Worksheet for Lesson 11: “Public vs Private Property”

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

Directions: Read “Conflicts Between the Needs of the Public and Private Property Rights” by Chris Jeub and answer the following questions.

1. What are nail houses?

2. Explain the legal concept of “eminent domain” and how it relates to the resolution.

3. What line in Amendment 5 of the US Constitution mostly address the conflict of the resolution?

4. For each concern below, write the question you will ask as a debater of this resolution:

a. Water Rights

b. Space

c. Public Use

d. Travel

e. Environment

f. Energy

g. Land Management

5. Who is Edith Macefield and what did she do that is reminiscent of the conflict we’re debating?

6. What two New York “holdouts” are referenced in the article. Explain them.

Answers for Lesson 11: “The Criminal Justice System”

1. Nail houses are houses in China where the government had to build around home owners who refused to sell to the government.

2. Eminent Domain is the power to take private property for public use by a state, municipality, or private person or corporation authorized to exercise functions of public character, following the payment of just compensation to the owner of that property.

3. In Amendment V of the US Constitution, the line that particularly lines up with the resolution is the last: “nor shall private property be taken for public use without just compensation.” A number of conflict situations have sprung up as litigation in law.

4. Answers will vary. These are suggestions:

a. Who owns the water that flows through land?

b. Who has the right to the space above an owner’s land?

c. Who has the right to access other property?

d. Who doesn’t want smooth travel for the public good

e. As a means to protect plant and animal species, should the government take property

f. When does the government have the right to move energy through property?

g. When does the government have the right to control and manage private land?

5. Edith Macefield refused to allow developers to buy her house, even when offered $1 million in 2006 (the house was valued at half that amount).

6. First, Macy’s Million Dollar Corner consists of a privately owned piece of real estate that refused to sell to Macy’s, and the retail giant eventually built around it. Second, 30 Rockefeller Plaza, owned by the Hurley brothers, who refused to sell to the mogul Rockefeller.