

Teaching American History

Lesson Plan Template

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Subject: Mapping the Extension of Slavery in the western territories

Grade Level: 11-12

Class Time Required: 90 min.

Lesson Title: The issue of slavery in the western territories

Essential Question:

How did the United States deal with the issue of slavery of the Nation expanded west.

Brief Description of Lesson:

Lesson begins with a discussion/review of Manifest Destiny and the conflicts that arose during the expansion of our country from the Mississippi to the Pacific. We will then examine the Missouri Compromise and the abolition movements of the second great awakening and discuss their role in western expansion. We will then map out the nations response to the expansion of slavery in the western territories by examining/mapping the Missouri Compromise, Compromise of 1850, the Kanas Nebraska Act and the *Dredd Scott* Decision

Lesson Plan Objectives:

Access the Table of Contents for the North Carolina Social Studies Curriculum at:

<http://www.dpi.state.nc.us/curriculum/socialstudies/scos/>

State Competency Goals (# and description)

3.2 Analyze and assess the causes of the Civil War

Teacher Designed Objectives (At the end of this lesson students should be able to...)

Students should: Have an understanding of the geography of western expansion and the issue of slavery that so deeply divided the nation in the years prior to the civil war. Students will also gain a firm grasp of the outcome of each solution to the issue of slavery in the west. IE which side (Free vs. Slave States) got what in each decision.

Materials Needed: (Print and Non-Print)

Primary Sources:

Missouri Compromise, Kansas Nebraska Act, Compromise of 1850 and the Dredd Scott Decision

Maps of the USA in 1820 and 1850

Secondary Sources:

Technology:

Suggested Teaching Strategies:

Anticipatory Set (Jump-Starter Activity)

Review of manifest Destiny, Missouri Compromise and the Abolition Movement

Teacher led instruction

On the overhead the Teacher will explain the details of each event addressing slavery in the territories.

Missouri Compromise – Compromise of 1850 – Kansas Nebraska Act – Dredd Scott decision

Guided Practice Students will be asked to create a chart examining the outcome of each decision/Compromise. What parts of each decision/compromise benefited the free states and which parts benefited the slave states

Independent Practice Students will be given a set of maps and asked to color in the areas open to slavery after each compromise or decision. They will then be asked to explain the significance of each compromise/decision in relation to the free and slaves states on the back of each map.

Closure

Our homework is to write a brief essay explaining why the uneasy truce/balance of power developed by the Missouri Compromise failed to solve the issue of slavery in the western territories.

Evaluation of Student Comprehension:

The students essays should demonstrate mastery over the issues involving slavery in the western territories as well provide understanding of the cultural and economic differences that developed between the north and the South during the antebellum period of American history.

Assessment of the Lesson:**Attachments:****Transcript of Dred Scott v. Sanford (1857)**

- 4. A free negro of the African race, whose ancestors were brought to this country and sold as slaves, is not a "citizen" within the meaning of the Constitution of the United States.
- 5. When the Constitution was adopted, they were not regarded in any of the States as members of the community which constituted the State, and were not numbered among its "people or citizen." Consequently, the special rights and immunities guaranteed to citizens do not apply to them. And not being "citizens" within the meaning of the Constitution, they are not entitled to sue in that character in a court of the United States, and the Circuit Court has not jurisdiction in such a suit.
- 2. The clause in the Constitution authorising Congress to make all needful rules and regulations for the government of the territory and other property of the United States, applies only to territory within the chartered limits of some one of the States when they were colonies of Great Britain, and which was surrendered by the British Government to the old Confederation of the States, in the treaty of peace. It does not apply to territory acquired by the present Federal Government, by treaty or conquest, from a foreign nation. The case of the American and Ocean Insurance Companies v. Canter (1 Peters, 511) referred to and examined, showing that the decision in this case is not in conflict with that opinion, and that the court did not, in the case referred to, decide upon the construction of the clause of the Constitution above mentioned, because the case before them did not make it necessary to decide the question.
- 3. The United States, under the present Constitution, cannot acquire territory to be held as a colony to be governed at its will and pleasure. But it may acquire territory which, at the time, has not a population that fits it to become a State, and still govern it as a Territory until it has a population which, in the judgment of Congress, entitles it to be admitted as a State of the Union.
- 4. During the time it remains a Territory, Congress may legislate over it within the scope of its constitutional powers in relation to citizens of the United State--and may establish a Territorial Government--and the form of this local Government must be regulated by the discretion of Congress, but with powers not exceeding those which Congress itself, by the Constitution, is authorized to exercise over citizens of the United States, in respect to their rights of persons or rights of property.

Transcript of Missouri Compromise (1820)

An Act to authorize the people of the Missouri territory to form a constitution and state government, and for the admission of such state into the Union on an equal footing with the original states, and to prohibit slavery in certain territories.

SEC. 8. And be it further enacted. That in all that territory ceded by France to the United States, under the name of Louisiana, which lies north of thirty-six degrees and thirty minutes north latitude, not included within the limits of the state, contemplated by this act, slavery and involuntary servitude, otherwise than in the punishment of crimes, whereof the parties shall have been duly convicted, shall be, and is hereby, forever prohibited: Provided always, That any person escaping into the same, from whom labour or service is lawfully claimed, in any state or territory of the United States, such fugitive may be lawfully reclaimed and conveyed to the person claiming his or her labour or service as aforesaid.

APPROVED, March 6, 1820.

SENATE.

Admission of Maine and Missouri.

FEBRUARY, 1820.

in the humiliating and degraded condition in which the gentleman's free States wished to keep you, could not have done. In the midst of this war, when the slaveholding States supplied your regular army to the North, and an efficient militia at home obeyed every order of Government with promptness and alacrity, and drove the enemy from your borders, what was the military front which the gentleman's free States presented? The Governors of these free States, sir, were consulting the Constitution, to ascertain whether they were authorized to call out the militia by it, or not; and they consulted until the war terminated, and their military strength resulted in insult to the rest of the Union. These free States were trading at their ease, under British license and British proclamations. In these free States there were men of unrivalled patriotism, who never lost sight of the public good; but they were an overwhelmed minority. These free States, and their adherents in their neighboring States, at the time of the greatest pressure of that war, formed a project to defeat you, if the enemy could not. They called a convention, for the purpose, as they say, among other things, in a resolution of the Legislature of Massachusetts—

"More effectually to secure the support and attachment of all the people, by placing all upon the basis of fair representation."

Sir, whilst the slaveholding States were doing honor to your nation, by their military achievements, these free States were devising means to subvert your rights, and take from you your representation, by the very means which are now in agitation. This legislative resolution can refer to nothing else. A meeting of the citizens of the city of New York was called in August, 1813, at which the honorable gentleman (Mr. KING) and the late Chief Justice Jay officiated. They offered their resolutions expressive of the strongest disapprobation of the war, and predicting its unhappy issue. They declared—

"That the question of peace or war involves all that is dear or valuable on this side the grave; that representatives be chosen in the several counties, discreet men, the friends of peace, to confer with each other, and co-operate with the friends of peace in our sister States, in devising and pursuing such Constitutional measures as may secure our independence and preserve our Union; both of which are endangered by the present war."

These are the gentlemen who tell you, in time of war they must not only defend the nation against a foreign enemy, but protect you against your own slaves. These are the gentlemen who tell you, when it becomes necessary for your internal protection, they will send you help. From such help may we be kindly protected! There is no help so remote as that which is determined never to come to your relief.

Mr. S. said he had made these remarks, not so much with a view to show that Missouri was, by the Constitution, entitled to her admission, as to demonstrate the futility of the arguments of the gentleman, which had not even a reference to the Constitution, he having laid that aside. The facts

as respected the resolution of the Legislature of Massachusetts, for calling a convention of the New England States, and the resolutions of the New York meeting, to procure a peace representation in the midst of a glorious war, he derived them from the publication of a member of the Hartford Convention, published a few days ago, in the National Intelligencer, for the examination of the public.

Mr. LLOYD likewise spoke a short time in reply to Mr. KING.

Mr. KING, of New York, Mr. PINKNEY, Mr. BARBOUR, and Mr. MELLEN, respectively added a few remarks; when the question was taken on concurring in the amendment reported by the Judiciary Committee, (to unite the Maine and Missouri bills in one bill,) and decided in the affirmative, by yeas and nays, as follows:

For uniting the bills—Messrs. Barbour, Brown, Eaton, Edwards, Elliot, Gaillard, Johnson of Kentucky, Johnson of Louisiana, King of Alabama, Leake, Lloyd, Logan, Macon, Pinkney, Pleasants, Smith, Stokes, Taylor, Thomas, Walker of Alabama, Walker of Georgia, Williams of Mississippi, and Williams of Tennessee—23.

Against uniting the bills—Messrs. Burrill, Dana, Dickerson, Horsey, Hunter, King of New York, Janman, Lowrie, Mellen, Morrill, Noble, Otis, Palmer, Parrott, Roberts, Ruggles, Sanford, Tichenor, Trimble, Van Dyke, and Wilson—21.

Mr. THOMAS, of Illinois, then offered an amendment to the Missouri branch of the bill, proposing, in substance, to prohibit slavery in all the territory beyond the Mississippi, north of thirty-six and a half degrees of north latitude, excepting within the limits of the proposed State of Missouri.

Mr. BARBOUR, of Virginia, moved to amend the amendment by striking out thirty-six and a half degrees, and inserting, as the line north of which slavery should hereafter be excluded, the fortieth degree of north latitude.

The motion was supported by the mover, and opposed by Mr. EDWARDS, of Illinois; and after a short discussion, the motion was negatived—three or four only rising in favor of it.

Mr. EATON then offered, as a substitute to Mr. THOMAS's amendment, a section prescribing the same limits beyond which slavery shall not be allowed, but made applicable to the same, only "while said portion of country remains a Territory." A substitute for the amendment not being in order, according to the rules of the Senate, Mr. EATON withdrew his proposition.

Mr. TRIMBLE, of Ohio, next proposed to amend Mr. THOMAS's amendment, substantially, by making it to apply to all the country west of the Mississippi, except so much as is comprehended within the State of Louisiana and the proposed State of Missouri.—Rejected.

After considerable discussion, but before the question was put on the amendment of Mr. THOMAS, the subject was postponed until to-morrow; and the Senate adjourned.

THURSDAY, February 17.

A message from the House of Representatives informed the Senate that the House have passed

Transcript of Kansas-Nebraska Act (1854)

An Act to Organize the Territories of Nebraska and Kansas.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled

SEC. 14. *And be it further enacted*, That a delegate to the House of Representatives of the United States, to serve for the term of two years, who shall be a citizen of the United States, may be elected by the voters qualified to elect members of the Legislative Assembly, who shall be entitled to the same rights and privileges as are exercised and enjoyed by the delegates from the several other Territories of the United States to the said House of Representatives, but the delegate first elected shall hold his seat only during the term of the Congress to which he shall be elected. The first election shall be held at such time and places, and be conducted in such manner, as the Governor shall appoint and direct; and at all subsequent elections the times, places, and manner of holding the elections, shall be prescribed by law. The person having the greatest number of votes shall be declared by the Governor to be duly elected; and a certificate thereof shall be given accordingly. That the Constitution, and all Laws of the United States which are not locally inapplicable, shall have the same force and effect within the said Territory of Nebraska as elsewhere within the United States, except the eighth section of the act preparatory to the admission of Missouri into the Union approved March sixth, eighteen hundred and twenty, which, being inconsistent with the principle of non-intervention by Congress with slaves in the States and Territories, as recognized by the legislation of eighteen hundred and fifty, commonly called the Compromise Measures, is hereby declared inoperative and void; it being the true intent and meaning of this act not to legislate slavery into any Territory or State, nor to exclude it therefrom, but to leave the people thereof perfectly free to form and regulate their domestic institutions in their own way, subject only to the Constitution of the United States: *Provided*, That nothing herein contained shall be construed to revive or put in force any law or regulation which may have existed prior to the act of sixth March, eighteen hundred and twenty, either protecting, establishing, prohibiting, or abolishing slavery.

SEC. 32. *And be it further enacted*, That a delegate to the House of Representatives of the United States, to serve for the term of two years, who shall be a citizen of the United States, may be elected by the voters qualified to elect members of the Legislative Assembly, who shall be entitled to the same rights and privileges as are exercised and enjoyed by the delegates from the several other Territories of the United States to the said House of Representatives, but the delegate first elected shall hold his seat only during the term of the Congress to which he shall be elected. The first election shall be held at such time and places, and be conducted in such manner, as the Governor shall appoint and direct; and at all subsequent elections, the times, places, and manner of holding the elections shall be prescribed by law. The person having the greatest number of votes shall be declared by the Governor to be duly elected, and a certificate thereof shall be given accordingly. That the Constitution, and all laws of the United States which are not locally inapplicable, shall have the same force and effect within the said Territory of Kansas as elsewhere within the United States, except the eighth section of the act preparatory to the admission of Missouri into the Union, approved March sixth, eighteen hundred and twenty, which, being inconsistent with the principle of non-intervention by Congress with slavery in the States and Territories, as recognized by the legislation of eighteen hundred and fifty, commonly called the Compromise Measures, is hereby declared inoperative and void; it being the true intent and meaning of this act not to legislate slavery into any Territory or State, nor to exclude it therefrom, but to leave the people thereof perfectly free to form and regulate their domestic institutions in their own way, subject only to the Constitution of the United States: *Provided*, That nothing herein contained shall be construed to revive or put in force any law or regulation which may have existed prior to the act of sixth of March, eighteen hundred and twenty, either protecting, establishing, prohibiting, or abolishing slavery.

Approved, May 30, 1854.

Transcript of Compromise of 1850 (1850)

CLAY'S RESOLUTIONS January 29, 1850

It being desirable, for the peace, concord, and harmony of the Union of these States, to settle and adjust amicably all existing questions of controversy between them arising out of the institution of slavery upon a fair, equitable and just basis: therefore,

1. Resolved, That California, with suitable boundaries, ought, upon her application to be admitted as one of the States of this Union, without the imposition by Congress of any restriction in respect to the exclusion or introduction of slavery within those boundaries.

2. Resolved, That as slavery does not exist by law, and is not likely to be introduced into any of the territory acquired by the United States from the republic of Mexico, it is inexpedient for Congress to provide by law either for its introduction into, or exclusion from, any part of the said territory; and that appropriate territorial governments ought to be established by Congress in all of the said territory, not assigned as the boundaries of the proposed State of California, without the adoption of any restriction or condition on the subject of slavery.

5. Resolved, That it is inexpedient to abolish slavery in the District of Columbia whilst that institution continues to exist in the State of Maryland, without the consent of that State, without the consent of the people of the District, and without just compensation to the owners of slaves within the District.

6. But, resolved, That it is expedient to prohibit, within the District, the slave trade in slaves brought into it from States or places beyond the limits of the District, either to be sold therein as merchandise, or to be transported to other markets without the District of Columbia.

7. Resolved, That more effectual provision ought to be made by law, according to the requirement of the constitution, for the restitution and delivery of persons bound to service or labor in any State, who may escape into any other State or Territory in the Union. And,

An Act for the admission of the State of California into the Union.

Whereas the people of California have presented a constitution and asked admission into the Union, which constitution was submitted to Congress by the President of the United States, by message dated February thirteenth, eighteen hundred and fifty, and which, on due examination, is found to be republican in its form of government:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the State of California shall be one, and is hereby declared to be one, of the United States of America, and admitted into the Union on an equal footing with the original States in all respects whatever.

SEC. 2. And be it further enacted, That, until the representatives in Congress shall be apportioned according to an actual enumeration of the inhabitants of the United States, the State of California shall be entitled to two representatives in Congress.

SEC. 3. And be it further enacted, That the said State of California is admitted into the Union upon the express condition that the people of said State, through their legislature or otherwise, shall never interfere with the primary disposal of the public lands within its limits, and shall pass no law and do no act whereby the title of the United States to, and right to dispose of, the same shall be impaired or questioned; and that they shall never lay any tax or assessment of any description whatsoever upon the public domain of the United States, and in no case shall non-resident proprietors, who are citizens of the United States, be taxed higher than residents; and that all the navigable waters within the said State shall be common highways, and forever free, as well to the inhabitants of said State as to the citizens of the United States, without any tax, impost, or duty therefor: Provided, **That nothing herein contained shall be construed as recognizing or rejecting the propositions tendered by the people of California as articles of compact in the ordinance adopted by the convention which formed the constitution of that State.**

APPROVED, September 9, 1850.

An Act to establish a Territorial Government for Utah.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all that part of the territory of the United States included within the following limits, to wit: bounded on the west by the State of California, on the north by the Territory of Oregon, and on the east by the summit of the Rocky Mountains, and on the south by the thirty-seventh parallel of north latitude, be, and the same is hereby, created into a temporary government, by the name of the Territory of Utah; and, when admitted as a State, the said Territory, or any portion of the same, shall be received into the Union, **with or without slavery**, as their constitution may prescribe at the time of their admission: Provided, That nothing in this act contained shall be construed to inhibit the government of the United States from dividing said Territory into two or more Territories, in such manner and at such times as Congress shall deem convenient and proper, or from attaching any portion of said Territory to any other State or Territory of the United States.

APPROVED, September 9, 1850.

An Act to amend, and supplementary to, the Act entitled "An Act respecting Fugitives from Justice, and Persons escaping from the Service of their Masters," approved February twelfth, one thousand seven hundred and ninety-three.

SEC. 6. And be it further enacted, That when a person held to service or labor in any State or Territory of the United States, has heretofore or shall hereafter escape into another State or Territory of the United States, the person or persons to whom such service or labor may be due, or his, her, or their agent or attorney, duly authorized, by power of attorney, in writing, acknowledged and certified under the seal of some legal officer or court of the State or Territory in which the same may be executed, may pursue and reclaim

such fugitive person, either by procuring a warrant from some one of the courts, judges, or commissioners aforesaid, of the proper circuit, district, or county, for the apprehension of such fugitive from service or labor, or by seizing and arresting such fugitive, where the same can be done without process, and by taking, or causing such person to be taken, forthwith before such court, judge, or commissioner, whose duty it shall be to hear and determine the case of such claimant in a summary manner; and upon satisfactory proof being made, by deposition or affidavit, in writing, to be taken and certified by such court, judge, or commissioner, or by other satisfactory testimony, duly taken and certified by some court, magistrate, justice of the peace, or other legal officer authorized to administer an oath and take depositions under the laws of the State or Territory from which such person owing service or labor may have escaped, with a certificate of such magistracy or other authority, as aforesaid, with the seal of the proper court or officer thereto attached, which seal shall be sufficient to establish the competency of the proof, and with proof, also by affidavit, of the identity of the person whose service or labor is claimed to be due as aforesaid, that the person so arrested does in fact owe service or labor to the person or persons claiming him or her, in the State or Territory from which such fugitive may have escaped as aforesaid, and that said person escaped, to make out and deliver to such claimant, his or her agent or attorney, a certificate setting forth the substantial facts as to the service or labor due from such fugitive to the claimant, and of his or her escape from the State or Territory in which such service or labor was due, to the State or Territory in which he or she was arrested, with authority to such claimant, or his or her agent or attorney, to use such reasonable force and restraint as may be necessary, under the circumstances of the case, to take and remove such fugitive person back to the State or Territory whence he or she may have escaped as aforesaid. In no trial or hearing under this act shall the testimony of such alleged fugitive be admitted in evidence; and the certificates in this and the first [fourth] section mentioned, shall be conclusive of the right of the person or persons in whose favor granted, to remove such fugitive to the State or Territory from which he escaped, and shall prevent all molestation of such person or persons by any process issued by any court judge, magistrate, or other person whomsoever.

SEC. 7. And be it further enacted, That any person who shall knowingly and willingly obstruct, hinder, or prevent such claimant, his agent or attorney, or any person or persons lawfully assisting him, her, or them, from arresting such a fugitive from service or labor, either with or without process as aforesaid, or shall rescue, or attempt to rescue such fugitive from service or labor, from the custody of such claimant, his or her agent or attorney, or other person or persons lawfully assisting as aforesaid, when so arrested, pursuant to the authority herein given and declared; or shall aid, abet, or assist such person so owing service or labor as aforesaid, directly or indirectly, to escape from such claimant, his agent or attorney, or other person or persons legally authorized as aforesaid; or shall harbor or conceal such fugitive, so as to prevent the discovery and arrest of such person, after notice or knowledge of the fact that such person was a fugitive from service or labor as aforesaid, shall, for either of said offences, be subject to a fine not exceeding one thousand dollars, and imprisonment not exceeding six months, by indictment and conviction before the District Court of the United States for the district in which such offence may have been committed, or before the proper court of criminal jurisdiction, if committed within anyone of the organized Territories of the United States; and shall moreover forfeit and pay, by way of civil damages to the party injured by such illegal conduct, the sum of one thousand dollars, for each fugitive so lost as aforesaid, to be recovered by action of debt, in any of the District or Territorial Courts aforesaid, within whose jurisdiction the said offence may have been committed.

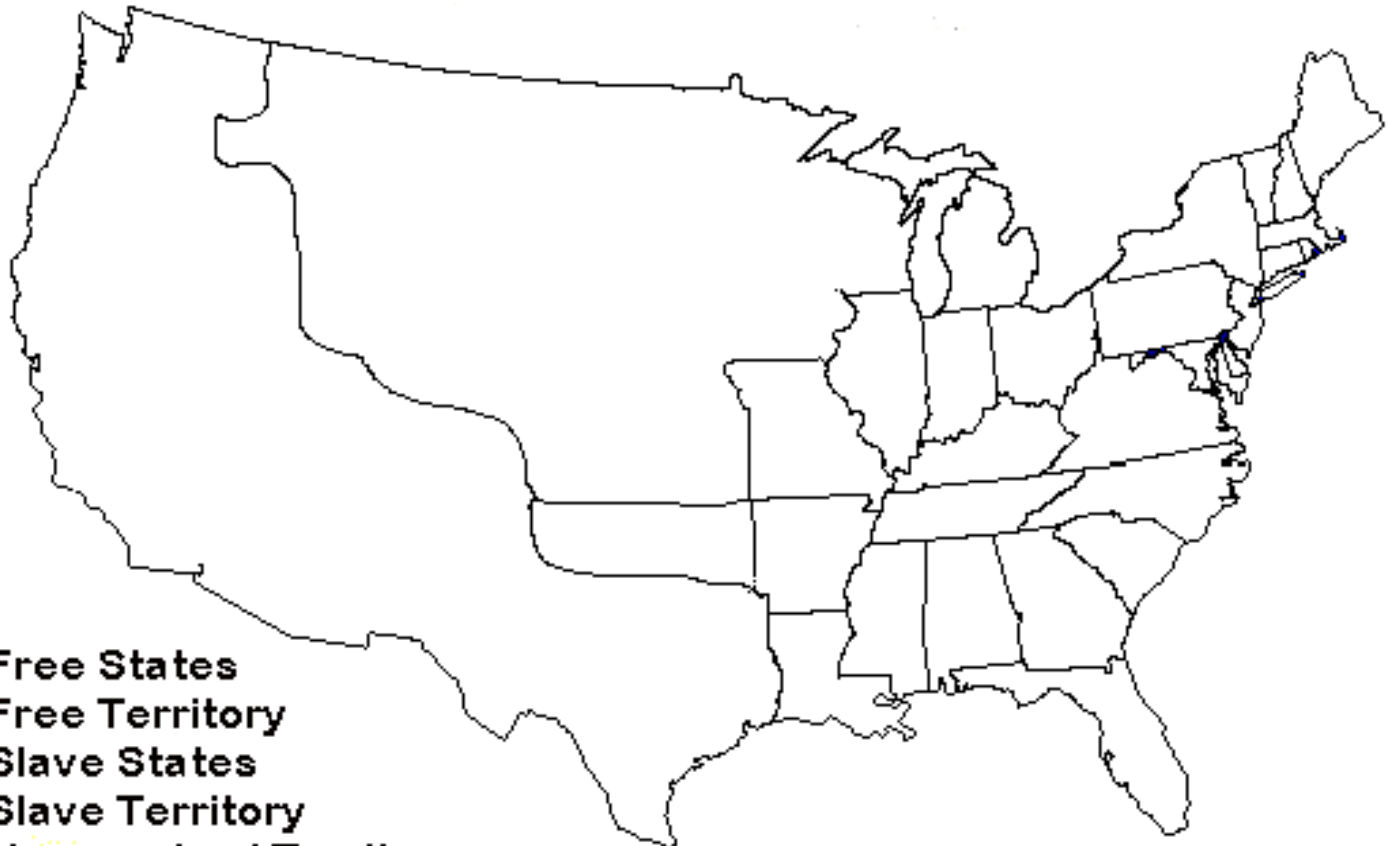
APPROVED, September 18, 1850.

An Act to suppress the Slave Trade in the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the first day of January, eighteen hundred and fifty-one, it shall not be lawful to bring into the District of Columbia any slave whatever, for the purpose of being sold, or for the purpose of being placed in depot, to be subsequently transferred to any other State or place to be sold as merchandize. And if any slave shall be brought into the said District by its owner, or by the authority or consent of its owner, contrary to the provisions of this act, such slave shall thereupon become liberated and free.

SEC. 2. And be it further enacted, That it shall and may be lawful for each of the corporations of the cities of Washington and Georgetown, from time to time, and as often as may be necessary, to abate, break up, and abolish any depot or place of confinement of slaves brought into the said District as merchandize, contrary to the provisions of this act, by such appropriate means as may appear to either of the said corporations expedient and proper. And the same power is hereby vested in the Levy Court of Washington county, if any attempt shall be made, within its jurisdictional limits, to establish a depot or place of confinement for slaves brought into the said District as merchandize for sale contrary to this act.

APPROVED, September 20, 1850.



Free States
Free Territory
Slave States
Slave Territory
Unorganized Territory

The Civil War

