

Dred Scott        }  
      vs.               }  
Irene Emerson    }

Dred Scott, the plaintiff in this Cause in Support of his motion for a new trial[,] States upon oath. That he was Surprised in the testimony of the witness Samuel Russell, by whom he expected to move that he, this affiant, was hired as a Salon by Said Russell from the defendant, previous to the Commencement of this Suit, & that Said Russell Paid to Said defendant money for the hire of this affiant as a Slave, and that he did not know previous to, or as [*illegible*] the trial of Said Cause that he could ↑prove↓ Said facts, or Could prove that he was claimed as a Slave or held in Slavery by Said defendant, by any other person than Said Russell, and therefore relied solely upon the testimony of Said Russell to prove Such facts as now necessary to maintain Said Suit of which Said defendant, is the person holding this affiant in Slavery. This affiant in support of this affidavit makes an exhibit of a certain letter addressed to Said Russell by J.R. Sackland one of the Counsel of this affiant & the answer of Said Russell to the Said letter—from which it will appear, that previous to Said trial Said Russell informed Said Lackland that he Said Russell hired this affiant in March 1846. [---page break---

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[reverse side]

from the defendant & that he Said Russell Paid the Said hire of this affiant to Said defendant.

This affiant further states that relying solely upon the testimony of Said Russell to prove these facts & knowing no other person by whom he could prove the same facts, or other facts tending to the Same [ends?], he went into trial. When to his Surprise Said Russell testified in effect that he did not hire this affiant from Said defendant, nor did he pay Said hire to Said defendant, for that his Knowledge of such facts was solely derived from the information of his Wife. This affiant thus taken by surprise in the testimony of Said Russell[,] was unable to establish Said facts to the Satisfaction of the Jury, for which reason, he supposes, a verdict was rendered against him.

This affiant states that previous to said trial he had no knowledge that the Wife of Said Russell had any knowledge that this affiant was held in Slavery by Said defendant but that if a new trial is granted to him he expects to prove by the testimony of the Wife of Said Russell that Said defendant, previous to the Commencement of Said Suit hired this affiant to the Wife of Said Russell,