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Townsend, James Oral History Interview: Sesquicentennial of Holland, "150 Stories for 150 Years"

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Oral History Interview with
James Townsend

Conducted July 15, 1997
by Ann Paeth

Sesquicentennial Oral History Project
"150 Stories for 150 Years"
AP: Could you state your name for the tape, and your birth date, where you were born, and when you came to Holland?

JT: My name is James Townsend. I came to Holland in 1951. I was born in Boyne City, Michigan, [date removed], 1925. I came here after graduation from the University of Michigan Law School to go into practice with Vernon TenCate.

AP: We can talk about that later on. But first, you have come up with some names of people you have felt have been very influential and important people in the history of Holland and in your life, and we were going to talk about those people.

JT: I like to think of them, both individually and as a group, as people in Holland's history during the period of 1951-1997 who have made a difference in the way the community developed and the kind of community that it is now. One of the people I believe who was certainly of importance in the community was Irwin Lubbers, president of Hope College. When he came to Hope College, it was quite a small institution. He had very little in the way of financial resources to work with. It was a very limited faculty at the time that he came. He had the ability and foresight to bring together a distinguished faculty, to build the enrollment, to build the financial support of the college. I would say that he set the college on its course of academic excellence, and also of building it into an institution that certainly is an asset to the community. One of the things that he did that many people may not be aware of is:
at the time that he became president, the structure of the board of trustees at Hope College was very much oriented to the Reformed Church of America. They had the majority of trustees that were appointed not by the college or by any groups other than the particular church Classis or the Reformed Church of America. So that made it a group initially composed mainly of ministers from around the country with not, perhaps, a great deal of background in terms of an educational institution and the operation of an educational institution. He accomplished a change in the selection of board members for Hope College by changing the by-laws. This was approved by the various church groups, fortunately. I think the caliber of people that were able to be drawn to serve on the Hope College board is a major result of changes he made in that regard. Such as, Mrs. Norman Vincent Peale, and Robert Haack, who was the former president of the New York Stock Exchange, people of that caliber who have nationwide prominence, and also have business and financial backgrounds that would be very useful to the college in doing their planning for the future. Irwin Lubbers, in my opinion, was an exceedingly important individual in the development of the college and the community.

AP: When did he serve as president approximately?

JT: He was president when I came in 1951. He served for a considerable number of years. This is approximate, but I believe he would have served to mid or late 1960s. After him was Calvin VanderWerf, who became president. Then, in about 1973, Gordon Van Wylen became president of Hope College. For part of the time, I was involved with the drafting of the bylaws. Our law firm represented the college in the
early years. Vernon TenCate was officially college attorney, and we worked together on doing the work on the bylaws, and, of course, a number of the bond issues for residence halls and this type of thing. Then, in the later years, from about 1967-1972, I was college attorney, working directly with the board and had close contacts with the college people. Particularly with some of the officers, which included Henry Stephens, the treasurer of the college, and Bill Wichers, who was secretary, as well as the president of the college. It was an interesting period of time. I thought the college was well served, not only by Dr. Lubbers. I think Gordon Van Wylen is a very unique and able individual who added a great deal to the strength of the college in many ways during his period of service.

Another individual who I consider to be a man who's made an impact on the community is Willard Wichers. Bill Wichers, probably, is one of the few people in this country who is a Native American and yet was an official representative of the Dutch government for many years. In the community, he acted like an envoy in the area of trade, travel, joint ventures. He would do all the planning for any royal visits, or visits of Dutch groups, such as orchestras and bands and this type of thing, in the U.S. He definitely was the liaison person if any member of the royal family came to Holland, which a number of them did over the period of years, to make the arrangements and to be with them when they were here. He was honored by the Dutch government as a prince of the Orange Nassau, which was a presentation made by Queen Julianna to him. This was on the steps of the city hall in 1952 or 1953. In addition to his official function, he was always involved in museums and history. I
think it's fair to say that Bill Wichers was a pack rat. He gathered all of the things from the Netherlands that were available and stored them, either in the Netherlands Museum building or elsewhere. These now represent a large part of the collection of the Holland Museum, at the old post office. Many of these things, for example, were exhibits at the New York World's Fair, by the Netherlands government. They were not taken back to the Netherlands because Germany had occupied the Netherlands during the war. He stored these things, and, ultimately, they were given to the community of Holland for their permanent exhibits for the museum. He was on the Michigan Historic Commission for many years. He was one of the persons who was deeply involved in the change of the Netherlands Museum to the Holland Museum. He was one of the key negotiators on Windmill Island. He travelled to the Netherlands and went into negotiations with the government officials there to try to get a windmill or have the right to purchase a windmill to be brought to Holland. Windmills are protected items in the Netherlands and the export of windmills is prohibited. There had to be a special act of their legislature in order to permit this to occur. There used to be a movie of Bill finalizing the transaction of purchasing the windmill with the Dutch farmer that owned the mill. I don't know if it's still in existence or not, it would be quite old by now. I know it was used a lot at Windmill Island, but I know that they have a new movie at the present time. What happened to the old one, I can't tell you. But Bill was a very good representative of our community and also of the Netherlands, for that matter, and acted as an ideal person for helping to accomplish taking down the mill, bringing it here, and erecting it
again. He’s an individual that I think was truly a community leader and was a very valuable individual to the area, and he made a big difference.

Russ Bouws is an individual who, likewise, made a big difference in the community. Most people know him by Russ’ Restaurants that are located in a number of communities in west Michigan now. Some people know that he started out with a small hamburger stand on East 8th Street, mostly take-out, where he would sell hamburgers. They cost probably five or ten cents. It was basically a take-out business because his building wasn’t big enough to have any sit down restaurant type of activity. Then he enlarged at that location on East 8th Street, and still is there, by the way, with a sizable restaurant that does offer take-out, but most of the activity is sit down. Then he located other restaurants in the Holland area, also in Grand Rapids and Muskegon and Grand Haven. One of the latest things that he did as a firm, and his brother, Gordon, was involved with him, in this whole period of time as well, was to build a separate state-of-the-art commissary building, where they would do all of their baking pies, breads, and the like. It is truly a modern facility. I had the opportunity to go through it and enjoyed it very much. It’s a little different than making one pie at a time that the average family would do. Russ also was involved in the community himself. The swimming pool between Fairbanks Avenue and the cemetery was donated by Russ Bouws. One thing tells a little bit about Russ and his personal involvement in his operation of the business: I happened to be having lunch at Russ’ restaurant in Grand Haven some years ago. I happened to notice that as I came out of the restaurant there was a man working in the flower gardens because
they needed attention, apparently, and it was Russ Bouws doing the planting and weeding of the gardens up there so that they would look the way they should. I think it's that attention to detail and quality that resulted in the kind of expansion and acceptance that those restaurants have had in western Michigan. Very fine person.

Gerry Haworth, or GW, as he's sometimes called, is an individual that I believe has made an impact on the community. He was originally a high school shop teacher. He had an idea for a movable partition that he wanted to make. He started this operation in his garage and began making these movable partitions. They were a sandwich structure, that included in the middle part of the core, electrical wiring and outlets so that they were suitable for use in offices. That developed and it got to the point where he felt he could no longer teach and he had to go into his business. He started an operation, and the rest is history. His son came into the business, and now they’re the second largest supplier of office furniture and office modules in the world. Only Steelcase is larger than Haworth. Haworth and Herman Miller are very close as number two and three in the world. Western Michigan has two very important businesses in terms of their impact generally in the world, and also on the local economy. Most recently, Jerry Haworth and his family have donated funding for the Haworth Center at Hope College, which has opened recently and is a very fine facility for conferences and educational purposes along with the residence hall that’s adjacent to it. For a number of years he was a member of the Ottawa Savings and Loan Association Board of Directors. I had the privilege of being on that board and working with him for a number of years and getting to know him quite well during
the late 1960s and early 1970s. He has made a tremendous contribution to the well-being of the community and to the health of its industry in the area.

Charles Conrad is an individual who started out many years ago with a small air conditioning and refrigeration business. He, again, was an idea person. Many of the people, industrialists, that we’re talking about, somehow were able to translate their inventive minds, things that came through their minds, into successful businesses and manufacturing operations. Charles Conrad is another of those kind of people. He went from the refrigeration and air conditioning repair to construction and marketing of environmental test chambers. Originally they were used for the space program, because these test chambers could control temperature, humidity, and pressure—vacuum. In other words, air pressure could be reduced so they would simulate the kind of conditions that would exist in space. They were used for testing many of the components of the space modules and capsules. This became a multi-million dollar business. Eventually he got to the point where he sold that out and it’s still in business and still in operation. The sale and development of sale of environmental test chambers is something that is used by many manufacturing concerns in order to test their products under varied conditions. So it was not just in connection with the space program that the product was being used. Charles Conrad, in terms of community involvement, became very involved with the Holland Community Foundation in the early 1970s. He continued with that for a number of years with some other key people, including Harvey Buter. He was very supportive of the foundation and helpful during a period of time when it had been rather dormant.
and was not growing. Chuck Conrad and his wife Elsie lent their financial support to the foundation, and also, I guess you could say, their names meant something to the community, so that when they were supporting it, other people felt that it was worth supporting as well.

Another individual, that I would be remiss if I did not mention him, is Vernon TenCate, who was my senior law partner. When I came to Holland, he hired me. He was my sponsor and mentor in the community. I feel very indebted to him because I'm sure that it would have been much more difficult for me to gain acceptance in the community without his endorsement and introductions to people and organizations. He was a fine attorney. It was important to him that work was done right, that if it was going to be done that it would be accurate and done well, a good way for any attorney to function. One of the community activities that Vernon TenCate was involved in was that he was named as chairman of the Holland Charter Commission, which drafted the Holland City Charter. I think that was ultimately adopted in 1951. When I came into the community, the charter was in its initial stages of implementation. It made some changes in a number of things. It changed the operation of the city government from a strong mayor/council government to a city manager/mayor/council government, and introduced use of a city manager to supervise the various departments of the city. This was one of the changes. There were a number of others, of course. He was attorney for the Holland School District for some years, C&O Railway, which is now CSX, First National Bank, which has now become First of America, Western Seminary, Heinz Company, Park-Davis,
Ottawa Savings and Loan. He came into the firm with his father, Daniel TenCate, and they were the successors to Gerrit Diekema and George Kollen, who were some of the early leading attorneys in the community in the early years. He was a worthy successor, and he had a fine firm as well as being a very good attorney himself.

Wendel Miles was a local man who grew up in Holland. His father was Circuit Judge. Wendel went to the University of Michigan Law School. He became Prosecuting Attorney in Ottawa County after World War II. He then was named as District Attorney for the Western District of Michigan in the federal system. He then came back and was appointed as Circuit Judge for Ottawa and Allegan County after Chester Ray died. After that he was appointed as United States District Judge for the Western District of Michigan. He served since 1975 in that capacity, and is still, on senior status, working, to some extent, in the federal courts. Wendel, again, was the individual with whom I worked when I became a Circuit Judge. I was fortunate to have him and his experience on the bench at the time when I was learning the ropes, so to speak, as a Circuit Judge. He was always very welcoming and very helpful, and is still a good friend. We see them in Florida once in a while when we’re able to go there in the winter.

Another person of impact in the community is Paul Hillegonds, who was a state legislator. He represented the area well, he had respect within the legislature, the positions that he took were well thought out. That’s reflected by the fact that he became first the minority leader in the House of Representatives, and then became Speaker of the House for the Michigan House of Representatives. He was a key
person in the legislature in this state, since he became a legislator. Unfortunately the
term limit amendment in Michigan caused him to have to terminate his service, so
now he's working in the eastern part of the state with a foundation, I believe.

The names of Edgar and Elsa Prince are familiar to most people in the
community today. Edgar Prince, again, was an idea person who started small and
then built a very fine manufacturing business. His wife was a school teacher during
her early years in the community. She taught at Longfellow School and taught one of
our children. Edgar was an exceedingly able individual, as the results of his
operations have proven over the years. He was a supplier for the auto industry and
has done a very fine job as a manufacturer. He and his wife were major contributors
to Evergreen Commons in the establishment of the senior center, and have continued
in that role since that time. He was deeply involved in downtown renovation in this
city, acquiring property through various organizations and firms, then fixing it up,
and either leasing it or selling it to people who were going to use it for desirable
purposes in the downtown area. He, likewise, was responsible for the acquisition of
areas which were made into small parks in the downtown, and statuary, which have
been spotted in some of those parks. They enhance the appearance and the ambiance
of the whole downtown area. It was his idea, fundamentally, that led the city to put
in snow-melt under the streets and sidewalks in the downtown area, so that we could
enjoy snow-free walking in the winter time in those areas. He was involved, I
believe, as an investor in Freedom Village. He was a supporter and donated the land
for the new OAR, Ottagan Addictions Rehabilitation, office building. And he was a
supporer and deeply involved in the Holland Community Foundation as well, he and his wife both. I believe his wife was a board member on the Community Foundation before I came on the board.

Another person of impact was Robert Visscher, who had a small cleaning business in Holland. He was elected mayor of Holland a number of years ago. He was a very effective leader, which is evidenced by the fact that he was elected president of the Michigan Municipal League, which is a league of cities within the state. There’s a sideline to the ways in which he exercised leadership in the council as the mayor of Holland. There came a time in his term when there was a big changeover in the council make-up. I think the majority of the councilmen were new and had never been on the council before. The previous council had developed a system of study sessions, so that in advance of having to make decisions, there would be opportunities for them to be informed and to discuss, to some extent, issues that were coming up in the future. The new members decided they didn’t want study sessions. They said, if you have study sessions, we’re not going to be there. So the mayor said, we’ll give it a trial without study sessions, and see what happens. What happened was within a space of about three or four months, this council took positions on specific issues and then reversed their positions. Within two or three weeks later, they would come back and undo what they had done a few weeks before. When the time came for communications from the mayor at one meeting, he said, "Members of the council, this has come to be known as the entertainment hour on the local radio station because people are tuning in to see what decision we’re going to
change next." So he said, "We’re going back to study sessions. You may be there if you wish, you don’t have to be there if you don’t want to, but we’re going to have them." So they re-initiated it and the whole problem dissipated. It was for the good of the community that members are well informed before they make a decision. He was quite an individual.

People that are not as well known to present day residents include John Dethmers. He grew up in Zeeland, Michigan. He was Ottawa County Prosecuting Attorney for some years. He became Michigan Attorney General, and then he became a justice of the Michigan Supreme Court. During the latter part of his career, he was Chief Justice of the Michigan Supreme Court for a number of years. He was a Hope College graduate, and a very fine attorney and judge. Had good, sound judgment, and was the kind of individual who could operate effectively with divergent views on the Supreme Court. He brought the two sides together as much as possible. A very respected individual, he was honored by the local bar association at one stage of his career and his portrait placed in the court house.

Robert Danhof grew up in Zeeland. He married a young lady who also was a Zeeland native. Her name is DenHerder, which is another common name in the area. Over the years, her father had been president of the Zeeland State Bank. Her family remained active in it, and her brother was also president later. But Robert Danhof was an attorney. He was an Assistant U. S. Attorney when Wendel Miles was attorney for Western District of Michigan. Then he decided he would become a delegate to the Constitutional Convention, and ran for the position, and was a
delegate. He served as chairman of the Judiciary Committee in the Constitutional Convention. After the completion of the work and the constitution was adopted by the voters of Michigan, he then became an attorney for the governor of Michigan, following which, after a few years, he was named as a judge on the Michigan Court of Appeals, and then, for many years, served as Chief Judge of the Michigan Court of Appeals. He retired within the last couple of years. He and his wife rebuilt her mother's home on Lake Macatawa, and they are living in the community at this time. He is a very capable and dedicated individual, and one who, over a period of years, had a great deal of impact on the legal system in this state.

Another attorney/judge, Raymond L. Smith, was my immediate predecessor as Circuit Judge. He was on the bench and retired in 1972. He, at one time, was Municipal Judge in Holland. He practiced law in Holland prior to that. In my opinion, he was an outstanding Circuit Court Judge. He was very knowledgeable and had good judgment, he was good at research. The Circuit covered Ottawa and Allegan Counties. At that time it was a two county circuit. One time he was elected by fellow judges as President of the Michigan Judges' Association, which includes Circuit Court, Recorder's Court, and Court of Appeals in the state of Michigan. One of the sidelights is that Raymond Smith operated with a minimum of personnel or staff. He was covering two counties during a twenty-four year period, and he had no secretary. He had no assignment clerk. He kept the court calendar on a little book that he carried with him when he would go from one place to another, and would write down the schedule of the cases that were being set for trial. I have a lot of
respect for him for his ability to handle it in that fashion. Another thing that he did, because he had no secretary, he typed his own opinions; which might explain why many of his opinions were one page or one paragraph. Yet he was able to focus on what the issues were, to get to the point, to do what was necessary, and to come up with very good decisions. He was a good man to follow in terms of giving an example of what a judge could do under very difficult circumstances. In fact, when I first took the bench, the county commissioners were in the process of building a district court building here in Holland. Both Wendel and I wanted to have an office in that building, because we had to function both in Grand Haven and in Allegan, so we wanted to be able to get mail and to be reached at a spot here in Holland in between. We would switch each week. We would be a week in Grand Haven and a week in Allegan. We wanted to be able to have a spot here where we could be reached. This committee, the first question they asked me was, "Can you type?" I said, well, I can after a fashion, but I don’t intend to type anymore than is absolutely necessary, because I think it’s a poor use of my time. It was a year before we got a secretary.

I’m sure I have not exhausted the people who have had an impact, but I did think that these people played a part in the development of the community and the history of the area, so that’s why I felt they deserved recognition and some comments.

AP: I’d like to hear just briefly what brought you here, what it was like to come here, how you started out, what you thought of it...
JT: I came here as a person who was an outsider. I did not grow up in Holland. I had grown up in Petoskey, Michigan. The community was still relatively heavily populated by Dutch descendants. There were some, but not a lot of other people that had located in the community. I never found that to be a problem for the reason that I stated to you, because Vernon TenCate made it very easy to become a member of the community. With his recommendation and sponsorship, I was accepted by anybody that I came in contact with. I owe him a debt of gratitude for agreeing to hire me. One of the reasons I came to Holland was there was a job available with Vernon on a salaried basis. I was married and had two children. I decided it really didn’t make sense to just hang up my shingle and hope that people would come in for legal work. So this worked out very well. Over the years Vernon was an ideal person with whom to practice law. So the firm continued and I stayed with him, then, until I went on the bench in 1973. For roughly a twenty-two year period we were partners.

You might be interested in my stint as city attorney of Holland. Within about a year after I came to the community, Judge Orien Cross, who had been City Attorney up to that point in time died in the saddle, so to speak. It was a very short illness. So I was appointed city attorney to take his place. This was during the period of time when the new charter was being implemented and the transition from strong mayor to city manager was appearing. The first city manager in Holland was Harold McClintock. The mayor was Harry Harrington. He’s a descendant of one of the original pioneers that were here, George Harrington, who greeted the Dutch when
they came to this area. We had a variety of things that had to be done and were being done at that time, including the development and preparation of a new ordinance code, a recodification of all the ordinances at the time. That took considerable time over a period of several years. I would attend every council meeting and be there to respond to legal questions and the like, or to give legal opinions to the council. I was subject to call when needed by the Board of Public Works or the city hospital or whatever other issues would develop. During the ten years that I was city attorney, we drafted and adopted a new zoning ordinance, a subdivision ordinance, a new ordinance for redistricting of city wards and precincts in order to adjust for population shifts that had occurred over a period of time, a number of city bond issues, one for the Civic Center. The city got into problems with water supply during that period of time. They were dependent upon wells for their water, which were located on the eastern end of town. The complaints were that the wells were drawing down all the water from the surrounding area, and people from the surrounding area, understandably, didn't appreciate that. The quality of the water was not good. It was hard. There were a lot of minerals in it, and the taste was not all that great. So the city took the very giant step, at that time, of going to Lake Michigan for water, with an intake and a treatment plant near Lake Michigan, and then a transmission line to bring it into the city of Holland and then distribute it. Likewise, they had to go through a major expansion of the sewage disposal system during that period of time. Both of these were done by revenue bond issues, and I worked on those. One of the major things that occurred during the period of time
that I’ve been here, is the issue of the city’s boundaries. When I first came, the city was a rather restricted area of two square miles. Basically the old core city. Really, there was no opportunity and no places for construction, development, or anything of that sort within the original city. So that put the city in a difficult position, because they were basically furnishing or expected to furnish services for a larger area. That was the desire of the surrounding area, that the city would provide services, but they were not paying taxes for the city to accomplish these things. The first effort to try to change the city’s boundaries occurred, and it involved a horseshoe shaped area. It covered both sides of Lake Macatawa, went out to Lake Michigan, and included in area most of Holland and Park townships, and some of Fillmore Township as well. That did not pass. The township people voted against it. One, because of taxation. They did not want to pay city taxes. Secondly, I think they were concerned about being swallowed up by the city, that connotation, even though it was a consolidation of the area. Then came a period of time when there were piecemeal annexation proposals. These included areas which, at that time, were identified by the name of their school district; Maplewood district, which was in Fillmore township to the south of 32nd Street, Lakeview district, which was to the west, Montello Park district, which was in between Lakeview and the city, and Harrington School district, which was from the lake in for a ways, and also in Allegan County as well as Ottawa County, also the Holland Heights area, which was to the east and included a substantial sized area going out to the golf course. Over a period of two to three years, the city changed its boundary size from roughly two square miles to well over
thirteen square miles, which enabled the city to develop in terms of growth of residential and industrial uses. The industrial park was located in some of the annexed areas. It has been very difficult since then, I think, to accomplish any major changes in terms of annexation or in terms of boundary changes. Holland township has gone to a charter township now. It’s interesting to note that the original proposal is very similar in area and size to what the Macatawa area coordinating council is now dealing with, with representatives of the townships of Zeeland and Holland and so on, in considering an area for desirable coordination of services and the like.

Anyway, there were several court cases that arose out of this whole process of boundary changes which involved me at that point in time. I was representing a number of the petitioning groups to come into the city during that period of time. There was a challenge to the Maplewood election south of the city. Ultimately it was appealed to the Michigan Supreme Court. The annexation was affirmed by the Michigan Supreme Court. At one point in time, the people to the north side came up with a proposal to incorporate a city on the north side called VanMeer. They included certain areas that were within boundaries of proposed annexation areas. The people of those annexation areas wanted to try to carry through with their own annexation efforts, rather than to be hauled into the city of VanMeer. So they filed a lawsuit which challenged the validity of the VanMeer petitions and proposal. Ultimately it went to the Supreme Court and the Supreme Court held that their proposal was legally invalid. They then could proceed with their annexations.

We had a number of cases involving the city and the Public Service
Commission of Michigan. One, specifically, was Michigan Gas and Electric Company. We were in their service area. The name has changed now, but that was the company's name at the time. Gas service was a problem. As new areas were being developed with residences with other facilities in the cities, the company would say, "We're not furnishing gas to you at this time. It has to be completely developed first, before we run gas mains through this area." That meant that everybody had to put in temporary gas facilities, such as tanks, bottle gas, in order to serve their house. They couldn't have gas heat, because that was not available at that time because of that. The city was kind of unhappy with their approaches. The Attorney General's office had started a case against the Michigan Gas and Electric, requesting a rate reduction. We intervened in the action and participated in it. Basically, we said our first choice would be that they recognize their responsibility as a utility in order to properly serve customers within the city of Holland. Second, if they're not prepared to do that, their rates are too high. What they're doing is skimming the cream and doing it to benefit themselves, but not doing it to benefit the public. This went through the public service commission. They approved a reduction in gas rates. Then the company took it to Circuit Court in Ingham County, and we participated in that litigation. Ultimately, the company was sold, and the purchaser threw in the towel and they said, we're going to let the Public Service Commission's decision stand. As a result of that, Holland rate payers on gas had a lump sum rebate of $802,000 and an annual reduction in the rates of $234,000 thereafter. There was one other rather major case affecting the community. The city Board of Public Works
had made a number of purchases over the years from electrical equipment suppliers for their power plant and for other operations of the Board of Public Works, generators and equipment of that kind. About that time, claims surfaced that the various equipment suppliers colluded together and took turns in being the low bidder on various electrical equipment bidding processes that occurred around the country. The city of Holland joined the city of Detroit in bringing suit in the Eastern District of Pennsylvania against the suppliers. There was a net recovery to the city of more than a quarter of a million dollars as a result of that lawsuit, which was beneficial to the local tax payers and rate payers. Those were the high points in my experience in terms of litigation affecting the city of Holland in which I was involved.

I represented the Holland School District, and there was a major landmark court case during that period of time. It involved a work stoppage by the teachers in the Holland School District. I came back from vacation around Labor Day, and was told that there wasn’t going to be school. We told our kids: sure, there’s going to be school. They were right. The teachers didn’t go to work. This was on a Tuesday, the day after labor day. I had a call from the superintendent of schools, Donald Ihrman, who said that their labor counsel and he wanted to meet with me for lunch on Tuesday concerning this problem. So I met with them. As a result, we filed a complaint Wednesday in circuit court and had a hearing that Wednesday afternoon. The opposing side was represented and was present. The issue was argued by both sides. The circuit judge typed up a one page restraining order, which granted injunctive relief, and ordered the teachers to cease and desist from their work
Two o'clock, a.m., I had a knock on the front door. They gave me papers indicating that there was a stay issued by the Court of Appeals. I found out later that day that they had set a deadline of Friday noon for the filing of briefs in the Court of Appeals and for oral argument on Saturday morning at 11:00 in Grand Rapids before the Court of Appeals. Labor Counsel and I worked together on this. We filed a 75 page brief by Friday noon. That's about a 36 hour span from the time we were told it was in the Court of Appeals. Then we had oral arguments in the Court of Appeals at 11:00 on Saturday. The Court of Appeals entered a ruling in which they sustained the act of the Circuit Judge in issuing the injunction. By 8:00 Monday morning the following week, both sides had filed papers in the Supreme Court. So you had a case which went from start to the Supreme Court in less than a week. It's very unusual. I'm glad it doesn't happen too often. I averaged about three hours of sleep a night during that period of time. Ultimately the Supreme Court adopted a decision which became a landmark case. The case was a landmark case, and has been the pattern for decisions subsequent to that time dealing with the public employment relations act as it affects school districts. There were four issues essentially involved in the case. Our positions were accepted on three of the four. The fourth one, the Supreme Court accepted the position of the union and required the showing of irreparable harm or injury before receiving an injunction. I wish we could have argued that issue again, because you can ask for a rehearing on an issue only that time, both the teacher's union and the school district had come to an agreement on the contract. Nobody, including ourselves and our client, wanted the matter raised again. That would have
created further difficulties, so it was left the way it was. I think it’s poor law, but unfortunately we’re stuck with it.

You might be interested in a few comments about the Michigan Constitution of 1963. The last constitutional change had been in 1908. A considerable length of time had passed. This Constitutional Convention in which Bob Danhof was involved, also involved George Romney, who headed up, at that time, a citizen’s group called Citizens for Michigan. He became a delegate and vice president to the Constitutional Convention. I mentioned Bob Danhof was involved in that convention as well, in the judicial field, particularly. During that period of time of drafting, I was city attorney, and so I testified before the local government committee in the Constitutional Convention. When the time came to present the Constitution to the voters, I was chairman of a committee to support the adoption of the Constitution locally and in Ottawa County. Once it passed, there was a recount challenge issue to the validity of the election. As attorney, I represented the persons in the group supporting the validity of the constitutional election and went around the county to the various polling places where the recount process was actually accomplished. As a result, I think the proposal gained a few votes. It didn’t lose any. The Constitution was declared valid and was put into effect, and has been the governing document of the state of Michigan since that time. That was the beginning of George Romney’s involvement in politics, if you consider the Constitution as being political. Some people would, some wouldn’t. It was probably a nonpartisan or bipartisan document in terms of the people who were at the convention. He then announced that he was
going to be a candidate for governor of Michigan. I was the co-chairman of the Romney Volunteers in Ottawa County supporting his election. It was successful, he was elected. I also was on the state board of Romney Volunteers, an organization that supported his election. We went through the same process later when he ran for reelection. Again, it was successful and he was elected. In my opinion, even though he was not a local citizen, George Romney was a very important figure affecting us in Holland as well as everybody else in Michigan. I value my contacts with him and with his wife, Lenore. I've been a guest at their home for a meeting of Romney volunteers at Bloomfield Hills. Mrs. Romney was in our home briefly when she was a candidate for the U.S. Senate some years later. Both people, in my opinion, were not only charming, but they were very able and people of great integrity and high principles. As a sidelight, I think it was a tragedy that Nixon chose Agnew to become his vice-president instead of Romney. At that time, Romney was the favorite of the convention, but Agnew was chosen by Nixon instead of Romney. I venture the opinion that if Romney had been vice-president during that period of time, and named by Nixon, Watergate would not have happened, nor do I think that it would have been covered up. Romney, as an individual, would not have permitted that kind of conduct. I believe that what Nixon wanted was a yes man as a vice-president, rather than somebody who might challenge him or raise questions as to what he should do.

AP: Which, unfortunately, is probably what most presidents would want in a vice-president.

JT: Could be. Although Kennedy and Johnson were very different people. They really
had not much in common at all. Yet they came together as candidates for the
strength of the party and the purpose of winning the election. But in any event, you
could be right. Nixon, at least, was not of that type. I believe that he did not want
an individual who, because of his strength of character he might well be opposing him
at times.

While I was city attorney, the city of Holland received information that there
was an individual, undisclosed, who wanted to make a gift to them of a library, if the
city of Holland would acquire the site that was to be selected for the library. The
question was, how could a public body like city council take action to acquire land on
the strength of an anonymous commitment from somebody who is not disclosed in the
communications. That poses a bit of a problem when you're dealing with a public
group. I talked with his attorney, who understood the nature of the problem, and we
finally came up with a solution, which basically is, somebody was appointed to be his
agent to make this offer to the city. So it was an undisclosed principal, but the agent
was disclosed. The city agreed, they went ahead, they got the property, and we have
Herrick Library. Mr. Ray Herrick was an interesting individual. Of course, he's had
an impact on the community as well. In some ways, he was secretive, and in other
ways, he was interested in having personal recognition for his wife or himself for
gifts that were given. But the timing had to be exactly the way that he wished it.
Sometime later, after the library was given, the school district was in the process of
building a swimming pool. They had submitted a request to Mr. Herrick, to his
foundation, and he was still considering it. Word came back to the school district
that it looked as though the support was going to be there. The local news media got word of that and called Mr. Herrick. They said to him, "Mr. Herrick, we understand that you will be making a major gift to the Holland swimming pool." He said, "No, I'm not," put the phone down, and that was it. He never did. That's why I'm saying he's interesting, but difficult to work with in terms of meeting his conditions or living with what he expects.

You've heard about some of the celebrities that have come to Holland over the years. I know people have been brought by the Holland Furnace Company for Tulip Time. You may not have heard about the fact that a number of celebrities not in the entertainment or sports field who have come to Holland over the years included a number of national figures. I'll mention a few of them and tell a little bit about it. The one individual we think of as our own person from this area is Gerald Ford. He was congressman for Kent and Ottawa Counties for a number of years, starting with about 1948 and going for a number of years after that. He has come to Holland frequently, both as a congressman, as a vice-president, and as a president, and has participated in Tulip Time activities. Ford, as far as I'm concerned, is a fine individual and was a man of integrity and served the nation well during a time of great difficulty. With Nixon resigning, the question was, "Who will lead the country?" I think he did a very fine job. That was a time when there needed to be some healing, and a person of integrity was absolutely necessary at that time. I think he has proven to be that. One example of that: in his early years as a congressman, he came down to speak to the Chamber of Commerce in the local hotel. After he had
spoken, one of the local people said, "Congressman, we are thinking of requesting that the federal government build a new post office in Holland. Would you support that project?" He said, "I believe you are aware of the fact that budget restraints in the federal government are very tight at this time, that this is not a time in our history when we should be embarking on new projects, and so therefore, I would be unable to support that project." Before a local group of people, taking a position opposed to what he thinks at least some of them believe is their interest; to me that's integrity. He takes a position that he thinks is right, whether it's popular with the people or not. I admire that.

Ronald Reagan was here at a time prior to his involvement in politics, even before he made the nominating speech for Mr. Goldwater. At that time, he was under retainer to General Electric Company. He also was a TV personality. He introduced certain TV programs, and was well known throughout the country. So General Electric hired him basically as a public relations person. The local manager of the area for the General Electric hermetic motor division, Ab Martin, made arrangements that he would come to Holland and speak, which he did. He spoke to the Rotary Club at the hotel, he also spoke to the community at the Civic Center, and gave very fine talks in both cases.

Richard Nixon, when he was vice-president, before he was elected president, came to Holland campaigning for office for vice-president, and spoke from the rear platform of a train at the local train station. This was quite common in the early days of campaigning. Now, of course, television and other means are more often used
than a train platform.

George Bush was here during his most recent, unsuccessful campaign. Every governor in the state of Michigan since G. Mennen Williams has appeared for Tulip Time festivities and scrubbed the streets of Holland. This became a tradition, and included Governor Romney and everyone since that time, as well. It’s gotten to the point where they also appear at a luncheon and speak to the community and people who are present at the luncheon at Tulip Time as well. Two celebrities who came to Holland at Hope College were Ray Herrick, who donated the library, and S. S. Kresge, who was the major share holder of Kresge Company. Hope College put on a dinner for the community to honor these two men. They both appeared at the dinner, and each one spoke. Irwin Lubbers introduced each of them and did his usual fine job in that regard. Those are a few of the celebrities that have come to the community over the years.

I worked, either as attorney for the law firm for Hope College, or individually for Hope College a number of years, with Dr. Lubbers initially, when he was president of the college, and also later on with President VanderWerf. I talked to some extent about the initial years with Dr. Lubbers and the importance of his involvement. It’s interesting to note that Dr. Lubbers’ son, Don Lubbers, was a student at Hope College during the early 1950s, and was chosen as community ambassador to a country in Europe. I think it was Yugoslavia, I’m not sure about that. I was on the committee that chose him to be the representative of the community. He now is president of Grand Valley State University, and is doing a
very fine job for that institution. Hope College, in my opinion, has been a very important part of this community, and has developed into an outstanding educational institution, both in terms of academics and in terms of their sports programs. I think there are strong ties between the college and the community. By and large, those ties are stronger than any differences that exist, although, with anything of that sort, there's bound to be some friction now and then.

AP: Are there any examples you can think of?

JT: I know that some people did not care for the vacation of 12th Street, which went through the middle of campus. They felt that was not necessary. But, as a matter of fact, it's a safety feature, along with everything else. Plus, the old grid system in the city of Holland is something that perhaps needs some adjusting now and then in order to accomplish desirable purposes. I think there are times, maybe, when residents of the city feel the college is a little too large in their impact on the community. But, personally, I feel that the benefits the college brings to the community, and the opportunities it brings to the community, far outweigh any of the negative or friction aspects of the relationship. I think the college people have been sensitive to that, and have basically done a very good job of dealing with it. The college certainly has achieved a national reputation. It's consistently rated among the top colleges in the country as a place for an education, for a reasonable price. I think that's a pretty good recommendation. I had the interesting experience of teaching business law there for one term. I also, as I say, was attorney for the college at various times over a period of time.
One of my involvements in the community, both early on and more recently has been the Holland Community Foundation. Some of the early members on the Community Foundation were John Donnelly, of Donnelly Mirrors, Marvin Lindeman, who was an advertising person, Judge Cornelius VanderMulien, who was a municipal judge here, Mildred Campbell, who gave the first large donation to the Community Foundation. She gave real estate and home, which was used for the child guidance clinic on Van Raalte Avenue. She's been a supporter over the years, as well, since then. But during the early years of the foundation, there was no state tax credit for donations to the foundation. Nor was there a Kellogg Challenge Grant, which gave matching funds to the community by the Kellogg Foundation. So it was just another agency seeking support from the community. Impetus was lacking during the early years of the foundation, unlike the last six or seven years. It was relatively dormant for a period of years, and then there was gradual growth between about 1974 and 1990 to 1991. Then from 1991 to the present time it has really taken off and expanded dramatically in terms of the support of the community and the things it's able to do within the community. Most recently, speaking of the closeness of Holland and Zeeland, the Holland Community Foundation and the Zeeland Foundation merged into the Community Foundation of the Holland-Zeeland Area. So it's a single foundation now, covering both communities. Which, in my opinion, is a very wise and desirable thing. Maybe it will set the tone for future contacts and agreements between the two areas.

Charles Conrad, as I mentioned, was a very important person during this
intermediate period of the foundation. He kept it going as well as Harvey Buter and Cornie Steketee. More recently, the key people have been Gordon Van Wylen, who proved his abilities as a fund raiser at Hope College, and he continued to prove it for the Community Foundation, and did an outstanding job on that. By and large, till the last few years, there was no professional development person or fund raising person on the foundation staff. There was a secretary, and that's it. We, as a board, agreed that if we were going to expand, we would have to obtain an executive director. We located Bill Vanderbilt, who has done an exceedingly fine job for the foundation. Prior to that time, he had been a coach at Hope College. He had been the development director, or marketing agent, for Freedom Village. He basically worked himself out of a job, because they sold all of their condo units and had a waiting list of fifty or sixty, so he reached the point where he was ready to go on to something else, just about the time when the foundation needed someone. So we got together, and he's been director since then. As a result, over a period from 1991-97, the foundation has increased in size in terms of endowment funds, from about a million dollars to eight million dollars in roughly six years. During a couple of those years, I was president. Gordon Van Wylen was for the first two or three years. I was for the next couple, and Ken Pierce for the last two years, followed recently by Carolyn Marquis.

One of the local organizations that I was involved in from the beginning was Ottagan Alcoholic Rehabilitation. A group of local people felt the need for an organization to supply a treatment program for people who have alcohol problems.
So in roughly 1970-71, we organized a corporation. Some of the key people were Jim Brooks, Sr., Bob DeBruyn, Sr., and after that, (Bob DeBruyn) Jr., Jack Rutledge, who was a person involved in advertising and promotion in his own business, and Bob Kleine, who became the director of OAR, and started the first program, including the Chester Ray Center (a Halfway House), and a counseling service for persons with alcohol problems. I was on the board for roughly the first five or six years, and then was off most of the time I was on the bench. After I retired as circuit judge, they asked me if I would come back on the board, and I said I would. So during this most recent period of time, they entered into a building program in which they built new offices for out-patient counseling and group therapy on Century Lane. That was accomplished in a period of roughly a year and half from start to finish. They got the idea, they planned it, they raised the funds, they built it, and they were in it, debt free, by the end of that period. One major part of it was the gift of the land from Edgar Prince. More recently, they acquired a home and property which they now call Harbor House for women, a halfway house for women, located at the corner of Lincoln and 16th Street. That opened early in 1996 and has been a very good asset for the community since that time. Previous to that time, there was very, very little in the way of halfway houses for women who had addiction or alcohol problems. I think Traverse City was the closest one to the north. I think there was one in Grand Rapids, but I think they were always full, and you could not get in there. This has been a satisfying group to work with. They’re doing a fine job with the people they serve. I think the community has recognized that over the years.
I’ve been active in the local United Methodist Church. We’ve been members since we came to Holland. I’ve been active in the Boy Scouts over much of the period that I lived in Holland. I had a stint as the district chairman of the Chippewa district, which includes Holland and the surrounding area, and was a member of the Boy Scout Council Executive Board of the Grand Valley Council, and was president for three years. The council was recently renamed the Gerald R. Ford Council, which I thought was very appropriate. Gerald Ford was a scout through the Trinity Methodist Church in Grand Rapids, and became an Eagle Scout. He was on the camp staff in the council. He has been a supporter of Scouting throughout his life since that time. Council recently built a new scout center in northwest Grand Rapids. There’s a statue of Gerald Ford in front that was made of him when he was a boy.

My career here in Holland: I was city attorney, was in private practice with the law firm, TenCate, Townsend, and Cunningham, for an additional ten years after that, ran for Circuit Judge after Ray Smith announced he was retiring, was elected, and served as Circuit Judge for Ottawa and Allegan Counties for the first year and a half, and then just in Ottawa County from 1973-1990. I served on various committees of the Michigan Judge’s Association, and was president of that organization for one year. I’ve had assignments on panels of the Michigan Court of Appeals. I’ve had assignments as a visiting judge in certain other Circuit Courts around the state, primarily in West Michigan, Muskegon County, Van Buren, and a number of other counties. I had the experience of being named a one-man grand juror over in Midland County for an incident they had over there.
There are a few court cases that impacted the Holland area, either specifically or because of the nature of the case. At one point, the Hope College security people charged a number of individuals with state law violations or offenses occurring on nearby streets, but off-campus. The challenge was made that they didn’t have the authority or power to charge and arrest people other than on Hope’s campus. This case went to the District Court, who agreed with the position of the defendants. It was appealed to Circuit Court. I did some research on it, and concluded that for a number of reasons, that they did have the authority to charge under state law. One of the reasons is they were deputy sheriffs. They had been appointed as deputy sheriffs by the Ottawa County sheriff. In my opinion, a deputy is a deputy is a deputy sheriff. The powers of one deputy aren’t different than the powers of another deputy, unless the sheriff makes some specific limitations of the powers. The other thing is that to apply the concept of territorial limitation of jurisdiction of a deputy sheriff restrictively would mean that we are creating an obstacle for law enforcement people, because they cannot then cooperate and work together on matters involving more than one jurisdiction, and function effectively in both jurisdictions. Where the individual has deputy authority by the sheriff, I concluded it was county wide. It was not restricted to the Hope campus. City police are also deputized, as are some other township people. All of these people, including the Hope College people, have gone through the same training sessions that law enforcement officers go through, and have been certified as qualified. It seems to me that was the common sense approach. If somebody’s violating the state law, they should not be able to say, well, I might have
done it, but this deputy sheriff should not be permitted to challenge or to charge me on it. The case was never appealed beyond the Circuit Court. I would have been interested to see what the Court of Appeals would have done with it.

We had a case involving a local group that petitioned for a referendum on a city zoning ordinance amendment. They filed that petition a year or more after the ordinance had been adopted. It involved the changing of zoning to commercial for a shopping center on the east end of town. So I had to interpret the city charter as to whether there was any limitation on the time for seeking a referendum. In reviewing the city charter and also other source materials, I concluded that there was a limitation. In fact, under state law and other provisions, there is roughly a thirty day period after an ordinance is adopted or after a statute is adopted during which a petition for a referendum can be filed to have a vote taken. I held that more than a year was too long. We shouldn’t permit a challenge that long after the fact.

Positions change. People buy property, sell property, retain architects to make plans, and so on. We held that it was an invalid challenge. In the modern era of court procedure, I upheld the use of faxed affidavits for search warrants or arrest warrants, instead of requiring that the officer appear before the District Judge or magistrate who issued the search warrant or arrest warrant. The reason that I came to that conclusion was it’s in the best interest of the individual being charged, as well as the public, that the results be pinned down in terms of a breath test or a blood test or whatever, as to whether or not there was in fact intoxication as an example involved in this accident.

If you enforce a situation which requires that the individual appears before the district
judge, you’re delaying the time when the blood test can be given, or when the search warrant can be exercised by doing the testing. Which means that it will be less reliable than it would be if it’s done right away. You’re making it ineffective to do this. I rendered a decision supporting it, and the State Court of Appeals affirmed my decision. There also was an amendment to the statute which permitted it. It’s just covering it to make sure that it can be done, so it’s clear that faxed affidavits and search warrants are permissible now under Michigan law.

We had the first trial in Michigan on the admissibility of DNA evidence, test results, in a criminal case. I held that it was admissible. We had special hearings on the admissibility and had testimony by experts on the various issues involved. They all agreed that DNA and the use of DNA tests are generally recognized in the scientific community, and that they’re reliable, and that they do establish identity within the specified limits. So, I admitted it as evidence. The case was appealed, and the Court of Appeals affirmed it. Those are a few of the experiences that I had.

AP: I would like to hear you speak briefly about the major changes Holland has gone through as a community.

JT: I think that when we came to Holland, it was a relatively insular community in the sense that there had not been a lot of change for a number of years. There had been some, but not a lot. I think there have been many changes that have occurred over the years in many respects. Of course, simply size, population, a lot of industry, everything really goes together in terms of the expansion of the community that has occurred. That has meant change in the kind of a community we’re living in. (tape ends)