

DRED SCOTT CASE:

1). THE ISSUE:

SHOULD A SLAVE BECOME FREE IF HE ENTERS A FREE STATE?

2). a). SLAVES WERE PROPERTY

b). CONGRESS CANNOT TAMPER WITH A PERSONS PRIVATE PROPERTY

c). THE MISSOURI COMPROMISE WAS UNCONSTITUTIONAL BECAUSE OF THE 36'30 LINE

3). IT WAS A MAJOR VICTORY FOR SLAVE OWNERS BECAUSE NOW SLAVES WERE PERMITTED ANY WHERE IN THE UNITED STATES.

4). JOHN BROWN WAS CAUGHT BY FEDERAL TROOPS, TRIED FOR TREASON AGAINST VIRGINIA AND HANGED.

5). PRO-SLAVERY FANATICS AGAINST ABOLITIONIST FANATICS

DRED SCOTT CASE

1. Issue. *Dred Scott*, a black slave, had been taken by his master into the Minnesota region, which according to the Missouri Compromise was free territory. He was then brought back to Missouri, a slave state. To create a test case, the abolitionists had *Dred Scott* sue for his freedom on the grounds that his residence in free territory had made him a free man.

2. Supreme Court Decision (1857). The Supreme Court ruled against *Scott*. Chief Justice *Roger B. Taney* began the majority opinion by stating that a black could not be a citizen and that *Scott* therefore could not bring suit in a federal court. *Taney* then went beyond this point to comment on the issue of slavery in federal territories, hoping to end the slavery controversy by a judicial statement. His further conclusions were labeled by antislavery leaders as *obiter dicta* (Latin for "some things said in passing") and therefore not legally binding. *Taney* stated that (a) slaves were property, (b) Congress may not deprive any person of the right to take property into federal territories, and (c) the Missouri Compromise, which prohibited slavery in part of the Louisiana Territory, was unconstitutional.

The dissenting opinions in the *Dred Scott* case pointed out that free blacks were considered citizens in some states and that the Constitution granted Congress the power to make "all needful rules and regulations" for federal territories.

The *Dred Scott* decision was applauded by the South but denounced by the North. It increased sectional ill will.

JOHN BROWN'S RAID (1859)

John Brown, a fanatical abolitionist, led a band of some 20 men in a raid against the federal arsenal at *Harpers Ferry* in Virginia. *Brown* hoped to secure guns, arm the nearby blacks, and lead a slave rebellion. He was caught by federal troops, tried for treason against Virginia, found guilty, and hanged. In the North generally, *Brown* was honored for having sacrificed his life for human liberty. In the South, *Brown* was despised as a dangerous criminal.

3. "Bleeding Kansas." Slaveowners, especially from Missouri, and abolitionists, chiefly from New England, hurried to Kansas, each group seeking to gain control of the territory. These proslavery and antislavery groups resorted to armed violence and began a small-scale civil war. Missouri "border ruffians" attacked free-soil settlements. Abolitionist bands, notably one led by *John Brown*, raided proslavery centers. "Bleeding Kansas" provided reports that kept sectional passions inflamed throughout the country.

#1. What was the issue of the *Dred Scott* case 1857?

#2. Why did Chief Justice *Taney* rule against *Scott*? (3 reasons)

#3. The *Dred Scott* decision was a victory for slave owners or abolitionists?

#4. How did *John Brown's* raid 1859 end?

#5. Bleeding Kansas became a mini civil war between what 2 groups?