



**Teachers' Guide**  
*to*  
**Who killed William Robinson?  
Race, Justice, and Settling the Land**

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## Table of Contents

Overview .....	4
Site Organization .....	5
<b>Unit 1: William Robinson and the Law</b> .....	6
Fitting this unit into your Provincial Curriculum .....	7
Unit Rationale .....	8
Unit Overview .....	9
Unit Themes .....	12
Unit Skills, Concepts, and Objectives .....	13
Instructional Strategies .....	14
Recommended Time Frame .....	16
Preparatory Exercises .....	17
<b>Unit 1: Lessons summarized</b> .....	18
Lesson 1: Seeing Myself in the Future's Past .....	21
Lesson 2: Evidence for Murder .....	25
Lesson 3: Establishing Historical Contexts .....	30
Lesson 4: Criminal Law, Then and Now .....	35
Lesson 5: Reading Between the Lines .....	38
Lesson 6: Thinking it Through .....	43
Lesson 7: Who Killed William Robinson? .....	44
Support Material A: Evidence and What it Teaches .....	47
Support Material 1: "Who Killed William Robinson" .....	48
Support Material 2: How to Read a Historical Document I .....	49
Support Material 3: What Happened According to Whom .....	50
Support Material 4: How to Read a Historical Document II .....	51
Support Material 5: Evaluating Your Document .....	54
<b>Unit 2: Murder in Our Own Backyard</b> .....	55
A Note from the Author: Documenting my Exploration of the Website .....	56
Establishing Learning Outcomes .....	66
What You Will Need .....	66
Lessons .....	67
Building on Prior Knowledge .....	68
Creating Anticipatory Set .....	70
Activities: Exploring the Site .....	72
Showing Off Our Learning .....	73
Cross-Curricular Connections .....	75
Home/Community Connections .....	76
Assessment .....	77
Support Material: Task Cards .....	78
Bibliography .....	83
About the Author .....	85

<b>Individual Lesson Plans: Who Killed William Robinson?</b>	87
Fitting This Unit Into Your Provincial Curriculum	88
Unit Rationale	90
Unit Overview	91
Unit Themes	93
Unit Skills, Concepts, and Objects	94
Instructional Strategies	95
Lessons summarized	97
Lesson 1: Seeing Myself in the Future's Past	99
Lesson 2: Writing the News	103
Lesson 3: Documents and Detection	107
Lesson 4: Historical Contexts	113
Lesson 5: The Retrial	117
 <b>Support Materials</b>	 125
Support Material A: Evidence and What it Teaches	125
Support Material 1: Is This Fair Reporting	126
Support Material 2: Who Killed William Robinson	127
Support Material 3: Following the Trial	128
Support Material 4: Establishing the Facts of the Case	129
Support Material 5: The Interrogation	130
Support Material 6: Salt Spring Island Society in the 1860s	131
Support Material 7: Establishing the Facts of the Case	132
Support Material 8: Motive, Means, and Murder	133

## Overview: The Big Idea

Everybody loves a mystery. Of all of the historical situations researchers encounter, nothing has quite the same impact as discovering someone wrongly hanged, or a guilty person going free. In the case of William Robinson, history enthusiasts have a real mystery to solve, and it is a case in which they can both explore the details and ask some “big” questions about history and social justice: Were cultural interpretations taken into account? Were the wrong people hanged? Did those who were equally “guilty” go free?

“Who Killed William Robinson?” is designed to engage students at different educational levels from junior high school to graduate school in a detailed investigation of this series of events. Taking full advantage of the non-linear and graphic features of the World Wide Web, this educational site draws students into historical research through the use of newspaper clippings, photographs, maps, diaries, paintings, and written narratives. Teachers can select the level of difficulty by the complexity of the questions they want answered.

Two full units are provided here: one that has been designed for a senior secondary high school class in law (grades 11 and 12), and the other for intermediate (grades 7 and 8) students in an integrated unit in Language Arts. Five free-standing lessons, of between one and six classes in length, and directed at junior high school level (grades 9 and 10) are also included here. These individual lesson plans are particularly adaptable, and can be used for teachers of all levels who would like to take advantage of the content matter and/or skills offered by this site, but who do not have the time to spend an entire unit on the website. Some suggestions are also offered for university professors and students under the section “Pedagogical Orientation.”

Whatever the level students are working at, they will find that the site works the same way: it teaches history by encouraging students to do history through document-based enquiry.

## Site Organization

First of all, rest assured that no one is expected to see the whole site, not even you. No one is expected to read every item in an archive before s/he starts to write a research paper, and the same principle applies here. What you, as a teacher, need is an understanding of the construction of the site in order to guide your students. For tips on how to navigate the site see: <http://www.canadianmysteries.ca/sites/robinson/home/howtousesite/indexen.html>

**Unit 1:**  
**William Robinson and the Law**  
**Teaching Unit for Law, Senior Secondary Courses**

~ A unit to further the development of critical thinking in the senior secondary law and history curricula using the website “Who Killed William Robinson? ~

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## **Fitting This Unit into Your Provincial Curriculum**

Our Teachers' Guide team has done some research into provincial curricula across Canada. We have identified the following courses as ones in which this law unit using the "Who Killed William Robinson?" website could most easily fit into your provincial curriculum. This is not meant, however, to be an exhaustive list.

### **British Columbia**

Law 12

Native Studies

### **New Brunswick**

Law 120

### **Newfoundland**

Canadian Law 2104

### **Nova Scotia**

Law 12

### **Nunavut & NWT**

*(see British Columbia)*

### **Ontario**

Ontario Law 11

Ontario Law 12

### **Saskatchewan**

Law 30

### **Yukon**

*(see British Columbia)*

## **Unit Rationale**

This unit uses the Great Unsolved Mysteries in Canadian History “Who Killed William Robinson” site to introduce students to some of the issues facing settlers and First Nations peoples in colonial British Columbia. It is designed to introduce students to research involving primary documents in history and social studies. The unit aims to facilitate students' critical awareness of the author's perspective in historical documents, to teach them to evaluate opposing evidence, to understand the utility of documents from a partial perspective, and to encourage students to adopt a broader and more critical perspective when reading historical evidence and narratives. Finally, it will develop in students a more nuanced understanding of the complex multicultural issues at work on Salt Spring Island, British Columbia in the last half of the 19th century.



## Unit Overview

Who can resist a murder mystery? Television series such as *Law & Order*, *Crime Scene Investigation*, and *Cops*, along with their many relatives and spin-offs, dominate the airwaves. The most popular shows allow viewers to follow along with the investigation and trial of suspects. Now, thanks to the Great Unsolved Mysteries in Canadian History project, senior secondary law students can investigate the murder of William Robinson from Salt Spring Island, British Columbia and can conduct their own trial based on transcripts and evidence presented at the time the crime occurred. The instructional strategies are designed to immerse students in the life and times of Salt Spring Island in the mid-19th century while developing their capacity for critical thought and thoroughly situating the study of law in its proper social, cultural and historical contexts.

*Who Killed William Robinson?* is a fascinating introduction to the study of criminal law. Taking full advantage of the non-linear and graphic features of the World Wide Web, the resources on this site draw students into historical research through the use of newspaper clippings, photographs, maps, diaries, artists' reconstructions, and written narratives. Teachers can select the level of difficulty by the complexity of the questions they want answered. The case of William Robinson has a significant twist. Of all the historical situations that researchers encounter, nothing has quite the same impact as discovering an innocent man hanged, a guilty man going free. William Robinson's body was discovered in his cabin face down, several days after he had been fatally shot in the back.

Robinson's death was the last of three brutal, seemingly unconnected murders, which occurred on the island between December 1867 and December 1868. All the victims of these Salt Spring Island murders were members of the island's African-American community, and Aboriginal people were widely blamed for all of the deaths. This African-American community had fled persecution and slavery in California in 1858, but the murders in 1868-9 fractured the community and drove many away. Many of Salt Spring Island's African-American community returned to the United States, which was more congenial to them after the Civil War had brought an end to slavery. An Aboriginal man, Tschuanahusset, was convicted and hanged for the murder of

one of these victims, William Robinson. The trial was a sham and afterwards, compelling evidence came to light to suggest that he was not the murderer.

As noted in the introduction to the Teachers' Guide, the website is not designed as a "stand-alone" teaching tool. Most of the important learning happens when students analyze and discuss the website in a classroom or in a moderated Internet discussion. This teachers' guide will provide instructors with the tools to encourage this learning. Students will be surprised to find that "Who Killed William Robinson" is not designed to provide answers. Instead, it is designed to provoke questions about how we get to the truth about the past. The evidence presented here about the guilt or innocence of the characters is equivocal, even though the site provides a very rich evidentiary base. We have more evidence with this case than with most micro- or macro-historical questions with which historians routinely deal. Despite this, there is not enough evidence to convict or exonerate anyone with 100% certainty. But there is enough here to give us more than reasonable doubt about the guilty verdict for the man convicted and hanged, and there is enough to suggest other suspects. These ambiguities are the site's greatest pedagogical strength. As far as the murder goes, students are asked to argue for the suspect or suspects they think is/are the most likely.

The unit is designed to draw students in with the near-universal attraction to the morbid and to injustice. But the murder mystery is mere bait to lure the unsuspecting into a much more complex understanding of the entire historical enterprise. It provides the initial introduction to archival research and archival material. The particular skills it teaches include critical reading, critical analysis/thinking, and the ability to think historically (i.e., to understand how people thought and behaved at different times in the past). It begins with an overview of the case and gives students the opportunity to acquire appropriate background information concerning both historical contexts and Canada's criminal justice tradition. Next, several distinct activities guide students through learning the skills to work with primary source documents. Finally, students participate in a mock trial. They use this information and the documents on the website as a whole to create a dramatization of the court case that will settle the matter, assigning roles and writing scripts for a final

performance in the last class of the unit.

## **Unit Themes**

To facilitate teachers in developing additional lessons and/or an expanded unit, some of the central themes of this website are listed:

Canadian and British Columbian history and geography

Confederation history

First Nations' history

Colonization and settlement history

Canada's criminal law tradition

Early "Canadian" justice systems

## Unit Skills, Concepts and Objectives

- Acquire a basic understanding of Canada's criminal law tradition, the features of criminal law as practiced today, and criminal law as practiced on Salt Spring Island in 1869;
- Acquire a basic understanding of Canada's criminal law tradition, the features of criminal law as practiced today, and criminal law as practiced on Salt Spring Island in 1869;
- Situate the study of law in its proper social, cultural, and historical contexts (develop an awareness for changes in the law and its interpretation over time, including changes in acceptable standards of evidence, and the role gender, race and class play in affecting standards of judicial equity);
- Acquire a more nuanced understanding of life in 19th century colonial society generally, and the diverse, multi-cultural environment on Salt Spring Island more specifically;
- Confront evidentiary challenges, including incompleteness and interpretative errors.
- - - Differentiate the quality of evidence and observe inconsistencies in testimony;
- Develop a vocabulary for the analysis of historical documents;
- Plan and conduct research using primary and secondary sources & electronic sources;
- Generate and critique different interpretations of primary and secondary sources;
- Assess and defend a variety of positions on controversial issues;
- Construct a narrative from pieces of evidence that are non-sequential;
- Plan, revise, and deliver formal presentations using a variety of media;
- Demonstrate leadership by planning, implementing, and assessing a variety of strategies to address the problem, issue, or inquiry initially defined;
- Refine abilities to construct and defend an argument.

## **Instructional Strategies**

### **Need for Computer Lab Time**

While this entire unit is fully integrated with the Robinson site, most tasks can be completed if the requisite documents are printed off ahead of time and handed out to students. In this way, classes with limited access to computer lab time can still complete the unit.

## Assessment & Evaluation

Because assessment and evaluation standards vary from jurisdiction to jurisdiction, only generalized guidelines have been included here. Instructors may wish to assign process marks for completion of the various tasks, or not, if their students are sufficiently mature enough to recognize that the successful completion of the various tasks is crucial to successful completion of the culminating activity.

The characteristics of A/A+ in critical thinking for specific tasks:  
(Instructors must examine their students' work for evidence that)

- Documents and sources are read and interpreted in-depth,
- Issues are analyzed seriously and thoughtfully,
- Presentations and talks are given carefully, with materials well-prepared and organized, and points well thought out,
- Results are expressed cautiously and are supported with reference to appropriate evidence,
- Opinions are reasoned,
- Reports and narratives are written discerningly, reflecting the above and with care, attention and evident pride in quality work.

## **Recommended Time Frame**

Allow approximately fourteen to fifteen 75-minute periods for this unit in an advanced or university-preparation level course if you intend to include all instructional strategies. Adjust as appropriate to meet the needs of different learners and instructional time limitations.



## **Preparatory Exercises**

If students have not worked critically with primary source documents before, it is strongly recommended that students do at least one of the preparatory lessons included in the Teachers' Corner section of the Great Unsolved Mysteries in Canadian History Website:

<http://www.canadianmysteries.ca/teachers/indexen.html>

## **Unit 1 Overview: The Lessons Summarized**

### **Key Question:**

### **Who Killed William Robinson?**

#### **Lesson 1:**

Seeing Myself in the Future's Past: Interpreting Primary Documents

1 class lesson (75 minutes)

In this introduction to historical documents, the class comes up with a list of the kinds of documents (primary sources) that historians of the future might use to make inferences about “our” lives hundreds of years from now. Students then select the three primary sources that they think will best describe their own lives for future historians, and use a data chart to explain why.

#### **Lesson 2:**

Evidence for Murder

2 classes

In this lesson, students are first given an overview of the murder of William Robinson, and introduced to the terms Primary and Secondary Sources. They are then asked to read a selection of documents (primary sources) relating to the incident, and assess the information they contain and the point of view they represent. If Tschuanahusset was not guilty of murdering Robinson, who might be? In the second part of the exercise, students develop a timeline for the events of the crime.

#### **Lesson 3:**

Establishing Historical Contexts

3 classes

In this three-class lesson, students work in groups to explore one of five areas that provides a historical broader context for understanding the crime. Each group will create a poster that represents their research, and present it to the class on one of the following topics: Settler Society on Salt Spring Island, Crime and Punishment in late 19th century Vancouver Island and British Columbia, Aboriginal Issues and Aboriginal/Non-aboriginal relations on the west coast in the 19th century, the larger Canadian historical context and the American (particularly West Coast) historical

context.

#### **Lesson 4:**

Criminal Law, Then and Now

2 classes

In this two-class activity, students are introduced to the basic concepts of criminal law and given an opportunity to explore Canada's criminal law tradition. Students are asked to identify the similarities in customs today with the past, as well as changes to the system.

#### **Lesson 5:**

Reading Between the Lines: Listening for Other Voices

2 classes

In this lesson, students learn to use critical skills for historical and legal investigation. In the first part, students learn how to interrogate a document for factual clues about the William Robinson murder. In the second part, students gather in groups to assess the quality and suitability of their documents to the investigation of Robinson's murder.

#### **Lesson 6:**

Thinking it Through

1 class

In this in-class writing activity, students refine their communication skills as they think through and summarize the evidence either in a newspaper-style article or in a report on inconsistencies in the trial testimony.

#### **Lesson 7:**

Who Killed William Robinson?

4 classes

In this culminating activity, students participate in a mock trial. They use this information and the documents on the website as a whole to create a dramatization of the court case that will settle the matter, assigning roles and writing scripts for a final performance in the last class. As an option or an extension activity, students can

write and submit individually their finding on the case.

## **Lesson 1:**

### **Seeing Myself in the Future's Past: Interpreting Primary Documents**

#### **Overview:**

In this introduction to historical documents, the class comes up with a list of the kinds of documents (primary sources) that historians of the future might use to understand “our” world hundreds of years from now. Students then choose five primary sources that they think will best describe their own lives for future historians.

#### **Support Material Used in this Lesson:**

Unit 1 Support Material A: Evidence and What it Teaches (Activity Sheet)

#### **Activities:**

1. Students are given the following scenario:

A historian of the twenty-third century, feeling that teenagers have been misunderstood through time, wants to write a history of teenagers, beginning in early twenty-first century Canada. The historian wants to know about all aspects of teenage life, from work, family life, and formal education to leisure activities, social life, and personal issues of concern to the twenty-first century teenager.

2. Ask students: how do historians learn about the past?

3. Explain that while historians read a lot of things written by other historians, the books and articles they write are based on their own research into evidence created in the past -- called primary documents -- which have been preserved into the present. Historians use these documents to make inferences about life in the past.

4. Familiarize students with the concept of inference by asking students what kinds of

inferences they might make about a society if they were an alien from another planet who encountered a common object from our world: a soccer ball, a coat, or any other commonly used object in the classroom. Examples might include “the society had the technology to create plastics,” or “the society had enough wealth to make a lot of useless objects,” or “people must have loved music.”

5. Students are asked to work in pairs to brainstorm the following questions:

- What records will individual students in the class leave behind that this historian might use to understand their life?
- What records about their life will have been created, and might be preserved, for that historian to find?

6. After 5-10 minutes, write all of their responses on the board, encouraging students, if needed, with the following suggestions (issues that you might like to raise about the creation, preservation, and interpretation of the source are in parentheses):

- Diaries and journals (Who will keep them? Will they make it into a public archives, as hundreds of thousands have in the past? What will they tell historians?)
- E-mails (Will they be preserved? Will they be machine-readable in the future? What will they tell historians?)
- Bills, such as VISA statements (Where will they be stored? Will historians have access to them? What will they tell historians?)
- Home videos (Will the technology still exist to view them? What will they tell historians?)
- Photographs (Who will preserve them? Will they be in public archives? What will they tell historians?)
- School records (Kept by school and then by the provincial archives, as required by law; who will have access to them in the future? If they are kept by individuals, who will preserve them and who will have access to them? What will they tell historians?)
- School work (How will that be preserved? What will samples tell historians?)
- Clothing (How will someone in the future understand what the clothing “means”?)
- Music (How will someone in the future understand what the music means? Will the

technology exist to listen to it?)

- Court records (Juvenile court records may become part of the public domain after 100 years)
- Census records (Every Canadian will appear on the census if they are in Canada in a census year, even though their individual information will not be available to historians for 96 years)
- Birth, marriage, and death records (What might these tell someone in the future about teenage life, i.e., AIDS statistics, car accidents, teenage pregnancy, etc.)

7. Divide students once again into groups of 2 or 3 and distribute Support Material A: Evidence and What it Teaches.

8. Give the students the following task: Choose which three sources from the list on the board (or other sources they can think of) would give a historian of the future the best understanding of their life, and explain why. On an overhead, go over one example with the students (Visa Bills, for example), filling in the spaces as demonstrated, or as students suggest, filling in all three columns.

9. After students have completed the sheet, select three or four groups to present their first choice, and discuss.

### Other Introductory Exercises Using Primary Documents

There are a wide variety of lessons that teachers can do in the classroom relating to the exploration of primary documents, depending on the time available and the grade level. They might include the following:

- ask students to keep a journal of the documents they create in a given week, of the “traces” that they are leaving behind for future historians to find
- ask students to create a journal, diary, or short essay that they might leave for historians of the future
- get students to create a “time capsule” that best represents their lives, the lives of their family, or their school in the twentieth century

– have students write a history of their lives, or of their family based only on the documentary evidence available in their home.



## **Lesson 2: Evidence for Murder**

### **The Case of William Robinson: Introduction to Primary Documents**

Days 1 and 2 of unit  
(Two classes, assuming 75-minute periods)

#### **Overview:**

In this lesson, students are first given an overview of the murder of William Robinson, and introduced to the terms primary and secondary sources, and the concept of archives. They are then asked to read a selection of documents (primary sources) relating to the incident, and assess the information they contain and the point of view they represent. If Tshanahusset was not guilty of murdering Robinson, who might be?

#### **Support Material Used in this Lesson:**

Unit 1 Support Material 1: “Who Killed William Robinson” (Briefing Sheet)

Unit 1 Support Material 2: How to Read a Historical Document I (Activity Sheet)

Unit 1 Support Material 3: What Happened According to Whom (Activity Sheet)

Suggested Documents on the *Who Killed William Robinson* website to use in this lesson:

#### **The Murder: The Search for the Murderer**

“The Salt Spring Murder”, *British Colonist*, March 24, 1868

<http://canadianmysteries.ca/sites/robinson/archives/newspaperormagazinearticle/1647en.html>

Colonial Correspondence: Petition from Settlers

<http://canadianmysteries.ca/sites/robinson/archives/colonialcorrespondence/2023en.html>

#### **The Trial**

“Court of Assize Before Chief Justice Needham”, *Daily British Colonist*, June 3, 1869

<http://canadianmysteries.ca/sites/robinson/archives/newspaperormagazinearticle/1401en.html>

Supreme Court: Judge Needham's Bench Books

<http://canadianmysteries.ca/sites/robinson/archives/courtdocument/3343en.html>

### **The Aftermath**

"A Letter to the Editor", *British Colonist*, June 5, 1869

<http://canadianmysteries.ca/sites/robinson/archives/newspaperormagazinearticle/1314en.html>

Colonial Correspondence: Booth- Jones Correspondence

<http://canadianmysteries.ca/sites/robinson/archives/colonialcorrespondence/1661en.html>

Homework:

Ask students to familiarize themselves with the *Who Killed William Robinson* website

<http://www.canadianmysteries.ca/sites/robinson/home/howtousesite/indexen.html>

and to complete the worksheet.

## *Lesson 2, Class 1*

(Day 1 of unit)

### **Activities:**

1. Hook: When students enter the class, ask them to observe very carefully what you are about to do. Over the next minute, perform a sequence of five actions (e.g. Throw a piece of paper across the room, accuse a student (ask for a volunteer ahead of time!) of throwing it, and ask him or her to come to the front of the class, then write three words on the board, give students a list of five words, and ask the student to return to his or her seat). Ask students to tell you what just happened.

2. Emphasize:

1. how difficult it is to remember sequences of actions when you don't understand what they mean

2. how it is easier to remember things when they leave a "trace" behind, like the written words on the blackboard

3. how different people have slightly different points of view about what "really happened."

3. Ask students to identify some current criminal activities in the recent news. Ask the students how they know "what happened" if they were not there to observe an event themselves. Explain that if we are not somewhere ourselves, then all we have are different accounts of "what happened" that are written or created by someone else, or "traces" of evidence they have left behind. And every account is created by a person, and every person has a slightly different point of view. How can we judge what "really" happened?

4. Read Support Material 1: "Who Killed William Robinson" together as a class.

5. As a class, after reading through the document, the teacher emphasizes that the more we know about where a document or account comes from, who created it and why, the more we can assess what point of view it is representing, and the more we

know how to evaluate the kinds of information it contains. As a class, students and teachers analyze Support Material 2: How to Read a Historical Document I.

6. Definitions: The teacher then introduces the concept of primary and secondary sources, explaining that the only way that we can know about the past for ourselves is to find “traces” of the past (in artifacts, architecture, or other physical evidence) or in “accounts” that people have left behind, usually in written form.

a. In a guided discussion, explain that the “account” in Support Material 1: “Who Killed William Robinson” is a secondary source because it was created in the present, based on primary documents -- “accounts” that were created close to the time being examined. To delve into the mystery of who killed William Robinson, as historians we must turn to the archives and work with primary source documents. An archives is a place where historic records are kept. Often these archives are buildings or places in buildings, like the Archives of British Columbia, the Victoria City Archives, or the Salt Spring Archives. Archives organized their records generally around the type of source, by the “provenance,” of the sources, i.e., by their original location (for example, by government department, by particular individual or family, or by company) and in the order in which they were originally created and organized. The documents available for the William Robinson case include newspapers, trial transcripts, the judge’s bench notes, sworn statements, and letters.

7. Think in pairs: Students are divided into pairs and are given one of the five documents (primary sources) below, pre-selected from the website. The teacher instructs students to read the documents and complete Support Material 2: How to Read a Historical Document I for their document.

## *Lesson 2, Class 2: Rules of Evidence*

(Day 2 of Unit)

### **Activities:**

1. Jigsaw Exercise: Students move from their pairs they were working in during the last class to form new groups with at least four or five others who have not read the same document (a class of 30 will have six groups of five, for example). They spend the next half-hour teaching other students in their group what is in their own document, using Support Material 2: How to Read a Historical Document I, completed in the last class, as a guide.
2. Working in their groups of approximately 5 students, use Support Material 2: How to Read a Historical Document I (individually completed in the last class) to complete together Support Material 3: What Happened According to Whom as a group.
3. Working as a class, students and teachers compile a Master Timeline that identifies events about which all the sources agree, and the points about which people differ. (This timeline should remain at the front of the class throughout the unit.)

## **Lesson 3: Establishing Historical Contexts**

(Days 3-5 of unit)

*Book computer and library time*

### **Overview:**

In this lesson, students begin in the computer lab and library, researching colonists' and First Nations' life in the 1860s. Explore with students the need to understand the broader contexts in any criminal investigation. Students will focus on the following topics: Settler Society on Salt Spring Island, Crime and Punishment in late 19th century Vancouver Island and British Columbia, Aboriginal Issues and Aboriginal/Non-aboriginal relations on the west coast in the 19th century, the larger Canadian historical context and the American (particularly West Coast) historical context.

## *Lesson 3, Class 1*

(Day 3 of Unit)

### **Activities:**

1. Organize students into groups again. Each group will research and create a poster on one of the following topics, which will hang in the classroom until the completion of the unit.

#### **Settler Society on Salt Spring Island**

Historical Contexts: Settler Society on Salt Spring Island

<http://canadianmysteries.ca/sites/robinson/context/settlersociety/indexen.html>

Historical Contexts: Maps and Graphs

- <http://canadianmysteries.ca/sites/robinson/context/mapsandgraphs/indexen.html>

#### **Crime and Punishment in late 19th century Vancouver Island and British Columbia**

Historical Contexts: Whippings and Hangings

- <http://canadianmysteries.ca/sites/robinson/context/whippingshangings/indexen.html>

Historical Contexts: Other Murders

<http://canadianmysteries.ca/sites/robinson/context/othermurders/indexen.html>

Historical Contexts: Other Crimes

- <http://canadianmysteries.ca/sites/robinson/context/othercrimes/indexen.html>

#### **Aboriginal Issues and Aboriginal/Non-aboriginal relations on the west coast in the 19th century**

Historical Contexts: Chinook Jargon

<http://canadianmysteries.ca/sites/robinson/context/othercrimes/indexen.html>

### **The larger Canadian historical context**

- an assortment of Canadian history textbooks

### **The larger American (particularly West Coast) historical context**

- an assortment of American history textbooks



## *Lesson 3, Class 2*

(Day 4 of Unit)

### **Activities:**

1. Students return to their groups, continue their research, and assemble their poster on Bristol board for the group presentations.

### *Lesson 3, Class 3*

(Day 5 of Unit)

#### **Activities:**

1. Presentations are short (8-minute news flashes) and then the posters are affixed to the classroom walls for the duration of the unit.

Optional Assessment: Posters can be assigned a group mark; group members can also evaluate their own and others contributions to the project.

## **Lesson 4:** **Criminal Law, Then and Now**

(Day 6 of Unit)

### **Overview:**

In this lesson, students are introduced to the basic concepts of criminal law in Canada and are given an opportunity to explore Canada's criminal law tradition. Students who worked on the poster "Crime and Punishment" become group leaders as students work out the similarities and differences between criminal law today and in the 19th century.

## Lesson 4, Class 1

(Day 6 of unit)

### **Activities:**

1. Organize students into groups, with one student from the poster “Crime and Punishment” group in each section.
2. Use either your law textbook or an online law resource such as Duhaime Law (<http://www.duhaime.org/>) as source material to learn the basics of modern criminal law:
  - Look up the definition of the crime in the Criminal Code.
  - See exactly what action is forbidden - that's the *actus reus* of the crime.
  - See what mental element must be present in the accused's mind - that's the *mens rea* of the crime. (Hint: Look for the words 'means to', 'with intent', 'knowingly' or 'recklessly'.)
  - Look at the facts - Did the accused commit the action forbidden in the Code (the *actus reus*)?
  - Look at the facts - Did the accused have the mental element required in the Code (the *mens rea*)?
3. Visit the federal Department of Justice website and examine the Criminal Code entry for homicide: <http://laws.justice.gc.ca/en/C-46/index.html> (Sections 222-240 in Part VIII, Offences against the person and reputation). How would the person responsible for Robinson's death be charged today?
4. In groups, have students work with the documents from the website dealing with Crime and Punishment. Divide up the readings evenly. There should be a student leader in each group already familiar with the documents from the historical contexts exercise.

Historical Contexts: Whippings and Hangings

- <http://canadianmysteries.ca/sites/robinson/context/whippingshangings/indexen.html>

Historical Contexts: Other Murders

<http://canadianmysteries.ca/sites/robinson/context/othermurders/indexen.html>

Historical Contexts: Other Crimes

- <http://canadianmysteries.ca/sites/robinson/context/othercrimes/indexen.html>

5. What can each group infer about 19th century legal customs from their assigned documents? What similarities and differences are there between now and then?

## **Lesson 5: Reading Between the Lines: Listening for other voices**

(Days 7 and 8 of unit)

### **Overview:**

In this lesson, students learn to use the critical skills for historical and legal investigation. In the first part, students learned how to interrogate a document for factual clues about the William Robinson murder. They identified what the source document could tell them directly about the case. However, there are often important clues in documents as to events, people, behaviours, and beliefs that may not have been communicated intentionally by the document's creator. This next challenge is for students to develop their skills of inference. In the second part, students gather in groups to assess the quality and suitability of their documents to the investigation of Robinson's murder.

### **Support Material Used in this Lesson:**

Unit 1 Support Material 4: How to Read a Historical Document II (Activity Sheet)

Unit 1 Support Material 4: Evaluating Your Documents (Activity Sheet)

## *Lesson 5, Class 1*

(Day 7 of Unit)

### **Activities:**

1. Introduce the concept of inference as described above. Ask students for examples of this skill (or alternately, show a clip from a favorite *Law & Order* or other TV crime show).
2. Organize students into pairs again. Distribute the readings as below; group smaller readings to distribute the reading load evenly. For a large class, include the documents referenced in Lesson 1:

Suggested List of Documents:

### **Newspapers:**

“The Salt Spring Island Murder”, *British Colonist*, March 24, 1868

<http://canadianmysteries.ca/sites/robinson/archives/newspaperormagazinearticle/1647en.html>

“The Indian Nuisance at Salt Spring”, *British Colonist*, March 2, 1869

<http://canadianmysteries.ca/sites/robinson/archives/newspaperormagazinearticle/2399en.html>

“East Coast Murders”, *British Colonist*, April 10, 1869

<http://canadianmysteries.ca/sites/robinson/archives/newspaperormagazinearticle/1357en.html>

“Report”, *British Colonist*, April 13, 1869

<http://canadianmysteries.ca/sites/robinson/archives/newspaperormagazinearticle/1642en.html>

“Threats”, *British Colonist*, June 3, 1869

<http://canadianmysteries.ca/sites/robinson/archives/newspaperormagazinearticle/1303en.html>

“Court of Assize before Chief Justice Needham”, *Daily British Colonist*, June 3, 1869

<http://canadianmysteries.ca/sites/robinson/archives/newspaperormagazinearticle/1401en.html>

“The Salt Spring Island Murder”, *British Colonist*, June 30, 1869

<http://canadianmysteries.ca/sites/robinson/archives/newspaperormagazinearticle/1304en.html>

“The Salt Spring Island Murder”, *British Colonist*, July 3, 1869

<http://canadianmysteries.ca/sites/robinson/archives/newspaperormagazinearticle/1305en.html>

“The Execution”, *Daily British Colonist*, July 24, 1869

<http://canadianmysteries.ca/sites/robinson/archives/newspaperormagazinearticle/1307en.html>

“Executed”, *Daily British Colonist*, July 25, 1869

<http://canadianmysteries.ca/sites/robinson/archives/newspaperormagazinearticle/1292en.html>

“Execution”, *Daily British Colonist*, July 26, 1869

<http://canadianmysteries.ca/sites/robinson/archives/newspaperormagazinearticle/2327en.html>

## **Attorney General’s Files:**

Sworn Testimonial of John Norton

<http://canadianmysteries.ca/sites/robinson/archives/courtdocument/1580en.html>



Sworn Testimonial from Witness Sue Tas (Dick)

<http://canadianmysteries.ca/sites/robinson/archives/courtdocument/1581en.html>

Statement of the Accused

<http://canadianmysteries.ca/sites/robinson/archives/courtdocument/1605en.html>

Gaol, Employment Records

<http://canadianmysteries.ca/sites/robinson/archives/courtdocument/2324en.html>

### **Supreme Court:**

Judge Needham's Bench Books

<http://canadianmysteries.ca/sites/robinson/archives/courtdocument/3343en.html>

William Robinson's Probate File

<http://canadianmysteries.ca/sites/robinson/archives/courtdocument/1667en.html>

### **Colonial Correspondence:**

Stark re. Robinson's land

<http://canadianmysteries.ca/sites/robinson/archives/colonialcorrespondence/2328en.html>

3. Ask each pair to complete Unit 1 Support Material 4: Evaluating Your Documents for their document(s). Give students ample time to read the documents and organize their findings.

## *Lesson 5, Class 2*

(Day 8 of Unit)

### **Activities:**

1. Assign pairs to groups (4 or 6 students). Each group should then assess their group of documents against the questions on Unit 1 Support Material 4: How to Read a Historical Document II and rank them in terms of their perceived reliability and suitability.
2. Each group should present their findings to the class. As they do so, assemble a bulletin board grouping evidence by suitability. Which documents support the finding of a guilty verdict for Tshunanhussset? Which documents support his innocence? Which shed no light on this question? (Use colour-coded stickers or markers to flag the documents.)

## **Lesson 6: Thinking it Through**

(Day 9 of unit)

### **Activities:**

1. Divide class in half. Half the class completes the newspaper article while half the class works on the inconsistencies assignment.

a. Assignment for Assessment: A 500 word précis: “The Facts of the Case”. Ask students to write a newspaper article summarizing the “facts of the case”. What events can be established conclusively? What is inferred? Distinguish between the two.

b. Assignment for Assessment: A 500 word report. “Inconsistencies in Evidence”. Ask students to write a report in which they highlight problems, errors, and inconsistencies in the testimony given at Tsuanahusset’s trial as recorded in the Judge’s bench notebook.

## **Lesson 7:** **Who Killed William Robinson?**

(Days 10-13 of unit)

### **Overview:**

In this culminating activity, students participate in a mock trial. They use this information and the documents on the website as a whole to create a dramatization of the court case that will settle the matter, assigning roles and writing scripts for a final performance in the last class. As an option or an extension activity, students can write and submit individually their finding on the case.

### **Activities:**

1. Ask the students in a whole class discussion who they think killed William Robinson and why.
2. Divide the class into five groups and present each one with one of the 19th century explanations.

### **Newspapers:**

“The Salt Spring Island Murder”, *British Colonist*, June 30, 1869

<http://canadianmysteries.ca/sites/robinson/archives/newspaperormagazinearticle/1304en.html>

“The Indian Nuisance on Salt Spring”, *British Colonist*, March 2, 1869

<http://canadianmysteries.ca/sites/robinson/archives/newspaperormagazinearticle/2399en.html>

### **Diaries and Letters:**

Sylvia Stark re. Giles Curtis’ Murder, *Gulf Islands Driftwood*, January 9, 1980

<http://canadianmysteries.ca/sites/robinson/archives/diaryjournalreminiscence/2365en.html>

### **Published Sources:**

Thomas Crosby's Theory

<http://canadianmysteries.ca/sites/robinson/archives/books/2330en.html>

Constable's theories

<http://canadianmysteries.ca/sites/robinson/archives/courtdocument/1282en.html>

3. Ask each group to evaluate the theory. Each group appoints a leader who summarizes the explanation for the class and gives the group's assessment of it.

4. Introduce the idea of the mock trial to the class. Explain that as a class, they will take on the roles of the prosecution, the defense, or witnesses. Ask staff, parents, or students from another class to take on the role of jury members during the actual trial. The trial of William Robinson will be held using modern criminal justice rules, but based on the documents and biographies of characters on the website.

Witnesses: Assign no more than 1/3 of the class to the witness pool. Their job will be to learn the various roles of potential witnesses and to be prepared to stay in character if they are called to testify. Some students may have to play more than one witness

Prosecution: Assign 1/3 of the class to the Prosecution. The team will have to divide themselves up into lawyers and researchers. The Prosecution will have only one class to decide whom they are going to charge for the murder of William Robinson. They must provide the witnesses with a list of whom they will call by the end of the second preparation class. The prosecution team will need to prepare questions and assign lawyers to the case.

Defense: Assign 1/3 of the class to the Defense. The defense team must provide a

student to play the accused. They must provide the witnesses with a list of who they will call by the end of the second preparation class. The defense team will need to prepare questions and assign lawyers to the case.

5. On the day before the trial, review trial procedure with the class. The teacher or principal can play the judge.

6. On the day of the trial, arrange to have gowns if possible. Limit speaking times to ensure a reasonable resolution. Your panel of jurors may present their findings the same or the following day.

7. As an optional, end of unit assignment, students could be asked to submit an individual argument as to who they feel killed William Robinson, supported by the appropriate evidence.

## Evidence and What It Teaches

Source Kind:	What information/evidence about me will this primary source give to historians of the future?	What makes this “good evidence” about me and my life?	What inferences about teenage life might this historian make from this evidence?
Example: A VISA bill	How I spent some of my money	The things that I buy are a good reflection of what I like and what I care about	<ul style="list-style-type: none"><li>- Teens like to buy things</li><li>- Teens had money to buy things (i.e. They were not totally poor)</li><li>- Teens bought different things from each other and from adults</li></ul>
1.			
2.			
3.			

## **“Who Killed William Robinson”**

### **Historical Context**

Between 1867 and 1868, a tiny community on the north end of Salt Spring Island, populated by about 25 families, was the scene of three brutal, seemingly unconnected, murders. All the victims of these Salt Spring Island murders were members of the island’s African-American community, and Aboriginal people were widely blamed for all of the deaths. This African-American community had fled persecution and slavery in California in 1858, but the murders in 1868-9 fractured the community and drove many away. Many of Salt Spring Island’s African-American community returned to the United States, which was more congenial to them after the Civil War had brought an end to slavery. Meanwhile, Aboriginal people on the island were faced with increasing harassment and pressure from settlers in general, who were often unsympathetic to Aboriginal land and resource rights.

William Robinson was the last murder victim of the three, and his was the only case in which someone was convicted of the crime. William Robinson’s body was discovered in his cabin face down, several days after he had been fatally shot in the back. An Aboriginal man, Tschuanahusset, was convicted and hanged for the crime. However, the trial was a sham and afterwards, compelling evidence came to light to suggest that he was not the murderer.

Was Tschuanahusset guilty? Why was he convicted? If Tschuanahusset did not kill William Robinson, who did?



## How to Read a Historical Document: Interrogating Your Document

Your Name: \_\_\_\_\_

Document Title and No.: \_\_\_\_\_

1. Do you know what type of document this is? How do you know?
  
2. Do you know the date this document was created? How do you know?
  
3. Do you know who wrote this document? (name, title, job, ethnic group). How do you know?
  
4. Who do you think is the intended audience of this document?

Friends and/or family	_____
Legal/justice system officials and/or jurors	_____
Government officials	_____
Religious officials	_____
The general public	_____
  
5. What events are described in this document?  
(Use point form, chronological order, and the back of this sheet if necessary.)
  
6. How did the author of this document know about the events he is describing?  
(e.g., Did he see them himself? Hear about them from others?)
  
7. What can we learn about the people who created and preserved this document, their attitudes, and the society in which they lived, from its contents?

## What Happened According to Whom

Events (In order)	First Event	Second Event	Third Event	Fourth Event	Fifth Event
<b>Overview from website</b> Whose point of view?					
<b>Description in Document #1</b> ~ Whose point of view?					
<b>Description in Document #2</b> ~ Whose point of view?					
<b>Description in Document #3</b> ~ Whose point of view?					
<b>Questions?</b>					

## **How to Read a Historical Document, Part II:**

Listening for Other Voices:

*Inferring Meaning from Primary Source Documents*

**Examine the document (s) you have been assigned.**

**Document:**

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**Source:**

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1. Whose voices are being represented in this document? Do they all have names?
  
2. How would you characterize these voices? Happy? Sad? Impartial? Frightened? Angry? Authoritative?
  
3. Can you tell who or what is determining/directing what these voices say?
  
4. Can you tell if anything is being left out of the written text of verbatim accounts, if any are contained in the document? Can you speculate on what it might be?

5. What distinction does the document make between people? (e.g., Gender? Race? Place of Birth? Age? Occupation? Religion?) Does the document privilege one of these distinctions over others?

### **How to Read a Historical Document, Part II:**

Listening for Other Voices:

*Inferring Meaning from Primary Source Documents*

Continued...

6. What can you infer about the different types of people represented in this document?
7. On what basis do you make these inferences?
8. What can you tell about the relations between the people represented in this document from the voices that we hear? Are they equal or unequal? Are they related or friends? What gives you these impressions?
9. Can you reconstruct the physical settings in which the document was created? What value could such a reconstruction hold?

10. What can we learn about the relationships among genders, classes, or different ethnic groups from this document? How?

## **Evaluating Your Document:**

**How to assess the Significance, Meaning, and Suitability of a Document for Historical or Investigative Purposes**

**How do we measure the quality of an historical document? Its quality depends upon three things: its authenticity, its scope, and its suitability to our purpose.**

1. Is the historical origin and archival location of the document identified? Why does this matter?
2. How do you know that your document is authentic? (Is it what it pretends to be? How could you check?)
3. Is the information that it contains complete, or are pieces of information missing? Are they illegible? How could an incomplete document, or an incomplete series of documents, influence your research findings?
4. Does this document alone provide you with enough information to draw any reasonable conclusions about the murder of William Robinson? List 3 questions about the past generally that this document answers well. List 3 questions about the past that this document addresses poorly or not at all.
5. What are the strengths and weaknesses of this particular document as an historical source? As a source for a criminal investigation?
6. Does the information contained in this document support or contradict Tschuanahusset's guilty verdict? How?

## **Unit 2:**

### **Murder in Our Own Backyard: Who Killed William Robinson?**

**A Three-week integrated Language Arts unit  
for Intermediate Students**

**Teachers' Guide created by**

Janet N. Mort

**A Great Unsolved Mysteries in Canadian History Project**

**Project Co-directors:**

John Lutz

Ruth Sandwell

## **A Note from the Author: Documenting My Exploration of the Website**

I visited the William Robinson website over a period of one month, viewing it from three different perspectives:

Perspective No. 1 - A curious new visitor to the site

Perspective No. 2 - A Language Arts teacher - grade 7

Perspective No. 3 - A relative of William Robinson visiting the site for genealogy purposes



## **Perspective No. 1 - A curious new visitor to the site**

On my first visit to the site I found myself randomly surfing the various pages, not using the Teachers' Guide and not following any particular order, rather responding to whatever topics drew me out of curiosity. After 3 hours of engaging with multiple pages I found myself overwhelmed by the quantity of data, the depth and perspective of the site, the historical features of the site -- many of which were new to me -- and in the confusion that followed I found myself unable to imagine how I would use the site as an educator.

I was, however, very impressed with the work of the people who had put the site together; although I do not have a history background, I could imagine how much more interesting my own high school experiences would have been if I had been able to access something so alive and so well organized as I actively learned about the use of archival documents, maps, and graphs in a historical context. I found myself drawn to the cast of characters, wishing there was more information about them. I was fascinated by the justice, or lack thereof, displayed in the court documents.

I decided I needed to re-enter the site from this first perspective in a more manageable way. The manageable way, for me, turned out to be printing out all of the key pages on the website, thereby giving myself hands-on copy through which I could browse at my leisure. (I am not sure whether this is unique to me, however I find it difficult to grapple with large websites on the computer, preferring to have a hard-copy of key issues and documents.)

Once settled with my hard-copy document (which included only key pages, not all pages in the site) I found myself building a more organized insight into the workings of the site. In the Introduction I found it helpful to read about the originators through their current publications, dissertations, and history. I was able to interpret the site from their historical perspective and it made more sense in that context. The fact that they are members of the Society for the Promotion of British Columbia History leads me to applaud them for creating a site with this kind of potential. The credits and acknowledgments also contributed to my understanding of the context within which this site was created.

In the second stage of the hard-copy visit, I decided to set aside the Teachers' Guide and simply read all of the material on the key pages. The pages on Further Research, Potential Online Resources, and Further Reading impressed me with the richness of the documents available for advanced students. I was surprised at the quality of some of the resources available. For example, I was part of the funding and supervisory group that assisted Janet Poth and Dave Elliott in developing Saltwater People and was so pleased to see it available as a resource: It is excellent.

The page on Reviews, Recommendations, and Prizes added further credibility for the creators of the site and heightened my curiosity.

Having visited the home page, I decided to move across the bar at the top of the page, the next being entitled The Murder. Subsequently, I moved down the bar on the left side of the page printing out each key page. Under the section The Murder I found the information intriguing, in some cases, disconnected, and in some cases I found the information to be surprisingly stark. For example, Judge Needham's bench books were most surprising in the brevity of his notes and the lack of specificity, leaving much open to interpretation.

I found the newspaper articles particularly intriguing -- the candid viewpoints and editorial opinions they offered in contrast to the style most of today's newspapers use for reporting.

The Colonial Correspondence, Published Sources, and Court Records were at times complex and confusing, and often showed a disregard for the predicament on Salt Spring Island as well as a lack of sensitivity to individuals and some of the issues.

The Cast of Characters was daunting. I found adequate information to form a perception of the individual on only a small portion of the cast, and after the visit from the first perspective was only able to recite the identities of as few as eight of the characters described.

Under Historical Context I found the sections Newspapers and Diaries to be informative in general but disconnected individually. I felt that history students could use all of the information on those pages as one exercise in a meaningful way, resulting in a good essay exercise pulling it all together. The page that detailed the Whippings and Hangings, Salt Spring Murders, Victoria Murders brought home the message about justice and how justice was dispensed in a vivid way.

I found the Maps and Graphs to be fascinating but overwhelming as I tried to compare one map with another. Drawing conclusions was difficult to do online. I found myself able to make meaning of the comparisons when I enlarged the maps and printed them out. I found the information on the Chinook language to be interesting, but not necessary to my understanding of the site.

The Archives section is very rich and impressive, but overwhelming on a first visit. It was at this point that I abandoned my visit to the site, took a break and returned to it several days later. On my third visit (first perspective) I decided to read the Archives from one end to the other. While I found this an interesting exercise and certainly one that left me with a strong impression about the issues, settlers' lives, conflicts between races, violence, and justice in the colonies, and agricultural issues, I would not recommend beginning with the Archives as an introduction to this site. Even after the second visit I found it to be overwhelming and, to some extent, I felt defeated and uncertain how to proceed next with the site.

I decided during this first perspective not to visit the Interpretations section of the site. I chose to leave it until my second perspective on the site so as not to bias my own interpretations of "Who Killed Will Robinson".

Perspective One - 3 visits - 8 hours

## **Perspective Two - Language Arts Teacher Grade 7**

When I returned to the site for perspective two, I had made a decision that the site had great potential for language arts instruction for middle school students. Since the site had been developed for senior high school students and university students, I decided to approach the site during this visit from the perspective of a language arts teacher in middle school. I subsequently reviewed the curriculum and learning outcomes for middle schools and discovered that the best match, in my opinion, was in the grade 7 language arts curriculum under the heading Comprehend and Respond (Critical Analysis):

Comprehend and Respond (Critical Analysis).

It is expected that students will draw reasoned conclusions from information found in various written, spoken, or visual communications and defend their conclusions rationally.

It is expected that students will:

- Express agreement or disagreement with information
- Demonstrate a willingness to explore the differences among various media presentations of the same topic or event
- Explain how works of communication relate to the broader context of community and world issues
- Identify viewpoints, opinions, stereotypes, and propaganda in literary, informational, and mass media communications

From this perspective I decided to revisit the site looking for the areas that would be most applicable to the learning outcomes as stated and of most interest to students who are in the 12- year-old age range. In this regard, the readability level of the various sections was of concern and interest to me; the subject or topics addressed were of interest and the web-browsing ability of that age group was of concern.

### **a) Readability Level**

By copying sections of each of the key pages in the document, I was able to conduct

a computerized readability test on a variety of the sections. Readability level appeared to be in the grade 10 and above range until I eliminated proper names of settlers and aboriginal words. Once I had done this the readability level dropped significantly in eight key areas.

#### b) Subjects/Topics

I then proceeded to examine those eight key areas, referencing the learning outcomes in the curriculum in the earlier intermediate years, grades 4, 5, and 6. This examination revealed that students in the preceding school years would have had prior experience in the following three areas:

1. Examination and analysis of newspaper/magazine articles
2. Examination of early settlers and first nations issues
3. Character analysis

I decided to focus on these three areas of this website as key for the student assignment section and, as well, added a fourth topic:

4. Whippings, hangings, other murders

I believe that this topic is intriguing to students in the middle school years and would provide an incentive for them to be actively engaged in the site. The principle of prior experience is important in the learning process. I felt by choosing these four areas that I was heightening the possibility of student interest, motivation, and success in the activity.

#### c) Web-browsing Ability

I decided to address this concern by ensuring that each student working group would be supported by a 'web wizard' (students selected from the class who had excellent web abilities).

I decided then to review the Teachers' Guide from this second perspective to see if it offered particular insight for further examination of the site. The opening comment, "everybody loves a murder mystery", is key to developing an attractive grade 7

language arts unit. Although the site was designed originally to simulate primary archival research, I decided for the purposes of this project to focus on the language arts experiences of reading, writing, speaking, and representation. Although the site is designed to promote the pursuit of 'Who Killed William Robinson', and therefore designed for an intensive look at archival evidence, for the purpose of this perspective, I have decided to focus more on the exploration of the stories contained in the site with the identity of the killer of secondary interest. Similarly, although the site is designed to draw students into the work of doing history, the unit that I will develop will be designed to engage children in meaningful language arts activities focused on specified learning outcomes.

As far as site organization is concerned, students will be directed to particular areas of the site, but may choose to explore other areas of the site (this will not be mandatory.)

### **Perspective No. 3 - A possible relative of Will Robinson visiting the site for genealogy purposes.**

Prior to developing the unit for the grade 7 class I decided to visit the site from the perspective of a character living today who may be related to one of the characters who lived during the Will Robinson time period. Having just completed a genealogy search for my father's birth and for his relatives in England, I have a keen interest in this area.

Just for fun, I decided to try to eliminate all past knowledge about the website and visit the site as if I were the mulatto great-great-granddaughter of Will Robinson. I have in my possession a love letter from a young white woman to Will Robinson, obviously written prior to his death, as she is anticipating a rendezvous with him north of his cabin. It is apparent in the letter that she has had an ongoing love relationship with Will and urgently needs to meet him to discuss a minor complication in their relationship -- she believes she is 'with child'. She makes reference to a male figure (unidentified) who must be either her father or her husband; she is afraid that he is suspicious about their relationship, and she wants to propose to Will Robinson that they leave the Island together as soon as possible. The letter was dated a week before Will Robinson's murder and obviously never reached him as it was found in the possession of my grandmother here in Victoria in 2003, after she passed away.

I have just discovered this information and I am visiting the site with many questions:

- Who was William Robinson?
- Who was my great-great-grandmother's father or husband? (there appears to be no connection between the names on the site and my name)
- Am I really the mulatto great-great-granddaughter of William Robinson? (my hair is blonde)
- Was the relationship between my great-great-grandmother and William Robinson ever brought to light?
- Given this information, who might have killed William Robinson if my great-great-grandmother was the source of the conflict?
- If I truly am the great-great-granddaughter do I have a claim on some of the assets that would have belonged to Will Robinson?

– What assets did he have?

What I thought was just a fun way to get even more familiar with the site became fascinating as I observed myself visit the site from this very different perspective. I found myself immediately going to Interpretations to see if anyone had picked up on this theme. Finding that not to be true, I immediately went to the Archives to see if I could find out what kind of holdings William Robinson may have had; I went to his probate file and discovered to my dismay that he had a wife. I had not noticed this in my previous visit. I noted that there was no response to Robinson's wife's letter and then went back to the Archives looking for further evidence of the disbursements related to his land. I found myself in the Maps and Graphs section looking for the size of his property; then moved quickly to Colonial Correspondence and the various pieces of correspondence (Booths-Jones, Stark-Government, etc.). As a result of this information I moved to the Cast of Characters to find out who benefited from the land deals. I also searched who may have had a wife or daughter, who might have had a relationship with William Robinson, and whether there was any hint of that.

I then moved to the Historical Context to research the history of race relations in the area, looking for evidence of tension between whites and African-Americans on the Island.

Subsequently, I moved to The Murder, dispelling the possibilities of previous murders that were speculated about, and focused on the possibility of a new murderer who may have been avenging the relationship between my great-great-grandmother and Will Robinson.

Although, initially, I entered this third perspective from a view of having fun and getting more familiarized with the website, this became a fascinating exercise. What it taught me is that a website such as this would be of far greater interest to people entering the site if they were to take on a personal identity connected with the site, or enter the site with their own stated theory and questions in an effort to prove or disprove their theory. I found, in this experience, I was much more actively engaged, much more intrigued with small bits of evidence that I found, and moved much more



interactively throughout the site as I searched for evidence. I decided to keep this perspective in mind as I developed the unit for my grade 7 class.

## **Establishing Learning Outcomes:**

Grade 7 Language Arts: Comprehend and Respond (Critical Analysis)

It is expected that students will:

- express agreement or disagreement with information
- demonstrate a willingness to explore the differences among various media representations of the same event or topic
- explain how works of communication relate to the broader context of community and world issues
- identify viewpoints, opinions, stereotypes, and propaganda in literary, informational, and mass media communications

What You Will Need:

- dialectical notebooks for each child
- charts for display of unanswered questions
- access to projection system for Week 2, days 1 and 5
- access to computer lab one hour per day for 4 days Week two, minimum
- information and maps of Salt Spring Island
- printouts of teacher-selected pages on settlers, maps as handouts
- background information on racism, African-Americans, whites and aboriginals, to 20th century
- field trip booked to Salt Spring Island as culminating activity

Consider contacting a Salt Spring Island middle school to establish a partner class who may be interested in working jointly on the same project at the same time. This would make the experience more interactive and could result in a joint field trip. The Salt Spring class would have access to many rich local resources.

# Lessons

## **Building on Prior Knowledge**

### **Week 1: Background Preparation for the Unit**

#### **Day 1:**

Tell students that in Week 2 they will be focusing one-half day, each day, on a web topic: "Murder in Our Own Back Yard". Build up the anticipation by telling them a bit of the story and end by announcing that once the unit is over the class will be taking a field trip to Salt Spring Island to explore the actual sites where the events took place. Establish that date at the outset.

In Social Studies class introduce students to a number of issues that are connected to the Salt Spring Island case. This is teacher and class preparation time, building momentum and excitement. Be sure to inquire about what children already know, using inquiry techniques to actively engage small groups in meaningful discussion. Each day feature one of the following topics:

- geography of Salt Spring Island
- racism and violent murders in recent years, such as Martin Luther King
- settlers moving into the Victoria area in the late 1800s (nationality, customs, issues, and relationships between aboriginal residents and settlers).
- newspapers of the day, samples of archival materials, how history was documented
- justice and how it was maintained in British Colonial times
- inquiry techniques and practice with ways inquiry questions can be phrased using mysterious fun topics like 'black holes' or 'the Bermuda triangle' or 'ghosts'.

Book the computer lab for a one-hour session for Tuesday, Wednesday, and Thursday of the second week in the mid-morning time period. Full mornings of the second week will be dedicated to the unit and afternoons as required.

Have students prepare a dialogic notebook for the experience. Explain to them that they will record their initial research and responses to the website, during week two of the unit, on the left side of the two-page notebook, reserving the right side for responses in the third week of the unit.

Ask for five volunteers from the class to create an improvisation of two scenes from the story on the website:

- Scene 1: The murder
- Scene 2: The trial, ending in the order of execution

Have them prepare scripts in small working groups for the opening day of the unit in Week 2. They must review the related pages on the website first to make sure the script is as true as possible to the site, prepare costumes, secure props, etc. Their task is to cause their classmates to have many questions and piqued curiosity as a result of the drama, not to provide answers.

Ask for three classmates who are willing to act as ‘web wizards’. These will be students who are adept at maneuvering in websites and who will be expected to coach others during computer lab times. They will conduct their computer research after hours as a part of their group experience.

Divide the class into assigned groups of three or five team members. Be sure to balance the groupings so that there is leadership within for difficult reading passages and web-browsing capacity.

## **Creating Anticipatory Set**

### **Week 2: The Unit Begins**

#### **Day 1:**

The teacher introduces the unit verbally by pretending to be the Town Crier announcing the upcoming execution of William Robinson. (A plumed hat and 19th century costume would enhance the image along with a bell.)

The Town Crier then introduces the two dramas, asking the audience to write down any questions that come to mind during the performances. (The previous week the teacher will have reviewed the planned dramas, coaching where necessary or desirable.) At the close of the dramas, the class brainstorms and the teacher records all questions that arise. These question charts are displayed and referenced throughout the unit.

Another grade 7 class could be invited to be the audience too, so that at the close of the unit they can be invited back to be the audience for the closing event. The principal or parents could be invited instead of the class, but some element of audience external to the class will be important.

The teacher, with a wall screen projector, introduces the website live to the class and audience:

- identifying the anticipated learning outcomes and why they are important
- providing the history of the creators of the site and its original purpose
- linking the past week's work as preparation for the next two weeks
- introducing the four main areas to be studied – newspapers, characters, settlers, and murders/executions/hangings/etc.
- introducing the pages on the website where these four topics can be found
- introducing the teams of students who will be working together

Conduct a brief brainstorm about what is expected of good team members and record the characteristics on a chart to be used as an ongoing checklist.

Have the students randomly draw the task card (task cards can be found following these lessons) that they will be working on. Be sure there are at least two drawn from each section. Students meet in assigned small groups to clarify the task they are to work on. They can assign the tasks within their group as they see fit or all work on the same ones at the same time and share and compare. They move to the computer lab to begin their tasks as assigned on the task cards. They record their personal findings on the left side of the notebooks. When they return, they meet in task groups to compare findings and come to consensus on answers. They record the group consensus (each his/her own version of it) on the right side of the notebook (or as homework if not completed in class time).

## **Activities: Exploring the Site**

### **Days 2 to 4: The Pattern**

1. Each morning the class meets as a whole group. The teacher chairs a sharing of the highlights of what each group discovered the previous day in an effort to build excitement and anticipation. The class is encouraged to look for connections between discoveries. As a whole group, the class generates more questions to add to the questions chart.
2. The small groups meet to clarify the task card activity for the day and assign tasks within the group, then proceed to individual web work which is recorded in their notebook.
3. They return to class to share discoveries, then record the group talk and observations or conclusions on the right side of the notebook.
4. The teacher concludes with a review of progress using the overhead live website, prompting new thoughts, pointing out new resources, asking new questions, or checking off some of those that have been answered on the charts.

### **Day 5: Preparation for Presentations**

Each task card has a final presentation suggested as a culminating activity. Small groups work on preparing their presentations.



## **Showing Off Our Learning: Culminating Activities**

### **Week 3: Presentations**

Arrange for the audience from Week 1 to return for the presentations. The presentation should include the assigned task (performance or...) as well as a summary of what they have learned and recorded in their dialectic notebook.

Applause, applause, applause!!!

## Planning for the Field Trip

As a result of what has been learned, students plan the field trip to Salt Spring including:

- places they want to visit
- people with whom they want to meet
- historical artifacts they want to see
- a partner school they want to visit
- other creative supplements to the project
- an assignment as a result of the field trip
- a timed plan for the day

## **Cross-Curricular Connections**

If students have enjoyed the experience it can easily be reproduced using geography, mathematics, history, science, and other areas of fine arts and language arts as appropriate with prescribed learning outcomes.

## Home/Community Connections

It is important to connect student learning with the real world of their families. As a follow up activity, have students interview senior family members or family friends about their experience with similar topics in the past century:

- murders
- agricultural issues
- justice
- archives
- museums
- unsolved mysteries
- racism, etc.

Assist students in understanding the protocols of good interviews and the development of effective inquiry questions and strategies. Encourage them to record results in creative ways and sponsor a report-back session to link their understandings of the connections between present, past, written history, other cultures, other customs, living history, and the importance of the use of language to record and make sense of it.

## Assessment

Have groups of students exchange their dialectical notebooks at the close of the unit. In their small groups have them identify the following for the work of the group (not individual notebooks):

- the strengths of the work
- areas where further research would be beneficial
- locations on the website that would provide additional helpful information
- questions that arise in the group review

The teacher responds to individual notebooks with comments or questions.

During presentations, the class members write comments for the group and share them verbally with a focus on applause for the effort, support for the presenters, and questions that arise.

## Support Material: Task Cards

### **Cast of Characters: Task Card #1**

#### **Notebook Activities**

#### **Go to The Murder (Cast of Characters)**

- Read each of the biographies of the cast of characters.
- Choose one of the cast who appears to play a significant role in the William Robinson murder. You may find more information about this person in the Archives.
- Was this person guilty of the crime or of assisting in the crime? Describe why or why not, citing evidence from the website.

#### **Culminating Activity:**

- Write a letter, as if you were this person, telling the truth about what you know to a close and trusted friend in Victoria (feel free to create fictional facts).

### **Cast of Characters: Task Card #1**

#### **Notebook Activities**

#### **Go to The Murder (Cast of Characters) and/or The Archives (Cast of Characters) and/or The Archives (Diaries and Letters)**

- Prior to class, get a printout of all the cast of characters.
- In your small group, before going to the computer lab, assign each member of your group to research five different members of the cast looking for the person(s) who was/were most likely to have been involved in the murder of William Robinson and listing reasons why.
- Also have each member of the group list questions that arise about the character.

#### **Culminating Activity:**

- Write a script of a meeting of those involved in the murder (either planning the murder or covering up the murder afterwards).
- Perform the skit for the audience.

## **Newspapers: Task Card #1**

### **Notebook Activities**

#### **Compare The Newspaper reports under The Murder (The Search for the Murderer) and The Murder (The Trial)**

- Do you agree or disagree that the newspapers were objective in their reports? Explain why or why not in a short essay.
- Which report seems the most believable to you? Explain to the others in your group (when you report back) why you chose that one. Defend your position by preparing three good reasons.
- Discuss in your small group what impact you think one or more of these activities would have:
  - in the Salt Spring community
  - in the Victoria community
- Use inquiry question starters (e.g., I wonder if...)

#### **Culminating Activity:**

- Prepare a skit of several people meeting in a pub where they each have a copy of a different newspaper report and they are expressing different opinions. End the skit with agreement on one idea.

## **Newspapers: Task Card #2**

### **Notebook Activities**

#### **Go to The Murder (Aftermath). Read the Newspaper reports on the Execution. Also read the articles under Historical Contexts (Whippings and Hangings)**

- Do you agree that justice was well served by capital punishment during this time?
- Which newspaper reports seem sympathetic to the victim of the execution? What makes you say that?
- Which articles did you believe portrayed the most objective report? Why?

- Look up the issue of capital punishment in Canada on the Web. What does our law say now?

Culminating Activity:

- In your small group prepare to debate the issues of 'for' and 'against' capital punishment with the audience. Be prepared to argue both sides.

### **Settling on Salt Spring: Task Card #1**

#### **Notebook Activities**

#### **Go to the Archives (Drawings and Paintings) and/or Historical Contexts (Maps and Graphs)**

- Pre-assign different members of the group to look for significant locations on Salt Spring connected to the Will Robinson murder and list them.

Culminating Activity:

- As a group, design and create a wall-sized map of Salt Spring Island circa 1868.
- Place all of the key events/information on the map on various coloured sticky notes (one colour for events, one for names, one for information, etc.). This map will serve as the collection site for all information developed by the class throughout the unit.

### **Settling on Salt Spring: Task Card #2**

#### **Notebook Activities**

#### **Go to The Archives (Drawings and Paintings)**

- Prior to your computer lab visit, get printouts of all of the maps that are titled "Settlement by Race" and make note of the changes between 1868 and 1881.
- As a group, assign each member to research the following:
  - Names of significant African-American settlers (by land ownership)
  - Names of significant white settlers (by land ownership)



- Evidence of conflict between individual African-Americans and whites.

**Culminating Activity:**

- Prepare two mock speeches:
  1. Delivered from the perspective of a key African-American person
  2. Delivered from the perspective of a key white person
- In these speeches, outline the issues, fears, and proposed solutions to conflicts between African-Americans and whites on the island. Pretend you are delivering the speech to a justice who could make decisions to improve the situation.

**Whippings, Hangings, Murders!: Task Card #1**

**Notebook Activities**

**Go to Historical Contexts (Other Murders, Other Crimes and Whippings and Hangings)**

- Choose the three most horrific crimes you can find.
- Describe in your journal why you selected them.
- Describe in your journal the punishment you think would be most judicious for that particular crime.
- Describe crimes from today's newspapers that are similar in nature to your chosen worst crimes.

**Culminating Activity:**

In your small group prepare, on divided chart paper, a representation of the most serious crimes of the 1860s on the left side and the most serious crimes of 2000-2004 on the right side. Be prepared to debate with the audience how and why the 'face of violent crime' has changed.

**Whippings, Hangings, Murders!: Task Card #2**

**Notebook Activities**

**Go to The Archives (Diaries and Letters)**

Read each of the diaries and choose two that tell a story that may include some racist views. Describe what makes you think racism is involved. What motives do you see for the crimes on Salt Spring? Record. What motives do you see in today's news? Record.

Culminating Activity:

Take a position:

In the last 100 years crime on Salt Spring Island and in most cities has become more violent, or has not become more violent.

Be prepared to argue your position with the class and audience by preparing reasons and examples.

## Bibliography

The following are some of the authors studied this term whose work would support the design of this unit. I have not specifically identified them in the body of the teacher's plan for the unit; I believe they apply philosophically, in general. There are many others whose work should be included. The general themes are: learning through dialogue and collaboration; using journals as learning tools; using inquiry strategies; using all aspects of language as part of the learning process; using debate and argument as a learning tool; including family and community in the learning process; encouraging imagination and creativity in learning; and basing new learning on children's experience -- to name some of the key concepts.

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## About the Author

### Janet N. Mort

Janet has been an award-winning innovator and school administrator most of her 33-year career.

She was a principal at age 23 (in 1969) and within four years was awarded the BC Teachers' Federation Award for Innovation in Education for her whole-school approach to a multi-aged and individualized instructional program that was well ahead of its time.

She was an Assistant Superintendent of Schools at age 36 and a Superintendent of Schools at age 40. She was appointed Superintendent of Educational Innovation for the Province of BC in 1990, leading the implementation of a 10-year plan of educational reform that was province-wide. During the 50-year celebration of the reign of Queen Elizabeth II in 2004, Janet was one of a small number of Canadians awarded the Queen's Golden Jubilee Medal in recognition of her service to children and to leadership in the area of educational change.

As Superintendent of Schools she developed a school district public relations plan to build public confidence in public schools. It was so successful and gained such international attention that she was the only Canadian awarded the American Public Schools Public Relations Association 'AWARD of HONOR' in 1989. She has been a frequent speaker on all aspects of educational change internationally and has published two books: *Teaching with The Winning Touch* (1983) and *A Passion for our Grandchildren* (2001). Articles about her innovative work have been published in many professional journals. Dr. Tom Sergiovanni of University of Texas wrote about her district's public relations program in his book *Value Added Leadership: How to get Extraordinary Performance in Schools* (pp.76-79, 114-116).

Janet continues to be a life-long learner as a student in the University of Victoria's Doctoral program in Language and Literacy. She has committed the next stage of her career toward enhancing literacy opportunities for young children through the implementation of research-based promising practice. In her paper, *Defining and Measuring the Elephant*, she has focused on researching the opportunities to enhance

a young child's literacy development through cooperation between families and schools.

Author (2001). *A Passion for Our Grandchildren*. Victoria, BC: Trafford Publishing

Author (1983). *Teaching with the Winning Touch*. Carthage, IL: Good Apple Inc.

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**Individual Lesson Plans:  
Who Killed William Robinson?**

**Teaching Unit for Intermediate and Junior Secondary  
History and Social Studies Courses**

**Website created by**  
Ruth Sandwell and John Lutz

**Teachers' Guide created by**  
Heidi Bohaker,  
Ruth Sandwell, and Tina Davidson

**A Great Unsolved Mysteries in Canadian History Project  
Project Co-directors:**

John Lutz  
Ruth Sandwell

## **Fitting This Unit into Your Provincial Curriculum**

Our Teachers' Guide team has done some research into provincial curricula across Canada. "Who Killed William Robinson?" could be used effectively in the following courses, by province

### **Alberta**

Social Studies 8 – History and Geography in the Western Hemisphere

Social Studies 8 – IOP

### **British Columbia**

Social Studies 9 – Europe and North America 1500-1815

Social Studies 10 – Canada 1815-1914

### **Manitoba**

Senior 1 Social Studies – Canada Today

### **Newfoundland**

Grade 7 – Living in North America

Grade 9 – Canada: Our Land and Heritage

### **Nunavut & NWT**

Grade 9 – The Growth of Canada

### **Ontario**

Grade 7 – Compulsory History and Geography

Grade 8 – Compulsory History and Geography

History 10 – Canadian History in the 20th Century

Native Studies 9 – Expressing Native Cultures

Native Studies 10 – Aboriginal Peoples in Canada

### **Quebec**

3rd Cycle of Primary School – Canadian Society to 1920



## **Prince Edward Island**

Grade 8 – History 200

## **Saskatchewan**

Social Studies 8 – The Individual and Society

Social Studies 9 – The Roots of Society

Native Studies 10 – Social Organizations of First Nations, Métis, and Inuit People

## **Yukon**

*(see British Columbia)*

## **Unit Rationale**

These lessons use the Great Unsolved Mysteries in Canadian History website “Who Killed William Robinson” to introduce students to some of the contexts within which Natives and non-Natives lived in colonial British Columbia. Secondly, they are designed to introduce students to primary documents in history and social studies. They particularly aim to facilitate students' critical awareness of author's perspective in historical documents, to teach them to evaluate opposing evidence, to understand the utility of documents from a partial perspective, and to encourage students to adopt a broader and more critical perspective when reading historical evidence and narratives.

## Unit Overview

Who can resist a murder mystery? Television series such as *Law & Order*, *Crime Scene Investigation*, and *Cops*, along with their many relatives and spin-offs, dominate the airwaves. The most popular shows allow viewers to follow along with the investigation and trial of suspects. Now, thanks to the Great Canadian Mysteries Project, senior secondary law students can investigate the murder of William Robinson from Salt Spring Island, British Columbia and can conduct their own trial based on transcripts and evidence presented at the time the crime occurred. The instructional strategies are designed to immerse students in the life and times of Salt Spring Island in the mid-19th century, while developing their capacity for critical thought and thoroughly situating the study of law in its proper social, cultural, and historical contexts.

*Who Killed William Robinson?* is a fascinating introduction to the study of nineteenth-century Canadian history, through the lens of nineteenth-century historical documents. Taking full advantage of the non-linear and graphic features of the World Wide Web, the resources on this site draw students into historical research through the use of newspaper clippings, photographs, maps, diaries, artists' reconstructions, and written narratives. This unit is designed for intermediate and junior secondary students, but it can be adapted for older or younger students.

The case of William Robinson has a significant twist. Of all the historical situations that researchers encounter, nothing has quite the same impact as discovering an innocent man hanged, a guilty man going free. William Robinson's body was discovered in his cabin face down, several days after he had been fatally shot in the back. Robinson's death was the last of three brutal, seemingly unconnected murders, which occurred on the island between December 1867 and December 1868. All the victims of these Salt Spring Island murders were members of the island's African-American community, and Aboriginal people were widely blamed for all of the deaths. This African-American community had fled persecution and slavery in California in 1858, but the murders in 1868-9 fractured the community and drove many away. Many of Salt Spring Island's African-American community returned to the United States, which was more congenial to them after the Civil War had brought

an end to slavery. An Aboriginal man, Tschuanahusset, was convicted and hanged for the murder of one of these victims, William Robinson. The trial was a sham and afterwards, compelling evidence came to light to suggest that he was not the murderer.

It is important to note that the website is not designed as a “stand-alone” teaching tool. Most of the important learning happens when students analyze and discuss the website in a classroom or in a moderated Internet discussion. This teachers’ guide will provide instructors with the tools to encourage this learning. Students will be surprised to find that “Who Killed William Robinson” is not designed to provide answers. Instead, it is designed to provoke questions about how we get to the single truth about the past, although students will be working in a detailed way with the evidence in the case.

The evidence presented here about the guilt or innocence of the characters is equivocal, even though the site provides a very rich evidentiary base. We have more evidence with this case than with most micro- or macro-historical questions with which historians routinely deal. Despite this, there is not enough evidence to convict or exonerate anyone with 100% certainty. But there is enough here to give us more than reasonable doubt about the guilty verdict for the man convicted and hanged, and there is enough to suggest other suspects. These ambiguities are the site’s greatest pedagogical strength. As far as the murder goes, students are asked to argue for the suspect or suspects they think is/are the most likely.

These lessons are designed to draw students in with the near universal attraction to the morbid and to injustice. But the murder mystery is mere bait to lure the unsuspecting into a much more complex understanding of the entire historical enterprise. They provide the initial introduction to archival research and archival material. The particular skills they teach include critical reading, critical analysis/ thinking, and the ability to think historically (i.e., to understand how people thought and behaved at different times in the past).

## **Unit Themes**

To facilitate teachers in developing additional lessons and/or an expanded unit, some of the central themes of this website are listed:

Canadian and British Columbian history and geography

Confederation history

First Nations' history

Colonization and settlement history

Early "Canadian" justice systems

## **Unit Skills, Concepts, and Objectives**

- Acquire a more nuanced understanding of life in 19th century colonial society generally, and the diverse, multi-cultural environment on Salt Spring Island more specifically
- Confront evidentiary challenges, including incompleteness and interpretative errors; Differentiate the quality of evidence and observe inconsistencies in testimony
- Develop a vocabulary for the analysis of historical documents
- Plan and conduct research using primary and secondary sources & electronic sources
- Generate and critique different interpretations of primary and secondary sources
- Assess and defend a variety of positions on controversial issues
- Construct a narrative from pieces of evidence that are non-sequential
- Plan, revise, and deliver formal presentations using a variety of media
- Demonstrate leadership by planning, implementing, and assessing a variety of strategies to address the problem, issue, or inquiry initially defined
- Refine abilities to construct and defend an argument

## **Instructional Strategies**

### **Need for Computer Lab Time:**

While this entire unit is fully integrated with the Who Killed William Robinson website, most tasks can be completed if the requisite documents are printed ahead of time and given to students. In this way, classes with limited access to computer lab time can still complete the unit.

## **Assessment & Evaluation:**

Because assessment and evaluation standards vary from jurisdiction to jurisdiction, only generalized guidelines have been included here. Instructors may wish to assign process marks for completion of the various tasks, or not, if their students are sufficiently mature enough to recognize that the successful completion of the various tasks is crucial to successful completion of the culminating activity.

The characteristics of A/A+ in critical thinking for specific tasks:  
(Look for evidence of appropriateness to grade level)

- documents and sources are read and interpreted in depth;
- issues are analyzed seriously and thoughtfully;
- presentations and talks are given carefully, with material well-prepared and organized, and points well thought-out;
- results are expressed cautiously and are supported with reference to appropriate evidence;
- opinions are reasoned



## **Individual Lesson Plans Overview: The Lessons Summarized**

### **Key Question:**

### **Who Killed William Robinson?**

#### **Lesson 1:**

Seeing Myself in the Future's Past

One class

In this introduction to historical documents, the class comes up with a list of the kinds of documents (primary sources) that historians of the future might use to understand “our” world hundreds of years from now. Students then choose five primary sources that they think will best describe their own lives for future historians.

#### **Lesson 2:**

Writing the News: Understanding Good Reporting

Two classes

Students are asked to come up with a list of criteria for “fair reporting” in the newspaper. They then apply these criteria to a variety of newspaper reports about the murder of William Robinson. In the second class, students use the criteria and the information they have found to write a fair-minded newspaper article about the incident.

#### **Lesson 3:**

Documents and Detection: Using the Documents to Evaluate the Evidence

Two classes

In this two-part lesson, students are asked to take on the persona of a detective who has been asked to re-visit the murder case of William Robinson. Students are given a “file” of documents (primary sources) relating to the case, and are asked to come up with a list of questions that they would like to ask the people involved in the case.

#### **Lesson 4:**

Historical Contexts

Two classes

In this lesson, students gain skills in using on-line materials to find primary and

secondary sources, and build these materials into a coherent picture of the settler society in which William Robinson was murdered.

### **Lesson 5:**

The Retrial: Do You Think that Tom Was Guilty?

Four to six classes

Students will look at the evidence about the murder, from before, during, and after the trial. They will use their research to re-evaluate Tom's guilty verdict. They will draw on this evidence as they take on various persona, and perform a retrial of Tom.

## **Lesson 1:**

### **Seeing Myself in the Future's Past**

#### **Interpreting Primary Documents**

#### **Overview:**

In this introduction to historical documents, the class comes up with a list of the kinds of documents (primary sources) that historians of the future might use to understand “our” world hundreds of years from now. Students then choose five primary sources that they think will best describe their own lives for future historians.

Support Materials Used in this Lesson:

ILP Support Material A: Evidence and What it Teaches (Activity Sheet)

#### **Activities:**

1. Students are given the following scenario:

A historian of the twenty-third century, feeling that teenagers have been misunderstood through time, wants to write a history of teenagers, beginning in early twenty-first century Canada. The historian wants to know about all aspects of teenage life, from work, family life and formal education to leisure activities, social life, and personal issues of concern to the twenty-first century teenager.

2. Ask students: how do historians learn about the past?

3. Explain that while historians read a lot of things written by other historians, the books and articles they write are based on their own research into evidence created in the past -- called primary documents -- which have been preserved into the present. Historians use these documents to make inferences about life in the past.

4. Familiarize students with the concept of inference by asking students what kinds of inferences they might make about a society if they were an alien from another planet who encountered a common object from our world: a soccer ball, a coat, or any

other commonly used object in the classroom. Examples might include “the society had the technology to create plastics,” or “the society had enough wealth to make a lot of useless objects,” or “people must have loved music.”

5. Students are asked to work in pairs to brainstorm the following questions:

- What records will individual students in the class leave behind that this historian might use to understand their life?
- What records about their life will have been created, and might be preserved, for that historian to find?

6. After 5-10 minutes, write all of their responses on the board, encouraging students, if needed, with the following suggestions (issues that you might like to raise about the creation, preservation, and interpretation of the source are in brackets):

- Diaries and journals (Who will keep them? Will they make it into a public archives, as hundreds of thousands have in the past? What will they tell historians?)
- E-mails (Will they be preserved? Will they be machine-readable in the future? What will they tell historians?)
- Bills, such as VISA statements (Where will they be stored? Will historians have access to them? What will they tell historians?)
- Home videos (Will the technology still exist to view them? What will they tell historians?)
- Photographs (Who will preserve them? Will they be in public archives? What will they tell historians?)
- School records (Kept by school and then by the provincial archives, as required by law; who will have access to them in the future? If they are kept by individuals, who will preserve them and who will have access to them? What will they tell historians?)
- School work (How will that be preserved? What will samples tell historians?)
- Clothing (How will someone in the future understand what the clothing “means”?)
- Music (How will someone in the future understand what the music means? Will the technology exist to listen to it?)
- Court records (Juvenile court records may become part of the public domain after 100 years)

- Census records (Every Canadian will appear on the census if they are in Canada in a census year, even though their individual information will not be available to historians for 96 years)
- Birth, marriage and death records (What might these tell someone in the future about teenage life, i.e., AIDS statistics, car accidents, teenage pregnancy, etc.)

7. Divide students once again into groups of two or three and distribute Unit 2 Support Material B: Evidence and What it Teaches.

8. Give the students the following task: Choose which three sources from the list on the board (or other sources they can think of) would give a historian of the future the best understanding of their life, and explain why. On an overhead, go over one example with the students (Visa Bills, for example), filling in the spaces as demonstrated, or as students suggest, filling in all three columns.

9. After students have completed the sheet, select three or four groups to present their first choice, and discuss.

## Other Introductory Exercises Using Primary Documents

There are a wide variety of lessons that teachers can do in the classroom relating to the exploration of primary documents, depending on the time available and the grade level. They might include the following:

- ask students to keep a journal of the documents they create in a given week, of the “traces” that they are leaving behind for future historians to find
- ask students to create a journal, diary, or short essay that they might leave for historians of the future
- get students to create a “time capsule” that best represents their lives, the lives of their family, or their school in the twentieth century
- have students write a history of their lives or of their family based only on the documentary evidence available in their home.

## **Lesson 2:**

### **Writing the News**

### **Understanding Good Reporting**

(Two classes)

#### **Overview:**

Students are asked to come up with a list of criteria for “fair reporting” in the newspaper. They then apply these criteria to a variety of newspaper reports about the murder of William Robinson. In the second class, students use the criteria and the information they have found to write a fair-minded newspaper article about the incident.

#### **Support Material Used in this Lesson:**

ILP Support Material 1: Is This Fair Reporting? (Activity Sheet)

## *Lesson 2, Class 1*

### Preparation :

Students are asked to bring in to class newspaper reports about the same leading story in the news, preferably one dealing with political acts of violence.

### **Activities:**

1. In groups or pairs, students examine the newspaper reports, and are asked “how do you know which report is the most reliable?” Legitimate responses might include “must include more than one point of view,” or “must not use exaggerated or inflammatory language”.
2. As a group, students develop criteria for “fair reporting.” This list is written on the board, and should include the following:
  - Is more than one point of view reported?
  - Does the writer use exaggeration or inflammatory language?
  - What is the information-to-opinion ratio (and how do you tell the difference)?
3. Students complete Support Material 1: Is This Fair Reporting? to evaluate their newspaper report.
4. Group discussion: The class discusses together which contemporary newspaper reports are “fair,” and students are told that similar criteria can be applied to incidents in the past.
5. Students use Support Material 1: Is This Fair Reporting? to describe and then evaluate two of the newspaper reports on the William Robinson website listed below.

### Suggested list of Documents:

#### **Newspapers:**

“The East Coast Murders”, *British Colonist*, April 10, 1869

<http://canadianmysteries.ca/sites/robinson/archives/>



newspaperormagazinearticle/1357en.html

“The Salt Spring Murder”, *British Colonist*, March 24, 1868

<http://canadianmysteries.ca/sites/robinson/archives/newspaperormagazinearticle/1647en.html>

“Court of Assize Before Chief Justice Needham”, *Daily British Colonist*, June 3, 1869

<http://canadianmysteries.ca/sites/robinson/archives/newspaperormagazinearticle/1401en.html>

“A Letter to the Editor”, *British Colonist*, June 5, 1869

<http://canadianmysteries.ca/sites/robinson/archives/newspaperormagazinearticle/1314en.html>

“The Salt Spring Island Murder”, *British Colonist*, July 3, 1869

<http://canadianmysteries.ca/sites/robinson/archives/newspaperormagazinearticle/1305en.html>

6. Working in small groups, students then share their evaluations of the historic reports with others in their group.

## *Lesson 2, Class 2*

### **Activities:**

1. Using the “evidence” part of the chart, students then use these criteria to write a fair-minded newspaper account of the Murder of William Robinson. These are written up in newspaper style. Students use Support Material 1: Is This Fair Reporting? to provide a peer evaluation of the newspaper story by each group. Those that get a passing grade are compiled into a book of newspaper clippings about the events.

### **Lesson 3:**

## **Documents and Detection:**

## **Using Documents to Evaluate the Evidence**

(Two classes)

### **Overview:**

In this two-part lesson, students are asked to take on the persona of a detective who has been asked to re-visit the murder case of William Robinson. Students are given a “file” of documents (primary sources) relating to the case, and are asked to come up with a list of questions that they would like to ask the people involved in the case.

### **Support Material Used in this Lesson:**

ILP Support Material 2: “Who Killed William Robinson” (Briefing Sheet)

ILP Support Material 3: Following the Trial (Activity Sheet)

ILP Support Material 4: Establishing the Facts of the Case (Activity Sheet)

ILP Support Material 5: The Interrogation (Activity Sheet)

## *Lesson 3, Class 1*

### **Activities:**

1. Hook: When students enter the class, ask them to observe what you are about to do very carefully. Over the next minute, perform a sequence of five actions (e.g., Throw a piece of paper across the room, accuse a student [ask for a volunteer ahead of time!] of throwing it, and ask him or her to come to the front of the class, then write three words on the board, give students a list of five words, and ask the student to return to his or her seat). Ask students to tell you what just happened.

Emphasize:

- how difficult it is to remember sequences of actions when you don't understand what they mean
- how it is easier to remember things when they leave a "trace" behind, like the written words on the blackboard, and
- how different people have slightly different points of view about what "really happened".

2. Ask students if they know about the case of Donald Marshall, a young man who (it turned out ten years later) was wrongly convicted of a murder. Ask students if they know how the trial got re-opened after so many years. Explain that cases like this only get re-opened after a great deal of research uncovers new or under-examined evidence.

3. Explain the assignment: They are going to take on the role of a detective in nineteenth century British Columbia who has been assigned to quietly do some detective work around the murder of William Robinson, and the subsequent arrest and hanging of a Native man. Explain that in this scenario, it turns out that some important people have been questioning the verdict, and are wondering if the real culprit has gone free. The detective has been hired as the first step in a possible retrial to find the real murderer.

4. Explain the detection process: Explain that before they begin, they need to

understand how detectives go about their work. Ask the students how they know “what happened” if they were not there to observe an event themselves. Explain that if we are not somewhere ourselves, and if we cannot talk to people who were, then all we have are different accounts of “what happened” that are written or created by someone else, or “traces” of evidence they have left behind. And every account is created by a person, and every person has a slightly different point of view. How can we judge what “really” happened? Explain that good detectives begin their work on a case by trying to find out as much as possible from as many sources as they can, as they try to find out “what really happened”.

5. As a class, brainstorm the characteristics of a good detective. Write the list of characteristics on the board and use this to come up with a list of four or five criteria for good detective work. If necessary, get the students started by providing some of the following:

A good detective:

- uses a number of sources for information
- answers the questions who, what, where, why, how?
- answers the question “so what?”
- provides evidence, not just opinions and feelings
- writes clearly and concisely so that readers can understand his or her reasoning

6. Read Support Material 2: “Who Killed William Robinson” together as a class.

7. Introduce the concept of evidence: To delve into the mystery of “Who Killed William Robinson”, a detective would start with an overview of all the available evidence. Ask students what evidence is, asking for both examples and a description. Explain that the documents available for the William Robinson case include newspapers, trial transcripts, the judge’s bench notes, sworn statements, and letters.

8. Think in pairs: Students are divided into pairs and are given (or find online) a series of documents from one of the three document types – three different kinds of primary sources – below, pre-selected from the website: newspapers, Attorney

General's files, Supreme Court documents. The teacher instructs students to read the documents and begin work on completing Support Material 3: Following the Trial

Suggested list of Documents:

### **Newspapers:**

"The East Coast Murders", *British Colonist*, April 10, 1869

<http://canadianmysteries.ca/sites/robinson/archives/newspaperormagazinearticle/1357en.html>

"The Salt Spring Murder", *British Colonist*, March 24, 1868

<http://canadianmysteries.ca/sites/robinson/archives/newspaperormagazinearticle/1647en.html>

"Court of Assize Before Chief Justice Needham", *Daily British Colonist*, June 3, 1869

<http://canadianmysteries.ca/sites/robinson/archives/newspaperormagazinearticle/1401en.html>

"A Letter to the Editor", *British Colonist*, June 5, 1869

<http://canadianmysteries.ca/sites/robinson/archives/newspaperormagazinearticle/1314en.html>

"The Salt Spring Island Murder", *British Colonist*, July 3, 1869

<http://canadianmysteries.ca/sites/robinson/archives/newspaperormagazinearticle/1305en.html>

### **Attorney General's Files:**

Sworn Testimonial of John Norton

<http://canadianmysteries.ca/sites/robinson/archives/courtdocument/1580en.html>

Sworn Testimonial from Witness Sue Tas (Dick)

<http://canadianmysteries.ca/sites/robinson/archives/courtdocument/1581en.html>

Statement of the Accused

<http://canadianmysteries.ca/sites/robinson/archives/courtdocument/1605en.html>

### **Supreme Court Documents:**

Judge Needham's Bench Books

-

<http://canadianmysteries.ca/sites/robinson/archives/courtdocument/3343en.html>

Homework:

Ask students to familiarize themselves with the project website <http://www.canadianmysteries.ca/sites/robinson/home/howtousesite/indexen.html> and to complete the worksheet. Draw attention to the "About this Source" function of the website, which will provide lots of help for their next assignment.

## *Lesson 3, Class 2*

### **Activities:**

1. Students continue to read the documents in their groups of three, and complete Support Material 3: Following the Trial. When they have completed the worksheet for their document type, ask students to get into groups with two others, each of whom has read one other document type. Students will now be arranged into groups of three, one of whom has read each type of document. In these groups, ask students to complete Support Material 4: Establishing the Facts of the Case. Students are then given Support Material 5: The Interrogation to help them prepare their assignment: to draw up a list of good questions for the suspects they would like to bring in for questioning. Students might find the Cast of Characters section of the website particularly useful at this point.

2. Students have a horseshoe debate, with one side of the horseshoe being those detectives who recommend a retrial, and the other side those who do not. Each person in the horseshoe has an opportunity to speak, with the only two rules being no insulting comments, and each opinion needs to be supported by evidence.

### **Alternative:**

For those teachers who can devote three classes to this exercise, students can perform a skit where the detective questions different people from the cast of characters.



## **Lesson 4: Historical Contexts**

*With thanks to Mia Riemers*

(Two classes)

*Book computer lab for this class*

*(NOTE: Students will find it useful to do a preliminary exercise about primary and secondary documents before trying to do this exercise. Please see “Lesson 1: Seeing Myself in the Future’s Past”.)*

### **Overview:**

The purpose of this assignment is for students to gain skills in using on-line materials to find primary and secondary sources, and to build these materials into a coherent picture of the settler society in which William Robinson was murdered.

### **Support Material Used in this Lesson:**

ILP Support Material 6: Salt Springs Island Society in the 1860s (Activity Sheet)

## *Lesson 4, Class 1*

### **Activities:**

#### 1. Hook: Tell the students the following story:

Just before midnight one dark, cold, and stormy night, a man called John Smith was sitting in his small, isolated cabin in the woods in the northern-most town in your province. As he reached for a cigarette, he realized to his dismay that he had only one cigarette left. Glancing at his watch, he realized that he had just enough time to hop in his car and drive to the bar down the road to buy cigarettes before it closed. As his car pulled out of his lane and onto the highway, it was hit by his neighbour, who, returning from a long night at the bar, was unable to stop soon enough on the icy road. Smith was killed instantly. Later, as the townspeople were discussing the sad event, they shook their heads one after another and said, “We always knew that smoking would kill Smith.

Give the students about five minutes to discuss the following question: Were the neighbors right? Did smoking kill Smith?

2. After they have discussed this question, explain that in their discussion, the students have been doing exactly what historians do. For when historians look at the past, they look at individuals and groups of people, but basically they have one task only: to make meaningful generalizations about the past, generalizations that explain (like the students in this class) why things happened as they did. Point out that what they have been trying to figure out in their discussion of Smith is: what makes a meaningful generalization – what makes a good generalization? Ask students what generalizations are, and what distinguishes a meaningful from a trivial generalization, using their responses in the Smith example to help them out (e.g., maybe drinking and driving is a more meaningful explanation of Smith’s death than his desire to have a cigarette).

3. Explain that historians tend to look at three different kinds of generalizations:  
Class: What were the differences in wealth and status within this society? Were

people equal, or unequal? How were these divisions maintained and enforced? Was it possible to move from one group to another, or were class and status decided at birth?

Ethnicity: Do people in this society distinguish amongst themselves according to visible differences that they attribute to “race” or ethnicity? Or are other kinds of physical difference – height, or ear size – of particular significance? What differences do people attribute to these traits?

Gender: Do people in this society make distinctions amongst themselves according to gender? Is one gender seen as being superior, or does gender prevent people from, or force people to, behave in certain ways? Does one gender have more wealth and/or power than the other?

So historians might want to examine why it is that poor people have worse health than wealthy people and have shorter life spans, or why more Canadians, per capita, died in the second world war than British people, but they might not want to look at why women like chocolate more than men do.

4. Explain that you will be asking students about the kinds of meaningful generalizations they can make about Salt Spring Island society, in order to better understand the murder of William Robinson.

5. In the computer lab, ask students to log on to the site <http://www.canadianmysteries.ca/sites/robinson/home/howtousesite/indexen.html>

6. Ask students to read the Welcome in the Home section. Explain that you will be asking someone to provide an overview of what the site is about, and a description of the mystery. Give them about 10 minutes to explore the site.

7. Ask one or two students to answer the questions above, giving an overview of the mystery, and how the website works by providing the evidence for a real-life historical mystery and asking students to solve it.

8. Explain that some of the clues to the mystery lie in the social context within which

it occurred. It would be difficult to understand why students like them like to sit and watch flickering images on a screen, or drive quickly in dangerous vehicles in which many die, without knowing something about the context of life in modern Canada. Like most historical actions, the murder of William Robinson did not occur in a vacuum, but needs to be understood in the contexts of its time and place.

9. Direct students to the Historical Contexts section.

10. Explain their task in more detail. Ask students to define primary and secondary sources.

Primary sources or primary documents are those documents created closest in time and space to the event that is being described or explained.

Secondary sources are those accounts that are written long after the event, like the account that appears on the Welcome page of the Who Killed William Robinson? website.

11. Students are going to create their own secondary source about Salt Spring Island society. Using at least six (6) primary sources from the Historical Contexts section, students will complete Support Material 6: Salt Springs Island Society in the 1860s using it to make some meaningful generalizations about the colonial society within which William Robinson was murdered. In their written report, they should summarize, and try to characterize, the composition of the society (i.e., Who settled there? Why? Is there unity/division amongst the settlers?, etc.). They will write this up as a one-page report that will be evaluated according to the students' ability to make meaningful generalizations about Salt Spring Island society.

## **Lesson 5:**

### **The Retrial:**

### **Do You Think that Tom Was Guilty?**

*With thanks to Grace Ventura*

(Four to six classes)

*(Book computer lab for two classes)*

#### **Overview:**

Students will look at the evidence about the murder, from before, during, and after the trial. They will use their research to re-evaluate Tom's guilty verdict. They will draw on this evidence as they take on various persona, and perform a retrial of Tom.

#### **Support Material Used in this Lesson:**

ILP Support Material 7: Establishing the Facts of the Case (Activity Sheet)

ILP Support Material 8: Motive, Means, and Murder (Activity Sheet)

Teacher Preparation:

Familiarize yourself with the website "Who Killed William Robinson?"

## *Lesson 5, Class 1: Starting the Research*

### **Activities:**

1. In the computer lab, introduce students to the Who Killed William Robinson? website, asking them to read the Welcome page. Give the students 10 to 15 minutes to peruse the site.
2. After studying the documents in the case, students will re-enact the trial of William Robinson's murderer. Using only the evidence available on the site, and using only the characters from the Cast of Characters, students will re-evaluate the guilt of Tom, and then use the evidence they have uncovered in a retrial of Tom. They will be able to bring new evidence to trial, and they will be able to cross-examine witnesses in this new version of the trial.
3. Working in pairs, students will begin their re-evaluation of the case, using Support Material 7: Establishing the Facts of the Case. Students work in pairs, on all of the documents in one of the three categories of documents (Newspapers, Attorney General, Supreme Court).

Suggested list of Documents:

### **Newspapers:**

"The East Coast Murders", *British Colonist*, April 10, 1869

<http://canadianmysteries.ca/sites/robinson/archives/newspaperormagazinearticle/1357en.html>

"The Salt Spring Murder", *British Colonist*, March 24, 1868

<http://canadianmysteries.ca/sites/robinson/archives/newspaperormagazinearticle/1647en.html>

"Court of Assize Before Chief Justice Needham", *Daily British Colonist*, June 3, 1869

<http://canadianmysteries.ca/sites/robinson/archives/newspaperormagazinearticle/1401en.html>

“A Letter to the Editor”, *British Colonist*, June 5, 1869

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The Salt Spring Island Murder, *British Colonist*, July 3, 1869

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### **Attorney General's Files:**

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Statement of the Accused

<http://canadianmysteries.ca/sites/robinson/archives/courtdocument/1605en.html>

### **Supreme Court Documents:**

Judge Needham's Bench Books

<http://canadianmysteries.ca/sites/robinson/archives/courtdocument/3343en.html>

## *Lesson 5, Class 2: Planning the Trial*

### **Activities:**

1. With their completed worksheets, students leave their pairs and get into groups with two others, each of whom has read one other document set. In these groups of three, students piece together the evidence, using Support Material 8: Motive, Means, and Murder to assess the strengths and weaknesses of the evidence against Tom, and to consider any other likely candidate for murder.
2. As a class, students then have a horseshoe debate about Tom's guilt. The horseshoe is comprised at one end of those who believe Tom is guilty, and the other end of those who believe he is innocent. As each student forwards an opinion, they must provide a piece of evidence from the website to support their claim, or to counter someone else's.
3. At the end of this debate, the class will decide whether to use their evidence to challenge the way the trial worked out in 1869, or to support it.
4. Planning the retrial:  
At this point, the teacher distributes a hat with the names of the characters:

The Trial

Judge Needham (neutral)

Tom (defense)

John Martin (neutral)

Henry Sampson (prosecution)

William Robinson (corpse)

John Norton (prosecution)

Mr. Ring (defense)

The Attorney General (prosecution)

Henry Perring Pellow Crease (prosecution)

Armstead Buckner (prosecution)

Sue-Tas (prosecution)



Thomas George Askew (defense)  
Hambro Rinner (prosecution)  
Charlie (defense)  
Robert McMillan (neutral)  
Jonathan Morley (prosecution)  
William Smithe (neutral)

The Jury  
Richard Burnaby-Foreman  
Richard Carr  
George Robinson Fardon  
Roderick Finlayson  
Lumley Franklin  
Edward Mallandaine  
Thomas Lett Stalhschmidt  
Benjamin Pitt Griffin  
Rout Harvey  
John Wilkie  
Thomas Hickman Tye

5. There will need to be two or three people with the same name/role. These will work together to prepare the script and action for their character, deciding among them how to divide the work of researcher, writer and actor. Although the teams of the Defense and the Prosecution have more work to do, it is then the job of the jury to be responsible for creating the props and diagrams (if needed) for the trial.

6. Ask students to use the website, particularly the Cast of Characters and the trial documents to create a profile of their character and their role in the trial. They should answer three questions:

1. Who am I?
2. What did I do for a living?
3. What was my relation to both William Robinson and the trial of Tom?

### *Lesson 5, Class 3: Meeting with the Team*

#### **Activities:**

1. Students organize themselves into three teams: Prosecution, Defense, and Jury. They meet with their teams and discuss their strategies.
2. The teams are to look at the evidence and testimonies and come up with questions that will help their case. In the case of the jury, they are to determine who will bring in the props and costumes for the trial as well as getting into character. During this time, the teacher is to circulate in the classroom, asking questions and ensuring that the students are on task.

## *Lesson 5, Class 4: Rehearsal*

### **Activities:**

1. During this session, the students are to rehearse the trial, using the questions and statements that the students created to write a script. The teacher is to circulate in the classroom, making notes as to who is participating well.

## *Lesson 5, Class 4-6: The Trial*

### **Activities:**

1. Students re-enact the trial of Tom, using the original trial as a guide. Remember that the only evidence acceptable in this retrial is evidence on the website, and the only characters who can appear (on or off stage) are ones that are mentioned on the site, but new evidence can be brought to the trial, and witnesses can be cross-examined in the hope of finding evidence that did not come out at the time of the trial. Once the trial is completed, the students are to write a diary (1-2 pages, double-spaced) on the trial while still remaining in character.

## Evidence and What It Teaches

Source Kind:	What information/evidence about me will this primary source give to historians of the future?	What makes this “good evidence” about me and my life?	What inferences about teenage life might this historian make from this evidence?
<i>Example:</i> A VISA bill	How I spent some of my money	The things that I buy are a good reflection of what I like and what I care about	<ul style="list-style-type: none"><li>- Teens like to buy things</li><li>- Teens had money to buy things (i.e. They were not totally poor)</li><li>- Teens bought different things from each other and from adults</li></ul>
1.			
2.			
3.			

## Is This Fair Reporting?

Criteria for fair reporting:	What is the “evidence” that is being reported?	Evidence of fair or unfair reporting	Score:
<b>Point of view</b> <i>Is there more than one point of view reported?</i>			(1 point for every point of view expressed)
<b>Exaggerated or inflammatory language</b> <i>Does the writer use this kind of language?</i>			(1 point taken off for every example of exaggerated language)
<b>Information-to-opinion ratio</b> <i>Is every opinion supported by appropriate information?</i>			(1 point taken off for each opinion not supported by information)
TOTAL Score			Add and subtract points

## **The Big Picture: Who Killed William Robinson?**

Between 1867 and 1868, a tiny community on the north end of Salt Spring Island, populated by about twenty-five families, was the scene of three brutal, seemingly unconnected, murders. All the victims of these Salt Spring Island murders were members of the island's African-American community, and Aboriginal people were widely blamed for all of the deaths. This African-American community had fled persecution and slavery in California in 1858, but the murders in 1868-9 fractured the community and drove many away. Many of Salt Spring Island's African-American community returned to the United States, which was more congenial to them after the Civil War had brought an end to slavery. Meanwhile, Aboriginal people on the island were faced with increasing harassment and pressure from settlers in general, who were often unsympathetic to Aboriginal land and resource rights.

William Robinson was the last murder victim of the three, and his was the only case in which someone was convicted of the crime. William Robinson's body was discovered in his cabin face down, several days after he had been fatally shot in the back. An Aboriginal man, Tschuanahusset, was convicted and hanged for the crime. However, the trial was a sham and afterwards, compelling evidence came to light to suggest that he was not the murderer.

Was Tschuanahusset guilty? Why was he convicted? If Tschuanahusset did not kill William Robinson, who did?





## Establishing the Facts of the Case

	Account #1:	Account #2:	Account #3:	Account #4:
	<b>Norton</b>	<b>Sui Tas</b>	<b>Newspaper</b>	<b>Trial</b>
<b>Sequence of Events</b>	Detailed Evidence from Account #1	Detailed Evidence from Account #2	Detailed Evidence from Account #3	Detailed Evidence from Account #4
<i>Event 1:</i>				
Robinson was shot while eating dinner				
<i>Approximate date/time:</i>				
<i>Event 2:</i>				
Something was stolen				
<i>Approximate date/time:</i>				
<i>Event 3:</i>				
Indian to blame				
<i>Approximate date/time:</i>				

## **The Interrogations**

1. Questions for John Norton?
  
  
  
  
  
  
  
  
  
  
2. Questions for Sui Tas?
  
  
  
  
  
  
  
  
  
  
3. Questions for Native petitioners?
  
  
  
  
  
  
  
  
  
  
4. Questions for William Smyth?
  
  
  
  
  
  
  
  
  
  
5. Questions for Estalon Jose Bittancourt?
  
  
  
  
  
  
  
  
  
  
6. The Big Question: Has your detective work convinced you to recommend a retrial?  
Why or why not?

## Salt Spring Island Society in the 1860s

Who lived on Salt Spring Island in the 1860s? (What kinds of people – what ethnicity, class and gender?)	<i>Source name and evidence</i>	<i>Source name and evidence</i>	<i>Source name and evidence</i>
What did these people do to make a living? Who did what?	<i>Source name and evidence</i>	<i>Source name and evidence</i>	<i>Source name and evidence</i>
Using this information, what meaningful generalizations would you make about this society?	1. The most significant generalization I would make about this society at this time is:  because:	2. Most people on this island were (class? ethnicity? gender?):  which is significant for the following reasons:	3. The following aspect or aspects of Salt Spring Island society and culture help to explain why William Robinson was murdered:

## Establishing the Facts of the Case

	Account #1:	Account #2:	Account #3:	Account #4:
	<b>Norton</b>	<b>Sui Tas</b>	<b>Newspaper</b>	<b>Trial</b>
<b>Sequence of Events</b>	Detailed Evidence from Account #1	Detailed Evidence from Account #2	Detailed Evidence from Account #3	Detailed Evidence from Account #4
<i>Event 1:</i>				
Robinson was shot while eating dinner				
<i>Approximate date/time:</i>				
<i>Event 2:</i>				
Something was stolen				
<i>Approximate date/time:</i>				
<i>Event 3:</i>				
Indian to blame				
<i>Approximate date/time:</i>				

### Motive, Means, and Murder

Name of Suspect	Motive? Evidence?	Means? Evidence?	Conflicting or non-conforming evidence
<b>Tom</b>	Motive of Theft - some objects were found to be missing	- shot him with gun - gun was used	- not clear that it was Robinson's axe - why was it not found the first time Tom's house was searched? - but wasn't Tom sick at the time of Robinson's murder?
<b>Suspect No. 2</b>			
<b>Suspect No. 3</b>			