Michigan Lawyers in History

Henry M. Duffield

By Carrie Sharlow

The state of Michigan was built by the lumber and auto industries, agriculture, and the lawyers who lived, studied, and practiced here. The articles in this occasional series highlight some of those lawyers and judges and their continuing influence on this great state.

n 1890, a group of attorneys and judges met to organize a statewide bar association for purposes of advancing the administration of justice, promoting the profession, and general socializing. The group chose as the first president a man wellknown among their order and who had previously been elected president pro tem at their February 22, 1890, organizational meeting: Henry M. Duffield.1

The Duffields were a notable family in Detroit; Henry, the baby, was born May 15, 1842, when his father was nearly 50 and his mother was 42. George Duffield was a longtime minister at the First Presbyterian Church and supported the abolitionist movement from his pulpit.2 Henry's grandfather—also named George—was a merchant who served as Pennsylvania's state comptroller general after the American Revolution.3 Henry's great-grandfather yet another George Duffield4—was a pre-Revolutionary minister known as one of the "fighting parsons" for his military service and later served as a chaplain to the Continental Congress.⁵ The Duffields were politicians, public servants, and patriots. And Henry was no different.

Henry was just finishing up his bachelor's degree at Williams College in Massachusetts when the Confederate Army fired on Fort Sumter; whatever plans he had after college were immediately scrapped because within two months, Henry had enlisted in the army—the first student from Williams to do so.6

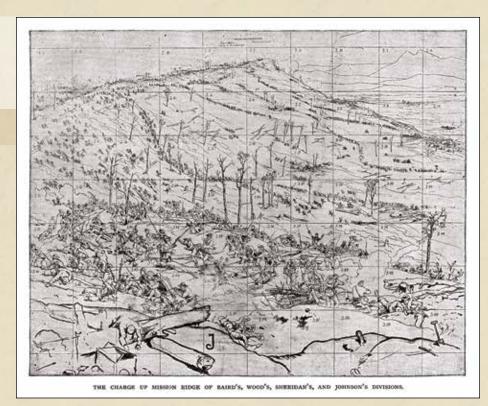
Henry's Civil War heroics could fill a book. He served at Stone River, Orchard Knob, Mission Ridge, Tunnel Hill, Adairsville, Pine Mountain, Jonesboro, Peach Tree Creek, Lovejoy Station, and Atlanta.7 He fought at the Battle of Murfreesboro in 1862, where he was wounded and captured along with his older brother.8 He fought at the Battle of Chattanooga in 1863 when the city was left to the Confederate Army, and one month later he fought at the Battle of Chickamauga and was wounded again.9 It was said that he "bore a hand in nearly all the hard-fought battles of the central west" and did so with great honor and "utmost courage." 10 He rose through the ranks before his honorable discharge on October 14, 1864.11 Afterward, he was commonly known as "Colonel Duffield" in reference to his Civil War service.

Between battles, Henry found the time to court Frances Merrill Pitts, the daughter of early Detroit settler Samuel Pitts12 and sister-in-law of Henry B. Brown.¹³ The two married on December 29, 1863, and had seven sons over the next two decades.14 The boys were destined to become doctors, lawyers, engineers, and stockbrokers.15

Henry chose the law as his profession. Upon his return to Detroit, he read law under the authority of his brother, Divie, who had been practicing for 20 years,16 and was admitted to the bar six months later.17

For more than 40 years, Henry was "identified with much of the important litigation in the various county, state and federal courts."18 He was the "official attorney for the board of education" and "secured for the Detroit public library the fines collected in police court."19 He was city counsel and served on the Water Board Commission.20 He taught the next generation of lawyers at the Detroit College of Law,

In the end, Henry Duffield's accomplishments "added a luster to the history of the state that cannot be dimmed by time," including helping to found a statewide bar association in Michigan.



Henry Duffield fought in both the Battle of Chattanooga and Chickamauga and later spoke at the monument dedication.

serving as a professor of Federal Jurisprudence & Practice.²¹ His reputation was above reproach, and he was known as "a lawyer of great ability, patient and careful in the preparation and trial of his cases" with a profound knowledge of the law.²² He would have been a marvelous judge, but declined nomination.²³

Henry continued to have a deep affection for his Union army comrades; he was active in the Grand Army of the Republic, an organization of Civil War veterans, at the state and national levels. ²⁴ In the early 1890s, he was involved in managing the organization's national encampment. ²⁵ Years later, when the Chickamauga and Chattanooga National Military Park—with its monuments to various states—was dedicated, he delivered a dedicational address at the 13th Michigan Infantry monument. ²⁶

Henry was a unanimous choice as first president of the Michigan State Bar Association. He ended his yearlong presidency with the hope that the organization would facilitate greater brotherhood among lawyers as they worked to achieve the "ideal of what the profession should be." ²⁷ The

association would dissolve more than 40 years later after the creation of the integrated State Bar of Michigan.

In the end, Henry Duffield's accomplishments "added a luster to the history of the state that cannot be dimmed by time," ²⁸ including helping to found a statewide bar association in Michigan. ■

Carrie Sharlow is an administrative assistant at the State Bar of Michigan.

ENDNOTES

- 1. Constitutions and By-laws of the Michigan State Bar Association and Proceedings of First Meeting (Detroit: Speaker Printing Co., 1890), pp iii-iv, viii, available at [https://perma.cc/3W5J-7L5T]. All websites cited in this article were accessed July 5, 2019.
- George Duffield III (1794–1868), Archives & Special Collections, Dickinson College https://perma.cc/R2PE-X924].
- Compendium of History & Biography of the City of Detroit and Wayne County, Michigan (Chicago: H. Taylor & Co, 1909), p 335, available at https://perma.cc/WMV3-KKTH].

- 4. There was a George Duffield I (1690–1744) who immigrated from Ireland and was the father of "fighting parson" George Duffield; see Leake, History of Detroit, Volume II (Chicago: The Lewis Publishing Co, 1912), pp 566–567, available at https://perma.cc/2RRK-SR9E].
- 5. Compendium of History & Biography, p 334, and The Reverend George Duffield, Presbyterian Heritage Center https://perma.cc/PVP9-AEUK].
- 6. Marquis, The Book of Detroiters: A Biographical Dictionary of Leading Living Men of the City of Detroit (Chicago: A N Marquis & Co., 1908), p 151, available at https://perma.cc/YQ6I-Q2VX].
- 7. Gen. H. M. Duffield Is No More, Detroit Free Press (July 14, 1912), p 10.
- Reed, Bench & Bar of Michigan: A Volume of History & Biography (Chicago: The Century Publishing & Engraving Co., 1897), p 205.
- 9. ld
- 10. Id., pp 205-206.
- 11. Compendium of History & Biography, p 316.
- 12. Farmer, History of Detroit and Wayne County and Early Michigan: A Chronological Cyclopedia of the Past and Present (Detroit: S Farmer & Co., 1890), p 1226.
- See Sharlow, Michigan Lawyers in History: Henry Billings Brown, 96 Mich B J 38 (September 2017) http://www.michbar.org/file/barjournal/article/documents/pdf4article3218.pdf>.
- 14. History of Detroit, p 1120 and Compendium of History & Biography, p 318.
- 15. Bench & Bar of Michigan, p 206.
- Scholar, Linguist, Lawyer: Death of D. Bethune Duffield Last Night After a Brief Illness, Detroit Free Press (March 13, 1891), p 8.
- 17. Bench & Bar of Michigan, p 206.
- 18. Compendium of History & Biography, p 317.
- 19. Bench & Bar of Michigan, p 206 and Gen. H. M. Duffield Is No More, p 10.
- 20. Bench & Bar of Michigan, p 206.
- 21. Compendium of History & Biography, p 317.
- 22. "Obituaries: Henry Martyn Duffield," Report of the Thirty-Fifth Annual Meeting of the American Bar Association (Baltimore: The Lord Baltimore Press, 1912), p 635 and Compendium of History & Biography, p 317.
- 23. "Obituaries: Henry Martyn Duffield," p 635.
- 24. Compendium of History & Biography, p 316.
- State Legislature: The G.A.R. Encampment May Get State Aid After All, Alma Record (May 22, 1891), p 2.
- Janney, "I Yield to No Man an lota of My Convictions": Chickamauga and Chattanooga National Military Park and the Limits of Reconciliation, 3 J of the Civil War Era 407 (September 2012), pp 394–420.
- Proceedings of the First Annual Meeting of the Michigan State Bar Association Held at Detroit, June 16, 1891, Mich State Bar Ass'n (1892), p. 8.
- 28. City in Brief, The State Journal (July 15, 1912), p.7.