

The *Albany Evening Journal* Responds to the Dred Scott Decision (1857)

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The *Albany Evening Journal* was affiliated with the Republican Party and a major New York State proponent of the abolition of slavery. In 1857 it published a series of news articles and editorials responding to the Supreme Court decision in the Dred Scott case.

March 7, 1857

Chief Justice Taney delivered to-day the opinion of the U. S. Supreme Court in the Dred Scott case. The points are that Scott is not a citizen; that he was not manumitted by being taken by his master when a slave into the then Territory of Illinois, and that the Missouri Compromise was an act unconstitutionally passed by Congress. Justice Nelson, of New York, dissented. Five Judges, Taney, Campbell, Catron, Wayne, and Daniel, concur on the constitutional point against the Missouri Compromise. Nelson and Grier dodge by adopting the Missouri decisions for their justification in joining the majority. McLean and Curtis meet the issue squarely and sustain the jurisdiction of the Court, with the constitutionality of the Compromises. It is no novelty to find the Supreme Court following the lead of the Slavery Extension party, to which most of its members belong. Five of the Judges are slaveholders, and two of the other four owe their appointments to their facile ingenuity in making State laws bend to Federal demands in behalf of "the Southern institution."

March 9, 1857

The three hundred and forty-seven thousand five hundred and twenty-five Slaveholders in the Republic, accomplished day before yesterday a great success – as shallow men estimate success. They converted the Supreme Court of Law and Equity of the United States of America into a propagandist of human Slavery. Fatal day for a judiciary made reputable throughout the world, and reliable to all in this nation, by the learning and the virtues of Jay, Rutledge, Ellsworth, Marshall and Story!

The conspiracy is nearly completed. The Legislation of the Republic is in the hands of this handful of Slaveholders. The United States Senate assures it to them. The Executive power of the Government is theirs. Buchanan took the oath of fealty to them on the steps of the Capitol last Wednesday. The body which gives the supreme law of the land, has just acceded to their demands, and dared to declare that under the charter of the Nation, men of African descent are not citizens of the United States and can not be -- that the Ordinance of 1787 was void -- that human Slavery is not a local thing, but pursues its victims to free soil, clings to them wherever they go, and returns with them -- that the American Congress has no power to prevent the enslavement of men in the National Territories -- that the inhabitants themselves of the Territories have no power to exclude human bondage from their midst -- and that men of color can not be suitors for justice in the Courts of the United States! The Lemmon Case is on its way to this corrupt fountain of law. Arrived there, a new shackle for the North will be handed to the servile Supreme Court, to rivet upon us. A decision of that case is expected which shall complete the disgraceful labors of the Federal Judiciary in behalf of Slavery -- a decision that slaves can lawfully be held in free States, and Slavery be fully maintained here in New York through the sanctions of "property" contained in the Constitution. That decision will be rendered. The Slave breeders will celebrate it as the crowning success of a complete conquest. But how they will reckon without their hosts!

Beneath Courts and Congresses and Presidents is the great PEOPLE. They love liberty -- they love justice -- they love humanity. Till they affirm the decisions of Law embruting man's divine nature, and till they approve of legislation which defies God, and till they order Executives to execute iniquity, this conspiracy of the Oligarchy is wholly incomplete. That consent will forever and ever be wanting. But one thing will not be wanting -- the resolute purpose of the humane, the just and the free men of the Free States, to meet the close issue forced upon them through the decision of the case of Dred, squarely and fairly, and never to abate their efforts to recover the entire administration of the Republic away from Slavery and back again to Freedom.

All who love Republican institutions and who hate Aristocracy, compact yourselves together for the struggle which threatens your liberty and will test your manhood!

March 10, 1857

Judge Taney requests the American people to believe that the framers of the Constitution did not know their own minds. For the same Statesmen who drew up the Constitution, (which he says forbids Congress to prohibit Slavery in the Territories,) adopted the Ordinance of '87, which prohibited it in all the Territories we then had. The Ordinance was passed in July, 1787 -- the Constitution was framed in September of the same year. The same States and the same men ratified both. And one of the first acts of the first Congress under the Constitution was to reaffirm the Ordinance, and to again prohibit Slavery! Which are the best interpreters of the Constitution, the opinions of Mr. Chief Justice Taney, or the ACTS of Jefferson, Madison, Hamilton, Monroe, Adams, and Washington? They created the Constitution, and the Constitution created Chief Justice Taney -- the clay which now affects to despise the skill of the Potter.

March 10, 1857

Many things in the monstrous decision of the U.S. Supreme Court, shock the moral sense of the public. But the barbarism of the blow which annihilates the citizenship of all the Free colored people in the United States, has fallen with a stunning force on all who have been taught that justice is obligatory on man, and that Christianity is the social law of Humanity. The half million of men and women paralysed by the atheistic logic of the decision of the case of Dred Scott, which disfranchises them on the soil on which they were born, will be to all free and uncorrupted souls a complete denial of the bad law and worse conscience, with which the Supreme Court has pronounced its departure from Republicanism and its entrance into Slavery.

March 10, 1857

We print to-day a sophistical, dogmatic, muddy, and extreme Pro-Slavery document, which future historians will speak of as the present age speaks of the edicts of Jeffries and the Star Chamber. Unworthy of the Bench from which it was delivered, unworthy even of the previous reputation of the jurist who delivered it, unworthy of the American people, and of the nineteenth century, it will be a blot upon our National character abroad, and a long-remembered shame at home. It declares that the slaveholder may take his Slaves and hold them in any Territory under Federal control, and that neither Congress, nor the Territorial Government, nor the People, have the power now or hereafter to forbid him. It declares that the Constitution, though established "to secure Liberty," nowhere protects the existence of Freedom, and though it never mentions the word "Slave," everywhere legalizes Slavery! The monstrous absurdity of the argument, is only equalled by the astonishing revolution it seeks to effect in our jurisprudence. It falsifies the most reliable history, abrogates the most solemn Law, belies the dead and stultifies the living, -- in order to make what has heretofore been a local evil, hereafter a National institution!

March 11, 1857

The Oligarchy who breed men and women for the market and make unceasing war on free labor, laid broad the foundations of their conspiracy against Liberty, in the convention which nominated Buchanan for the Presidency. They planned to inaugurate on the 4th of March, 1857, a Federal combination of influences in behalf of Slavery, that should include the Executive power, the Legislative power and the Judicial power of the Republic. Through the patronage of the President they calculated upon corrupting and enlisting an army of ambitious and energetic spirits in the Free States. Though the 35th Congress they counted surely on legislation that should expand Slavery and contract Freedom. Through the Supreme Court of the United States they reckoned, with audacious cunning, on a conquest of all the subordinate courts of Law in the law-abiding North -- on a conquest of the vast body of Northern lawyers trained by their profession to yield obedience and respect to the final decisions of the judiciary, and educated all of them into a veneration of that high court over which Marshall presided and in which Story was a justice -- counted on a conquest of the great body of the Northern people, through their habit of submission to law and to public authority. To this end the appeal of the case of Dred Scott had been prepared. Its decision was certain and ready long and long ago. But its influence was wanted for the inauguration of the new

pro-slavery administration of James Buchanan. So the formal delay of a re-argument was gone through with. The case was ready again for decision and publicity. But a Republican House of Representatives was in session. The horrible wrong inflicted through the person of Dred Scott upon half a million of free colored citizens, and the great crime against Freedom and Humanity enveloped in the denial of this black man's petition for his unquestionable rights, would inevitably have fired them to indignation and protest. Their denunciation of the Supreme Court was to be avoided by all means, and their hostility to the legislation necessary to the South and to the incoming Administration, was especially to be avoided. So the decision was withheld till Congress adjourned. Then it came.

The army of "Democratic" applicants for office came with it, and of course came under it as a yoke, as was anticipated. The army of the present "Democratic" incumbents of office, hopeful of reappointment, accept the decision as the highest expression of law and equity. Editorial slaves din into the shocked ear of the public their lying sophistries to persuade that a decision which nationalizes Human Bondage, and disfranchises citizens of African descent, is a sacred one. But in vain is it all. The People stand angry and implacable in front of this giant judicial iniquity. No shaking of old ermines, nor fluttering of moth-eaten silk gowns, nor invocation of the shades of Marshall, Jay, Ellsworth and Story -- no extent of snivel and cant about the purity of the Federal Judiciary, and the obligation to put up with false law and falser equity, will avail at all to persuade the people of the Free States that Slavery has unrestricted rights in the Public Domain, and neither Freedom nor Congress has any opposing rights therein -- that people of African descent can no be citizens of the United States -- and that men and women can lawfully be held in slavery on Free Soil. No, the People will from the hour of this Dred decision, unintermittingly roll back this mixed Conspiracy, till through a recovered and reorganized Federal Judiciary and a republicanized Executive, they can administer justice and good government in the whole nation.

March 19, 1857

Five of its nine silk gowns are worn by Slaveholders. More than half its long Bench is filled with Slaveholders. Its Chief Justice is a Slaveholder. The Free States with double the population of the Slave State, do not have half the Judges. The majority represent a minority of 350,000. The minority represent a majority of twenty Millions! It has long been so. Originally there were three Northern and three Southern Judges. But the South soon got the bigger share of the black robes, and kept them. Of the thirty-eight who have sat there in judgment, twenty-two were nurtured "on plantation." The Slave States have been masters of the Court fifty-seven years, the Free States but eleven! The Free States have had the majority only seven years, this century. Even the Free State Judges are chosen from Slavery extending parties. Presidents nominate, and Senates confirm none other. Three times a new Judgeship has been created, and every time it has been filled with a Slaveholder. The advocate who pleads there against Slavery, wastes his voice in its vaulted roof, and upon ears stuffed sixty years with cotton. His case is judged before it is argued, and his client condemned before he is heard.