

## Hill, Stephen Spencer

(fl. 1849–1854),

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gold miner and rancher who was legally stripped of his property and liberty, was born into slavery, most likely in the early nineteenth century. Nothing is known about him, including the place of his birth or his parents' names, until 1849 when he accompanied his owner Tucker Wood from Arkansas to California.

When Wood returned to Arkansas four years later, Hill stayed in California. A document filed in the county court of Tuolumne County states that Hill bought his freedom from Wood on 1 April 1853. Almost seven months later, on 27 October 1853, Hill filed a claim to 160 acres of land at the top of a canyon on the Stanislaus River in central California, less than five miles from Sonora. The claim was recorded, and Hill began to work his land, clearing and sowing forty acres with wheat and barley. He also built a cabin to live in and planted a vegetable garden. At the same time he continued to mine for gold at Gold Spring. Mining had proved lucrative, paying for Hill's freedom and acreage, stock, and equipment for his farm, as well as ensuring later payment on more land and a cabin purchased from one James Bradley. The *Columbia Gazette* reported on 1 April 1854—one year after Hill's manumission—that “On Steve's claim ... a beautiful specimen was taken out, weighing 9 ounces, pure gold.”

A few days before the newspaper reported on Hill's nine-ounce nugget, Owen R. Rozier, an acquaintance of Tucker Wood, Hill's former owner, moved to the area, settling on Hill's property. After consulting with an attorney in Sonora, Rozier wrote to Wood, asking if he had freed Hill, who now prospered. If Wood had not, Rozier wrote, then Hill's property legally belonged to Wood, and Rozier asked to be appointed Wood's agent in California, with rights to reclaim Wood's property, including the land, the gold, and the person of Stephen Spencer Hill.

In 1852 California had passed the California Fugitive Slave Law, two years after the passage of the national Fugitive Slave Law of 1850. Under the California law (which was later renewed twice and eventually expired in April 1855), a slave owner was protected in his ownership of a slave for one year. The alleged slave could be seized and presented at trial but could not testify. Anyone aiding the slave, directly or indirectly, was subject to a fine of \$500 and imprisonment and could be sued for civil damages by the owner.

Rozier made no secret of the letter that he had written to Wood, and Hill knew that his freedom stood in peril. On 22 July 1854 he advertised the sale of his ranch, crops, and furnishings, in his own name. The next edition of the newspaper reran the ad, but with Rozier's name as “Agent” over Hill's name.

Hill was widely respected and liked by his neighbors, who referred to him as Steve or Black Steve. In spite of the provisions of the law, Hill was advised and helped by friends. Hill fled his ranch after he was warned in advance that Rozier had received the necessary legal agency from Wood, who claimed to be Hill's owner. Hill was soon caught and imprisoned, however. Hill's certificate of manumission would have been vital evidence at Hill's hearing, but it was not found in his home.

Hill's friends, including the Englishman John Jolly—who kept a diary of the events—raised the funds necessary to hire the attorney Oliver Wolcott to defend Hill. They also harvested Hill's crops and attempted to remove the stock, equipment, and furniture from his property so that Rozier could not claim or sell it. Rozier came upon Hill's ranch in the middle of this transference and identified two of the men involved: Jeremiah Connelly and William Fullam. Rozier asked for an injunction to stop any other property from being removed from the ranch until a decision was rendered about Hill's status. By the time Rozier returned with the injunction, Hill's neighbors had successfully removed Hill's belongings from his home. All that remained were two empty cabins.

Hill's supporters, all of whom were white and who called themselves the “Gold Spring boys,” harassed and taunted Rozier. Samuel Van Nest goaded him to the point that Rozier struck him in the head with a revolver, which resulted in Rozier's arrest for assault and battery. When Rozier could not pay the \$100 fine, he found himself incarcerated alongside Hill at the county jail. Van Nest brought a civil suit asking \$1,500 damages from Rozier. Meanwhile in late August 1854 Hill's hearing took place in the county court of Tuolumne County, in Sonora, with the county judge Leander Quint presiding. Although the exact arguments remain unknown, at the conclusion of the trial Hill was declared to be a slave. As for Rozier, he was freed after his attorney filed a confession of judgment for \$200 and applied for a writ of habeas corpus.

Rozier now had the right to take Hill back to Arkansas as a slave. The legal outcome was not unexpected, so Hill's friends planned to restore to him as-much of his earnings as they could and help him escape.

James Bradley, who had sold Hill land, now claimed that Hill still owed money for the property. He was awarded the land in court, but Rozier, not knowing this, sold the same land to Levi Womack. When Bradley arrived at the cabin, Womack was already there and pistol-whipped Bradley. Another charge of assault and battery resulted, and Womack was arrested. He posted bond, and the charge was at some point dropped from the court calendar. Bradley and Connelly (one of the men whom Rozier identified as removing Hill's property) purchased the land and cabins from the constable two weeks later. Rozier, once he returned Womack's payment, was unable to outbid them, possibly because of the money he already owed to Van Nest for his assault.

Rozier now had the right to take Hill back to Arkansas as a slave, and so he arranged to have Hill transported to Stockton and installed as a prisoner on the steamer *Urilda*, before he himself traveled on to San Francisco. An article in the 25 September 1854 edition of the *San Joaquin Republican* reported that Hill escaped from the steamer while it was still in Stockton. Rozier told the newspaper that Hill had escaped with \$13 in cash, Rozier's gold watch, and a draft for \$500. Hill was thought to be heading back to Sonora in Tuolumne County.

Where Hill ended up, and what name he lived under after escaping, is unknown. The events of 1854 can only be pieced together from scattered newspaper accounts, which may or may not be accurate, the sparse records of the Tuolumne County courts, the diary of Hill's friend John Jolly, and the family history handed down by the descendants of Owen Rozier.

Hill's was one of several court cases that tested the legal status of all blacks in the state of California, including the 1851 case of Frank in which the judge ruled that the national Fugitive Slave Law of 1850 did not apply, the 1852 case of Robert Perkins who was returned to his master, the 1855 case of Mitchell who was not to be returned to his owner, and the 1858 case of Archy Lee who was finally deemed free after several unsuccessful trials.

### Further Reading

Jolly, John. *Gold Spring Diary: The Journal of John Jolly*, ed. Carlo M. De Ferrari (1966).

#### See also

Lee, Archy <<https://oxfordaasc.com/view/10.1093/acref/9780195301731.001.0001/acref-9780195301731-e-34932>>