Teaching about the Amistad case provides correlations to the National Standards for History, and Civics and Government. An overview of the events of 1839 is given in this lesson plan. Seven student activities include reading and using primary source documents, writing journal articles, viewing the movie "Amistad," and giving presentations. Each of the five primary source documents provided contains an explanation of the historical context.

(BT)
The *Amistad* Case

Lesson Plan

from the
National Archives and Records Administration

URL: http://www.nara.gov/education/teaching/amistad/teach.html
The **Amistad Case**

**Teaching Activities**

**Standards Correlations**

The following teaching activities correlate to the National Standards for History.

- Era 4 - Expansion and Reform (1801-1861)
  - Standard 2D - Demonstrate understanding of the rapid growth of "the peculiar institution" [slavery] after 1800 and the varied experiences of African Americans under slavery.
  - Standard 3B - Demonstrate understanding of how the debates over slavery influenced politics and sectionalism.
  - Standard 4A - Demonstrate understanding of the abolitionist movement.

The teaching activities also correlate to the National Standards for Civics and Government.

- Standard II. B. 1. - Explain how certain characteristics, including a history of slavery, tend to distinguish American society from most other societies.
- Standard III. B. 1. - Evaluate, take, and defend positions on issues regarding the purposes, organization, and functions of the institutions of the national government.
- Standard III. D. 1. - Evaluate, take, and defend positions on the role and importance of law in the American political system.
- Standard V. B. 1. - Evaluate, take, and defend positions on issues regarding personal rights.

**Cross-curricular Connections**

Share these exercises with your history, government, language arts, and drama colleagues.

**Teaching Activities**

1. Review with students the meanings of the following terms: schooner, brig, writ of habeas corpus, proctor, and libel. Terms are defined in the text of the online headnotes.

2. Divide students into five groups. Print out the featured documents and the Written Document Analysis Worksheet, and provide one document and a copy of the worksheet for each group. Ask each group to analyze their document. Using the jigsaw method, regroup
the students to share the information. Lead the class in oral responses to the worksheet questions, and discuss how the documents relate to one another.

3. Ask students to complete a chart similar to the one below comparing the individuals involved in the *Amistad* case. Documents #1 and #2 provide adequate information to compare Thomas R. Gedney and the Africans. Additional research will provide information on President Van Buren, the Spanish Government, the Abolitionists, and the Spanish planters.

<table>
<thead>
<tr>
<th>Who?</th>
<th>Africans</th>
<th>Gedney</th>
<th>Van Buren</th>
<th>The Spanish Government</th>
<th>Abolitionists</th>
<th>Spanish Planters</th>
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</thead>
<tbody>
<tr>
<td>What role did they play in the trial?</td>
<td>(defendants)</td>
<td>.</td>
<td>.</td>
<td>.</td>
<td>(financial &amp; moral support for Africans)</td>
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<td>What was their motivation?</td>
<td>(economic gain)</td>
<td>(political gain)</td>
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<td>(property rights)</td>
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<tr>
<td>What were their arguments?</td>
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<tr>
<td>What was the basis for their arguments?</td>
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<td>.</td>
<td>(Pinckney's Treaty)</td>
<td>.</td>
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<td>.</td>
</tr>
</tbody>
</table>

4. Ask students to write an article for an 1841 newspaper describing the decision of the Supreme Court in the *Amistad* case. Encourage them to research the provisions of the Congressional Act of March 19, 1819, for background information. To insure that students recognize the differences in sectional reactions to the case, assign students particular newspapers, some in the North and some in the South.

5. Encourage students to write a review of the *Amistad* movie, comparing the film version to the actual events as described in the documents. Ask for student volunteers to share their reviews with the class. Lead a class discussion about the value of preserving the historical integrity of the story and the value of changing that story for a screenplay.

6. Following analysis of the documents, divide students into groups of five. Instruct student groups to write and stage a one-act play about the events and personalities involved in the case. The acts might focus on the formation of the *Amistad* Committee by abolitionists Lewis Tappan, Joshua Levitt, and Symeon Jocelyn; the decision by John Quincy Adams to represent the Africans; the challenges of securing translators for the Africans; and Van Buren's concerns about the election of 1840. Encourage students to quote directly from the documents. Schedule a media specialist to videotape the final productions.

7. Ask student volunteers to research and make an oral presentation to the class comparing the *Amistad* case to other significant incidents related to slavery prior to the Civil War, including Nat Turner's rebellion (1831), the *Creole* revolt (1841), and the Dred Scott decision (1857). Use the following questions to prompt comparisons: To what extent did these incidents involve violence? What were their outcomes? How did they influence
The Amistad Case

"... each of them are natives of Africa and were born free, and ever since have been and still of right are and ought to be free and not slaves...."

-- S. Staples, R. Baldwin, and T. Sedgewick, Proctors for the Amistad Africans, January 7, 1840

Background

In February of 1839, Portuguese slave hunters abducted a large group of Africans from Sierra Leone and shipped them to Havana, Cuba, a center for the slave trade. This abduction violated all of the treaties then in existence. Fifty-three Africans were purchased by two Spanish planters and put aboard the Cuban schooner Amistad for shipment to a Caribbean plantation. On July 1, 1839, the Africans seized the ship, killed the captain and the cook, and ordered the planters to sail to Africa. On August 24, 1839, the Amistad was seized off Long Island, NY, by the U.S. brig Washington. The planters were freed and the Africans were imprisoned in New Haven, CT, on charges of murder. Although the murder charges were dismissed, the Africans continued to be held in confinement as the focus of the case turned to salvage claims and property rights. President Van Buren was in favor of extraditing the Africans to Cuba. However, abolitionists in the North opposed extradition and raised money to defend the Africans. Claims to the Africans by the planters, the government of Spain, and the captain of the brig led the case to trial in the Federal District Court in Connecticut. The court ruled that the case fell within Federal jurisdiction and that the claims to the Africans as property were not legitimate because they were illegally held as slaves. The case went to the Supreme Court in January 1841, and former President John Quincy Adams argued the defendants' case. Adams defended the right of the accused to fight to regain their freedom. The Supreme Court decided in favor of the Africans, and 35 of them were returned to their homeland. The others died at sea or in prison while awaiting trial.

The Documents

Libel of Thomas R. Gedney, Lieutenant, U.S. Brig Washington, August 29, 1839

Answer of the Proctors for the Amistad Africans, January 7, 1840

John Quincy Adams' request for papers relating to the lower court trials of the Amistad Africans, January 23, 1841

Opinion of the Supreme Court in United States v. The Amistad, March 9, 1841

Statement of the Supreme Court to Circuit Court, March 9, 1841
sectional differences?

For Further Reading:


The Legal Information Institute at Cornell University has created a web site devoted to the legal issues surrounding the *Amistad* case.

URL: http://www.nara.gov/education/teaching/amistad/teach.html

webmaster@nara.gov

Last updated: January 29, 1998
Written Document Analysis Worksheet

1. TYPE OF DOCUMENT (Check one):
   ___ Newspaper                ___ Map                ___ Advertisement
   ___ Letter                   ___ Telegram            ___ Congressional record
   ___ Patent                   ___ Press release       ___ Census report
   ___ Memorandum              ___ Report              ___ Other

2. UNIQUE PHYSICAL QUALITIES OF THE DOCUMENT (Check one or more):
   ___ Interesting letterhead  ___ Notations
   ___ Handwritten             ___ "RECEIVED" stamp
   ___ Typewritten             ___ Other
   ___ Seals

3. DATE(S) OF DOCUMENT: ______________________________________

4. AUTHOR (OR CREATOR) OF THE DOCUMENT: _______________________

   POSITION (TITLE): _______________________________________

5. FOR WHAT AUDIENCE WAS THE DOCUMENT WRITTEN? ____________

6. DOCUMENT INFORMATION (There are many possible ways to answer A-E.)

   A. List three things the author said that you think are important:

   1. _______________________________________________________
   2. _______________________________________________________
   3. _______________________________________________________

   B. Why do you think this document was written?

   _______________________________________________________

   C. What evidence in the document helps you know why it was written? Quote from the document.

   _______________________________________________________

   D. List two things the document tells you about life in the United States at the time it was written:

   _______________________________________________________

   _______________________________________________________

   E. Write a question to the author that is left unanswered by the document:

   _______________________________________________________

   _______________________________________________________

   _______________________________________________________

   _______________________________________________________
Libel of Lieutenant Thomas R. Gedney, on behalf of himself and the officers and crew of the U.S. Brig Washington, August 29, 1839

National Archives and Records Administration-Northeast Region, Waltham, MA, Records of the District Courts of the United States, RG 21

The Washington was the brig that seized the Amistad off the coast of Long Island. Its commander was Lt. Thomas R. Gedney. In his libel, or written statement, to Judge Andrew T. Judson of the district court, he described the encounter with the Amistad. Because he sought salvage of the schooner and its cargo, he was very detailed in his account and itemized all of its cargo, estimating its value at $40,000 and the value of the Africans as slaves at $25,000. In maritime law, compensation is allowed to persons whose assistance saves a ship or its cargo from impending loss. The libelants claimed that with great difficulty and danger to themselves they recaptured the Amistad from the Africans. They claimed that had they not seized the vessel, it would have been a total loss to its "rightful" owners. Therefore, Gedney and his crew believed they were entitled to salvage rights. At that time in U.S. history, even individuals acting in their official capacity as officials of the government were entitled to salvage rights.

In addition, Gedney relayed that the Africans could speak only native African tongues and that one of the two Spaniards, Jose Ruiz, spoke English. Gedney included in his libel the account of the mutiny as told by Ruiz.

The President of the United States of America to the

Mayor of the District of Columbia.

Whereas, a bill is filed in

the District Court of the United States for

the District of Columbia, No,

filing a bill of suit against the

United States and certain

known persons, that bill is in the

words following:

1970.
To the Honorable Andrew T. Iredon Esp,—
Judge of the District Court of the United States in and for the District of Connecticut.

The libel of Thomas A. Gray, Lieutenant in the United States Navy Commanding the United States Surveying Brig Washington, employed in the service of the United States in the Coast Survey, and on behalf of Richard M. Read, a Lieutenant on board said Brig, and the officers and Crew of said Brig, Washington and all other interested, is entitled Humblesly Sheweth. That on the 26th day of August AD 1839 the said libellant being with said Brig Surveying between Montauk Point of Gardiner's Island in the State of New York discovered a strange and suspicious looking vessel off Culloden Point near said Montauk Point that they took possession of said vessel which proved to be a Spanish Schooner called the Armistad, of Havana, in the Island of Cuba of about 120 tons burthen, and the said libellant finds said Schooner was manned by fifty five negroes, some of whom had landed near said point for water there were also on board two Spanish Gentlemen who represented and as the Libellant firmly believe were said owners of the Cargo of Slaves belonging to said Spanish Gentlemen. That said Schooner Armistad sailed on the
of colonies. Hardware 50 Demijohns Olive Oil, 20 Bags Vermicelli, 20 Quintals Salted Beef, 15 Odes Tallow, 5 Kegs Olive Oil, 2 Quintals Harm, 140 l. Muslins, 25 f. Strips 3 f. Brown Drilling 4 f. l. linens 21 f. Colouring laces linens 11 sq. Ladies Note 2 Dog Belts 10 sq. linens Cambric Yd. 12 Common 2 and a large quantity of Silks. Linens. Hardware & provisions to the amount of all 34,000 Doll. — And also fifty-five Slaves to wit, fifty-one male Slaves and three young female Slaves, who were with Twenty-five thousand Doll. and while on said voyage from Havana to Pernambuco the said Slaves rode upon the Captain & Crew of said Schooner of Kilde to murder the Captain & one of said Crew of two more of said Crew escaping got away from said Schooner, that the two Spaniards on board, to wit Pedro Montez and Jose Rufín remained alive on board said Schooner after the murder of the Captain and after the said Schooner had taken possession of said vessel and cargo, that their hands were forced to affix in the hull of said vessel if it was driven by said Negroes that said Schooner should be manned for the King of Spain, so of said Pedro Montez of the said Schooner according to their orders and their directions, Compelled by said Negroes at the point of their hand in the day herein in the night afloat, their Country Not far from their Schooner, but after more than two months in the Ocean they succeeded in coming round "Montreal" Point, that they were discovered and
be arrived by the libellants and the said two Spanish Gentlemen begged for and claimed the aid and protection of the libellants, that said Schoone was accordingly taken possession of and captured by the hands of possession of said Negros who had taken the same as a prize in that said Schoone was brought into port of New London in the District aforesaid where the now is and said Schoone would with great difficulty expose and danger have been taken by the Libellants but for the promise when the said Blackes the said Schoone there of a part of whom was on shore and for the aid assistance and setting of the Libellants the said Negroes and said Cargo would have been wholly lost to the respective owners thereof. That said Cargo belongs to divers Spanish Merchants of the resident in said Island of Cuba to the said Pedro Martinez of Loko. Rued the latter owning most of said Cargo.

Now inasmuch as the said Thomas A. Gedney & said officers & Crew have with great difficulty & danger saved said Schoone Armstodd and said Cargo and said Cargo which would otherwise in all human probability have been totally lost to the owners thereof respectively will your Honor please to give the said Schoone to be attached and taken by the Sheriff of this County Court and that a preservation issue to all persons concerned to show cause if any they have why a reasonable Salary should not be decreed to the Libellants & all other entitled
And that such further and other steps shall be taken as the Court of this Honourable Court shall direct.


District of Connecticut.  
District Court at New London. Aug. 29th. 1839.

Personally appeared Richard M. Mean and swore oath to the truth of the foregoing. And

According to his best knowledge beliefs.

Chief. A. Ingrisold.

Chief

As above said, And he being fully advised of said fact, etc., he further says that he has not a doubt that the Court of the United States is the Court of the United States, and that he has been at the Treasury in said Court on the 19th day of September 1837, at 10 o'clock A.M., as the Clerk of said Court is entitled to have all necessary and further process therefrom in execution there to take the said balance due, as the order of Israel Whitney, in said Court, and as the order of the Court.
On the 29th day of August, 1839,

Capt. A. Leverett,

District Commissioner

New London, [Dear Sir],

I have herewith sent you the report of the examination of the schooner, named the "Enterprise," the property of Solomon Atwood and Co., of New London, N. H., now lying at New London, N. H., on the 29th day of August, 1839.

This vessel was burnt some weeks ago, and I have been unable to procure any valuable evidence of the cause of the fire or the matters in connection therewith. I have, therefore, made out a list of the goods on board, as near as possible, from the best information I could obtain.

The list is as follows:

2 Barrels of Raw Hogshead Gin
12 Hogsheads of Gin,
12 Hogsheads of Brandy,
12 Hogsheads of Rum,
12 Hogsheads of Strong Alcohol,
12 Hogsheads of Beer,
12 Hogsheads of Porter,
5 Hogsheads of Malt Liquor,
5 Hogsheads of Ale,
5 Hogsheads of Beer,
5 Hogsheads of Stout,
5 Hogsheads of Porter,
5 Hogsheads of Malt Liquor,
5 Hogsheads of Ale,
5 Hogsheads of Beer,
5 Hogsheads of Stout,
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5 Hogsheads of Malt Liquor,
5 Hogsheads of Ale,
5 Hogsheads of Beer,
5 Hogsheads of Stout,
5 Hogsheads of Porter,
5 Hogsheads of Malt Liquor,
5 Hogsheads of Ale,
Dear Mr. Anderson,

In my capacity as the agent of the John Doe Company, I have the honor to inform you of the following matters.

1. We have in stock 50 boxes of goods as per the following description:
   - 20 boxes of coffee
   - 15 boxes of sugar
   - 10 boxes of tea
   - 5 boxes of salt

2. We can supply these goods at the following prices:
   - Coffee: $1 per box
   - Sugar: $0.50 per box
   - Tea: $0.75 per box
   - Salt: $0.10 per box

Please let me know if you require any of these goods, and I will arrange for delivery at your convenience.

Yours truly,

[Signature]

Chief Agent, John Doe Company
Answer of S. Staples, R. Baldwin, and T. Sedgewick, Proctors for the Amistad Africans, to the several libels of Lt. Gedney, et. al. and Pedro Montes and Jose Ruiz, January 7, 1840

National Archives and Records Administration-Northeast Region, Waltham, MA, Records of the District Courts of the United States, RG 21

After the Amistad was seized, the schooner, its cargo, and all on board were taken to New London, CT. Had it not been for the actions of abolitionists in the United States, the issues related to the Amistad might have ended quietly in an admiralty court. But they used the incident as a way to expose the evils of slavery and generate significant opposition to the practice. Abolitionists asked Roger S. Baldwin, a lawyer from New Haven, and two New York attorneys, Seth Staples and Theodore Sedgewick, to serve as proctors for, or represent, the Africans. The answer to the libels of Lt. Gedney, et. al. and Pedro Montes and Jose Ruiz that the proctors submitted to the district court conveyed the position of the Africans.

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United States of America
District of Connecticut

District Court held at New Haven in the District on the 7th of June 1848.

To the Honorable Andrew T. Hadden Judge of the District Court of the United States in and for the District of Connecticut.

The several owners of the Negro Bond,
Damarah, Fornari 1st, otherwise called Frederic Shew, Genoa,
otherwise, called Thomas Scott, Cheray, Amherst D. Brown, Pavne,
Rome, Paul Shew, Angyal, Sarah, L. P. B. Site, Moriah, etc.
your Queets, before me, otherwise called pretty, Fornari 2nd, otherwise
called Puli, run in, Kannah, Lainance, Paymann, Takin, Takin, France,
France, Chinkies, or by other wise called Palabras Carr, France, aren't Mahiem African, now in the custody
of the Marshalls of said District under cover of process
issued from this Honorable Court on the 29th day of August
1839 against the Seamen, Amiet, and the articles of personal
property on board of her ship lying in the harbor of New
York in said District on the behalf of Christian Leary
as Lieutenant of the United States Navy Commanding the United
States Frigate Washington in the name of the United States
in the coast survey and on behalf of Michael H. Steele, Agent
on board said ship, and as the officers and crew thereunder
of all others interested or entitled, claiming salvage to be awarded
to them by the Honorable Court as for a mentioned salvage, and
aka securing the Respondent, severally and jointly holding them as slaves
to certain Spaniards belonging to the island of Cuba, seaward in

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said Capes; and do also aver, upon the honor of these Honorable Court officers, and demand at Hartford, on the 15th day of September 1838, while the Respondents were in custody of the Marshal of said District as aforesaid, at Hartford, within the body of the State and District of Connecticut, in the libel, and claim of Matthew J. Nockabo, Esq., United States District Attorney for said District of Connecticut, and the libel, and claim of Barron, Meade, & Hunt, and also under process of the Honorable Court, with the Hartford, upon the 15th day of November 1839, that the claims and representation of the said District Attorney, then made, were made and filed.

The said respondents, generally, by protest and plea, admitting or acknowledging that the Government of the United States, being the department of the United States, is vested in the officers thereof, and the jurisdiction of the persons thereof, respondents, or any of them, by reason of any of the allegations or proceedings aforesaid, or not confining or acknowledging any of the matters or things in the libel, and their said libel and claims, to be true in manner and form, or the same are therein, and do hereby, and to the same, the said District Attorney, and for answer to the said libel, claims of representation aforesaid, generally say,

That they and each of them were natives of Africa, and so born free and incapable of being freed and not slaves, as is now, and have no titles, claims, or claims pretended or surmised, to the said lands of Cuba, or in the dominions of the Queen of Spain, or subject to the laws thereof, that on or about the 15th day of September 1839, they and each of them were in the
lands of their matrity, unlawfully kidnapped and forcibly
and wrongfully by certain persons to their knowledge into
them and their unlawfully and forcibly engaged in the slave
trade between the Coast of Africa and the island of Cuba
contrary to the rule of the Respondents unlawfully, and in
circumstances of great cruelty, transported to the said island
of Cuba, for the unlawful purpose of slavery, to be sold
and sent them illegally landed, for the purpose aforesaid.

That John Plim, one of the said Libellants, well knowing
the premises, and confederating with the persons by whom the
Respondents were unlawfully taken and held as aforesaid,
with intent to deprive the Respondents generally of thei
liberty, made a pretended purchase of the said Respondents
except the said Ewer &c. Then and thereafter, the said
Tadeo Montero also well knowing the premises and
confederating with the said persons, for the purpose of
making a pretended purchase of the said Ewer &c. Then
thereafter, the said pretended purchase was made from
persons who had no right whatever to the Respondents or any of
them and that the same were made under color and as for
right or title on the said Ewer or Montero, or right of control
over the Respondents or either of them. That aforementioned
or about the 28th day of June 1839, the said Ewer &c. Montero
confederating with each other and with one Pedro Pomaro
decenced, Capt. of said Ewer, or and Mast. of the vessel
thereof, caused the Respondents, generally without fear or right and
color of certain false and fraudulent papers by them procured
fraudulently, made for that purpose to be planted by force and
violence said Ewer &c. to be transported with said Plim.
and a Montic to some place unknown to the Respondent, and there continue for life. — That the Respondent, being guided on board, there took by force, thus and Montic and their Confederates, with great cruelty, and oppression, and being of right free as sovereign men, rendered by the laws of liberty and nature to all men, and by the laws of returning to their families and friends, to take the persons of said Parties, while passing the said river, as they had right to do, with the intimation return them to their native Country, so to search an asylum in some free state where slavery did not exist, or in such way that they might enjoy their liberty and the protection of its government, that on or about the 20th of August 1839, found in the possession of the Respondent at Cullman post station, twenty and one negroes near the town of Cullman, and within the waters and territory of the State of Alabama, in the possession of the Respondent, T. W. Randolph, and others, and there, and in other places on the body of land and water within the State of Alabama, as well within as without the jurisdiction of the State of Alabama, in possession of the Respondent, T. W. Randolph, and others, and within the waters and territory of the State of Alabama, as well within as without the jurisdiction of the State of Alabama, and in the possession of the Respondent, T. W. Randolph, and others, as free as those who were on board of the prize known as Schooner, by the said Respondent, his officers and crew of said Schooner, by the said United States, King of Washington, without any lawful quarter or authority whatever, at the instance of said T. W. Randolph, his officers and crew.
the intent to keep and secure them as places to the said Rhode Island colony, respectively, and to obtain an award of damages therefor from the said Court. For this purpose, the Petitioners move by the said George Ledyard, his officers and agents, for service for forcibly and unlawfully withdrawn from the jurisdictional limits of the State of New York and brought to the seat of New York, accordingly, and while there and afterwards, enter the subsequent proceedings in this Honorable Court, to the custody of the Marshal of said District of Connecticut, and confine and hold the goods and the goods of the city of New Haven and New London, respectively, as aforesaid. Wherefore, the Petitioners, severally pray, that they and each of them may be set free, as they of right and as ought to be, and that they be released from the custody of the Marshal and the process of this Honorable Court, under a bond or undertaking of which they are bound as aforesaid.

S. Tuggle, R.G. Baldwvn
& F. Larkin

The above is true of the Court holding at Northam in an open court, on the 7th day of January AD. 1840, here in open court, came from Attorney-General, in the name of John B. Lee, subject of the laws of Spain, and by court of the Court for the claim in the

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Document #3

John Quincy Adams' request for papers relating to the lower court trials of the Amistad Africans, January 23, 1841

National Archives and Records Administration, Records of the Supreme Court of the United States, RG 267

After the Federal District Court ruled in favor of the Africans, the U.S. District Attorney filed an appeal to the Supreme Court. In the trial before the Supreme Court, the Africans were represented by John Quincy Adams, a former U.S. President and descendant of American revolutionaries. Preparing for his appearance before the Court, Adams requested papers from the lower courts one month before the proceedings opened. For 8 1/2 hours, the 73-year-old Adams passionately and eloquently defended the Africans' right to freedom on both legal and moral grounds, referring to treaties prohibiting the slave trade and to the Declaration of Independence.
In the matter of the United States Appellants

Petitioner, and others, severally, Claimant, and Appellants

1. D. Adams, of counsel for the said Africans, moves the Court for a commend to the Clerk of the Circuit Court of the United States for the District of Connecticut, to examine the Record of the proceedings in the said District Court, in this case, by sending up copies of the following papers:

1. The proceedings of the Court of Enquiry held by the Honorable Judge of the District Court on board the Schooner, Amstel, on the 29th of August, 1839, and particularly the Indictment against the said Africans for the murder of the Captain and mate or cook of the said Schooner. The Warrant of Seizure issued by the said District Judge on the said 29th of August, 1839, directed to the Marshal of the said District, together with the return made by the said Marshal of the said warrant of seizure, and the return to the said warrant.

2. The two warrants of seizure issued by the said District Judge on the 10th of September, 1839, and the returns of the Marshal thereon, with the process of motion and return thereon.
3. The warrant of seizure issued by the said District Court on the 19th of September 1829, and the return of the Marshal thereon.

4. The induction of the judge of the Circuit Court to the Grand Jury thereon.

5. The bills of indictment filed by the District Attorney against the said officers for the murder of the Captain and Cook of the Amistad, and also for piracy; and the proceedings of the Grand Jury and the instructions of the Circuit Court to the said Grand Jury thereon.

6. The suit of the Captains in behalf of the said officers on the said 18th of Sept. No stipulation or discussion of the said Circuit Court thereon.

J. D. Jackson

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Opinion of the Supreme Court in
*United States v. The Amistad*,
March 9, 1841

National Archives and Records Administration,
Records of the Supreme Court of the United States, RG 267

Senior Justice Joseph Story wrote and read the decision of the Supreme Court. The Court ruled that the Africans on board the *Amistad* were free individuals. Kidnapped and transported illegally, they had never been slaves. Although Justice Story had written earlier that "... it was the ultimate right of all human beings in extreme cases to resist oppression, and to apply force against ruinous injustice," the opinion in this case more narrowly asserted the Africans right to resist "unlawful" slavery. The Court ordered the immediate release of the *Amistad* Africans.
The United States, App. F. On appeal from the District Court of the United States for the District of Connecticut.

The officers and claimants of the District Court of the United States for the District of Connecticut, pursuant to the Act of Congress, are to the President of the United States to be transported to Africa in accordance with the Act of Congress of the 3d of March, 1819, and that in that part of it ought to be carried out, and in all other respects, that the various clauses of the said Act ought to be performed.

It is declared by the said Act that the said court should proceed as provided by the said Act, and that the order of the court should be executed accordingly.

March 9, 1819.
Document #5

Statement of the Supreme Court to Circuit Court, March 9, 1841

National Archives and Records Administration, Records of the Supreme Court of the United States, RG 267

Following its decision, the Supreme Court submitted this statement to the lower court where the case originated. The statement indicated that the decision of the circuit court was in part upheld and in part reversed. The part that was upheld related to the freedom of the Africans. The part that was reversed related to Judge Andrew T. Judson's application of the Congressional Act of March 3, 1819. Judson's decision authorized the President to return the Africans to Africa. Ultimately, the abolitionists arranged for their return in early 1842.
United States of America, v.

THE PRESIDENT OF THE UNITED STATES OF AMERICA,

To the Honorable the Judges of the Circuit Court of the
United States for the District of Connecticut.

greeting:

WHEREAS, lately, in the Circuit Court of the United States for the
District of Connecticut, before you, or some of you, in a case, between
the United States, John Antonio
Sillence and others, Appellants, and a decree of the
District Court of the United States for the District of
Connecticut, and John Sillence, and others generally.

Pursuant to the decree of the said Circuit Court, as
may be the decree of the said District Court, except as
further to the claim of John Antonio Sillence and the
House of Spain and France.

as by the inspection of the transcript of the record of the said.

which was brought into the Supreme Court of the
United States, by virtue of a statute, agreeably to the act of Congress in such case made and provided, fully
and at large appears.

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And whereas, in the present term of January in the year of our Lord one thousand eight hundred and forty, the said cause came on to be heard before the said Supreme Court, on the said transcript of the record, and was argued by counsel; on consideration whereof, it is the opinion of this Court that there is error in that part of the decree of the Circuit Court affirming the decree of the District Court which ordered the said Negroes to be delivered to the President of the United States to be transported to Africa in pursuance of the Act of Congress of the 3rd of March, 1817; and that so to that part it ought to be reversed, and in all other respects that the decree of the Circuit Court ought to be affirmed. It is therefore ordered, adjudged, and declared by this Court that the decree of the said Circuit Court to be and the same is hereby affirmed except as to the part aforesaid, and as to that part that it be reversed; and that the cause be remanded to the Circuit Court with directions to enter in favor of that part a decree that the said Negroes be and are hereby declared to be free and that they be discharged from the custody of the Court, and be discharged from the said suit and go thereof, guilt without delay.

March 9th,

You, therefore, are hereby commanded that such further proceedings be had in said cause, in conformity to the opinion and decree of this Court as according to right and justice, and the laws of the United States ought to be had, the said Deponents notwithstanding:

WITNESS the Honorable Roger B. Taney Chief Justice of said Supreme Court, the Second Monday of February in the year of our Lord one thousand eight hundred and forty.

Chief of the Supreme Court of the United States.
NOTICE

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EFF-089 (9/97)