

# 8 The Civil War Era

## (1850–1865)

## KEY EVENTS

1857	Dred Scott decision
1861	Lincoln becomes President
1861	Civil War begins
1863	Emancipation Proclamation
1863	Gettysburg Address
1865	Lee surrenders
1865	Lincoln assassinated

## 1 The Roots of Conflict

### ★ Section Focus

★ **Key Terms** Compromise of 1850 ■ Kansas-Nebraska Act ■ Dred Scott case

★ **Main Idea** In the 1850s the issue of slavery and its extension to the western territories split North and South.

★ **Objectives** As you read, look for answers to these questions:

1. How did the issue of statehood for California revive sectional differences?
2. What events deepened the division between North and South?

The hoisting of the American flag over California in 1848 created a problem for the lawmakers in Washington, D.C. Congress could not agree on what kind of government California should have.

For the sake of unity, the major political parties had tried to ignore sectional divisions over slavery. But the admission of new states to the Union made this impossible. When Congress had to deal with the practical matter of how to govern California, it deadlocked over whether California would be a free or a slave state. In the end, Congress did not make the decision. California did.

### CALIFORNIA CHOOSES

The forty-niners themselves were the first to decide that California should be a free territory. Among those streaming into California during the gold rush of 1849 were a number of slaveholders from Texas. The Texans set the slaves to work on the Yuba River. Other miners working the river were indignant. They did not want to compete with slaves, whose masters could push them to the limit of human endurance. Racism too made them object. At a mass meeting the miners voted to outlaw slavery in the mines.

Meanwhile, General Bennet Riley, the acting

military governor, had called for a constitutional convention. The convention, he hoped, might break the impasse in Congress over California. Of the 48 delegates to this convention, 8 were Mexican *Californios*. As a result of their influence, the new constitution was the first in the nation to allow a married woman to retain control over her own property. That had been the law in Mexican California. More important, however, for its impact on the nation, was the delegates' unanimous decision to exclude slavery from California.

### THE COMPROMISE OF 1850

With its new constitution in hand, California then requested admittance to the Union as a free state. The request set off nine months of heated debate in Congress. Southerners wanted to divide California into two states, one slave and one free. But antislavery forces would have none of it. They were determined not to admit any more slave states into the Union.

At last, Henry Clay of Kentucky proposed a compromise under which California would be admitted to the Union as a free state. In an angry debate on the Senate floor, southern members of Congress accused Clay of betraying the South.

Clay would not be moved: "I know my duty and coming from a slave state as I do, no power on earth shall ever make me vote for the extension of slavery over one foot of territory now free. Never. No, sir, NO."

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—Henry Clay, 1850

Despite the passions in Congress, most Americans wanted compromise. It was a time of growing prosperity in both North and South, and no one wanted disruption. Public pressure forced Congress to accept the **Compromise of 1850**. The compromise had several provisions: (1) California was admitted to the Union as a free state. (2) The territories of New Mexico and Utah were created without restrictions on slavery. (3) The slave trade was abolished in Washington, D.C. (4) Congress passed a stricter fugitive slave law. This new law made it easier for slave catchers to retake fugitives or even to kidnap free blacks. It also specified a heavy fine and imprisonment for anyone who helped the fugitives.

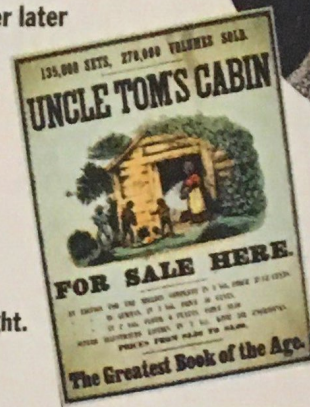
The compromise satisfied neither side. Southerners were so upset that California had been made a free state that four southern states threatened to secede. In the end they decided to give compromise a chance. Northerners, meanwhile, were unhappy with the fugitive slave law. Many were active supporters of the Underground Railroad. This informal network of guides and "safe houses" had helped several hundred slaves to escape to freedom each year. Despite their objections to the fugitive slave law, most northerners, too, decided to give compromise a chance.

### **UNCLE TOM'S CABIN**

The divisive effect of slavery on American society was especially apparent along the Ohio River. Many fugitive slaves heading north tried to cross

### **BIOGRAPHY**

**HARRIET BEECHER STOWE (1811–1896)** won international fame as an author and an opponent of slavery. Born in Connecticut, Stowe was the daughter of a well-known minister and the sister of five other clergymen. She wrote essays and stories about the Puritans, several of whom were her ancestors. Her later work was strongly anti-slavery. An advertisement from the 1850s for *Uncle Tom's Cabin* appears at right.



the river into the free states of Illinois, Indiana, and Ohio. In Cincinnati, Harriet Beecher Stowe, the wife of a clergyman, witnessed the agony as part of the population helped slaves escape and another part tried to recapture them.

When the fugitive slave law was passed in 1850, Harriet received a letter from her sister. "Hattie," the letter read, "if I could use a pen as you can, I would write something that will make this whole nation feel what an accursed thing slavery is." Harriet Beecher Stowe took up the challenge. In 1852 she published *Uncle Tom's Cabin*—a dramatic account of the sufferings of a beautiful young slave named Eliza and of her flight to freedom. The novel became an instant success, selling over 300,000 copies the first year. *Uncle Tom's Cabin* touched thousands who had not thought much about slavery one way or another. Stowe pointed out that slavery was not the South's problem; it was the nation's problem. All were responsible. She wrote:

The people of the free states have defended, encouraged, and participated; and are more guilty for it, before God, than the South, in that they have *not* the apology of education or custom.

The nation could only be saved, Stowe wrote, "by repentance, justice and mercy."

*Uncle Tom's Cabin* set off a tidal wave of abolitionist sentiment. Resentful and defensive, southerners repeated their argument that slavery was a positive good. Planters even talked of re-opening the African slave trade.

### THE KANSAS-NEBRASKA ACT

In 1854 plans for a transcontinental railroad brought the slavery issue once more into the halls of Congress. Stephen Douglas, a senator from Illinois, wanted the railroad to run through Chicago. He knew, however, that a railroad heading west from Chicago would have to cross the unorganized territory of the Great Plains. He therefore proposed the [Kansas-Nebraska Act](#).

The Kansas-Nebraska Act created two new territories, Kansas and Nebraska. Both territories lay north of the Missouri Compromise line, and by law should have been closed to slavery. To win southern support, however, Douglas proposed scrapping the Missouri Compromise in favor of the principle of popular sovereignty. That is, the people in each territory would themselves determine whether a territory was to be slave or free.

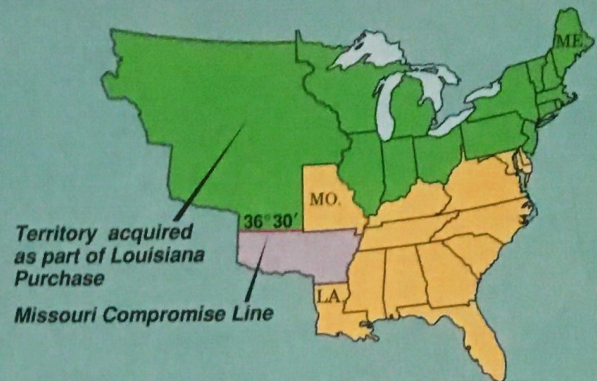
The Kansas-Nebraska Act passed with the solid backing of the South. Northerners, however, were divided over the law. Some saw it as a useful compromise, while others argued strongly against the extension of slavery on any terms. This group of antislavery northerners banded together and organized the Republican Party in the summer of 1854. (This is the same Republican Party that exists today.) The new party quickly gained vigorous public support. In the 1854 congressional elections, Republicans defeated 35 of the 42 northern Democrats who had voted for the Kansas-Nebraska Act.

#### MAP SKILLS

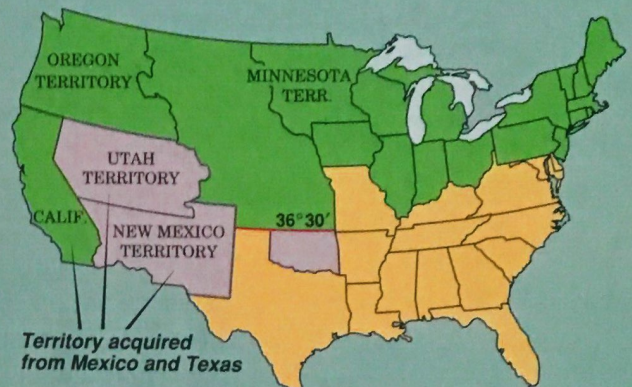
These maps show the changing balance between slave and free states during the mid-1800s. Under the Compromise of 1850, which new territories were open to slavery? How did the Kansas-Nebraska Act overrule the Missouri Compromise? **CRITICAL THINKING** Why did antislavery northerners perceive the Kansas-Nebraska Act as such a threat?

## SLAVE VERSUS FREE TERRITORY IN THE WEST

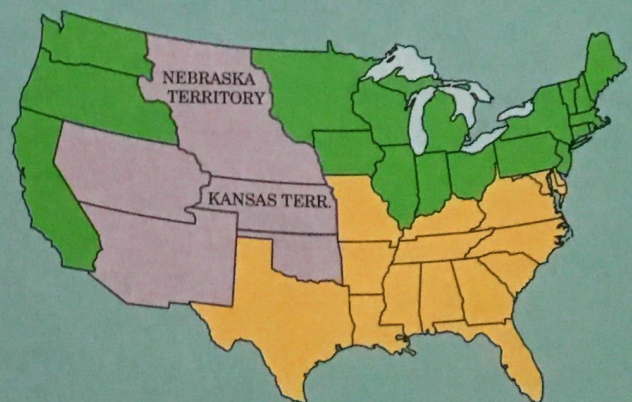
AFTER MISSOURI COMPROMISE — 1820



AFTER COMPROMISE OF 1850



AFTER KANSAS-NEBRASKA ACT — 1854



- Free states and territory closed to slavery
- Slave states
- Territory open to slavery

ALBERS CONICAL EQUAL AREA PROJECTION



## THE PRESIDENTS



### Zachary Taylor

1849–1850

12th President, Whig

- Born November 24, 1784, in Virginia
- Married Margaret Smith in 1810; 6 children
- Major-general in army; won the Battle of Buena Vista
- Lived in Louisiana when elected President
- Vice President: Millard Fillmore
- Died July 9, 1850, in Washington, D.C.
- Key events while in office: California gold rush



### Franklin Pierce

1853–1857

14th President, Democrat

- Born November 23, 1804, in New Hampshire
- Married Jane Appleton in 1834; 3 children
- Lawyer; representative and senator from New Hampshire; brigadier general in Mexican War
- Lived in New Hampshire when elected President
- Vice President: William King
- Died October 8, 1869, in New Hampshire
- Key events while in office: Gadsden Purchase; Kansas-Nebraska Act; Republican Party started

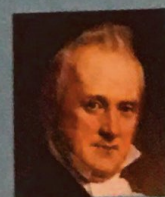


### Millard Fillmore

1850–1853

13th President, Whig

- Born January 7, 1800, in New York
- Married Abigail Powers in 1826; 2 children
- Married Caroline McIntosh in 1858; no children
- Lawyer; representative from New York; Vice President under Taylor
- Lived in New York when elected Vice President
- Vice President: none
- Died March 8, 1874, in New York
- Key events while in office: Compromise of 1850; California became a state



### James Buchanan

1857–1861

15th President, Democrat

- Born April 23, 1791, in Pennsylvania
- Never married
- Lawyer; representative and senator from Pennsylvania; ambassador to Russia; Secretary of State; ambassador to England
- Lived in Pennsylvania when elected President
- Vice President: John Breckinridge
- Died June 1, 1868, in Pennsylvania
- Key events while in office: *Dred Scott* decision; Panic of 1857; John Brown's raid on Harpers Ferry; Minnesota and Oregon became states

## "BLEEDING KANSAS"

Kansas became a battleground over slavery. Antislavery organizations paid the way for settlers to move to Kansas. Proslavery Missourians crossed the border to stuff ballot boxes during the territorial elections. "We had at least 7,000 men in the Territory on the day of the election, and one-third of them will remain there," bragged a Missouri senator. "Now let the southern men come on with their slaves."

Henry Ward Beecher, a New York clergyman and brother of Harriet Beecher Stowe, suggested that rifles might be "a greater moral agency" in Kansas than the Bible. Funds were raised to send "Beecher's Bibles," as the rifles were then called, to the antislavery settlers. Violence broke out. When proslavery ruffians sacked the free-state town of Lawrence, the abolitionist John Brown took revenge by killing five proslavery settlers. Several hundred settlers would die before peace was finally restored to "Bleeding Kansas."

## THE DRED SCOTT DECISION

In 1857 a landmark case in the slavery debate came before the Supreme Court. The case concerned a Missouri slave named Dred Scott, whose master took him to live in Illinois and then in Wisconsin Territory. Back in Missouri four years later, Scott sued for his freedom. He argued that his residence in a free territory had made him free.

In the Dred Scott case the Supreme Court delivered two important decisions. First, Chief Justice Roger Taney said that Dred Scott could not sue in the federal courts because he was not a citizen. The Constitution of the United States did not apply to blacks, Taney asserted. Second, the Court decreed that Congress had no right to forbid slavery in the territories. Territories were open to all settlers, slaveholding or free. Once a territory became a state, it alone could decide whether or not to ban slavery.

Predictably, southerners applauded the decision in the Dred Scott case. But Republicans were outraged. They decided their best course of action was to win control of the government and then, by appointing new judges, to change the makeup of the Supreme Court.

## THE LINCOLN-DOUGLAS DEBATES

In the 1858 congressional elections the Republicans once again campaigned against northern Democrats willing to compromise with the South. One of their targets was Stephen Douglas, the powerful and popular Illinois Democrat. To run against Douglas they chose Abraham Lincoln. Lincoln was a Springfield lawyer known for his wry wit and his forceful oratory. He was also an experienced politician who had served both in the Illinois legislature and in Congress. When he accepted the Republican nomination for senator, Lincoln outlined the nation's dilemma:

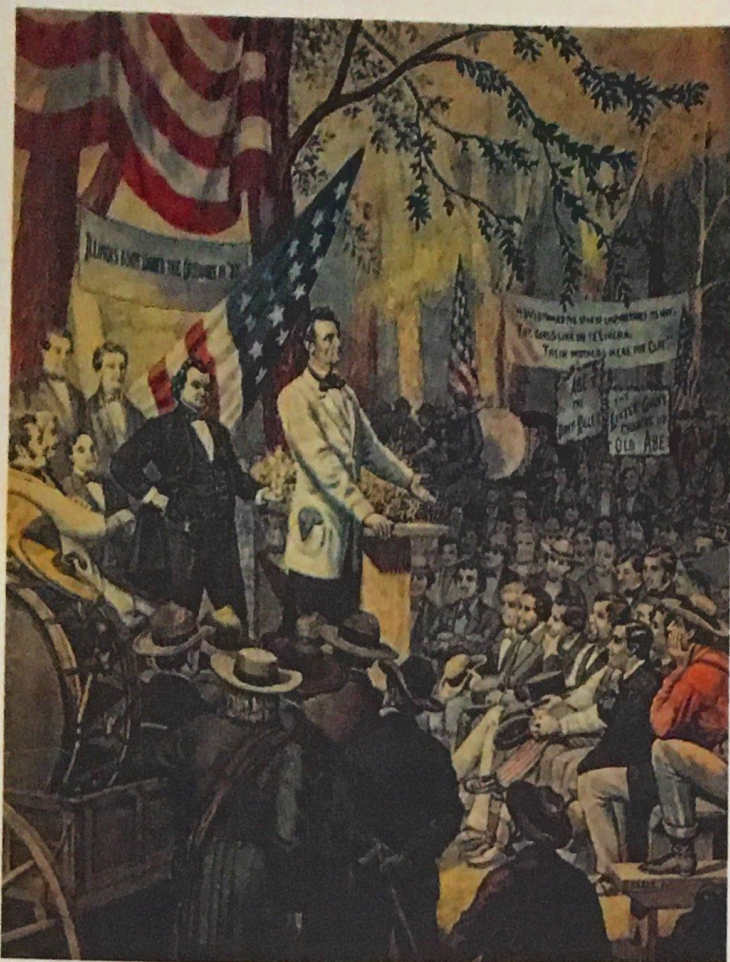
A house divided against itself cannot stand. I believe this government cannot endure permanently half slave and half free. I do not expect the Union to be dissolved—I do not expect the house to fall—but I do expect it will cease to be divided. It will become all one thing or all the other.

**"A house divided against itself cannot stand."**

—Abraham Lincoln, 1858

When Douglas then accused Lincoln of urging a "war of the sections," Lincoln suggested a series of debates. Douglas accepted, and in seven Illinois towns the two men debated the issue of slavery. The debates attracted large crowds and were printed in national newspapers.

Douglas used the debates to defend the principle of popular sovereignty. The issue, as Douglas saw it, was not the morality of slavery but the protection of democracy. The people's will was all that mattered. But by means of a skillful question, Lincoln forced Douglas to admit that it was not quite so simple. Lincoln raised the issue of the Dred Scott decision. If the people's will is so important, he said, could the people of a territory exclude slavery entirely if they chose to do so? Douglas answered that a territorial legislature could exclude slavery by passing laws that were



Abraham Lincoln argued against slavery in new territories while debating Stephen A. Douglas (standing behind Lincoln) in the 1858 Illinois Senate race. Although he lost the election, Lincoln's debating skills won him national fame. **POLITICS** Why are debates important in political contests?

“unfriendly” to slavery. In other words, they could refuse to hire law officers to catch runaway slaves. They could make it possible for slaves like Dred Scott to get away from their masters while within the boundaries of a free territory.

While Douglas won the election, the debates cost him southern support. Southerners never forgave Douglas for showing how popular sovereignty could work against slavery. By losing influence in the South, Douglas lost the possibility of one day becoming President. At the same time, the debates pushed the gaunt and savvy Abraham Lincoln forward into the national limelight.

### JOHN BROWN'S ATTACK

Sectional distrust was bad enough in 1859, but John Brown, the Kansas raider, made it worse. By some accounts, Brown had an unbalanced mind. He was consumed with the idea of starting a slave rebellion that would sweep through the South. On October 16, 1859, Brown and eighteen followers—

thirteen whites and five blacks—attacked the United States Arsenal at Harpers Ferry in western Virginia. Brown believed that they could use the arsenal as a rallying point and a supply station for a huge slave revolt. He was mistaken. After thirty-six hours of fighting, he and four survivors surrendered to Colonel Robert E. Lee of the United States Army. Within six weeks John Brown had been tried for murder and treason, found guilty, and hanged.

But that was not the end of it. Northerners began to idolize John Brown as a martyr to the anti-slavery cause. On the day he was hanged, bells tolled and guns fired in salute. Henry David Thoreau called Brown “a crucified hero.” Newspapers applauded the nobility of his aims even though they condemned his means.

Southerners, stunned by Brown's attack, were even more horrified by the northern reaction to Brown's death. How, they asked, could southerners share the same government with people who regarded John Brown “as a martyr and Christian hero”? For many it was the last straw. “I have always been a fervid Union man,” a North Carolinian wrote, “but I confess the endorsement of the Harpers Ferry outrage . . . has shaken my fidelity and . . . I am willing to take the chances of every possible evil that may arise from disunion, sooner than submit any longer to northern insolence.”

## SECTION REVIEW

- 1. KEY TERMS** Compromise of 1850, Kansas-Nebraska Act, Dred Scott case
- 2. PEOPLE AND PLACES** Henry Clay, Harriet Beecher Stowe, Kansas Territory, Stephen Douglas, Abraham Lincoln, John Brown, Harpers Ferry
- 3. COMPREHENSION** How did the Compromise of 1850 settle the debate over California's admission to the Union? What were some complaints against the compromise?
- 4. COMPREHENSION** How did Abraham Lincoln and Stephen Douglas differ over the issue of slavery?
- 5. CRITICAL THINKING** Why was compromise between North and South no longer workable by the late 1850s?