

Legislative Analysis



UNDERGROUND RAILROAD MEMORIAL HIGHWAY

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House Bill 5491 as enrolled

Public Act 140 of 2004

Sponsor: Rep. Lorence Wenke

House Committee: Transportation

Senate Committee: Transportation

Second Analysis (7-29-04)

BRIEF SUMMARY: The bill would amend the Michigan Memorial Highway Act to create the Underground Railroad Memorial Highway.

FISCAL IMPACT: Section 2 of the Michigan Memorial Highway Act indicates that the state transportation department shall only provide for the erection of suitable markers indicating the name of the highway "when sufficient private contributions are received to completely cover the cost of erecting and maintaining those markers." As a result the bill has no state or local fiscal impact.

THE APPARENT PROBLEM:

In 1990 the U.S. Congress authorized the National Park Service to conduct a study of the Underground Railroad—its routes and operations—in order to preserve and interpret the era of American history when African Americans were enslaved in eleven states throughout the South, and sought their freedom by clandestinely walking north, stopping at safe houses during the daylight to escape patrolling “slave catchers.” It is estimated by the park service that as many as 100,000 enslaved people escaped their bondage in the years between the American Revolution in 1776 and the Civil War in 1865. The Underground Railroad became part of the organized abolitionist movement in the 1800s, and reached its peak between 1830 and 1865. See [Background Information](#) below.

The Underground Railroad was literally neither a “railroad” nor “underground.” Its name derives from the fact that no single northbound route completely reflects and characterizes the process of escape. Instead, the routes north involved networks of people working in secret and scattered across regions of the country, rather than individual sites and well-worn trails. In effect, the escapes of enslaved people—seldom planned or provisioned, and customarily done alone or in small groups at night—was a loose network of aid and assistance offered to fugitives from bondage. Its operations relied extensively on secret codes, and sometimes railroad jargon alerted “passengers” when travel was safe, and those making their escape were guided by Black or White “conductors.” Usually scholars describe it as a loosely construction network of routes that originated in the South, intertwined throughout the North, and eventually extended into Canada. However, according to the National Park Service, escape routes were not restricted to the North, but also extended into western territories, Mexico, and the Caribbean.

In Michigan, the National Park Service has designated two sites as stops along the Underground Railroad—the Dr. Nathan Thomas House in Schoolcraft, Michigan (home of the first physician in Kalamazoo County), and the Second Baptist Church located at 441 Monroe Street within the Greektown Historic District of downtown Detroit. Pamela Brown Thomas estimated that between 1840 and 1860, she and her husband helped between 1,000 and 1,500 fugitive slaves escape into freedom. By the 1840s, a group of abolitionists in southwest Michigan, including the Thomas family—many of them Quakers—had created an organized system for transporting fugitive slaves. [Thomas ran unsuccessfully for lieutenant governor of Michigan on the abolitionist Liberty Party ticket in 1845.]

In addition, the Michigan Freedom Trail Commission notes that Battle Creek, Michigan, home of the memorial to Sojourner Truth, herself an escaped slave who led others from bondage in the South to non-slave states, and Adrian, Michigan were prominent destinations on the Underground Railroad. Further, they say many escaping people settled in Michigan, rather than passing through to find their freedom in Canada. However, for much of America’s early history, escapees were not safe from recapture, even in a non-slave state like Michigan, since the Fugitive Slave Law of 1793 explicitly stated that slaveholders could retrieve their slave “property” from free states and territories.

In order to commemorate the Underground Railroad, and memorialize those who used its networks of friends to find their freedom, legislation has been introduced to designate a portion of the interstate highway system in Calhoun County as the “Underground Railroad Memorial Highway.

THE CONTENT OF THE BILL:

The bill would amend the Michigan Memorial Highway Act to create the Underground Railroad Memorial Highway.

The bill specifies that the portion of I-94 beginning at exit 98, and continuing east to exit 110 in Calhoun County will be known as the “Underground Railroad Memorial Highway.” The bill is tie-barred to Senate Bill 241* and could not become law unless that bill also were enacted.

MCL 250.1080

[*Note: Senate Bill 241 was enacted into law as Public Act 139 of 2004 on June 16, 2004, the same day that House Bill 5491 was enacted into law as Public Act 140 of 2004. Public Act 139 (Senate Bill 241) specifies that the portion of highway US-131 in the township of Schoolcraft beginning at the intersection of US-131 and West U Avenue in Kalamazoo County, and continuing south to the intersection of West XY Avenue and US-131 be known as the “Underground Railroad Memorial Highway.”]

BACKGROUND INFORMATION:

To learn more about the Underground Railroad, visit the web site of the National Park Service at <http://www.nps.gov/undergroundrr/contents.htm>

ARGUMENTS:

For:

The Underground Railroad is a part of Michigan's cultural identity as a northern free, anti-slavery state. Southwest Michigan, Kalamazoo, Battle Creek, Adrian, and Detroit were places where people of good conscience offered help to fugitive slaves in an organized fashion. It is estimated by the Michigan Freedom Trail Commission that 45,000 escaped slaves made their way through Michigan, and many settled, rather than just passed through.

It is important to keep the wretched memory of slavery alive, in order that we may stay ever-vigilant in our duty to protect the freedom and liberty of *all* people, everywhere. Further, it is important to pay tribute to the courage of those who made their escape, as well as to those who guided them, because they acted boldly upon their convictions, following their own moral compass, and committing defiant acts of conscience as they challenged the imposition of unjust laws.

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.