

FIRST REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR

**House Concurrent Resolution Nos.  
4 & 5**

**101ST GENERAL ASSEMBLY**

1379H.03D

DANA RADEMAN MILLER, Chief Clerk

1           **WHEREAS**, Missouri was part of the 1803 Louisiana Purchase and became a state in  
2 1821; and

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4           **WHEREAS**, the terms of Missouri's statehood included that Missouri would be the only  
5 state north of the Mason-Dixon line that was a slave state; and

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7           **WHEREAS**, the tensions in the nation regarding racial equality, or lack thereof, have  
8 played out in profound ways in the state of Missouri; and

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10          **WHEREAS**, St. Louis, being situated on the Mississippi River, was uniquely positioned  
11 to be a destination for the slave trade; and

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13          **WHEREAS**, tensions of human inequality are profoundly apparent in the history of the  
14 state; and

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16          **WHEREAS**, when persons with African ancestry in Missouri sued for their freedom,  
17 such freedom was sometimes granted, within the legal parameters allowed; and

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19           **WHEREAS**, the tension in the nation over the issue of slavery and human inequality  
20 resulted in Dred and Harriet Scott, persons with African ancestry, being denied freedom in this  
21 state in a decision by the Missouri Supreme Court on March 22, 1852; and

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23           **WHEREAS**, that 1852 Missouri Supreme Court decision deviated from Court precedent  
24 freeing former slaves and stated: "Times are not now as they once were when the former  
25 decisions on this subject were made. Since then not only individuals but States have been  
26 possessed with dark and fell spirit in relation to slavery ... the state of Missouri is willing to  
27 assume her full responsibility for the existence of slavery within her limits, nor does she seek to  
28 share or divide it with others,"; and

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30           **WHEREAS**, after this decision, the Scotts persisted in their pursuit for freedom,  
31 ultimately resulting in the infamous decision by the Supreme Court of the United States on  
32 March 6, 1857, holding that as African Americans, Dred and Harriet Scott did not have the right  
33 to sue for their freedom, consigning African Americans to a permanent inferior status in this  
34 country; and

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36           **WHEREAS**, the March 22, 1852, Dred Scott decision is a regrettable legacy for this state  
37 and antithetical to the nation's founding values, specifically the tenet that all men are created  
38 equal; and

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40           **WHEREAS**, the 1852 Missouri Supreme Court Dred Scott decision opened the door for  
41 the 1857 United States Supreme Court's decision declaring that people of African ancestry "had  
42 for more than a century before been regarded as beings of an inferior order, and altogether unfit  
43 to associate with the white race, either in social or political relations; and so far inferior, that they  
44 had no rights which the white man was bound to respect; and that the negro might justly and  
45 lawfully be reduced to slavery for his benefit", an expression of racism and a precursor to Jim  
46 Crow laws, which perpetrated over a century of injustice; and

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48           **WHEREAS**, it is time for these open doors to be unequivocally closed; and

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50           **WHEREAS**, all political power is vested in and derived from the people; and

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52           **WHEREAS**, all government of right originates from the people, is founded upon their  
53 will only, and is instituted solely for the good of the whole; and

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55           **WHEREAS**, all constitutional government is intended to promote the general welfare  
56 of all people; and

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58           **WHEREAS**, all persons have a natural right to life, liberty, and the pursuit of happiness;  
59 and

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61           **WHEREAS**, no person shall be deprived of life, liberty, or property without the due  
62 process of law; and

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64           **WHEREAS**, all human beings are created equal and are entitled to equal rights and  
65 opportunity under the law; and

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67           **WHEREAS**, two hundred years after this State's founding, during the bicentennial of this  
68 State's founding, it is time to draw a line between Missouri's history, which encompassed such  
69 inhumane and unfair treatment to our citizens, and the present and future Missouri, which aims  
70 to be a place of equal treatment for all:

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72           **NOW THEREFORE BE IT RESOLVED** that the members of the House of  
73 Representatives of the One Hundred First General Assembly, First Regular Session, the Senate  
74 concurring therein, that, as the 1852 Missouri Supreme Court decision recognized "times are not  
75 now as they once were when the former decisions on this subject were made"; and, that the times  
76 have once again changed and we declare the March 22, 1852, Missouri Supreme Court Dred  
77 Scott decision is fully and entirely renounced; and

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79           **BE IT FURTHER RESOLVED** that the Chief Clerk of the Missouri House of  
80 Representatives be instructed to prepare a properly inscribed copy of this resolution for the  
81 Governor, the Clerk of the Supreme Court of Missouri, the justices of the Supreme Court of  
82 Missouri, and the members of the Missouri Congressional delegation.

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