

Hamlet, James

(c. 1818-?),

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first man to be returned to slavery under the Fugitive Slave Act of 1850, was born James Hamilton Williams in Baltimore, Maryland, the slave of Mary Brown. Little is known of Hamlet's parents, but he claimed during his brief trial that he was the son of a freewoman and thus had never been a slave at all. A purported escaped slave, Hamlet left Baltimore for New York City in 1848, where he worked as a porter in the Tilton and Maloney general store. Before his capture and return to slavery, he lived in the city of Williamsburg (present-day Brooklyn) with his wife and two children, whose names are unknown. While in Williamsburg, Hamlet was an active member of the African Methodist Episcopal Zion Church and a devoted husband and father. It is not surprising that Hamlet chose New York as a safe haven for his family. In the two decades preceding the passage of the 1850 Fugitive Slave Law, New York's black population rose to 13,815, a fact suggesting that many escaped slaves and freed blacks considered the city a refuge from the slaveholding South.

By the fall of 1850, however, Hamlet's refuge was about to turn into a nightmare. On 18 September 1850 Congress passed the Fugitive Slave Law, a part of the Compromise of 1850 that made California into a free state and defined as territories New Mexico and Utah, leaving the possibility of slavery open to the residents of these regions. The most dire component of the Compromise of 1850, however, was its amendment of the Fugitive Slave Act of 1793. The Fugitive Slave Act of 1850 provided federal jurisdiction, complete with special courts and administrators, for the return of escaped slaves replacing state jurisdiction. The consequences of this move from state power to federal power meant that crossing over into another state would no longer provide immunity or a safe haven for escaped slaves, who could be returned to slavery by any person. The new Fugitive Slave Law also meant that any person who hid or otherwise aided and abetted an escaped slave or did not turn a known escaped slave over to federal authorities was committing treason and could be both fined and imprisoned.



James Hamlet, the first man to be returned to slavery under the Fugitive Slave Act of 1850. This abolitionist poster protests his recapture.

(Library of Congress.)

On 26 September 1850, only eight days after the passage of the new law, James Hamlet became the first person to be returned to slavery under its provisions. Hamlet was arrested at 58 Water Street, his place of work, by the U.S. marshal Benjamin H. Tallmadge, after the U.S. commissioner Alexander Gardiner issued a warrant for his arrest. Hamlet's former owner, Mary Brown, had enlisted the help of Thomas J. Clare, a renowned slave catcher, as well as the New York City's Union Safety Committee, an organization formed to assist slave owners in retrieving their "property." Brown sent written testimony along with a power of attorney with Clare to the Circuit Court of the U.S. New York Southern District claiming that James Hamlet was her property and accusing him of running away. She also sent her son, Gustavus Brown, to offer oral testimony in support of her case that Hamlet was actually her slave and not a freeman at all.

Upon his arrest, Hamlet was taken to the old city hall where he was given a summary hearing—which meant that he could be tried, convicted, and deported the very same day of his capture. Hamlet claimed during his defense that he was not a slave because his mother was free and so he had "entitled himself to freedom," but since blacks were not allowed to testify under the new law, his statements were inadmissible (Quarles, 197). The New York abolitionists tried to prevent his deportation by offering legal counsel, but the attorney arrived too late, and Hamlet was rushed back to Baltimore, all within the space of a few hours. Immediately upon his return to Baltimore, Brown advertised the sale of Hamlet in the *Journal of Commerce*, claiming that he was a "steady, correct and upright man" (Tappan, 5).

News of Hamlet's arrest spread rapidly across New York in both abolitionist and religious circles. Many New Yorkers, both white and black, were outraged by what they considered to be unconstitutional treatment with respect to Hamlet's trial, and five days later the black abolitionist leader the Reverend Charles Bennett Ray of the Mother African Methodist Episcopal Zion Church informed 500 people during a sermon that \$800 had been raised by abolitionists to purchase Hamlet's freedom, a controversial move since many abolitionists argued that slavery constituted a theft and that slave owners should never be compensated. On 5 October 1850 thousands of people, Whigs and Democrats, Free-Soil and Liberty Party men, along with black and white abolitionists gathered at the park next to the New York City Hall to welcome Hamlet home. Before Hamlet took the stage that day, the crowd heard speeches by the black abolitionists William Peter Powell, the Reverend John P. Raymond, and Robert Hamilton. When Hamlet took the stage alongside his wife, he was too overcome with gratitude to speak and so simply waved around a handkerchief that had been dampened by his tears. Hamilton apparently said of Hamlet's silence, "he is a free man—that is a speech itself" (Quarles, 198).

After the meeting in the park, Hamlet was escorted home to Williamsburg by nearly 200 people. Though little else is known of Hamlet's life, including the exact date of his death or what his activities may have been after his capture and release, his life has become a symbol of the struggle by abolitionists against the injustices of the Fugitive Slave Law. As a result of the Hamlet case and the federal government's drive to enforce the new law, New York's black population dropped from 13,815 to 12,574.

Further Reading

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Middleton, Stephen. *The Black Laws: Race and the Legal Process in Early Ohio* (2005)

Quarles, Benjamin. *Black Abolitionists* (1969)

Tappen, Lewis. *The Fugitive Slave Bill, Its History and Unconstitutionality: With an Account of the Seizure and Enslavement of James Hamlet, and His Subsequent Restoration to Liberty* (1850, repr. 2006).

See also

Hamilton, Robert <<https://oxfordaasc.com/view/10.1093/acref/9780195301731.001.0001/acref-9780195301731-e-36995>>

Powell, William Peter <<https://oxfordaasc.com/view/10.1093/acref/9780195301731.001.0001/acref-9780195301731-e-35129>>

Ray, Charles Bennett <<https://oxfordaasc.com/view/10.1093/acref/9780195301731.001.0001/acref-9780195301731-e-35358>>