



**The Trial  
of  
Anthony  
Burns**

**ENGLISH**

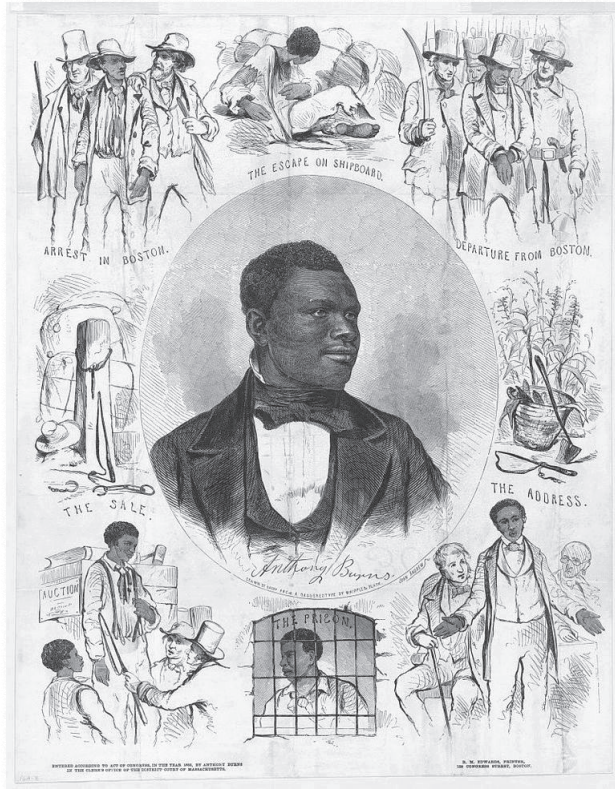
**HAITIAN CREOLE**

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**TheatreEspresso** 

## The Trial of Anthony Burns

Before the Civil War, many people in Massachusetts supported the abolitionist movement, which opposed slavery. But because of the Fugitive Slave Act of 1850, state judges in free states like Massachusetts were required to return runaway slaves to their owners in the South.



In 1854, a slave named Anthony Burns escaped to Boston where he lived as a free man until he was captured and placed on trial. Before the trial, local residents gathered at Faneuil Hall for a freedom rally that erupted into a violent riot outside the Courthouse, where Burns was held.

During the trial, Richard Henry Dana and a team of Boston lawyers fiercely defended Burns' right to freedom. As a judge, Edward G. Loring felt obligated to follow the Fugitive Slave Law and ruled that Burns must be returned to his Southern master. His decision enraged citizens across Massachusetts, and inspired many people across the North to become abolitionists. Outrage over the Burns case made it a key event leading to the Civil War.

## Pwosè Anthony Burns

Avan lagè sivil ki te bay gwo kè sote nan peyi Etazini, anpil moun nan eta Massachusetts te kont zafè lesklavaj. Men akòz de yon lwa espesyal sou Esklav Mawon [Fugitive Slave Act (1850)], jij nan eta yo te dwe retounen esklav mawon bay mèt yo nan sid.



Robert Morris

Pandan pwosè a, Richard Henry Dane ak yon gwoup solid avoka nan Boston defann dwa mousye Burns pou l yon sitwayen lib. Men, jij Edward C. Loring te pran desizyon pou l retounen ansyen esklav la bay mèt li nan sid. Desizyon sa a mete tout moun nan Massachusetts an kòlè e fè anpil nan yo vin abilisyonis. Endiyasyon ka sa a pote, fè yo konsidere l tankou yon kòz prensipal gè sivil ki te pral dechire peyi a, kèk tan apre.

An 1854, yon esklav, qui te pote non Anthony Burns, sove epi li vin chwe nan eta Massachusetts. Yo arete l, mete l nan prizon anatanndan l pase devan jij. Avan pwosè a, moun nan zòn nan reyini nan yon yon lokal kote mache vil la te sitiye. Kay sa a te gen non « Faneuil Hall ». Nan reyinyon sa a yo te diskete epi planifye yon manifestasyon pou yo mande liberasyon prizonnye a. Mouvan pwotestasyon sa a te transfòme an yon soulèvman devan tribinal kote otorite yo te fè fèmèn A. Burns.

*The Trial of Anthony Burns* starts in 1858, four years after the Burns trial, when the Massachusetts Legislature tried to remove Loring from his position for his unpopular decision in the Burns Case. In the play you will act as a member of the Massachusetts Legislature. You will view a dramatization of the case, interview characters, debate the issues with your classmates, and vote on whether or not Loring will keep his position as judge.

### Questions to consider

- Should a judge be punished for enforcing a law that many people believe is immoral?
- Who should decide what is moral and what is immoral?
- What are the implications of removing a judge who makes an unpopular decision?
- Is it more important to follow the law or your own conscience?
- Should a state have to follow a federal law that goes against its own local laws?
- Should the life of one man be placed in jeopardy to help others? If so, under what circumstances?

#### Arguments for

#### Arguments against

*Pwosè mesye Anthony Burns* kòmanse an 1858. Katran apre pwosè a, asanble lejislatif nan eta Massachussetts eseye revoke jij Loring sou baz move desizyon li te pran nan ka mousye Burns. Lan pyès teyat sa a, ou pral fè tankou w se yon manm asanble a. Ou pral wè yon repwodiksyon pwosè a. Pran yon tan pou pale ak aktè yo. Brase lide ak lòt elèv yo epi vote si w ap kenbe jij Loring nan plas li.

### Kèk kekasyon pou ta konsidere ?

- Eske nou dwe pini yon jij paske li fè respekte yon lwa ke tout moun panse ki pa respekte yon prensip moral ?
- Kimoun ki ta dwe deside sa ki moral ousnon sak pa moral ?
- Ki konsekans revokasyon yon jij nan yon ka konsa ?
- Eske li pi empòtan pou obsève lalwa ousnon pou ajì ak konsyans ou ?
- Eske yon eta ta dwe fè respekte yon lwa ki pa an akò avek pwòp règleman pa l'?
- Eske nou dwe mete lavi yon moun andanje pou n ka ede lòt frè ak sè ? Si wi, nan ki sikonstans ?

#### Rezon Moun ki anfavè

#### Rezon Moun ki Kont

**March 1854:** Anthony Burns, an escaped slave from Virginia, arrives in Boston.

**Wednesday, 24 May:** Burns is arrested as a suspect in a jewelry store robbery. At the Courthouse, Burns is confronted by his owner, Charles Suttle. Burns acknowledges Suttle by calling him “master.”

**25 May:** Attorney Richard Henry Dana offers to defend Burns. Burns refuses, as he fears his punishment will be worse if the case goes to trial and he loses. But Wendell Phillips convinces Burns to move forward with the trial, despite doubts that Burns will win the case.

**26 May:** Over 2000 abolitionists meet at Faneuil Hall. The crowd marches to the Courthouse and breaks down a door. In the chaos, a guard named James Batchelder is killed. Nine or ten attackers are arrested.

**27 May:** The mayor orders U.S. troops to guard the Courthouse, making it difficult for Burns’ lawyers to enter. Meanwhile, Reverend Grimes arranges to purchase Burns from Suttle to avoid a trial and secure Burns’ freedom. He collects money from local supporters.

**29 May:** Suttle’s lawyer informs him that it is illegal to buy or sell a slave in Massachusetts. Suttle backs out of the agreement with Grimes. The court proceedings begin.

**29-31 May:** Burns’ lawyers try to prove that Burns is not the same man who escaped from Virginia. They present nine witnesses who testify that they saw Burns in Boston before the date that Suttle claims he escaped.

**1 June:** Judge Loring announces his decision. Based on Burns’ conversation with Colonel Suttle on the night of his arrest (when Burns called him “master”), his identity is established. Loring orders Burns to return to slavery in Virginia.

**2 June:** Burns is brought to a ship bound for Virginia. The city is placed under martial law for most of the day, as 50,000 people line the streets to witness Burns’ departure.

**Mwa mas 1854 :**Anthony Burns, yon esklav ki sove pou l chape move lavi nan eta Virginia, rive Boston

**Mèkredi 24 me :** Yo arete A Burns tankou yon moun yo sispèk nan volè bijou. Nan Tribinal la, Burns rankontre epi rekonèt Charles Suttle ke l rele “Mèt”

**25 me:** Avoka Richard Henry Dana, ofri sèvis li pou l defann ansyen esklav la. Anthony Burns refize paske li panse pinisyon ap grav nèt si l pèdi pwosè a. Men apre yon chita tandè avek Wendell Philips mesye Burns chanje lide malgre dout ki te genyen sou rezilta a.

**26 me :** Pase 2000 moun ki kont leskklavaj rankontre nan yon mache piblik , Faneuil Hall. Foul la mache sou tribinal la kote yo enfonse yon pòt. Nan dezòd sa a sitwayen James Batchelder jwenn lamò l. Nèf ousinon dis atoufè jwenn arestasyon yo.

**27 me :** Majistra vil la mande lame pou l pwoteje tribinal la. Avoka prizonnye a pa kapab antre nan tribinal la. Anmèmtan reveran Grimes fè yon aranjman ak Suttle pou l achte Burns, evite yon pwosè epi bay mesye Burns libète l. Li ranmase lajan lan men kèk senpatizan.

**29 me :**Avoka mesye Suttle enfòmè l ke se kont lalwa pou moon achte ak vann esklav nan eta Massachussetts. Suttle chanje lide l sou zafè achte Burns lan. Pwosè a kòmanse.

**29-31 me :** Avoka defans la eseye pwouve Burns pa menm moun ki te sove de plantasyon nan leta Virginia. Yo prezante nèf temwen ki fè depozisyon ke yo te wè mesye Burns bò isit nan Massachussettt avan dat Suttle di li te mawon an.

**Premye Jen :** Jij la anonse desizyon l. Li di nou konnen idantite mesye burns lè li rele Suttle « Mèt » jou swa yo te arete l la. Jij Loring bay lòd pou Burn retounen nan lesklavaj an Virginia.

**2 jen :** Yo ambake Burns sou yon bato pou yo ekspedye l an Virginia. Otorite yo mete vil la sou « lwa masyal », Pase senkant mil sitwayen kanpe sou de bò lari pou asiste gwo evenman sa a.

1. The initial charge against Burns – robbing a shop – was never brought up after his arrest. Could there have been another reason he was arrested? If so, what?
2. Did Burns’ lawyers really think that he was a different person? If not, why did they try to prove that he was someone else?
3. If the Fugitive Slave Law required Loring to return Burns, how could he have decided to let him stay?
4. What evidence did Loring use to prove Burns’ identity?
5. Besides defending him during the trial, what tactics did the abolitionists use to try to free Burns?

6. Why were so many people interested in the outcome of this trial?

**CAUTION!!**  
**COLORED PEOPLE**  
**OF BOSTON, ONE & ALL,**  
 You are hereby respectfully CAUTIONED and  
 advised, to avoid conversing with the  
**Watchmen and Police Officers**  
**of Boston,**  
 For since the recent **ORDER OF THE MAYOR &**  
**ALDERMEN,** they are empowered to act as  
**KIDNAPPERS**  
**AND**  
**Slave Catchers,**  
 And they have already been actually employed in  
**KIDNAPPING, CATCHING, AND KEEPING**  
**SLAVES.** Therefore, if you value your **LIBERTY,**  
 and the *Welfare of the Fugitives* among you, *Shun*  
 them in every possible manner, as so many **HOUNDS**  
 on the track of the most unfortunate of your race.  
**Keep a Sharp Look Out for**  
**KIDNAPPERS, and have**  
**TOP EYE open.**  
**APRIL 24, 1851.**



1. Burn pa jwenn jijman pou sa yo te arete la (vòl nan yon boutik). Eske yo te arete l pou yon lòt rezon ? Si se sa, pouki rezon ?
2. Eske avoka yo vrèman te panse mousye te yon lòt moun ? Si se sa, Poukisa yo te eseye fè li pase pou yon lòt moun ?
3. Si lwa sou Esklav Mawon (1850) ekzije Loring pou l retounen esklav mawon bay mèt yo, kouman pou l ta deside kite burns rete Boston ?
4. Ki endis Loring itilize pou l pwouve idantite Burns ?
5. Anplis ke yo defann Burns, ki lòt taktik senpatizan yo itilize pou mousye Burns te ka jwenn libète ?
6. Poukisa tout moun sa yo te enterese nan rezilta pwosè sa a ?

**Abolition Movement:** a social movement made up of people trying to end slavery in the United States.

**Abolitionist:** someone fighting to end slavery.



Thomas Wentworth Higginson

**Compromise of 1850:** an agreement reached by the U.S. Senate that established many controversial policies related to slavery.

**Fugitive Slave Law:** Part of the “Compromise of 1850,” this law required escaped slaves to be returned to their southern owners.

**Kansas-Nebraska Act:** Passed shortly before Burns’ arrest in 1854, this law permitted slavery in the territories of Kansas and Nebraska. Abolitionists passionately opposed the expansion of slavery into U.S. territories, so they were outraged at the passage of this law.

**Martial Law:** a temporary rule by military authorities over civilians, such as in an area of military operations during time of war, or when civil authority has broken down.

**Massachusetts Personal Liberty Act:** In 1855, Massachusetts passed these laws in response to the Fugitive Slave Law and the public outcry over the Burns case. The laws guaranteed legal protection for runaway slaves, and made it difficult and costly for slave owners to prove their case in court. The act also called for the removal of any state official who aided in the return of runaway slaves.



**Mouvman abolisyonis :** Se yon mouvman sosyal kote moun ap eseye mete fen a lesklavaj nan peyi Etazini.

**Abolisyonis :** Yon moun kap lite pou lesklavaj disparèt.

**Compromise of 1850 :** Yon antant nan asanble Etazini ki te pèmèt yo vini ak yon latriye règ tèt chat sou lesklavaj.

**Fugitive Slave Law ( Lwa sou Esklav Mawon ) ;** Lwa sa a fè pati de « Compromise of 1850 » lan. Dapre lwa sa a tout esklav ki sove e ke yo kenbe dwe al jwenn mèt yo nan sid.

**Kansas-Nebraska Act :** Yon lwa yo pase kèk tan avan y’arete Burns an 1854. Lwa sa a te fè lesklavaj vini ofisyèl sou tèritwa eta sa yo. Abolisyonis yo te mete gwo opozisyon aske lwa sa a gaye nan lòt tèritwa peyi a. Konsa, nèg yo te move anpil lè lwa sa a pase.

**Lwa Masyal :** Se yon règleman pwovizwa otorite militè pran nan yon zòn sou yon popilasyon sivil pandan lagè, ousinon lè yon gouvènman sivil kraze ou pran koudeta.

**Massachusetts Personal Liberty Act:** An 1855, eta Massachusetts pase lwa sa a tankou yon reyaksyon a Lwa sous Esklav Mawon an epi yon repons a endiyasyon piblik la nan zafè pwosè Anthony Burns la. Lwa pote pwoteksyon pou esklav mawon yo epi li fè l difisil pou pwopriyetè esklav yo pote ka yo devan la jistis. Lwa tou, mande pou yo revoke tout moun ofisyèl leta ki ta ede nan zafè retounen esklav mawon bay mèt yo nan sid.

**ANTHONY BURNS** was a fugitive slave who escaped from Virginia to Boston, Massachusetts in 1854 at the age of 19.

**RICHARD HENRY DANA** was an abolitionist lawyer who defended Burns. Though he opposed the Fugitive Slave Law, he supported Judge Loring and opposed the State Senate's decision to remove him from his position.

**REVEREND LEONARD GRIMES** was a leader of the black abolitionist movement in Boston and pastor of the Twelfth Baptist Church of Boston, known as the fugitive slave church.

**THOMAS WENTWORTH HIGGINSON** was a minister and abolitionist who strongly opposed the Fugitive Slave Law and believed in defending the freedom of escaped slaves at any cost. He was one of the major organizers of the attempt to rescue Burns from the Boston Courthouse.

**JUDGE EDWARD G. LORING** was both a Judge of Probate and the Commissioner presiding over fugitive slave cases in Massachusetts.

**COLONEL CHARLES F. SUTTLE** was the owner of the slave Anthony Burns.

**OFFICER JAMES BATCHELDER** was a Marshal's guard who was killed during the storming of the Boston Courthouse.

**WENDELL PHILLIPS** was a prominent abolitionist lawyer and orator. Because he was a key speaker at the Faneuil Hall meeting that ended in a riot, he was put on trial for his role in the failed attempt to rescue Burns.

**LOUISA MAY ALCOTT**, part of a prominent family in Concord, Massachusetts, was active in the abolitionist movement. Alcott's father, Bronson Alcott, was a member of the crowd who stormed the courthouse to free Anthony Burns. Author of *Little Women*, Alcott became a famous writer.



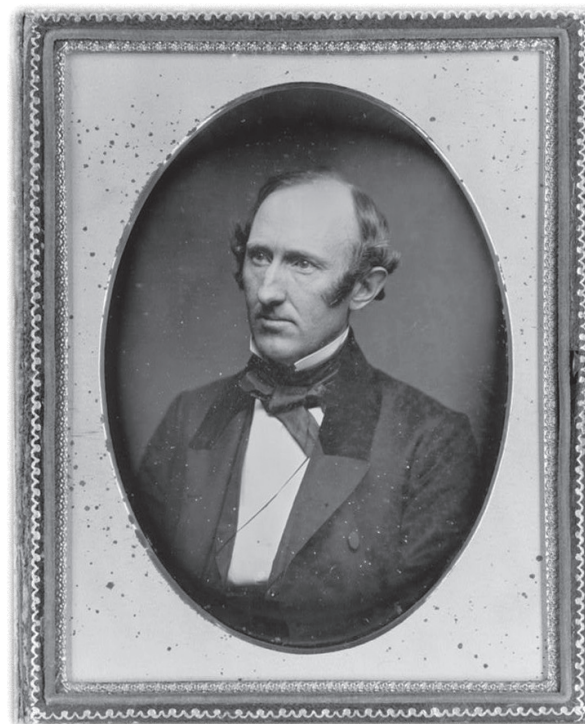
**ANTHONY BURNS** te yon esklav mawon ki te sove nan men mèt li nan eta Virginia. Li te vin chwe nan Boston nan eta Massachussetts an 1854. Li te gen 19 rekòt kafe sou tèt li.

**RICHARD HENRY DANA** te yon avoka abolisyonis ki te defann Anthony Burns. Li te kont Lwa sou Esklav Mawon an. Li te dakò ak jij Loring, men li pa t dakò ak desizyon asanble a sou revokasyon jij Loring.

**REVEREND LEONARD GRIMES** te yonn nan gran chèf mouvman nwa pou liberasyon esklav yo lan Boston. Mousye te yon pastè « Twelfth Baptist Church » nan vil la. Tout moun te konnen legliz sa kòm yon refij esklav ki sove kite plantation lan sid.

**THOMAS WENTWORTH HIGGINSON** te yon moun legliz epi yon abolisyonis ki te kont lwa sou esklav mawon an. Mousye te kwè li dwe defann libète esklav mawon yo kout ke kout. Mousye te yonn nan moun ki te òganize tantativ pou libere Anthony Burns.

**JUDGE EDWARD G. LORING** te yon jij epi yon komisè ki te okipe ka esklav mawon nan eta Massachussetts.



Wendell Phillips

**COLONEL CHARLES F. SUTTLE** te pwopriyete legal esklav Anthony Burns.

**OFFICER JAMES BATCHELDER** te yon gadyen prizon ki te jwenn lanmò l nan ensidan violan ki te pase devan tribunal Boston an.

**WENDELL PHILLIPS:** Yon orate epi yon avoka abolisyonis, mousye te yonn nan moun ki te pale lan reyinyon Faneuil Hall la ki te tounen an yon soulèvman devan tribunal la. Yo te jije pou patisipasyon nan mouvman an.

**LOUISA MAY ALCOTT** sot lan yon gran fanmi nan yon vill yo rele Concord nan MA. Li te yon manm aktif nan mitan abolisyonis yo. Papa l, Bronson Alcott, te nan foul moun ki te devan tribunal la pou mande libète pou A. Burns. Manmzèl te vin you ekriven selèb ak yon liv ki gen pou tit "Little Woman"

As Massachusetts Senators, you will have the opportunity to ask questions of the following key players. Write down some questions that you may ask.

**Judge Loring:**

**Wendell Phillips:**

**Richard Henry Dana:**

**Reverend Leonard Grimes:**

Etan yon senatè nan Massachussetts, wa p kapak pose mesye sa yo keksyon. Ekri keksyon w ta vle poze yo.

**Judge Loring:**

**Wendell Phillips:**

**Richard Henry Dana:**

**Reverend Leonard Grimes:**

**TheatreEspresso** performs at the John Adams Courthouse in Boston (in collaboration with the Supreme Judicial Court), at the Lawrence Heritage State Park Visitors Center, and in schools and museums throughout New England. The company thanks Mass Humanities and the following foundations for their generous support.



Cabot Family Charitable Trust, Catherine McCarthy Memorial Trust Fund, Friends of Lawrence Heritage State Park, Foley Hoag Foundation, Immigrant City Archives, National Endowment for the Arts, C. Pringle Charitable Foundation, Nathaniel and Elizabeth P. Stevens Foundation, and the White Fund

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Since 1992, **TheatreEspresso** has toured its educational dramas to schools, museums, libraries, and courthouses throughout New England. **TheatreEspresso's** work challenges students to make critical judgments, explore social relationships, reflect on the role of law and human rights in our society, and question accepted truths about the history of America. These plays confront students with complex situations, based on actual historical events, that provoke a variety of opinions and solutions. By asking students to consider themselves participants in the drama, the company engages students in examining contradictory events and testimony in order to reach their decisions.

**TheatreEspresso** does not advocate any one viewpoint, but hopes to compel students to relate historical events to contemporary issues. **TheatreEspresso** is in residence at Wheelock Family Theatre.



**For further information, visit our website at**  
**[www.TheatreEspresso.org](http://www.TheatreEspresso.org)**