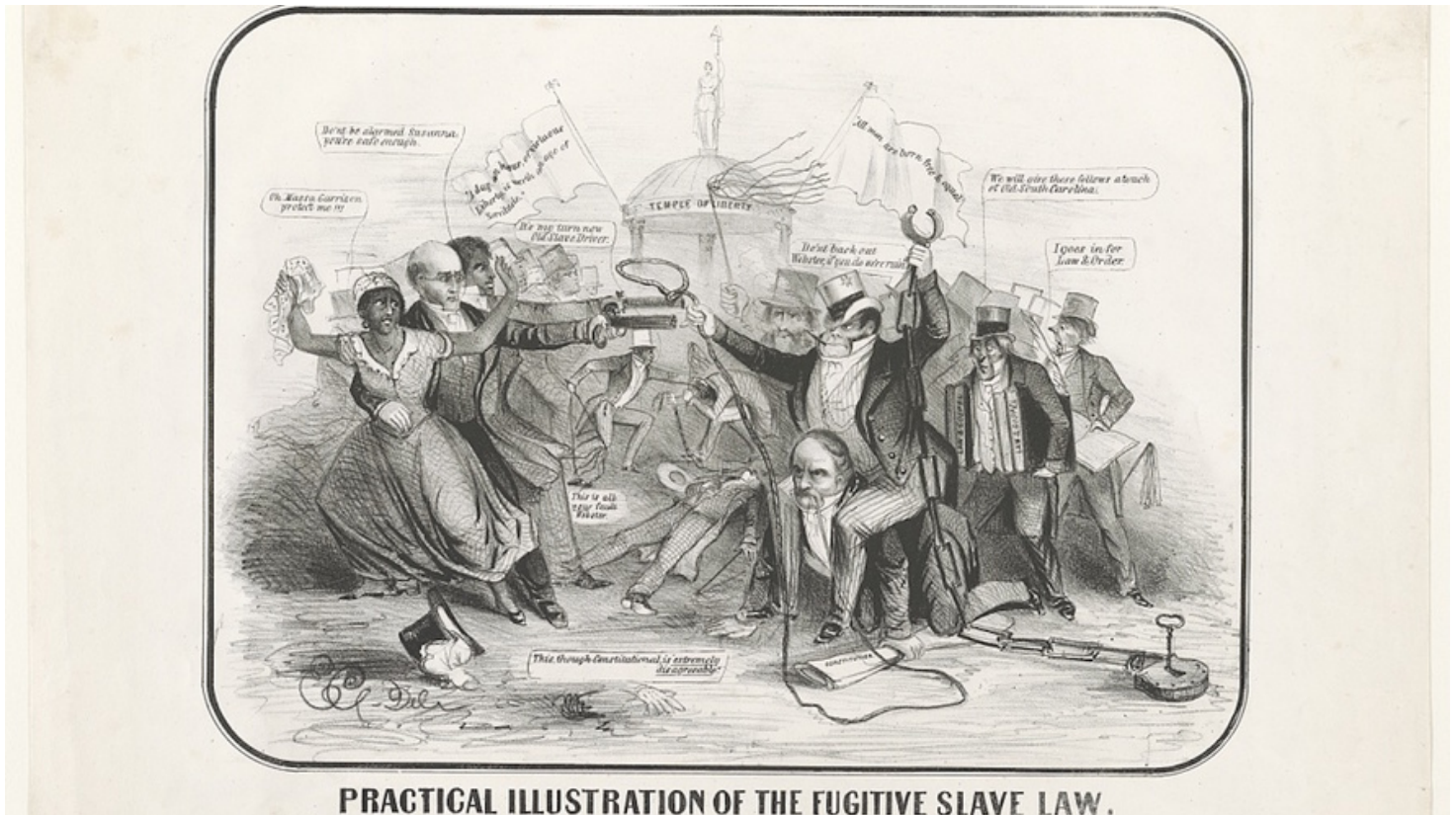


Primary Sources: The Fugitive Slave Act of 1850

By Original legislation from the U.S. Congress, adapted by Newsela staff on 06.22.16

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PRACTICAL ILLUSTRATION OF THE FUGITIVE SLAVE LAW.

TOP: Titled "Practical illustration of the Fugitive Slave Law," this political cartoon was published in Boston in 1851. It illustrates the struggle between Northern abolitionists and Sec. of State Daniel Webster and other enforcers of the Fugitive Slave Act of 1850. BOTTOM: An April 24, 1851 poster warning the "colored people of Boston" about policemen acting as slave catchers. Photos: Library of Congress

Editor's Note: The Fugitive Slave Act, excerpted here, was part of the group of laws collectively known as the "Compromise of 1850." Abolitionists, who were against the institution of slavery, gained the admission of California as a free state and a ban on slave trading in Washington, D.C. In return, pro-slavery delegates strengthened slavery's hold with the passage of this law.

Section 1

By the authority of the Senate and House of Representatives of the United States of America in Congress, individuals appointed as commissioners will have the following powers. They may arrest, imprison, or bail any offenders for crimes against the United States under and by virtue of the 33rd section of the act of the 24th of September 1789. These are the same powers exercised by any justice of the peace or United States magistrate.

Section 2

The Superior Court of each organized Territory of the United States will have the power to appoint commissioners to officially acknowledge bails and sworn statements called affidavits. They shall also take oral testimonies of witnesses in civil causes.

Section 3

The Circuit Courts of the United States shall from time to time increase the number of commissioners so that more fugitives from labor may be reclaimed, and to help carry out the duties imposed by this Act promptly.

Section 5

Should any marshal or deputy marshal refuse to receive such warrant or other legal process after it has been validated, they shall be fined \$1,000. The same applies should they fail to use all proper means to diligently execute their duty. Should a fugitive escape after their arrest, the marshal or deputy in charge of their custody will be liable to be prosecuted and fined. The fine will be the full value of the service or labor of said fugitive in the State, Territory, or District from which they escaped.

All good citizens are hereby commanded to aid and assist in the prompt and efficient execution of this law. Said warrants shall run and be executed by said officers anywhere in the State where they are issued.

Section 6

When a person held to service or labor in any State or Territory of the United States has escaped or will escape into another State or Territory of the United States, any person to whom such labor or service are due may pursue and retrieve such fugitive. To accomplish this, the pursuers will obtain a warrant from one of the courts, judges, or commissioners previously described. They may also seize and arrest such fugitive without legal process and take such person before a court, judge, or commissioner. Upon satisfactory proof that using force and restraint was necessary based on the circumstances, the fugitive may be taken and moved back to the State or Territory whence he or she may have escaped. In no trial or hearing under this Act shall the testimony of the fugitive be considered as evidence.

Section 7

A fine of up to \$1,000 will be placed on anyone who knowingly and willingly obstructs, hinders, or prevents the arrest of a fugitive by whomever they owe their service or labor. This either with or without process. A fine will also be applied for anyone who helps to rescue or attempts to rescue such fugitive from custody. The same applies for anyone who harbors or conceals such fugitive, so as to prevent the discovery and arrest of such person, after notice or knowledge of the fact that such person was a fugitive from service or labor. Along with being fined, anyone who commits these offenses will also be imprisoned for up to six months and will additionally have to pay civil damages to the party injured by such illegal conduct. The sum is \$1,000 for each fugitive, to be collected by action of debt.

Section 8

The marshals, their deputies, and the clerks of the said District and Territorial courts, shall be paid for their services. In all cases where the proceedings are before a commissioner, he shall be entitled to a fee of \$10. The person or persons authorized to execute the process shall also be entitled to a fee of \$5 each for each person he or they may arrest and take before any such commissioner.

Section 9

The individual who owns the fugitive may suspect that such fugitive will be rescued by force before they can be taken beyond the limits of the State in which the arrest is made. If this belief is justified, the officer making the arrest must keep such fugitive in their custody and move them to the State from which they fled. There, the fugitive is to be delivered to the individual who claimed them, or to their agent or attorney. To this end, the officer is authorized and required to employ as many people as necessary to overcome the rescue force, to stay in service as long as circumstances require. The said officer and his assistants, while employed, are to receive the same compensation and allowed the same expenses as are now allowed by law for transportation of criminals. They are to be certified by the judge of the district in which the arrest is made, and paid out of the treasury of the United States.

Approved, Sept. 18, 1850

CAUTION!!
COLORED PEOPLE
OF BOSTON, ONE & ALL,
You are hereby respectfully CAUTIONED and advised, to avoid conversing with the
Watchmen and Police Officers
of Boston,
For since the recent **ORDER OF THE MAYOR & ALDERMEN**, they are empowered to act as
KIDNAPPERS
AND
Slave Catchers,
And they have already been actually employed in **KIDNAPPING, CATCHING, AND KEEPING SLAVES.** Therefore, if you value your **LIBERTY**, and the *Welfare of the Fugitives* among you, *Shun* them in every possible manner, as so many **HOUNDS** on the track of the most unfortunate of your race.
Keep a Sharp Look Out for
KIDNAPPERS, and have
TOP EYE open.
APRIL 24, 1851.

Quiz

1 Read Section 7.

Which of the following can be MOST reasonably inferred from this section?

- (A) People who helped slaves escape were not aware of the laws against doing so.
- (B) Prior to this law, there were a number of people who had been helping slaves escape.
- (C) The main reason slaves were escaping was because they were getting help from others.
- (D) After this law, everyone was too afraid of being fined or sent to prison to help slaves escape.

2 Read the following text from Section 6.

When a person held to service or labor in any State or Territory of the United States has escaped or will escape into another State or Territory of the United States, any person to whom such labor or service are due may pursue and retrieve such fugitive...They may also seize and arrest such fugitive without legal process and take such person before a court, judge, or commissioner...In no trial or hearing under this Act shall the testimony of the fugitive be considered as evidence.

Which idea is BEST supported by this excerpt?

- (A) The act expanded the rights of slave owners while denying basic rights to slaves.
- (B) The act was carefully constructed to protect the rights of both the slave owners and the slaves.
- (C) The act came about because so many slaves were escaping that it was hurting Southern agriculture.
- (D) The act protected some rights of slaves because it mentions the possibility of going to court.

3 Which of the following statements BEST expresses the central idea of Section 5?

- (A) Officers of the law shall be fined if they are caught helping or hiding an escaped slave.
- (B) The act gives all citizens the same rights and responsibilities as police officers in catching escaped slaves.
- (C) Officers and citizens must work together to prevent slaves from running away; officers themselves will be arrested should their plans fail.
- (D) Everyone is expected to help catch runaway slaves; officers will be punished if they do not give their best efforts or if a fugitive escapes after being arrested.

4 Read the sentences from Sections 3 and 9.

The Circuit Courts of the United States shall from time to time increase the number of commissioners so that more fugitives from labor may be reclaimed, and to help carry out the duties imposed by this Act promptly.

They are to be certified by the judge of the district in which the arrest is made, and paid out of the treasury of the United States.

Which of the following BEST explains how these sentences support a central idea of this primary source?

- (A) They show that the abolitionists were losing the cause of fighting slavery, as shown in this act.
- (B) They show that the federal government was willing to play a role in supporting slavery through this act.
- (C) They show that the federal government was willing to spend a lot of money to ensure this act was made law.
- (D) They show that the pro-slavery forces were losing, which is why they went to the federal government to create this act.