

Dred Scott Decision

ONE THAT POLARIZED AMERICA

**NAT
TURNER
TRAIL**

1831
Southampton
Insurrection

Dred Scott was born with slave status in Southampton County around 1798. The Peter Blow family acquired him shortly after that. The Blows moved to Alabama and later to St. Louis, Missouri, where they sold Dred to John Emerson, a physician serving in the US Army.

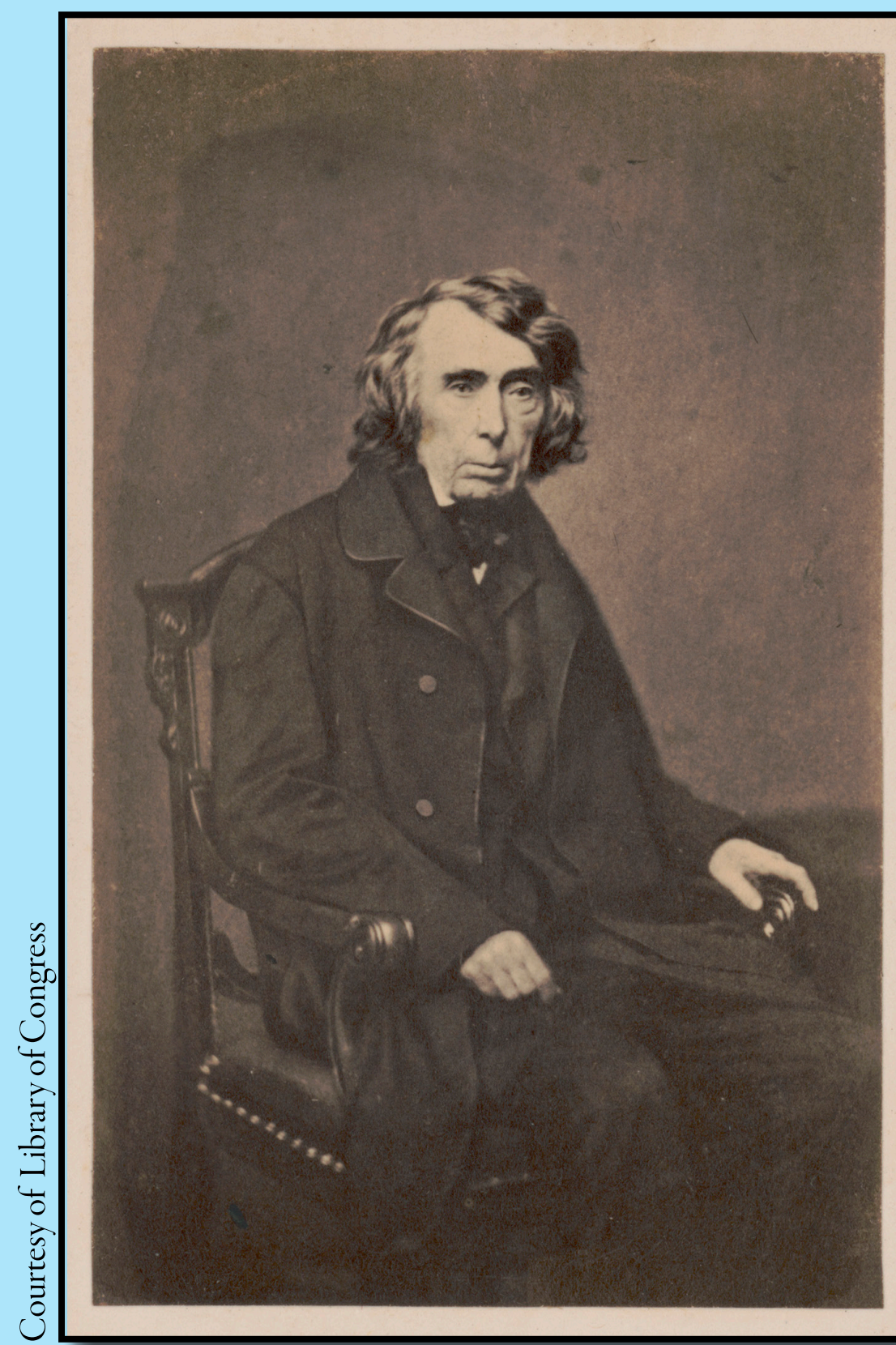
Dred's Dream Deferred

When Dr. Emerson died in 1843, his wife, Irene, inherited Scott, his wife, and two daughters. Dred attempted to purchase his freedom. Mrs. Emerson refused. Scott filed a legal suit in 1850. The St. Louis Circuit Court declared that Scott and his family should be granted freedom since they had been illegally held as bondsmen when Dr. Emerson had taken them on his Army assignments in the free jurisdictions of Illinois and Wisconsin Territory. Mrs. Emerson appealed. The Missouri Supreme Court struck down the decision in 1852, and the Scotts were returned to slavery.

*Front-page news, June 1857:
"Eliza and Lizzie, children
of Dred Scott [top];
Dred Scott [and]
his wife, Harriet."*



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Courtesy of Library of Congress

*Roger B. Taney,
fifth Chief Justice of
the United States,
ca. 1855-1864.
Mathew Brady,
photographer.*

Scott v. Sandford: A Landmark Case

With the assistance of new lawyers, including Montgomery Blair, who was later a member of President Abraham Lincoln's cabinet, the Scotts filed suit in federal court. The case went to the United States Supreme Court on March 6, 1857. Chief Justice Roger B. Taney delivered the majority ruling that according to the Constitution, any person descended from Africans, whether enslaved or free, was not a citizen of the United States.

He stated that neither the Northwest Ordinance nor the Missouri Compromise could exclude slavery. Taney ruled that Scott could not be freed by legislative action because he was subject to the Fifth Amendment, which prohibited taking property from its owner "without due process." The Blow family purchased Dred Scott and his family and later set them free. Justice Taney's decision deepened tensions between the North and the South. The Civil War broke out four years later.