



The Origins and Development of American Legal History in New York City (1609 – 1865)

Lesson Plan #5: The Civil War, Race, and the Law in New York City

Background Reading: John D. Gordan III, “[The Lemmon Slave Case](#),” *The Historical Society of the New York Courts Newsletter*, #4 (2006) pgs. 1, 8 – 12

Iver Bernstein, *The New York City Draft Riots: Their Significance for American Society and Politics in the Age of Civil War* (Omaha: University of Nebraska Press, 2010) Intro and ch. 1.

Class Activity #1 (15 minutes):

Students should read the HSNYC’s article on the 1854 case [Jennings v. Third Avenue Railroad Co.](#) and answer the following questions:

1. What did racial segregation look like in antebellum New York City?
2. Did Elizabeth Jennings receive a fair trial?
3. How does this case help us understand how New York City experienced the Civil War era?

Class Activity #2 (10 minutes):

Each student should be paired with a partner. Together, these groups will compare and contrast [Jennings v. Third Avenue Railroad Co.](#) with [the Lemmon Slave Case](#): what do the cases have in common? How might they differ?

Class Activity #3 (20 minutes):

For this exercise students will role play a historical actor to gain a deeper understanding of the events surrounding the 1863 New York City Draft Riots. Students will be broken up into four groups. Students will read the HSNYC article, “[Court Cases Related to the New York City Draft Riots, 1864](#)”. Using this reading and the chapters from Iver Bernstein’s *The New York City Draft Riots*, each group will take on the perspective of a New Yorker from the 1860s: Group #1 will be an Irish immigrant living in the Five Points slum; Group #2 will be an African American New Yorker living in the Seneca Village neighborhood; Group #3 will be a Protestant, native-born and middle-class charity worker; and Group #4 will be an officer from rural upstate New York brought in to suppress the Draft Riots. Each group should answer the following questions:

1. What were the causes of the riots?
2. Were the Draft Riots justified?
3. How should New York’s criminal justice system handle the rioters?

Class Activity #4 (5 minutes):

Class discussion: how should American society react to urban riots?

Homework: Using John D. Gordan’s article on the [Lemmon Slave Case](#), assess the long-term significance of this court trial in the history of the era of the American Civil War. Over 1 – 2 pages, answer the following questions:



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1. What was the long-term importance of the Lemmon Slave Case?
2. What does this case tell us about the history of New York?
3. What impact did it have on the Civil War that occurred shortly after the case was decided?