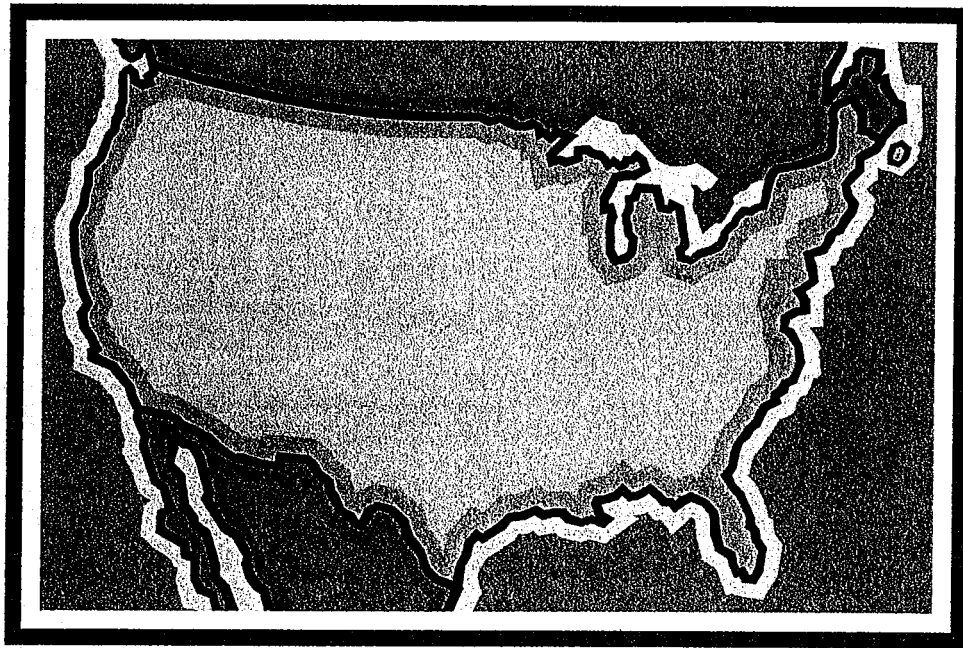


US History



Chapter 10: The Union in Peril

Section 1: The Divisive Politics of Slavery

Section 2: Resistance and Violence

Section 3: The Birth of the Republican Party

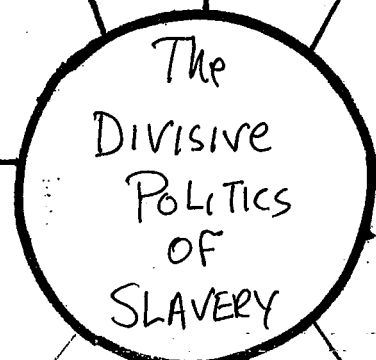
Section 4: Slavery and Secession

Calhoun + Webster Respond

NORTH + South Differences

Death + Compromise

Compromise of 1850



The Wilmot Proviso

Statehood for California + Slavery

District of Columbia

Chapter 10: The Union in Peril, 1850-1861

Section 1: Religion Sparks Reform

William Proviso _____

secession _____

Compromise of 1850 _____

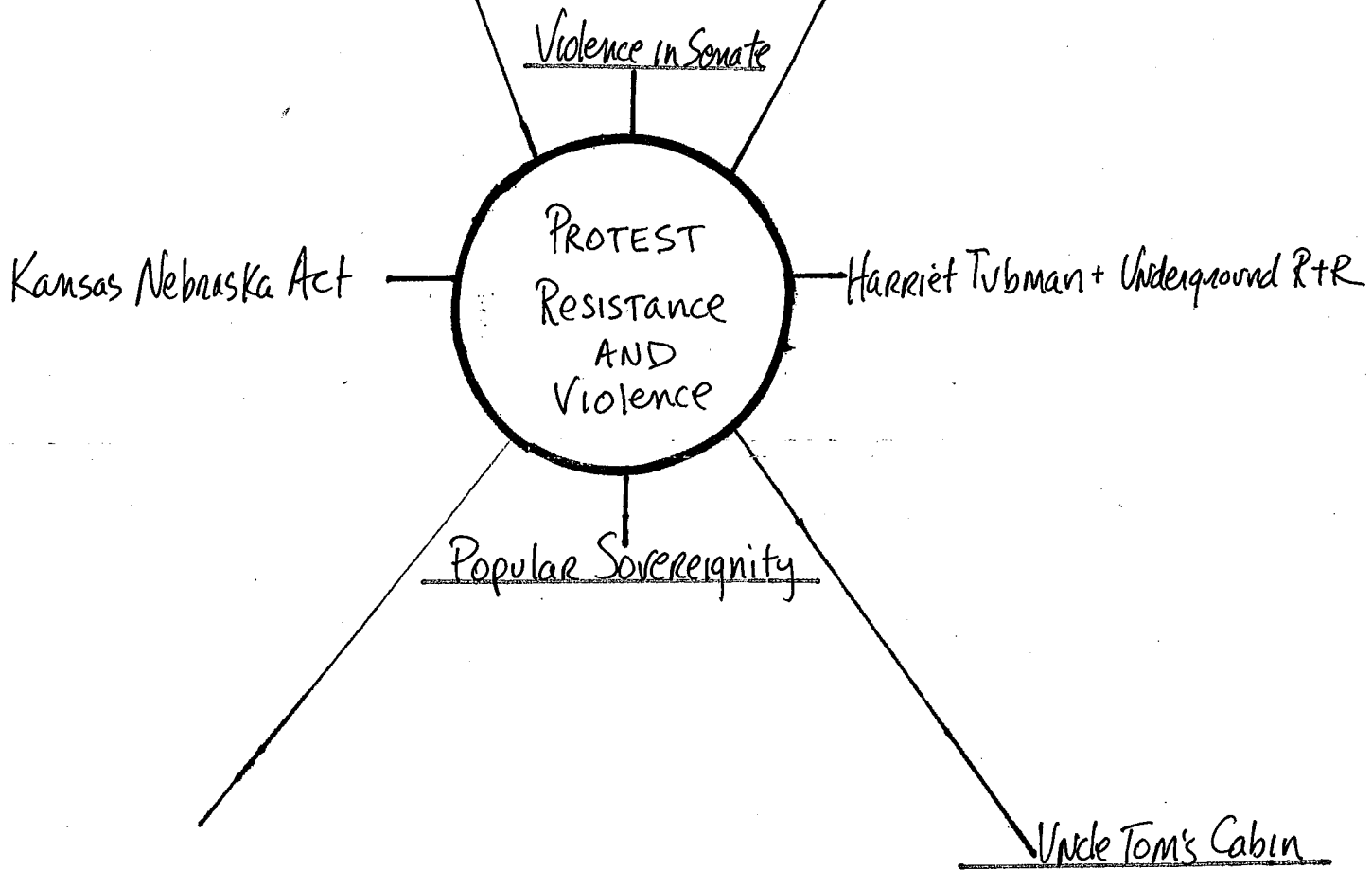
popular sovereignty _____

Stephen A. Douglas _____

Millard Fillmore _____

"Bleeding Kansas"

Fugitive Slave Law



Section 2: Slavery and Abolition

Fugitive Slave Act _____

personal liberty laws _____

Underground Railroad _____

Harriet Tubman _____

Harriet Beecher Stowe _____

Uncle Tom's Cabin _____

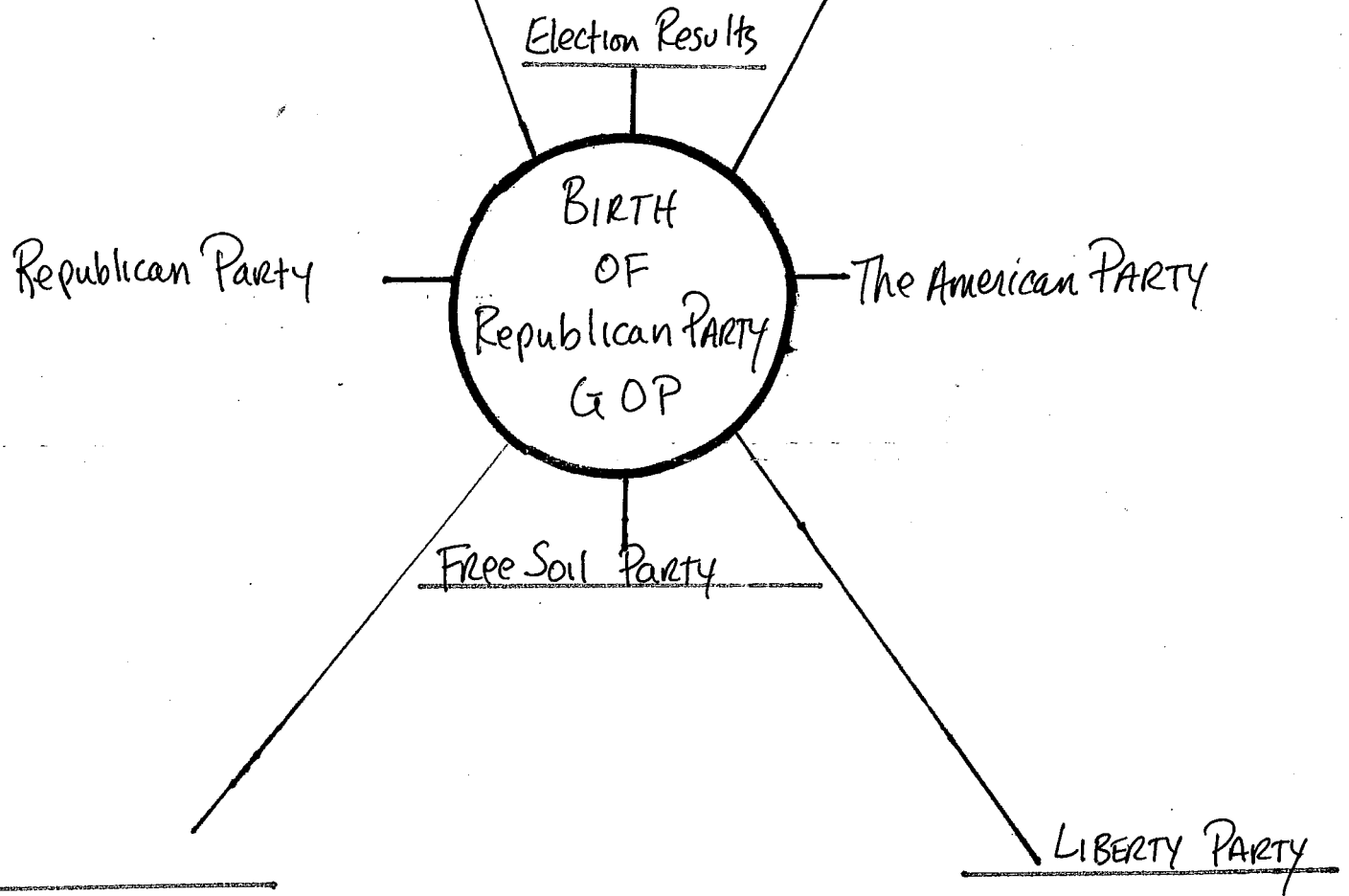
Kansas-Nebraska Act _____

John Brown _____

Bleeding Kansas _____

1856 Presidential Election

WHIG PARTY Ends



Section 3: Women and Reform

Franklin Pierce _____

nativism _____

Know-Nothing Party _____

Free-Soil Party _____

Republican Party _____

Horace Greeley _____

John C. Frémont _____

James Buchanan _____

HARPER'S FERRY

DRED SCOTT DECISION

Southern Secession

The Freeport Doctrine

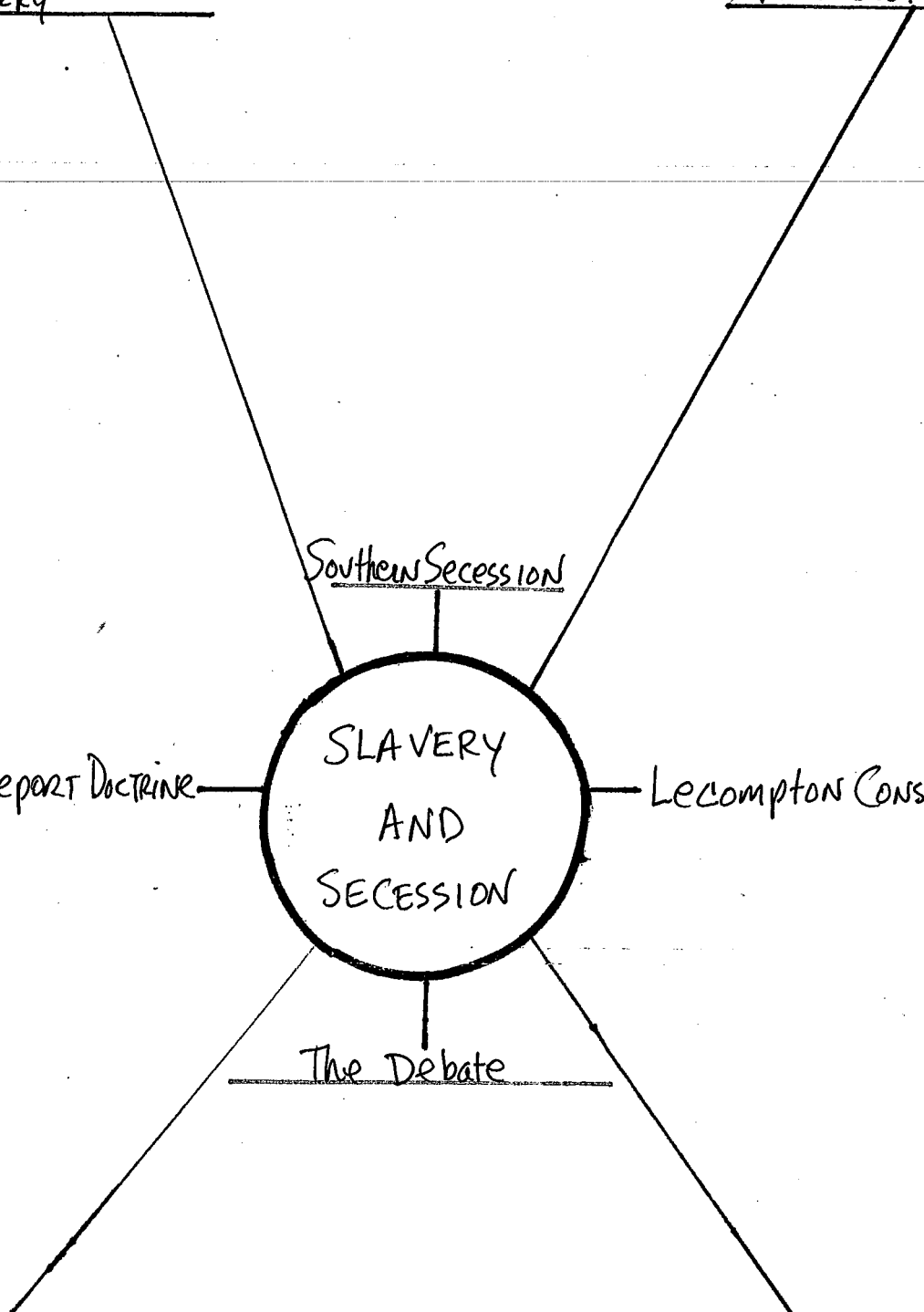
SLAVERY
AND
SECESSION

Lecompton Constitution

The Debate

Strategy

Douglas vs Lincoln



Section 4: The Changing Workplace

Dred Scott _____

Roger B. Taney _____

Abraham Lincoln _____

Freeport Doctrine _____

Harpers Ferry _____

Confederacy _____

Jefferson Davis _____

Dred Scott v. Sanford (1857)

Vocabulary

Missouri Compromise An act of Congress passed in 1820 to keep a balance between the number of slave and free states; it allowed Missouri to enter the Union as a slave state and Maine to enter as a free state; the agreement excluded slavery from the Louisiana Territory north of 36° 30' (the southern boundary of Missouri).

popular sovereignty Principle that the power to govern belongs to the people, who can then grant it to the government of their choice.

Reviewing the Case

Dred Scott was an African-American man born into slavery in Missouri. Scott was considered the property of Dr. Emerson, an army surgeon, and traveled with him to several army posts. In 1834, Scott went with Emerson to Rock Island, Illinois, a free state in which slavery was not allowed. In 1836, Emerson and his household moved to Fort Snelling in the upper Louisiana Territory (near present-day St. Paul, Minnesota). Under the **Missouri Compromise**, slavery was prohibited in that territory. In 1838, Emerson returned to the state of Missouri, taking with him Scott, Scott's wife Harriet, and their daughter Eliza. Emerson had purchased Harriet from another officer. After the return to Missouri, a second daughter, Lizzie, was born. Dr. Emerson died there.

In 1846, with the help of lawyers in the antislavery movement, Scott sued Emerson's widow in a Missouri court. He asked the court to declare him free because he had been a resident of a free state and a free territory. The lower court declared Scott a free man, but the Missouri Supreme Court reversed the decision in 1852.

Instead of appealing this decision directly to the Supreme Court, Scott's legal advisers then sued John Sanford of New York, Mrs. Emerson's brother, who had become Scott's legal owner. (Court records misspelled his name as *Sandford*, and it appears that way in

many reports.) Because the case now involved citizens of two states, it could be heard in the federal circuit court for Missouri.

Sanford's lawyers challenged Scott's right to sue, saying that an African American could not be a citizen. The federal court ruled that Scott's status in Missouri depended on state law, not on where he had lived or had traveled. A jury found in favor of Sanford. Scott's attorneys then appealed to the U.S. Supreme Court, charging that the circuit court had erred in its decision.

The case now involved several issues: (1) Was Dred Scott a citizen of the United States and thereby entitled to sue in federal court for the protection of his rights? (2) Did Scott's residence in free territory make him a free man? This second issue had become very controversial throughout the country. In some northern states, where antislavery feelings were strong, a slave was considered free as soon as he or she stepped onto free territory.

When the case was argued before the Supreme Court, another issue was added: Was it constitutional for Congress, through the Missouri Compromise, to ban slavery in the territories?

After months of debate, the Court, by a 7-2 vote, ruled against Scott, issuing one of the most controversial decisions of its history. Chief Justice Roger B. Taney wrote the decision, but all the justices commented. The majority opinion declared that as a person of African descent, Scott was not—and could not be—a citizen and so was not entitled to sue in federal court. The Court's decision considered Scott (and all slaves) to be property. To consider Scott a free man by his presence in a free territory or for Congress to pass an act declaring him free would be to allow the property of a citizen to be taken without due process of law. Slavery, according to the majority opinion, was a matter for state law.

Finally, Taney's opinion ruled that the Missouri Compromise was unconstitutional. Congress, he said, did not have the authority to prohibit slavery in the territories. What was more, Congress could not authorize the

territorial legislatures to outlaw slavery. Here is part of Taney's opinion:

And no words can be found in the Constitution which give Congress a greater power over slave property, or which entitles property of that kind to less protection than property of any other description. . . .

Upon these considerations, it is the opinion of the court that the act of Congress which prohibited a citizen from holding and owning property of this kind [slaves] in the territory of the United States north of the line therein mentioned, is not warranted by the Constitution, and is therefore void; and that neither Dred Scott himself, nor any of his family, were made free by being carried into this territory. . . .

The other majority justices agreed that Dred Scott remained a slave though they did not support all of Taney's points. The two dissenting justices, John McLean and Benjamin Curtis, disagreed on most points, particularly on the issues of black citizenship and the legality of the Missouri Compromise.

The *Dred Scott* decision was significant and controversial for many reasons. First, the Supreme Court declared an act of Congress unconstitutional, which it had not done since *Marbury v. Madison* in 1803. Second, it heightened the tension between northern and southern states over the question of slavery. To the delight of the South and to the angry denunciation of the North, the Court declared Congress had no right to determine the limits on slavery's expansion into the territories. In declaring the Missouri Compromise unconstitutional, it limited **popular sovereignty**, saying that people in the territories could not vote on whether they wanted their state to be slave or free.

Third, the increased tensions may have hastened the coming of the Civil War. Fourth, African Americans did not receive the rights granted in the Constitution until after the Civil War when Amendment Thirteen, which abolished slavery, and Amendment Fourteen, which granted citizenship to African Americans, were passed.

Dred Scott v. Sanford (1857)

Elements of the Case

Directions: Fill in the appropriate information for each of the following elements of this case.

1. State the issue before the Supreme Court in this case.

2. What facts of the case were presented to the Court?

3. What was the decision of the Court? What was the rationale behind it?

4. What was the effect of the decision?

Name _____

Dred Scott v. Sanford (cont.)

Evaluation of the Case

Directions: Use your own judgment to evaluate the justices' decision and state your opinion of that decision.

1. In your opinion, could the outcome of the case have been politically motivated? Explain.

2. Read the parts of the Constitution that pertain to the slavery question. What do you think the framers of the Constitution actually did intend about the citizenship status of African Americans? Explain.

3. In the decision of the Court, Justice Taney stated that if the slave states did not recognize slaves as citizens of the state, they could not be citizens of the United States. Does this mean that each individual state has the right to determine citizenship? What effect would this have on the country? Explain.

Glossary**CHAPTER 10 The Union in Peril****alienate** To push away**arsenal** Place where weapons are stored**debated** Engaged in an argument by taking opposite points of view on the issue**dispel** To rid one's mind of something**disunified** Not together, split apart**fugitive** A person who is running away**provision** A clause in a document or agreement**treason** Crime of plotting against one's country**AFTER YOU READ****Terms and Names****A.** If the statement is true, write "true" on the line. If it is false, change the underlined word or words to make it true.

1. _____ The Wilmot Proviso was a bill that would ban slavery in territories gotten after the War with Mexico.
2. _____ The Compromise of 1850 contained a law that provided for harsh treatment for escaped slaves.
3. _____ Harriet Tubman wrote *Uncle Tom's Cabin*, which told about the horrors of slavery.
4. _____ The Underground Railroad was a secret network of volunteers who hid escaped slaves.
5. _____ The Republican Party supported the idea of nativism.
6. _____ The Southern states that seceded from the Union formed the Confederacy.

B. Write the letter of the name or term next to the statement that describes it best.

- a. Abraham Lincoln
- b. Harriet Tubman
- c. Dred Scott
- d. James Buchanan
- e. John Brown
- f. Stephen A. Douglas

- _____ 1. I am the senator who succeeded in passing the Compromise of 1850.
- _____ 2. I am an escaped slave and a leader of the Underground Railroad.
- _____ 3. I am the Democratic candidate and the winner of the election of 1856.
- _____ 4. I am the person whose case brought a Supreme Court decision that said slaves were property protected by the Constitution.
- _____ 5. I am the Republican candidate and the winner of the election of 1860.
- _____ 6. I am the Northern abolitionist who tried to start a slave rebellion by leading a raid on Harpers Ferry.

AFTER YOU READ (continued)**CHAPTER 10** The Union in Peril**Main Ideas**

1. Why did California's request to be admitted into the Union cause a problem?

2. What were two ways that people resisted the Fugitive Slave Act?

3. What led to the end of the Whig Party?

4. How did Lincoln and Douglas differ in their views on slavery?

5. Why did Southern states secede after Lincoln's election in 1860?

Think Critically

Answer the following questions on a separate sheet of paper.

1. How did economic differences between the North and the South contribute to their different views toward slavery?

2. Suppose your state wanted to secede. What arguments would you make against it?

US History Ch 10 essay test

Choose one and type full question before answer

1. Discuss the political landscape of mid-1850's America. Which political parties were gaining support? Why? Which political parties were losing support? Why? Include:

- a. Whig Party
- b. Know-Nothing Party
- c. Liberal Party
- d. Free-Soil Party
- e. Republican Party
- f. Influence and impact of their leaders

2. The Compromise of 1850 was seen as a way of preventing the issue of slavery from dividing the nation. Discuss the reasons why this compromise failed.

- a. How Compromise of 1850 was passed in the Senate
- b. Reaction of the North to the enforcement of Fugitive Slave Act
- c. Uncle Tom's Cabin
- d. Stephen Douglas's proposed Kansas Nebraska Act