

# The Kansas-Nebraska Act of 1854

Developed by Congress

Date: 1854

**Explanation of the Source:** The Kansas-Nebraska Act was a very controversial law. It allowed Popular Sovereignty to decide the fate of the slavery issue in the territories of Kansas and Nebraska. Both territories were part of the Louisiana Purchase and were meant to be free under the Missouri Compromise. This excerpt below is the direct description of the law.

“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, except such portions thereof as are hereinafter expressly exempted from the operations of this act, to wit: beginning at a point in the Missouri River where the fortieth parallel of north latitude crosses the same; then west on said parallel to the east boundary of the Territory of Utah, the summit of the Rocky Mountains; thence on said summit northwest to the forty-ninth parallel of north latitude; thence east on said parallel to the western boundary of the territory of Minnesota; thence southward on said boundary to the Missouri River; thence down the main channel of said river to the place of beginning, be, and the same is hereby, created into a temporary government by the name of the Territory Nebraska; and when admitted as a State or States, the said Territory or any portion of the same, shall be received into the Union with without slavery, as their constitution may prescribe at the time of the 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 tin as Congress shall deem convenient and proper, or from attaching a portion of said Territory to any other State or Territory of the United States: Provided further, That nothing in this act contained shall construed to impair the rights of person or property now pertaining the Indians in said Territory, so long as such rights shall remain unextinguished by treaty between the United States and such Indians, or include any territory which, by treaty with any Indian tribe, is not, without the consent of said tribe, to be included within the territorial line or jurisdiction of any State or Territory; but all such territory shall excepted out of the boundaries, and constitute no part of the Territory of Nebraska, until said tribe shall signify their assent to the President of the United States to be included within the said Territory of Nebraska. or to affect the authority of the government of the United States make any regulations respecting such Indians, their lands, property, or other rights, by treaty, law, or otherwise, which it would have been competent to the government to make if this act had never passed.

SEC. 10. And be it further enacted, That the provisions of an act entitled “An act respecting fugitives from justice, and persons escaping from the service of their masters,” approved February twelve, seventeen hundred and ninety-three, and the provisions of the act entitled “An act to amend, and supplementary to, the aforesaid act,” approved September eighteen, eighteen hundred and fifty, be, and the same are hereby, declared to extend to and be in full force within the limits of said Territory of Nebraska...

SEC. 14. ...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 (Missouri Compromise), 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 an 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. 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

## 13 – KANSAS/NEBRASKA ACT

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.”

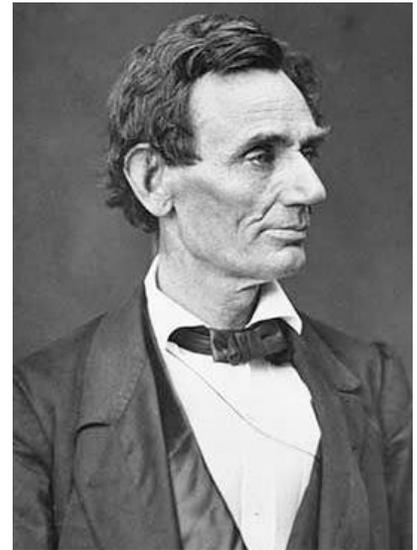
# Speech on the Kansas-Nebraska

**By: Abraham Lincoln**  
**Date: October 16, 1854,**

**Explanation of the Source:** On October 16, 1854, an obscure lawyer and Congressional hopeful from the state of Illinois named Abraham Lincoln delivers a speech regarding the Kansas-Nebraska Act, which Congress had passed five months earlier. In his speech, the future president denounced the Kansas-Nebraska Act and outlined his views on slavery, which he called "immoral."

“Whether slavery shall go into Nebraska, or other new territories, is not a matter of exclusive concern to the people who may go there. The whole nation is interested that the best use shall be made of these territories. We want them for the homes of free white people. This they cannot be, to any considerable extent, if slavery shall be planted within them. Slave States are places for poor white people to remove FROM; not to remove TO. New free States are the places for poor people to go to and better their condition. For this use, the nation needs these territories.

Still further; there are constitutional relations between the slave and free States, which are degrading to the latter. We are under legal obligations to catch and return their runaway slaves to them—a sort of dirty, disagreeable job, which I believe, as a general rule the slave-holders will not perform for one another. Then again, in the control of the government the management of the partnership affairs—they have greatly the advantage of us. By the constitution, each State has two Senators—each has a number of Representatives; in proportion to the number of its people—and each has a number of presidential electors, equal to the whole number of its Senators and Representatives together. But in ascertaining the number of the people, for this purpose, five slaves are counted as being equal to three whites. The slaves do not vote; they are only counted and so used, as to swell the influence of the white people's votes. The practical effect of this is more aptly shown by a comparison of the States of South Carolina and Maine. South Carolina has six representatives, and so has Maine; South Carolina has eight presidential electors, and so has Maine. This is precise equality so far; and, of course they are equal in Senators, each having two. Thus in the control of the government, the two States are equals precisely. But how are they in the number of their white people? Maine has 581,813-- while South Carolina has 274,567. Maine has twice as many as South Carolina, and 32,679 over. Thus each white man in South Carolina is more than the double of any man in Maine. This is all because South Carolina, besides her free people, has 384,984 slaves. The South Carolinian has precisely the same advantage over the white man in every other free State, as well as in Maine. He is more than the double of any one of us in this crowd. The same advantage, but not to the same extent, is held by all the citizens of the slave States, over those of the free; and it is an absolute truth, without an exception, that there is no voter in any slave State, but who has more legal power in the government, than any voter in any free State. There is no instance of exact equality; and the disadvantage is against us the whole chapter through. This principle, in the aggregate, gives the slave States, in



the present Congress, twenty additional representatives-being seven more than the whole majority by which they passed the Nebraska bill.”

## **Lincoln’s Speech in Springfield, IL**

**By: Abraham Lincoln**

**Date: July 17, 1858**

**Explanation of the Source:** In July of 1858, Abraham Lincoln addressed a crowd in Springfield Illinois to express his interests over the Judge (Stephen) Douglas and issues revolving the Kansas-Nebraska Act – issues especially over slavery. He states that the Kansas-Nebraska bill was the beginning of this movement to directly deal with slavery.

“Although I have ever been opposed to slavery, so far I rested in the hope and belief that it was in the course of ultimate extinction. For that reason, it had been a minor question with me. I might have been mistaken; but the whole public mind, that is the mind of the great majority, had rested in that belief up to the repeal of the Missouri Compromise [in 1854, as part of the Kansas-Nebraska Act]. But upon that event, I became convinced that either I had been resting in a delusion, or the institution was being placed on a new basis--a basis for making it perpetual, national and universal. Subsequent events have greatly confirmed me in that belief. I believe that [Kansas-Nebraska] bill to be the beginning of a conspiracy for that purpose.... So believing, I thought the public mind will never rest till the power of Congress to restrict the spread of it [slavery] shall again be acknowledged and exercised on the one hand, or on the other, all resistance be entirely crushed out.... , My declarations upon this subject of Negro slavery may be misrepresented, but cannot be misunderstood, I have said that I do not understand the Declaration to mean that all men are created equal in all respects. They are not our equal in color; but I suppose that it does mean that all men are equal in some respects; they are equal in their right to “life, liberty, and the pursuit of happiness.” Certainly the Negro is not our equal in color--perhaps not in many other respects; still, in the right to put into his mouth the bread that his own hands have earned, he is the equal of every other man, white or black. In pointing out that more has been given you, you cannot be justified in taking away the little which has been given him. All I ask for the Negro is that if you do not like him, let him alone. If God gave him but little, that little let him enjoy. , When our Government was established we had the institution of slavery among us. We were in a certain sense compelled to tolerate its existence. It was a sort of necessity. We had gone through our struggle and secured our own independence. The framers of the Constitution found the institution of slavery amongst their other institutions at the time. They found that by an effort to eradicate it, they might lose much of what they had already gained. They were obliged to bow to the necessity. They gave power to Congress to abolish the slave trade at the end of twenty years. They also prohibited it in the Territories where it did not exist. They did what they could and yielded to the necessity for the rest.... , One more point.... I expressed my belief in the existence of a conspiracy to perpetuate and nationalize slavery.... I showed the part Judge Douglas had played in the string of facts, constituting to my mind the proof of that conspiracy. I showed the parts played by others., I charged that the people had been deceived into carrying the last Presidential election, by the impression that the people of the Territories might exclude slavery if they chose, when it was known in advance by the conspirators, that the Court was to decide that neither Congress nor the people could so exclude slavery.... I charge him with having been a party to that conspiracy and to the deception for the sole purpose of nationalizing slavery.”