

1854 The Kansas-Nebraska Act

“I think we must get rid of slavery or we must get rid of freedom.”

—RALPH WALDO EMERSON

HISTORICAL BACKGROUND

ALTHOUGH the Missouri Compromise held the fragile bonds of unity together for over three decades, it, along with the Compromise of 1850, unraveled in the short span of two years. The precursor to the Civil War, aptly called Bleeding Kansas, exemplified the fractionalized country. As Abraham Lincoln stated in 1858,

A house divided against itself cannot stand. I believe this government cannot endure permanently half-slave and half-free.

In 1854 Congress passed the Kansas-Nebraska Act. This law, contrived and relentlessly advocated by Senator Stephen Douglas of Illinois, created the Kansas Territory west of Missouri and the Nebraska territory west of Iowa and Minnesota. Rather than require both territories to enter the Union as free states, as stipulated by the 1820 Missouri Compromise, it rather allowed for popular sovereignty to determine the destiny of the two territories. Douglas postured that the people’s vote, not an act by Congress, should decide if a territory entered the Union as a free or slave state. Once signed into law by President Pierce, the rush was on to extend slavery north of the Missouri Compromise line into the Kansas Territory.

Election day arrived in Kansas in 1855. Preceding it was an influx of settlers, mostly from Missouri, who were resolute that elections would favor proslavery candidates. Election day brought a second influx of hundreds of Missouri men who crossed into Kansas in order to cast illegal,

proslavery votes. The newly elected proslavery legislature convened, though its legality was certainly in question. The governor of Kansas called for new elections in areas where fraudulent voting was suspected. This time the free-soil candidates prevailed, resulting in the establishment of two state legislatures. Meanwhile, the proslavery legislature was busy enacting ominous legislation including slave codes, harsh penalties for anyone assisting runaway slaves, and a validation of all votes cast by nonresidents. The anger that had festered in the country for years soon erupted in Kansas.

The first major confrontation occurred in the free-soil Kansas town of Lawrence. In the spring of 1855, hundreds of Missourians crossed the border, ostensibly to serve warrants on local leaders for treason. The onslaught left Lawrence a burned and looted town. Staunch abolitionist John Brown vowed revenge. On May 24, 1856, Brown and a small group of men hacked to death five men from the proslavery settlement of Pottawatomie. Chaos in Kansas followed the sacking of Lawrence and the Pottawatomie Massacre, leaving hundreds dead, including John Brown’s son, and over \$1 million in property damage. Thousands of settlers fled “Bleeding Kansas” in the wake of the violence.

Federal troops were brought in to maintain the peace and a renewed attempt was made to create a state constitution. Following seven years of political maneuvers, strife, and conflict, Kansas entered the Union as a free state in January 1861. The country, however, was on the brink of its own Civil War.



An Act to Organize the Territories of Nebraska and Kansas

Approved, May 30, 1854

SEC. 20. *And be it further enacted,* That the executive power and authority in and over said Territory of Kansas shall be vested in a Governor. . . .

SEC 22. *And be it further enacted,* That the legislative power and authority of said Territory shall be vested in the Governor and a Legislative Assembly. . . .

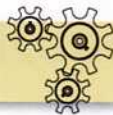
SEC. 23. *And be it further enacted,* That every free white male inhabitant above the age of twenty-one years who shall be an actual resident of said Territory, and shall possess the qualifications hereinafter prescribed, shall be entitled to vote at the first election. . . .

SEC. 28. *And be it further enacted,* That the provisions of the act entitled "An act respecting fugitives from justice, and persons escaping from, the service of their masters," approved February twelfth, seventeen hundred and ninety-three, and the provisions of the act entitled "An act to amend, and supplementary to, the aforesaid act," approved September eighteenth, eighteen hundred and fifty, be, and the same are hereby, declared to extend to and be in full force within the limits of the said Territory of Kansas. . . . *

Below: This mural on the wall of the Kansas State Capitol Building shows John Brown in the midst of the confrontations that framed Kansas statehood.



Critical Thinking



Draw Conclusions

Read Section 23 of the Kansas-Nebraska Act. How did this provision impact the controversy surrounding the proslavery vote in Kansas?

Classify Information

Study the painting on page 25. What groups are pictured in the painting? What doctrines are identified? Why is John Brown painted as a central figure looming over the others?

Assess Significance

How did the Kansas-Nebraska Act perpetuate fugitive slave laws?

Research and Writing



Point of View

When Stephen Douglas introduced the Kansas-Nebraska Act, his underlying intent was to secure the western lands for the eventual building of a transcontinental railroad. Douglas had introduced several railroad bills into Congress without success. Encouraged by industrialists in his native Chicago, Douglas persevered. The resulting Kansas-Nebraska Act appeared to barter the liberty of African-Americans in Kansas in exchange for Southern support of a bill designed to promote the railroad industry.

However, Douglas prefaced the Kansas-Nebraska Act with these words:

It is the true intent and meaning of this act not to legislate slavery into any State or Territory, or 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 federal constitution.

Research Douglas's efforts to gain support for a transcontinental railroad. What is your point of view in regard to the true intent of the Kansas-Nebraska Act?

Biography

Research the life of John Brown. Who was he? What motives inspired his rampage in 1856 and again in 1859? What happened at Harper's Ferry? How did events at Harper's Ferry create a sense of martyrdom? How did John Brown impact the abolitionist movement? What was his impact on southern resolve?

Historical Interpretation

Research the Lincoln-Douglas debates. Access and read the first Lincoln-Douglas debate that occurred in Ottawa, Illinois on August 21, 1858. What was the purpose of the debate series? How do the Missouri Compromise of 1820, the Compromise of 1850, and the Kansas-Nebraska Act enter into the debate? What is the position of Douglas? What is the position of Lincoln? Whose position was more tenable? What was the outcome of the debates?