

Article IV, Section 2 US Constitution

No person held to service or labor 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 labor, but shall be delivered up on claim of the party to whom such service or labor may be due.

FUGITIVE SLAVE LAW OF 1850

Full title:

An Act to amend, and supplementary to, the Act entitled 'An Act respecting Fugitives from Justice, and Persons escaping from the Service of their Masters,' approved February twelfth, one thousand seven hundred and ninety-three.

Sections 1, 2, 3 are concerned with the formal provisions for appointing commissioners, who *'are hereby authorized and required to exercise and discharge all the powers and duties conferred by this act.'*

Section 4 invests the appointed commissioners with *'authority to take and remove such fugitives from service or labor ... to the State or Territory from which such persons may have escaped or fled.'*

Section 5 specifies the penalties for failure to comply with warrants issued under the provisions of the act:

- \$1000 fine
- If a captured slave escapes from custody, arresting deputy can be sued for their value.
- Commissioners were also empowered *'to summon and call to their aid the bystanders,'* and any failure to co-operate with such a summons would be a violation of the law.

Section 6 determines how a fugitive slave may be identified

- fugitives can be arrested without process and taken in front of a judge
- owner or others can swear (either in person or by deposition or affidavit) that fugitive is whom they claim
- testimony of alleged fugitive is not allowed in any circumstance.

Section 7 lists the penalties for aiding a fugitive slave

- If someone obstructs or hinders the arrest of a fugitive, tries to rescue a fugitive, assists a fugitive, hides a fugitive then that person can be fined \$1000 and imprisoned for 6 months.
- Also required to pay civil damages to owner of \$1000

Section 8 deals with the payments to be made to various officials for their part in the arrest, custody and delivery of a fugitive to his or her claimant.

- When commissioner delivers a fugitive back to the owner, he is paid \$10
- When commissioner finds that the alleged fugitive is not whom the owner says, the commissioner is paid \$5
- People who arrest fugitives are paid \$5

Section 9 stipulates that if the claimant(owner) suspects an attempt will be made to rescue the fugitive by force, then the arresting officer is required to keep the fugitive in custody and then bring him back to the owner in his home state.