



# *Society Update*

The Official Publication of the Michigan Supreme Court Historical Society

Winter 2021

## **The Man Behind the Portrait: Justice John McDonald and Artist Kreigh Collins**

*By* Brian Collins

Kreigh Collins was born in 1908 in Davenport, Iowa. A born artist, he quit high school to attend the Cincinnati Art Institute. After two years, he opened a studio in Grand Rapids and began his professional career.

Invited on a trip to Europe with his mentor, the artist Mathias Alten, Collins spent two months abroad. Traveling via Morocco, he frequented the Louvre, learning from the masters.

After returning home, he and his girlfriend moved to Chicago. Cover illustrations for national magazines led to work with an advert agency; soon he and Theresa “Teddy” VanderLaan eloped. Tiring of the agency routine, the couple returned to Michigan. Steady freelance work led to a sizable nest egg, and Kreigh and Teddy decided to travel to Europe. Their plan: spend winter in Paris, spring in the Pyrenees, then Normandy and Brittany—roaming, studying, and sightseeing, with Kreigh concentrating on landscape painting.

When they returned, America was in the teeth of the Great Depression. Kreigh and Teddy rented a rustic



Portrait artist Kreigh T. Collins circa 1952. Photo courtesy of author Brian Collins.

place up north in Leland, Michigan. A boating enthusiast, Kreigh found and restored an old birch bark canoe; it became a frequent prop in his paintings. Upon his return to Grand Rapids, he found steady work, and soon produced a number of murals, some through the Works Progress Administration.

From 1935–37, he illustrated a series of historical and modern-day facts celebrating Michigan’s centennial. This daily newspaper feature ran seventeen months and appeared in eight newspapers statewide. Another project brought Collins to Dallas to produce a series of murals for the Texas Centennial Exposition. While there, Collins fell from a scaffolding and injured his shoulder. No longer able to paint, he could still produce pen and ink drawings; he started receiving numerous assignments from the Methodist Publishing House.

In 1941, Collins found he was able to paint again, and accepted a commission to produce a portrait of Michigan Supreme Court Justice John S. McDonald, found today in the collection of the Michigan Supreme Court Historical Society.

In 1943, Collins began illustrating weekly Bible stories for MPH Sunday school bulletins. His work came to the attention of a national comics syndicate and he started producing a Sunday comic, “Mitzi McCoy.” Soon, it morphed into “Kevin the Bold,” a long-running comic set in the 16th century featuring the gallant deeds of an Irish knight.

In the late 1930s, Kreigh and Teddy purchased some property in Ada and started a family. As it grew, so did the size of their boats. By the mid-1950s, the family spent summers cruising the waters of the Great Lakes aboard their 45’ schooner, also completing the Great Loop, down the Mississippi, around Florida, up the Intracoastal Waterway and back home via the NYS Barge Canal and the Great Lakes. During this year-long journey, Collins’ illustration career continued by his use of various post offices along the way.

In 1968, “Kevin” morphed into a new strip, “Up Anchor!,” a semi-autobiographical account of a family living aboard a sailboat. It lasted until Collins’ retirement in 1972.

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Brian Collins, Kreigh’s grandson, had a collection of his grandfather’s first comic strip published in 2018, “The Complete Mitzi McCoy.” Visit his website at [www.kreighscomics.com](http://www.kreighscomics.com)

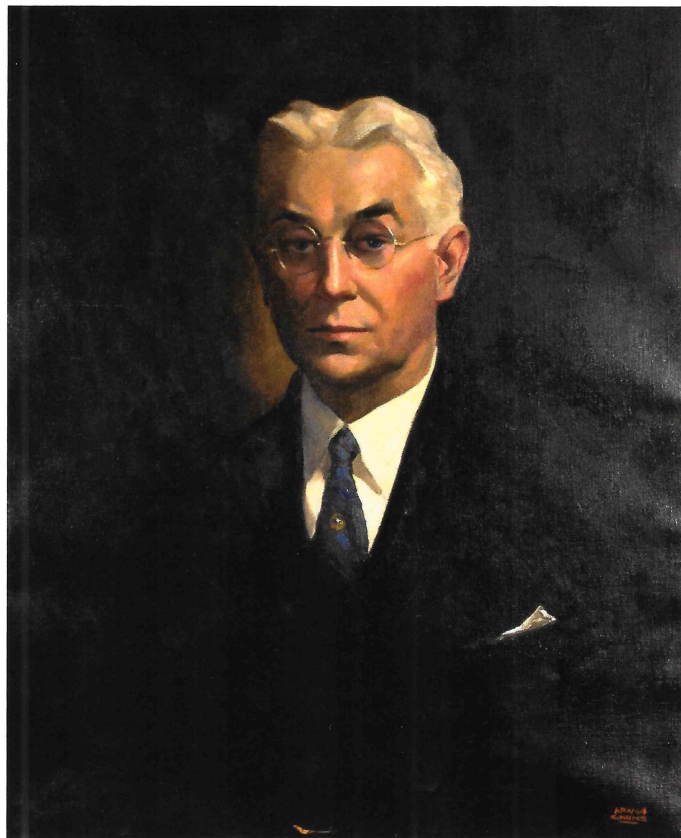
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We’ve long enjoyed having the portrait in the reporter’s suite because of its quality as a work of art. It’s distinct from many of the other judicial portraits in its simplicity—there are no flags, books, desks, or pens. It presents Justice McDonald against a dark background with well-coiffed hair; a perfectly placed tie pin; a pocket square; and fabulous, quizzical eyebrows. The simplicity gives the portrait a lovely art deco feel.

*Kathryn Loomis, Reporter of Decisions*

“I love this portrait. Apart from its obvious visual appeal, there’s something about the owlish nature of Justice McDonald’s expression that lends itself perfectly to the work we do. It’s an honor to have it displayed in our office.”

*Kelly Cosentino, Legal Editor*



Justice John McDonald as rendered by artist Kreigh Collins. The portrait hangs in the Office of the Reporter at the Hall of Justice. McDonald served on the Michigan Supreme Court from March 29, 1922, when he was appointed by Gov. Alex Groesbeck, until December 31, 1933, after losing his seat in a Democratic landslide. McDonald served as Chief Justice in 1925 and 1933.

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## Changing of the Guard: From Justice Markman to Justice Welch

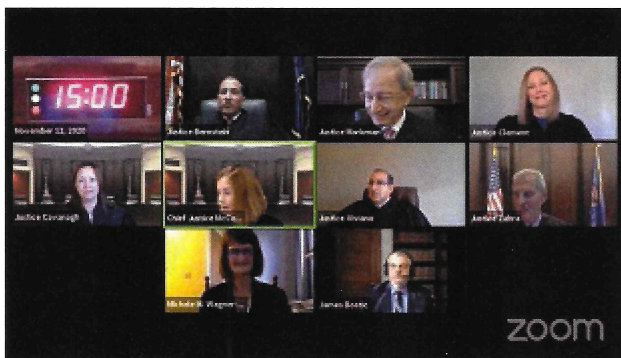
On November 3, 2020, Elizabeth Welch was elected to the Michigan Supreme Court. She was sworn in on January 1, 2021, as the 115th Justice.



Justice Welch received her law degree in 1995 from Ohio State University, where she served as Research Editor of the Law Journal and had a Note published. After law school, she practiced labor/employment

law at large law firms located in Louisville, Kentucky, and Grand Rapids, Michigan, prior to starting her own law practice. Justice Welch and her husband Brian Schwartz have four children.

Justice Welch follows former Chief Justice Stephen J. Markman on the Court. Governor Engler appointed Markman to the Michigan Supreme Court on October 1, 1999, upon the retirement of Justice James Brickley. Subsequently, Justice Markman was elected to the remainder of Brickley's unexpired term on November 7, 2000, and re-elected in 2004 and 2012. He was prevented from running again in 2020 due to Michigan's constitutional prohibition against a person from being elected or appointed to a judicial office after reaching the age of 70 years.



A screen capture of Justice Markman's last case call on the Court's YouTube channel. Due to the COVID-19 pandemic, the Court met by Zoom during the 2020 term.



Chief Justice McCormack was re-elected in 2020 to her second term on the Michigan Supreme Court. In January her colleagues selected her to serve a second term as Chief Justice.

## Female Majority

With the election of Justice Elizabeth Welch, the Michigan Supreme Court becomes a female majority court. Welch joins Chief Justice Bridget McCormack, Justice Elizabeth Clement, and Justice Megan Cavanagh along with the men: Chief Justice Pro Tem David Viviano, Justice Brian Zahra, and Justice Richard Bernstein.

The late U.S. Supreme Court Justice Ruth Bader Ginsburg famously said that there will be enough women on the Court when there are nine. For the longest part of the history of the Michigan Supreme Court, from its territorial days in 1805 until the election of 1972, there had never been a woman on the Michigan Supreme Court. That changed with Mary S. Coleman, and within 25 years, Michigan had its first female majority court in 1997. That court lasted from the swearing in of Marilyn J. Kelly until the retirement of Dorothy Comstock Riley on September 1, 1997. Patricia Boyle and Elizabeth Weaver rounded out that majority.

Although Michigan was ahead of many other states in having four women justices, it was preceded by Minnesota, whose seven-member Supreme Court achieved their female majority in 1991 with the appointment of Sandra Gardebring. To read more, check out *Her Honor: Rosalie Wahl and the Minnesota Women's Movement* written by Lori Sturdevant and published by the Minnesota Historical Society Press.



# 2020 MSU Law School Law Prize Winner

## Thomas Philbrick

The Michigan Supreme Court Historical Society Law Student Prize was created by the Board of Directors to recognize a law school student with an exemplary performance in legal history, judicature, or constitutional law. It was first awarded in 2009 and has since been given to 27 students at all five of the state's law schools.

Thomas Philbrick, the 2020 Law Student Prize winner from Michigan State University Law School, was chosen for his work in Professor Charles Ten Brink's American Legal History seminar. Mr. Philbrick graduated from MSU Law this past spring. He now works as a Research Attorney for the Michigan Court of Appeals. He and his wife live in Detroit.

His paper, titled "Tocqueville's Prophecy," argues that the polarization that defines modern America is a result of the adoption of Rousseauian and Hegelian ideals of human perfectibility. This humanist worldview has led the American people to believe that the overarching point of government is not to protect a political process from flawed humans but rather to create socially-fashionable outcomes in order to create the ultimate society. The paper points to two significant developments in American legal history — the emergence of the administrative state and the development of "substantive due process" theory in



the judiciary — as manifestations of this mindset shift. As it turns out, 19th-century French theorist Alexander de Tocqueville predicted both America's polarized future and the humanist ideals that underpin it. He warned that the democratic spirit, when combined with the American notion of individual liberty and the humanist assumption of human perfectibility, would foster a belief in government as the creator of all preferred social outcomes. And this combination, in turn, would lead to a polarized society because citizens who view the government as a tool for implementing what they see as the ultimate society will stop at nothing to make sure the government adopts their political vision.

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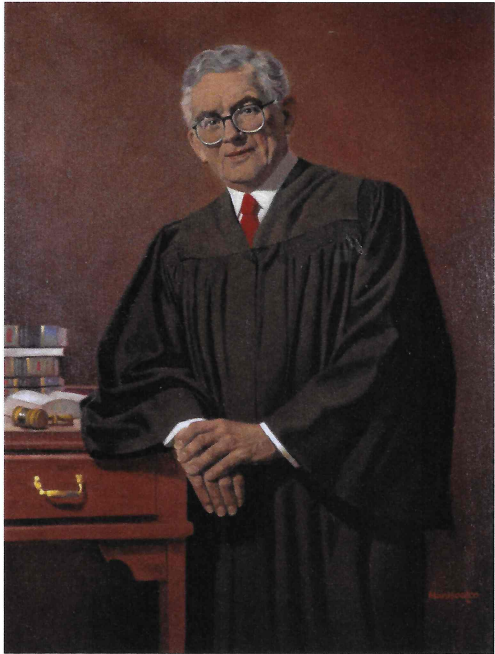
To pay online: visit [www.micourthistory.org](http://www.micourthistory.org)



# Remembering Justice Charles Levin, a judicial maverick | Opinion

By Michael F. Cavanagh

When he passed away last November, Michigan Supreme Court Justice Charles Levin was remembered as a maverick and an independent. He certainly merited those descriptors at different times. But he was also something even more important — my friend.



The official portrait of Justice Charles Levin, painted by the late artist Joseph Maniscalco, and dedicated on May 6, 1999. You can watch the special session on YouTube via our website at [www.micourthistory.org/justices/charles-levin/](http://www.micourthistory.org/justices/charles-levin/) Justice Levin was one of the longest-serving justices on the Michigan Supreme Court, serving from 1973–1997.

In 1966, I was fresh out of law school, serving as a law clerk at the Michigan Court of Appeals, where Chuck had just been elected to serve. Memories are a bit fuzzy from the 1960s, but I do remember the chief judge being a bit impatient with the pace of Judge Levin's work. And I also remember that when the work was finally done, the product was outstanding.

Later, when we both were serving on the Michigan Supreme Court, I remember that same impatience from more than one Chief Justice over the 13 years we served together. But their patience was worth it because the work was so good. And despite the slow pace, over the years, Chuck accumulated some impressive "bench stats": writing nearly 1,500 published opinions. He served with 22 justices, and all had a unique appreciation of having sat on the bench with Chuck Levin.

His cousin, U.S. Representative Andy Levin, said that you could often predict that Chuck would be the deciding vote on a case, "but not which way he would come down."

Andy was so right. In fact, Chuck wasn't even afraid of questioning and rethinking his own previous opinions. For instance, in his dissent on a 1989 case, he modified his own 1982 opinion, and in a rare reversal, managed to change the court's mind on the case. As a result, Justice Levin's dissent became the rule in Michigan because he had both the broad vision to see how cases connected and the courage to change his opinion.

At Justice Levin's portrait dedication in 1999, federal Judge John Feikens highlighted what may be the most notorious example of Chuck's independence, noting: "Chuck Levin is a bold and creative man. When he sought his destiny, that is to be a judge on the high court, he ran into the archaic practice in our state that requires a judicial candidate to be nominated by a political party."

Judge Feikens explained that to remedy the problem of securing a partisan nomination, Chuck famously coopted the Supreme Court party nomination process created by the 1963 Michigan Constitution. Levin's solution? Creating his own party — the Non-Partisan Judicial Party — collecting signatures, holding a convention in his basement, and winning election in 1972. And who could forget the Levin for Supreme Court emery board handouts?

His son, Fredrick Levin, picked up on the story: "My father taught the importance of independent thought. Most of you know the story of my father's initial election to the Supreme Court, the formation of the Non-Partisan Judicial Party — a name that poked well-deserved fun at judicial elections in Michigan.



Once on the bench, my father was the ultimate contra-majoritarian because he had a knack for seeing things in a unique light.”

But when it came to public service, Justice Levin was not unique in his own family, where public service has made the Levin name resonate here in the Mitten and across the nation. There has been a “Levin” representing Michigan on Capitol Hill since 1979, including a U.S. Senator and two Congressmen. And of course, the federal courthouse in downtown Detroit bears the name of Chuck’s father, Theodore, who served as federal district judge for nearly a quarter century.

While public service is synonymous with the Levin name, what I remember most about Justice Levin is his independence. He was a friend, a benchmate, an inspiration, and a free-thinking legal scholar who made a difference in my life and for the people of Michigan.

I miss my friend Chuck Levin, so when I feel the need to visit him, I only need to pop into Justice Megan Cavanagh’s chambers at the Michigan Hall of Justice, where Chuck’s portraits hangs — not far from her father’s.

Justice Michael Cavanagh served on the Michigan Supreme Court from 1983–2015, and is arguably the longest-serving appellate judge in Michigan history. His term on the Michigan Supreme Court is surpassed only by Big Four Justice James Campbell. This tribute to Justice Levin is reprinted with permission of the author and the Detroit Free Press where it was published on Friday, February 18, 2021.

## In Memory of Justice Lawrence Lindemer



The official portrait of Justice Lindemer, painted by Sally Ryan.



Justice Lindemer enjoying a root beer float at Silver Maples.

Former Justice Lawrence Lindemer passed away on May 21, 2020, at Silver Maples of Chelsea. He was born August 21, 1921, in Syracuse, New York. It was in upstate New York that he met his future wife, Rebecca Gale. They married in 1941. He moved to her family’s farm and studied at the University of Michigan. During World War II, Lindemer served as a 2nd Lieutenant with the Army and Air Force. Following the war, he returned to the University of Michigan Law School, graduating in 1948. He and Becky made Stockbridge their permanent home for 50 years and raised their two sons, Larry Jr. and David there. He worked as an assistant prosecuting attorney for Ingham County, served in the Michigan State House of Representatives, went to Washington, D.C. to serve on the Hoover Commission, and later served as chairman of the Republican State Central Committee. Upon the death of Justice Thomas M. Cavanagh in 1975, Lindemer was appointed to serve as a Justice on the Michigan Supreme Court by Governor William Milliken. He lost the vacancy election in 1976 to Blair Moody, Jr. and left the Court on January 1, 1977. He worked as general counsel for Consumers Power Company and served as a regent to the University of Michigan. His first wife Becky passed away in 1991 and he remarried Jean Backus and enjoyed a second married life in Florida. Following Jean’s death, Lindemer moved into Silver Maples in 2012. He is survived by his sons and their spouses, three grandchildren, seven great-grandchildren, and two great-great-grandchildren.

Compiled from the *Michigan Supreme Court Historical Reference Guide*, 2nd Edition and the obituary in the *Jackson Citizen Patriot*.

“ ... he really is enthusiastic about his fellow man. ”

Theodore Swift, from Lindemer’s portrait dedication on September 8, 1982



# ADVOCATES GUILD

## *Great Advocates Spotlight*

By Patrick Batterson

Recognizing Michigan's rich legal history, the Advocates Guild is spotlighting several attorneys active before the Michigan Supreme Court between 1910 and 1950. The first article highlighted William L. Carpenter and William W. Potter, who were both Michigan Supreme Court justices. The second article featured Alex Groesbeck, William A. Lucking, and Thomas G. Long. This article features Parm C. Gilbert, J.L. Boyd, and Ernest Smith – three Northern Michigan attorneys. The final installment will feature Ernest Goodman, Oliver M. Green, and Anne Davidow.

### **Parm C. Gilbert**

Parmius (Parm) C. Gilbert had a long and illustrious legal career, making numerous appearances before the Court. The prominent Traverse City attorney was even deemed “a loyal and true citizen” of Michigan, naturally “worth giving patronage to,” by the Michigan Federation of Labor.<sup>1</sup> He served as the prosecuting attorney for Grand Traverse County, was an advocate for prison reform, and served as a circuit court judge from 1929 until 1945.<sup>2</sup> He was also the co-counsel for one of Michigan's earliest female serial-killers during her criminal trial in Kalkaska County.<sup>3</sup>

In one of Gilbert's early cases, he represented an insurance company in their dispute over whether they were required to pay out on an insurance claim. *Ross v Michigan Mut Auto Ins Co*, 224 Mich 263 (1923). In *Ross*, defendant Ross sued his insurance company to compel them to pay on his insurance claim after he had “one awful bump [in his] Willys-Knight 20 model” with a Cadillac hearse while trying to pass a Ford truck on a public highway. *Id.* Mr. Ross was awarded \$475 for repairs by a jury, but the insurance company appealed. Eventually, the case made it before the Court where the parties debated if Ross had taken the necessary precautions while passing the truck. In a riveting series of events, which found Ross racing “neck and neck” with the truck at speeds

in excess of 12 miles an hour, the Court presumed that Ross had fulfilled his duty to the driver of the truck to make his desire to pass known by “sounding his horn or otherwise.” *Id.* at 269.

However, the Court also found that because Ross stayed in the wrong lane, in violation of the law, as he attempted to overtake the truck that the presumption of fault was on him and that it was his burden to overcome at trial, the opposite of what the lower courts had ruled. The Court reversed Ross's previous judgment and remanded for a new trial. Ultimately, the Court ruled that those “driving in violation of law or contrary to the rules of the road” forfeit their rights under auto-insurance policies. *Id.* at 270. While the last citation to this case is in 1984 in *Jackson v Coeling*, 133 Mich App 394 (1984), modern readers should appreciate that the problems argued by Gilbert before the Court in 1923 relating to insurance claims have transformed and evolved well into modern times.

Gilbert helped establish the appropriate circumstances for firing an employee for insubordination. *Kyselka v N Assur Co of Michigan*, 194 Mich 430 (1916). In *Kyselka*, Gilbert represented an insurance company who fired one of its insurance agents for insubordination. The case's main contention was whether the insurance agent's alleged insubordination was enough to warrant his termination and deprive him of renewal commissions. Gilbert's arguments revolved around “the effect that it is the duty of a servant and agent to be loyal and obedient to his master or principal.” Defendant Kyselka's alleged insubordinate conduct amounted to him writing a series of letters to the president of the company, which the Court noted were written in an immature and somewhat patronizing tone. *Id.* at 439. Despite the insurance company's vigorous arguments that the letters showed a spirit of insubordination and only served to “cause distrust among members of the organization and bring about injury to the company,”<sup>4</sup> the Court found that Kyselka's letters were, in fact, not in the spirit of insubordination and ruled in favor of the plaintiff. *Id.* at 435. Ultimately,



*Kyselka* clarified when insurance companies could fire their agents.

In Gilbert's most interesting criminal case, he represented Michigan's first female serial-killer in *The People of the State of Michigan v Mary McKnight*, the trial of "Michigan's Borgias." Accused of murdering her brother, his wife, and their daughter with strychnine,<sup>5</sup> Mary McKnight's trial was considered to be the "trial of the century" drawing attention to Kalkaska County from all over Michigan and as far as New York.<sup>6</sup> While the case attracted massive attention, it was rife with problems – from prosecutor Ernest C. Smith's forbidding McKnight's attorneys from visiting her in jail to allegations of coerced confessions.<sup>7</sup>

From the start of the case, Gilbert and his co-counsel Joshua L. Boyd had an uphill battle. Mrs. McKnight had already been convicted in the public's mind after an unrelenting slog of newspaper articles detailing her alleged crimes and detailing "suspicious deaths" in her past. Gilbert would handle the majority of cross-examinations during the trial and even questioned Prosecutor Smith early on in the case relating to his treatment of McKnight and how he elicited her supposed confession. Gilbert, during his examination of Smith, even managed to elicit testimony that Mary McKnight had been held in virtual isolation on his orders.<sup>8</sup> Gilbert also delivered opening statements that, along with his co-counsel's comments, lasted long enough for the judge to dismiss the jury and adjourn for the day afterwards.<sup>9</sup> Despite a tenacious defense and a three-hour closing statement, Mary McKnight was found guilty on all three murder charges. Yet Gilbert's and Boyd's fierce defense cannot be discounted — the jury deliberated for twenty-eight hours before returning their verdict.<sup>10</sup>

### Joshua L. Boyd (J. L. Boyd)

Joshua Boyd, Parm Gilbert's co-counsel during the *McKnight* trial, also had an extensive career in advocacy and was considered a "pioneer lawyer" in Northern Michigan.<sup>11</sup> Several years before the *McKnight* trial, Boyd had served as Kalkaska County's prosecuting attorney for eight years.<sup>12</sup> While he did not appear as frequently before the Court as Parm Gilbert did, he

still argued a diverse array of cases before it, arguing his earliest case in 1888.<sup>13</sup>

In 1919, Boyd solidified what inappropriate remarks made during closing looked like in *Sherwood v Babcock*, 208 Mich 536 (1919). Boyd represented Dr. Babcock — who was accused of failing to segregate ill children, failing to properly diagnose the children's illness, and allegedly causing the death of the children in his care. But the main issue in the case came about from comments made during closing by the opposing side. The opposing side asked the jury to find either Dr. Babcock or his insurance company liable to pay, even though the insurance company was not a party. *Id.* The improper remarks was the point of contention on appeal. Boyd argued that the opposing party had made an egregious error requesting relief from a non-party, and the Court agreed, going as far to call the comments "reprehensible." The Court stated that an attorney should not request the jury find parties not in the case to be liable and reversed the lower court's judgment because of the plaintiff's counsel's improper closing. *Id.*

In a small series of cases it appeared as if J. L. Boyd and Ernest Smith, the prosecutor in the *McKnight* case, had something of a "rivalry" before the Court. Arguing on opposite sides of the aisle in four cases, the trial of Mrs. Mary McKnight would not be the only time the two Kalkaska attorneys went head-to-head. One such case, *People v McCall*, 161 Mich 674 (1910), gives modern readers a small glimpse into the culture and time of early 1900's Northern Michigan. J.L. Boyd represented Mr. McCall when he was charged by Prosecutor Smith with the crime of "giving and furnishing to one David Vipond a quantity of spirituous and intoxicating liquors, to wit, whisky . . ." and found guilty of the charge in a jury trial. How much whisky did McCall give to Vipond to be arrested? As the sheriff put it during trial, McCall gave Vipond little more than a drink. *Id.* Certainly the venue in which McCall gave Vipond a drink must have warranted McCall's arrest. The sheriff recounted during trial that, at around 7 o'clock in the evening, he had witnessed the exchange take place inside the office area of a "barn" in the village of Kalkaska. *Id.* The Court issued a short opinion reversing the judgment



and simply found that McCall's actions in a private office-space were not in violation of local Kalkaska law.

## Ernest C. Smith

While Smith was relatively new to the legal profession when he was the chief prosecuting attorney in the *McKnight* case, he became a frequent advocate in front of the Court, having argued over one-dozen cases before it. Smith still served as Kalkaska's prosecuting attorney for some time after the *McKnight* case, until he was replaced by J. L. Boyd, and also served as an assistant attorney general until retiring to private practice.<sup>14</sup>

Smith argued a broad range of cases before the court, like his most-cited case, *Hakes v Thayer*, 165 Mich 476 (1911). In *Hakes*, allegations of fraud swirled around the purchase of a horse for \$1,800, but by the time the case had been brought before the Court the horse had died, rendering the case moot. In *MacDonald v Freeman Mfg Co*, 160 Mich 380 (1910), Smith represented a factory worker who had been seriously injured in a workplace accident. In *People v Bedell*, 162 Mich 230 (1910), Smith, much like in *People v. McCall*, zealously prosecuted Kalkaska County resident Frank Bedell, who was accused of illegally furnishing beer for several individuals in his home. In *Bowsher v Grand Rapids & I Ry Co*, 174 Mich 339 (1913), Smith once again faced off against J. L. Boyd in a case of wrongful death where the railroad company was being sued for causing the negligent death of girl only 18-months old.

The combined legal advocacy of Parm Gilbert, J. L. Boyd, and Ernest Smith are certainly worth study, as they each represented clients in a time where all could be considered "pioneer attorneys" in Northern Michigan. It is special that three attorneys from the same, relatively rural area of Michigan would appear before the Court in the capacity they did. More often than not between 1910 and 1950, attorneys from Detroit, Grand Rapids, or Lansing advocated before the Court, leaving a smaller percentage of attorneys from Northern Michigan who argued before the Court.

## Endnotes

<sup>1</sup> Michigan Federation of Labor, Official Year Book 1906 at 313.

<sup>2</sup> Tobin T. Buhk, *Michigan's Strychnine Saint: The Curious Case of Mrs. Mary McKnight*.

<sup>3</sup> *Id.*

<sup>4</sup> The Court did note that the letters were not something that "should ordinarily be written by a subordinate to a superior officer" and the content, in the Court's opinion, "might very properly have called for a rebuke from the [insurance company's] president."

<sup>5</sup> According to the CDC, strychnine is a white, odorless, bitter crystalline powder that only a small amount is needed to produce severe and dangerous health effects in people.

<sup>6</sup> Tobin T. Buhk, *Michigan's Strychnine Saint: The Curious Case of Mrs. Mary McKnight*. Newspapers across Michigan ran articles covering the entirety of the trial. For example, the Toledo Sunday Bee's newspaper ran an article titled "Modern Lucretia Borgia, Mrs. McKnight Confessed to Long List of Horrors" and the New York Times wrote "Woman Confesses to Killing Three Persons."

<sup>7</sup> *Id.*

<sup>8</sup> *Id.* at 90.

<sup>9</sup> *Id.* at 120.

<sup>10</sup> *Id.* at 131.

<sup>11</sup> Biographical History of Northern Michigan. Indianapolis, IN: B.F. Bowen and Co., 1905.

<sup>12</sup> Biographical History of Northern Michigan. Indianapolis, IN: B.F. Bowen and Co., 1905.

<sup>13</sup> Boyd's earliest case before the Michigan Supreme Court is *Wooden v Wooden*, 72 Mich 347 (1888).

<sup>14</sup> Tobin T. Buhk, *Michigan's Strychnine Saint: The Curious Case of Mrs. Mary McKnight*.



The Spotlight on Great Advocates series was written by Advocates Guild intern Patrick Batterson. Mr. Batterson is a recent graduate of Western Michigan University Cooley Law School. Having passed the Michigan Bar Exam, he is now a practicing attorney.

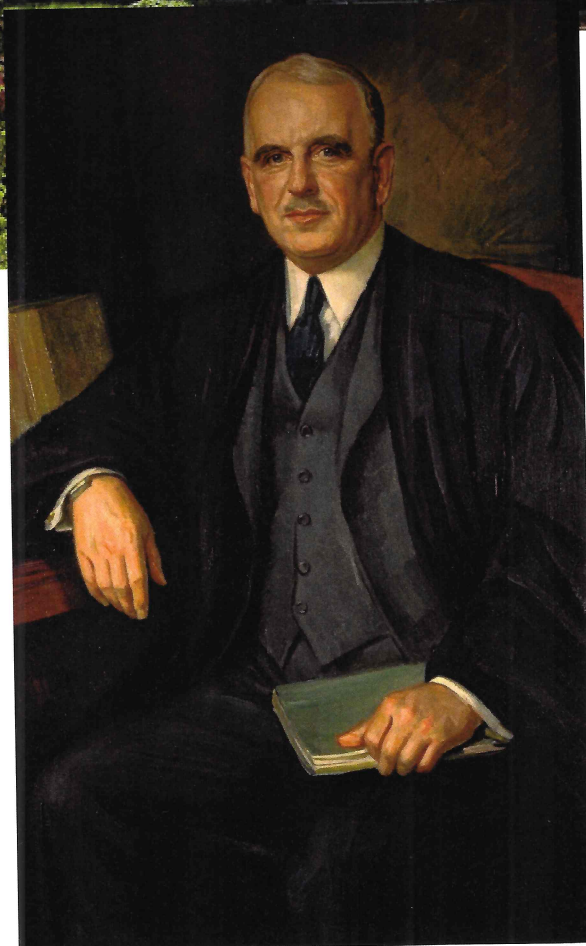


# Where the Justices Lived

As of this writing, it has been nearly a full year since the world shut down for COVID-19. We have traded pantsuits for track suits; learned to hold court hearings and board meetings via Zoom; and spent more time at home than ever before. Several former justices lived in the historic Boston-Edison neighborhood of Detroit in the twentieth century.



Justice Franz Kuhn lived at 112 Edison in the 1910s. He was appointed to the Michigan Supreme Court on September 6, 1912, by Governor Chase Osborn and served until December 30, 1919, when he retired to become President of the Michigan Bell Telephone Company.



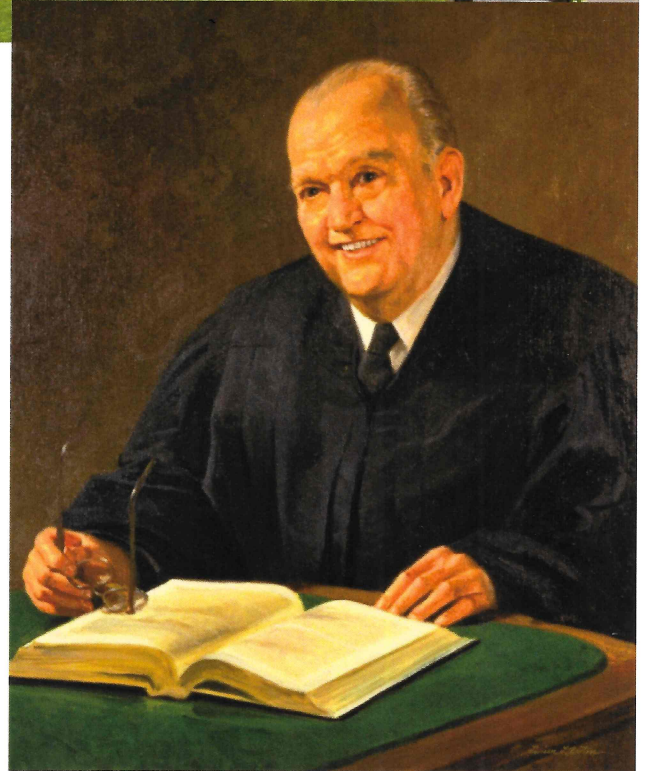
Just down the street, at 101 Edison, lived Justice Henry Butzel, from the late 1910s until his death on June 7, 1963. Justice Butzel, one of the longest-serving justices on the Michigan Supreme Court, served from 1929 to 1955.

*The Historic Boston-Edison  
Neighborhood of Detroit*





Justice Harry Kelly, who served as Michigan's Governor from 1942 to 1946, then served on the Michigan Supreme Court from 1954–1971, lived at two homes in the Boston-Edison neighborhood. He joined his father and brother in the 1920s, practicing together in a law firm that represented General Motors. They lived at 1128 Atkinson. After the death of his father, Justice Kelly moved to 2465 Chicago Boulevard, where he lived during the 1950s.



Justice Conrad Mallett Jr. lived at 2030 W. Boston as a child in the 1960s. He was appointed to the Michigan Supreme Court in 1990 and served until he resigned on January 2, 1999.

**The Boston Cooler** originated in Detroit, although its existence predates Boston Boulevard.

Make your own! Mix 8 oz of ginger ale (preferably Vernor's) with a scoop of vanilla ice cream in a blender.

If you are serving as your own bartender, try a boozy Boston by adding a shot of rum or Jameson whiskey. Or, don't! It's perfectly delightful on its own.



3rd Floor, Hall of Justice  
925 W. Ottawa Street  
Lansing, MI 48915

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### *Mission Statement*

The Michigan Supreme Court Historical Society, a non-profit 501(c)(3) corporation, collects, preserves, and displays documents, records, and memorabilia relating to the Michigan Supreme Court and the other Courts of Michigan, promotes the study of the history of Michigan's courts, and seeks to increase public awareness of Michigan's legal heritage. The Society sponsors and conducts historical research, provides speakers and educational materials for students, and sponsors and provides publications, portraits and memorials, special events, and projects consistent with its mission.

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*Society Update* is published quarterly by the Michigan Supreme Court Historical

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