



GEORGIA  
HISTORY FESTIVAL

A Primary Source Investigation

# A Tale of Two Ships: The *Amistad* and The *Wanderer*



GEORGIA HISTORICAL SOCIETY



## A Nation of Laws: Courts and the Foundation of Freedom

This primary source set is intended to be an overview of the legal cases surrounding the ships *Amistad* and *Wanderer*. Both ships were used as part of the slave trade, and both were involved in a legal battle because of it. The outcomes, however, were very different.

Through the use of primary and secondary sources, students will investigate the specifics of each case and compare and contrast the details, evidence, and outcomes.

### Background

Article 1, Section 9, Clause 1 of the United States Constitution states that no person may be imported into the country after 1808. Although not specifically written, this clause refers to the slave trade. After 1808, slaves could no longer be brought into the United States from outside of the country; however, they could still be bought and sold within the boundaries of the country.



It was not until 1865 and the conclusion of the Civil War that the Thirteenth Amendment was passed, permanently abolishing slavery in the United States.

In between those years, the illegal slave trade continued. Let's investigate two cases that stand out—one that captured the imagination of a nation and one that had specific importance to Georgia: the *Amistad* in 1839 and the *Wanderer* in 1858.

Using the provided weblinks and primary sources from the Georgia Historical Society, the National Archives, the Library of Congress, and other repositories, answer the questions and piece together the stories of these two ships.

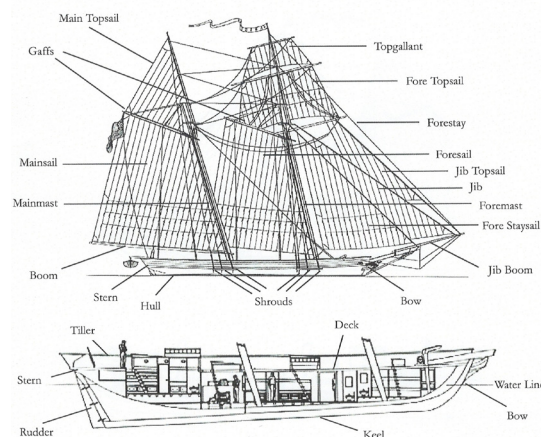


# The *Amistad*

## Setting the Stage

In February 1839, a large group of people from Sierra Leone were captured by slave traders and taken to Havana, Cuba. Once there, two Spanish plantation owners purchased 53 of the captives to be taken to their plantation in the Caribbean. They were put on a schooner called *Amistad*. In July, the African captives seized the ship. In their takeover, the captain and cook were killed. The two Spanish plantation owners were ordered by the Africans to return the captives to their home. Instead, they sailed the ship north and it was intercepted off the coast of Long Island, NY by the Brig *Washington*.

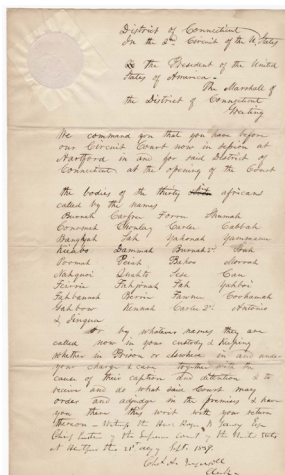
At first the captives were charged with murder. The plantation owners were let go and no charges were brought against them for participating in the illegal slave trade. Later, the murder charges were dropped, but the legal battle continued as the plantation owners, the nation of Spain, and the captain of the *Washington* all laid a claim of some sort on the ship and its cargo.



Top: Diagram of the *Amistad*. From *Discovering Amistad*. Below: *The Trial of the Amistad Captives*, by Hale Woodruff, 1938.



## The Investigation



Using the **resources from the National Archives**, including the background information and the primary sources, and resources from **Famous Trials**, answer the questions below.

Investigate the “Trial History of the *Amistad* Case,” for these questions:

- There were two *Amistad* trials. What was the difference between the two?
- What was the outcome of the first trial?
- The second trial case was tried both in **District Court**, then appealed to the **U.S. Supreme Court**. What was the outcome of each trial?
- What facts were used by the defendants’ lawyers to ensure victory?

Warrant for Habeas Corpus Ordering Sengbe Pieh (Joseph Cinque), Leader of the Mutiny, and the Other Africans Who Were Aboard the *Amistad* to Appear in Court; 9/21/1839; *Records of the Supreme Court of the United States, Record Group 21; National Archives*.

Investigate the **primary sources at the National Archives** to answer these questions:

- Look at the “**Libel of the Brig Washington**” document. In this situation, what does “libel” mean? What was meant by “salvage rights” and what cost was attributed to the salvage?
- Look at “**Answer of the Proctors for the Amistad Africans**” document. Based on the summary, who were the “proctors”? What was the position of the proctors, based on the testimony of the African captives?

Investigate the “**Opinion of the Supreme Court in United States v. the Amistad**” document.

- Who represented the Africans before the Supreme Court?
- What was the ruling of the court?
- What happened to the *Amistad* Africans?

### Your Reflection

- Do you think the Supreme Court made the correct decision? Why or why not?
- What impact do you think this case had at the time? Today?

Libel of Connecticut  
District Court at New Haven  
August 29, 1839.

That the Libel is allowed and the  
true thing is admitted to be true at \$100.00  
for a slave libel on the 19<sup>th</sup> day of  
September 1839 at 10 o'clock in the fore  
noon, and the date of the Court is dated  
to the next of nine, months, and  
other things according to law.

Attest  
Chas. A. Popplewell  
Clerk

And on the said 29<sup>th</sup> day of  
August A.D. 1839, a verdict of nine jurors  
in favor of the African men, and has  
been only saved and returned to Court, by  
virtue of which said verdict of nine, the  
Marshal of the African libel on the 20<sup>th</sup>  
day of August A.D. 1839, took out his entry  
and Refug. the African men, and Schum  
Admitted the table appeal and furniture  
to the with his cargo. Which is African.  
and also the said slaves, nations and  
admitted to said Libel.

And on the 14<sup>th</sup> said 29<sup>th</sup> day of  
August A.D. 1839, proof of mention given in  
favor of the African men, and the same  
has been only saved and returned.

The United States. App<sup>ts</sup>  
The Libellants & Claimants of the  
Schooner Amistad, her tackle  
apparel and furniture, together  
with her cargo, and the Africans  
mentioned and described in the  
several Libels and Claims.

On appeal from the District  
Court of the United States for  
the District of Connecticut.  
This Cause came on to be  
heard on the transcript of the re-  
cord from the District Court of  
the United States for the Dis-  
trict of Connecticut and was ar-  
gued by counsel. On considera-  
tion whereof, it is the opinion of this Court, that there is error in that  
part of the decree of the District Court affirming the decrees of  
the District Court which ordered the said Negroes to be delivered  
to the President of the United States to be transported to Africa in  
pursuance of the Act of Congress of the 3<sup>d</sup> of March 1819; and that  
as to that part it ought to be reversed; and in all other respects  
that the said decrees of the District Court ought to be affirmed. It is  
therefore ordered, adjudged and decreed by this Court that the decree  
of the said District Court be and the same is hereby affirmed except  
as to the part aforesaid, and as to that part that it be reversed;  
and that the cause be remanded to the District Court with di-  
rections to enter in lieu of that part a decree that the said Ne-  
groes be and are hereby declared to be free and that they  
be dismissed from the custody of the Court and be discharged  
from the suit and go thereof quit without day.

March 9, 1841

Top: Libel of Thomas R. Gedney; 8/29/1839; Thomas R. Gedney v. Schooner Amistad; Case Files, 1790 - 1911; Records of District Courts of the United States, 1685 - 2009, Record Group 21; National Archives at Boston, Waltham, MA. Bottom: Opinion of the Supreme Court in *United States v. the Amistad*; 3/9/1841; Records of the Supreme Court of the United States, Record Group 267; National Archives.



# The *Wanderer*

## Setting the Stage

The *Wanderer*, was built for speed. The yacht was commissioned in 1857 by Colonel John Johnson, a sugar baron from New Orleans, Louisiana, and a member of the New York City Yacht Club. In 1858, Johnson sold the schooner to William Corrie of Charleston, South Carolina. Partnering with Charles A.L. Lamar of Savannah, Georgia, the two men had the schooner retrofitted to serve as a slave ship. Although the Trans-Atlantic Slave Trade was illegal, these two men set out to obtain human cargo from Africa. Between June and November 1858, the *Wanderer* sailed from New York to Charleston, across the Atlantic to the Congo, then back again to deposit its cargo on Jekyll Island, Georgia.

Although it was suspected that the *Wanderer* was being readied to carry human cargo, it could not be proven, and she was allowed to set sail in summer of 1858. Upon her return to American shores in November, more than 400 enslaved people were dispersed to locations in Florida, Georgia, South Carolina, and Louisiana. As rumors spread about Africans on Jekyll Island, a new investigation began into the journey of the *Wanderer*.

## The Investigation

Using the resources from the Georgia Historical Society, The Schooner *Wanderer* Case-Latin American Studies, and the Digital Library of Georgia, answer the questions below.

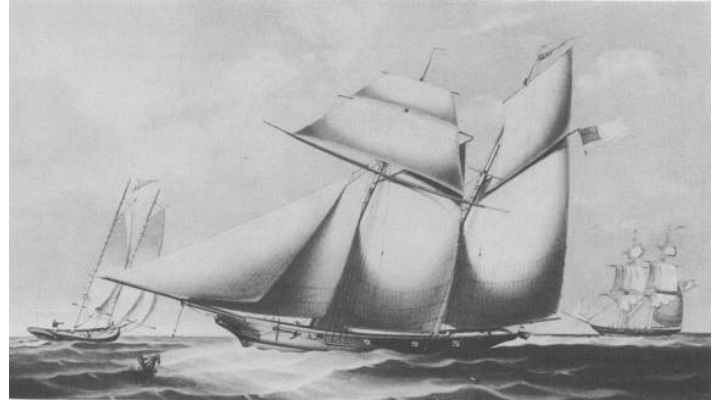
Analyze these two enrolment documents (Documents A and B in the Appendix) for the *Wanderer* from the Georgia Historical Society. Based on the information provided in the documents, can you answer these questions?

- What do you think an “enrolment” is, in this context?
- What type of information does each document provide?

Read these newspaper articles, collected for **The Schooner *Wanderer* Case**, from the summer of 1859. What do they tell us about the *Wanderer* prior to its journey?

- “Mystery of the Yacht *Wanderer*.” *New York Times*, June 11, 1858
- “Cruise of the Yacht *Wanderer*.” *New York Times*, July 8, 1858

Examine the map of the *Wanderer*’s journey from the *Savannah Morning News Magazine*, January 27, 1963 (Document C in the Appendix). The map details are based on the ship’s logbook.



Top: USS *Wanderer*. U.S. Naval Historical Center. Below: Three survivors of the *Wanderer*, photographed in 1908. Charles J. Montgomery.



- Based on the map details, how long did it take the *Wanderer* to travel between Charleston, SC and Point DeLand along the African coast?
- What happened on October 4?
- Although not noted in the logbook, what was the final destination of the ship?

Take a look at the [1858 logbook of the \*Wanderer\* schooner](#), page 57, available at the Digital Library of Georgia. (Be patient. This may take a few minutes to load.)

- How does this information correspond with what you see on the map?
- What else can you learn from this page?

Read this letter excerpt and answer the questions.

April 11, 1859 letter from Charles Lamar to the Editor of the *New York Times* in response to an editorial in that newspaper in March. (source: [Letter no. 45, Charles Lamar Letter Book.](#))

“...I declared I would re-open the trade in Slaves with foreign countries & defied the Government & its cruisers. The only “subterfuge”, if such it can be called, that was resorted to, was the not declaring the intention of the voyage of the *Wanderer*, which would have prevented her leaving port. I had proposed in my unpublished correspondence with Secy. Cobb to go with an officer of the Navy on board my vessel & get a cargo of Africans & land them publicly on the levy in New Orleans, & test the constitutionality of the laws of Congress.”

- Why do you think Charles Lamar was so open about his intentions with an illegal activity?
- What did he hope to accomplish?

There were several court cases connected to the journey of the *Wanderer* and the actions of its crew and owners that played out in the U.S. Circuit Court and U.S. District Court in Savannah, Georgia in 1859 and 1860.

- In *United States v. C.A. Lamar*, Charles Lamar was indicted for holding “African Negroes.”
- In *United States v. John Dubignon*, Mr. Dubignon of Jekyll Island was indicted for “holding and abetting in the holding of African Negroes as slaves.”
- In *United States v. Nicholas Brown & Others*, three crew members of the *Wanderer* were indicted for piracy.
- In *United States v. William C. Corrie*, Mr. Corrie was ordered for extradition from South Carolina to Georgia to stand trial for piracy.

In all cases, the defendants were acquitted (found not guilty), or the charges were dropped.

**What happened to the 400+ Africans brought to Georgia on the *Wanderer*?**

Read [The Water and the Blood](#) to find out what happened to the captives after arriving on Jekyll Island.

1858 logbook of the *Wanderer* schooner. *Digital Library of Georgia.*

## Your Reflection

- Do you think the District or Circuit Courts made the correct decisions in these cases? Why or why not?
- How might the outcome have been different if the cases were tried in northern courts?
- How did the fact that Charles Lamar came from a distinguished Savannah family impact his court proceedings?

## Putting it all Together

Create a graphic or diagram that compares and contrasts the *Amistad* and the *Wanderer* cases and outcomes. Include the following:

- Dates/Timeline
- Geographic locations/Sailing route
- The people involved
- The reasoning behind the court cases
- The outcomes of the court cases
- What happened to the African captives



# APPENDIX

## Document A: Enrollment Document for John D. Johnson

**ENROLMENT**

**PERMANENT.**

No. *571*

Enrolment, in conformity to an Act of Congress of the UNITED STATES OF AMERICA, entitled "An Act for Enrolling and Licensing Ships or Vessels to be employed in the Coasting Trade and Fisheries, and for regulating the same."

*John D. Johnson of Ship,*  
State of New-York, having taken or subscribed the oath required by the said Act, and having sworn that *he is a*

*Collector.*

of the Ship or Vessel called the *Wanderer* Citizen of the United States, and sole owner of *New York* whereof *John D. Johnson* is at present Master, and as he has sworn, is a Citizen of the United States, and that the said Ship or Vessel was built at *Brooklyn* State of *New York* in the year Eighteen Hundred and *fifty seven* as per *Certificate of Thomas B. Hawkins, Master Builder under whose direction she was built*

And *J. B. Benedict Esq.* having certified that the said Ship or Vessel has *one* deck and *two* masts and that her length is *one hundred and five feet* her breadth *nine feet six inches* her depth *nine feet six inches* and that she measures *two hundred and four and a half* tons; *and* that she is a *square* sterned *schoner* has a *round* head; no galleries and *John D. Johnson* having agreed to the description and admeasurement above specified, and sufficient security having been given according to the said Act, the said *schoner* has been duly enrolled at the Port of New-York.

*Given* under our Hands and Seals, at the Port of New-York, this *4<sup>th</sup>* day of *August* in the year one thousand eight hundred and fifty *seven*

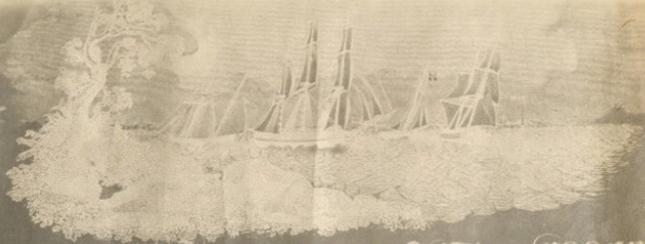
NAVAL OFFICER.

THE NATIONAL ARCHIVES  
Washington, D. C.

RECORDS OF THE DEPARTMENT OF COMMERCE, Bureau of Marine  
Inspection and Navigation.

Three Centimeters





rendered  
 Charles Taylor  
 me 26<sup>th</sup> 1888  
 Registered  
 monthly

REGISTER OF VESSELS

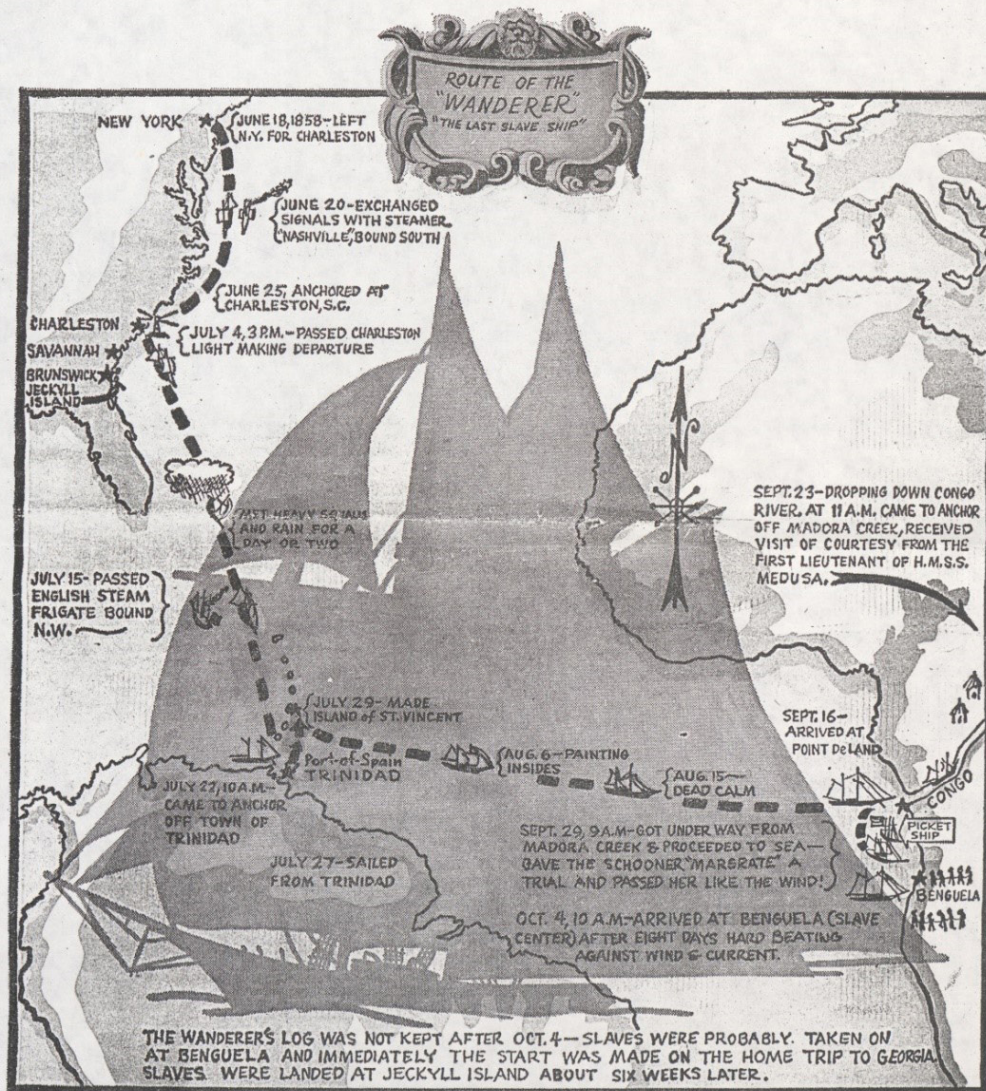


Savannah Morning News  
**MAGAZINE**

January 27, 1963

*'Unlettered Tinkerer'  
Has Made a Fortune*

-Page 4



**Voyage of Last Slave Ship:** *Pages*  
6-7

## References

- Bentley, Rosalind. "The Water and the Blood." *Jekyll Island Magazine*. <https://www.jekyllisland.com/magazine/the-water-and-the-blood/>
- Jordan, Jim. *The Slave-Trader's Letter-Book: Charles Lamar, The WANDERER, and Other Tales of the African Slave Trade*. The University of Georgia Press. Athens. 2018.
- Linder, Douglas O. *The Amistad Trials: An Account*. Famous Trials: Accounts and Materials for 100 of History's Most Important Trials. UMKC School of Law. <https://www.famous-trials.com/amistad/1241-account>
- The *Amistad* Case. National Archives. <https://www.archives.gov/education/lessons/amistad>
- The *Amistad* Case: Suggestions for Judges. Federal Judicial Center. [https://www.fjc.gov/sites/default/files/trials/sfj-amistad\\_0.pdf](https://www.fjc.gov/sites/default/files/trials/sfj-amistad_0.pdf)
- De le Cova, Antonio. The Schooner *Wanderer* Case. Indiana University. Latin American Studies. <https://www.latinamericanstudies.org/wanderer.htm>

## Georgia Standards of Excellence

### Map and Globe Skills K-12

- SSMGS7 Use a map to explain impact of geography on historical and current events.
- SSMGS8 Draw conclusions and make generalizations based on information from maps.

### Information Processing Skills K-12

- SSIPS1 Compare similarities and differences.
- SSIPS5 Identify main idea, detail, sequence of events, and cause and effect in a social studies context.
- SSIPS6 Identify and use primary and secondary sources.
- SSIPS10 Analyze artifacts.
- SSIPS11 Draw conclusions and make generalizations.
- SSIPS16 Check for consistency of information.

### Middle School Social Studies: Grade 8

- SS8H5.a Explain the importance of key issues and events that led to the Civil War; include slavery, states' rights, nullification, Compromise of 1850 and the Georgia Platform, the Dred Scott case, Abraham Lincoln's election in 1860, and the debate over secession in Georgia.
- SS8CG4.b Analyze the dual purpose of the judicial branch: to interpret the laws of Georgia and administer justice in our legal system.

### High School Social Studies 9-12

- American Government/Civics
  - SSCG13.b Explain the jurisdiction of the Supreme Court, federal courts and the state courts.
- United States History
  - SSUSH7.d Explain how the significance of slavery grew in American politics including slave rebellions and the rise of abolitionism.