

## AN UNEXPECTED RESULT OF THE DRED SCOTT DECISION.

By the ruling of the Supreme Court in the Dred Scott case, personal suits in the United States Courts must be 'between citizens' of the United States. It follows that both parties to a suit, plaintiff as well as defendant, must be citizens. The negro is not a citizen by the Dred Scott decision; therefore, he can neither sue nor be sued in the Courts of the United States. Wm. H. Herndon, Esq., of Illinois, in a late speech, thus illustrates the absurd consequences flowing from this decision:—

Suppose a negro of Illinois owes a white man of Missouri a thousand dollars, which he refuses to pay. The white man brings suit in the United States Court against the negro to recover the debt. Upon the trial, in spite of himself, he is thrown out of court and loses his debt, because the suit is not 'between citizens.' One is a 'citizen,' but the other is a negro; and according to the Dred Scott decision, the courts can give him no remedy.

The Judge will say to the white man—'Go out of court; you have sued a negro; it is decided that a negro is not a citizen, and the Constitution says all suits *must be between citizens*. The Constitution is the supreme law of the land, and must be obeyed. Go out of court.'

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## ANOTHER APPLICATION OF THE DRED SCOTT DECISION.

A colored woman in New York city named Coon, recently instituted suit against her husband, also colored, for divorce and alimony. He was in California, and the Court made an order for him to pay \$100, counsel fees, and \$150, alimony; he returned home a few weeks since, and refused to obey the order. The plaintiff's counsel therefore obtained an order requiring him to show cause why he should not be punished for contempt of court. This order was returnable on the 27th ult.

His counsel appeared and argued that the defendant ought not to be punished, citing the Dred Scott decision as authority to show that the negro had no rights which the law is bound to respect; that he is not a citizen, and can neither sue nor be sued in the courts; and that therefore he cannot be punished for disobeying an order of court in a civil case. The judge was put in a quandary by this novel argument; and reserved his decision till another time.