

September/October 2015

## 'The Case of Rose of Aberlone: Michigan's Great Contribution to Contract Law'

Friends of the Plymouth  
Historical Museum  
Meeting  
Tuesday, November 10, 2015,  
7:30 PM

Guest Speaker,  
Norman Otto Stockmeyer  
*The Case of Rose of Aberlone:  
Michigan's Great Contribution  
to Contract Law*  
Open to the public

Law professor Norman Otto Stockmeyer will be the featured guest speaker at the Friends of the Plymouth Historical Museum meeting on Tuesday, November 10 at 7:30 PM.

The title of his presentation is, "The Case of Rose of Aberlone: Michigan's Great Contribution to Contract Law."

The presentation will examine

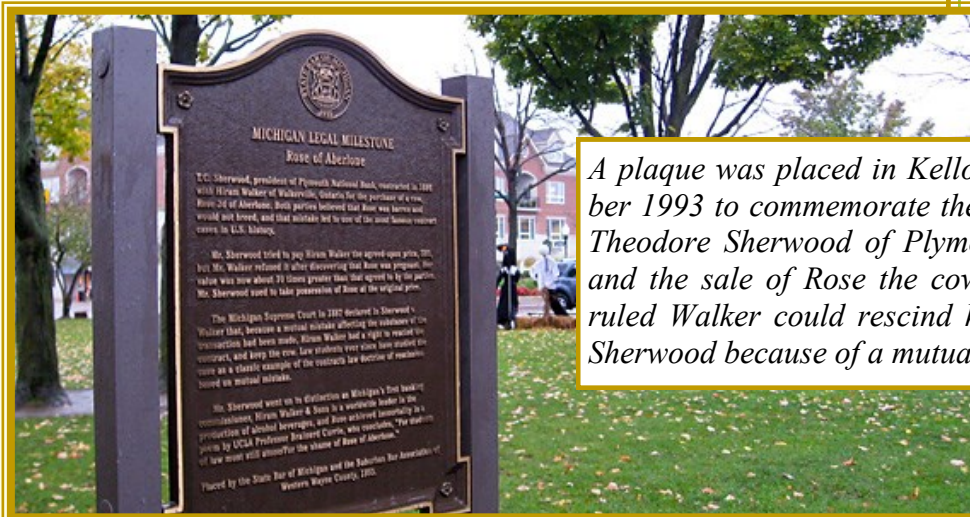
the sales contract between Theodore Sherwood, a Plymouth farmer, and Hiram Walker, a Detroitier who made a fortune with Canadian Club whiskey, and their epic 1886 lawsuit over a supposedly barren cow, "Rose of Aberlone."

The resulting opinion handed down by the Supreme Court of Michigan in 1887, invoking the doctrine of mutual mistake, became a legal classic, and is a primary case study for first-year law school students.

The court ruled that the defendant (Walker) could refuse to honor the contract to sell the cow to Sherwood because both parties made a mutual mistake. They did not know that the cow was actually fertile at the time the contract was signed.



*Featured guest speaker Professor Norman Otto Stockmeyer, who recently retired from Thomas M. Cooley Law School in Lansing, where he taught contract law for 35 years, will speak about a legal suit filed in 1886 by a Plymouth farmer that became one of the most celebrated contract cases in American history.*



*A plaque was placed in Kellogg Park in Plymouth in September 1993 to commemorate the historic contract case involving Theodore Sherwood of Plymouth vs. Hiram Walker in 1887, and the sale of Rose the cow. The Michigan Supreme Court ruled Walker could rescind his agreement to sell the cow to Sherwood because of a mutual mistake.*

Plymouth Historical Museum  
 155 South Main Street  
 Plymouth, Michigan 48170  
<http://www.plymouthhistory.org>  
<http://www.facebook.com/plymouthhistory>  
 734-455-8940 Fax: 734-455-7797

**Hours**

Wednesday, Friday, Saturday, and Sunday  
 1-4 PM all days  
 Open year round (except some holidays)

**Board of Directors**

Mike Pappas	President
Sally Fedus	Vice President
Margaret Harris	Secretary
Jim Burroughs	Treasurer
Pam Yockey	Past President
Jeff Ashton	Director
Aaron Frank	Director
Wes Graff	Director
Dan Packer	Director
Jim Vermeulen Jr.	Director

**Staff**

Madelyne Beddoes	Cashier/Scheduler
Janet Burns	Office Manager
Melody McCann	Administrative Assistant
Mike Hoggard	Facility Manager
Paula Holmes	Museum Store Manager
Elizabeth Kelley Kerstens	Executive Director
Heidi Nielsen	Archivist
Barb Peterson	Hospitality Chair
Leslie Ryder	Education Coordinator
Mary Thackston	Exhibits Coordinator

**Museum Memo Editor**

Gerry Sabatini [sabatini1983@att.net](mailto:sabatini1983@att.net)  
 Proofreader—Elizabeth Kerstens

The Museum Memo is printed six times a year. Friends of the Plymouth Historical Museum meetings are open to members, their guests, and the public and are held on the second TUESDAY of each month, September through May, at 7:30 PM, unless otherwise scheduled. Please enter on the Church Street side of the building.

**Monthly Drawing**

Betty Denton and Rita Secord are the winners of the September and October drawings for a \$25 gift certificate.

Coming Soon!  
 A fun-filled exhibit  
 on display from  
 November 18, 2015,  
 until  
 January 17, 2016



*A Red Ryder*

**Christmas  
 Story**

The exhibit is based on the beloved Christmas movie, *A Christmas Story*, and includes vignettes of scenes from the movie. The Red Ryder BB guns were originally sold by Daisy Manufacturing Company of Plymouth.

**New Members—Welcome!**

Carrie Bake, Bake Real Estate, Plymouth  
 Michael Balow, Plymouth  
 Ed Wall, Plymouth

**Plymouth Historical Museum Wish List**

<b>1 Roll Postage Stamps</b>	<b>\$49 per</b>
<b>Adopt a Mannequin</b>	<b>\$150</b>
<b>1/2 month heating bill</b>	<b>\$375</b>
<b>1/2 month electric bill</b>	<b>\$475</b>
<b>1 month employee's salary</b>	<b>\$500</b>

To donate online, please visit the Museum website at  
<http://www.plymouthhistory.org/support-us/donate.html>

**Tea Party Needs**

- Demitasse spoons**
- Salad or dessert forks**
- 3-inch diameter shallow bowls for fruit or sauce**
- Luncheon plates (about 7-inch diameter)**
- Tiered serving plates**
- Round, colored table clothes**

# Bits 'N Pieces

By Elizabeth Kelley Kerstens, executive director

## Electrical Work

Earlier this year, we contracted to have an electrical assessment done of the entire Museum building. The assessment was paid for through a grant from the Community Foundation of Plymouth and an anonymous donor. The assessment found a number of issues that needed attention, some with more urgency than others.

For the past couple months, O'Donnell Electric of Plymouth and Whitmore Lake has been whittling down the list, all the while making the building safer for all who enter. There are still a number of items that need to be accomplished to bring the building up to code. We've been using money from the Building Reserve to pay for the work so far, but we needed more money to finish the list.

The Plymouth Historical Society has received a generous grant of \$25,000 from the Margaret Dunning Foundation, which will hopefully allow us to complete the electrical work.

## Plymouth Ghosts Cemetery Walk Sold Out Again!

For the second year in a row, the Plymouth Ghosts Cemetery Walk has sold out of tickets a couple weeks in advance of the walk! That means that our ghosts will be entertaining 350 hardy souls on Saturday, October 24. If you missed your opportunity to purchase tickets, remember that next year's ghost walk will be held on Saturday, October 29, 2016. We usually start selling the tickets in late spring.

## The Fair That Changed America AND A Red Ryder Christmas Story

Our special exhibit, "The Fair That Changed America," has been one of the most popular exhibits that we have featured in a long time. Alas, all good things must end, and this exhibit is no exception. The final day of this fun and entertaining exhibit will be Sunday, November 1. Please come in and see this incredible exhibit that our wonderful exhibits crew put together! Once it's gone, it won't be back any time soon...

The Museum will be closed for exhibit changeo-

ver November 2–17. We will reopen on November 18 with our very popular special exhibit, "A Red Ryder Christmas Story." If you've seen this exhibit before, come anyway! We're displaying fresh and all new vignettes along with some of the popular staples, making the movie "A Christmas Story" come alive as only we can. And, naturally, we will also tell the Daisy Manufacturing Company and Red Ryder BB Gun story as part of the exhibit.

"A Red Ryder Christmas Story" will run November 18, 2015, to January 17, 2016 (misprinted on page 2).

## Don't Waver—Buy a Brick Paver Today!

We will soon be placing another order for landscaping bricks to be engraved, so please don't hesitate to purchase your bricks! The bricks are a wonderful birthday or holiday gift, or a memorial to a loved one, or to remember a Plymouth pioneer. We have plenty of available bricks for purchase; the proceeds all go toward helping to maintain the brick and mortar structure of the Plymouth Historical Museum, i.e. our Building Reserve Fund.

Bricks (4"x8") are \$100 each; 8"x8" bricks are \$250. The smaller bricks can have up to 14 characters per line on 3 lines; the larger bricks can have up to 14 characters per line on 5 lines. Come in today and order your bricks as we'll be placing our order in early November!





**Donations Received  
August 2015–September 2015  
Thank You!**

The following generous donations were received between August 2015 and September 2015:

**The Starkweather  
(\$500–\$999)**

Fox Hills Golf & Banquet Center

**The Penniman  
(\$250–\$499)**

Louise LeCourt  
Lawrence Mack  
David Thoms

**The Kellogg (\$100–\$249)**

Jane Sloan  
Mary Thackston

**Up to \$100**

Michael Bida  
Beverly Butler  
Clark Chapin  
Grace Colter  
Mary Fritz  
Henry Knight  
Lloyd Leach  
Roy Pilkington  
Mary Ann Relyea

Plymouth Historical Museum  
Presents



A special exhibit devoted to the 1893 Chicago World's Fair, through November 1.



**Old World Christmas  
Carols Show**

**Wednesday, December 9, 7 PM**

**Plymouth Historical Museum  
155 S. Main Street, Plymouth  
734-455-8940**

Tickets are \$10 per person in advance; \$15 per person at the door or get up to 2 free tickets with the purchase of a new or renewed membership\*

Purchase at the Museum or on the Web

[www.plymouthhistory.org/events.html](http://www.plymouthhistory.org/events.html)

\*One free ticket w/Kellogg Park or Main Street membership; 2 free tickets w/Daisy membership

Doors open at 6 PM; Show begins at 7 PM  
Come early and explore the Museum's new special exhibit (opens November 18)



If you know of anyone who would be willing to volunteer three hours of service at the Museum each month, please let us know.

Please phone the Museum at 734-455-8940 x 6, and leave a message. We will return your phone call as soon as we are available.

Thank you for your support, and thank you to our dedicated team of volunteers!



Plymouth  
Historical Museum's  
Annual Craft Bazaar,  
Open House  
& Bake Sale.

Holiday  
Craft  
Show

Saturday,  
December 5,  
2015  
10 AM-4 PM at  
Plymouth Historical  
Museum

Crafters Needed!  
This is a juried craft show.  
We have limited space.  
Please apply early.  
\$30 per table.

The application to reserve  
a table is available on the  
Museum website.  
Questions?  
Contact Melody McCann,  
734-455-8940 X 0

Donations of baked goods  
needed for the bake sale.  
Please drop off  
your baked goods  
in the Museum kitchen  
on Friday,  
December 4,  
between 1 and 4 pm.



School groups visit the Museum  
and we teach them subjects  
including Lincoln, the Civil War,  
the Victorian period, old toys,  
Underground Railroad, communities,  
Native Americans, and the Erie Canal.

We have all of the materials;  
our Education Coordinator Leslie Ryder  
will help you organize the presentation.

PLYMOUTH HISTORICAL MUSEUM  
PRESENTS

# A Night for the Museum

DINNER • AUCTION • FUNDRAISER  
Saturday, March 12, 2016



*Celebrating*  
Margaret Dunning  
1910-2015

Jump into the Pool !

We are looking for people to join our pool of educational presenters.



Please join our pool!

Contact Leslie at the Museum at 734-455-8940 x 2,  
or by email at [education@plymouthhistory.org](mailto:education@plymouthhistory.org).



# Plymouth Days Gone By

Compiled by Gerry Sabatini from the newspaper archives at the Plymouth District Library

100 Years Ago - September 1915

## First "Blind Pig" in "Dry" Plymouth Raided

The first case of alleged liquor violation in local option Plymouth, was uncovered by Deputy Sheriff George W. Springer, when he arrested Howard Ballen, aged 25 years, and brought him before Justice Campbell last week Friday morning. In Campbell's court, Ballen pleaded guilty to running a "blind pig" in a vacant building in north village. A quantity of liquor was taken as evidence. Ballen was bound over to the circuit court. Unable to furnish \$1000 bail he was taken to the county jail.

## Michigan State Fair Detroit,

Sept. 6-15, 1915



Better Babies' Contest

100 Years Ago - October 1915

## Daisy Co. Erecting Large Factory Building

The Daisy Mfg. Co. have broken ground for another large factory building at the rear of their present plant, fronting on Depot street. The new building will be constructed of brick and will be 60x150 feet, three stories in height. The Daisy Co. have been crowded for room for some time, and the new building will give them much more space and better facilities for taking care of their large and increasing business. The new building will be modern in every detail and will be provided with every convenience for the comfort and welfare of their employes. The lower floor will be used for the press room, while the other floors will be given over to those departments that are now overcrowded. J. H. Patterson has the contract for the new building.

## AAA report urges one way streets

Improvement of obscure pavement markings on City of Plymouth streets was one of four recommendations itemized by a survey of traffic problems taken recently by the Automobile Club of Michigan.

The basic step was urged to reduce accidents and obtain maximum effectiveness of Plymouth's major street system.

50 Years Ago - September 1965

This was one of four major recommendations for improving city streets outlined in Auto Club's Traffic Survey Report which was presented to city officials following a dinner at the Mayflower Hotel

- Adopt a one-way street system.
- Proper use of traffic control devices.
- Improve street lighting.

50 Years Ago - October 1965

## Saxtons kick off largest expansion yet

A gigantic expansion program that will more than double usable floor space was announced this week by Dean and Bill Saxton of Saxton's Garden Center in Plymouth.

Demolition work is already underway for the project that will see inside floor area increase over 100 per cent from 5,200 square feet to 11,300 square feet.

The program will double parking facilities and will include a 20-foot wide drive from Ann Arbor Trail through to Maple St. where houses were torn down to make way for the drive.

Now the screen blazes with the story based on the blistering best-seller!

CARROLL BAKER  
"HARLOW"

ELVIS PRESLEY  
"TICKLE ME"

ANNETTE

WALT DISNEY presents  
"THE MONKEY'S UNCLE"

Patty Duke  
"Billie"

THE PENN THEATRE  
PLYMOUTH, MICH.



50 Years Ago - September 1965

### No more licenses

The City of Plymouth has gone out of the driver's license business, according to assistant police chief Loren Johnson.

Johnson said his clerks at the police desk would no longer be issuing licenses, upon orders from the Secretary of State's office.

City of Plymouth residents must go to Northville, Livonia, Garden City, or to various Wayne County Sheriff's Patrol license operations, like the one at Plymouth Township hall, open every Wednesday.

### Smash

Window smashing is still plaguing City of Plymouth police.

Last week they reported seven or eight car windows smashed with an air rifle, late Friday.

Then this week, Sunday, about mid evening, police were kept busy with scattered complaints of broken car windows.

"We had nine," reported Loren Johnson, assistant police chief. Johnson said he thought this time the vandals were using a hammer to break the glass. Police still have no clues as to who is doing the damage.

The crime is punishable by a \$150 fine, \$50 court cost and 90 days in jail on each count.

### Test reveals

### enough parking

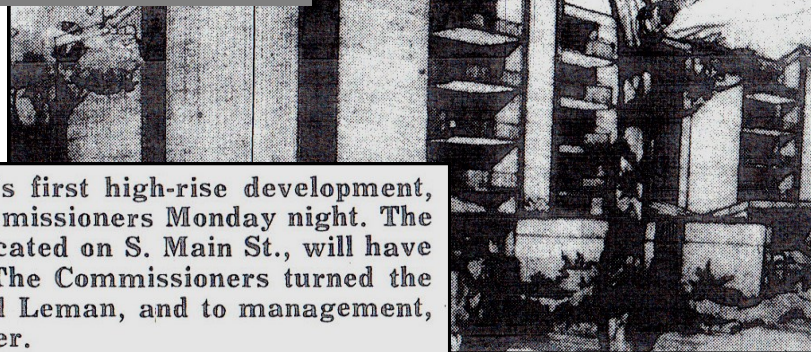
The closing of the central parking lot between 7 and 9 a.m. withstood a one-day test Monday morning.

The City had approved the move to close the lot in the morning for cleaning, to discourage all day parkers.

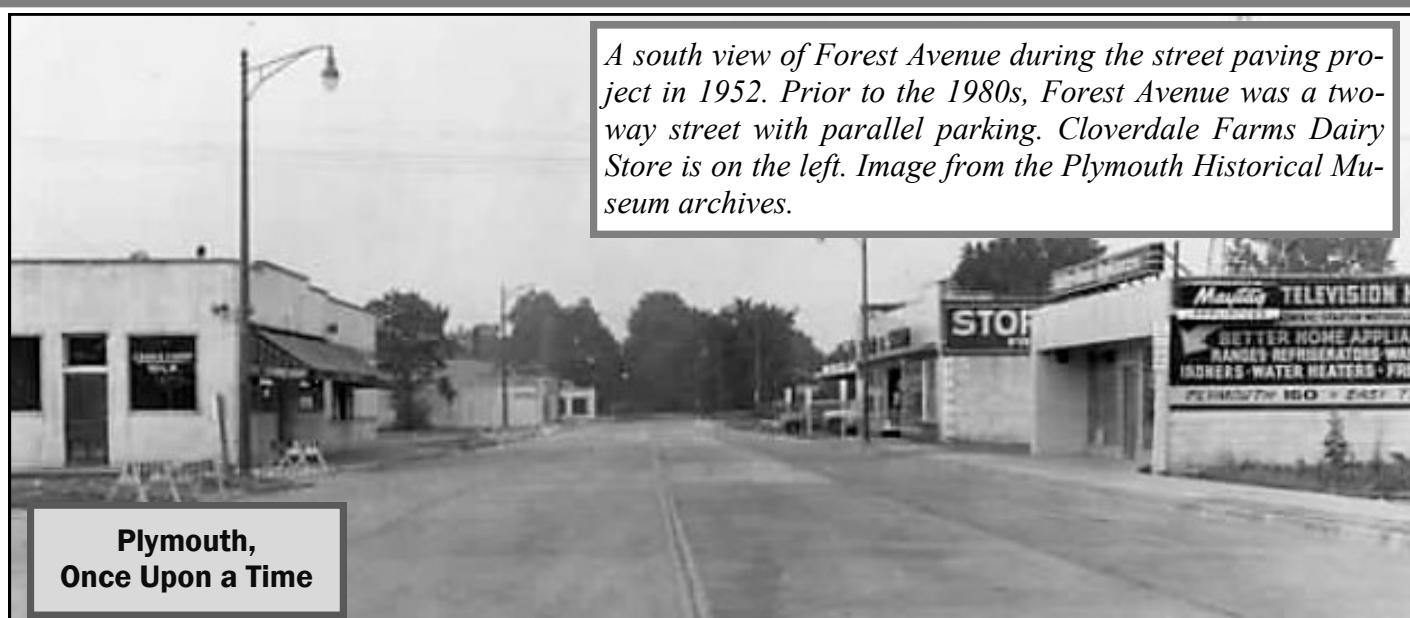
Several merchants and the Chamber of Commerce had complained that the lot was always full.

THE TEST told them there were enough spaces elsewhere for the employees of the businesses around the central lot.

50 Years Ago - October 1965



FINLAN APARTMENTS, Plymouth's first high-rise development, were shown for the first time to City Commissioners Monday night. The modernistic five-story structure, to be located on S. Main St., will have 39 two and three bedroom apartments. The Commissioners turned the matter over to their planners, Velian and Leman, and to management, for action. Patrick Finlan is the developer.



A south view of Forest Avenue during the street paving project in 1952. Prior to the 1980s, Forest Avenue was a two-way street with parallel parking. Cloverdale Farms Dairy Store is on the left. Image from the Plymouth Historical Museum archives.

Plymouth, Once Upon a Time

Friends of the Plymouth Historical Museum  
155 S. Main Street  
Plymouth, MI 48170

Non-Profit Org  
U. S. Postage  
PAID  
Plymouth, MI.  
Permit No. 111

Return Service Requested

## Calendar of Events

For a detailed list of events, visit the Museum website at [www.plymouthhistory.org/events.html](http://www.plymouthhistory.org/events.html).

### October

24—Saturday, Plymouth Ghosts Cemetery Walk at Riverside Cemetery. Walks begin at 4 PM, with small groups departing every 15 minutes. Hamburgers and hot dogs available for purchase, 3:45 and 6 PM. The walk lasts 60-90 minutes. **SOLD OUT**

### November

1—Last day for Special Exhibit, “The Fair That Changed America.”

10—TUESDAY, Friends of the Plymouth Historical Museum, Monthly Meeting, 7:30 PM, *The Case of Rose of Aberlone: Michigan's Great Contribution to Contract Law*, with Norman Otto Stockmeyer, free admission

18—New Special Museum Exhibit, “A Red Ryder Christmas Story”, Exhibit on display until January 17, 2016.

### December

5—Annual Juried Craft Bazaar, 10 AM-4 PM; Free admission. Craft applications still being accepted.

8—No monthly meeting.

9—Wednesday, Simply Dickens’s “Old World Christmas Carols.” **Tickets are \$10 in advance; \$15 at door.**

25—Christmas Day, Museum closed.

## SCHEDULE A NIGHT AT THE MUSEUM PARTY



The party is \$250 for 3-4 hours of fun! Accommodates up to 10 kids. Includes watching "Night at the Museum" movie, pizza or subs & drinks, and meeting the Museum characters.

For more information contact the Museum or visit the Museum website.