

**Mallard Creek High School
Lesson Plan for: O'Neil, P.**

Date:
Studies

Subject: African American

Instructional Objective: SCS #

Student Stated Objective: Students will examine and assess African Americans –Opposition to Slavery

Rationale: To gain knowledge and understanding of the African American experience

Instructional Activities

Type of Instruction	Brief Description of Instructional Activity	Time Frame
*Instructional Focus Introductory Activity	Kanye West Quote Harriet Tubman Quote	
Teacher Directed Direct Teacher Input Modeling Guided Practice	The fact that fugitive slave laws were discussed at the national level suggest that runaway slaves were a major concern. RESEARCH/EVALUATE/ASSESS	
*Instructional Activities Variety Change of Pace every 15 - 20 minutes	Graphic Organizers Critical Thinking Questions Primary Sources -Evaluation/Assessment Preview-Websites/Videos/Articles	
Specific Strategy(ies) for Active Student Involvement	Portfolio Prep—Q&A, Graphic Organizers/Diagrams, Reaction/Reflection Papers, Critical Thinking Questions, etc	
Planned Questions Higher Level Increase Challenge	Objectives 2.01 Analyze the economic, social, religious, and legal justifications for the establishment and continuation of slavery. 2.02 Discuss and evaluate the various ways Africans in America resisted slavery. 2.03 Analyze the role of African Americans in the development of the United States as a new nation. 2.04 Assess the role slavery played in the development of nationalism and sectionalism. 2.05 Trace the development of the abolitionist movement and its impact on slavery and the nation.	K the various ways Africans in America resisted slavery. U Aspects of the Fugitive Slave Discourse D Activities that assess and evaluate Fugitive Slave dynamics & experience
Ongoing Assessment Strategies	Monitoring Random Student Selection Q&A/Discussion	
*Final Assessment of Daily Instructional Objective	Monitoring Random Student Selection Q&A/Discussion	
*Remediation/Enrichment Strategies	See internet/outside sources for information about the African Americans and Opposition	Following final assessment
*Homework (Top three tiers of Blooms)	Portfolio –Due TBD	

ACTIVITY: CONSIDERING SLAVERY AS A CHOICE

3-PARTS

Kanye West Comments:

https://www.google.com/search?q=Kanye+West+comments+on+slavery&rlz=1C1GCEA_enUS995US995&oq=Kanye+West+comments+on+slavery&aqs=chrome..69i57.8098j1j15&sourceid=chrome&ie=UTF-8&safe=active&ssui=on

Kanye [who appeared at the TMZ headquarters](#) where he had this to say:

“When you hear about slavery for 400 years ... For 400 years? That sounds like a choice.”

The rapper went on to add:

“You were there for 400 years and it’s all of y’all. It’s like we’re mentally imprisoned.”

<https://www.cnn.com/2018/05/01/entertainment/kanye-west-slavery-choice-trnd>

“I freed a thousand slaves I could have freed a thousand more if only they knew they were slaves.” - Harriet Tubman

<https://www.youtube.com/watch?v=bduwBNoB-Mw>

ACTIVITY: CONSIDERING SLAVERY AS A CHOICE

UNDERSTANDING: Fugitive Slave Legislation

Fugitive Slave Clause -U.S. Constitution 1787

Facts:

Significance/Issue/Relevance:

Fugitive Slave Act 1793

Facts:

Significance/Issue/Relevance

Fugitive Slave Act 1850

Facts:

Significance/Issue/Relevance

Key Fugitive Slave Cases

Court Case	Significance/Relevance/Outcome
<i>Prigg v. Pennsylvania</i>	
Thomas Simms	
<i>Ableman v. Booth</i>	
Shadrach Minkins	
Stephen Pembroke	

Opinion/Reflection:

As you review the resources, consider the following statement. The fact that fugitive slave laws were discussed at the national level suggests the runaway slaves were a major concern.

FIVE KEY POINTS/OBSERVATIONS/QUESTIONS

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-
-
-
-

RESOURCES:

Slavery

<https://www.nytimes.com/interactive/2019/08/19/magazine/history-slavery-smithsonian.html>

Virginia Runaway Slave Ads

<http://nationalhumanitiescenter.org/pds/maai/enslavement/text8/virginiarunawayads.pdf>

Runaway Slave Ads

[An Archive of Fugitive Slave Ads Sheds New Light on Lost Histories | Smart News | Smithsonian Magazine](#)

<https://www.gilderlehrman.org/history-resources/spotlight-primary-source/runaway-slave-ad-1852>

<https://www.colonialwilliamsburg.org/learn/deep-dives/how-read-runaway-ad/>

<https://news.cornell.edu/stories/2016/03/runaway-slave-ads-portray-grim-period-us-history>

<https://digitalcollections.nypl.org/items/510d47db-bd19-a3d9-e040-e00a18064a99>

Fugitive Slave cases

Prigg v. Pennsylvania

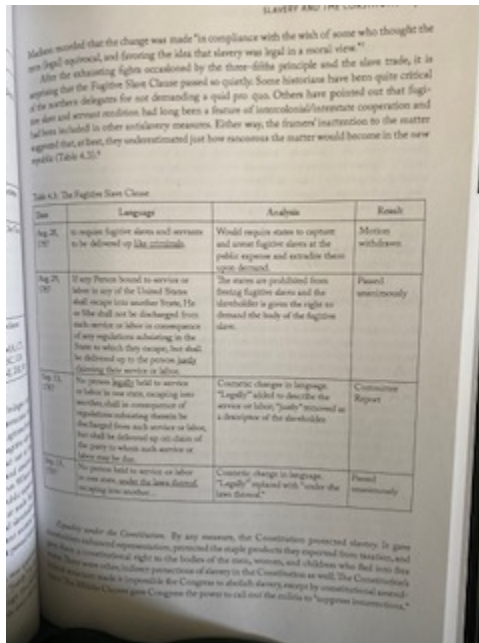
<https://www.oyez.org/cases/1789-1850/41us539>

[*Fugitive Slave Act of 1850](#)

by [H. Robert Baker*](#)

*<https://www.essentialcivilwarcurriculum.com/fugitive-slave-act-of-1850.html>'

ALSO pages 90-91 in *Teaching Enslavement in American History*



Shadrach Minkins

<https://www.nps.gov/articles/-rescued-from-the-fangs-of-the-slave-hunter-the-case-of-shadrach-minkins.htm>

<https://www.archives.gov/education/lessons/fugitive-slaves.html>

Thomas Simms

<https://billofrightsinstitute.org/essays/thomas-sims-and-the-fugitive-slave-act-of-1850>

Fugitive Slave Act 1850 ruled unconstitutional

Ableman v. Booth

Booth. Ableman v. Booth, (1859), case in which the U.S. Supreme Court upheld both the constitutionality of the Fugitive Slave Act and the supremacy of the federal government over state governments.

<https://www.britannica.com/event/Ableman-v-Booth>

<https://www.oyez.org/cases/1850-1900/62us506>

<https://www.loc.gov/resource/lst.026?sp=2&st=list>

<https://baumanrarebooks.com/rare-books/slavery-taney-roger-b-booth-sherman-rycraft-john-glover-joshua/unconstitutionality-of-the-fugitive-slave-act/116068.aspx>

Ableman *cited in Brown Decision

Fugitive Slave Case: Stephen Pembroke

<https://www.archives.gov/nyc/exhibit/stephen-pembroke.html>

See *United States v. Rycraft*

The Fugitive Slave

-Secession ordinances referred to issues of non enforcement of Fugitive Slave Law

https://www.myhaikuclass.com/lotfy/civilwarfinalversion/cms_page/view/5178334

<https://bedfordfreelibrary.org/wp-content/uploads/NF1-thetippingpoint.pdf>

Database Fugitive Slaves Freedom on the Move

<https://freedomonthemove.org/>

Fugitive Slave Abolitionists

Henry Highland Garnet

Henry Bibb

Frederick Douglass

Harriet Tubman

William Wells Brown
Harriet Jacobs

NOTES:

Fugitive Slave Clause

<https://constitutioncenter.org/interactive-constitution/interpretation/article-iv/clauses/37>

https://constitution.congress.gov/browse/essay/artIV_S2_C3_1_1/

Article IV, Section 2, Clause 3:

No Person held to Service or Labour in one State, under the Laws thereof, escaping into another, shall, in Consequence of any Law or Regulation therein, be discharged from such Service or Labour, but shall be delivered up on Claim of the Party to whom such Service or Labour may be due.

Fugitive Slave Act 1793

<https://www.youtube.com/watch?v=AcdOWKiKgWU>

THE FUGITIVE SLAVE LAW.

A bill to amend the act entitled "An act respecting fugitives from justice, and persons escaping from the service of their masters."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the persons who have been, or may hereafter be, appointed commissioners, in virtue of any act of Congress, by the circuit courts of the United States, and who, in consequence of such appointment, are authorised to exercise the powers that any justice of the peace or other magistrate of any of the United States may exercise in respect to offenders for any crime or offence against the United States, by arresting, imprisoning, or bailing the same under and by virtue of the thirty-third section of the act of the twenty-fourth of September seventeen hundred and eighty-nine, entitled "An act to establish the judicial courts of the United States," shall be, and are hereby authorized and required to exercise and discharge all the powers and duties conferred by this act.

<https://www.loc.gov/resource/rbpe.33700200/?st=text>

Fugitive Slave Act of 1793

An Act respecting fugitives from justice, and persons escaping from the service of their masters.

Be it enacted, &c., That, whenever the Executive authority of any State in the Union, or of either of the Territories Northwest or South of the river Ohio, shall demand any person as a fugitive from justice, of the Executive authority of any such State or Territory to which such person shall have fled, and shall moreover produce the copy of an indictment found, or an affidavit made before a magistrate of any State or Territory as aforesaid, charging the person so demanded with having committed treason, felony, or other crime, certified as authentic by the Governor or Chief Magistrate of the State or Territory from whence the person so charged fled, it shall be the duty of the executive authority of the State or Territory to which such person shall have fled, to cause him or her arrest to be given to the Executive authority making such demand, or to the agent when he shall appear; but, if no such agent shall appear within six months from the time of the arrest, the prisoner may be discharged: and all costs or expenses incurred in the apprehending, securing, and transmitting such fugitive to the State or Territory making such demand, shall be paid by such State or Territory.

SEC. 2. *And be it further enacted*, That any agent appointed as aforesaid, who shall receive the fugitive into his custody, shall be empowered to transport him or her to the State or Territory from which he or she shall have fled. And if any person or persons shall, by force, set at liberty, or rescue the fugitive from such agent while transporting, as aforesaid, the person or persons so offending shall, on conviction, be fined not exceeding five hundred dollars, and be imprisoned not exceeding one year.

SEC. 3. *And be it also enacted*, That when a person held to labor in any of the United States, or in either of the Territories on the Northwest or South of the river Ohio, under the laws thereof, shall escape into any other part of the said States or Territory, the person to whom such labor or service may be due, his agent or attorney, is hereby empowered to seize or arrest such fugitive from labor, and to take him or her before any Judge of the Circuit or District Courts of the United States, residing or being within the State, or before any magistrate of a county, city, or town corporate, wherein such seizure or arrest shall be made, and upon proof to the satisfaction of such Judge or magistrate, either by oral testimony or affidavit taken before and certified by a magistrate of any such State or Territory, that the person so

seized or arrested, doth, under the laws of the State or Territory from which he or she fled, owe service or labor to the person claiming him or her, it shall be the duty of such Judge or magistrate to give a certificate thereof to such claimant, his agent, or attorney, which shall be sufficient warrant for removing the said fugitive from labor to the State or Territory from which he or she fled.

SEC. 4. *And be it further enacted*, That any person who shall knowingly and willingly obstruct or hinder such claimant, his agent, or attorney, in so seizing or arresting such fugitive from labor, or shall rescue such fugitive from such claimant, his agent or attorney, when so arrested pursuant to the authority herein given and declared; or shall harbor or conceal such person after notice that he or she was a fugitive from labor, as aforesaid, shall, for either of the said offences, forfeit and pay the sum of five hundred dollars. Which penalty may be recovered by and for the benefit of such claimant, by action of debt, in any Court proper to try the same, saving moreover to the person claiming such labor or service his right of action for or on account of the said injuries, or either of them.

Approved [signed into law by President George Washington], February 12, 1793.

Source:

Proceedings and Debates of the House of Representatives of the United States at the Second Session of the Second Congress, Begun at the City of Philadelphia, November 5, 1792., "Annals of Congress, 2nd Congress, 2nd Session (November 5, 1792 to March 2, 1793)," Pages 1414-15

[Link](#)

Although Article IV, Section 2 of the United States Constitution guaranteed the right to repossess any "person held to service or labor" (a euphemism for slaves), it did not set up a mechanism for executing the law.

On February 12, 1793, the Second Congress passed "An act respecting fugitives from justice, and persons escaping from the service of their masters," that authorized the arrest or seizure of fugitives and empowered "any magistrate of a county, city or town" to rule on the matter. The act further established a fine of \$500 against any person who aided a fugitive.

The act was no doubt a response to the proliferation of anti-slavery societies and to the emergence of the Underground Railroad. Like the Constitution itself, this act does not include a single mention of the words "slave" or "slavery."

Fugitive Slave Act of 1793

Art.4:

For the better security of the peace and friendship now entered into by the

contracting parties, against all infractions of the same, by the citizens of either party, to the prejudice of the other, neither party shall proceed to the infliction of punishments on the

citizens of the other, otherwise than by securing the offender, or offenders, by imprisonment,

or any other competent means, till a fair and impartial trial can be had by judges or juries of

both parties, as near as can be, to the laws, customs, and usage's of the contracting parties,

and natural justice: the mode of such trials to be hereafter fixed by the wise men of the

United States, in congress assembled, with the assistance of such deputies of the Delaware

nation, as may be appointed to act in concert with them in adjusting this matter to their

mutual liking. And it is further agreed between the parties aforesaid, that neither shall

entertain, or give countenance to, the enemies of the other, or protect, in their respective

states, criminal fugitives, servants, or slaves, but the same to apprehend and secure, and

deliver to the state or states, to which such enemies, criminals,
servants, or slaves,

respectively below.

Fugitive Slave Act 1850

<https://www.pbs.org/wgbh/aia/part2/2h62.html>

<https://www.youtube.com/watch?v=JkHK8qDrTTM>

<https://www.youtube.com/watch?v=Uwa5kabmFDE&t=19s>

<https://www.pbs.org/video/american-experience-fugitive-slave-act/>

Fugitive Slave Law of 1850



This group of freedom seekers escaped to freedom in Canada on the Underground Railroad and took up residence in Windsor, Ontario, Canada. Their names are listed from left to right as, back row: Mrs. Hunt, Mansfield Smith, Mrs. Seymour; front row: Stevenson, Johnson.

The Fugitive Slave Law of 1850 was part of the Compromise of 1850. This law required the United States government to actively assist slave holders in recapturing freedom seekers. Under the United States Constitution, slave holders had the right to reclaim slaves who ran away to free states. With the Fugitive Slave Law of 1850, the federal government had to assist the slave holders. No such requirement had existed previously.

Northern abolitionists opposed this law. While the United States Congress debated the legislation, some legislators tried to insert protections into the bill for African Americans. They wanted the Fugitive Slave Law to guarantee African Americans the right to testify and also the right to a trial by jury. Other legislators refused and claimed that African Americans were not United States citizens.

The Fugitive Slave Law clearly favored the slave holders. Anyone caught hiding or assisting freedom seekers faced stiff penalties. United States marshals had to actively seek freedom seekers and return them to their holders. If a marshal refused, the federal government would fine the officer \$1,000. African Americans could not present evidence to a federal commissioner appointed to hear a case and determine an African American's status as a slave or free person. The slave holder was responsible for paying the commissioner. If the commissioner ruled in favor of the white man, the commissioner received ten dollars. If he ruled against the slaveholder, the commissioner earned only

five dollars. Many abolitionists claimed that this portion of the Fugitive Slave Law was a means to bribe the commissioners.

Between 1850 and 1860, 343 African Americans appeared before federal commissioners. Of those 343 people, 332 African Americans were forced into slavery in the South. The commissioners allowed only eleven people to remain free in the North. Thousands of African Americans fled to Canada. Some people who had been free for their entire lives left the country. Abolitionists challenged the Fugitive Slave Law's legality in court, but the United States Supreme Court upheld the law's constitutionality in 1859.

Ohio abolitionists also opposed the Fugitive Slave Law. They encouraged people to oppose any attempts to enforce it and referred to this legislation as the "Kidnap Law." As in other parts of the United States, some African Americans in Ohio fled to Canada.

On a few occasions, Ohioans physically impeded the Fugitive Slave Law's enforcement. An example of this was the Oberlin-Wellington Rescue Case in 1858. A federal marshal captured a freedom seeker and attempted to return him to the South. Oberlin and Wellington residents helped the freedom seekers escape once again. Thirty-seven people were indicted for violating the Fugitive Slave Law of 1850. Only two of the accused were convicted and served any time in jail.

[https://ohiohistorycentral.org/w/Fugitive Slave Law of 1850](https://ohiohistorycentral.org/w/Fugitive_Slave_Law_of_1850)

\$50 REWARD.

**Ranaway from the subscriber on
TUESDAY MORNING, 26th ULTIMO,
My negro boy calling himself Severn Black.
The said negro is about 5 feet six inches in
height, chesnut color, has a scar on his up-
per lip, downcast countenance when spoken
to, blink-eyed, showing a great deal of
white, long bushy hair, is about twenty
years old, had on when he left a blue fustian
Jacket, pantaloons of a greyish color, blue
striped shirt, A BLACK SLOUCH HAT
and shoes nearly worn out.**

The above reward will be paid by me for the apprehension and delivery of
the said negro in the County Jail at Princess Anne, Somerset county, Maryland.
April 1, 1861.

RICHARD E. SNELLING.

SOMERSET HERALD Print, Princess Anne, Md.

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A newspaper advertisement offering reward for the return of an escaped slave to his oppressors, Princess Anne, Md., April 1, 1861. The Fugitive Slave Act of 1850 obliged citizens and lawmen of free zones to return escaped slaves to those whom they fled. Hulton Archive / Getty Images

BY **JAMES C. COBB** SEPTEMBER 18, 2015 10:30 AM EDT

It had been 30 years since *Thomas Jefferson* likened the explosive issue of slavery expansion to “a fire bell in the night” destined one day to sound “a death

knell for the Union,” but the fulfillment of this grim prophecy seemed very much at hand in 1850.

Northern abolitionists had seemed to find their voice in the 1830s, and although it remained a minority voice, it grew loud and disruptive enough to spark genuine alarm in the slave states while making further political concessions to slavery increasingly problematic in the free states. Stung by abolitionist condemnations, enough northern Democrats abandoned their southern colleagues in 1847 to allow House passage of the Wilmot Proviso, which sought to keep slavery out of any territory acquired in the Mexican War. The slave-state/free-state balance in the Senate doomed the measure at that point, but population trends were changing. The slave states accounted for only 39% of the seats in the lower chamber when the admission of California as a free state, on Sept. 9, 1850, tipped the scales in the Senate as well.

With southern threats of disunion mounting, the measures comprising the “Compromise of 1850” undertook to mollify slaveholders in several ways, but none had more precisely the opposite effect in the free states than the incendiary Fugitive Slave Act, approved by Congress precisely 165 years ago, on Sept. 18, 1850.

Surely one of the most critically misguided pieces of legislation in U.S. history, it proved strikingly cruel, even for a pro-slavery measure. It forced the federal government to grossly overstep its bounds in defense of slavery at a time when anti-slavery sentiment was clearly on the rise, sparking outrage and defiance in

the North, and, in turn, further deepening southerners' suspicions that their rights could no longer be protected within the Union.

On its face, the new law simply set out to enforce the U.S. Constitution, specifically Article IV, Section 2, Clause 3, which declared that slaves did not become free simply by escaping to a free state and thus stipulated their return to their lawful masters. Yet, moving well beyond earlier efforts doing little more than lip service to this mandate, framers of the 1850 measure stripped northern courts of their authority over cases in which slaveholders sought return of their reputed runaways, vesting it solely in the hands of federal commissioners, blatantly encouraged to find in favor of the slaveholder by a compensation rate of \$10 for each black person remanded South (compared to only \$5 when the claim was disallowed). Precluding testimony by the alleged fugitives themselves, the act also compelled otherwise disinterested private citizens, upon threat of fine or imprisonment, to assist in their capture and return of the suspects.

With annual documented cases of runaways amounting to 1,000 or fewer out of a total slave population that stood at 3.2 million in 1850, some thought the slaveholders who demanded a stronger, more enforceable fugitive-slave law were either paranoid or simply overreacting, but there were some more tangible concerns in play. Escapes had mounted as the increasingly dynamic abolitionist contingent urged slaves to take flight, and, beyond that, the most compelling and credible indictments of slavery came not from northern whites

acting on principle, but from runaways like Frederick Douglass and Henry Highland Garnet, who had experienced its cruelties themselves.

*It was no mere coincidence that both Douglass and Garnet had made their escapes from Maryland. Historians **Joseph R. Hummel** and **Barry R. Weingast** have shown that the odds of permanent escape were so much greater in the border slave states that Delaware, Maryland and Missouri accounted for less than 6% of the total slave population of the slave states in 1850 but 36% of the runaways. Because the worst flight risks were also the most expensive to replace, able-bodied male slaves became a notably less attractive investment in the border states. As dramatically higher prices in the Deep South enticed more and more slaveholders in states like Delaware and Maryland to sell off their human property, there was little reason to expect their future representatives in Washington to maintain their attachments to the institution.*

Yet if the Fugitive Slave Act of 1850 was expected to bolster slavery in any concrete fashion, there is little evidence it actually did. In fact, though the Fugitive Slave Act itself marked a low point in American legislative history, its very egregiousness ultimately helped to bring down the barbaric institution it was crafted to defend.

Runaway totals fell by scarcely 200 over the decade that followed, and the 330 persons returned to slavery barely matched the number of escapes from the Border States alone in 1860. These numbers seem doubly anemic when discounted against the massive backlash against the act in the northern free states, where it clearly accelerated rather than impeded the abolitionist

movement, helping, among other things, to set a most receptive stage for Harriet Beecher Stowe's Uncle Tom's Cabin and to bolster support for the Underground Railroad. Even northern whites who had previously been little disposed to have African Americans in their midst now demanded stronger state protections for personal liberty. They even rose up in direct physical defiance in Boston, Oberlin and elsewhere, resisting federal intruders empowered to override the local justice system and abrogate their civil rights. The oft-invoked "slave power conspiracy," now seemed intent on imposing its sinister expansionist will not just on remote territorial outposts, but on their very own, ostensibly "free," communities, under the aegis and muscle of their own government. As what historian Eric Foner called "the most powerful exercise of federal authority within the United States" prior to the Civil War, the Fugitive Slave Law not only exacerbated the very fears and concerns on both sides that had thrown the Union into crisis in 1850 but, as would soon be evident, it further undermined the political fortunes of those who demanded it in this first place.

Like their counterparts a century later who were slow to realize the explosive potential of a steadily rising outcry for racial justice, the southern Democrats of 1850 had sorely underestimated a very real threat—not only to their interests, but ultimately to the Union itself. As the Fugitive Slave Act made clear, the shift in substantive northern priorities and the concomitant rise of a new public morality would be incompatible with any further extension of the physical and political reach of human bondage.

Fugitive Slave Acts

- HISTORY.COM EDITORS
- UPDATED:FEB 11, 2020ORIGINAL:DEC 2, 2009

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5. [Repeal of the Fugitive Slave Acts](#)

The Fugitive Slave Acts were a pair of federal laws that allowed for the capture and return of runaway enslaved people within the territory of the United States. Enacted by Congress in 1793, the first Fugitive Slave Act authorized local governments to seize and return escapees to their owners and imposed penalties on anyone who aided in their flight. Widespread resistance to the 1793 law led to the passage of the Fugitive Slave Act of 1850, which added more provisions regarding runaways and levied even harsher punishments for interfering in their capture. The Fugitive Slave Acts were among the most controversial laws of the early 19th century.

What Were the Fugitive Slave Acts?

Statutes regarding refugee slaves existed in America as early as 1643 and the New England Confederation, and slave laws were later enacted in several of the 13 original colonies.

Among others, [New York](#) passed a 1705 measure designed to prevent runaways from fleeing to Canada, and [Virginia](#) and [Maryland](#) drafted laws offering bounties for the capture and return of escaped enslaved people.

By the time of the Constitutional Convention in 1787, many Northern states including Vermont, New Hampshire, Rhode Island, Massachusetts and Connecticut had abolished slavery.

Concerned that these new free states would become safe havens for runaways, Southern politicians saw that the Constitution included a “Fugitive Slave Clause.” This stipulation (Article 4, Section 2, Clause 3) stated that, “no person held to service or labor” would be released from bondage in the event they escaped to a free state.

Fugitive Slave Act of 1793

Despite the inclusion of the Fugitive Slave Clause in the U.S. Constitution, anti-slavery sentiment remained high in the North throughout the late 1780s and early 1790s, and many petitioned Congress to abolish the practice outright.

Bowing to further pressure from Southern lawmakers—who argued the slave debate was driving a wedge between the newly created states—Congress passed the Fugitive Slave Act of 1793.

This edict was similar to the Fugitive Slave Clause in many ways, but included a more detailed description of how the law was to be put into practice. Most importantly, it decreed that owners of enslaved people and their “agents” had the right to search for escapees within the borders of free states.

In the event they captured a suspected runaway, these hunters had to bring them before a judge and provide evidence proving the person was their property. If court officials were satisfied by their proof—which often took the form of a signed affidavit—the owner would be permitted to take custody of the enslaved person and

return to their home state. The law also imposed a \$500 penalty on any person who helped harbor or conceal escapees.

The Fugitive Slave Act of 1793 was immediately met with a firestorm of criticism. Northerners bristled at the idea of turning their states into a stalking ground for bounty hunters, and many argued the law was tantamount to legalized kidnapping. Some abolitionists organized clandestine resistance groups and built complex networks of safe houses to aid enslaved people in their escape to the North.

Refusing to be complicit in the institution of slavery, most Northern states intentionally neglected to enforce the law. Several even passed so-called “Personal Liberty Laws” that gave accused runaways the right to a jury trial and also protected free blacks, many of whom had been abducted by bounty hunters and sold into slavery.

Did you know? The passage of the Fugitive Slave Acts resulted in many free blacks being illegally captured and sold into slavery. One famous case concerned Solomon Northup, a freeborn black musician who was kidnapped in Washington, D.C. in 1841. Northup would spend 12 years enslaved in Louisiana before winning back his freedom in 1853.

Prigg v. Pennsylvania

The legality of Personal Liberty Laws was eventually challenged in the 1842 [Supreme Court](#) case Prigg v. Pennsylvania. The case concerned Edward Prigg, a Maryland man who was convicted of kidnapping after he captured a suspected slave in [Pennsylvania](#).

The Supreme Court ruled in favor of Prigg, setting the precedent that federal law superseded any state measures that attempted to interfere with the Fugitive Slave Act.

Despite decisions like Prigg v. Pennsylvania, the Fugitive Slave Act of 1793 remained largely unenforced. By the mid-1800s, thousands of enslaved people had poured into free states via networks like the Underground Railroad.

Fugitive Slave Act of 1850

Following increased pressure from Southern politicians, Congress passed a revised Fugitive Slave Act in 1850.

Part of [Henry Clay](#)'s famed Compromise of 1850—a group of bills that helped quiet early calls for Southern secession—this new law forcibly compelled citizens to assist in the capture of runaways. It also denied enslaved people the right to a jury trial and increased the penalty for interfering with the rendition process to \$1,000 and six months in jail.

In order to ensure the statute was enforced, the 1850 law also placed control of individual cases in the hands of federal commissioners. These agents were paid more for returning a suspected runaway than for freeing them, leading many to argue the law was biased in favor of Southern slaveholders.

The Fugitive Slave Act of 1850 was met with even more impassioned criticism and resistance than the earlier measure. States like Vermont and [Wisconsin](#) passed new measures intended to bypass and even nullify the law, and abolitionists redoubled their efforts to assist runaways.

The [Underground Railroad](#) reached its peak in the 1850s, with many enslaved people fleeing to Canada to escape U.S. jurisdiction.

Resistance also occasionally boiled over into riots and revolts. In 1851 a mob of antislavery activists rushed a Boston courthouse and forcibly liberated an escapee named Shadrach Minkins from federal custody. Similar rescues were later made in New York, Pennsylvania and Wisconsin.

Repeal of the Fugitive Slave Acts

Widespread opposition to the Fugitive Slave Act of 1850 saw the law become virtually unenforceable in certain Northern states, and by 1860 only around 330 enslaved people had been successfully returned to their Southern masters.

Republican and Free Soil congressmen regularly introduced bills and resolutions related to repealing the Fugitive Slave Act, but the law persisted until after the beginning of the Civil War. It wasn't until June 28, 1864, that both of the Fugitive Slave Acts were repealed by an act of Congress.

Fugitive Slave Laws

Article IV, Section 2

Fugitive Slave Clause, The Constitution of the United States (1787–1992) This clause of the U.S. Constitution's Fourth Article gives enslavers the right to seize enslaved people who escaped to free states. The clause was adopted at the Constitutional Convention of 1787.

<https://constitutioncenter.org/interactive-constitution/interpretation/article-iv/clauses/37>

<https://www.history.com/topics/black-history/fugitive-slave-acts>

In 1793 Congress passed the Fugitive Slave law which provided no due process protections to prevent the kidnapping of free blacks

The Fifth and Sixth -Due Process clauses could have give alleged slave due process before they were returned to their masters

The Fugitive Slave law 1793 could have been rule unconstitutional because of its denial of a jury trial to the alleged slave

The Court could have determined that congress lacked the power to pass Fugitive Slave laws in 1793 & 1850 because it's not found in the enumerated powers of Article I

The structure of the Constitution and in the language of Article IV could have been interpreted to mean that the states were solely responsible for regulating the return of fugitive slaves, or that masters acting on their own, bringing alleged slaves before state judges to vindicate a common law right (protected by the Constitution) to their property

Article IV, Section 2 of the Constitution and the Fugitive Slave Law. The Supremacy Clause

Fugitive Slave Acts

1793

<https://www.youtube.com/watch?v=AcdOWKiKgWU>

<https://www.docsteach.org/documents/document/fugitive-slave-act-1793>

<http://slavery.msa.maryland.gov/html/research/slavelaw1793.html>

<https://www.history.com/topics/black-history/fugitive-slave-acts>

<https://www.youtube.com/watch?v=AcdOWKiKgWU>

1850

https://avalon.law.yale.edu/19th_century/fugitive.asp

<https://www.pbs.org/video/american-experience-fugitive-slave-act/>

<https://time.com/4039140/fugitive-slave-act-165/>

<https://dp.la/primary-source-sets/the-underground-railroad-and-the-fugitive-slave-act-of-1850>

<https://iowaculture.gov/history/education/educator-resources/primary-source-sets/underground-railroad/fugitive-slave-law>

[*Fugitive Slave Act of 1850](#)

[by H. Robert Baker*](#)

[*https://www.essentialcivilwarcurriculum.com/fugitive-slave-act-of-1850.html](https://www.essentialcivilwarcurriculum.com/fugitive-slave-act-of-1850.html)

<https://www.masshist.org/features/boston-abolitionists/resisting-fugitive-slave-law>

<https://www.pbs.org/wgbh/aia/part4/4i3094.html>

<https://www.pbs.org/wgbh/aia/part4/4i3094.html>

<http://www.let.rug.nl/usa/documents/1826-1850/excerpts-from-the-fugitive-slave-act-1850.php>

<https://resources.finalsite.net/images/v1584461289/brockton/cbh2hbesy8vyn3r5lqus/Grade9TheFugitiveSlaveAct-PrimarySource.pdf>

<https://billofrightsinstitute.org/activities/fugitive-slave-act-1850>

<https://guides.loc.gov/compromise-1850/digital-resources>

All-Additional Resources

<http://www.math.buffalo.edu/~sww/0history/SlaveActs.html>

<https://eji.org/news/history-racial-injustice-fugitive-slave-acts/>

Lesson plans

https://www.gilderlehrman.org/sites/default/files/GLI_Fugitive%20Slave%20Act.pdf

<https://www.massmoments.org/teacher-resources/high-school/hs-unit-i-free-but-far-from-equal/lesson-d.html>

<http://www.emergingamerica.org/teaching-resources/fugitive-slave-act-no-turning-back>

<https://www.docsteach.org/activities/teacher/oh-freedom-sought-under-the-fugitive-slave-act>

<https://www.pbs.org/black-culture/shows/list/underground-railroad/classroom/follow-or-not-follow/>

<http://www.historyliteracy.com/wp-content/uploads/2015/11/The-Fugitive-Slave-Issue-Lesson-Plan.pdf>

<https://www.learningforjustice.org/classroom-resources/texts/hard-history/the-fugitive-slave-bill>

<http://usd116.org/ProfDev/lessons/Searing07/Searing07lesson.htm>

https://housedivided.dickinson.edu/ugrr/documents/LessonPlan--Finn_001.htm

<https://edsitement.neh.gov/lesson-plans/harriet-tubman-and-underground-railroad>

Freedom on the Move

<https://app.freedomonthemove.org/educators/telling-their-stories>

<https://dlas.uncg.edu/notices/>