BLACK BEFORE THE BAR:
A History of Slavery, Race Laws, and Cases in Detroit and Michigan

Edward J. Littlejohn†

CHAPTER I: AMERICAN LAWS, SLAVES, AND FREEDMEN............. 1
A. Slavery in the South ....................................................... 2
B. Slavery in the North ....................................................... 7
C. Law and the Dehumanizing Process: South and North .......... 10

CHAPTER II: SLAVES, LAWS, AND COURTS IN EARLY DETROIT
AND MICHIGAN................................................................. 18
A. Slavery and the Law in Michigan ........................................ 18
B. Slaves in Court: Judge Woodward and the Supreme Court of
the Territory of Michigan .................................................. 30

CHAPTER III: FROM STATEHOOD TO RECONSTRUCTION: NO
LONGER SLAVES, NOT YET CITIZENS................................. 39
A. The Legal Status of Blacks from Statehood to the Civil War ...... 39
B. Fugitive Slaves in Michigan ............................................... 44

CHAPTER IV: THE MICHIGAN SUPREME COURT AND BLACK
RIGHTS..................................................................................... 59
A. The Right to Vote ............................................................. 59
B. The Right to Equal Public Accommodations: Day v. Owens .... 69
C. Equal Access to Public Schools: The People ex rel. Workman
    v. Board of Education .................................................... 71
D. From 1870 Toward Brown v. Board of Education ............... 77
E. Racial Restrictive Covenants in the Use and Occupancy of Real
    Property ........................................................................ 81

CONCLUSION........................................................................... 84

† Professor Emeritus, Wayne State University Law School. B.A., Wayne State
University; J.D., Detroit College of Law (now Michigan State University College of Law);
LL.M and JSD, Columbia University Law School. Professor Littlejohn received the State
Bar of Michigan’s Champion of Justice Award in 1995. He was also inducted into the
Wayne State University Law School’s Wall of Fame in 2016 and was awarded the
Michigan State College of Law Distinguished Alumni Award in 2016.