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Source: The Dred Scott Decision, 1857. Chief Justice of the Supreme Court, Roger Taney.

Document Note: Dred Scott was a slave whose owner had taken him from a slave state to the free North to live for several years. After returning to Missouri, Scott sued for his freedom on the grounds that he had become free by living in free territory. His case eventually made it to the US Supreme Court where all eyes, North and South, eagerly awaited a verdict.

The question is simply this: Can a Negro, whose ancestors were imported into this country, and sold as slaves, become a member of the political community.

...(T)he legislation and the histories of the times and the language used in the Declaration of Independence, show, that neither ... slaves, nor their descendants, whether they had become free or not, were ... a part of the people.... (and) they had no rights which the white man was bound to respect.... And, accordingly, a Negro of the African race was regarded by them as an article of property....

... (T)he fifth amendment to the Constitution ... provides that no person shall be deprived of life, liberty, and property without due process of law.... (I)t is the opinion of this court that the Act of Congress (the Missouri Compromise) 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.

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Source: Abraham Lincoln, speech when accepting the Republican nomination for US Senator from Illinois, June 16, 1858, Springfield, Illinois.

...We are now far into the fifth year since a policy (the Kansas-Nebraska Act) was initiated ... of 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 lawful in all the states, old as well as new, North as well as South.

Have we no tendency to the latter condition? ...Let anyone who doubts carefully contemplate ... the Nebraska doctrine and the Dred Scott decision.

... Two years ago (in the 1856 election) the Republicans of the nation mustered over thirteen hundred thousand strong. We did this under the single impulse of resistance to a common danger.... We shall not fail – if we stand firm, we shall not fail.... (S)ooner or later, the victory is sure to come.