

YPSILANTI GLEANINGS

PAST SCENES and OLD TIMES

YPSILANTI HISTORICAL SOCIETY ~ PUBLICATION ~

AUGUST 1998

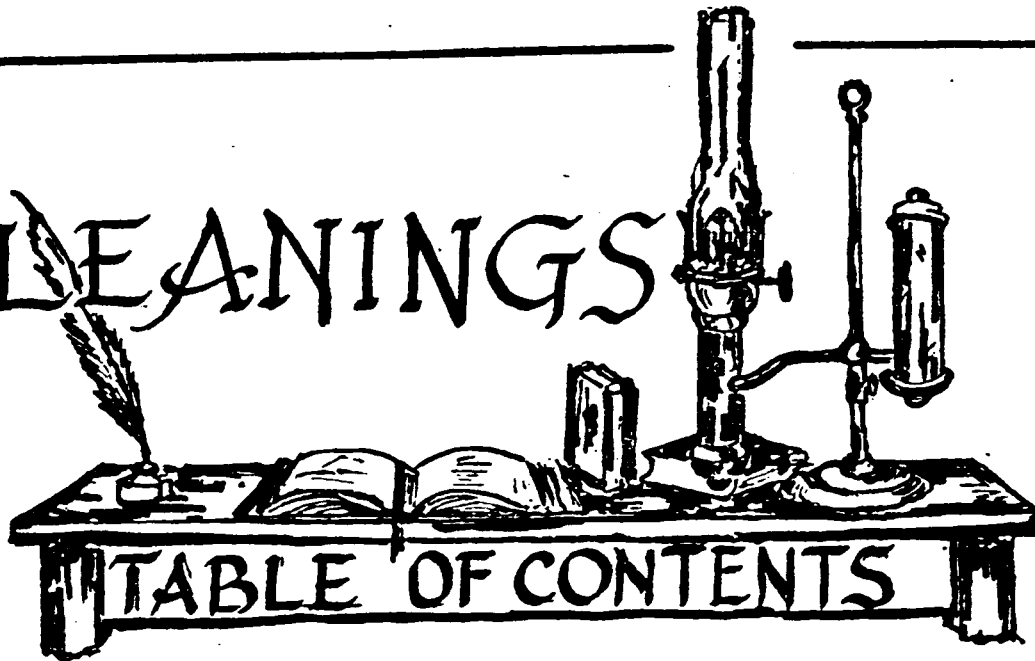


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OFFICE OF THE YPSILANTI HISTORICAL SOCIETY IS AT
220 NORTH HURON STREET, YPSILANTI, MICHIGAN 48197

THE MUSEUM IS OWNED BY THE PEOPLE OF THE CITY OF YPSILANTI
AND OPERATED IN THE PUBLIC INTEREST BY THE PEOPLE OF THE
YPSILANTI HISTORICAL SOCIETY. A NON-PROFIT GROUP OF
PUBLIC SPIRITED VOLUNTEERS.

PRESIDENT'S LETTER

The offer of the Ypsilanti Historical Society Board to move some of our show cases to Ypsilanti Schools has been accepted and they are looking forward to the Museum rotating the displays. This effort will take place within the next year.

The Museum is moving forward to having Handicap and Emergency egress to the basement so that we will be able to have meeting space in the basement some time next year. We are also in the process of carrying out the plans that were shelved in 1988.

We already have necessary approval by the City of Ypsilanti and the Historic District Commission. During the construction, handicap access will be temporarily interrupted.

We note with pride the Historical Society and Museum Float "Remember the Maine" was given a first place award at the Fourth of July parade. The award is on display at the Museum. You will have an opportunity to see the Float during the Heritage Festival Parade.

We sincerely thank Mr. & Mrs. Leo Hepner, and William Edmunds, Jr., for the untiring work to complete the Float.

We hope the rest of your summer will be enjoyable and we look forward to seeing you at the Heritage Festival.

William P. Edmunds
President, Ypsilanti
Historical Society

"REMEMBER THE MAINE"

That was the cry in 1898 when the Battle Ship Maine was scuttled in Havana, Cuba, starting the Spanish American War. To commemorate the event, Dr. William Edmunds, President of the Ypsilanti Historical Society, prepared a float for the Fourth of July parade and accompanied by his granddaughter, Christine Gliha, and Dean Rockwell, rode in the parade. The float which was entered for the Historical Society, won the Traveling Trophy award.

Members of the Historical Society greatly appreciate all the time and effort required to construct the Historical float. Dr. Edmunds was assisted by his son, William and by Mr. & Mrs Leo(Duke) Hepner.

Doris Milliman
City Historian

CLOCKS AND INKWELLS

An exhibit of the collection of Ink Wells owned by James and Mary Baker, and Clocks from the collection of Herbert Cornish are all on display in the Ypsilanti Room of the Museum, 220 North Huron Street Ypsilanti.

Generally, ink wells predate World War II, when the Ball Point Pen came into use, making liquid ink obsolete. Although ink wells are no longer needed, some fancy ones are still made today, mainly for decoration.

There are a number of Animal Figures made of Lead Alloy in the Museum Exhibit. One is a bird sitting on a branch beside its nest filled with eggs. The nest opens, revealing the ink well underneath. Other ink well figures are carved of wood, or made of cast iron, brass and pottery. The oldest ink well in the collection is a dark olive green glass that was blown into a three part mold. It was made between 1814 and 1840.

A Porcelain Chinese Man and Lady inkwell dates to 1913 when the Carter Ink Company offered it as a premium in exchange for a coupon and 25 cents. These inkwells were first made in Germany until World War I when production was done in this country.

CLOCKS

Among the many clocks that are on display from the Herbert Cornish Collection are Shelf Clocks for the kitchen, and old alarm clocks, these date from the 1830's and include "Big Bens" and "Little Bens". One early alarm clock worked with a battery and had a long cord with a switch at the end that made it easy for a sleeper to shut it off. A small light at the top of the clock, made it easy to tell the time. There is a clock in a china ware case that is very attractive. Reportedly the cases were imported from Europe. A gas light clock is another interesting part of the exhibit, as is the Pillar and Scroll type and a Half Pillar and scroll.

Some Early clocks were weight driven, thus were quite tall, allowing the weight to drop.

There are many more unusual clocks in this remarkable collection which has been attractively arranged by Joan Carpenter, who is a member of the Administration Committee of the Ypsilanti Historical Museum.

These displays of Historical artifacts are well worth a visit to see them.

Doris Milliman
City Historian

ADMINISTRATION COMMITTEE NEWS

Where has the summer gone? It is half over and we haven't accomplished as much as we had hoped too, but we have been busy working on several projects. The Museum has been open extra hours for some of the special events that have been held around town. The Civil War Muster was held in Depot Town and 26 of the lovely ladies dressed in their costumes came to visit us. They enjoyed it very much although they did not have much time. We were also open when the Orphan Car Show was held in Riverside Park.

June 13th we had a very successful garage sale with several of our members helping. The proceeds help keep the Museum open.

The Docents Luncheon was held June 17th with 37 present. The Luncheon is to thank all the devoted people who come in each and every month to take the guests thru. The program on "The Painted Houses in Ypsilanti" was interesting and informative. The Administration Committee was honored for all the work that they do to help keep your Museum in good condition.

If you missed the picnic, we are sorry as there was great food and even better conversation. The weather was rainy but there was a lot of sunshine inside the Museum. Hope you can come next year.

We are working to get things ready for the Heritage Festival. We need 105 people to assist the visitors that will come thru. If you can help, please call me at 484-0080. Hours help is needed are Friday 2-4 and 4-7. Saturday 11-2, 2-4 and 4-7. Sunday 12-2 and 2-4. Information will be supplied for you and refreshments will also be provided. Hope you can help.

There are three special exhibits now. One is a wonderful collection of clocks, some very unusual, and don't miss the inkwells. Some certainly do not look anything like what an inkwell should look like. These are in the Ypsilanti Room and in the Meeting room there is an exhibit of scenes that were created and made by Eileen Harrison. These are in memory of Eileen, who was a member of the Administration Committee since it was established in the early 1970's. She will be missed by all who knew her.

I guess I shall stop and get busy on the phone and get some volunteers.

Virginia H. Davis

THE TORCH MURDER CASE
BY JUDGE EDWARD D. DEAKE

The date, August 11, 1991, is forever etched in my memory. A catastrophic event changed my perception by the outside world. I was ten years old at that time. Ypsilanti was a quiet college town. The city had gone through the Roaring Twenties and was struggling with the problems of the Great Depression when it was faced with four shocking murders known to us as the Torch Murders. This event received nation-wide attention.

The four victims of the torch murders were teen agers. Thomas Wheatley, 16 years old, Harry Lore of Ypsilanti and two Cleveland, Ohio girls, Miss Anna Harrison, 17 and Miss Vivian Gold, 16. These four people were victims of an armed robbery. They were shot and beaten to death. The girls were raped. Their bodies were placed in a car which was set ablaze, hence, the name "torch murders".

The events of that evening reveal how fragile our lives are. According to Harry Wheatley, the father of Thomas Wheatley, the Wheatley son had left his home Monday evening saying he was going to attend a De Molay meeting in Ypsilanti. There was no meeting scheduled. The two girls had announced they intended to attend a motion picture show. Ms. Gold was a cousin of the Lore boy. The victims were believed to have attended a dance near Willis. Norma England, an employee of Grandma's Pantry in Milan, waited on the four young persons at 2:00 A.M. to 3:00 A.M., Sheriff Andres said that the food served corresponded with the contents of the intestinal tracts found by Dr. John C. Bugher, in charge of the autopsy.

We will never know all of the tragic events of this evening. The two couples were on a double date and ended up in Peninsular Grove near Ypsilanti, also known as River Brink. This was a popular "Lover's Lane" frequented by young people. River Brink was located on the Huron River north of the former Peninsular Paper Company. This property is now known as Peninsular Park and is surrounded by multiple unit housing.

According to statements by the defendants, they were at Peninsular Grove and intended to rob someone. They discovered the Wheatley car with four young people in it at about midnight. This testimony is inconsistent with the sighting of the two couples in Milan at 2:00-3:00 A.M. Probably the defendants were inaccurate in their estimates of time, arrested were Fred Smith, David Blackstone and Frank Oliver. At the circuit hearing Frank Oliver and Fred Smith testified.

The actual murders were not committed in Peninsular Grove. Fred Smith testified that at Peninsular Grove at the time of the robbery he was recognized by Lore and Wheatley. Frank Oliver was also recognized. The defendants did not want to be arrested for armed robbery so they decided to get rid of the four witnesses. At this time the murders were not contemplated. The defendants were

going to take the victims into the country so that they wouldn't report them.

Everyone got into the Wheatley car. The victims pleaded to "let us go and we won't report you". Blackstone said "yes, and then we land in the jug". It would appear at this time that David Blackstone formed the initial intent to murder. But we must remember that Fred Smith and Frank Oliver was part of the conspiracy and were equally guilty in the eyes of the law.

The Wheatley car was then driven to Tuttle Hill road south of Ford Lake. At that time the culprits were going to leave them and go back to get Frank Oliver's car and then ditch the Wheatley car.

It was a horrifying scenario. Blackstone and Smith held guns on the victims. The victims were ordered from the car. Miss Harrison was attacked by Blackstone. Vivian Gold said she would rather "die", and he shot her, according to Frank Oliver. Blackstone shot the other teenagers. Lore and Wheatley were lying on the ground. Lore got up to fight and Blackstone knocked him down. In addition the boys were hit in the head with a stone, and Anna Harrison was beaten with a wrench by Blackstone.

Instead of leaving the bodies at the Tuttle Hill Road site, the bodies were loaded in the Wheatley car. They drove to Peninsular Grove to pick up Frank Oliver's car. The defendants then drove around town a couple of hours and debated how to dispose of the four bodies. The random route traversed Huron River Drive, Packard Road past the Washtenaw Country Club, First Street in Ypsilanti by the Warner Dairy. At the First Street location Blackstone got a shovel ostensibly to bury the four bodies.

The car then continued to random route-Michigan Avenue west to old U.S. 23, past the Airport, south on U.S. 23 two or three miles to a country road, described as a lonely Washtenaw -Wayne County Line road about three miles south of Willis. It is difficult to visualize this horrible scene unfolding- a car with four dead bodies in it being driven all over the Ypsilanti area in the early hours of the morning. What a horrible contrast to the sleepy college town of Ypsilanti!!!

At the last location the Washtenaw-Wayne county Line road, the Wheatley car with its four dead bodies was burned. The car was set on fire at about 5:00 A.M., according to Oliver's testimony. Blackstone took one of the dead girls out of the car and assaulted her again. This reprehensible act just added more horror to these crimes.

The bodies in the burned car were unrecognizable. Harry Wheatley, the father of Thomas Wheatley, recognized two keys which belonged to his son and a belt buckle worn by Lore.

The murder location at Tuttle Hill Road was three miles southeast of Ypsilanti and nine miles from where the bodies were found. At

this spot the bloody purse of Vivian Gold was found by Fred Jones of Ann Arbor, a salesman for the Hoover Vacuum Cleaning Company. The finding of the purse was announced by Deputy Sheriff E.L. Squires of Ypsilanti.

Initially there was a question of jurisdiction between Washtenaw and Wayne Counties. The crime was believed to have been committed in a ditch at one side of the burned car parked on the County Line Road about two feet from the Washtenaw County Line. Early newspaper reports indicted signs of a struggle in the ditch, where a blood stained woman's shoe was found.

Washtenaw County assumed jurisdiction because the crime was committed within 30 rods (about 500 feet) of the Washtenaw County line. Either county would have had jurisdiction, but further investigation revealed that the murders occurred on Tuttle Hill Road well within Washtenaw County.

The Washtenaw County Prosecutor was Albert J. Rapp, an Ann Arbor attorney. Also in the investigation was Assistant Prosecutor Miles N. Culehan. Wayne County Prosecutor Harry S. Toy had opened an investigative office in Ann Arbor. Michigan Attorney General Paul W. Voorhies announced that he was satisfied with the investigation and would let the Washtenaw County Officials handle the case.

At the Circuit Court hearing Prosecutor Rapp commended Sheriff Behrendt of Wayne County, the Michigan State Police, Mr. Toy, Mr. Culehan, the Ypsilanti Police Department, who apprehended the defendant's. "Everyone worked together harmoniously toward one goal to bring into custody the men who committed such a terrible crime as was committed in our county August 11th. Everyone worked together and that cooperation brought about the quick apprehensions".

This cooperative action by law enforcement agencies set a precedent for future cooperation by law enforcement agencies as exemplified by the joint task force that investigated the Co-Ed murders in the early 1970's. Other participants in the Torch Murder case included the Undertakers, Stevens and Bush of Ypsilanti assisted by Worden Geer. Mr. Geer owned and operated the Geer Funeral Home in Ypsilanti for several years.

The intensive investigation turned up several leads. The suspects narrowed to three persons, Fred Smith, David Blackstone and Frank Oliver. The information that led to the arrests is incomplete, there are the Ann Arbor News Records, but the Ypsilanti Press records were destroyed in a fire. One Herbert Smith, 22, a farmer, of Ypsilanti was identified as the owner of the gun which ballistic experts identified as the gun which killed Harry Lore. Your author is uncertain whether this Herbert Smith is the same person as the defendant Fred Smith. Smith, a former convict in the State Prison at Jackson, and one or two men were known to have been intoxicated in a speakeasy near Ypsilanti on Monday night, the night of the murders. Fred Smith's testimony in the Circuit Court hearing

collaborates the newspaper version of Herbert Smith's activities. So Herbert and Fred Smith are probably the same person. Fred Smith testified that he was at a place with Frank Oliver and David Blackstone, they "got disorderly on hooch" and the three went to Peninsular Grove where the couples were robbed.

Frank Oliver in his testimony relates that he saw Fred Smith and David Blackstone on the 11th in Augusta at Otis Ogden's. Apparently Otis Ogden ran a Speakeasy on the south side of Ypsilanti. They drank some whiskey there. Fred and David Blackstone wanted Frank Oliver to take them for a drive. They ended up in Peninsular Grove where the tragic events of that early morning unfolded.

According to the newspaper account, Smith's landlord turned the gun over to the officials when he became frightened upon hearing of the slayings. Ballistics tests tied this gun to the Murders. The landlord said that Smith arrived home about 6:00 A.M. Tuesday, and announced that he had to "leave town right away". He left the gun as payment for his rent. Murder cases require a lot of investigation and following up on false leads. Many murders are never solved. Some murders are solved through sheer luck. Fortunately the Torch Murder case was solved because a citizen turned the gun over to the police.

Another suspect in the Torch Murder case was Catherine Keller, 25, of 467 Campbell Avenue, Ypsilanti. Ms. Keller was a niece of the late Darwin Z. Curtis, Justice of the City of Ypsilanti. She was a girl friend of Fred Smith. It must be emphasized that the Curtis family was in no way involved in this murder case. There was not guilt by association. Ms. Keller was never a credit to her family. She admitted being with David Blackstone, Fred Smith and Frank Oliver until 9:30 Monday night. She said she loaned a revolver found in a bureau drawer in her house to Smith. Smith took some clothing to her home to be washed. Blood spattered newspaper had been placed in the furnace of the Keller home. Ms. Keller was never charged with being an accessory before or after the fact.

The Torch Murders case was a case of quick justice. David Blackstone, Fred Smith and Frank Oliver was arrested Thursday, August 13, 1931. The arrests, convictions and sentences were on the same day. The sentence to four consecutive terms of life imprisonment was imposed in each case by the late Circuit Judge George W. Sample. Outside the Washtenaw County Courthouse were 10,000 to 15,000 people held back by National Guardsmen. Blackstone confessed at 8:00 P.M., the officers rushed the defendants through the court proceedings, Blackstone's confession would not survive the Miranda test today, but it was considered voluntary under the law as of 1931.

There was a surging crowd earlier at the Ypsilanti City Hall, and Harry Bennett of Ford Motor Company helped escort the defendants out of the city hall and over to Ann Arbor to the Washtenaw County Court House. It was a dangerous situation at the city hall. The mob was ready to lynch the three defendants. Mr. Bennett had four large cars at the city hall and the defendants were taken away via the rear entrance before the mob knew it. Whatever faults Mr. Bennett had he is to be commended for his public service that night. The local police were insufficient to handle the mob. A speedy arraignment was held at the Washtenaw County Jail by Justice Payne, the Ann Arbor Justice of the Peace.

The Circuit Court arrangement was held at 7:00 p.m., Thursday, August 13, 1931. Each defendant plead guilty. John Mellott was later an associate in the law practice with Judge Payne, also in 1931 we did not have a public defender. Further, court appointments for indigent defendants were very rare in those days. Today we would have to have three court appointed attorneys for the defendants because they would have inconsistent defenses.

In imposing four consecutive sentences on each defendant. the Hon. Judge Sample made some interesting comments:

"If I were to express my feelings on this occasion, I feel that I would be compelled to say as to these three persons in human form, that I feel that I am in the presence of friends, I don't wonder that the crowd is howling for vengeance. If they had listened to the testimony we have had to listen to here in order to give the rights under the laws of the State, I am afraid they wouldn't be as civil as they are. But you know it is the law of civilization that we must not indulge in Mob Law or rule. the Law must take its course, the People of the State of Michigan have declared that the Maximum penalty is life imprisonment. We all know that doesn't meet the requirement of this case but if the law as it is administered justly and promptly, that is all we can ask. We are here to administer the law as it is. All citizens will abide by it, how human beings could act as you three have acted is just beyond me. I can't imagine such degradation. The testimony made me heartsick. To think our highways and byways of pleasure have to be infested with such degradation. Society hasn't any place for them, I never can have. If they were to live a thousand years, they would not be first to come back into society. I place all on an equal basis. It is possible there might be something said for Oliver, yet he associated with these men and thought more of violating the law than upholding the law. Sometimes I feel discouraged. Young Smith has been before me for years and prominent citizens of Ypsilanti have tried to do something for him and show him right and wrong".

On July 18, 1950, Frank Oliver sought a new trial. Hon. James R. Breakey, Jr., denied the motion for a new trial. Judge Breakey was the successor to Judge Sample, who died in office in 1945. Judge Breakey was appointed Circuit Court Judge for the judicial Court (Washtenaw County) by Governor Harry Kelley. Oliver's motion

for a new trial was filed by Walter M. Nelson, a well known criminal law attorney. Nelson contended that Oliver was beaten up by the arresting officers and forced to confess a part in the crime. Further, he alleged that Oliver had no knowledge of what was going on during the court proceedings and that he was not properly represented by legal counsel. Other grounds for a new trial were: That Oliver was arrested, given a preliminary hearing, arraigned in Circuit Court, and sentenced, all within four hours, in violation of recent State Supreme Court decisions against "quick justice". That the late Judge George W. Sample was prejudiced in his handling of the case characterizing the three culprits as "friends in human form" and "human worms" from the trial bench. That Oliver was influenced by fear of a vengeance seeking mob which gathered at the County Jail and court house during the proceedings, threatening to "lynch" the prisoners.

There was a dangerous situation at the County Court House that evening. According to the newspaper account a mob of several thousand persons collected at the County Jail, many brandishing weapons and shouting lynch threats. The National Guard was there and shots were fired. A rope was strung from a tree in the Courthouse Square. Mr. Nelson theorized that in a legal sense there was no court in session.

Judge Breakey in his decision made short shift of the defendant's arguments. At the height of the hearing Judge Breakey read part of Oliver's 18 page of testimony at the original arraignment and called it "a complete statement of guilt". Further the Judge commented "a man who can do what he did, and see what he saw and then go out and paint a house the next day. Well I needn't comment on it".

Judge Breakey pointed out that Oliver chose to testify after he was advised that, by constitutional right, he need not make a statement. "his answers show that he wasn't just yessing the prosecutor". Oliver "knew what he had done and showed excellent judgement in pleading guilty considering the total situation".

It is to the credit of the court system, law enforcement officials and citizens of Washtenaw County that there was no lynching. After all we are a government of laws rather than of men. Justice was notated under the laws that existed in 1931. It is poetic justice that Blackstone died in Marquette Prison, allegedly crushed in a stone crusher. Fred Smith was never released and died in prison. Oliver was commuted some years later and is believed to have died recently in civilian life.

The Torch Murder case had lasting effects on the Ypsilanti area. For several years there was an informal curfew on teen-agers. I was told never to go to Peninsular Grove and to be home before dark. Relatives of the victims still live in the area.

The Torch Murders Case influenced my decision to practice law. I remember my parents discussing the case. We read the daily

newspaper and knew the names of most of the officials. In my senior year at the University of Michigan Law School I would walk downtown to the old Washtenaw County Court House to observe cases in Judge Sample's Court. Little did I realize that some day I would occupy the Circuit Court Bench.

In 1931 Washtenaw County had one Circuit Judge. Now the county has five Circuit Judges. I am proud to have been part of the judicial team that comprises the 22nd Judicial Circuit for the State of Michigan.

Although the City of Ypsilanti suffered a very bad reputation as a result of this murder case, it should be commended for enforcing the law. Washtenaw County is "the home of an outstanding law school with a good reputation for its progressive legal system.

Credits: Ann Arbor News
William Treml, Ann Arbor News Reporter
Peggy Haines, Washtenaw County Clerk, Register of Deeds
Harold Yates, Ypsilanti Author
Eileen Harrison, Ypsilanti Press

Judge Edward Deake

August 12, 1998

Greetings from the Archives,

We are vry busy this summer, there has been many visitors to the Archives both from out of town and in the surrounding area. Doris keeps very busy looking up old (and I do mean old) articles from the files, newspapers and where ever she is able to look. And the best part of it is that she usually finds what she wants.

The grass that was replanted out front in the medium is growing very well. Hopefully people will notice it when they watch the parade and not trample it. Bill Edmunds, Virginia Davis and I, dug it up and raked and seeded it this spring. Maybe you may like to help us next spring when planting time arrives.

Well, back to reality, if you have not paid your dues, please do so soon. It keeps me busy and if I have time on my hands, I can get into trouble.(Trouble even if I don't have time).

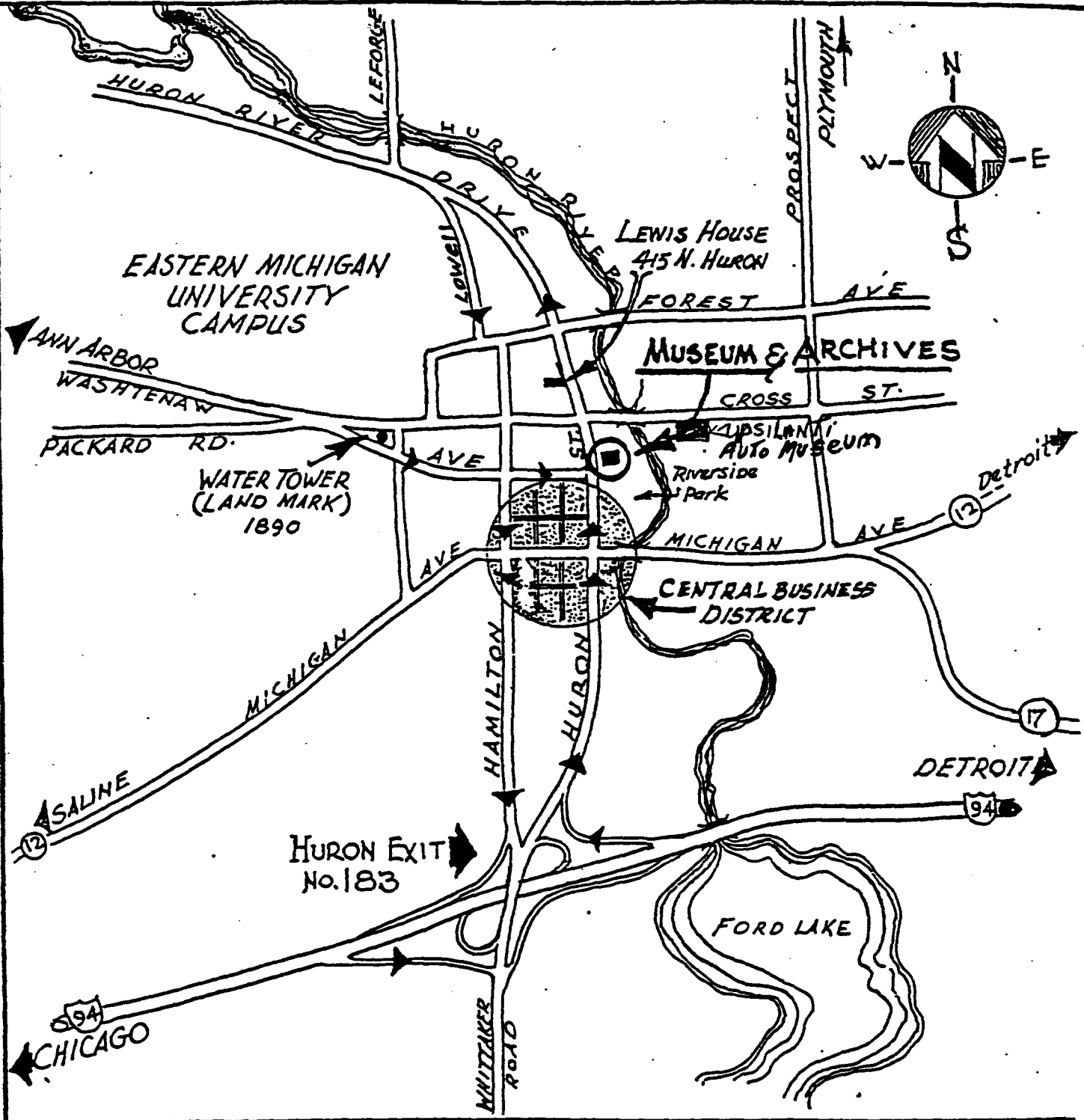
It really seems as though we have enjoyed a wonderful summer, but somehow it went too fast.

Our sympathies to the family of James Reeves. It seems that we have lost several of our members this past summer, however we shall carry on and be grateful that they were with us as long as they were.

We are going to have a story on "The Step Store" that was on Sheridan Street for some many years, and where many of us went to shop. Edd Dykman has some very interesting tales and wonderful customers that he will tell us about.

Well I guess that is about all that I can tell you this time. So, stop by the Archives to say Hello when you are going by.

Billie



Upsilon Chi Phi Historical Museum

220 N. Huron St.

Upsilon Chi Phi Michigan - 48197 - Phone 313 - 482-4990

Doris Milliman-City Historian

Billie Zolkosky-Archivist

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