

First elected secretary of state in 1938, he was re-elected two years later. In 1942 Justice Kelly became governor, and also succeeded himself in this office.

Declining to run for a third gubernatorial term, he returned to the family law firm. He was soon called back to public life however, to run against then-incumbent Governor C. Mennen Williams in 1950.

This was a cliff-hanger election and it took a recount to prove Williams victor, with a plurality of only 1,154 votes.

It is interesting to note that Justice Kelly was the third person in Michigan history to serve as both governor and a Justice of the Supreme Court. Epaphroditus Ransom was one of the first to be elected to the Supreme Court under the 1835 Constitution, having served on the Court from 1836 to 1845 when he became governor of Michigan. Alpheus Felch, elected governor in 1845, had previously served on the Supreme Court for two years.

Two more former Michigan governors - Justice Kelly's former political opponent, G. Mennen Williams; and another wartime disability victim, John B. Swainson - are advancing to the Supreme Court bench, at the very time Kelly is stepping down.

At the same time Justice John R. Deihmers, attorney general for two years of Kelly's term as Governor and a Kelly appointee to the Supreme Court, will be terminating a 24-year career on the Court.

Justice Kelly's record on the Supreme Court is quite extraordinary. During his years on the bench, approximately 2,700 cases were decided. Justice Kelly participated in 2,686 of them. During his tenure he wrote 480 opinions, of which 300 or 62.5 per cent were unanimously adopted by the Court. An additional 70 were majority or prevailing decisions.

Court, his vote was the most valuable tool, and he would not hesitate to cast his vote as he believed best, even if in doing so, he alienated many former political associates.

An example of this is contained in Park v. Employer's Security Commission, 355 Mich 103.

These opinions of the Justice were particularly evident in the interpretation of Michigan constitutional provisions, believing that the greatest possible weight should be attached to the will of the people as expressed at the ballot box, he consistently fought to uphold the provisions of the Michigan Constitution in the face of claimed federal pre-eminence.

In the controversial area of search and seizure, he repeatedly upheld the provisions pertaining thereto in the Michigan Constitution. In the face of argument that the United States Supreme Court in Mapp v. Ohio, 367 US 643, abrogated the Michigan provisions, Justice Kelly repeatedly called attention to the fact that the Mapp Case involved a curtilage search. Also that the United States Supreme Court never cited Mapp to establish the proposition of non-curtilage search and seizure; that, therefore, Mapp did not overturn the Michigan constitutional provisions. This is evidenced in re Winkler, 372 Mich 292; People v. Blessing, 378 Mich 51; People v. Rosa, 382 Mich 163; People v. Shaw, 383 Mich 69; People v. Pennington, 383 Mich 611.

Justice Kelly holds honorary degrees from the University of Detroit, Notre Dame University, Albion College, Michigan State University, University of Michigan, Wayne State University and Eastern Michigan University. He is a member of the Roman Catholic Church, Knights of Columbus, American Legion, Veterans of Foreign Wars and the Disabled American