Cumberland County’s Connection to John Brown’s Raid at Harper’s Ferry

by Joseph D. Cress

In October of 1859 the well-known raid by John Brown and his men occurred at Harper’s Ferry, Virginia (now West Virginia). Most members of the Brown group were captured at the time of the raid, but several men escaped including John E. Cook and Albert Hazlett who fled into Pennsylvania. These facts serve as the backdrop for events that occurred in Carlisle later in October.

A stranger was apprehended west of Carlisle on the morning of October 22, 1859 by men from Chambersburg who had been pursuing him. Initially identified as John E. Cook, one of John Brown’s raiders, his mistaken identity would play into the history of the events following the raid on Harper’s Ferry. Carlisle would become a stop on his road to the gallows.

Local newspapers had varying accounts of the man’s capture. The October 26 edition of the Carlisle American reported that he was arrested with slight resistance carrying four loaded revolvers, a Bowie knife, “some little money” and an advertising circular for a book called “The History of Slavery.” The stranger, who called himself William Harrison, was described as six feet tall, well built, with red hair and a thin sandy beard. He was dressed in a red muslin shirt and dirty dark pants. “He, as might be expected, is a rather hard-looking individual, though under such circumstances every man is liable as being described as looking desperate and fit for any enterprise,” the newspaper reported.¹

The Carlisle American’s rival newspaper, the American Volunteer, reported the man had just entered West High Street when he was overtaken and made no resistance to arrest. An article published October 27 stated he was armed with three revolvers and two Bowie knives.² The Carlisle American reported that Harrison was brought before Squire* Sponsler around noon on October 22, but refused to answer any questions, saying only he was innocent and did not want a hearing at that time.³ Meanwhile, Attorney W. J. Shearer was walking

* a position similar to today’s District Justice
into the downtown from his home on South Hanover Street blissfully unaware of his impending date with destiny.

In 1905, Shearer recounted his memories of the events in 1859 at a meeting of the Hamilton Library Association. Subsequently his paper was published by the Association. Shearer mentioned being intrigued by seeing a large crowd gathered in front of Sponsler’s office. He then crossed the street and entered the building. There, he found Bill Houser and Charlie Campbell of Chambersburg, two men who had been tracking the man they thought to be John Cook, along with a “tall, raw-boned” stranger seated nearby. Sponsler was in the middle of preparing paperwork on the stranger when Shearer asked what they were doing.4

Houser said, “Here is Cook, one of John Brown’s men. He was in Chambersburg and slipped out, and came down here, and we followed him and arrested him up the railroad.” Shearer asked “Which is Cook?” Houser and Campbell said it was the stranger, but Shearer was not convinced. “No, that cannot be Cook,” he told them. “I have never seen Cook, but he is described as being an effeminate looking man, with light hair and blue eyes. This is no such man.” Judging by his hard hands, Shearer thought the man in custody was more of a laborer, but Houser didn’t really care. “We are satisfied he is one of John Brown’s men,” Shearer quoted Houser as saying.5 His identity was a common misconception at first. Both newspapers reported that authorities believed the man in custody to be John Cook, one of the prominent leaders in the so-called insurrection six days earlier in what was then Harper’s Ferry, VA.

Abolitionist John Brown and his “provisional” army of twenty-one men had launched an operation on October 16, 1859 to seize weapons kept at the federal arsenal in Harper’s Ferry. Brown wanted to arm local blacks and rid the South of the sin of slavery, but his attempt failed after 36 hours when both state militia and Marines were called to the scene. John Cook was among those who escaped the government’s military response. The Carlisle American reported that a person believed to be Cook was seen in Chambersburg on October 21, visiting his wife at a boarding house. It turned out this individual was probably Albert Hazlett, alias William Harrison.6

“The looks of the prisoner creating suspicion, the front door of the house was watched by one man while another went for assistance,” the Carlisle American reported. “The house was then searched, but meanwhile the ‘bird had flown’ over the fence, leaving in the yard a Sharp’s rifle, unloaded, and a blanket marked E.H.” The suspect was followed and subsequently arrested near the west end of Carlisle.7

The American Volunteer on October 27 reported how a number of Chambersburg residents had surrounded the boarding house, but the man believed to be
Cook had eluded them and escaped. That newspaper reported the man now in custody had called himself “William Harrison” and said he was from Indiana County in western Pennsylvania. The Volunteer also noted that Harrison “is a much larger man than the published description makes Cook.”

Back in the office, Shearer pressed the issue of due process by asking Houser what he was doing with the prisoner. Houser confirmed paperwork was being prepared to transport Harrison to Virginia to stand trial. Shearer then asked the stranger if he knew of any attorneys in Carlisle to represent him. The man said no, but then asked Shearer after learning he was an attorney, “Will you see that I have justice done me?” Shearer agreed to represent the man in what were to become extradition hearings before Cumberland County Court.

As his first official act as Harrison’s defense attorney, Shearer warned Sponsler he had no right to draw up papers sending Harrison, a Pennsylvania resident, to a different state without court approval. This was later confirmed by William Penrose, Sponsler’s attorney. None of this mattered to Houser, who insisted on taking the fugitive away to Virginia. “I don’t believe you will,” Shearer told Houser, having already set in motion the first in a series of stratagems to spare Harrison from the hangman’s noose.

Anticipating trouble, Shearer asked Sheriff McCartney and a deputy to stand outside the office and arrest Campbell and Houser on kidnapping charges if they tried to remove Harrison. The sheriff complied with the request only after Shearer agreed to stand by him. Shearer stated, “I then went into the office; they were preparing to take that man away. I said to Houser, ‘If you take this man out of this office against his will, you will be put in jail for kidnapping.’”

Houser reportedly responded, “I guess not.” To which, Shearer replied, “That is what will be done. I have the sheriff out there for that purpose.”

Shearer’s reminiscences described how Houser looked out the door and asked the sheriff what he was doing there. “We are waiting for you and Campbell,” the sheriff answered. The plan worked. The stranger was not extradited on the spot, but Sponsler exercised his right to jail the man. Shearer was among the defense attorneys including William H. Miller and Alexander Sharp, who filed a writ of habeas corpus on behalf of Harrison (alias Hazlett) before county court.

The Carlisle Herald, in a November 2 article, reported how the first hearing on the writ was held on October 26, 1859 before Judge James H. Graham. Judge Frederick Watts of Cumberland County Pennsylvania served as council representing the interests of the state of Virginia. He presented a warrant from Pennsylvania Governor William Packer requesting the release of Albert Hazlett to Virginia authorities. Watts proved revolvers found on the stranger were of the same manufacture as those used by the insurgents and that the appearance
of the prisoner closely matched the description of Hazlett as given by witnesses at the scene. However, since there were no witnesses called who could verify the man in custody was the fugitive, Judge Graham remanded the prisoner back into the custody of the sheriff until Saturday, October 29, to give Watts time to bring witnesses from Harpers Ferry.¹³

![Cumberland County Court House, Court Room, Carlisle, Pennsylvania](CCHS Photo Archives)

That Saturday, the prisoner was brought before the court for a second hearing. Shearer appeared once again as defense attorney and argued his client should be discharged on the grounds his name was William Harrison, not Albert Hazlett, the *Carlisle Herald* reported. Several witnesses from Virginia testified to seeing the prisoner in Harpers Ferry the day of the raid. One, a Mr. Collis, said he and a neighbor talked to the man in custody in the street and had examined his rifle to see if it was loaded. They thought the prisoner was a member of a volunteer militia on his way to Winchester Fair. That presumption changed when two other men, armed the same way, forced Collis, his neighbor and a third man to march to the armory as prisoners.¹⁴
A second witness, a Mr. Copeland, testified he had seen the prisoner discharge his rifle at about the same time a man was shot in the street. From his vantage point, Copeland could see the muzzle flash but could not tell whether the prisoner in custody in Carlisle had aimed the rifle at a particular individual.15

The *Carlisle Herald* reported that the same men who swore to the identity of the prisoner in the courtroom had failed to recognize him earlier while visiting the county jail. The *Carlisle American* picked up on this same discrepancy in its November 2 article, mentioning an incident that reportedly happened earlier in the day on October 29:

"On arriving in the morning, these gentlemen called on Sheriff McCartney and requested permission to see the prisoner. Instead of pointing out any particular individual, the Sheriff took the parties to the different cells and showed them all the prisoners. After a careful scrutiny, three of the men said they could not identify anyone in jail as having been connected with the affair at Harpers Ferry. One of the men declined to say whether he could or could not identify – stating that he was instructed to say nothing. In court, these gentlemen had no difficulty in recognizing the prisoner as one of the ring leaders of the insurgents…"16

The *Carlisle American* reported that witnesses testified to seeing the prisoner not only shoot at citizens, but patrol the town streets armed with a gun as he stood sentinel at the armory. "Whether they testified truthfully, we leave to everyone to form their own opinion," the unnamed reporter wrote. The newspaper noted discrepancies in witness testimony. For example, one witness told the court the prisoner had whiskers coming to a point at the chin, but no moustache while another witness testified the alleged fugitive had a light beard on his face and wore a moustache. There was also conflicting testimony regarding the clothing the prisoner allegedly wore the day of the raid. One witness saw him dressed in a red flannel jacket with pockets on the sides while another saw him wearing a striped shirt with a dark slouch hat. Despite these discrepancies, Watts argued there was clear proof the man in custody was present at the scene as a participant in the raid. Watts reminded Judge Graham the revolvers found on the stranger were identical with those found in the hands of the insurgents.17

Shearer was part of the defense team arguing that proof of identity was insufficient and therefore did not warrant the judge to deliver the prisoner into the custody of Virginia authorities. The defense claimed there was no evidence the man in custody was Albert Hazlett – the name specifically mentioned in the requisition from Virginia. They asked Graham to discharge the prisoner or at least commit him to the custody of the sheriff until further proof of his identity
could be obtained. Judge Graham agreed with both sides. He said while Virginia proved its suspicion the man in custody participated in the raid, the defense was correct in concluding insufficient evidence existed that the prisoner was indeed Albert Hazlett. The judge bound over the case to yet another hearing.  

Months later, on February 22, 1860, the *Carlisle American* ran a story on what William Harrison (alias Albert Hazlett) told a Charlestown court after being sentenced to death by hanging. In his statement, the recently tried and convicted man made a direct reference to the witness testimony in Carlisle:

“I have a few words to say. I am innocent of the charge on which I have been convicted. I deny ever having committed murder or ever having contemplated murder, or ever having associated with anyone with such intentions. Some of the witnesses have sworn to things which I deny, and which were positively false. For instance, in reference to my beard; I have never in my life, until my imprisonment in jail, allowed my beard to go more than three weeks without shaving, and all testimony therefore as to the length of my beard is false. Again, Mr. Copeland testified that I was sitting on a stool when he entered the cell at Carlisle; this I deny. I was sitting on a blanket, back against the wall, and another man was on the stool. Copeland also said there were only two men in the cell; this is false, as there were four other white men in the cell with me…”

Both articles by the *Carlisle American* correspond with Shearer’s own writings on the extradition case. Shearer chronicled that, on two different occasions, he enlisted the help of Sheriff McCartney to call to question the ability of prosecution witnesses to identify his client during visits they made to the county jail. Shearer made no mention of the precise dates of when each incident happened.

On one occasion, McCartney had warned Shearer of the arrival in town of a party from Virginia. Right away, Shearer had asked the sheriff whether they had already seen his client. “No, they are over there at the hotel smoking their breakfast cigars and then they are coming over,” McCartney was quoted as saying. Shearer then set a plan in motion to spare his client.

“You are the sheriff,” he told McCartney. “It is your business to keep the prisoner, and not to deliver him to anyone unless they identify him. I am this man’s counsel and I warn you not to spot him. You have no right to pick him out for them. If they want him, they ought to know him.” The sheriff said he understood. Shearer then asked McCartney to set all one hundred inmates at county jail loose inside its main corridor and “let them pick him out.”
After they finished their cigars, the men came over to the jail and asked the sheriff which inmate was Hazlett. In response, the sheriff advised them of Shearer's warning and told them to look themselves. "You ought to know the man," McCartney reportedly said. "Look in there, he is there." They looked, but admitted they could not identify Hazlett. The men left Carlisle empty-handed.

![Early view of Cumberland County Jail](image)

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A short time later, a second party came up from Virginia claiming they could identify Hazlett. Again, McCartney warned Shearer of their arrival and the wily defense attorney had a ploy in mind. This time, Shearer asked McCartney if there was a man in Carlisle who looked like Hazlett. The sheriff knew of just such a dead ringer. Shearer then asked the sheriff to get that man to come to the jail, put him in the same cell as Hazlett and have them exchange clothes. While Hazlett was asked to look his accusers squarely in the eyes, the imposter was instructed to hang his head in shame. The alleged witness took one look at the downcast imposter and reportedly said "Sheriff, that is my man," but McCartney soon set the record straight. "Why, that man was born and reared in Carlisle, and has never been out of Carlisle." The score was Shearer two, Virginia zero.\(^2\)

The third and final hearing in this extradition case was heard on November 5, 1859 before Judge Graham. This time the name "William Harrison" was included on the warrant and the matter in question was whether to deliver Harrison to William N. Kelly, an agent of the state of Virginia. The _Carlisle American_ on November 9 reported that defense attorney Alexander B. Sharpe,
one of Harrison’s attorneys, submitted an application for a continuance arguing that while the prisoner had yet to make such a demand, delays had been obtained for the state of Virginia. In his application, Sharpe said the defense had hoped to secure the testimony of A.W. Knapp and Marion Andres of Indiana to support Harrison’s alibi that he was not in Harpers Ferry at the time of the raid. A letter had been sent to the defense witnesses on October 27 but there was no response. Watts submitted written objections to granting a continuance, arguing that the prisoner had already had two weeks to produce credible evidence for his defense. Watts added there was no proof that any further delay would yield enough evidence to justify not releasing the prisoner to the custody of Virginia.\textsuperscript{22}

Graham said, with so many representations being reported in the newspapers, he felt it was prudent to adjourn the hearing so he could draft his decision in writing. The \textit{Carlisle American} described the mood in the courtroom in its November 9 edition:

“Great anxiety for and considerable doubt was entertained as to what would be the decision. A greater portion of the crowd seemed to be of the opinion that the continuance would be granted, and in the sporting portion of our community odds of 3 to 2 and in some cases as high as 2 to 1 were freely offered on that event with but few takers. There were accordingly long faces when it was announced that the prisoner had been given over…”\textsuperscript{23}

The \textit{Carlisle American} published the decision verbatim. In it, Graham noted that three witnesses had testified that the prisoner was at Harpers Ferry as a member of the raiding party. While two swore positively to the identity of the prisoner, the third testified to seeing him passing back and forth on the street the day of the attack. The decision went on to read:

“We are not called to pass on the guilt of the prisoner – that question must be decided by the proper tribunal of the state of Virginia. The only question before us is one of identity. The prisoner when first arrested stated that his name was William Harrison and had a writ of habeas corpus granted by that name. William Harrison is the person in the warrant issued by the Governor of Pennsylvania upon the requisition of the Governor of Virginia, accompanied by the affidavits of citizens of Virginia charging him with being one of the armed band…”\textsuperscript{24}

Graham agreed with Watts that two weeks was sufficient time for the prisoner to develop a case and that no proof was offered. Possible testimony by Knapp and others could support either a continuance or an alibi defense. “The prisoner certainly knows where he was and whom he saw on the days mentioned,”
Graham wrote. “The ground on which a continuance is asked is too vague and indefinite. The identity of the prisoner being satisfactorily proved, we consider it our duty to issue a warrant for his delivery to the agent appointed by the Governor of Virginia.”

The prisoner was then turned over to Kelly and left on the afternoon train to Charlestown via Chambersburg. The *Carlisle American* reported how a “considerable crowd” expressing “a great deal of sympathy” followed the prisoner from the jail to the train. Some had shed tears in a show of grief while others made charges of injustice done in not granting the continuance. The newspaper had its own opinion about this show of emotion for Hazlett alias Harrison.

“To these persons we would commend a careful perusal of Judge Graham’s decision as given above; which we feel confident will convince any right-thinking person that strict justice has been done to the state of Virginia while the prisoner has been given all the latitude permitted by fair and impartial laws of Pennsylvania.”

The whole time, the man calling himself Harrison publicly denied any involvement in the raid. He was supported by a capable defense team of lawyers who argued he was not the Albert Hazlett the authorities were looking for in connection with the insurrection. But what does history know of Hazlett?

In October 2004, *The Sentinel* published a series of articles about Cumberland County’s involvement in the raid and its aftermath. One of the sources interviewed for that series was Marsha Wassel, an interpretive specialist with the Harpers Ferry National Historic Park. Wassel said Hazlett was born in Pennsylvania in 1837 and first met John Brown in Kansas in 1858 where they fought as “free state” guerillas against pro-slavery settlers trying to control the political destiny of that disputed territory. During the Harpers Ferry raid, Hazlett was assigned to guard the arsenal building with Osborne Perry Anderson, a free black recruited by Brown in Canada, Wassel said. She explained how, on the afternoon of October 17, 1859, the two men heard commotion outside and realized there was nothing they could do to help Brown and the other raiders. So they decided to escape amid the confusion – hoping to carry on the fight at some future date or at least regroup with other survivors of the raiding force.
In his book, *A Voice From Harpers Ferry*, Osborne Anderson, who was never apprehended, described how he and Hazlett paddled across the Potomac River in a stolen boat before escaping to the Kennedy Farm — the main staging area for the raid — located about five miles away in Maryland. The two men fled north into Pennsylvania where they separated. Anderson went north into Canada while Hazlett supposedly turned northeast toward Chambersburg, the transit point for weapons used in the raid, Wassel said. This led to reports of a man believed to be John Cook lurking near Chambersburg.  

The night before the November 5 hearing, Shearer and another defense attorney visited Hazlett at the county jail. During their conversation, which lasted until 10 p.m., the mysterious stranger said he was with John Brown in Kansas and had fought in the Battle of Ossawatomie. “When we left him, he said to me, ‘Mr. Shearer, I wish you would tell the sheriff that I would like to have a plug of tobacco,’” Shearer wrote later. “Now it is remarkable on what small matters one’s life may depend. Asking for that plug of tobacco cost that man his life.”

As he left, Shearer passed on the request to McCartney. “He went back and examined this man’s cell and found the whole back of the cell out. A blanket was hung against it,” Shearer wrote later. It was later determined Mark Scott, an African American barber, was sent to Carlisle by a follower of John Brown with a horse and buggy, a rope ladder and instructions to help Hazlett make his escape. On seeing the open wall, McCartney put Hazlett in a different cell thus cutting off any rescue attempt. Shearer believed the request for tobacco had been interpreted by McCartney as a warning not to allow the prisoner to escape. This prompted the search of the cell by the sheriff.

The next morning, November 5, Shearer was down at the jail when McCartney pulled him aside. “Mr. Shearer, that client of yours is the most stupid man I ever saw in my life,” the sheriff told Shearer. “You know when I was sent down with him, it was very dark, as dark as midnight...and if he had just given me a little push I would have fallen over in the gutter. He could have been out in the North Mountains in a short time.” This statement confirmed what Shearer had already suspected: the sheriff knew Hazlett wanted to escape and McCartney wanted to let him go. It was just that the request for tobacco had rattled the sheriff enough to prompt him to check the cell and transfer the prisoner to less exposed accommodations.

Shearer continued to help Hazlett by arranging for him to have legal counsel in Charlestown and by furnishing the defense team in Virginia an important piece of evidence.
“When this man was captured, he had one of the Sharps rifles such as were used at Harpers Ferry and it had never been fired off,” Shearer wrote. “These rifles were so nicely burnished that if they were discharged once, the discoloring made by the powder could never be removed unless it went through the makers hands again.”

In his writings, Shearer said the guilty verdict rendered in Virginia may have been coerced. He wrote that attorneys for Harrison (alias Hazlett) put on a “grand” and “noble” defense and were confident the jury would acquit or at least be hung on the determination of guilt. But they wrote Shearer claiming that local citizens were out until midnight hounding jurors for a conviction with howls of “Hang him or we will hang you.”

Before his execution, Hazlett wrote Shearer a number of letters thanking him for all he had done or tried to do on his behalf. “He said I had been more than a brother to him and he would never forget me until his dying day,” Shearer wrote. “He signed himself in the conclusion of the letter, Your friend through endless eternity, William L. Harrison.” At his sentencing hearing, Harrison (alias Hazlett) thanked his attorneys in public and maintained his innocence saying, “I am prepared to meet my fate.”

There is evidence the extradition proceedings created a stir in Carlisle. The Shippensburg News, in its November 5, 1859 edition, reported that the courtroom was crowded with what seemed to be hundreds of spectators. “Virginia ministers of law, looking their sternest, were present in numbers, ready to carry off the prisoner; but were slightly nonplused when they discovered that the judge was quite ready to deliver him.” The Carlisle American just three days before reported that the case attracted the attention of several Virginia dignitaries and a reporter from the New York Tribune.

The Carlisle American, in its November 9 edition, published the following letter to the editor from a reader using the initials “A.D.”:

“The excitement incident to the Harpers Ferry insurrection and the capture of old Brown and his followers appears to have taken such a powerful hold upon the students of Dickinson College that there is considerable difficulty in restoring that order which is characteristic of an institution of learning. The members of the college appear to be under no discipline and the regulations are disregarded. But where does the fault rest? Most assuredly with the faculty. The students as a general thing are mere youths, and have been sent here by their parents and guardians, expecting that parental care to be exercised over them. The faculty are assuredly responsible to their parents for the morals of their sons; there is something loose in the discipline of the College, else why is
it night after night the campus is the scene of the most riotous conduct; bonfires burn unmolested to the terror of the neighborhood and fights are not unfrequent both at the college and in the most public resorts in our town. The rooms of the students at night are deserted, and those who by the regulations are required to be in them are roaming through the campus and the streets of the borough, making the night intended for rest hideous with their howls. We think that the members of the faculty should exert themselves to suppress this truly great nuisance.”

Along with the letter, the *Carlisle American* published this response addressed to “A.D.:

“We have some faint hope that the publication of it (the letter) may do good by spurring up the collegiate authorities to giving a proper attention to the subject. Should it not do so, we shall be happy to hear from you again on the subject.”32

The *American Volunteer* on February 16, 1860 reported that the trial of Albert Hazlett had concluded five days earlier. The jury returned with a guilty verdict of murder in the first degree. The newspaper reported that the defendant denied any knowledge of the raid on Harpers Ferry. Newspapers of the time were prone to including editorial comments in stories. This article is one example:

“Poor fellow — we really feel sympathy for this young man, for he was evidently led into wickedness and crime by the advice of older heads. His appearance is that of a mild man, but yet appearance is often deceptive. The fact that he took deliberate aim at and fired upon citizens of Harpers Ferry — citizens who had never harmed him — was evidence that he was willing to obey to the letter the orders of his desperate and blood-thirsty chief, old Brown. Of course, Hazlett will suffer death upon the gallows. We repeat, we are sorry for this young man, but at the same time we must confess that his punishment is just.”33

A month later, on March 22, 1860, the *American Volunteer* quoted the *Baltimore Sun* which reported that a vast crowd of spectators had flocked in from around Charlestown, Virginia to witness the execution of both Hazlett and another Harpers Ferry conspirator at about noon on March 16. Both men were brought out of jail under a heavy military escort and led to gallows erected on the same spot where John Brown and his associates were executed. Hazlett said goodbye to his jailors and friends before the noose was placed around his neck and he was “swung off.” The *Baltimore Sun* reporter wrote that “Hazlett seemed to die very easy.”34
ENDNOTES

2 “Arrest of a Man Supposed to be Captain Cook,” *American Volunteer*, October 27, 1859.
3 *Carlisle American*, October 26, 1859.
6 *Carlisle American*, October 26, 1859.
8 *American Volunteer*, October 27, 1859.
9 W.J. Shearer, 3.
17 “Hearing on Saturday,” *Carlisle American*, November 2, 1859.
18 W.J. Shearer, 5.
19 *Carlisle American*, February 22, 1860.
20 W.J. Shearer, 6.
22 “Hearing of the Harper’s Ferry Insurgent – He is Delivered to the Virginia Authorities,” *Carlisle American*, November 9, 1859.
29 W.J. Shearer, 10.
31 *Carlisle American*, November 3, 1859.
32 *Carlisle American*, November 9, 1857.