

# Student Supreme Court Docket



## *Dred Scott v Sandford*

Name: \_\_\_\_\_  
Dred Scott Case

Date: \_\_\_\_\_

Directions: Read the information that follows to gather facts about the Dred Scott Case. This will help you craft your opinion on the question- Was Dred Scott free?

**Meet the  
Plaintiff:  
Dred Scott**



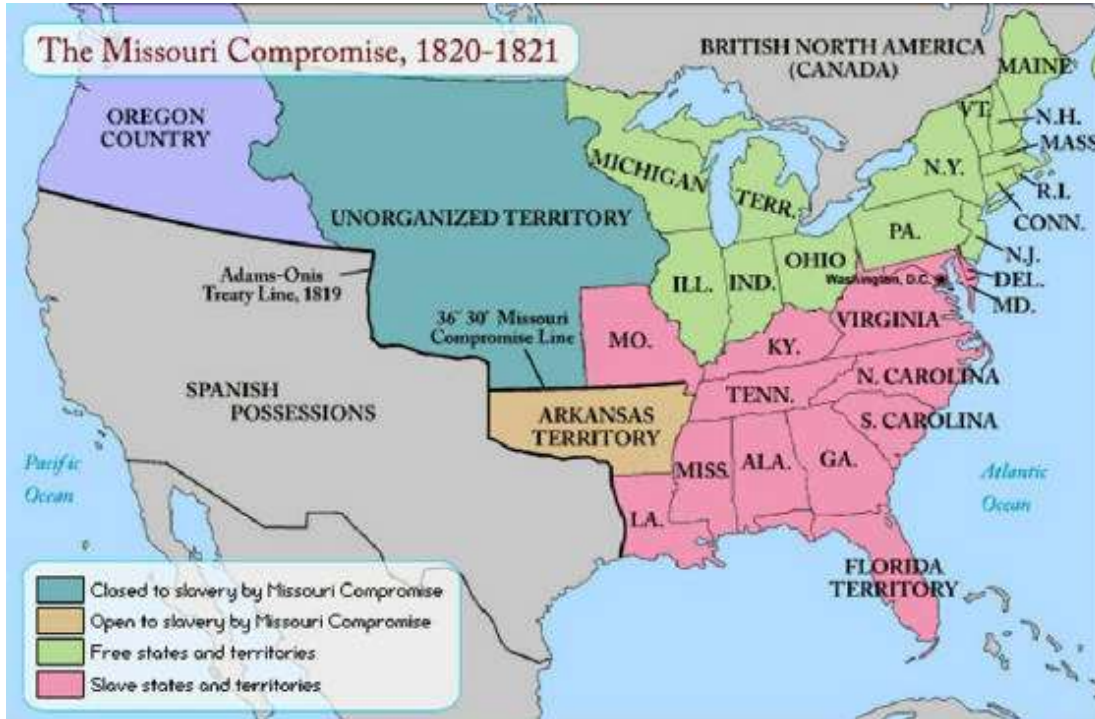
Born around 1800, Scott migrated (moved) west with his master, Peter Blow from Virginia to Alabama and then, in 1830, to St. Louis, Missouri. Two years later his master, Peter Blow died. Dr. John Emerson bought Dred Scott for \$500 and brought him to Illinois. After two and a half years, in the spring of 1836, Dr. John Emerson moved to a fort in the Wisconsin Territory, taking Scott along. While there, Scott met and married Harriet Robinson, who became the property of his master. After his master unexpectedly died in 1843, Dred Scott became the property of Dr. Emerson's wife, Eliza Sandford, Scott sought freedom for himself and his wife. First, he offered to buy his freedom while living in St. Louis for \$300. She refused. Scott then sought freedom through the courts.

Adapted  
from [www.pbs.org](http://www.pbs.org)

**Meet the Defendant:  
John Sandford**

Mr. Sandford, Eliza Sandford's brother, was left to handle her affairs when she remarried. He appeals to the Missouri Supreme Court regarding Dred Scott's requests.

## Map of U.S.



Source: [www.teachingamericanhistory.com](http://www.teachingamericanhistory.com)

**Directions:** Map the Travels of Dred Scott. In each box record the state and whether that state was free or slave.

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## Classifying Arguments in the Dred Scott Case

Adapted from: [Landmarkcases.org](http://Landmarkcases.org)

Directions: Read through the list of arguments below used in the landmark Supreme Court case, *Dred Scott v Sandford* to answer the question, Is Dred Scott free?

Decide whether each argument supports Dred Scott's argument in favor of freedom (DS), Sandford's argument for his continued enslavement (S), or for both sides (BOTH), or neither side (N). Underline key ideas in each statement that helped you decide which side the statement supports.

1. \_\_\_\_\_ Prior to the Constitution, some states permitted free blacks to vote such as Delaware, New Hampshire, and New York during the colonial period. The Constitution does not specifically state that blacks cannot be citizens.
2. \_\_\_\_\_ The Constitution recognized the existence of slavery with the inclusion of the 3/5ths Compromise and the abolition of the Transatlantic Slave Trade. Therefore, the framers who created and ratified the Constitution clearly believed that slaves and their descendants were not considered citizens.
3. \_\_\_\_\_ According to Article 6, the U.S. Constitution is the supreme law of the land. Neither Congress nor states can pass laws that conflict with the Constitution.
4. \_\_\_\_\_ The Missouri Compromise of 1820 outlawed slavery forever in select areas. Since Dred Scott's owner took him to these free areas, Scott became free.
5. \_\_\_\_\_ The Missouri Compromise of 1820 that outlawed slavery in some future states was unconstitutional because Congress does not have the authority to deny property rights to citizens. Therefore, Scott was always a slave in areas that were free.
6. \_\_\_\_\_ It was law in many U.S. states and had been law in Europe for centuries that a slave who legally traveled to a free area became free automatically.

7. \_\_\_\_\_ In the case of *Strader v. Graham* (1850), the Supreme Court of the United States heard the case of three slaves who had been taken from Kentucky to Indiana and Ohio and then back to Kentucky. The Court declared that the status of the slave depended on the laws of Kentucky, not Ohio.
8. \_\_\_\_\_ At the time of the Dred Scott case, women and minors could sue in federal court even though they could not vote.
9. \_\_\_\_\_ After the Civil War, in 1865, the states ratified the Thirteenth Amendment to the Constitution making slavery illegal.
10. \_\_\_\_\_ When a person enters a free state or territory, the free status of that state overrides their previous condition of servitude. Therefore, Dred Scott became free when his owner brought him to a free state.

Additional Arguments

Brainstorm any additional arguments that may support Dred Scott or John Sandford's argument.

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