

The Crosswhite Fugitive Slave Case

Summer Fellowship 2007

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Essential Questions/Enduring Understandings:

- What was the law regarding fugitive slaves before the Civil War and the 13th Amendment?
- What attitudes and actions did citizens in free states take toward attempts to recapture fugitive slaves?
- How can court and census documents allow historians to learn about the past?

Assessment:

This lesson assesses student participation, effort, and understanding through the following six activities, five of which involve producing varieties of written response.

1. **One interesting thing, one surprising thing, one question** based on whole-class introduction
2. **Two-column notes** about the original case filing
3. **Partner notes** on assigned or selected deposition
4. Participation in **circle discussion**
5. **“Questions still to answer”** sheet and answers based on documents
6. **Summary paragraph** describing the laws regarding fugitive slaves as they existed in the 1840's and northern reactions against them

Setting the Purpose:

The teacher introduces the lesson with a presentation of **national and regional primary source materials** using a computer projection system or overhead transparencies. The wording outlawing slavery, but providing for the return of fugitive slaves in the Northwest Ordinance of 1787 begins the introduction. The teacher then tells students that a national Fugitive Slave Act was passed six years later in 1793 under Article IV, Section 2 of the United States Constitution. Setting the purpose for the case study then involves showing the cover of a typical court document, the signature of the main defendant, Charles Gorham, the mark of a witness unable to write, a complaint by the defense attorneys and the sign off of a marshall at the completion of the census in a particular county. If a teacher has read the accompanying **synopsis of events**, these documents can be used to introduce elements of the case study as completely or incompletely as a teacher desires.

Duration: Suggested to be 3 class periods (about 2 hours of class time).

Procedure:

Day 1

Index Card

Show the purpose-setting documents. Ask students to identify one interesting fact in the introduction, one surprising thing, and one good question to ask. It works well to have students

write these items on an index card during the introduction. The teacher might collect these or ask for some students to share or go around the room to read some cards during the next activity.

Two-column notes

Hand out the two-column notes sheet to each student. As can be seen on the attached example, the left column has topics which students should think about while looking at the case filing. The right column has some stems to assist in note-taking and some blank space to record thoughts about the document. Give individuals 5-10 minutes with the notes on their own and allow them to share and collaborate with class mates for the last 10 minutes. Collect the two-column notes to assess students' analyses of the filing.

Day 2

Partner notes

In this activity all students pair up (with one group of three or the teacher also joining in a pair) and are given one of the ten transcribed depositions. Each student should have some familiarity with the case from the case filing activity, but a summary based on teacher review of the two-column notes could begin this class. Each pair takes a blank piece of paper, writes both their names on it, and notes names, events, and other key information found in their deposition. The teacher should note the varying degrees of difficulty of the selected depositions. Some of these documents could be split into pieces, saved for whole-class discussion, or used to model.

Circle discussion

After enough time (maybe about half of class time) have students form two circles by arranging desks or just standing. An outer circle should face an inner circle and each circle should have the same number of students. At some points students may face a partner or someone that looked at the same document, and that is not a problem. Tell students they have one minute to share with the person they are facing. After one minute, one circle rotates, after the next minute the other circle rotates the opposite direction. Once everyone has shared, use the remaining time to sum up as a whole group.

Day 3

"Questions Still To Answer"

Have census information and depositions ready to use as resources. One easy way to do this is to have access to a projector and be able to show the computer files. You also might post some 11x17 copies in the room for the census info. To access the knowledge students have built up about the Crosswhite case and the American history it illuminates, have the class brainstorm some questions that have not been answered so far. It could be effective to have each student turn to their neighbor and come up with one or two things they still want to know about the Crosswhites or the Giltners or the court case. Some questions that can be answered with the documents might be: how many slaves the Giltners owned, what happened to the Crosswhites, how did the court case end. Depending on how you are displaying the documents, students might be directed to different parts of the room or view enlarged documents as a group to answer as many questions as possible and discuss what cannot be answered from these sources and where else information might be found.

Summary Paragraph

In the remaining time or as a homework assignment, each student must write a summary statement (at least a paragraph) explaining what the law was regarding fugitive slaves before the Civil War (the 1850 Fugitive Slave Act may or may not be presented at this point) and how some

northerners, especially abolitionists, reacted to these laws. It is required that a student use facts from the Crosswhite case study to detail their statement.

National Primary Sources

1787 Northwest Ordinance

1793 Fugitive Slave Act

1850 Compromise (including Fugitive Slave Act – optional for this lesson)

Local Primary Sources (See Scanned Resources Master Information List)

Court depositions and other documents from U.S. Circuit Court, Eastern District of Michigan, Detroit area, case 1900, National Archives, Great Lakes Region

Census records and slave rolls for the states of Kentucky and Michigan.

Carroll County, Kentucky U.S. Census 1840, 1850, 1860

Calhoun County, Michigan U.S. Census 1870