

ALTERATION OF DOC. H. R. No. 185—AMISTAD CASE.

JANUARY 4, 1841.

Read, and the committee discharged from the further consideration of the subject.

Mr. ADAMS, from the Select Committee to whom the subject had been referred, submitted the following

REPORT:

The Select Committee appointed on the 10th instant, with liberty to send for persons and papers, to ascertain and report to the House whether the printed House document of the last session (No. 185) has been falsified, materially differing from the manuscript document transmitted by the President of the United States, and, if so, by whom the said falsification was made, respectfully report:

That a material alteration has been made from the manuscript transmitted by the President to the House, by the substitution in the printed document of the word *sound*, for the word *ladino* in the manuscript, in the translation, at page 48 of the printed document, of a paper purporting to be a passport for 49 slaves belonging to J. Ruiz; and by the substitution of the same word *sound*, for the word *ladina*, in the translation, at the 49th page of the printed document, of a paper purporting to be a passport for 3 slaves belonging to P. Montes.

That this substitution was, in both cases, made by John H. Trenholm, the proof-reader at the office of Messrs. Blair & Rives, the printers of the House.

The committee submit herewith the testimony taken by them in performance of the duty assigned to them by the House, and in which will be seen the reasons adduced by Mr. Trenholm for making these alterations; and they have instructed their chairman to move that they be discharged from the further consideration of the subject.

J. Q. ADAMS.

DECEMBER 28, 1840.

The Select Committee on the message relating to the Amistad met December 16, 1840: Present, Mr. Adams, chairman, Mr. McKay, Mr. Barnard, Mr. Medill, and Mr. Dennis.

The chairman laid before the committee a copy of document No. 185, printed for the House of Representatives at the 1st session 26th Congress, which was marked "A," and called the attention of said committee to a variation between the said printed document and the written manuscript as translated, in the word "sound" having been substituted in the former, for the word "ladino" in the latter, &c.

HUGH A. GARLAND, Clerk of the House of Representatives, was sworn by Mr. Adams, and examined as follows:

Question by Mr. Adams. Are the manuscript documents in your possession, and now here exhibited to the committee, the original papers transmitted to the House of Representatives by the President of the United States with his message of March 31, 1840, in relation to the Africans taken in the Amistad?

Answer. They are the original papers so transmitted and filed in my office.

Question. Do you know of any alteration having been made in the said papers since they were sent to the printers?

Answer. I do not.

Question. Do you know whether the small paper attached by a wafer at page 57 of said manuscripts was so attached when sent to the printers?

Answer. The documents not having been examined by me before going to the printers, I cannot say whether it was or not.

Question. Is document No. 185, 1st session 26th Congress, marked "A," one of the copies of said papers received from the printers?

Answer. It is.

Question. Were the words "negros," now appearing in the passport granted for 49 slaves belonging to J. Ruiz, at page 43 of said printed copy, and "negras," in a passport for 3 slaves belonging to P. Montes, at page 44, in the original manuscript as received from the President?

Answer. They were, as now appears on examination of the same.

Question. In the manuscript of the first passport aforesaid, the word "ladino" appears, and in the printed copy of the same the word "sound" is substituted therefor; do you know where, when, or by whom, the said alteration was made?

Answer. I do not.

Question. In the second passport aforesaid, the word "ladina" is translated or altered to "sound;" do you know by whom?

Answer. I do not.

JOHN C. RIVES, one of the printers to the House of Representatives, being sworn and examined, answered as follows:

Question. Are the manuscript papers now shown you the same that were sent to your office, and from which you printed the said document No. 185?

Answer. They are.

Question. Is the copy of document No. 185, marked "A," and now exhibited to you, one of the printed copies of said manuscript papers transmitted by you to the House of Representatives?

Answer. It is.

Question. In the manuscript copy of the first passport aforesaid, as translated, the word "ladino" appears; for which, in the printed copy, at page 48, has been substituted the word "sound." By whom was the alteration or substitution made?

Answer. I never knew that the substitution or alteration in question had been made, until after Mr. Adams offered his resolution in the House on the subject. I then called at the office of the Clerk of the House of Representatives, and examined the original copy, and took down the word al-

tered, and showed it to our proof-reader, who informed me that said alteration or substitution had been made by him, and who is now here present.

Question. Was the small paper attached to the manuscript at page 87, so attached when the said manuscript was received by you to be printed?

Answer. I do not *know* whether it was or not, as I did not examine the manuscript while it was at the Globe office. I think it probable, however, that it was not, as it appears to be in the handwriting of Mr. Trenholm, our proof-reader. I know that when copy is bad, or in a foreign language, the proof-reader often writes it over in a fair hand, so as to enable the compositor to set it up correctly.

Question. Has any license or authority been given by you, expressly or otherwise, to the proof-readers or compositors in your office, to vary or depart from the copy forwarded you, of public documents?

Answer. I have never given any directions or authority to our compositors or proof-readers to alter or vary the copy. I have sanctioned slight alterations, when the error or omission was palpable and obvious.

JOHN H. TRENHOLM, proof-reader in the office of Blair & Rives, being sworn and interrogated, answers :

Question. In the manuscript of the translation, at page 87, as marked in pencil, and in the permit on that page, is the word "ladino;" and in the printed copy, at page 48, herewith shown you, of that manuscript, the word "sound" is substituted. A like substitution of the word "sound," at page 49 of the printed copy, appears for the word "ladina" in the manuscript, on the inside of page 87. Were these substitutions made by you?

Answer. They were.

Question. Were these alterations or substitutions made by the direction or on the suggestion of the State printers, or any other person or persons?

Answer. They were not. In reference to this matter, I adopted that course which has always been followed in instances where the copy is either illegible or misunderstood.

Question. Had the compositor set up the matter conformable to the manuscript, before you directed the substitution?

Answer. He had composed the matter, certainly; but whether he had used "ladino," or some other word, I do not recollect. I think, however, it was according to the manuscript.

Question. Will you state the reasons which induced you to make the alterations?

Answer. The reasons which induced me to make the alterations in the proof-sheet were as follows: On comparing the proof-sheet with the manuscript copy, the word in question [*ladino*] was met with on page 48. Supposing it to be intended for an English word, which the transcriber could not decipher, I tasked my judgment to arrive at what was the probable word in the original. None appeared to me so applicable as "sound:" 1st. Because of the near equality of space taken up by the characters forming those words, (which is frequently a good guide to a solution of a difficulty of that nature;) and 2d. Because the whole context led me strongly to suppose that "sound," or at least its equivalent, was what the author had used in the original. It did not occur to me that it was a foreign word at all; consequently, I could have had no idea of *translating* it. I would beg leave here to say, that during a period of sixteen years in which I have pursued the printing business, (eight of which in this city as a proof-reader,) a sim-

ilar introduction of a foreign adjective has not come under my cognisance. The method invariably followed, in such instances, has been that which Mr. Greenhow has adopted in this same pamphlet A. I have never known him to deviate from that course when he wished to translate a word somewhat liberally; and it did not, certainly, occur to me that a different course would be pursued in this instance. If the witness has erred in adopting the word which he caused to be substituted, he was led altogether to form his conceptions of what was intended, by the whole document, in every page of which the negroes are denominated *slaves*, and even in the caption which precedes the matter where the error is found. No word seemed so appropriate to his mind as "sound," under these circumstances; and that was the cause of the witness being misled in relation to it.

Question. In what printing offices in this city have you been employed, and for how many years have you acted as proof-reader?

Answer. I have been employed in but two offices in this city—those of Messrs. Gales & Seaton and of Messrs. Blair & Rives; and I have acted as proof-reader in one or the other of those offices for a period of about eight years; principally at the former.

Question. What is the practice in those offices as to altering or correcting, in any form, the manuscript? and state any instances in which alterations or corrections were made.

Answer. The practice has been, as a general rule, to make what alterations appear necessary or proper to the correct grammatical construction of a sentence, whether in orthography, syntax, or punctuation; and moreover, where a defect is discovered to exist, as in the omission of one or more words, it is customary to supply the deficiency by inserting those [within brackets] which seem most likely to have been intended by the author, in order to perfect the passage. The context, or subject-matter, is, of course, the only guide to the proof-reader in such cases; and though it may occasionally happen that he fail to adopt the identical phraseology which the writer designed to use, the experience of witness has convinced him that it is seldom essentially wrong. To demonstrate this, as well as to comply with the requirements of the interrogatory, the witness has appended hereto a portion of the alterations from manuscript contained in Doc. No. 2 of the present session, (being the annual report from the Indian Department.) wherein, of nearly 100 deviations from copy, caused by omissions, doubles, grammatical errors, and verbal inaccuracies, but *four* instances occur of a failure to adopt the very words as originally written; and even these four were so nearly or quite synonymous as to cause no sensible variation in the import of the language.

It also very frequently happens that one word, or several, and even entire sentences, are found repeated in the manuscript, and particularly where it is but a transcript from an original, as is almost invariably the case with documents coming from the departments: in such instances, an expunction of the superfluous matter is resorted to. Again: printers meet daily with examples where characters intended to express one word, have all the appearance of another and a totally different one; (some few specimens of which the witness desires to show to the committee, as he believes that to be the most ready method of rendering himself intelligible;) and here, again, the printer is guided by the general bearing of the passage, in determining the meaning of the author. To avoid prolixity, the witness will come at once to the point, and state that it has been the practice for the

printer or proof-reader so to exercise his judgment as to attain a moderate degree of accuracy.

It is true that no express authority has been given to the proof-reader or compositors to deviate from the copy furnished by the House; but neither, on the other hand, have they been directed to adhere rigidly to all manuscripts, right or wrong; and, in absence of orders to the contrary, the usual course has been pursued; *ex. gr.* If the compositor meet with a passage in his copy which seems to him obscure, or is palpably defective, he corrects it in such a manner as he supposes the author intended to write it, or would desire it to be printed; but as it is usual to place but a small portion of manuscript in his hands at a time, for convenience and despatch, (thus limiting, in some measure, his capacity of judging correctly,) the author is sometimes misunderstood by him. It is then the province of the proof-reader, who has the whole subject before him, to decide on the propriety or impropriety of the alterations made, and either to sanction them, by allowing them to remain, or to reinstate the language of the copy, according as his judgment suggests to him was the intention of the writer. In like manner, where clerical or other errors have escaped the notice of the compositor, it is the business of the proof-reader to correct them; and, in either event, the responsibility rests with the latter. The foregoing has been the general practice, subject, of course, to a few exceptions.

In compliance with the desire expressed in the concluding part of the interrogatory, witness has appended hereto a statement of some of the variations from manuscript to be found in the printed document, referring to the pages of each, respectively, which will show at once the nature of the discrepancies, and the almost perfect accuracy of the changes made, as has been proved by a subsequent comparison of them with the originals in the Indian bureau. It may here be proper to state, that the document in question is selected, not because of its more than ordinary inaccuracy, (for it will favorably compare with almost any other,) but because it happened to be that on which the witness was about to commence at the moment he heard of the appointment of this committee; and it occurred to him that it might be useful to show that, if in some very few instances an alteration from copy may cause inconvenience, a close adherence to it, at all times, would create a thousand-fold greater.

Statement of corrections made from manuscript in Doc. No. 2.

Alterations by printer.	Reference to corrected page of manuscript.
Page.	
1. 252—"to" inserted -	Omitted in MS., p. 52.
2. 252—denoralized -	"Moralized," 53.
3. 253—"last" inserted -	Omitted in MS., 54 [#]
4. 266—"our" inserted -	Do. 79.
5. 266—however -	"How," 80.
6. 310—"of" inserted -	Omitted in MS., 123.
7. 311—"is" inserted -	Do. 123.
8. 311—"have" inserted -	Do. 124;* stricken out.
9. 311—"thousand" inserted -	Do. 125.
10. 312—"other" inserted -	Do. 125.
11. 312—"and" -	"But," 126.
12. 315—"too" -	"So" in MS., 131.
13. 315—"to" inserted -	Omitted in MS., 131.
14. 315—"these" inserted -	Do. 131;* such.
15. 317—"a favorable" inserted	Do. 135;* a flattering.
16. 322—"of" -	"With," 145.
17. 323—"at" inserted -	Omitted in MS., 148.
18. 323—two lines stricken out	See MS., 148.
19. 323—"not" inserted -	Omitted in MS., 148.
20. 338—"it" inserted -	Do.
21. 349—"are" inserted -	Do. 181.
22. 359—"house was" inserted	Do. 221;* house was put.
23. 361—"school" inserted -	Do. 224.
24. 364—"for" inserted -	Do. 231.
25. 364—"man" inserted -	Do. 232.

NOTE.—The above are but a small portion of amendments made by the printer in this document. There are numerous others, which a pressure of business has prevented the witness from finding. All of them, however, together with the above, proved to be correct, with the exception of the four marked (*); and these were substantially, though not quite literally, accurate.

Question. Was the small paper attached to the manuscript at page 87, so attached by you?

Answer. It appears to be in my handwriting, but I cannot recollect whether it was so attached to the manuscript by me or not.

Question. Of what country are you a native?

Answer. A native of France, but educated in England.

Question. Are you a citizen of the United States?

Answer. I am a naturalized citizen, having been in this country about eleven years.

Question. What is your age?

Answer. I am thirty-one.

Question. Were you aware, when the substitution of the word "sound" was made by you, as proof-reader, that the present administration took any particular interest in the subject to which the papers then printing relate?

Answer. None, except what information I got from those papers themselves.

Question. Had you any conversation with Mr. Blair or Mr. Rives, on the subject to which these papers relate, at or about the time of the printing of them?

Answer. I had not.

Question. Are pages 80 and 81 of the manuscript exhibited to you, the same from which document No. 185, corresponding therewith, was printed; and, particularly, do you know whether the words "negros ladinos," at page 80, and "negras ladinas," at page 81, printed in pages 43 and 44 of the printed copy, are in the manuscript as it was received at the printers' office from the House of Representatives?

Answer. I believe the manuscript now exhibited to me to be the same that was sent to the printers by the House of Representatives; and that, in the particulars alluded to, it appeared then as it does now.

MONDAY, DECEMBER 21.

The committee met: Present, all except Mr. Medill.

THOMAS S. GEDDES was called, and sworn by the chairman as a witness.

Question. Did you set the types for pages marked in pencil 86, 87, and 88, of the manuscript shown you, and for pages 48 and 49 of the printed copy and document shown you?

Answer. I did.

Question. Did you, in the first instance, set up in type the manuscript as it now appears in the pages above mentioned; and, particularly, the words "ladino" and "ladina"?

Answer. I think I did.

Question. How came the word "sound" in the printed copy, to be substituted for "ladino" and "ladina"? Do you know?

Answer. The word "sound" was marked in the proof-sheet, and I made the correction accordingly.

Question. Did you consider it your duty to make corrections in the printing of matter, according to the directions of the proof-reader?

Answer. I did, and do so consider.

Question. Was the slip of paper which now appears attached to the manuscript, at the page marked in pencil 87, so attached when you set up the matter?

Answer. I cannot say. I do not recollect any thing of such a slip of paper; if it had been there, I think I must have noticed it.

Question. Had you any conversation with any person on the subject of the variation which appears in this case between the manuscript and the printed copy, previous to the subject being presented in the House of Representatives; or were you aware that it had been made a subject of complaint or comment before that time?

Answer. I had no such conversation, nor was I aware of any such complaint or comment, until the subject was presented in the House.

Question. When you set up the matter, and the words "ladino" and "ladina," in type, did you know the meaning of these words?

Answer. I did not.

Question. When you set up the word "sound," in substitution for the other words, did you know why the substitution had been made?

Answer. I did not.

ROBERT GREENHOW was called as a witness, and affirmed by the chairman.

Question. Is the paper now produced by you, in the Spanish language, the paper which was in the Department of State, as having been sent in from the district attorney of Connecticut, and from which a translation was made in that department for the House of Representatives?

Answer. It is.

Question. Did you make that translation?

Answer. I did.

Question. Were the word "negros" before the word "ladinos" in the passport for 49 negroes, and the word "negras" before the word "ladinas" in the passport for 3 negresses, in the Spanish paper already referred to, when the translation was made?

Answer. They were.

Question. On the manuscript translation, as sent to the House of Representatives, and now shown you, a slip of paper appears attached at page marked (in pencil) 87. Do you know how or by whom that slip was attached?

Answer. I do not.

Question. In the manuscript paper sent to the House of Representatives, as a translation of the Spanish paper referred to, the word "ladino" appears at page 87, (as marked in pencil;) and on the inside of the same half sheet appears the word "ladina." Were those words used and written by you in reading the Spanish and making the translation?

Answer. They were. I used the original words, because their meaning is peculiar, and cannot be rendered by any English word, or without a description or passage of considerable length.

Question. Is the word "sound," in any sense whatever, a correct translation or reading of the Spanish word "ladino" or "ladina?"

Answer. No, so far as I know, in no sense.

BENJAMIN B. FRENCH, chief clerk in the office of the House of Representatives, being called and duly sworn, answers as follows:

Question. Do you know how the small paper, attached to the 87th page of the manuscript papers, now before the committee, became so attached; and whether or not the same was with the papers when they came from the President?

Answer. On the morning of the day that Mr. Adams made the motion in the House of Representatives, upon which this committee was appointed, he requested me to carry into the House the original message of the President, being "the papers" above mentioned. Upon taking them, Mr. Berry, a clerk in the office, in whose possession they then were, called my attention to the "small paper" above mentioned, which lay loose between pages 86 and 87. He said it appeared to be a translation of the names, and might be important; and asked me to preserve it with care. I then remarked, that, to prevent the possibility of its being lost, I would attach it to the page; and did so.

I do not know whether the said "small paper" was with the message when it came from the President or not.

B. M. BERRY, a clerk in the office of the Clerk of the House of Representatives, being called and sworn, answers as follows :

Question. Will you read the questions above put to Mr. French, and say what your knowledge is in relation to the inquiries there made?

Answer to the first part of the above question. That on the morning as above stated by Mr. French, the small piece of paper alluded to, being a translation of names, was attached, by a wafer, to page 87 of the manuscript, by Mr. French, in my presence. When the document was first opened by me for the inspection of Mr. Greenhow, the translator of the State Department, which was a day or two previous to Mr. Adams's moving the subject in the House, I discovered the paper loose, lying between pages 86 and 87, as I believe ; and on the morning that the documents were carried into the House, when Mr. French was about to take them, supposing that the paper might be of importance, I suggested to him to be careful that it did not get lost ; when he attached it as above stated.

Answer to the second part. That I do not know whether it was with the documents when received from the President, and sent to the printers.