

The Legacy of John Adams

William Seward's defense of William Freeman

William Freeman was a young man of African and Native American descent who had a troubled youth. He was in prison on arguably a wrongful conviction for stealing a horse, when he suffered a brain injury. His injury left Freeman nearly deaf and raised questions about his sanity. In March 1846, roughly six months after he was released from prison, he murdered four members of the Van Nest family in their home. Freeman was identified by a victim who survived the attack. He was captured and brought to jail despite an angry mob who wanted to see him hanged immediately.

William Seward, who later served as secretary of state under President Lincoln, agreed to defend Freeman. Seward strongly believed the insane were not responsible for their actions, not a commonly-held view at the time.

Seward never argued that Freeman was innocent of murder, only that he could not be held responsible because he was insane. Seward sought to have Freeman committed to an asylum rather than put to death. During both the preliminary trial and the murder trial, Seward called people to testify who knew Freeman both before and after his injuries. He used medical experts who confirmed Freeman as insane. Yet, the jury decided that Freeman was in fact sane and later convicted him for the murders.

Seward did not give up. He obtained a stay of execution. In the following year, an appellate court reversed the ruling of the local court and ordered a new trial. Freeman died in prison before the start of the new trial.

Today, a plaque in front of the courthouse reminds visitors of the Freeman trial. It reads: "In 1846, William H. Seward in Cayuga County Court House defended a man accused of murder and based his plea on the unprecedented grounds of insanity. Although scorned and humiliated by many for his stand at that time, history has since vindicated him as a man of principle, courage and foresight."



William H. Seward

Newspaper Activities:

- ◆ Look through the news (in-print or online) for examples of a person or group of people defending a person or group that is highly unpopular in the eyes of the general public. Summarize of the circumstances surrounding the controversy, including all points of view.
- ◆ Locate articles about the American criminal justice system. Use on-going reports and/or archived stories to follow the coverage of a particular case over a period of time. What does the coverage reveal about our criminal justice system, particularly about the rights of the accused?

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Look through the news (in-print or online) for examples a person or group of people defending a person or group that is highly unpopular in the eyes of the general public. Write a brief summary of the circumstances surrounding the controversy, including all points of view.

Examine the issue:

What?

Who?

When?

Where?

Why?

How?

Follow up: As a class, discuss potential ways to solve the injustice. Think about the Who, What, When, Where, Why and How of the class' best solution.