

# Warning Signs: Scott Free?

## Preliminary Statement:

In 1857, seven of the nine Justices on the Supreme Court agreed that Scott was not protected by the Constitution, that he, and all Black people, were not citizens. The language of the opinion and its appendix are hard to comprehend today. They feel unreal and deeply wrong. The opinion offers “scientific”, “medical”, “cultural”, and “biblical” explanations of the inferiority of the “Negro race”. It is painful reading that illustrates how deeply many southern elites had buried themselves in their justification of chattel slavery.

The residue of 250 years of race-based slavery still stains our history, and the leftovers of hatred and resentment have never completely left our society. The Dred Scott opinion is indeed “hard history.” It is also necessary to teach it in order to understand the effects and impact of racism on our history.

## Outline of Lessons

1. Lesson One: Places
2. Lesson Two: People
3. Lesson Three: Situation
4. Lesson Four: Event
5. Lesson Five: Resolution
6. Lesson Six: Results (*A House Divided*)

## Standards

The Common Core Standards traditionally relegate elementary history to the K-5 reading standards, but the more advanced (6-8) standards are addressed here due to more specificity to the Warning Signs topics and to aim forward in grades 4-6. The teacher, of course, is free to adopt more primary standards as classroom objectives if professional judgment deems such to be necessary.

CCSS.ELA-LITERACY.RH.6-8.1 - Cite specific textual evidence to support analysis of primary and secondary sources.

CCSS.ELA-LITERACY.RH.6-8.2 - Determine the central ideas or information of a primary or secondary source; provide an accurate summary of the source distinct from prior knowledge or opinions.

CCSS.ELA-LITERACY.RH.6-8.4 - Determine the meaning of words and phrases as they are used in a text, including vocabulary specific to domains related to history/social studies.

CCSS.ELA-LITERACY.RH.6-8.6 - Identify aspects of a text that reveal an author’s point of view or purpose (e.g., loaded language, inclusion, or avoidance of particular facts).

CCSS.ELA-LITERACY.RH.6-8.7 - Integrate visual information (e.g., in charts, graphs, photographs, videos, or maps) with other information in print and digital texts.



Elementary Lesson Plan by Dale Hoggatt, Teacher, Missouri, for “Warning Signs: Lincoln’s Response to Rising Threats to Freedom, Justice and Democracy,” a project of Lincoln Presidential Foundation, with generous support from Iron Mountain.

[lincolnpresidential.org](http://lincolnpresidential.org)

## Student Resource Packet

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The student resources may be copied and assembled into a resource packet that students will be able to access through this study. The teacher should consistently refer to completed pages in the packet to keep students connected with prior lessons. This should encourage students to think more deeply about this series of historical events leading up to the American Civil War.

## A Note About Structure

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Generally speaking, these lessons establish a pattern for the teacher. Always strive to begin with academic rigor prior to leading a class into a more direct lesson. The teacher asks, “What do you notice?” By allowing students to make observations of a text or graphic - without judgment or explanation - the teacher gives all students an opportunity to enter the lesson with little apprehension. The goal is to bring students into the lesson and involve them.

This initial engagement then deepens when the teacher opens the discussion further with a second question: “What do you wonder?” With this single question, a teacher discovers what students bring to the table with prior knowledge. The teacher directs students to a deeper comprehension, looking for connections students already have, leading students to infer a situation based on evidence, predict what is to come, and identify the main idea of a lesson along with supporting details.

In this, there may be a crossover of subject areas and the possibility of capitalizing on student knowledge and abilities of reading comprehension. The teacher may point this out throughout the process of these lessons and others to help pupils understand that they are welcome to access prior skills in these areas. Also, the work being completed in a history lesson supports the goal of reading comprehension. This should be evident in a simple listing of the six concepts of Historical Thinking:

1. Establish historical significance
2. Use primary source evidence
3. Identify continuity and change
4. Analyze cause and consequence
5. Take historical perspectives
6. Understand the ethical dimension of historical interpretations

It is important to note that, traditionally, most reading comprehension is taught with fiction in mind. The history teacher has the unique, important, and constant task of reminding pupils that history is real. These are real people, located in real places, and interacting with real events - not fictional characters in a book or movie. When we teach whole history – and we don't leave out the parts that make us uncomfortable – we need to take the temperature of the room and seriously consider the feelings and lived experiences of our students. We need to lead with emotional intelligence and use reflection and care in our practice. As you prepare to teach about events and decisions that seem morally repugnant today, remember that students will need time to process these events. Build that time into your lessons. Think about who in your class is represented in the history you are teaching. Consider how they might respond to learning that history. Make sure you leave time for discussing and processing and remember that students will respond with emotion as well as intellect, and that both are valid and important.

# Lesson 1: Places

## What's the Big Idea?

These events occur in the latter half of the 19th Century. By this time, race-based slavery is firmly established in the United States of America, having begun after the first shipload of Africans were trafficked to North America in 1619. The desire for profits and comfort brought forth the idea that these individuals could fill a labor-intensive role of serving in the fields and in other roles for no pay.

In over 200 years of oppression, the institution of slavery developed was considered by many white citizens to be a “normal” part of the economy and culture.

In this session, the teacher establishes a foundation of knowledge for students to use in upcoming lessons. Students will analyze a map, identifying evidence from the map to connect with their prior knowledge to make inferences and predictions.

## Objectives

- Learners will examine a map that visually illustrates a distinct difference of opinion concerning the institution of slavery.
- Learners will discuss the restrictions placed on people forcibly transported from the African continent to work for no pay, with no freedom or agency.
- Learners will look through the eyes of 19th century leaders who wished to either spread or abolish slavery during the westward expansion of the United States.

## Materials

- *Freedom and Slavery, and the Coveted Territories*, a map to be projected or made available on 1:1 devices.
- Copies of *A Glimpse into the Institution of Slavery*, attached at the end of the lesson

## Research

Instruct students to observe the provided map, *Freedom and Slavery, and the Coveted Territories*. The teacher may project the map or provide the link for them to observe on their 1:1 devices. Tell them to look at the whole image, but to also notice details within the image. They may also note any words that could help them interpret the map.

After a minute, without any teacher explanation, instruct students to make a brief list of what they notice about the map. In turn, have students share their findings. At this point, make sure they only make observations without including previous knowledge. Every student should be able to make simple observations without much risk. As needed, ask students why they think their observation is true: “Why do you think [your observation] is true?”

Keep students curious! Students may want to bring other knowledge to the discussion, but this can derail

examination of the specific source and unravel the narrative thread. A crafty teacher will remind students that their challenge is to focus only on the piece of evidence in front of them.

After the observation time, the teacher asks leading questions, using the map at hand. Essentially, the teacher now loosens the restraint and allows students to bring prior knowledge and deeper comprehension skills into the discussion.

- When you read the title, were there words or phrases you didn't understand? How might we figure out what the title tells us?
- What is freedom?
- What is slavery?
- What does the word coveted mean?
- When do you think this map was made? What evidence points you to that conclusion?
- What is the purpose of this map?
- Describe life in the unshaded states in the northern states.
- Describe life in the shaded states in the southern states.
- How might life have been different near where these two areas touch?

If students do not have background knowledge about slavery in America, the teacher should help them understand what it means for one human being to own another. It may be stated that slavery, by this time, has existed in the United States for over 200 years. It is firmly rooted in our history, beginning in 1619 when a group of African people was forcibly transported to the east coast, landing near Jamestown in Virginia. In the two centuries since that time, slavery has become normal, an everyday expectation of life, a convenience for some and oppression for others, though over time, it was abolished in many northern states, and a few very rich men owned the majority of enslaved people.

Slavery restricted movement, family development, opportunities, physical and mental health, religious preference, and much more. It established a caste system, based on the inferiority of people of color, focusing entirely on the dark color of the skin. It is important to note that all thoughts of black people being of inferior mental capacity, having a different bone structure that set them apart from white people, etc., are unfounded in science.

Slavery has existed in other places and at other times in the world's history, but not as a system based upon a single factor, skin pigment.

- What activities could enslaved people miss by being restricted to the "master"'s property?
- How would it feel to work from sunup to sundown?
- How might enslaved people be punished for not performing duties?
- How would family life be different for the enslaved person and the free person?
- What feelings might an enslaved person have upon being "sold" to a new "master"?

Consider the gray-shaded territories on the map. These areas were not yet states, and the borderlines are different from state lines today. It may be more difficult for some students to jump into these questions, but the main point is that these areas would be contentious at the very least, with people who disagree on this hot

issue (sometimes relatives) living so closely with each other at the borders. The question of how legal slavery would extend into western territories was very important to the country's future.

- How might life be different in these territories from the others we have discussed?
- Why are the slavery and anti-slavery politics of the states in the northern and southern states important to people living in the “coveted territories”?
- Why might people in the northern and southern states care about the politics of the people living in the “coveted territories”?
- Do you think this could cause challenges in their future?

### **Big Question**

Slavery in this form no longer exists in the United States, but racism does.

- Have you seen examples of some people treating others differently because of the color of their skin?
- Have you noticed any focus on racism in the news? Give examples.

### **Exit Ticket**

Assign *A Glimpse into the Institution of Slavery*.

The Exit Ticket is open-ended so the teacher may learn more about what students bring to the table as prior knowledge.

By using the Exit Ticket, the teacher hopes to find that students have a general idea of the type of lives that were led by enslaved people and their white “owners” (restricted travel, hard labor, beatings, and whippings, etc.). It would be difficult to list all the possible answers to the first question on the Exit Ticket, especially since conditions varied based on the owner, the location, cultural standards, and even religious beliefs.

The bottom of the Exit Ticket exists to reveal discrepancies in students' backgrounds. It may also expose misconceptions or prejudices that exist in the particular classroom. This will help the teacher determine whether a mini-lesson or further discussion needs to take place before moving on to the next lesson. It is important to note that we are presenting a history lesson, full of facts, but that does not mean that all the decisions made were correct, moral, and in line with today's moral standards. It does show us how we arrived at our own point in the timeline. It also reveals that we have not arrived at the conclusion of the issue.



## Lesson 2: People

### What's the Big Idea?

In this lesson, students will observe grave markings to discover the identities of some of the principal figures in the Dred and Harriet Scott story. The goal is to keep pupils investigating and making their own connections between the lessons, doing so by discovering the interactions of characters and places and then formulating questions to drive them deeper into the historical record, which will occur in the next lessons of this unit.

### Objectives

- Learners will examine the grave markings for principal figures in the Dred Scott story.
- Using grave information and the secondary information available on the gravesite links, learners will draw conclusions concerning the story.
- Learners will share with classmates the connections that they make and together map all the ways that the graves demonstrate human relationships – those of family and those of bondage.
- Learners will look through the eyes of 19th Century leaders who wish to either spread or abolish slavery during the westward expansion of the United States.

### Materials

- Student notebooks to record notes
- Access to eight web addresses listed in the Research section below: at one internet-connected device for each group of students
- Copies of *Round Table Graphic Organizer*, attached at the end of the lesson

### Research

Divide the class into groups and assign each group one of the following links to explore. Adjust group sizes based on the number of students in the class; if necessary, individuals can research on their own. Instruct students to make note of any markings on the graves, including engraved words. Instruct them to stick to the facts displayed in the images during this section of the lesson. Ask them to observe the age and upkeep of the stones and the ground surrounding them. Students should record their findings in a notebook and be ready to present their findings to the class. This part of the lesson should only take 10 minutes, but time may be adjusted as needed.

[Peter Blow \(1777-1832\)](#)

[Dr. John Emerson \(1803-1843\)](#)

[Irene Sanford Chaffee \(1815-1903\)](#)

[Dred Scott \(1799-1858\)](#)

[Harriet Robinson Scott \(1815-1876\)](#)

[Elizabeth Scott Madison \(Unknown-1882\)](#)

[Lizzie Marshall Scott \(1846-1945\)](#)

[Taylor Blow \(1820-1869\)](#)

As they research, the teacher monitors to ensure groups are on-task and remaining productive. Ask individual students and groups:

- Are gravesites primary or secondary sources of information? What makes them so?
- Who is this person? Why did I ask you to look at these images?
- Should the accompanying information found at the link be considered a primary or secondary source? Is it reliable?
- Is there information on the page that helps me get a picture of who this person was or what this person did?

### Check for Understanding

Pass out the “Round Table” graphic organizer. This organizer displays every name from the research pool listed around the outside of the page. Explain that students will use the page to draw connecting lines between the figures when they think they know the connections the people had when they lived. On each line, students should write words to denote what the connections were. The teacher should feel free to guide students through this recording process as much as necessary as students identify the connections orally.

Simple suggested connections:

Dred Scott—married—Harriet Robinson Scott  
 Dred Scott—master/slave—Peter Blow  
 Dred Scott—father/daughter—Elizabeth Scott Madison  
 Dred Scott—slave/master—Dr. John Emerson  
 Dred Scott—owner/slave—Irene Sanford Chaffee  
 Dred Scott—father/daughter —Lizzie Marshall Scott  
 Dred Scott—freed with help from—Taylor Blow

Harriet Robinson Scott—no connection—Peter Blow  
 Harriet Robinson Scott—slave/master—Dr. John Emerson  
 Harriet Robinson Scott—mother/daughter—Elizabeth Scott Madison  
 Harriet Robinson Scott—slave/owner—Irene Sanford Chaffee  
 Harriet Robinson Scott—mother/daughter—Lizzie Marshall Scott  
 Harriet Robinson Scott—freed with help from—Taylor Blow

Peter Blow—sold Scott to—Dr. John Emerson  
 Peter Blow—no connection—Elizabeth Scott Madison  
 Peter Blow—no connection—Irene Sanford Chaffee

Peter Blow—no connection—Lizzie Marshall Scott  
Peter Blow—father/son—Taylor Blow

Dr. John Emerson—owned parents—Elizabeth Scott Madison  
Dr. John Emerson—Scotts transferred from husband to wife—Irene Sanford Chaffee  
Dr. John Emerson—owned parents—Lizzie Marshall Scott  
Dr. John Emerson—no connection—Taylor Blow

Elizabeth Scott Madison—owned by—Irene Sanford Chaffee  
Elizabeth Scott Madison—sisters—Lizzie Marshall Scott  
Elizabeth Scott Madison—freed with help from—Taylor Blow

Irene Sanford Chaffee—owned—Lizzie Marshall Scott  
Irene Sanford Chaffee—deeded Scotts to—Taylor Blow

Lizzie Marshall Scott—freed with help from—Taylor Blow

### Discussion

Ask students:

- What connections have we identified through this process?
- What relationships do you see in your “Round Table” notes?
- What questions do you have as a result of this activity?
- What does this lesson have to do with yesterday’s lesson?

### Big Question

- Is every person capable of racism?
- What factors might affect whether someone discriminates because of race?

Students may cite relationships, locations, religious beliefs, oral tradition, media, and more, as an explanation for the things that influence racial opinions.

### Exit Ticket

The completed *Round Table Graphic Organizer* serves as an exit ticket. The instructor must confirm that the organizer was completed with fidelity. Students may check one another to see that all possible correct connections have been made.

Name: \_\_\_\_\_

## Round Table Graphic Organizer

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Dred Scott

Harriet Robinson Scott

Peter Blow

Dr. John Emerson

Irene Sanford Chaffee

Taylor Blow

Lizzie Marshall Scott

Elizabeth Scott Madison

## Lesson 3: Situation

### What's the Big Idea?

Now that students have the lay of the land and a feel for the figures in this historical account, we're moving forward with the foundational importance of the Dred Scott Case. Keep in mind that these events contributed to a growing list of precursors - warning signs - to the Civil War. Today's lesson sets up the situation in which Dred and Harriet Scott found themselves. Owned by one man, sold to another, Dred was taken to free states, but remained enslaved to his owner. While in a free state, Dred met his soon-to-be-wife, and two daughters were born. When returned to a slave state, reality set in that these daughters could be sold away from their parents.

### Objectives

- Learners will examine a map that visually illustrates the Missouri Compromise, which attempts to appease both slave and free states in the future.
- Learners will consider the Scott family's situation in which they claim their entitlement to freedom based on their circumstances.
- Learners will connect the Missouri Compromise with a playground scenario.
- Learners will predict, based on evidence, whether the case will rule in favor of freedom or continued enslavement for the members of the Scott family.

### Materials

- [Did the Missouri Compromise Merely Delay the War? from the Bill of Rights Institute](#), a map to be projected or made available on 1:1 devices

### Research

In this lesson, let's go back in time (as is often necessary when studying history). Have students observe this map in silence for one minute: [Did the Missouri Compromise Merely Delay the War? from the Bill of Rights Institute](#). Students may remember another historic map from the first lesson, in which case the teacher should inform them that this map shows a time earlier than the first one.

Ask students what they notice in this newer map about an older time. Monitor their observations to ensure (until later) that they remain based only on the facts that are denoted by the image.

Ask:

- How many states are represented as "free states"?
- How many states are represented as "slave states"?
- What might be a "problem" if there were more free states than slave states (or vice versa)?
- Why would many Members of Congress insist that Missouri not become a state unless Maine was also admitted?

Instruct the class about the “Missouri Compromise,” in which Missouri was only allowed to become a state if another state (Maine) entered the Union as a free state at the same time. At this point, the teacher should lead the class to understand that the states remain united because of the balance of power between different interests. Neither side of the slavery issue was willing to allow the other have more votes in Congress because they feared the result.

Point to the yellow *Missouri Compromise* line on the map and ask for predictions about the significance of the line for future states. Explain that the decision was made that future new states north of the line would be “free states,” and new states south of the line would be admitted as “slave states.”

Students should now begin applying their own thinking to the facts of this map. Ask:

- Do you think this arrangement will put an end to disagreements about slavery?
- Will people with quite different ideas about what is right and wrong live in harmony with one another and work together with no more arguments about the matter?
- Would the Civil War (1861-1865) have been fought earlier if the Missouri Compromise had not become the law of the land?
- Why do you think so?

Have the class consider two groups of friends on the playground. One group wants to play football, and the other wants to play tag. These two groups have gotten into some mean arguments about how to share the playground. Their teacher suggested a compromise – that a new student who wants to play football must stand with the teacher (and not play) until another new student enrolls who wants to play tag, so that the numbers stay even, and no one takes over the playground.

Ask:

- Would established students continue to try to recruit new students to their sides in hopes of upsetting the balance of power?
- What if two new students both prefer tag? Is it fair to keep them from playing until more football-playing students join the school?
- Has the teacher solved the playground situation or simply made it easier to govern in the moment?

The national situation in the United States in the times being studied are decidedly different from playground disputes about games. This was not a situation in which the participants - slaves and their owners - could “agree to disagree,” the consequences of such meaning that the slavery continues, and no solution emerges. For most playground issues, and for many daily disputes, agreeing to disagree may be employed as a solution. For a teacher who wants to pursue that more, refer to the Wonderopolis article: *What Does It Mean to Agree to Disagree?* For this lesson, however, there is a more serious situation evolving, and the people involved are getting hurt. Can students see the difference?

The teacher needs to synthesize information from the previous lesson into this discussion. Referring to their notes from the previous lesson, ask pupils:

- In what year was Dred Scott born?
- Where was he born?
- Being a black man born in Virginia, what does that imply for Mr. Scott?

Remind students that Peter Blow, a southern plantation owner, owned Dred Scott. In 1830, Peter Blow sold Mr. Scott to Dr. John Emerson, an army surgeon. Emerson soon took his enslaved man, Scott, to Illinois and Wisconsin (both free states). While in Wisconsin, Dred Scott met an enslaved woman named Harriet Robinson and married her. They had two daughters, Lizzie, and Eliza, and all soon became the property of John Emerson.

Later, Dr. Emerson returned to St. Louis, Missouri, with the entire Scott family, Dred, Harriet, and their two daughters. After Emerson's death, now having to answer to Emerson's wife, Irene, the Scotts started thinking about their daughter's futures. Lizzie and Eliza would soon reach an age that they could be sold to new owners. Harriet could not bear to part with her daughters and never see them again, so she compelled Dred to pursue a legal solution to their plight. Dred and Harriet filed separate freedom suits in court in 1846. With the girls still young and under her care, Harriet knew that if she was awarded her freedom, the girls, too, would be free. We will look at one of their petitions of the court in the next lesson.

Ask students:

- Why did the Scotts believe they could win their freedom in court?

There was legal precedent that stated, "once free, always free." Several enslaved people had gained their freedom in Missouri courts under that premise. The Scotts' lawsuits against their owner stated that they had been wrongfully held as slaves in free states and should therefore be considered as free individuals.

### **Big Question**

- Which outcome - SLAVE or FREE - will fan the flames of Civil War (perhaps both)? Why?

### **Exit Ticket**

Instruct students to use lined paper to predict the outcome of the case – will the Scotts end up free or enslaved? They must write the word FREE or the word SLAVE at the top of the paper. Below that prediction, tell students to write a paragraph to explain why they think their prediction is right. After writing their predictions, remind them that history can be ugly, and things do not always end in the way we think they should.

This paper serves as the Exit Ticket for the lesson. The teacher should confirm that students back up their choice with "evidence" from the lessons so far. Learners should not make wild guesses based on what they want the outcome to be, whether optimistic or pessimistic.

## Lesson 4: Event

### What's the Big Idea?

Now that the situation has been established and placed into the context for students, the class will be introduced to excerpts from Dred and Harriet Scott's petitions for their freedom and learn of the verdict. Students may be shocked to hear that someone not only had to ask permission to be free, but that they had to involve lawyers and judges. No matter how morally repulsive slavery might be to our current sensibilities, society of the 17th through 19th Centuries accepted things to be normal at the time. The teacher may liken it to a habit: even if you want to break the habit, it often takes forces outside of the individual to be successful.

### Objectives

- Learners will notice key features in an image of a primary document - Dred Scott's petition to the court.
- Learners will "share read" a portion of Dred Scott's petition to the court for his freedom.
- Learners will identify key vocabulary within the excerpt of Scott's petition that they read.
- Learners will work together to create a summary sentence, using the key vocabulary from the text.
- Learners will individually construct a sentence in their own words to demonstrate understanding of the case.

### Materials

- [The first page of Dred Scott's petition](#) to be projected or made available on 1:1 devices
- Copies of *Excerpt and Notes (Dred Scott Petition)*, attached at the end of the lesson

### Research

The teacher will guide students through a process of shared reading and identifying important vocabulary, before summarizing the text and rewriting it in their own words to demonstrate understanding.

Begin by projecting or sharing an image of the first page of Dred Scott's petition to the court. This document asks the judge for permission to take a case to court. The teacher asks students for their first impressions about the document. Obviously, the old-style handwriting and the age of the document make it difficult to read, and that may be the extent of student observations. Point to the signature at the bottom of the document and ask:

- What do you see there?
- If you can decipher the words, what does it say? (Dred hisXmark Scott)
- What might be indicated by "his mark" with an X or a plus symbol?
- Why might Scott have made a mark instead of signing his own name?

Review what students have learned in previous lessons.

Pass out copies of the printed version of *Excerpt and Notes (Dred Scott Petition)*. Important to note is that another with many of the same words was filed at the same time by Mr. Scott's wife, Harriet, as a "woman of color." Model reading aloud from the beginning - not too quickly.

To the Hon. John M. Krum, Judge of the St. Louis Circuit Court.

Dred Scott, a man of color, respectfully states to your honor, that he is claimed as a slave by one Irene Emerson, of the County of St. Louis, State of Missouri, widow of the late Dr. John Emerson, who at the time of his death was a surgeon in the United States army. ...Dr. John Emerson purchased [Scott] in the city of St. Louis, about nine years ago...and took [him] with him to Rock Island in the State of Illinois, and then kept [him] to labor and service...for about two years and six months... Emerson was [reassigned] to Fort Snelling...in the territory of Iowa [now part of Minnesota], and took [Scott] with him, at which latter place [Scott] continued...doing labor and service, for a period of about five years... Emerson was ordered to Florida, and proceeding there left [Scott] at Jefferson Barracks in the County of St. Louis... Emerson is now dead, and his widow...Irene claims [Scott] services as a slave, and as his owner...[B]elieving that...he is entitled to his freedom, he prays your honor to allow him to sue said Irene Emerson in said Court, in order to establish his right to freedom...

Dred his X mark Scott

The text there has been reduced in places and revised as indicated in brackets (like these: [ ]), to clarify some of the antiquated and legal language, but the message and tone has been retained.

Conduct a shared reading of the excerpt at the top of the page. The teacher will read with the same inflection, speed, and rhythm as before, but this time students read the text aloud at the same time. Students should match the same rhythm, inflection, and speed as the teacher, following punctuation notations along the way.

Give pupils three to five minutes to circle five important words in the excerpt. These must be vital words to the text, and not basic words like *the* or *is*. In some cases, students have been taught literary skills such as that of finding connecting words that tie a text together, but that is not what they should do here. Instead, they should find the meaningful vocabulary words (or short phrases) that are most important to helping them understand this text.

Call on students to share their words with the class, one at a time, as the teacher publicly records them. If more than one student shares the same word, make note of that: shared words may indicate their level of importance. If students do not know the meaning of a word, go through the process of looking it up electronically or in a dictionary. This process is also important to literacy and in understanding subject-specific vocabulary.

Help the class choose four or five of the most common and most pertinent of the words and record them in the appropriate spaces on their *Excerpt and Notes* page. Some suggested words/phrases may include: *Dred Scott, man of color, slave, entitled, allow, and right to freedom.*

Next, the whole class works together to create a sentence using the words identified. The teacher provides leadership, but the sentence, as much as possible, needs to be a creation of the class, with input from the collective group. The sentence should embody the correct context for the document (*Dred Scott, a man of color, is entitled to his right to freedom.*). Students record the final, agreed-upon sentence in the appropriate place on their paper.

### **Exit Ticket**

The next step is for pupils to construct their own, individual, sentences. They begin with the sentence they just made and put it into their own words (*Dred Scott was a black man who wanted to be free from slavery.*). This sentence will be the Exit Ticket for the lesson. The instructor should look for a complete sentence that portrays the same thought as the former sentence constructed with the whole group.

### **Check for Understanding**

Ask:

- What part of today's process was most difficult for you?
- When Dred and Harriet Scott are permitted to take their cases to court, what do you predict the results will be?

Name: \_\_\_\_\_

## **Excerpt and Notes (Dred Scott Petition)**

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To the Hon. John M. Krum, Judge of the St. Louis Circuit Court.

Dred Scott, a man of color, respectfully states to your honor, that he is claimed as a slave by one Irene Emerson, of the County of St. Louis, State of Missouri, widow of the late Dr. John Emerson, who at the time of his death was a surgeon in the United States army. ...Dr. John Emerson purchased [Scott] in the city of St. Louis, about nine years ago...and took [him] with him to Rock Island in the State of Illinois, and then kept [him] to labor and service...for about two years and six months... Emerson was [reassigned] to Fort Snelling...in the territory of Iowa, and took [Scott] with him, at which latter place [Scott] continued...doing labor and service, for a period of about five years...Emerson was ordered to Florida, and proceeding there left [Scott] at Jefferson Barracks in the County of St. Louis... Emerson is now dead, and his widow...Irene claims [Scott] services as a slave, and as his owner...[B]elieving that... he is entitled to his freedom, he prays your honor to allow him to sue said Irene Emerson in said Court, in order to establish his right to freedom...

Dred hisXmark Scott

Sentence using words from the text:

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Sentence in your own words

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# Lesson 5: Resolution

## What's the Big Idea?

The U.S. Supreme Court uses decisions it has made in the past (Constitutional precedent) and looks carefully at the law when making decisions. In the case of *Scott v. Sandford*, it found both precedent and legal reasoning to deny Dred and Harriet Scott their freedom, with 7 justices voting to deny freedom and 2 voting for freedom.

It may be necessary to explain to students that there are multiple levels to the court system. If one court renders a verdict, there is a method by which that verdict may be appealed to a higher court. While the Scotts received a decision that stated they would remain enslaved to Emerson's widow, they were able to appeal that decision through a series of courts until it finally appeared before the United States Supreme Court in Washington, DC.

For this lesson, the class will follow the same pattern of analyzing an excerpt from a primary document. They will also discover that the Blow family took on the responsibility of paying for the Scotts' legal counsel and for ultimately achieving freedom for the Scott family.

## Objectives

- Learners will review the previous lesson to recall the Scott family's situation.
- Learners will view the cover page of *Chief Justice Roger Taney's opinion* of the case.
- Learners will "share read" a portion of the Chief Justice's opinion.
- Learners will identify key vocabulary within the excerpt of the Chief Justice's opinion that they read.
- Learners will work together to create a summary sentence, using the key vocabulary from the text.
- Learners will individually construct a sentence in their own words.
- Learners will extend their understanding through the discovery of how the Dred Scott decision changed the meaning of the Missouri Compromise.
- Learners will further discover how the Scott family finally gained their freedom (with the assistance of some figures they learned about in Lesson Two).

## Materials

- [\*Chief Justice Roger Taney's opinion\*](#) to be projected or made available on 1:1 devices
- Copies of *Excerpt and Notes* (Chief Justice Roger Taney's opinion), attached at the end of the lesson

## Research

Review Dred Scott's petition to the court from the previous lesson. Tell your students that today is the day they find out the results of the Dred Scott Case.

Ask:

- Have your predictions changed?
- When I tell you that there were nine justices reviewing the Dred Scott Case in the Supreme Court, and most of the justices were from the South, might that change your prediction?

Display the cover page of *Chief Justice Roger Taney's opinion*, but do not provide a link to read the entire opinion. (The language of the opinion is culturally inappropriate for these grade levels.) Explain that this is the Justice's explanation for the final verdict in the case and point out that this is a 52-page document. To simplify things, the teacher explains, we are only going to look at an excerpt.

Hand out the *Excerpt and Notes (Chief Justice Roger Taney's Opinion)* paper to work through. Conduct a shared reading of the excerpt at the top of the page. The teacher and students read the text aloud together, with students matching the teacher's rhythm, inflection, and speed, following punctuation notations along the way.

This confusion is now at an end, and the Supreme Court, in the Dred Scott decision, has defined the relations, and fixed the status of the subordinate race forever—for that decision is in accord with the natural relations of the races, and therefore can never perish. It is based on historical and existing facts, which are indisputable, and it is a necessary, indeed unavoidable inference, from these facts.

Give pupils three to five minutes to circle five important words in the excerpt. These must be vital words to the text, and not basic words like *the* or *is*. In some cases, students have been taught literary skills such as that of finding connecting words that tie a text together, but that is not what they should do here. Instead, they should find the meaningful vocabulary words (or short phrases) that help us find the meaning in this text.

Call on students to share their words with the class, one at a time, as the teacher publicly records them. If more than one student shares the same word, make note of that: shared words may indicate their level of importance. If students do not know the meaning of a word, go through the process of looking it up electronically or in a dictionary. This process is also important to literacy and in understanding subject-specific vocabulary.

Help the class choose four or five of the most common and most pertinent of the words and record them in the appropriate spaces on their *Excerpt and Notes* page. Some suggested words/phrases are: *Dred Scott decision*, *status*, *subordinate race*, *never perish*, *indisputable*, and *facts*. Students may identify different words, as well, but a discussion will help in narrowing the list by consensus.

Next, the whole class works together to create a sentence using the words identified. The teacher provides leadership, but the sentence, as much as possible, needs to be a creation of the class, with input from the collective group. The sentence should embody the correct context for the document (*The Dred Scott decision concerns the subordinate race, and the court's findings are based on indisputable facts.*). Students record the final, agreed-upon sentence in the appropriate place on their paper.

Ask:

- Does it sound as if the court is going to allow the Scotts to be freed from slavery? Are there clues in the excerpt?

Clearly, the U.S. Supreme Court, in the years leading up to the election of President Abraham Lincoln, and the subsequent beginning of a Civil War, believed it had a final answer in race relations. Tell students that seven of the Justices decided that the Scott family – and all Black people – were not citizens of the country and so could not claim the rights of citizens, like suing in a court of law. The seven Justices in the majority believed one race was inferior to others and that the Constitution did not apply equally to all races.

### Exit Ticket

The next step is for pupils to construct their own, individual, sentences. They begin with the sentence they just made and put it into their own words (*There is no possible scientific or historical argument against this opinion of the Supreme Court.*). This sentence will be the Exit Ticket for the lesson. The instructor should look for a complete sentence that portrays the same thought as the former sentence constructed with the whole group.

### Check for Understanding

Ask:

- In spite of the decision made by seven members of the Court, was the opinion “indisputable”?
- How are today’s general cultural standards different from the 1850s?

### Discussion

Another incredible outcome is that the Missouri Compromise, which allowed Missouri and Maine to enter the Union as slave and free states respectively, was immediately nullified. The Dred Scott decision directly refuted the constitutionality of the Missouri Compromise of nearly 40 years earlier.

Ask:

- Recalling and reexamining the map from Lesson Three, what would it mean to invalidate the Missouri Compromise? How would this decision affect the Union?

In this study, students may have also discovered that there is a connection, from beginning to end, with the Blow family. In the second lesson, the class was introduced to Peter Blow as the original owner of Dred Scott. By the time Scott was arguing in the courts for his freedom, the Blow family reenters the picture as one of Peter’s sons, Taylor Blow, supplies the funding for Scott’s attorneys and legal fees. The account is complicated, but for this age level, it is appropriate to explain that after the court case, Scott was deeded to Taylor Blow, who eventually manumitted them. This came in 1857, and Dred Scott died in 1858.

Further connections can be made in that another son of Peter Blow, Henry, worked as an ambassador to Venezuela and served in Congress during Abraham Lincoln’s presidency. Interestingly, Henry’s daughter, Sarah, was the person responsible for introducing kindergarten to America’s schools. This family is worthy of further study. To aid in discussion, the teacher may wish to revisit the grave markers of these individuals as identified in Lesson Two. Note that this part of the discussion succeeds when it fosters more curiosity and interest in students. Inform them that these types of connections are prevalent in the study of all periods of history, but they can distract a historian from performing a

narrow study. In this lesson set, we have attempted to maintain a focus, leading to the final lesson, which ties it all to Abraham Lincoln's thought process, eventually leading to the Civil War and the *Emancipation Proclamation*.

Ask:

- What are the connections between the Blow family and the Scotts?
- Why might Taylor Blow be interested in helping Dred Scott's family gain their freedom?

Name: \_\_\_\_\_

### **Excerpt and Notes (*Chief Justice Roger Taney's Opinion*)**

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This confusion is now at an end, and the Supreme Court, in the Dred Scott decision, has defined the relations, and fixed the status of the subordinate race forever— for that decision is in accord with the natural relations of the races, and therefore can never perish. It is based on historical and existing facts, which are indisputable, and it is a necessary, indeed unavoidable inference, from these facts.

Sentence using words from the text:

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Sentence in your own words

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## Lesson 6: Results (*A House Divided*)

### What's the Big Idea?

During this final lesson, students are going to bridge the gap between the Dred Scott case and Lincoln's opinions. They will do this by looking at sections of Lincoln's *A House Divided* speech in 1858. The connection between the Scott family's experience (mentioned by name in the speech) and the U.S. Civil War is made in this lesson, and students should be taught explicitly with that goal in mind. While it must have been difficult to see the common thread that stitches the Missouri Compromise, the Dred Scott Decision, and finally Lincoln's *A House Divided* speech (which is clearly a signal that war is imminent), it is much more clearly viewed through the lens of history.

For an annotated version of the *House Divided* speech, link here:

<https://fordstheatre.s3.amazonaws.com/files/resources/house-divided-speech-abridged-annotated-july2020.pdf>

Note: this lesson may require multiple sessions to complete. The teacher may decide to stop with the first Exit Ticket and pick up the rest on the following day.

### Objectives

- Learners will review the previous lesson to recall the Scott family's situation.
- Learners will analyze the phrase, "A house divided against itself cannot stand."
- Learners will view Abraham Lincoln's handwritten (primary document) *A House Divided* speech.
- Learners will "share read" a portion of Lincoln's *A House Divided* speech.
- Learners will identify key vocabulary within the excerpt of Lincoln's speech that they read.
- Learners will work together to create a summary sentence, using the key vocabulary from the text.
- Learners will individually construct a sentence in their own words.
- In groups, learners will apply the process of identifying vocabulary, creating a summary sentence, and constructing a sentence in their own words with less guidance from the teacher.
- Learners will share the findings of their group study, using the work they completed in analysis of a section of Lincoln's *A House Divided* speech.

### Materials

- Lincoln's *A House Divided* speech (attached below) - to be projected, made available on 1:1 devices, or printed and distributed as physical copies for students to hold.
- Copies of *Excerpt and Notes* (House Divided), attached at the end of the lesson
- Copies for one group of students of *Excerpt and Notes* (House Divided: *Passage One*)
- Copies for a second group of students of *Excerpt and Notes* (House Divided: *Passage Two*)
- Copies for a third group of students of *Excerpt and Notes* (House Divided: *Passage Three*)

## Research

Write the following for students to see (or project it digitally): “A house divided against itself cannot stand.”

Ask:

- What do you notice about this sentence? What do you wonder?

Students may notice parts of speech, and that is acceptable. That is one strategy that helps in deciphering difficult texts. Others may identify words that are difficult; in this case they may tell the teacher that they do not know the definition of a word. Some students might remark about the imagery of a house being cut in two.

Project the *House Divided* speech for students, available from the Lincoln Presidential Foundation. Tell the class they will be looking at excerpts from the text of the speech, but before they do, establish some context.

Abraham Lincoln was not the president when he delivered this speech. In fact, this speech served as Lincoln’s acceptance speech after he won the Republican primary and became a candidate for the United States Senate. This was two years ahead of his successful presidential campaign and the subsequent Civil War.

With this speech, we see Lincoln’s evolving view of what should be done about the long-lived issue of slavery in America.

Distribute the *Excerpt and Notes* (House Divided) paper and conduct a shared reading of the excerpt at the top of the page. The teacher and students read the text aloud together, with students matching the teacher’s rhythm, inflection, and speed, following punctuation notations along the way.

Mr. PRESIDENT and Gentlemen of the Convention. If we could first know where we are, and whither we are tending, we could better judge what to do, and how to do it. We are now far into the fifth year, since a policy was initiated...[for] putting an end to slavery agitation...In my opinion, it will not cease, until a crisis shall have been reached and passed. “A house divided against itself cannot stand.” I believe this government cannot endure permanently half slave and half free. I do not expect the Union to be dissolved—I do not expect the house to fall—but I do expect it will cease to be divided. It will become all one thing, or all the other. Either the opponents of slavery, will arrest the further spread of it, and place it where the public mind shall rest in the belief that it is in the course of ultimate extinction; or its advocates will push it forward, till it shall become alike lawful in all the States, old as well as new—North as well as South.

Give pupils three to five minutes to circle five important words in the excerpt. These must be vital words to the text, and not basic words like *the* or *is*. In some cases, students have been taught literary skills such as that of finding connecting words that tie a text together, but that is not what they should do here. Instead, they should find the meaningful vocabulary words (or short phrases) that are unique to this text.

Call on students to share their words with the class, one at a time, as the teacher publicly records them. If more than one student shares the same word, make note of that: shared words may indicate their level of importance. If students do not know the meaning of a word, go through the process of looking it up electronically or in a dictionary. This process is also important to literacy and in understanding subject-specific vocabulary. If necessary, create a vocabulary assignment to assist in the understanding of necessary words in this passage.

Help the class choose four or five of the most common and most pertinent of the words and record them in the appropriate spaces on their *Excerpt and Notes* page. Some suggested words/phrases are: *slavery agitation, crisis, opinion, divided, cannot stand, opponents, advocates*. Students may identify different words, as well, but a discussion will help in narrowing the list by consensus.

Next, the whole class works together to create a sentence using the words identified. The teacher provides leadership, but the sentence, as much as possible, needs to be a creation of the class, with input from the collective group. The sentence should embody the correct context for the document (*Slavery agitation is a crisis that has divided opponents and advocates of slavery, and if things remain the same, the nation cannot stand.*). Students record the final, agreed-upon sentence in the appropriate place on their paper. It is clear that Lincoln did not accept Justice Taney's statement that the Supreme Court decision was the final word (Recall the previous lesson.)

Explain that the speech is much longer than this excerpt. Lincoln takes advantage of this political speech to cite other historical issues and events that have divided the nation. He also alleged that the current president and other authorities were not helping the situation.

### Exit Ticket 1

The next step is for pupils to construct their own, individual, sentences. They begin with the sentence they just made and put it into their own words (*The United States will fail if we can't make a final decision about the legality of slavery.*). The teacher ensures that these sentences maintain the context of the original language.

Check for Understanding

Ask:

- Is Abraham Lincoln's statement true? Could the U.S. survive half-slave and half-free? If not, in your opinion, could a Civil War over slavery be avoided, or was it inevitable?
- How would life in the United States be different if it was half-slave and half-free today? If the U.S. broke into a slavery-based nation and a free nation, could these two countries get along without fighting a war?
- Are there current events that still divide our nation?

### Discussion

This section may be initiated on a separate day. Divide the class into three large groups or six smaller groups and assign a reading to each group (or a reading to two groups if you are using smaller groups). Groups are to work together through the last paragraphs of the *House Divided* speech, using the same process they have used in the last few lessons. The teacher may provide guidance as needed. The goal is not for the students to

get a full grasp of the entire speech, but to get the gist of Lincoln's message. Additionally, the teacher may acquire an idea for students' understanding of the interpretive process.

Passage One:

First, That no negro slave, imported as such from Africa, and no descendant of such slave, can ever be a citizen of any State, in the sense of that term as used in the Constitution of the United States. This point is made in order to deprive the negro, in every possible event, of the benefit of that provision of the United States Constitution, which declares that "The citizens of each State shall be entitled to all privilege and immunities of citizens in the several States."

Passage Two:

Secondly, that "subject to the Constitution of the United States," neither Congress nor a Territorial Legislature can exclude slavery from any United States territory. This point is made in order that individual men may fill up the territories with slaves, without danger of losing them as property, and thus to enhance the chances of permanency to the institution through all the future.

Passage Three:

Thirdly, that whether the holding a negro in actual slavery in a free State, makes him free, as against the holder, the United States courts will not decide, but will leave to be decided by the courts of any slave State the negro may be forced into by the master. This point is made, not to be pressed immediately; but, if acquiesced in for a while, and apparently indorsed by the people at an election, then to sustain the logical conclusion that what Dred Scott's master might lawfully do with Dred Scott, in the free State of Illinois, every other master may lawfully do with any other one, or one thousand slaves, in Illinois, or in any other free State.

**Exit Ticket 2**

The sentence written in their own words acts as the Exit Ticket for this part of the lesson. As in the past, the teacher checks for context in student sentences. This will be more difficult this time since it is done with cursory assistance from the teacher instead of with more direction.

**Check for Understanding**

Have each group share its findings and conclusions based on the passage assigned. They may quote the passage, use their own summary sentence, share in their own words, or report using any combination of these. The teacher may need to ask questions to help them understand what is expected: *What vocabulary did you identify? How did you state it in your own words? What does Lincoln say about...?*

Ask:

- Do any of the excerpts mention the Dred Scott case? Is there anything else in your excerpt that refers to Scott's situation before, during, or after freedom was attained?
- In 1958, what was Abraham Lincoln's position on the issue of slavery?
- How might this opinion affect his ability to be elected as president two years later?

Review:

With student input, put together a timeline/diagram of everything they have in their notes and remember from this lesson set. Students should attempt to replicate the illustration, with all of its labels, in their notebooks. This visual compilation serves as the conclusion of the unit.

**Big Question**

Ask:

- Why is this lesson set titled "Warning Signs"?

## A House Divided

Abraham Lincoln, June 15, 1858

Why, Kansas is neither the whole, nor a  
bit of the real question—  
 "A house divided against itself can not  
 stand"

I believe this government can not endure  
 permanently, half slave, and half free—  
 I expressed this belief a year ago, and  
 subsequent developments have but confirmed me.  
 I do not expect the Union to be dissolved—  
 I do not expect the house to fall; but  
 I do expect it will cease to be divided— It  
 will become all one thing, or all the other. Either  
 the opponents of slavery will arrest the further spread  
 of it, and put it on course of ultimate extinction; or  
 its advocates will push it forward till it shall be  
 come alike lawful in all the states, old, as well  
 as new— Do you doubt it? Study the Dred Scott  
 decision, and then see, how little, even now, remains  
 to be done—

That decision may be reduced to three points—  
 The first is, that a negro can not be a citizen—  
 That point is made in order to deprive the negro  
 in every possible event, of the benefit of that provis-  
 ion of the U. S. Constitution which declares that:  
 "The citizens of each state shall be entitled to  
 all privileges and immunities of citizens in the  
 several states"

The second point is, that the U. S. Constitution pro-  
 tects slavery, as property, in all the U. S. territories, and  
 that neither Congress, nor the people of the territories,  
 nor any other power, can prohibit it, at any time, prior  
 or to the formation of state constitutions—

This point is made, in order that the territories may  
 safely be filled up with slaves, before the formation of  
 state constitutions, and thereby to embarrass the free state

Name: \_\_\_\_\_

### **Excerpt and Notes (*A House Divided*)**

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Mr. PRESIDENT and Gentlemen of the Convention. If we could first know where we are, and whither we are tending, we could better judge what to do, and how to do it. We are now far into the fifth year, since a policy was initiated...[for] putting an end to slavery agitation...In my opinion, it will not cease, until a crisis shall have been reached and passed. "A house divided against itself cannot stand." I believe this government cannot endure permanently half slave and half free. I do not expect the Union to be dissolved—I do not expect the house to fall—but I do expect it will cease to be divided. It will become all one thing, or all the other. Either the opponents of slavery, will arrest the further spread of it, and place it where the public mind shall rest in the belief that it is in the course of ultimate extinction; or its advocates will push it forward, till it shall become alike lawful in all the States, old as well as new—North as well as South.

Sentence using words from the text:

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Sentence in your own words

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Name: \_\_\_\_\_

### **Excerpt and Notes (*A House Divided: Passage One*)**

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First, That no negro slave, imported as such from Africa, and no descendant of such slave, can ever be a citizen of any State, in the sense of that term as used in the Constitution of the United States. This point is made in order to deprive the negro, in every possible event, of the benefit of that provision of the United States Constitution, which declares that “The citizens of each State shall be entitled to all privilege and immunities of citizens in the several States.”

Sentence using words from the text:

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Sentence in your own words

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Name: \_\_\_\_\_

### **Excerpt and Notes (*A House Divided: Passage Two*)**

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Secondly, that “subject to the Constitution of the United States,” neither Congress nor a Territorial Legislature can exclude slavery from any United States territory. This point is made in order that individual men may fill up the territories with slaves, without danger of losing them as property, and thus to enhance the chances of permanency to the institution through all the future.

Sentence using words from the text:

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Sentence in your own words

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Name: \_\_\_\_\_

### **Excerpt and Notes (*A House Divided: Passage Three*)**

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Thirdly, that whether the holding a negro in actual slavery in a free State, makes him free, as against the holder, the United States courts will not decide, but will leave to be decided by the courts of any slave State the negro may be forced into by the master. This point is made, not to be pressed immediately; but, if acquiesced in for a while, and apparently indorsed by the people at an election, then to sustain the logical conclusion that what Dred Scott's master might lawfully do with Dred Scott, in the free State of Illinois, every other master may lawfully do with any other one, or one thousand slaves, in Illinois, or in any other free State.

Sentence using words from the text:

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Sentence in your own words

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