

Document Based Assignment: Reactions to the Fugitive Slave Act

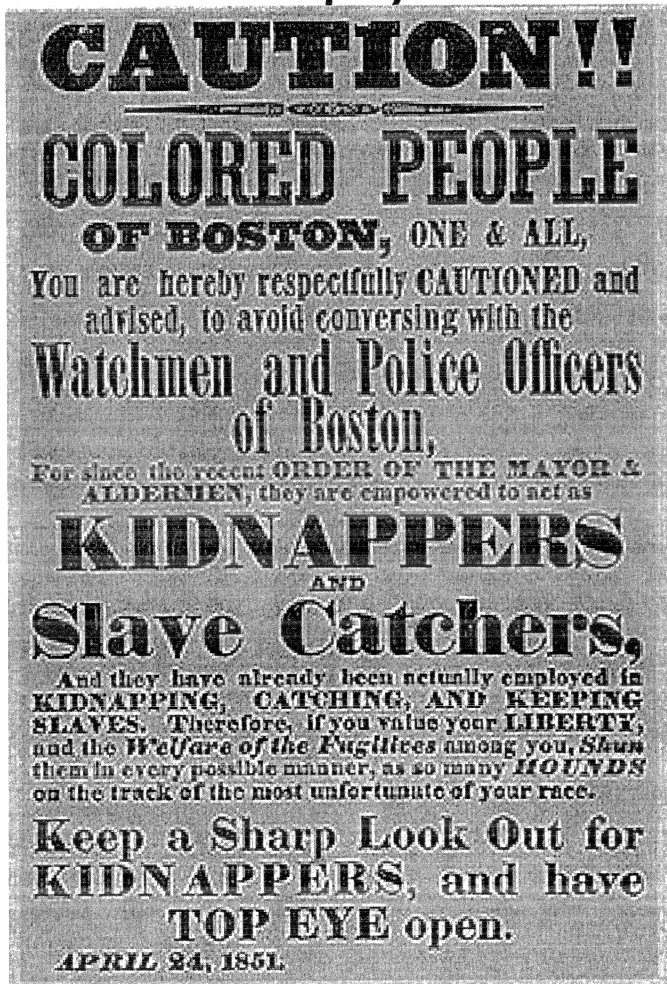
1. Ralph Waldo Emerson on the Fugitive Slave Act (1851)

"An immoral law makes it a man's duty to break it, at every hazard. For virtue is the very self of every man. It is therefore a principle of law that an immoral contract is void, and than an immoral statute is void. . . . The Fugitive Slave Law is a statute which enacts the crime of kidnapping, - a crime on one footing with arson and murder. A man's right to liberty is as inalienable as his right to life. . . .

"I suppose the Union can be left to take care of itself. . . . But one thing appears certain to me, that, as soon as the Constitution ordains an immoral law, it ordains disunion. The law is suicidal, and cannot be obeyed. The Union is at an end as soon as an immoral law is enacted."

- According to Emerson, how should people have responded to the Fugitive Slave Act?
- What is Emerson's view of a system of Government that allows passage of such a law?

2. Poster displayed in Boston, 1851.



- Who is the target audience of the poster? What is it encouraging this group to do?
- Who do you think created the poster why?

3. The Case of Anthony Burns

Anthony Burns was not the first fugitive slave arrested in Boston and returned to his "owner" - but he was the last. More than any other city in the North, Boston was considered a haven for runaways; its black community was especially strong and well organized and it was a city where black and white abolitionists were willing to act on their convictions. All this came into play in May of 1854.

In the early spring of 1854, Anthony Burns escaped from his owner in Alexandria, Virginia, by hiding on a ship bound for the North. He arrived in Boston at the end of March; before long, his owner learned of his whereabouts and came to reclaim him. Marshalls arrested Burns and confined him to the federal courthouse.

Word of the arrest spread quickly. An organization known as the Boston Vigilance Committee, which had been formed by abolitionists to obstruct enforcement of the Fugitive Slave Act, distributed throughout the city handbills announcing "The Kidnappers Are Here!" Slavery opponents hastily dispatched letters seeking support from abolitionists in other towns. The pioneering black lawyer Robert Morris and the white lawyer Richard Henry Dana, both active members of Boston's Vigilance Committee, volunteered to defend Burns.

Two days after Burn's arrest, close to 5,000 abolitionists, most of them white, gathered at Faneuil Hall. A smaller group, mostly black men and women, met at the Tremont Church. While the Faneuil Hall group debated strategy, those meeting at the church decided to act: they would march to the courthouse and free Burns.

A small group of blacks and the white minister Thomas Wentworth Higginson used a huge beam as a battering ram to smash in a door of the courthouse. Meanwhile, those meeting at Faneuil Hall had learned of the rescue-in-progress, and several hundred headed to the courthouse. Police later reported that protesters threw bricks, fired pistols, and attacked another door with axes.

It was all in vain. Order was restored but only after one deputy was shot dead, several men wounded, and 13 arrested. Burns remained in custody.

A week of court hearings followed. The defense lawyers pressed the presiding judge to declare the law unconstitutional, but he refused. His decision returned Anthony Burns to slavery.

Determined that federal law be upheld, President Franklin Pierce ordered troops to maintain order and insisted that a U.S. Navy ship transport Burns back to Virginia.

On the day of Burns's departure, an estimated 50,000 people filled the streets between the federal courthouse and Long Wharf. It took 1,500 Massachusetts militiamen, the entire Boston police force, 145 federal troops with cannon, and 100 special deputies to keep the crowd from interfering with Burns' return. Black crepe covered store and office windows and American flags hung upside down. Protesters suspended a coffin across State Street, with the word "Liberty" painted on its side. They hissed and shouted, "Shame! Shame!" as federal authorities escorted Anthony Burns to a ship waiting in the harbor. It took approximately 2,000 troops and cost \$40,000 to maintain order and return the black man to bondage. No fugitive slave was ever captured in Massachusetts again.

Within nine months, the Reverend Leonard Grimes, minister of one of Boston's black Baptist churches, traveled south and purchased Burns's freedom with \$1,300 raised by the church. Burns's supporters published a book about the case and used the proceeds to help pay his expenses for two years study at Oberlin College. He served first as pastor of a black Baptist Church in Indianapolis and then moved across the border to a small settlement in Canada, where he was pastor of another Baptist Church. In poor health since his days of enslavement, Anthony Burns died there on July 17, 1862 at the age of 28.

Questions:

- a. How did Anthony Burns escape from slavery?
- b. What was the Boston Vigilance Committee?
- c. What actions were taken in an effort to free Burns? Do you believe these actions were justified? Were the crowd's actions consistent with the principles of civil disobedience? Explain.
- d. What was the outcome of Burns' "trial"?
- e. How did Burns eventually become a free man?

4. Personal Liberty Laws-

In response to the Fugitive Slave Act, Northern States passed personal liberty laws which effectively nullified the Fugitive Slave Act by making it illegal for Northern officials to cooperate in the capture of fugitive slaves. The following New Orleans newspaper editorial is a response to the Massachusetts personal liberty law.

Southern Reaction to Northern Personal Liberty Laws

Louisiana Newspaper Editorial – 1855

Under the Massachusetts “personal liberty law,” no open action as yet has taken place. . . . If such laws are to be enforced, you can expect that Louisiana may do the following:

First. – Excluding your ships from our ports

Second. – Excluding your manufactures

How will such laws suit you? Of course not at all. They trample on the Constitution. . . . We know it! But we also know that this is precisely our objection to your “liberty law.”

Our compact (the Constitution) is broken by you. There is little obligation on us to respect the rights of your citizens or their property, when you openly trample on ours.

Questions:

1. What was a personal liberty law? According to the editorial, how could Louisiana have responded to passage of the Massachusetts Personal Liberty Law? Why?
2. According to the author, what has become of the federal constitution? (Compare this view with that of Emerson’s)

