

**Lesson:** Rights and Responsibilities, Is It Breaking the Law?

**Grade:** 3<sup>rd</sup>, 4<sup>th</sup>, 8<sup>th</sup>, adaptable to all

**Meets these Social Studies Content Standards:**

**History (Civil War and Reconstruction)**

8<sup>th</sup>. Explain the causes of the Civil war with emphasis on: a. Slavery; b. States' rights; c. The different economies of the North and South; e. The abolitionist movement and the roles of Frederick Douglass and John Brown;

**People in Societies (Interaction)**

4<sup>th</sup>. Explain the reasons people came to Ohio including: c. Freedom from political and religious oppression.

8<sup>th</sup>. Analyze the economic, geographic, religious and political factors that contributed to: a. The enslavement of Africans in North America; b. Resistance to slavery.

**Citizenship Rights and Responsibilities (Participation)**

3<sup>rd</sup>. Demonstrate effective citizenship traits including: a. Civility; b. Respect for the rights and dignity of each person; e. Compassion; f. Persistence in achieving goals

3<sup>rd</sup>. Describe the responsibilities of citizenship with emphasis on: b. Obeying laws; c. Respecting the Rights of Others.

8<sup>th</sup>. Show the relationship between participating in civic and political life and the attainment of individual and public goals including: b. The Underground Railroad and the abolitionist movement/Abolition of slavery.

**Citizenship (Rights and Responsibilities)**

4<sup>th</sup>. Explain why person responsibilities (e.g., taking advantage of the opportunity to be educated) and civic responsibilities (e.g., obeying the law and respecting the rights of others) are important.

**Social Studies Skills and Methods (Obtaining Information)**

3<sup>rd</sup>. Obtain information about local issues from a variety of sources including: b. photos; c. oral histories; e. letters; f. artifacts; g. documents

4<sup>th</sup>. Use primary and secondary sources to answer questions about Ohio history.

8<sup>th</sup>. Compare accuracy and point of view of fiction and nonfiction sources about a particular era or event.

**Social Studies Skills and Methods (Thinking and Organizing)**

4<sup>th</sup>. Identify main ideas and supporting details from factual information.

**Social Studies Skills and Methods (Problem Solving)**

3<sup>rd</sup>. Use a problem-solving/decision-making process which includes: a. identifying a problem; b. gathering information; c. listing and considering options; d. considering advantages and disadvantages of options

**Glossary:**

**abolition.** The act of bringing something to an end, or abolishing it – such as slavery.

**abolitionist.** A person who called for the immediate end to slavery. People who campaigned for the abolition of slavery.



**agent** . A person who aided slaves and acted in their behalf. A person who plotted the course of escape for fugitive slaves.

**anti-slavery.** One who is opposed to one human being owning another.

**Anti-Slavery Society.** An organization founded to abolish slavery.

**arrest.** To seize and hold by authority of the law.

**bondage.** Lack of freedom, slavery.

**bounty.** A reward offered in exchange of something.

**captive.** A prisoner.

**captor.** A person who takes or holds a prisoner.

**concealed.** Kept out of sight or hidden from discovery.

**conductor.** A person who aided or directly transported slaves.

**constable.** A peace officer or policeman.

**constitution.** The basic written principals according to which a nation is governed. Basic laws and principles of a nation.

**constitutional amendment.** A change to the constitution.

**Deed of Emancipation.** A legal document that grants freedom.

**document.** A written or printed statement that give proof and information about something.

**emancipation.** The act of freeing or being freed.

**Emancipation Proclamation.** President Lincoln’s declaration that freed the slaves in the South.

**engineer.** A conductor, a person who lead slaves.

**escape.** To get away, to get free.

**freedom.** To have liberty. To be free to move about and act.

**fugitive slave.** A slave who has run away and is avoiding capture.

**Fugitive Slave Acts of 1793 and 1850.** Laws that required all citizens to help catch runaway slaves. Those who assisted runaways could be fined or jailed.

**liberty.** Freedom. The power to do as one pleases.

**Negro.** A person belonging to any of the black races of Africa.

**Northwest Ordinances of 1787.** A federal ordinance that among other things, did not allow slavery within the Northwest Territory.

**Northwest Territory.** A territory of the United States that eventually became Ohio, Michigan, Indiana, Illinois, Wisconsin, and part of Minnesota.

**obstruct justice.** To stand in the way of the law.

**operator.** A person who aided fugitive slaves as a conductor or agent on the Underground Railroad.

**owner.** A person who purchases and owns slaves as laborers.

**patroller.** A person who moved about an area for observation or security, looking for runaway slaves or those who helped them.

**pro-slavery.** A person who is in favor of human bondage of is sympathetic to the South.

**refugee slave.** A person who flees from one place to find safety or protection in another. A fugitive slave, a runaway.

**rescue.** To free or save from harm.

**reward.** Money returned or given for the return of lost property or the capture of something. In the case of slavery, for the return of refuge slaves.



**slave.** A person who is the property of another person and who is forced to work for his/her owner and can be bought or sold like any other property.

**slavery.** The practice of owning slaves. The practice of owning human beings as property, or the condition of being a slave.

**station.** A safe place, temporary refuge, safe house, or hiding place.

**station master.** A person in charge of a hiding place.

**trial.** The examining and deciding of a case that is brought to a court of law.

**underground railroad.** A network of trails, roads, and sea routes along which slaves escaped from slave states to free states for freedom.

**warrant.** A written document authorizing an arrest.

### **Methods:**

Direct, Investigative, Cooperation, Collaboration

**Activity:** Rights and Responsibilities, Is It Breaking the Law?

### **Opening Statement:**

Rev. John Mahan, Rev. John Rankin, and others in Brown County, Ohio were not just making a choice to help slaves to freedom; they were making a conscious choice to break the law. The case of abolitionist John Mahan illustrates the fine line between “doing the right thing” (his conscience) and “breaking the law,” his capture, arrest, trial, and the results that followed. People involved with the Underground Railroad broke the law every time they helped a runaway. This not only put them in danger of going to jail but also their family (some were left destitute).

### **Activity:**

Was John Mahan’s decision to assist slaves in their quest for freedom based on conscience or law? Read the worksheet, “Incident of John Mahan.” Discuss the issues: Was slavery an issue of the South only? Should northerners have been concerned about slavery? Was this a simple issue? Should slaves have run away? Should slaves have been assisted to freedom? Should slave-owners have had the right to recover their slaves? Is it ok to lie to protect a hidden slave? Is it ok to lie to get one’s slaves back? The class becomes judge and jury as they hear about and discuss the case of Mahan deliberately breaking the law in order to help slaves to escape. Students may role-play different situations to come to conclusions. Choose and answer one the question on the worksheet.

Library Exercise: Go to the library and request the microfilm rolls of the Cincinnati *Philanthropist*, and/or the Cincinnati *Gazette*, September and October 1838, to read a broader account of the Mahan arrest and trial.

### **Materials:**

Worksheet: Fugitive Slave Act of 1793 and 1850

Worksheet: Incident of John Mahan

Rankin House is operated by the Ohio Historical Society, a nonprofit organization that serves as the state’s partner in preserving and interpreting Ohio’s history, archaeology, and natural history.



## WORKSHEET: Fugitive Slave Laws

### Fugitive Slave Act of 1793 Highlights

- Slave owners have legal right to seize or arrest their slaves in free states without a warrant
- State governments were not obligated to assist them.
- Must prove to judge or county magistrate by oral testimony or affidavit that slave belongs to slaveholder
- Slave can not testify
- Anyone guilty of obstructing a catch, harboring or concealing an escaped slave can be subject to \$500 fine and up to one year in jail. [Cincinnati enforced this law after riots in 1829]

### Fugitive Slave Law of 1850 Highlights (Not in effect at the time of the Mahan trial)

- From the U.S. Congress Compromise of 1850. Came about directly because of the impact of the Underground Railroad.
- New law allowed slave owners to demand assistance from any state or citizen
- Specified jail sentences and fines for any person caught aiding a runaway slave.

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## WORKSHEET: Incident of John Mahan

John Bennington Mahan lived in Sardinia in Brown County, Ohio, twenty-one miles north of Ripley. Mahan owned a Temperance Tavern. Mahan was an abolitionist who believed that slavery and the treatment of slaves was wrong and the institution of slavery should be stopped.

Mahan was part of a network of persons who would assist fugitive slaves as they traveled along their way to freedom. People who assisted fugitives were often referred to as conductors. Assistance could take many forms as the fugitives arrived at the their doors: Fugitive slaves could be fed, or clothed, or housed, or hidden, or given directions to the next safe refuge, or even transported to the next point. The people who assisted them did this at great risk of arrest, fines, and imprisonment for it was against the law.

This network of helpers was called the Underground Railroad. The Underground Railroad was neither underground nor affiliated with any railroad. It was a term used to describe a *secret network* of places where fugitive slaves could stop and be helped along the way throughout their journey to freedom. Thousands of slaves attempted escape to northern (free) states and Canada and also to the south to Mexico and the Caribbean Islands during this period through 1865 (when they were all freed).

In 1838 using a white man and a black woman as decoys, William Greathouse, a slave-owner, traced two of his slaves to John Mahan. Mahan answered the door and was told that the black woman was trying to locate and follow her husband, could he help? He offered assistance and directions to the next point. The couple reported their findings to Greathouse.

In September 1838, Greathouse, before a Kentucky grand jury, accused John Mahan, of coming into Kentucky and aiding and assisting his slaves John and Nelson, out of and beyond the state of Kentucky. (Mahan had not been in the state of Kentucky for several years.) A warrant was issued and Mahan was arrested at his home and taken to Mason County, Kentucky to stand trial. It was hoped that in taking Mahan to trial that the links along the Underground Railroad would be exposed. Mahan spent ten weeks there in jail awaiting trial.

The citizen of Brown County and the Ohio Anti-Slavery Society sent lawyers to defend Mahan. In the high profile trial, Mahan was tried and found innocent of the charges. During this time the circumstances and trial were covered in many of the abolitionist newspapers such as the Cincinnati *Philanthropist* and the Cincinnati *Gazette*. Reports of the events spread nationally. Later in civil court, the slave-owner Greathouse sued Mahan. Mahan was ordered to pay \$1600 for the loss of Greathouse's slaves.

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On a separate piece of paper, answer *one* of the two following questions and defend your answer.

1. Was Rev. John Mahan doing the right and responsible thing in assisting fugitive slaves? Explain.
2. Was Rev. John Mahan breaking the law in assisting fugitive slaves? Explain.

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