

Out of Bondage: From the Annals of The American Missionary Association, the Story of the Heroic Slave Mutiny Aboard the Amistad
BY Warren Marr II

CAPTURE

Near the northern borders of Sierra Leone, several Africans (employed by a Portuguese slave trader) slipped from the woods and overpowered Cinque as he cultivated his crops. They bound and gagged the muscular young man, and forced him to hike with them for several days through the immense stands of tropical trees and lush undergrowth to a sprawling stockade at the river's delta, not far from the Atlantic Ocean.

They shoved him into the compound, where somebody cut his bonds and left him standing, bewildered, among a herd of men and women whom he had never seen and whose mildly curious faces registered both fear and uncertainty. One thing about the captives was immediately apparent: they had been chosen because of their youth and physical perfection. This was the human merchandise of one of the few remaining slave traders who, in 1839, was still successful in outwitting the British slave patrol.

The concern which had been taken in the selection of the captives was not evident in their care. The stockade was a huge open space, dry and dusty under the tropical sun, a sea of mud under torrential rains. Food (once a day) was an unsavory stew cooked and meted out sparingly from open pots.

Cinque watched for a chance to escape. There was certainly no advantage in taking desperate chances; he must not be caught and killed. He wanted to escape so that he could return to Mani, in the Kaw-Mendi territory, to provide for his wife and children. He wanted also to use the knowledge he had acquired at Poro, the house of initiation where he had become learned in all the laws of his people. Cinque wanted to fulfill his role as hereditary ruler of Kaw-Mendi. So concerned was he with escape that he could not sleep that night. Sometime during his wakefulness, Cinque saw a man trying to scale the posts of the stockade. As he approached the top, the cutting lash of a bull whip sank into the man's back. Almost before the feet of the escapee had dropped to the ground, the lash had cut again and again. Before Cinque could comprehend the cruelty, his countryman lay dead in a pool of his own blood. The sight made Cinque realize that he would have to find another way to freedom.

NO ESCAPE

But escape did not come. Instead, Cinque's ankles were chained to a queue of other captives who were herded into a longboat for a ride through treacherous breakers to the Portuguese slave ship, the Tecora, which lay at anchor in deep water. As he rode the crests, Cinque saw several longboats capsize and their passengers drown because the chains prevented their swimming. Aboard the Tecora, chained queues of men and women were ranged along the deck where a crewman drew his sword and slashed loincloths from their bodies. A powerful jet of sea water washed away the mud of the stockade.

Ashamed of their enforced nudity, they were herded below to the slavehold, and forced to lie -- men, women and children -- body against body, for the rough

voyage yet to come. So tightly were they pressed into one solid dark mass that, as the torrid voyage progressed, one could not withdraw from the path of the spewing vomit of his dying neighbor.

For three months they lay on a deepening mattress of feces and urine, having gradually become inured to the stench that hung thick in the shallow deck. The ceiling was too low for any but the young children to stand and no one could move in a lateral direction except as the removal of the dead made room. The heat was unbearable, the voyage a nightmare of violent tossings of the angry waves of the terrible Middle Passage.

Cinque, the aristocrat, resented his captivity and abhorred the accumulation of filth which the least of the Mendi would not have permitted in the sty of his livestock. He wondered why the Great One permitted such inhumanity and how he, Cinque, would escape it and find his way home. Much of the time he spent getting acquainted with his fellow captives, appraising their strengths and weaknesses. He stored the knowledge against a day when their escape might be achieved.

Finally, after docking at Havana, the Africans were herded to Misericordia, the barracoon or outdoor showroom in which they would be displayed and sold at prices determined by their health and strength. Good business required that the merchandise be in condition to bring the highest possible price. Consequently, every provision was made for grooming, and food was plentiful.

Bathed, oiled and dressed at Misericordia, forty-nine fattened African adults and three girls between the ages of seven and nine were sold to two Cubans, Jose Ruiz and Pedro Montes, who did not think it was necessary to chain them on board their ship, the *Amistad*, for a short coastal voyage to the eastern end of the island. The oversight was to prove the undoing of the Cubans.

Through sign language, Cinque tried to determine from the captors what their fate would be. Cruelly the cook taunted that they would be boiled and eaten once they reached their destination. Near panic followed until Cinque's voice cut through the bedlam. The authority of his speech brought an uneasy calm. In Mendi, which the Spanish crew could not understand, Cinque admonished his fellow captives that this was a time for concerted planning and action, not for wasteful emotion. He called for a council and, in so doing, became headman of a floating village. In the session, Cinque proposed killing the crew and taking the vessel, The others agreed, and the proposal was soon put into action.

Taking command, Cinque pointed the *Amistad* into the rising sun -- the direction from which he knew they had come from Africa. By threats and signs, they made Ruiz and Montes take the wheel. But at night, when Cinque was unable to chart his direction, the Spaniards veered north in the hope of striking shore in slave territory along the southeastern seaboard of the United States. For two months the *Amistad* (which means "friendship" in Spanish) sailed east by day, north by night. Finally on Sunday, August 25, 1839, its sails tattered from mishandling and its passengers suffering from hunger and thirst, she sighted land and cast anchor in Long Island Sound, not far from Block Island.

It was here that avarice on the part of two retired sea captains and two officers from the U.S. Coast Survey brig *Washington* combined with fear on the part of the local gentry to cause the *Amistad* and its crews to be taken into custody. The Africans were hard to subdue despite their near exhaustion from thirst and

insufficient food. An unstable quiet came only when Cinque -- silent and proud -- was lashed to the mast.

Among those who boarded the Amistad at this time were James Sheffield, an artist of New London and John J. Hyde, editor of the New London Gazette, who was to become sympathetic to the Africans. Sheffield secured permission to paint Cinque and started to work immediately on board ship. As Sheffield worked, the two men discussed Cinque as a man and the likeness of him which was developing on the canvas. They agreed that much of the heroic expression of the eye and brow was not being captured. But Sheffield, gifted as he was, found it impossible to do justice to a face he considered the noblest he had ever seen.

The editor and his artist were thus at work while Andrew T. Judson, United States judge for the District of Connecticut, conducted a preliminary hearing on board. Judson accepted the charge of murder and piracy brought against the Africans by Ruiz and Montes. He also heard the claim of salvage made by the officers of the survey ship. Following the hearing, the noble Cinque and his company were removed by the Washington to the port of New London. Between the two points, two sea chests filled with Spanish doubloons and other valuables disappeared into the hands of some of the gentry, never to be recovered.

COMMITTED TO JAIL

The Africans were committed to jail, charged with murder and piracy. Eventually they were transferred to the New Haven County courthouse where all were crowded into four small cells -- all except Cinque, who was housed separately to remove his influence as leader.

Word of the capture, imprisonment and, arraignment spread quickly along the coast. The newspapers were filled with the story. Editors argued pro and con as to the guilt of the captives and the merits of the case against them. Lewis Tappan, in his Hanover Square warehouse in New York, read the story in The Sun. Although his once prospering business was suffering because of his open association with the abolitionists and although his daughter was in the advanced stages of tuberculosis, Tappan turned his affairs over to his brother Arthur and started for New Haven to offer his influence and money for the defense of the Amistad Africans.

Professor Josia Willard Gibbs (the elder) of Yale Divinity School, an expert in languages, went to the jail to help find a language of communication. It was obvious to him that if any successful defense were to be found for the Africans, their story would have to be known. By holding up his fingers, Gibbs eventually secured the words in Mendi for the numbers from one to ten. With this knowledge he scoured the local port for some African who would know the language and found one -- John Ferry -- who was to serve as translator during the trial in the lower courts.

When Cinque appeared as spokesman for the Africans, his appearance and regal behavior awed the court and the crowded spectators. Wrapped in flowing white robes, Cinque came into the courtroom. With his athletic stride, he bounded to the open area in front of the seats. Disdainful of the chairs, he gracefully lowered his body to the floor in a native cross-legged position in full view of all. There he sat like a statue-erect and without motion -- until the defense attorney turned to him and called his name.

Although Cinque knew no English, and before John Ferry could reach his side to translate, Cinque recognized his cue and rose from the floor. As he rose, an imperceptible motion of his arms caused his robes to fall from his shoulders. They fell like a white cloud out of which his gleaming, muscular body grew like a brown god. John Ferry relayed questions to Cinque and answers to the court. Cinque's responses were careful and measured during the initial routine questioning and it was easy for Ferry to follow him. But when Cinque responded to the charge of piracy and murder, his speech was fast and full of inflection. Ferry was lost and stood agape.

The eloquence and power of Cinque's oration, the sincerity of his presentation, the force of his eyes as he looked into the faces of the court and the spectators were such as to eliminate the need for a translator. No one knew Mendi, but every one understood Cinque. After the arraignment, Ruiz and Montes were concerned about their claim to the Africans and to the Amistad. Hastening to Boston, they enlisted the aid of the Spanish consul. Eventually their story reached the Court of Spain, and the Queen began exerting pressure on President Martin Van Buren.

Meanwhile, W. S. Holabird, U.S. Attorney for the District of Connecticut, had reviewed all the documents pertinent to Judson's hearing. In a written summary to the U.S. Secretary of State John Forsyth, he suggested that the latter issue instructions for the disposition of the case. Holabird, a political appointee, also wrote to U.S. Attorney General Felix Grundy, complaining that the abolitionists already had created great excitement over the Africans and their trial and had retained an army of lawyers. He asked for Grundy's opinion and instruction.

The next day the Spanish consul called and, citing the Treaty of 1795, demanded that the Amistad be immediately delivered up to her owner, together with every article found on board at the time of her capture, without payment being exacted for salvage; that it be declared that no tribunal in the United States had the right to institute proceedings against, or impose penalties upon, the subjects of Spain for crimes committed on board a Spanish vessel and in the waters of Spanish territory; that the Africans be conveyed to Havana to be tried by the Spanish laws which they have violated; that if, in consequence of the intervention of the authorities of Connecticut, there should be any delay in the delivery of vessel and slaves, the owners may be indemnified for any injury that may accrue to them.

In return for such consideration, he promised that Spain would return to the United States all slaves escaping to Cuba. Hastily, Holabird again wrote to Forsyth, who in a few days replied that the Executive Office was of the opinion the case was covered by the Treaty of 1795. He also admonished Holabird not to permit any proceedings of the circuit court or of any other judicial tribunal, to place vessel, cargo or slaves beyond the control of the Federal Executive. Holabird showed the letter to friends and word of it leaked out to the abolitionists. A storm of protests arose from antislavery leaders along the coast. In Boston, John Quincy Adams, former President of the United States, openly attacked the Administration for attempting to apply pressure on the courts.

In New York two lawyers, Sedgwick and Staples, wrote directly to President Van Buren. They asserted that neither according to law of this, nor of their own country, could the pretended owners of these Africans establish any legal title to them as slaves. The Africans had been bought by Ruiz and Montes directly from the

slaver. The two lawyers put the matter on the Spanish law and affirmed that Ruiz and Montes had no claim whatever under the Treaty of 1795.

The Africans had only obeyed the dictates of self-defense and had liberated themselves from illegal restraint. The lawyers asked Van Buren to submit the question for adjudication to the tribunals of the land in order that it not be decided in the recesses of the cabinet. In view of Administration attitudes and directives, Lewis Tappan took a pre-trial precaution. He arranged with hundreds of abolitionists that, should the court proceedings play into the hands of the Spaniards, all the Africans be abducted and spirited away quickly to Canada by the underground railroad. Tappan kept this arrangement alive for several years, until after the final decision of the U.S. Supreme Court, which eventually heard the case.

The immediate hearings were being held simultaneously in two courts: in the circuit court a notice of libel was filed, enumerating various articles found on board the Amistad, including the Africans themselves. In the district court the officers of the surveyship filed their suit, asking for salvage; Ruiz and Montes and the two retired sea captains also filed in district court. The circuit court trial eliminated the possibility that the Africans would be tried in Connecticut for murder. There remained, however, the possibility that the President might turn them over to the Spaniards.

In district court, Judge Judson ruled that the Africans were free born and had been kidnapped into slavery. They should be delivered to the President of the United States, to be transported by him back to Africa. Judson's findings were unacceptable to the friends of the slaves, who feared Van Buren would turn the Africans over to the Spanish. The case was appealed to the Supreme Court.

Meanwhile, John Ferry was dismissed as interpreter. A man with greater knowledge of both languages had to be found. After a search, a young African crewman of a British slave-patrol ship was found, who knew both Mendi and English. When the young man, James Covey, reached the Africans, he immediately began teaching them English. He remained with them throughout the Supreme Court trial and eventually accompanied them back to Africa.

It was largely because of Covey's knowledge of both English and Mendi that classes in reading and writing were set up for the Africans. At first the classes were a novelty and kept the minds of the captives occupied. But, as months dragged into years, the classes could not offset their restlessness. It took all Cinque's power as a leader, plus the love the captives had for Lewis Tappan, to keep them contained and half content.

WANTED: A LAWYER OF STATURE

Who could they find to present the case before the Supreme Court? Tappan and his colleagues wanted a lawyer of stature, for the court at the time included several proslavery justices. They decided to ask John Quincy Adams, then 73, even though he had not argued a case before the court in 30 years.

Adams was sympathetic but reluctant. His age, health and the distance from Washington made the assignment a formidable one. But after a lengthy discussion, he finally agreed.

Roger Sherman Baldwin addressed the Court first. He analyzed the decisions of both the district and circuit courts and reviewed the entire Amistad story. The court adjourned.

The next morning Adams took over as spokesman. He commented on the consolation he derived from the thought that he was in a court of justice. "Justice," he said, "as defined in the Institutes of Just' ' nearly two thousand years ago and as it is felt and understood by a who understand human rights, is the constant and perpetual will to secure to everyone his own rights." He then bemoaned the fact that it was necessary for him "to arraign before this court and before the civilized world the course of the Administration in this case," and that the entire proceedings of the United States from the beginning were "wrongful." A week later, the Supreme Court affirmed the decision of the district and circuit courts except in regard to the Africans. It reversed the decision that placed them at the disposal of the President, instead declaring them immediately free.

It remained now for the "Friends of the Amistad" to raise money to charter the vessel Gentleman, to outfit her and to transport the 35 Africans who were still alive to Sierra Leone. The Mendi Mission was established and, in 1846, its sponsors formalized their organization into the American Missionary Association, today affiliated with the United Church Board for Homeland Ministries.

Cinque remained at the mission only a very short time. He was eager to return to his village of Mani and find wife and children. They were dead -- killed by undetermined marauders -- and the village wiped out. Cinque was inconsolable, but he could not leave the area. In spite of his grief, he began to build an empire in place of the one that had been taken from him. He eventually became one of the principal rulers of his people. In 1879, as an old man, he made the hazardous trip back to the mission and announced that he had come to die.