Primary Sources: The Fugitive Slave Act of 1850

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

Word Count 665

Level 1030L

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: Below are parts of the Fugitive Slave Act of 1850. This was part of a group of laws that came from a deal between abolitionists and supporters of slavery. Abolitionists were against slavery, and thanks to these laws, California was admitted to the United States as a free state. Additionally, slave trading was no longer allowed in Washington, D.C. In return, pro-slavery delegates were able to strengthen slavery elsewhere.

Section 1

The following is granted by the power of the Senate and House of Representatives, the two houses of the United States Congress. Individuals named as commissioners may arrest and place into or out of jail any offenders for crimes against the United States.
Section 2

The power to name commissioners is granted to the Superior Court of each organized Territory of the United States. It is the commissioners' job to officially recognize and carry out the legal process.

Section 3

Certain courts, called Circuit Courts, will occasionally increase the number of commissioners to process more claims from slave holders. They will help carry out the duties imposed by this Act promptly.

Section 5

If any officer does not accept or follow the laws described in this Act, they will be fined $1,000. The same goes if they fail to do all they can to fulfill their duty. If someone who has been arrested manages to escape, the officer responsible for them may be fined. The fine will be the full value of the service or labor of the escapee in the location from which they escaped. All good citizens are required to aid and assist in carrying out this law.

Section 6

When a slave escapes from one State or Territory to another, they may be pursued and recaptured by their owner. The pursuers may do so with the direct permission of an officer, or without any legal process. The pursuer must show enough proof that using force was necessary. If this is the case, the escapee may be taken and moved back to the State or Territory from which they came. In no trial or hearing will the escapee's words be seen as evidence.
Section 7

A fine of up to $1,000 will be placed on anyone who knowingly prevents the arrest of an escaped slave. Anyone who helps or attempts to rescue escapees who have been arrested will be fined. The same goes for anyone who knowingly harbors or hides an escaped slave. Anyone who commits these offenses will also be imprisoned for up to six months. They will also have to pay for damages to the pursuer. The sum will be $1,000 for each escapee, to be collected as debt.

Section 8

The officers of District and Territorial courts will be paid for their services. If a case involves a commissioner, the commissioner is also entitled to $10. Any person permitted to make arrests in such a case is also entitled to $5 each, for each person he or they may arrest and take before a commissioner.
Section 9

Owners may suspect that an attempt will be made to rescue their escaped slave. It is possible that a rescue force will try to take action before the escapee can be taken beyond the limits of the State where they were arrested. If this belief is justified, the officer making the arrest must personally move the escapee to the State from which they fled. There, the escapee is to be delivered to the individual who claimed them. To this end, the officer is allowed and required to hire as many people as necessary to fight back the rescue force. The officer and his assistants are to receive the same pay and allowed the same expenses as are now assigned for transportation of criminals. The officer and assistants are to be certified by the judge of the district in which the arrest is made. They will be paid out of the treasury of the United States.

Approved, Sept. 18, 1850
Quiz

1. Which section and sentence from the act show that slaves were not allowed to defend themselves in court?

   (A) Section 2 – The power to name commissioners is granted to the Superior Court of each organized Territory of the United States.

   (B) Section 3 – Certain courts, called Circuit Courts, will occasionally increase the number of commissioners to process more claims from slave holders.

   (C) Section 5 – All good citizens are required to aid and assist in carrying out this law.

   (D) Section 6 – In no trial or hearing will the escapee’s words be seen as evidence.

2. Read this excerpt from Section 7.

   Anyone who helps or attempts to rescue escapees who have been arrested will be fined. The same goes for anyone who knowingly harbors or hides an escaped slave. Anyone who commits these offenses will also be imprisoned for up to six months.

   Which of the following conclusions is BEST supported by the excerpt above?

   (A) The act tries to stop people from helping slaves by punishing anyone who does so.

   (B) The act treats people who rescue slaves more harshly than people who hide them.

   (C) The act is using the issue of escaped slaves as an opportunity to make a lot of money.

   (D) The act rewards people who accidentally hide slaves on their property without knowing it.
3 Read Section 9.

Which of the following BEST summarizes this section?

(A) If an owner suspects that a group of people is going to try to rescue an escaped slave, that owner should contact law officers and tell them about the plan.

(B) If a group of people tries to rescue a captured slave, officers are allowed to hire people to fight back so they can bring the captured slave back to the owner.

(C) When an officer must fight against a group of attackers, he is allowed to hire as many people as necessary. All of these people will be paid by the U.S. Treasury.

(D) Many times, slaves escape to other states where people try to rescue them. The escaped slaves and the rescue forces that help them are considered criminals.

4 Which sentence would be MOST important to include in a summary about this act?

(A) The Fugitive Slave Act created rules that made it harder for slaves to escape.

(B) Abolitionists thought the rules in the Fugitive Slave Act were fair and good for everyone.

(C) The Fugitive Slave Act contained rules about Superior Courts and Circuit Courts.

(D) The Fugitive Slave Act explained that commissioners would be paid $10 per case.
Answer Key

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