was bad; but we are highly critical of the court after having the case in its hands for over two years, deciding less than three weeks before an election that the election should be called off.

Particularly since the court had previously looked over this question and said that our reapportionment amendment did not violate the federal constitution.

It has lapsed its reversal on new decisions before the Federal Supreme Court. But if the Constitution was all right six months ago, why must the court declare an emergency and say the legislature a month to solve something we haven't been able to solve for 10 years?

LET'S CALL A spade a spade. We should be able to expect justice and fair play from our highest court. Justices are elected on a non-partisan basis and should not concern themselves with political expediency.

But the only possible reason why they could have taken this "quick justice" approach, which will cost the state and its municipalities over a half million dollars, is to force reapportionment under the threat of an election at-large which no senate candidate of either party wants, with a governor who can veto anything that does not live up to Scholle's wishes.

Bonus Days Return; Find Values Galore

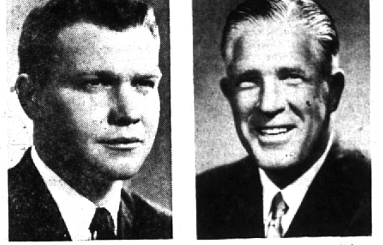
Those BBD signs are back in the windows of a Birmingham two-towns.

Bargains like Blueberry Bonus Days — those words that mean extra special values for shoppers.

These AND MANY other outstanding bargains are being offered today, Friday and Saturday by store-owners taking part in Bonus Days.

Remember BBD—Birmingham Bonus Days.

All makes of newer spring mattresses replaced. One-day service. ROYAL, MAT, 1953. 60-day. Dial "00" and ask for ENTERTAIN 6310.



Gov. John B. Swainson, a candidate for re-election, calls Romney's plan "preposterous."



George Romney, candidate for governor, calls for Nov. 6 popular election on Con-Con redistricting provision.



Farrell E. Roberts, Oakland County's only state senator, heads senate subcommittee to draft new apportionment bill.

Mrs. Kelley Raps Official In Letter on City Hall Site

By IRMA N. DAVIS
Township Editor

LATHRUP—When is a personal letter "personal"?

A letter so designated and sent to Mayor Richard N. Cozger was read publicly at Monday's Council meeting at the insistence of its writer, Mrs. Louise Lathrup Kigley.

The letter—copies of which were sent by her to Councilmen Vincent Zentell, El Earl Hanson and John Kuhl, but not to Mayor Por Tom Elizabeth Mitchell—indicated that she would charge the city \$200,000 per acre if she sold Lathrup a three-to-five acre site for a municipal building on 12 Mile Rd.

THE LETTER also scolded Mayor Cozger for suggesting two residentially-zoned sites because he was "supposed to be an expert on restrictions and zoning."

Mrs. Kelley's letter accused the council of harassing, delaying and hampering her and her husband in developing land in the township and suggested they "knock off" these tactics "and we'll be more willing to cooperate."

"Mr. Mayor," said Mrs. Kelley from the audience, "I want you to read my letter aloud."

The letter was included in the council's minutes for Monday evening along with a letter from Cozger dated July 12.

COZGER'S LETTER, written to Mrs. Kelley at council request, offered her information and prices on Kelley-owned land which might be available for the municipal building.

The council, at its July 9 meeting, agreed that the mayor should write the letter when Mrs. Kelley indicated she would like any offers on the subject from the city in writing.

The mayor's letter mentioned Beverly Hills — Deborah Anderson, 7 daughter of Mr. and Mrs. Douglas Anderson, 18153 Kinross, was bitten Saturday afternoon by a monkey owned by Stanley Cane, 18140 Loehrer, when she was playing at that address.

The incident occurred about 3:30 p.m. The monkey bit her on the chest.

The received first aid at the William Beaumont Hospital and was released.

The monkey is under observation.

Standard Sign Not So Standard By Our Standards

Standard's sign may be standard-size for the oil company, but it's oversized according to Birmingham's sign ordinance.

Standard Oil Co. has requested permission to erect a sign on the roof of its gas station at Hunter and Oak.

It measures 22 feet two inches by four feet, for a total area of 128.64 square feet — which exceeds the ordinance limitation by 28.64 square feet.

TO A QUESTION, "What is it?" from one of the commissioners, City Manager L. R. Gare said: "It's a standard Standard sign."

Commissioners referred the application to the manager for study and recommendation.

Standard seeks to erect the roof sign because its present identification sign at the corner of the property "is partially obscured by trees for southbound traffic on Hunter."

11 Cars Join In Wild Chase

BLOOMFIELD HILLS—Bloomfield Hills police joined 11 cars from four police departments early Wednesday morning in a 100-plus mph chase of a stolen car down Woodward Ave. and through Pontiac.

The two youths, Charles W. Corney, 20, of Pontiac; and William C. Smith, 19, of 311 W. Harwood, were arrested by Sheriff Harold J. Robinson.

THE YOUTH are being held in the Madison Heights jail on charges of reckless driving and suspicion of auto theft. The car, a 1958 Mercury, was stolen late Tuesday from Leonard A. Kern, Madison Heights.

Involved in the chase, which started at Hickory Groves and Woodward, and proceeded north on Woodward, through Pontiac, and then south on Woodward, were one Bloomfield Hills police car, one from the Township, two from Birmingham, and one from County Sheriff's Department, and four from Pontiac.

ONE WARNING shot was fired at the fleeing auto from the Bloomfield Hills car, according to Capt. Walter Blüher.

Pending the outcome of charges being brought against them by Madison Heights' police, the two youths may face reckless driving charges in both Bloomfield Hills and Pontiac.

Behind Our Front Page

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Wants Action On B'ham's CBDD Plan

By KEN WEAVER
Managing Editor

If there's a doctor in the house, the Central Business District Development Plan (CBDD) needs a shot in the arm.

"Is there anything further we can do than what we already are doing?" Birmingham City Commissioner Carl F. Ingraham said Monday night's commission meeting.

"If the matter is dormant, I would like to get it alive again," INGRAHAM SAID he had been contacted by citizens that afternoon on the CBDD plans for the CBDD.

"My answer was... we are considering the widening of Chester St. as the first step in development of the peripheral route."

"I was asked, 'What about the rest?' and I said we're waiting for advice on the cost of acquisition (of property)."

City Manager L. R. Gare said he had had no direction from the commission on the rest of the peripheral route, other than to proceed with the widening of Woodward.

LAST WEEK, commissioners authorized the engineering department to prepare construction drawing (See PLAN, 5-A)

Wants Action Citizens League Rates Candidates

See candidate statements, biographical sketches, 8-CC

The Oakland Citizens League has announced its ratings of candidates for the Aug. 7 primary.

The League's Committee on Candidates prepared its ratings and analysis by use of a questionnaire that covered education, experience and background and by a committee interview.

Candidates were compared that were running for the same post in the same party and not in the opposite party.

Candidates are rated numerically and those who were unopposed received no rating. Some candidates did not reply to the League and therefore received no comment.

FIFTEEN OF the League's selection committee live in either Birmingham or Bloomfield Hills. The League's ratings were: 19th Congressional District, Republican; William S. Broomfield, (incumbent) unopposed, Democrat; First, George J. Fulkeron, Second, George E. Lemons, State Senatorial District, Republican; First, Farrell E. Roberts, (incumbent), Second, Robert J. Huber, Third, Richard D. Kuhn, Democrat, (incumbent), Second, unopposed, Democrat; Loyd L. Anderson, (incumbent), Democrat; John S. Cleman, unopposed.

Second Legislative District, Republican; Robert C. Smith, unopposed, Democrat, Arthur J. Law, (incumbent).

THIRD LEGISLATIVE District, Republican; Henry M. Hogan Jr., (incumbent), unopposed, Democrat; John E. Foley, unopposed.

Fourth Legislative District, Republican; First, Raymond L. Baker, (incumbent), Second, Terrence E. Nagle, Democrat; First, Maxwell M. Gorman, Second, Albert A. Kramer, Third, Archie H. Hester, unopposed.

Fifth Legislative District, Republican; First, William Hayward, (incumbent), Donald W. Sargent, Second, unopposed, Democrat, committee, Democrat, Harold J. Robinson, unopposed.

SIXTH LEGISLATIVE District, Republican; Kenneth Waller, unopposed, Democrat; First, Bill S. Tomer, Second, Lee Walker, Third, Thomas Kalevich, John C. Hitchcock, incumbent was not rated.

Prosecutor, Republican; George F. Taylor, (incumbent), unopposed, Democrat, S. Jerome Bronson, unopposed.

Clerk-Register, Republican; Daniel T. Murphy, (incumbent) unopposed, Democrat; David S. Lees, unopposed.

Sheriff, Republican; Frank Iron, (incumbent) unopposed, Democrat; First, Daniel W. Smith, Second, Homer Hight, William A. Smith, unopposed.

Treasurer, Republican; Charles A. Marks, (incumbent) unopposed, Democrat; Betty H. McVay, unopposed.

Drain Commissioner, Republican; First, Daniel W. Smith, Second, Arthur C. Becker, Democrat; Roy J. Russell, Daniel T. Berry, unopposed.

Prosecutor, Republican; Ralph A. Main, (incumbent) unopposed, Democrat; Stanley F. Dunn, unopposed.

3 Trucks Fight Fire In Summer Cottage

WEST BLOOMFIELD—A fire caused \$6,000 damage to an unoccupied, two-story summer cottage here Monday afternoon.

Owned by Grace Hellman, the cottage is located at 7175 Locklin Drive.

Three trucks answered the alarm and Bremen extinguished the blaze within a half hour. Fire department officials said they did not know what caused the fire which started in a downstairs bedroom.

Festival Shows Profit; Laud Participating Groups

The Birmingham Arts Festival grew to even greater proportions in Michigan cultural circles in 1962, committee heads concluded in a report meeting last week.

Along with reports of enthusiastic crowds attending the June festival was the prediction of a profit of \$3,000.

Treasurer Charles Mortenson estimated a final profit of "a little over \$3,000" once all expenses and receipts were reported and tallied.

Mortenson and other committee heads discussed their reports at a meeting called by Colin H. John, general chairman of the fifth annual festival.

VISUAL ARTS chairman Robert F. McLean, whose committee staged the festival art exhibition and art market, called the public response to the festival "astounding."

"The way people flocked to see the demonstrations, exhibitions and the market at the Art Center was beyond our expectations," said McLean.

The festival was the first at the Birmingham Art Center, 1516 S. Cranbrook, new headquarters of the Bloomfield Art Association. Previous arts festivals were held in downtown Birmingham.

The new BAA headquarters is Birmingham's former sewerage disposal plant.

Bloomfield Art Association sponsors the annual arts festival with the help of community organizations and individuals.

Chairman John estimated that over 6,000 visitors attended the first festival.

He praised the many workers whose dedication, time and energy made the success possible.

To express publicly the committee's appreciation to these volunteers, the group last week authorized John to use a full page advertisement in The Birmingham Eccentric. (See page 8-A).

(See FESTIVAL, 2-A)

Manor Park Gets a Lot

Birmingham has added a lot to Manor Park.

City Commissioner Monday night confirmed the trade of a City-owned lot on Shepherdshub Road adjoining the park.

City Manager R. Gare reported that acquisition of the new lot "fulfills the Manor Park need for additional area."

The purpose of the transaction was to improve the park as a nature area.