

**Social Science Department
United States History I
June 1-5**



Greetings USI Students! We hope you are safe and well with your families!
Below is the lesson plan for this week:

Topic 5. The Civil War and Reconstruction causes and consequences

Summarize the critical developments leading to the Civil War:

the Compromise of 1850; the publication of Harriet Beecher Stowe's *Uncle Tom's Cabin* (1851–1852);
the Dred Scott Supreme Court case (1857)

Practice Standard(s):

3. Organize information and data from multiple primary and secondary sources.
4. Analyze the purpose and point of view of each source; distinguish opinion from fact.
5. Evaluate the credibility, accuracy, and relevance of each source.

Weekly Learning Opportunities:

The Compromise of 1850 and the Fugitive Slave Act:

1. Summary of the Compromise of 1850
2. Newspaper accounts of a fugitive slave named Shadrach Minkins
3. Video- The Fugitive Slave Act on *American Experience* PBS. <https://www.pbs.org/video/american-experience-fugitive-slave-act/>.

Harriet Beecher Stowe's Uncle Tom's Cabin:

1. Excerpt from *Uncle Tom's Cabin*
2. Video *Uncle Tom's Cabin* on *American Experience* PBS <https://www.pbs.org/video/american-experience-uncle-toms-cabin/>.

Dred Scott U.S. Supreme Court Case:

1. Summary of the U.S. Supreme Court case Scott v. Sanford (1857)
2. Examples of Arguments Made Before the U.S. Supreme Court in Scott v. Sanford (1857)
3. Video- The Dred Scott U.S. Supreme Court case on *American Experience* PBS. <https://www.pbs.org/video/american-experience-dred-scott-decision/>.

Long Term Opportunities:

1. What Caused Secession DBQ

Additional Resources:

- The Missouri Compromise: Primary Source Documents in the Library of Congress. <https://guides.loc.gov/missouri-compromise>.
- The Kansas-Nebraska Act on History.com <https://www.history.com/topics/19th-century/kansas-nebraska-act>.
- The Lincoln-Douglas Debates of 1858 <https://www.nps.gov/liho/learn/historyculture/debates.htm>.

Note to students: Your Social Science teacher will contact you with specifics regarding the above assignments in addition to strategies and recommendations for completion. Please email your teacher with specific questions and/or contact during office hours.

The Compromise of 1850 and the Fugitive Slave Act

Please do the following:

1. Read over the summary of the Compromise of 1850.
2. Watch the video on the Fugitive Slave Act on PBS.
3. Read the two newspaper accounts on the Fugitive Slave Act and an escaped slave Shadrach Minkins. Then answer the questions at the end of each newspaper account. Remember to use the questions in your answers and to answer the questions in complete sentences.

The link for the video is <https://www.pbs.org/video/american-experience-fugitive-slave-act/>. If you use Teams you can add this link to the assignment and the students will be taken directly to the video.

Compromise of 1850

The Compromise of 1850 was made up of five bills that attempted to resolve disputes over slavery in new territories added to the United States in the wake of the Mexican-American War (1846-48). It admitted California as a free state, left Utah and New Mexico to decide for themselves whether to be a slave state or a free state, defined a new Texas-New Mexico boundary, and made it easier for slaveowners to recover runaways under the Fugitive Slave Act of 1850. The Compromise of 1850 was the mastermind of Whig senator Henry Clay and Democratic senator Stephen Douglas. Lingering resentment over its provisions contributed to the outbreak of the Civil War.

The Mexican-American War

The Mexican-American War was a result of U.S. President James K. Polk's belief that it was America's "manifest destiny" to spread across the continent to the Pacific Ocean. Following the U.S. Victory, Mexico lost about one-third of its territory including nearly all of present-day California, Utah, Nevada, Arizona and New Mexico. A national dispute arose as to whether or not slavery would be permitted in the new Western territories.

Who Was Responsible for The Compromise of 1850?

Senator Henry Clay of Kentucky, a leading statesman and member of the Whig Party known as “The Great Compromiser” for his work on the Missouri Compromise, was the primary creator of the Missouri Compromise. Fearful of the growing divide between North and South over the issue of slavery, he hoped to avoid civil war by enacting a compromise.

Famed orator and Massachusetts senator Daniel Webster, while opposed to the extension of slavery, also saw the compromise of 1850 as a way of averting national discord, and disappointed his abolitionist supporters by siding with Clay.

When Clay, facing health problems, grew too ill to argue his case before the senate, his cause was taken up by Democratic senator Stephen A. Douglas of Illinois, an ardent proponent of states’ rights when it came to deciding the issue of slavery.

John C. Calhoun, a former vice president-turned senator from South Carolina, sought the expansion of slavery into new territories, but in an 1850 speech to the Senate, wrote: “I have, senators, believed from the first that the agitation of the subject of slavery would, if not prevented by some timely and effective measure, end in disunion.”

When the full compromise failed to pass, Douglas split the omnibus bill into individual bills, which permitted congressmen to either vote or abstain on each topic. The untimely death of President Zachary Taylor and ascendancy of pro-compromise Vice President Millard Fillmore to the White House helped contribute to the passage of each bill. Calhoun died in 1850 and Clay and Webster two years later, making their roles in the Compromise of 1850 one of their last acts as statesmen.

Main Points of The Compromise of 1850

The Compromise of 1850 was made up of five separate bills that made the following main points:

- Permitted slavery in Washington, D.C., but outlawed the slave trade

- Added California to the Union as a “free state”
- Established Utah and New Mexico as territories that could decide via popular sovereignty if they would permit slavery
- Defined new boundaries for the state of Texas following the Mexican-American War, removing its claims to parts of New Mexico but awarding the state \$10 million in compensation
- The Fugitive Slave Act of 1850 required citizens to assist in apprehending runaway slaves and denied enslaved people a right to trial by jury.

The Fugitive Slave Act of 1850

The first Fugitive Slave Act was passed by Congress in 1793 and authorized local governments to seize and return people who had escaped slavery to their owners while imposing penalties on anyone who had attempted to help them gain their freedom. The Act encountered fierce resistance from abolitionists, many of whom felt it was tantamount to kidnapping.

The Fugitive Slave Act of 1850 compelled all citizens to assist in the capture of runaway slaves and denied enslaved people the right to a jury trial. It also placed control of individual cases in the hands of federal commissioners, who were paid more for returning a suspected slave than for freeing them, leading many to argue the law was biased in favor of Southern slaveholders.

Outrage over the new law only increased traffic along the Underground Railroad during the 1850s. Northern states avoided enforcing the law and by 1860, the number of runaways successfully returned to slaveholders hovered around just 330.

Both Acts were repealed by Congress on June 28, 1864, following the outbreak of the Civil War, the event proponents of the Compromise of 1850 had hoped to avoid.

“No Union with Slave Holders!”: Excerpts from *The Liberator*, February 21, 1851

In the succeeding columns, we give an account of the arrest, rescue and flight of a slave in this city, on Saturday last—

Stated in the briefest form, what are the facts in the case? The Deputy U.S. Marshal with two or three **base confederates** seizes an inoffensive colored man, guiltless of any crime against the laws of God or the well-being of society, in a manner the most sneaking, treacherous and **dastardly**,—in a manner which shows how conscious the villains were that they were engaged in the work of the devil,—and yet in a manner in **exact** accordance with the spirit and object of the **accursed** Fugitive Slave Law,—on the charge of his being a fugitive from the chains and scourges of the Southerner house of bondage, hurried without a moment’s warning before Commissioner Curtis....

The victim, through his **counsel**, **intercedes** for a little delay, in order that he may be enabled to meet his accusers in the best legal manner possible. This is granted, and the case stands adjourned to a subsequent day. At this moment the door of the court room is pressed open by a crowd of sympathizing colored persons, who, without any deliberate concert—without any weapons in their hands—without any wish or intention to do personal violence to anyone—but operated upon by a sudden electric thrill, such as the emergency was well calculated to produce, seize their doomed brother, almost unresistingly, and in the twinkling of an eye hurried him out of the room, and soon placed him beyond the reach of his **pursuers**.

In the rush, a few of the officers may have been jostled, but no one was injured, no blow appears to have been given by the invading forces, no scar was made, no blood was drawn. It was as peaceful a rescue as was ever made in any case of physical interference. The rescuers were not **actuated** by a lawless spirit, but by a deep and commendable sympathy with a wronged and outraged man, in **imminent** danger of being dehumanized for life—by a love of liberty—by a clear appreciation of justice—by the spirit of the revolutionary motto, “*Resistance to tyrants is obedience to God.*”

They apprehended that Shadrach was one who had fled from the hell of slavery, that, legally, there was no power to save him from being carried back to torture, that, in all probability, unless he was rescued just at that precise moment, his fate was sealed for ever; and as the opportunity to take him without a serious struggle was extremely favorable, they seized upon it with a wise judgment, and with entire success. Thank God, Shadrach is free—and not only free, but safe! Under the banner of England, on the Canadian soil, he is now standing erect, redeemed and **disenthralled**, bidding a proud **defiance** to President Fillmore and his cabinet, though backed by the army and navy of the United States! . . . We defy the Fugitive Slave Bill, its framers and upholders, together with the devil and his works. Freedom for all, and forever!

Questions:

1. What position did *The Liberator* take regarding the Shadrach Minkins incident?

2. At what point in the account does their editorial stand become clear?
3. What have you learned from this article about the incident itself?
4. What motivated the rescuers?
5. What have you learned about the range of responses in the press to the rescue of Shadrach Minkins?
6. What questions does this document raise and where might you find answers?

An Account of the Escape of Shadrach Minkins

THE ARREST AND RESCUE OF A FUGITIVE SLAVE— HIGHHANDED OUTRAGE IN A COURT OF JUSTICE

The city of Boston was on Saturday last disgraced by one of the most lawless and **atrocious** acts that ever blackened the character of any community pretending to be in the enjoyment of an enlightened state of civilization. *A band of two hundred negroes violently entered a Court of Justice, and by force carried from the **custody** of the officers a person arrested agreeable to an established law of the nation.* The act is a burning disgrace not only to the city, but to the Commonwealth, and indeed to the whole Union; for it was a Court of the United States which was thus treasonably invaded, and its **statutes** and power put openly and insultingly at **defiance**. It was a disgrace to the city that the Mayor took no interest in a riot which occurred in a building belonging to the city, and refused his aid in suppressing proceedings which, had the officers performed a simple and unquestionable duty, would have resulted in a sanguinary conflict; for the rioters were supplied with arms and were determined to use them against all who obstructed them in their law defying course. It was a disgrace to the Commonwealth, as no provision had been made for the detention of prisoners arrested under a law for which a majority of its Representatives in the United States Congress had recorded their votes. And it was a disgrace to the Union itself, in that the Naval officer commanding this station declined to furnish the necessary aid to enforce a national law. Looking at it in every aspect, we can regard it as nothing but a complete triumph over law and order, by a band of black ruffians, **countenanced** and encouraged by a batch of white rioters—legal, religious, philanthropical, and fanatical—for whom hanging would be too lenient punishment. It is a blow at the **supremacy** of justice, at the dignity, power and glory of the Union—and exhibits to other countries, the ease with which a law of the “Model Republic” can be set at naught by any gang of determined scoundrels who object to its enforcement. It has indicated the predominancy of Negrodom in the Athens of America [Boston], ...The officers in the court room probably did all they could under the circumstances, although some persons are ungenerous enough to think that the odor of a little gun powder would not have proved very annoying to the nostrils of Justice, had the incense been offered up. But Shadrach has gone....

Boston Daily Times and Bay State Democrat, Monday, February, 17, 1851.

Questions:

1. What position did the *Boston Daily Times* take regarding the Shadrach Minkins incident?
2. At what point in the account does the paper's editorial stand become clear?

3. Identify specific words and phrases that indicate the bias or slant of the paper.
4. According to the *Boston Daily Times*, what happened in the courthouse?
5. What appears to have been the response of several other officials indirectly involved (for example, the mayor, the “Commonwealth,” a Naval officer)?
6. What did the *Boston Daily Times* suggest would be the consequences of the rescue?
7. Is this a news report? An editorial? How would you describe it?
8. What does this article tell you about the incident itself?
9. What have you learned about the range of responses to the rescue of Shadrach Minkins?
10. What questions does this document raise and where might you find answers?

Video- The Fugitive Slave Act on *American Experience* PBS.
<https://www.pbs.org/video/american-experience-fugitive-slave-act/>.

3-2-1

- **Three** facts or things the video is teaching.

- **Two** questions the video raises and/or questions you have because of the video.

One aspect of the video clip that you enjoyed, did not like or that caught your attention

Harriet Beecher Stowe's *Uncle Tom's Cabin*

Uncle Tom's Cabin, by Harriet Beecher Stowe is the most famous anti-slavery novel ever written. Abraham Lincoln, when he met the author, referred to her as "the little lady who started this big war."

The following excerpt tells about how Tom is ordered by his owner, Simon Legree, to whip another slave named Lucy. Lucy has not been able to pick enough cotton, so Tom has been putting some of his cotton into Lucy's basket. Two other slaves inform Legree about this & Legree orders Tom to whip Lucy. Tom refuses & is punished for his refusal.

"And now," said Legree, "come here, you Tom. You see, I telled ye I didn't buy ye jest for the common work; I mean to promote ye, and make a driver of ye; and to-night ye may jest as well begin to get yer hand in. Now, ye jest take this yer gal and flog her; ye've seen enough on't to know how."

I beg Mas'r's pardon," said Tom; "hopes Mas'r won't set me at that. It's what I an't used to, -- never did, -- and can't do, no way possible."

"Ye'll larn a pretty smart chance of things ye never did know, before I've done with ye!" said Legree, taking up a cowhide, and striking Tom a heavy blow cross the cheek, and following up the infliction by a shower of blows.

"There!" he said, as he stopped to rest; "now, will ye tell me ye can't do it?"

"Yes, Mas'r," said Tom, putting up his hand, to wipe the blood, that trickled down his face. "I'm willin' to work, night and day, and work while there's life and breath in me; but this yer thing I can't feel it right to do; -- and, Mas'r, I never shall do it, -- never!"

Tom had a remarkably smooth, soft voice, and a habitually respectful manner, that had given Legree an idea that he would be cowardly, and easily subdued. When he spoke these last words, a thrill of amazement went through every one; the poor woman clasped her hands, and said, "O Lord!" and every one involuntarily looked at each other and drew in their breath, as if to prepare for the storm that was about to burst.

Legree looked stupefied and confounded; but at last burst forth, -- "What! ye blasted black beast! tell me ye don't think it right to do what I tell ye! What have any of you cussed cattle to do with thinking what's right? I'll put a stop to it! Why, what do ye think ye are? May be ye think ye'r a gentleman master, Tom, to be a telling your master what's right, and what ain't! So you pretend it's wrong to flog the gal!"

"I think so, Mas'r," said Tom; "the poor crittur's sick and feeble; 't would be downright cruel, and it's what I never will do, nor begin to. Mas'r, if you mean to kill me, kill me; but, as to my raising my hand agin any one here, I never shall, -- I'll die first!"

Tom spoke in a mild voice, but with a decision that could not be mistaken. Legree shook with anger; his greenish eyes glared fiercely, and his very whiskers seemed to curl with passion; but, like some ferocious

beast, that plays with its victim before he devours it, he kept back his strong impulse to proceed to immediate violence, and broke out into bitter raillery.

"Well, here's a pious dog, at last, let down among us sinners! -- a saint, a gentleman, and no less, to talk to us sinners about our sins! Powerful holy critter, he must be! Here, you rascal, you make believe to be so pious, -- didn't you never hear, out of yer Bible, 'Servants, obey yer masters'? An't I yer master? Didn't I pay down twelve hundred dollars, cash, for all there is inside yer old cussed black shell? An't yer mine, now, body and soul?" he said, giving Tom a violent kick with his heavy boot; "tell me!"

In the very depth of physical suffering, bowed by brutal oppression, this question shot a gleam of joy and triumph through Tom's soul. He suddenly stretched himself up, and, looking earnestly to heaven, while the tears and blood that flowed down his face mingled, he exclaimed,

"No! no! no! my soul an't yours, Mas'r! You haven't bought it, -- ye can't buy it! It's been bought and paid for, by one that is able to keep it; -- no matter, no matter, you can't harm me!"

"I can't!" said Legree, with a sneer; "we'll see, -- we'll see! Here, Sambo, Quimbo, give this dog such a breakin' in as he won't get over, this month!"

The two gigantic negroes that now laid hold of Tom, with fiendish exultation in their faces, might have formed no unapt personification of powers of darkness. The poor woman screamed with apprehension, and all rose, as by a general impulse, while they dragged him unresisting from the place.

Critical Thinking Questions

1. What feelings & emotions was Stowe trying to appeal to in her readers?
2. Did Tom do the right thing in refusing to listen to his master? Explain your answer!
3. How might this novel have affected popular opinion of slavery?

	A Level Work 5 pts	B Level Work 4 pts	C Level Work 3 pts	D Level Work 2 pts
Events	<p>A Level Work</p> <p>Students have rewritten a scene from the novel with modern diction.</p> <p>Scene accurately reflects events from the play and fits into their adaptation.</p>	<p>B Level Work</p> <p>Students have rewritten a scene from the novel with modern diction.</p> <p>Scene somewhat reflects events from the play and loosely fits their adaptation.</p>	<p>C Level Work</p> <p>Students have rewritten a scene from the novel with modern diction.</p> <p>Scene somewhat reflects events from the play and loosely fits their adaptation.</p>	<p>D Level Work</p> <p>Students have not fully rewritten a scene from the novel with modern diction.</p> <p>Scene does not reflect any changes</p>
Length	<p>A Level Work</p> <p>Rewritten scene is two pages.</p>	<p>B Level Work</p> <p>Rewritten scene is 1.5 pages.</p>	<p>C Level Work</p> <p>Rewritten scene is 1 page.</p>	<p>D Level Work</p> <p>Rewritten scene is less than one page.</p>
Language and Conventions	<p>A Level Work</p> <p>Uses precise language and vocabulary to inform the reader</p> <p>Employs tone appropriate for the audience and purpose</p> <p>Communicates effectively for the audience applying correct grammar, usage and mechanics</p>	<p>B Level Work</p> <p>Uses some changes in language and some vocabulary and loosely informs the reader</p> <p>Does not maintain appropriate tone at all times.</p> <p>Few pieces missing that do not hinder understanding.</p>	<p>C Level Work</p> <p>Does not change language or vocabulary and roughly informs reader</p> <p>Inappropriate tone at times.</p> <p>Some missing elements of story hinder understanding.</p>	<p>D Level Work</p> <p>No changes were made to the story.</p> <p>Many instances of inappropriate tone.</p> <p>Lack of changes hinder communication of ideas.</p>

Main Points	A Level Work	B Level Work	C Level Work	D Level Work
	<p>Main Plot Points are considered in the rewrite</p> <p>Characters match the scene and the setting</p>	<p>Some of the main plot points are considered in the rewrite.</p> <p>Characters do not fit the scene</p>	<p>Very few of the main plot points are considered in the rewrite.</p> <p>Characters does not fit in with the setting</p>	<p>None of the plot points are considered in the rewrite.</p> <p>Characters does not fit, throws the play off</p>

Dred Scott U.S. Supreme Court Case

There are THREE things to complete for this assignment.

1. Read the summary of the Dred Scott U.S. Supreme Court Case and complete the questions at the end of the document. Remember to use the questions in your answers and to answer the questions in complete sentences.
2. Read over the arguments that were presented to the court in the case. Mark down which arguments would have been made by Scott's lawyers and which arguments would have been made by Sanford's lawyers.
3. Watch the Dred Scott case on PBS and complete the 3-2-1 activity.

<https://www.pbs.org/video/american-experience-dred-scott-decision/>.



Dred Scott v. Sanford (1857)

Vocabulary

Missouri Compromise An act of Congress passed in 1820 to keep a balance between the number of slave and free states; it allowed Missouri to enter the Union as a slave state and Maine to enter as a free state; the agreement excluded slavery from the Louisiana Territory north of 36° 30' (the southern boundary of Missouri):

popular sovereignty Principle that the power to govern belongs to the people, who can then grant it to the government of their choice.

Reviewing the Case Dred Scott was an African American man born into slavery in Missouri. Scott was considered the property of Dr. Emerson, an army surgeon, and traveled with him to several army posts. In 1834, Scott went with Emerson to Rock Island, Illinois, a free state in which slavery was not allowed. In 1836, Emerson and his household moved to Fort Snelling in the upper Louisiana Territory (near present-day St. Paul, Minnesota). Under the Missouri Compromise, slavery was prohibited in that territory. In 1838, Emerson returned to the state of Missouri, taking with him Scott, Scott's wife Harriet, and their daughter Eliza. Emerson had purchased Harriet from another officer. After the return to Missouri, a second daughter, Lizzie, was born. Dr. Emerson died there.

In 1846, with the help of lawyers in the antislavery movement, Scott sued Emerson's widow in a Missouri court. He asked the court to declare him free because he had been a resident of a free state and a free territory. The lower court declared Scott a free man, but the Missouri Supreme Court reversed the decision in 1852.

Instead of appealing this decision directly to the Supreme Court, Scott's legal advisers then sued John Sanford of New York, Mrs. Emerson's brother, who had become Scott's legal owner. (Court records misspelled his name as *Sandford*, and it appears that way in many reports.) Because the case now involved citizens of two states, it could be heard in the federal circuit court for Missouri. Sanford's lawyers challenged Scott's right to sue, saying that an African American could not be a citizen. The federal court ruled that Scott's status in Missouri depended on state

law, not on where he had lived or had traveled. A jury found in favor of Sanford. Scott's attorneys then appealed to the U.S. Supreme Court, charging that the circuit court had erred in its decision...

The case now involved several issues: (1) Was Dred Scott a citizen of the United States and thereby entitled to sue in federal court for the protection of his rights? (2) Did Scott's residence in free territory make him a free man? This second issue had become very controversial throughout the country. In some northern states, where antislavery feelings were strong, a slave was considered free as soon as he or she stepped onto free territory.

When the case was argued before the Supreme Court, another issue was added: Was it constitutional for Congress, through the Missouri Compromise, to ban slavery in the territories?

After months of debate, the Court, by a 7-2 vote, ruled against Scott, issuing one of the most controversial decisions of its history. Chief Justice Roger B. Taney wrote the decision, but all the justices commented. The majority opinion declared that as a person of African descent, Scott was not-and could not be-a citizen and so was not entitled to sue in federal court. The Court's decision considered Scott (and all slaves) to be property. To consider Scott a free man by his presence in a free territory or for Congress to pass an act declaring him free would be to allow the property of a citizen to be taken without due process of law. Slavery, according to the majority opinion, was a matter for state law...

Finally, Taney's opinion ruled that the Missouri Compromise was unconstitutional. Congress, he said, did not have the authority to prohibit slavery in the territories. What was more, Congress could not authorize the territorial legislatures to outlaw Here is part of Taney's opinion:

And no words can be found in the Constitution which give Congress a greater power over slave property, or which entitles property of that kind to less protection than property of any other description. ...

Upon these considerations, it is the opinion of the court that the act of Congress which prohibited a citizen from holding and owning property of this kind (slaves] in the territory of the United States north of the line therein mentioned, is not warranted by the Constitution, and is therefore void; and that neither Dred Scott himself, nor any of his family, were made free by being carried into this territory.....

• The other majority justices agreed that Dred Scott remained a slave though they did not support all of Taney's points. The two dissenting justices, John McLean and Benjamin Curtis, disagreed on most points, particularly on the issues of black citizenship and the legality of the Missouri Compromise.

The *Dred Scott* decision was significant and controversial for many reasons. First, the Supreme

Court declared an act of Congress unconstitutional, which it had not done since *Marbury v. Madison* in 1803. Second, it heightened the tension between northern and southern states over the question of slavery. To the delight of the South and to the angry denunciation of the North, the Court declared Congress had no right to determine the limits on slavery's expansion into the territories. In declaring the Missouri Compromise unconstitutional, it limited popular sovereignty, saying that people in the territories could not vote on whether they wanted their state to be slave or free.

Third, the increased tensions may have hastened the coming of the Civil War. Fourth, African Americans did not receive the rights granted in the Constitution until after the Civil War when Amendment Thirteen, which abolished slavery, and Amendment Fourteen, which granted citizenship to African Americans, were passed.

Dred Scott v. Sanford (1857)

Elements of the Case

Directions: Fill in the appropriate information for each of the following elements of this case.

1. State the issue before the Supreme Court in this case.
2. What facts of the case were presented to the Court?
3. What was the decision of the Court? What was the rationale behind it?
4. What was the effect of the decision?

Classifying Arguments in the Case

The following is a list of arguments used in *Dred Scott v. Sandford*. Read through each argument and decide whether it supports Dred Scott's side in favor of his freedom (Dred Scott) or Sanford's position in favor of Scott's continued slavery (Sanford)

1. The Missouri Compromise of 1820 outlawed slavery forever in certain areas. Dred Scott's owner took him to these free areas. Thus, Scott became free forever.
2. Dred Scott is not a citizen because if he were he would be entitled to all of the privileges and immunities of a citizen, one of which is the right of free movement. It is clear that the laws governing slavery do not permit this, thus he cannot be a citizen.
3. Even before the Constitution, some states allowed blacks to vote. The Constitution does not say explicitly that blacks cannot be citizens.
4. It was law in many states and had been common law in Europe for centuries that a slave who legally traveled to a free area automatically became free.
5. 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.
6. The Constitution recognized the existence of slavery. Therefore, the men who framed and ratified the Constitution must have believed that slaves and their descendants were not to be citizens.
7. 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 of law-abiding citizens. Thus, Scott was always a slave in areas that were free.
8. At the time of the Dred Scott case, women and minors could sue in federal court even though they could not vote.

http://www.streetlaw.org/en/Page/565/Classifying_Arguments_in_the_Case