

## UNIT 4 Lesson 6 Reading

### Analyzing Political Cartoons

**A Race for the Presidency** In this cartoon, the Know-Nothing candidate Fillmore leads the race in the "American Express" carriage, which represents his anti-immigrant platform. The outgoing Democratic president, Franklin Pierce, carries Buchanan. The Republican Frémont is last, urged on by the abolitionist Horace Greeley (wearing a top hat).

1. Explain the cartoonist's stance on abolition.
2. Did the cartoonist correctly predict the election results?

**The Dred Scott Decision Triggers Outrage** While passions still ran high from the 1856 election, another event fueled the flames of division. In 1857, the U.S. Supreme Court ruled in the case of Missouri slave **Dred Scott**, who had sued for his freedom. Scott based his case on the fact that his master had taken him to the free state of Illinois and Wisconsin Territory, where slavery was outlawed by the Missouri Compromise. In other words, between 1834 and 1838, Scott had lived mostly on free soil while remaining enslaved.

With the help of abolitionists, Scott's case reached the Supreme Court under Chief Justice **Roger B. Taney**. In its decision handed down in March 1857, the Court ruled against Scott. In a controversial decision, the Court decided that slaves and their descendants were property, not citizens, and therefore were not entitled to sue in the courts. It also said that the Missouri Compromise was unconstitutional because it was illegal for Congress to deprive an owner of property—in this case, a slave—without due process of law.

Southerners celebrated the decision, but the North viewed it with alarm. Abolitionists labeled the ruling a southern conspiracy. Some suggested that the North should secede from the Union. Others insisted that the members of the Supreme Court should be impeached. Leading black abolitionist Frederick Douglass predicted that the decision would actually hasten the end of slavery:

conspiracy - a secret plan to do something

secede - to separate

hasten - make something happen more quickly

## Does Congress Have the Power to Limit Slavery?

One of the most divisive issues facing the country in the 1850s was the question of slavery in the territories. The Missouri Compromise had banned slavery from some areas and allowed it in others. The Kansas-Nebraska Act left the question up to those people living in a territory. But if the Constitution allowed slavery to exist, did Congress have the power to take these actions?

### *Dred Scott v. Sandford* (1857)

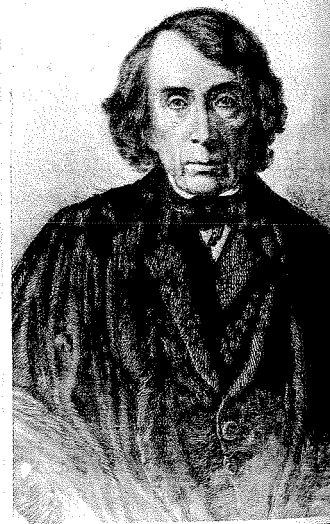
The Facts	The Issue	The Decision
<ul style="list-style-type: none"><li>• Dred Scott, an African American slave, was taken north of the Missouri Compromise line, where slavery was banned.</li></ul>	<p>Scott argued that since he had lived several years in a free state and several years in a free territory, he should be free.</p>	<ul style="list-style-type: none"><li>• The Court stated that temporary residence in a free territory did not make Scott free.</li><li>• It said that Scott was property, not a citizen, and therefore had no right to sue.</li><li>• It further reasoned that no African American could be a citizen.</li><li>• It stated that Congress could not ban slavery from any territory because doing so would take away slave owners' property without due process of law.</li></ul>

### Why It Matters

The *Dred Scott* decision deeply split an already divided country. Southerners applauded the Court for defending their rights to hold slaves. A South Carolina newspaper victoriously declared that the decision proves that "slavery is guaranteed by the constitutional compact." Many in the North viewed the decision with dismay, however. Republicans wanted to block the spread of slavery, and the Court's decision dashed their hopes. Abraham Lincoln expressed the fears of many that the Court would act even more boldly in the future. In an 1858 speech, he warned that the Court would next force slavery onto northern soil:

"We shall lie down pleasantly dreaming that the people of Missouri are on the verge of making their state free and we shall awake to the reality instead, that the Supreme Court has made Illinois a slave state."

By further inflaming both North and South, the *Dred Scott* decision took the nation one step closer to a civil war.



Chief Justice Roger B. Taney

dismay - discouragement  
dashed their hopes - ruined their hopes  
on the verge - just about to

### Connect to Your World

The Court has made other controversial decisions over the years. Examples are *Engel v. Vitale* (1962), *Miranda v. Arizona* (1966), *Roe v. Wade* (1973), *Texas v. Johnson* (1989), and *Kelo v. New London* (2005). Read about the Court's decision in a controversial case and its aftermath. Analyze how people with different points of view have responded to the decision.

**For:** Supreme Court cases  
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