

TEACHER'S GUIDE

Primary Source Document Collection

MISSION 2: "Flight to Freedom"

Summary of the Fugitive Slave Law

The Fugitive Slave Law was enacted on September 18, 1850 as part of the Compromise of 1850—a set of Congressional measures intended to prevent a sectional crisis between the North and South. Slave owners successfully lobbied for a new Fugitive Slave Law with stricter enforcement than earlier laws dating back to 1790. It denied a jury trial to anyone accused of escaping slavery, gave marshals tremendous leeway to pursue slaves into free states, and empowered the federal government to prosecute northern whites who shielded runaways. The law was fiercely denounced by abolitionists, who organized opposition against it, but also by some white southerners who thought that it did not go far enough to protect their "property."

The main provisions of the law were as follows:

- Slave owners (or their representatives) could pursue and reclaim fugitives in free states, either by procuring a warrant, or by seizing and arresting fugitives and taking them before a court, judge, or commissioner.
- Federally-appointed commissioners were given jurisdiction over local authorities in all matters relating to fugitive slaves. Commissioners were responsible for deciding who was a fugitive, and enforcing the return of fugitives to their owners.
- Local law enforcement (marshals and deputy marshals) were required to enforce the Fugitive Slave Law or face fines of \$1000, and if a fugitive escaped under the watch of a marshall, he was personally liable for the value of the fugitive slave.
- Bystanders and "good citizens" in free states were required to assist law enforcement in the recapture of fugitive slaves as needed
- Anyone accused of being a fugitive slave could not testify on their own behalf.
- Any person who interfered with the arrest of a fugitive, or aided in a fugitive's escape or concealment, could be fined one thousand dollars, and imprisonment not exceeding six months. If the fugitive escaped, he or she was also required to reimburse the owner one thousand dollars for each fugitive so lost
- Commissioners were paid \$10 for every fugitive returned south, and \$5 if fugitive was freed.

Source: American Social History Project/Center for Media & Learning

