Unit: 2

Title: *Fugitive Slaves Acts of 1793 and 1850*

Suggested Time: 3-5 days (45 minutes per day)

Common Core ELA Standards: RI.8.1, RI.8.2, RI.8.3, RI.8.4, RI.8.6, RI.8.10; W.8.2, W.8.4, W.8.9; SL.8.1; L.8.1, L.8.2, L.8.4, L.8.5

Teacher Instructions

**Preparing for Teaching**

1. Read the Big Ideas and Key Understandings and the Synopsis. Please do **not** read this to the students. This is a description for teachers about the big ideas and key understanding that students should take away **after** completing this task.

Big Ideas and Key Understandings:

No one is free from law. Laws impact people differently yet all are held accountable to upholding the law, regardless of the circumstances, and when one breaks said law, consequences must be enforced. In our history, unfair laws were passed to benefit one group to the detriment of another group.

Synopsis:

This selection provides an overview of two laws dealing with fugitives from slavery. The Fugitive Slave Act of 1793 establishes monetary penalties for protecting fugitives. The Fugitive Slave Act of 1850 addresses the same topic but is more detailed. It identifies those who could arrest and return fugitives, the legal status of fugitives, and the penalties for interfering with or refusing to assist in the captures of a fugitive. The writing also explains the practical applications of the 1850 law.

1. Read the entire selection, keeping in mind the Big Ideas and Key Understandings.
2. Re-read the text while noting the stopping points for the Text Dependent Questions and teaching Tier II/academic vocabulary.

**During Teaching**

1. Students read the entire selection independently.
2. Teacher reads the text aloud while students follow along or students take turns reading aloud to each other. Depending on the text length and student need, the teacher may choose to read the full text or a passage aloud. For a particularly complex text, the teacher may choose to reverse the order of steps 1 and 2.
3. Students and teacher re-read the text while stopping to respond to and discuss the questions, continually returning to the text. A variety of methods can be used to structure the reading and discussion (i.e., whole class discussion, think-pair-share, independent written response, group work, etc.)

Text Dependent Questions

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| **Text-dependent Questions** | **Evidence-based Answers** |
| What is the purpose of the introduction? | The purpose of the introduction is to tell readers why the act was rewritten. “As a result, the south demanded that more severe legislation be passed—hence, The Fugitive Slave Act of 1850” (p. 157). |
| What is the purpose of sections 1, 2, 3? | The purpose of sections 1, 2, and 3 are to inform the reader of the, “rules by which federal commissioners were appointed” and what the commissioners were “authorized and required” to do within this act. (p. 157) |
| What is the purpose of section 4? | The purpose of section 4 is to inform the reader of the “authority” that the commissioner had. Such authority includes arresting and returning alleged fugitives. The section also states that federal appointees determined the fugitive’s fate. These appointees were not from the fugitive’s community and the local courts had no say in determining what would happen to the alleged fugitive. (pg. 157) |
| According to Section 5, what is the Marshal liable for if a person escapes their custody? | If a person escapes the Marshal’s custody, he is liable for the “full value of the service or labor” of the fugitive. (p. 157) |
| Based on the information provided in section 5, how is a U.S. citizen impacted by this law? | Section 5 explains that any US Citizen could be deputized as a marshal and “do whatever was necessary to apprehend an alleged fugitive.” This marshal could not refuse this service despite it being against their rights. (p. 157) |
| According to Section 6, who are the alleged fugitives? | The alleged fugitives are the Slaves that have “supposedly fled” from their territory or state. (p. 157) The fugitive was alleged because he/she had not been convicted, however, due to the extreme biases within this act, an “alleged” fugitive was already considered guilty. “…prohibited an alleged fugitive from testifying at his or her own trial…the only admissible evidence was the testimony from the slave owner or his representative...the federal commissioners then judged whether that testimony was believable.” (p. 157-158) |
| The term ‘alleged’ means accused of doing something wrong or illegal but not yet proven guilty. In Section 6, why did the author use the word alleged to describe the fugitives? | The author chooses to use the word “alleged” as a way to highlight the opposite. These fugitives weren’t truly “alleged”. The federal commissioners determined the fate of these individuals but by not allowing them to testify at their own hearing, the commissioners made it clear that they didn’t care what the “alleged” fugitives had to say. In Section 6, Frederick Douglass is quoted saying that, “any two villains” can confine a free man to slavery. This insight allows the reader to see the point of view of an “alleged” fugitive and that they knew they were already convicted by the “villains”. p. 158) |
| According to section 6, what is common between northern and southern blacks? | Section 6 states that all Northern and Southern blacks were now considered slaves which meant that no blacks were safe so many fled to Canada. (p. 157) |
| According to Section 6, how does the language, “cradle of liberty”, impact the slaves understanding of the north? | The “cradle of liberty” was an area that free blacks could live in. The term “cradle” is associated with safety, comfort, and security however when this act was enacted, that safe place was no longer available. That idea of security had been taken away from them so many slaves fled to Canada. (p. 157) |
| According to Section 6, how does a free man become confined to a lifetime of slavery? | Using Section 6, the reader can explain that a free man could become confined for life as a slave once he was caught and taken to trial where, “The only admissible evidence was testimony from the slave owner or his representative…. In a speech on the Fugitive Slave Law of 1850, Frederick Douglass said that under this law the oaths of ‘any two villains’ were sufficient to confine a free man to slavery for life.” (p. 158) |
| According to Section 7, what are the consequences for interfering with the capture of a fugitive? | Section 7 tells readers that anyone caught interfering with the capture of a fugitive was “a fine ‘not exceeding one thousand dollars, and imprisonment not exceeding six months.’” (p. 158) |
| According to Section 8, what are the benefits to aiding in the capture of a fugitive? | Benefits to aiding in the capture of a fugitive are seen in Section 8 showing that there were “fees paid to officials for their part in the arrest, custody, and delivery of a fugitive to his or her owner.” In this case, it would be good for a person helping to capture fugitives because “the more people they arrested, the more money they earned.” (p. 158) |
| Describe the confliction for Northerners based on section 9. | Northerners before the Fugitive Slave Act of 1850 hadn’t had to deal with being involved in the conflict. Once it passed, Section 9 shows that even ordinary Northerners, ones not known as abolitionists, helped as shown by, “Seeing armed men on horses running down an unarmed person on foot forced them to make a choice between abiding by the law of the land and helping a fellow human being in trouble.” (p. 158) |

Tier II/Academic Vocabulary

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|  | **These words require less time to learn**  (They are concrete or describe an object/event/  process/characteristic that is familiar to students) | **These words require more time to learn**  (They are abstract, have multiple meanings, are a part  of a word family, or are likely to appear again in future texts) |
| **Meaning can be learned from context** | Page 157 – legislation  Page 157 – enforced  Page 157 – federal commissioners  Page 157 - warrants  Page 157 – admissible  Page 157 – prohibited  Page 157 - testimony  Page 158 - confine  Page 158 - imprisonment | Page 157 - fugitive  Page 157 - liable |
| **Meaning needs to be provided** | Page 157 - conferred  Page 157 - claimant  Page 157 - Mason Dixon Line  Page 158 - appointed  Page 158 - appointee  Page 158 - oaths | Page 157 - alleged  Page 157 - empowerment  Page 157 - deputized  Page 157 - cradle of liberty  Page 157 - posse  Page 157 - apprehend  Page 158 - abiding |

Culminating Writing Task

* Prompt

*During the time of slavery in our country, unfair laws were passed to benefit one group to the detriment of other groups. Discuss the implications of the Fugitive Slave Act of 1850 on the following groups of people: the Southerners, the Northerners, and the Slaves. How did this act benefit or harm these groups?*

* Teacher Instructions

1. Students identify their writing task from the prompt provided.
2. Students complete an evidence chart as a pre-writing activity. Teachers should remind students to use any relevant notes they compiled while reading and answering the text-dependent questions.

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| ***Evidence***  ***Quote or paraphrase*** | ***Page number*** | ***Elaboration / explanation of how this evidence supports ideas or argument*** |
| “The commissioners were then ‘authorized and required to exercise and discharge all the powers and duties conferred by this act’” and these “commissioners also had the right to arrest and return alleged fugitives.” | 157 | This quote shows how the act forced all parties involved into certain roles to uphold the law. |
| Section 5 explains that any US Citizen could be deputized as a marshal and “do whatever was necessary to apprehend an alleged fugitive.” This marshal could not refuse this service despite it being against their rights. | 157 | This quote shows how all men were expected to uphold this law; therefore, any could be deputized and forced to arrest fugitive slaves when necessary. |
| The alleged fugitives are the Slaves that have “supposedly fled” from their territory or state. (p. 157) The fugitive was alleged because he/she had not been convicted, however, due to the extreme biases within this act, an “alleged” fugitive was already considered guilty. “…prohibited an alleged fugitive from testifying at his or her own trial…the only admissible evidence was the testimony from the slave owner or his representative...the federal commissioners then judged whether that testimony was believable.” (p. 157-158) | 157-158 | This quote shows how the slaves were guilty before they even reached a justice system. They were not “alleged” fugitives, they were fugitives. |
| In Section 6, Frederick Douglass is quoted saying that, “any two villains” can confine a free man to slavery. | 158 | This insight allows the reader to see the point of view of an “alleged” fugitive and that they knew they were already convicted by the “villains.” |
| Section 6 states that all Northern and Southern blacks were now considered slaves which meant that no blacks were safe so many fled to Canada. | 157 | This piece of evidence gives insight into the idea that you were considered a slave regardless of where you lived in connection to the Mason-Dixon Line. |
| The “cradle of liberty” was an area that free blacks could live in. The term “cradle” is associated with safety, comfort, and security however when this act was enacted, that safe place was no longer available. That idea of security had been taken away from them so many slaves fled to Canada. | 157 | This shows how slaves were no longer safe anywhere and they had to live in the fear of being taken to a “justice” system. |
| “The only admissible evidence was testimony from the slave owner or his representative…. In a speech on the Fugitive Slave Law of 1850, Frederick Douglass said that under this law the oaths of ‘any two villains’ were sufficient to confine a free man to slavery for life.” | 158 | Again, this quote highlights the inequality of commissioners versus the slaves. |
| Section 7 tells readers that anyone caught interfering with the capture of a fugitive was “a fine ‘not exceeding one thousand dollars, and imprisonment not exceeding six months.’” | 158 | This shows the consequence of interfering with the capture of a fugitive. |
| Benefits to aiding in the capture of a fugitive are seen in Section 8 showing that there were “fees paid to officials for their part in the arrest, custody, and delivery of a fugitive to his or her owner.” In this case, it would be good for a person helping to capture fugitives because “the more people they arrested, the more money they earned.” | 158 | This shows the benefit in aiding in the capture of a fugitive. |
| “Seeing armed men on horses running down an unarmed person on foot forced them to make a choice between abiding by the law of the land and helping a fellow human being in trouble.” | 158 | This shows the conflict Northerners, even ones not thought of as abolitionists, would have felt in following the law, or going against it by helping a fugitive. |

1. Once students have completed the evidence chart, they should look back at the writing prompt in order to remind themselves what kind of response they are writing (i.e. expository, analytical, argumentative) and think about the evidence they found. (Depending on the grade level, teachers may want to review students’ evidence charts in some way to ensure accuracy.) From here, students should develop a specific thesis statement. This could be done independently, with a partner, small group, or the entire class. Consider directing students to the following sites to learn more about thesis statements: http://owl.english.purdue.edu/owl/resource/545/01/ OR http://www.indiana.edu/~wts/pamphlets/ thesis\_statement.shtml.
2. Students compose a rough draft. With regard to grade level and student ability, teachers should decide how much scaffolding they will provide during this process (i.e. modeling, showing example pieces, sharing work as students go).
3. Students complete final draft.

* Sample Answer

During the time of slavery in our country, unfair laws were passed to benefit one group to the detriment of other groups. The Fugitive Slave Act of 1850 had many implications (good and bad) on the following groups of people: the Southerners, the Northerners, and the Slaves.

A negative implication the Fugitive Slave Act of 1850 had on the Southerners is seen in Section 7, where it tells readers that anyone caught interfering with the capture of a fugitive was “a fine ‘not exceeding one thousand dollars, and imprisonment not exceeding six months’” (p. 158). This shows the consequence of interfering with the capture of a fugitive. Even if you did not believe in the Fugitive Slave Act of 1850, the price was steep if you went against the law.

An important implication the Act of 1850 had on the Northerners could be seen as a positive one because of the benefits to aiding in the capture of a fugitive seen in Section 8 showing that there were “fees paid to officials for their part in the arrest, custody, and delivery of a fugitive to his or her owner.” In this case, it would be good for a person helping to capture fugitives because “the more people they arrested, the more money they earned” (p. 158). This section shows readers that people following through with the enforcement of the Act benefitted in a monetary way, which could be a great incentive for people worrying about their own livelihoods.

One negative implication the Fugitive Slave Act of 1850 had on the Slaves is seen on pages 157 and 158 where the document explains that the “alleged fugitives” are the slaves that have “supposedly fled” from their territory or state. The fugitive was alleged because he/she had not been convicted. However, due to the extreme biases within this act, an “alleged” fugitive was already considered guilty: “…prohibited an alleged fugitive from testifying at his or her own trial…the only admissible evidence was the testimony from the slave owner or his representative...the federal commissioners then judged whether that testimony was believable” (p. 157-158). This quote shows how the slaves were guilty before they even reached a justice system. They were not “alleged” fugitives; they were definitely fugitives according to the Act.

The Fugitive Slave Act of 1850 was clearly one that hit the country and its differing populations very hard. Whether you were a Southerner, Northerner, or a Slave, you would have definitely have been affected in some way by the enforcement of such an Act.

Additional Tasks

* *What would you do if you encountered a fugitive slave? Explain how the consequences would affect your decision?*
  + Answer: Students should use the Fugitive Slave Acts to help them realize the legal consequences of aiding a fugitive slave or turning them over to the law. They can also add in their current understanding of human rights.
* *Research Harriet Tubman and connect the impact of this Act to the slaves' choices.*
  + Answer: Students should research Tubman’s work in rescuing fugitive slaves through the Underground Railroad. Then they can tie that understanding into the very few choices slaves had during the time period of the Fugitive Slave Act of 1850. Could they stay and hide in the south? Was there anywhere safe in the north, or “cradle of liberty?” Could they find refuge in Canada by escaping on the Underground Railroad?
* *What are the differences between sections 1-4 and 5-10 in this document?* 
  + Answer: Sections 1-4 include the rules and regulations for catching the fugitives as said in Section 1-3, these sections “established the rules by which federal commissioners were appointed.” This explained who would be chosen to catch the fugitives. In Section 4, the reader also sees more regulations such as, “appointed federal commissioners [were given] the authority to arrest and return alleged fugitives to the state or territory from which they had supposedly fled.” The difference in Sections 5-10 is that they show the consequences for following said regulations, or going against them. Section 5 “listed the penalties for failure to comply warrants issued under the act…,” Section 6 “prohibited an alleged fugitive from testifying at his or her own trial,” and Section 9 “stated that if the claimant suspected that an attempt would be made to rescue the fugitive by force, the arresting officer was required to keep the fugitive in custody, take him back to the state he fled, and deliver him to his ‘owner.’” (p. 157-158).

Note to Teacher

* We recommend that the students have a fairly solid understanding of the term *alleged* before they tackle the third question.
* We recommend that the students read the "background" on pg 156 to build context.

Supports for English Language Learners (ELLs) to use with Anthology Alignment Lessons

When teaching any lesson, it is important to make sure you are including supports to help all students. We have prepared some examples of different types of supports that you can use in conjunction with our Anthology Alignment Lessons to ensure ELLs can engage fully with the lesson. While these supports reflect research in how to support ELLs, these activities can help ALL students engage more deeply with these lessons. Note that some strategies should be used at multiple points within a lesson; we’ll point these out. It is also important to understand that these scaffolds represent options for teachers to select based on students’ needs; it is not the intention that teachers should do *all* of these things at every lesson.

**Before reading:**

* Read passages, watch videos, view photographs, discuss topics (e.g., using the [four corners strategy](http://www.theteachertoolkit.com/index.php/tool/four-corners)), or research topics that help provide context for what your students will be reading. This is especially true if the setting (e.g., 18th Century England) or topic (e.g., boats) is one that is unfamiliar to the students.
* Provide explicit instruction, using multiple modalities, on selected vocabulary words that are *central to understanding the text*. When looking at the lesson plan, you should note the Tier 2 words, particularly those words with high conceptual complexity (i.e., they are difficult to visualize, learn from context clues, and are abstract), and consider introducing them ahead of reading. For more information on selecting such words, go [here](https://achievethecore.org/page/3167/selecting-and-using-academic-vocabulary-in-instruction). **You should plan to continue to reinforce these words, and additional vocabulary, in the context of reading and working with the text. (See additional activities in the During Reading and After Reading sections.)**

**Examples of Activities:**

* Provide students with the definition of the words and then have students work together to create [Frayer models](http://www.theteachertoolkit.com/index.php/tool/frayer-model) or other kinds of word maps for the words.
* When a word contains a prefix or suffix that has been introduced before, highlight how the word part can be used to help determine word meaning.
* Keep a word wall or word bank where these new words can be added and that students can access later.
* Have students create visual glossaries for whenever they encounter new words. Then have your students add these words to their visual glossaries.
* Create pictures using the word. These can even be added to your word wall!
* Create lists of synonyms and antonyms for the word.
* Have students practice using the words in conversation. For newcomers, consider providing them with [sentence frames](https://achievethecore.org/page/3159/ell-supports-for-writing-and-discussion) to ensure they can participate in the conversation.
* Use graphic organizers to help introduce content.

**Examples of Activities:**

* Complete a [Know, Want to Learn, Learned (KWL) graphic organizer](http://www.nea.org/tools/k-w-l-know-want-to-know-learned.html) about the text.
* Have students research the setting or topic and fill in a chart about it. You could even have students work in groups where each group is assigned part of the topic.
* Fill in a bubble map where they write down anything that they find interesting about the topic while watching a video or reading a passage about the topic. Then students can discuss why they picked the information.

**During reading:**

* Allow ELLs to collaborate in their home languages to process content before participating in whole class discussions in English. Consider giving them the discussion questions to look over in advance (perhaps during the first read) and having them work with a partner to prepare.
* Allow ELLs to use English language that is still under development. Students should not be scored lower because of incorrect spelling or grammar (unless the goal of the assignment is to assess spelling or grammar skills specifically). When grading, be sure to focus on scoring your students only for that objective.
* Scaffold questions for discussions so that questioning sequences include a mix of factual and inferential questions and a mix of shorter and more extended responses. Questions should build on each other and toward inferential and higher order thinking questions. There are not many factual questions already listed in the lesson instructions, so you will need to build some in as you see fit. More information on this strategy can be found [here](https://achievethecore.org/aligned/creating-sequencing-text-dependent-questions-support-english-language-learners/).
* Provide explicit instruction, using multiple modalities, on selected vocabulary words (e.g., 5–8 for a given text) that are central to understanding the text. During reading, you should continue to draw attention to and discuss the words that you taught before the reading.

**Examples of Activities:**

* Have students include the example from the text in a student-created glossary.
* Create pictures that represent how the word was used in the passage.
* Create sentences using the word in the way it was used in the passage.
* Have students discuss the author’s word choice.
* Examine important sentences in the text that contribute to the overall meaning of the text.
* Examine sentence structure of a particular sentence. Break down the sentence to determine its meaning. Then determine how this sentence contributes to the overall meaning of the passage. Determine if there is any figurative language in the sentence and have students use context clues to determine the meaning of the figurative language.
* Use graphic organizers to help organize content and thinking.

**Examples of Activities:**

* While reading the text, have students fill in a story map to help summarize what has happened.
* Have students fill in an evidence chart while they read to use with the culminating writing activity. Make sure to model with the students how to fill in the evidence chart by filling in the first couple of rows together as a class. Go over the prompt that the evidence should support, making sure to break down what the prompt means before having the students get to work. If some of your students frequently struggle to understand directions, have the students explain the directions back to you.
* Provide somewhere for students to store new words that they encounter. Students could use a chart to keep track of these new words and their meanings as they read.
* If you had students start a KWL before reading, have them fill in the “L” section as they read the passage.

**After reading:**

* Reinforce new vocabulary using multiple modalities.

**Examples of activities:**

* Using the words that you had students work with before the reading, require students to include the words in the culminating writing task.
* Create Frayer models with the words. Then cut up the Frayer models and have the students put the Frayer models back together by matching the pieces for each word.
* After reading the passage, continue to examine important sentences (1–2) in the text that contribute to the overall meaning of the text. Guide students to break apart these sentences, analyze different elements, and determine meaning. More information on how to do this, including models of sentence deconstruction, can be found [here](https://achievethecore.org/page/3160/juicy-sentence-protocol).
* When completing the writing assignments after reading, consider using these scaffolds to support students depending on their English proficiency.

**Examples of Activities:**

* For all students, go over the prompt in detail making sure to break down what the prompt means before having the students get to work. Then have the students explain the directions back to you.
* Have students create an evidence tracking chart during reading, then direct them to look back over their evidence chart and work with a group to see if their evidence matches what the rest of the class wrote down. If some of the chart does not match, students should have a discussion about why.
* For students who need more support, model the proper writing format for your students and provide them with a properly formatted example for reference.
* For newcomers, you may consider creating sentence or paragraph frames to help them to write out their ideas.