



Benjamin Robbins Curtis

November 4, 1809 - September 15, 1874

Newport, Rhode Island

Benjamin Robbins Curtis, associate justice of the United States Supreme Court and the first justice to hold a formal law degree, died in Newport, Rhode Island, on September 15, 1874. He was sixty-four. Historians still meet him most often as one of the two dissenters in *Dred Scott v. Sandford* - a dissent that treated Black citizenship and congressional power over territories as questions the majority had answered wrongly and dangerously.

Born in Watertown, Massachusetts, on November 4, 1809, Curtis took Harvard College and Harvard Law School into a Boston practice that made him Fillmore's nominee to the Court in 1851. He was the only Whig justice. Six years later he resigned after the *Dred Scott* decision and the Court's internal fractures, returning to private advocacy that included a celebrated defense role in President Andrew Johnson's impeachment trial.

Curtis's judicial writing prized precision over theater. Colleagues remembered a mind trained to separate statute from passion at a moment when American law was becoming a battlefield of slavery and union. Newport was a quieter ending than Washington: illness, family, and a career that had already made its hardest public argument.

He died in Newport on September 15, 1874. Mount Auburn Cemetery in Cambridge holds his grave; the dissent holds his reputation.

The lesson he leaves is procedural courage - the habit of writing the unpopular correct sentence when a Court majority prefers a sweeping wrong. Notice Nearby keeps the death date so September 15 remembers a Massachusetts lawyer who quit the bench rather than pretend *Dred Scott* was settled wisdom.

Services

Died in Newport, Rhode Island, September 15, 1874. Associate Justice of the U.S. Supreme Court (1851-1857); buried at Mount Auburn Cemetery, Cambridge, Massachusetts.

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