

JOSEPH CINQUÉ (SINGBE PIEH) OF *LA AMISTAD*





JOSEPH CINQUÉ

LA AMISTAD

1215

June 15, Monday (Old Style): At [Runnymede](#), [John Lackland, King of England](#) found it expedient to place his seal upon one or another predecessor screed to the [Magna Carta](#), promising not democracy but merely increased feudal power to the barons (even this would not become established until 1297).

By the bye, this “*Magna Carta*” thingie actually is a rather disappointing screed to peruse (I have carefully inspected it both in its surviving originals and in fair translated text). There are no ringing declarations of principle or grand pronouncements either in a preamble or at any point in the text and the document contains, at most, 3 clauses which remain a part of our modern legal structure. The existence of such a document does establish, however, that it was becoming permissible to place specific limits upon the powers of the ultimate executive agent of the nation — and then, becoming feasible to enforce said restrictions.

The clause which we today would consider most relevant is #39 which offers that “No free man shall be seized or imprisoned, or stripped of his rights or possessions, or outlawed or exiled, or deprived of his standing in any other way, nor will we proceed with force against him, or send others to do so, except by the lawful judgment of his equals or by the law of the land.”

It has been pointed out that that, and a buck and a quarter, will buy you a cup of java anywhere in America today, but it also needs to be pointed out that it wouldn't even buy you a cup of java in England in 1215. For one little thingie, this right to trial by a jury of one's peers was provided only to **freemen** — and 5 guys out of every 6 in England at that time were mere **serfs**.¹

READ THE FULL TEXT

1. What makes the document most relevant for our present context is how it would figure in the deep background for the [La Amistad](#) case at law in 1841. The document would constitute a large portion of the motivation for [John Quincy Adams](#) agreeing to present the case before the US Supreme Court (his take not having anything at all to do with slavery but being merely that one of **his illustrious personal ancestors** had been a signatory to this document — and that the seizure of the vessel by the federal government had been a violation of this principle created by **his illustrious personal ancestor**).



LA AMISTAD

JOSEPH CINQUÉ

1783

[John Quincy Adams](#) visited the British Museum in [London](#) to view the seal of his supposed ancestor² upon the original parchment of 1 of the 4 survivors³ of the 36 or more [Magna Carta](#) exemplifications that had been issued at [Runnymede](#) over the great seal of [John Lackland, King of England](#).⁴

2. Although there appears to be no substantial basis for Abigail Adams's assertion, she claimed their family to have descended from the Earl of Winchester, Saer de Quincy or Saire De Quincy or Saer de Quency, who had been born in 1155, married *circa* 1180, placed his seal among the others upon the document on or after June 23, 1215, and died November 3, 1219 in Damietta in the Holy Land.

3. Two are now on display at the British Library (one fair copy by legend recovered from a London tailor's shop, one badly scorched in a structure fire), a third is in the archives of Lincoln Cathedral, and a fourth in the archives of Salisbury Cathedral.

4. Later, [John Quincy Adams](#) would consider his representing the blacks of the [La Amistad](#) as of the greatest importance, since the [Amistad](#) had been seized by the [USS Washington](#) without warrant, in a "gross violation" by the US government of a principle of *habeas corpus* that supposedly can be found—at least to the sensibilities of later generations—vaguely suggested within that foundational document — which his supposed eponymous ancestor had helped to create. In other words, JQA's indignant argument before the US Supreme Court wasn't pertaining to the human dignity of the captured blacks — he had no particular regard for black folks. He was protesting a disregard of the honor of his own illustrious white ancestor.



JOSEPH CINQUÉ

LA AMISTAD

1788

October: In March, first Massachusetts and then Pennsylvania had forbidden their citizens to participate in any way in the [slave-trade](#). In this month Connecticut did the same.

"An Act to prevent the Slave-Trade."

"Be it enacted by the Governor, Council and Representatives in General Court assembled, and by the Authority of the same, That no Citizen or Inhabitant of this State, shall for himself, or any other Person, either as Master, Factor, Supercargo, Owner or Hirer, in Whole, or in Part, of any Vessel, directly or indirectly, import or transport, or buy or sell, or receive on board his or her Vessel, with Intent to cause to be imported or transported, any of the Inhabitants of any Country in Africa, as Slaves or Servants, for Term of Years; upon Penalty of Fifty Pounds, for every Person so received on board, as aforesaid; and of FIVE HUNDRED POUNDS for every such Vessel employed in the Importation or Transportation aforesaid; to be recovered by Action, Bill, Plaint or Information; the one Half to the Plaintiff, and the other Half to the Use of this State." And all insurance on vessels and slaves shall be void. This act to be given as evidence under general issue, in any suit commenced for recovery of such insurance.

"... if any Person shall kidnap ... any free Negro," etc., inhabitant of this State, he shall forfeit £100. Every vessel clearing for the coast of Africa or any other part of the world, and suspected to be in the slave-trade, must give bond in £1,000. Slightly amended in 1789. ACTS AND LAWS OF CONNECTICUT (edition of 1784), pages 368-9, 388.

Connecticut's plan was to accomplish this great thing very gradually, without rushing so much as to interfere with anyone's agenda. Children born to [slaves](#) after 1792 would be free and all existing slave children would be [emancipated](#) when they reached the age of 25. This might indicate, to the unwary, that by the time that the captives of the *La Amistad* would arrive in that state's prison system, slavery there would have been a thing of the past. However, Connecticut's approach would be so utterly gradualistic that it would never emancipate any females who had been, at the time of the enactment of this legislation, over 21 years of age, or any males who had been over 25 years of age! (There still would be, according to the US Census, even in 1840, a small number of slaves in Connecticut. This New England state actually would not be clear of human enslavement until, "free at last," Death would come to collect its oldest surviving slave — in the Year of Our Lord 1848!)



LA AMISTAD

JOSEPH CINQUÉ



"It is simply crazy that there should ever have come into being a world with such a sin in it, in which a man is set apart because of his color – the superficial fact about a human being. Who could **want** such a world? For an American fighting for his love of country, that the last hope of earth should from its beginning have swallowed **slavery**, is an irony so withering, a justice so intimate in its rebuke of pride, as to measure only with God."



– Stanley Cavell, *MUST WE MEAN WHAT WE SAY?*
1976, page 141

How could Connecticut's elimination of slavery have possibly been made more gradual? For instance, in this year, because [Rhode Island](#) would no longer register a vessel for an enslaving voyage, Cyprian Sterry of [Providence](#) simply got aboard his vessel and went with it down the bay and down the sound to a port with a customhouse along the Connecticut shore — and there obtained clearance papers for the projected voyage to the coast of Africa!

W.E. Burghardt Du Bois: Connecticut, in common with the other colonies of this section, had a trade for many years with the West Indian slave markets; and though this trade was much smaller than that of the neighboring colonies, yet many of her citizens were engaged in it. A map of Middletown at the time of the Revolution gives, among one hundred families, three slave captains and "three notables" designated as "slave-dealers."⁵ The actual importation was small,⁶ and almost entirely unrestricted before the Revolution, save by a few light, general duty acts. In 1774 the further importation of slaves was prohibited, because "the increase of slaves in this Colony is injurious to the poor and inconvenient." The law prohibited importation under any pretext by a penalty of £100 per slave.⁷ This was re-enacted in 1784, and provisions were made for the abolition of slavery.⁸ In 1788 participation in the trade was forbidden, and the penalty placed at £50 for each slave and £500 for each ship engaged.⁹

W.E. Burghardt Du Bois: In the Eastern States, where slavery as an institution was already nearly defunct, action was aimed toward stopping the notorious participation of citizens in the

5. Fowler, *LOCAL LAW*, etc., page 124.

6. The number of slaves in Connecticut has been estimated as follows: —

In 1680, 30. *CONNECTICUT COLONIAL RECORD*, III. 298.

In 1730, 700. Williams, *HISTORY OF THE NEGRO RACE IN AMERICA*, I. 259.

In 1756, 3,636. Fowler, *LOCAL LAW*, etc., page 140.

In 1762, 4,590. Williams, *HISTORY OF THE NEGRO RACE IN AMERICA*, I. 260.

In 1774, 6,562. Fowler, *LOCAL LAW*, etc., page 140.

In 1782, 6,281. Fowler, *LOCAL LAW*, etc., page 140.

In 1800, 5,281. Fowler, *LOCAL LAW*, etc., page 141.

7. *CONNECTICUT COLONIAL RECORD*, XIV 329. Fowler (pages 125-6) says that the law was passed in 1769, as does Sanford (page 252). I find no proof of this. There was in Connecticut the same Biblical legislation on the trade as in Massachusetts. Cf. *LAWS OF CONNECTICUT* (repr. 1865), page 9; also *COLONIAL RECORD*, I. 77. For general duty acts, see *COLONIAL RECORD*, V 405; VIII. 22; IX. 283; XIII. 72, 125.

8. *ACTS AND LAWS OF CONNECTICUT* (ed. 1784), pages 233-4.

9. *ACTS AND LAWS OF CONNECTICUT* (ed. 1784), pages 368, 369, 388.



JOSEPH CINQUÉ

LA AMISTAD

slave-trade outside the State. The prime movers were the Rhode Island Quakers. Having early secured a law against the traffic in their own State, they turned their attention to others. Through their remonstrances Connecticut, in 1788,¹⁰ prohibited participation in the trade by a fine of £500 on the vessel, £50 on each slave, and loss of insurance; this act was strengthened in 1792,¹¹ the year after the Haytian revolt. Massachusetts, after many fruitless attempts, finally took advantage of an unusually bold case of kidnapping, and passed a similar act in 1788.¹² "This," says Belknap, "was the utmost which could be done by our legislatures; we still have to regret the impossibility of making a law *here*, which shall restrain our citizens from carrying on this trade *in foreign bottoms*, and from committing the crimes which this act prohibits, *in foreign countries*, as it is said some of them have done since the enacting of these laws."¹³

Thus it is seen how, spurred by the tragedy in the West Indies, the United States succeeded by State action in prohibiting the slave-trade from 1798 to 1803, in furthering the cause of abolition, and in preventing the fitting out of slave-trade expeditions in United States ports. The country had good cause to congratulate itself. The national government hastened to supplement State action as far as possible, and the prophecies of the more sanguine Revolutionary fathers seemed about to be realized, when the ill-considered act of South Carolina showed the weakness of the constitutional compromise.

10. ACTS AND LAWS OF CONNECTICUT (ed. 1784), pages 368, 369, 388.

11. ACTS AND LAWS OF CONNECTICUT, page 412.

12. PERPETUAL LAWS OF MASSACHUSETTS, 1780-89, pages 235-6.

13. QUERIES RESPECTING SLAVERY, etc., in MASSACHUSETTS HISTORICAL SOCIETY COLLECTIONS, 1st Series, IV. 205.



LA AMISTAD

JOSEPH CINQUÉ

1792

Although Connecticut had passed, in 1788, a law gradually abolishing slavery there, and although that law had specified that infants born to that state's [slaves](#) after this year were to be free and all others were to be [manumitted](#) when they reached the age of 25, and although this might indicate to some unwary readers that slavery would have ended in Connecticut effectively at the very least by 1813, indicating that when the captives of [La Amistad](#) arrived in that state's prison system, they would be arriving in a state that knew nothing of human slavery — such an appreciation would unfortunately be an inaccurate one. In fact Connecticut's gradualistic approach would **never** emancipate any females who had been over 21 years of age at the time of its passage, and would **never** emancipate any males who had been over 25. Thus there **still** would be, according to the US Census, **even in 1840**, a small number of slaves in Connecticut. This state actually would not be clear of slavery until death would come to the last of its slaves, "free at last," in the Year of Our Lord 1848.

**“NARRATIVE HISTORY” AMOUNTS TO FABULATION,
THE REAL STUFF BEING MERE CHRONOLOGY**

1795

The United States government entered into a treaty with Spain, opening navigation on the Mississippi River, which treaty would later be misapplied in the case *The U.S. v. The Libelants, etc., of the Schooner Amistad*. Article 9 of this Pinckney treaty dealt with the prompt return of ships and merchandise in times of peace, when saved from pirates or robbers, and Article 6 dealt with the prompt return of ships and merchandise in time of war when property of either nation had by force been brought under the jurisdiction of the other. It would take the Supreme Court decision of March 9, 1841 to correct a preposterous government allegation that the blacks of the *La Amistad*, who had been kidnapped from Africa, were property which the US government was obligated under this treaty with Spain to deliver back to Cuba — to be there burned at the stake as pirates.



INTERNATIONAL SLAVE TRADE

NOBODY COULD GUESS WHAT WOULD HAPPEN NEXT






JOSEPH CINQUÉ

LA AMISTAD

1813

 Although Connecticut had long before passed a law abolishing slavery, and although that law had specified that newborns would be free and all others were to be [manumitted](#) when they reached the age of 25 –or by this year of 1813 at the latest– and although this might indicate to some unwary readers that slavery would have ended in Connecticut effectively at the very least by this point in time, indicating that when the captives of the [La Amistad](#) arrived in that state’s prison system as pawns in the [international slave trade](#), they would be arriving in a state that knew nothing of human slavery — such an appreciation would unfortunately be entirely inaccurate. In fact Connecticut’s “gradualistic approach” to the elimination of human [enslavement](#) would never emancipate any enslaved females who had been over 21 years of age at the time of the law’s passage, or any enslaved males who had been over 25! Thus there still would remain according to the US Census, even as late as 1840, a small number of slaves in Connecticut. This state actually would not be clear of slavery until death would come to the last of its slaves — “free at last” in the Year of Our Lord 1848!

(The discerning reader will note the use of exclamation points above, indicating amazement.)



“It is simply crazy that there should ever have come into being a world with such a sin in it, in which a man is set apart because of his color – the superficial fact about a human being. Who could **want** such a world? For an American fighting for his love of country, that the last hope of earth should from its beginning have swallowed [slavery](#), is an irony so withering, a justice so intimate in its rebuke of pride, as to measure only with God.”



– Stanley Cavell, *MUST WE MEAN WHAT WE SAY?*
1976, page 141

**LIFE IS LIVED FORWARD BUT UNDERSTOOD BACKWARD?
— NO, THAT’S GIVING TOO MUCH TO THE HISTORIAN’S STORIES.
LIFE ISN’T TO BE UNDERSTOOD EITHER FORWARD OR BACKWARD.**



LA AMISTAD

JOSEPH CINQUÉ

1814



It was in about this year that Sengbeh Pieh ([Joseph Cinqué](#)) was born free, into a Mende rice-farming family in Sierra Leone, Africa.



NO-ONE'S LIFE IS EVER NOT DRIVEN PRIMARILY BY HAPPENSTANCE



December 24, Saturday: [George Gordon, Lord Byron](#) and Hobhouse left London.

In Stockholm, Muzio Clementi was elected to the Royal Academy of Music.

A convention of New England states, meeting at the State House in Hartford, Connecticut, called for changes in defense and federal taxation and issued its list of proposed constitutional amendments.

The territorial government in Kaskaskia (Illinois) authorized a prize of \$50 for any “Indian” scalp, or any captured female or child “Indian.”

American sailors being held in the prison complex on the Devonshire moor near Plymouth, England received their long-awaited [Christmas](#) present when [John Quincy Adams](#), James Asheton Bayard, Henry Clay, Jonathan Russell, and [Albert Gallatin](#) as commissioners on the part of the United States of America set their signatures to a Treaty of Ghent officiously terminating the [War of 1812](#). Almost all territory was returned status quo ante,

Joseph Cinqué

“Stack of the Artist of Kouroo” Project



JOSEPH CINQUÉ

LA AMISTAD

CRIMPING

with other issues being either put off or ignored — but as it would turn out, the free enterprise USA would be in no great hurry to send ships to repatriate any such low-income, low-status naval laborers. They were definitely worthy enough to serve as a pretense for the war, as a “cause” — but definitely not worthy enough actually to be worth the bother of arranging such personal assistance.

(Among the prisoners to be eventually freed was [Uriah Phillips Levy](#). Upon his return to the United States, he would become second master aboard the USS *Franklin*, a 74-gun ship of the line, flagship to the Pacific Squadron of the US Navy.)

It was agreed by all that if there had been anything that the war had been about, definitely it had not been about freedom for any former slaves, who were immediately to be remanded to their bondage:

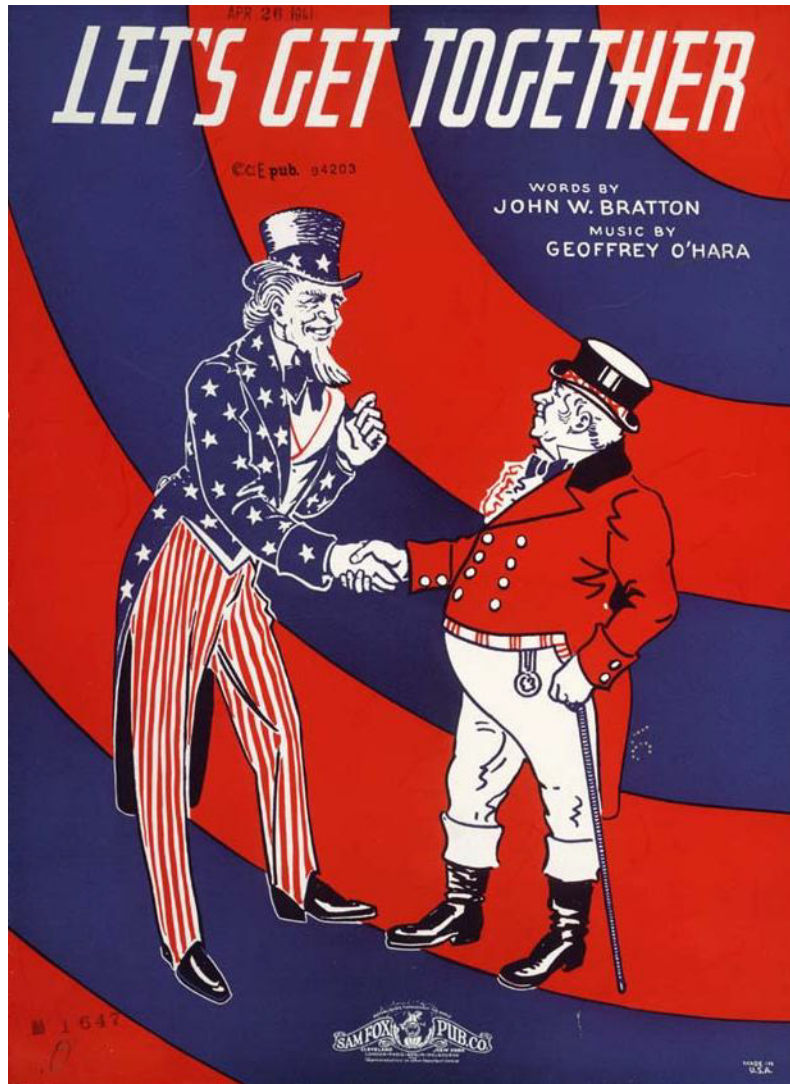
All ... possessions whatsoever taken by either party from the other during the war ... shall be restored without delay and without causing any destruction or carrying away any ... Slaves or other private property....

[Adams](#), one of the American commissioners who had negotiated this agreement, had pretended to commit the United States “to use their best endeavors” to assist the British fleet in bringing the Atlantic slave trade to an end.

[HDT](#)[WHAT?](#)[INDEX](#)

LA AMISTAD

JOSEPH CINQUÉ



Two White Men Shaking Hands

Actually this [international slave trade](#) would be expanding as the clipper ships built in the shipbuilding yards of [Baltimore](#) and of [Rhode Island](#) would become able to outdistance the ponderous British men-of-war on guard off the coast of Africa, to deliver their cargoes of slaves to ports in the New World. As secretary of state and as president, Adams would have something of greater moment on his mind. He would consistently oppose any British search of these American slave vessels as a violation of the vital principle of freedom of the seas. When asked in 1824 by the British minister to Washington if he could think of a greater evil than the slave trade, he would reply that there was indeed a greater evil of which he could think, for to grant that right of search on the high seas would be to “make slaves of ourselves” — and that would be an even greater evil than continuation of the trade in black [slaves](#).¹⁴

[LA AMISTAD](#)

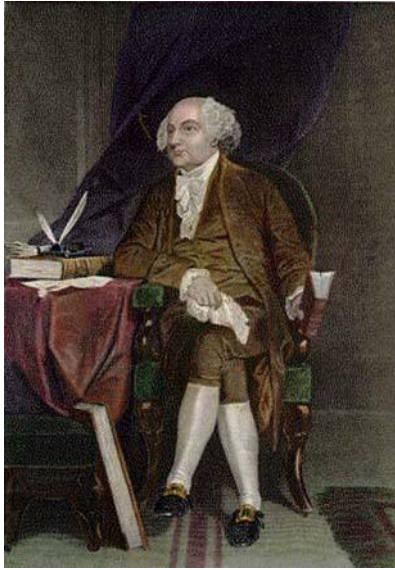
[HDT](#)[WHAT?](#)[INDEX](#)

JOSEPH CINQUÉ

LA AMISTAD

His father John Adams evaluated the proceedings:

Nothing was adjusted, nothing was settled, nothing of substance but an indefinite suspension of hostilities was agreed to.



The British forces had, during the 17 months that they held [Fort Niagara](#), made a number of improvements and repairs to the position. The terms and conditions of the Treaty of Ghent between the United States of America and Great Britain now called for a return to the “status quo ante bellum” — and so these troops were going to need to march away from their conquest.

THE TREATY OF GHENT


14. Remember that in 1783 [John Quincy Adams](#) had visited the British Museum in London to view the seal of his ancestor Saer de Quincy upon the original parchment of the Magna Carta. He would come to consider his representing the blacks of the [La Amistad](#) as of the greatest importance only because the *Amistad* had been seized by the *USS Washington* without warrant, in a “gross violation” by the US government of a principle underlying this foundational document which his eponymous ancestor had helped to create. In other words, he wasn’t defending the black defendants at all, but was defending instead the historical significance of his alleged white ancestor Saer de Quincy.



LA AMISTAD

JOSEPH CINQUÉ

1819

 March 3, Wednesday: An executive meeting of the Gesellschaft der Musikfreunde in Vienna, it was decided that Jan Václav Vorísek should henceforth conduct the concerts and have a greater say in the choice of music. He would conduct the following two performances.

This day marked the end of [Salma Hale](#)'s term as an elected member of the 15th Federal Congress. He would land on his feet as clerk of the [New Hampshire](#) Supreme Court (until 1834). The US Congress enacted a piece of legislation which would be misused later, in the case *The U.S. v. The Libelants, etc., of the Schooner Amistad*.

"An Act in addition to the Acts prohibiting the slave trade."
STATUTES AT LARGE, III. 532. For proceedings in Congress, see SENATE JOURNAL, 15th Congress, 2d session, pages 338, 339, 343, 345, 350, 362; HOUSE JOURNAL, 15th Congress, 2d session, pages 9-19, 42-3, 150, 179, 330, 334, 341, 343, 352.



JOSEPH CINQUÉ

LA AMISTAD

The act prohibited the importation of persons to be sold here as slaves. When the schooner *La Amistad* entered American waters, it would later be falsely argued by this government, they were slaves who had previously stolen themselves from their lawful owners, and were importing themselves in violation of the law. It would take the Supreme Court decision of March 9, 1841 to correct this preposterous government allegation, thus finding in error the circuit court's affirmation of the district court's decree in the case.



INTERNATIONAL SLAVE TRADE

Due to the continued profitability of the illegal importation of slaves into the US, this legislation offered a bounty of \$50 to informers. If these self-importers aboard the *Amistad* had turned themselves in, then, perhaps they would have been entitled to collect fifty bucks apiece for informing upon themselves!

SLAVERY

W.E. Burghardt Du Bois: To remedy the obvious defects of the Act of 1807 two courses were possible: one, to minimize the crime of transportation, and, by encouraging informers, to concentrate efforts against the buying of smuggled slaves; the other, to make the crime of transportation so great that no slaves would be imported. The Act of 1818 tried the first method; that of 1819, the second.¹⁵ The latter was obviously the more upright and logical, and the only method deserving thought even in 1807; but the Act of 1818 was the natural descendant of that series of compromises which began in the Constitutional Convention, and which, instead of postponing the settlement of critical questions to more favorable times, rather aggravated and

15. The first method, represented by the Act of 1818, was favored by the South, the Senate, and the Democrats; the second method, represented by the Act of 1819, by the North, the House, and by the as yet undeveloped but growing Whig party.



complicated them.

The immediate cause of the Act of 1818 was the Amelia Island scandal.¹⁶ Committees in both Houses reported bills, but that of the Senate finally passed. There does not appear to have been very much debate.¹⁷ The sale of Africans for the benefit of the informer and of the United States was strongly urged "as the only means of executing the laws against the slave trade as experience had fully demonstrated since the origin of the prohibition."¹⁸ This proposition was naturally opposed as "inconsistent with the principles of our Government, and calculated to throw as wide open the door to the importation of slaves as it was before the existing prohibition."¹⁹ The act, which became a law April 20, 1818,²⁰ was a poorly constructed compromise, which virtually acknowledged the failure of efforts to control the trade, and sought to remedy defects by pitting cupidity against cupidity, informer against thief. One-half of all forfeitures and fines were to go to the informer, and penalties for violation were changed as follows: –

For equipping a slaver, instead of a fine of \$20,000, a fine of \$1000 to \$5000 and imprisonment from 3 to 7 years.

For transporting Negroes, instead of a fine of \$5000 and forfeiture of ship and Negroes, a fine of \$1000 to \$5000 and imprisonment from 3 to 7 years.

For actual importation, instead of a fine of \$1000 to \$10,000 and imprisonment from 5 to 10 years, a fine of \$1000 to \$10,000, and imprisonment from 3 to 7 years.

For knowingly buying illegally imported Negroes, instead of a fine of \$800 for each Negro and forfeiture, a fine of \$1000 for each Negro.

The burden of proof was laid on the defendant, to the extent that he must prove that the slave in question had been imported at least five years before the prosecution. The slaves were still left to the disposal of the States.

This statute was, of course, a failure from the start,²¹ and at the very next session Congress took steps to revise it. A bill was reported in the House, January 13, 1819, but it was not discussed till March.²² It finally passed, after "much debate."²³

The Senate dropped its own bill, and, after striking out the

16. Committees on the slave-trade were appointed by the House in 1810 and 1813; the committee of 1813 recommended a revision of the laws, but nothing was done: ANNALS OF CONGRESS, 11 Congress 3 session, page 387; 12th Congress 2d session, pages 1074, 1090. The presidential message of 1816 led to committees on the trade in both Houses. The committee of the House of Representatives reported a joint resolution on abolishing the traffic and colonizing the Negroes, also looking toward international action. This never came to a vote: SENATE JOURNAL, 14th Congress 2d session, pages 46, 179, 180; HOUSE JOURNAL, 14th Congress 2d session, pages 25, 27, 380; HOUSE DOCUMENT, 14th Congress 2d session, II. No. 77. Finally, the presidential message of 1817 (HOUSE JOURNAL, 15th Congress 1st session, page 11), announcing the issuance of orders to suppress the Amelia Island establishment, led to two other committees in both Houses. The House committee under Middleton made a report with a bill (AMERICAN STATE PAPERS, MISCELLANEOUS, II. No. 441), and the Senate committee also reported a bill.

17. The Senate debates were entirely unreported, and the report of the House debates is very meagre. For the proceedings, see SENATE JOURNAL, 15th Congress 1st session, pages 243, 304, 315, 333, 338, 340, 348, 377, 386, 388, 391, 403, 406; HOUSE JOURNAL, 15th Congress 1st session, pages 19, 20, 29, 51, 92, 131, 362, 410, 450, 452, 456, 468, 479, 484, 492, 505.

18. Simkins of South Carolina, Edwards of North Carolina, and Pindall: ANNALS OF CONGRESS, 15th Congress 1st session, page 1740.

19. Hugh Nelson of Virginia: ANNALS OF CONGRESS, 15th Congress 1st session, page 1740.

20. STATUTES AT LARGE, III. 450. By this act the first six sections of the Act of 1807 were repealed.

21. Or, more accurately speaking, every one realized, in view of the increased activity of the trade, that it would be a failure.



provision for the death penalty, passed the bill as it came from the House.²⁴ The House acquiesced, and the bill became a law, March 3, 1819,²⁵ in the midst of the Missouri trouble. This act directed the President to use armed cruisers on the coasts of the United States and Africa to suppress the slave-trade; one-half the proceeds of the condemned ship were to go to the captors as bounty, provided the Africans were safely lodged with a United States marshal and the crew with the civil authorities. These provisions were seriously marred by a proviso which Butler of Louisiana, had inserted, with a "due regard for the interests of the State which he represented," viz., that a captured slaver must always be returned to the port whence she sailed.²⁶ This, of course, secured decided advantages to Southern slave-traders. The most radical provision of the act was that which directed the President to "make such regulations and arrangements as he may deem expedient for the safe keeping, support, and removal beyond the limits of the United States, of all such negroes, mulattoes, or persons of colour, as may be so delivered and brought within their jurisdiction;" and to appoint an agent in Africa to receive such Negroes.²⁷ Finally, an appropriation of \$100,000 was made to enforce the act.²⁸ This act was in some measure due to the new colonization movement; and the return of Africans recaptured was a distinct recognition of its efforts, and the real foundation of Liberia.

To render this straightforward act effective, it was necessary to add but one measure, and that was a penalty commensurate with the crime of slave stealing. This was accomplished by the Act of May 15, 1820,²⁹ a law which may be regarded as the last of the Missouri Compromise measures. The act originated from the various bills on piracy which were introduced early in the sixteenth Congress. The House bill, in spite of opposition, was amended so as to include slave-trading under piracy, and passed.

22. Nov. 18, 1818, the part of the presidential message referring to the slave-trade was given to a committee of the House, and this committee also took in hand the House bill of the previous session which the Senate bill had replaced: HOUSE JOURNAL, 15th Congress 2d session, pages 9-19, 42, 150, 179, 330, 334, 341, 343, 352.

23. Of which little was reported: ANNALS OF CONGRESS, 15th Congress 2d session, pages 1430-31. Strother opposed, "for various reasons of expediency," the bounties for captors. Nelson of Virginia advocated the death penalty, and, aided by Pindall, had it inserted. The vote on the bill was 57 to 45.

24. The Senate had also had a committee at work on a bill which was reported Feb. 8, and finally postponed: SENATE JOURNAL, 15th Congress 2d session, pages 234, 244, 311-2, 347. The House bill was taken up March 2: ANNALS OF CONGRESS, 15th Congress 2d session, page 280.

25. STATUTES AT LARGE, III. 532.

26. ANNALS OF CONGRESS, 15th Congress 2d session, page 1430. This insured the trial of slave-traders in a sympathetic slave State, and resulted in the "disappearance" of many captured Negroes.

27. STATUTES AT LARGE, III. 533.

28. The first of a long series of appropriations extending to 1869, of which a list is given on the next page. The totals are only approximately correct. Some statutes may have escaped me, and in the reports of moneys the surpluses of previous years are not always clearly distinguishable.

29. In the first session of the sixteenth Congress, two bills on piracy were introduced into the Senate, one of which passed, April 26. In the House there was a bill on piracy, and a slave-trade committee reported recommending that the slave-trade be piracy. The Senate bill and this bill were considered in Committee of the Whole, May 11, and a bill was finally passed declaring, among other things, the traffic piracy. In the Senate there was "some discussion, rather on the form than the substance of these amendments," and "they were agreed to without a division": SENATE JOURNAL, 16th Congress 1st session, pages 238, 241, 268, 287, 314, 331, 346, 350, 409, 412, 417, 420, 422, 424, 425; HOUSE JOURNAL, 16th Congress 1st session, pages 113, 280, 453, 454, 494, 518, 520, 522, 537; ANNALS OF CONGRESS, 16th Congress 1st session, pages 693-4, 2231, 2236-7, etc. The debates were not reported.



The Senate agreed without a division. This law provided that direct participation in the slave-trade should be piracy, punishable with death.³⁰

STATUTES AT LARGE

VOLUME	PAGE	DATE	AMOUNT APPROPRIATED
III.	533-4	March 3, 1819	\$100,000
III.	764	March 3, 1823	50,000
IIV.	141	March 14, 1826	32,000
IIV.	208	March 2, 1827	36,710 20,000
IIV.	302	May 24, 1828	30,000
IIV.	354	March 2, 1829	16,000
IIV.	462	March 2, 1831	16,000
IIV.	615	February 20, 1833	5,000
IIV.	67	January 24, 1834	5,000
IV.	157-8	March 3, 1837	11,413 .57
IV.	501	August 4, 1842	10,543 .42
IV.	615	March 3, 1843	5,000
IIX.	96	August 10, 1846	25,000
IXI.	90	August 18, 1856	8,000
IXI.	227	March 3, 1857	8,000
IXI.	404	March 3, 1859	75,000
IXII.	21	May 26, 1860	40,000
IXII.	132	February 19, 1861	900,000
IXII.	219	March 2, 1861	900,000
IXII.	639	February 4, 1863	17,000
IXIII.	424	January 24, 1865	17,000
IXIV.	226	July 25, 1866	17,000
IXIV.	415	February 28, 1867	17,000
IXV.	58	March 30, 1868	12,500
IXV.	321	March 3, 1869	12,500

30. STATUTES AT LARGE, III. 600-1. This act was in reality a continuation of the piracy Act of 1819, and was only temporary. The provision was, however, continued by several acts, and finally made perpetual by the Act of Jan. 30, 1823: STATUTES AT LARGE, III. 510-4, 721. On March 3, 1823, it was slightly amended so as to give district courts jurisdiction.



JOSEPH CINQUÉ

LA AMISTAD

Total, 50 years	\$ 2,386,666.99
Minus surpluses re-appropriated (approximate)	48,666.99?
	<u>\$ 2,338,000.00</u>
Cost of squadron, 1843-58, @ \$384,500 per year (HOUSE EXECUTIVE DOCUMENT, 31st Cong., 1st sess., IX. No. 73)	5,767,500
Returning slaves on "Wildfire" (STATUTES AT LARGE, XII. 41)	250,000
Approximate cost of squadron, 1858-66, probably not less than \$500,000 per year	(?)4,000,000
Approximate money cost of suppressing the slave-trade	(?)\$ 12,355,500

Cf. Kendall's Report: SENATE DOCUMENT, 21st Congress 2d session, I. No. 1, pages 211-8; AMERICAN STATE PAPERS, NAVAL, III. No. 429 E.; also Reports of the Secretaries of the Navy from 1819 to 1860.

THE FUTURE IS MOST READILY PREDICTED IN RETROSPECT





LA AMISTAD

JOSEPH CINQUÉ

1820



Would Secretary of State [John Quincy Adams](#) be the friend of the slave? At a time when this man could have been putting his whole being and future on the line by defending the personhood of slaves, he was doing nothing of the sort. In this year in which as part of the effort to suppress the [international slave trade](#) the [Antelope](#) was being captured with a cargo of 281 slaves by the revenue cutter *USS Dallas*, Adams was serving as President Monroe’s Secretary of State. While, to his diary, he commented that someone should step up and defend those slaves as persons, in fact he involved himself in the case in no way.

Date	Slave-trade Abolished by
1802	Denmark
1807	Great Britain; United States
1813	Sweden
1814	Netherlands
1815	Portugal (north of the equator)
1817	Spain (north of the equator)
1818	France
1820	Spain
1829	Brazil (?)
1830	Portugal

There was a critical difference in international law between the [Antelope](#) seizure of 1820, involving a Spanish flag vessel at a time when Spain still sanctioned the trade, and the [La Amistad](#) case of 1839 involving a rebellion on what, at least legally, was a [pirate](#) ship. Unfortunately, Adams was more sensitive to such legal niceties than he ever would become to real issues such as human freedom. A prick he was, a prig he was, a self-righteous posturer he was — hero of human freedom never would he be.³¹



“It is simply crazy that there should ever have come into being a world with such a sin in it, in which a man is set apart because of his color – the superficial fact about a human being. Who could **want** such a world? For an American fighting for his love of country, that the last hope of earth should from its beginning have swallowed [slavery](#), is an irony so withering, a justice so intimate in its rebuke of pride, as to measure only with God.”



– Stanley Cavell, *MUST WE MEAN WHAT WE SAY?*
1976, page 141

31. Remember that in 1783 [John Quincy Adams](#) had visited the British Museum in London to view the seal of his ancestor Saer de Quincy upon the original parchment of the Magna Carta. He would come to consider his representing the blacks of the [La Amistad](#) as of the greatest importance only because the *Amistad* had been seized by the [USS Washington](#) without warrant, in a “gross violation” by the US government of a principle underlying this foundational document which his eponymous ancestor had helped to create. In other words, he wasn’t defending the black defendants at all — but was defending instead the historical significance of his alleged white ancestor Saer de Quincy.



He had relatives down south, who worked black slaves on their plantations, and there is no evidence that this familial entanglement with slavery ever gave him any little bit of trouble. Note that the white people of the South, who earlier had been not at all fixated upon the absolute value of their system of human [enslavement](#), had in fact been perfectly congenial to speculations that it might be an excellent idea to simply walk away from all this, had by this point generally revised their attitude toward human enslavement. Their economic self-interest had changed due to the immense profits to be derived from the labor-intensive cotton crop: by this point they were vehemently in favor of race slavery.

W.E. Burghardt Du Bois: The attitude of the South toward the slave-trade changed *pari passu* with this development of the cotton trade. From 1808 to 1820 the South half wished to get rid of a troublesome and abnormal institution, and yet saw no way to do so. The fear of insurrection and of the further spread of the disagreeable system led her to consent to the partial prohibition of the trade by severe national enactments. Nevertheless, she had in the matter no settled policy: she refused to support vigorously the execution of the laws she had helped to make, and at the same time she acknowledged the theoretical necessity of these laws. After 1820, however, there came a gradual change. The South found herself supplied with a body of slave laborers, whose number had been augmented by large illicit importations, with an abundance of rich land, and with all other natural facilities for raising a crop which was in large demand and peculiarly adapted to slave labor. The increasing crop caused a new demand for slaves, and an interstate slave-traffic arose between the Border and the Gulf States, which turned the former into slave-breeding districts, and bound them to the slave States by ties of strong economic interest.

As the cotton crop continued to increase, this source of supply became inadequate, especially as the theory of land and slave consumption broke down former ethical and prudential bounds. It was, for example, found cheaper to work a slave to death in a few years, and buy a new one, than to care for him in sickness and old age; so, too, it was easier to despoil rich, new land in a few years of intensive culture, and move on to the Southwest, than to fertilize and conserve the soil.³² Consequently, there early came a demand for land and slaves greater than the country could supply. The demand for land showed itself in the annexation of Texas, the conquest of Mexico, and the movement toward the acquisition of Cuba. The demand for slaves was manifested in the illicit traffic that noticeably increased about 1835, and reached large proportions by 1860. It was also seen in a disposition to attack the government for stigmatizing the trade as criminal,³³ then in a disinclination to take any measures which would have rendered our repressive laws effective; and finally in such articulate declarations by prominent men as this: "Experience having

32. Cf. United States census reports; and Olmsted, *THE COTTON KINGDOM*.

33. As early as 1836 Calhoun declared that he should ever regret that the term "piracy" had been applied to the slave-trade in our laws: Benton, *ABRIDGMENT OF DEBATES*, XII. 718.



LA AMISTAD

JOSEPH CINQUÉ

settled the point, that this Trade *cannot be abolished by the use of force*, and that blockading squadrons serve only to make it more profitable and more cruel, I am surprised that the attempt is persisted in, unless as it serves as a cloak to some other purposes. It would be far better than it now is, for the African, if the trade was free from all restrictions, and left to the mitigation and decay which time and competition would surely bring about."³⁴

34. Governor J.H. Hammond of South Carolina, in LETTERS TO CLARKSON, No. 1, page 2.

HDT

WHAT?

INDEX

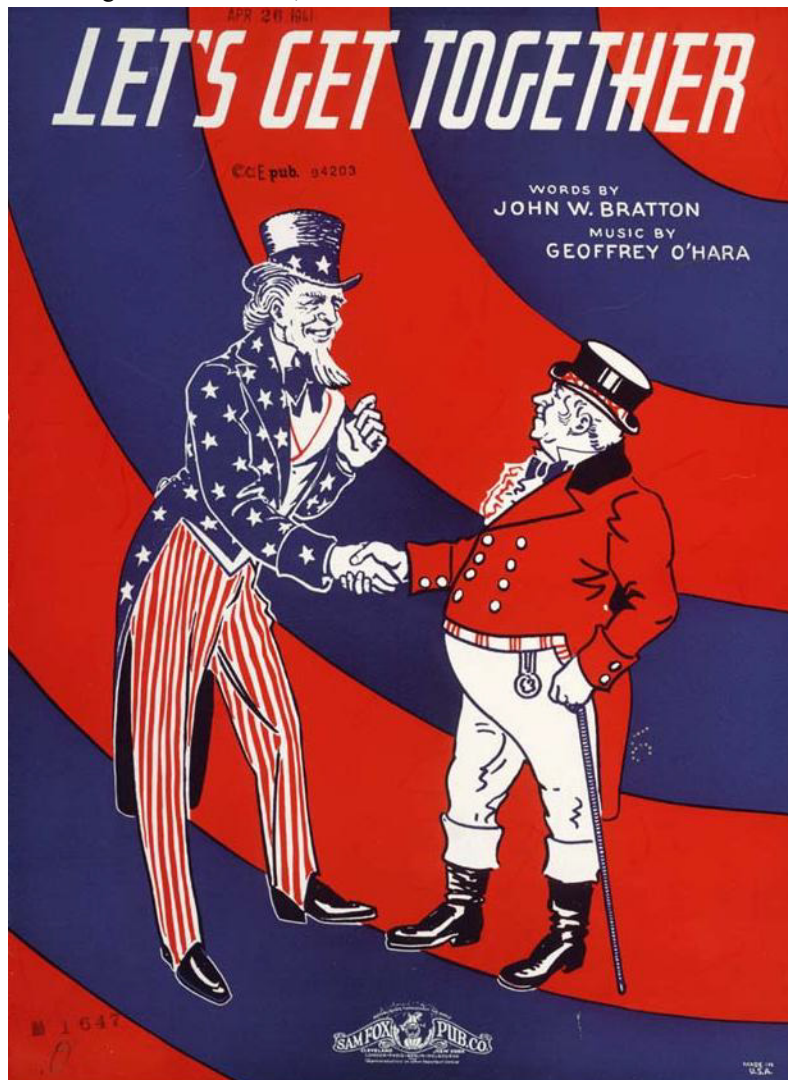
JOSEPH CINQUÉ

LA AMISTAD

1824



[John Quincy Adams](#) had been one of the American commissioners who had negotiated the December 24, 1814 Treaty of Ghent ending the [War of 1812](#), who had committed the United States and Britain “to use their best



endeavors” to end the [international slave trade](#). As secretary of state and as president, however, Adams had had something of greater moment on his mind. He consistently opposed any British search of American vessels, including [negreros](#) flying under the American flag, as a violation of the vital principle of freedom of the seas. When asked in 1824 by the British minister to Washington if he could think of a greater evil than the slave trade, he replied that there was indeed a greater evil of which he could think, for to grant that right of search on the high seas would be to “make slaves of ourselves” — and that would be an even greater evil than



LA AMISTAD

JOSEPH CINQUÉ

continuation of the trade in black slaves.³⁵

LA AMISTAD
SLAVERY

W.E. Burghardt Du Bois: In 1839 Pope Gregory XVI. stigmatized the slave-trade "as utterly unworthy of the Christian name;" and at the same time, although proscribed by the laws of every civilized State, the trade was flourishing with pristine vigor. Great advantage was given the traffic by the fact that the United States, for two decades after the abortive attempt of 1824, refused to co-operate with the rest of the civilized world, and allowed her flag to shelter and protect the slave-trade. If a fully equipped slaver sailed from New York, Havana, Rio Janeiro, or Liverpool, she had only to hoist the stars and stripes in order to proceed unmolested on her piratical voyage; for there was seldom a United States cruiser to be met with, and there were, on the other hand, diplomats at Washington so jealous of the honor of the flag that they would prostitute it to crime rather than allow an English or a French cruiser in any way to interfere. Without doubt, the contention of the United States as to England's pretensions to a Right of Visit was technically correct. Nevertheless, it was clear that if the slave-trade was to be suppressed, each nation must either zealously keep her flag from fraudulent use, or, as a labor-saving device, depute to others this duty for limited places and under special circumstances. A failure of any one nation to do one of these two things meant that the efforts of all other nations were to be fruitless. The United States had invited the world to join her in denouncing the slave-trade as piracy; yet, when such a pirate was waylaid by an English vessel, the United States complained or demanded reparation. The only answer which this country for years returned to the long-continued exposures of American slave-traders and of the fraudulent use of the American flag, was a recital of cases where Great Britain had gone beyond her legal powers in her attempt to suppress the slave-trade.³⁶ In the face of overwhelming evidence to the contrary, Secretary of State Forsyth declared, in 1840, that the duty of the United States in the matter of the slave-trade "has been faithfully performed, and if the traffic still exists as a disgrace to humanity, it is to be imputed to nations with whom Her Majesty's Government has formed and maintained the most intimate connexions, and to whose Governments Great Britain has paid for the right of active intervention in order to its complete extirpation."³⁷ So zealous was Stevenson, our minister to England, in denying the Right of Search, that he boldly informed

35. Remember that in 1783 [John Quincy Adams](#) had visited the British Museum in London to view the seal of his ancestor Saer de Quincy upon the original parchment of the Magna Carta. He would come to consider his representing the blacks of the [La Amistad](#) as of the greatest importance only because the *Amistad* had been seized by the [USS Washington](#) without warrant, in a "gross violation" by the US government of a principle underlying this foundational document which his eponymous ancestor had helped to create. In other words, he wasn't defending the black defendants at all, but was defending instead the historical significance of his alleged white ancestor Saer de Quincy.

36. Cf. BRITISH AND FOREIGN STATE PAPERS, from 1836 to 1842.

37. BRITISH AND FOREIGN STATE PAPERS, 1839-40, page 940.



JOSEPH CINQUÉ

LA AMISTAD

Palmerston, in 1841, "that there is no shadow of pretence for excusing, much less justifying, the exercise of any such right. That it is wholly immaterial, whether the vessels be equipped for, or actually engaged in slave traffic or not, and consequently the right to search or detain even slave vessels, must be confined to the ships or vessels of those nations with whom it may have treaties on the subject."³⁸ Palmerston courteously replied that he could not think that the United States seriously intended to make its flag a refuge for slave-traders;³⁹ and Aberdeen pertinently declared: "Now, it can scarcely be maintained by Mr. Stevenson that Great Britain should be bound to permit her own subjects, with British vessels and British capital, to carry on, before the eyes of British officers, this detestable traffic in human beings, which the law has declared to be piracy, merely because they had the audacity to commit an additional offence by fraudulently usurping the American flag."⁴⁰ Thus the dispute, even after the advent of Webster, went on for a time, involving itself in metaphysical subtleties, and apparently leading no nearer to an understanding.⁴¹

In 1838 a fourth conference of the powers for the consideration of the slave-trade took place at London. It was attended by representatives of England, France, Russia, Prussia, and Austria. England laid the *projet* of a treaty before them, to which all but France assented. This so-called Quintuple Treaty, signed December 20, 1841, denounced the slave-trade as piracy, and declared that "the High Contracting Parties agree by common consent, that those of their ships of war which shall be provided with special warrants and orders ... may search every merchant-vessel belonging to any one of the High Contracting Parties which shall, on reasonable grounds, be suspected of being engaged in the traffic in slaves." All captured slavers were to be sent to their own countries for trial.⁴²

While the ratification of this treaty was pending, the United States minister to France, [Lewis Cass](#), addressed an official note to Guizot at the French foreign office, protesting against the institution of an international Right of Search, and rather grandiloquently warning the powers against the use of force to accomplish their ends. This extraordinary epistle, issued on the minister's own responsibility, brought a reply denying that the creation of any "new principle of international law, whereby the vessels even of those powers which have not participated in the arrangement should be subjected to the right of search," was ever intended, and affirming that no such extraordinary interpretation could be deduced from the Convention. Moreover, M. Guizot hoped that the United States, by agreeing to this treaty, would "aid, by its most sincere endeavors, in the definitive abolition of the trade."⁴³ Cass's theatrical protest

38. HOUSE DOCUMENT, 27th Congress 1st session, No. 34, pages 5-6.

39. SENATE DOCUMENT, 29th Congress 1st session, VIII. No. 377, page 56.

40. SENATE DOCUMENT, 29th Congress 1st session, VIII. No. 377, page 72.

41. SENATE DOCUMENT, 29th Congress 1st session, VIII. No. 377, pages 133-40, etc.

42. BRITISH AND FOREIGN STATE PAPERS, 1841-2, page 269 ff.



LA AMISTAD

JOSEPH CINQUÉ

was, consciously or unconsciously, the manifesto of that growing class in the United States who wanted no further measures taken for the suppression of the slave-trade; toward that, as toward the institution of slavery, this party favored a policy of strict *laissez-faire*.

1832

➡ The US Congress commissioned [Horatio Greenough](#) to do a larger-than-life statue of [George Washington](#), prince of our national liberty, for its rotunda — of course, at that time nobody had the slightest inkling that the sculptor, off there in Rome messing around with his 20 tons of Carrera marble, would be depicting the big daddy of this country attired but in sandals and a short sheet, exposed from the waist up.⁴⁴



It's obviously intended to represent a white guy.

CHANGE IS ETERNITY, STASIS A FIGMENT



LA AMISTAD

JOSEPH CINQUÉ

44. Don't you agree that it would have been ever so much more appropriate to our national condition, had this sculptor the artistic imagination to have displayed the father of our country naked instead **from the waist down**? This exposure of a slavemaster would have served to remind us constantly of what in 1841 [John Quincy Adams](#) needed to point out to the several justices of the United States Supreme Court in the case of the mutiny aboard the good ship [La Amistad](#):

The words slave and slavery are studiously excluded from the Constitution. Circumlocutions are the fig-leaves under which these parts of the body politic are decently concealed.





JOSEPH CINQUÉ

LA AMISTAD

1835



End of April: The *Pilgrim*,⁴⁵ carrying [Richard Henry Dana, Jr.](#) collecting hides along the coast of [California](#), arrived at Mission San Juan Capistrano.

45. The tall ship *Pilgrim* now docked among the pleasure craft of opulent Dana Point, California and owned by the Orange County Marine Institute has recently be refitted for an undisclosed fee for a starring role in the Stephen Spielberg film “Amistad,” which will also feature such human actors as Anthony Hopkins and Morgan Freeman. In this film it will bear the name *Tecora* and will represent not the [La Amistad](#) itself but the slaver which had previously brought its cargo of 53 kidnap victims from Africa to Cuba.



AND NOW, FOR SOMETHING ENTIRELY DIFFERENT, A REPORT FROM OUR SAILOR:

Coasting along on the quiet shore of the Pacific, we came to anchor, in twenty fathoms' water, almost out at sea, as it were, and directly abreast of a steep hill which overhung the water, and was twice as high as our royal-mast-head. We had heard much of this place, from the *Lagoda's* crew, who said it was the worst place in California. The shore is rocky, and directly exposed to the south-east, so that vessels are obliged to slip and run for their lives on the first sign of a gale; and late as it was in the season, we got up our slip-rope and gear, though we meant to stay only twenty-four hours. We pulled the agent ashore, and were ordered to wait for him, while he took a circuitous way round the hill to the mission, which was hidden behind it. We were glad of the opportunity to examine this singular place, and hauling the boat up and making her well fast, took different directions up and down the beach, to explore it.

San Juan is the only romantic spot in California. The country here for several miles is high table-land, running boldly to the shore, and breaking off in a steep hill, at the foot of which the waters of the Pacific are constantly dashing. For several miles the water washes the very base of the hill, or breaks upon ledges and fragments of rocks which run out into the sea. Just where we landed was a small cove, or "bight," which gave us, at high tide, a few square feet of sand-beach between the sea and the bottom of the hill. This was the only landing-place. Directly before us, rose the perpendicular height of four or five hundred feet. How we were to get hides down, or goods up, upon the table-land on which the mission was situated, was more than we could tell. The agent had taken a long circuit, and yet had frequently to jump over breaks, and climb up steep places, in the ascent. No animal but a man or monkey could get up it. However, that was not our look-out; and knowing that the agent would be gone an hour or more, we strolled about, picking up shells, and following the sea where it tumbled in, roaring and spouting, among the crevices of the great rocks. What a sight, thought I, must this be in a south-easter! The rocks were as large as those of Nahant or Newport, but, to my eye, more grand and broken. Beside, there was a grandeur in everything around, which gave almost a solemnity to the scene: a silence and solitariness which affected everything! Not a human being but ourselves for miles; and no sound heard but the pulsations of the great Pacific! and the great steep hill rising like a wall, and cutting us off from all the world, but the "world of waters!" I separated myself from the rest and sat down on a rock, just where the sea ran in and formed a fine spouting horn. Compared with the plain, dull sand-beach of the rest of the coast, this grandeur was as refreshing as a great rock in a weary land. It was almost the first time that I had been positively alone— free from the sense that human beings were at my elbow, if not talking with me— since I had left home. My better nature returned strong upon me. Everything was in accordance with my state of feeling, and I experienced a glow of pleasure at finding that what of poetry and romance I ever had in me, had not been entirely deadened by the laborious and frittering life I had led. Nearly an hour did I sit, almost lost in the luxury of this entire new scene of the play in which I had been so long acting, when I was aroused by the distant shouts of my companions, and saw that they were collecting together, as the agent had made his appearance, on his way back to our boat.

We pulled aboard, and found the long-boat hoisted out, and nearly laden with goods; and after dinner, we all went on shore in the quarter-boat, with the long-boat in tow. As we drew in, we found an ox-cart and a couple of men standing directly on the brow of the hill; and having landed, the captain took his way round the hill, ordering me and one other to follow him. We followed, picking our way out, and jumping and scrambling up, walking over briars and prickly pears, until we came to the top. Here the country stretched out for miles as far as the eye could reach, on a level, table surface; and the only habitation in sight was the small white mission of San Juan Capistrano, with a few Indian huts about it, standing in a small hollow, about a mile from where we were. Reaching the brow of the hill where the cart stood, we found several piles of hides, and Indians sitting round them.



THE REPORT FROM OUR SAILOR DANA, CONCLUDED:

One or two other carts were coming slowly on from the mission, and the captain told us to begin and throw the hides down. This, then, was the way they were to be got down: thrown down, one at a time, a distance of four hundred feet! This was doing the business on a great scale.

Standing on the edge of the hill and looking down the perpendicular height, the sailors,

— That walk upon the beach,
Appeared like mice; and our tall anchoring bark
Diminished to her cock; her cock a buoy
Almost too small for sight.”

Down this height we pitched the hides, throwing them as far out into the air as we could; and as they were all large, stiff, and doubled, like the cover of a book, the wind took them, and they swayed and eddied about, plunging and rising in the air, like a kite when it has broken its string. As it was now low tide, there was no danger of their falling into the water, and as fast as they came to ground, the men below picked them up, and taking them on their heads, walked off with them to the boat. It was really a picturesque sight: the great height; the scaling of the hides; and the continual walking to and fro of the men, who looked like mites, on the beach! This was the romance of hide-droghing!

Some of the hides lodged in cavities which were under the bank and out of our sight, being directly under us; but by sending others down in the same direction, we succeeded in dislodging them. Had they remained there, the captain said he should have sent on board for a couple of pairs of long halyards, and got some one to have gone down for them. It was said that one of the crew of an English brig went down in the same way, a few years before. We looked over, and thought it would not be a welcome task, especially for a few paltry hides; but no one knows what he can do until he is called upon; for, six months afterwards, I went down the same place by a pair of top-gallant studding-sail halyards, to save a half a dozen hides which had lodged there.

Having thrown them all down, we took our way back again, and found the boat loaded and ready to start. We pulled off; took the hides all aboard; hoisted in the boats; hove up our anchor; made sail; and before sundown, were on our way to San Diego.



LA AMISTAD

JOSEPH CINQUÉ

1837



The conspiracy of secrecy entered into by the founding fathers, not to discuss the work done at the Constitutional Convention for fifty years, expired. It was revealed that the founding fathers had not intended, in employing vague phrases such as “We the People,” that the protections would gradually be expanded until they included blacks, and Indians, and women.

Interest alone [by which was meant prosperity, was] the governing principle.

It was revealed, by the expiration of this oath of secrecy in regard to the machinations that had produced [the federal Constitution](#), that the president of the Pennsylvania Society for the Abolition of [Slavery](#), [Benjamin Franklin](#), had betrayed the American slave. During the course of the Constitutional Convention he had not so much as **brought the topic up for discussion**. The convention had simply capitulated to the American [slaveholders](#) — and the freedom of women of course never crossed anyone’s mind. The only consideration given to the fact that some Americans were being held in bondage was to allow those who were chaining them to cast more weighty votes than non-slaveholders –in their behalf– in all the national elections!



“It is simply crazy that there should ever have come into being a world with such a sin in it, in which a man is set apart because of his color – the superficial fact about a human being. Who could **want** such a world? For an American fighting for his love of country, that the last hope of earth should from its beginning have swallowed [slavery](#), is an irony so withering, a justice so intimate in its rebuke of pride, as to measure only with God.”



– Stanley Cavell, MUST WE MEAN WHAT WE SAY?
1976, page 141

HDT

WHAT?

INDEX

JOSEPH CINQUÉ

LA AMISTAD

The Constitution of the United States of America was thus revealed to have been a “Covenant with Death and an Agreement with Hell,” to paraphrase ISAIAH 28:15 in the manner favored by abolitionists.⁴⁶



What to do? —To replace the expired 50-year gag agreement on discussing the proceedings of the 1887 Constitutional Convention, Congress enacted a new gag rule that would effectively suppress any and all congressional debate on anything and everything having to do with the national slavery issue.

As the result of a Connecticut trial, *Jackson v. Bullock*, any [slave](#) brought into Connecticut from a slave state of the federal union would be considered to be immediately free. This followed the 1836 Massachusetts case of *Commonwealth v. Aves* which in turn followed the 1772 British case, *Somerset v. Stewart*. [New York](#) and Pennsylvania overrode the Somerset decision by statutory enactments, according to which Pennsylvania granted 9 months transit until 1847 and New York granted 9 months transit until 1841.

In this year the Reverend Horace Bushnell was warning America to protect its Anglo-Saxon blood from the

46. In a sense, the correct answer to the standard classroom question “What caused the Civil War?” would be “Uh, Ben Franklin?”

*Son of so-and-so and so-and-so, this
so-and-so helped us to gain our independence,
instructed us in economy,
and drew down lightning from the clouds.*

Repeat after me, class: “*Nobody ever does just one thing.*”

LA AMISTAD**JOSEPH CINQUÉ**

immigrant tide.

RACISM



IRISH IBERIAN



ANGLO-NEUTONIC



NEGRO

The Reverend Hosea Easton, a black abolitionist, warned sensibly that doing away with human [slavery](#) in itself would not correct America's wrong, for after that it would still be necessary for the US's whites to overcome their color prejudice which made dusky skin "a mark of degradation."

One might suppose that the [La Amistad](#) slaves would, under such an arrangement, have been free the moment they set foot on Connecticut soil, but no, they had been brought there not from a [slave](#) state of our federal union but across the [Middle Passage](#) from Africa by way of Cuba, and perhaps they weren't really slaves in not having been legally enslaved, and therefore there were two significant considerations bearing upon whether this Connecticut law having to do with slaves brought into Connecticut from a slave state of the federal union could be made to stick in court.



During this year 11 American negereros would clear from the port of Havana on their way to the coast of Africa to pick up slave cargo (HOUSE DOCUMENT, 26th Congress, 2d session V, No. 115, page 221). In particular the negerero *Washington*, named of course in honor of our founding father, was enabled by the American consul at Havana, himself (what are buddies for?), to proceed to the coast of Africa to pick up slave cargo (HOUSE DOCUMENT, 26th Congress, 2d session V, No. 115, pages 488-90, 715 ff; HOUSE DOCUMENT, 27th Congress, 1st session, No. 34, pages 18-21).

INTERNATIONAL SLAVE TRADE

YOUR GARDEN-VARIETY ACADEMIC HISTORIAN INVITES YOU TO CLIMB ABOARD A HOVERING TIME MACHINE TO SKIM IN METATIME BACK ACROSS THE GEOLOGY OF OUR PAST TIMESLICES, WHILE OFFERING UP A GARDEN VARIETY OF COGENT ASSESSMENTS OF OUR PROGRESSION. WHAT A LOAD OF CRAP. YOU SHOULD REFUSE THIS HELICOPTERISH OVERVIEW OF THE HISTORICAL PAST, FOR IN THE REAL WORLD THINGS



JOSEPH CINQUÉ

LA AMISTAD

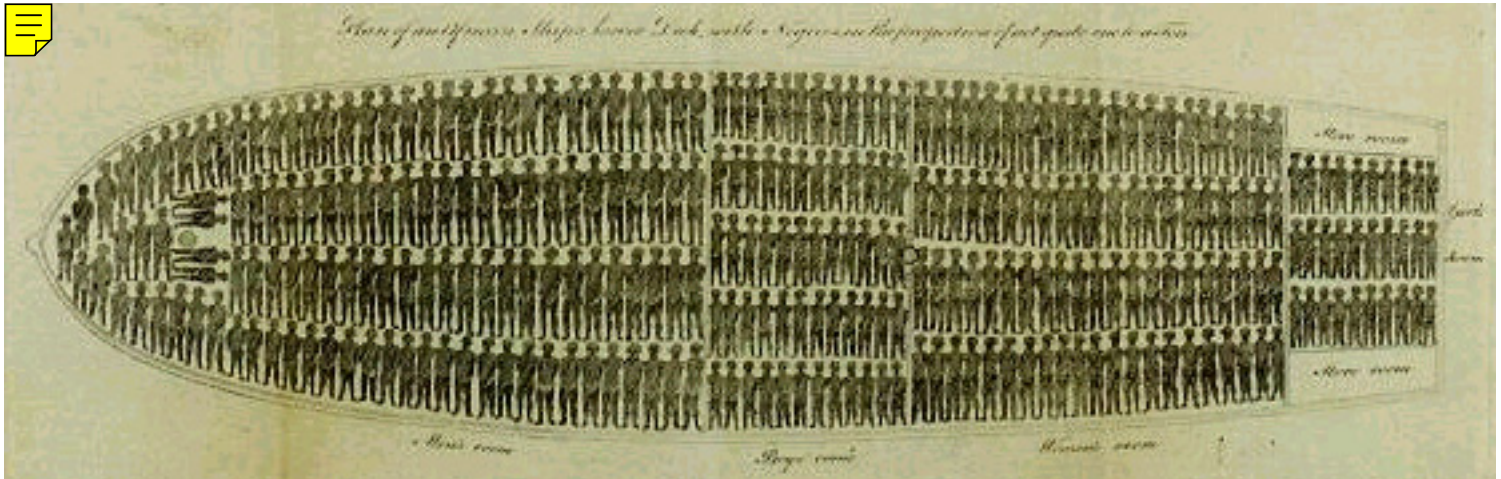
**HAPPEN ONLY AS THEY HAPPEN. WHAT THIS SORT WRITES AMOUNTS,
LIKE MERE “SCIENCE FICTION,” MERELY TO “HISTORY FICTION”:
IT’S NOT WORTH YOUR ATTENTION.**

1838

November: With no old age pensions available on [St. Helena](#), friendly societies were founded to provide sickness, death, and old age care. In this month, for instance, the Mechanics and Friendly Benefit Society was instituted, and it would be followed in 1847 by the St. Helena Poor Society, in 1871 by the Foresters, the in 1878 by the St. Helena Church Provident Society.

ST. HELENA THE HISTORIC

The Queen of Spain, recognizing that there existed a loophole in the law against the [international slave trade](#) because, once the cargo of a slave ship had successfully been sneaked ashore, that cargo was legally slaves, issued a royal decree. She urged the Captain General of Cuba to impose the strictest controls upon this continuing recruitment of slaves.



(Her royal ukase would of course be ignored.)

LA AMISTAD

A [negrero](#) flying the US flag, the *Escorpion*, master unknown, out of an unknown area of Africa with a cargo of 250 [enslaved](#) Africans on its one and only known Middle Passage voyage, arrived at Nassau, Bahamas. A slaver flying the Portuguese flag, the *Generoso Feliz*, master unknown, out of Quelimane with a cargo of 725 enslaved Africans on its first of two known Middle Passages, arrived at the port of Ilha Grande, Brazil. A Portuguese slaver, the *Cerca*, master unknown, out of an unknown area of Africa with a cargo of an unknown number of enslaved Africans on its only known such voyage, dropped anchor at Matanzas, Cuba. A slaver flying the Portuguese flag, the *Chiva*, master unknown, out of an unknown area of Africa with a cargo of 140 enslaved Africans on its one and only known Middle Passage voyage, arrived at a port of Cuba. A slaver flying the Portuguese flag, the *Andorinha*, master unknown, out of Angola with a cargo of 293 enslaved Africans on one of its four known Middle Passages, arrived at the port of Baia Botafogo, Brazil.



JOSEPH CINQUÉ


LA AMISTAD

A slaver flying the Portuguese flag, the *Minerva*, master unknown, out of Angola with a cargo of 304 enslaved Africans on its second of two known Middle Passage voyages, arrived at the port of Ponta Negra, Brazil. The Portuguese slaver *Maria Segundo*, master unknown, out of an unknown area of Africa with a cargo of 216 enslaved Africans on one of its ten-count-'em-ten known Middle Passage voyages, arrived at a port of Cuba. A slaver flying the Portuguese flag, the *Esperanca*, master unknown, out of Cabinda with a cargo of 600 enslaved Africans on one of its ten-count-'em-ten known Middle Passage voyages, arrived at Rio de Janeiro. A slaver flying the Portuguese flag, the *Flor de' Loanda*, master unknown, out of Angola with a cargo of 377 enslaved Africans on one of its five known Middle Passage voyages, arrived at Rio de Janeiro, Brazil. A slaver flying the Portuguese flag, the *Lealdade*, master unknown, out of Angola with a cargo of 357 enslaved Africans on one of its three known Middle Passage voyages, arrived at Rio de Janeiro, Brazil.

FIGURING OUT WHAT AMOUNTS TO A “HISTORICAL CONTEXT” IS WHAT THE CRAFT OF HISTORICIZING AMOUNTS TO, AND THIS NECESSITATES DISTINGUISHING BETWEEN THE SET OF EVENTS THAT MUST HAVE TAKEN PLACE BEFORE EVENT E COULD BECOME POSSIBLE, AND MOST CAREFULLY DISTINGUISHING THEM FROM ANOTHER SET OF EVENTS THAT COULD NOT POSSIBLY OCCUR UNTIL SUBSEQUENT TO EVENT E.




1839

 In this year in which the West Point cadet Abner Doubleday **was** initiating a set of rules for the game of [baseball](#) (allegedly, on June 12th at Cooperstown) but **did not** invent baseball, in Dumfriesshire, [Scotland](#), after four years of experimentation, the blacksmith Kirkpatrick Macmillan (1813-1878) introduced his pedaled bicycle. The bike had iron tires and weighed nearly 60 pounds.⁴⁷

SPORTS



 During this year a total of 23 American [negreros](#) would clear from the harbor of Havana on their way, presumably, to the coast of Africa, presumably to there load human cargoes (HOUSE DOCUMENT, 26th Congress, 2d session V, No. 115, pages 190-1, 221).

During this year a total of 5 American [negreros](#) would arrive at the port of Havana from the coast of Africa, proudly flying the American stars-and-bars (HOUSE DOCUMENT, 26th Congress, 2d session V, No. 115, page 192).

The [negrero](#) *Morris Cooper*, a vessel from Philadelphia, landed 485 Negroes in Cuba ([Niles's Register](#), LVII. 192).

The [negrero](#) *Edwin and George Crooks* was boarded by British cruisers (HOUSE DOCUMENT, 26th Congress, 2d session V, No. 115, pages 12-4, 61-4).

The [negreros](#) *Eagle*, *Clara*, and *Wyoming*, with American and Spanish flags and papers and crews made up of Americans, were captured by British naval cruisers and brought into the harbor of New-York. The United States government declined to interfere in the cases of the *Eagle* and the *Clara*, and these vessels were taken on to Jamaica. The *Wyoming*, however, was forfeited by the British to the United States (HOUSE DOCUMENT, 26th Congress, 2d session V, No. 115, pages 92-104, 109, 112, 118-9, 180-4; [Niles's Register](#), LVI. 256; LVII. 128, 208).

The [negrero](#) *Florida* was protected from British cruisers by the fact that it was able to show them American papers (HOUSE DOCUMENT, 26th Congress, 2d session V, No. 115, pages 113-5).

The part-Spanish [negrero](#) *Rebecca* was condemned at Sierra Leone (HOUSE REPORTS, 27th Congress, 3d session, III, No. 283, pages 649-54, 675-84).

The [negreros](#) *Asp*, *Laura*, and *Mary Ann Cassard*, although they were foreign, were for protection sailing under the American flag (HOUSE DOCUMENT, 26th Congress, 2d session V, No. 115, pages 126-7, 209-18;

47. In the 1997 Stephen Spielberg movie AMISTAD, we watch an individual paddling along a road astride a bicycle-like device. One reviewer therefore indignantly derogated the historical accuracy of this Hollywood movie on the grounds that it would be unrealistic to presume that the pedaled bicycle being invented in this year in Scotland would already have made its way to the New World. However, that bicycle-like contraption shown in the movie as being on Gardiner's Island in Peconic Bay, where the [La Amistad](#) mutineers had sought to refresh their water supply in August 1839, was **not** one of the many egregious factual errors of the movie. What the movie depicted was what we now term a Draisine rather than a bicycle — if you notice, the thing is being kicked along with no pedals. Machines of the sort were first seen in Paris in the 1790s and had already been perfected by Karl Drais in Baden in 1816. —Perhaps Julia Gardiner, soon to become President Tyler's wife, had managed to get a Draisine imported to Gardiner's Island, or had had one manufactured by a local blacksmith.



JOSEPH CINQUÉ

LA AMISTAD

HOUSE REPORTS, 27th Congress, 3d session, III, No. 283, page 688 ff).

The [negrero](#) *Two Friends*, of New Orleans, was equipped to sail under Spanish and Portuguese flags as well as under the American flag (HOUSE DOCUMENT, 26th Congress, 2d session V, No. 115, pages 120, 160-2, 305).

The [negrero](#) *Euphrates*, of [Baltimore](#), although it was sailing under American papers, was seized by cruisers of the British navy as Spanish property. Prior to its seizure this vessel had been boarded fifteen times (HOUSE DOCUMENT, 26th Congress, 2d session V, No. 115, pages 41-4; A.H. Foote, AFRICA AND THE AMERICAN FLAG, pages 152-6).

The American [negrero](#) *Ontario*, for purposes of carrying a cargo of [slaves](#), was temporarily “sold” to the Spanish (HOUSE DOCUMENT, 26th Congress, 2d session V, No. 115, pages 45-50).

The nationality of the [negrero](#) *Mary*, although it had originated in Philadelphia was disputed (HOUSE REPORTS, 27th Congress, 3d session, III, No. 283, pages 736-8; SENATE DOCUMENT, 29th Congress, 1st session VIII, No. 377, pages 19, 24-5).

LA AMISTAD

JOSEPH CINQUÉ

The American [negros](#) *Douglas* and *Iago* were boarded by British cruisers — the United States would demand indemnity for this interference with our rights (HOUSE REPORTS, 27th Congress, 3d session, III, No. 283, pages 542-65, 731-55; SENATE DOCUMENT, 29th Congress, 1st session VIII, No. 377, pages 39-45, 107-12, 116-24, 160-1, 181-2).

INTERNATIONAL SLAVE TRADE

A mutiny was led by [Joseph Cinqué](#),⁴⁸ with the mutineers captured but, after trial in Connecticut, helped to return to Africa.



48. His African name was Sengbe Pieh. Try pronouncing it in Spanish instead of French: it sounds like *sinke* or thereabouts. According to J.W. Barber's *A HISTORY OF THE AMISTAD CAPTIVES* (New Haven: E.L. and J.W. Barber, 1840) "Sing-gbe" was pronounced "Cin-gue," I assume intending "Singuay," and was "generally spelt Cinquez." This contemporary book offered silhouette profiles of him, and of Grabeau and others, together with brief biographical accounts. The 1840 publication date and New Haven location may give this some authenticity. Yale professors, especially the linguist Josiah Willard Gibbs, learned something of the Mende language and had much conversation with Cinqué.



JOSEPH CINQUÉ

LA AMISTAD



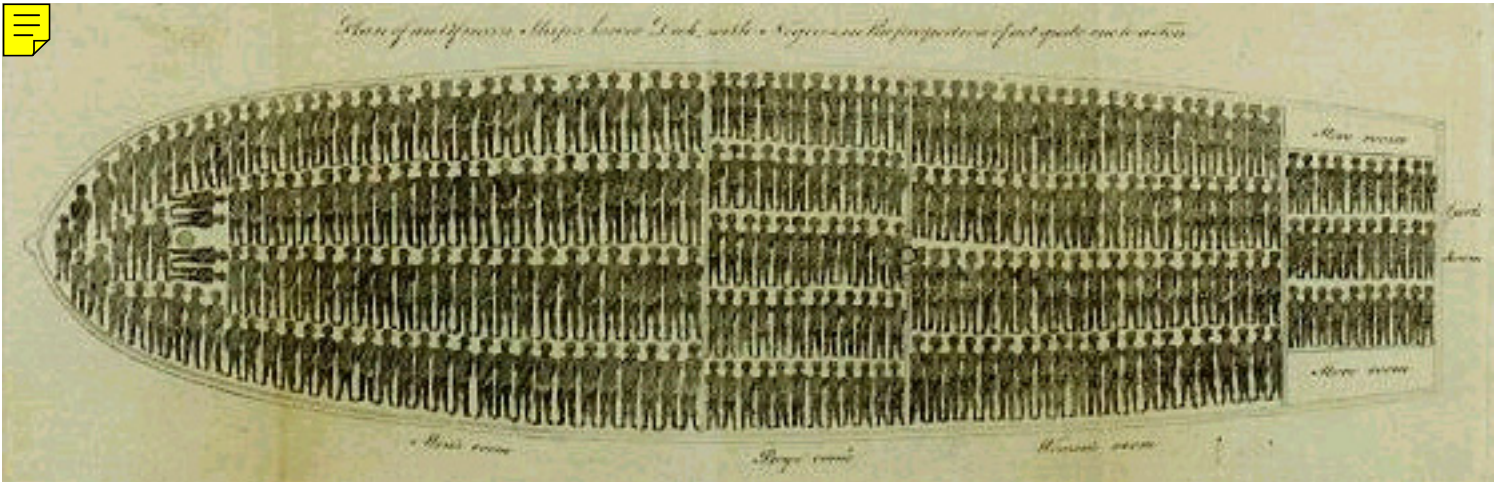


LA AMISTAD

JOSEPH CINQUÉ



What happened was as follows: 53 African natives had been kidnapped from an area now known as Sierra Leone, transported to Havana, Cuba aboard the slave ship *Tecora*,⁴⁹ and illegally sold into the Spanish slave trade.



They had been sold at auction under the standard pretext, which nobody believed, that they were native-born Cuban slaves, to two “Spanish gentlemen.” These Spaniards were transporting the Africans and other cargo to another part of Cuba on board their schooner *La Amistad* when the Africans killed the captain⁵⁰ and the cook and frightening the others of the crew overboard.

49. The tall ship *Pilgrim* now docked among the pleasure craft of opulent Dana Point CA and owned by the Orange County Marine Institute was recently be refitted for an undisclosed fee for a starring role in this Stephen Spielberg film *AMISTAD*, which also featured such human actors as Anthony Hopkins and Morgan Freeman. In this film it bore the name *Tecora* and represented not the *La Amistad* but the slaver which had previously brought its cargo of 53 kidnap victims from Africa to Cuba.

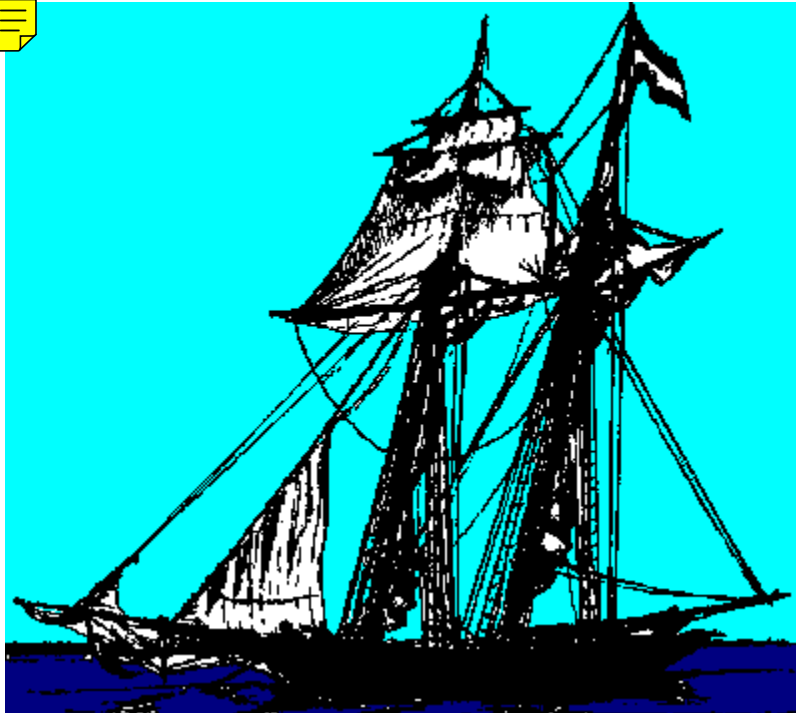
50. Captain Ramón Ferrer of the *La Amistad*, killed during the rebellion of the captives, was the owner not merely of this little coastal schooner but also two or three seagoing vessels engaged in contraband transatlantic traffic, such as the steamship *Vapor Principeño*.

[HDT](#)[WHAT?](#)[INDEX](#)

JOSEPH CINQUÉ

LA AMISTAD

The Spaniards, ordered to sail the vessel to Africa, by day sailed eastward and by night surreptitiously sailed westward, hoping to land back in Cuba or the southern United States and redeem their substantial investment. After 63 days at sea, however, the *La Amistad* was sighted in a dilapidated condition off Long Island by the US Navy and taken as a prize. The ship was towed to New London because in Connecticut [slavery](#) was still legal, and a lengthy court struggle began.



Early documents from the National Archives of the Northeast Region contain testimony and depositions relating to the first sightings of the *La Amistad* off of Long Island. Navy Lieutenant R.W. Meade testified on August 29, 1839, that “said schooner was manned by forty-five negroes some of whom had landed near said [Montauk] Point.... Also on board two Spanish Gentlemen who represented and were part owners of the cargo and of the Negroes on board who were slaves belonging to said Spanish Gentlemen....” The report enumerated the “large and valuable cargo” which the schooner was carrying at the time: “25 bags of beans, 25 boxes of raisons, 10 doz. morocco skins, 5 doz. calf skins, 11 boxes of crockery and glass, 30 pieces of muslin, 1 doz. shawls, gloves, fans, shirts ... and also 54 slaves to wit 51 male slaves and 3 young female slaves who are worth \$25,000 and while on said voyage from Havana to Principe the said slaves rose upon the captain and crew of said schooner and killed and murdered the captain and one of said crew and two more of said crew escaped and got away from said schooner....”



LA AMISTAD

JOSEPH CINQUÉ



Abolitionists seized upon the case as a vehicle to publicly display the cruelties of [slavery](#) and the slave trade. The freedom of the Africans became entangled in the conflicting claims of the Spaniards who had brought the “human cargo” and the American officials who had salvaged the ship. The case captured national and international attention as it made its way through the lower courts to the US Supreme Court, where the cause of the prisoners was argued by former President [John Quincy Adams](#). On March 9, 1841 the Supremes would rule that all of the Africans were legally free — that they had never been slaves because the African slave trade was illegal, and that they should be released and allowed to return to Africa. The Court also affirmed that “it was the ultimate right of all human beings in extreme cases to resist oppression, and to apply force against ruinous injustice.”⁵¹

Three years after they were kidnapped, in January 1842, the 35 surviving Africans would finally return to their homeland where, allegedly, they would establish the mission colony “which formed the basis for the eventual independence of Sierra Leone from Great Britain.” The black artists Hale Woodruff and Jacob Lawrence helped keep the [La Amistad](#) legacy alive during the 1930s and 1940s. The Amistad Research Center at Tulane

51. Documentation of the [international slave trade](#), per W.E. Burghardt Du Bois: [[La Amistad](#) Case.] HOUSE DOCUMENT, 26 Cong. 1 sess. IV. No. 185 (correspondence); 27 Cong. 3 sess. V. No. 191 (correspondence); 28 Cong. 1 sess. IV No. 83; HOUSE EXECUTIVE DOCUMENT, 32 Cong. 2 sess. III. No. 20; HOUSE REPORTS, 26 Cong. 2 sess. No. 51 (case of altered Ms.); 28 Cong. 1 sess. II. No. 426 (Report of Committee); 29 Cong. 1 sess. IV. No. 753 (Report of Committee); SENATE DOCUMENT, 26 Cong. 2 sess. IV. No. 179 (correspondence); SENATE EXECUTIVE DOCUMENT, 31 Cong. 2 sess. III. No. 29 (correspondence); 32 Cong. 2 sess. III. No. 19; SENATE REPORTS, 31 Cong. 2 sess. No. 301 (Report of Committee); 32 Cong. 1 sess. I. No. 158 (Report of Committee); 35 Cong. 1 sess. I. No. 36 (Report of Committee).



JOSEPH CINQUÉ

LA AMISTAD

University <arc.tulane.edu> is a repository of some important primary and secondary documents. See also:

- Eugene D. Genovese. *FROM REBELLION TO REVOLUTION*. Vintage Books, 1981
- Howard Jones. *MUTINY ON THE AMISTAD*. Oxford UP, 1987
- William Loren Katz. *BREAKING THE CHAINS*. Atheneum, 1990
- Donald M. Jacobs. *COURAGE AND CONSCIENCE*. Indiana UP, 1993
- Charles M. Christian. *BLACK SAGA*. Houghton Mifflin, 1995
- Kennell Jackson. *AMERICA IS ME*. Harper Perennial, 1996
- David Pesci. *AMISTAD: A NOVEL*. Marlowe & Co., 1997
- James Oliver & Lois E. Horton. *IN HOPE OF LIBERTY*. Oxford UP, 1997
- John W. Blassingame. *SLAVE TESTIMONY*. Louisiana State UP, 1977
- Maggie Montesinos Sale. *THE SLUMBERING VOLCANO*. Duke UP, 1997
- Alexs Pate. *AMISTAD A NOVEL: THE OFFICIAL TIE-IN TO THE MAJOR MOTION PICTURE DIRECTED BY STEVEN SPIELBERG*. Dreamworks/Signet, 1997



Secretary of State John Forsyth pointed out⁵² that however unjust the slave trade may be considered by some to be, it was most definitely not contrary to the law of nations, and therefore most definitely not any of our beeswax:

-It is true, by the treaty between Great Britain and Spain, the slave trade is prohibited to the subjects of each; but the parties to this treaty or agreement are the proper judges of any infraction of it, and they have created special tribunals to decide questions arising under the treaty; nor does it belong to any other nation to adjudicate upon it, or to enforce it.... In the case of the *Antelope*, (10 Wheaton, page 66), this subject was fully examined, and the opinion of the Supreme Court of the United States establishes the following points:
 1. That, however unjust and unnatural the slave trade may be, it is not contrary to the law of nations.
 2. That having been sanctioned by the usage and consent of almost all civilized nations, it could not be pronounced illegal, except so far as each nation may have made it so by its own acts or laws; and these could only operate upon itself, its own subjects or citizens; and, of course, the trade would remain lawful to those whose Government had not forbidden it.
 3. That the right of bringing in and adjudicating upon the case of a vessel charged with being engaged in the slave trade, even where the vessel belongs to a nation which has prohibited the trade, cannot exist. The courts of no country execute the penal laws of another....
- In the case now before me, the vessel is a Spanish vessel, belonging exclusively to Spaniards, navigated by Spaniards, and sailing under Spanish papers and flag, from one Spanish port to another. It therefore follows, unquestionably, that any offence committed on board is cognizable before the Spanish tribunals, and not elsewhere.
- These two points being disposed of — 1st. That the Government of the United States is to consider these Negroes as the property of the individuals in whose behalf the Spanish minister has put up a claim; 2d. That the United States cannot proceed against them criminally; — the only remaining inquiry is, what is to be done with the vessel and cargo? the Negroes being part of the latter.
- ...The claimants of these Negroes have violated none of our laws.... They have not come within our territories with the view or intention of violating the laws of the United States.... They have not introduced these Negroes into the United States for the purpose of sale, or holding them in servitude within the United States.... It therefore appears to me that this subject must be disposed of upon the principles of international law and the existing treaties between Spain and the United States....
- These Negroes are charged with an infraction of the Spanish laws; therefore, it is proper that they should be surrendered to the public functionaries of that Government, that if the laws of Spain have been violated, they may not escape punishment....
- These Negroes deny that they are slaves; if they should be delivered to the claimants, no opportunity may be afforded for the assertion of their right to freedom. For these reasons, it seems to me that a delivery to the Spanish minister is the only safe course for this Government to pursue.

52. "Africans Taken in the Amistad." –US 26th Congress, 1st Session, House Executive Document #185. NY: Blair & Rives, 1840, pages 57-62

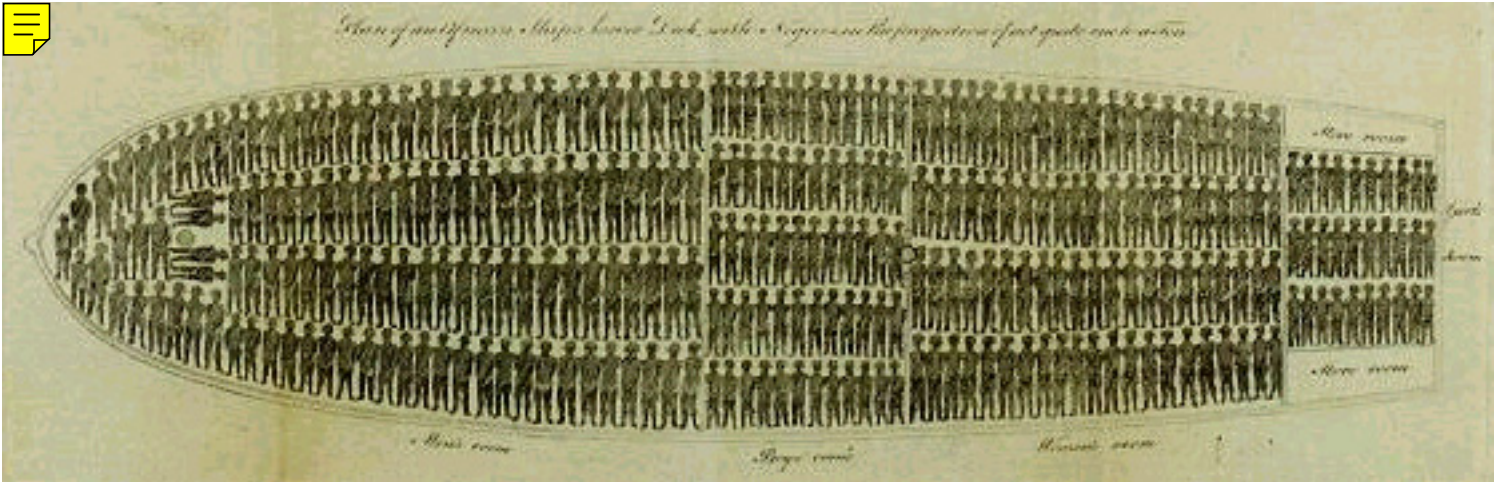
[HDT](#)[WHAT?](#)[INDEX](#)

JOSEPH CINQUÉ

LA AMISTAD



April: Early in the month, on the River Gallindas of the Sierra Leone coast of Africa, the Havana trading house of Don Pedro Martínez prepared human cargo for the *negrero* (slave ship) *Tecora*, and the long Middle Passage to Cuba. Among the captives in this shipment was [Joseph Cinqué](#), age 25, 5 feet 8 inches, a Mende who had been a rice-grower. The passage of the *Tecora* across the Atlantic would require two months and more than one out of three would fail to survive the crossing.

[LA AMISTAD](#)

The following description of conditions aboard the *negrero* during the [Middle Passage](#) would be given by Gilbaru and, as passed on by James Covey for the benefit of reporters, would eventually be published in the [New-York Journal of Commerce](#):



On board the vessel there was a large number of men, but the women and children were by far the most numerous. They were fastened together by couples by the wrists and legs and kept in that situation day and night. By day it was no better. The space between the decks was so small -according to their account not exceeding four feet- that they were obliged, if they attempted to stand, to keep a crouching posture. The decks, fore and aft, were crowded to overflowing. They suffered terribly. They had rice enough to eat but they had very little to drink. If they left any of the rice that was given to them uneaten, either from sickness or any other cause, they were whipped. It was a common thing for them to be forced to eat so much as to vomit. Many of the men, women and children died on the passage.

LA AMISTAD

JOSEPH CINQUÉ

Arriving during this month in the New World at the completion of their arduous middle passages were a known total of nine such slavers, all of Portuguese registry: the *Emilia*, master unknown, on its one and only known Middle Passage, out of Angola with a cargo of 650 **enslaved** Africans, was arriving at the port of Campos, Brazil; the *Ganges*, master J.R. Costa, on its second of two known Middle Passages, out of Quelimane with a cargo of 419 enslaved Africans, was arriving at Rio de Janeiro, Brazil; the *Jehovah*, master unknown, on one of its three known Middle Passage voyages, out of Angola with a cargo of 504 enslaved Africans, was arriving at the port of Macae, Brazil; the *Josefina*, master unknown, on one of its twelve-count-'em-twelve known Middle Passage voyages, out of Benguela with a cargo of 294 enslaved Africans, was arriving at Rio de Janeiro, Brazil; the *Carolina*, master unknown, on one of its five known Middle Passage voyages, out of an unknown area of Africa with a cargo of 214 enslaved Africans, was arriving at Rio De Janeiro, Brazil; the *Congresso*, master unknown, on its one and only known Middle Passage, sailing out of Benguela with a cargo of 314 enslaved Africans, was arriving at Rio De Janeiro, Brazil; the *Amizade Constante*, master unknown, on its one and only known Middle Passage, out of Quelimane with a cargo of 400 enslaved Africans, was arriving at the port of Ilha Grande, Brazil; the *Deligencia*, master unknown, on one of its four known Middle Passage voyages, out of Angola with a cargo of 389 enslaved Africans, was arriving at a port in Brazil; and the *Leal*, master F.J. Ribeiro, on its one and only known Middle Passage, with a cargo of 364 enslaved Africans, was arriving at Rio de Janeiro, Brazil. The devil was getting his due.



INTERNATIONAL SLAVE TRADE

WHAT I'M WRITING IS TRUE BUT NEVER MIND



YOU CAN ALWAYS LIE TO YOURSELF



June: A total of six slavers, all flying the Portuguese flag, have been registered as arriving in the New World during this month. We immediately note that the negrero *Tecora*, the ship that was carrying [Joseph Cinqué](#), is not on this official list of six arrivals. That is because the [Middle Passage](#) voyage which brought him was an under-the-table deal. How many such under-the-table deals were there? –How typical was that? – How woefully unreliable and incomplete are the statistics we are able now to accumulate?

We can know now about the *Josefina*, master A. Rodriguez, on one of its twelve-count-'em-twelve known [Middle Passage](#) voyages, out of Sao Tome with a cargo of 240 [enslaved](#) Africans, arriving at a port of Cuba.

We can know now about the *Esperanca*, master unknown, on one of its ten-count-'em-ten known Middle Passage voyages, out of Cabinda with a cargo of 370 enslaved Africans, arriving at Campos, Brazil. We can know now about the *Amalia*, master unknown, on one of its five known Middle Passage voyages, out of Mocambique, arriving at the port of Cananeia, Brazil. We can know now about the *Astrea*, master Sabino, on its one and only known Middle Passage, out of Sao Tome with a cargo of 440 enslaved Africans, arriving at a port of Cuba. We can know now about the *Commodore*, master unknown, on its second of two known Middle

[HDT](#)[WHAT?](#)[INDEX](#)

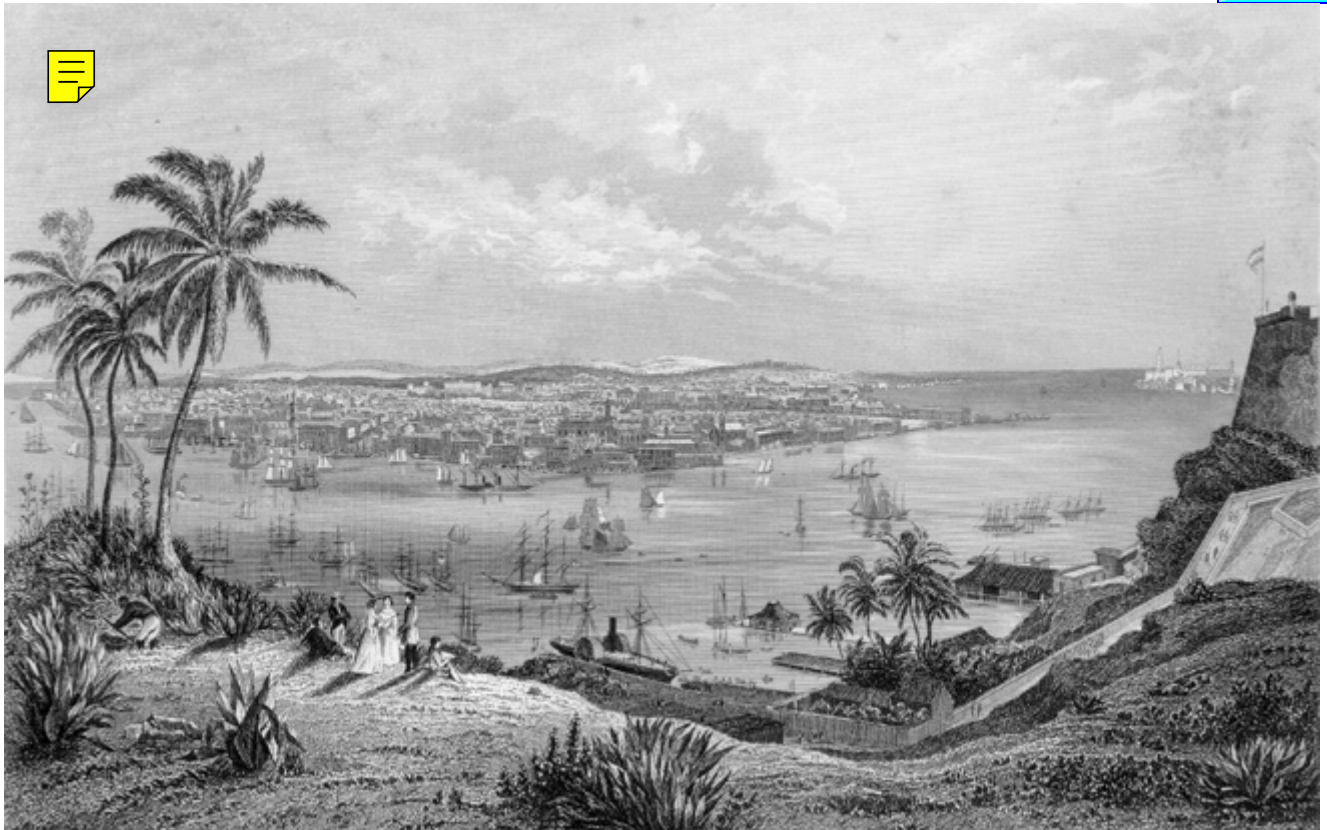
LA AMISTAD

JOSEPH CINQUÉ

Passages, out of Mocambique with a cargo of 700 enslaved Africans, arriving at Rio De Janeiro, Brazil. We can know now about the *Dois Amigos*, master J. da Silva, on one of its three known Middle Passage voyages, out of Sao Tome with a cargo of 413 enslaved Africans, arriving at a port of Cuba. About the balance we can at best only speculate.



His illegal transportation from Africa to Cuba having been completed by offloading of captives on a secluded beach at night, Cinque was at this point just another American slave. There was no longer any need to hide him from the law, as the law, which legitimated slavery while outlawing international trade in slaves, was now on the side of his “owners.” He was in one of two “barracoons” in Havana, Cuba, either in the one with a maximum capacity of 1,000 souls, or the one with a maximum capacity of 1,500 souls.

[LA AMISTAD](#)


“HISTORICAL PERSPECTIVE” BEING A VIEW FROM A PARTICULAR POINT IN TIME (JUST AS THE PERSPECTIVE IN A PAINTING IS A VIEW FROM A PARTICULAR POINT IN SPACE), TO “LOOK AT THE COURSE OF HISTORY MORE GENERALLY” WOULD BE TO SACRIFICE PERSPECTIVE ALTOGETHER. THIS IS FANTASY-LAND, YOU’RE FOOLING YOURSELF.




JOSEPH CINQUÉ

LA AMISTAD

THERE CANNOT BE ANY SUCH THINGIE, AS SUCH A PERSPECTIVE.

 Late in June: Don José Ruiz and Don Pedro Montes purchased 49 adult males at \$450 each, including [Joseph Cinqué](#), in the slave [barracoons](#) of Havana, Cuba for transport to the plantations of Puerto Príncipe, on the northwest coast of the same island at about two days’ sailing distance. They also purchased three little girls and a little boy.

THE MIDDLE PASSAGE
LA AMISTAD
RACE SLAVERY

 June 22, Saturday: There had been arguments over finances, and as of this day (or perhaps the following day) the [Reverend Lemuel Capen](#) resigned as the pastor for the Hawes Place Society of South Boston.

For the usual fee the Captain General of Cuba issued fraudulent transportation permits. In total [Joseph Cinqué](#) would have been in a slave [barracoon](#) of Havana for ten days.



THE MIDDLE PASSAGE
LA AMISTAD
RACE SLAVERY



June 22, Saturday: That virtue we appreciate is as much ours as another’s. We see so much only as we possess.

We see so much only as we possess.



June 22, Saturday: I have within the last few days come into contact with a pure uncompromising spirit, that is somewhere wandering in the atmosphere, but settles not positively anywhere. Some persons carry about them the air and conviction of virtue, though they themselves are unconscious of it — and are even backward to appreciate it in others. Such it is impossible not to love — still is their loveliness, as it were, independent of them, so that you seem not to lose it when they are absent, for when they are near it is like an invisible presence which attends you.

LA AMISTAD

JOSEPH CINQUÉ

➡ June 28, Friday: A Paris court fined [Nicolò Paganini](#) 20,000 francs plus interest and costs for the failure of his “Casino Paganini,” and threatened arrest for debt and imprisonment for ten years if he failed to fulfil the claims made against the project. He appealed and, losing the appeal, would be obliged to pay 50,000 francs rather than 20,000.

☰ That evening Don José Ruiz and Don Pedro Montez took their coffle of purchased slaves from the Havana [barracoon](#) to their coastal vessel, [La Amistad](#).⁵³ By 8PM the vessel was loaded and at midnight it slipped out to sea, with the slaves in the hold with iron collars on their necks. (Those collars would shortly be removed from all but [Joseph Cinqué](#) — because he had been threatening to attempt an escape.)



THE MIDDLE PASSAGE
RACE SLAVERY

53. This vessel had originated in a shipyard of [Baltimore](#) as the *Friendship*. I wonder whether, with such a name, it had been constructed by a Quaker shipbuilder. (Note that the US National Park Service, with the support of the Salem Partnership, is currently building a full size reproduction of a Salem merchant vessel that had been named *Friendship*, but this Salem merchant vessel was **not** the same as this *Friendship* of which we here speak, which had been constructed in a Baltimore shipyard and which eventually became the Spanish Cuban coastal vessel [La Amistad](#) of the Amistad mutiny. This Salem square-rigged, 342-ton three-master had been begun in 1796 in the Stage Point yard of Enos Briggs and was registered in 1797 by its owners Jerathmiel Peirce and Aaron Waite. It was 104 feet long and 27 feet wide and the depth of the hold was 13 feet, 9 inches, which is just **enormously** larger than the *La Amistad*. The Salem merchant vessel made at least 15 voyages to places such as China, Java, Sumatra, Madras, London, Hamburg, Archangel, and St. Petersburg before it was captured by the British during the [War of 1812](#). The *Friendship II* now being constructed is to be permanently berthed at Derby Wharf at the Salem Maritime National Historic Site.)



JOSEPH CINQUÉ

LA AMISTAD


 June 29, Saturday or 30, Sunday: Aboard *La Amistad*, still in his slave collar, [Joseph Cinqué](#) found a nail and hid it in his armpit.



THE MIDDLE PASSAGE

RACE SLAVERY

**NEVER READ AHEAD! TO APPRECIATE THE NIGHT OF JUNE 29TH/
30TH, 1839 AT ALL ONE MUST APPRECIATE IT AS A TODAY (THE
FOLLOWING DAY, TOMORROW, IS BUT A PORTION OF THE UNREALIZED
FUTURE AND IFY AT BEST).**

 July 1, Monday night: Ottoman Sultan Mahmud II died in Constantinople and was succeeded by his son Abdulmejid I. Pursuant to the defeat at Nezib, the Ottoman fleet sailed to [Egypt](#) and surrendered to Mohammed Ali.

Having used the nail to pick the lock on the collar about his neck, and then having freed others, [Joseph Cinqué](#) and the other slaves below decks in *La Amistad* discovered boxes of sugar cane knives. The knives had square steel handles and blades that gradually widened to a thickness of three inches at the tip.

THE MIDDLE PASSAGE

RACE SLAVERY

“MAGISTERIAL HISTORY” IS FANTASIZING: HISTORY IS CHRONOLOGY

JOSEPH CINQUÉ

LA AMISTAD

➡ July 2, Tuesday: [Robert Schumann](#)'s lawyer Wilhelm Einert attempted to negotiate with Friedrich Wieck in regard to Clara but this failed, precipitating litigation.

In the Caribbean: "Murder!" the shout arose at 4AM on the schooner [La Amistad](#).



While attempting to hold them off with a dagger, Captain Ramon Ferrer suggested "Throw some bread at them!" As the captain and the cook were being killed, two other crewmen were leaping into the sea.




DO I HAVE YOUR ATTENTION? GOOD.



LA AMISTAD

JOSEPH CINQUÉ

 August 25, Sunday: Fearful of the Chinese, the last of 57 British families abandoned Macao for Victoria Island ([Hong Kong](#), Cantonese *hèung-gáwnng*, fragrant harbor).

The *La Amistad* blacks wandered from one isolated home to another, on the shore of Culloden Point, attempting to use the few gold doubloons they had discovered on their ship to purchase water and supplies for their journey back to Africa.

(While on this provisioning expedition, at least according to the Spielberg movie, they perhaps caught sight on Long Island of a *Draisienne*, an early bicycle prototype — and so it needs to be mentioned that although such a sighting would have been possible, in fact in this Year of our Lord 1839, the design of the ordinary pedaled bicycle we know and love was already in the process of being refined.)



As they had been sailing along the eastern coast of the continent, several pilot boats had already run across *La Amistad* and the Columbian Centinel had already printed a report by Captain Seaman of the pilot boat *Gratitude*:

She spoke the long, low, black schooner twenty-five miles East of Fire Island and about eighteen miles from the land, standing E.N.E. The *Gratitude* ran within a few yards of her with the intention of putting a pilot aboard. Two or three of the blacks, who appeared to be the ringleaders and kept the others in awe, made signs to the pilot not to come. One had a pistol in one hand and a cutlass in the other, which he flourished over his head to keep the others down. These appeared to be very anxious to receive a pilot and when the eye of the fellow who had the pistol was aft of them, they would beckon the pilot to come aboard. The schooner held a name on her stern which they took to be Almeda. She had a small gilt eaglehead. The latest news from the

HDT

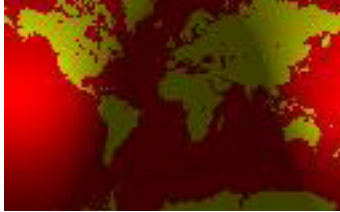
WHAT?

INDEX

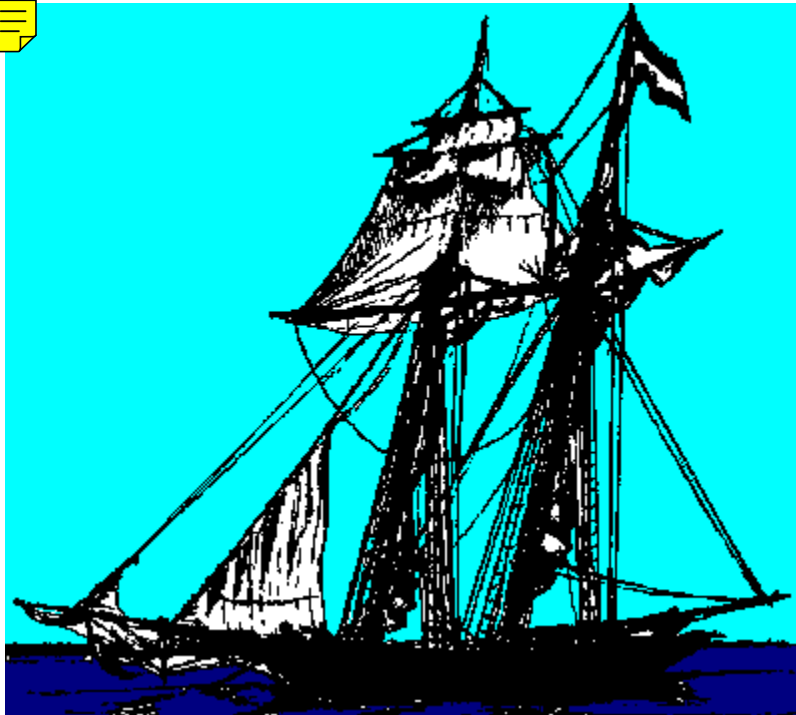
JOSEPH CINQUÉ

LA AMISTAD

suspicious vessel is that on Saturday at sunset she was



off the end of Long Island, Montauk Point, North by East, twenty miles distant. She was standing east with sail she was able to make.



THE FALLACY OF MOMENTISM: THIS STARRY UNIVERSE DOES NOT CONSIST OF A SEQUENCE OF MOMENTS. THAT IS A FIGMENT, ONE WE HAVE RECOURSE TO IN ORDER TO PRIVILEGE TIME OVER CHANGE, A PRIVILEGING THAT MAKES CHANGE SEEM UNREAL, DERIVATIVE, A MERE APPEARANCE. IN FACT IT IS CHANGE AND ONLY CHANGE WHICH WE EXPERIENCE AS REALITY, TIME BEING BY WAY OF RADICAL CONTRAST UNEXPERIENCED — A MERE INTELLECTUAL CONSTRUCT.



LA AMISTAD

JOSEPH CINQUÉ

THERE EXISTS NO SUCH THING AS A MOMENT. NO INSTANT HAS EVER FOR AN INSTANT EXISTED.



August 26, Monday: Lieutenant Gedney of the brig USS *Washington* seized the *La Amistad* and its 53 Negroes and headed for Connecticut, where, unlike in New York State, slavery was legal. –In Connecticut they would be able to sell these blacks they had captured! (So what did **you** suppose this was about?) The following appeared in the New London Gazette:

While this vessel was sounding this day between Gardner's and Montauk Points, a schooner was seen lying in shore off Culloden Point, under circumstances so suspicious as to authorize Lt. Com. Gedney to stand in to see what was her character – seeing a number of people on the beach with carts and horses, and a boat passing to and fro a boat was armed and dispatched [*sic*] with an officer to board her. On coming along side a number of negroes were discovered on her deck, and twenty or thirty more were on the beach – two white men came forward and claimed the protection of the officer. The schooner proved to be the "Amistad," Capt. Ramonflues, from the Havana bound to Guanaja, Port Principe, with 54 blacks and two passengers on board ; the former, four nights after they were out, rose and murdered the captain and three of the crew ; they then took possession of the vessel with the intention of returning to the coast of Africa. Pedro Montes, passenger, and Jose Rues owner of the slaves and part of the cargo, were only saved to navigate the vessel. After boxing about for four days in the Bahama Channel the vessel was steered for the Island of St. Andrews, near New Providence ; from thence she went to Green Key, where the blacks laid in a supply of water. After leaving this place the vessel was steered by Pedro Montes for New Providence, the negroes being under the impression that she was steering for the coast of Africa – they would not, however, permit her to enter the port but anchored every night off the coast. The situation of the two whites was all this time truly deplorable, being treated with the greatest severity, and Pedro Montes, who had charge of the navigation, was suffering from two severe wounds, one in the head and one in the arm, their lives threatened every instant. He was ordered to change the course again for the coast of Africa, the negroes themselves steering by the sun in the day time, while at night he would alter their course so as to bring them back to their original place of destination. – They remained three days off Long Island,

Joseph Cinqué

"Stack of the Artist of Kouroo" Project



JOSEPH CINQUÉ

LA AMISTAD

to the Eastward of Providence, after which time they were two months on the ocean, sometimes steering to the Eastward, and whenever an occasion [sic] would permit the whites would alter the course to the Northward and Westward, always in hopes of falling in with some vessel of war, or being enabled to run into some port, when they would be relieved from their horrid situation. Several times they were boarded by vessels ; once by an American schooner from Kingston. On these occasions the whites were ordered below, while the negroes communicated and traded with the vessel ; the schooner from Kingston supplied them with a demijohn of water, for the moderate sum of one doubloon – this schooner, whose name was not ascertained, finding that the negroes had plenty of money, remained lashed alongside the “Amistad” for twenty-four hours, though they must have been aware that all was not right on board, and probably suspected the character of the vessel – that was on the 18th of the present month ; the vessel was steered to the northward and westward, and on the 20th instant, distant from N.Y. 25 miles, the pilot boat No. 3 came alongside and gave the negroes some apples. She was also hailed by No. 4 ; when the latter boat came near, the negroes armed themselves and would not permit her to board them ; they were so exasperated with the two whites for bringing them so much out of their way that they expected every moment to be murdered. On the 24th they made Montauk Light and steered for it in the hope of running the vessel ashore, but the tide drifted them up the bay and they anchored where they were found by the brig Washington, off Culloden point. The negroes were found in communication with shore, where they laid in a fresh supply of water, and were on the point of sailing again for the coast of Africa. They had a good supply of money with them, some of which it is likely was taken by the people on the beach. – After they were disarmed, and sent on board from the beach, the ringleader jumped overboard with three hundred doubloons about him, the property of the captain, all of which he succeeded in loosing from his person and then permitted himself to be captured. The schooner was taken in tow by the brig and carried into New London. TUESDAY, 12 o’clock, M. We have just returned from a visit to the Washington and her prize, which are riding at anchor in the bay, near the fort. On board the former we saw and conversed with the two Spanish gentlemen who were passengers on board the schooner, as well as owners of the negroes and most of the cargo.

One of them, Jose Rues, is very gentlemanly and intelligent young man, and speaks English fluently. He was the owner of most of the slaves and cargo, which he



LA AMISTAD

JOSEPH CINQUÉ

was conveying to his estate on the Island of Cuba.

The other, Pedro Montes, is about fifty years of age, and is the owner of three slaves. He was formerly a ship-master, and has navigated the vessel since her seizure by the blacks. Both of them, as may be naturally supposed are most unfeignedly thankful for their deliverance. Signor Pedro is the most striking instance of complacency and unalloyed delight we ever have seen, and it is not strange, since only yesterday his sentence was pronounced by the chief of the buccaniers [*sic*], and his death song chanted by the grim crew, who gathered with uplifted sabres around his devoted head, which, as well as his arms, bear the scars of several wounds inflicted at the time of the murder of the ill-fated captain and crew. He sat smoking his Havana on the deck, and, to judge [*sic*] from the martyr-like serenity of his countenance, his emotions are such as rarely stir the heart of man. When Mr. Porter, the prize-master, assured him of his safety, he threw his arms around his neck, while gushing tears coursing down his furrowed cheek, bespoke the overflowing transport of his soul Every now and then he clasps his hands, and with uplifted eyes gives thanks to "the Holy Virgin" who had led him out of all his troubles. Senor Rues has given us two letters for his agents. Messrs, Shelton, Brothers & Co., of Boston, and Peter A. Harmony & Co., of New York. It appears that the slaves, the greater portion of whom were his, were very much attached to him, and had determined, after reaching the coast of Africa, to allow him to seek his home what way he could, while his poor companion was to be sacrificed. On board the brig we also saw Cingues, the master-spirit and hero of this bloody tragedy, in irons. He is about five feet eight inches in height, 25 or 26 years of age, of erect figure, well built, and very active. He is said to be a match for any two men on board the schooner. His countenance, for a native African, is unusually intelligent, evincing uncommon decision and coolness, with a composure characteristic of true courage and nothing to mark him as a malicious man. He is a negro who would command, in New Orleans, under the hammer, at least \$1,500. He is said to have killed the captain and crew with his own hand, by cutting their throats. He also has several times attempted to take the life of Senor Montes, and the backs of several poor negroes are scored with the scars of blows inflicted by his lash to keep them in submission. He expects to be executed, but nevertheless manifests a sang froid worthy of a Sto[ne] under similar circumstances. With Capt. Gedney, the surgeon of the port, and others, we visited the schooner, which is anchored within musket shot of the Washington, and there we saw such a sight as we never



JOSEPH CINQUÉ

LA AMISTAD

saw before, and never wish to see again. The bottom and sides of this vessel are covered with barnacles and sea-grass, while her rigging and sales [sic] present a scene worthy of the Flying Dutchman, after her fabled cruise. She is a Baltimore built vessel of matchless model for speed, about 120 tons burthen and about six years old. On her deck were grouped, amid various goods and arms, the remnant of her Ethiop crew, some decked in the most fantastic manner in the silks and finery pilfered from the cargo while others, in a state of nudity, emaciated to mere skeletons, lay coiled upon the decks. Here could be seen a negro with white pantaloons and the sable shirt which nature gave him, and a planter's broad-brimmed hat upon his head, with a string of gewgaws around his neck ; and another with a linen cambric shirt, whose bosom was worked by the hand of some dark-eyed daughter of Spain, while his nether proportions were enveloped in a shawl of gauze and Canton crape. Around the windlass were gathered the three little girls, from eight to thirteen years of age, the very images of health and gladness. Over the deck were scattered, in the most wanton and disorderly profusion, raisins, vermicelli, bread, rice, silk, and cotton goods. In the cabin and hold were the marks of the same wasteful destruction—Her cargo appears to consist of silks, crapes, calicoes, cotton and fancy goods of various descriptions, glass and hardware, bridles, saddles, holsters, pictures, looking-glasses, books, fruits, olives, and olive oil, and "other things too numerous to mention," which are now all mixed up in a strange and fantastic medldy [sic]. On the forward hatch we unconsciously rested our hand on a cold object, which we soon discovered to be a naked corpse enveloped in a pall of black bombazine. On removing its folds we beheld the rigid countenance and glazed eye of a poor negro who died last night. His mouth was unclosed, and still wore the ghastly expression of his last struggle. Near by him, like some watching fiend, sat the most horrible creature we ever saw in human shape, an object of terror to the very blacks, who said that he was a cannibal. His teeth projected at almost right angles from his mouth, while his eyes had a most savage and demoniac expression. We were glad to leave this vessel, as the exhalations from her hold and deck were like anything but "gales wafted over the gardens of Gul." Capt. Gedney has dispatched an express to the U. S. marshal, at New Haven, while he has made the most humane arrangements for the health and comfort of the prisoners, and the purification of the prize. There are now alive 44 negroes, three of whom are girls ; about 10 have died. They have been at sea 63 days. The vessel and cargo were worth \$40,000 when they let Havana, exclusive of the



LA AMISTAD

JOSEPH CINQUÉ

negroes, which cost from 20 to \$30,000. Vessel and cargo were insured in Havana. Capt. Gedney, when he first espied the Amistad, was running a line of sounding toward Montauk Point. He had heard nothing of this vessel being on the coast till after his arrival in this port.⁵⁴

THE MIDDLE PASSAGE
JOSEPH CINQUÉ
RACE SLAVERY



August 27, Tuesday: [Frank Robert Pierce](#) was born to [Franklin Pierce](#) and Jane Means Appleton Pierce (this child would succumb to [typhoid fever](#) at the age of four).

Fanny Mendelssohn Hensel, her husband, and her son left Berlin heading eventually for a sojourn in [Italy](#) (they would travel immediately to Leipzig for a week with her brother Felix).

The federal district judge for Connecticut, Andrew T. Judson, held an inquiry on board the USS [Washington](#) in the New London, Connecticut harbor, and decided to hold the [La Amistad](#) issue over for consideration by the grand jury which was scheduled to meet in Hartford in September 1839, as *The U.S. v. The Libelants, etc., of the Schooner Amistad*.

At about this point our hearts go out to Jose Ruiz and Pedro Montes, who were writing a Thank-You note to the newspapers of New London, Connecticut in appreciation for their having been rescued from the tender affections of those bad niggers who had resisted being what they rightfully should be, [slaves](#):

The subscribers, Don Jose Ruiz and Don Pedro Montes, in gratitude for their most unhopd for and most providential rescue from the hands of a ruthless gang of African buccaneers, and an awful death, would take this means of expressing, in some slight degree, their thankfulness and obligations to Lieutenant Commander T.R. Gedney, and the officers and crew of the U.S. surveying brig Washington, for their decision in seizing the Amistad, and their unremitting kindness and hospitality in providing for their comfort on board their vessel, as well as the means they have taken for the protection of their property.

We also must express our indebtedness to that nation whose flag they so worthily bear, with an assurance that this act will be duly appreciated by our most gracious

54. HOUSE DOCUMENT, 26th Congress, 1st session IV, No. 185; 27th Congress, 3d session, V, No. 191; 28th Congress, 1st session IV, No. 83; HOUSE EXECUTIVE DOCUMENT, 32d Congress, 2d session III, No. 20; HOUSE REPORTS, 26th Congress, 2d session No. 51; 28th Congress, 1st session II, No. 426; 29th Congress, 1st session IV, No. 753; SENATE DOCUMENT, 26th Congress, 2d session IV, No. 179; SENATE EXECUTIVE DOCUMENT, 31st Congress, 2d session III, No. 29; 32d Congress, 2d session III, No. 19; SENATE REPORTS, 31st Congress, 2d session No. 301; 32d Congress, 1st session I, No. 158; 35th Congress, 1st session I, No. 36; Decisions of the United States Supreme Court in *15 Peters*, 518; OPINIONS OF THE ATTORNEYS-GENERAL, III. 484-92.



JOSEPH CINQUÉ

LA AMISTAD

sovereign, Her Majesty the Queen of Spain.

THE MIDDLE PASSAGE

JOSEPH CINQUÉ

**BETWEEN ANY TWO MOMENTS ARE AN INFINITE NUMBER OF MOMENTS,
AND BETWEEN THESE OTHER MOMENTS LIKEWISE AN INFINITE
NUMBER, THERE BEING NO ATOMIC MOMENT JUST AS THERE IS NO
ATOMIC POINT ALONG A LINE. MOMENTS ARE THEREFORE FIGMENTS.
THE PRESENT MOMENT IS A MOMENT AND AS SUCH IS A FIGMENT, A
FLIGHT OF THE IMAGINATION TO WHICH NOTHING REAL CORRESPONDS.
SINCE PAST MOMENTS HAVE PASSED OUT OF EXISTENCE AND FUTURE
MOMENTS HAVE YET TO ARRIVE, WE NOTE THAT THE PRESENT MOMENT
IS ALL THAT EVER EXISTS — AND YET THE PRESENT MOMENT BEING A
MOMENT IS A FIGMENT TO WHICH NOTHING IN REALITY CORRESPONDS.**



LA AMISTAD

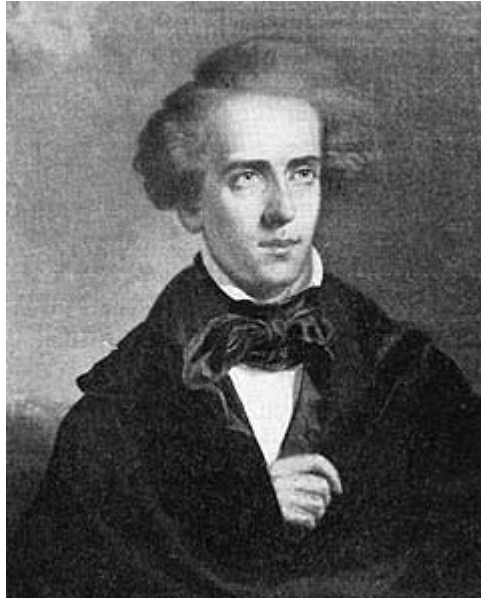
JOSEPH CINQUÉ

September 3, Tuesday: Fa of the [La Amistad](#) died.

THE MIDDLE PASSAGE
RACE SLAVERY

On the day preceding the Commencement ceremony in [Providence, Rhode Island](#), the attorney [William Jewett Pabodie](#) pronounced his CALIDORE: A LEGENDARY POEM (Boston: Marsh, Capen, Lyon, and Webb; Knowles & Vose, Printers, Providence, 1839) before the Society of United Brothers of [Brown University](#).

READ PABODIE'S POEM




THE TASK OF THE HISTORIAN IS TO CREATE HINDSIGHT WHILE INTERCEPTING ANY ILLUSION OF FORESIGHT. NOTHING A HUMAN CAN SEE CAN EVER BE SEEN AS IF THROUGH THE EYE OF GOD.



JOSEPH CINQUÉ

LA AMISTAD

 September 6, Friday: Spain demanded that the United States release *La Amistad* and return its [slave](#) cargo to Cuba.

The intrepid Thoreau brothers took the stage from [Concord, New Hampshire](#) to Plymouth, New Hampshire, then hiked through Thornton, Peeling, and Lincoln to Franconia below Mount Washington in the Presidential Range (Agiocochuck, elevation 6,288 feet).

[TIMELINE OF A WEEK](#)



The Thoreau brothers presumably both climbed and descended along the 1819 Crawford Path that begins at Crawford Notch and follows along the treeless ridge line, passing Mt. Eisenhower and Mt. Monroe and the Lake of the Clouds at about 5,000 feet to the summit of Mt. Washington. Thoreau's description of the actual climb, in [A WEEK ON THE CONCORD AND MERRIMACK RIVERS](#), would be succinct:



A WEEK: Wandering on through notches which the streams had made, by the side and over the brows of hoar hills and mountains, across the stumpy, rocky, forested, and bepastured country, we at length crossed on prostrate trees over the Amonoosuck, and breathed the free air of Unappropriated Land. Thus, in fair days as well as foul, we had traced up the river to which our native stream is a tributary, until from Merrimack it became the Pemigewasset that leaped by our side, and when we had passed its fountain-head, the Wild Amonoosuck, whose puny channel was crossed at a stride, guiding us toward its distant source among the mountains, and at length, without its guidance, we were enabled to reach the summit of AGIOCOCHOOK.

“Sweet days, so cool, so calm, so bright,
The bridal of the earth and sky,
Sweet dews shall weep thy fall to-night,
For thou must die.”
— HERBERT

When we returned to Hooksett, a week afterward, the melon man, in whose corn-barn we had hung our tent and buffaloes and other things to dry, was already picking his hops, with many women and children to help him. We bought one watermelon, the largest in his patch, to carry with us for ballast. It was Nathan's, which he might sell if he wished, having been conveyed to him in the green state, and owned daily by his eyes. After due consultation with "Father," the bargain was concluded, — we to buy it at a venture on the vine, green or ripe, our risk, and pay "what the gentlemen pleased." It proved to be ripe; for we had had honest experience in selecting this fruit.

PEOPLE OF
A WEEK

RECTOR GEORGE HERBERT

Thoreau's text does not remain at this elevation. With the words "When we returned to Hookset..." he embarked the brothers upon their literary return voyage downriver. The full poem "Vertue" by [Rector George Herbert](#) in his 1633 THE TEMPLE had been as follows:

**Sweet day, so cool, so calm, so bright,
The bridall of the earth and skie:
The dew shall weep thy fall to night;
For thou must die.**

Sweet rose, whose hue angrie and brave
Bids the rash gazer wipe his eye:
Thy root is ever in its grave
And thou must die.

Sweet spring, full of sweet dayes and roses,
A box where sweets compacted lie;
My musick shows ye have your closes,
And all must die.

Onely a sweet and vertuous soul,



JOSEPH CINQUÉ

LA AMISTAD

Like season'd timber, never gives;
But though the whole world turn to coal,
Then chiefly lives.



THE TEMPLE

We may note that our adventurous author has referred earlier, in the text of [A WEEK ON THE CONCORD AND MERRIMACK RIVERS](#), to the poem “The Elixir” among the literary remainders of [Herbert](#):



A WEEK: It required some rudeness to disturb with our boat the mirror-like surface of the water, in which every twig and blade of grass was so faithfully reflected; too faithfully indeed for art to imitate, for only Nature may exaggerate herself. The shallowest still water is unfathomable. Wherever the trees and skies are reflected, there is more than Atlantic depth, and no danger of fancy running aground. We notice that it required a separate intention of the eye, a more free and abstracted vision, to see the reflected trees and the sky, than to see the river bottom merely; and so are there manifold visions in the direction of every object, and even the most opaque reflect the heavens from their surface. Some men have their eyes naturally intended to the one and some to the other object.

“A man that looks on glass,
On it may stay his eye,
Or, if he pleaseth, through it pass,
And the heavens espy.”

Two men in a skiff, whom we passed hereabouts, floating buoyantly amid the reflections of the trees, like a feather in mid-air, or a leaf which is wafted gently from its twig to the water without turning over, seemed still in their element, and to have very delicately availed themselves of the natural laws. Their floating there was a beautiful and successful experiment in natural philosophy, and it served to ennoble in our eyes the art of navigation; for as birds fly and fishes swim, so these men sailed. It reminded us how much fairer and nobler all the actions of man might be, and that our life in its whole economy might be as beautiful as the fairest works of art or nature.

PEOPLE OF
A WEEK

RECTOR GEORGE HERBERT

Teach me, my God and King,
In all things thee to see,
And what I do in any thing,
To do it as for thee:

Not rudely, as a beast,
To runne into an action;
But still to make thee prepossest,
And give it his perfection.

**A man that looks on glasse,
On it may stay his eye;
Or if he pleaseth, through it passe,
And then the heav'n espie.**

All may of thee partake:
Nothing can be so mean,
Which with his tincture (for thy sake)
Will not grow bright and clean.

A servant with this clause



JOSEPH CINQUÉ

LA AMISTAD


Makes drudgerie divine:
Who sweeps a room, as for thy laws,
Makes that and th' action fine.

This is the famous stone
That turneth all to gold:
For that which God doth touch and own
Cannot for lesse be told.

THE TEMPLE

THE FUTURE CAN BE EASILY PREDICTED IN RETROSPECT



 September 11, Wednesday: Tua of the *La Amistad* died.


THE MIDDLE PASSAGE
RACE SLAVERY

Just before 10AM in London, Margaret Moyes, 23 years of age, whose mother was dead and her master-baker father bedridden, leaped or allowed herself to fall from the top of London's Monument (erected in 1667, observation platform reached by a 311-step spiral staircase inside and 202 feet above the pavement). She had arrived from Charing Cross station some 20 minutes before and had spoken with the monument's door-keeper Thomas Jenkins before paying sixpence to ascend the stairs. He recalled her conversation as rather jocular, and her countenance as pleasant. She appeared quite rational. She inquired whether two females and a gentleman had been there waiting for anybody, indicating that she had come with them by steamboat and had arranged to meet them at the Monument. About 15 minutes after she entered the staircase, he heard the sounds of her fall. Her left arm was severed above the elbow by the railing at the foot of the monument, and had then struck a birdcage and a potted lilac. On the following day a Coroner's inquest would be held lit the Old Swan Tavern on Fish Street Hill. The door-keeper indicated that he had found the body across the doorway with legs partly uncovered and a deal of blood coming from the stump of the arm. The back of the head was caved in. She had tied a rope with a large knotted loop at the end to the railings of the gallery and had placed her bonnet and veil, with a waistband and a pair of gloves, on the floor near the door. The 4 sisters had intended to get Margaret a situation in a confectioner's shop, but in a memorandum-book on the mantel-shelf of her father's room the following entry was found: "You need not expect to see me back again, for I have made up my mind to make away with — Margaret Moyes." On the suggestion of the Coroner, a note was sent to the Corporation of London recommending that a guard railing be placed at the top of the Monument, but in the following month a 15-year-old boy, Richard Hawes, after making suicide threats, would re-enact her plunge.




LA AMISTAD

JOSEPH CINQUÉ

 September 14, Saturday: We-lu-wa of the *La Amistad* died.

THE MIDDLE PASSAGE

RACE SLAVERY

 September 15, Sunday: On September 18th the New-York Morning Herald would carry on page 2 a report of the events of this day, under the headline:

**The Captured Africans
Correspondence of the Herald.
EN ROUTE TO HARTFORD, SEPT. 15**

Mr. Bennett: The Abolitionists are of course greatly annoyed by your exposure of their hypocrisy; and are endeavoring to attract the sympathy and extract the money of the humane by accusing those who have desired to divest the main question of the perplexing difficulties thrown around it by Tappan & Co. of subserviency to the views of the slave holders. But such charges are too preposterous to receive a moment's consideration, and the effect of the indiscreet and foolish movements of the Abolitionists has been highly prejudicial to the Africans. I heard one of our most distinguished citizens remark yesterday, that his sympathies had at first been warmly enlisted in favor of the blacks--that he had been induced to believe, by the representations of the pseudo-philanthropists, that they were a set of hapless beings who had been torn from the enjoyments of social and domestic life and sold to hopeless misery, to feed the insatiate avarice of a blackhearted planter; and he should have rejoiced at their escape, even if they had reached our shores dyed to the elbows in the blood of their oppressors. He thought of Cinguez as he had been represented by Leavitt and his coadjutors, the heroic liberator of his enslaved brethren, who nobly preferred death to the degrading bondage of the white man; and was almost ready to wink at an infraction of our treaty with Spain, if necessary, to protect him from the consequences of his daring gallantry. But a look at the hero and his compatriots had wrought an instantaneous change in his sentiments. Instead of a chivalrous leader with the dignified and graceful bearing of Othello, imparting energy and confidence to his intelligent and devoted followers, he saw a sullen, dumpish looking negro, with a flat nose, thick lips, and all the other characteristics of his debased countrymen, without a single redeeming or striking trait, except the mere brute qualities of strength and activity, who had inspired terror among his companions by the indiscriminate and unsparing use of the lash. And instead of intelligent and comparatively civilized men, languishing in captivity and suffering under the restraints of the prison, he found them the veriest animals in existence, perfectly contented in confinement, without a ray of intelligence, and sensible only to the wants of the brute. No man, he said, more thoroughly appreciated the hideous horrors of the slave trade, or had



JOSEPH CINQUÉ

LA AMISTAD

conceived a more decided aversion to slavery in all its phases; but he was certain that the natives of Africa would be improved and elevated by transferring them to the genial climate of Carolina, and the mild restraints of an intelligent and humane planter. Still although the abstract idea of liberty was utterly incomprehensible to an African, and ridiculous as applied to him; and his physical condition was made better by the change, he has natural rights which it is enormous wickedness to invade. The previous impressions, as well as present views of this gentleman, are precisely coincident to my own, and the effect of my examination of the condition and character of the captured blacks was identically the same.

The conclusion that I arrive at, therefore, is, that the monstrous perversions of the fact of which the Abolitionists have been guilty, and their hypocritical and insidious appeals to the sympathies of the public, have operated to the serious disadvantage of the blacks, and will have a greater influence in precluding a fair trial, than all other causes combined.

Antonio, who is detained as a witness against the murderers of the captain, was the cabin boy of the L'Amistad. His life was saved by the interposition of Manuel, one of the blacks, who assisted in the murder of the captain. He is an active and rather sprightly boy, of fifteen, and had been with Captain Ferrer in the L'Amistad, upwards of three years. He says his master treated him kindly, and he occasionally expresses great indignation towards the blacks. He, however, tells different stories at different times, but this is perhaps owing to his confusion and want of memory. When told that the negroes would perhaps be sent to their own country, he laughed and said they would be caught and carried back to Havana again in less than six months. He is very comfortable and contented, but he says he likes Havana better, because the weather is warmer.

Tomorrow I will write you from Hartford, and give you all the proceedings as they occur.

LA AMISTAD

HISTORY'S NOT MADE OF WOULD. WHEN SOMEONE REVEALS, FOR INSTANCE, THAT A PARTICULAR INFANT WOULD INVENT THE SEWING MACHINE, S/HE DISCLOSES THAT WHAT IS BEING CRAFTED IS NOT REALITY BUT PREDESTINARIANISM. THE RULE OF REALITY IS THAT THE FUTURE HASN'T EVER HAPPENED, YET.

LA AMISTAD

JOSEPH CINQUÉ

➡ September 19, Thursday: The official “opening day” for the Albion Mines Railroad between Albion Coal Mines and New Glasgow, Nova Scotia (operations had begun during December 1838 using the Timothy Hackwork steam locomotives “Samson,” “Hercules,” and “John Buddle” imported from England).

The grand jury met in Hartford, Connecticut to deliberate upon *The U.S. v. The Libelants, etc., of the Schooner Amistad*. The crowds in the city had been swelled by the rumor that there was to be a mass hanging, and since, three of the black pirates having died after their capture, all of forty of them were still alive — such a mass hanging would definitely be something not to be missed.



LA AMISTAD

➡ September 20, Friday: Theodore Sedgwick argued before the grand jury in *The U.S. v. The Libelants, etc., of the Schooner Amistad* that the blacks of *La Amistad* were not slaves, but were rather recently kidnapped African natives. The Spaniards claimed the Africans as their property while others claimed that since they had salvaged the schooner and its cargo, the Africans should be counted as property (under the law of salvage, those who saved a sea vessel were entitled to a portion of the value of all that they saved from the sea) when determining a salvage amount given to them.




Caramo, oder Das Fischerstechen, a grosse komische Oper by Albert Lortzing to his own words after Vilain de Saint Hillaire and Duport, was performed for the initial time, in Leipzig Stadttheater.



JOSEPH CINQUÉ

LA AMISTAD

 September 23, Monday: The judge for *The U.S. v. The Libelants, etc., of the Schooner Amistad*, Andrew T. Judson, held the captives over.⁵⁵



Meanwhile, in African waters, the *Butterfly* from New Orleans, fitted as a [negrero](#), was captured by a cruising British warship (HOUSE DOCUMENT, 26th Congress, 2d session No. 115, pages 191, 244-7; [Niles's Register](#), LVII. 223).

[INTERNATIONAL SLAVE TRADE](#)

 October 19, Saturday: According to the [Herald of Freedom](#), the following article “On Cinques” appeared in [The Colored American](#):

1. We are inclined to call the noble African by this name, although he is called by as many different titles as our republicanism offers reasons for enslaving his people. We have seen a wood-cut representation of the royal fellow. It looks as we think it would. It answers well to his lion-like character. –The head has the towering front of Webster, and though some shades darker than our great country-man, we are struck at first sight, with his resemblance to him. He has Webster’s lion aspect –his majestic, quiet, uninterested cast of expression, looking, when at rest, as if there was nobody and nothing about him to care about or look at. His eye is deep, heavy –the cloudy iris extending up behind the brow almost inexpressive, and yet as if volcanoes of action might be asleep behind it. It looks like the black sea or the ocean in a calm –an unenlightened eye, as Webster’s would have looked, had he been bred in the desert, among the lions, as Cinguea [*sic*] was, and if instead of pouring upon Homer and Shakespeare, and Coke and the BIBLE (for Webster read the Bible when he was young, and got his regal style there) it had rested, from savage boyhood, on the sands and sky of Africa. It looks like a wilderness, a grand, but uninhabited land, or, if peopled, the abode of aboriginal man. Webster’s eye

55. At some point the Hartford [Courant](#) editorialized that since engaging in the [international slave trade](#) was a federal capital crime, there were no legal grounds for action against these Africans of the *La Amistad* who had merely been attempting to protect themselves as crime victims, and merely attempting to prevent the successful commission of such a capital crime:

By the laws of the United States, the African slave trade is declared to be piracy and the persons engaged in it are liable to be punished as pirates. It would be very extraordinary then if these men, who had been stolen from their own country, and brought away for the purpose of being reduced to slavery, should be punished in the United States for using such means as they possessed to extricate themselves from the power and custody of men who gained that custody by the perpetration of a crime which by our laws would cost them their lives. It would be a singular case if both parties in the same transaction should be held guilty of a capital offense and suffer the same penalty of the law for their crimes.



LA AMISTAD

JOSEPH CINQUÉ

like a civilized and cultivated country -country rather than city -more on the whole like woods and wilderness than fields or villages. For after all, nature predominates greatly in the eye of our majestic countryman.

2. The nose and mouth of Cingues are African. We discover the expanded and powerful nostrils mentioned in the description, and can fancy readily its contractions and dilations, as he made those addresses to his countrymen and called upon them to rush, with a greater than Spartan spirit, upon the countless white people, who he apprehended would doom them to a life of slavery. He has none of the look of an Indian -nothing of the savage. It is a gentle, magnanimous, generous look, not so much of the warrior as the sage -a sparing and not a destructive look, like the lion's when unaroused by hunger or the spear of the huntsman. It must have flashed terribly upon that midnight deck, when he was dealing with the wretched Ramonflues.

3. We bid pro-slavery look upon Cingues and behold in him the race we are enslaving. He is a sample. Every Congolese or Mandingan is not, be sure, a Cingues. Nor was every Corsican a Napolian [sic], or every Yankee a Webster. "Giants are rare," said Ames, "and it is forbidden that there should be races of them." But call not the race inferior, which in now and then an age produces such men.

4. Our shameless people have made merchandise of the likeness of Cingues -as they have of the originals of his (and their own) countrymen. They had the effrontery to look him in the face long enough to delineate it, and at his eye long enough to copy its wonderful expression.

5. By the way, Webster ought to come home to defend Cingues. He ought to have no counsel short of his twin spirit. His defence were a nobler subject for Webster's giant intellect, than the Foote resolutions or Calhoun's nullification. There is indeed no defence to make. It would give Webster occasion to strike at the slave trade and at our people for imprisoning and trying a man admitted to have risen only against the worst of pirates, and for more than life -for liberty, for country and for home.

6. Webster should vindicate him if he must be tried. Old Marshall would be the man to try him. And after his most honorable acquittal and triumph, a ship should be sent to convey him to his country -not an American ship. They are all too near a kin to the "low, long, black schooner." A British ship -old Nelson's line of battle, if it is yet afloat, the one he had at Trafalgar; and Hardy, Nelson's captain, were a worthy sailor to command it to Africa. He would steer more honestly than the treacherous old Spaniard. He would steer them toward the sunrise, by night as well as by day. An old British sea captain would have scorned to betray the noble Cingues. He would have been as faithful as the compass.

7. We wait to see the fate of the African hero. We feel no anxiety for him. The country can't reach him. He is above their



JOSEPH CINQUÉ


LA AMISTAD

reach and above death. He has conquered death. But his wife and children –they who

Weep beside the [cocoa](#) tree –

8. And we wait to see the bearings of this providential event upon American Slavery.


[LA AMISTAD](#)

 October 30, Wednesday: Verleih' uns Frieden for chorus and orchestra by Felix Mendelssohn was performed for the initial time, in Leipzig.

Ka-pe-li of the [La Amistad](#) died.

[THE MIDDLE PASSAGE](#)


[RACE SLAVERY](#)

 November 4, Monday: A Chartist rising in Newport, England was suppressed. Some leading Chartists were arrested.

Yam-mo-ni of the [La Amistad](#) died.

[THE MIDDLE PASSAGE](#)

[RACE SLAVERY](#)

 November 19, Tuesday: Franz Liszt gave the first of six recitals in Vienna, this one attended by the dowager empress. He premiered his transcription of Symphony no.6 by [Ludwig van Beethoven](#). The recitals would be very well received.

Representative [John Quincy Adams](#) wrote to the New-York [Journal of Commerce](#):

The Africans of the Amistad were cast upon our coast in a condition perhaps as calamitous as could befall human beings, not by their own will - not with any intention hostile or predatory on their part, not even by the act of God as in the case of shipwreck, but by their own ignorance of navigation and the deception of one of their oppressors whom they had overpowered, and whose life they had spared to enable them by his knowledge of navigation to reach their native land.

They were victims of the African slave trade, recently imported into the island of Cuba, in gross violation of the laws of the Island and of Spain; and by acts which our own laws have made piracy - punishable with death. They had indicated their natural right to liberty, by conspiracy, insurrection, homicide and capture and they were accused by the two Cuban Spaniards embarked with them in the ship, of murder and piracy - and they were claimed by the same two Cuban Spaniards, accessories after the fact to the slave-trade piracy, by which they



LA AMISTAD

JOSEPH CINQUÉ

had been brought from Africa to Cuba, as their property, because they had bought them from slave-trade pirates. They knew nothing of the Constitution, laws or language of the country upon which they were thus thrown, and accused as pirates and murderers, claimed as slaves of the very men who were their captives, they were deprived even of the faculty of speech in their own defense. This condition was sorely calamitous; it claimed from the humanity of a civilized nation compassion;- it claimed from brotherly love of a Christian land sympathy;- it claimed from a Republic professing reverence for the rights of man justice - and what have we done?

A naval officer of the United States seizes them, their ship and cargo, with themselves; tramples on the territorial jurisdiction of the state of New York, by seizing, disarming and sending on board their ship, without warrant of arrest, several of them whom he found on shore; releases their captives; admits the claim of the two captives to fifty masters as their slaves; and claims salvage for restoring them to servitude. They are then brought before a court of the United States, at once upon the charge of piracy and murder, upon a claim to them as slaves, and upon a claim against their pretended masters for salvage, by kidnapping them again into slavery. The Circuit Judge decides that the United States do not exercise the right of all other civilized nations to try piracies committed in foreign vessels; that he thereupon cannot try them for piracy or murder, but that the District Court may try whether they are slaves or not; as it is doubtful whether this trial will be held in Connecticut or New York, and it must take time to ascertain in which, they shall in the mean time be held as slaves to abide the issue.

Is this compassion? Is it sympathy? Is it justice? But here the case now stands.

LA AMISTAD



December 31, Tuesday: Ka-ba of the *La Amistad* died.

THE MIDDLE PASSAGE

RACE SLAVERY

[HDT](#)[WHAT?](#)[INDEX](#)

JOSEPH CINQUÉ

LA AMISTAD

1840

In New-York, a play entitled “The Black Schooner or the Private Slaver ‘Amistad’” was running in four theaters simultaneously, before full houses, and taking in more than \$5,000 in box office receipts.

[LA AMISTAD](#)

[Horatio Greenough](#)’s larger-than-life statue of [George Washington](#), prince of our national liberty, clad in sandals and toga, with bare upper torso, which had been intended for the rotunda of the US capital building, found itself housed instead at the Smithsonian Institution. Nobody had had the slightest inkling that the sculptor, off there in Rome messing around with his 20 tons of Carrera marble, had been depicting the big daddy of this country attired but in sandals and a short sheet, exposed from the waist up.⁵⁶



It's obviously intended to represent a white guy.



LA AMISTAD

JOSEPH CINQUÉ

[Robert Purvis](#) of Philadelphia commissioned Nathaniel Jocelyn of New Haven to prepare a portrait of [Joseph Cinqué](#).⁵⁷ Since this depicted a strong, proud black man in African garb, when it was submitted for display at the annual exhibit on behalf of the Philadelphia Artists' Fund the reaction it produced was that "displaying works of that character, under the excitement of the times ... might prove to be injurious to the proprietors and the institution." The painting would therefore hang in a place of honor in the Purvis home until, the last surviving member of the American Anti-Slavery Society, he died in 1898. It is now at the New Haven Colonial Historical Society, accession number 1971.205:



56. Don't you agree that it would have been ever so much more appropriate to our national condition, had this sculptor the artistic imagination to have displayed the father of our country naked instead **from the waist down**? This exposure of a slavemaster would have served to remind us constantly of what in 1841 [John Quincy Adams](#) needed to point out to the several justices of the United States Supreme Court in the case of the mutiny aboard the good ship [La Amistad](#):

The words slave and slavery are studiously excluded from the Constitution. Circumlocutions are the fig-leaves under which these parts of the body politic are decently concealed.





JOSEPH CINQUÉ

LA AMISTAD

[John Warner Barber](#)'s A HISTORY OF THE [AMISTAD](#) CAPTIVES (New Haven: E.L. Barber and J.W. Barber, Hitchcock & Stafford, Printers) provided a list of the Africans captured with the [La Amistad](#), still alive as of May 1840, six having already died while at New Haven, Connecticut: Fa had died on September 3, 1839, Tua (a Bullom name) had died on September 11, 1839, We-lu-wa (a Bandi name) had died on September 14, 1839, Ka-pe-li (a Mendi youth) had died on October 30, 1839, Yam-mo-ni (in middle life) had died on November 4, 1839, and Ka-ba (a Mendi man) had died on December 31, 1839:

- *Sing-gbe* [Cin-gue] (generally spelt Cinque) was born in Ma-ni, in Dzho-poa, i.e. in the open land, in the Mendi-country. The distance from Mani to Lomboko, he says, is ten suns, or days. His mother is dead, and he lived with his father. He has a wife and three children, one son and two daughters. His son's name is Ge-waw, (God.) His king, Ka-lum-bo, lived at Kaw-men-di, a large town in the Mendi country. He is a planter of rice, and never owned or sold [slaves](#). He was seized by four men, when traveling in the road, and his right hand tied to his neck. Ma-ya-gi-la-lo sold him to Ba-ma-dzha, son of Shaka, king of Gendu-ma, in the Vai country. Bamadzha carried him to Lomboko and sold him to a Spaniard. He was with Mayagilalo three nights; with Bamadzha one month, and at Lomboko two months. He had heard of Pedro Blanco, who lived at Te-i-lu, near Lomboko.
- *Gi-la-ba-ru* [Grab-eau] (have mercy on me) was born at Fu-lu, in the Mendi country, two moons' journey into the interior. His name in the public prints is generally spelt Grabeau. He was the next after Cingue in command of the [Amistad](#). His parents are dead, one brother and one sister living. He is married, but no children; he is a planter of rice. His king Baw-baw, lived in Fu-lu. He saw Cingue at Fulu and Fadzhinna, in Bombali. He was caught on the road when going to Taurang, in the Bandi country. to buy clothes. His uncle had bought two [slaves](#) in Bandi, and gave them in payment for a debt; one of them ran away and he (Grabeau) was taken for him. He was sold to a Vai-man, who sold him to Laigo, a Spaniard, at Lomboko. Slaves in this place are put into a prison, two are chained together by the legs, and the Spaniards give them rice and fish to eat. In his country has seen people write—they wrote from right to left. They have cows, sheep, and goats, and wear cotton cloth. Smoking tobacco is a common practice. None but the rich eat salt, it costs so much. Has seen leopards and elephants, the latter of which, are hunted for ivory. Grabeau is four feet eleven inches in height; very active, especially in turning somersets. Besides Mendi, he speaks Vai, Kon-no and Gissi. He aided John Ferry by his knowledge of Gissi, in the examination at Hartford.
- *Kimbo* (cricket) is 5 ft. 6 in. in height, with mustaches and long beard; in middle life, and is intelligent. He was born at Maw-ko-ba, a town in the Mendi country; his father was a gentleman, and after his death, his king took him for his [slave](#), and gave him to his son Ban-ga, residing in the Bullom country. He was sold to a Bullom man, who sold him to a Spaniard at Lomboko. He counts thus: 1, eta; 2 fili; 3, kiau-wa; 4, naeni; 5, loelu; 6, weta; 7, wafura; 8, wayapa; 9, ta-u; 10, pu.—Never saw any books in his country. When people die in his country, they suppose the spirit lives but where, they cannot tell.
- *Nazha-u-lu* (a water stick) also called from his country, Kon-no-ma, is 5 ft. 4 in. in height, has large lips, and projecting mouth, his incisor teeth pressed outward and filed, giving him rather a savage appearance; he is the one who was supposed to be a cannibal, tattooed in the forehead with a diamond shaped figure. He was born in the Konno country: his language is not readily understood by Covey, the interpreter. Kon-no-ma recognizes many words in Mungo Park's Mandingo vocabulary.
- *Bur-na* the younger, height 5 ft. 2 in. lived in a small town in the Mendi country. He counts in Tim-ma-ni and Bullom.

57. Jocelyn also would depict Cornelius Vanderbilt, in 1846.



He was a blacksmith in his native village, and made hoes, axes, and knives; he also planted rice. He was sold for crim. con. to a Spaniard at Lomboko. He was taken in the road, and was four days in traveling to Lomboko. Has a wife and one child, a father, three sisters and brother living.

- *Gba-tu* (Bar-tu) (a club or sword)
height 5 ft. 6 in. with a tattooed breast was born in the country of Tu-ma, near a large body of fresh water, called Ma-wu-a. His father is a gentleman and does no work. His king, named Da-be, resided in the town of Tu-ma. He was sent by his father to a village to buy clothes; on his return, he was seized by six men, and his hands tied behind; was ten days in going to Lomboko. There are high mountains in his country, rice is cultivated, people have guns; has seen elephants. Remark.—There is a village called Tu-ma, in the Timmani country, 60 miles from Sierra Leone, visited by Major Laing.
- *Gna-kwoi* (in Ba-lu dialect, 2d born)
was born at Kong-go-la-hung, the largest town in the Balu country. This town is situated on a large river called in Balu, Za-li-bu; and in Mendi, Kal-wa-ra: fish are caught in this river as large a man's body—they are caught in nets and sometimes shot with guns. When going to the gold country to buy clothes, he was taken and sold to a Vai-man, who sold him to a Spaniard named Peli. Gna-kwoi has a wife and one child; he calls himself a Balu-man; has learned the Mendi language since he was a [slave](#); 5 ft. 6 in. in height.
- *Kwong*
was born at Man-bui, a town in the Mendi country. When a boy he was called Ka-gnwa-ni. Kwong is a Bullom name. He was sold by a Tim-nani gentleman in the Du-bu country, for crim. con. with his wife, to Luisi, a Spaniard, at Lomboko. He is in middle life, 5 ft. 6 in. high.
- *Fu-li-wa*, Fu-li (sun)
called by his fellow prisoners Fuliwa, (great Fuli,) to distinguish him from Fu-li-wu-lu, (little Fuli,) was born at Ma-no, a town in the Mendi country, where his king, Ti-kba, resided. He lived with his parents, and has five brothers. His town was surrounded by soldiers, some were killed, and he with the rest were taken prisoners. He passed through the Vai country, when taken to Lomboko, and was one month on the journey. He is in middle life, 5 ft. 3 in. high, face broad in the middle, with a slight beard. It was this Fuli who instituted the suit against Ruiz and Montez.
- *P-ie*, Pi-e, or Bi-a (5 ft. 4 1-2 in. high)
calls himself a Timmani, and the father of Fu-li-wu-lu. He appears to have been distinguished for hunting in his country: says he has killed 5 leopards, 3 on the land, and 2 in the water; has killed three elephants. He has a very pleasant countenance; his hands are whitened by wounds received from the bursting of a gun barrel, which he had overloaded when showing his dexterity. He had a leopard's skin hung up on his hut, to show that he was a hunter. He has a wife and four children. He recognizes with great readiness the Timmani words and phrases contained in Winterbottom's account of Sierra Leone. He and his son seemed overjoyed to find an American who could articulate the sound of their native tongue.
- *Pu-gnwaw-ni* [Pung-wu-ni] (a duck)
5 ft. 1 in. high, body tattooed, teeth filed, was born at Fe-baw, in Sando, between Mendi and Konno. His mother's brother sold him for a coat. He was taken in the night, and was taken a six days' journey and sold to Garloba, who had four wives. He stayed with this man two years, and was employed in cultivating rice. His master's wives and children were employed in the same manner, and no distinction made in regard to labor.
- *Ses-si*
5 ft. 7 1-2 in. with a sly and mirthful countenance, was born in Mas-sa-kum, in the Bandi country, where his king, Pa-ma-sa, resided. He has three brothers, two sisters, a wife, and three children. He is a blacksmith, having learnt that trade of his brother; he made axes, hoes, and knives from



JOSEPH CINQUÉ

LA AMISTAD

iron obtained in the Mendi country. He was taken captive by soldiers and wounded in the leg. He was sold twice before he arrived at Lomboko, where he was kept about a month. Although a Bandi, he appears to have been able to talk in Mendi.

- *Mo-ru*
middle age, 5 ft. 8 1-2 in. with full negro features, was born at Sanka, in the Bandi country. His parents died when he was a child. His master, Margona, who sold him, had ten wives and many houses; he was twenty days on his journey to Lomboko. He was sold to Be-le-wa, (great whiskers,) i.e. to a Spaniard.
- *Ndam-ma* (put on or up)
5 ft. 3 in. a stout built youth, born in the Mendi country, on the river Ma-le. His father is dead, and he lived with his mother; has a brother and sister. He was taken in the road by twenty men, and was many days in traveling to Lomboko.
- *Fu-li-wu-lu* (Fuli) or, as the name has been written, Furie (sun), called Fuliwulu, to distinguish him from Fuliwa, (great Fuli)
lived with his parents in the Timmani, near the Mendi country. He is the son of Pie (No. 10.) He was taken with his father, by an African, who sold him to a Bullom man, who sold him to Luis, a Spaniard at Lomboko. He has a depression in the skull from a wound in the forehead. 5 ft. 2 1-2 in. in height.
- *Ba-u* (broke)
5 ft. 5 in. high, sober, intelligent looking and rather slightly built. Has a wife and three children. He was caught in the bush by 4 men as he was going to plant rice; his left hand was tied to his neck; was ten days in going to Lomboko. He lived near a large river named Wo-wa. In his country all have to pay for their wives; for his, he had to pay 10 clothes, 1 goat, 1 gun, and plenty of mats; his mother made the cloth for him.
- *Ba* (have none)
5 ft. 4 1-2 in. with a narrow and high head; in middle life. Parents living, 4 brothers and 4 sisters; has got a wife and child. He is a planter of rice. He was seized by two men in the road and was sold to a Gallina Vai-man, who sold him to a Spaniard. High mountains in his country, but small streams; cotton cloth is manufactured, and hens, sheep, goats, cows, and wild hogs, are common.
- *Shu-le* (water fall)
5 ft. 4 in. the oldest of the [Amistad](#) captives, and the fourth in command, when on board the schooner. He was born at Konau, in the open land, in the Mendi country. He was taken for a [slave](#) by Ma-ya, for criminal conduct with his wife. Momawru caught both him and his master Ma-ya, and made them slaves, and sold them to a man who sold him to the Spaniards at Lomboko. There is a large river in his country named Wu-wa, which runs from Gissi, passes through Mendi, and runs south into the Konno country.
- *Ka-le* (bone)
5 ft. 4 in. small head and large under lip, young and pleasant. His parents living; has two sisters. He was taken while going to a town to buy rice. He was two months in traveling to Lomboko.
- *Ba-gna* (sand or gravel)
5 ft. 3 in. was born at Du-gau-na, in the Konno country, where his king, Da-ga, lived. His parents are dead, and he lived with his brother, a planter of rice.
- *Sa*
5 ft. 2 in. a youth with a long narrow head. He was the only child of his parents, and was stolen when walking in the road, by two men. He was two months in traveling to Lomboko.
- *Kin-na* (man or big man)
5 ft. 5 1-2 in. has a bright countenance, is young, and, since he has been in New Haven, has been a good scholar. His parents and grandparents were living; has four brothers and one sister. He as

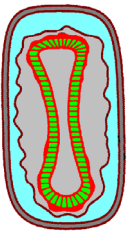


LA AMISTAD

JOSEPH CINQUÉ

born at Si-ma-b u, in the Mendi country; his king, Sa-mang, resided at the same place. He was seized when going to Kon-gol-li, by a Bullom man, who sold him to Luiz, at Lomboko.

- *Ndzha-gnwaw-ni* [Nga-ho-ni] (water bird)
5 ft. 9 in. with a large head, high cheek bones, in middle life. He has a wife and one child; he gave twenty clothes and one shawl for his wife. He lived in a mountainous country; his town was formerly fenced around, but now broken down. He was seized by four men when in a rice field, and was two weeks in traveling to Lomboko.
- *Fang* [Fa-kin-na]
5 ft. 4 in. head elevated in the middle, stout built, and middle aged. He was born at Dzho-po-a-hu, in the Mendi country, at which place his father, Baw-nge, is chief or king. He has a wife and two children; was caught in the bushes by a Mendi man, belonging to a party with guns, and says he was ten days in traveling to Lomboko after being a [slave](#) to the man that took him, less than a month.
- *Fahi-dzhin-na* [Fa-gin-na] (twin)
5 ft. 4 in. marked on the face with the small pox; was born at Tom-bo-lu, a town of Bombali, in the Mendi country. He was made a [slave](#) by Tamu for crim. con. with his wife. Tamu sold him to a Mendi man, who sold him to Laigo, a Spaniard, the same who purchased Grabeau. He says many people in his country have the [small pox](#), to cure which, they oil their bodies.
- *Ya-boi*
5 ft. 7 in large head, stout built, and in middle life; was born at Kon-do-wa-lu, where his king, Ka-kbe-ni (lazy,) resided. His village was surrounded by soldiers and he was taken by Gillewa, a Mendo man, to whom he was a [slave](#) ten years. Had a wife and one child. Gillewa sold him to Luiz, the Spaniard.
- *Fa-ban-na* (remember)
5 ft. 5 in. large round head, tattooed on the breast; in middle life; he and Grabeau were from the same country, both having the same king. He has two wives and one child; all lived in one house. His village was surrounded by soldiers: he was taken prisoner, sold twice, the last time to a Spaniard at Lomboko.
- *Tsu-ka-ma* (a learner)
5 ft. 5 1-2 in. young, with a pleasant countenance; was born at Sun-ga-ru, in the Mendi country, where his king, Gnam-be, resided: has parents living, 3 sisters, and 4 brothers. He was taken and sold into the Bullom country, where he lived for a time with his master, who sold him to Luiz, at Lomboko.
- *Be-ri* [Ber-ri] (stick)
5 ft. 3 in. with mustaches and beard, broad nose; in middle life. He was born at Fang-te, in Gula, a large fenced town, where his king, Ge-le-wa, resided. He was taken by soldiers, and was sold to Shaka, king of Genduma, in the Vai or Gallina country, who sold him to a Spaniard. Genduma is on a fresh water river, called Boba. It is three or four miles from the river, and nine from the sea.
- *Faw-ni* [Fo-ni]
5 ft. 2 in. stout built; in middle life. He was born at Bum-be, a large town in the Mendi country: the name of his king was Ka-ban-du. He is married, and has parents, brothers, and sisters living. He was seized by two men as he was going to plant rice. He was carried to Bem-be-law, in the Vai country, and sold to Luiz, who kept him there two months, before he took him to Lomboko. From Bem-be-law to Lomboko is one day's walk.
- *Bur-na* (twin) the elder
has a cast in the eye; was taken when going to the next town, by three men. His father is dead, and he lived with his mother; has four sisters and two brothers. When his father died his brother married; all lived in the same house. In his country are high mountains, but no rivers; has seen





JOSEPH CINQUÉ

LA AMISTAD

elephants and leopards. He was six weeks in traveling to Lombok, where he was kept three and a half moons.

- *Shuma* (falling water)
5 ft. 6 in. with mustaches and beard; in middle life. He can count in the Mendi, Timmani, and Bullom. His parents have been dead a long time; has a wife and one child, was taken prisoner in war, and it was four moons after he was taken, before he arrived at Lombok. Shuma spoke over the corpse of Tua, after the Reverend Mr. Bacon's prayer. The substance of what he said, as translated by Covey, was "Now Tua dead, God takes Tua, – we are left behind – No one can die but once," etc.
- *Ka-li* (bone)
4 ft. 3 in. a small boy, with a large head, flat and broad nose, stout built. He says his parents are living; has a sister and brother; was stolen when in the street, and was about a month in traveling to Lombok.
- *Te-me* (frog)
4 ft. 3 in. a young girl, says she lived with her mother, with an elder brother, and sister; her father was dead. A party of men in the night broke into her mother's house, and made them prisoners; she never saw her mother or brother afterwards, and was a long time in traveling to Lombok.
- *Ka-gne* (country)
4 ft. 3 in. a young girl. She counts in Mendi like Kwong, she also counts in Fai or Gallina, imperfectly. She says her parents are living, and has four brothers and four sisters; she was put in pawn for a debt by her father which not being paid, she was sold into [slavery](#), and was many days in going to Lombok.
- *Mar-gru* (black snake)
4 ft. 3 in. a young girl, with a large, high forehead; her parents were living; she had four sisters and two brothers; she was pawned by her father for a debt, which being unpaid, she was sold into [slavery](#)....
- James Covey
the interpreter for the Africans, is apparently about 20 years of age; was born at Benderi, in the Mendi country. His father was of Kon-no descent, and his mother Gissi. Covey was taken by three men, in the evening, from his parents' house, at Go-la-hung, whither they had removed when he was quite young. He was carried to the Bullom country, and sold as a [slave](#) to Ba-yi-mi, the king of the Bul-loms, who resided at Mani. He lived there for three yeas, and was employed to plant rice for the wife of Ba-yi-mi, the king of the Bul-loms, who resided at Mani. He was sold to a Portuguese, living near Mani, who carried him, with 200 or 300 others to Lombok, for the purpose of being transported to America. After staying in this place about one month, Covey was put on board a Portuguese [slave](#)-ship, which, after being out about four days from Lombok, was captured by a British armed vessel, and carried into Sierra Leone. Covey thus obtained his freedom, and remained in this place five or six years, and was taught to read and write the English language, in the schools of the Church Missionary Society. Covey's original name was Kaw-we-li, which signifies, in Mendi, war road, i.e., a road dangerous to pass, for fear of being taken captive. His Christian name, James, was given him by Rev. J.W. Weeks, a Church Missionary, at Sierra Leone. In November 1838, he enlisted as a sailor on board the British brig of war Buzzard, commanded by Captain Fitzgerald. It was on board this vessel, when at New York, in October 1839, that James was found, amid some twenty native Africans, and by the kindness of captain Fitzgerald, his services as an interpreter were procured.



January: A [negrero](#) flying the Portuguese flag, the *Duquesa de Braganca*, master Moreno, on one of its three known [Middle Passage](#) voyages, had sailed from Mocambique on the east coast of Africa during November 1839 with a cargo of 720 enslaved Africans, and finally in this month after such an especially long voyage was arriving at its destination, a port on the coast of Cuba.⁵⁸



Late in the month, President Martin Van Buren would decide to have the “erroneous principles” of *The U.S. v. The Libelants, etc., of the Schooner Amistad* appealed to the circuit court, which in effect would mean that the law in the case would be reconsidered by the US Supreme Court. Although Judge Andrew T. Judson’s decision would effectively rid America of the problem at hand by returning the blacks to Sierra Leone, this would constitute from our President’s point of view an unacceptable legal precedent: we could not tolerate establishing the idea that blacks might under any circumstances at all, as if they were white themselves, resort to violence in order to free themselves from unjust abuse, not merely abuse by other blacks but also abuse by whites.

The only safe legal principle would be that a black man may never under any circumstances object to being abused by a white man. On January 2nd the Richmond VA [Inquirer](#) had declared that the meaning of this case was that if white Americans ever became the victims of “black masters” they would owe to these black overlords their “compassion” and “sympathy.” Van Buren could not afford to seem to his Southern political supporters to be in favor of [servile insurrection](#). An appeal would delay the matter until after the presidential election, and thus would remove much of its political impact.⁵⁹

W.E. Burghardt Du Bois: In 1839 Pope Gregory XVI. stigmatized the slave-trade “as utterly unworthy of the Christian name;” and at the same time, although proscribed by the laws of every civilized State, the trade was flourishing with pristine vigor. Great advantage was given the traffic by the fact that the United States, for two decades after the abortive attempt of 1824, refused to co-operate with the rest of the civilized world, and allowed her flag to shelter and protect the slave-trade. If a fully equipped slaver sailed from New York, Havana, Rio Janeiro,

58. Clearly, there’s a terminology problem here. In an effort to resolve this terminology issue, at the Republican National Convention in New York City in August 2004 –at which the Republican Party would for four days make an effort to strip from its face its mask of hostility to the plight of the downtrodden and reveal its true countenance of benevolent conservatism and concern–these people would be sensitively referred to by a Hoosier Republican running for the US Senate as “involuntary immigrants.”

So, perhaps, this is a good point at which to insert a story about involuntary immigrants that has been passed on to us by Ram Varmha, a retired IBM engineer whose father had briefly served as Maharaja after the independence of Cochin. He relates the story as narrated to him by his paternal grandmother who lived in Thripoonithura, Cochin: “When my grandmother (born 1882) was a young girl she would go with the elder ladies of the family to the Pazhayannur Devi Temple in Fort Cochin, next to the Cochin Lantha Palace built by the Dutch (Landers = Lantha), which was an early establishment of the Cochin royal family before the administration moved to Thripoonithura. My grandmother often told us that in the basement of the Lantha Palace, in a confined area, a family of Africans had been kept locked up, as in a zoo! By my Grandmother’s time all the Africans had died. But, some of the elder ladies had narrated the story to her of ‘Kappiries’ (Africans) kept in captivity there. It seems visitors would give them fruits and bananas. They were well cared for but always kept in confinement. My grandmother did not know all the details but according to her, ‘many’ years earlier, a ship having broken its mast drifted into the old Cochin harbor. When the locals climbed aboard, they found a crewless ship, but in the hold there were some chained ‘Kappiries’ still alive; others having perished. The locals did not know what to do with them. Not understanding their language and finding the Africans in chains, the locals thought that these were dangerous to set free. So they herded the poor Africans into the basement of the Cochin Fort, and held them in captivity, for many, many years! I have no idea when the initial incident happened, but I presume it took place in the late 1700s or early 1800s. This points to the possibility that it was, in fact, a slave ship carrying human cargo from East Africa to either the USA or the West Indies. An amazing and rather bizarre story. Incidentally, this is not an ‘old woman’s tale’! Its quite reliable. My grandmother would identify some of the older ladies who had actually seen the surviving Kappiries.”

59. This of course is surmise, since the President would omit to discuss the decision in his autobiography. In the event, it would seem that the Van Buren Democrats lost in this bid for re-election not because of the slavery controversy but because of the financial crisis beginning in 1837. It was the economy, stupid — when the economy is in free fall the incumbent ain’t gonna get re-elected.



JOSEPH CINQUÉ

LA AMISTAD

or Liverpool, she had only to hoist the stars and stripes in order to proceed unmolested on her piratical voyage; for there was seldom a United States cruiser to be met with, and there were, on the other hand, diplomats at Washington so jealous of the honor of the flag that they would prostitute it to crime rather than allow an English or a French cruiser in any way to interfere. Without doubt, the contention of the United States as to England's pretensions to a Right of Visit was technically correct. Nevertheless, it was clear that if the slave-trade was to be suppressed, each nation must either zealously keep her flag from fraudulent use, or, as a labor-saving device, depute to others this duty for limited places and under special circumstances. A failure of any one nation to do one of these two things meant that the efforts of all other nations were to be fruitless. The United States had invited the world to join her in denouncing the slave-trade as piracy; yet, when such a pirate was waylaid by an English vessel, the United States complained or demanded reparation. The only answer which this country for years returned to the long-continued exposures of American slave-traders and of the fraudulent use of the American flag, was a recital of cases where Great Britain had gone beyond her legal powers in her attempt to suppress the slave-trade.⁶⁰ In the face of overwhelming evidence to the contrary, Secretary of State Forsyth declared, in 1840, that the duty of the United States in the matter of the slave-trade "has been faithfully performed, and if the traffic still exists as a disgrace to humanity, it is to be imputed to nations with whom Her Majesty's Government has formed and maintained the most intimate connexions, and to whose Governments Great Britain has paid for the right of active intervention in order to its complete extirpation."⁶¹ So zealous was Stevenson, our minister to England, in denying the Right of Search, that he boldly informed Palmerston, in 1841, "that there is no shadow of pretence for excusing, much less justifying, the exercise of any such right. That it is wholly immaterial, whether the vessels be equipped for, or actually engaged in slave traffic or not, and consequently the right to search or detain even slave vessels, must be confined to the ships or vessels of those nations with whom it may have treaties on the subject."⁶² Palmerston courteously replied that he could not think that the United States seriously intended to make its flag a refuge for slave-traders;⁶³ and Aberdeen pertinently declared: "Now, it can scarcely be maintained by Mr. Stevenson that Great Britain should be bound to permit her own subjects, with British vessels and British capital, to carry on, before the eyes of British officers, this detestable traffic in human beings, which the law has declared to be piracy, merely because they had the audacity to commit an additional offence by fraudulently usurping the American flag."⁶⁴ Thus the dispute, even after the advent of

60. Cf. BRITISH AND FOREIGN STATE PAPERS, from 1836 to 1842.

61. BRITISH AND FOREIGN STATE PAPERS, 1839-40, page 940.

62. HOUSE DOCUMENT, 27th Congress 1st session, No. 34, pages 5-6.

63. SENATE DOCUMENT, 29th Congress 1st session, VIII. No. 377, page 56.



LA AMISTAD

JOSEPH CINQUÉ

Webster, went on for a time, involving itself in metaphysical subtleties, and apparently leading no nearer to an understanding.⁶⁵

In 1838 a fourth conference of the powers for the consideration of the slave-trade took place at London. It was attended by representatives of England, France, Russia, Prussia, and Austria. England laid the *projet* of a treaty before them, to which all but France assented. This so-called Quintuple Treaty, signed December 20, 1841, denounced the slave-trade as piracy, and declared that "the High Contracting Parties agree by common consent, that those of their ships of war which shall be provided with special warrants and orders ... may search every merchant-vessel belonging to any one of the High Contracting Parties which shall, on reasonable grounds, be suspected of being engaged in the traffic in slaves." All captured slavers were to be sent to their own countries for trial.⁶⁶

While the ratification of this treaty was pending, the United States minister to France, [Lewis Cass](#), addressed an official note to Guizot at the French foreign office, protesting against the institution of an international Right of Search, and rather grandiloquently warning the powers against the use of force to accomplish their ends. This extraordinary epistle, issued on the minister's own responsibility, brought a reply denying that the creation of any "new principle of international law, whereby the vessels even of those powers which have not participated in the arrangement should be subjected to the right of search," was ever intended, and affirming that no such extraordinary interpretation could be deduced from the Convention. Moreover, M. Guizot hoped that the United States, by agreeing to this treaty, would "aid, by its most sincere endeavors, in the definitive abolition of the trade."⁶⁷ Cass's theatrical protest was, consciously or unconsciously, the manifesto of that growing class in the United States who wanted no further measures taken for the suppression of the slave-trade; toward that, as toward the institution of slavery, this party favored a policy of strict *laissez-faire*.

64. SENATE DOCUMENT, 29th Congress 1st session, VIII. No. 377, page 72.

65. SENATE DOCUMENT, 29th Congress 1st session, VIII. No. 377, pages 133-40, etc.

66. BRITISH AND FOREIGN STATE PAPERS, 1841-2, page 269 ff.

67. SENATE DOCUMENT, 29th Congress 1st session, VIII. No. 377, page 201.

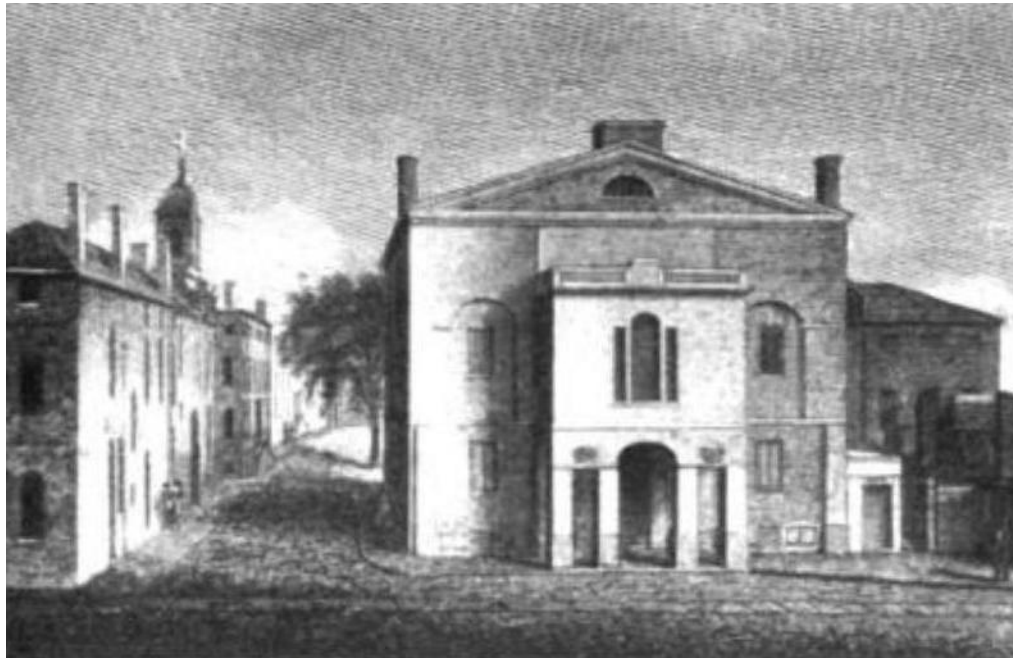


JOSEPH CINQUÉ

LA AMISTAD

January 2, Thursday: The Honorable [Edward Everett](#), LL.D. re-delivered the inaugural lecture of "[The Lowell Institute](#)" honoring the quarter-million dollars of its benefactor the deceased John Lowell, Jr.

Subsequently, subscribers would fill [Odeon Hall](#) at the corner of Federal Street and Franklin Street in Boston to its capacity of 2,000 seats twice a week to hear a series of lectures on natural theology, by the Reverend James Walker, D.D.. The relation between the dual sources of knowledge –reason and revelation, the world and the book– that was indeed one hot topic!



In New Haven, Connecticut, *The U.S. v. The Libelants, etc., of the Schooner Amistad* case resumed, while in the Richmond VA [Inquirer](#) the declaration was being made that what the case meant was that white Americans might become the victims of “black masters” to whom they would owe –the horror– “compassion” and “sympathy.” In the current issue of the [American Phrenological Journal and Miscellany](#), the [phrenologist](#) L.N. Fowler was announcing that examination of the head of [Joseph Cinqué](#) had enabled him to verify that this specimen was “superior to the majority of negroes.” The base of this one’s brain was smaller, indicating that his personality was not being dominated by the “lower animal propensities.”



[LA AMISTAD](#)



January 6, Monday: Fanny Burney died in [London](#) at the age of 88. She had survived a full 28 years after her successful mastectomy operation.

[Charles Stearns Wheeler](#) replied from Cambridge that he could not accept [Henry Thoreau](#)'s invitation to lecture on Wednesday night at the Concord Lyceum — but that [Richard Henry Dana, Jr.](#), then attending Harvard Law School, would come instead.

Cambridge, Jan. 6th, 1840.

Dear Thoreau,

I have the pleasure of informing you that in my inability to come up to Concord next Wednesday evening, I have secured a lecture to you from Dawes, of the Divinity School, who has had some experience in that line, and who I make no doubt will please your good people. My engagements for that evg. are such that I cannot be with you, nor if they were otherwise have I a lecture prepared, or time to write one.

Clarke and Dall are als[] unable to write a lecture in so short a time. Daw[] has one which he will give, and so my commissio[] is happily discharged. I should be happy to come to Concord to lecture, and will hope to be able to come at some future time.

Wishing you many happy new Years and happy re[t]rospects of old ones, and desiring to be remembered to my Concord friends,

I am truly your friend [&] Classmate,

C. S. Wheeler.

Page 2

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[J]AN

7

MS.

Address: *Mr. H. D. Thoreau*

Concord

Mass.

Postage: 6

{written perpendicularly in right margin: *C.S. Wheeler*}

Mr. Forsyth of the US Department of State wrote to Mr. Holabird, the US Attorney for the District of Connecticut, at New Haven, in regard to the Africans of [La Amistad](#) (26th Congress., 1st sess., 1840. H. Doc. 185):

Mr. Forsyth to Mr. Holabird.
DEPARTMENT OF STATE,
Washington, January 6, 1840.

SIR: Your letter of the 20th ultimo was duly received, and has been laid before the President [President Martin



JOSEPH CINQUÉ

LA AMISTAD

Van Buren]. The Spanish minister having applied to this department for the use of a vessel of the United States, in the event of the decision of the circuit court in the case of the Amistad being favorable to his former application, to convey the negroes to Cuba, for the purpose of being delivered over to the authorities of that island, the President has, agreeably to your suggestion, taken in connexion with the request of the Spanish minister, ordered a vessel [the USS *Grampus*] to be in readiness to receive the negroes from the custody of the marshal as soon as their delivery shall have been ordered by the court. As the request of the Spanish minister for the delivery of the negroes to the authorities of Cuba has, for one of its objects, that those people should have an opportunity of proving, before the tribunals of the island, the truth of the allegations made in their behalf in the course of the proceedings before the circuit court that they are not slaves, the President, desirous of affording the Spanish courts every facility that may be derived from this country towards a fair and full investigation of all the circumstances, and particularly of the allegation referred to with regard to the real condition of the negroes, has directed that Lieutenants Gedney and Meade be directed to proceed to Cuba, for the purpose of giving their testimony in any proceedings that may be instituted there in the premises; and that complete records of all those which have been had before the circuit court of your district, including the evidence taken in the cause, be, with the same view, furnished to the Spanish colonial authorities. In obedience to this last mentioned order, you will cause to be prepared an authentic copy of the records of the court in the case, and of all the documents and evidence connected with it, so as to have it ready to be handed over to the commander of the vessel which is to take out the negroes, who will be instructed as to the disposition he is to make of them.

With regard to the schooner Amistad, which the Spanish minister represents not to be in a condition to be sent to sea, and the goods found on board as part of her cargo, as the presumption is that the court will decree the same disposition of them as of the negroes, they are to remain in the custody of the marshal, to be delivered over to such person as the Spanish minister may appoint; subject, however, in case of their being sold in the United States, to the legal demands of the custom-house upon them.

I am, sir, your obedient servant,
JOHN FORSYTH

W. S. HOLABIRD, Esq.,
Att'y U.S. for Dist. of Conn., New Haven.

January 10, Friday: Under presidential order, the USS *Grampus* stood by to receive the *La Amistad* captives and transport them illegally to their deaths in Cuba. Here is a letter from an unidentified writer that appeared in the New London Gazette, in regard to the *Grampus* showing up in New Haven harbor at the time of the trial:

Now, sir it appears to me to be of little consequence to know whether instructions came from Washington or whether the case was decided before trial and its decision transmitted thither - if either supposition be true (and the facts have a strong squinting that way) the people should know it. The stride which the President has made towards universal power in other branches of the government render it by no means improbable that he has at length assumed the duties of the Judiciary, and that the case was decided at Washington long before the trial, and the *Grampus* held in readiness to remove the Negroes the moment the court completes the forms of the trial.

I cannot hope, sir, that this view of the subject is a mistaken one; for if it be true, our Federal Courts have



LA AMISTAD

JOSEPH CINQUÉ

become the mere instruments of the President, and if this case was prejudged without hearing either of the testimony or argument, what security is left us for our property or liberties?

Until the movements of the Grampus are explained there will remain in the minds of many, even of those who are friends of the Administration, a painful suspicion of foul play.

Fortuitously, there was a clerical error in a document prepared by the US Department of State, in that the court in New Haven had been referred to as a circuit court when actually it was a district court! This clerical error would prove useful in preventing the administration of President Martin Van Buren from legally kidnapping the *Amistad* captives and hauling them off to Cuba to be tortured and killed.

January 13, Monday: Judge Andrew T. Judson ruled that President Martin Van Buren could transport the blacks of [La Amistad](#) — but to Africa rather than to Cuba.



Cunning judge! —He knew how to give the administration what it did not want. Three cheers for judges as wise as that!

January 23, Thursday: Ernst Abbe, formulator of diffraction theory, was born.



JOSEPH CINQUÉ

LA AMISTAD

January 25, Saturday: The newspapers reported on the case of *La Amistad*:

The Amistad case. Judge Judson has, at length, decided on the case of the blacks of the Amistad, who murdered the captain and other persons on board the schooner. He sets them free. Had they been whites they would have been tried and executed as pirates.— The following are the grounds of the decision:

1. That the district court for Connecticut has jurisdiction, the schooner having been taken possession of, in a legal sense, on the "high seas."
2. That the libel of Thomas R. Gedney and others, is properly filed in the district court of Connecticut.
3. That the seizers are entitled to salvage, and an appraisement will be ordered, and one-third of that amount and cost will be decreed just and reasonable.
4. That Green and Fordham of Sag Harbor, who claim to have taken original possession of the vessel and cargo, cannot sustain their claim, and therefore their libel is dismissed.
5. That Ruiz and Montez, through the Spanish minister, have established no title to the Africans, as they are undoubtedly Bozal negroes, or negroes recently imported from Africa, in violation of the laws of Spain.
6. That the demand of restoration, to have the question tried in Cuba, made by the Spanish minister, cannot be complied with, as by their own laws it is certain they cannot enslave these Africans, and therefore cannot properly demand them for trial.
7. That Antonia, being a Creole, and legally a slave, and expressing a strong wish to be returned to Havana, a restoration will be decreed under the treaty of 1795.
8. That these Africans be delivered to the president of the United States, under the 2d sec. of the act of March 3, 1819, still in force, to be transported to Africa, there to be delivered to the agent appointed to receive and conduct them home. (*Journal of Com.*)

February 10, Monday: The Hartford Courant attacked President Martin Van Buren for his stance in regard to the *Amistad* case.

We are informed by a gentleman from New Haven that a short time previous to the trial of the Africans of the Amistad, before the U.S. District Court at New Haven, Judge Judson presiding, Martin Van Buren addressed a letter to the Judge recommending and urging him to order the Africans to be taken back to Havana in a government vessel, to be sold there as slaves - and that about the same time the U.S. schooner *Grampus* was ordered to New

LA AMISTAD

JOSEPH CINQUÉ

Haven for the purpose of receiving them.



The schooner, we learned from several sources, arrived at New Haven about the time of the trial under "sealed orders" and, after learning the decision of the court again, "made off." The letter of the President, recommending that these poor unfortunate Africans be sent into perpetual bondage, is said to contain statements disgraceful to the high station of its author, and which, were they published, would excite the indignation of every Republican freeman in the land. What will the friends of liberty say to this? Surely Martin Van Buren is playing the part of a tyrant with a high hand - else why this tampering with our courts of justice, this Executive usurpation, and this heartless violation of the inalienable rights of man? Of the truth of the above there is no doubt, and we leave the unprincipled author of such a proceeding in the hands of a just and high-minded People.



JOSEPH CINQUÉ

LA AMISTAD

Early in the month of May: The circuit court ruled in favor of President Martin Van Buren, agreeing that the [La Amistad](#) decision would need to be reconsidered by the US Supreme Court, laden with Southern slavemasters. The case was set to be heard during the January term of 1841. Admitting that if the men were white they would meanwhile be put out on bail, “released under the habeas corpus,” the judges denied bail to them because they were blacks and the law of the United States did not allow blacks to “stand in that point of view”:

I say again, as I have said a hundred times, that however repugnant slavery may be, sitting here as a Judge, I must recognize that the laws of this country do admit the right of property in men.

Of course, the white abolitionist “defenders” of these Africans were no more eager than this judge to see the defendants get put out on their own recognizance, since, if for their own welfare they were to manage to run away to [Canada](#), this would interfere with the establishment of the grand legal principles which the white abolitionists were pursuing through exploitation of their lives and suffering. With friends like the white abolitionists, of course, these Africans actually didn’t need any enemies such as unimaginative judges.⁶⁸

Private families in New Haven CT had offered to care for the four children among the defendants at no expense to the government pending the hearing before the Supremes, but the judge decided that the Westville lockup about two miles from New Haven was good enough for these children, that it would not “hurt them to remain as they were.” The small expense to the government, in keeping these children in the lockup, the judge pointed out, actually was an inconsiderable one. It wasn’t as if they had to give each one a room and a bed and bedding and clothing and education and medical care and decent food and parenting and this and that, you know, since although they were children at risk they were only Negro children.

A inquiring reporter for the Boston [Recorder](#) had visited this lockup in Westville CT:

With one or two exceptions, they all have active minds and are quick, shrewd and intelligent. They possess deep and warm affections. Their love of Africa and home is very strong; in reply to a question put to two of the most intelligent of their number, the instant and deep-feeling answer was, “Tell the American people that we very, very much want to go home.” Poor fellows! Who can doubt it?

May: Daniel Webster was approached about replacing Roger Sherman Baldwin as the defense counsel for the [La Amistad](#) blacks, for purposes of arguing on their behalf before the US Supreme Court, but Webster was considering a run for the Presidency and it wouldn’t have helped him to be perceived by the American electorate as one of those white men who cared what happened to black Americans. Therefore, instead, the abolitionists approached [John Quincy Adams](#), who could care less what happened to black Americans but also could care less how the American electorate perceived him — and he accepted.⁶⁹

68. Remember that when the Washington attorney Francis Scott Key would raise the possibility that the welfare of the blacks of the [La Amistad](#) could best be served by raising money and purchasing them from the Spaniards and then setting them free in Africa, Lewis Tappan would nix this idea because he was not so much interested in the wellbeing of this particular group of blacks as he was in the principle, that there be no “concession to slavery.” In other words, it was not the good of the blacks that animated this defender of the blacks, but the good of White America.

69. Remember that in 1783 [John Quincy Adams](#) had visited the British Museum in London to view the seal of his ancestor Saer de Quincy upon the original parchment of the Magna Carta. He would represent the blacks of the [La Amistad](#) only because the [La Amistad](#) had been seized by the [USS Washington](#) without warrant in a “gross violation” by the US government of a principle underlying this foundational document which his eponymous ancestor had helped to create. In other words, he wouldn’t be defending the black defendants at all, but would be defending instead the historical significance of this English nobleman his momma had once told him (probably, it turns out, falsely) was his illustrious white ancestor, Saer de Quincy.



LA AMISTAD

JOSEPH CINQUÉ

July 10, Friday: According to the Liberator, the wax figures of the *La Amistad* blacks on display in Boston's Amory Hall were fitted with actual hair from the captives' heads.

THE MARKET FOR HUMAN BODY PARTS

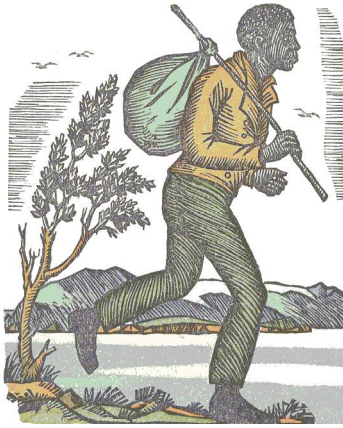
[HDT](#)[WHAT?](#)[INDEX](#)

JOSEPH CINQUÉ

LA AMISTAD

1841

Richard Blackett's BEATING AGAINST THE BARRIERS contains on pages 22-26 an essay on the Reverend James W.C. Pennington, one of the African Americans involved in the *La Amistad* affair. A fugitive [slave](#) artisan from [Maryland](#), Pennington was also a leading opponent of the American Colonization Society and (though



[Yale College](#) prohibited him from formally enrolling in its divinity school or borrowing books from the library) a Yale-trained minister.



(This was the year in which the Reverend James W.C. Pennington's TEXT-BOOK OF THE ORIGINS AND HISTORY & C. & C. OF THE COLORED PEOPLE was being published in Hartford CT by the printer L. Skinner.)

The incident of the *La Amistad*, as Blackett shows, allowed the Reverend James W.C. Pennington the opportunity to promote two of his foremost aims: the redemption of Africa through missionary activity, and active resistance against discrimination in the North. Pennington envisioned these blacks as becoming the leaders of a missionary station in West Africa. In 1841, five of the rebels and delegates from six states met at Pennington's church in Hartford CT to found the Union Missionary Society — but this would result in conflict



LA AMISTAD

JOSEPH CINQUÉ

with Lewis Tappan and the other major group assisting the rebels, the Mendian Committee. In 1846 the Reverend Pennington's Union Missionary Society would merge with the Committee for West Indian Missions and the Western Evangelical Missionary Society to form the American Missionary Association.

In this year, also, Lewis Tappan realized that since he was regularly needing to extend credit in order to make a sale, he needed to be able to evaluate the trustworthiness of his customer as a creditor. He began keeping records on his customers' characters and credit-worthiness. Eventually he would exploit his abolitionist connections among businessmen, in order to create a network of businesses who kept such records, to offer as a fee service to the commercial community up-to-date and comprehensive credit information about their potential customers. Some would regard such records-keeping as an invasion of privacy, but by 1844 Tappan's Mercantile Agency would have 280 clients. It would open branch offices in Boston, Philadelphia, and Baltimore. Tappan would in 1849 transfer the operation of his agency to his chief clerk, Benjamin Douglass, and by 1851, there would be some 2,000 full-time correspondents reporting from across the USA. In 1858, Douglass would transfer the company to his brother-in-law Robert Graham Dun, and in 1933 R.G. Dun & Company would merge with its main rival, Bradstreet, to form the largest credit reporting entity in the world, which would come to be known as Dun & Bradstreet.

January 4, Monday: Kale of the [La Amistad](#), to [John Quincy Adams](#).⁷⁰

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 [one of the white survivors on the ship] 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 a 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. American people no talk Mendi language. American people crazy dolts? 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. Pendelton [the jailer] come and Mendi people all look sorry because they think about Mendiland and friends we no see now. Mr. Pendelton say we feel anger and white men afraid of us. Then we no look sorry again. That's why we laugh. But Mendi people feel bad. O, we can't tell how bad. Some people say, Mendi people no have souls. Why we feel bad, we no have 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 take all to Africa. We feel bad for our friends, and our friends all feel bad for us. Americans not take us in ship. We were on shore and Americans tell us slave ship catch us. They say we make you free. If they make us free they tell truth, if they not make us free they tell lie. If America give us free we glad, if they no

70. "All we want is make us free." In Simon Baldwin. "The Captives of the Amistad." Reprinted in Papers of the New Haven-Colony Historical Society. Vol. IV. 1888. 354-55

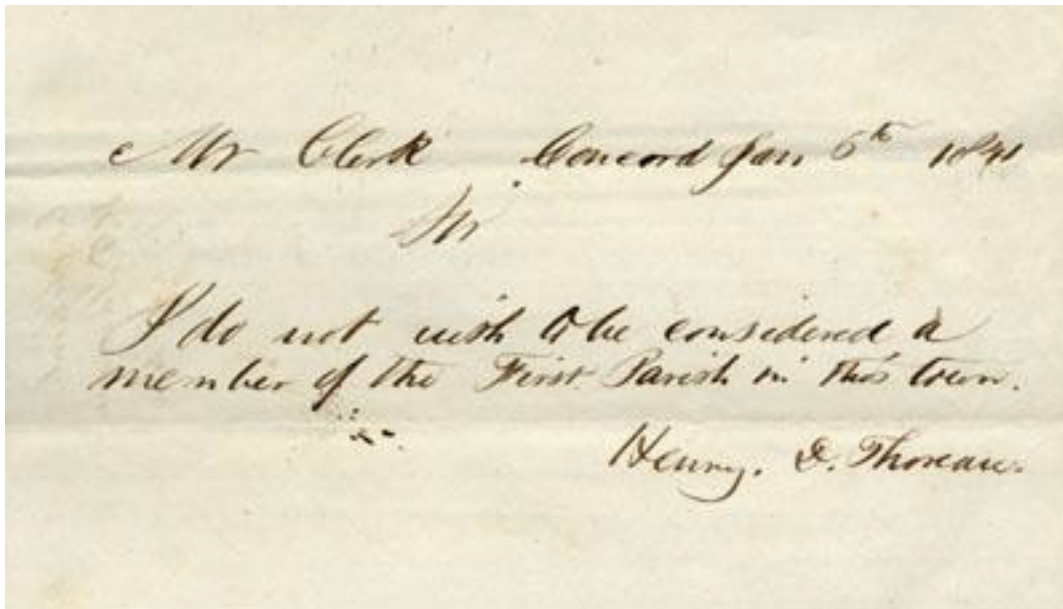


JOSEPH CINQUÉ

LA AMISTAD

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. 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 the truth, What for Mendi people afraid? Because they have 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 if he no kill us. If Court ask who bring Mendi people to America, we bring ourselves. Ceci hold the rudder. All we want is make us free, not send us to Havana. Send us home. Give us Missionary. We tell Mendi people Americans spoke truth. We give them good tidings. We tell them there is one god. You must worship him. Make us free and we will bless you and all Mendi people will bless you, Dear friend Mr. Adams.

January 6, Wednesday: [Henry Thoreau](#) wrote to the [Concord](#) Town Clerk:



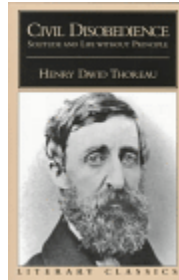
Mr Clerk Concord Jan 6th 1841
Sir
I do not wish to be considered a
member of the First Parish in this town.



LA AMISTAD

JOSEPH CINQUÉ

Henry D. Thoreau.



The proslavery [Washington DC](#) attorney Francis Scott Key, seeking for transparent reasons to minimize the ridiculousness of human slavery, raised the possibility that the welfare of the blacks of the [La Amistad](#) could best be served by raising money and purchasing them from the Spaniards and then setting them free in Africa. The wealthy abolitionist Lewis Tappan, when presented with this idea, since he was seeking for transparent reasons to maximize the ridiculousness of human slavery, would nix this idea. He was not so much interested in the wellbeing of particular people of color as he was in a principle, that there be no “concession to slavery.”⁷¹

February: During this month and the following one Representative Adams, the former president, would be arguing the [La Amistad](#) case before the Supreme Court of the United States of America. It had been Lewis Tappan who had persuaded [John Quincy Adams](#) and Roger S. Baldwin to take this case.



Adams would need to be pointing out to the several justices, in the case of the mutiny aboard this good ship, that:



“The words slave and slavery are studiously excluded from the Constitution. Circumlocutions are the fig-leaves under which these parts of the body politic are decently concealed.”



71. With a friend like Lewis Tappan, what need would these black captives have had for enemies?




JOSEPH CINQUÉ

LA AMISTAD

February 22, Monday: In the vault beneath the chamber of the US Senate, the Supreme Court began to hear the [La Amistad](#) case, *The U.S. v. The Libelants, etc., of the Schooner Amistad*. In the gloom, as the lawyers walked back and forth presenting their cases, they passed in and out of view among the huge pillars that held up the floor of the Senate chamber. Two of the Supreme Court justices were not present, one due to illness and the other due to death, and both of these absent justices were of the slaveholding faction on the court. The government completed the presentation of its case and the defenders of the *Amistad* blacks began their defense.

READ THE FULL TEXT



 February 24, Wednesday: Because an American seaman had been murdered on Upolu Island, a US naval party landed on the island of Samoa to put some of its native towns to the torch. The defenders in the [La Amistad](#)

US MILITARY INTERVENTIONS

case continued the presentation of their brief for freedom. [John Quincy Adams](#) insisted that the guiding principle for the situation was to be seen in the [Declaration of Independence](#) a copy of which, at that time, was mounted on one of the immense pillars of this gloomy vault. He read from it: “the law of Nature and of Nature’s God.”⁷² We do not know exactly what Adams argued, because later he would fail to deliver his documents to the court recorder on time, and the documents as preserved among these papers may well have been subsequently modified by him. Some of those in attendance on this day would characterize his 4½-hour presentation as rambling. He was an old man, a former president, full of years and full of himself. The reporter for the New-York [American](#) would comment that the geriatric gent’s presentation had been “certainly not so much to the point as could have been desired.”⁷³



Argument of John Quincy Adams, before the Supreme Court of the United States, in the Case of the United States, Appellants, vs. Cinque, and Others, Africans, Captured in the Schooner Amistad. Delivered on February 24, and March 1, 1841.⁷⁴

1....I appear here on the behalf of thirty-six individuals, the life and liberty of every one of whom depend on the decision of this Court.... Three or four of them are female children,

72. Disregarding of course the well-established principle that this [Declaration of Independence](#) document, created before the existence of the United States of America, unlike the later federal Constitution document which fails to refer to it, is entirely without legal standing or function in our body of statutory enactments and case-law-precedent jurisprudence.

73. Well, but it would provide a marvelous opportunity for Anthony Hopkins to “wing it,” and make points within the sensitivities of a contemporary audience, and display his control over his craft — and it seems that’s all that mattered to a director like Spielberg.

74. [John Quincy Adams](#). ARGUMENT BEFORE THE SUPREME COURT OF THE UNITED STATES, IN THE CASE OF THE UNITED STATES, APPELLANTS, VS. CINQUE, AND OTHERS, AFRICANS, CAPTURED IN THE SCHOONER AMISTAD, BY LIEUT. GEDNEY, DELIVERED ON THE 24TH OF FEB. AND 1ST OF MARCH, 1841. WITH A REVIEW OF THE CASE OF THE ANTELOPE. New York, 1841.



LA AMISTAD

JOSEPH CINQUÉ

incapable, in the judgment of our laws, of the crime of murder or piracy, or, perhaps, of any other crime. Yet, from the day when the vessel was taken possession of by one of our naval officers, they have all been held as close prisoners, now for the period of eighteen long months....

2.The Constitution of the United States recognizes the slaves, held within some of the States of the Union, only in their capacity of persons – persons held to labor or service in a State under the laws thereof – persons constituting elements of representation in the popular branch of the National Legislature persons, the migration or importation of whom should not be prohibited by Congress prior to the year 1808. The Constitution no where recognizes them as property. The words slave and slavery are studiously excluded from the Constitution. Circumlocutions are the fig-leaves under which the parts of the body politic are decently concealed. Slaves, therefore, in the Constitution of the United States are persons, enjoying rights and held to the performance of duties....

3.The persons aforesaid, described as slaves, are Negroes and persons of color, who have been transported from Africa in violation of the laws of the United States.... The Court should enable the United States to send the Negroes home to Africa ... in pursuance of the law of Congress passed March 3, 1829, entitled "An act in addition to the acts prohibiting the slave-trade."...

4.The President ... signed [an] order for the delivery of MEN to the control of an officer of the navy to be carried beyond sea.... The District Judge, contrary to all [the] anticipations of the Executive, decided that the thirty-six Negroes ... brought before the Court ... were FREEMEN; that they had been kidnapped in Africa; that they did not own ... Spanish names; ... that they were not correctly described in the passport, but were new Negroes ... fully entitled to their liberty.

5.Well was it for the country – well was it for the President of the United States himself that he paused before stepping over this Rubicon! ... The indignation of the freemen of Connecticut, might not tamely endure the sight, of thirty-six free persons, though Africans, fettered and manacled in their land of freedom, to be transported beyond the seas, to perpetual hereditary servitude or to death, by the servile submission of an American President to the insolent dictation of a foreign minister....

6.{President Van Buren informed his subordinates that} if the decree of the Judge should be in our favor, and you can steal a march upon the Negroes by foreclosing their right of appeal, ship them off without mercy and without delay: and if the decree should be in their favor, fail not to enter an instantaneous appeal to the Supreme Court where the chances may be more hostile to self-emancipated slaves.

7.Was ever such a scene of Lilliputian trickery enacted by the rulers of a great, magnanimous, and Christian nation? Contrast



JOSEPH CINQUÉ

LA AMISTAD

it with that act of self-emancipation, by which the savage, heathen barbarians Cinque and Grabeau liberated themselves and their fellow suffering countrymen from Spanish slave traders, and which the Secretary of State ... denominates lawless violence.... Cinque and Graveau are uncooth and barbarous names. Call them Harmodius and Aristogiton, and go back for moral principle three thousand years to the fierce and glorious democracy of Athens. They too resorted to lawless violence, and slew the tyrant to redeem the freedom of their country....

8.I said, when I began this plea, that my final reliance for success in this case was on this Court as a court of JUSTICE; and in the confidence this fact inspired, that, in the administration of justice, in a case of no less importance than the liberty and the life of a large number of persons, this Court would not decide but on a due consideration of all the rights, both natural and social, of everyone of these individuals.... I have avoided, purposely avoided ... a recurrence to those first principles of liberty which might well have been invoked in the argument of this cause. I have shown that [the Amistad's crew members] ... were acting at the time in a way that is forbidden by the laws of Great Britain, of Spain and of the United States, and ... that these Negroes were free and had a right to assert their liberty....

9.On the of February, 1804, now more than thirty-seven years past, my name was entered, and yet stands recorded, on both the rolls, as one of the Attorneys and Counsellors of this Court.... I stand before the same Court, but not before the same judges – nor aided by the same associates – nor resisted by the same opponents. As I cast my eyes along those seats of honor and public trust, now occupied by you, they seek in vain for one of those honored and honorable persons whose indulgence listened then to my voice. Marshall – Cushing – Chase – Washington – Johnson – Livingston Todd – Where are they?...Gone! Gone! All gone! ... In taking, then, my final leave of this Bar, and of this Honorable Court, I can only ejaculate a fervent petition to Heaven, that every member of it may go to his final account with as little of earthly frailty to answer for as those illustrious dead....



March 1, Monday: *The United States, Appellants, v. Cinque, and Others, Africans, Captured in the schooner Amistad*, by Lieut. Gedney resumed. The Supreme Court's celebrity guest [John Quincy Adams](#) chewed his cud for another three full hours.

READ THE FULL TEXT

LA AMISTAD



In [Illinois](#) [ILLINOIS](#), Abraham Lincoln formed a new law partnership, with Stephen T. Logan.



March 2, Tuesday: Summation in the case of *The U.S. v. The Libelants, etc., of the Schooner Amistad*.

LA AMISTAD



[Henry Thoreau](#) read in the recently published LETTERS OF MRS. ADAMS, THE WIFE OF JOHN ADAMS. WITH AN INTRODUCTORY MEMOIR BY HER GRANDSON, CHARLES FRANCIS ADAMS ([Boston](#): Charles C. Little and James Brown; Cambridge: Folsom, Wells, and Thurston, Printers to the University, 1840).



ABIGAIL SMITH ADAMS





JOSEPH CINQUÉ

LA AMISTAD


March 3, Wednesday: Before the US Supreme Court had even had a chance to write its decision in the case of *The U.S. v. The Libelants, etc., of the Schooner Amistad*, the US House of Representatives took action in regard to the disposition of the valuable prize that had been won by the surviving 35 of the wrongfully detained Africans aboard her, without any consideration or compensation whatever to them in regard to their hard-won property interest:

March 3, 1841. CHAP. XXXIX. — *An Act to authorize the enrolment or register of the schooner Amistad.*
Be it enacted, &c., That the Spanish schooner Amistad, lately sold at New London, by the marshal, in pursuance of an order of the district court of the United States for the district of Connecticut, may be registered, or enrolled, the same as if said schooner had been built within the United States.
APPROVED, March 3, 1841.

Schr. Amistad may be registered or enrolled.

LA AMISTAD



 March 9, Tuesday: Justice Joseph Story read the decision of the Supreme Court. According to page 194 of the revised paperback edition of 1988 of Howard Jones’s 1987 monograph *MUTINY ON THE AMISTAD: THE SAGE OF A SLAVE REVOLT AND ITS IMPACT ON AMERICAN ABOLITION, LAW AND DIPLOMACY* (Oxford UP), there was really not much to celebrate in the final freeing of the *La Amistad* blacks. The injustices perpetrated upon them in the [international slave trade](#) had not been repaired:



[M]ore than a third of the captives were dead and the survivors had suffered all manner of indignities. Denied bail, the 36 male captives had undergone 18 months of incarceration in a dingy and unsanitary room that measured a bare 20 by 30 feet and contained cribs arranged in rows as beds. Furthermore, they had been treated like caged animals on display before fascinated Connecticut citizens who, in the carnival spirit of the age of P.T. Barnum, paid a few cents to gaze on the so-called savages as cannibals and tattooed pagans rather than human beings held captive thousands of miles from home.

This case had begun less than 10 years after [Nat Turner](#) and his rebels had rocked the nation with a [slave](#) revolt in Southampton County, and in another 15 years, this same court would rule in *Dred Scott v. Sandford* that people of the “Negro African race” were “regarded as beings ... so far inferior, that they had no rights which the white man was bound to respect.” How then, can one reconcile the seemingly liberating message of *The U.S. v. The Libelants, etc., of the Schooner Amistad* with the damning repression to be voiced in *Dred Scott v. Sandford*?

To read the actual opinion of the court offers us invaluable insights and answers this question.



LA AMISTAD

JOSEPH CINQUÉ

Justice Joseph Story, who wrote the opinion in the case, left little room for the popular illusion that the *Amistad* case was about slavery — it was really a cast that was all about, and only about, international law:



If these negroes were, at the time, lawfully held as slaves under the laws of Spain, and recognized by those laws as property capable of being lawfully bought and sold, we see no reason why they may not justly be deemed within the intent of the treaty to be included under the domination of merchandise, and, as such, ought to be restored to the claimants;...

It was merely international law, and the facts of the case, that had determined the outcome:



Nothing is more clear in the law of nations, as an established rule to regulate their rights and duties, and intercourse, than the doctrine that the ship's papers are but prima facie evidence, and that, if they are shown to be fraudulent, they are not to be held proof of any valid title.

The situation, Justice Story wrote, was that since the negroes had been “transported from Africa, in violation of the laws of the United States” and in violation of the “law of Spain itself,” they had therefore never been lawfully **enslaved** and thus they still retained their right to take action to free themselves from their restraints. Had their enslavement been proper and real, they would have been wrong to have done what they had done. But their enslavement had not been proper and real. Their enslavers had violated the rules and regs of proper enslavement.

There was no particular negative reaction in the South when the decision of the Supreme Court was announced. By right the schooner *Amistad* should have remained the property of the blacks who had rightfully seized her on the high seas, their “lawful prize of war” — but the white American abolitionists who had managed this case had had no interest whatever in securing to these blacks their property. By right the captives should have been entitled to reparations for the period in which they had languished in their kidnapped condition, and for the period in which they had languished in the American jail. But no such reparations ever would be so much as considered. The interest of the white American abolitionists was not in doing right by these black individuals; the interest of the white American abolitionists was merely in using these black individuals as grist for an argument that these white men were having between one another. It wouldn't occur to them to ask that the court give back to the blacks the valuable schooner which had acknowledgedly been their legitimate prize.



March: During January, three slavers flying the Portuguese flag had arrived in Cuban waters, bearing cargos of black ancestors: the *negrero* *Montecu*, master unknown, completing its one and only known Middle Passage with a presently unknown number of *enslaved* ancestors; the *Jacinto*, master unknown, completing one of its three known Middle Passage voyages, out of an unknown area of Africa with a cargo of 377 enslaved ancestors; the *Estrella*, master unknown, completing its one and only known Middle Passage, with a cargo of 311 enslaved ancestors.



THE MIDDLE PASSAGE

In this month a *negrero* flying the Spanish flag (as shown below), the *Corina*, master F. Galindez, on its one and only known Middle Passage, delivered a cargo of 190 *enslaved* Africans into the *barracoon* at Juraga, Cuba. Another slaver, one flying the Portuguese flag, the *Graciosa Vengativa*, master J. Manuel, on one of its six known Middle Passage voyages, out of Principe with a cargo of 61 enslaved Africans, arrived at Bahia, Brazil.



Late in the month, Antonio (the slave of the Spaniards aboard *La Amistad*, who as an undoubted slave whose ownership papers were in good order had been ordered returned to his white owners and to Cuba), consulted with Lewis Tappan in New Haven:

I advised him to leave & go where he pleased.

Antonio soon appeared at the Tappan home, and the businessman activist had already contacted the Underground Railroad's "Committee of Vigilance" on his behalf.⁷⁵

Here is the list of people now believed to have been active in the *Underground Railroad* in the state of New

75. The score for such businessman activists during this month was, it would seem, -250.



LA AMISTAD

JOSEPH CINQUÉ

York, by county of residence:



Albany County:

Chaplin, General William L.
Delavan, E.C.
Goodwin
Jackson, Dr. J.C.
Mott, Abigail
Mott, Lydia
Myers, Stephen
Williams

Allegany County:

Case, Deacon

Cattaraugus County:

Chapman, Captain
Cooper, William
Welles

Chautauqua County:

Andrew
Cranston
Frink, Reverend
Knowlton
Little, John
Pettit, Dr. J.
Pettit, Eber M.

Chemung County:

Jones, John W.
Langdon, Jervis

Chenango County:

Berry, Colonel

Erie County:

Aldrich
Barker, Gideon
Haywood, Honorable William
Johnson, Geo. W.
Moore, Deacon Henry
Williams



JOSEPH CINQUÉ

LA AMISTAD

Genesee County:

Brewster, Judge
Comstock, Deacon
Huftelen, E.
McDonald, Daniel

Livingston County:

Sleeper, Colonel Reuben

Madison County:

Jarvis, Dr.
Smith, Honorable Gerrit

Monroe County:

Anthony, Asa
Anthony, Daniel
Anthony, Mary
Avery, George A.
Bishop, W.G.
Bloss, William C.
Boatwick, Nelson
Carpenter
Croffts, Mrs.
Degarmo
Dolley, Dr.
Douglass, Frederick
Doy, Dr. John
Falls, William S.
Fish, Benjamin
Fish, Mrs. Sarah
Gibbs, Isaac
Gilbert, Grove S.
Hallowell, Mary
Hallowell, William
Humphry, George H.
Husbands, J.D.
James, Thomas
Kedzie, John
Marsh, Joseph
Moore, Lindley Murray
Morris, J.P.
Porter, Samuel D.
Post, Amy
Post, Isaac
Quinby, Henry
Sampson, A.S.
Sherman, Dr.
Thayer, George
Williams, Captain
Williams, E.C.

New-York:

Briggs
Downing, George T.
Gibbs
Hopper, Isaac T.
Johnson, Oliver
Pennington, Ray
Reverend Charles B. ?
Ruggles, David
Smith, Dr. McCune



LA AMISTAD

JOSEPH CINQUÉ

Niagara County:

Binmore, Thomas
Childs, W.H.
Richardson, M.C
Spauling, Lyman

Oneida County:

Stewart, Alvan

Onondaga County:

Barbour
Bates, Abaer
Carson
Lee, Reverend Luther
Logoen, Reverend J.W.
May, Reverend Samuel J.
Minor, Reverend Ovid
Wheaton, Charles

Oswego County:

Bragdon, George L.
Fox, Edward
French
Jackson, James C.
Salmon, George
Salmon, William Lyman
Stevens, Ard. H.
Wing, Asa S.

Rensselaer County:

Hooper, John H.
Shipherd, Reverend Fayette

Steuben County:

Balcom, Judge
Thacher, Judge Otis

Ulster County:

Chase
Colby, Colonel

Wyoming County:

Andrews, Josiah
Breck, Allen Y.
Chapin, Willard J.
Frank, Dr. Augustus
Galusha, Reverend Ellin
Gates, Seth M.
Lyman, R. W.
McKay, F. C. D.
Miller, Frank
Poenix, Samuel F.
Shepard, Colonel Charles O.
Waldo, H.N.
Young, Andrew W.



JOSEPH CINQUÉ

LA AMISTAD

Late in the month: Antonio (the slave of the Spaniards aboard *La Amistad*, who as an undoubted slave whose ownership papers were in good order had been ordered returned to his white owners and to Cuba), having succeeded in making contact with the Underground Railroad, was, God bless him, by this date living and working in freedom in Montréal, [Canada](#).

UNDERGROUND RAILROAD



"The capacity to get free is nothing; the capacity to be free, that is the task."

— André Gide, *THE IMMORALIST*
translation Richard Howard
NY: Alfred A. Knopf, 1970, page 7



April 27. It is only by a sort of voluntary blindness, and omitting to see, that we know ourselves, as when we see stars with the side of the eye. The nearest approach to discovering what we are is in dreams. It is as hard to see one's self as to look backwards without turning round. And foolish are they that look in glasses with that intent.

The porters have a hard time, but not so hard as he that carries his own shoulders. That beats the Smyrna Turks. Some men's broad shoulders are load enough. Even a light frame can stand under a great burden, if it does not have to support itself. Virtue is buoyant and elastic; it stands without effort and does not feel gravity; but sin plods and shuffles. Newton needed not to wait for an apple to fall to discover the attraction of gravitation; it was implied in the fall of man.



LA AMISTAD

JOSEPH CINQUÉ

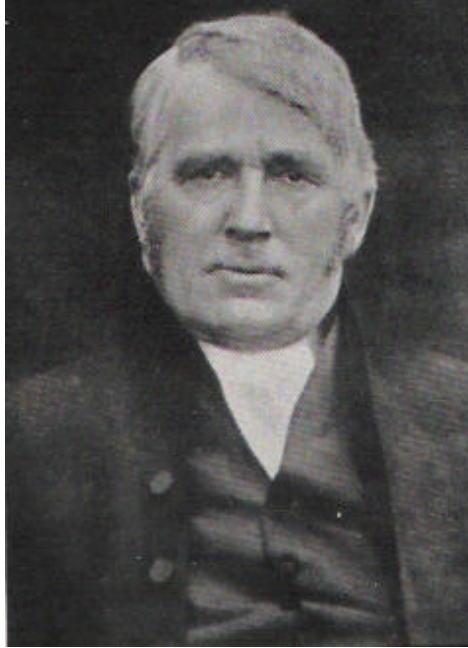
May 19, Wednesday: In his American travels, the English abolitionist Friend [Joseph Sturge](#) attended a meeting of the



JOSEPH CINQUÉ

LA AMISTAD

State Abolition Society in Hartford, Connecticut:



I proceeded by way of New York to Hartford in Connecticut, in order to be present at an anti-slavery meeting of the State society, to which I had been invited. On my arrival on the afternoon of the 19th. I found the meeting assembled, and in the chair my friend J. T. NORTON— a member of the Connecticut Legislature, a munificent and uncompromising friend to the Anti-slavery cause, and one of the delegates to the London Convention. A black minister of religion addressed the meeting in an able and interesting manner. Soon after the close of his speech, a circumstance quite unexpected to me, introduced a discussion on the right of women to vote and publicly act, conjointly with men. The chairman decided that the motion in favour of it was negatived, but the minority required the names on both sides to be taken down; this consumed much time, and disturbed the harmony of the meeting. I attended in the evening a committee of the legislature, which was sitting at the court house, to hear the speeches of persons who were allowed to address the committee in support of a petition that the word “white” should be expunged from the constitution of Connecticut. This change would of course give equal rights to the coloured class. When I entered, the same coloured minister I had heard in the afternoon, was addressing the committee. He was listened to with great attention, not only by the members, but by near two hundred of the inhabitants, who were present. He was followed on the same side, by a white gentleman in a very strong and uncompromising speech. The next day I paid my respects to WILLIAM W. ELLSWORTH, the Governor of the State, and to one of the judges of the court; and afterwards attended the adjourned meeting of the Anti-slavery Society. The vexed question of “women’s rights” was again brought forward in another shape; the names on both sides again called for, with the same result as before. My belief was fully confirmed, that those who differ so widely in sentiment, have no alternative but to meet and act in distinct organizations.

The *Amistad* captives arrived at Hartford on the afternoon of the same day, and were to address a meeting in the evening. An anti-slavery bazaar or fair which I visited this day, furnished ample testimony of the zeal of the female friends of the oppressed slave in this district. I returned the same evening to New Haven, and subsequently received a copy of two resolutions, approving the proceedings of the general Anti slavery Convention, in which it is stated by the Connecticut anti-slavery committee, “they have abundant evidence that the cause of the slave has been essentially promoted thereby;” also recommending “that a convention of men from all parts of the world, friendly to the cause of immediate emancipation, be again called in London, in the summer of 1842.”



LA AMISTAD

JOSEPH CINQUÉ

LA AMISTAD

August: In Farmington, Connecticut, one of the Africans of the *La Amistad* set free by the Supreme Court, Foone, drowned in a local canal while despondent at his prolonged absence from home and family. Nothing having been initiated by the US government –which had created this situation by using its military, executive, and judicial authority to wrongfully seize the *Amistad* and its African crew and violate their rights– to return the survivors of this persecution to their homes in Sierra Leone, Africa, at this point the American abolitionists petitioned President John Tyler finally to take action.

September: Secretary of State [Daniel Webster](#) told the Spanish ambassador finally, that the US government was not intending to pay Spain reparations for the *La Amistad*. The Spanish government would, however, persist, perhaps on the basis of a fear that the case might provide license for slave rebellions on Caribbean islands. There would be “horrible consequences,” if Cuban slaves could murder slavemasters and flee to the USA. Also, what if England were to intervene and attempt to free all slaves in Cuba who had been brought there in defiance of international law since 1820? [John Quincy Adams](#) spoke with Secretary of State [Webster](#) and President John Tyler and got the impression that nothing would be done to repair the condition of the Africans of the *Amistad* unless there was some authorization by the US congress. Tyler proposed that the American Colonization Society might be willing to take care of the situation, a suggestion of course found abhorrent by the abolitionists.

JOSEPH CINQUÉ

LA AMISTAD



October: A [negrero](#) flying the Spanish flag (as shown below), the *Deseada*, master unknown, on its second of two known Middle Passages, out of an unknown area of Africa with a cargo of 210 [enslaved](#) Africans, arrived at Mageri, Cuba.

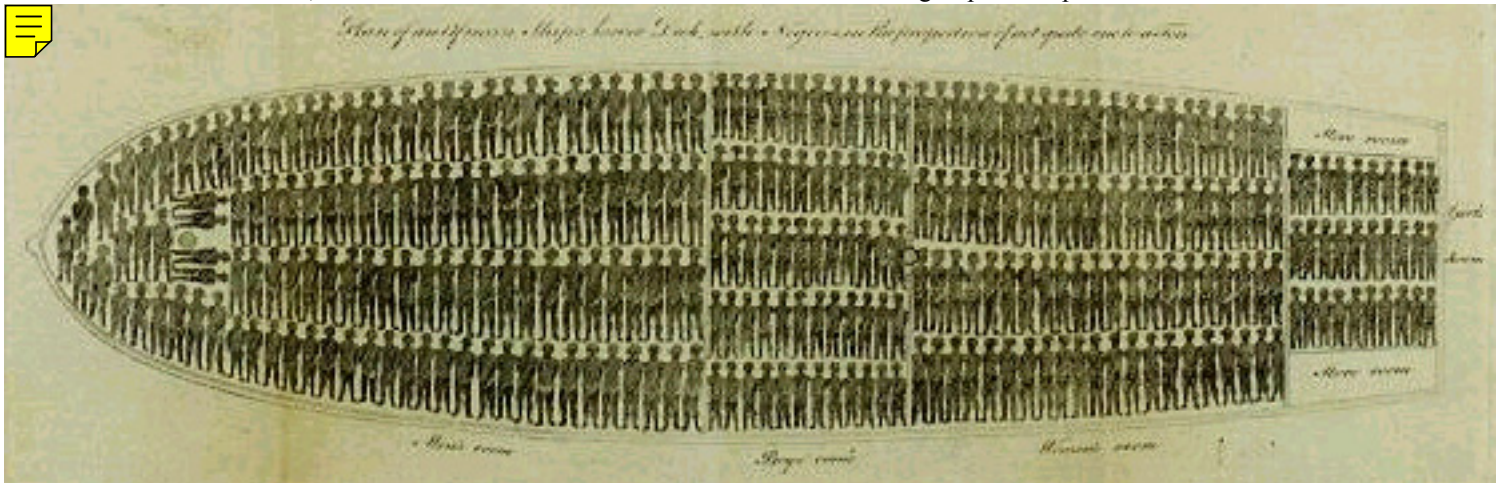


THE MIDDLE PASSAGE

LA AMISTAD

JOSEPH CINQUÉ

October: Some would blame a [servile insurrection](#) aboard the slave ship *Creole* while it was sailing out of Hampton VA destined for the slave auction blocks of New Orleans upon the leniency white people had exhibited toward rebellious black men during the *La Amistad* affair of 1839. One of the human beings in the cargo, Madison Washington, assisted by some 19 of the 138 other Virginia slaves in the cargo, managed to kill one of their white captors, and wound the captain and 1st mate of the vessel, and force the 2d mate to sail them to the Bahamas, sympathetic British territory. There was no such thing as [slavery](#) in Nassau and thus no reason to suspect these Americans of any crime. The Brits of course refused the demand of Secretary of State [Daniel Webster](#) that the mutineers be returned to the United States for punishment, instead allowing to them the freedom of their own recognizance, which they had achieved for themselves. There seemed to be no reason to hold them, any more than there would have been reason to hold white members of that slave ship's crew. However, our consul interceded and the 19 active members of the group of escapees were detained.⁷⁶



November: A [negrero](#) flying the Portuguese flag, the *Aguia*, master R.A. Lima, on one of its five known Middle Passage voyages, carrying [enslaved](#) people out of an unknown area of Africa, arrived at the port of Maranhao, Brazil.

THE MIDDLE PASSAGE

November 7, Sunday: Aboard the [negrero](#) *Creole* en route from Hampton, [Virginia](#) to New Orleans, the vessel's "cargo" overpowered its crew. They would sail the vessel to the port of Nassau on New Providence in the Bahamas where they would obtain at first asylum, and finally freedom. Great Britain would refuse to compensate the indignant American owners (SENATE DOCUMENT, 27th Congress, 2d session II, Number 51 and III, Number 137).

INTERNATIONAL SLAVE TRADE

76. The upshot of this affair, in 1853, would be the determination that a naughty violation of protocols had obtained: an Anglo-American Commission would award an indemnity of \$110,330 to the United States for the compensation of American citizens who had thus been deprived of their property by a meddling foreign power.

HDT

WHAT?

INDEX

JOSEPH CINQUÉ

LA AMISTAD

November 27, Saturday: The barque *Gentleman* sailed out of New-York harbor with the surviving 35 of the 53 Africans of the *La Amistad*, and with five white missionary teachers of the American Missionary Association.



The vessel had the assurances of the British navy, that it would help safeguard them from recapture by the Spanish:

"What a triumph they would have if they could re-enslave Cinqué & his companions." – Lewis Tappan



[HDT](#)[WHAT?](#)[INDEX](#)

LA AMISTAD

JOSEPH CINQUÉ

December 1, Wednesday: [Manlius Stimson Clarke](#) got married with Frances Cordis Lemist of Roxbury (the couple would produce a son and two daughters prior to the husband's untimely demise).

[Horatio Greenough](#)'s larger-than-life statue of [George Washington](#), prince of our national liberty, attired but in sandals and a short sheet, with bare upper torso, was wrestled into place, all 20 Carrera marble tons of it, on the shored-up floor of the Capitol's rotunda. –But nobody had told the sculptor that where they were going to put it, it was dark like a bat cave even in the middle of the day –so his half-naked excellency would barely be seen!⁷⁷



It's obviously intended to represent a white guy.

In [Afghanistan](#), an effort was made to take possession of the *Bala Hissar*, but Major Ewart's command repulsed the swarms of locals with considerable slaughter.

1842

January: The barque *Gentleman* reached African coastal waters and the surviving 35 of the Africans of the *La Amistad* were able to view their homeland again, nearly three years after their kidnapping.



Meanwhile a *negrero* flying the Stars and Stripes (name unknown, master unknown, since of course this had ostensibly been a capital crime since 1808 despite the fact that no User had as yet been in any way punished for the activity), completing its one and only known Middle Passage, offloaded a *cargo* of 400 *enslaved* Africans into the *barracoon* at Rio, Brazil.⁷⁸

THE MIDDLE PASSAGE



77. Don't you agree that it would have been ever so much more appropriate to our national condition, had this sculptor the artistic imagination to have displayed the father of our country naked instead **from the waist down**? This exposure of a slavemaster would have served to remind us constantly of what in this year *John Quincy Adams* had needed to point out to the several justices of the United States Supreme Court in the case of the mutiny aboard the good ship *La Amistad*:

The words slave and slavery are studiously excluded from the Constitution. Circumlocutions are the fig-leaves under which these parts of the body politic are decently concealed.





LA AMISTAD

JOSEPH CINQUÉ

78. Our score, this month, was -365.



JOSEPH CINQUÉ

LA AMISTAD

1843

March 14, Tuesday: The USS *Grampus*, a 12-gun schooner with approximately 64 men on board, was somehow lost at sea sometime after this date. No trace has ever been found.

LOST AT SEA



August 16, Wednesday: At the 7th National Convention of Colored Men, in Buffalo NY, the Reverend Henry Highland Garnet delivered “An Address to the Slaves of the United States of America”.⁷⁹

BRETHREN AND FELLOW CITIZENS:

Your brethren of the north, east, and west have been accustomed to meet together in National Conventions, to sympathize with each other, and to weep over your unhappy condition. In these meetings we have addressed all classes of the free, but we have never until this time, sent a word of consolation and advice to you. We have been contented in sitting still and mourning over your sorrows, earnestly hoping that before this day, your sacred Liberties would have been restored. But, we have hoped in vain.

79. Stanley Harrold. THE RISE OF AGGRESSIVE ABOLITIONISM: ADDRESSES TO THE SLAVES. Lexington KY: UP of Kentucky, 2004:

Gerrit Smith’s “Address of the Anti-Slavery Convention of the State of New-York to the Slaves in the U. States of America” of January 1842

The Reverend Nathaniel Emmons Johnson’s “Rights of a Fugitive Slave”

William Lloyd Garrison’s “Address to the Slaves of the United States” of June 2, 1843

The Reverend Henry Highland Garnet’s “An Address to the Slaves of the United States of America” at the 7th National Convention of Colored Men in Buffalo, New York, August 16, 1843

Gerrit Smith’s “A Letter to the American Slaves from those who have fled from American Slavery”



LA AMISTAD

JOSEPH CINQUÉ

Years have rolled on, and tens of thousands have been borne on streams of blood, and tears, to the shores of eternity. While you have been oppressed, we have also been partakers with you; nor can we be free while you are enslaved. We therefore write to you as being bound with you.

Many of you are bound to us, not only by the ties of common humanity, but we are connected by the more tender relations of parents, wives, husbands, children, brothers, and sisters, and friends. As such we most affectionately address you.

Slavery has fixed a deep gulf between you and us, and while it shuts out from you the relief and consolation which your friends would willingly render, it afflicts and persecutes you with a fierceness which we might not expect to see in the fiends of hell. But still the Almighty Father of Mercies has left to us a glimmering ray of hope, which shines out like a lone star in a cloudy sky. Mankind are becoming wiser, and better – the oppressor's power is fading, and you, every day, are becoming better informed, and more numerous. Your grievances, brethren, are many. We shall not attempt, in this short address, to present to the world, all the dark catalogue of this nation's sins, which have been committed upon an innocent people. Nor is it indeed, necessary, for you feel them from day to day, and all the civilized world look upon them with amazement.

Two hundred and twenty-seven years ago, the first of our injured race were brought to the shores of America. They came not with glad spirits to select their homes, in the New World. They came not with their own consent, to find an unmolested enjoyment of the blessings of this fruitful soil. The first dealings which they had with men calling themselves Christians, exhibited to them the worst features of corrupt and sordid hearts; and convinced them that no cruelty is too great, no villainy, and no robbery too abhorrent for even enlightened men to perform, when influenced by avarice, and lust. Neither did they come flying upon the wings of Liberty, to a land of freedom. But, they came with broken hearts, from their beloved native land, and were doomed to unrequited toil, and deep degradation. Nor did the evil of the bondage end at their emancipation by death. Succeeding generations inherited their chains, and millions have come from eternity into time, and have returned again to the world of spirits, cursed and ruined by American Slavery.

The propagators of the system, or their immediate ancestors very soon discovered its growing evil, and its tremendous wickedness and secret promises were made to destroy it. The gross inconsistency of a people holding slaves, who had themselves "ferried o'er the wave," for freedom's sake, was too apparent to be entirely overlooked. The voice of Freedom cried, "emancipate your Slaves." Humanity supplicated with tears, for the deliverance of the children of Africa. Wisdom urged her solemn plea. The bleeding captive plead his innocence, and pointed to Christianity who stood weeping at the cross. Jehovah frowned upon the nefarious institution, and thunderbolts, red with vengeance, struggled to leap forth to blast the guilty



JOSEPH CINQUÉ

LA AMISTAD

wretches who maintained it. But all was vain. Slavery had stretched its dark wings of death over the land, the Church stood silently by – the priests prophesied falsely, and the people loved to have it so. Its throne is established, and now it reigns triumphantly.

Nearly three millions of your fellow citizens, are prohibited by law, and public opinion (which in this country is stronger than law), from reading the Book of Life. Your intellect has been destroyed as much as possible, and every ray of light they have attempted to shut out from your minds. The oppressors themselves have become involved in the ruin. They have become weak, sensual, and rapacious. They have cursed you – they have cursed themselves – they have cursed the earth which they have trod. In the language of a Southern statesman, we can truly say “even the wolf, driven back long since by the approach of man now returns after a lapse of a hundred years, and howls amid the desolation of slavery.”

The colonists threw the blame upon England. They said that the mother country entailed the evil upon them, and that they would rid themselves of it if they could. The world thought they were sincere, and the philanthropic pitied them. But time soon tested their sincerity. In a few years, the colonists grew strong and severed themselves from the British Government. Their independence was declared, and they took their station among the sovereign powers of the earth. The declaration was a glorious document. Sages admired it, and the patriotic of every nation revered the Godlike sentiments which it contained. When the power of Government returned to their hands, did they emancipate the slaves? No, they rather added new links to our chains. Were they ignorant to the principles of Liberty? Certainly they were not. The sentiments of their revolutionary orators fell in burning eloquence upon their hearts, and with one voice they cried, LIBERTY OR DEATH. O, what a sentence was that! It ran from soul to soul like electric fire, and nerved the arm of thousands to fight in the holy cause of Freedom. Among the diversity of opinions that are entertained in regard to physical resistance, there are but a few found to gainsay that stern declaration. We are among those who do not.

SLAVERY! How much misery is comprehended in that single word. What mind is there that does not shrink from its direful effects? Unless the image of God is obliterated from the soul, all men cherish the love of Liberty. The nice discerning political economist does not regard the sacred right, more than the untutored African who roams in the wilds of Congo. Nor has the one more right to the full enjoyment of his freedom than the other. In every man’s mind the good seeds of Liberty are planted, and he who brings his fellow down so low, as to make him contented with a condition of slavery, commits the highest crime against God and man. Brethren, your oppressors aim to do this. They endeavor to make you as much like brutes as possible. When they have blinded the eyes of your mind – when they have embittered the sweet waters of life – when they have shut out



LA AMISTAD

JOSEPH CINQUÉ

the light which shines from the word of God – then, and not till then has American slavery done its perfect work.

To SUCH DEGRADATION [sic] IT IS SINFUL IN THE EXTREME FOR YOU TO MAKE VOLUNTARY SUBMISSION. The divine commandments, you are in duty bound to reverence, and obey. If you do not obey them you will surely meet with the displeasure of the Almighty. He requires you to love him supremely, and your neighbor as yourself – to keep the Sabbath day holy – to search the Scriptures – and bring up your children with respect for his laws, and to worship no other God but him. But slavery sets all these at naught, and hurls defiance in the face of Jehovah. The forlorn condition in which you are placed does not destroy your moral obligation to God. You are not certain of Heaven, because you suffer yourselves to remain in a state of slavery, where you cannot obey the commandments of the Sovereign of the universe. If the ignorance of slavery is a passport to heaven, then it is a blessing, and a curse, and you should rather desire its perpetuity than its abolition. God will not receive slavery, nor ignorance, nor any other state of mind, for love, and obedience to him. Your condition does not absolve you from your moral obligation. The diabolical injustice by which your Liberties are cloven down, NEITHER GOD, NOR ANGELS, OR JUST MEN COMMAND YOU TO SUFFER FOR A SINGLE MOMENT. THEREFORE IT IS YOUR SOLEMN AND IMPERATIVE DUTY TO USE EVERY MEANS, BOTH MORAL, INTELLECTUAL, AND PHYSICAL, THAT PROMISE SUCCESS. If a band of heathen men should attempt to enslave a race of Christians, and to place their children under the influence of some false religion, surely, heaven would frown upon the men who would not resist such aggression, even to death. If, on the other hand, a band of Christians should attempt to enslave a race of heathen men and to entail slavery upon them, and to keep them in heathenism in the midst of Christianity, the God of heaven would smile upon every effort which the injured might make to disenthral themselves.

Brethren, it is as wrong for your lordly oppressors to keep you in slavery, as it was for the man thief to steal our ancestors from the coast of Africa. You should therefore now use the same manner of resistance, as would have been just in our ancestors, when the bloody footprints of the first remorseless soul-thief was placed upon the shores of our fatherland. The humblest peasant is as free in the sight of God, as the proudest monarch that ever swayed a scepter. Liberty is a spirit sent out from God, and like its great Author, is no respecter of persons.

Brethren, the time has come when you must act for yourselves. It is an old and true saying, that "if hereditary bondsmen would be free, they must themselves strike the blow." You can plead your own cause, and do the work of emancipation better than any other. The nations of the old world are moving in the great cause of universal freedom, and some of them at least, will ere long, do you justice. The combined powers of Europe have placed their broad seal of disapprobation upon the African slave trade. But in the slave holding parts of the United States, the trade is



JOSEPH CINQUÉ

LA AMISTAD

as brisk as ever. They buy and sell you as though you were brute beasts. The North has done much – her opinion of slavery in the abstract is known. But in regard to the South, we adopt the opinion of the New York Evangelist – “We have advanced so far, that the cause apparently waits for a more effectual door to be thrown open than has been yet.” We are about to point you to that more effectual door. Look around you, and behold the bosoms of your loving wives, heaving with untold agonies! Hear the cries of your poor children! Remember the stripes your fathers bore. Think of the torture and disgrace of your noble mothers. Think of your wretched sisters, loving virtue and purity, as they are driven into concubinage, and are exposed to the unbridled lusts of incarnate devils. Think of the undying glory that hangs around the ancient name of Africa – and forget not that you are native-born American citizens, and as such, you are justly entitled to all the rights that are granted to the freest. Think how many tears you have poured out upon the soil which you have cultivated with unrequited toil, and enriched with your blood; and then go to your lordly enslavers, and tell them plainly, that YOU ARE DETERMINED TO BE FREE. Appeal to their sense of justice, and tell them that they have no more right to oppress you, than you have to enslave them. Entreat them to remove the grievous burdens which they have imposed upon you, and to remunerate you for your labor. Promise them renewed diligence in the cultivation of the soil, if they will render to you an equivalent for your services. Point them to the increase of happiness and prosperity in the British West Indies, since the act of Emancipation. Tell them in language which they cannot misunderstand, of the exceeding sinfulness of slavery, and of a future judgement, and of the righteous retributions of an indignant God. Inform them that all you desire, is FREEDOM, and that nothing else will suffice. Do this, and forever after cease to toil for the heartless tyrants, who give you no other reward but stripes and abuse. If they then commence the work of death, they, and not you, will be responsible for the consequences. You had far better all die – *die immediately*, than live slaves, and entail your wretchedness upon your posterity. If you would be free in this generation, here is your only hope. However much you and all of us may desire it, there is not much hope of Redemption without the shedding of blood. If you must bleed, let it all come at once – rather, *die freemen, than live to be slaves*. It is impossible, like the children of Israel, to make a grand Exodus from the land of bondage. THE PHAROES ARE ON BOTH SIDES OF THE BLOOD-RED WATERS! You cannot remove en masse, to the dominions of the British Queen – nor can you pass through Florida, and overrun Texas, and at last find peace in Mexico. The propagators of American slavery are spending their blood and treasure, that they may plant the black flag in the heart of Mexico, and riot in the halls of the Montezumas. In the language of the Rev. Robert Hall, when addressing the volunteers of Bristol, who were rushing forth to repel the invasion of Napoleon, who threatened to lay waste the fair homes of England,



LA AMISTAD

JOSEPH CINQUÉ

"Religion is too much interested in your behalf, not to shed over you her most gracious influences."

You will not be compelled to spend much time in order to become inured to hardships. From the first moment that you breathed the air of heaven, you have been accustomed to nothing else but hardships. The heroes of the American Revolution were never put upon harder fare, than a peck of corn, and a few herrings per week. You have not become enervated by the luxuries of life. Your sternest energies have been beaten out upon the anvil of severe trial. Slavery has done this, to make you subservient to its own purposes; but it has done more than this, it has prepared you for any emergency. If you receive good treatment, it is what you could hardly expect; if you meet with pain, sorrow, and even death, these are the common lot of the slaves.

Fellow men! patient sufferers! behold your dearest rights crushed to the earth! See your sons murdered, and your wives, mothers, and sisters, doomed to prostitution! In the name of the merciful God! and by all that life is worth, let it no longer be a debateable [sic] question, whether it is better to choose LIBERTY or DEATH!

In 1822, Denmark Vesey, of South Carolina, formed a plan for the liberation of his fellow men. In the whole history of human efforts to overthrow slavery, a more complicated and tremendous plan was never formed. He was betrayed by the treachery of his own people, and died a martyr to freedom. Many a brave hero fell, but History, faithful to her high trust, will transcribe his name on the same monument with Moses, Hampden, Tell, Bruce, and Wallace, Toussaint L'Ouverture, Lafayette and Washington. That tremendous movement shook the whole empire of slavery. The guilty soul-thieves were overwhelmed with fear. It is a matter of fact, that at that time, and in consequence of the threatened revolution, the slave states talked strongly of emancipation. But they blew but one blast of the trumpet of freedom, and then laid it aside. As these men became quiet, the slaveholders ceased to talk about emancipation; and now, behold your condition today! Angels sigh over it, and humanity has long since exhausted her tears in weeping on your account!

The patriotic Nathaniel Turner followed Denmark Vesey. He was goaded to desperation by wrong and injustice. By Despotism, his name has been recorded on the list of infamy, but future generations will number him upon the noble and brave.

Next arose the immortal [Joseph Cinqué](#), the hero of [La Amistad](#). He was a native African, and by the help of God he emancipated a whole ship-load of his fellow men on the high seas. And he now sings of Liberty on the sunny hills of Africa, and beneath his native palm trees, where he hears the lion roar, and feels himself as free as that king of the forest. Next arose Madison Washington, that bright star of freedom, and took his station in the constellation of freedom. He was a slave on board the brig *Creole*, of Richmond, bound to New Orleans, that great slave mart, with a hundred and four others. Nineteen struck for Liberty or death. But one life was taken, and the whole were



JOSEPH CINQUÉ

LA AMISTAD

emancipated, and the vessel was carried into Nassau, New Providence. Noble men! Those who have fallen in freedom's conflict, their memories will be cherished by the true hearted, and the God-fearing, in all future generations; those who are living, their names are surrounded by a halo of glory.

We do not advise you to attempt a revolution with the sword, because it would be INEXPEDIENT. Your numbers are too small, and moreover the rising spirit of the age, and the spirit of the gospel, are opposed to war and bloodshed. But from this moment cease to labor for tyrants who will not remunerate you. Let every slave throughout the land do this, and the days of slavery are numbered. You cannot be more oppressed than you have been – you cannot suffer greater cruelties than you have already. **RATHER DIE FREEMEN, THAN LIVE TO BE SLAVES. Remember that you are **THREE MILLIONS.****

It is in your power so to torment the God-cursed slaveholders, that they will be glad to let you go free. If the scale was turned and black men were the masters, and white men the slaves, every destructive agent and element would be employed to lay the oppressor low. Danger and death would hang over their heads day and night. Yes, the tyrants would meet with plagues more terrible than those of Pharaoh. But you are a patient people. You act as though you were made for the special use of these devils. You act as though your daughters were born to pamper the lusts of your masters and overseers. And worse than all, you tamely submit, while your lords tear your wives from your embraces, and defile them before your eyes. In the name of God we ask, are you men? Where is the blood of your fathers? Has it all run out of your veins? Awake, awake; millions of voices are calling you! Your dead fathers speak to you from their graves. Heaven, as with a voice of thunder, calls on you to arise from the dust.

Let your motto be RESISTANCE! RESISTANCE! RESISTANCE! No oppressed people have ever secured their Liberty without resistance. What kind of resistance you had better make, you must decide by the circumstances that surround you, and according to the suggestion of expediency. Brethren, adieu. Trust in the living God. Labor for the peace of the human race, and remember that you are three millions.





LA AMISTAD

JOSEPH CINQUÉ

1844

Spring: Pressure continued, for the US government to pay reparations to Spain for the *La Amistad*. Southern representatives were insisting that the administration and the court system had colluded with “piratical negroes” in a case of white ownership that should have been “perfectly authentic and regular.” The Supreme Court, it was being said in the House of Representatives, had erred in allowing James Covey to testify, he being a person of color and therefore “hardly conscious of the obligation of an oath.” The Spanish government was therefore owed some \$70,000.⁸⁰



80. Has it occurred to you to wonder why, when in 1842 the surviving 35 of the black *privateers* of the Amistad mutiny had been sent back to Africa aboard the bark *Gentleman*, they had been sent home as mere charity wards with nobody ever thinking to return to them their prize schooner *La Amistad* admittedly worth some \$70,000 — which they had won fair and square with their blood, sweat, and tears? For sure, had it been 35 surviving free white *privateers*, they would not have been denied this booty which belonged to them, but because they were instead free blacks, it never even **occurred** to any of the white players in this legal drama to give them their prize schooner back! One of the open issues of this drama, therefore, is: what happened to the *La Amistad*? **Where did this valuable piece of property go? Which white men were allowed to profit from it?** Our history books are, of course, silent. This is it seems a question which it has never occurred to us to pose.

[HDT](#)[WHAT?](#)[INDEX](#)

JOSEPH CINQUÉ

LA AMISTAD

May 24, Friday: Before a crowd of officials in the Supreme Court chamber,⁸¹ Samuel F.B. Morse communicated by telegraph with his assistant in [Baltimore](#), Alfred Vail.



This was the receiving mechanism:



The first message, “What hath God wrought!” selected by Annie Ellsworth from NUMBERS, was sent and returned without error — all this expense as a first step to enable [Henry Thoreau](#) to muse seven years later, on February 27, 1851,

“I feel that the man who in his conversation with me about the life of man in New England lays much stress on rail-roads telegraphs & such enterprises does not go below the surface of things— He treats the shallow & transitory as if it were profound & enduring in one of the minds avatars in the intervals between sleeping & waking—aye even in one of the interstices of a Hindoo dynasty perchance such things as the 19th century with all its improvements may come & go again. Nothing makes a deep & lasting impression but what is weighty Obey the law which reveals and not the law revealed.” Thoreau would complete this sentiment by commenting “I wish my neighbors were wilder.”⁸²

81. This was a semicircular, umbrella-vaulted room located north of the Crypt, underneath the Senate chamber. It was used by the Supreme Court from 1810 to 1860, a period during which numerous landmark decisions were being handed down from the bench including the [La Amistad](#) decision and *Dred Scott v. Sandford*.

[TELEGRAPHY](#)



LA AMISTAD

JOSEPH CINQUÉ

82. Clearly “What hath God wrought” was not the first message sent by telegraph; Morse had built an experimental 10-mile telegraph line 5 years earlier and presumably sent messages over it that were probably no more consequential than the first E-mail messages. “What hath God wrought,” which was the inaugural message on the Baltimore-Washington line on May 24, 1844, was the first **public** demonstration of the system. Usages that we would now consider “E-mail” may have evolved imperceptibly from file sharing or other practices. The closest analogy we might find for E-mail to the “What hath God wrought” type of thingie would be the ARPANET demonstration in 1972, which clearly postdates the introduction of E-mail) or would have been a message received by the first ticker-tape machine as of 1870. Here is an early E-mail message (note the date) from “The Journal,” a feature of Douglas Engelbart’s ARC NLS system. the message is quoted from the archive of that project, which is now held by the Green Library at Stanford University:

RWW 1-JUL-71 14:58 7364

NIC Open for On-line Business (We Hope)

This message is to demonstrate we are up on the network open for NIC business. We connected to BBN and are using their telnet to connect back to ourselves. A historic moment.



JOSEPH CINQUÉ

LA AMISTAD



Samuel F.B. Morse on the surface of things



LA AMISTAD

JOSEPH CINQUÉ

December: A decision was made to erect a monument to the crew of the brig *Waterwitch*, that had sunk while liberating [slaves](#).

LOST AT SEA



In this month Spain yet again warned the US government that its refusal to pay indemnities for the [La Amistad](#) was going to have serious international repercussions.⁸³

83. Has it occurred to you to wonder why, when in 1842 the surviving 35 of the black [privateers](#) of the Amistad mutiny had been sent back to Africa aboard the bark *Gentleman*, they had been sent home as mere charity wards with nobody ever thinking to return to them their prize schooner *La Amistad* admittedly worth \$70,000 — which they had won fair and square with their blood, sweat, and tears? For sure, had it been 35 surviving free white [privateers](#), they would not have been denied this booty which belonged to them, but because they were instead free blacks, it never even **occurred** to any of the white players in this legal drama to give them their prize schooner back! One of the open issues of this drama, therefore, is: what happened to the [La Amistad](#)? **Where did this valuable piece of property go? Which white men were allowed to profit from it?** Our history books are, of course, silent. This is it seems a question which, because of the ingrained nature of our racism, it has never occurred to us to pose:



"In those parts of the Union in which the negroes are no longer slaves, they have in no wise drawn nearer to the whites. On the contrary, the prejudice of the race appears to be stronger in the States which have abolished slavery ... and nowhere is it so intolerant as in those States where servitude has never been known."



— Alexis de Tocqueville

1846

[Dr. Elisha Kent Kane](#) served in the Africa Squadron, and visited the slave markets of Dahomey.

The Reverend James W.C. Pennington’s Union Missionary Society merged with the Committee for West Indian Missions and the Western Evangelical Missionary Society to form the American Missionary Association.



LA AMISTAD

January: Spain again warned that the US government’s refusal to pay indemnities for the [La Amistad](#) was going to have serious international repercussions.⁸⁴

84. Has it occurred to you to wonder why, when in 1842 the surviving 35 of the black [privateers](#) of the Amistad mutiny had been sent back to Africa aboard the bark *Gentleman*, they had been sent home as mere charity wards with nobody ever thinking to return to them their prize schooner *La Amistad* admittedly worth \$70,000 — which they had won fair and square with their blood, sweat, and tears? For sure, had it been 35 surviving free white privateers, they would not have been denied this booty which belonged to them, but because they were instead free blacks, it never even **occurred** to any of the white players in this legal drama to give them their prize schooner back! One of the open issues of this drama, therefore, is: what happened to the [La Amistad](#)? **Where did this valuable piece of property go? Which white men were allowed to profit from it?** Our history books are, of course, silent. This is it seems a question which it has never occurred to us to pose.



LA AMISTAD

JOSEPH CINQUÉ

1847

February: New colors were presented to the [St. Helena](#) Militia.

A bill proposed by a Southern senator was approved, whereby the Spanish government would be offered the comparatively low value of \$50,000 in full settlement for the [La Amistad](#). (The House of Representatives would fail to go along with this Senate initiative.)⁸⁵



85. Has it occurred to you to wonder why, when in 1842 the surviving 35 of the black [privateers](#) of the Amistad mutiny had been sent back to Africa aboard the bark *Gentleman*, they had been sent home as mere charity wards with nobody ever thinking to return to them their prize schooner *La Amistad* admittedly worth \$70,000 — which they had won fair and square with their blood, sweat, and tears? For sure, had it been 35 surviving free white [privateers](#), they would not have been denied this booty which belonged to them, but because they were instead free blacks, it never even **occurred** to any of the white players in this legal drama to give them their prize schooner back! One of the open issues of this drama, therefore, is: what happened to the [La Amistad](#)? **Where did this valuable piece of property go? Which white men were allowed to profit from it?** Our history books are, of course, silent. This is a question which it has never occurred to us to pose.



JOSEPH CINQUÉ

LA AMISTAD

1848

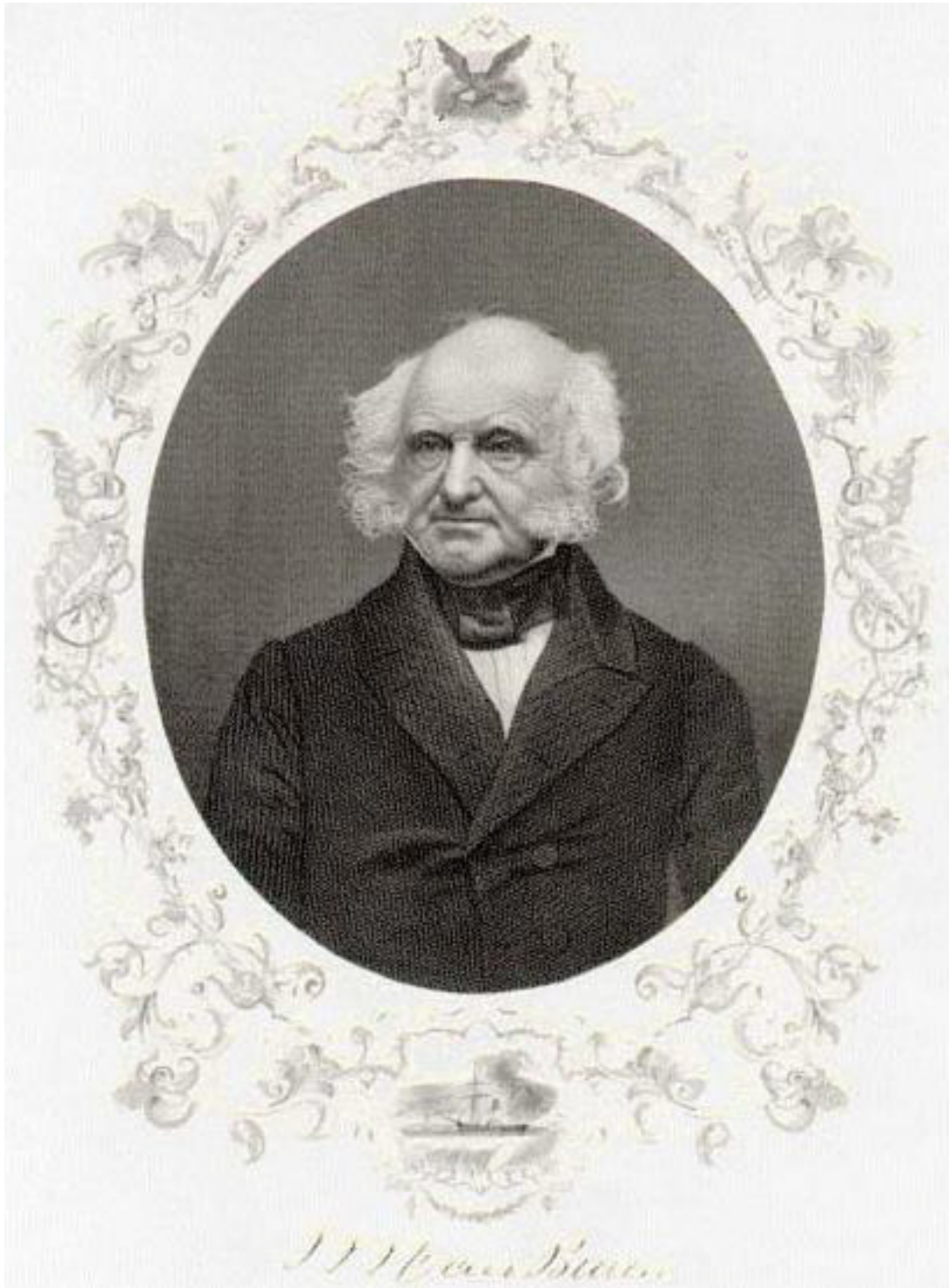
The middle of October: In the presidential election, the candidate on the Free-Soil ticket was former president Martin Van Buren. When asked why he had kept a US ship of war waiting in the New Haven harbor, in 1839 during his previous presidency, to expeditiously return the blacks of the *La Amistad* to Cuba to be there burned at the stake as rebellious slaves, he replied that he had simply been endeavoring “to make the terms of [the situation] as just & liberal as the nature of the case would admit of.” He defended his executive interference with the courts and his ploys with the USS *Grampus* as the “most human policy” then available to him.

THE MIDDLE PASSAGE

LA AMISTAD

JOSEPH CINQUÉ

Here's an image of old gramps, prepared in 1857:





JOSEPH CINQUÉ

LA AMISTAD

W.E. Burghardt Du Bois: This decade is especially noteworthy for the great increase of illegal importations into the South. These became bold, frequent, and notorious. Systematic introduction on a considerable scale probably commenced in the forties, although with great secrecy. "To have boldly ventured into New Orleans, with negroes freshly imported from Africa, would not only have brought down upon the head of the importer the vengeance of our very philanthropic Uncle Sam, but also the anathemas of the whole sect of philanthropists and negrophilists everywhere. To import them for years, however, into quiet places, evading with impunity the penalty of the law, and the ranting of the thin-skinned sympathizers with Africa, was gradually to popularize the traffic by creating a demand for laborers, and thus to pave the way for the *gradual revival of the slave trade*. To this end, a few men, bold and energetic, determined, ten or twelve years ago [1848 or 1850], to commence the business of importing negroes, slowly at first, but surely; and for this purpose they selected a few secluded places on the coast of Florida, Georgia and Texas, for the purpose of concealing their stock until it could be sold out. Without specifying other places, let me draw your attention to a deep and abrupt pocket or indentation in the coast of Texas, about thirty miles from Brazos Santiago. Into this pocket a slaver could run at any hour of the night, because there was no hindrance at the entrance, and here she could discharge her cargo of movables upon the projecting bluff, and again proceed to sea inside of three hours. The live stock thus landed could be marched a short distance across the main island, over a porous soil which refuses to retain the recent foot-prints, until they were again placed in boats, and were concealed upon some of the innumerable little islands which thicken on the waters of the Laguna in the rear. These islands, being covered with a thick growth of bushes and grass, offer an inscrutable hiding place for the 'black diamonds.'"⁸⁶ These methods became, however, toward 1860, too slow for the radicals, and the trade grew more defiant and open. The yacht "Wanderer," arrested on suspicion in New York and released, landed in Georgia six months later four hundred and twenty slaves, who were never recovered.⁸⁷ The Augusta Despatch says: "Citizens of our city are probably interested in the enterprise. It is hinted that this is the third cargo landed by the same company, during the last six months."⁸⁸ Two parties of Africans were brought into Mobile with impunity. One bark, strongly suspected of having landed a cargo of slaves, was seized on the Florida coast; another vessel was reported to be landing slaves near Mobile; a letter from Jacksonville, Florida, stated that a bark had left there for Africa to ship a cargo for Florida and Georgia.⁸⁹ Stephen A. Douglas said "that there was not the shadow of doubt that the Slave-trade had been

86. New York Herald, Aug. 5, 1860; quoted in Drake, REVELATIONS OF A SLAVE SMUGGLER, Introduction, pages vii.-viii.

87. HOUSE EXECUTIVE DOCUMENT, 35th Congress, 2d session, IX. No. 89. Cf. 26TH REPORT OF THE AMERICAN ANTI-SLAVERY SOCIETY, pages 45-9.

88. Quoted in 26TH REPORT OF THE AMERICAN ANTI-SLAVERY SOCIETY, page 46.

89. For all the above cases, cf. 26TH REPORT OF THE AMERICAN ANTI-SLAVERY SOCIETY, page 49.



carried on quite extensively for a long time back, and that there had been more Slaves imported into the southern States, during the last year, than had ever been imported before in any one year, even when the Slave-trade was legal. It was his confident belief, that over fifteen thousand Slaves had been brought into this country during the past year [1859.] He had seen, with his own eyes, three hundred of those recently-imported, miserable beings, in a Slave-pen in Vicksburg, Miss., and also large numbers at Memphis, Tenn."⁹⁰ It was currently reported that depots for these slaves existed in over twenty large cities and towns in the South, and an interested person boasted to a senator, about 1860, that "twelve vessels would discharge their living freight upon our shores within ninety days from the 1st of June last," and that between sixty and seventy cargoes had been successfully introduced in the last eighteen months.⁹¹ The New York Tribune doubted the statement; but John C. Underwood, formerly of Virginia, wrote to the paper saying that he was satisfied that the correspondent was correct. "I have," he said, "had ample evidences of the fact, that reopening the African Slave-trade is a thing already accomplished, and the traffic is brisk, and rapidly increasing. In fact, the most vital question of the day is not the opening of this trade, but its suppression. The arrival of cargoes of negroes, fresh from Africa, in our southern ports, is an event of frequent occurrence."⁹² Negroes, newly landed, were openly advertised for sale in the public press, and bids for additional importations made. In reply to one of these, the Mobile Mercury facetiously remarks: "Some negroes who never learned to talk English, went up the railroad the other day."⁹³ Congressmen declared on the floor of the House: "The slave trade may therefore be regarded as practically re-established;"⁹⁴ and petitions like that from the American Missionary Society recited the fact that "this piratical and illegal trade – this inhuman invasion of the rights of men, – this outrage on civilization and Christianity – this violation of the laws of God and man – is openly countenanced and encouraged by a portion of the citizens of some of the States of this Union."⁹⁵ From such evidence it seems clear that the slave-trade laws, in spite of the efforts of the government, in spite even of much

90. Quoted in 27TH REPORT OF THE AMERICAN ANTI-SLAVERY SOCIETY, page 20. Cf. REPORT OF THE SECRETARY OF THE NAVY, 1859; SENATE EXECUTIVE DOCUMENT, 36th Congress, 1st session, III. No. 2.

91. 27TH REPORT OF THE AMERICAN ANTI-SLAVERY SOCIETY, page 21.

92. Quoted in 27TH REPORT OF THE AMERICAN ANTI-SLAVERY SOCIETY, page 21

93. Issue of July 22, 1860; quoted in Drake, REVELATIONS OF A SLAVE SMUGGLER, Introd., page vi. The advertisement referred to was addressed to the "Ship-owners and Masters of our Mercantile Marine," and appeared in the Enterprise (Miss.) Weekly News, April 14, 1859. William S. Price and seventeen others state that they will "pay three hundred dollars per head for one thousand native Africans, between the ages of fourteen and twenty years, (of sexes equal,) likely, sound, and healthy, to be delivered within twelve months from this date, at some point accessible by land, between Pensacola, Fla., and Galveston, Texas; the contractors giving thirty days' notice as to time and place of delivery": Quoted in 26TH REPORT OF THE AMERICAN ANTI-SLAVERY SOCIETY, pages 41-2.

94. CONGRESSIONAL GLOBE, 35th Congress, 1st session, page 1362. Cf. the speech of a delegate from Georgia to the Democratic Convention at Charleston, 1860: "If any of you northern democrats will go home with me to my plantation, I will show you some darkies that I bought in Virginia, some in Delaware, some in Florida, and I will also show you the pure African, the noblest Roman of them all. I represent the African slave trade interest of my section." Lator, CYCLOPÆDIA, III. 733.

95. SENATE MISCELLANEOUS DOCUMENT, 36th Congress, 1st session, No. 8.



JOSEPH CINQUÉ

LA AMISTAD

opposition to these extra-legal methods in the South itself, were grossly violated, if not nearly nullified, in the latter part of the decade 1850-1860.



LA AMISTAD

JOSEPH CINQUÉ

1851

Wendell Phillips, who was noticeably reluctant and uncomfortable when it came to sharing quarters with black abolitionists while on lecture tours, knew very well that the abolitionist struggle, for white abolitionists, had nothing whatever to do with a desire to improve the conditions of life available to black Americans. At this point he gave his game away by declaring to his white friends:



“My friends, if we never freed a slave,
we have at least freed ourselves
in the effort to emancipate our brother man.”⁹⁶

Obviously, the name of Wendell’s game would be Set-The-White-Man-Free-From-Being-His-Brother’s-Keeper. (Let the names of our favorite games be accurately descriptive! :-)

It is to be noted that this was the game that was being played in Virginia as well during this year, for there was a new law being put in effect which would oblige free blacks to leave that State of grace within a year — or be reduced again to slavery. The local version of Set-The-White-Man-Free-From-Being-His-Brother’s-Keeper, being played down south, was Go-Be-Free-Somewhere-Else, and the local version being played up north was At-Least-We-Tried-And-Are-Now-Therefore-Among-The-Righteous — but these slightly differing versions amount to very much the same sort of stupid racist bag of tricks of What-Is-Of-The-Last-Importance-Is-The-White-Man’s-Righteousness.



JOSEPH CINQUÉ

LA AMISTAD

96. Has it become clear to you, in view of the above, why, when in 1842 the surviving 35 of the black [privateers](#) of the *Amistad* mutiny had been sent back to Africa aboard the bark *Gentleman*, they had been sent home as mere charity wards with nobody ever thinking to return to them their prize schooner *La Amistad* admittedly worth \$70,000 — which they had won fair and square with their blood, sweat, and tears? For sure, had it been 35 surviving free white [privateers](#), they would not have been denied this booty which belonged to them, but because they were instead free blacks, it never even **occurred** to any of the white players in this legal drama to give them their prize schooner back! One of the open issues of this drama, therefore, is: what happened to the [La Amistad](#)? **Where did this valuable piece of property go? Which white men were allowed to profit from it?** Our history books are, of course, silent. This is a question which, due to the ingrained nature of our race prejudice, it has never occurred to us to pose:



“In those parts of the Union in which the negroes are no longer slaves, they have in no wise drawn nearer to the whites. On the contrary, the prejudice of the race appears to be stronger in the States which have abolished slavery ... and nowhere is it so intolerant as in those States where servitude has never been known.”

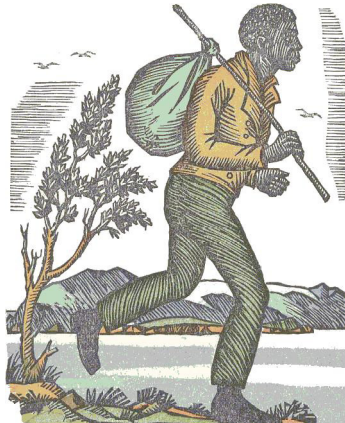


— Alexis de Tocqueville

LA AMISTAD

JOSEPH CINQUÉ

Surprise surprise! It was a white man's game in which the person of color was but a pawn.⁹⁷



Here the executive committee of the Philadelphia Anti-Slavery Society position themselves around [Robert Purvis](#) during this year. I **don't** mean to suggest that **all** of these folks would have **totally** agreed with Phillips or with his white-man's-game of Set-The-White-Man-Free-From-Being-His-Brother's-Keeper. I only mean to insist that that was in fact the **predominant**, most **influential** white attitude:



During this year was published in Philadelphia PA by the firm of Campbell & Powers John Campbell's NEGRO-MANIA: BEING AN EXAMINATION OF THE FALSELY ASSUMED EQUALITY OF THE VARIOUS RACES OF MEN; DEMONSTRATED BY THE INVESTIGATIONS OF CHAMPOLLION, WILKINSON AND OTHERS, TOGETHER

97. Maybe you don't agree.





JOSEPH CINQUÉ

LA AMISTAD

WITH A CONCLUDING CHAPTER, PRESENTING A COMPARATIVE STATEMENT OF THE CONDITION OF THE NEGROES IN THE WEST INDIES BEFORE AND SINCE EMANCIPATION.

EMANCIPATION
JAMES WILKINSON

Surprise surprise! Black people are inferior to white people.²

In this year also appeared [Dr. Samuel A. Cartwright](#)'s REPORT ON THE DISEASES AND PECULIARITIES OF THE NEGRO RACE ([DeBow's Review](#) XI), in which he declared the seeking of freedom by people of color to be a medical condition, an illness, an ailment to which he assigned the New Greek designation "[drapetomania](#)." (To prevent such an ailment from manifesting itself the slavemaster must avoid making himself too familiar with his or her slaves, never in any manner allowing them to consider themselves as equals with their white masters. Upon the detection symptoms of this medical condition, such as the slave's becoming sulky and dissatisfied without cause, the curative treatment should include "whipping the devil out of them."⁹⁸

98. [To be perfectly frank here: I have yet to establish that any sensible person at the time took Dr. Cartwright seriously, so the possibility remains open, at least in my own mind) that he was merely some sort of running dog whom only a modern historian reconstructing this in retrospect would ever tendentiously take seriously. What do you think?]



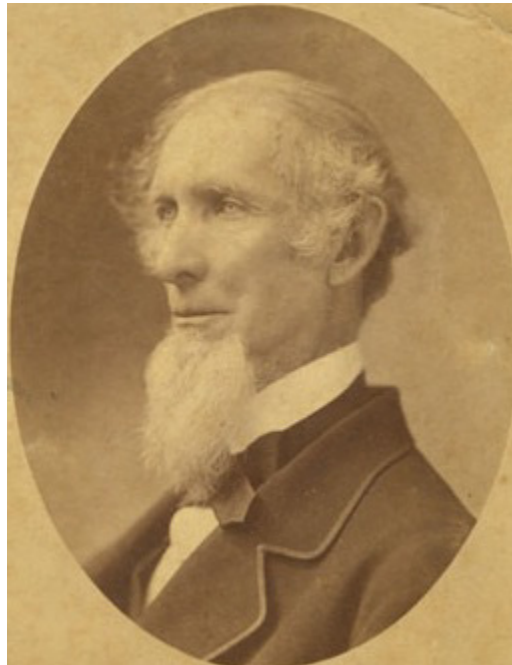
LA AMISTAD

JOSEPH CINQUÉ

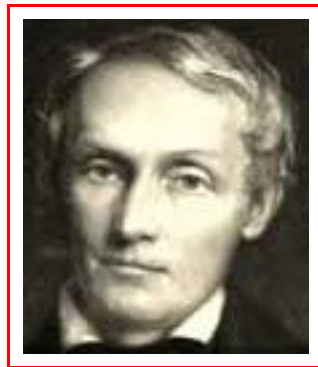
(Other Southern physicians would suggest that the removal of both big toes might be adequate to render running impossible.)

The first complete gorilla skeleton reached England. Previously, all that had been seen by Europeans had been a few skulls. Clearly, gorilla people were also inferior to white people.

Publication of [Dr. Josiah Clark Nott](#)'s AN ESSAY ON THE NATURAL HISTORY OF MANKIND, VIEWED IN CONNECTION WITH NEGRO [SLAVERY](#) DELIVERED BEFORE THE SOUTHERN RIGHTS ASSOCIATION, 14 DECEMBER, 1850.⁹⁹



[Professor Samuel George Morton](#)'s ADDITIONAL OBSERVATION ON HYBRIDITY.



99. The attitude of the Southern Rights Association seems to have been that black slaves had no Southern rights. The attitude of Dr. Nott seems to have been that one sufficient reason for the appropriateness of such a political fact had been revealed by the science of biology — according to the advice of the most prominent of the learned white practitioners in that field.



JOSEPH CINQUÉ

LA AMISTAD

February 19, Wednesday: Senator James Mason of Virginia called again for payment of Spain's [La Amistad](#) claim. What's white is right, so Senator Henry Clay of Kentucky of course proceeded to propose a Senate inquiry into the matter and his proposal was of course overwhelmingly approved.

[Of course, the schooner in question simply did not belong to Spain, or to any Spaniard or Spaniards. It being a prize vessel, it belonged only to the surviving 35 of the black [privateers](#) of the mutiny who had been sent back to Africa aboard the bark *Gentleman*, who had been sent home as mere charity wards with nobody ever thinking to return to them their conquest which they had won fair and square with their blood, sweat, and tears, admittedly worth \$70,000. For sure, had it been 35 surviving free white [privateers](#), they would not have been denied this booty which belonged to them, but because they were instead free blacks, it had never even **occurred** to any of the white players in this legal drama, such as the collective wit of the seven Supreme Court justices involved in puzzling out this puzzle, to give them their prize schooner back! One of the open issues of this drama, therefore, is: what actually had happened to the schooner *La Amistad*? **Where had this valuable piece of property gone to? Which American white men had been allowed to profit from it?** Our history books are, of course, silent — this being a question which it has never ever occurred to us to pose.]

The US Senate was taking a closer look at American involvement in the [slave-trade](#).

"A bill (Senate, No. 472) concerning the intercourse and trade of vessels of the United States with certain places on the eastern and western coasts of Africa, and for other purposes." Read once. SENATE JOURNAL, 31st Congress, 2d session, pages 42, 45, 84, 94, 159, 193-4; CONGRESSIONAL GLOBE, 31st Congress, 2d session, pages 246-7.



LA AMISTAD

JOSEPH CINQUÉ

1852

Senator James Mason of Virginia called again for payment of Spain's *La Amistad* claim.

[Of course, the schooner in question did not belong to Spain, or to any Spaniard or Spaniards. It was a prize vessel, and it belonged to the surviving 35 of the black [privateers](#) of the mutiny who had been sent back to Africa aboard the bark *Gentleman*, who had been sent home as mere charity wards with nobody ever thinking to return to them their conquest which they had won fair and square with their blood, sweat, and tears, admittedly worth \$70,000. For sure, had it been 35 surviving free white privateers, they would not have been denied this booty which belonged to them, but because they were instead free blacks, it had never even **occurred** to any of the white players in this legal drama, such as the collective wit of the seven Supreme Court justices involved in puzzling out this puzzle, to give them their prize schooner back! One of the open issues of this drama, therefore, is: what actually had happened to the schooner *La Amistad*? **Where had this valuable piece of property gone to? Which American white men had been allowed to profit from it?** Our history books are, of course, silent — this being a question which it has never ever occurred to us to pose.]

THE TRAFFIC IN MAN-BODY



JOSEPH CINQUÉ

LA AMISTAD

1858

The body of a nearly adult male gorilla arrived from Africa in England, preserved in spirits. (Previously, all that had been seen there had been a few skulls, and then one complete skeleton.)

Senator James Mason of Virginia called again for payment of Spain's [La Amistad](#) claim.

[Of course, the schooner in question did not belong to Spain, or to any Spaniard or Spaniards. It was a prize vessel, and it belonged to the surviving 35 of the black [privateers](#) of the mutiny who had been sent back to Africa aboard the bark *Gentleman*, who had been sent home as mere charity wards with nobody ever thinking to return to them their conquest which they had won fair and square with their blood, sweat, and tears, admittedly worth \$70,000. For sure, had it been 35 surviving free white [privateers](#), they would not have been denied this booty which belonged to them, but because they were instead free blacks, it had never even **occurred** to any of the white players in this legal drama, such as the collective wit of the seven Supreme Court justices involved in puzzling out this puzzle, to give them their prize schooner back! One of the open issues of this drama, therefore, is: what actually had happened to the schooner *La Amistad*? **Where had this valuable piece of property gone to? Which American white men had been allowed to profit from it?** Our history books are, of course, silent, this being a question which it has never ever occurred to us to pose.]



LA AMISTAD

JOSEPH CINQUÉ

1859

February: During arguments for the annexation of Cuba, Senator James Mason of Virginia called again for payment of Spain's *La Amistad* claim.

[Of course, the schooner in question did not belong to Spain, or to any Spaniard or Spaniards. It was a prize vessel, and it belonged to the surviving 35 of the black *privateers* of the mutiny who had been sent back to Africa aboard the bark *Gentleman*, who had been sent home as mere charity wards with nobody ever thinking to return to them their conquest which they had won fair and square with their blood, sweat, and tears, admittedly worth \$70,000. For sure, had it been 35 surviving free white *privateers*, they would not have been denied this booty which belonged to them, but because they were instead free blacks, it had never even **occurred** to any of the white players in this legal drama, such as the collective wit of the seven Supreme Court justices involved in puzzling out this puzzle, to give them their prize schooner back! One of the open issues of this drama, therefore, is: what actually had happened to the schooner *La Amistad*? **Where had this valuable piece of property gone to? Which American white men had been allowed to profit from it?** Our history books are, of course, silent, this being a question which it has never ever occurred to us to pose.]



"There is only one way to accept America and that is in hate; one must be close to one's land, passionately close in some way or other, and the only way to be close to America is to hate it; it is the only way to love America."



— Lionel Trilling



JOSEPH CINQUÉ

LA AMISTAD

1860

March 5, Monday: The US and Spain agreed to submit the issue of reparations for the [La Amistad](#) to arbitration.



[Of course, the schooner in question did not belong to Spain, or to any Spaniard or Spaniards. It was a prize vessel, and it belonged to the surviving 35 of the black [privateers](#) of the mutiny who had been sent back to Africa aboard the bark *Gentleman*, who had been sent home as mere charity wards with nobody ever thinking to return to them their conquest which they had won fair and square with their blood, sweat, and tears, admittedly worth \$70,000. For sure, had it been 35 surviving free white [privateers](#), they would not have been denied this booty which belonged to them, but because they were instead free blacks, it had never even **occurred** to any of the white players in this legal drama, such as the collective wit of the seven Supreme Court justices involved in puzzling out this puzzle, to give them their prize schooner back! One of the open issues of this drama, therefore, is: what actually had happened to the schooner *La Amistad*? **Where had this valuable piece of property gone to? Which American white men had been allowed to profit from it?** Our history books are, of course, silent, this being a question which it has never so much as occurred to us to pose.]



LA AMISTAD

JOSEPH CINQUÉ

December: President James Buchanan alleged before Congress that the US government had been placed in an “awkward and embarrassing position” though its failure to pay Spain’s *La Amistad* claim.



[Of course, the schooner in question did not belong to Spain, or to any Spaniard or Spaniards. It was a prize vessel, and it belonged to the surviving 35 of the black [privateers](#) of the mutiny who had been sent back to Africa aboard the bark *Gentleman*, who had been sent home as mere charity wards with nobody ever thinking to return to them their conquest which they had won fair and square with their blood, sweat, and tears, admittedly worth \$70,000. For sure, had it been 35 surviving free white privateers, they would not have been denied this booty which belonged to them, but because they were instead free blacks, it had never even **occurred** to any of the white players in this legal drama, such as the collective wit of the seven Supreme Court justices involved in puzzling out this puzzle, to give them their prize schooner back! One of the open issues of this drama, therefore, is: what actually had happened to the schooner *La Amistad*? **Where had this valuable piece of property gone to? Which American white men had been allowed to profit from it?** Our history books are, of course, silent, this being a question which it has never ever occurred to us to pose.]



JOSEPH CINQUÉ

LA AMISTAD

1879

An elderly, lean black man appeared at The Friendship mission in Freetown, Africa, and persuaded the American missionaries there that he was [Joseph Cinqué](#). He soon died, at the age of about 66, and was buried among the graves of the missionaries. Some hold that when he had returned to his people after the [La Amistad](#) affair he had worked only as an interpreter for the American Missionary Association mission at Kaw-Mende. Others declare, presumably tendentiously in the absence of any real evidence, that he himself had become a slave trader.



No conclusive evidence has appeared to determine whether or not Cinqué was reunited with his wife and three children, and, for that same reason, there is no justification for the oft-made assertion that he himself engaged in the slave trade on his return home.



[HDT](#)[WHAT?](#)[INDEX](#)

LA AMISTAD

JOSEPH CINQUÉ

1939

The African-American artist Hale Woodruff did a mural series “Mutiny on the *Amistad*” at Talladega College’s Savery Library, in Alabama, which is reproduced in the 1996 art book *IN THE SPIRIT OF RESISTANCE. AFRICAN AMERICAN MODERNISTS AND THE MEXICAN MURALIST SCHOOL* and arguably would serve as a source of visual imagery for the makers of the 1997 *AMISTAD* movie. It is apparently from this mural that the movie derived the ludicrous and impossible shape of its Hollywood prop-shop machetes, which make sense only in terms of the perspective of a flat wall painting projecting three-dimensionally but which never could have functioned to chop sugarcane, or heads.

[LA AMISTAD](#)





LA AMISTAD

JOSEPH CINQUÉ

1996

Steven Spielberg released his movie AMISTAD. An undercritical review of this Hollywood production by a professor of law has produced the following howler: “AMISTAD begins with the event that made that ship’s history different from other slave ships: the gradual extraction of a nail from the ship which allowed [Joseph Cinqué](#) (also known as [Sengbe Pie](#)) to free first himself and then the other slaves on board.” Obviously, the movie has made it appear as if the other slaves aboard [La Amistad](#) had been, on the night of the takeover of the vessel in Cuban waters, chained, whereas it is generally recognized by historians that only Cinqué was in restraints (a collar) — because only he had made any previous gesture toward escape.



I frankly acknowledge that I was initially overwhelmed by the Spielberg movie on *La Amistad*. However, after a period I began to have second thoughts. On the following screen are some other very problematic aspects of the movie, more accurately presented:



JOSEPH CINQUÉ

LA AMISTAD

- My trepidations center on the figure of [Joseph Cinqué](#) standing in court and petitioning “Give me free.” To my way of thinking Cinqué should have been presented as potentially a perplexing Patrick Henry figure, that is, as the sort of problematic person who indeed wanted freedom for himself but was ready to allow that having freedom for oneself involved, in that social context, the necessity of taking it away from others — of oneself owning slaves. The charge is available, that in both the case of Patrick Henry and the case of Cinqué, the personal freedom that was desired included the freedom to enslave others.
- It seems to me that the idea of “giving” freedom that is presented in this movie is a modern conceit and was something entirely alien to that time and place. To the very best of my understanding, freedom was recognized as something that was never given, but instead was recognized as something which ever of necessity had to be **taken**. My suspicion is that such a petition as this movie’s “Give me free” would have been greeted in that time and place with simple derision, with mockery; such a petitioner with manacled hands would have become the butt of rude rough barroom jests — would not by most have been taken at all seriously.
- The presentation of the complexities of the actual case, in this movie, were confined to the lower-court proceedings, and the appearance of this marvelous actor Anthony Hopkins performing [John Quincy Adams](#) before the Supreme Court of the United States of America was so constructed as to make it seem, quite falsely, that at the highest levels of our jurisprudence the Supremes were able to decide this case upon broad and righteous principles. The fact of the situation was quite different, of course. The Supremes decided this case on the basis of the same legal fine points and quibbling as had the lower courts. Had any of the petitioners made the mistake of informing the Supreme Court that actually he had been captured in Africa years ago while still quite young, before the international treaty in question had come into effect, the Supremes would have immediately and remorselessly returned these men to Cuba to face torture and execution. Thus, despite the fact that the movie’s depiction of our legal confusion begins with great accuracy, the movie winds up, suspiciously, merely perpetuating a popular patriotic myth, that at the **very highest** levels of our government, decency and wisdom must and shall prevail.
- [John Quincy Adams](#) defended the [La Amistad](#) mutineers by asserting a States Rights argument, not to be interfered with by the federal government, when in fact he, and his father before him, had been politically opposed to such States Rights. The Adamses were the quintessential political hacks of the first 50 years of the Republic, relentlessly pushing the economic agenda of their immediate neighbors at the expense of the rest of the citizens of the country. John Adams had attempted to subvert the Constitution and free speech with the Alien and Sedition acts and, when the voters punished him for this, seems never to have understood that he and those of his class were not entitled to more freedom than others. To become President after his father, the son had to subvert the electoral process through back-room political maneuvering, and be appointed to rule by the House of Representatives.



LA AMISTAD

JOSEPH CINQUÉ

- The historical defense attorney Roger Sherman Baldwin, portrayed by the actor Matthew McConaughey as a cynical but ineffectual real estate lawyer, had been an abolitionist before this case began, rather than merely as presented in this movie, a person able to see only the property implications of a human being's struggle for freedom. This defense attorney's supposed "development" during the film, from an insensitive ambulance-chaser to a caring abolitionist, falsifies this historical person's earlier commitment to the movement. The movie gives us no sense whatever that this ridiculous man is going to go on to become the honored governor of the State of Connecticut.
- The linguist who is depicted in the movie as a bumbling idiot and fraud –evidently for comic relief– was actually one of our foremost students of language during that period, Josiah Gibbs. It was this historical person, rather than the fictional Joadson or the fictional Baldwin, who successfully scoured eastern ports looking for a black sailor who understood the Mende language.
- District court judge Andrew T. Judson was opposed to abolitionists before the trial began and had strong racial antipathies — and yet very much overcame all this in rendering his verdict.
- [Joseph Cinqué](#) lied to his helpers in America. The film, however, never suggests that he was other than totally reliable.
- Cinqué would have been allowed to assist in no way in the creation of the legal defenses mounted by Roger Sherman Baldwin or [John Quincy Adams](#). He would not even have been kept informed. To suppose that a black person would have been consulted or heeded, by any white movers and shakers, is to seriously misrepresent the ethos of 19th-Century America.
- [John Quincy Adams](#) was already assisting the defense team, as early as the district court trial, sending them questions and raising issues for their consideration.
- If a southerner like John C. Calhoun had mentioned the import of such a case it would not have been by use of a term such as "civil war." (He might conceivably have referred, instead, to "disunion" or to "secession.")
- Since the vessel [La Amistad](#) was brought into the Connecticut port during the month of August, there could not have been snow in the air.
- The depiction of presidential candidate Martin Van Buren on a campaign train indicates precious little awareness of 1840s campaign practices.
- The treaties governing the case were not merely the 1795 Pinckney treaty which might require the slaves to be returned to Spain, but also an 1819 American-Spanish treaty reconfirming that 1795 treaty and an 1817 Anglo-Spanish treaty which had outlawed the purchase of Africans in Africa for purposes of enslavement.



JOSEPH CINQUÉ

LA AMISTAD

- President Martin Van Buren did not appoint a special judge for the circuit court trial. The critical trial was conducted at the district court level and the hearing in the circuit court was merely an exercise in which the district court decision was affirmed so that the case could be rapidly appealed to the Supreme Court. The replacement of a local judge with the imaginary judge “Coughlin” for Van Buren’s political gain as depicted in the film is not merely pure filmic invention, but masks some real and even more repulsive national history. As an outrageous betrayal of our legal process at the highest levels, Secretary of State Forsyth had made arrangements for the persons involved to be placed on the USS *Grampus* and returned to Cuba to be tortured and murdered **no matter what the conclusion reached in the trial**. The President of the United States, his Secretary of State, and this Connecticut district attorney had agreed in early 1840 to a strategy that would subvert the entire course of justice and violate the separation of powers, simply to be rid of a political bombshell before the 1840 election. The prosecutor, District Attorney Holabird, changed tactics in the middle of the trial by acknowledging that the captives were indeed Africans, merely so that the White House could continue to hold them in custody even if this court set them free. In [John Quincy Adams](#)’s summation before the Supreme Court he of course described the pattern of executive interference with the *La Amistad* court case and revealed Van Buren’s shocking 1840 plot to send the Africans to Cuba regardless of the lower court’s decision, because executive interference with the judiciary is of course a topic which can be reliably expected to make justices of the Supreme Court most sympathetic (personal freedom is, by contrast, a “ho-hummer”).
- The appeal from Judge Judson’s ruling to the Supreme Court in 1841, nearly two years and three presidents (Martin Van Buren, William Henry Harrison, and John Tyler) after the case had originally begun, was heard by five Southern justices rather than seven as was asserted in the movie’s voiceover. When the Supreme Court heard [John Quincy Adams](#)’s oral argument, only seven justices rather than the nine depicted in the movie were in attendance. This sort of merely numerical inaccuracy is insignificant, of course, but it does point out how little consideration Spielberg gave to the historical details underlying his movie — since this falsifying of the number of justices on the bench in fact served no storyline function whatever.
- The movie omits to mention that a rescue was being prepared by abolitionists who were willing to risk violating the law and having all their property seized by the government, in order to forward the victims to safety on the underground railroad. The rescue would have been easy since the African women were working in local homes and since [Joseph Cinqué](#) and the other African men were allowed out of the jail for regular sports on the New Haven town common, a green across from the tavern housing the jail facility. They staged athletic exhibitions and Americans tossed coins which the Africans used to buy rum in the saloon that was the entrance to the jail and that was being run by the jailer. Had this rescue plan been implemented their path to Canada might very well have led, at one point, through the Thoreau boardinghouse or through the home of the village blacksmith in Concord, Massachusetts.
- This Hollywood movie seems to have drawn a great deal of its visual imagery from the mural “Mutiny on the *Amistad*” created in 1939 by the African-American artist Hale Woodruff at Talladega College’s Savery Library, in Alabama. It is obviously from this mural that the movie has derived the ludicrous and impossible shape of its Hollywood prop-shop machetes, which make sense only from the perspective of a flat wall painting projecting three-dimensionally and which never could have functioned to chop sugarcane.



LA AMISTAD

JOSEPH CINQUÉ

- The movie has been based not on a reliable source such as Howard Jones's 1987 historical study *MUTINY ON THE AMISTAD: THE SAGE OF A SLAVE REVOLT AND ITS IMPACT ON AMERICAN ABOLITION, LAW AND DIPLOMACY*, but instead on a 1953 novelization of the incident by William A. Owens entitled *BLACK MUTINY: THE REVOLT ON THE SCHOONER AMISTAD*. On the current paperback edition of that novel, the publisher is claiming it as "a key historical reference for the major motion picture *AMISTAD*." The implication, of course, is that that old novelization by Owens is a careful and current historical account of the event; however, whatever scholarship went into the creation of this novel was not careful at the time, and assuredly is no longer current. On the back of the book as currently republished appears the following significant disclaimer: "Written as a novel in 1953 by William A. Owens, this is one historian's view of the Amistad mutiny."
- The movie seems to be arguing, especially in that final dramatic courtroom explanation, that an American ideology of freedom was the ultimate heroic force — and this is really, really problematic. In fact, it is a dangerous nationalistic mythification.
- At the home of [John Quincy Adams](#) in Quincy, Massachusetts, the amaryllis plant used in the movie has four blooms, which for 1839 is at least two too many. The Spielberg film seems to turn on an influence by [Joseph Cinqué](#) upon Adams, in which Cinqué communicates to Adams an African perspective having to do with influence by ancestral spirits. In this African perspective, the ancestral spirits are actively struggling to cause their descendants, in the present, to honor them by appropriate behavior and by the offering of appropriate rites. Adams receives this in the movie, however, in a typically American way, as a need to live up to an example which has been set for us by our illustrious forbears. Not only would Cinqué never have been invited to visit Adams in his home, not only did such an interaction probably never take place even away from that home environment, but, in addition, these two points of view about heritage have little or nothing in common and the attempt which the movie takes to equate them is, if it is anything at all, disingenuous.
- The story that Cinqué returned to Africa only to become himself a slave trader seems to have derived from page 308 of William Owens's 1953 book *SLAVE MUTINY*. Owens seems to have done some research for this 1953 book, for in his "Afterword" he indicates that his typewritten notes from documentary sources were deposited in the New Haven Colony Historical Society. However, there are no footnotes in this volume and the author admits that he invented dialogue and "settings" for dramatic effect. Howard Jones, in his 1987 scholarly study *MUTINY ON THE AMISTAD: THE SAGE OF A SLAVE REVOLT AND ITS IMPACT ON AMERICAN ABOLITION, LAW AND DIPLOMACY*, alleges that "Cinqué returned to his people, although he eventually worked as an interpreter for the AMA mission at Kaw-Mende until his death about 1879" (page 255, note 27).
- Many of the settings used in the movie were anachronistic. [Newport](#) was used to represent New Haven, and many of the buildings visible in the scenes date only to the late 19th and early 20th centuries. Newport's early 18th-Century Colony House stood in appropriately for the courtroom, for Roger Sherman Baldwin's office, and for the hotel in which Baldwin stayed during the Supreme Court deliberations. However, the [Rhode Island](#) State Capitol, erected in 1900, was used to represent the United States Capitol, apparently in the mistaken belief that the US Capitol in 1839 already had its dome despite that fact that this elaboration would not be added until the 1850s and 1860s. (The Roman Catholic church in which Judge Coughlin prayed was similarly anachronistic for the time and place of the [La Amistad](#) events.)



JOSEPH CINQUÉ

LA AMISTAD

- The *AMISTAD* movie does depict how [Joseph Cinqué](#) was kidnapped near the British colony of Sierra Leone by neighbors, but it fails to place sufficient emphasis upon the fact that this was done on account of his refusal to pay an acknowledged debt. He was apparently delivered to a Spanish slave merchant on the coast. Many Africans in North America did indeed owe their enslavement to this sort of initiation, though more were kidnapped in raids or wars. By British law Sierra Leone was supposed to be slave-free. At two points the film uses the Lomboko fort near Sierra Leone, that at the time was owned by the Havana trading house of Don Pedro Martínez. During the 19th Century era of illegal slave-trading many slaves were indeed kept in such “[barracoons](#)” but throughout the earlier era of legal slave-trading most slaves had been bought or bartered direct from other Africans.

Cinqué was a member of an inland rice-farming group, the Mende, who basically lived by trading slaves and kola and palm products out toward the trading groups on the coast of Africa while trading European goods in toward the interior of the continent. At the time he was captured about half of the people living in Mende territory were slaves in agricultural work or in transit to the coastal trade. He probably had several names (Joseph Cinqué, Cinquez, or Singbe Pieh) not because Americans spelled his name in any manner convenient for them but because he had been trading with Englishmen, Spaniards, and Portuguese. Cinqué’s account of his capture—that the Portuguese seized him on a road near his home—is unlikely to have been the truth of the matter. More likely, he was himself a trader and had been betrayed into the same sort of thing to which he was subjecting others. Presumably Cinqué would have been telling the Americans what he supposed they wanted to hear, when he claimed that he had been a rice farmer and that he himself had never owned slaves. Cinqué was known as an African prince in his time, at least in America, and to be a prince among the Mende would have been to be a slaveholder and to be at least complicitous in the traffic in humans.



The basal problem in the *AMISTAD* movie is that it entirely elides the critical difference between not wanting to oneself be a slave or captive, and being opposed to slavery. The same problem surfaces in our understanding the Americo-Liberians of the period, who were by no means abolitionist in their sentiments. They were settlers who sought to serve as middlemen between two great systems of slave-produced goods — North American and African. They claimed to be Virginians and, even in Monrovia, they were indeed Virginians.

If we deflate these myths of the Patrick Henry who wanted freedom, the Cinqué who wanted freedom, etc., and if we deflate this Americo-Liberians-as-abolitionists myth, we may come to see more clearly the black and the white men and women who **did** oppose slavery.

Religious organizations with a history of involvement in abolitionism (the New Haven Congregationalists and the United Church of Christ and the United Methodists, among others) have been protesting that the movie invents a conversation in which abolitionist Lewis Tappan speculated that the African prisoners might be more valuable if they were executed and became “martyrs” to the anti-slavery cause. However, they should most definitely not be objecting, since such thought processes were in fact very common among white abolitionists. It is precisely what these religious organizations found most problematic about the movie, that I myself found most true to the actuality of the antebellum situation. I am grateful for the negative portrait of the abolitionists, in particular of the Buffum character. The arrogant manner in which these abolitionists seized upon the Right, in order to magnify themselves by invidious contrast with white Southerners who were the sheerest scum, was one of the prime causes of our civil war, and the trauma of our civil war is one of the prime reasons why even now this nation cannot bring itself to treat its citizens of color with anything approaching fairness. Had these abolitionists approached the Southern white as a person of honor facing an intransigent situation and a painful choice, the civil strife might have been averted and thus the era of Reconstruction and Segregation, from which in fact we have not yet emerged, could have been averted.



LA AMISTAD

JOSEPH CINQUÉ

These religious organizations have protested that “Tappan himself was willing to become a martyr, and, in fact, he and his brother paid dearly for their lifelong struggle against slavery.” This tempts me to go “Oh, give me a break.” In fact the prime cover story of the person who wants to sacrifice others to his own cause has **always** been “Look at how I myself am sacrificing, you cannot blame me for sacrificing you as well.” It is long overdue for the American public to see these abolitionists as the self-righteous troublemakers they were, part of all the problems rather than the solution for any of them. For too long we have attempted to ignore the deep chasms of suspicion that lay between the white abolitionists and the black abolitionists. It seems to me that in this constructed carriage scene in the movie, in which the Buffum character is made to speculate that the black prisoners may need to die for the good of the general movement, there was a spiritual accuracy which so far has been evading us. In fact the white abolitionists of the 19th Century in general impatiently wanted the black abolitionists to “sacrifice more for the cause,” and the response of the black abolitionists of the 19th Century was ever that the white abolitionists did not truly grasp what the struggle was all about,



JOSEPH CINQUÉ

LA AMISTAD

that the nature of the problem was that the black people of America were **already** being forced to sacrifice much too much during their lives.

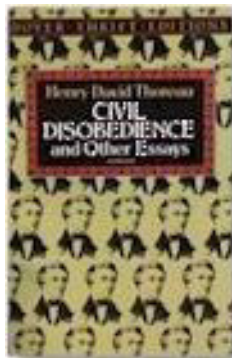
An excerpt from an Internet page offered by one of these religious organizations reads:

- > Visit our Amistad Page, designed to help you and your congregation
- > interpret the new Steven Spielberg movie. This epic about African
- > slaves who fought for their freedom and the Christian abolitionists
- > who defended them in court marks the beginning of the mass movement
- > to abolish slavery in the US.

But this is quite tendentious. In fact this case had no known influence on the abolition of slavery either in the US or in Africa. Had the slaves aboard the [La Amistad](#) not freed themselves, in general import nothing about US history and nothing about African history would be altered in the slightest. The advent of general freedom would have been neither delayed nor accelerated.

Here's another such snippet.

- > Although the movie is historically accurate when it shows the horror
- > of the slave trade or the courage of the *La Amistad* captives rising
- > up against their tormenters, the screenplay often misrepresents
- > Christian abolitionists as arrogant or self-serving. The movie even
- > invents a conversation in which abolitionist Lewis Tappan speculates
- > that the African prisoners might be more valuable if they were
- > executed and became "martyrs" to the anti-slavery cause. [and a
- > little below] "Tappan himself was willing to become a martyr, and,
- > in fact, he and his brother paid dearly for their lifelong struggle
- > against slavery," says the Rev. Thomas E. Dipko, a United Church of
- > Christ minister and head of an agency whose predecessor body was
- > founded by Tappan and other Christian abolitionists. "They advocated
- > civil disobedience for reasons of conscience, but they would never
- > have welcomed or exploited the suffering of other people,
- > particularly of slaves."





LA AMISTAD

JOSEPH CINQUÉ

To see how exceedingly accurate the film's negative portrayal of certain white abolitionists actually is—to see how very complicit abolitionism could be with a straightforward racist desire to solve the American problem of the presence of inferior people by arranging for American peoples of color to be eliminated— please consider a fine new study of the complex motivations of [Waldo Emerson](#) issued in 1997 by Oxford UP. The monograph of which I speak is by Anita Haya Patterson and is titled FROM EMERSON TO KING: DEMOCRACY, RACE, AND THE POLITICS OF PROTEST:

From Pages 4-5: "What I have found to be most compelling and bewildering about Emerson's writing –what has made it hardest for me to know how to think about him– is that his defense of rights and his racism are intimately and deliberately connected.... [T]he fervent, critical recuperation of American democracy undertaken by Emerson was shaped and indeed made conceptually coherent only through his recourse to racialist language and ideology. [Continuing in an endnote] Compare Orlando Patterson's claims regarding the sociohistorical necessity and consequences of the central contradiction between articulate defenses of freedom and the fact of slavery in America. Observing that 'Americans have never been able to explain how it came to pass that the most articulate defender[s] of their freedoms ... were large-scale, largely unrepentant slaveholders,' Patterson finds that '[s]lavery is associated not only with the development of advanced economies, but also with the emergence of several of the most profoundly cherished ideals and beliefs in the Western tradition. The idea of freedom and the concept of property were both intimately bound up with the rise of slavery, their very antithesis. The great innovators not only took slavery for granted, they insisted on its necessity to their way of life.... The joint rise of slavery and cultivation of freedom was no accident. It was ... a sociohistorical necessity' (SLAVERY AND SOCIAL DEATH: A COMPARATIVE STUDY [Cambridge: Harvard UP, 1982], viii-ix)."

What Anita Haya Patterson, Orlando's spouse, is alleging in this new 1997 book of hers is that all of us, even our most radical abolitionists, were and are deeply influenced by the "double-consciousness" we find in esteemed characters such as Emerson, a doubled consciousness which has been created over the centuries by our most intransigent national race and class predicament. Her hope is that we will find the courage and the grace, rather than merely to renounce in some easy and superficial manner this doubled consciousness we have inherited as Americans of various skin hues and of various heritages, instead to learn something of great value from it.



Thus the last sentence of her Epilogue is not merely a question but is also a daunting challenge for us all:

Page 199, Epilogue: "How can double **possibly** mean nothing?"



JOSEPH CINQUÉ

LA AMISTAD

This is a thinking and feeling person's book. I recommend it highly. If we were to pay attention to materials such as this, America would become a quite different place. But will such a movie make America a better place?



LA AMISTAD

JOSEPH CINQUÉ

In fact I am not at all certain that it is even **theoretically** possible to make a Hollywood movie that is historically truthful:

- Hollywood history must be histrionic, that is, it must present struggle in terms of good versus evil, and present this from the viewpoint of the righteous who have triumphed or will eventually triumph. The viewing public will not attend, and would not grasp the story line of, any historical narrative which deviated from these conventions. Thus in the *AMISTAD* movie, it was necessary to falsify history in order to present the legal case for freeing the Africans, once that case reaches the Supreme Court of the United States, as if it had been a struggle in which good triumphed over evil. The movie would therefore leave it entirely unexplained why, when in October 1841 the American slaves aboard the *Creole* revolted and killed some of the crew of the vessel and forced the survivors to sail the vessel to neutral waters in the Bahamas, the US government would spend the next 15 years unsuccessfully badgering the British authorities who had promptly freed these American slaves to return this “property” to US control so we could torture and murder “it.” Likewise, the falsehoods inherent in the movie would leave it entirely unexplained how it could be that when in 1857 the Supremes would rule in the case of *Dred Scott*, that no American black had any rights that any American white was bound to respect, this decision would rendered by a court the majority of the sitting members of which had been the very justices who had earlier voted to free the Africans of the *La Amistad* case!
- The point of view of the “Point of View” characters (POV) must be the one designated as righteous, or politically correct. Sorry little historical facts, such as that ex-President [John Quincy Adams](#) never displayed any concern whatever in regard to the slaves held by his wife’s family, and did not turn antislavery until after he had come to believe, in his sulking at home, that it had been the intransigent opposition of the Southern proslavery Democrats which had prevented him in his own turn as US president from accomplishing anything of note, prevented him from rising above mediocrity, sorry little historical facts such as these, must be neglected. It must be presented that Adams would have invited a negro into his home, and would have indulged in personal intimate conversation with that negro — certainly false. It must be presented that Adams was operating out of sympathy and generosity rather than out of vengefulness. Likewise, since the figure of [Joseph Cinqué](#) is the POV character in this film for black Americans, Cinqué must be falsified into an abolitionist. There is no evidence that Cinqué, who came from the Mende, a slave-owning tribe, was opposed to slavery. The only evidence we have is that he was, like the slaveholder Patrick Henry, in favor of **his own** freedom. Whether his personal freedom involved an entitlement to enslave others, or excluded an entitlement to enslave others, is something which is not on the record. We do know that he himself had been enslaved while in Africa due to his refusal to pay back an acknowledged personal debt.



JOSEPH CINQUÉ

LA AMISTAD

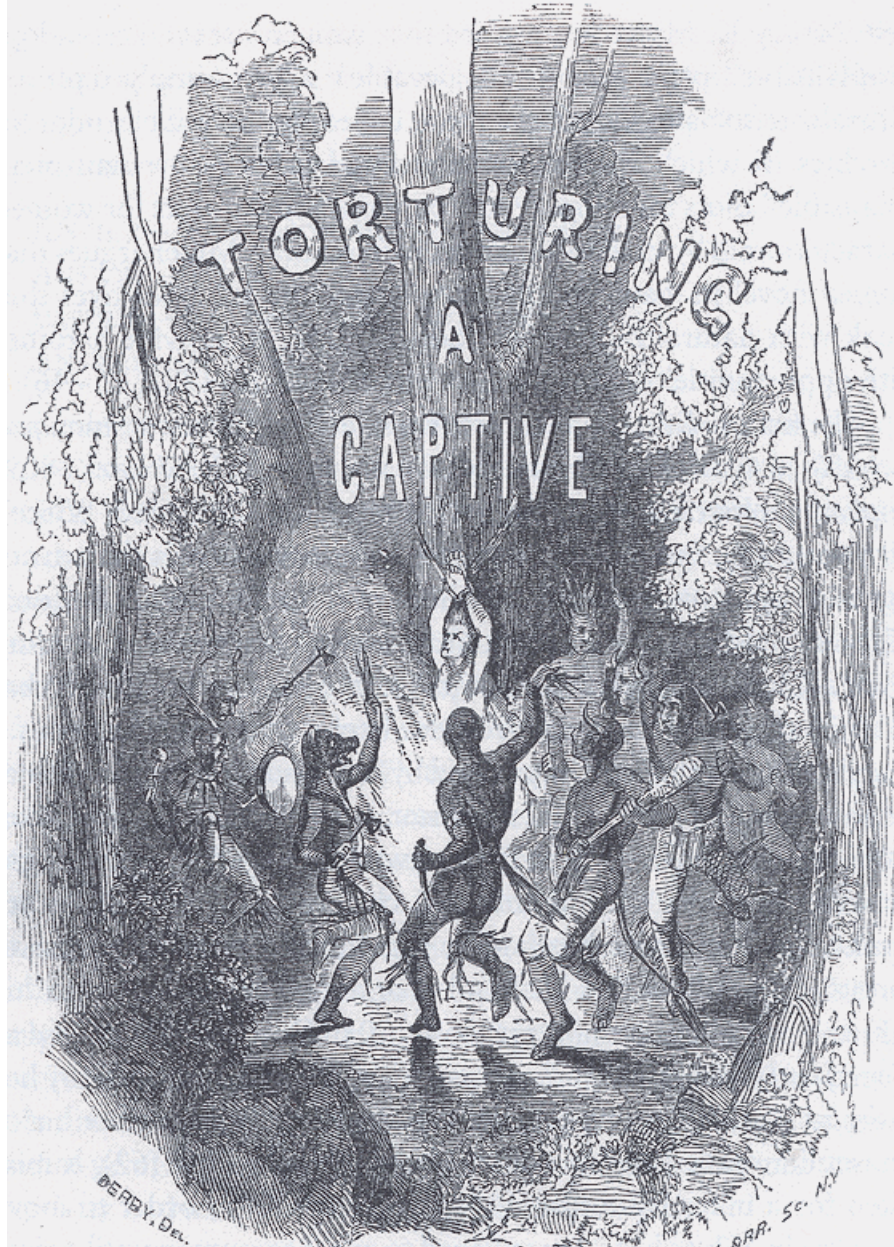
- The audience must be provided with a POV character with whom they can personally identify. Up to this point, that POV has always been, as in the case of the movies about A MAN CALLED HORSE, through white eyes. Even in this Spielberg movie *AMISTAD*, where there is a POV through black eyes, the audience is distanced by the techniques of subtle filmic narration, and this subtle filmic narration is overwhelmingly through white eyes and through white attitudes. Thus, even when the only heroes and the only actors on the screen are black, the structure of the events which they portray is the structure necessitated by the overarching white frame of reference, which is “We’ve got these people in our jail and are trying to figure out how best to dispose of them, so we need to figure out how we came to such a pass.”
- The story must be that of triumph, of overcoming. There is no triumph and no overcoming whatever in the true story of the *La Amistad*. By the conclusion of the case no lessons whatever had been learned, and no general societal situations had been altered in the slightest. The disposition of this case is therefore of necessity presented falsely in this movie, in order to transform it into a story of triumph, of overcoming, one of having had an influence upon the breaking out of a purgative civil war later on in our national trajectory. But that civil war would not be fought over the issue of slavery, rather it would be fought over the issue of union, plus, that civil war would most definitely not prove to be in any sense purgative. Nor did the *La Amistad* case (as is demonstrated in spades by the subsequent cases of the *Creole* and of *Dred Scott*) have any influence whatever toward the bringing on of this period of civil strife. To Why was this particular subject-matter chosen, to make a film of? The historic *Amistad* case was important and dramatic but in fact it had nothing whatever to do with the ending of human enslavement. It neither accelerated nor postponed our US Civil War. It created no freedom precedent. This historical case was entirely about adherence to international treaties by signatories to them. If at any time it had been established that these people had been transported from Africa during their teens, **before** the treaties in question had come into effect, all of them would have been instantly returned to Cuba by our justices, to be inevitably tortured and murdered. These were the same justices who, later, would decide the *Dred Scott* case. Their action in this case

[HDT](#)[WHAT?](#)[INDEX](#)

LA AMISTAD

JOSEPH CINQUÉ

was consistent with their agenda, to make slavery work as an institution.



The Dreamworld studio, and director Steven Spielberg, have touted their film AMISTAD as a critical examination of slavery in antebellum America. They even prepared classroom materials to be used along with the showing of the film in schools. Why did they not do this with the story of [Nat Turner](#)'s revolt, instead, or with a major escape narrative such as that of Douglass, or the Crafts, or Tubman, or with a major rescue narrative such as those dealing with Shadrach or Jerry? The nasty suspicious thought arises, that the reason might be, because dealing with such real-life scenarios would have made it quite impossible to create yet another crowd-pleasing tale of self-righteousness and national unity and democratic triumph.



JOSEPH CINQUÉ

LA AMISTAD



"Nobody ever bought a product that made them feel worse."

— [George W. Bush](#)



Notice how readily the [La Amistad](#) incident lent itself to a portrayal in which the iniquity of human enslavement becomes associated with silly, moribund, reactionary, monarchical, and antirepublican despots in the Old World, rather than displaying itself as a fundamental economic, social, and ideological component of our American society. The makers of AMISTAD have merely provided us with yet another in a long series of sanctimonious images of American history in which Our Nation triumphs over Wrong Others without taking note of its own moral failings.

Slavery provided us with [sugar](#), AMISTAD with saccharine.



LA AMISTAD

JOSEPH CINQUÉ

1998

February 15, Sunday: Sketches for a symphony by Edward Elgar and elaborated by Payne are performed for the initial time as Elgar's Symphony no.3 in Royal Festival Hall, London, 65 years after they were made by the composer.

Equale for four trombones by Leslie Bassett was performed for the initial time, at Furman University, Greenville, South Carolina.

An extraordinarily different article appeared in the local [Providence, Rhode Island](#) newspaper, the "ProJo":

History of slavery in R.I. not a story in black and white, but shades of gray

By JODY McPHILLIPS, Journal-Bulletin Staff Writer

Steven Spielberg shot his slave-revolt film [La Amistad](#) in [Rhode Island](#) because the state has great Colonial architecture.

It made sense for other reasons.

Rhode Island played a bigger role than any other state in the [Atlantic slave trade](#) and had the only slave plantations in New England. At the same time, it was an early leader in the efforts to abolish slavery.

"Throughout the 18th century, Rhode Island merchants controlled between 60 and 90 percent of the American trade in African slaves," writes historian Jay Coughtry in *THE NOTORIOUS TRIANGLE: RHODE ISLAND AND THE AFRICAN SLAVE TRADE, 1700-1807*.

To be fair, the American slave trade amounted to just a small fraction of the European trade, which brought more than 11 million Africans to the New World over nearly 400 years.

Only half a million of them went directly to North American colonies; the rest went to the plantations and slave markets of Central and South America, from which some would be resold later to the southern colonies.

By comparison Rhode Island, which came the closest of any colony to having a slave trade of its own, made more than 900 slaving voyages during the 18th century, transporting about 106,000 slaves.

Few actually settled in Rhode Island, which was poorly suited for large-scale agriculture with its small rocky farms and icy winters. But they were bought from the slave fortresses of Africa's Gold Coast with Rhode Island-made rum; transported on Rhode Island-built ships to the slave markets of the Caribbean; and later dressed in Rhode Island-made slave cloth.



JOSEPH CINQUÉ

LA AMISTAD

Why did Rhode Island get so involved?
Money, mostly. The state had good ports and skilled seamen but not much good farmland. Once the fertile areas of South County were settled, the only place to make real money was at sea.
And no trade was as profitable as slaving.
Slave traders like the Browns of [Providence](#) amassed great fortunes, enough to build those mansions along Benefit Street and to found Brown University. Later, [Rhode Island](#) textile manufacturers produced the coarse cotton cloth slaves wore throughout the New World, much like prison garb today.
There were also coincidental connections.
Two groups who eventually settled here -the Portuguese and the Cape Verdeans- played huge roles in the early slave trade. In the 1400s, the Portuguese were the first Europeans to buy or steal humans from the west coast of Africa; they turned the empty, volcanic Cape Verde islands into a major depot for the worldwide slave trade and created a mixed-race population that flourishes today throughout southeastern New England.
And yet, from the earliest days, some Rhode Islanders were repelled by this human commerce.
The conflict tore families apart. [John Brown](#), of [Providence](#), was an avid slaver, his brother [Moses Brown](#) an abolitionist who fought him at every turn. [Bristol](#) slaver James DeWolf's son Levi made one slaving voyage and abandoned the trade in disgust; Levi's brother Charles once defended his extensive slaving activities by telling a preacher, "Parson, I've always wanted to roll in gold."
In 1774, the General Assembly outlawed importing slaves into [Rhode Island](#); a decade later, it was one of the first states to free children born of slave mothers.
It's a complicated story, with many moral shadings. Or, as Keith Stokes of [Newport](#) says, "It's not black and white so much as gray."

Humanity is divided into two: the masters and the slaves.

- Aristotle, POLITICS.

How could it happen? How could supposedly civilized people enslave other human beings?
Historian Hugh Thomas, in *THE SLAVE TRADE*, says slavery is as old as recorded history, known in virtually all cultures. Typically, slaves were people who lost wars, owed debts, broke laws or were sold into servitude by impoverished parents.
Throughout the Middle Ages, enslavement was increasingly linked to religious conflict. Moslems



LA AMISTAD

JOSEPH CINQUÉ

would enslave Christians, or vice versa: the dominant culture felt they were doing the "less enlightened" people a favor, by liberating them from error and exposing them to the true faith.

By the 1400s, the seafaring Portuguese had begun trading with the small fiefdoms of northwest Africa. They went looking for gold, but didn't find enough; increasingly, they brought home slaves, with the blessing of the Pope. Better a slave in an advanced Christian nation than a free subject of a "cannibal" king, the reasoning went. African slaves quickly became highly prized as strong, hardy workers able to withstand punishing tropical heat. As European colonists flooded into the New World, demand for workers grew exponentially, especially in the Caribbean islands and the plantations of Central and South America.

At first, the Europeans tried to enslave the native Indians too. The first slaves transported across the Atlantic, in fact, went west to east: Taino Indians brought to Spain from the Caribbean by Christopher Columbus.

But the New World Indians proved too susceptible to European diseases, and not strong enough to cultivate the new cash crops of sugar, tobacco, rice, cotton and indigo in the tropics.

It was the Africans' bad luck that they were physically well suited to hard work in hot climates – and that African kings and chieftains were so willing to sell their enemies and rivals into slavery.

Over the next centuries, the combined lure of gold and slaves drew successive waves of Europeans to Africa: the Portuguese, the Spanish, the Dutch, the French, and finally the English, in the mid-1600s.

They made no bones about why.

"A ship full of blacks brings more to the Treasury than galleons and fleets put together," wrote Pedro Zapata de Mendoza, governor of Cartagena de Indias (in present-day Colombia), in 1648.

The British entered the trade two centuries after the Portuguese, but quickly made up for lost time. One maritime city after another sent huge ships to Africa, capable of carrying as many as 450 slaves at once.

They made money hand over fist.

"Liverpool was in no way shy about the benefits brought her by the slave trade," Thomas writes about the city. "The facade of the Exchange carried reliefs of Africans' heads, with elephants, in a frieze, and one street was commonly known as 'Negro Row.'"

By the end of the 17th century, British traders had exported nearly 100,000 slaves from Africa; by 1725, 75,000 had been sold to British North America.

It was about that time that slaving voyages start



JOSEPH CINQUÉ

LA AMISTAD

showing up in [Rhode Island](#) records.

The early eighteenth century marked the end of North America's novitiate in the traffic of slaves. In the seventeenth century, too poor or too concerned with primitive agriculture, colonists there had been slow to participate in any substantial way.

A few slaves acting as servants had always been seen in all the colonies; but it was not until the owners of plantations in the Carolinas ... realized they could make considerable profits from rice and indigo that anything like a regular trade in slaves began.

– Hugh Thomas

The only land in Rhode Island good enough for plantation-style farming was the [Narragansett](#) Country (South County today), where a handful of white landowners did get rich off the labor of black slaves in the years before the Revolution.

But the rest of the settlers had to come up with other ways to make money. The colony's most successful industry was distilling rum, which at first was sold mainly to other colonies. The strong, good-quality rum soon found a market with slave-trading Africans of the Gold Coast who preferred it to Caribbean rums, which could be weak, salty or packed in leaky barrels.

[Rhode Island](#) distillers in [Newport](#) (and later [Bristol](#) and [Providence](#)) were soon making double- and triple-distilled rums for the African trade, taking care to pack it in sturdy hogsheads. [Rhode Island](#) rum became so popular in Africa that, like gold, it served as money. The rum-for-slaves trade began slowly, with occasional voyages as far back as 1709. The triangle trade that evolved was simple: take rum to Africa, and trade it for slaves; take the slaves to the Caribbean, and trade them for molasses; take the molasses back to [Rhode Island](#), and make more rum.

Everybody made out – except the slaves.

At first, the trade was concentrated in [Newport](#). By 1725, one or two voyages a year were being recorded; by 1735, it was up to a dozen a year, a pace maintained until 1740, when fighting between England, Spain and then France disrupted all colonial commerce.

A pattern developed: when hostilities broke out, trade faltered; when peace resumed, slaving boomed. In 1750, 15 [Rhode Island](#) trips were recorded; by 1772, that number had doubled.

[Rhode Island](#) and, particularly, Newport, was, in the 1750s and 1760s, still the North American colonies' most



LA AMISTAD

JOSEPH CINQUÉ

important slaving zone. Newport, which always welcomed enterprising people without asking whence they came, also used more slaves in small businesses, farms, or homes than any other Northern colony.

– Hugh Thomas

One Rhode Islander in nine was black, the highest percentage north of the Mason-Dixon line. Most were slaves on the [Narragansett](#) Country plantations, but others clustered in Newport, where an artisan class of skilled workers developed.

Slavery in New England –and particularly liberal Newport– was probably never absolute. From the early days, a small percentage of Newport blacks were free men, having bought or otherwise obtained their freedom. Keith Stokes, in an essay on the slave trade, writes, “An early 1770s census lists nearly one-third of (Newport’s) 9,000 inhabitants as being Negro, both slave and free.”

Ship captains were always looking for able mariners; by 1800, “black seamen made up 21 percent of all Newport crews engaged in the West Indian, European and African trades,” writes Coughtry.

Yet at the same time, slavers were working out of [Providence](#), [Bristol](#) and [Warren](#) as well as Newport. (Bristol, in fact, surpassed [Newport](#) as the state’s primary slaving port as the century closed). Merchants in Greenwich, [Tiverton](#), Little Compton and [North Kingstown](#) played a lesser role.

The slavers were some of the colony’s leading citizens, their names still familiar today: Newport’s John Bannister (Bannister’s Wharf) and Abraham Redwood ([Redwood Library](#)); [John Brown](#) of [Providence](#) (Brown University); the DeWolfs of [Bristol](#), who built Linden Place.

One of the most active was [Aaron Lopez](#) of Newport, a founder of [Touro Synagogue](#), who entered the slave trade in 1762 and by 1775 was the largest taxpayer in Newport, with more than 30 ships.

Some were more reprehensible than others. In 1764, Simeon Potter of [Bristol](#) wrote to his captain on the slaver *King George*: “Water your rum as much as possible and sell as much by the short measure as you can.”

Or the captain of James DeWolf’s slaver *Polly*, who lashed a slave infected with smallpox to a chair, threw her overboard, and “lamented only the lost chair.”

Merchants not rich enough to build their own ships pooled resources and invested in voyages. Later on, the ships were more often owned by individuals or family groups.

Rhode Islanders made a go of slaving for a number of reasons. Their small, sturdy ships held from 75 to 150



JOSEPH CINQUÉ

LA AMISTAD

slaves, far fewer than the massive British or French slavers, but their survival rates were better. Shorter loading times in Africa exposed the crews to fewer new diseases, and less crowding of slaves meant fewer died on the voyage, which took from five to 12 weeks.

[La Amistad](#)-style rebellions did occur -17 revolts were recorded on [Rhode Island](#) slavers between 1730 and 1807- but were about half as common as on British and French slavers, perhaps because conditions were somewhat better on the smaller boats.

The British destruction of [Newport](#) during the Revolution brought a temporary halt to the trade. When it resumed after the war, much of the action shifted up the bay to [Bristol](#), home of the DeWolf clan.

Without a doubt, then, the DeWolfs had the largest interest in the African slave trade of any American family before or after the Revolution; theirs was one of the few fortunes that truly rested on rum and slaves.

– Jay Coughtry

It was a family operation, all right – along the lines of la cosa nostra.

The first DeWolf slaver was Mark Anthony DeWolf, who began as captain for his brother-in-law, Simeon Potter. By 1774, Mark Anthony and Charles, one of his five sons, had completed seven voyages and may have been financing their own ships, Coughtry writes.

Between 1784 and 1807, seven DeWolfs completed 88 slaving voyages, or one-quarter of all [Rhode Island](#) trips made in those years; they were involved in 60 percent of the slaving voyages from [Bristol](#).

They didn't just sail the ships – they branched out into all aspects of the operation. James DeWolf, another of Mark Anthony's sons, married the daughter of William Bradford, who owned [Bristol](#)'s rum distillery; he went on to make another fortune in cotton manufacturing, and served in the U.S. Senate.

Other sons sold slaves at slave markets in Charleston and Havana; the family also bought a Cuban sugar plantation, so they had a piece of the action at all stages of the cycle.

They were resourceful. As the public grew more repulsed by slavery and anti-slavery laws began to be passed, the DeWolfs dug in, and used their clout and connections to keep the money flowing.

By the turn of the century, William Ellery, the customs collector in [Newport](#), was cracking down on illegal slaving. The DeWolfs got the General Assembly to create a separate customs office in [Bristol](#), and in 1804 snared the collector's job for Charles Collins, a DeWolf in-



LA AMISTAD

JOSEPH CINQUÉ

law and a slaver himself.

It was clear sailing out of [Bristol](#) after that.

Although slavery was outlawed nationally as of 1808, James DeWolf continued slaving until 1820, "the period of the [[Rhode Island](#)] trade's greatest profits," writes Arline Ruth Kiven, in a history of the state's abolitionist movement called *THEN WHY THE NEGROES?*

"This was also the time of his greatest affluence," although, she notes, there are no records for the [Bristol](#) port during this period because Collins burned them all when he was finally ousted in 1820.

Slavers were pretty crafty about staying ahead of the anti-slaving laws. A 1794 law banning U.S. citizens from carrying slaves to other nations, for example, had only one real enforcement provision: much like modern-day drug laws, the government could confiscate slaving vessels and sell them at auction.

Slavers promptly rigged the auctions so they (or straw buyers) could buy back the ships for pocket change. The government countered by getting the ships assessed, and then sending an agent to the auction to enter that price as an opening bid.

Samuel Bosworth, the surveyor for [Bristol](#), was the unfortunate soul sent to bid on the *Lucy*, a slaver confiscated from Charles DeWolf. He undertook the job "with considerable fear and trembling," writes Coughtry.

The night before the sale, Bosworth got a visit from DeWolf, his brother James, and [John Brown](#), who advised him to refuse the assignment. He stood his ground.

The next morning the DeWolfs dropped by again, telling Bosworth that while they certainly wouldn't harm a hair of his head, if he showed up at the sale he would probably be "insulted if not thrown off the wharf" by sailors.

Bosworth never made it to the auction. "His would-be baptizers, in nominal Indian dress and with faces blackened, seized him as he approached the wharf, and hustled him aboard a small sailboat" which took him for a pleasant two-mile ride down the bay, Coughtry writes. By the time he made it back to [Bristol](#), the *Lucy* had been bought by a captain who worked for the DeWolfs.

The DeWolfs - or their agents - at times went in for outright thuggery. In 1800 the Treasury Department sent Capt. John Leonard to [Rhode Island](#) as a kind of special prosecutor targeting slave traders. He promptly sued James DeWolf for \$20,000 over violations by DeWolf's slave ship *Fanny*.

The jury found for DeWolf. But some months after the trial, "apparently fearful that Leonard's strategy against DeWolf would become a dangerous and costly precedent, a group of civic-minded Bristolians traveled



JOSEPH CINQUÉ

LA AMISTAD

to Washington to make their own appeal at the Federal Courthouse," Coughtry writes.

When they spotted Leonard coming down the courthouse steps, "several unidentified assailants assaulted him."

Whereas, there is a common course practiced by Englishmen to buy negroes so that they may have them for service or slaves forever; for the preventing of such practices among us, let it be ordered that no blacke mankind or white, being forced by covenant bond, or otherwise, to serve any man or his assignnes longer than 10 years or until they come to bee 24 years of age....

– [Rhode Island](#)'s first anti-slavery law, 1652

The 1652 law was supposed to ban slavery of any kind from [Providence](#) and Warwick, or indentured servitude for more than 10 years. It was enforced for whites but largely ignored for blacks; like so many cultures before them, the British colonies were deeply conflicted over slavery.

In 1636, Roger Williams, who founded the colony in [Providence](#), questioned the justice of enslaving the Pequots. Yet in 1676, the same man denounced one of the early calls for freeing black slaves as "nothing but a bundle of ignorance and boisterousness."

Kiven writes that the northern part of the state was always less enamored of slavery than the seafaring and farming south.

Slaving was not confined to a particular religion or sect. Christians and Jews made fortunes in the trade, though by the early 18th century [Quakers](#) began to question the ethics of what they were doing.

Abolitionist sentiment got a boost in 1738, when an article in the [English Weekly Miscellany](#) "declared that, if Africans were to seize people from the coast of England, one could easily imagine the screams of 'unjust' which would be heard," writes Thomas.

In [Newport](#) in 1770, the Rev. Samuel Hopkins of the First Congregational Church preached his first sermon against slavery, and was surprised when his congregation -many of whom owned slaves- did not walk out en masse.

Three years later, Hopkins got the idea of sending two educated blacks to Africa as missionaries. To that end, John Quamine and Bristol Yamma were sent to Princeton College to prepare.

The Revolution intervened, however, and Quamine died aboard a [privateer](#), while Yamma apparently dropped out of school to go to work and disappeared into history.

According to Kiven, the Quakers were the biggest and best-organized religious group in [Rhode Island](#), and once they began to oppose slavery, its days were



LA AMISTAD

JOSEPH CINQUÉ

numbered.

One by one, slave owners changed their minds. "College Tom" Hazard, heir to [Narragansett](#) Country landowner Robert Hazard, refused his father's offer of slaves on his marriage (Robert was said to own 1,000 slaves in 1730).

In 1773, the younger Hazard convinced the Quaker Yearly Meeting to ban Quaker participation in slavery. That same year [Moses Brown](#) of [Providence](#) quit the family slaving business, and began a decades-long assault on his brother, [John Brown](#), for continuing to buy and sell humans; the next year he became a [Quaker](#).

The approach of the Revolution brought a temporary end to slaving, but also disrupted abolitionist momentum. In 1774, the General Assembly passed a law banning residents from importing slaves to [Rhode Island](#), though it said nothing about visitors, or slaveowners who might want to move here.

(That was partly because [Newport](#) had a prosperous relationship with rich Southern plantation owners, who summered in [Rhode Island](#) before the Civil War, to escape the ferocious southern heat).

Brown, working with Hopkins, set about lobbying the state legislature as well as the Continental Congress; Hopkins wrote a persuasive tract, DIALOGUE CONCERNING THE SLAVERY OF THE AFRICANS, which was used well into the 19th century as an argument for abolition.

The war also gave blacks a chance to earn their own freedom. In 1778, a law was passed freeing any slave who would enlist in the Continental Army; several hundred formed the First [Rhode Island](#) Regiment, which performed well in battle, although the soldiers later had trouble getting paid.

"Their courage in battle and the subsequent gratitude of the people of the state to them is credited for the law, passed in 1784, providing for the gradual abolition of slavery in the state," writes Kiven.

The new law, which freed children born of slaves, passed only after a provision banning the trade entirely was removed. According to [Moses Brown](#), the act was eviscerated by the Speaker of the House, William Bradford of [Bristol](#).

Yes, the same Bradford who ran the big Bristol rum distillery, and whose daughter was married to slave-trader James DeWolf.

State House insiders were apparently getting pretty sick of lectures from the reform-minded [Quakers](#). Wrote Brown, "We were much flung at by several."

Is it not extraordinary that [[Rhode Island](#)], which has exceeded the rest of the states in carrying on this



JOSEPH CINQUÉ

LA AMISTAD

trade, should be the first Legislature on this globe which has prohibited that trade?

– Rev. Samuel Hopkins, Nov. 27, 1787

Other states were wrestling with the slavery issue. It proved so contentious that in 1787, when the Continental Congress adopted a constitution, it deferred any national action on slavery until 1808.

New England, however, wasn't waiting around. [Rhode Island](#) banned the trade entirely in 1787; Connecticut and Massachusetts followed suit the following year.

True, the slave trade would continue for 70 years, by one means or another. Some slavers shifted operations to ports like New York, which had not yet passed any slaving laws; others simply broke the law.

But in 1789, Hopkins and [Moses Brown](#) helped found the Providence Abolition Society, which worked for anti-slaving laws and sued those who broke them.

One such was [John Brown](#), Moses' brother. The society sued him in 1796 on charges of illegal slave-trading; though he offered to abandon the trade and pay all court costs, they seemed to want to make an example of him. They should have taken the deal. He was acquitted.

"The verdict was a definite defeat for the Society, many of whose members became convinced that a [Rhode Island](#) jury would not give judgment against the prominent type of men engaged in the slave-trade," writes Kiven.

Over the next few decades a pattern evolved. Abolitionists would pressure the government to pass anti-slavery legislation, and the slaving interests would do what they could to water it down.

Once a law was passed, business would temporarily falter while the slavers watched to see how strictly the law would be enforced; usually, enforcement was sporadic, and business actually increased.

The American and British governments finally banned slaving as of 1808. But the trade hardly stopped. Some American ships flew Spanish flags; Gen. George DeWolf of [Bristol](#) simply shifted his operations to Cuba.

The American law only banned the international slave trade. American slavers could still trade slaves internally, or move them up and down the coast. And they did, because demand was huge.

With the invention of the cotton gin in 1793, the demand for agricultural workers exploded in the south, Thomas writes. In 1792, the United States exported 138,328 pounds of cotton; by 1800, it was 17,790,000 pounds and by 1820, 35,000,000 pounds.

The planters weren't going to pick it themselves.

[Rhode Island](#) participation in the slave trade after Jan.

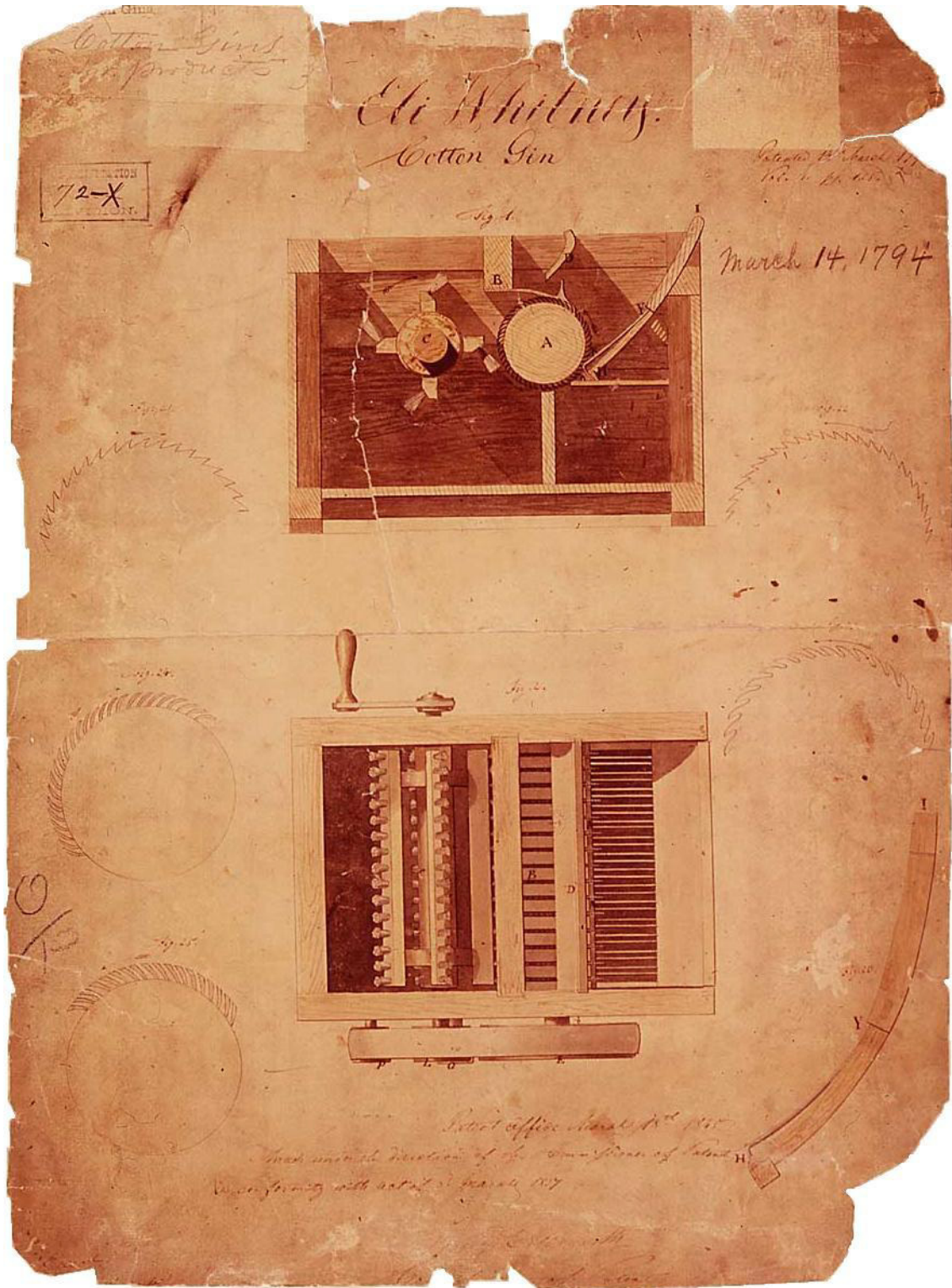
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WHAT?

INDEX

LA AMISTAD

JOSEPH CINQUÉ





JOSEPH CINQUÉ

LA AMISTAD

1, 1808, is a maddening puzzle, for most of the pieces are missing.

– Jay Coughtry

It looks like [Rhode Island](#) slavers began to pull out of the business after the federal ban, although it's hard to be sure since it was easy to cheat, particularly at first.

Some, like the DeWolfs, continued to slave illegally. But Coughtry concludes that "it does not appear that [Rhode Island](#) ports or individual [Rhode Island](#) merchants participated in the illegal heyday of the modern American slave trade" between 1820 and 1860.

They abandoned the business sporadically, much as they had started. [John Brown](#) died in 1803. James DeWolf quit the trade in 1808, though his brother George continued until 1820, when the sympathetic Collins was fired in [Bristol](#); after a series of business failures, George fled the state in 1825 for his Cuban plantation.

[Rhode Island](#) merchants gradually turned away from the maritime trade and invested their money in cotton mills – by 1830, the state had 130 of them. They managed to squeeze yet more profit from slavery: many specialized in coarse slave or negro cloth, worn by slaves throughout the New World.

Abolitionists kept up the pressure. The Providence Abolition Society was joined by other groups; three buildings still standing today served as stations on the Underground Railroad – the Isaac Rice homestead in [Newport](#), the Elizabeth Buffum Chace house in [Central Falls](#), and the Charles Perry home in [Westerly](#).

Some decided not to wait. In 1826, a group of free Newport blacks, led by former slave Newport Gardiner, sailed for Liberia with the help of the American Colonization Society.

Gardiner, who worked for years to buy freedom for himself and his family, was freed in 1791. He helped found the nation's first black civic organizations, the African Union Society, and the African Benevolent Society.

His decision to leave came 14 months after white rioters destroyed Hard Scrabble, the black community in [Providence](#) (University Heights today).

He was 75 years old.

"I go to set an example for the youth of my race," he said. "I go to encourage the young. They can never be elevated here. I have tried it for 60 years.... It is in vain."



JOSEPH CINQUÉ

LA AMISTAD

2000

March: There was a meeting at [Mount Vernon](#) between descendants of the [manumitted](#) mulatto [slave West Ford](#), possibly the only son of [George Washington](#), and Mount Vernon staff.

At the launch of a replica of the schooner [La Amistad](#), in Mystic, Connecticut, the keynote speaker was Samuel H. Pieh, head of an organization working to improve relations between Africa and the USA, the “Mid-South Africa Link” (Mr. Pieh being a great-grandson of Joseph Cinqué).



JOSEPH CINQUÉ

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“It’s all now you see. Yesterday won’t be over until tomorrow and tomorrow began ten thousand years ago.”

– Remark by character “Garin Stevens”
in William Faulkner’s INTRUDER IN THE DUST





JOSEPH CINQUÉ

LA AMISTAD

ARRGH AUTOMATED RESEARCH REPORT

GENERATION HOTLINE



This stuff presumably looks to you as if it were generated by a human. Such is not the case. Instead, someone has requested that we pull it out of the hat of a pirate who has grown out of the shoulder of our pet parrot "Laura" (as above). What these chronological lists are: they are research reports compiled by ARRGH algorithms out of a database of modules which we term the Kouroo Contexture (this is data mining). To respond to such a request for information we merely push a button.



LA AMISTAD

JOSEPH CINQUÉ

Commonly, the first output of the algorithm has obvious deficiencies and we need to go back into the modules stored in the contexture and do a minor amount of tweaking, and then we need to punch that button again and recompile the chronology – but there is nothing here that remotely resembles the ordinary “writerly” process you know and love. As the contents of this originating contexture improve, and as the programming improves, and as funding becomes available (to date no funding whatever has been needed in the creation of this facility, the entire operation being run out of pocket change) we expect a diminished need to do such tweaking and recompiling, and we fully expect to achieve a simulation of a generous and untiring robotic research librarian. Onward and upward in this brave new world.

First come first serve. There is no charge.
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