

## Introduction

The class created a mock trial revolving around the stories of two slaves, Mary Douglas Tubman and Charlie. These stories were based on the social and political constructs of 17<sup>th</sup> century society. The defense teams were responsible for creating and defending the story of Charlie and Mary, while the prosecutions' duties were to take the sides of the masters and the law.



## Defense 1

- Charlie was enslaved in Georgia and promised freedom by his master.
- He was married with one child and escaped with his family when he was the age of 25.
- The master went back on his word therefore Charlie decided to runaway but left the price for his freedom.
- Charlie was never given legal papers for freedom yet his light skinned free wife posed as his master so they could escape to the north.
- He earned a skilled job in Boston and his boss vouched for him as a tax paying, hard working citizen.

## Defense 2

- Mary was married with two children and one on the way. She was born in Brazil and held a Brazilian birth certificate and passport when she landed in Boston.
- She had a signed letter from the Mayor who spoke on her behalf at the hearing testifying that she was born free and never enslaved.
- A bounty hunter caught her without her papers and proceeded to take her into custody.



## Questions from Jury

- Charlie why did you run away when your master told you he would free you sometime?
- Charlie why did you leave money without getting signed papers?
- Mary who is the father of your unborn child?
- Why should we take either of your words? The law does not require us to recognize marriage or take the word of a Black person over the words of a white person. The prosecution tells a different story.



## Background

- A large number of enslaved people ran away from slavery over the decades until the 13<sup>th</sup> Amendment was added to the Constitution in 1865.
- The Constitution allowed enslaved people to be treated as property and federal militia to be used to apprehend fugitives.
- Successive Fugitive Slave Acts allowed masters or their agents to pursue enslaved persons across state lines, capture them and take them back.
- Each team had 8 minutes to present their case while the jury formulated questions.
- After presenting their cases the teams were allowed 4 minutes rebuttal, and the jury and judge gave the verdict.

## Prosecution 1

- Charlie claims that he was verbally promised freedom, but has no written proof of the matter.
- He claims there were other slaves to pick up his slack, however his master owns a small farm and only needed the one slave – now gone.
- Charlie allowed his lighter-skinned “wife” to fake his freedom papers (using hers). But he was not even allowed to get married - it is against the law. That is not even his child.



## Prosecution 2

- Even though Mary has documents stating that she is free, there is no proof that she didn't forge the papers; after all they were foreign.
- The mayor is not the person who has the right to free Mary. The supposed owner is the sole person that has the right to free her. We have a master who swears she is his property.
- If the Fugitive Slave Act says fugitives must be returned no matter where they land, why does the WHITE mayor support the idea of Mary's freedom?

## Judgment

- In the case of Charlie, the jury's verdict is based on the defense's plea on behalf of his boss, who testified that Charlie makes an invaluable contribution to his shop. The jury granted Charlie's boss the chance to buy Charlie – compensating the master for his loss and accommodating all parties.
- In the case of Mary, the jury's hands were tied because of all the irrefutable evidence. With the verification from the major himself there was nothing the judge or jury could do other than to bring her up on morals charges which were brought to light within the trial.