**DRED SCOTT V. SANFORD (1857)**

**BACKGROUND:**   Dred and Harriet Scott were slaves who had been brought to the free state of Illinois and then to the free territory of Wisconsin by Dr. John Emerson.  After his death, the Scott’s sued for their freedom.

**CONSTITUTIONAL ISSUES:** First, does a slave, who is not a citizen of the U.S., have the right to bring a case to Federal court? Second, does a slave become a free person when he or she resides in a free state or territory?

**DECISION:** The Supreme Court ruled against Dred Scott.  Led by Chief Justice Roger B. Taney, the Court held that since Scott was a slave and not a citizen of the U.S., he had no right to bring suit to federal court.  In addition, the Court stated that slaves were property.

Since the Constitution guarantees everyone the right to their property, the Missouri Compromise was unconstitutional since it prohibited slavery (the slave owners’ property) in portions of the Louisiana Territory that were north of the 36̊30’ line.

