

Michigan Lawyers in History

Austin Blair

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.

The next time you drive up Michigan Avenue in Lansing or walk across the state capitol lawn on your way to a committee hearing, remember this: the only monument on the capitol green honoring a single individual pays homage to a lawyer.

Granted, most people recognize Austin Blair as Michigan's governor during the Civil War, and the statue honors him as such, but before he ever gave his inaugural address on the preservation of the Union,¹ he was an attorney.

Like so many residents of the Great Lakes State in the early nineteenth century, Blair was not a native Michigander. He was born in Caroline, New York, the oldest of George² and Rhoda (Blackman Mann) Blair's four children.³ After a childhood on the family farm, Austin decided the farm life wasn't for him. He began his secondary education at Methodist Cazenovia Academy; rumor has it he was expelled after organizing a protest against the school's annual revival.⁴ He transferred to Union College, graduating in 1839, and studied law at the offices of Sweet & Davis in Oswego for two years.

Upon his admission to the bar, Blair moved to Michigan where he settled in Eaton Rapids and took the position of county

clerk. The mid-1840s were not good years for Blair. His first wife, Persis Lyman, died in childbirth in 1844; his second wife, Elizabeth Pratt, died in the same manner three years later.

In the midst of these troubles and establishing his practice, Blair began his political service. From 1845 to 1849, he served in the House of Representatives, initially as a member of the Whig Party; he later abandoned the party because of a difference in abolitionist principles. Blair preferred to follow his "conscientious convictions"⁵ rather than those dictated by the party. This personal integrity didn't increase his income or ensure his position in the legislature—he lost the next election⁶—but it ensured his reputation as a trustworthy figure.

During his first years in the legislature, Blair introduced and supported unpopular bills. He was "instrumental in securing the abolishment of capital punishment" in Michigan, causing him to be the subject of a scathing sermon by Detroit Reverend Dr. George Duffield, who referred to Blair as "an infidel."⁷ The bill passed, making Michigan the first state to abolish the death penalty.

In a time when slavery was still legal, Blair presented a petition for the "extension of the right of suffrage to colored persons,"⁸



Photo by Tom Gennara; courtesy of the Michigan Capitol Committee

believing that "the time has come when the colored men of America should be allowed to assume their rightful position as citizens of the republic, upon an equality in all respects with their white brethren."⁹ The Civil War was still 15 years away and the Fifteenth Amendment was almost 25 years away. Blair was ahead of his time, but the petition did not pass.

The late 1840s and early 1850s were much better to Blair. He married again, this time to Sarah Horton; the couple had four sons (George, Charles, Fred, and Austin), and Sarah eventually outlived her husband. And although he lost his seat in the

legislature, Blair continued to build his legal practice, served as Jackson County prosecutor from 1852 to 1854, and helped found a new national party.

In 1854, Austin was reelected to the legislature as a senator and member of the newly formed Republican Party. Six years later, he served on the Michigan delegation to the Republican National Convention, where he initially voted for William Seward as the Republican candidate for president¹⁰ before endorsing fellow attorney Abraham Lincoln. It was later said that “Lincoln had no supporter more loyal than Austin Blair.”¹¹ In 1860, Lincoln was elected president and Blair was voted in as Michigan’s governor.

War came.

It is said that Blair was the first western governor to respond to the president’s call for troops to defend the Union. It is also said that President Lincoln, upon viewing Michigan’s newly arrived troops in Washington said, “Thank God for Michigan.”¹² Regardless of the truth in these stories, they are both examples of the willingness of Michigan and its governor to help preserve the Union.

Within eight months of the firing on Fort Sumter, Michigan sent “13 infantry regiments, three cavalry regiments, and five batteries of light artillery...”¹³ Over the course of the Civil War, Michigan provided some 90,000 soldiers,¹⁴ leaving approximately 15,000 on the battlefield. Austin stated that “the people of Michigan will recognize this as a duty already too long delayed.”¹⁵

Blair left the governor’s office after the Civil War only to run for Congress and serve in the U.S. House of Representatives from 1867 to 1873. After returning to Michigan, he was elected Jackson County prosecuting attorney and also served as a University of Michigan regent.

Between his various political ventures, Blair continued practicing law. He was admitted to practice before the United States Supreme Court and Circuit Court. One of his sons, Charles, studied law in his father’s office and eventually became a Michigan Supreme Court justice.

Blair died at age 76 on August 6, 1894. His passing was noted in state and national

newspapers. The University of Michigan offered the perfect epitaph for his life:

[A] man of large experience in public life, a lawyer of acuteness and learning, a leader with high intellectual and moral ideals and with the most fearless spirit.... Few men, if any, have done more for the State of Michigan than Austin Blair.¹⁶

The Michigan legislature and public agreed. In 1895, a resolution was introduced authorizing \$10,000 for a statue of the late governor. Michigan citizens approved and lobbied accordingly: on one day alone, the legislature received more than 100 petitions from nearly 3,000 Michigan veterans and citizens requesting the joint resolution’s passage.¹⁷

The monument stands directly in front of the capitol building in Lansing. It remains the only statue on the capitol grounds honoring an individual. ■

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ENDNOTES

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- See 1895 House Journal 1682-1692. The total number for May 1, 1895 comes to 2,735.

Courtesy of the Michigan Capitol Committee