

“Make justice run down our streets as a stream”

(John Quincy Adams to Hon. Oliver Wolcott, 16 April 1801, Adams Family Papers, Mass. Historical Society)

Read the following diary entry John Quincy Adams wrote the day he presented his opening argument to the Supreme Court of the United States. Then answer the questions that follow.

Washington, Wednesday, February 24, 1841

[. . .] *When that was opened Josiah Randall and Mr. Polk now a Clerk in the Department of War were admitted as Attornies and counsellors of the Court and Chief Justice Taney announced to me that the Court were ready to hear me. The judges present were Taney, Story, Thompson, McLean, Baldwin, Wayne Barbaum and Catron. Judge Mc Kinlay has been present during any part of this trial. The courtroom was full, but not crowded and there were not many Ladies. I had been deeply distressed and agitated till the moment when I rose, and then my spirit did not sink within me-with grateful heart for aid from above, though in humiliation for the weakness incident to the limits of my powers, I spoke four hours and a half with sufficient method and order to witness little flagging of attention by the judges or the auditory, till at half past 3 O’Clock, when the Chief Justice said the Court would hear me further to-morrow. Mr. Baldwin mentioned that he would stay and hear me to morrow, but that he should be obliged to leave the city on Friday to return home. The structure of my argument so far as I have yet proceeded is perfectly simple and comprehensive-needing no artificial division into distinct points, but admitting the steady and undeviating pursuit of one fundamental principle, the ministration of Justice. I then assigned my reason for invoking Justice, specially aware that this was always the duty of the court; but because an immense array of power, the executive administration investigated the minister of a foreign nation had been brought to bear in this case on the side of injustice - I then commenced a review of the Correspondence between the Secretary of State and the Spanish Ministers Calderon and Argail, which I analyzed with critical research as far as I was able, but with not half the acuteness nor with a tenth part of the vigour which I would have applied had they been at my command-[. . .]*

John Quincy Adams, *The Diaries of John Quincy Adams: A Digital Collection* (Boston, Mass.: Massachusetts Historical Society, 2008) <http://www.masshist.org/jqadiaries>

1. What is your definition of justice?

2. Where do you or did you get your ideas about justice? Explain

Read the following letter John Quincy Adams wrote to his son Charles Francis Adams a couple of months after defending the *Amistad* captives.

Washington 14 April 1841

My dear Charles,

There is a saying of some Juvenalian satirist that the most important part of a woman's Letter is always to be found in the Postscript, but I have fallen short even of the female capacity of coming to a point; for in my last letter intended as answer to yours of the 18th of last month, I did not leave room even for a Postscript, to touch upon the most important points and they were accordingly overlooked—

There are first the Letters of my mother – and secondly Mr. Grace's Heraldry. As to the next Edition of the Letters, I give you leave to select such of my fathers as you think suitable for publication. I suppose I shall be with you before they will be wanted by the printer- but if not I have entire confidence in your judgement and leave all to your discretion__

As to Mr. Grace's blazoning [?] it is all Arabic or Phrenology to me. I should be willing to admit Mr. Grace as at least a first cousin, and would constitute him Garter King at arms to all the great families, with whom he links us, if he could teach me but the alphabet of the heraldic language which I never learnt. In the year 1783, I saw in the British Museum that signature and seal pf Saer de Quincy appended to the original parchment of Magna Charta—I knew before, that we claimed to be lineally descended

from him, but until then I had never thought of it as a thing to be remembered— I was then sixteen years of age and on seeing that signature and Seal I said to myself, there is blood of that man and there is blood of John Adams flowing in my veins. Can that blood ever compromise with arbitrary imprisonment?

You remember that last fall in some of our arguments about the capture of the Amistad Africans by Lt. Gedney on the soil of Long Island, and their transportation to New London with out warrant from a Civil Magistrate, I seemed to you over tenacious of the great principles of Magna Carta, and over heated with indignation, at what I considered a gross violation of it in that case— And God knows what you and others thought of me when I consented to go before the Supreme Court of the United States to plead for the lives and liberty of thirty six Negroes against the whole Executive power of this Union, bent upon their destruction— Now I must tell you that my opinions and my feelings at that time were not a little influenced by reminiscences of the Seal and Signature of Saer de Quincy appended to the old parchment in the British Museum, which I had seen in 1783— You tell me that it is a great relief to you, that my cause is settled and well settled: and you warn me against the repetition of an experiment so afflictive to my family— I thank you for the warning;

“And this commandment all alone shall live

“Within the book and volume of my brain

“Unmixed with base matter”

The agony of soul that I endured [and] suffered from the day that I pledged my faith, to argue the cause of the Africans, before the Supreme Court till that when I heard Judge Story deliver the opinion and decree of the Court, was chiefly occasioned by the reprobation of my own family, both of my opinions and my conduct, and their [fear?] at the calamities which they anticipated they would bring upon them. The Signature and Seal of Saer de Quincy to the old parchment were with a clear conscience almost my only support and encouragement, under the pressure of a burden upon my thought that I was to plead for more, much more than my own life; and I promise you that I never will repeat the experiment, unless it should again be in the decrees of Providence so to fashion the course of events as to remind me with irresistible impulse of Magna Carta, Saer de Quincy and the old Parchment in the British Museum.

John Quincy Adams to Charles Francis Adams, 14 April 1841, Letterbook 20 (Nov. 1839 – 19 Nov. 1845 “Private”), Adams Papers, Massachusetts Historical Society.

As part of your answer for each of the following questions, be sure to explain what you mean. Write your answers in complete sentences on a separate sheet of paper.

1. What are the risks you take when you defend someone who is unpopular?
2. Is the risk worth it when your family and friends do not support you? Explain.
3. Is the risk worth it if you look bad?
4. Is the risk worth it when your country looks bad?
5. What is more important? That the innocent are free or that punishment is handed out when there has been a crime committed?

Is there a Reward for Defending Justice?

*Roger S. Baldwin Esq. New Haven
Washington 9. March 1841.*

Dear Sir

The decision of the Supreme Court in the Case of the Amistad has this moment been delivered by Judge Story —The Captives are free—

The decision of the District Court placing them at the disposal of the President of the United States to be sent to Africa is reversed—They are to be discharged as free —The rest of the decision of the Courts below including Lieutenants Gedney's claim for Salvage affirmed—

I requested the clerk Mr. Carroll to transmit the order of the Court to the Marshal as soon as possible —He says it can not be issued till after the Court rises tomorrow.

Yours in great haste and great joy—

John Quincy Adams to Roger S. Baldwin, 9 March 1841, Letterbook 20 (Nov. 1839 – 19 Nov. 1845 “Private”), Adams Papers, Massachusetts Historical Society.

*Lewis Tappan Esqr. New York
Washington 9 March 1841*

Dear Sir,

The captives are free!—

The part of the decree of the District Court which placed them at the disposal of the President of the United States to be sent to Africa is reversed.—They are to be discharged from the custody of the Marshal—free —

The rest of the decision of the Courts below is affirmed —

“Not unto us—Not unto us”

But thanks—thanks—in the name of humanity and justice to you

John Quincy Adams to Lewis Tappan, 9 March 1841, Letterbook 20 (Nov. 1839 – 19 Nov. 1845 “Private”), Adams Papers, Massachusetts Historical Society.

In a letter to Roger Baldwin, the attorney for the *Amistad* captives, John Quincy Adams included this in the postscript:

Roger S. Baldwin, Esqr. New Haven

Washington 25 Janry. 1841

[. . .]

P.S. Will you have the goodness to inform Kale and Kinna, that I have received their Letters with great satisfaction. Let them know that I think of them, hope for them, and pray for them, night and day. They have made so great progress in their studies that I exhort them to persevere in them with unabating assiduity.

John Quincy Adams to Roger S. Baldwin, 25 January 1841, Letterbook 20 (Nov. 1839 – 19 Nov. 1845 “Private”), Adams Papers, Massachusetts Historical Society.

See the letters that were written to John Quincy Adams by Kinna and Kale, two children on the *Amistad*.

Kinna: <http://www.masshist.org/cabinet/january2003/kinna.htm>

Kale: <http://www.masshist.org/cabinet/january2003/kale.htm>

Class Discussion: Answer these questions in preparation for a class discussion.

1. Are there rewards for standing for justice?

2. Do the rewards outweigh the sacrifices made?

Lesson 10
Homework

Name:
Date:

Final Project

Assignment:

Imagine you are a representative of the State of Massachusetts and you must give a speech about John Adams, John Quincy Adams and justice.

Review information gathered from the website, primary source documents, the K-W-L charts, handouts, classwork and homework assignments as well as other information to help you write about these two men and their ideas about justice. It is not a report about their lives, but about their personal beliefs.

The speech must have:

- A title
- An opening paragraph that grabs the attention of the audience
- A reference to at least two primary source documents (letters, diaries etc.)
- At least two quotations from each of the men

The documents and quotations used in the speech must reveal what each man believed about justice.