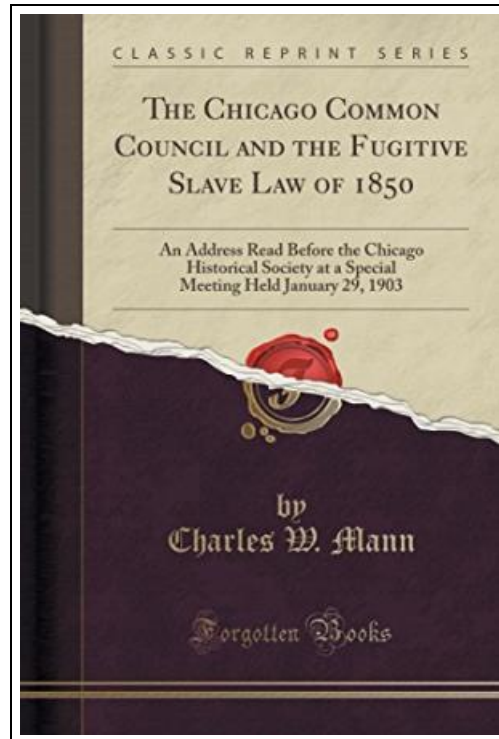


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Forgotten Books, 2018. Paperback. Condition: New. Language: English . Brand New Book ***** Print on Demand *****. Excerpt from The Chicago Common Council and the Fugitive Slave Law of 1850: An Address Read Before the Chicago Historical Society at a Special Meeting Held January 29, 1903 Justice Story, maintained that the law of Pennsylvania was unconstitutional, because it purported to punish as a public offense against that State, the act of seizing and removing a slave, which act the Constitution of the United States was designed to justify and uphold. This decision stated further that the right of a citizen of a slave-holding State to the recovery of his fugitive slave was a fundamental right granted by the Constitution. The purpose of the law was to guard this species of property against the doctrines prevailing in the non-slave-holding States, and to prevent intermeddling, obstruction, or abolition of the rights of slave owners. The Act of Feb. 12, 1793, was clearly constitutional in all of its provisions, and, with the exception of that part which conferred authority on State magistrates, was free from reasonable doubt or difficulty. The court entertained no difference of opinion upon the powers of State magistrates under the law. State magistrates might, if they chose, exercise the authority, unless prohibited by the State Legislatures. But the clause relating to fugitive slaves was found in the National Constitution and not in that of any State, and to insist that States were bound to provide means to carry into effect the duties of the National Government nowhere delegated to them, might well be deemed an unconstitutional exercise of the power of interpretation. The National Government is bound through its own proper departments to carry into effect the rights and duties imposed upon it...

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