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Jerry, the Judges, and a Magic Day on the Fairy Isle

By Hugh W. Brenneman, Jr.

Before the fur traders and missionaries came to Mackinac Island, even before the Indians came for their spiritual retreats and fish, myths tell of fairies, both giant and small, who traveled to the Enchanted Isle through Arch Rock, and through the smaller Fairy Arch, before it was destroyed.¹

Some say that even today a little bit of their magic remains . . .

When Jerry Ford visited Mackinac Island on that day in July 1975, to speak to a judicial gathering, he was at a juncture in his life. He was about to turn 62 and embark on a campaign that would lead to either a four-year extension of his Presidency, or to retirement.

Was this a moment for reflection?

With the delights of the Island swirling around him, and people clamoring for his attention, any incentive for the very active Jerry Ford to pause and contemplate his life would have come from elsewhere.

Perhaps the Island's fairies could get the ball rolling . . .

After all, until now no sitting President had ever set foot on Mackinac Island. Today, one from Michigan was doing just that.

Shouldn't the Island thank him, perhaps with a birthday present?



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Of course, fairies couldn't simply knock at his door and announce themselves, and hand him a gift. That would be silly. Ford was a realist, not given to fairy tales. No, any gift would have to be delivered more subtly.

With Ford only scheduled to be on the Island for 19 hours, they had better get busy.

And so it happened that the fairies of this mystical Isle gave a unique birthday present to a favored son, one only the fairies could offer: The gift they chose would be a kaleidoscope of Jerry's memories from throughout his entire life, wrapped in nostalgia and tied up with a ribbon of prophecies. They would grant some wishes for good measure.

This singular day would, in fact, be a microcosm of Jerry's entire life.

How often does one relive his whole life in just hours? Would Jerry recognize fragments from his past as they materialized, these echoes from his earlier days?

He would have to pay close attention . . .

The fairies were almost giddy with anticipation!

The magic began when Jerry arrived late on the evening of July 12th, and it began quickly. The first memories the fairies sent to Jerry were of his birth. A good place to start! He would sleep this night in a Victorian mansion. It was just like the one in Omaha where he had been born!

Moreover, this mansion sat in a forest he had spent a summer exploring as a boy, and he knew it well. The smells, the sounds, the cool evening breezes . . .

Once this forest had been a national park. Walking through it, he recalled his adventures as a park ranger in another national park, Yellowstone. . . He had been slightly older then. . .

The Victorian mansion . . . The wilderness parks . . .

The Island was beginning to wrap its arms around Jerry Ford.

Early the next morning, Jerry went to a breakfast for judges and lawyers, to speak about his aspirations for the Judiciary.

It was surprising that so many in the room were comrades from throughout his career. Everywhere he turned. A classmate from all the way back in law school! His first law partner! Judges from Grand Rapids, including the one whose father he had replaced on the House Appropriations Committee. The State Bar president was there, he was an old friend from Grand Rapids. A constituent Jerry had helped as a Congressman. Three Congressmen who had supported Jerry when he was House Minority Leader. A Senator influential in his becoming President. Other Grand Rapids attorneys, including those who had advised him on Nixon's pardon and papers.

The pleasure of being surrounded by so many welcoming friends. From so many different stages of his career. Was it just a coincidence that all these people were at this conference? Or had the island's magic gathered his old acquaintances in this one place as a present to him, gift-wrapped as a breakfast?

The fairies were just getting started. . .

After breakfast, Jerry and Betty attended a Sunday service at the nearly century-old Episcopal church. (Hadn't he attended this old country church as a Boy Scout?) Jerry had grown-up in an Episcopal church in Grand Rapids, which had also been a century-old building. Did his memories drift back to those childhood days as he sat quietly in the pew and gazed around this old building?

Jerry and Betty had been married in an Episcopal Church. Betty had worn a blue dress, the same color she was wearing today. Betty's blue dresses marked important occasions. In fact, today Betty was wearing the very same blue dress that she had worn for his swearing-in as President last August.

Bob and Marjorie Griffin walked to church with Jerry and Betty. Former Governor Williams was there. Seeing those two old opponents together in the sanctuary, Jerry would surely have remembered their hotly contested Senate race a decade earlier, when Griffin had defeated Williams.

All day, the fairies would be whispering memories in Jerry's ear. . .

Jerry and Betty went to the candy store. They were waited on by a girl from the University of Michigan. Hey, hadn't he, too, earned money waiting on other Wolverines when he went to Michigan?

After buying fudge, Jerry and Betty climbed into a horse-drawn taxi. Why, he had driven one of these very carriages himself when he had been a Boy Scout on the Island. Did he want to hold the reins one more time?

The Milliken family rode in the carriage with them. Jerry knew first-hand what a wonderful place the Island was for families.

The Governor suggested that they drop by Stewart Woodfill's house. Stewart owned Grand Hotel. This wasn't on the schedule! But neither was buying fudge. Jerry was enjoying his Mackinac moment and they would do it. Was Milliken a proxy for the fairies?

The unannounced visit surprised Woodfill, who was in his pajamas! Fairies can be mischievous! But maybe that wasn't their only purpose here.

Woodfill had managed Grand Hotel even before the Great Depression. Jerry had also been at the hotel before the Depression, when he swam in the hotel's new pool in the summer of 1929. Both men could recall life on the Island from a time decades past.

So it wasn't surprising that the carriage now turned toward the big Fort up on the hill, the center of Jerry's days as a Boy Scout. He hadn't been inside the Fort in nearly a half-century. But something was prompting another unscheduled stop.

Jerry quickly found himself thinking about those Scouting days. When he had lived in the Fort, he had been an Eagle Scout. Today he entered the Fort as a Distinguished Eagle Scout, having received the service award given to adults.

As a Boy Scout, Jerry had been named to the Governor's Scout Honor Guard. That was the state's highest Scouting recognition. He was returning as the Honorary Chairman of the National Boy Scout Council, the nation's highest Scouting recognition.

He had been there only twice in 46 years; yet both times as the personal guest of Michigan's Governor.

It was amusing that both Governors had been Republicans.

His youthful memories couldn't be restrained. Jerry had routinely given tours of the Fort as a Scout, and he found it second-nature to be doing so again, reliving that earlier adventure for his friends. Just like Dicken's Scrooge, excitedly recalling by-gone times to the Ghost of Christmas Past, highlights from Jerry's youth kept bubbling forth. . .

He pointed out various buildings. He said that the Scouts had enjoyed watching from the ramparts as large excursion boats, like the old side-wheeler he had arrived on, had tied up at the docks down in the harbor. He still kept in touch with one of the fellows. It was on his overnight voyage to Mackinac that he had met Joe McIntosh, a big high school football player from Port Huron, who played center like Jerry.

Jerry showed Betty where his cot had been in the Fort's old Commissary building.

As a Boy Scout, Jerry had fired the Fort's cannon at sunset. Standing next to the cannon on the ramparts today, and gazing out over the water, was not unlike being on the fantail of an aircraft carrier, when he had been a gunnery officer, scanning the Pacific horizon for attacking planes.

Did standing next to that iron sentry remind him that he had since risen to even greater heights, surpassing Eagle Scouts, Naval officers and Members of Congress? He now bore the weight of the entire country on his shoulders as

Commander-in-Chief.

Fort Mackinac was a place that could stir such thoughts.

Unspoken thoughts of performing great service had been a part of his mentality his whole life, hadn't they? People always said Jerry was a leader, and Jerry had known it from the beginning. He had always taken his responsibilities seriously. From the Scouts to the gridiron to the military, then in Congress, and now as leader of the Free World, each step of the way, he had always led.

Hopefully, the sun-drenched beauty of the Island this morning didn't mask the moment. The fairies were certainly trying their best to stir up a cauldron of memories . . .

And they hadn't even gotten to his days as a politician yet.

Ford was the inveterate campaigner. Political meetings were in his DNA. Now the carriage was taking him to another campaign lunch like countless ones before. Of course, Jerry would never forget his many campaigns.

Even so, the fairies weren't taking any chances.

As his carriage drove through the woods, he passed a lone man walking along the road. Ford hadn't seen the man for quite some time, but knew him instantly; they had campaigned together on the Republican ticket a dozen years earlier. It was strangely remarkable that their paths should cross at this moment . . .

When he arrived at the Governor's Residence, Jerry found that something had inspired the cook to serve his favorite food this noon, cottage cheese! How did she know?

And the Republican heavyweights sitting around the dining room table were all familiar faces; a flood of political memories rushed back as everyone began talking about the business of the election.

Since he woke up this morning, memories from his entire life seemed to have been swirling around him. Everything he had done today bumped up against a moment from the past. He hadn't thought about some of these things in years! And these had been good memories!

Had the fairies overlooked anything?

Athletics! Athletics had been a constant throughout Jerry's life.

Any fairies worth their magic fairy dust knew that. No, they hadn't forgotten.

They had left time for Jerry to play not one, but two, favorite sports this very afternoon: tennis and golf!

Of course, football had been his sport in school, but he wore a bandage on his knee due to an old football injury. He would always remember football . . .

But even now the fairies' gift was not complete. For in the events of any day, seeds of future happenings often germinate.

Could fairies offer prophecies based upon this day's events, about what might happen going forward? Were they into that sort of thing, or was that too much to ask . . . ?

Actually, glimpses of the future were easy for fairies to provide . . . recognizing them was the trick.

But first, before any prophecies, the fairies wanted to grant some wishes. At breakfast, Jerry had laid out a litany of changes he wished the Congress would make: More judges; Higher pay; Increased authority for Magistrates; Reduced use of three-judge courts.

Fine. These wouldn't be any problem. Since Jerry had made these wishes on the Fairy Isle, the fairies had the power to grant them. They would take care of it.

And so they did.

Now, could any prophecies arise from Jerry's activities on the Island? Well, prophecies can be so difficult to divine, until they come true! Perhaps there were a few . . .

Jerry had kissed the young Lilac Queen in the shadow of Fort Mackinac upon his arrival, just before the stroke of midnight. Did this foretell that, in exactly twelve months, Jerry would be entertaining another queen, Queen Elizabeth, whose ancestors had built that Fort?

The Secret Service had arrested a man, just before Jerry arrived, who had threatened to kill two men, both Jerry and the Vice President. He had made this threat twice. Could this foreshadow that two assassination attempts would be made on Ford's life, just two months later?

Ford had singled out Hal Sawyer for a short conversation as breakfast adjourned. Did this signify that Sawyer was predestined to re-gain Jerry's old Congressional seat for the Republicans in the next election?

What about Williams, now a Michigan Supreme Court Justice, meeting his old foe Griffin in a church? Was this a sign that a future friendship would blossom between these two men, or that Griffin would eventually replace

Williams on the Supreme Court?

And finally, what could the fairies predict about Jerry's continued involvement with Scouting, after he shook hands with the Boy Scouts . . . ?

This was an easy prophecy for even a novice fairy. Scouts would always be a part of Jerry's life. He would invite them to his yet-to-be-built presidential museum for years to come, and at his death, 400 Eagle Scouts would line the road to his museum when he came home, and be the first ones allowed into the public visitation. A thousand Eagles would have shown up if asked, it would be said.²

The fairies didn't need to worry about that prediction.

Of course, hindsight is 20-20. Perhaps the meandering journey through Jerry's life today, from his birth to his Presidency, had been nothing more than a collection of exceptional coincidences. That would certainly be the rational explanation.

But there is a reason Mackinac Island has always been known as the Fairy Isle, isn't there?

If any readers are still not be sure Fairies exist on Mackinac, they might want to talk to their 5-year-olds . . .

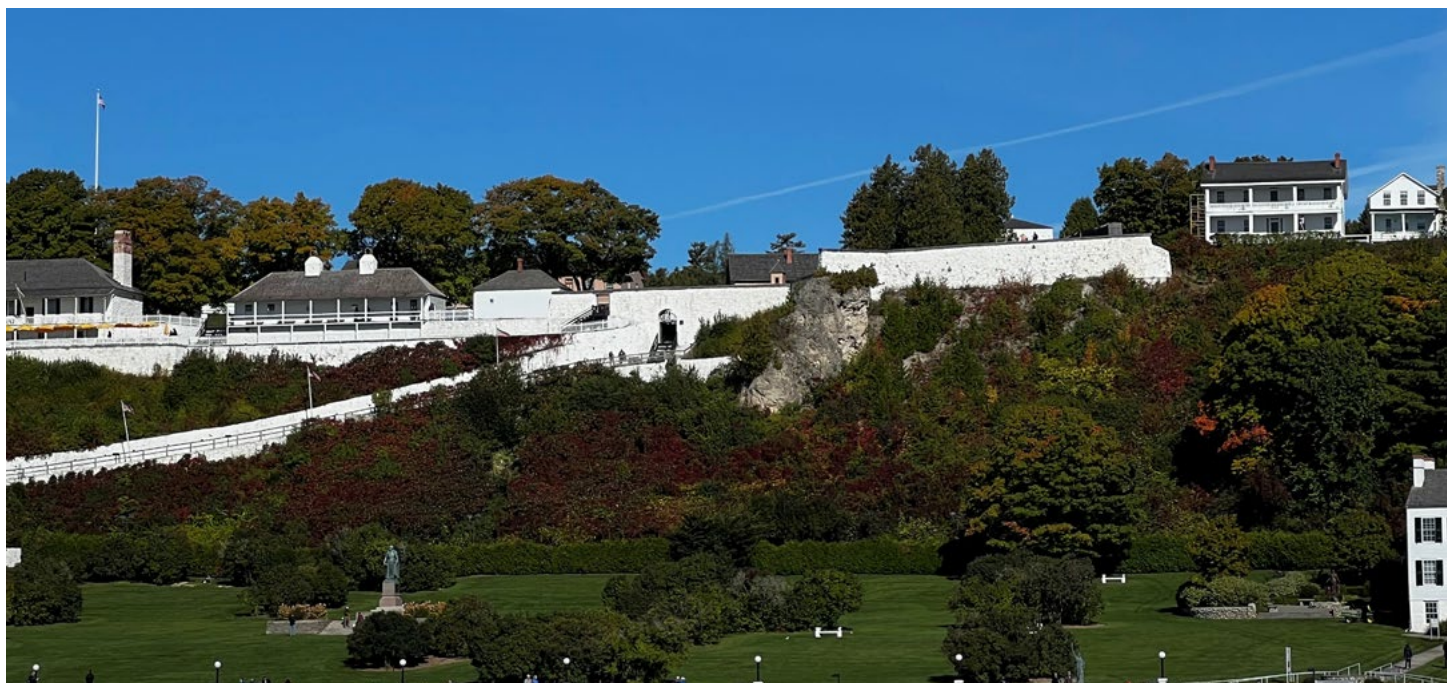


The helicopters came just before midnight. The landing lights of the great behemoths provided a surreal, almost otherworldly illumination as they danced through the surrounding woods.

There were three of them. All big, intimidating, military. Two were dark green Sikorskys with white tops. One of the two white tops had been given the call sign "Marine One." That meant that on board was the President of the United States.³

The islanders knew they were coming. They were waiting, engulfed in excitement and awe.⁴ A young maid, in her first year working at the Island House hotel, remembered that the moment was "*almost scary*" as the large machines flew in, but at the same time there was "*great excitement on the island and a great sense of pride.*"⁵ They could see the American flag painted on the sides.

One at a time the giants gently touched down on the old parade grounds north of the Fort Mackinac stockade. More than fifty spectators lined the wooden fence along Garrison Road to the northeast, but could get no closer. Their view was limited, but their applause and cheers could be heard across the field as the noise from the helicopters' engines subsided.⁶



Fort Mackinac



Gerald R. Ford being sworn-in as President of the United States by Chief Justice Warren E. Burger



The Millikens, Fords, and Mayor Margaret Doud, upon Ford's arrival on Mackinac Island evening of Saturday, July 12, 1975.

The man stepping off the helicopter into the cool evening had been there before. He had lived in that old Fort nearly a half-century earlier. He had known that someday he would return, but it had taken 46 years and the Presidency to bring him back. He hadn't expected to arrive in such a fashion!

He was Gerald R. Ford, the new President of the United States.

Ford had occupied the White House for less than a year,⁷ and it had been a challenging year for a man suddenly thrust into a job he had not sought, leading a nation that had lost trust in its government.⁸

But the initial machinations he had suffered upon entering the office, at the hands of Alexander Haig and the remnants of Nixon's staff, were past. Also behind him was the Nixon pardon, as was Betty's successful mastectomy.⁹ Her cancer had been discovered only eighteen days after the pardon. Two days later, and less than two months after Jerry had been sworn in, Betty had her surgery.

America's longest war¹⁰ had been brought to a final if ragged end, and thousands of Americans and Vietnamese had been evacuated from Saigon two months earlier.¹¹ Then came the hostile seizure of the SS *Mayaguez* by the Khmer Rouge. Tragically, American servicemen were lost in the ensuing effort to save the ship's crew, but all of the *Mayaguez* crew members had been rescued.¹²

And although the country was saddled with inflation, recession, an energy crisis and unemployment,

employment was headed up and interest rates were going down.¹³

It had been a rough start for the new guy, but things were turning around.

"That's Why I Wish Again, That I was in Michigan"

—Irving Berlin

Now it was Saturday evening, July 12, 1975. Ford would be spending a night and a day on Mackinac Island to catch his breath. Nineteen and one-half hours to be precise.

Ahead of Ford lay his campaign for the Presidency. Just four days earlier, he had formally announced his candidacy for the 1976 Republican nomination.¹⁴ This was his first trip since that announcement.¹⁵

Officially, he was on Mackinac Island to address the judges and lawyers of the U.S. Sixth Circuit Judicial Conference at breakfast the next morning at Grand Hotel.¹⁶ The White House stressed that this was otherwise a short period of relaxation, and not a political trip. As Ford's press secretary, Ron Nessen, put it: "*He's just out there being President of all the people.*" But Senator Robert Griffin, his good friend, candidly acknowledged, "*The fella's got to start somewhere.*"¹⁷

More importantly to the Islanders, when Ford stepped off the helicopter he became the only American President to ever visit the Island while in office.¹⁸

Accompanying Jerry and Betty¹⁹ on Marine One was a three-man Congressional delegation from Michi-

gan led by Senator Griffin,²⁰ along with Ford's White House staff.²¹

An official welcoming delegation awaited the President. The greeters were Michigan's Governor, William G. Milliken, and his wife Helen, joined by the young Mayor of Mackinac Island, Margaret M. Doud.²²

While President Ford and his party had witnessed a spectacular sunset during a tranquil flight from Interlochen Arts Academy,²³ the Mayor's much shorter hike to the landing site had actually been more eventful. To reach the parade ground, Mayor Doud had only to walk up Fort Hill Road from the village, but this evening it was not that simple.

First, she saw a bedsheet displayed in Marquette Park, at the base of the bluff below Fort Mackinac. She recalled that it "*welcomed*" the President to "*maniac island*" or "*something of that nature.*" Someone called out to the first-term Mayor, saying "*What are you going to do about that?*"

Margaret Doud's family had Island roots going back a century and a half. The Island was her home. Her great-uncle Patrick Doud had built the Governor's Summer Residence, and the huge English Tudor manor, Stonecliffe.²⁴ Her parents had first begun running the Windermere Hotel when she was still being pulled around the Island by her dog on her little sled. Her father had been Mayor of the Island, and her uncle's grocery on Main Street was the oldest independently owned grocery store in the country.²⁵

She was justifiably proud of Mackinac Island. She and other members of the Island community had diligently labored to polish its appearance in anticipation of the President's visit. Among many other efforts, the Island's City Hall and the historic Stuart House museum had been painted, as had even the fire hydrants. The large Mackinac Island State Park had been touched up anyplace where the President might pass by. Grand Hotel was flying all new American flags along its famed colonnaded porch. Preparations had been going on for weeks.²⁶

This junky bedsheet in the park was not going to mar that good work!

Doud responded, "*I'll show you what I'm going to do.*" She went over to the display, yanked it down and trashed it.²⁷



The Governor's Summer Residence, 1975

Such was Margaret Doud, and 1975 was a particularly noteworthy year for her. She had taken over management of her family's hotel, began her first year as Mayor, and today she was welcoming the President of the United States to her Island! She would successfully run for reelection every year thereafter, achieving a string of victories surpassing any of the other politicians who were coming to the Island that day. Doud's nonsense pride in Mackinac Island that evening evinced the dedicated leadership that she would display for decades to come.²⁸ She remains Mayor today.

But even the Mayor couldn't escape the Secret Service. A few minutes later, and notwithstanding that she was accompanied by the Island's police chief, the Mayor was stopped by Secret Service agents. It was because of the bouquet of roses that she was carrying to the First Lady. The Secret Service agents inspected them, and "*sliced them up fairly well*" in the process, said Doud, before they allowed her to finish her hike up the hill.²⁹

This was typical cautionary procedure by the Secret Service. Indeed, the extent of White House and Secret Service preparation for this one-day visit had been remarkable.

Two weeks earlier, members of the presidential staff and the Secret Service began arriving to meet with local dignitaries and law enforcement agencies. Many arrangements fell to the experienced staff at Grand Hotel. Among other things, Dan Musser, president of Grand Hotel, and his people had to find 70 rooms on the

Island for White House and Secret Service personnel during the peak summer tourist season.³⁰

A hundred journalists, requiring an additional 60 rooms, would also be arriving. Regardless of whether or not these people were actually Musser's responsibility, what hotel man doesn't want to help the press? Most ended up staying on the mainland. And when they did reach the Island, they found that they had to transport their cumbersome, heavy communication gear by bicycle or carriage, in the absence of automobiles. NBC News tried to hire its own dray.³¹

A dozen law enforcement agencies, including state, county and local police, along with all the branches of the armed forces, took part. Fifty state police officers moved into the defunct Mackinac College (now Mission Point Resort).³² The White House medical team visited hospitals in Traverse City and Petoskey to assess their capabilities.³³ The Island's water was tested.³⁴ The Army Signal Corps brought 10 tons of communication equipment to the Island.³⁵ The Secret Service installed additional telephones in the Island House, which didn't have phones in the individual rooms,³⁶ and forty more phones, with a separate switchboard manned by the Secret Service, were installed in Grand Hotel. And to keep the President in touch with the armed forces around the world, a separate radio communication facility was placed at Mackinac College.

The Grand Hotel's Club Room had been turned into a press office, with facilities able to publish 5,000 pages of news releases and other documents. A laundry room was converted to a temporary X-ray facility to examine mail and gifts sent to the President,³⁷ and bomb-sniffing dogs were sent to the Grand Hotel before the President's speech.³⁸

The President and First Lady would be spending the night at the Governor's Summer Residence. The only protection the old cottage offered was a less than daunting two-foot high white picket fence. The Secret Service needed to make the cottage secure and inspect it thoroughly. Old blueprints stored in Lansing were obtained to double-check the structure for hidden problems. A fire escape was rebuilt. And temporary outdoor lighting was installed to assist a security detail that would be hidden in the woods surrounding the Residence.³⁹

British Landing: Round Three

One more piece of heavy equipment was necessary.

The new President had famously told the country that he was a *Ford*, not a *Lincoln*.⁴⁰ But if Ford was not a Lincoln, he did have a Lincoln, and he brought it with him to Mackinac Island.

Weighing three to four times as much as the average Lincoln, the shiny brown Lincoln Continental Presidential Limousine was more armored tank than automobile. It was called "the beast" for a reason. Its saving grace was that at least it looked like a Lincoln.

Looks didn't matter on this occasion, though, because the public was never going to see it. Automobiles didn't belong on Mackinac Island,⁴¹ and nobody wanted to tamper with that tradition.

In a move right out of Britain's playbook in the War of 1812, the beast was smuggled onto the Island two days before the President's visit, with Islanders none the wiser. At 5:45 in the morning, a Korean-era landing craft⁴² secretly off-loaded the limousine in a cove on the northwest shore of the Island known as British Landing, a spot that took its name from the British invasion of the Island 163 years earlier.

It was here where British troops, together with their Indian and Canadian allies, came ashore in July 1812. America had declared war on Great Britain the previous month, but word still had not reached Fort Mackinac's American commander, Lieutenant Porter Hanks, and his small command of 61 men. At 3 a.m., on July 17, the British troops began marching down the center of the Island dragging their own beast, a cannon, until they reached the unguarded heights overlooking Fort Mackinac. In the early morning hours they announced their presence, and the outnumbered Americans were ultimately compelled to surrender the Fort.⁴³

Following a path similar to the one the British had taken, the limousine was very quickly driven down the middle of the Island and hidden at one of the Michigan State Park Commission's barns at Four Corners, the intersection just north of Grand Hotel on Cadotte Avenue. There it was placed under a tarp, and shared its nights with a Secret Service driver. The armored vehicle was emergency protection for the President. With his departure, the limousine disappeared as quietly as it had come.⁴⁴

There were more security precautions. The Secret Service required the full names of everyone who would even remotely come in contact with the President, including all Grand Hotel staff, church members, carriage drivers, park staff and even the Boy Scouts from Fenton, Michigan. Hotel employees were given various colored pins to wear, corresponding to the areas of the hotel they had been cleared to enter.

‘Not On My Watch’

One person whose name the Secret Service already had, and who agents were keeping their eye on, was Patrick Michael Scott. Scott, a Vietnam veteran from Kalkaska, Michigan, had allegedly twice threatened to kill both Ford and Vice President Nelson Rockefeller. One threat was made on June 20, 1975, while Scott was on neighboring Bois Blanc Island, and the second threat was made on July 5.⁴⁵ Apparently, Scott thought that he would be able to shoot Ford on Mackinac Island, while standing on Bois Blanc. On July 7, 1975, the Secret Service decided to arrest him.

Was a 26-year-old from rural Kalkaska a serious threat? The federal prosecutor was not sure that he had the strongest case. But Scott had committed the type of crime where no person in the criminal justice system wants to drop the ball only to see the nation’s leader assassinated. The phrase, “*Not on my watch,*” comes to mind. American presidents have received thousands of threats over the years, and every threat, even those made by people in rural Michigan, were taken seriously. Hadn’t 28-year-old Leon Czolgosz, born just down the road in Alpena, Michigan, assassinated President William McKinley earlier in the century?

With Ford’s impending visit, the Secret Service felt “some urgency” to take Scott off the streets. They said that they would have arrested him at some point regardless.⁴⁶ But without Scott to worry about, the Secret Service’s protection duties became that much easier.

With his arrest, Scott became the responsibility of the federal judicial system. He was initially taken before part-time U.S. Magistrate Stuart Hubbell in Traverse City, who set bond at \$10,000 and remanded him to the custody of the U.S. Marshal. The marshals transported Scott to Grand Rapids and lodged him in the

Kent County jail. The following day, U.S. Magistrate Stephen W. Karr appointed Grand Rapids attorney Kent W. Mudie to defend Scott.⁴⁷

On September 9, 1975, Frank Spies, U.S. Attorney for the Western District, filed an Information charging Scott with twice threatening the lives of the President and the Vice President.⁴⁸ Assistant U.S. Attorney Terry Dillon prosecuted the case. Dillon came from a family of hard-charging amateur hockey players, and he was known for litigating with the same intensity he displayed on the ice. Mudie, for his part, vigorously defended the case, filing over a dozen motions, including even one to recuse the trial judge, and he would win a reversal of Scott’s initial conviction.

Trial was held in Marquette before U.S. District Judge Wendell Miles, beginning on December 8, 1975. Four days later, the jury returned a verdict of guilty as to the June 20th charge, but not guilty on the second charge. On December 22, 1975, Miles sentenced the Defendant to five years in prison.⁴⁹

Mudie appealed Scott’s case to the Sixth Circuit Court of Appeals, and on January 7, 1977, the appellate court reversed the conviction because of an improper supplemental jury instruction.⁵⁰

When the jury appeared deadlocked, Judge Miles had given what is known as an *Allen* instruction,⁵¹ or “dynamite charge,” to encourage the jury to reach a decision. The higher court found that Miles had strayed beyond the exceedingly narrow limits permitted in giving such an instruction, when he told the jury how backlogged the court was with other cases, and how a civil case, which had been awaiting trial for four years, would have to be postponed again if another jury had to be empaneled and Scott’s case retried.

Miles’ comments were borne out of frustration. Everyone was aware of the cases piled up in the Western District. Indeed, there was a nationwide shortage of federal judges, and this was a point President Ford emphasized during his July 13th speech on the Island. Judge Miles, along with the four appellate judges who would hear Scott’s appeals, and a Justice on the Supreme Court which ultimately denied Scott a writ of certiorari, were all at that breakfast and heard Ford’s lament.⁵² It was ironic that it was Ford’s appearance on the Island to speak about this, that occasioned the defendant’s

threats, that then led to a trial which touched on this very issue.

On remand, the *Scott* case was retried before Judge Miles, this time in Grand Rapids with the same result and the same sentence. Mudie appealed again. On January 11, 1978, the Sixth Circuit affirmed the conviction. Three months later, the Supreme Court declined to hear the case.⁵³

The Secret Service had cleared the Governor's Residence and Grand Hotel, as well as those people who would be around the President, and now they had even cleared the First Lady's roses. The Mayor was able to make it to the parade grounds before the helicopters landed.

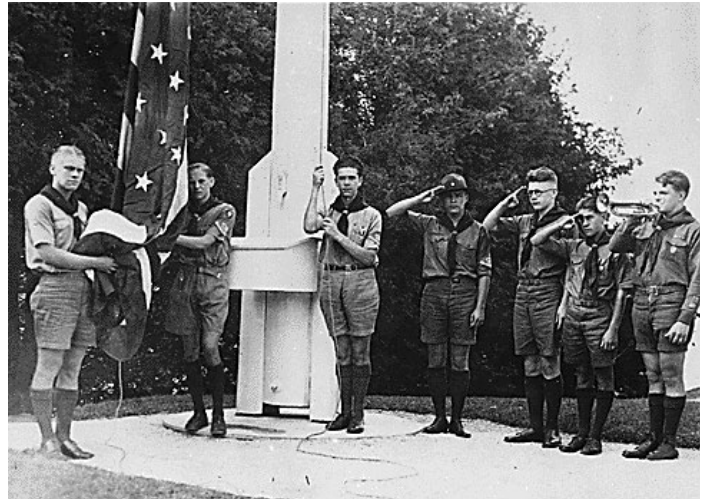
Mayor Doud welcomed the Fords on behalf of Mackinac Island and presented Betty with the dozen long-stemmed American Beauty roses, tied together with red, white and blue streamers. Either the Mayor had done her homework or gotten lucky; Betty had chosen American Beauty roses to carry at her wedding.⁵⁴

When President Ford was introduced to the attractive 32-year-old Miss Doud, a former Lilac Queen on the Island, he exclaimed, "*I've got to give her a kiss!*" And he did! The surprised Secret Service said that Ford was usually more reserved.⁵⁵

Betty was apparently smelling her roses.

With the ceremonies concluded, Ford walked over to the Fort's Boy Scout Honor Guard to shake hands and speak briefly with the boys.⁵⁶ Then he followed Betty through the familiar and now lighted woods to the Governor's nearby summer place.

The Governor's Residence was a Victorian mansion⁵⁷ reminiscent of Ford's grandparent's Victorian mansion in Omaha, Nebraska, where he had been born.⁵⁸ Moreover, it had been built on land that had once been designated as the second national park in the United States, after Yellowstone.⁵⁹ Ford had had a summer job as a park ranger in Yellowstone in 1936, where he battled forest fires and fed grizzly bears.⁶⁰ His son Jack had followed in his footsteps at Yellowstone the previous summer.⁶¹ Although the federal government had eventually given the national park on Mackinac Island to the State of Michigan in 1895 after withdrawing the Army from the Fort, only the park's ownership had changed, not its character. Michigan had maintained it



Gerald R. Ford, Jr. holds the flag as he and his fellow members of the Eagle Scout Honor Guard prepare to raise the colors over Fort Mackinac at Mackinac Island State Park. The Eagle Scouts served as guides during the month of August, 1929.

as a wilderness park and kept it, and the Fort which was part of it, open to the public. Jerry's month-long stay at the Fort as a Boy Scout had certainly helped foster his love for these parks.

As Ford walked past members of the press, they asked if he was going to raise the flag over the fort, at 5:30 a.m., as he had done in his Scouting days. Ford candidly demurred. "*No, I think I'll sleep in tomorrow for a late breakfast at 8:30 a.m. with the judges.*"⁶² The reporters were happy they wouldn't have to cover a dawn flag-raising.

"Oh, What a Beautiful Mornin' . . ."

—Rodgers & Hammerstein

Bill Milliken rolled over in bed and looked at the clock. It was time to have breakfast with his houseguest, the President of the United States. It was going to be a bright, sunny, delightful day on Mackinac Island.

Milliken was a private man, and unlike some governors, he had not been inclined to use the Governor's Summer Residence for political entertaining. His affinity for the Island grew over the years and he eventually searched for a home for himself as his term ended, somewhat regretting that he had not discovered the charm of Mackinac Island earlier.⁶³ Regardless, Milliken was a most welcoming host to his guests.



The Grand Hotel, Mackinac Island



U.S. Supreme Court Justice Potter Stewart; Judge Albert J. Engel Jr., U.S. Sixth Circuit Court of Appeals; Hon. Harry Phillips, Chief Judge, Sixth Circuit Court of Appeals; Governor William G. Milliken, greet President Ford on the steps of Grand Hotel July 13, 1975 for breakfast meeting.

Seldom is the President's day his own, but today would be different. Aside from his limited formal duties, Ford could look forward to a pleasurable afternoon in a beautiful venue, surrounded by friends. Ford's usual routine included daily exercises, including weight-lifting to strengthen his bad knee. The old football injury still caused him to stumble occasionally.⁶⁴

This morning, Ford was scheduled to join the members of the Sixth Circuit Judicial Conference for breakfast at Grand Hotel. He would be accompanied by the Governor and by the Griffins, who had also stayed at the Residence.⁶⁵ Betty was remaining at the Residence for Sunday morning breakfast with Helen Milliken.

Their carriage was waiting. Both the driver and coachman⁶⁶ wore the traditional Grand Hotel livery: black top hats, red coats, black boots, and white gloves.⁶⁷ The carriage was a *vis-à-vis*, the pride of Grand Hotel.⁶⁸ It was a century-old English carriage, pulled by two spirited chestnut hackney geldings.⁶⁹ It was maintained in mint condition. The horses had been well groomed and were looking their smartest, with red plumes jauntily affixed on the tops of their heads.⁷⁰ They probably sensed that this was a special occasion.

Even wearing his dark striped business suit and red club tie, Ford may have felt underdressed next to these coachmen, but he was not. The carriage and men in livery were part of the island's charm, and part of an allure that attracts so many to the Island.⁷¹ In any event, the Governor dressed even more casually than Ford, sporting a light-colored plaid summer jacket.

At 8:40 a.m. the President and the Governor stepped aboard the carriage, along with Bob and Marjorie Griffin. Dick Keiser, Special Agent in Charge of

the Secret Service's Presidential Protection Division, also squeezed on board.⁷² Larger and far less fancy carriages loaded with Secret Service agents preceded and trailed Ford's *vis-a-vis*. Some agents even sat on the rear luggage racks of the carriages, facing backwards. It would be like this throughout the day, with additional security personnel posted along the route or walking alongside Ford's carriages. Other agents were posted on rooftops.⁷³ But everything had been meticulously planned, scripted down to the minute.

It was an easy drive westward on Huron Road, crossing Cadotte Avenue, and then circling around behind Grand Hotel to approach the hotel's front entrance from the West. Twenty minutes had been allotted for the carriage ride and they made it with four minutes to spare, although it's likely that breakfast would have been held if they had been late.⁷⁴

Familiar faces warmly welcomed the President as he stepped from the carriage.

The initial greeter was R. Daniel Musser, Jr., president of Grand Hotel.⁷⁵ With Musser on the porch was the Hon. Albert J. Engel, Jr. Engel was the only active Judge from western Michigan serving on the Sixth Circuit Court of Appeals. Jerry and Al knew each other well. Engel had previously been a District Judge in Jerry's hometown of Grand Rapids and their offices had

been in the same building. Ford would shortly praise Engel's father during his opening remarks at breakfast.

Another friend was waiting to greet Ford. He was U.S. Supreme Court Justice Potter Stewart. Jerry and Potter had been Yale Law School classmates together, class of '41, and Potter had later served on the Sixth Circuit Court of Appeals.⁷⁶

Although Stewart had been raised in Ohio, the State of Michigan (perhaps to Ohio's dismay) could legitimately claim him as a son. Potter had been born in Jackson, Michigan, while his family was there on vacation. On this day, Stewart was attending this conference in his capacity as the Circuit Justice for the Sixth Circuit.⁷⁷

Also on hand to greet the President was the Chief Judge of the Sixth Circuit, the Hon. Harry Phillips.⁷⁸

After posing for photos with Stewart, Milliken, Phillips and Engel,⁷⁹ Ford was escorted by Judge Engel up the steps, across the longest hotel porch in the world, which was decked out in its trademark red geraniums, and into the hotel. Entering the front doors, they turned right and walked through the Parlor, with its familiar if aging maroon and gray carpeting and its Greek key design, the same carpeting President Truman had walked on two decades earlier.⁸⁰ They continued past the Geranium Bar and into Grand Hotel's *Salle a' Manager*.⁸¹ Inside, 450 federal judges, lawyers, and their families eagerly awaited the President.⁸²

A dais was centered along the front windows, which overlooked the hotel's famous porch and Lake Huron.⁸³

After enjoying breakfast for half an hour,⁸⁴ it was time for Ford to be introduced by Judge Engel as the morning's speaker.⁸⁵ As Ford stood to address the delegates, he had every reason to believe that his talk would be well received.⁸⁶ Historically, this speech has gone unnoticed. In retrospect, it was more than merely well received. Ford was almost oracle-like in his accurate prognosis of legislative changes that would touch the federal judiciary.

He began on a light note, pointing out that when he had landed in Cleveland the previous Thursday, one of the tires on Air Force One blew out. He asked the assembled judges and lawyers: "*Can I sue?*" The question drew the expected laughter.

Then he took an unusual approach. Notwithstanding the many senior dignitaries present, including a U.S. Supreme Court Justice; a Governor; the Chief Judge of the Sixth Circuit; the Minority Whip of the United States Senate; and three Congressmen,⁸⁷ the President of the United States honored his roots by focusing his initial welcoming remarks on two Western Michigan lawyers, one in the crowd and one deceased.

The first one, born in Grand Rapids in 1896, he referred to as "*an old and very dear friend of mine, Judge McAllister.*"

Senior Judge Thomas F. McAllister⁸⁸ had been on the Sixth Circuit of Appeals ever since his appointment by Franklin Roosevelt in May 1941. This was at a time when President Ford and Justice Stewart were just graduating from law school.

McAllister had had a home office along with Congressman Ford in the Grand Rapids federal courthouse and their relationship had been a long one.⁸⁹

Judge McAllister had enjoyed a distinguished career, but his most illustrious moment, the one setting him apart from his colleagues, came during World War I. Leaving behind the student life at the University of Michigan, McAllister joined the celebrated French Foreign Legion in 1917,⁹⁰ becoming one of the first Americans to fight in "the War to End All Wars."⁹¹

He initially was an ambulance driver in France. Four months later, he enlisted in the French Foreign Legion and was sent to the French Artillery College at Fontainebleau, after which he joined the 32nd and 60th Artillery Regiments. He was surprised by this assignment, protesting that he was one of the world's less distinguished mathematicians. This may have been what led him to subsequently become an aerial gunner flying in bi-planes with the Escadrille Spad 285.

McAllister participated in heavy fighting in the battles of Verdun and Les Eparges in 1917, and the Champagne, Marne, Somme, Aisne and Meuse campaigns in 1918. It was dangerous work. After the war, McAllister said he never flew again because he "*had used up all of his good luck and good fortune in the air.*" The French government awarded him the Croix de Guerre and Chevalier of the Legion of Honor.⁹²

“I can’t help but make an observation and comment about Judge Tom McAllister,” said Ford. *“Some of you may or may not know, but just a few years ago Tom McAllister was permitted to receive the Legion of Honor from the French Government that he earned in World War I.”* Ford knew McAllister was in the audience, although he had difficulty spotting him in the large gathering.⁹³

Ford continued, *“I think it was in 1936 that Tom ran for the House of Representatives from the district that I had the honor to represent,⁹⁴ and he came so close – I think less than 200 or 300 votes – if he had ever won I probably wouldn’t be here.”* More laughter.⁹⁵

What Ford modestly did not say was that he had personally shepherded legislation through Congress permitting Judge McAllister to wear the high French honor, which was otherwise prohibited by the Constitution.⁹⁶ As McAllister later recalled:⁹⁷

“Some years ago the French Government made me a Chevalier of the Legion of Honor. [When a] president of the French Society of Michigan ... asked me why I was not wearing my Legion of honor[,] I replied I would never have the good fortune under the Constitution. ... [He] said he knew Jerry Ford and that he was going to see him about it.

That man knew of Congressman Ford’s well-deserved reputation for taking care of his constituents.

“The next thing I heard was that Congressman Ford had introduced a Bill in Congress authorizing me to accept the Legion of Honor. I had never discussed the matter with him and wrote him a note thanking him for his kindness. I had no idea that the Bill would pass the House and the Senate as I had never heard of a federal judge being permitted by Congress to wear a foreign decoration. However, Congressman Ford saw that it was referred to the House Committee on Foreign Affairs and prevailed upon the Committee to approve the Bill by unanimous action. He then prevailed upon Congress to pass the Bill unanimously. Not only that, but he managed to have the Bill introduced in the Senate referred to the Foreign Relations Committee, which approved it and, through his efforts, saw that it was unanimously passed by the Senate.

“...He then got in touch with Dave Kendall, who was Counsel to the President, to make sure President Eisenhower... signed the Bill.”⁹⁸

“I have never asked Congressman Ford to take any of these actions. He did it purely out of the generosity of his spirit and he is the kind of man that would never consider, because of this immense favor to me, that I was under any obligation to support him or his ideas in any way and, certainly, I feel under no obligation to repay him except by my high regard and gratitude that I have such a friend. I think it is remarkable that he did all these things for me, . . . but his innate qualities are kindness and generosity and not a day passes that I do not think of him as one of the most admirable and generous men I have known.”⁹⁹

This was classic West Michigan Jerry Ford.

Ford then began to talk about another West Michigan attorney, Congressman Albert Engel, father of Judge Engel.

“And I am especially pleased to have been introduced by Judge Albert Engel. His father was a very distinguished Member of the House of Representatives when I first went to the Congress in 1949, and after my first term, he decided to seek the governorship of Michigan.”¹⁰⁰

“And he had a long and very distinguished record on the Committee on Appropriations. And when he left to seek the governorship, I was fortunate enough to get on the Committee on Appropriations at a relatively early stage in my Congressional career.

“I am sorry that Albert didn’t get to be Governor, but I was thankful that I was given the opportunity to succeed him on the Committee on Appropriations. And I can only say to you, Albert, your father was one of the outstanding Members of the House of Representatives during my career in Congress.”

Coming to the substance of his talk, Ford was well aware that he had the home field advantage, speaking to friends and former colleagues in his own backyard. But he also knew that the content of this particular speech would be music to their ears. He would talk about how the federal courts were overworked and needed more judges, and about alleviating various burdens being placed on the federal courts. And he would talk about how the judges needed a pay raise!

First, he lamented that people only paid attention to the federal courts when their decisions were controversial, or the problems of court management became

overwhelming. He complimented all of the courts comprising the Sixth Circuit for their *“very enviable record.”* They were statistically among the busiest and most productive in the country in keeping up with the *“explosive”* increase in cases under federal jurisdiction, a 25-percent increase in criminal cases and a 55-percent increase in civil cases over the past decade.

But, he said, there was *“a very serious question: how long the Federal judiciary will be able to function smoothly without additional manpower.”*

Ford acknowledged what everyone knew, that legislation had been introduced to provide over 50 additional federal judgeships throughout the country, but he suggested that the sticking point would be determining which courts would get these additional judges. He assured the audience that he would do all he could to convince the Congress that action was required on this legislation. As it turned out, Michigan would obtain five new judgeships.¹⁰¹

He immediately coupled the need for additional judges with the declaration that: *“I think we also have to recognize there is a need for an increase in Federal judicial salaries.”*

The audience was with him on that. The Consumer Price Index had risen nearly 48 percent since the judges had received their last pay increase, in March 1969.¹⁰²

*“Let me assure you that in the most discreet way, the Chief Justice, without violating any Constitutional limitations, has talked to me on several occasions.”*¹⁰³

Laughter!

*“He has talked to a number of Members of the Congress. And at his specific request, I got a group of the Democrats and Republican leaders to the White House, along with people from the executive branch, to again mention with emphasis the problems in the field of compensation for Federal judges.”*¹⁰⁴ *So, you have a good advocate. We just have to find some way to get some action.”*

Ford was saying the right things.

On the other hand, Congress realistically was not going to give the Judges a pay raise without also voting a salary increase for itself. And in the midst of the current recession, this would be extremely difficult. Pay raises were always a politically sensitive issue, even when the economy was doing fine.

Yes, Ford might be saying the right things, but could he deliver? After all, he was new in the White House and was only there because an unpopular President had appointed him. Since then, his own popularity had plummeted because he had pardoned Nixon. How much clout did he really have?

Perhaps the judges listening to Ford would have to console themselves with the fact that at least they always enjoyed a delicious breakfast at Grand Hotel.

Ford knew what they were thinking. He was probably smiling to himself and holding his breath at the same time.

For what the judges didn't know was that Ford, together with a limited number of top congressional leaders, had since February been secretly orchestrating a plan to pass a pay raise.

The work was being done behind closed doors in the Senate Post Office and Civil Service Committee. Ford's March meeting with the Chief Justice had provided a strong impetus.

The planners were experienced legislators and assumed that any bill to raise pay, routinely handled, was doomed to failure by the time it worked its way through the committees of both Houses and had gone to each chamber for a vote. Public reaction to the debates would generate too much opposition. During the previous year, for example, albeit an election year, the Senate had overwhelmingly disapproved of any pay increase, 71-26.¹⁰⁵

So the planners adopted a new approach. They proposed a mechanism granting Members of Congress and other top government officials, including Judges, an automatic cost-of-living pay increase every year, beginning the coming October 1, and tying these yearly hikes to annual adjustments in pay received by other federal employees.

The legislation did not set the actual amount for the pay increase, but left that to the President when he made his routine cost-of-living recommendations for federal employees. Thus, Congress would not have to propose and vote on the specific amount of a raise, but only initially set up a procedure for cost-of-living adjustments. And either House could subsequently vote down the President's decision as to the percentage adjustment in salaries.

During an executive session of the Senate Post Office and Civil Service Committee, the pay raise device was attached as a rider to an uncontroversial and unrelated postal bill that had already passed the House.¹⁰⁶ When this bill reached the entire Senate Postal Committee, the pay increase rider was attached.

On Friday, July 25, just days following the breakfast at Grand Hotel, the Senate Committee issued its report on the bill, and the pay raise device surfaced publicly for the first time. The very next day, a Saturday, a day when business is normally not transacted on the floor of the modern Congress, the Senate Majority Whip announced on the floor of the Senate that the bill would be taken up after the weekend. On the same Saturday, and not by coincidence, President Ford sent a strong letter of endorsement to Congressional leaders, supporting passage of the bill. He said that the cost of the increases would amount to “*an insignificant sum, a tiny fraction of one per cent of the federal payroll.*”¹⁰⁷

The Senate passed the bill on Tuesday, July 29, and immediately sent it to the House Rules Committee. A House member recalled: “*The first I heard of it was when it came up on the Senate floor. It whizzed right through.*”¹⁰⁸

The House Rules Committee agreed by voice vote on Wednesday morning, July 30, to suspend normal procedures and allow the bill to be taken up on the floor that very day. In the afternoon the House voted to expedite consideration of the bill. Following what was described as a short but ugly debate, the House passed the bill by one vote that same day. (Actually, it appeared that the bill had failed by one vote when the usual time expired for the Members to cast their votes. But Speaker Carl Albert delayed announcing the final count until one member changed his vote and the bill passed.)

Ford signed the bill into law on August 9, 1975.¹⁰⁹ Over 17,000 Judges, Congressmen, senior level executive branch employees, and 600 senior military personnel became eligible to receive a pay raise beginning October 1.¹¹⁰ Left to be determined was the amount.

At the end of August,¹¹¹ Ford recommended that the raise be 5%, but this was less than a salary increase of 8.66 per cent which had been proposed by the Advisory Committee on Federal Pay.¹¹² Ford explained: “*I think that judges . . . top officials in the executive branch and members of Congress who haven't had a pay increase for six*

and a half years ought to get a cost-of-living pay increase. But I decided to make it 5 per cent rather than 8.66 per cent.”¹¹³

Ford's decision was sustained when neither House of Congress voted to reject it. The President himself did not receive a pay raise. Thus, just a month-and-a-half after Ford told the Judges at Grand Hotel that “*we just have to find a way*” for increased compensation, the Judges had their long deserved pay raise.¹¹⁴

Ford turned his breakfast remarks to a related topic, one of importance to the entire federal judiciary but which struck particularly close to home for many seated in the dining room this Sunday morning. He announced his unhesitating support for an expansion of the role of Federal Magistrates.

“*Let me say this: In my crime message, which was submitted to the Congress several weeks ago, I strongly supported, as I think it is absolutely essential, legislation to expand the jurisdiction of Federal magistrates.*”¹¹⁵

The issue of the Federal Magistrates' jurisdiction had become controversial due to a Supreme Court decision the previous year, which had, somewhat surprising, limited the authority of the new Magistrates.¹¹⁶ Either that decision, or the Congressional modification of it that Ford was championing, would have a long-term impact on the entire federal judiciary.

This was an appropriate group to hear Ford's remarks, since the contentious case at issue had originated in Kentucky, and many federal judges who had touched the matter, as it progressed through the courts, were sitting in the audience.¹¹⁷ This included Justice Potter Stewart, who had joined in the Supreme Court's majority opinion limiting the Magistrates' authority.

The appellate judges on the case, including Stewart, may have winced at the President's comments, because Ford was emphatically seeking a Congressional override of their positions, and they knew it was already in the works.

When the Congress had created the position of United States Magistrate a few years earlier, it had abolished the old U.S. Commissioners and replaced them with full-time judicial officers authorized to perform the Commissioners' duties, together with additional judicial duties supervised by the district courts. In fiscal year 1976 alone, these new judges collectively handled over a couple hundred thousand criminal and civil matters.¹¹⁸

The purpose of creating this new class of federal judicial officers was to help relieve the burgeoning caseloads of the trial judges.¹¹⁹ Ford played to these judges: *“You know better than I that the expansion of that responsibility can be very helpful in alleviating some of the caseload problems in the Federal judicial system.”*

In deciding to *“reform the first echelon of the Federal Judiciary,”*¹²⁰ Congress wanted *“both to update and make more effective a system that has not been altered for over a century, and to cull from the ever-growing workload of the U.S. district courts matters that are more desirably performed by a lower tier of judicial officers.”*¹²¹ The need was obvious. Between the time the Magistrates were created in 1968, and 1974, the caseload of federal District Judges nationally had risen over 40%. The increase in the number of District Judges was barely half that.¹²²

District courts were also authorized by the Act to establish rules assigning Magistrates *“such additional duties as are not inconsistent with the Constitution and laws of the United States.”*¹²³ An example of such an additional duty, laid out in the statute itself, was the *“preliminary review of applications for post-trial relief made by individuals convicted of criminal offenses, and submission of a report and recommendations to facilitate the decision of the district judge having jurisdiction over the case as to whether there should be a hearing.”*¹²⁴

Following enactment of the Magistrates Act, the District Judges in the Western District of Kentucky, several of whom were sitting at breakfast, had taken this opportunity to amend their local rules to provide that a Magistrate, in addition to submitting reports and recommendations on habeas corpus petitions, could schedule, hear and electronically record evidentiary matters the Magistrate deemed to be necessary and appropriate to determine the petition. The District Judge, if requested, was to listen to the recording and give it *de novo* consideration.

Carl James Wedding was serving a life sentence for murder in the Kentucky State Penitentiary, following his 1949 plea of guilty, when he filed a petition for a writ of habeas corpus in 1971 in the Western District of Kentucky. Under the local rule, a Magistrate held a hearing and electronically recorded all the testimonial evidence. He then transmitted the recording to the District Judge along with his report recommending that the petition

be dismissed. Upon Petitioner’s request for a *de novo* hearing, the District Judge listened to the recording as authorized by the local rule, considered the Magistrate’s findings and conclusions, and entered an order dismissing the petition.¹²⁵

Petitioner appealed to the Sixth Circuit, contending the District Judge himself should have held the hearing. The Court of Appeals agreed, vacated the judgement of the District Court, and directed that the District Judge himself hold an evidentiary hearing.¹²⁶

Five other circuits had faced this issue and found, explicitly or implicitly, that Magistrates could conduct evidentiary hearings in habeas corpus cases.¹²⁷ The Sixth Circuit decision created a conflict between the circuits, and the Supreme Court granted *certiorari*.¹²⁸ It affirmed the Sixth Circuit.¹²⁹

Carl Wedding, and both the Sixth Circuit and the Supreme Court, had unfortunately relied in large part on a Supreme Court case that predated the Federal Magistrates Act, and pertained to the limited authority of the now defunct U.S. Commissioners.¹³⁰

Chief Justice Burger dissented, and was joined by Justice White, another Yale law school classmate of President Ford.¹³¹ Burger maintained that the Court’s decision that Federal Magistrates could not conduct evidentiary hearings in habeas cases was inconsistent with the new statute creating the Magistrates, and defeated its objective. Congress, he said, had *“sought to enable district courts to authorize magistrates to conduct evidentiary hearings,”*¹³² and he said that Section 636 (b) *“should be interpreted to permit magistrates to conduct evidentiary hearings in federal habeas corpus cases,”* since such an interpretation would serve the principal objectives of the Magistrates Act.

But Justice Burger, being in the minority, realized that any relief now had to come from Congress. So he invited Congress to once again explain this matter to his brethren:

*“In any event, now that the Court has construed the Magistrates Act contrary to a clear legislative intent, it is for the Congress to act to restate its intentions if its declared objectives are to be carried out.”*¹³³

Legislation for this purpose was introduced on March 21, 1975, at the request of the Judicial Conference of



President Ford, Governor Milliken, a Secret Service agent, and Senator Griffin's wife, departing the Grand Hotel in a vis-à-vis carriage to return to the Governor's Residence.



Dan Musser, president of Grand Hotel, welcoming Ford Sunday morning July 13, 1975

the United States,¹³⁴ and hearings on the new legislation were underway even as the members of the Sixth Circuit Judicial Conference sat down for breakfast at Grand Hotel. Judges from throughout the country had written to express their need for increased Magistrate assistance. One judge, who was mentioned by name in the legislative record and happened to be attending the Conference, was the Hon. Damon Keith, Chief Judge of the Eastern District of Michigan. Judge Keith's letter to Congress pointed out that, among other reasons, the Speedy Trial Act's implementation and the 300% increase in criminal case filings in the previous 6 years, necessitated this legislation.¹³⁵ As he sat at breakfast, Judge Keith was undoubtedly encouraged hearing the President's words.

In early October, 1976, Congress passed legislation which was principally "*a response to the Supreme Court's ruling and is intended to clarify the original legislative intent of the 1968 Act concerning the assignment of duties to magistrates.*" The bill specified that a Magistrate could be designated to conduct "*evidentiary hearings*" in habeas cases.¹³⁶ The bill also rejected another Sixth Circuit determination in *Ingram v. Richardson*,¹³⁷ that said a Magistrate could not review the Secretary's denial of social security benefits and make a report and recommendation to grant benefits.

With this new legislation, Congress tried to make it unmistakably clear: Without the assistance of the Magistrates, District Judges would have to devote a substantial portion of their time to various procedural matters rather than trying cases.¹³⁸

The Department of Justice, the Office of Management and Budget, and the Administrative Office of the United States Courts all gave the new legislation their blessings and recommended its approval by the President.

The Department of Justice explained its support saying that "*the primary purpose*" of the 1968 Magistrates Act had been "*to relieve Federal judges of some of the lesser burdens of an ever-increasing caseload,*" but that "[t]he ability of judges to utilize magistrates under the Act has been restricted . . . [by] *Wingo v. Wedding*, 418 U.S. 461 (1974), in which the Supreme Court ruled that magistrates may not conduct the hearings necessary in handling habeas corpus petitions."¹³⁹

William E. Foley, Deputy Director of the Administrative Office of the United Courts, wrote to James M. Frey of the Office of Management and Budget in the executive branch, saying that the corrective "*legislation was introduced at the request of the Judicial Conference of the United States, and was viewed by the Conference as a matter of highest priority. Executive approval is recommended.*"¹⁴⁰

It was not surprising, of course, that the Judicial Conference, the governing body of all the federal courts, had proposed legislation to cure the *Wingo* decision. Chief Justice Burger, the dissenting voice in *Wingo*, not only presided over the Judicial Conference as the Chief Justice of the United States, but was the only member of the Supreme Court on the Conference.

Ford signed the 1976 amendments into law on October 21, 1976.¹⁴¹ The increased jurisdiction of the Magistrates urged by Ford at Grand Hotel a year earlier had become a reality.¹⁴²

Ford also mentioned in his remarks the need to review the advisability of three-judge district courts, which had been used extensively since the early part of the century. Three-judge courts had had a roller-coaster history. They had been created in an attempt to limit the perceived judicial activism of some judges sitting alone, later being preferred and utilized by civil rights activists in the South, but eventually being seen as administratively burdensome and unnecessary.

Following Ford's speech, Congress greatly curtailed the jurisdiction of these three-judge courts, limiting their use to only reapportionment and certain Voting Rights Act cases. The number of three-judge court cases fell drastically.¹⁴³

As an aside, the near-demise of three-judge courts could easily have impacted the design of the federal courtrooms in Grand Rapids, but ultimately did not. When the Grand Rapids courthouse was built in the early 1970s, it had two courtrooms on the fourth-floor, each with a bench wide enough to comfortably seat three judges, sitting in large black leather armchairs, side-by-side.¹⁴⁴

At the end of that decade, remodeling was started to add two more large courtrooms on the sixth floor, because Congress had added two judgeships in the district. But since the additional judgeships were created after the 1976 reduction in the use of three-judge courts, arguably the wide bench design in these new courtrooms were no longer a necessity. (Indeed, just a single courtroom with a wide bench, perhaps serving as a ceremonial courtroom as well, might have sufficed for the entire courthouse.) Nevertheless, the two new courtrooms were built identical to their predecessors.

His breakfast speech to the Conference concluded, Ford began to retrace his steps out of the dining room,

pausing to pose for photos, sign autographs, and shake hands with old friends.¹⁴⁵

One of the people he spoke to was Hal Sawyer from Grand Rapids, unquestionably one of Michigan's outstanding trial lawyers. They knew each other well. The previous year, Sawyer, as an attorney at Warner, Norcross and Judd, had put together teams of lawyers who had privately advised Ford on controversial legal issues surrounding both the Nixon pardon and the ownership of Nixon's presidential papers. Ford had found it difficult to find discreet, competent legal help in Washington to advise him when he first became Chief Executive, and had turned to colleagues he knew back in Grand Rapids, who had exactly those qualities.

In 1975, Sawyer became the Kent County prosecutor, filling an unexpected vacancy, and in 1976 would successfully run on the Republican ticket to retake Ford's old 5th District Congressional seat from fellow Grand Rapids attorney Richard Vander Veen, a Democrat.¹⁴⁶

The man who had reached out to Sawyer on Ford's behalf, to assemble the Grand Rapids attorneys, was also at breakfast. He was Phil Buchen, Ford's first law partner before the war, his partner after the war, and now his legal counsel in the White House.

Ford made it a point to speak to John Hulett. Hulett came to Grand Hotel as a bellman and rose to be general manager and Dan Musser's right-hand man. Like his boss, Hulett had worked at virtually every job in the hotel, and he had become something of a legend behind the scenes at 'America's Summer Place,' for staying on top of things. He normally managed to remain out of the limelight, but he had been instrumental in coordinating Ford's visit. Looking him straight in the eye, as was Ford's way in talking to people, Ford greeted him, shaking hands and saying it was good to see him.¹⁴⁷

***"In the fun of a Sunday on Mackinac
You can spend time without spending a dime
Watching people watch a President pass."***

—with apologies to Bobby Darin

The presidential horse-cade returned Ford to the Governor's Residence.¹⁴⁸ A few minutes later, the President, the Governor, and the Senator walked down the

short, steep Fort Hill Road with their wives to Trinity Episcopal Church, for the Sunday worship service. The picturesque Trinity Episcopal was a small, white frame country church, built of Michigan pine, which had been in use since 1882.¹⁴⁹ It was situated at the base of the bluff directly below the Fort, a location convenient to the military garrison. Before the church was constructed, the parish had held its services in the Fort's chapel.¹⁵⁰

Betty wore the same attractive pale blue dress she had worn the day she had walked into the White House with Jerry when he was sworn-in as President.¹⁵¹ Jerry was still wearing his proper dark business suit.¹⁵²

Sunday service at Trinity Episcopal church, July 13, 1975. Pictured are Helen and William Milliken, Betty and Jerry Ford, Father Roland V. Raham and his wife Caroline, and Lay Reader Marshall Lowell.



Ford's party was greeted by the Rev. Roland V. Raham, Vicar of the church, and his wife, Caroline. Both the Vicar and the President were new to their positions, each having been sworn-in less than a year earlier.¹⁵³ The lay reader for the service was Marshall Lowell.¹⁵⁴

The Secret Service had remained quietly in the background as usual. It was a beautiful day on the Island, and as far as the agents were concerned, an uneventful one. Things were going according to plan and that was the way they liked it.

But the agents had underestimated the Island's magic. As Ford was being escorted into the church, he paused, and casually tossed a wrench into the carefully laid plans of the Secret Service. He said to the nearest agent, "*When we get out, I want to walk downtown and buy a box of fudge.*"¹⁵⁵

Walk downtown?! Nobody had said anything about the President of the United States walking down Main Street on Mackinac Island on a Sunday in July. There were thousands of people milling around.¹⁵⁶ Wanting a taste of the Island's world-famous candy was understandable, but that's why fudge had already been sent up to the Governor's Residence. No, the plan definitely called for the Presidential party to turn around and walk back up the hill to the Residence after church.

The words of a previous White House resident rang true for the Secret Service now. Dwight Eisenhower, a friend of Ford's, had once said:

*"In preparing for battle I have always found that plans are worthless, but planning is indispensable."*¹⁵⁷

The Secret Service was forced to improvise, and this was just the beginning; the agents would quickly realize that Ford had seized the bit in his teeth.

The Secret Service's planning had been elaborate, but a walk downtown meant a rope line of some sort, and mingling with the public. Secret Service agents had no love of rope lines nor Presidents plunging into crowds to shake hands. Close up and personal was how people got killed.¹⁵⁸ This would be violently brought home to Ford two months later, when two women would try to shoot him in rope-line situations 17 days apart.¹⁵⁹

The Fords sat in the third row of the sanctuary, which normally held up to 166 people. Margaret Doud recalled that due to security concerns, however, the church was not filled. Attendance had been limited to regular churchgoers and invited guests only.¹⁶⁰ Included were Mayor Doud and Michigan Supreme Court Justice G. Mennen Williams. Michigan's former Governor was an Island resident who owned a beautiful cottage up on the West Bluff. Williams was a guest at the Sixth Circuit conference as a representative of the Michigan Judiciary, along with the Michigan's Chief Justice, Thomas G. Kavanagh.¹⁶¹

Father Raham's sermon this Sunday morning was on the meaning and substance of prayer. Other than to say the church was "deeply honored" to have the Fords present, during his announcements, the Vicar said that he had not altered his planned sermon just because the President was in the Congregation.

The attitude of prayer, Raham said, should not be "*gimmee, gimme.*" God isn't Santa Claus and the main aim of prayer is that God's will be done. He said, "*Let us as we pray in our lives discover the peace and at the same time the power of the Holy Spirit at work as we stumble and stammer in our imperfect attempts to pray.*"¹⁶² The Vicar also prayed for "*wisdom and strength for the President to do Thy work,*" so he may have altered his sermon slightly. The church was rather warm this July morning; perhaps that was why Rev. Raham periodically wiped his brow with a handkerchief.¹⁶³

Approximately 50 minutes later and the service over,¹⁶⁴ the President and the First Lady emerged from the church. Jerry waved from the top of the steps,¹⁶⁵ greeting the crowd that had gathered outside. Mrs. Raham presented the First Couple with two centennial china plates commemorating the formation of the par-

ish in 1873. One plate was for the National Archives; the other was for Betty's personal collection.¹⁶⁶

Leaving the church, Jerry and Betty and Bill and Helen Milliken¹⁶⁷ walked down Fort Street, and turned right onto Main Street, heading to May's Famous Mackinac Island Fudge Shop.¹⁶⁸ A couple thousand islanders and tourists cheered and snapped pictures. Well-wishers reached out to shake hands with both families, as the two chief executives and their wives made their way. Jerry's frequent response on shaking hands was to say, "*Hello, nice to see you.*" Smiling and waving and pausing to shake hands, Ford clearly enjoyed the walk.

Several people near the church, apparently still thinking they were saying something clever, had retrieved the banner that Mayor Doud had thrown in the trash the previous evening, and were holding it up: "President Ford welcome to Hysterical Maniac Island."¹⁶⁹

Location, Location, Location

At least the Secret Service got to choose the fudge shop. There were ten shops to choose from,¹⁷⁰ and the agents had picked May's Famous Mackinac Island Fudge, because it had something to offer besides fudge. It had both front and back doors exiting onto streets. This addressed the security concern that the President not become blocked inside the store.¹⁷¹

During the church service, the Secret Service had hastened to take up new positions along Ford's route to May's. Some agents were now stationed on roof tops of nearby buildings.¹⁷²

Other people were suddenly hustling, too. Twenty-seven year-old Vernon May, the store manager of May's and son of its owner, Marvin May, was both surprised and excited by the unexpected visit,¹⁷³ even though he had been given only 45 minutes notice that the President of the United States was going to drop by for some of his fudge.

As luck would have it, Vern was in the middle of making peanut brittle rather than fudge when he learned of the visit. Vern and his staff quickly cleared the peanut brittle off the table, and by the time the Presidential entourage¹⁷⁴ walked in, they were making vanilla fudge, with maple fudge cooling on another marble slab.



*Betty and Jerry Ford and Bill and Helen Milliken
take a carriage ride after church*

Entering the store, Ford walked down the right side of the store, shaking hands with a half-dozen sales girls standing behind the glass counter. Then he crossed over to the other side to shake hands with the candyman and his candy maker, Ken Kelly. Vern told the President he was “glad [he] was on the Island.”¹⁷⁵

Ford enjoyed watching the two young men, each sporting the fashionable long sideburns of the day, carve up a 20-pound “loaf” of fudge that had been poured out on the thick marble table. They used what appeared to be a double handled straight-bladed 15” cheese knife.¹⁷⁶

Ford asked to sample a piece of the vanilla fudge. He pronounced it good, and asked for another piece. Vern said he was so nervous he almost dropped the fudge on the floor right in front of the President. Ford tried to put everyone at ease, saying he was going ‘to try to relax the rest of the afternoon.’¹⁷⁷

Jerry offered samples to Betty, Bill and Helen. All declined; it was too early in the morning. He autographed the paper hats worn by the shop employees, including one for a girl who was a student at the University of Michigan, who was working that summer to earn money for school. This was familiar territory to Jerry, who had waited tables on campus while attending the University of Michigan. Now a University of Michigan co-ed had waited on him.¹⁷⁸

Ford selected two boxes of assorted fudge and a box of chocolate covered cashew clusters.¹⁷⁹

Betty, saying that “*It’s been a very nice day,*” wondered aloud how the giggling shop girls kept their



May’s Fudge Shop, ca 1975

figures surrounded by all that fudge. To a visitor who wished Ford a happy birthday (his 62d birthday was the next day), Ford replied, “*I’m getting younger every year.*” Later, another man unsuccessfully tried to buy the ladle used in making the President’s fudge.¹⁸⁰

By the next day, the story of Ford buying fudge had swept across the country, from Florida to Texas to Idaho. Some newspapers even carried photographs.¹⁸¹ It was a cathartic moment for Ford and the country – Ford was a regular guy walking into a local store to buy his own candy.

The island’s fudge shops annually sold a combined 400,000 pounds of fudge, but not without competition. A modest sign was later placed on the wall in May’s, identifying it as the fudge shop visited by President Gerald Ford on July 13, 1975. Not to be outdone, prominent rival fudge maker Harry Ryba put up his own sign, “Purveyors of Fine Fudge to the President of the United States,” next to a photo of the 18 pounds of fudge he had been requested to send up to the Governor’s Residence for the President’s visit.¹⁸²

Carriage Trade

Leaving May’s, the Presidential party walked up Astor street¹⁸³ to a taxi pulled by two bays, that was waiting for them in front of the Community Hall. It had been “commandeered” at the last minute, along with two other carriages. Jerry and Betty boarded, and the Millikens with their two children, Bill and Elaine, climbed into the seats behind them,¹⁸⁴ and the procession started out for an unscripted “buggycade”¹⁸⁵

around the town, instead of returning to the Governor's Residence for the noon luncheon.

With crowds tagging along, the carriages headed down Market Street, turned left on Hoban Street toward the water, then right at the Lake View Hotel. Then they drove down the middle of Main Street toward the Windermere and Iroquois hotels. They were flanked on both sides by a string of Secret Service agents on foot, who were flanked in turn by Michigan State police officers.¹⁸⁶ The unusual absence of other carriages or bicycle traffic in the center of downtown was a testament to the persuasive powers of the President's minders.

"Come let's mix where Stewart Woodfill walks with sticks . . . Puttin' on the ritz"

—apologies to Irving Berlin

The buggycade followed the shore road to the home of W. Stewart Woodfill, owner of Grand Hotel. For years, Woodfill had been a larger than life personality on the Island. The Saturday Evening Post once described him as:

*"...a rare phenomenon in America, a sort of feudal prince. His realm, Mackinac Island. A man of sturdy build, courtly manner and definitive mind, he never has wavered in his love for fastidiously tailored but long-out-of-style double-breasted sport jackets, always complemented with a gentleman's straight walking stick, not a cane."*¹⁸⁷

For years Woodfill had endeavored to attract a U.S. President to stay at his hotel, even going so far as to build the Presidential Suite, originally called the Apartment of the President, overlooking the front porch in hopes of luring President Franklin Roosevelt as a guest.¹⁸⁸ As Woodfill probably foresaw his triumph, he would have played the magnanimous host to the great man visiting his legendary hotel.

Woodfill's "If you build it, he will come" approach¹⁸⁹ is still a work in progress. Six Presidents have visited Grand Hotel before or after their presidency,¹⁹⁰ and Ford had done so "frequently,"¹⁹¹ but none has stayed there while President.

The closest Woodfill came to realizing his dream was this very morning, when Jerry Ford, the only sitting President to have visited the Island, had been a breakfast guest in the hotel. Woodfill had not been at the hotel this day - his nephew Dan Musser now managed it - but had remained at his house in the village.¹⁹² Shortly before noon, Woodfill was curious where the President might happen to be, and called his friend Robert Doud around the corner at the Windermere Hotel. Doud told him that Ford was actually approaching Woodfill's house at that very moment!

Woodfill grabbed a walking stick from his famous collection and hurried to the window. At least he would have the satisfaction of watching the President ride by in Woodfill's own carriage, pulled by the two magnificent hackneys he had purchased for \$6,000 just last year.¹⁹³ That would be a treat, and he would wave with his stick as they drove by. It would be a satisfying if partial victory.

So there was some irony that when the two great men did meet, it wasn't quite as Woodfill had imagined it. On one hand, the President of the United States, along with the Governor of the State, paid him the great honor of personally stopping by his private home on Lake Shore Drive for a chat. On the other hand, Woodfill, ever the dresser and hotel impresario, was somewhat compromised by being caught by the surprise visit in "my old brown pajamas," a red house jacket with a scarf around his neck, moccasin slippers and no socks! The Presidential party was invited inside the white picket gate and Woodfill welcomed the President on his front porch ("I saluted the President and he saluted back") and Ford said, "Stewart, how are you? It's nice to see you." Woodfill said later, "I was a most embarrassed person in this regalia of mine. I was just astonished. It was a Hell of a way to meet the President. I was very embarrassed to be greeting the President and his lady, and the governor and his lady, dressed as I was in my pajamas." Helen Miliken said later that "it was actually a very moving kind of experience. Mr. Woodfill was very gracious and dignified in the meeting. I think he must have been very surprised by it all."¹⁹⁴

Noon was quickly approaching. After visiting Woodfill, the carriage turned up Mahoney Avenue and continued up the hill toward Fort Mackinac and another unanticipated stop.



*The Governor's Honor Guard, August 1929
(Ted Pearson, Gerald Ford, & Joe McIntosh)*

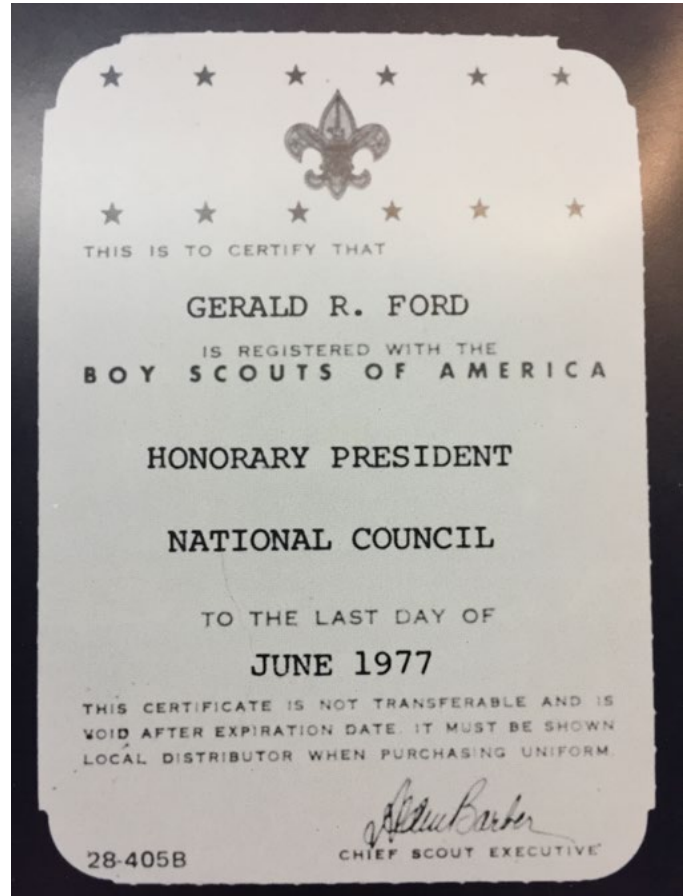
“Too much of a Boy Scout.”¹⁹⁵

Like the visits to the fudge shop and Woodfill’s home, this next stop hadn’t been scheduled either, but Jerry’s youthful memories of the Island would not be denied. Now he was going to revisit his Scouting days. The coach ride took less than twenty minutes.¹⁹⁶

The first time that Jerry Ford came to Fort Mackinac, in August 1929, he had arrived from Detroit after an overnight cruise on board a Detroit & Cleveland¹⁹⁷ dark-hulled side-wheeler, built during the Edwardian era, named the *SS Western States*.¹⁹⁸ Ford had been one of eight hand-picked Eagle Scouts from across Michigan to be part of a new “Governor’s Honor Guard.” The boys would serve as guides at the old rundown Fort overlooking the harbor. Most of the Fort’s visitors were Grand Hotel guests or day-trippers to the Island.¹⁹⁹

The boys slept on folding cots in the old post commissary building and they cooked their own food, which was often beans and bacon or hunter’s stew. Fortunately, the first of Jerry’s 26 merit badges had been for cooking.²⁰⁰

They stayed for a month, and every morning they blew a bugle for reveille and raised the American flag. Jerry had been taught how to handle and hoist the flag by his Scoutmaster, Chuck Kindel, at those Monday meetings of Troop 15 when he was a young Scout in Grand Rapids.²⁰¹ If the Governor was on the Island, they raised the Michigan flag as well. Over a half-century later, speaking to a gathering of Scouters in the Gerald R. Ford Museum, Ford would still recall with pride being part of the Honor Guard on Mackinac Island.²⁰²



The camping aspects of the Honor Guard detail were really no more than extensions of the camping Jerry loved to do with his troop every summer at Camp Shawondossee.²⁰³ In fact, now as an older Scout and an Eagle, Jerry had just completed six weeks on the camp’s staff, before receiving the opportunity to join the Governor’s Honor Guard.²⁰⁴

It’s noteworthy that a July 4, 1928 dedication celebrating the relocation of Camp Shawondossee was a harbinger of Ford’s political future two decades later. It was the first time that Jerry officially shared the stage with Michigan’s new U.S. Senator, Arthur Vandenberg. As it turned out, Ford would later serve in Congress with Senator Vandenberg, who by that time had become quite influential and who would be Ford’s mentor.²⁰⁵

Vandenberg had been born in Grand Rapids. At the time of the dedication, he had been in the Senate barely three months, having been appointed on March 31st by Governor Fred W. Green to fill a vacancy occasioned by the death of Senator Woodbridge N. Ferris.²⁰⁶ It was Governor Green who would appoint Jerry to the Honor Guard on Mackinac the following year.

Jerry's stepfather, Gerald R. Ford, Sr., was a close friend of Vandenberg. Both were isolationists and active in Republican politics. Vandenberg had been the long-time editor and publisher of the *Grand Rapids Herald* and a frequent speaker on behalf of Republican causes. Jerry had certainly met him earlier, but on the day Senator Vandenberg gave the dedication speech for the new camp, Jerry was there as one of the four Scouts selected for the color guard.²⁰⁷

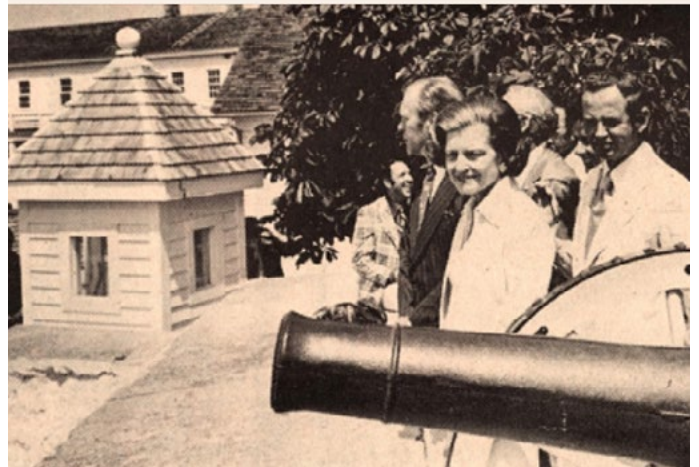
And even before the day's scouting activities began on Mackinac, young Jerry would be up and running laps around a pedestrian path inside the fort. "*While everyone else was trying to get an extra few winks of sleep in the morning, he was running the fort to keep in condition.*" He had brought a football with him to practice. "*He carried his share of the load, same as the rest of us. But he was determined to be a great football player.*"²⁰⁸

The Scouts worked in four-hour shifts, showing visitors around the 14 historic but dilapidated buildings, pointing out, for example, the small military museum in the Fort's Stone Quarters, containing artifacts and souvenirs from World War I, as well as firearms and Indian and pioneer relics.²⁰⁹

The Scouts had ample time for recreation and exploration. They hiked and biked just like tourists, but the boys also got the opportunity to drive the horse-drawn carriages. On one of his days off, Ford and a buddy took the ferry to St. Ignace to have a trout dinner with a tugboat captain.

And they swam, both in Grand Hotel's new serpentine-shaped pool, nicknamed 'Paul Bunyan's Footprint,' which had opened in the 1920s,²¹⁰ and in the colder waters of the straits.²¹¹ Boys will be boys and play where they can, so why not spontaneously plunge into Lake Huron's chilly waters? Jerry was a good swimmer, a freestyler. He was on the Grand Rapids YMCA team that won the state championship in his senior year in high school.²¹² In anticipation of his visit to the Island nearly a half-century later, Navy frogmen were called in to approve a possible swimming site for the President.²¹³ Nothing was being left to chance.

As a Boy Scout, Jerry had passed up the opportunity to date Island girls from the cottages and hotels, an activity pursued, then as now, by boys on the Island. Big and muscular, good-looking with a mop of unruly



President Ford and a cannon gaze out over Lake Huron from Fort Mackinac. Also pictured are Betty Ford and Governor Milliken

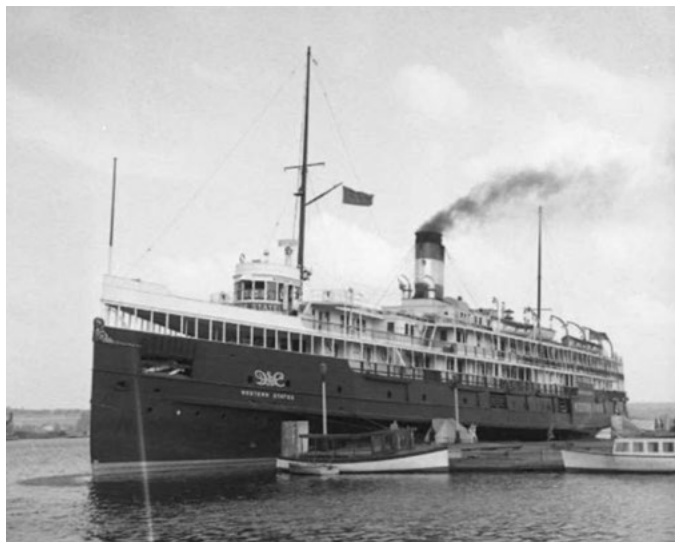
blond hair, and a dominating presence that stares out at you from the photographs, Ford was nevertheless reserved, perhaps shy. He was content to spend his time pursuing recreational activities.

At sunset, the Scouts fired the Fort's cannon which overlooked the harbor, and played taps. As both sounds pierced the sky above the darkening water, the official day was ended.²¹⁴

But Jerry's love for the Boy Scouts never ended. Even after leaving the presidency, he would routinely sign and send out over a thousand Eagle Scout letters a month.²¹⁵ For the rest of his life he supported the Scouts any way he could, frequently reflecting publicly on the value the Scouts had been to him.²¹⁶ Today was just another example of that. He was returning as the Honorary President of the National Council of Boy Scouts of America, a position he had assumed in January.²¹⁷ And he was returning as a Distinguished Eagle Scout, an honor reserved for Eagle Scouts who continue to distinguish themselves in service to their country for at least a quarter-century.²¹⁸

Perhaps it was a feeling of responsibility that came with these offices, combined with Ford's omnipresent sense of duty, that motivated him to rewrite the script for his afternoon on Mackinac, and return to the Fort. Most likely, it was his nostalgic memories of those halcyon days.

Now it was another Island resident's turn to be surprised by Ford's meanderings. State Park Superintendent Eugene Petersen²¹⁹ hustled to the Fort to meet



S.S. Western States

the President's impromptu horse-cade. Dr. Petersen had returned home for lunch after church, but now he was told he had just five minutes to get to the Fort to greet the President. He immediately called the Scout coordinator to scramble eight Scouts to the flagpole in two minutes. By the time Petersen reached the gate at the Avenue of Flags, on the north side of the Fort, the three carriages were arriving. The President and the Governor and their wives were in the lead carriage, followed by two carriages full of aides and Secret Service agents. A dozen newspaper reporters and photographers were running behind.

“The Way We Were”

—Barbara Streisand

This was a highlight for Ford, as well as for Petersen and the Scouts. When Petersen escorted him inside Fort Mackinac, it was the first time that Ford had returned to the Fort in 46 summers.

Ford signed the registration book at the gate, and posed for pictures next to the flagpole where he had raised the flag so many times as a Scout. Then he shook hands and signed autographs for the members of Troop 212.²²⁰

Jerry and Betty began to walk through the familiar grounds. Once upon a time, because of his conscientious service as guide for a month, the place had been indelibly imprinted on his mind. In those days, Ford

said, “*I used to know the history backwards and forwards.*” But if he had forgotten some details, memories of those days were quickly returning during his twenty-minute stroll through the past with Betty.

Accompanied by the Millikens and Dr. Petersen, the Fords looked in the various old buildings. These included the post headquarters, the paymaster's office, and the quartermaster's storeroom where uniforms, canteens and gardening equipment remained stored.²²¹

The Commissary had been called the Subsistence Department when it was built in 1878.²²² It was located in the southeast portion of the Fort near the South Sally Port.

Jerry wanted to show Betty where the boys had bunked. When they looked inside the Commissary, he remembered exactly where his cot had been: the northeast corner of what had then been a large barren room.²²³ Jerry first came to Fort Mackinac at the express invitation of Michigan's Governor, Fred H. Green. Today, he had returned as the guest of another Governor, but if this visit was shorter, the overnight accommodations were better.

The imposing white limestone walls of the Fort were deteriorating, but much work was being done on the historic old Fort, piece by piece. The picturesque block-houses that romantically symbolized Mackinac Island for so many years had been restored, and 1200 eight-foot cedar posts had been used to rebuild the Fort's stockade.²²⁴ To add content to the Fort's history, large historical murals had been painted by Grand Rapids born artist and illustrator Dirk Gringhuis.²²⁵ Ford was impressed with the ongoing renovation of the Fort and with its various displays. He approved of the revenue bond program that financed the restoration operations.²²⁶

Then they walked up to the ramparts where a cannon commanded the harbor 150 feet below. Jerry used to watch steamships like the SS *Western States*, well over a football field in length, tie-up at the dock in the natural deep water harbor. That must have been an impressive sight. In fact, if the 350 foot *Western States* was stood on its end, with its stern sitting on the top of the water and its bow pointed skyward, it would tower over Fort Holmes, the highest point on the Island (320 feet above lake level). Of course, the front porch of Grand Hotel, at 660 feet in length, would dwarf both.



Lieutenant Commander Gerald R. Ford, Jr., USNR

The view this day was magnificent as Jerry and Betty stood next to the old cannon and gazed out over the harbor,²²⁷ but neither the cannon nor muskets would be fired today, in deference to the Secret Service.²²⁸ Guns going off made agents nervous.

Indeed, approaching the overlook may have stirred Jerry's memories from a time in his life when he had worn a different uniform. Perhaps these memories, momentarily at least, even eclipsed those of his Scouting days.

Over a century and a half earlier, soldiers had stood their watch at Fort Mackinac, manning these heights. When Jerry had fired the Fort's cannon as a Boy Scout, he would have wondered what a real exchange of cannon fire would be like.

Now he knew the answer, because he had been there. After Pearl Harbor, Jerry immediately left his law practice to join the Navy. He served aboard the USS *Monterey*, a small aircraft carrier that had been part of Admiral "Bull" Halsey's Third Fleet in the Pacific. As an anti-aircraft gunnery officer, Ford commanded a Bofors 40mm cannon battery of four guns on the fantail.²²⁹

Standing on this high platform, Ford couldn't have helped but recall his shipboard days, scanning the Pacific for enemy aircraft.²³⁰ He had stood his watch for his ship and his fellow sailors. Now he was Commander-in-Chief and he stood watch for the whole nation. Captain Domina and his "football" of nuclear codes, never far from Ford's side, was a reminder of that responsibility even here at Fort Mackinac.²³¹

But today's immediate duty was to return to the delayed luncheon at the Governor's Residence. Guests and food were waiting. The carriages headed down the road.

Coming in the other direction this pleasant Sunday was an East Bluff resident, out for a walk and in for a surprise. The man was returning home along Huron Road, when a carriage rolled to a stop beside him. Out jumped the President of the United States to shake hands!²³²

The Islander was the Hon. Glenn S. Allen, Jr., a Judge on the Michigan Court of Appeals who lived on the Island in the summertime. Although he was another legal lion in Michigan, he was not part of the Sixth Circuit Conference. But he was a friend of Ford, and had been on the Republican ticket with Jerry in 1962, when he unsuccessfully ran for State Treasurer. Allen later became Special Counsel to Milliken for several years, before Milliken appointed him to the Court of Appeals.²³³ Glenn knew everybody in the carriage.

Had he, too, attended church that morning with fellow Episcopalian Jerry Ford?

Bumping into Allen was happenstance, but it provided a segue from Ford's reminiscences about his youth to his upcoming lunch at the Governor's Residence with a bevy of top Michigan Republicans, in anticipation of his next campaign.

"I Wanna Be In The Room Where It Happens"

—Lin-Manuel Miranda

Political gatherings of every type are common fare on Mackinac, as much a part of the daily life of the Island as horses and carriages. Some, for example, like the one today, involved matters on the national stage:

- In 1960, Senator John F. Kennedy and Governor G. Mennen Williams had sat around that same dining room table that was in the Governor's

Residence, nailing down Williams' support for Kennedy, which assured Kennedy the Democratic nomination for President.²³⁴

- In 1943 Senator Vandenberg hosted a retreat for Republicans at Grand Hotel to hammer out the Mackinac Charter. Tom Dewey, Robert Taft and other luminaries participated. The document would provide Republicans with a platform for post-war international involvement by America, moving away from isolationism and paving the way for creation of the United Nations.²³⁵
- Four decades before that, Ohio Senator Charles Fairbanks had come to then-remote Mackinac Island as soon as he was nominated for the vice presidency on the 1904 Republican ticket with Teddy Roosevelt. His was there to confer with U.S. Supreme Court Justice William R. Day; West Michigan attorney Thomas J. O'Brien, founder of the Grand Rapids Bar Association and the man who had overseen the construction of Grand Hotel on behalf of the Grand Rapids and Indiana Railway; and other members of the recently assassinated President William McKinley's brain trust. Fairbanks made this journey even before beginning his campaign.²³⁶

Assembling for a home cooked meal today were a dozen GOP campaign leaders, many with their spouses.²³⁷ Helen Marine, the Governor's cook, hadn't been able to sleep worrying about what to serve the President for lunch. Learning of Ford's predilection for cottage cheese, she prepared a huge mound of cottage cheese, embossed with a large variety of raw vegetables radiating from it like the spokes of a wheel. On the side she served a beef aspic and a shrimp and mushroom casserole.²³⁸

Had Jerry ever shown up late for his Mom's cooking? Early in life Jerry had learned to be exceedingly prompt, so probably not. One of his Dad's simple rules was to "come to dinner on time."²³⁹ But it's unlikely the other guests were upset about Jerry's late arrival today, and the cook wasn't saying anything.

The Governor and Helen Milligan hosted the gathering. Senator Griffin along with Congressmen Elford Cederberg, Philip E. Ruppe, and Guy Vander Jagt came with their wives.

Also included were Michigan Republican Party Chairman William F. McLaughlin, and Max Fisher, a prominent Republican fundraiser.²⁴⁰ Milliken's two assistants, George Weeks and Joyce Braithwaite, were there,²⁴¹ as were Milliken's children, Elaine and William.

Ford brought Philip W. Buchen, his White House Counsel, and L. William Seidman, Executive Director of the Economic Policy Board and Assistant for Economic Affairs. Both Buchen and Seidman were longtime Grand Rapidsians and close friends of Ford. Buchen had been Ford's law partner and Seidman had been a founder of Grand Valley State University and WZZM-TV, and would later become Chairman of the Federal Deposit Insurance Corporation. Ronald H. Nessen, Ford's press secretary, was also there.

Members of the group said that they "*expected to discuss state and national political issues with Ford,*"²⁴² but it would be a short lunch,²⁴³ and it's doubtful much was discussed at any length. The President was eager to play tennis.

Ford had said a few days earlier that he didn't plan to do any campaigning as a candidate for the rest of calendar year 1975. He emphasized that while he expected as head of the Republican Party to make party fundraising appearances, he would never neglect his duties as the President of all the people.²⁴⁴

But he couldn't escape politics altogether. One pressing issue was whether he would retain Rockefeller as Vice-President on the ticket. It was increasingly apparent that the more conservative Ronald Reagan was going to enter the race against Ford for the Republican nomination, so Ford would need to shore up his conservative support.²⁴⁵ Opposition to Mr. Rockefeller by the right wing of the Republican Party, said commentator William F. Buckley, Jr., was "*implacable.*"²⁴⁶ On this question, though, the sense was that Milliken, McLaughlin and the other Michigan Republicans were solidly behind Rockefeller.²⁴⁷

Ford did ask at lunch to be given a 'picture of the Republican Party in Michigan,' although this may have been in part to assuage the need to achieve some substantive discussion at lunch, in light of the effort people had made to attend.



From left: Governor Milliken, Presidential Economic Advisor L. William Seidman, President Ford, and Helen Milliken.



Jerry Ford tees off on Grand Hotel's iconic old No. 7 hole.

“Tennis Anyone?”

Lunch lasted only an hour before the Island's allure beckoned again. Jerry, along with Bill and Helen Milliken, and Bill Seidman, headed to the tennis courts. As they “stroll[ed] across the golf course to Grand Hotel tennis courts, the President spearhead[ed] the walk through the flock of greeters who had seen him coming.”²⁴⁸

It was a game of doubles, and the two chief executives of Michigan and the United States teamed up together. Both were Yale Men, athletes, and combat-hardened World War II veterans.²⁴⁹ Both were competitive by nature. Both loved tennis. Jerry and Bill would be a formidable team.

They got beat in straight sets, 7-5, 6-4. Helen Milliken and Bill Seidman cut them no slack. Rank had no privileges on this playing field.

It wasn't for lack of trying. Ford's competitive instincts were clearly on display, most notably when he skidded into a chain-link fence along the side of the court trying to return a shot, and his racket went flying. A couple of mounted policeman and their horses watched safely from the other side of the fence.²⁵⁰ Ford showed good form, playing right-handed, and volleying well from near the base line with a steady forehand. His only concession to the bright sunlight was a pair of sunglasses; no hat.²⁵¹

Ford exhibited the same determination that made him an All-City and All-State football player in high school, and All-Big Ten in college.²⁵² Nevertheless, he moved stiffly during the slow-paced sets, due to the elastic bandage on his right knee, an ever-present reminder of an old football injury that plagued him throughout his life.

Following one volley, a woman yelled that he must be the “*White House Bobby Riggs*.” Ford shouted back, “*I am not a hustler!*”²⁵³ Later, Braithwaite privately told Helen Milliken that if Ford was Bobby Riggs, that must make her Billie Jean King.²⁵⁴

After suffering defeat on the tennis court, Ford decided that he still had time for nine holes of golf. He was confident he could catch a plane back to D.C.

“I would like to deny all allegations by Bob Hope that during my last game of golf, I hit an eagle, a birdie, an elk and a moose.”

– Gerald R. Ford

This time, Bob Griffin, Al Cederburg, and course pro Dennis Dufina, joined Jerry, who had exchanged his tennis outfit for a pinkish shirt and slightly flared reddish pants, a stylish 1970s outfit more appropriate for golf.²⁵⁵ Still no cap.

They began their 9-hole round on the 7th tee, ideally situated on the bluff just behind the Governor's Residence.²⁵⁶ The sweeping panorama of the Great Lakes was spectacular.

Everybody talked about Grand Hotel's signature hole, the par four Seventh that set this golf course apart. The tee shot was ideal for Ford's towering drives. His drive would be a long ball "off a cliff," ideally a gentle hook over a tree line on the left, leaving him in perfect position for a second shot "over the water" (a pond), to a two-tiered green on top of another hill.

If he hit his second shot too short his ball might go into the water.²⁵⁷ Too long, and it might fly right over the green and land in someone's backyard on Market Street, down the far side of the hill.

If a guest staying at Grand Hotel modestly let it be known over dinner that he had parred the iconic No. 7, someone was likely to offer him an extra Grand Pecan Ball for dessert. (Since additional desserts at Grand Hotel were at no charge, it was more of a symbolic gesture). The seventh hole was another ornament on the Mackinac Island charm bracelet.²⁵⁸

Ford teed off, twice, and played his first shot after slicing his mulligan into the woods. As the golfers made their way down off the bluff, their wives retreated to the Residence to watch.

During his Scouting days, Jerry had ignored the golf courses on Mackinac Island; in fact, to the chagrin of his parents he had ignored the sport altogether.²⁵⁹ But eventually he would take up the Sport of Presidents, breaking 90 routinely. He played enthusiastically and often.²⁶⁰ Just yesterday, he had played with hockey star Gordie Howe in Traverse City. But he loved Grand Hotel's golf course. "Oh, the rain never comes when we have a chance to play golf or come to the Island," he had said.²⁶¹

Few things are more revealing of a man's character than the way he plays golf. So it was refreshing that unlike some Presidents, Ford did not treat his scores as a matter of national security. Jerry hit a long, if sometimes erratic, ball off the tee. A longtime golfing partner said, "He hits the ball a mile. He's a natural athlete." Sometimes his ball had trouble finding the cup, but Jerry continued to work on his game.²⁶² "I know I am getting better at golf," he joked, "because I am hitting fewer spectators."



President Ford boards Marine One for return trip to Washington, D.C.

By the time the foursome was walking up the ninth fairway to the green near the Snack Bar, playing their third hole,²⁶³ word was out and spectators were gathering. Ford was in the process of trying to make a 3-foot putt, when a little boy silenced the crowd by asking, "Who is everybody looking at?"²⁶⁴

Out of the mouths of babes . . .

Actually, the entire country had been asking essentially this same question since the day Jerry was sworn in as President: "Who is this man?" People were learning that he was just a decent guy from Grand Rapids.

It had been a successful round. The match was over and no spectators had been hit, although Ford did bounce a drive off the Snack Bar roof.²⁶⁵

"Leaving On A Jet Plane . . . Don't Know When I'll Be Back Again."

– John Denver

Returning to the Governor's Residence, Ford quickly showered and enjoyed a cocktail before heading to the helicopter.²⁶⁶

He had been on the Island only 19 hours, and it had been a full but relaxing night and day. And throughout it, he had been able to savor a surprising array of memories, ranging from his youth to sports to the military, to his marriage and Congressional life, to the memories of this past year when he had reached the pinnacle of public service.

The next stop this late afternoon was Air Force One²⁶⁷ and the White House. He would soon be “back in harness,” just like those four-legged Islanders who had been pulling his carriages all day. There was a job to be done.

Passing by the Avenue of the Flags at the Fort, the President paused to shake hands with an assembled group of Mackinac Island State Park Commissioners. He waved to the large crowd that had assembled on Garrison Road for one last glimpse of their President.²⁶⁸

Then the big machines lifted off.

* * *

Three hours later, President Ford sat comfortably in his second floor residence in the White House, meeting with Secretary of State Henry Kissinger to discuss the nation’s business.²⁶⁹ Jerry wasn’t on Mackinac Island any longer.

But maybe, just maybe, he had taken the Island’s gift of the ‘memories of a lifetime’ home with him, and would unwrap some of them again on his birthday.

About the Author

Hugh W. Brenneman, Jr. is a retired United States Magistrate Judge, and is the Court Historian for the Western District of Michigan.

Endnotes

- 1 See, generally, Grace Franks Kane, *Myths and Legends of the Mackinacs and the Lake Region* (Cincinnati: Black Letter Press, 1897). Fairy Arch was located below Arch Rock. Smaller than Arch Rock, it was popular with tourists. Fairy Arch became more accessible when a road circling the Island was completed about 1900. From the shore, visitors could climb huge limestone ledges, often called ‘the Giant’s Stairway,’ to reach the Fairy Arch, which was said by a 1918 guidebook to be “one of the leading features of the ‘Fairy Isle.’” Unfortunately, somebody didn’t read the guidebook. Fairy Arch was dynamited in the 1940s in a misguided effort to obtain rock for road repair and shoreline riprap. David A. Armour, *100 Years at Mackinac – A Centennial History of the Mackinac Island State Park Commission 1895-1995* (Mackinac State Historic Parks, 1994) at 68. A third and much smaller arch, variously known as Little or Lower Arch, Maiden Arch or Sannillac Arch, also exists directly below Arch Rock. Today it is filled with rock and debris and is off-limits to visitors, but it was once said to be the entrance to Mackinac Island for fairy children. Perhaps, being small, they can still get through. See, Steven C. Brisson, *The Art of Mackinac*, Mackinac Island State Park Commission, 2013, and related Mackinac State Historic Park material.
- 2 200 Eagle Scouts had been requested. 400 appeared. “*I could have had a thousand Eagle Scouts there.*” said Michael D. Sulgrove, Scout Executive of the Gerald R. Ford Council. *Scouting Magazine*, March-April, 2007, at 8.
- 3 President Ford and the Presidential party flew in on two VH-3A Sikorsky helicopters. The Sikorskys were sound-proof, air conditioned and contained elaborate navigational systems. The press pool and additional staff members were flown in on a larger VH-53D, a VIP transport version of the heavy-lifting Type 53 Sikorsky helicopter, with plush accommodations used by the Marines for Presidential flights. The V designated the aircraft as configured for use by VIPs. Marine Helicopter Squadron One (HMX-1) is the U.S. Marine Corps helicopter squadron responsible for transporting the President, and the only Marine unit to operate Sikorsky aircraft. Until 1976, the duty was shared with the Army. *Correspondence with the Hon. Maarten Vermaat*, U.S. Magistrate Judge for the Western District of Michigan and former Marine Corps pilot, October 24, 2021; “S-65 Origins / US Marine CH-53A & CH-53D Sea Stallion,” Airvectors.net, 1 Jan. 2016; Wesley H. Mauer, Jr., “President Ford Will be the First President to Visit Mackinac Island,” *Mackinac Island Town Crier*, 12-18 Jul 1975; “The President’s Aircraft,” *Traverse City Record Eagle*, 11 July 1975.
- 4 James Schutze, “Mackinac Fears Ford Crowds,” *Detroit Free Press*, 7 Jul 1975.
- 5 *Recollections of Anne L. St. Onge*, Mackinac Island Librarian, shared with the writer on October 21, 2021. Ms. St. Onge was very helpful in researching local newspapers for this article.
- 6 Eugene T. Petersen, *Inside Mackinac* (St. Ignace, 1990) at 178; Wesley H. Maurer, Jr., “President and Mrs. Gerald Ford Relax and Enjoy Mackinac Island Visit,” *Mackinac Island Town Crier*, 19-25 Jul 1975.
- 7 Ford was sworn in as President on August 9, 1974.
- 8 Ford is the only person to have served as both Vice President and President without having been elected to either office.
- 9 “*My illness turned out to have a very special purpose – helping save other lives.*” First Lady Betty Ford’s Remarks to the American Cancer Society, New York City. November 7, 1975. www.geraldrfordfoundation.org. “*Even before I was*

able to get up, I lay in bed and watched television and saw on the news lines of women queued up to go in for breast examinations because of what had happened to me.” Betty Ford, *The Times of My Life* (New York: Harper & Row, 1978) at 186. Governor William Milliken had been delighted Betty was accompanying her husband on this trip. But her public appearances were limited to short intervals on Sunday, and a tour of the Island was called off by the White House without explanation. “Milliken Urges People to Greet Gerald Ford” *Ironwood Daily Globe* (*Ironwood, Michigan*), 7 July 1975; *Traverse City Record Eagle*, 14 Jul 1975.

- 10 The later Afghanistan War was the longest war in American history.
- 11 On April 28, 1975, President Ford ordered the emergency evacuation of American and certain South Vietnamese personnel, as Saigon fell to Communist forces.
- 12 Communist Cambodia’s seizure of the merchant ship *Mayaguez* in international waters and the rescue of the ship’s crew by U.S. Marines occurred May 12-15, 1975.
- 13 James Cannon, *Time and Chance: Gerald Ford’s Appointment with History* (New York: HarperCollins Publishers, 1994) at 405.
- 14 The formal announcement was made on July 8, 1975.
- 15 Wesley Pippert, “Mid-America Cheers Ford, Politics or no,” *Minneapolis Star*, 14 Jul 1975.
- 16 Grand Hotel had previously hosted the Sixth Circuit conference in 1971 and 1966. *Mackinac Island Town Crier*, 12-18 Jul 1975.
- 17 Wesley G. Pippert, “Ford ‘Feels About 40’ After Campaign Tour,” *Ames Daily Tribune* (*IA*), 14 Jul 1975. Pippert’s by-line appears in several different newspapers covering Ford’s visit. He worked for UPI and was part of the press pool that flew from Washington, D.C. to Michigan and back on Air Force One with the President.
- 18 Other American presidents known to have visited Mackinac Island, either before or after their presidencies, were Harry S. Truman, John F. Kennedy; George H.W. Bush; William Clinton; and Joseph Biden. Dennis O. Cawthorne, *Mackinac Island, Inside, Up Close, and Personal* (Traverse City: Arbutus Press, 2014) at 137; Hugh W. Brenneman, Jr., “A Couple of Days on Mackinac Island-The Second Day,” *Stereoscope-The Journal of the Historical Society of the United States District Court for the Western District of Michigan*, vol.18, issue 3 (September, 2021)(federalcourthistoricalwdmi.org/Stereoscope.html) at 19.
- 19 Petersen, *Inside Mackinac* at 178.
- 20 The two other Congressmen on board were the Hon. Elford A. Cederberg and the Hon. Guy Vander Jagt. Congressman Philip E. Ruppe, also from Michigan, would join the President for lunch and return with him on Air Force One to

Washington, D.C., but did not arrive on Marine One. *White House Daily Diary*, July 12 and 13, 1975 (hereinafter: “*WH Diary*.”) The *Daily Diary* in a minute-by-minute log of President Ford’s activities that was compiled by Susan Yowell and Ellen Jones of the White House Secretary’s Office staff, from a variety of other logs and sources. It is considered exhaustive and generally accurate.)

- 21 These included assistants Jerry H. Jones and Terrence O’Donnell; his physician, Rear Admiral William M. Lukash; Press Secretary Ronald H. Nessen; Ford’s personal photographer, David H. Kennerly; and Marine Corps Aide Captain Walter L. Domina. *WH Diary*, July 12, 1975.
- 22 Governor and Mrs. Milliken and their children, Bill and Elaine, had arrived at noon that day from Traverse City, to prepare for Ford’s arrival. Margaret Doud had just become Mayor of Mackinac Island on April 1, 1975.

Also among the greeters were Mrs. Robert Hamady and Milliken’s Executive Aide Joyce Braithwaite. *Mackinac Island Town Crier*, 19-25 Jul 1975; “President Ford Will be First President to Visit Mackinac Island,” *Mackinac Island Town Crier*, 12-18 Jul 1975. Millie Hamady was a prominent figure on Mackinac Island and served on the National Republican Congressional Committee. https://www.northwood.edu/dw/archives/994_A. Joyce Braithwaite was known as a savvy and well-connected political assistant for Milliken. In 1978, she would run his campaign for his third and final gubernatorial reelection and he would win by the largest margin of his career. In 1984, Braithwaite married Michigan Supreme Court Justice (and former Lieutenant Governor to Milliken) James H. Brickley. “Joyce Marilyn Braithwaite-Brickley Obituary”, *Traverse City Record Eagle*, 20 May 2017.
- 23 The previous afternoon, Ford had been Grand Marshal in the annual Cherry Festival parade in Traverse City. The Fords then visited Senator Griffin’s home on nearby Long Lake before flying to Chicago for public appearances. On Saturday, he spoke at a college graduation before returning to Traverse City for a round of golf and a banquet at the Walter Hagen Golf Tournament, followed by a concert performed by the National High School Band at Interlochen Arts Academy. From there, helicopters took him to the Island. “Huge Crowds to See Ford,” *South Bend Tribune*, 11 Jul 1975; *Traverse City Record Eagle*, 14 Jul 1975; *WH Diary*, July 11 and 12, 1975..
- 24 Milliken had suggested that this 21-room manor, sitting on 178 acres of land with a magnificent panoramic view, should be Ford’s summer White House. Ford declined to think about that until after the next election. Wesley H. Maurer, Jr., “Island Prepares for Arrival of President and Mrs. Gerald R. Ford,” *Mackinac Island Town Crier*, 12-18 Jul 1975.
- 25 Cawthorne, *Up Close* at 205, 213.
- 26 *Mackinac Island Town Crier*, 12-18 Jul 1975.

- 27 *Conversation with Mayor Margaret Doud*, October 11, 2021, at the Hotel Windermere.
- 28 Cawthorne, *Up Close* at 77, 188.
- 29 *Doud Interview*.
- 30 Petersen, *Inside Mackinac* at 175; “Warm Weather and Friends Welcome President to North” *Petoskey News-Review*, 14 Jul 1975.
- 31 Petersen, *Inside Mackinac* at 175; *Detroit Free Press*, 7 Jul 1975.
- 32 *Mackinac Island Town Crier*, 12-18 Jul 1975.
- 33 *Petoskey News-Review*, 14 Jul, 1975
- 34 *Doud Interview*.
- 35 *Petoskey News-Review*, 14 Jul 1975.
- 36 *St. Onge correspondence*.
- 37 *Mackinac Island Town Crier*, 12-18 Jul 1975; Petersen, *Inside Mackinac* at 175-8. One such gift was an 18” hand-blown glass sailing ship. Crafted by Gregory Alan Moore, an artisan on the Island, it was given to the Secret Service which x-rayed it before passing it onto Ford. Lynn Lustgarten, “Glass Ship Given to Our President as Remembrance of Island Visit,” *Mackinac Island Town Crier*, 19-25 Jul 1975.
- 38 *Conversation with John Hulett*, October 11, 2021, at Grand Hotel.
- 39 Petersen, *Inside Mackinac* at 176-177.
- 40 Ford’s statement following his swearing-in as Vice President on December 7, 1973.
- 41 Cars were banned in both the village and the State Park at the beginning of the last century.
- 42 Known as a Landing Craft Mechanized, the LCM had been acquired by the park in 1970. David A. Armour, *Preservation at Mackinac - A History of the Mackinac Island State Park Commission, 1895-2020* (a revision by Phil Porter & Steven Brisson of David A. Armour’s *100 Years at Mackinac: A History of the Mackinac Island State Park Commission, 1895-1995*) at 67.
- 43 In an unsuccessful attempt to retake the Island from the British two years later, American forces copied the British strategy and landed at the same spot on August 4, 1814. The British were waiting. Readers interested in this historic episode may wish to read George S. May’s book, *War of 1812: The United States and Great Britain at Mackinac, 1812-1815*, 2d rev. ed. (Mackinac Island: Mackinac Island State Park Commission, 2004)
- 44 Petersen, *Inside Mackinac* at 177-181; *Hulett Interview*; *Conversation with Dennis O. Cawthorne*, June 12, 2023. Hiding the limousine had been a compromise. The Secret Service wanted Ford to use it during his visit. The shocked Park Superintendent, Eugene Petersen, responded by pointing out the obvious: “*Surely you realize the awful press the President would get, coming to Mackinac Island ... and riding in a bullet-proof limousine...?*” Finally, the Secret Service agreed to keep the car available but hide it.
- The Superintendent’s words were prescient. Vice-president Michael Pence suffered a public relations disaster when he visited the Island September 19, 2019, and rode from the Island airport to Grand Hotel in a motorcade comprised of two trucks and six apparently armored SUVs. See Gillian Brockell, “Pence had a motorcade. But when Ford visited car-free Mackinac Island, he traveled by horse-cade,” *Washington Post*, 22 September 2019; Paul Egan, “VP Pence Arrives on Mackinac Island with Eight-Vehicle Motorcade,” *Detroit Free Press*, 22 September 2019; MLive /You Tube, Rachael Premack/Business Insider, 23 September 2019, 11:04 AM; Vanessa Swales, “A Motorcade on Mackinac Island? Pence’s Visit Breaks a Long Tradition,” *New York Times*, 22 September 2019; Tara Law, “A Motorcade on Michigan’s Mackinac Island? Some Call Vice President Mike Pence’s Flouting Vehicle Ban Disrespectful,” *Time Magazine*, 22 September 2019.
- 45 *Ironwood Daily Globe (Ironwood, Michigan)*, 8 Jul 1975.
- 46 *Petoskey News-Review*, 14 Jul 1975.
- 47 Docket sheet M75-21 Cr., U.S. District Court for the Western District of Michigan. Defense lawyers were appointed at the discretion of the U.S. Magistrate from a list he kept of available attorneys. The Court did not yet have a federal public defender system.
- 48 Scott was charged with two counts of violating 18 U.S.C. Sec. 871, a federal felony, which forbids knowing and willful threats to take the life of the President or Vice President of the United States. The offense carried a possible prison term of five years.
- 49 *Petoskey News-Review*, 14 Jul 1975.
- 50 *United States v. Scott*, 547 F.2d 334 (6th Cir. 1977).
- 51 *Allen v. United States*, 164 U.S. 492 (1896).
- 52 Judge Miles tried the case both times, and Justice Potter Stewart was on the Supreme Court when it denied certiorari. The Judges on the appellate panel which overturned the first conviction were the Honorable Paul C. Weick, Wade H. McCree and Pierce Lively. All had been at the breakfast. Judges Weick and Lively were also on the panel which affirmed the second conviction in December, 1977. (The decision was published in January, 1978.) The third Judge on that panel was the Hon. Gilbert S. Merritt. Although Judge Merritt was not appointed to the Bench until 1977, he had nevertheless attended the 1975 breakfast as a conference delegate. *U.S. v. Scott*, Sixth Circuit docket sheet, 77-5190; *WH Diary*, July 13, 1975.
- 53 *U.S. v. Scott*, 573 F.2d 1311 (6th Cir 1977), *cert. denied*, 435 U.S. 953 (1978).

- 54 Betty Ford, *Times* at 58.
- 55 *Mackinac Island Town Crier*, 19-25 Jul, 1975. One year later, on July 8, 1976, President Ford hosted another Queen, Elizabeth II, who visited the United States to celebrate the Bicentennial of American Independence. Said the Queen in the best British humor:
- "It has not altogether escaped my notice that there is some sort of celebration going on in America. It has, I believe, something to do with that event 200 years ago when the Founding Fathers of this great Republic, acting in what I like to think was a typically British way, broke the constitutional ties between America and Britain."*
- 56 Fenton Boy Scout Troop 212 had provided the Honor Guard for the week. Wesley H. Maurer, Jr., "President Ford and Governor 'Drop In' on Startled Stewart Woodfill," *Mackinac Island Town Crier*, 19 Jul-25 Jul 1975. Scouts no longer had to be Eagle Scouts to be part of the Honor Guard, and the duration of their service was a week rather than a month. And Girl Scouts had been included.
- 57 The Governor's Summer Residence, sometimes called the Governor's Mansion, is a beautifully situated Victorian cottage high on a bluff near the Fort, with commanding views of the Island, both peninsulas, and the Mackinac Bridge. It was built on a park leasehold in 1902, using a combination of Georgia yellow pine and Michigan white pine. The residence has 24 rooms (including 11 bedrooms and 9 bathrooms), and was originally built as a cottage for Lawrence A. Young of Chicago for \$15,000. The builder was Patrick Doud, the Mayor's great uncle. *Doud Interview*; Petersen, *Inside Mackinac* at 129; Cawthorne, *Up Close* at 135.
- The cottage fell on hard times during the Depression, and Michigan purchased it in 1944 for use by the Governor. (Governors had been using the old Officers' Quarters west of Fort Mackinac prior to that.) The Commission used free prison labor to restore the residence, and to repaint its exterior white. The prisoners were housed at the Eagle Scout Barracks, which had been built behind the Fort by the Civilian Conservation Corps in 1934. Apparently the prisoners proved too boisterous for the townspeople, and when it came time to rebuild the Fort they were not invited back. Armour, *100 Years* at 55, 66-67, 75.
- 58 Ford had been born in the home of his paternal grandparents, Charles and Martha King, located at 3202 Woolworth Avenue, in Omaha. Similar to the Governor's Victorian residence, the King home was a three-story 14 room Victorian mansion. Ford and his mother fled the home when he was only 16 days old to escape his father's brutality. The house was torn down in 1971 after suffering substantial fire damage, and a memorial on the site was dedicated several years later with Ford's help. Richard Norton Smith, *An Ordinary Man* (New York: HarperCollins Publishers, 2023) at 36-37.; Laackman, *Scouting Years* at 8-9.
- 59 President Ulysses S. Grant signed Yellowstone into existence as the first national park in 1872.
- 60 Cannon, *Time and Chance* at 23-24; Smith, *Ordinary Man* at 71.
- 61 Betty Ford, *Times* at 161.
- 62 *Petoskey News-Review*, 14 Jul 1975.
- 63 Petersen, *Inside Mackinac* at 174; Cawthorne, *Up Close* at 135-136 (Dennis Cawthorne is a West Michigan attorney from Manistee who has an intimate knowledge of modern Mackinac Island, having worn a number of hats on the island, including as a business owner and as the longest-serving chairman of the Michigan State Park Commission. When Ford arrived in Michigan on July 11, 1975, Cawthorne was the Republican House Minority Leader, and met Ford at Senator Griffin's home to welcome Ford in anticipation of his visit to the Island the next day. Bill Ballenger, founder of *Inside Michigan Politics*, called Cawthorne a political and history junkie. In reality, he is a Mackinac Island junkie. On April 11, 2013, the Michigan Senate adopted a resolution honoring Dennis O. Cawthorne for his extensive contributions to Mackinac Island.)
- 64 "Doctors Say Ford is Fit at Age 62," *Tampa Tribune*, 15 Jul 1875.
- 65 Other Presidential aides had stayed at the Residence as well. *Mackinac Island Town Crier*, 12-18 Jul 1975.
- 66 The driver this day was Terry Picket and the coachman was Albert Sharrow. *Mackinac Island Town Crier*, 19-25 Jul 1975.
- 67 Richard Lerner, "Ford Calls on Judges to Safeguard Rights," *Lexington Herald (Lexington, Ky)*, 14 July 1975.
- 68 The *vis-à-vis* is a four-person, open carriage with two bench seats facing each other. There is a raised front seat for a driver and a coachman. Justice Sandra Day O'Connor would ride in the same carriage in 1983. *Stereoscope* at 10; *Hulett Interview*. The carriage is on display at the Grand Hotel stables.
- 69 *Mackinac Island Town Crier*, 19-25 Jul 1975.
- 70 Petersen, *Inside Mackinac* at 177. Frequently, these carriages were seen with a single driver, but this time the President was aboard.
- 71 Grand Hotel is one of the countless facets of the gem that is Mackinac Island. The quaintness of the village; the Victorian cottages; the charming hotels and B & B's; the rock formations; the fudge; the Fort; the State Park trails and the Island's overall beauty; the sailing races; and the horses and carriages are all wrapped up together with romantic myths, stories, histories and festivals to make the entire Island a de-

light. Each of these attractions is iconic in its own right.

- 72 *Stereoscope* at fn. 69.
- 73 Petersen, *Inside Mackinac* at 177.
- 74 *WH Diary*, July 13, 1975.
- 75 *Mackinac Island Town Crier*, 19-25 Jul 1975.
- 76 Ford and Stewart had also been members of Delta Kappa Epsilon Fraternity at their respective schools; were married in Episcopal churches; served in the Navy in World War II, and had been Republicans. Jerry still was. Potter Stewart is famously remembered for coining the phrase for determining hard-core pornography: “*I know it when I see it.*” Concurring opinion in *Jacobellis v. Ohio*, 378 U.S. 184 (1964).
- 77 Individual Supreme Court Justices are routinely assigned to serve as “Circuit Justices” for the various circuits, handling applications for stays of lower court judgments; stays of execution; extensions of time and other procedural issues; until the matters can be resolved by the Supreme Court. See 28 USC 42-June 25, 1948 (62 Stat. 870). When Stewart retired, he was replaced by Justice Sandra Day O’Connor, who for a short time also became the Circuit Justice for the Sixth Circuit. She came to Grand Hotel in that capacity in 1983. *Stereoscope* at 14.
- 78 Later that day, President Ford was made a Life Member of the Conference. Immediately after breakfast, the judges met in executive session and unanimously adopted a resolution to give Ford an Honorary Life Membership in the Sixth Circuit Judicial Conference. The resolution was drafted by Hon. John Feikens of the Eastern District of Michigan on July 16, and was subsequently signed and backdated to July 13 by Chief Judge Phillips. See, Letter from Phillips to Ford, July 22, 1975.
- 79 *Mackinac Island Town Crier*, 19-25 Jul 1975. Unlike the Governor, all the visiting federal officials, clearly off-islanders, wore dark business suits.
- 80 The stylish and colorful renovation of the hotel by interior decorator Carleton Varney, president and owner of the Dorothy Draper Company, at the direction of Dan Musser, and enjoyed today, would not be undertaken for a couple more years. Musser also had the plastic-looking *Art Deco* reception desk moved from the Parlor to a less visible location on the ground floor (renamed the Lobby), to remove its suggestion of commercialism. Less visible but more significant would be the correction, begun in 1976, of the increasingly forward tilt of the eastern end of the hotel, the end of the hotel where the President was speaking. John McCabe, *Grand Hotel-Mackinac Island* (Mackinac Island: The Unicorn Press, 1987) at 175, 190-194, 198. Walt Disney famously said “*Disneyland will never be completed. . .*” The same might be said of Grand Hotel. In addition to many internal structural changes to the hundred-year-old wooden structure, pictures of Grand Hotel taken over the years and placed side-by-side highlight the many changes to the veneer of the Hotel over the years. A few schematics also illustrate this point. *Ibid.* at 248-249.
- 81 The dining room.
- 82 *WH Diary*, July 13, 1975. Judges and attorneys attending the conference from the Western District of Michigan included, in addition to the President and Judge Engel: Hon. Thomas F. McAllister; Hon. Noel P. Fox; Hon. Wendell A. Miles; Hon. Thomas G. Kavanagh; Hon. G. Mennen Williams; David M. Amberg; Harold D. Beaton; Stephen C. Bransdorfer; William D. Buchanan; Phil Buchen; John S. Clark; John W. Cummiskey; Joseph F. Deeb; Jon F. DeWitt; Stuart Dunning; J. Warren Eardley; James M. Edwards; Lewis A. Engman; Michael Franck; Walter B. Freihofer; Douglas W. Hillman; Edward Hutchinson; F. William Hutchinson; Siegel W. Judd; Wally G. Knack; Harry J. Knudsen; Sam F. Massie, Jr.; Ernie A. Mika; Michael D. O’Hara; Joseph Planck; William G. Reamon; Harold Sawyer; John G. Starr; John D. Tully; Larry K. Varnum; and Benjamin W. Wise.
- 83 *Hulett Interview*.
- 84 *WH Diary*, July 13, 1975.
- 85 At this point the press was allowed into the dining room.
- 86 Remarks by President Gerald R. Ford at the Annual Sixth Circuit Judicial Conference on Mackinac Island, July 13, 1975.
- 87 The Members of Congress were Senator Robert Griffin and three former colleagues in the House, Representatives Elford Cederberg, Philip Ruppe, and Guy Vander Jagt.
- 88 Thomas Francis McAllister (1896-1976) was born in Grand Rapids, Michigan and attended the University of Michigan Law School. He was in private practice in Grand Rapids from 1921 to 1937, before serving on the Michigan Supreme Court from 1938 to 1941. He was on the United States Court of Appeals for the Sixth Circuit from 1941 to 1976, and served as Chief Judge from 1959 to 1961. McAllister took senior status on January 1, 1963, often writing 35-40 opinions a year until he died November 10, 1976.
- In 1956, McAllister joined Siegel Judd, who was also at the breakfast and a partner at Warner, Norcross & Judd, in founding the French Society of Michigan, which boasted 70 French-speaking members. “Plan French ‘Inaugural,’” *Grand Rapids Press*, 27 Apr 1956. Judge Miles’ wife, Mariette, a French war bride, served two terms as President of the French Society.
- McAllister was a voracious reader, and the walls of rooms and hallways throughout his home were lined with 6000 books, a “cave of books” a colleague called it. One section alone was comprised of 2000 books on France, 1500 of which were in French. There were other sections on British trials; American and European history; and Irish literature.

- Gerald Elliott, "Marked for High Honors . . . Judge Thomas F. McAllister." *Lifestyles Grand Rapids Style*, June 1975. Gerald Elliott was an author and editorial writer for the *Grand Rapids Press* who had interviewed McAllister.
- 89 They shared another commonality in belonging to the same fraternity at Michigan, Delta Kappa Epsilon, although years apart.
- 90 The French Foreign Legion was created to allow foreign nationals to fight in the French Army. The discipline and training were rigorous, even harsh, and the Legion only fought outside of France. Early in its existence, it was reputed to accept anyone, even if he was a criminal on the run, and to protect his identity. Service in the Legion could lead to French citizenship.
- 91 McAllister joined the American Field Service Ambulance Section Sanitaire Unis N.69.
- 92 *Lifestyles Grand Rapids Style*, June 1975; Eric Rottman, "Founders Siegel W. Judd and Thomas F. McAllister," *History of Alliance Francaise of Grand Rapids*; www.findagrave.com/memorial/123378514/thomas-francis-mcallister. The French Spads were the equivalent of the Sopwith Camels, the bi-planes flown by the British and Snoopy.
- 93 Judge McAllister was seated with Wally Knack and John Tully, and their wives. Knack and Tully were both attorneys at Warner, Norcross & Judd. See, Letter from Judge McAllister to Wallson G. Knack, dated July 17, 1975.
- 94 McAllister ran in 1934 and 1936.
- 95 A decade later, L. Roland "Bud" Roegge, then President of the Grand Rapids Bar Association, observed that because McAllister was Irish, Catholic and a Democrat, his 1930s campaigns in Grand Rapids must have been uphill battles. Remarks of L. Roland Roegge, "Presentation of the Portrait of the Honorable Thomas F. McAllister, December 18, 1985," before the Michigan Supreme Court.
- 96 The U.S. Constitution, Art. I, Sec. 9, provides that no person holding an office of profit or trust under the United States shall, without the consent of Congress, accept any present, emolument, office, or title, of any kind whatever, from any King, Prince or foreign State.
- 97 McAllister letter to Knack, July 17, 1975.
- 98 David W. Kendall (1903-1976) was Special Counsel to President Eisenhower from December 1958 to January, 1961, and was at the breakfast. A long-time Michigan Republican, he was credited for revitalizing America's passenger railroad system, now known as AMTRAK. Like so many others in the dining room, he had graduated from the University of Michigan Law School (class of '31) and was a Life Member of the Sixth Circuit Conference. When the Kennedy administration came into office, Kendall was replaced as special counsel by Theodore C. Sorenson, one of President Kennedy's closest advisors. Ted Sorenson had his own West Michigan connection: In 1969 he married Gillian Martin from East Grand Rapids, Michigan.
- 99 McAllister letter to Knack, July 17, 1975.
- 100 Albert J. Engel, Sr. (1888-1959) began practicing law in Lake City, Michigan, in 1910, and became county prosecutor several years later. After WWI, he served in the Michigan Senate for a half-dozen years. He then served 8 terms in Congress before unsuccessfully seeking the Republican gubernatorial nomination. Interestingly, both Congressman Engel and his son were in the House of Representatives on December 8, 1941, to hear President Roosevelt give his 'Date in Infamy' speech.
- 101 In 1978, two additional judgeships were created for the Western District of Michigan, doubling its size, and three were added in the Eastern District. Pub. L. No. 95-486, October 20, 1978.
- 102 A 1975 senate report stated that during the previous 20 months eight federal judges had returned to private life, presumably because of the freeze on salaries. Judicial retirements had not occurred at that rate since at least 1941, over three decades earlier. In discussing the pay raise issue, the writer has benefited from material in the Congressional Quarterly Almanac: "Congress Votes Top-Level Pay Raise," *CQ Almanac* 1975, 31st ed., 703-708, Washington, DC: Congressional Quarterly, 1976. <http://library.cqpress.com/cqalmanac/cqal75-1212020>. [hereinafter, "CQ"]
- 103 Warren Burger was the Chief Justice of the United States. He was not reticent about advocating for more judges and higher salaries. "I put it to you," Burger told the American Society of Newspapers Editors, "How long and how well could you run your newspaper if, in 1975, you were limited to replacing your best reporters and best editors at 1969 pay scales." Burger added that "an alarming number" of Federal judges had recently resigned because of inadequate salaries. Warren Weaver, Jr., "Burger Takes Case for Higher Salaries to Editors," *New York Times*, 19 Apr 1975.
- 104 Ford was referring to a March 10, 1975 meeting at the White House during which the Chief Justice made a strong plea for higher salaries for federal judges, including the members of the Supreme Court. CQ
- 105 The vote was taken on March 6, 1974.
- 106 HR 2559.
- 107 CQ.
- 108 Maryland Congressman Robert E. Bauman. CQ.
- 109 Public Law 94-82, August 9, 1975 (89 Stat. 419)
- 110 CQ.
- 111 August 29, 1975.

- 112 No catch-up provision was provided to cover lost pay for the six year absence of a pay hike.
- 113 Ford press conference, October 9, 1975.
- 114 502 District Judges received a pay increase from \$40,000 to \$42,000. The pay of 144 Judges on the Courts of Appeal went from \$42,500 to \$44,625. *CQ*
- 115 The President signed his Crime Message to the Congress on June 19, 1975.
- 116 *Wingo v. Wedding*, 418 U.S. 461 (1974).
- 117 The Sixth Circuit Judges included the Hon. Harry Phillips, Hon. Paul C. Weick, Hon. William E. Miller and the Hon. Lester L. Cecil. *WH Diary*, July 13, 1975.
- 118 Statistics showed that Magistrates handled 211,846 criminal matters and 40,298 civil matters in fiscal 1976. House Report 94-1609, 94th Congress, 2d Session, September 17, 1976, to accompany S. 1283 [hereinafter "H.R. 94-1609"].
- 119 The Federal Magistrates Act was passed in 1968 (28 U.S.C. Sec. 636; P.L. 90-578), and became fully operational in 1971, following a trial period in five District Courts. Charles Alan Wright & Arthur R. Miller, *Federal Practice and Procedure*, 2d ed. (St. Paul: West Publishing Co., 2014) vol. 12, sec. 3006 (The Federal Magistrates Act of 1968 - History and Purpose). The Judge's title was changed from Magistrate to Magistrate Judge by Congress on December 1, 1990 (104 Stat. 5089). Ruth Dapper, "A Judge by Any Other Name? Mistitling of the United States Magistrate Judge," *The Federal Courts Review*, vol. 9, no. 2 (2015).
- 120 H.R. Rep. No. 1629, 90th Cong., 2nd Sess. note 10, at 11 (1968).
- 121 S. Rep. No. 371, 90th Cong., 1st Sess. N. 9 (1967).
- 122 H.R. Rep. 94-1609.
- 123 28 U.S.C. 636 (b).
- 124 28 U.S.C. 636 (b) (3).
- 125 See, *Wingo v. Wedding*, *supra*. Actually, Wedding's petition had initially been denied by the District Court without any hearing, but Wedding appealed to the Sixth Circuit, which remanded with instructions to conduct an evidentiary hearing on petitioner's Constitutional claims. *Wedding v. Wingo*, 456 F.2d 245 (6th Cir. 1972) (per curiam, Phillips, CJ, Weick, Miller). (Unlike the Sixth Circuit, the Kentucky Court of Appeals had previously found no need for a hearing, pointing out that the defendant had waited 20 years to file a motion to vacate his sentence, and that he had offered no basis for his conclusory argument that he had been coerced into pleading guilty by the belated appointment of counsel. *Wedding v. Commonwealth of Kentucky*, 468 SW 2d 273 (1971)).
- 126 *Wedding v. Wingo*, 483 F.2d 1131, 1137 (6th Cir. 1973). Judge Weick wrote the opinion, joined by Judge Phillips and Senior Judge Cecil.
- 127 *O'Shea v. U.S.*, 491 F.2d 774, 778 (CA 1 1974); *Noorlander v. Ciccone*, 489 F.2d 642, 648 (CA8 1973); *cf Campbell v. U.S. District Court*, 501 F.2d 196, 205 (CA9 1974); *U.S. ex rel. Gonzalez v. Zelker*, 477 F.2d 797, 798 (CA2 1973); *Parnell v. Wainwright*, 464 F.2d 735, 736 (CA5 1972).
- 128 414 U.S. 1157 (1974).
- 129 418 U.S. 461, 468.
- 130 *Holiday v. Johnson*, 313 U.S. 342 (1941).
- 131 Justice White was a man of Olympian proportions. Graduating from college as class valedictorian, he was a Rhodes Scholar who studied at Oxford; an All-American football player and runner-up for the Heisman Trophy; and the leading rusher in the National Football League for the Pittsburgh Steelers (then known as the Pittsburgh Pirates) before being admitted to Yale Law School in 1939. During law school he played football for the Detroit Lions in 1940 and 1941, again becoming the leading rusher in 1940. White served in the United States Navy during the war and graduated from law school in 1946, ranked first in his class. He later became the Deputy Attorney General in the Department of Justice (the number two position) before being nominated by President Kennedy to be on the Supreme Court. Justice O'Connor said he had a crushing handshake. *Stereoscope* at 2, n.7.
- 132 418 U.S. at 484-5.
- 133 418 U.S. at 487.
- 134 Memorandum to President Ford from Jim Cannon re S. 1283 – Jurisdiction of U.S. Magistrates, dated October 20, 1976 and approved Oct 21, 1976. Box 68, Legislation Case Files at the Gerald R. Ford Presidential Library. The Senator who introduced the legislation was Quentin Burdick (D-ND).
- 135 House Report 94-1609. In addition to the 1975 Speedy Trial Act, during the late 1960s and early 1970s, Congress had also passed the Freedom of Information Act; Occupational Health and Safety Act; Equal Employment Opportunity Act; Consumer Credit Production Act; Fair Credit Reporting Act; and the Consumer Product Safety Act. Hugh W. Brenneman, Jr. "Discreet Persons Learned in the Law," *Judging in West Michigan: Celebrating the Community Impact of Effective Judges and Courts*, Nelson P. Miller, ed. (Lake Mary, FL: Vandeplas Publishing, 2011) at 67.
- 136 Memorandum to the President from Director James T. Lynn, Executive Office of the President, Office of Management and Budget, dated October 15, 1976, re Enrolled Bill S. 1283 – Jurisdiction of U.S. Magistrates.

- 137 471 F.2d 1268 (1972).
- 138 *A Guide to the Legislative History of the Federal Magistrate Judges System*, Administrative Office of the United States Courts, Feb. 1995, at 21.
- 139 Letter from Michael M. Uhlman, Assistant Attorney General for Legislative Affairs, to James T. Lynn, Director, Office of Management and Budget, dated October 8, 1976.
- 140 Letter dated October 6, 1976. Foley noted in his letter the “indispensable role” of the Magistrates over the first five years of their existence to District Judges in meeting their heavy and increasing caseload burdens. The legislation, he said, would “clarify” the law and “expand the jurisdiction of magistrates to facilitate their use by district judges . . . and expedite administration of justice in the federal courts.”
- 141 Public Law 94-577 (90 Stat. 2729).
- 142 Congress didn’t stop there. Three years later, it expanded the authority of the Magistrates further. In the Federal Magistrate Act of 1979, Congress authorized Magistrates to conduct civil trials if the parties consented. Magistrates were also allowed to preside over misdemeanor trials, provided the defendant waived his right to trial before a District Judge. The legislation also created merit selection panels to assist the District Courts in appointing Magistrates. Public Law 96-82 (93 Stat. 643) (The title of the Act as stated in the statute is “Federal Magistrate Act of 1979, although many commentators add an “s” to the word Magistrate.)
- 143 See Act of Aug. 12, 1976, Pub. L. No. 94-381, sec. 3 (90 Stat. 1119). 28 U.S.C. sec.2284 as amended. For an in-depth look at the evolution of three-judge district courts, the reader is referred to Michael E. Solimine, *The Three-Judge District Court in Voting Rights Litigation*, 30 U. Mich. J. L. Reform 79 (1996).
- 144 This had also been true of its predecessor, the 1909 courthouse.
- 145 *Hulett Interview*.
- 146 Ellen Arlinsky and Marg Ed Conn Kwapil, *A Grand Profession - A Grand Tradition - A History of the Grand Rapids Bar* (Grand Rapids Bar Association, 1995) at 83). Hal Sawyer would serve as Kent County prosecutor from 1975-1976. In 1976, he defeated Vander Veen and returned the 5th District seat to the Republicans, who had otherwise held the seat since 1913. The district remained in the Republican hands until the 2022 election. Sawyer served four terms in the House, from January 3, 1977 to January 3, 1985, before stepping down. He was succeeded by Paul Henry. *Conversation with the Hon. David Sawyer*, November 30, 2021.
- 147 Naturally, Hulett could go anywhere in the hotel, and the pin he had been given for the President’s visit said so. In addition to his intimate knowledge of the inner-workings of the hotel, however, Hulett also held the record of moving the most pieces of luggage on a two-wheel hand truck: 34. Whatever other successes an employee on the Island can claim, an ability to shepherd a mountain of luggage on a two-wheel hand truck or on a bicycle, as a bellman or dock porter, is a claim to immortality among one’s peers. McCabe, *Grand Hotel* at 229-230; *Hulett Interview*; Jim Bolone and Dave McVeigh, *The Dockporter: A Mackinac Island Novel* (Mackinac Island, 2021).
- 148 The carriage that was lined up behind the President’s carriage and carrying Secret Service agents, for reasons known best to the horses, would not move when the President’s carriage departed. The agents were left to scramble to keep up with the President’s carriage as best they could.
- 149 “Ford Revisits Scene of Early Scout Days,” *Playground Daily News* (Fort Walton Beach, FL), Florida, 14 Jul 1975; *WH Diary*, July 13, 1975.
- 150 *Mackinac Island Town Crier*, 12-18 Jul 1975.
- 151 Wesley H. Maurer, Jr., “Fords and Millikens to attend Trinity Services Sunday Morning,” *Mackinac Island Town Crier*, 12-18 Jul 1975. Betty liked blue dresses. She had worn a sapphire blue dress when they had gotten married at Grace Episcopal Church in Grand Rapids, with shoes and hat to match. Betty Ford, *Times* at 58.
- 152 Mike Fornes, *Mackinac Island’s Grand Hotel* (Charleston: Arcadia, 2021) at 103.
- 153 *Mackinac Island Town Crier*, 19-25 Jul 1975; *Herald-Palladium*, 14 Jul 1975; *Traverse City Record Eagle*, 14 Jul 1975.
- 154 *Doud Interview*; Cawthorne, *Up Close* at 29.
- 155 Petersen, *Inside Mackinac* at 179.
- 156 The number of people on the Island this day was mostly conjecture. Park Superintendent Eugene Peterson put it at 15,000. Petersen, *Inside Mackinac* at 179. Patrick Connolly, writing for the *Herald-Palladium*, put the number of Island visitors at 5000. “Ford’s Vacation Brief, Exhausting,” *Herald-Palladium Benton Harbor-St. Joseph, Michigan*, 14 Jul 1975. Ironically, announcement of the President’s visit probably diminished the number of visitors because people didn’t want to get caught up in the anticipated crowds. To the Secret Service, however, the only important number was 1, the number of people it takes to kill a President.
- 157 As a young Congressman, Ford had urged Ike to run for President. The Grand Rapids attorney and the American General had campaigned together in Grand Rapids in 1952 (where a Sligh Furniture Company Nottingham pedestal desk had been presented to Ike, and some red roses given to Mamie). Norma Lewis, *Grand Rapids Furniture City* (Charleston: Arcadia Publishing, 2008) at 69.

The two men shared the same values, and worked together during and after Ike was in the White House. Ford later said of Ike: “*By his actions, as well as by his words, Ike epitomized everything good about a military leader and a politician.*” Ford speech to The Dwight D. Eisenhower Society at Gettysburg College, October, 1983.

158 High profile political figures who have been shot and killed in crowds include Archduke Franz Ferdinand of Austria; Presidents James Garfield and William McKinley; Senators Robert F. Kennedy and Huey Long; and Mayor Anton Cermak of Chicago (during an attempt on the life of President Franklin Roosevelt). Governor George Wallace was shot and survived, but remained paralyzed from the waist down for the rest of his life. President Ronald Reagan was wounded during an assassination attempt in which his press secretary, James S. Brady, was also shot. Brady was permanently disabled and years later died from his injuries. U.S. District Judge John Roll and five others (including a 9-year-old girl) were killed during an attempted assassination of Congresswoman Gabby Gifford.

159 On September 5, 1975, Ford exited the Italianate Senator Hotel in Sacramento, to go to California’s nearby white-domed capitol, a short distance away. The plan was to go by limousine. But just like Ford’s decision to buy fudge on Mackinac, he called an audible and decided to walk through the park-like grounds on this beautiful morning. It would be, he told his advance man, “*more fun.*” Ironically, he was planning to address the state legislature on the topic of curbing violent crime.

Twenty-six year old diminutive Lynette “Squeaky” Fromme, a devoted follower of Charles Manson, was standing in the throng that was waiting for him. She had a .45 cal. pistol in a holster strapped to her ankle. As Ford reached out to shake hands he came within 3 feet of Fromme. As she raised the gun and was chambering a round, Larry Buendorf, a member of Ford’s Secret Service detail, happened to look in her direction, shouted “Gun!” and grabbed the barrel, blocking the slide to prevent her from getting the round in place. As Fromme was struggling while being subdued, she kept screaming, “*It didn’t go off. Can you believe it? It didn’t go off.*” Buendorf later said that “*[I]f she’d had a round chambered, I couldn’t have been there in time. It would have gone through me and the president.*” When Ford met the Governor a few moments later, he did not mention the incident. “*Well, I really didn’t think it’d be polite to say somebody tried to shoot me outside your capitol.*” West Michigan Nice!

Seventeen days later, on September 22 in San Francisco, Sara Jane Moore made another attempt on Ford’s life. Moore, a 45-year-old mother of five, was a part-time paid government informant. The previous night, she had told

the police she was going to take a gun to an event Ford was attending, to “*test the system.*” The police confiscated her .44 pistol and a hundred rounds of ammunition. The Secret Service agents who subsequently interviewed her, believed her when she said she was just ‘mouthing off.’ She wasn’t. The next morning she bought a used Smith & Wesson .38 cal. for \$145, and hurried to the St. Francis Hotel to join the crowd waiting to see Ford. The President exited the hotel mid-afternoon and walked to his limousine where he paused, waiting for the car door to be opened. He waved to the crowd and wondered if he should go shake hands. In that moment, Sara Jane Moore fired from less than 40 feet away. Fortunately, the gun sight was off and her shot missed his head by several inches. The agents surrounding Ford hesitated, while Ford ducked behind the limousine. A disabled Marine Vietnam veteran, Oliver Sipple, was within steps of Moore and didn’t hesitate. When he heard the shot, he immediately grabbed Moore’s arm before she could fire a second shot.

Unfortunately, in both instances Dick Keiser, the special agent in charge of Ford’s detail, who had ridden with him in the *vis-à-vis* carriage on Mackinac Island two months earlier, had not been with him in California. Keiser would later rhetorically ask, “*Why President Ford? He was the good guy; he was vanilla ice cream, an Eagle Scout, going to make us feel better about ourselves.*” The Secret Service made a few changes after this, one of which required agents to have the limousine door open and waiting when the President approached. Carol Leonnig, *Zero Fail – The Rise and Fall of the Secret Service* (New York: Random House, 2023) at 115-120; Smith, *Ordinary Man* at 568-573.

Both women were given “life” sentences, but apparently that only met the length of Jerry Ford’s life. They remained in prison until Ford died in December 2006. Moore was released from prison in 2007, and Fromme was paroled in 2009.

160 *Doud Interview; Traverse City Record Eagle*, 14 Jul 1975. Wesley H. Maurer Jr., “Fords and Millikens To Attend Trinity Services Sunday Morning,” *Mackinac Island Town Crier*, 12-18 Jul 1975. The press was also allowed in but no photographs were permitted inside the church.

161 *WH Diary*, July 13, 1975. Williams, who graduated from the University of Michigan Law School in 1936, became Governor of Michigan at the age of 37. He joined the Michigan Supreme Court in 1971, and served for 16 years, the last three as Chief Justice.

162 *Playground Daily News*, 14 Jul 1975.

163 *Traverse City Record Eagle*, 14 Jul 1975.

164 *WH Diary*, July 13, 1975.

165 Tom North, *Mackinac Island – Images of America* (Charles-

- ton: Arcadia Publishing, 2011) at 43.
- 166 *Mackinac Island Town Crier*, 19-25 Jul 1975; *WH Diary*, July 13, 1975.
- 167 *Herald-Palladium*, 14 Jul 1975.
- 168 *Doud Interview*.
- 169 Petersen, *Inside Mackinac* at 180; *Herald-Palladium*, 14 Jul 1975; *Traverse City Record Eagle*, 14 Jul 1975.
- 170 “Huge Crowds to See Ford,” *South Bend Tribune (Indiana)*, 11 Jul 1975.
- 171 Petersen, *Inside Mackinac* at 180; Writer’s interview with the Secret Service in the late 1970s.
- 172 Petersen, *Inside Mackinac* at 179-180
- 173 *Fort Worth Star-Telegram*, 14 Jul 1975.
- 174 With the Fords were the Millikens, Secret Service agents, the Military Aide to the President, and reporters. The Military Aide carried “the football,” a leather briefcase containing classified nuclear codes the President would need to order the Pentagon to launch nuclear weapons. Carrying the football was a tedious job until it was not. The aide was always in the immediate vicinity of the President, and a picture of President Ford entering the fudge shop shows his Military Aide in the background. Normally, this was Army Major Robert E. Barrett, who later became Ford’s Executive Assistant after he retired. During the Mackinac visit, however, it appears that Marine Corps Capt. Walter L. Domina substituted for Barrett. *WH Diary*, July 12-13, 1975; Nancy Benac, “Nuclear ‘halfbacks’ Carry the Ball for the President,” *Seattle Times*, 7 May 2005; *Movies of Mackinac* display at Fort Mackinac museum [hereinafter, “*Fort Mackinac movie clip*”].
- 175 *Mackinac Island Town Crier*, 19-25 Jul 1975; *Fort Mackinac movie clip*.
- 176 “Ford Well Received in Michigan,” *Times-News (Twin Falls, Idaho)*, 14 Jul 1975; Fort Mackinac movie clip; “Ford Visits Fudge Shop, Buys 3 Boxes,” *Fort Worth Star-Telegram (Fort Worth, Texas)* 14 Jul 1975.
- 177 *Mackinac Island Town Crier*, 19-25 Jul 1975; *Traverse City Record Eagle*, 14 Jul 1975.
- 178 Booraem, *Education* at 131-132, 144, 148-149. Waiting tables was standard work given to athletes at Michigan. During the Great Depression scholarships for athletes were not available so jobs could be a lifeline Ford earned \$.50 an hour. Paul Goebel, an All-American football player and team captain of the University of Michigan football team in the 1920s, was a good friend of both the Ford family and Michigan head coach Harry Kipke, his old teammate. Goebel assured Ford that the Athletic Department would get him a job if he was willing to work hard. Goebel later became a three-time Grand Rapids mayor in the 1950s.
- 179 *Mackinac Island Town Crier*, 19-25 Jul 1975.
- 180 *Herald-Palladium*, 14 Jul 1975; *Fort Worth Star-Telegram*, 14 Jul 1975.
- 181 *Fort Worth Star-Telegram*, 14 Jul 1975; *Playground Daily News*, 14 Jul 1975 (no picture); *Times-News (Twin Falls)*, 14 Jul 1975.
- 182 *South Bend*, 28 Jul 1975.
- 183 *Doud Interview*. May’s shop was on the corner of Astor and Main Streets at the time. Another fudge shop occupies that location now, although May’s is still in operation on the other side of Main Street.
- 184 The carriage was driven by Islander Bob Gillespie. *Mackinac Island Town Crier*, 19-25 Jul 1975; *Playground Daily News*, 14 Jul 1975.
- 185 Everyone enjoyed seeing the President in a carriage, and the terms “horse-cade,” “buggycade” and “carriage-cade” were used interchangeably.
- 186 Photo of carriage: A5498-04, Collection at the Gerald R. Ford Presidential Library and Museum. Photo Archivist Ken Hafeli said the open carriage in the picture illustrated the lack of pretension exhibited by President Ford and the Ford family during their time in the White House.
- 187 As quoted in Cawthorne, *Up Close* at 94.
- 188 McCabe, *Grand Hotel* at 128-129, 144.
- 189 *See Movie*: “Field of Dreams” (1989).
- 190 Fornes, *Mackinac Island* at 104.
- 191 *Petoskey News-Review*, 14 Jul 75.
- 192 Musser purchased Grand Hotel from his uncle in 1979. McCabe, *Grand Hotel* at 212.
- 193 *Mackinac Island Town Crier*, 12-18 Jul 1975. Woodfill had generously put his carriages and horses at the President’s disposal. *Detroit Free Press*, 9 Jul 1975.
- 194 Wesley H. Maurer, Jr., “President Ford and Governor ‘Drop In’ on Startled Stewart Woodfill,” *Mackinac Island Town Crier*, 19-25 Jul 1975.
- 195 This was a criticism once leveled at Ford, to which he responded after reviewing the Boy Scout Oath and Law, “*If these are not the goals the people of the United States want their President to live up to, then I must draw this conclusion: Either you have the wrong man or I have the wrong country, and I don’t believe either is so.*” Laackman, *Scouting Days* at 30.
- 196 *WH Diary*, July 13, 1975.
- 197 The Detroit and Cleveland Steamship Navigation Company, together with the Grand Rapids and Indiana Railway and the Michigan Central Railroad, had formed the

- Mackinac Island Hotel Company, to build Grand Hotel as a destination to attract tourists. The tourists, of course, would need transportation.
- 198 The *SS Western States*, a luxurious floating palace from the Edwardian Age, had been built in Wyandotte, Michigan and launched at the beginning of 1902. .
- 199 The idea for a Scout honor guard came from Roger M. Andrews, a new Park Commissioner. Booraem, *Education* at 62; Armour, *100 Years* at 71.
- 200 Booraem, *Education* at 57.
- 201 Troop 15 was chartered to the Trinity United Methodist Church and later became Troop 215.
- Charles M. Kindel was Jerry's first Scoutmaster. An Eagle Scout himself, he devoted much of his life to the Scouts. He always recalled with pride that he had given Jerry Ford his first oath, when he had sworn him into Scouting.
- Chuck and his brother Tom, who would later also become Jerry's scoutmaster, were co-owners of the Kindel Furniture Company in Grand Rapids, a manufacturer of high-end residential furniture. Their father, Charles J. Kindel, had formed the first Boy Scout troop west of the Alleghanies, in Wilmette, Illinois. As a young Scout, Chuck Kindel had met the founder of Scouting, Lord Baden-Powell, when Baden-Powell visited Chicago in 1911. Thus, Jerry Ford had been one scout salute away from Scouting's founder.
- Chuck was no-nonsense and a stickler for doing things correctly. (*"The drawers in Kindel furniture never stick!"*) He had graduated with a Mechanical Engineering degree from the University of Michigan, and made it a point to personally repair all of the machinery in his factory; he said he abhorred "pliers mechanics." These traits would manifest themselves in the leadership he provided to the boys. Ford appreciated the need for a strong Scoutmaster to make Scouting a fond experience. He said Chuck Kindel, *"had a tremendous influence on my original and continuing interest in Scouting. He ran a first class troop with discipline, yet he stimulated everyone by his leadership to move up the ladder to Eagle. The troop under his leadership had a very high percentage of Eagles. Chuck Kindel, by his own character and personality, inspired one to do his best."* It's safe to assume that Kindel didn't take short cuts in training his Scouts. Jerry earned the rank of Eagle Scout in 1927, with 26 merit badges. A picture of Ford and Kindel taken in the White House years later, shows two tall, mature, now somewhat indistinguishable, bald-headed men shaking hands. Indicative of his family's strong values, two of Jerry's brothers, Dick and Tom, also attained the rank of Eagle Scout.
- It would be difficult to overstate the lifetime impact Scouting had on Jerry Ford personally. In Ford's own words: *"As a youngster, Scouting taught me the importance of sharing and teamwork ...yet the ability to act independently. Through Scouting, I became more confident and self-sufficient...above all, Scouting helped me become aware of my obligations to society and nature."* Booraem, *Education* at 51-53; Laackman, *Scouting Years* at 5, 24-30, 49; *Writer's conversations with Charles M. Kindel*, throughout the late 1970s to early 1980s.
- 202 Remarks at the Presentation of the Silver Beaver Awards, Gerald R. Ford Museum, October 3, 1985.
- 203 Camp Shawondossee was named for the spirit of the South Wind in "The Song of Hiawatha" by Longfellow. Indian lore was a central theme of the camp, which had a Menominee tribal member on its staff. Hendrik Booraem V., *Young Jerry Ford - Athlete and Citizen* (Grand Rapids: William B. Eerdmans Publishing Co., 2013) at 61-62.
- 204 Booraem, *Education* at 60. As a staffer, Jerry's duties were to arrive early at the camp, set up tents, make repairs, and kill rattlesnakes, before the younger Scouts arrived.
- 205 Vandenberg served as U.S. Senator from Michigan from 1928 until his death April 18, 1951. He had studied law at the University of Michigan in 1900-1901. Ford represented Vandenberg's home district in the House of Representatives beginning in 1949, and was an ardent admirer and protege of Vandenberg. Said Ford years later: *"I was uniquely fortunate when I came to Congress, because our senior senator at the time from Michigan was the late Senator Arthur Vandenberg. He was a close personal friend of my father, and when I came here in nineteen forty-nine as a freshman, Senator Vandenberg and his wife sort of took my wife and myself under their wing. . . Senator Vandenberg really had a tremendous impact on my attitude in relationship to foreign policy."* Ford explained that before World War II both he and Vandenberg had been isolationists. *"But during the war and as a result of our international experience, Senator Vandenberg made a great transition from isolationism to internationalism. I in a very much more minor capacity also saw the light."* But Vandenberg's assistance to Jerry began much earlier. In 1936, he helped Ford get a summer intern job as a forest ranger in Yellowstone National Park. Meijer, *Vandenberg* at 334, 336; Cannon, *Time and Chance* at 23, 244.
- 206 Senator Ferris had been Governor of Michigan and he founded the present Ferris State University.
- 207 Booraem, *Education* at 60.
- 208 Recollection of Ted Pearson, Jr., another Eagle Scout member of the Boy Scout Honor Guard in 1929. Booraem, *Education* at 63; "Ford, 16, Set the Straits Straight," *Detroit Free Press*, 9 Jul 1975.
- 209 The buildings were so dilapidated, in fact, that the porch had been removed from the Soldiers' Barracks a few years earlier. Armour, *100 Years at Mackinac* at 38.

- 210 McCabe, *Grand Hotel* at 102. In 1987, the pool was renamed the “Esther Williams” pool, when Williams returned to celebrate the 100th anniversary of the hotel, because she famously dove into the pool in the movie, “*This Time For Keeps*.” Fornes, *Grand Hotel* at 89. Her name remains attached to the pool, but the diving boards have been removed and the pool rebuilt to be shallow. No one dives into the pool today.
- 211 For a brief period during this time, the Park Commission also owned the 300-acre Round Island (except for the lighthouse), which had the only sandy beach on the two islands providing a natural swimming area. Armour, *100 years* at 42. The boys could have rowed the half-mile to this spot to swim.
- 212 Booraem, *Education* at 118.
- 213 Armour, *100 Years* at 71.
- 214 Booraem, *Education* at 63.
- 215 Smith, *Ordinary Man* at 679.
- 216 On an undated sheet of White House stationary, Ford once wrote:
- “My early years as a Boy Scout were invaluable in helping to shape the course of my later life. Throughout my public service and extensive travels around our country, I have seen firsthand evidence of the immeasurable worth of the basic values taught by scouting programs.
- “The Scout Oath to help other people, to keep physically strong, mentally awake and morally straight and to do one’s duty to God and to our country provides a solid base on which to build both individual and national strength.
- “The three great principles which scouting encourages - - self-discipline, teamwork and moral and patriotic values - - are the building blocks of character. By working for these principles, those who belong to and support the Boy Scouts of America add greatly to the vitality of our society and to the future well-being of its people.”
- [signed] Gerald R. Ford
- Laackman, *Scouting Years* at 56. Numerous indicia of Gerald Ford’s involvement in Scouting are collected in this volume.
- 217 Letter from Ford to Robert W. Reneker, President of the Boy Scouts, dated January 3, 1975, accepting the honorary position which extended through 1977. Laackman, *Scouting Years* at 22, 58.
- 218 Ford was presented with this award on May 12, 1970, at a meeting of the Grand Valley Scout Council in Grand Rapids. Laackman, *Scouting Years* at 29, 45.
- 219 Dr. Petersen was the administrative head of the Mackinac Island State Park Commission, including the Fort. His title fluctuated between Director and Superintendent, but in 1975 it was Superintendent. Armour, *100 Years* at 104, 108, 133.
- 220 Petersen, *Inside Mackinac* at 180-181; Booraem, *Education* at 63-64; Laackman, *Scouting Years* at 56.
- 221 Rudy Abramson, “Ford Assails ‘Overuse’ of Court System,” *The Des Moines Register (IA)*, 14 Jul 1975.
- 222 *Petoskey News-Review*, 14 Jul 1975; *Playground Daily News*, 14 Jul 1975.
- 223 *Mackinac Island Town Crier*, 19-25 Jul 1975; *The Des Moines Register*, 14 Jul 1975; *Petoskey News-Review*, 14 Jul 1975. In 1934, the Civilian Conservation Corps built the Eagle Scouts Barracks outside the Fort. Armour, *Preservation* at 96-100, 149-154.
- 224 The new stockade was erected in 1930 under a plan laid out by Gustave (Gus) Hendriks, a Grand Rapids furniture man and the chairman of the State Park Commission. It lasted 70 years. Many of the posts were topped off with five-prong iron spikes, manufactured, surprisingly, at Jackson Prison. The block houses began being restored in the late 1960s David A. Armour, *Preservation at Mackinac – A History of the Mackinac Island State Park Commission, 1895-2020* (a revision by Phil Porter & Steven Brisson of David A. Armour’s *100 Years at Mackinac: A History of the Mackinac Island State Park Commission, 1895-1995, supra*), at 96-100, 149-154.
- 225 A freelance illustrator, Dirk Gringhuis, born in Grand Rapids, wrote and illustrated numerous enjoyable books about Michigan history; served as Curator of Exhibits at the Michigan State University Museum; headed the art department at Hope College; and worked closely with the Mackinac Island State Park for a decade and a half. Young readers wanting to explore historic Mackinac should read the adventures of red-headed runaway Danny O’Hara, in Gringhuis’ *The Young Voyageur* (New York: McGraw-Hill, 1955).
- 226 *Mackinac Island Town Crier*, 19-25 Jul 1975; David A. Armour, *Preservation* at 96-100, 151-154. Governor Williams installed Stewart Woodfill at the helm of the Park Commission in 1957 to jumpstart renovation of Fort Mackinac. Woodfill instituted a plan to sell revenue bonds to raise money for the restoration, with the bonds to be repaid from anticipated future gate receipts. Woodfill also advanced his own cash as seed money.
- 227 See *Mackinac Island Town Crier*, 19-25 Jul 1975, picture at 10; Petersen, *Mackinac Island* at 181.
- 228 The Mackinac Island Park Commission ordered that there be no musket or cannon firing at the Fort at the request of the Secret Service. *Fort Worth Star-Telegram*, 14 Jul 1975.

- 229 Cannon, *Time and Chance* at 34-38; He was also an assistant navigator, and the athletic officer responsible for the overall fitness of the crew.
- 230 In 1944, Ford participated in a number of combat actions, including the Battle of the Philippine Sea (the “Great Marianas Turkey Shoot”) and the Battle of Leyte Gulf. He said at that point he had seen “*as much action as I’d ever hope to see.*” But there was more to come. On December 18, 1944, the USS *Monterey* was caught in a Typhoon that devastated Halsey’s fleet. Ships were hit with 90 foot waves and 140-mph winds. Ford had never seen waves so high. Three destroyers from the Fleet, the USS *Hull*, the USS *Spence*, and the USS *Monaghan*, capsized and sank and a dozen more ships were seriously damaged. The Navy lost twice the number of men (793) and the same number of planes (146) that it had lost at the Battle of Midway. Ford’s ship, the *Monterey*, caught fire and almost sank. Fighter planes on the hanger deck (below the flight deck) broke loose and slammed into each other “*like pinballs.*” Collisions ignited fires in the gas tanks, which were exploding. Ford donned a gas mask and led a fire brigade three times into this hellhole, bringing out the dead and injured and eventually putting out the fire. Robert Drury and Tom Clavin, “How Lieutenant Ford Saved His Ship,” *New York Times*, 28 Dec 2006; See also, *Halsey’s Typhoon – The True Story of a Fighting Admiral, an Epic Storm, and an Untold Rescue*, by the same authors (New York: Grove/Atlantic, Inc., 2007) at 151-161. Cannon, *Time and Chance* at 36. It was a moment that drew on all of Ford’s athletic prowess and conditioning. It is a heroic story too infrequently told, probably because Ford himself rarely spoke of it, a trait true of many war heroes. Said Robert E. Barrett, a Trustee of the Gerald R. Ford Foundation and Ford’s longtime personal aide and friend: “*Navy – he’s a hell of a Navy hero, you know that. He never made anything out of that. But he goes down three times to pull guys out of a burning engine room with ammunition and everything else. He didn’t say shit about that stuff. He was the best that the country had to offer.*” Interview with Richard Norton Smith, March 1, 2009, for the Gerald R. Ford Oral History Project.
- 231 See note 173, *supra*.
- 232 *Mackinac Island Town Crier*, 19-25 Jul 1975.
- 233 Allen was another West Michigan attorney with a long and distinguished record as a public servant. A graduate of Kalamazoo College and Columbia Law School, Allen had been an Assistant Judge Advocate in the Third Army in World War II, serving as a legal advisor to General George S. Patton. He later was Mayor of Kalamazoo; a delegate to the Michigan Constitutional Convention; State Controller and Budget Director under Governor George Romney; and Special Counsel to Milliken for Legal, Fiscal and Legislative Affairs. Milliken appointed Allen to a vacancy on the appellate court in 1974, and Allen was later elected to a six-year term the same year. He would be re-elected in 1980 and retire in 1987. He died in 2001 and is buried in the Protestant Cemetery on Mackinac Island. George Weeks, “Glenn S. Allen, Judge co-wrote State Constitution,” *Detroit Free Press*, 11 Nov 2001; <https://www.findagrave.com/memorial/40802138/glenn-s-allen>; accessed 9 August 2022. Archives of Michigan, Michigan Historical Center. Like Ford, Allen was a tennis enthusiast and had been instrumental in establishing a public tennis court on the Island. *Traverse City Record Eagle*, 14 Jul 1975.
- 234 Cawthorne, *Up Close* at 11, 25.
- 235 Meijer, *Vandenberg* at 203-207, 210, 220, 222.
- 236 Senator Fairbanks’ visit will be more fully explored in “A Couple of Days on Mackinac Island – The First Day,” the story of Justice William R. Day on Mackinac Island, to be published in an upcoming issue of the *Stereoscope*. “A Couple of Days on Mackinac Island – The Second Day,” the story of Justice Sandra Day O’Connor on Mackinac Island, was previously published in the September 2021 issue of the *Stereoscope*, vol. 18, issue 3, found at <https://federalcourthistoricalwdmi.org>.
- 237 *WH Diary*, July 13, 1975.
- 238 Peterson, *Inside Mackinac* at 179. Actually, Ford liked to smother his cottage cheese in A-1 Sauce. James M. Perry, “Watching Ford on the Campaign Trail,” *Traverse City Record Eagle*, 23 Jul 1975.
- 239 The other two rules were: “Tell the truth and work hard.” Booraem, *Young Jerry Ford* at 33.
- 240 Fisher was Chairman of the Jewish Agency for Israel and Chairman of the Fisher New Center Company in Detroit, and Member of the Advisory Board for the President Ford Committee. He had been a leading Michigan fundraiser for the Republican Party for many years. *Petoskey News-Review*, 14 Jul 1975.
- 241 Joyce Braithwaite and George Weeks would eventually co-author *The Milliken Years: A Pictorial Reflection* (Detroit: Wayne State University Press, 1988); *Obituary of Joyce Braithwaite*.
- 242 *Hearld-Palladium*, 14 Jul 1975.
- 243 *WH Diary*, July 13, 1975.
- 244 See, *Campaign Plans* from Ford’s briefing book for July 12, 1975, Gerald R. Ford Presidential Library.
- 245 Reagan had completed two terms as Governor of California, and he is giving speeches all over the country. These speeches will earn him almost \$200,000 this year. He has a nation-wide Saturday afternoon radio show on 286 conservative stations, and a weekly newspaper column written with the help of two ghost writers that goes to over 226 papers throughout the country. *The News (Paterson,*

- NJ), 14 Jul 1975; Bill O'Reilly & Martin Dugard, *Killing Reagan* (New York: Henry Holt & Co., 2015) at 100-101. He is making his voice heard, and it won't be long before he makes his move. On November 19, 1975, Reagan will tell Ford he is going to run for President. *Ibid.* at 106.
- 246 *The Daily Advertiser (Lafayette, LA)*, 25 Sep 1975.
- 247 *Twin Falls Times-News*, 14 Jul 1975.
- 248 *Mackinac Island Town Crier*, 19-25 July 1975.
- 249 Milliken flew 50 combat missions over Europe as a waist gunner in a B-24. He was wounded once and survived two plane crashes, for which he was awarded a Purple Heart and an Air Medal. Like Ford, he was an athletic skier and swimmer. Milliken's wartime experience, however, was strikingly similar to another man attending the Conference, Douglas W. Hillman, a Grand Rapids attorney who would shortly become a federal district judge. Both men had joined the U.S. Army in 1942, volunteered for the Army Air Corps, been sent to training camps out West, met sweethearts there, flew four dozen combat missions in Europe in B-24s, many over the heavily defended Ploesti oil fields in German-occupied Romania, survived planes crashes, then returned, married their sweethearts, finished college and became civic leaders in Michigan. *Compare*, Dave Dempsey, "A Natural Leader: Governor William G. Milliken?" *Michigan History Magazine* (Historical Society of Michigan, March 1, 2020), and David Gardner Char-davoyne with Hugh W. Brennehan, Jr., *A Lincoln Legacy – The History of the U.S. District Court for the Western District of Michigan* (Detroit: Wayne State University Press, 2020) at 152-153.
- 250 *Herald-Palladium*, 14 Jul 1975; "President Ford Played Tennis on Mackinac Island Yesterday, *Minnesota Star*, 14 Jul 1975. "The President Plays Golf – a Lot of Golf," *Austin American-Statesman (Austin, Texas)*, 14 Jul 1975; "Ford Ends Exhausting Weekend," *Escanaba Daily Press*, 14 Jul 1975.
- 251 Pictures from that day show Ford playing tennis and golf right-handed. Ford was a natural lefty and wrote left-handed, but his Dad had taught him to play sports right-handed. Booraem, *Education of Gerald Ford* at 43.
- 252 Laackman, *Scouting Years* at 8; Cannon, *Time and Chance* at 20.
- 253 "Ford's a Natural Man," *Escanaba Daily Press*, 18 Jul 1975.
- 254 *Mackinac Island Town Crier*, 19-25 Jul 1975.
- 255 Fornes, *Mackinac Island's Grand Hotel* at 78, 103; *Mackinac Island Town Crier*, 19-25 Jul 1975.
- 256 *Escanaba Daily Press*, 14 Jul 1975.
- 257 If this happened, you might find an enterprising Island boy willing to sell your ball back to you the next day, or a dozen like it that he had fished out of the pond.
- 258 The land where the course was built in 1917 had been a cow pasture. Armour, *Preservation* at 179-180. Now called The Jewel, the course was redesigned in 1987 by Jerry Matthew, who changed the 7th hole by substituting a pretty par 3 decorated with fountains.
- 259 Booraem, *Education* at 64.
- 260 Ford was a member of Kent Country Club in Grand Rapids, the oldest golf club in Michigan. He and Betty had their wedding reception there. Surprisingly, Ford had not been the first President to hit a golf ball at Kent. That honor belonged to President William Howard Taft, who visited the Club on September 21, 1911, when the Club was only 15 years old. Taft loved golf and proved it after giving a speech, by stepping outside into a cold, driving rain, removing his coat and hitting a couple of drives off the first tee! Richard H. Harms, *Kent Country Club – The First One Hundred Years* (Grand Rapids, 1996) at vii, 1, 17, 58.
- 261 *Mackinac Island Town Crier*, 12-18 Jul 1975.
- 262 *Austin American-Statesman*, 14 Jul 1975; *Mackinac Island Town Crier*, 19-25 Jul 1975.
- 263 This was hole number 9, which ran alongside Cadotte Avenue and was normally the last hole on the course.
- 264 *Mackinac Island Town Crier*, 19-25 Jul 1975.
- 265 *Escanaba Daily Press*, 18 Jul 1975. At the time, the tee shot on the fourth hole was a blind shot down over a hill, to a green left of the Snack Bar. Ford sliced. The Snack Bar was later named the Grand Stand, and today is referred to as the Jockey Club. McCabe, *Grand Hotel* at 147; Fornes, *Mackinac Island's Grand Hotel* at 42. Enhancements were added at the end of the 2022 season during a rebuild following a kitchen fire.
- 266 *Mackinac Island Town Crier*, 19-25 Jul 1975.
- 267 Air Force One, known as the "Spirit of '76," was waiting for him at Kincheloe AFB in the Upper Peninsula, and would fly him to Andrews AFB in Maryland. Forty-seven persons would accompany him on the one-and-a-half hour return flight. *WH Diary*, July 13, 1975.
- 268 *Mackinac Island Town Crier*, 19-25 Jul 1975. Ozro Smith, a retired police chief living on the Island, captured town sentiment when he said: "I'm just real happy that the fella found time to come drop his anchor here for a while." Jim Schutze, "Mackinac Fears Ford Crowds," *Detroit Free Press*, 7 Jul 1975.
- 269 *WH Diary*, July 13, 1975. Lt. Gen. Brent Scowcroft, Deputy Assistant for National Security Affairs, was also present.

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