

Blackberry Preserves

The Journal of the
Kirkland Heritage Society



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Kirkland Heritage Society

President's Letter

By
Bob Burke

I'm on vacation right now with a little business mixed in; but a lot more history than I had anticipated. In less than a week since I left Kirkland I have experienced a great array of community and Northwest history:

Skylomish and their heritage day to photograph and copy historic information from residents. A great historic store specializing in restoring and selling old stoves!

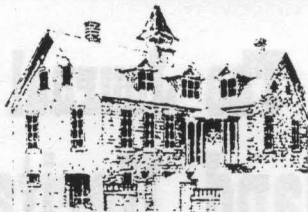
Yakima with historic North Front Street with the restored train depot (Grant Ale occupies part of it) and elegant Greystone restaurant.

Toppenish with its wonderful murals and the restored railway depot.

Baker City, Oregon the location of the wonderful Oregon Trail interpretive center. They are restoring the downtown historic district by removing remodeled storefronts to reveal the originals, which date from the 1890s. The complete restoration of the elegant 1889 Geiser Grand Hotel is to be completed in 1996. The historic society and the downtown association are leading the effort to stimulate economic development in downtown.

Bosie, Idaho, staying, by chance, at the 1904 Idawha Hotel (Historic Register); and now

Park City Utah staying at the Washington School Inn, a wonderful bed and breakfast.



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Although this community is built for tourism, it has some wonderful history starting with mining. Their museum on Main Street includes a replica of a mine shaft and the basement is actually the town's oil jail! The museum is a joint effort of the Chamber of Commerce (visitor's center); Historical Society (volunteers) and city (financing). Their highly acclaimed arts festival will fill the street with activity for the next two days.

Each of these efforts show how other communities are: interpreting their history; caring for their historic resources; and integrating history with business and community activities. It reinforced in my mind, the importance of the work of the Kirkland Heritage Society to Kirkland and its citizens!

We are fortunate to have people interested in a wide range of activities all important to understanding Kirkland's history, interpreting it, and preserving it for future generations. I am impressed that the efforts in which we are already working to provide a strong base upon which to build and achieve the ambitious goals we have set.

July Meeting:

Kirkland Cemetery Tour

Alan Stein treated us to a tour of the cemetery, based upon his *Journal American* research and the history of the cemetery,

written several years ago by a college student then living in town.

Alan started with some of the site's historical background. It was an Indian camp area before settlers arrived, evidenced by fire pits and other artifacts discovered there.

After settlement, the land was donated for a cemetery by Peter Kirk and partners' Kirkland Land and Improvement Company. One of the original cemetery boosters was Harry French, who, with his parents, Samuel and Caroline, were the first whites to permanently settle in the Kirkland area.

After discussing the cemetery's history, Alan took the group to selected graves and provided information about the person or family located there. We looked at the French family plot and discussed Alan's new discovery about them: the 1880 US Census indicates that Samuel and Caroline had adopted a "half-breed" girl named Lucy Tuttle.

Alan also pointed out the Curtis family, Northups, Peter Kirk's daughter, Marie Bell, Shumways, and many more.

It is important to remember, as Alan pointed out, the victorian view of a community cemetery. They were not considered a goulish, scary places. On the contrary, they were park-like places where builders installed fountains and benches for people to have picnics.

Kirkland is lucky to have such a nice and historically interesting cemetery. Regretably, some of the stones still show the scars of vandalism by teenagers during the 1960s.

One final point, for various reasons, many of the graves at the cemetery are unmarked and the deceased have no living relatives in the area. Maybe we could do something about that. Perhaps we could spearhead a community effort to purchase markers for some of those graves. It wouldn't have to be

all at once, even if we only did one or two a year it would still substantial progress from the status quo. Just an idea.

-Ed.

August Meeting

By
Hazel Kelly

Our August 30 meeting will be held at the Kirkland Congregational Church, at 7 pm. Our featured speaker will be Julie Koler, King County Preservation Officer.

She says her presentation is entitled "From Mount Vernon to the Peter Kirk Building, or, how do know it's us without our past?" She said she will "...present a lecture and slide show on the preservation movement in the United States from its beginning in the mid-19th century, through the akward growing-up years of the early 20th century, to the present time: Find out what communities around King County are doing to enhance their community character and educate their youth through the preservation and interpretation of significant historic buildings, landscapes, objects, and structures. And sit for a moment as a City of Kirkland Landmarks Commissioner as you evaluate and designate local city landmarks."

Page 12, EAST SIDE JOURNAL, Wednesday, Aug. 27, 1969

Juanita Reporting:

By ARLINE STOKES
827-2415

CHERI MCCAULEY celebrated her half-birthday last week by taking her friends and a few relations, **TIM AID, SUSIE AID, CASEY ANN STOKES, KELLY STOKES, PATTY, ROBBY** and **MATT MCCAULEY**, to see "Rumpelstilskin" at the ACT Theatre. They returned to the McCauley home for fun 'n games and ice cream.

...

BETTY THOMPSON is Juanita Bay Park still has tickets to the "Kirkland On My Mind" dance, Sept. 6 from 9:30 p.m. to 1:30 a.m. in the VFW Hall, 4725 - 148th N.E.

BOB "GERTRUDE" NEWMAN will be master of ceremonies with **JACK ROBERTS** and his Evergreen Drifters providing the music.

In case you didn't already know, there will be elimination dances held for those with blue eyes, holes in their stockings, and so forth.

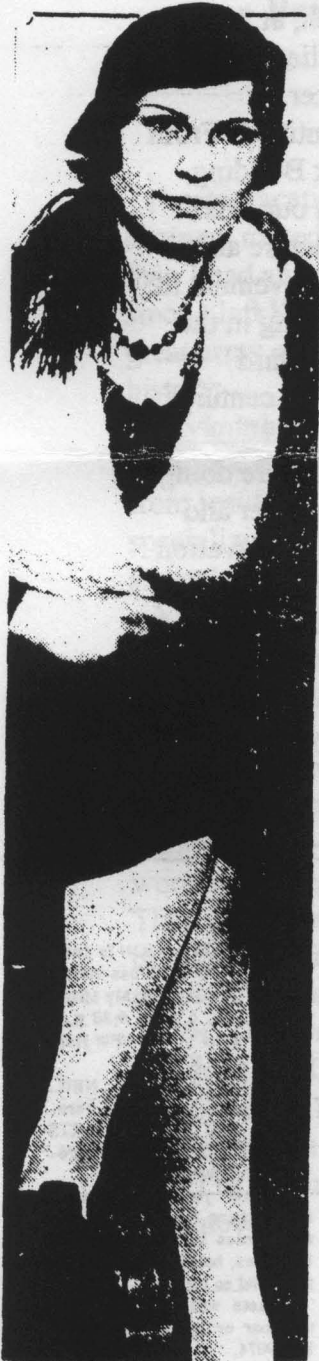
Tickets will be available at the door or by calling Betty at 822-9074.

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Tales From the East Side Journal

By
Alan Stein

In last month's newsletter, I provided the East Side Journal article about the slaying of Louis Todd. The following article is from October 1, 1931 and recaps the trial. I'll meet up with you after you finish reading it, to summarize the jury's verdict.



Alice Van Aalst

Testifies

Both State and Defense had rested their case at three o'clock, Monday afternoon, in one of the strangest and most interesting trials of the State's history — the case of Harry H. Loy, Kirkland Jeweler, who shot Louis D. Todd on a downtown Kirkland street, Tuesday morning, July 28th. Just one week had elapsed since the opening of the trial, Monday morning, September 21st.

A jury consisting of nine men, three women and a man alternate were chosen; the first day to decide the guilt or innocence of Loy. Attorneys George Orandell and Hinman for the defense and Chief Deputy Prosecuting Attorney Emmett Lenihan and Deputy Prosecuting Attorney Arthur Bailey argued their points throughout the trial before Superior Court Judge James B. Kinney. The state charged premeditated murder. The defense argued self defense and justification of the shooting for Loy in that he was protecting his home and family.

During the first two days of the trial, the state contented itself with a prima facie case — that Loy had shot Todd in Kirkland on July 28; that Todd had died from the wounds; and that when arrested Loy had stated "If my gun hadn't jammed I'd be shooting yet. I'm sorry I shot too low — I wanted to kill him. I'd been waiting for him to go to the postoffice". When as a surprise move the State closed, reserving its forty-seven witnesses for rebuttal.

Edith M. Anderson, neighbor and friend of the Loy, Mr. Decamp, employee in Loy's Jewelry Store, Alice Van Aalst who had been employed in the Loy home for a time and Ruth Carey were outstanding witnesses for the defense. Miss Van Aalst told of two or three visits of Todd to the Loy home, of Loy's threat to kill him if he did not cease his attention and of her warning to Mr. Todd, who replied that Loy was imagining a lot and there was nothing to his contentions.

Mrs. Marie Loy, upon the witness stand, told of the attentions of Todd and of her request to Todd to cease them; of how she told her husband of the incidents as they occurred; of the worry it caused her; of her summer residence at North Beach to escape Todd's attentions and of how he finally persuaded her there. Upon cross examination by the state, Mrs. Loy, upon being asked questions as to what she considered the worst thing Mr. Todd had ever done to her, said, as far as she could remember, was when he put his right hand upon her hip. She either denied or said she did not remember statements she was said to have made to a reporter the night of the killing concerning the sanity of Mr. Loy.

On Friday, Loy took the stand, telling his story of the shooting. "I reached the store about nine o'clock that morning. After assisting in opening the store I got the watches out of the safe and helped wind and test them, but first I waited on a customer. This took about twenty-five minutes. Then I went on the street for a few minutes and afterward came back and did some work at the bench. Then I went out again. As I was coming back I saw Mr. Todd approaching. I stopped and said to him: 'You are still persuading my wife, aren't you?' He denied this and I started to tell him the burden of the message I had in my heart for him. I started to say 'This is the last and final time I will approach you—'. I didn't get any further than this, when a Satanic scowl came over his face and he shifted the package in his hand and made a reach as if



Ruth Carey

Aid Defense

The Case In Brief

to get a gun. I knew he carried a gun—I knew my life was in danger. I quickly drew my gun and fired twice from the hip."

Upon cross examination, Loy admitted that he had purchased the gun on January 15th, the day before he wrote the first of the two letters to Todd, warning him to cease his attentions to Mrs. Loy. These featured prominently in the trial. He also admitted having carried a hunting knife at times, before the purchase of the gun.

Loy's letters of warning were read to the jury. Todd's letter written in reply to Loy's letter was also read. The letters were in marked contrast—Loy's punctuated by many dashes and containing such terms as "yellow viper", "our", "black hearted adulterous design", obviously was one written by a man in mad fury. Todd's letter, on the other hand was written with well chosen words and was in a conciliatory tone. In it he stated—"At no time, did I do anything to undermine you, but I can see, after your letter, that you may have seen a situation that does not exist".

Loy's assurance on the stand under cross-examination, Friday, was bolstered when Judge Kinney held with defense counsel in its plea to limit Loy's cross-examination to his admissions on direct evidence. In the midst of the argument over the circumscribing of the cross-examination, Lenihan collapsed. He rallied and returned to his questioning of Loy, but at the close of the session proved too ill to go on with the case and it was continued to Monday, no court being held on Saturday.

Loy, defiant and showing no trace of regret, was scolded under cross-examination at avoiding admissions of anything which would show premeditation stating that he did not remember, or that he might have said such and such.

Loy, pale, solemn and at times defiant, faced his greatest ordeal, Monday, when cross-examination continued. Court reporter's notes taken shortly following the shooting were read in rebuttal to Loy's former story on the stand. He was brought face to face with a lengthy typewritten transcript containing statements he is alleged to have made an hour after he killed Todd. There were discrepancies between statements recorded in the transcript and those he had made in court.

A dramatic moment of the day was when Prosecutor Lenihan asked Loy to step down off the witness stand and to show the jury how the shooting happened. "You will be Mr. Todd. I will be yourself". Loy implored his counsel "Is it necessary for me to go thru this?". Then, before the eyes of the jury he reenacted the crime for which he was on trial for his life. "Where did he reach for his gun?" Lenihan asked. "Inside his coveralls, under his left arm", the witness replied. They then reversed roles and went through the motions like questions asked and answers given. "But, Mr. Loy", Lenihan said "In your statement made after your arrest you say Todd reached for his gun in his hip pocket". Other contradictions in statements made by Loy under cross-examination, Monday, and in the statements which he made under oath the day of the shooting were brought out by Lenihan.

Following the examination of two state witnesses, Roys, court reporter and Kennedy of the coroner's office, testimony was abruptly finished. The majority of the State's witnesses had not been called to the stand and were dismissed.

So what was the outcome? The following is paraphrased from the Journal's article about the verdict.

After all of that stirring testimony, Loy's attorney closed by saying that the state had produced no witnesses to testify to Mr. Todd's character and that most of their evidence was produced under threats and duress. He then launched into an oratorio about how Mr. Loy's family life was ideal until the entrance of Mr. Todd, who he painted as the blackest of characters. Mr. Todd's final words, he said, were shown to be those of a man repenting his sins. He then went on to say that he was a friend of the Loy family and that he took on the case for personal reasons and with no compensation. At the finale of his argument, Mr. Loy's attorney said, "If I lose this case, my career as a lawyer is ruined!"

The prosecuting attorney explained that he had no character witnesses because he wasn't expecting Mr. Loy attorney to go after Mr. Todd's character until the last moment. He pointed out how odd it was that Mrs. Loy had not shown Mr. Todd's letters to her husband, and that they all had been burned. He went on to compare Mr. Todd's last words to "those of the Savior on the cross when he lifted his head and cried 'Father forgive them. They know not what they do.'" He closed by saying that without a conviction, the state of Washington would be the laughing stock of the nation.

The jury was instructed by the judge that they had to choose from four verdicts: First Degree Murder, Second Degree Murder, manslaughter or acquittal. The nine man, three woman jury retired and, on the first ballot voted 10 for acquittal and two for Murder One. Six hours later, the two who thought Mr. Loy was guilty were convinced to change their votes, and Mr. Loy was acquitted, as the jury put it, on "...grounds of the unwritten law."

Oh, and Washington did not become the laughing stock of the nation.

KRKL Log

1050 on Your Dial

6:30 am Hayloft Jamboree	12:45 pm Sweet Band Music
6:45 am Farm Jubilee	12:55 pm News
6:55 am News	1:00 pm Disc Jockey
7:00 am Popular Music	1:15 pm Disc Jockey
7:15 am News	1:30 pm " "
7:30 am Church	1:45 pm " "
7:45 am Musical Clock	1:55 pm News
7:55 am News	2:00 pm It's Fiesta Time
8:00 am Musical Clock, Continued	2:15 Unannounced
8:15 am March Time Band	2:30 pm Concert Time
8:30 am Morning Reveries	2:45 pm " "
8:45 am Bing Crosby	2:55 pm News
8:55 am News	3:00 pm Requestfully Yours
9:00 am Lullaby in Rhythm	3:15 pm " "
9:15 am Unannounced	3:30 pm " "
9:30 am Concert Music	3:45 pm " "
9:45 am Danceland Spotlite	3:55 pm News
9:55 am News	4:00 pm Requestfully Yours
10:00 am Hillbilly and Folk Music	4:15 pm " "
10:15 am Hawaiian Echoes	4:30 pm " "
10:30 am Feminine Star Revue	4:45 pm " "
10:45 am Western Serenade	4:55 pm News
10:55 am News	5:00 pm Scandinavian Music
11:00 am Duke Ellington	5:15 pm My Serenade
11:15 am Jan Garber	5:30 pm Reminiscent Rhythm
11:30 am King Cole Trio	5:45 pm Reminiscent Rhythm
11:45 am Walts Time	5:55 pm News
12:00 Noon News	6:00 pm Unannounced
12:15 pm Organ Melodies	6:15 pm Off Air
12:30 pm Eddie LeMar Show	

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RETAIN



**STATE
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**AL
LELAND**

Leland's legacy benefits Eastside

The Eastside owes a debt of gratitude to former state legislator Al Leland, whose pioneering vision decades ago helped shape this area. Though Leland died last Friday, he leaves a legacy that is used daily by thousands of people who use the Evergreen Point bridge and Interstate 405:

To those new to the Eastside, this area hasn't always consisted of cities that flowed one into the other and highways and freeways linking its length and breadth. That it now is is testimony to Leland, and other, who worked to improve the roads in this part of the state. To those who then couldn't understand why "Asphalt Al" wanted to bring roads and bridges to what was then a rural area east of Lake Washington, they have only to look around today.

The growth that Leland saw coming would have come even without the road improvements for which he tirelessly worked. His efforts, though, figuratively and literally paved the way for growth and progress across the Eastside.

His type of leadership is too seldom seen today.

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**Kirkland Heritage Society
10635 NE 120th
Kirkland, WA 98034**

