

# DRED SCOTT REMAINS A SLAVE

The Supreme Court is the part of our government that decides whether laws that are passed agree with the Constitution. It is made up of men and women justices, or judges. All the justices are well-educated. They also have a lot of experience in the legal system. However, like all human beings, sometimes justices are influenced by what others think. And, this means that sometimes, they make mistakes.

## Dred Scott Sues for His Freedom

Dred Scott was a slave. He belonged to a doctor named John Emerson. Dred and the doctor lived in the slave state of Missouri.

The doctor took Dred with him when he moved. First, they went to the state of Illinois. Then, they lived in what would become the state of Minnesota in the Wisconsin Territory. Both the state and the territory banned slavery. So, for several years, Dred lived as a slave where slavery was not allowed. Dr. Emerson's last move was back to Missouri. He died there in 1843.



*Dred Scott went to court to try to gain his freedom.*

Several years later, Dred Scott, with the help of several white friends, including the doctor's widow and the relative of an old owner, sued for his freedom. He said that because he had lived in the free state of Illinois and free territory of Wisconsin, he should be a free man. The case climbed the ladder of courts until in 1857, it reached the country's top court—the Supreme Court.

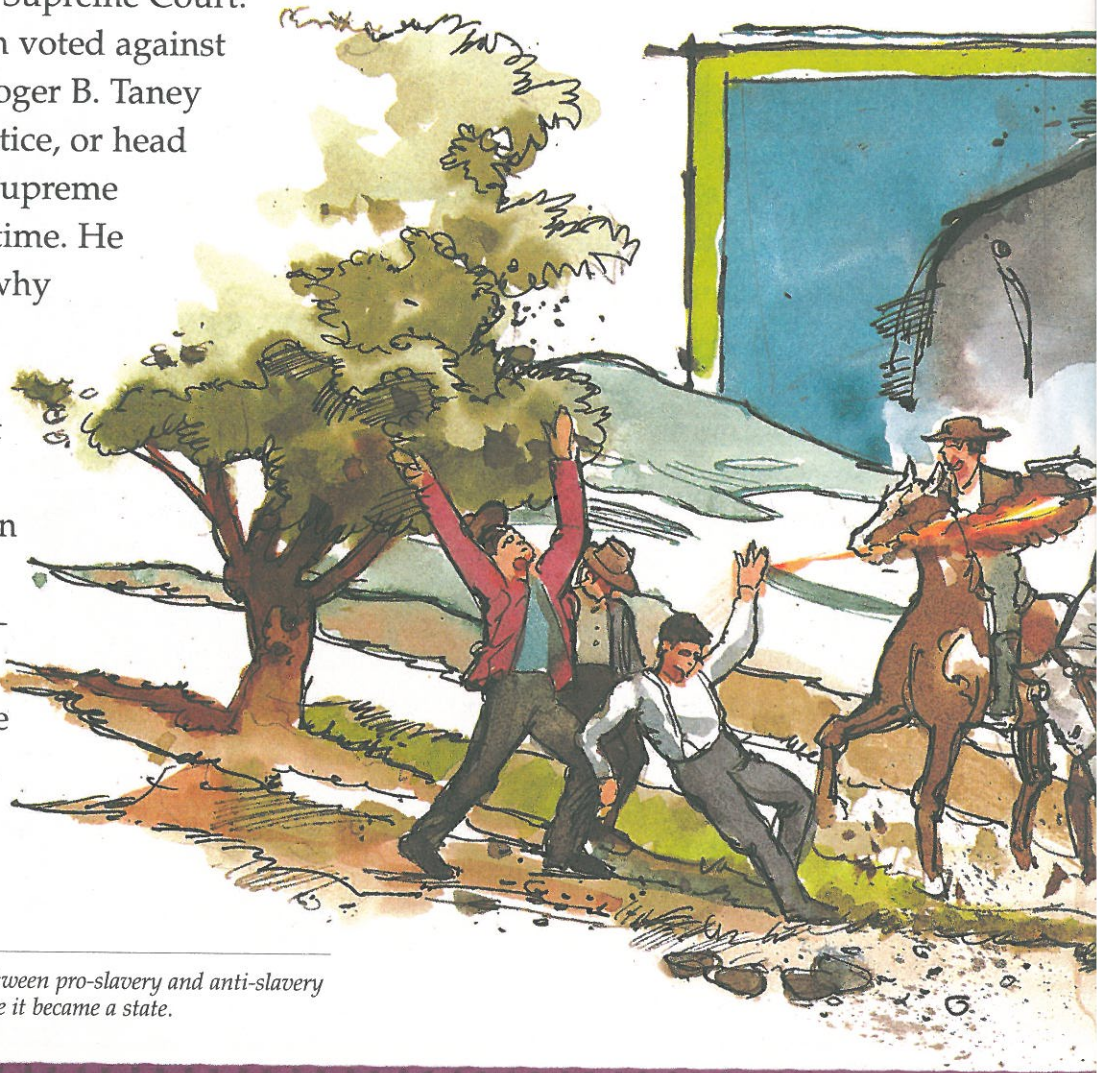
### The Supreme Court Decides

In 1857, there were nine justices sitting on the Supreme Court. Seven of them voted against Dred Scott. Roger B. Taney was Chief Justice, or head judge of the Supreme Court, at the time. He wrote about why the Supreme Court made the decision it did. He said that no African American—free or slave—could ever be a citizen of the United States.

Justice Taney also ruled that all slaves were property. Their owners could take them wherever they wanted. The Dred Scott decision meant that it did not matter whether a state had decided to be a free state or a slave state. Slave owners could take their slaves anywhere.

### After the Dred Scott Decision

Justice Taney and others hoped that a Supreme Court decision would stop the problem of slavery



*Fighting broke out between pro-slavery and anti-slavery forces in Kansas before it became a state.*

in the Union. Instead, it made things worse.

There were many who agreed with the Court's decision. But many others were furious. They felt the decision had set the nation on a course toward more slavery.

In the end, the decision helped to further divide the nation into slavery and anti-slavery forces.

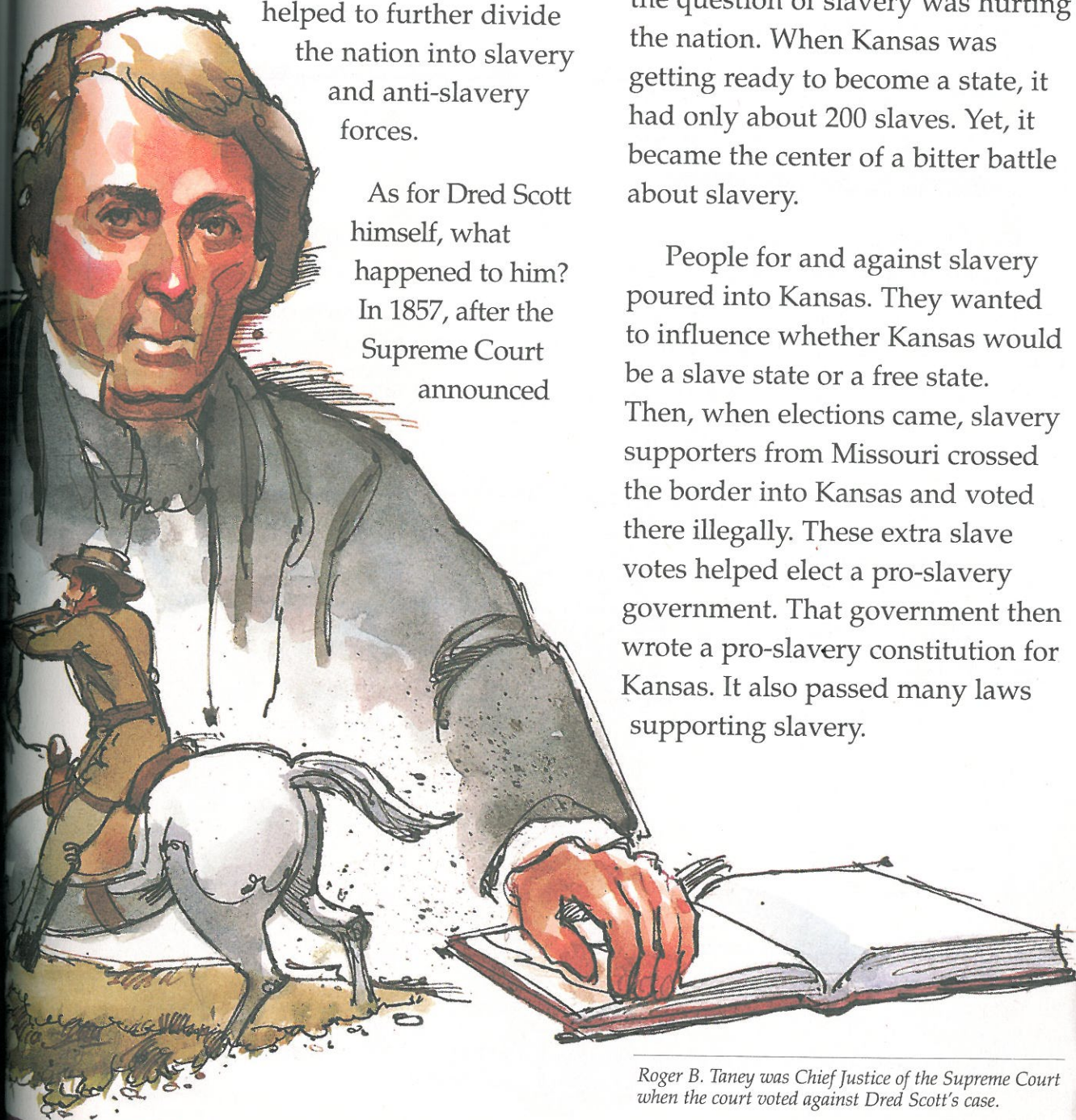
As for Dred Scott himself, what happened to him? In 1857, after the Supreme Court announced

its decision, Dred Scott was freed by his owner. He lived as a free man for only 16 months before a lung disease called tuberculosis took his life.

### "Bleeding Kansas"

What happened in Kansas in the 1850s is another sign of how the question of slavery was hurting the nation. When Kansas was getting ready to become a state, it had only about 200 slaves. Yet, it became the center of a bitter battle about slavery.

People for and against slavery poured into Kansas. They wanted to influence whether Kansas would be a slave state or a free state. Then, when elections came, slavery supporters from Missouri crossed the border into Kansas and voted there illegally. These extra slave votes helped elect a pro-slavery government. That government then wrote a pro-slavery constitution for Kansas. It also passed many laws supporting slavery.



Roger B. Taney was Chief Justice of the Supreme Court when the court voted against Dred Scott's case.

Then, the arguments between pro- and anti-slavery groups became violent. Lawrence, Kansas—a town against slavery—was burned by supporters of slavery. white abolitionist John Brown and his supporters killed several slavery supporters. These and other violent acts gave Kansas a new nickname in the nation: “Bleeding Kansas.”

Eventually, free-state groups took over the Kansas government. The constitution was changed. The pro-slavery laws were dropped. However, Kansas did not become a state until 1861. By then, the country was divided by war.

### Show What You Know

There have been other times when what Americans thought was true at that time is not considered true today. Here are three examples.

1. In 1644, the governor of Massachusetts, John Winthrop, said that democracy was the “worst of all forms of government.”
2. In 1787, patriot Alexander Hamilton said that ordinary American citizens should not be allowed to vote—“they seldom judge or determine right.”
3. In the 1890s, President Grover Cleveland said women should not be allowed to vote. In fact, he said, “Sensible and responsible women do not want to vote.”

Choose one of these examples. Then, write a sentence or two explaining why it is not the way people feel today.

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