

A House Divided: Crises of the 1850s

by Sophia



WHAT'S COVERED

As northern and southern politicians attempted to resolve their disputes over the Fugitive Slave Act, the issue of slavery in the western territories reappeared in 1854 with passage of the Kansas-Nebraska Act. The act led to a series of crises that shattered remaining political unity in Congress, and played a role in the rise of a new coalition: the Republican Party.

This tutorial examines the Kansas-Nebraska Act and its consequences in five parts:

1. The Kansas-Nebraska Act

Beginning in 1853, **Stephen A. Douglas**, a Democratic senator from Illinois, indicated his support for a bill that provided for the organization of territories in the Great Plains west of Missouri—what we know today as the states of Kansas and Nebraska.



PEOPLE TO KNOW

Stephen Douglas

Democratic senator from Illinois who led the Compromise of 1850 and the Kansas Nebraska Act through Congress; chief advocate for the doctrine of popular sovereignty in the 1850s.

Railroad construction, the most significant form of economic and infrastructure development in the United States during the mid-19th century, factored into Douglas's support of the initiative. Douglas and other supporters of railroad construction wanted a transcontinental railroad that connected the eastern and western United States. The Central Plains appeared to be an ideal location for much of this railroad. In addition, the Senator from Illinois (Douglas) wanted the eastern terminus to be located in Chicago.

Douglas feared that progress towards a transcontinental railroad would not continue unless Congress authorized territorial governments for Kansas and Nebraska. This was one reason for his support of what became the **Kansas-Nebraska Act**.



TERM TO KNOW

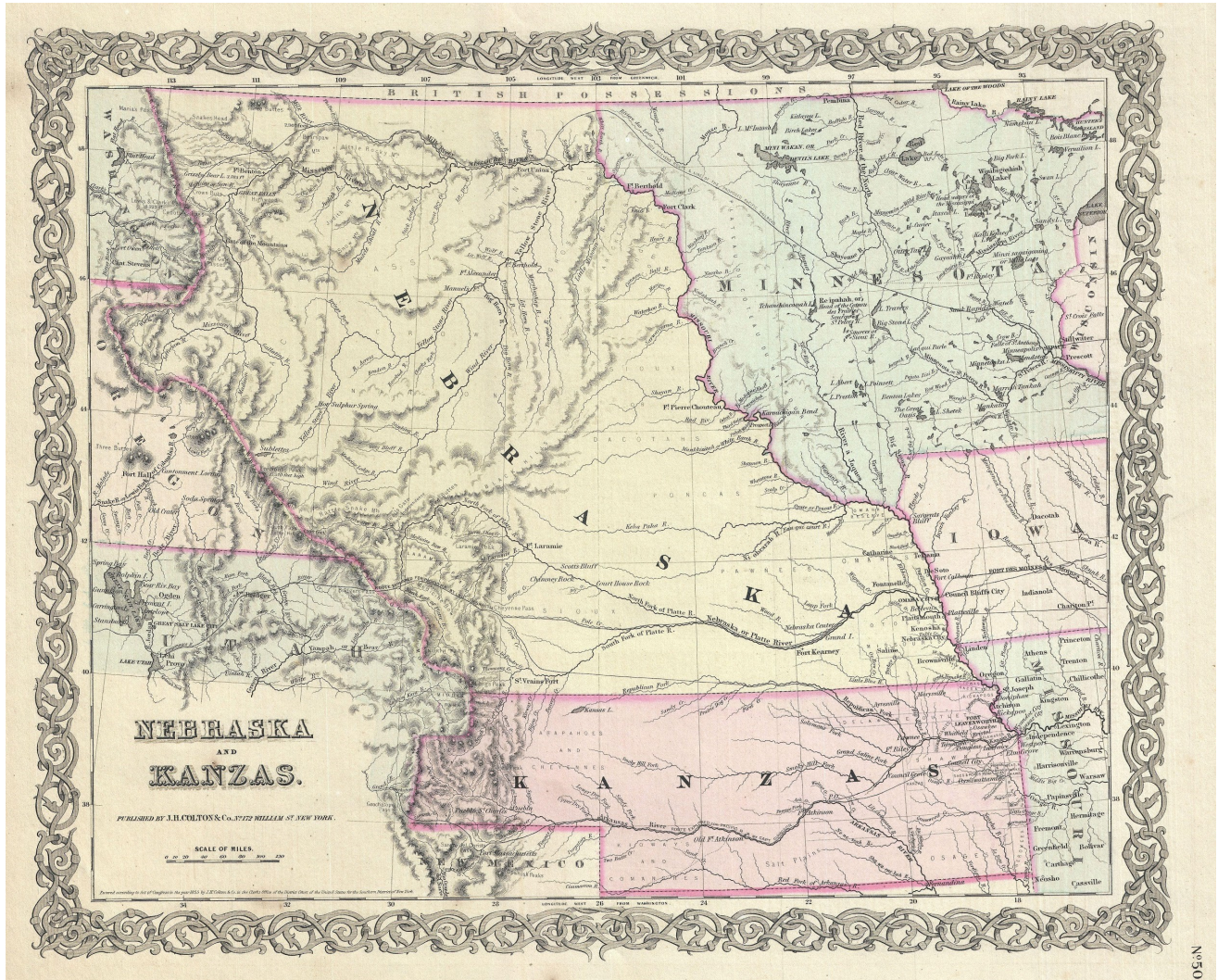
Kansas-Nebraska Act

Created the territories of Kansas and Nebraska, and applied the principle of popular sovereignty to both, which meant that the settlers of these territories would decide whether to allow slavery.

Douglas wanted to maintain unity in the Democratic Party. Southern Democrats were concerned that their

region would miss out on economic benefits that accompanied the construction of a transcontinental railroad in the central Plains. They also detested the Missouri Compromise, which stipulated that slavery was illegal in territories north of the 36° 30' line: Missouri's southern border.

In a concession to southern Democrats, Douglas called for the repeal of the Missouri Compromise by including popular sovereignty in the Kansas-Nebraska Act. Settlers of both territories would decide whether to allow slavery. This meant that southern slaveholders could hope that racial slavery would expand northward to the central Great Plains.



Map of Nebraska and Kansas territories, published in 1855. Note that Nebraska Territory (in yellow) originally covered much of present-day Nebraska, Wyoming, Montana, Colorado, North Dakota, and South Dakota. Kansas Territory (in pink) stretched westward into present-day Colorado.

2. The Creation of the Republican Party

Congress passed the Kansas-Nebraska Act in the spring of 1854. Its political consequences were enormous.



DID YOU KNOW

In the House of Representatives, the Kansas-Nebraska Act passed by only three votes, 113 to 110.

Passage of the Kansas-Nebraska Act did not create unity in the Democratic Party to the extent that Douglas had hoped. Rather, it divided party members along sectional lines.

Following the passage of the Kansas-Nebraska Act, the Whig Party gradually disappeared as a political entity. Southern Whigs joined the Democratic Party, which led the South to become solidly Democratic. The Party became the representative of the “Slave Power.” Northern Whigs, some northern Democrats, members of the Free-Soil Party, and assorted abolitionists formed a new political coalition—the **Republican Party**.



TERM TO KNOW

Republican Party

A northern, antislavery political party that formed in 1854 in response to the Kansas-Nebraska Act.



DID YOU KNOW

With the formation of the Republican Party, the Free-Soil Party ceased to exist.

The new Republican Party, operating solely in the North, pledged to prevent the spread of slavery into the western territories. It railed against the “Slave Power,” which infuriated southern politicians and voters. Members of the Republican Party portrayed themselves as champions of the free labor ideology. They argued that the political dominance of southern slaveholders and the potential expansion of slavery into the West deprived Americans of the liberties and benefits associated with free labor, including property ownership and a fair return for one’s work.

With the rise of the Republican Party in the mid-1850s, the American political system became more polarized, along sectional lines, than it had ever been.



DID YOU KNOW

The Republican Party first appeared on the presidential ballot in 1856, when it nominated John C. Fremont for president. Democrat James Buchanan won the election, but Fremont got over 33 percent of the popular vote. Fremont’s voters resided exclusively in the North.

3. “Bleeding Kansas”

In 1856, a combination of events known as “**Bleeding Kansas**” further discredited the doctrine of popular sovereignty, and demonstrated that the “Slave Power” would defend its interests at all costs.



TERM TO KNOW

“Bleeding Kansas”

A series of violent clashes between antislavery and pro-slavery supporters in Kansas during the mid-1850s.

After the passage of the Kansas-Nebraska Act, northern abolitionists sent free soilers—settlers opposed to slavery in the West—to Kansas. Following their arrival, they found themselves surrounded by thousands of pro-slavery settlers, most of whom were from nearby Missouri.

Tensions between the two sides came to a head when Kansas held territorial elections. Pro-slavery Missourians known as **border ruffians** crossed into Kansas to vote, to ensure that pro-slavery candidates won.



DID YOU KNOW

By some estimates, up to 60% of the votes cast in Kansas were fraudulent.

Although most Kansas settlers were free soilers, it is important to remember that many did not move westward for antislavery reasons. Rather, free soilers feared that the arrival of slaveholders and enslaved people, the establishment of slave codes, and the creation of a planter elite in Kansas would deprive settlers (who sometimes referred to themselves as “squatters”) of opportunities to develop western lands.

The poster below is an advertisement for an antislavery meeting in Lawrence, Kansas in 1859.

KANSAS A FREE STATE.
Squatter Sovereignty VINDICATED!
NO WHITE SLAVERY!

The Squatters of Kansas who are favorable to **FREEDOM OF SPEECH** on all subjects which interest them, and an unmuzzled **PRESS**; who are determined to do their own **THINKING** and **VOTING** independent of **FOREIGN DICTATION**, are requested to assemble in

MASS MEETING

at the time and places following to wit:

The following speakers will be in attendance, who will address you on the important questions now before the people of Kansas.

At Fair Haven	on Monday	September 24th	at 2 o'clock	p.m.	Year	on Monday	Oct. 1st	at 2 o'clock	p.m.
Farmer	Friday	25th	1	"	Year	Monday	Oct. 1st	1	"
Blackman's Store, Little River Creek	Friday	25th	1	"	Year	Monday	Oct. 1st	1	"
Elmer Farnham, Big	Monday	Oct. 1st	1	"	Year	Monday	Oct. 1st	1	"
Chickens	Tuesday	2d	1	"	Year	Monday	Oct. 1st	1	"
St. Francis's Parsonage, Creek	Wednesday	3d	1	"	Year	Monday	Oct. 1st	1	"
Deputy Prison	Thursday	4th	1	"	Year	Monday	Oct. 1st	1	"
Springfield	Friday	5th	1	"	Year	Monday	Oct. 1st	1	"

DR. CHAS. ROBINSON,
J. A. Wakefield, C. K. Holliday, M. F. Conway,
W. K. Vail, J. L. Speer, W. A. Ebo, Josiah Miller, O. C. Brown, J. K. Goodin, Doct.
Gilpatrick, Revs. Mr. Tuton and J. E. Stewart, C. A. Foster, J. P. Fox, H. Bronson,
G. W. Brown, A. H. Malley and others.

TURN OUT AND HEAR THEM!



THINK ABOUT IT

1. What does the phrase “No White Slavery!” mean? It might be helpful to recall free labor ideology when answering this question.
2. Consider this question from perspectives of race, class, and gender: What did it mean for Kansas to be a “Free State”?

➞ **EXAMPLE** In 1856, a pro-slavery mob attacked the town of Lawrence, Kansas, which was founded by free soilers sponsored by the Massachusetts Emigrant Aid Society (an abolitionist group). The mob, carrying banners proclaiming “Southern rights” and “The Superiority of the White Race”, burned public

buildings and private homes to the ground.

In retaliation for the attack on Lawrence, abolitionist **John Brown** and a small group of followers (including Brown's four sons), attacked the homes of pro-slavery settlers near Pottawatomie Creek, Kansas, murdering five of them. Two were hacked to death with broadswords; another was shot in the head. None of the victims owned enslaved people or participated in the raid on Lawrence.



PEOPLE TO KNOW

John Brown

Radical abolitionist who led attacks against pro-slavery settlers in Pottawatomie Creek, Kansas in 1856 and conspired to start an armed rebellion by raiding the federal arsenal at Harpers Ferry, Virginia in 1859.

During the violence of "Bleeding Kansas," which persisted into the late 1850s, approximately 200 people lost their lives. The incidents at Lawrence, Pottawatomie Creek, and elsewhere in the territory suggested that anti- and pro-slavery supporters in Kansas had decided that only violence could solve the problem of slavery.

4. "Bleeding Sumner"

The hostilities associated with "Bleeding Kansas" were not limited to Kansas: it was the controversy over Kansas that prompted the beating—with a cane—of Massachusetts Senator **Charles Sumner** by Congressman Preston Brooks on the Senate floor.



PEOPLE TO KNOW

Charles Sumner

Abolitionist senator from Massachusetts whose speech in Congress, "The Crime Against Kansas," provoked a brutal attack from South Carolina Representative Preston Brooks.

Just before the attack on Lawrence in 1856, Sumner made a speech that would later be titled "The Crime Against Kansas". Congress was considering whether to admit Kansas as a free or slave state. Sumner attributed the desire of southerners to admit another slave state to the "Slave Power". He warned that to do so would mean "the rape of a virgin territory, compelling it to the hateful embrace of slavery...."

Among the proponents of the "Slave Power" who Sumner accused in his speech was Senator Andrew P. Butler of South Carolina. He insulted Butler by comparing slavery to a prostitute, declaring, "Of course he [Butler] has chosen a mistress to whom he has made his vows, and who, though ugly to others, is always lovely to him; though polluted in the sight of the world, is chaste in his sight. I mean the harlot Slavery."

Two days after Sumner gave his speech, Preston Brooks (who was a cousin of Butler's) approached Sumner at his desk on the Senate floor. "I have read your speech twice over carefully," Brooks said. "It is a libel on South Carolina, and Mr. Butler, who is a relative of mine."

Brooks then proceeded to beat Sumner senseless over the head with a cane.

The political cartoon provided below, titled *Southern Chivalry: Argument versus Clubs*, depicted the incident.



THINK ABOUT IT

1. Who is the intended audience for this cartoon?
2. What evidence from the cartoon can you use to support your answer?

The cartoon mocks southern chivalry, indicating that southerners like Brooks resort to violence rather than reason or argument to defend slavery.

Many in the South approved of Brooks's actions as justly defending southern society, including the institution of slavery. Some sent him canes emblazoned with the words "Hit him again!"



DID YOU KNOW

The only punishment that Brooks received as a result of the incident was a \$350 fine from a local court. An attempt to expel him from the House of Representatives was blocked by southern votes. The attack left Sumner incapacitated, physically and mentally. It took him nearly four years to return to steady work in the Senate.

Northerners referred to the incident as "Bleeding Sumner", seeing it as a reflection of the violence occurring in "Bleeding Kansas."

5. The *Dred Scott* Decision

The following year, the Supreme Court seemed to align itself with the "Slave Power" in the infamous *Dred Scott* decision, announced by Chief Justice Roger B. Taney on March 6, 1857.



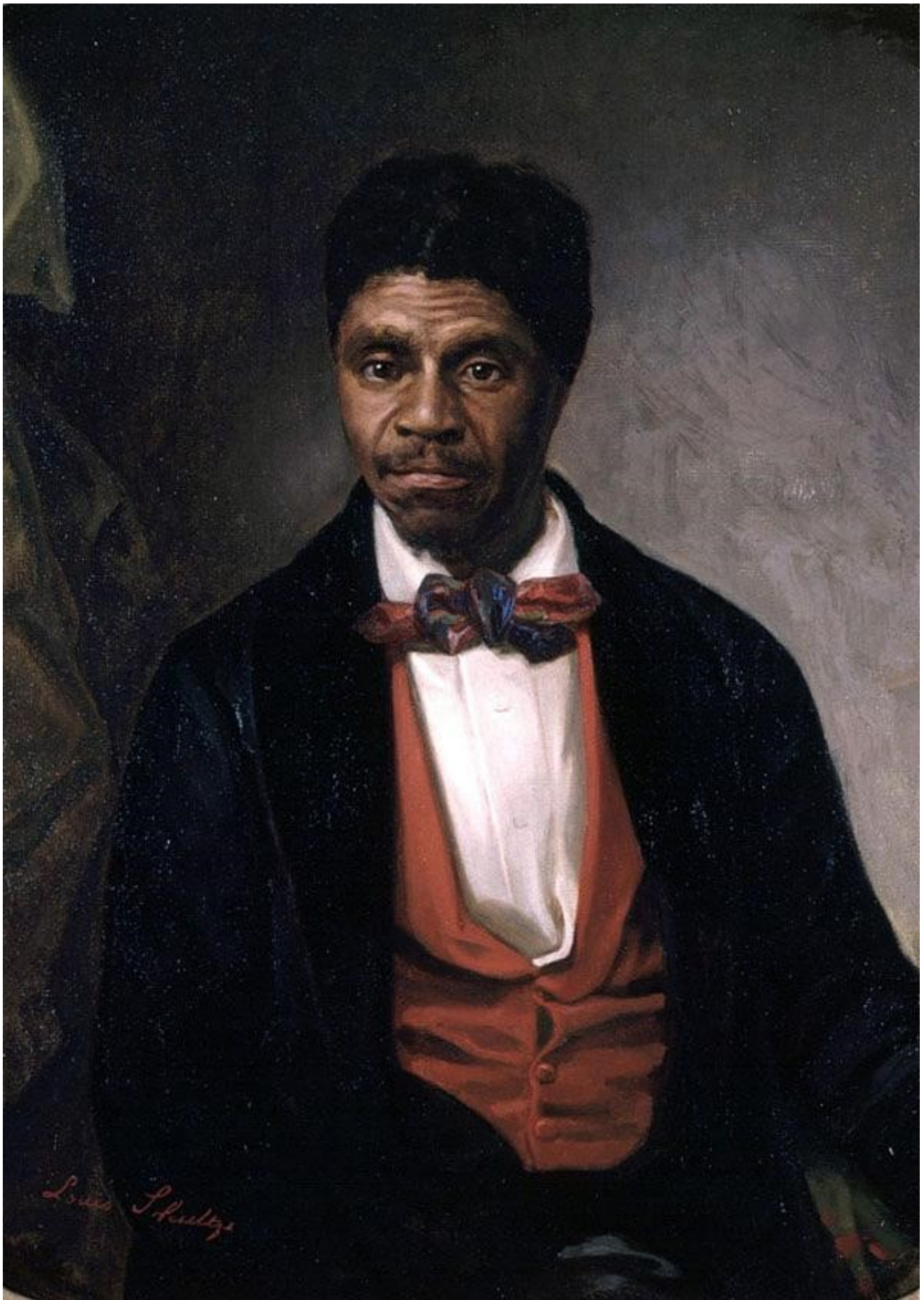
TERM TO KNOW

***Dred Scott* Decision**

An 1857 Supreme Court decision; ruled that African Americans were not American citizens and that Congress could not impede the expansion of slavery.

Dred Scott, born a slave in Virginia during the 1790s, was one of the thousands of African Americans forced to relocate as a result of the domestic slave trade in the early 19th century. He was first taken to Missouri, then sold to a U.S. Army surgeon named John Emerson. Scott accompanied Emerson to Illinois and the Wisconsin

territory, where he married a woman named Harriet Robinson, who was also owned by Emerson. Both of these locations had been organized under the Northwest Ordinance of 1787, which prohibited slavery.



Portrait of Dred Scott by Louis Schutze, completed in 1888 on behalf of the Missouri Historical Society



PEOPLE TO KNOW

Dred Scott

Born into slavery in Virginia during the 1790s, Scott sued for his freedom in 1846 on the grounds that he had lived in areas where slavery was banned, which made him a free man. His case, which went to the Supreme Court, made sweeping and momentous judgments about the status of African Americans throughout the United States.

Shortly after returning to Missouri, Emerson died and Scott sued for his and Harriet's freedom in 1846. He did so on the grounds that he had lived in areas where slavery was banned, which made him a free man.



DID YOU KNOW

Throughout the 19th century, many U.S. courts ruled that enslaved people were automatically emancipated when their owners took them to free states.

After several sets of legal proceedings (during which Scott became the property of John Sanford of New York), Scott lost his bid for freedom. He appealed to the U.S. Supreme Court in 1854.



DID YOU KNOW

John Sanford's name was misspelled as "Sandford" in later court documents, including the official Supreme Court case, *Dred Scott v. Sandford*.

When considering Scott's case for freedom, the Supreme Court justices asked three questions:

1. Was Scott, a Black man, a citizen of the United States who had legal standing to sue in court?
2. Did residence in a free state or territory make Scott a free person?
3. Did Congress have the constitutional authority to prohibit slavery in a western territory?

In 1857, the Supreme Court—led by Chief Justice **Roger Taney**, a former slaveholder who had freed his enslaved people—handed down its decision.



PEOPLE TO KNOW

Roger Taney

Chief Justice of the U.S. Supreme Court who wrote the majority decision in *Dred Scott v. Sandford*. An excerpt of the decision, written by Taney, is provided below. While reading it, keep the three questions listed above in mind.

Chief Justice Roger Taney, Supreme Court *Dred Scott* Decision

"A free negro of the African race, whose ancestors were brought to this country and sold as slaves, is not a "citizen" within the meaning of the Constitution of the United States. . .

The only two clauses in the Constitution which point to this race treat them as persons whom it was morally lawfully to deal in as articles of property and to hold as slaves. . .

Every citizen has a right to take with him into the Territory any article of property which the Constitution of the United States recognises as property. . .

The Constitution of the United States recognises slaves as property, and pledges the Federal Government to protect it. And Congress cannot exercise any more authority over property of that description than it may constitutionally exercise over property of any other kind...

Prohibiting a citizen of the United States from taking with him his slaves when he removes to the Territory.... is an exercise of authority over private property which is not warranted by the Constitution, and the removal of the plaintiff [Dred Scott] by his owner to that Territory gave him no title to freedom."



THINK ABOUT IT

1. How did the Supreme Court define Dred Scott and freedom?
2. According to Taney, why does Congress not have the authority to prohibit slavery anywhere in the United States?
3. What did Taney's decision mean for the Missouri Compromise?

The excerpt above shows that the Supreme Court went beyond the issue of Scott's freedom to make a sweeping and momentous judgment about the citizenship status of African Americans in the United States. By ruling that Congress had no authority to limit the spread of slavery to western territories, the Court's decision made it unlikely that northern state governments could prevent the "Slave Power" from reintroducing slavery in the North.



SUMMARY

Application of popular sovereignty to the organization of the Kansas and Nebraska territories in 1854 unraveled the Compromise of 1850, and contributed to crises throughout the decade. Each of these events—"Bleeding Kansas," "Bleeding Sumner," and the *Dred Scott* decision—widened sectional divisions and brought slavery to the forefront of national politics. This process upended the second party system of Whigs and Democrats, and led to the formation of the Republican Party: a northern political coalition dedicated to free soil and free labor. The stability of the American political system was in doubt.

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TERMS TO KNOW

Border Ruffians

Pro-slavery Missourians who crossed the border into Kansas to influence the territorial legislature and intimidate antislavery settlers.

Dred Scott Decision

An 1857 Supreme Court decision; ruled that African Americans could not be American citizens and that Congress could not impede the expansion of slavery.

Kansas-Nebraska Act

Created the territories of Kansas and Nebraska; applied the principle of popular sovereignty to both territories, which meant that the settlers of these territories would decide whether to adopt slavery.

Republican Party

A northern, antislavery political party that formed in 1854 in response to the Kansas-Nebraska Act.

“Bleeding Kansas”

A reference to a series of violent clashes in Kansas between antislavery and pro-slavery supporters during the mid-1850s.



PEOPLE TO KNOW

Charles Sumner

Abolitionist senator from Massachusetts whose speech in Congress, “The Crime Against Kansas,” provoked a brutal attack from South Carolina Representative Preston Brooks.

Dred Scott

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John Brown

Radical abolitionist who led attacks against pro-slavery settlers in Pottawatomie Creek, Kansas in 1856 and conspired to start an armed rebellion by raiding the federal arsenal at Harpers Ferry, Virginia in 1859.

Roger Taney

Chief Justice of the U.S. Supreme Court who wrote the majority decision in Dred Scott v. Sandford.

Stephen Douglas

Democratic senator from Illinois who led the Compromise of 1850 and the Kansas Nebraska Act through Congress; chief advocate for the doctrine of popular sovereignty in the 1850s.



DATES TO KNOW

1850

The Compromise of 1850 passes five laws.

1854

Congress passes the Kansas-Nebraska Act; The Republican Party forms.

1856

"Bleeding Kansas" involves a series of violent clashes; John Brown leads an attack on pro-slavery settlers at Pottawatomie Creek; Charles Sumner is caned in Congress after his "The Crime Against Kansas" speech; Democrat James Buchanan wins the election of 1856.

1857

The Dred Scott Supreme Court decision rules that African Americans are not American citizens.