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The Struggle for Equality by Connecticut Blacks in the 18th and 19th Centuries

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The Prudence Crandall case illustrates one main theme of white attitudes towards blacks during the Antebellum period. There was a general hostility toward black improvement, especially if that improvement were to take place in one's own neighborhood. The *Amistad* case illustrates the other theme. Connecticut residents were eager to help the slaves gain freedom. The fact that these slaves would be returned to Africa no doubt accounted for at least some of the willing support.

The incident began in April, 1839 when Cinque and several other members of the Mendi tribe were captured in Africa and shipped to Havana, Cuba. In June they were resold to two Cubans, Pedro Montez and Jose Ruiz. Since Spanish law prohibited the importation of slaves, the sale was illegal. Slaves were technically free as soon as they set foot on Cuban shore. Montez and Ruiz loaded their slaves on the schooner *Amistad*, which means friendship, and headed for Puerto Principe.

Conditions were terrible on the *Amistad*. A day's ration for the slaves consisted of one plantain, some bread and one cup of water. The Africans frequently requested more food and water, and one was severely flogged when he tried to take some water for himself. Slaves were allowed on deck only to eat. The rest of the time they were chained by the neck below decks.

They suffered greatly due to the harsh conditions. The Africans chose to revolt when the cook told them they would be killed and eaten. Not understanding that he was joking, they decided to fight for their lives.

Cinque, their leader, broke the chain that bound them below decks with a nail he had found earlier. They armed themselves with cane knives and surprised the cook and the captain. Cinque killed the cook with one blow. The captain put up a fierce struggle killing one African and wounding two others before being killed himself. The rest of the crew except for Antonio, the cabin boy, Montez, and Ruiz went overboard in a life boat.⁵² The Africans wished to sail home and so kept the Spaniards alive to navigate. During the daytime Montez held an easterly course at a slow speed. However, at night he headed the ship north westward hoping to reach the coast of the United States. They sailed for about two months in this manner and were spotted by various ships and persons on shore. Their erratic sailing aroused interest, and they became the object of much speculation. Some thought the ship to be a pirate ship; others thought her to be the fabled *Flying Dutchman*. Ships set out to search for the mystery ship but failed to find her.⁵³

Finally on August 26 the *Amistad* landed near Montauk Point, Long Island. Two sea captains, Henry Green and Peletiah Fordham, were startled when they came across four nearly naked black men. While negotiating a deal to trade the Africans' gold for food and water, Green and Fordham were very annoyed to see the *U.S.S. Washington* come into sight. They had wanted to claim salvage rights to the vessel, but Lieutenant Gedney, commander of the *Washington* boarded her first. He seized the crew when he realized that the ship had been taken over by the blacks. The *Amistad* was then towed to New London, the nearest port, and the Africans were turned over to the United States Marshall. ⁵⁴

Several legal problems now came to the fore. Gedney put in a claim for salvage rights. Montez and Ruiz claimed the slaves as their property. The Spanish government claimed that the blacks were murderers and pirates and should be turned over to Spain under provisions agreed to in the 1795 treaty between Spain and the United States. The blacks claimed to be free and wanted to return to Africa. ⁵⁵ Under Spanish law "negroes latinos", or long time residents of Cuba, were slaves. "Bozal negroes", or those imported after 1820 were free. Since the Africans had only been kidnapped within the past year (1839), they had been sold in Cuba illegally. ⁵⁶ Abolitionists saw this as an opportunity greatly to further their cause. This incident had generated a lot of interest, and they could take action to help slaves without meddling in the affairs of the South. Joshua Leavitt, editor of the abolitionist newspaper, *The Emancipator*; Simeon Jocelyn, formerly the white pastor of a black New Haven church; William Jay, son of John Jay; and Lewis Tappan, wealthy New York abolitionist formed the Committee for the Defense of the Africans of the *Amistad*. They made immediate appeals for financial and legal assistance.

The case was very complex and would be tied up in the courts for over a year and a half. In 1839 criminal cases involving piracy and murder were heard directly in Circuit Court. Those involving salvage and property claims went to District Court. The *Amistad* case, therefore, had to be brought before both courts. After hearing arguments in Circuit Court from William S. Holabird representing the United States government and Seth Staples and Roger Baldwin representing the prisoners, Judge Smith Thompson ruled that the Circuit Court had no jurisdiction over murder and mutiny committed on a Spanish ship in Spanish waters. He then referred the property claims to District Court. Judge Andrew T. Judson of the District Court set the date of the trial for the third Tuesday in November. ⁵⁸

During the fall the Africans remained under loose custody in the New Haven jail. They were tutored in English by Yale divinity students, became celebrities, and developed much popular sympathy. Their popularity was not shared, unfortunately, by some members of President Van Buren's administration who wanted the Africans extradited to Spain. They decided not to press the issue since the case was to be heard by Andrew T. Judson of the Prudence Crandall case fame. Since he was known to be no friend to blacks, it was thought that he would quickly turn the slaves over to the Spanish. Van Buren was so confident that Judson would rule against the blacks that he sent the naval schooner *Grampus* to New Haven under Lieutenant Paine with orders to put the blacks in irons and take them to Cuba after the trial. ⁵⁹

Because of the complexity of the case, Judson's decision had to deal with many points. He ruled in favor of Lieutenant Gedney's claim for salvage and against Captain Green's, since Green never boarded the *Amistad*. He ruled that there could be no salvage rights regarding the slaves since in Connecticut slaves were not salable. Most importantly, he decided that the Africans were not slaves or Spanish subjects and should be transported back to Africa. ⁶⁰ His decision might be viewed as a personal inconsistency in light of the Crandall case. However, the decision is consistent with his beliefs in that the blacks, if declared free, would be returned to Africa.

Cinque and his group were not free, however, since the case was appealed to the Circuit Court and eventually to the United States Supreme Court. John Quincy Adams, former President, was persuaded to act as defense counsel with Roger Baldwin before the Supreme Court. Adams, among other things, emphasized the point that the blacks were free men since Spain had banned the importation of slavery. On March 9, 1841 the Supreme Court announced that the blacks on the *Amistad* were kidnapped Africans, and not slaves. In addition, Lieutenant Gedney and his crew were granted salvage rights to one-third of the value of the cargo. ⁶¹

Although the Supreme Court declared the blacks free, there was no provision made for their passage back to Africa. They stayed in Farmington, Connecticut while money was raised and preparations were made for the journey home. The Yale divinity students continued instruction in English, mathematics, and religion, the hope being that this group would return home as Christian missionaries. Several Africans were taken on tour to various northern cities to raise money. As time passed, the Africans became more homesick for their native country as well as restless and rebellious. A few altercations with local whites made the *Amistad* committee realize that the blacks had to return to their homeland. ⁶²

In November, 1842 the Africans in an emotional farewell left Farmington. Hundreds of citizens turned out and amid much crying and hugging saw them off. Only thirty-five of the original fifty-three had survived their trip to America. After seven weeks at sea, they landed in Freetown, Sierra Leone. ⁶³

That the people of Connecticut would come to the assistance of Cinque and the other Africans is praiseworthy. That they would continue to treat their own native blacks in a disgraceful and discriminatory way is not. When the Civil War ended in 1865, a great deal of attention was drawn toward ending racial policies in the South. However, as late as 1865 all Connecticut public schools were segregated. In that same year an amendment to the Connecticut Constitution proposing black suffrage was put on the ballot and was defeated by over 6000 votes. ⁶⁴ Although the United States Civil Rights Act of 1866 granted all rights and privileges of citizenship to former slaves, it could not legislate the right to vote. ⁶⁵

Not until after the Civil War did Connecticut's blacks get equal protection under the law and the right to vote when the Fourteenth and Fifteenth Amendments (1868 and 1870) to the United States Constitution were passed. It is significant to note that these freedoms were not granted to Connecticut blacks by the initiative of the state of Connecticut but rather by the federal government. Amendments designed to protect black freedom in the racist South succeeded in accomplishing the same in supposedly more tolerant Connecticut. Connecticut may have been ahead of the southern states in abolishing the institution of slavery, but Connecticut had made little progress in overcoming the evils of that institution. Blacks were discriminated against in voting, housing, education, and employment. Connecticut's active opposition to slavery did very little to alleviate the day to day treatment of free blacks. It seemed perfectly normal to Connecticut's whites to oppose slavery while favoring a society that maintained the inferior status of blacks. At least on paper after almost 230 years, blacks had finally achieved political equality in Connecticut. Economic and social equality still remain an issue.

Activity 3 Time Line

EVENTS IN CONNECTICUT BLACK HISTORY

- 1640 Slavery established in Connecticut.
Beginning of state's black code. A slave caught out after dark without a pass was returned to his owner who had to pay a fine. This law applied to free blacks also, the only difference being that if they were caught, they had to pay the fine.
- 1690 Black code expanded. A slave caught out of doors after nine without an order from his master could receive up to ten lashes unless his master agreed to pay a ten shilling fine.
- 1723 Black code completed. If a slave spoke words for which he could be sued if he were white, he would receive up to forty lashes. He could be sold for costs unless his master paid them. Slaves were allowed to make pleas to court and enter evidence the same as free men.
- 1730 Indian, Negro, or Mulatto slaves could not be imported into Connecticut. Violators were subject to a \$100 fine.
- 1774 Connecticut slaves were given freedom if they would fight in the place of their masters during the Revolutionary War. An estimated 300 to 400 fought. An accurate number of how many attained freedom in this manner is not known.
- 1783 All slaves born after March 1, 1784 would become free upon reaching age 25.
- 1784 Illegal for Connecticut citizens to engage in foreign slave trade.
- 1788 Transporting a slave out of Connecticut forbidden.
- 1792 The age for attaining freedom determined in 1784 was lowered to twenty-one.
- 1797 Connecticut legislature passed law which excluded blacks from voting.
- 1814 Connecticut Constitution that allowed only white males to vote.
- 1818 Attempt to set up black college in New Haven failed. Prudence Crandall opened her school.
- 1831 Prudence Crandall admitted blacks to her school.
- 1832 Law was passed making the education of out-of-state blacks illegal in Connecticut. Prudence Crandall was arrested for violating the law.
- 1833 Connecticut Superior Court, after hearing Crandall's appeal, found that blacks were not citizens. Supreme Court of Errors dismissed the Crandall case on a technicality.
- 1834 The Amistad Affair. Blacks kidnapped in Africa and sold illegally in Cuba rose up and took over the ship *Amistad* that was carrying them to captivity. After a year and one half of trials and appeals, they were allowed to return to Africa.
- 1839 Slavery abolished in Connecticut.
- 1848 Federal Civil Rights Act passed.
- 1866 Fourteenth Amendment passed.
- 1868 Fifteenth Amendment passed.

QUESTIONS

1. What events were positive steps which furthered black equality?
2. What events limited progress toward black equality?
3. Why is there a movement to end slavery at the end of the 18th century?
4. In the Antebellum period Colonizationist and Abolitionists differed in their thinking concerning

black freedom. Colonizationists felt that blacks should be liberated and returned to Africa. Abolitionists felt that blacks should be freed and given complete equality. What events would support Colonizationist viewpoint? What events support the Abolitionists viewpoint?

5. Was legislation passed in the interest of blacks or whites?

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36. Litwack. pp. 75, 97, 153.
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38. ————, *Report of the Arguments of Counsel in the Case of Prudence Crandall, Plaintiff if Error vs. State of Connecticut Before the Supreme Court of Errors* . Boston: Garrison Knapp. p. 3.
39. Fuller. pp. 9-10.
40. Christopher Collier, *Prudence Crandall* . Unpublished. pp. 48-49.
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43. Collier. pp 145-146.
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45. Ibid.
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47. Ibid. p. 239.
48. Fuller. pp. 81-84.
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53. Ibid. pp. 4, 5, 8.
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55. Ibid. pp. 23-28.
56. Horatio T. Strother, *The Underground Railroad in Connecticut* . Middletown, Ct. Wesleyan University Press, 1962. p. 69.
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