

How is Dred Scott connected to MN history?

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By **Charles Hallman** *Staff Writer*



Many people don't know that for a time, Dred Scott lived in Fort Snelling, where he met and married his wife, Harriet Robinson. Local community member Frank White and others are working to see this knowledge becomes more widespread with various community events that will begin this coming spring.

The Dred Scott case and its impact on this country too often have been undervalued in U.S. history. Scott was a Black man born around 1799 and had moved with the Peter Blow family from Virginia to St. Louis, Missouri. When Blow died, Scott was bought by Dr. John Emerson, an army surgeon.

Scott traveled with Emerson to several military posts, including Fort Snelling, which was in the then-Wisconsin Territory (now Minnesota) and Illinois, two areas that were free states. While at Fort Snelling, Scott met and married Harriet Robinson.

After Emerson died in 1843, his widow refused to accept Scott's offer to buy his freedom and instead hired him out. That prompted Scott to file suit against her in St. Louis in 1846, beginning 11 years of legal battles before ending at the U.S. Supreme Court.

Dred Scott v. Sandford "is a landmark decision that changed the course of this country," proclaimed Chief Michael Davis of the U.S. District Court for the District of Minnesota. The ruling, which

strongly influenced events leading up to the Civil War, “outlined for centuries the thinking of Caucasians of the capacity of African Americans to be functional human beings,” Davis pointed out.

The Scott case “is...procedurally complicated,” added U.S. District Court Judge Donovan Frank.

Scott first lost his case in 1847 in St. Louis when the court said he could not use hearsay evidence to prove he was owned by Mrs. Emerson, but was granted a second trial. The second trial in 1850, also held in St. Louis, Scott won when the jury decided that he should be freed.

However, Emerson appealed the verdict; the Missouri Supreme Court reversed the earlier decision in 1852 and sent Scott back into slavery. Scott was later persuaded by a St. Louis attorney to file a case in federal court in Missouri after Emerson remarried and transferred ownership of her slaves to her brother, John Sanford.

Sanford won the appeal in 1854 (Sanford’s name was misspelled in the case filing, hence the case of *Scott v. Sandford*), and the Scott case was then appealed to the U.S. Supreme Court in 1856. The case was twice argued. The first time, the Court ruled they had no jurisdiction because Scott was not a citizen, but because there was much disagreement, a justice suggested that the case be reargued later.

Finally, in a 7-2 Supreme Court decision in 1857, Chief Justice Roger Taney wrote in *Scott v. Sandford* that:

- Blacks could not become U.S. citizens and could not sue in federal court.
- Dred Scott’s residence in a free state did not free him.
- The Missouri Compromise was unconstitutional.
- Congress did not have the power to prohibit slavery in the territories.
- “Blacks had no rights which the White man was bound to respect.”

The decision further divided the nation over slavery, and Justice Benjamin Curtis, one of the two dissenters of the Scott case, resigned from the Court.

Scott and his wife were later freed by Taylor Blow, the son of his original owner, after he received a transfer of ownership from Chaffee in May of 1857, but Scott died a year later from tuberculosis and was buried in St. Louis.

Frank White believes that too many Minnesotans don’t know that the Scotts lived at Fort Snelling in Bloomington. To correct this knowledge gap, he is working with Davis, Frank and others on the Dred Scott Project, which originally involved “improving signage at Dred Scott Playfields in Bloomington” and a baseball tournament in May, White said.

“Frank and I are longtime friends,” said Davis. “He called me [last year] and wanted to talk about the project.” Davis suggested, “‘Let’s not talk about putting up another sign. Let’s think big.’ I called upon my good friend Judge Frank and a host of other people to come and have a strategy meeting to see what we could do to make this a worthwhile project.”

Davis and Frank were both appointed by President Bill Clinton: Davis became the first Black federal judge in Minnesota in 1994 and later became chief judge in 2008. Frank was recommended by the late Senator Paul Wellstone and nominated by Clinton in 1998. Both men, who were approved by the U.S. Senate and have lifetime appointments, were also members of the Minnesota Supreme Court Task Force on Racial Bias in the Judicial System in the late 1990s.

Davis' idea to "think big" has resulted in planning multiple events in April and May to prominently honor Dred Scott, which include a presentation to high school juniors of Bloomington Kennedy and Bloomington Jefferson High Schools on April 25. "Two actors will come and play Dred Scott and his wife Harriett," and Minnesota Appeals Court Judge Kevin Ross will play Frederick Douglass, explained Frank, who said a panel discussion with Ross and three other Black judges will take place as well.

"They are going to talk not about history, but [about] their journey and their stories on where they are because of people like the Scotts," said Frank, adding that lawyers from the Federal Bar Association will also visit the two schools prior to the event to discuss Scott. A Dred and Harriett Scott traveling exhibit from St. Louis also is expected to visit the state this spring: "We will have it for April and May. We will take that exhibit also to the schools," White noted.

The Minnesota African American Museum has also invited Lynn Jackson, the Scotts' great-great granddaughter, to speak at a symposium in May to commemorate the 156th anniversary of Dred Scott's freedom, added Frank.

"Some people miss the Fort Snelling connection. It is because of that special connection that Fort Snelling is having a special event on Memorial Day weekend commemorating Dred and Harriett Scott, too," said Frank.

"How do people really [know] and truly understand the meaning of equal justice if they don't know the history?" Frank asked. "It wasn't that many years ago when the "Colored Only" [signs were displayed]... Not to understand the Civil Rights Movement and not understand Dred and Harriett Scott and the journey of so many African Americans and other persons of color is to not understand the meaning of the Constitution and the promise of the Constitution, which really sets our country apart from the rest of the world."

Both federal justices believe that the Dred Scott story must be told. "We will continue to talk about this, the freedom of African Americans and what Dred Scott and his wife went through to get their freedom, and how that changed the United States with the Civil War and then the 13th, 14th and 15th Amendments," said Davis.

Frank said he's proud to be part of planning the events centering on the Scotts: "All this started because of a phone call of two buddies. People need to know who Dred and Harriet Scott are."

This is the conclusion of five stories that appeared during the month of February in recognition of Black History Month describing Frank White's projects and the historical background behind them. Information from the 8th Circuit U.S. Courts Library was used in this article.

Charles Hallman welcomes reader responses to challman@spokesman-recorder.com.