



CHAPTER 4

THE CAPTIVES OF
THE AMISTAD

HERE wasn't any doubt about Antonio, the mulatto cabin boy. He was a slave, property of the late Captain Ramón Ferrer of the schooner *Amistad*, and he was perfectly willing to return to bondage in Cuba. But what of the forty-odd Negroes, Cinque and Grabbo, Banna and Tami and the rest? Were they to be treated as runaway slaves; or as pirates and murderers; or as free men who had asserted their right to liberty by direct action? And what of the *Amistad* herself, her cargo of merchandise, and the claims to salvage brought forward by Lieutenant Gedney and others?

Such were the questions that confronted Andrew T. Judson—the man who had led the attack on Prudence Crandall's school—late in the summer of 1839. Before they were finally answered, years later, the affair of the *Amistad* had engaged the attention of three sovereign governments, a former American President, a future governor of Connecticut, several Yale professors, a seaman from Sierra Leone, many abolitionist leaders, and hundreds of ordinary citizens especially in New Haven and Farmington. It had supplied antislavery men with some of their best

opportunities for propaganda, and it had established in Farmington the climate of sympathy that made that town so important a transfer point on the Underground Railroad.

The story began in the West African backlands.¹ There, in April of 1839, slave raiders seized Cinque and other members of the Mendi tribe, drove them to the coast, and chained them in the 'tween-decks of a blackbirder bound for the West Indies. For two months the captives endured the horrors of the Middle Passage; but they were a hardy group, for less than twenty of them died en route while more than fifty survived.² Landed at Havana in mid-June, they were promptly sold as slaves to two Cubans named Pedro M^ontez and Jos^e Ruiz.

Among these victims of the slave trade was one older man, as well as three young girls and several boys, but the majority were vigorous men in their twenties. They were not a tall people—none over five feet six inches—and in color they ranged from ebony to dusky brown; one or two were "almost mulatto bright."³ Cinque, strongly made and athletic, with a remarkable firmness of bearing and a commanding presence, was their acknowledged leader. Grabbo, second in authority, was scarcely less impressive.

The sale of these people in Cuba was completely illegal, but such happenings were common enough. Spanish law permitted the keeping of slaves in the colony but not their importation. Any slave brought from abroad was legally free the moment he set foot on shore; and a mixed British and Spanish commission, established by treaty between the two powers, sat in Havana to rule on cases involving slave ships taken at sea. In practice, however, the law was a dead letter. The mixed commission's powers covered only the high seas; what happened in territorial waters or ashore was the business of the Cuban colonial government.

Through a widespread network of graft and corruption, those who knew the ropes could receive official title to even the newest imports from Africa, and all it cost was ten dollars a head.⁴ There was reason to suspect that the United States consul in Havana was involved in these practices.⁵

M^ontez and Ruiz obtained the necessary papers. Then they embarked their purchases on the schooner *Amistad* (the name meant "friendship") for the coastwise run to Puerto Principe. Since the voyage was not a long one, they did not confine their bondsmen; that was a mistake. When two of the Africans went to the water cask without leave, they were whipped for it; that too was a mistake.⁶

None of the captives understood Spanish, but Banna knew a few words of English and several could speak a little Arabic. And the slave Antonio, cabin boy on the schooner, had some knowledge of the Mendi tongue. Thus the Negroes were able to ask the ship's cook where they were going. And the answer, meant but not received as a brutal joke, was understood by all: they were going to be killed and eaten.⁷

That was the fatal mistake, for it touched off an insurrection. Under the leadership of Cinque, the Africans armed themselves with long, heavy knives used for cutting sugar cane and rose in revolt on the second night of the voyage. They killed the cook; they cut down Captain Ferrer, but not before he had killed one of them and injured several others; they wounded M^ontez, seized Ruiz and Antonio, and drove the rest of the crew to the boats. Now masters of the vessel, they meant to return home. Africa, they knew, lay two months distant toward the rising sun; and they forced the Spaniards to act as navigators and sail in that direction. By day, when the sun was up, M^ontez and Ruiz did as they were bidden, holding the schooner on an easterly course; but by night they veered north and

west, hoping to be picked up and rescued by some passing ship.⁸

For two months the *Amistad* wandered the ocean in this manner. Water and provisions ran short; ten or more of the Negroes died at sea. At length they made a landfall in the vicinity of Montauk Point, Long Island. After tacking about for two or three days, the schooner dropped anchor and Cinque went ashore with some of his followers. With Spanish money they had found on board, they bought food and water, a bottle of gin, and two dogs. They also asked if this country made slaves and if there were any Spaniards there. The answer to both questions was No; whereupon Cinque whistled and all his people jumped up and shouted in joy. They then asked one of the Long Islanders, Captain Harry Green of Sag Harbor, if he would steer them to Africa, and he let them believe he would do so the next day.⁹

Now the United States brig *Washington*, Lieutenant Thomas R. Gedney commanding, came upon the scene. Engaged in coastal survey work, Gedney had noticed the *Amistad*, and her appearance led him to believe she might be aground or in distress. He sent a party to board the schooner; and its officer, finding only Negroes armed with cane knives on deck, took control of the vessel at gun point. M6ntez and Ruiz, released from below decks, immediately claimed and were accorded protection. The Negroes ashore were seized and returned to the *Amistad*. Cinque jumped into the sea and started swimming, but he was lassoed and brought back by a boat's crew. Free country or not, the Africans were captives again.¹⁰

Lieutenant Gedney brought his prize into the nearest port, New London, where she and the Africans were put in the custody of the United States marshal. In the United States District Court—where Andrew T. Judson was the

recently appointed judge—Gedney and certain Long Islanders filed libels for salvage. M6ntez and Ruiz, advised by the Spanish consul at New York, entered a claim for the return of their slaves. The Negroes, charged with piracy and murder, were housed in the New Haven jail. And the story got into the newspapers—mostly as told by the Spaniards and Antonio, for Banna's English was fragmentary.¹¹

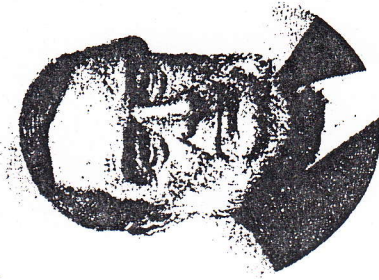
The abolitionists at once swung into action. Within three days they set up a committee consisting of the Reverend Simeon S. Jocelyn; the Reverend Joshua Leavitt, editor of *The Emancipator*; and the wealthy New York merchant Lewis Tappan. They issued a public appeal for funds; they engaged Roger S. Baldwin of New Haven as counsel for the Africans; they sought the help of John Quincy Adams, former President of the United States and now a member of Congress;¹² and they tried to find an interpreter. In this they had invaluable assistance from Professor Josiah W. Gibbs, professor of Hebrew in Yale College. He visited the Africans in jail repeatedly, and from them he learned the Mendi words for the numbers one to ten. Then he scoured the waterfronts of New Haven and New York in search of a seaman who could understand those sounds. Thus he came upon James Covey, a Mendi-speaking sailor and a former slave from Sierra Leone, whom he brought to New Haven on September 9. At last the Africans were able to tell their story in full. Gibbs also set about learning their language and was soon able to speak with them himself.¹³

By this time the Spanish minister in Washington, acting on behalf of his government, had interested himself in the affair. In a formal note on September 6 he demanded the extradition of the Negroes to stand trial in Cuba for piracy and murder. At his instance, the United States dis-

trict attorney filed further claims in Spain's behalf to the schooner, the cargo, and the alleged slaves in the District Court; this action, taken in accordance with the existing commercial treaty between the two nations, superseded the individual claims. Thus the *Amistad* and her captives were quickly enmeshed in a web of legalisms.¹⁴

The first charge to be decided was that of piracy and murder. Committed by Judge Judson to the Circuit Court, it came before Judge Smith Thompson in the middle of September; and he made short work of it. He instructed the grand jury that, since the alleged crimes had been committed on a Spanish vessel on the high seas, no United States court had jurisdiction to deal with them. As for the Negroes, he ruled that the question of their freedom or servitude was rightly before the District Court, where it must be decided. Meanwhile, he said on September 23, the blacks must remain in custody.¹⁵

All the autumn, therefore, while diplomatic and legal maneuverings went on behind the scenes, Cinque and his people remained in the New Haven jail; but since Judge Thompson had ruled that they had committed no crime against American law, their treatment was hardly that of ordinary prisoners. They received a constant flow of visitors, not only their attorneys and abolitionist friends but also many who came because of mere curiosity. They had regular instruction—in Christian doctrine among other subjects—from members of the Yale faculty. Strolling on the Green on pleasant days, leaping about, turning hand-springs, and performing other "wild feats of agility," they delighted the crowds of onlookers. They received gifts of American clothing, with whose unfamiliar intricacies they struggled in good humor; the girls, it was reported, thought that shawls were meant to be wound around the head, like turbans. By their cheerful good nature they won



*The Reverend
Samuel F. May*



*The Reverend
Amos G. Beman*
Beman collection

FOUR ANTISLAVERY LEADERS



Prudence Crandall



Nathaniel Jocelyn

many friends and much popular sympathy. Newspapers kept the public posted on their personal interests and habits. *The Liberator*, for example, reported this item taken from the *New Haven Register*:

We understand that some of the abolition ladies visited the jail on Thursday morning, and went through the delightful and refreshing task of kissing several of the negroes! Whether Cinque and Graubo were honored with their favors, we know not—but the former has expressed a partiality for his “non-resistant” guests.

Pendleton the jailer was one of the first to recognize the attraction to these dark prisoners; and, in order to gain money to buy them additional comforts, he charged admission to their quarters.¹⁶

Among these Africans, the one who commanded the greatest attention was Cinque. His impressive physique, his noble bearing, and his unquestioned authority well merited the sobriquet by which he came to be known—“the Black Prince.” Reproductions of his portrait by Nathaniel Jocelyn, abolitionist brother of the Reverend Simeon S. Jocelyn, were widely distributed in the New Haven area.¹⁷

Despite their growing number of well-wishers, the legal status of the Negroes remained precarious. The Spanish minister was still pressing for their extradition, and at least some members of President Van Buren’s administration looked favorably on his request. But the Cabinet decided to leave the question in abeyance until the case had been decided by the District Court.¹⁸ Judge Judson, it was felt, would make the right decision. He was known to be no friend of Negroes, and he had been appointed to his office by the current Administration, which was sympathetic to the slavocracy.¹⁹ Presumably he would order the return of the *Amistad* captives to their claimants. In anticipation of

this decision, a United States Navy vessel was sent to New Haven, to take the Negroes back to Cuba immediately Judson so ordered.²⁰

Somehow the abolitionist committee learned of this development and prepared countermeasures. A group of them, of whom Nathaniel Jocelyn was one, laid plans to free the captives from jail, by force if necessary, and to spirit them out of the country on a ship of their own.²¹ Meanwhile, John Quincy Adams had been at work on the case, examining the legal points and precedents involved and corresponding with the committee.²² The British government, too, got wind of the affair and made representations to Madrid on behalf of the Negroes.²³ Much was at stake when the hearings began in the District Court in January 1840.

The inquiry lasted a week, before a crowded courtroom. So far as the salvage actions were concerned, there was little doubt as to the facts; but as to the status of the Negroes, the facts themselves were in question. Montez and Ruiz asserted lawful ownership of these people; and their claim was backed by passports, issued in Havana on June 27 and signed by the Captain General of Cuba, in which the Africans were identified by Spanish names and were declared to be *negros ladinos* (literally, "smart blacks"—a term used to designate slaves long resident in the island) and the property of the two Spaniards. On the face of things, these papers were legal proof of ownership. But the Negroes, through their counsel, had petitioned for their release, stating that they were free-born Africans who had been unlawfully captured and sold into slavery. Moreover, there was before the Court a deposition from James Covey, describing his conversations with the *Amistad* captives and stating his belief that they told the simple truth. A further deposition, from Richard R. Madden

of the mixed British-Spanish commission in Havana, perhaps carried more weight. Madden described in detail the net of chicanery by which "Bozal negroes," as newly imported slaves were called, were freely bought and sold under false papers with the connivance of the Cuban authorities. He further recounted his brief talks in Arabic with some of the *Amistad* men, and his conviction that they were indeed Bozals and hence free under Spanish law. Judson was faced on the one hand with official documents; on the other, with knowledgeable testimony indicating that the documents were fraudulent.²⁴

Finally the judge handed down his rulings on January 23. Antonio, the *Amistad*, and the cargo—less salvage payments—were to be returned to their owners. The salvage claim of Lieutenant Gedney was upheld, those of the Long Island men denied. As to the Negroes, "Cinquez and Grabeau shall not sigh for Africa in vain. Bloody as may be their hands, they shall yet embrace their kindred."²⁵ They were in fact free men. As such, they were to be "delivered to the President of the United States by the Marshal of the District of Connecticut, to be by him transported to Africa," as provided by law in such cases.²⁶

The United States attorney was not at all satisfied with this ruling. He at once moved an appeal to the Circuit Court, which in April upheld Judson's decisions. Again there was an appeal, to the Supreme Court, which would be the final authority.²⁷ For the Negroes, this meant more months of waiting in relatively mild detention. For their friends, it meant preparation for a further court case; and now John Quincy Adams joined Roger S. Baldwin in the thick of the fight.

The former President was well over seventy years of age but still deeply engrossed in public affairs. From the beginning he had been interested in the fate of the *Am-*

istad captives. As early as October 1, 1839, he wrote: "But that which now absorbs great part of my time and all my good feelings is the case of the fifty-three African negroes taken at sea, off Montauk Point, by Lieutenant Gedney"; and his diary for the next eighteen months is dotted with references to the affair.²⁸ He had studied the legal precedents, he had badgered the Administration with demands for its correspondence with the Spanish minister, he had pried deeply into the activities of the American consul at Havana, and he had given Baldwin the benefit of his advice. But he had also been carrying a full load of work as a member of the House of Representatives and chairman of several of its committees, so that he had taken no active part in the previous court hearings. Now, at the urging of Ellis Gray Loring and Lewis Tappan, he agreed to appear with Baldwin as counsel at the Supreme Court hearing, set for January 1841. He dug more deeply than ever into all aspects of the case, studied the scrapbooks of newspaper clippings that were the fruit of the abolitionists' propaganda efforts, conferred with Baldwin in person, and visited the captives in New Haven.²⁹ A few weeks later the boy Ka-le sent him a letter, stating in painfully learned English the case as the Africans saw it:³⁰

Dear Friend Mr. Adams:

I want to write a letter to you because you love Mendi people, and you talk to the grand court. We want to tell you one thing. Jose Ruiz say we born in Havana, he tell lie. We stay in Havana 10 days and 10 nights, we stay no more. We all born in Mendi—we no understand the Spanish language. Mendi people been in America 17 moons. We talk American language little, not very good; we write every day; we write plenty letters; we read most all time; we read all Matthew, and Mark, and Luke, and John, and plenty of little books. We love books very

much. We want you to ask the Court what we have done wrong. What for Americans keep us in prison. Some people say Mendi people crazy; Mendi people dolt, because we no talk American language. Merica people no talk Mendi language; Merica people dolt? They tell bad things about Mendi people, and we no understand. Some men say Mendi people very happy because they laugh and have plenty to eat. Mr. Pendleton come, and Mendi people all look sorry because they think about Mendi land and friends we no see now. Mr. Pendleton say Mendi people angry; white men afraid of Mendi people. The Mendi people no look sorry again—that why we laugh. But Mendi people feel sorry; O, we can't tell how sorry. Some people say, Mendi people got no souls. Why we feel bad, we got no souls? We want to be free very much.

Dear friend Mr. Adams, you have children, you have friends, you love them, you feel very sorry if Mendi people come and carry them all to Africa. We feel bad for our friends, and our friends all feel bad for us. Americans no take us in ship. We on shore and Americans tell us slave ship catch us. They say we make you free. If they make us free they tell true, if they no make us free they tell lie. If America people give us free we glad, if they no give us free we sorry—we sorry for Mendi people little, we sorry for America people great deal, because God punish liars. We want you to tell court that Mendi people no want to go back to Havana, we no want to be killed. Dear friend, we want you to know how we feel. Mendi people *think, think, think*. Nobody know what he think; teacher he know, we tell him some. Mendi people have got souls. We think we *know* God punish us if we tell lie. We never tell lie; we speak truth. What for Mendi people afraid? Because they got souls. Cook say he kill, he eat Mendi people—we afraid—we kill cook; then captain kill one man with knife, and cut Mendi people plenty. We never kill captain, he no kill us. If Court ask who

brought Mendi people to America? We bring ourselves. Ceci hold the rudder. All we want is make us free.

Your friend,

Ka-le

In the middle of January Adams had a visit from Henry Stephen Fox, minister of Great Britain. He had heard, said Fox, that the Court would deliver up these unfortunate men to the Cuban claimants—a decision that would not be pleasing to Her Majesty's Government. Adams advised him to address a note to the Secretary of State, requesting the President's intervention if the case should turn out thus.³¹

The hearing before the Supreme Court was first delayed by the absence of Justice Joseph Story, then interrupted by the sudden death of Justice Philip Barbour. It began on February 20, lasting until March 2. The case for the United States—that is, for the return of the Negroes to slave status—was presented by Attorney-General Henry D. Gilpin, who based his contention on the passports issued by the Captain General of Cuba. For the captives, Baldwin spoke first. He was "sound and eloquent . . . powerful and perhaps conclusive"; but Adams was "apprehensive there are some precedents and an Executive influence operating on the Court which will turn the balance against us."³² When his own turn came to speak, the former President built his argument about a single theme—justice—stressing his view that "an immense array of power—the Executive Administration, instigated by the Minister of a foreign nation—has been brought to bear, in this case, on the side of *injustice*." His argument, extending over two days, occupied more than eight hours; yet he was not too well pleased with his own performance.³³

He need not have worried. The decision of the Supreme Court, handed down on March 9, was written by

Justice Story. It upheld the lower courts as to the salvage claims, the *Amistad* and her cargo, and the status of Antonio, who all this while had been detained as a possible witness. Then it spoke of the African captives. After reviewing the facts and the applicable laws and treaties, it concluded with these words:³⁴

Upon the whole, our opinion is that the decree of the Circuit Court, affirming that of the District Court, ought to be affirmed, except so far as it directs the negroes to be delivered to the President, to be transported to Africa . . . and, as to this, it ought to be reversed: and that the said negroes be declared to be free, and be dismissed from the custody of the court, and go without day.

This decision delighted the abolitionists, and the Negroes were overjoyed, kneeling in thanks to God once their initial incredulity had been dispelled. Gedney too was pleased, for he received as salvage one-third of the value of the *Amistad* and her cargo, which had long since been sold by court order. The Spanish claimants, however, continued to press for indemnities through diplomatic channels, but without success; the last of a series of measures to grant them relief died in Congress as late as 1858. As for Antonio, who had professed a willingness to return to slavery in Cuba, eighteen months in the United States had changed his mind. On the eve of his delivery to the Spanish authorities he slipped away and sought protection from Lewis Tappan, who sent him to freedom via the Underground Railroad.³⁵

Now Cinque and his people were free at last; but what could they do? They had no money, no means of earning a livelihood in America. They had no way of getting back to Africa, as they wished. Adams believed that the United States government was "bound in the forum of conscience to send them home at its own charge" and probably should

"indemnify them liberally for eighteen months of false imprisonment";³⁶ but nothing came of this suggestion. The quondam captives remained, in fact, dependent on their abolitionist friends.

Their friends did not fail them. With renewed vigor, they set about soliciting money for the relief of the Negroes, some of whom were taken about New England by Lewis Tappan in a series of fund-raising meetings. But most were removed to a quiet Connecticut village where they could live in peace while their affairs were being arranged. That village was Farmington.³⁷

Farmington was an excellent choice. It was easily reached from Hartford by road and from New Haven by canal, yet it was sufficiently out of the way to be placid and largely self-contained. Its two thousand inhabitants included only a few apologists for slavery, while among the 110 members of its two antislavery societies were many of the town's leading citizens. It was already the scene of Underground Railroad activities. To this haven the captives, now free men all, were brought in the spring of 1841.³⁸

Samuel Deming and Austin F. Williams were among the local citizens who arranged for the reception and care of the so-called "Mendi Indians," but many others helped. The men were lodged in a barracks "at the rear of the old Wadsworth House . . . adjoining the cemetery," where they speedily made themselves at home; the three girls lived with local families.³⁹ A school was established for them in the upper floor of the Bidwell & Deming store, where Professor George E. Day of Yale continued their instruction; their progress in reading, spelling, and arithmetic, achieved under such unpropitious circumstances, made a very favorable impression. Nor was the good of

their souls neglected, for they were taken to church services in a body.⁴⁰

These visitors from a far continent added an exotic touch to the quiet life of the village. At first, stories were abroad to the effect that the Negroes were cannibals and hence dangerous, but they proved to be the most gentle of people, wandering freely about the town and making friends with everyone.⁴¹ They soon became welcome visitors in many homes, and they were particularly popular with the children, who found delightful companions in these "big sable playmates." In later years one Farmington boy recalled "how this same Black Prince used to toss me up and seat me on his broad shoulder while he executed a barbaric dance on the lawn for my entertainment"; and again:⁴²

A broad flight of steps then led down from the southern piazza of my father's house, and I distinctly remember seeing the athletic Cinquez turn a somersault from these steps and then go on down the sloping lawn in a succession of hand springs heels over head, to the wonderment and admiration of my big brothers and myself.

The Africans also excelled as swimmers, and in warmer weather they spent many hours splashing about in the canal. There, in August, tragedy struck. Grabbo, also known as Foone, drowned while swimming in Pitkin's Basin, despite his proficiency in the water. Some believed he was seized with a cramp; some held that he made a futile attempt to extricate from the Basin the body of "young Chamberlain, who had been drowned," and that, entangling himself in the dam, he lost his life too. Still others thought it a case of suicide, brought on by despondency over his long separation from wife and family in Africa.

In any case, a monument was erected to his memory in the nearby cemetery.⁴³

Not all the "Mendi Indians" took part in such athletic activities. Fourteen-year-old Tami, straight and lithe, with a soft voice and a sweet smile, loved to talk of the simple life in her home country, of the beehive straw houses and the village games she remembered so well. She took great pleasure in tending a little flower garden and was delighted when she succeeded in getting some pineapples to grow. But she too knew a dark moment:⁴⁴

One night after all had retired to their rooms, Tamie came to my door and when I opened it, she stood there the picture of despair; taking my hand she led me to a north window in her room where she exclaimed "I think we never see Mendi any more." The banners of an extremely brilliant *Aurora Borealis* were flashing in the sky and she was sure they would be destroyed but was reassured when I told her that at certain seasons we often had those lights.

Thus the spring and the summer and the autumn passed, while the Negroes waited at Farmington and the abolitionist committee worked on the problem of getting them back home. First the committee members tried to enlist the help of the American Board of Commissioners for Foreign Missions, to whom they proposed an antislavery mission to the Mendi country, to be financed in part by the funds they had raised. When this approach proved futile, the abolitionists established their own "Mendi Mission," with the Reverend William Raymond and the Reverend James Steele in charge. After a public farewell meeting at New York's Broadway Tabernacle on November 27, 1841, the captives of the *Amistad* at last took ship for Sierra Leone and the homes from which they had been snatched nearly three years previously. The mission thus

established endured for many years. Margroo or Sarah, one of the three girls, grew up to become a teacher in its school, and Cinque was its interpreter at the time of his death in 1879.⁴⁵

Of those who had helped the captives in their dark days, John Quincy Adams continued to serve in Congress until his death in 1848, a crusty fighter for justice up to the end. Roger S. Baldwin became governor of Connecticut in 1844, advocating votes for Negroes and a law to hinder slave-catchers in the state. Four years later, as a member of the United States Senate, he voted against an appropriation to satisfy Spanish claims for indemnity in the *Amistad* case. The abolitionists used the affair as a perfect occasion to close their own ranks and to create widespread sympathy for the helpless children of Africa. And the people of Farmington, fully awake now to the evils and injustices of slavery, converted their town into the most important crossroads on Connecticut's Underground Railway.⁴⁶