Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Period: \_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_

**The *Amistad* Case – more specific details w/ Questions to answer**

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

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

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

**Question: Do you think that Lt. Gedney and his crew should have been paid for seizing the *Amistad*? Why or why not? Please explain.**

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

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

**Question: Why do you think abolitionists would be interested in this case? Explain.**

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

After the Federal District Court ruled in favor of the Africans, the U.S. District Attorney filed an appeal to the Supreme Court. In the trial before the Supreme Court, the Africans were represented by John Quincy Adams, a former U.S. President and descendant of American revolutionaries. Preparing for his appearance before the Court, Adams requested papers from the lower courts one month before the proceedings opened. For 8 ½ hours, the 73-year-old Adams passionately and eloquently defended the Africans' right to freedom on both legal and moral grounds, referring to treaties prohibiting the slave trade and to the [Declaration of Independence](http://www.archives.gov/exhibits/charters/declaration.html).

**Question: What characteristics would you use to describe John Quincy Adams? Explain.**

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

Senior Justice Joseph Story wrote and read the decision of the Supreme Court. They were transported illegally, therefore they had never been slaves.

Although Justice Story had written earlier that ". . . it was the ultimate right of all human beings in extreme cases to resist oppression, and to apply force against ruinous injustice," the opinion in this case more narrowly asserted the Africans right to resist "unlawful" slavery.

The Court ordered the immediate release of the *Amistad* Africans.

**Question: How do you think people in the U.S. reacted to Justice Story’s decision at this time? Why would they react that way?**

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

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

**Question: If you were one of the African slaves, would you have rather been sent back to Africa or remained in the United States? Explain your reasoning.**