

# The Decision in the Supreme Court.

Baltimore, Maryland, *Sun* [American]

(09 March 1857)

-- The decision just made in the Dred Scott case, an obscure African, by the Supreme Court of the United States, is probably the most important that ever emanated from that highest tribunal of our country. It declares the Missouri Compromise Act of 1820 unconstitutional -- that act which drew a slave line and a free line on the Territory of the United States, prohibiting slavery colonization north of 36 30. This line Congress in 1850 refused to extend to the Pacific ocean, and in 1852 repealed the act. We cannot, of course, on the meagre data furnished by the brief summary of the decision which has so far reached us, undertake to divine its full force and bearings. The points of the decision cannot be entirely and accurately comprehended until the full reports of the opinions of the Judges are procured. These we shall await with considerable interest, and while desiring to avoid any hasty or unadvised remark, we cannot, in the meantime, refrain from expressing our gratification that this important subject has at last had a final adjudication, and one which is in accordance with the great principle of popular sovereignty in regard to slavery in the Territories, and which the newer lights which time and circumstance have imparted since Congress first injudiciously undertook to interfere in the subject, have been effectual in establishing by the abnegation in the Kansas Nebraska bill of all legislative control by that body over slavery in the territories. At present we can only give such other facts in the case as are at hand.

It appears that the owners of the slave Dred Scott, who brings the action, carried him to Rock Island, in Illinois, and Fort Snelling, north of the Missouri line, and resided there for years. he carried him back to Missouri, and then claimed that the *status* of slavery resumed. the court sustains the action. Judges Taney of Md.; Campbell, of Ala.; Catron, of Tenn.; Wayne, of Ga., and Daniel, of Va., concur on the constitutional point against the Missouri compromise. Judges Nelson, of N. Y., and Grier, of Pa. adopt the Missouri decisions and thereby join the majority; that is, they stand upon the ground of the *lex loci* of Missouri, where recent decisions reverse old decisions by re-converting Dred free in Illinois, to his old state of slavery when returned to Missouri. Judges McLean of Ohio, and Curtis, of Mass., sustain the jurisdiction of the court, with the constitutionality of the Missouri Compromise.

It is said, but we do not know upon what specific authority, that the opinion of the court does not reach directly, if at all, that a master may take a slave to a free State, even *in transitu*, and hold in slavery *there* his slave -- only that a slave is not thus made free when re-taken to the State whence he departed.

The decision, we are glad to say, seems to be welcomed in most quarters. There are indiscreet and suicidal ravings among some of those who *know no love* except that of their own violent self-will and passions. For instance, the *New York Tribune* says that it is entitled to just so much more weight as would be the judgment of a majority of those *congregated in any Washington bar-room*, but on the other hand the *New York Times* which is a "republican" journal also, says:

No popular revolution will follow this decision, startling as it will be to the opinions and principles of three-fourths of the people of the United States. *It will be accepted as the authoritative exposition of the Constitution, and regarded by all departments of the government and by the people as the law of the land.* No issue will probably ever be made upon it before the people, for the practical settlement of the question will anticipate any political result that might be reached. But it will profoundly affect the public mind in regard to the general questions of slavery, and will change the issues which must inevitably come up sooner or later in reference to it. That it will render them less absorbing in their nature, less disturbing in their progress, or more safe and peaceful in their results, no one who knows anything of the temper of the American people can for a moment believe."

The *New York Journal of Commerce* an independent and judicious journal, gives prominence and approbations to the opinion.