

Mr. Smith Goes to Lansing

To the Editor:

Carrie Sharlow's biographical sketch of Dudley Mallory ("Michigan Lawyers in History," July 2016) mentions Justice Otis Smith, the first African American to serve on the Michigan Supreme Court (1961–1966). It describes his appointment by Gov. John Swainson in 1961, election in 1962, and subsequent

defeat in 1966. Smith's autobiography, *Looking Beyond Race: The Life of Otis Milton Smith*,¹ and portrait presentation² give a full description of his life except for his election in 1962 and defeat in 1966.

Following Smith's nomination by the state Democratic Party in 1962 and the nomination of Paul Adams—a fellow Supreme Court justice also appointed to the high court after serving as attorney general in 1961—the two campaigned together.³ There was considerable concern in their campaign organization that Smith was the weaker of the two candidates. To obviate this concern, campaign initiatives emphasized the two running as a pair. Smith unexpectedly won and Adams lost to Michael O'Hara.

In 1966, Smith ran for the Supreme Court as an incumbent. Also running for reelection as an incumbent was Thomas Matthew Kavanagh, initially elected to the high court in 1957 and known as "Thomas the Mighty" when he served in the 1970s with Thomas Giles Kavanagh, elected as a justice in 1968 and known in contrast as "Thomas the Good."

Even though both were nominated by the Democratic Party, Smith and Kavanagh ran separate campaigns. Smith was anxious to run as a team with Kavanagh, but Kavanagh chose not to associate his effort with his fellow justice.

Smith lost in the 1966 election to Thomas Brennan, who later founded the Thomas M. Cooley Law School. Kavanagh won.

In contrast to today's Supreme Court races, little money was spent in any of these elections. Aside from individual appeals to community organizations to which they associated, the candidates depended on the coattails of the parties' state office candidates for help.

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ENDNOTES

1. Stolberg & Smith, *Looking Beyond Race: The Life of Otis Milton Smith* (Detroit: Wayne State University Press, 2000).
2. Presentation of the Portrait of Otis M. Smith, 417 Mich cc (1984).
3. Judge Cohn was co-chairperson of the Adams-Smith campaign committee in the 1962 general election.

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