



The Amistad Case: Law and Facts

- Pedro Montez and Jose Ruiz purchase 53 Blacks in Havana.
 - **Evidence:** Dated Bill of Sale
- Ruiz and Montez load the Blacks onto the cargo ship Amistad for delivery to a plantation near Puerto Principe in Cuba.
 - **Evidence:** Personal Testimony and dated Bill of Receipt
- The Blacks, led by Cinque, organize a revolt, capture the ship, and kill the entire crew with the exception of Ruiz and Montez.
 - **Evidence:** Personal Testimony translated from Mende (an African Dialect)
- The Amistad is spotted and boarded off Long Island, NY, by the USS Washington commanded by Capt. Thomas Gedney. The Amistad is taken to New London, CT. The Blacks are taken to the New Haven jail.
 - **Evidence:** Personal Testimony, Arrest Records, Captain's Log

-
- **US Constitution, Article IV, Section 2**
 - Slaves escaping from a slave state into a free state are not free but must be returned to the owner.
 - **1788 Connecticut Law**
 - Slavery abolished within state borders
 - **1795 Pinckney Treaty between US and Spain**
 - Agreement to protect each other's vessels in territorial waters
 - Agreement to **extradite criminals** to stand trial
 - Agreement to return **property** seized by **piracy** or **mutiny**
 - Agreement to return **property** lost by shipwreck or storm
 - Agreement to allow all parties full access to other's courts of law
 - **1808 Federal Law**
 - Slave importation illegal; but interstate trade still legal
 - **1817 Treaty Abolishing International Slave Trade**
 - Britain, US, France, Portugal, and Spain
 - **1819 Federal Law**
 - Individuals freed from slave ships are to be returned to Africa
-

Montez and Ruiz claim the *Blacks* were from Cuba, and file for return of their property under the Pickney Treaty.

Capt. Gedney files for salvage rights on the total property value of the Amistad, including all slaves under Maritime Laws; or petitions for the arrest of Ruiz and Montoya for importing Slaves in violation of 1808 Federal Law.

Spanish Ambassador Calderon de la Barca makes a formal request to the United States Department of State that the *Blacks* be extradited to Spain to stand trial for piracy, mutiny, and murder under the Pickney Treaty.

US Secretary of State John Forsyth, at the request of **President Van Buren**, claimed that if the *Blacks* are from Africa they must be returned to Africa under the 1819 Law regarding captured Slave Ships, or if they are from Cuba they are property and must be returned to their owners under the Constitution and the Pickney Treaty.

Former President John Quincy Adams and **Roger Baldwin** claimed the *Blacks* were from Africa, and filed charges of assault, kidnapping, and false imprisonment against Ruiz and Montez, and for habeas corpus, requesting freedom for the *Blacks* under Connecticut Laws and the 1817 International Treaty.