

**Determining the Facts****Reading 3: The Significance of the Dred Scott Trial**

Perhaps the most famous court case associated with the Old Courthouse is that of slaves, Dred and Harriet Scott, who in 1846 filed a suit to obtain their freedom from slavery. The case was not a particularly unusual one and there was little coverage of the trial in the local newspapers. Slaves often sued for their freedom on the grounds that they had been freed by a previous owner's will. Other slaves sued for their liberty because their masters had taken them to a non-slave-holding territory and then returned to Missouri. The courts commonly granted freedom in both circumstances until this precedent was reversed by the Dred Scott case.

Dred Scott was brought to St. Louis from Virginia in 1830 by his master, Peter Blow. Later the Blow family sold Scott to Dr. John Emerson, an army surgeon. The slave accompanied his new owner on tours of duty at Rock Island, Illinois, and Fort Snelling in what is now Minnesota. At Fort Snelling, Scott married a slave named Harriet who was purchased by Dr. Emerson from a fellow doctor. In 1843 Emerson died, leaving the Scotts to his widow. In April 1846 Dred and Harriet Scott filed suit against Mrs. Irene Emerson for their freedom on grounds of previous residence in free territory.

The Scotts were helped in initiating their suit by Taylor Blow, the son of Dred's old master, who signed bonds for the Scotts when the suit was first filed. The case came to trial in June 1847 in the Missouri Circuit Court, and was lost by the Scotts. They asked for a retrial, and at a second hearing, in 1850, the Scotts were given their freedom.

Mrs. Emerson appealed the case to the Missouri State Supreme Court, which in 1852 reversed the decision of the lower court, returning the couple to slavery. Many were happy with the decision. One of the judges wrote, "Times now are not as they were when former decisions of this subject were made. Since then not only individuals but states have been possessed with a dark and fell spirit in relation to slavery, whose gratification is sought in the pursuit of measures, whose inevitable consequence must be the overthrow and destruction of our government."

After the State Supreme Court decision, the Dred and Harriet Scott case began to attract national attention and the interest of prominent lawyers. Roswell Field, an accomplished attorney, took on the case and carried it to the Federal District Court. In May 1854, that court ruled in favor of Dred Scott's owner. Field immediately appealed to the U.S. Supreme Court.

Since the Scotts first filed their suit in 1846, tensions between the North and the South had grown. Laws regarding slavery had been passed at local, state, and national levels that caused much dissension between the two

How to Use  
This ReadingInquiry  
QuestionHistorical  
ContextMapsReading 1  
Reading 2ImagesActivitiesTable of  
Contents

The Old Courthouse in St. Louis--Reading...

regions of the country. There was intense interest in the U.S. Supreme Court's decision regarding the Scotts.

The Supreme Court heard the case argued as *Dred Scott v. Sandford* because, technically, Scott was now the property of Emerson's brother-in-law, John F. A. Sanford (a clerk misspelled the name of the defendant). The Supreme Court held hearings twice: once in February 1856 and again the following December. The decision, with which seven Justices agreed and two disagreed, was delivered on March 6, 1857 by Chief Justice Roger Taney, who read the "Opinion of the Court." Essentially the court decided that because the Scotts were slaves, they were not considered citizens under the Constitution, and therefore could not sue for their freedom in court. The justices also ruled that the ban on slavery in the Missouri Compromise was unconstitutional. Slave owners could not be deprived of their property, and the recently acquired western territories would have to allow slave holders and thus slavery within their borders. The decision struck a blow to the delicate balance of non-slave versus slave states. Instead of lessening sectional tensions as Taney had hoped, the decision only hastened the nation's slide into civil war.

Name \_\_\_\_\_ Period \_\_\_\_\_ Date \_\_\_\_\_

## Significance of Dred Scott Trial

Use the information from class discussion, the skit we read in class, and Reading 3: *The Significance of the Dred Scott Trial*, to formulate decisions and answer the question below.

- 1- On what grounds did Dred and Harriet Scott first sue for their freedom in 1846?
  
- 2- What was the 1850 verdict of the Missouri Circuit Court in St. Louis?
  
- 3- Based on what you know about our country (and what we talked about in class today) during the 1840s, why do you believe the Scott's case of little importance to the St. Louis community?
  
- 4- Why was the case taken to the to the Missouri Supreme Court?
  
- 5- Why did the Dred Scott case become more important as the years passed and as it moved up through the nation's court system?
  
- 6- What decision was issued by the United States Supreme Court in 1857?
  
- 7- Why do you believe free states (aka- nonslave states) might be angered by the verdict?
  
- 8- Why do you think this decision was different from those of the earlier trials?