

FUGITIVE SLAVE LAWS:

A COMPILATION OF THE LAWS OF THE UNITED
STATES AND OF STATES

IN RELATION TO

FUGITIVES FROM LABOR.

WITH THE

Clauses of the Constitution of the United States involved
in the Execution of the same.

BY JEHIEL BROOKS.

[COPYRIGHT SECURED ACCORDING TO LAW.]

WASHINGTON:
TAYLOR & MAURY.
1860.

THE UNITED STATES OF AMERICA

OFFICE OF THE SECRETARY OF LABOR

REPORT ON THE LABOR MARKET

The following information is derived from the reports of the Bureau of Labor Statistics, Department of Labor, for the year ending June 30, 1917.

The Department of the Interior has been authorized to issue the following information for the year ending June 30, 1917.

Approved by the Secretary of Labor

TAYLOR & MARY
WASHINGTON

A COMPILATION OF THE LAWS

OF

THE UNITED STATES, AND OF STATES,

IN RELATION TO

FUGITIVES FROM LABOR:

WITH THE

Clauses of the Constitution of the United States involved
in the Execution of the same.

By JEHIEL BROOKS.

COPYRIGHT SECURED ACCORDING TO LAW.

WASHINGTON:
TAYLOR & MAURY,
1860.

TO THE PEOPLE OF THE UNITED STATES.

The hostility which for years has been growing stronger and stronger between different sections of our fated land, seems at last ripening to a harvest of direful calamities. The portentous clouds of Disunion are already darkening the horizon, and may not pass longer unregarded. Who of all the multitudes in this vast Republic does not pray that the storm may only sweep away the pestiferous *malaria* of demagogism, and render the moral atmosphere once more fit for the breath of patriots? Such will be the result, fellow-citizens, if we have the virtue to *will* it; and the nation's integrity and the Union will be preserved. But such a *will* must act understandingly, justly, promptly. It must recognize "no North, no South, no East, no West." "The supreme law of the land" must be universally respected and maintained, if the government is to be perpetuated. We must ascertain, then, what the dangers are, that we may know how, when, and where to apply the remedies effectually.

The chief cause of the troubles that beset us is ascribed to certain laws that have been enacted by some of the States, which are deemed by the citizens of other States violative of the Constitution and laws of the United States, and of the decision of the Supreme Court of the United States; subversive of the rights of property, and derogatory to the principles of equality in our citizenship, as laid down and established by the Constitution. It therefore appears peculiarly essential, in arriving at correct conclusions that subjects so antagonistic as these are represented to be by the different sections should be collected together and published, so that every citizen may have it in his power the better to judge of the course he should pursue in meeting the impending crisis. To effect this has been the only motive in making the following compilation — the accuracy of which may be strictly relied on.

J. BROOKS.

FUGITIVES FROM LABOR:

A COMPILATION OF LAWS OF THE UNITED STATES, AND
OF STATES, IN RELATION THERETO.



LAWS OF THE UNITED STATES.

AN ACT respecting Fugitives from Justice, and persons escaping from the service of their masters, approved February 12, 1793.

SEC. 3. That when a person held to labor in any of the United States, or in either of the Territories on the north-west or south of the river Ohio, under the laws thereof, shall escape into any other of the said States or Territory, the person to whom such labor or service may be due, his agent or attorney, is hereby empowered to seize or arrest such fugitive from labor, and to take him or her before any judge of the circuit or district courts of the United States residing or being within the State, or before any magistrate of a county, city, or town corporate wherein such seizure or arrest shall be made; and upon proof to the satisfaction of such judge or magistrate, either by oral testimony or affidavit taken before and certified by a magistrate of any such State or Territory, that the person so seized or arrested doth, under the laws of the State or Territory from which he or she fled, owe service or labor to the person claiming him or her, it shall be the duty of such judge or magistrate to give a certificate thereof to such claimant, his agent or attorney, which shall be sufficient warrant for removing the said fugitive from labor to the State or Territory from which he or she fled.

SEC. 4. That any person who shall knowingly and willingly obstruct or hinder such claimant, his agent or attorney, in

so seizing or arresting such fugitive from labor, or shall rescue such fugitive from such claimant, his agent or attorney, when so arrested pursuant to the authority herein given or declared, or shall harbor or conceal such person after notice that he or she was a fugitive from labor as aforesaid, shall, for either of the said offences, forfeit and pay the sum of five hundred dollars, which penalty may be recovered by and for the benefit of such claimant, by action of debt, in any court proper to try the same, saving, moreover, to the person claiming such labor or service, his right of action for or on account of the said injuries, or either of them.

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 12, 1793.

SEC. 1. Commissioners to execute the powers and duties of this act.

SEC. 2. Commissioners to be appointed by the superior court of each Territory. Powers and duties defined.

SEC. 3. That the circuit courts of the United States and the superior courts of each organized Territory of the United States, shall from time to time enlarge the number of commissioners, with a view to afford reasonable facilities to reclaim fugitives from labor, and to the prompt discharge of the duties imposed by this act.

SEC. 4. That the commissioners above named shall have concurrent jurisdiction with the judges of the circuit and district courts of the United States in their respective circuits and districts within the several States, and the judges of the superior courts of the Territories, severally and collectively, in term time and vacation; and shall grant certificates to such claimants, upon satisfactory proof being made, with authority to take and remove such fugitives from service or labor, under the restrictions herein contained, to the State or Territory from which such persons may have escaped or fled.

SEC. 5. That it shall be the duty of all marshals and deputy

marshals to obey and execute all warrants and precepts issued under the provisions of this act, when to them directed; and should any marshal or deputy marshal refuse to receive such warrant or other process when tendered, or to use all proper means diligently to execute the same, he shall, on conviction thereof, be fined in the sum of one thousand dollars, to the use of such claimant, on the motion of such claimant, by the circuit or district court for the district of such marshal; and after arrest of such fugitive by such marshal or his deputy, or whilst at any time in his custody under the provisions of this act, should such fugitive escape, whether with or without the assent of such marshal or his deputy, such marshal shall be liable, on his official bond, to be prosecuted for the benefit of such claimant, for the full value of the service or labor of said fugitive in the State, Territory, or district whence he escaped; and the better to enable the said commissioners, when thus appointed, to execute their duties faithfully and efficiently in conformity with the requirements of the Constitution of the United States and of this act, they are hereby authorized and empowered, within their counties respectively, to appoint, in writing under their hands, any one or more suitable persons, from time to time, to execute all such warrants and other process as may be issued by them in the lawful performance of their respective duties, with authority to such commissioners, or the persons to be appointed by them, to execute process as aforesaid, to summon and call to their aid the bystanders or *posse comitatus* of the proper county, when necessary to ensure a faithful observance of the clause of the Constitution referred to, in conformity with the provisions of this act; and all good citizens are hereby commanded to aid and assist in the prompt and efficient execution of this law, whenever their services may be required as aforesaid for that purpose; and said warrants shall run and be executed by said officers anywhere in the State within which they are issued.

SEC. 6. That when a person held to service or labor in any State or Territory of the United States, has heretofore

or shall hereafter escape into another State or Territory of the United States, the person or persons to whom such service or labor may be due, or his, her, or their agent or attorney, duly authorized, by power of attorney, in writing, acknowledged and certified under the seal of some legal officer or court of the State or Territory in which the same may be executed, may pursue and reclaim such fugitive person, either by procuring a warrant from some one of the courts, judges, or commissioners aforesaid, of the proper circuit, district, or county, for the apprehension of such fugitive from service or labor, or by seizing and arresting such fugitive, where the same can be done without process, and by taking, or causing such person to be taken, forthwith before such court, judge, or commissioner, whose duty it shall be to hear and determine the case of such claimant in a summary manner; and upon satisfactory proof being made, by deposition or affidavit, in writing, to be taken and certified by such court, judge, or commissioner, or by other satisfactory testimony, duly taken and certified by some court, magistrate, justice of the peace, or other legal officer authorized to administer an oath and take depositions under the laws of the State or Territory from which such person owing service or labor may have escaped, with a certificate of such magistracy or other authority, as aforesaid, with the seal of the proper court or officer thereto attached, which seal shall be sufficient to establish the competency of the proof, and with proof, also by affidavit, of the identity of the person whose service or labor is claimed to be due as aforesaid, that the person so arrested does in fact owe service or labor to the person or persons claiming him or her, in the State or Territory from which such fugitive may have escaped as aforesaid, and that said person escaped, to make out and deliver to such claimant, his or her agent or attorney, a certificate setting forth the substantial facts as to the service or labor due from such fugitive to the claimant, and of his or her escape from the State or Territory in which such service or labor was due, to the State or Territory in which he or she

was arrested, with authority to such claimant, or his or her agent or attorney, to use such reasonable force and restraint as may be necessary, under the circumstances of the case, to take and remove such fugitive person back to the State or Territory whence he or she may have escaped as aforesaid. In no trial or hearing under this act shall the testimony of such alleged fugitive be admitted in evidence; and the certificates in this and the first [fourth] section mentioned, shall be conclusive of the right of the person or persons in whose favor granted, to remove such fugitive to the State or Territory from which he escaped, and shall prevent all molestation of such person or persons by any process issued by any court, judge, magistrate, or other person whomsoever.

SEC. 7. That any person who shall knowingly and willfully obstruct, hinder, or prevent such claimant, his agent or attorney, or any person or persons lawfully assisting him, her, or them, from arresting such a fugitive from service or labor, either with or without process as aforesaid, or shall rescue, or attempt to rescue, such fugitive from service or labor, from the custody of such claimant, his or her agent or attorney, or other person or persons lawfully assisting as aforesaid, when so arrested, pursuant to the authority herein given and declared; or shall aid, abet, or assist such person so owing service or labor, as aforesaid, directly or indirectly, to escape from such claimant, his agent or attorney, or other person or persons legally authorized as aforesaid; or shall harbor or conceal 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 as aforesaid, shall, for either of said offences, be subject to a fine not exceeding one thousand dollars, and imprisonment not exceeding six months, by indictment and conviction before the District Court of the United States for the district in which such offence may have been committed, or before the proper court of criminal jurisdiction, if committed within any one of the organized Territories of the United States; and shall moreover forfeit and pay, by way of civil damages

to the party injured by such illegal conduct, the sum of one thousand dollars for each fugitive so lost as aforesaid, to be recovered by action of debt in any of the district or territorial courts aforesaid within whose jurisdiction the said offence may have been committed.

SEC. 8. That the marshals, their deputies, the clerks of the courts, and commissioners are entitled to certain fees for their services in the reclamation of fugitives from service or labor.

SEC. 9. That, upon affidavit made by the claimant of such fugitive, his agent or attorney, after such certificate has been issued, that he has reason to apprehend that such fugitive will be rescued by force from his or their possession before he can be taken beyond the limits of the State in which the arrest is made, it shall be the duty of the officer making the arrest to retain such fugitive in his custody, and to remove him to the State whence he fled, and there to deliver him to said claimant, his agent, or attorney. And to this end, the officer aforesaid is hereby authorized and required to employ so many persons as he may deem necessary to overcome such force, and to retain them in his service so long as circumstances may require. The said officer and his assistants, while so employed, to receive the same compensation, and to be allowed the same expenses, as are now allowed by law for transportation of criminals, to be certified by the judge of the district within which the arrest is made, and paid out of the Treasury of the United States.

SEC. 10. That when any person held to service or labor in any State or Territory, or in the District of Columbia, shall escape therefrom, the party to whom such service or labor shall be due, his, her, or their agent or attorney, may apply to any court of record therein, or judge thereof in vacation, and make satisfactory proof to such court, or judge in vacation, of the escape aforesaid, and that the person escaping owed service or labor to such party. Whereupon the court shall cause a record to be made of the matter so proved, and also a general description of the person so escap-

ing, with such convenient certainty as may be; and a transcript of such record, authenticated by the attestation of the clerk and the seal of the said court, being produced in any other State, Territory, or district in which the person so escaping may be found, and being exhibited to any judge, commissioner, or other officer authorized by the law of the United States to cause persons escaping from service or labor to be delivered up, shall be held and taken to be full and conclusive evidence of the fact of escape, and the service or labor of the person escaping is due to the party in such record mentioned. And upon the production by the said party of other and further evidence if necessary, either oral or by affidavit, in addition to what is contained in the said record, of the identity of the person escaping, he or she shall be delivered up to the claimant. And the said court, commissioner, judge, or other person authorized by this act to grant certificates to claimants of fugitives, shall, upon the production of the record and other evidences aforesaid, grant to such claimant a certificate of his right to take any such person identified and proved to be owing service or labor as aforesaid, which certificate shall authorize such claimant to seize or arrest and transport such person to the State or Territory from which he escaped: *Provided*, that nothing herein contained shall be construed as requiring the production of a transcript of such record as evidence as aforesaid; but in its absence, the claim shall be heard and determined upon other satisfactory proofs, competent in law.

Approved September 18, 1850.

MAINE.

Laws of Maine. Revised Code, Chapter 80.

SEC. 53. No sheriff, deputy sheriff, coroner, constable, jailer, justice of the peace, or other officer of this State, shall arrest or detain, or aid in so doing, in any prison or building belonging to this State, or to any county or town, any person on account of a claim on him as a fugitive slave.

Any of said officers violating any of the aforesaid provisions, or aiding or abetting any person claiming, arresting, or detaining any person as a fugitive slave, shall forfeit a sum not exceeding one thousand dollars for each offence, to the use of the county where it is committed, or be imprisoned [not] less than one year in the county jail. [R. S., c. 104, sec. 38; act of 1855, c. 114, 182, secs. 2, 3.]

AN ACT additional to "An act further to protect personal liberty."

SEC. 1. When it shall come to the knowledge of any county attorney that any person has been arrested at any place within his county, and is claimed as a fugitive slave under the provisions of any act of Congress, the said county attorney shall immediately repair to the place where such person is held in custody, and render him all necessary and legal assistance in making his defence against said claim.

SEC. 2. It shall be the duty of said county attorney to summon such witnesses as he shall deem necessary to substantiate such defence, whose fees, and all other necessary and legal expenses incurred in making such defence, shall be paid by the State.

SEC. 3. This act shall take effect from and after its approval by the Governor.

Approved April 14, 1857.

NEW HAMPSHIRE.

Extract from "An act to secure freedom and the rights of citizenship to persons in this State."—Chapter 1,965.

SEC. 2. Any slave who shall come or be brought into or be in this State with the consent of his master or mistress, or who shall come or be brought into or be in this State involuntarily, shall be free.

SEC. 4. Section first of chapter twenty-five of the Compiled Statutes shall not be so construed as in any case to deprive any person of color, or of African descent, born within the limits of the United States, and having the other

requisite qualifications, from voting at any election; but such persons shall have and exercise the right of suffrage as fully and lawfully as persons of the white race.

Approved June 26, 1857.

RESOLUTIONS passed by the Legislature of New Hampshire in 1858.
Chapter 2,141.

Resolved by the Senate and House of Representatives in general court convened, That the people of New Hampshire are unalterable in their attachment and devotion to the Constitution and the Union, and demand of the National Administration a return and strict adherence to the cardinal principles on which the Constitution was founded, and by which alone the Union can be preserved.

Resolved, That freedom is the natural condition of man; that human slavery can exist only by force of positive law; and that the Constitution of the United States, the great charter of our law, has neither established nor recognized slavery as a national institution.

Resolved, That the recent attempts of the National Government, by promises and threats, to coerce the people of a Territory desiring to be admitted into the Union to the introduction and support of human slavery, are unprecedented and atrocious, and merit universal reprobation.

Resolved, That the legislation of the country and the expenditures of its resources being directed mainly for the benefit of the slaveholding minority of the inhabitants, it is the imperative duty of the immense majority of freemen whose interests are disregarded, and whose rights are violated, to combine in political action to insure their own protection and security.

Resolved, That the action of the State Department of the United States in refusing to grant passports to persons of African descent, contrary to previous practice, and of the Treasury Department in refusing to grant them registers for their own vessels, with the right to navigate them as masters, and of the Interior Department in refusing them the right of entry upon the public domain to become purchasers, is an

unjust and illegal denial and invasion of the rights of citizens of New Hampshire.

Resolved, That we are compelled to believe that these invasions of the rights of our citizens are the result of the Dred Scott decision, coupled with a desire on the part of the National Administration to favor and strengthen the slave-holding interest, which will continue so long as slavery remains a ruling element in the government of the country.

Resolved, That these and other aggressions of the slave power make the prohibition of the further extension of slavery a necessity, and its abolition, where we have the power, a duty.

Resolved, That the State government, so far as it has the power, should secure, by its own authority, those rights to its citizens which are denied to them by the General Government.

Resolved, That our Senators be instructed and our Representatives requested to use all proper effort to procure such legislation by Congress as shall secure to every citizen of the State the full enjoyment of his rights.

Resolved, That Congress possesses the right to legislate for the Territories of the United States — a right so long exercised and so firmly established, that it cannot now be questioned without insulting the intelligence of the American people; and the duty to exercise that right and to advance the cause of universal liberty cannot be abandoned without proving recreant to the spirit of the Declaration of Independence, and false to the memory of the founders of our glorious Confederacy.

Approved June 26, 1858.

RESOLUTIONS adopted by the Legislature of New Hampshire in 1857.
Chapter 1,999.

Resolved by the Senate and House of Representatives in general court convened:

1. That the great power vested in the Supreme Court of the United States, and the permanent tenure of office by

which it is removed from the direct control of the people, require that its action should be the object of constant and vigilant observation ; that an influence upon it can be exerted only by public expression of censure upon any attempt of the Court to transcend the limits of its authority ; and it is especially the duty of the Legislatures of the several States to expose and denounce any such attempt.

2. That the decision of the Court in the case of *Dred Scott vs. John F. A. Sanford*, as pronounced by Chief Justice Taney, contradicts the facts of history, is repugnant to the Constitution, and subversive to the rights and liberties of the people.

3. That we are compelled to believe, from the misstatements and perversion of historical facts in the opinion delivered by the Court, that the decision was the result of proslavery sympathies, and an improper desire to favor and strengthen the slaveholding interest.

4. That every person born within the limits of this State, and owing allegiance to no foreign government, is a citizen thereof, and, by the Constitution of the United States, entitled to all the privileges and immunities of citizens in every other State, and the denial to him of the rights guaranteed by the Constitution is a wanton violation of that instrument.

5. That the assertion that the Constitution regards slaves as property in the general sense, beyond the range of local municipal regulations, or stipulated agreements, is an unwarrantable assumption, to which no free State can with honor submit.

6. That the doctrines maintained in those opinions, that Congress has no power to legislate concerning slavery in the Territories, and that the fact of mere possession of Territories by the United States is to establish slavery there, are contrary to the express provisions of the Constitution, are obnoxious to the laws and sentiments of civilization, and odious to the people of the free States.

7. That the expression of extra-judicial opinions from the

Supreme Bench on subjects agitating the public mind is undignified and unbecoming the position; and the use made of such position to propagate political doctrines tends directly to destroy confidence in the integrity of the Court and respect for its decisions.

8. That in undertaking to decide those questions which, according to its practice, were not in issue, the court evinced a desire illegally to control the action of Congress; that such course justifies the apprehensions entertained by the framers of the Constitution, that there might be danger from the too great latitude left to the discretion of the Court; that a repetition of, and persistence in, such action would confirm the belief that there was a design and purpose on the part of the court to usurp the functions of the legislative department, and justify the State in resisting, by all constitutional means, the enforcement of laws dictated by the court.

Approved June 27, 1857.

VERMONT.

Compiled Statutes of Vermont of 1850. Chapter 101, page 536.

SEC. 1. No court of record in this State, nor any judge thereof, no justice of the peace nor other magistrate, acting under the authority of this State, shall hereafter take cognizance of, or grant any certificate, warrant, or other process, in any case arising under section three of an act of Congress passed February 12, 1793, entitled "An act respecting fugitives from justice, and persons escaping from the service of their masters," to any person claiming any other person as a fugitive slave in this State. [Sec. 1 of No. 15 of 1843.]

SEC. 2. No sheriff, deputy sheriff, high bailiff, constable, jailer, or other officer or citizen of this State, shall hereafter seize, arrest, or detain, or aid in the seizure, arrest, or detention, or imprisonment in any jail or other building belonging to this State, or to any county, town, city, or prison therein, of any person for the reason that he is or may be claimed as a fugitive slave. [Sec. 2 of No. 15 of 1843.]

SEC. 3. No sheriff, deputy sheriff, high bailiff, constable, or other officer or citizen of this State, shall transport or remove, or aid or assist in the transportation or removal, of any fugitive slave, or any person claimed as such, from any place in this State to any other place within or without the same. [Sec. 3 of No. 15 of 1843.]

SEC. 4. If any such judge, justice of the peace, magistrate, officer, or citizen shall offend against the two preceding sections, such judge, justice of the peace, magistrate, officer, or citizen shall be subject to the penalties provided in section five of this act. [Sec. 4 of No. 15 of 1843.]

SEC. 5. Any judge of any court of record in this State, any justice of the peace or other magistrate, any sheriff, deputy sheriff, high bailiff, constable, or jailer, or any citizen of this State, who shall offend against the provisions of this act by acting, directly or indirectly, under the provisions of section three of the act of Congress aforesaid, shall forfeit a sum not exceeding one thousand dollars to the use of the State, to be recovered upon information or indictment, or be imprisoned in the State prison not exceeding five years. [Sec. 5 of No. 15 of 1843, *in part.*]

SEC. 6. Above provisions not to extend to United States courts and officers.

SEC. 7. State's attorneys to use all lawful means to procure discharge of any person claimed as a fugitive slave.

SEC. 8. Officers to inform State's attorney of *expected* arrests.

SEC. 9. State's attorney's application sufficient authority for issuing writ of *habeas corpus*.

SEC. 10. Appeal allowed when trial is had before one judge out of term time.

SEC. 11. Proceedings upon an appeal. Trial by jury allowed in all cases on application of either party.

RESOLUTIONS on Slavery and the African Slave Trade.

1. *Resolved by the Senate and House of Representatives*, That while Vermont has no new sentiments to utter upon the subject of slavery, the occasion demands the declaration that she

adheres with renewed confidence, and, if possible, with a firmer faith, to the principles that have ever distinguished her people.

2. *Resolved*, That the recent events in Virginia, and the universal excitement and alarm consequent upon them, plainly prove that the institution of slavery is fraught with appalling dangers to every community in which it exists; that it mischievously interferes with the fraternal regard due from the several States, and from all the citizens thereof to each other, and impairs the peace and well-being of the Union itself.

3. *Resolved*, That, in our judgment, these events demonstrate the glaring wrong of permitting the extension of slavery to any community where it does not now exist, or of giving it new strength and increased danger in the slave-holding States, by reopening the foreign slave-trade, or relaxing the laws against it.

4. *Resolved, therefore*, That our Senators in Congress be instructed, and our Representatives requested, to resist all projects for the extension of slavery and the reopening of the slave-trade, and to support all practicable measures for a more effective suppression of that trade, and to secure a rigorous execution of the laws for that purpose against all offenders.

5. *Resolved*, That the Governor be requested to transmit a copy of the foregoing resolution to each of our Senators and Representatives in Congress.

Adopted November 19, 1859.

MASSACHUSETTS.

Revised Code of Massachusetts. Chapter 144.

SEC. 57. The Governor, by and with the advice and consent of the Council, shall appoint in every county one or more commissioners, learned in the law, who shall, in their respective counties, when any person is arrested or seized, or in danger of being arrested or seized, as a fugitive from service

or labor, on being informed thereof, diligently and faithfully use all lawful means to protect and defend such alleged fugitive, and secure to him a fair and impartial trial by jury, and the benefits of the provisions of this chapter; and any attorney whose services are desired by the alleged fugitive may also act as counsel. [Act of 1855, 489, sec. 17.]

SEC. 58. The commissioners shall defray all expenses of witnesses, clerks' fees, and officers' fees, and other expenses which may be incurred in the protection and defence of any person so seized or arrested; and the same, together with the reasonable charges of the commissioners for their services as attorneys and counsel, shall be paid from the treasury of the Commonwealth on a warrant to be issued by the Governor. [Act of 1855, sec. 18, p. 489.]

SEC. 59. No person while holding any office of honor, trust, or emolument, under the laws of this State, shall in any capacity take cognizance of any case, issue any warrant or other process, or grant any certificate, under or by virtue of an act of Congress approved the twelfth day of February, in the year 1793, entitled "An act respecting fugitives from justice and persons escaping from the service of their masters," or under or by virtue of an act of Congress approved the eighteenth day of September, 1850, entitled "An act to amend, and supplementary to 'An act respecting fugitives from justice and persons escaping from the service of their masters,'" or shall, in any capacity, serve such warrant or other process. *Any justice of the peace who shall offend against the provisions of this section, by directly or indirectly acting in such cases, shall forfeit a sum not exceeding one thousand dollars, or be imprisoned in jail not exceeding one year, for each offence.* [Acts of 1843, p. 69, secs. 1, 3, and 1855, p. 489, secs. 1, 9.]

SEC. 60. No jail, prison, or other place of confinement belonging to or used by the State, or any county therein, shall be used for the detention or imprisonment of any person accused or convicted of an offence created by either of the acts of Congress mentioned in the preceding section, or

accused or convicted of obstructing or resisting any process, warrant, or order issued under either of said acts, or of rescuing, or attempting to rescue, any person arrested or detained under any of the provisions of either of said acts, nor for the imprisonment of a person arrested on mesne process or execution in a suit for damages or penalties accruing, or claimed to accrue, in consequence of aid rendered to any fugitive escaping from service or labor. [Acts of 1843, p. 69, and 1855, 489, sec. 19.]

SEC. 61. Whoever shall remove from the limits of this State, or assist in removing therefrom, or come into the State with the intention of removing or assisting in the removing therefrom, or procure or assist in procuring to be so removed, any person being in the peace thereof, who is not held to service or labor by the "party" making "claim," or who has not "escaped" from the party making "claim," or whose service or labor is not "due" to the "party" making "claim" within the meaning of those words in the Constitution of the United States, on the pretence that such person is so held or has so escaped, or that his "service or labor" is so "due," or with the intent to subject him to such "service or labor," *shall be punished by fine not less than one thousand nor more than five thousand dollars, and by imprisonment in the State prison not less than one nor more than five years.* And any person sustaining wrong or injury by any proceeding punishable as aforesaid, may also maintain an action and recover damages therefor. [Act of 1855, 489, sections 7, 8.]

SEC. 62. Any sheriff, deputy sheriff, jailer, coroner, constable, or other officer of this State, or of the police of any city or town, or any district, county, city, or town officer, or any officer or other member of the volunteer militia of this State, who shall hereafter arrest, imprison, detain, or return, or aid in arresting, imprisoning, detaining, or returning, any person for the reason that he is claimed or adjudged to be a fugitive from service or labor, *shall be punished by fine not less than one thousand and not exceeding two thousand dollars, and by imprisonment in the State prison for not less*

than one nor more than two years. [Acts of 1843, 69, sec. 23; 1855, 489, secs. 1, 15.]

SEC. 63. The volunteer militia shall not act in any manner in the seizure, detention, or rendition of a person for the reason that he is claimed or adjudged to be a fugitive from service or labor. Any member thereof who shall offend against the provisions of this section *shall be punished by fine not less than one thousand and not exceeding two thousand dollars, and by imprisonment in the State prison for not less than one nor more than two years.* [Act of 1855, 489, sec. 16.]

SEC. 64. The penalties prescribed by the two preceding sections shall not apply to any act of military obedience and subordination performed by an officer or private of the militia. [Act of 1858, 175, sec. 2.]

SEC. 65. Nothing in the eight preceding sections, nor in sections nineteen, twenty, and twenty-one, shall be construed to apply to so much of the act of Congress of the twelfth of February 1793, as relates to fugitives from justice. [Act of 1855, 489, sec. 21.]

SEC. 66. No person holding a judicial office under the laws of the United States, or the office of commissioner of the circuit court of the United States, shall hold any judicial office under the constitution and laws of this State, except that of justice of the peace. No justice of the peace, while holding the office of commissioner of the United States circuit court, shall have authority to grant any warrant, or to issue any process, civil or criminal, other than summonses to witnesses, or hear and try any cause, civil or criminal, under the laws of this State. [Act of 1858, 175, sec. 1.]

RHODE ISLAND.

Revised Statutes of Rhode Island—Chapter 212, page 532.

SEC. 18. No judge, justice, magistrate, or court whatsoever of this State, shall grant any certificate or warrant to, or otherwise in any manner officially aid, any person claiming or pursuing another as a fugitive slave either under the act

of Congress approved February 12, 1793, entitled "An act respecting fugitives from justice and persons escaping from the service of their masters," or under the act of Congress approved September 18, 1850, entitled "An act to amend, and supplementary to," said act.

SEC. 19. No sheriff, deputy sheriff, town sergeant, constable or other officer of this State, shall arrest or detain, or aid in the arrest or detention, of any person claimed as a fugitive slave for or by reason thereof, or imprison such fugitive as such, in any jail or other building belonging to this State, or to any city, town or village thereof.

SEC. 20. Any justice of the peace, sheriff, deputy sheriff, town sergeant, constable, jailer or keeper of a jail, who shall violate any provision of the two sections next preceding, shall, for every such offence, be fined five hundred dollars, or be imprisoned not exceeding six months.

Id.—Chapter 226, page 576.

SEC. 6. Prisoners, *excepting escaped slaves*, may be committed under the authority of the United States to any jail upon payment of the expense of supporting such prisoners, fifty cents per month each for the use of the jail, and the legal fees of the jailer or keeper, &c.

CONNECTICUT.

AN ACT for the Defence of Liberty in this State.—[Statutes of Connecticut, Compilation of 1854.]

SEC. 1. Every person who shall falsely and maliciously declare, represent, or pretend that any free person entitled to freedom is a slave, or owes service or labor to any person or persons, with intent to procure, or to aid or assist in procuring, the forcible removal of such free person from this State as a slave, shall pay a fine of five thousand dollars and be imprisoned five years in the Connecticut State prison.

SEC. 2. In all cases arising under this act, the truth of every declaration, representation, or pretence that any person

being or having been in this State is or was a slave, or owes or did owe service or labor to any other person or persons, shall not be deemed proved, except by the testimony of at least two credible witnesses testifying to facts directly tending to establish the truth of such declaration, pretence, or representation, or by legal evidence equivalent thereto.

SEC. 3. Every person who shall wrongfully and maliciously seize, or procure to be seized, any free person entitled to freedom, with intent to have such free person held in slavery, shall pay a fine of five thousand dollars and be imprisoned five years in the Connecticut State prison.

SEC. 4. Upon the trial of any prosecution arising under this act, no deposition shall be admitted as evidence of the truth of any statement in such deposition contained.

SEC. 5. If, upon the trial of any prosecution arising under this act, any witness shall, in behalf of the party accused, and with intent to aid him in his defence, falsely and wilfully, in testifying, represent or pretend that any person is or ever was a slave, or does or ever did owe service or labor to any person or persons, such witness shall pay a fine of five thousand dollars and be imprisoned five years in the Connecticut State prison.

SEC. 6 inflicts a penalty of one year imprisonment "for obstructing the apprehension of any person complained of under this act."

SEC. 7 provides that "no claim or representation that any person is an apprentice is prohibited by this act."

MICHIGAN.

AN ACT to protect the rights and liberties of the inhabitants of this State.—[Vol. 2 Compiled Laws of Michigan, 1857. 5,694, 5,703.]

SEC. 1. *The People of the State of Michigan enact*, That it shall be the duty of the prosecuting attorneys within their respective counties, whenever any inhabitant of this State is arrested or claimed as a fugitive slave, on being informed thereof, diligently and faithfully to use all lawful means to

protect and defend every such person so arrested or claimed as a fugitive slave.

SEC. 2. All persons so arrested and claimed as fugitive slaves shall be entitled to all the benefits of the writ of *habeas corpus* and of trial by jury.

SEC. 3. If such writ of *habeas corpus* shall be sued out in vacation, and if, upon the hearing of the same, the person imprisoned, arrested, or claimed as a fugitive slave shall not be discharged, such person shall be entitled to an appeal to the circuit court for the county in which such hearing shall have been had, on furnishing such bail and within such time as the officer granting the writ or hearing the case shall judge reasonable and proper.

SEC. 4. The court to which such appeal is taken, and any court to which a writ of *habeas corpus* in behalf of any such person claimed or arrested as a fugitive slave is made returnable, may and shall, on application of either party to such proceedings, allow and direct a trial by jury on all questions of fact in issue between the parties in the matter aforesaid; and the taxable costs of such trial shall be chargeable to the State, whenever the same would be otherwise chargeable to the person arrested or claimed as a fugitive slave.

SEC. 5. No person arrested and claimed as a fugitive slave shall be imprisoned in any jail or other prison in this State; and any person having the care or control of any jail or prison, and knowingly permitting the imprisonment of such alleged fugitive slave therein, shall be subjected to the payment of a fine of not less than five hundred nor more than one thousand dollars.

SEC. 6. Every person who shall falsely declare, represent, or pretend that any free person entitled to freedom is a slave, or owes service or labor to any person or persons, with intent to procure, or aid or assist in procuring, the forcible removal of such free person from this State as a slave, shall be imprisoned not less than three nor more than five years in the State prison.

SEC. 7. Every person who shall wrongfully and maliciously seize, or procure to be seized, any free person entitled to freedom, with intent to have such person held in slavery, shall pay a fine of not less than five hundred nor more than one thousand dollars, and be imprisoned five years in the State prison.

SEC. 8. In all cases arising under the provisions of sections six and seven of this act, the truth of any declaration, representation, or pretence that any person being, or having been, in this State is or was a slave, or owes or did owe service or labor to any other person or persons, shall not be deemed proved except by the testimony of at least two credible witnesses, testifying to facts directly tending to establish the truth of such declaration, pretence, or representation, or by legal evidence equivalent thereto.

SEC. 9. No declaration, pretence, or representation that any person is or was an apprentice for a fixed term of years, or owes or did owe service merely as such apprentice for such fixed term, shall be deemed prohibited by this act; and no such declaration, pretence, or representation that any person is or was such an apprentice for such fixed term, or owes or did owe service merely as such apprentice for such fixed term, shall be liable to any penalty under this act.

SEC. 10. All acts or parts of acts conflicting with the provisions of this act are hereby repealed.

Approved February 13, 1855.

Compiled Laws of Michigan, 1857. Vol. 2, (5735.)

SEC. 25. Every person who willfully and without lawful authority shall forcibly or secretly confine or imprison any other person within this State against his will, or shall forcibly carry or send such person out of this State, or shall forcibly seize and confine, or shall inveigle or kidnap any other person with intent either to cause such person to be secretly confined or imprisoned in this State against his will, or to cause such person to be sent out of the State against his will, or to be sold as a slave, or in any way held to serve

against his will; and every person who shall sell, or in any manner transfer for any term, the service or labor of any negro, mulatto, or other person of color, who shall have been unlawfully seized, taken, inveigled, or kidnapped from this State to any other State, place, or country, shall be punished by imprisonment in the State prison not more than ten years, or by fine not exceeding one thousand dollars.

AN ACT to amend (section twenty-five of chapter one hundred and fifty-three of the Revised Statutes of eighteen hundred and forty-six, the same being) section five thousand seven hundred and thirty-five, of the compiled laws of eighteen hundred and fifty-seven.

SEC. 1. *The People of the State of Michigan enact*, That section twenty-five (of said chapter one hundred and fifty-three) be amended so as to read as follows:

SEC. 5. Every person who willfully, and without lawful authority, shall forcibly or secretly confine or imprison any other person within this State against his will, or shall forcibly carry or send such person out of this State, or shall forcibly seize and confine, or shall inveigle or kidnap any other person, with intent either to cause such person to be secretly confined or imprisoned in this State against his will, or to be sold as a slave, or in any way held to serve against his will, and every person who shall sell, or in any manner transfer for any time, the service or labor of any negro, mulatto, or other person of color, who shall have been unlawfully seized, taken, inveigled, or kidnapped from this State to any other State, place, or country, or who shall bring any negro, mulatto, or other person of color, into the State, claiming him or her as a slave, shall be punished by imprisonment in the State prison not more than ten years, or by fine not exceeding one thousand dollars.

Approved February 15, 1859.

WISCONSIN.

Of the writ of *habeas corpus* relative to fugitive slaves.—[Revised Statutes of Wisconsin, 1858, chap. 158.]

SEC. 52. It shall be the duty of the district attorneys,

within their respective counties, whenever any inhabitant of this State is arrested or claimed as a fugitive slave, on being informed thereof, diligently and faithfully to use all lawful means to protect, defend, and procure to be discharged, every such person so arrested or claimed as a fugitive slave.

SEC. 53. The application of any district attorney, in writing, to any one of the judges of the supreme court, or to any judge of the county or circuit courts, signed by said district attorney in his official capacity, stating, in substance, the name of the person and the name of the person detaining him or her, if known, and that the person arrested is claimed and imprisoned as a fugitive slave, shall be sufficient authority to authorize the issuing of the writ of *habeas corpus*, as provided in this chapter; and said writ may be signed by any of the said judges, or by the clerk of the supreme or circuit court; and the said writ shall be made returnable before either the circuit or county court, when in session, in the county where such application is made; and, in vacation, said writ may be made returnable forthwith before either of the judges aforesaid.

SEC. 54. It shall be the duty of all judicial and executive officers in this State, in their respective counties, who shall know, or have good reason to believe, that any inhabitant of this State is about to be arrested or claimed as a fugitive slave, forthwith to give notice thereof to the district attorney of the county in which such person resides.

SEC. 55. Whenever the writ of *habeas corpus* is granted in vacation, as provided in this chapter, or as provided by existing laws, if, upon the hearing of the same before any one of the judges aforesaid, the person imprisoned, arrested, or claimed a fugitive slave shall not be discharged, such person shall be entitled to an appeal to the next stated term of the circuit court in the county where such hearing was had, on furnishing such bail, and within such time as the judge granting the writ, on hearing the case, shall adjudge to be reasonable and proper.

SEC. 56. The court to which such appeal is taken, and any

other court to which a writ of *habeas corpus* in behalf of any person claimed as or arrested as a fugitive slave is made returnable, may and shall, on the application of either party to such proceedings, allow and direct a trial by jury, on all questions of fact in issue between the parties in the matter aforesaid; and the taxable cost of such trial shall be chargeable to the State, whenever the same would be otherwise chargeable to the person arrested or claimed as a fugitive slave.

SEC. 57. Every person who shall falsely and maliciously declare, represent, or pretend that any free person within this State is a slave, or owes service or labor to any person or persons, with intent to procure, or to aid or assist in procuring, the forcible removal of such free person from this State as a slave, he shall pay a fine of one thousand dollars, and be imprisoned in the State prison not more than five nor less than one year: *Provided*, that nothing in this chapter shall be construed as applying to any claim of service from an apprentice for a fixed time.

SEC. 58. No declaration, representation, or pretence that any person being, or having been, in this State is or was a slave shall be deemed proved, except by the testimony of at least two credible witnesses, testifying to facts directly tending to establish the truth of such declaration, representation, or pretence, or by legal evidence equivalent thereto; and any person who, upon any trial arising under this and the foregoing sections, shall falsely and willfully represent or pretend, with intent to aid any party accused under this chapter, that any party was or is a slave, or owes or did owe service or labor to any person or persons, shall pay a fine of one thousand dollars, and be imprisoned in the State prison not less than one year.

SEC. 59. On the trial of any prosecution arising under this chapter no deposition shall be received as evidence.

SEC. 60. Every person who shall obstruct any officer in the service of any warrant issued in accordance with this chapter, or who shall aid in the escape of any person accused

under sections fifty-seven and fifty-eight of this chapter; or who shall aid in the escape of any person accused under said sections fifty-seven and fifty-eight, while pursued by such officer, or in his custody, shall be imprisoned in the State prison not less than one year.

SEC. 61. No judgment recovered against any person or persons for any neglect or refusal to obey, or any violations of the act of Congress commonly called the "fugitive slave act," approved September eighteenth, one thousand eight hundred and fifty, or any of the provisions thereof, shall be a lien on any real estate within this State, nor shall any such judgment be enforceable by sale or execution of any real estate or personal property within this State; but all such sales shall be absolutely void; and in case of seizure or sale of any personal property by virtue of an execution issued on such judgments, the defendant in said execution may maintain an action of replevin, or other action, to secure possession thereof, in the manner provided by law for such actions, on affidavit filed as required by law, and a further statement therein that said execution issued in (*on*) a judgment rendered under the provisions of the act of Congress aforesaid; and the provisions of this section shall also apply to judgments heretofore rendered.

Id.—Chapter 164.

SEC. 43. Every person who, without lawful authority, shall forcibly or secretly confine or imprison any other person within this State against his will, or shall forcibly carry or send such person out of this State against his will, or shall inveigle or kidnap any other person, with intent either to cause such person to be secretly confined or imprisoned in this State against his will, or to cause such person to be sent out of this State against his will, or to be sold as a slave, or in any way held to service against his will, and every person who shall sell, or in any manner transfer for any term, the service or labor of any negro, mulatto, or other person of color, who shall have been unlawfully seized, taken, inveigled, or kidnapped from this State to any State, place, or

country, shall be punished by imprisonment in the State prison not more than two years nor less than one year, or by fine not exceeding one thousand dollars nor less than five hundred dollars.

SEC. 43. Every offence mentioned in the next preceding section may be tried either in the county in which the same may have been committed, or in any county in or to which the person so seized, taken, inveigled, kidnapped, or sold, or whose services shall be so sold or transferred, shall have been taken, confined, held, carried, or brought: and upon the trial of any such offence, the consent thereto of the person so taken, inveigled, kidnapped, or confined shall not be a defence, unless it shall be made satisfactorily to appear to the jury that such consent was not obtained by fraud nor extorted by duress or by threats.

NEW YORK.

[Revised Statutes of New York, (1859,) 5th edition, vol. 3, p. 878.]

SEC. 17. Instead of the hearing provided by the first article of title one and chapter nine of the third part of the Revised Statutes, to be had before a court or officer, upon the return of any writ of *habeas corpus* issued to bring up the body of any alleged fugitive from service or labor to which he is held under the laws of any other State, who shall have escaped into this State, the claim to the service of such alleged fugitive, his identity, and the fact of his having escaped from another State of the United States into this State, shall be determined by a jury.

[The following note being appended to this section, I give it in lieu of the rest of the act.]

“*An Act to extend the right of trial by jury, passed May 6, 1840.*—The decision of the Supreme Court of the United States, in *Prigg vs. The Commonwealth of Pennsylvania*, 16 Peters’ R. 539, establishes the doctrine that all State laws calculated to interfere with the third subdivision of section 2, article 4, of the Constitution of the United States, are unconstitutional. Since that decision, the fugitive slave law (Laws of Congress, 1850, chapter 60) has been passed, containing provisions repugnant to the whole of this act. It is, therefore, of no force; but as it never has been repealed, it is here inserted.”

The act contains 34 sections; all of which, after the first six, relate to fugitives from service or labor.

Concurrent Resolutions of the Senate and Assembly of the State of New York, passed January 6, 1849.

Resolved, That our Senators in Congress be instructed, and our Representatives in Congress be requested, to use their best efforts to procure the passage of laws for the establishment of government for the territory acquired by the late treaty of peace with Mexico; and that, by such laws, involuntary servitude, except for crime, be excluded from such territories.

Resolved, That the territory lying between Nueces and Rio Grande, and that portion of New Mexico lying east of the Rio Grande, are the common property of the United States, and that our Senators in Congress be instructed, and our Representatives in Congress be requested, to use their best efforts to preserve the same as such common property, and protect it from the unfounded claims of the State of Texas, and prohibit the extension over it of the laws of Texas, or the institution of domestic slavery.

Resolved, That the existence of prisons for the confinement and marts for the sale of slaves at the seat of government, is viewed by this Legislature with deep regret and mortification, and that such prisons and marts ought forthwith to be abolished.

Resolved, That our Senators in Congress be instructed, and our Representatives in Congress be requested, to use their strenuous efforts to procure the passage of a law that shall protect slaves from unjust imprisonment, and shall effectually put an end to the slave trade in the District of Columbia.

PENNSYLVANIA.

AN ACT to prevent kidnapping, preserve the peace, prohibit the exercise of certain powers heretofore exercised by judges, justices of the peace, aldermen, and jailors of this commonwealth, and to repeal certain slave laws.

SEC. 4. That if any person or persons claiming any negro or mulatto as fugitive from servitude or labor, shall, under any pretence of authority whatsoever, violently and tumultuously seize upon and carry away to any place, or attempt to seize and carry away, in a riotous, violent, tumultuous, and unreasonable manner, and so as to disturb or endanger the public peace, any negro or mulatto within this common-

wealth, either with or without the intention of taking such negro or mulatto before any district or circuit judge, the person or persons so offending against the peace of this commonwealth, shall be deemed guilty of a misdemeanor, and on conviction thereof before any court of quarter sessions of this commonwealth, shall be sentenced by such court to pay a fine of not less than one hundred dollars nor more than one thousand dollars, with costs of prosecution; and further, to be confined in the county jail for any period at the discretion of the court, not exceeding three months.

SEC. 5. That nothing in this act shall be construed to take away what is hereby declared to be invested in the judges of this commonwealth, the right, power, and authority at all times, on application made, to issue the writ of *habeas corpus*, and to inquire into the causes and legality of the arrest or imprisonment of any human being within this commonwealth.

SEC. 6, refusing "the use of jails and prisons for the confinement of fugitives from servitude or labor," was repealed April 8, 1852.

SEC. 7. That so much of the act of the General Assembly entitled "An act for the gradual abolition of slavery, passed the first day of March, 1780, as authorizes the masters or owners of slaves to bring and retain such slaves within this commonwealth for the period of six months in involuntary servitude, or for any period of time whatsoever, and so much of said act as prevents a slave from giving testimony against any person whatsoever, be and the same is hereby repealed.

Approved March 3, 1847.

The following is appended, from the Morning Pennsylvanian of November 9, 1860:

PENNSYLVANIA'S ANTI-FUGITIVE SLAVE LAW. —The agitation caused by the secession movements in the Southern States has developed an amount of ignorance among our people in relation to laws actually existing upon the statute book of Pennsylvania that is lamentable, if not totally without excuse. We have been amazed at the positiveness with which some persons, otherwise well informed, have denied the existence of any law in this State interfering with the laws of the United States in reference to the return of fugitives from labor. So frequent have been these denials, by business men, and even in some instances by lawyers, that we have deemed it proper to lay before our readers so much of the law of Pennsylvania as relates to this subject matter. During the last session of the Legislature of this State, the Commissioners who had been appointed to revise and amend the penal laws of Pennsylvania, (said Commissioners being Hon. John C. Knox, Hon. Edward King, and David Webster, Esq.,) made report to the Legislature that they had completed their labors, and the result was presented in the shape of a bill entitled "An act to consolidate, revise and amend the penal laws of this Commonwealth."

That report on the 31st of March, 1860, was enacted into a law, and by the 95th section it is enacted as follows:

"No judge of any of the Courts of this Commonwealth, nor any alderman or justice of the peace of said Commonwealth, shall have jurisdiction, or take cognizance of the case of any fugitive from labor from any of the United States or Territories *under any act of Congress*; nor shall any such judge, alderman, or justice of the peace of this Commonwealth issue or grant any certificate or warrant of removal of any such fugitive from labor under any act of Congress; and if any alderman or justice of the peace of this Commonwealth shall take cognizance or jurisdiction of the case of any such fugitive, or shall grant or issue any certificate or warrant of removal as aforesaid, then, and in either case, he shall be deemed guilty of a misdemeanor in office, and shall on conviction thereof, *be sentenced to pay, at the discretion of the Court, any sum not exceeding one thousand dollars*, the one-half to the party prosecuting for the same, and the other half to the use of this commonwealth.

"If any person or persons, claiming any negro or mulatto as a fugitive from servitude or labor, shall, under any pretence of authority whatsoever, violently and tumultuously seize upon and carry away to any place, or attempt to seize and carry away, in a riotous, violent, tumultuous and unreasonable manner, and so as to disturb or endanger the public peace, any negro or mulatto within this commonwealth, either with or without the intention of taking such negro or mulatto before any district or circuit judge, the person or persons so offending against the peace of this commonwealth shall be guilty of a misdemeanor; and on conviction thereof, shall be sentenced to pay a fine not exceeding one thousand dollars, and further to be imprisoned in the county jail for any period at the discretion of the court, not exceeding three months.

This law thus enacted upon the report of the Commissioners was in no wise new; it had been the law of this State for a period of thirteen years previous to that time. It was originally enacted in 1847, and was gotten up under the auspices of one of our leading republicans, Mr. Charles Gibbons, then a Senator from this city, and also Speaker of the Senate. In one respect the law has been changed by the Commissioners. The law originally prohibited any judge, justice of the peace, or alderman from taking cognizance of the case of any fugitive from labor, "*under a certain act of Congress passed on the 12th day of February, 1793*;" and the Commissioners struck out the words which we have italicized, and inserted thereof the words "*under any act of Congress*."

IOWA.

Whereas, under the Constitution of the United States, freedom is national and slavery sectional; and believing that the peace, welfare, and honor of the country imperiously require that our national domain shall be preserved free for free homes for free men; and believing it to have been the policy of our fathers, dictated by reason and exalted patriotism, to inhibit the extension of slavery, and make freedom the law of our national progress, therefore,

Be it resolved by the General Assembly of the State of Iowa, That we are unqualifiedly opposed to the further extension of slavery, within the jurisdiction or by the sanction of the

General Government, and insist that Congress shall exert all constitutional power to preserve our national territory free.

Resolved, That our Senators in Congress be instructed, and our Representatives requested, to exert their influence and vote for the admission of Kansas into the Union as a free State, and to oppose its admission with a constitution establishing or tolerating slavery. Approved January 8, 1857.

Resolved by the general assembly of the State of Iowa, That our Senators in Congress be instructed, and our Representatives requested, to use their influence to have the independence of Liberia, in Africa, acknowledged by the Government of the United States.

Resolved, That a copy of the foregoing resolution be forwarded by the Secretary of State to each of our Senators and Representatives in Congress. Approved January 29, 1857.

The following clauses of the Constitution of the United States seem to be involved in the execution of the foregoing laws :

ARTICLE IV, section 2, clause 1. The citizens of each State shall be entitled to all privileges and immunities of citizens of the several States.

Clause 3. 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.

ARTICLE VI, clause 2. This Constitution, and the laws of the United States which shall be made in pursuance thereof, and all treaties made, or which shall be made under the authority of the United States, shall be the supreme law of the land; and the judges in every State shall be bound thereby, anything in the constitution or laws of any to the contrary notwithstanding.

Clause 3. The Senators and Representatives before mentioned, and the members of the several State Legislatures, and all executive and judicial officers, both of the United States and of the several States, shall be bound by oath or affirmation to support this Constitution; but no religious test shall ever be required as a qualification to any office or public trust under the United States.

But the resolutions of various States, which have been included, also, in this compilation, seem to go further, and involve the second clause of section 3, article IV, of the Constitution, which is in these words :

The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this Constitution shall be so construed as to prejudice any claims of the United States, or of any particular State.

N. B.—There were two Acts passed in OHIO in reference to "*fugitives from labor*," in the year 1857, but which were repealed the next year.



