

The Tragic Prelude. Copy of mural of John Brown by John Stewart Curry in State Capitol in Topeka, Kansas, circa 1937-42, 1957-1965



# Robert E. Lee's Demand for the Surrender of John Brown

Daniel F. Rulli

**BORN IN TORRINGTON, CONNECTICUT,** on May 9, 1800, John Brown was the son of a wandering New Englander. Brown spent much of his youth in Ohio, where his parents taught him to revere the Bible and to hate slavery. During the course of two marriages, Brown fathered twenty children. He built and sold several tanneries, speculated in land sales, raised sheep, and established a brokerage for woolgrowers. Every ven-

ture Brown embarked on failed, as he was too much of a visionary to keep his mind on business. As a result, his financial burdens multiplied, and his thinking became brooding as he increasingly focused on the plight of the weak and oppressed. Brown frequently sought the company of blacks and lived in a freedmen's community in North Elba, New York, for two years. In time he became a militant abolitionist, a

“conductor” on the Underground Railroad, and the organizer of a self-protection league for free blacks and fugitive slaves.

Soon after the passage of the Kansas-Nebraska Act in 1854, which established the territories of Kansas and Nebraska, Brown followed five of his sons to Kansas to help make the state a haven for antislavery settlers. The following year, his hostility toward “slave-staters” exploded when

slavery proponents burned and pillaged the free-state community of Lawrence. Brown organized a militia unit within his Osawatomie River colony and led it on a revenge mission the evening of May 23, 1856. He and six followers, including four of his sons, visited the homes of pro-slavery men along Pottawatomie Creek. Several unarmed male inhabitants were dragged into the night and brutally killed with long-edged swords. At once, “Old Brown of Osawatomie” was a feared and hated target of “slave-staters.”

In autumn 1856, Brown returned to Ohio. During two subsequent trips to Kansas, he developed a grandiose plan to free slaves throughout the South. Prominent abolitionists—including Frederick Douglass, Gerrit Smith, Richard Henry Dana, Ralph Waldo Emerson, Henry David Thoreau, Judge Thomas Russell, and Thomas Wentworth Higginson—provided Brown with moral and financial support for his plan. Brown raided plantations in Missouri but accomplished little there. In the summer of 1859, he transferred his operations to western Virginia under the alias Isaac Smith.

On Sunday night, October 16, 1859, John Brown, accompanied by nineteen fully armed whites and blacks from various states, crossed the Potomac River into Virginia at Harpers Ferry. They overpowered the watchmen at the Baltimore & Ohio Railroad Bridge, the U.S. armory and arsenal, and the rifle factory above the town on the Shenandoah River. He placed guards at those captured facilities and on the street corners of the town. News of these events spread rapidly, and armed citizens and citizen militias hurried from surrounding parts of Virginia and Maryland to withstand this invasion. By late morning Monday, militia from the nearby communities of Charlestown, Shepherdstown, and Martinsburg surrounded the insurgents within the armory enclosure. Brown responded by withdrawing his men into the fortified gatehouse and took ten of the most prominent of his captives from Virginia and Maryland as “hostages,” in order to insure the safety of his band. From openings in the building, Brown and his men fired upon all white people who came within sight.

That evening, companies of state militiamen from Winchester, Virginia, and Frederick City, Maryland, and a detachment of U.S. Marines arrived in the area at Harpers Ferry. The Marines were accompanied by Lt. Col. Robert E. Lee, of the Second U.S. Cavalry and his aide, Lt. J. E. B. Stuart, of the First United States Cavalry. Lee had been ordered to take command at Harpers Ferry, recapture the government armory and arsenal, and restore order. He dispersed the troops in the armory grounds to prevent the escape of the insurgents and waited for daylight to attack Brown’s stronghold. In the morning, Lee sent Lt. Stuart under a white flag with a handwritten note demanding that Brown surrender and release the prisoners he had taken. The surrender note is featured in this article.

Brown refused the offered terms of surrender; so at the signal from Stuart (a wave of his hat), Lee ordered forward twelve Marines, and then reserves, to attack the doors and gain entry. At the threshold one Marine was killed, but the other Marines quickly ended the contest, bayoneting the insurrectionists who resisted. One Marine attempted to bayonet Brown, but the blade struck his belt buckle. Brown was then beaten unconscious. The whole affair was over in a few minutes, and the captured citizens were released. A party of Marines under Stuart was then sent to the small farm, near Sandy Hook, Maryland, where Brown and his men had lived since July. The Marines found hundreds of pikes, blankets, tools, tents, and other necessities for a military campaign. A party of Maryland troops also recovered boxes of carbines and revolvers from a nearby schoolhouse where Brown had stored them.

Lee’s official report on the event was submitted to the adjutant general of the Army on October 19. The report was based on information in the papers taken from the insurgents and from their statements. Lee concluded that the party consisted of nineteen men—fourteen white and five black and that they were headed by John Brown, who planned and executed the capture of the U.S. works at Harpers Ferry. According to Lee’s report, Brown’s



Numerous related documents from the holdings of the National Archives are available online in the agency’s ARC database at [www.archives.gov/research\\_room/arc/index.html](http://www.archives.gov/research_room/arc/index.html). They include:

- Articles of Agreement in Regard to the Surrender of the Army of Northern Virginia under Gen. Robert E. Lee, April 10, 1865; ARC Identifier: 300386
- Brown, John; bust-length, ca. 1856; ARC Identifier: 531116 (above)
- *The Tragic Prelude*. Copy of mural of John Brown by John Steuart Curry in State Capitol in Topeka, Kansas, circa 1937-42., 1957-1965; ARC Identifier: 520060 (left)
- Telegram from A. M. Barbour, Superintendent of the Arsenal at Harpers Ferry to the Secretary of War, October 19, 1859; ARC Identifier: 300374
- Topographical copy of a map of the valley of the Shenandoah River from Strasburg, [VA], to Harpers Ferry, [W.] VA, with the adjacent counties west of it and south of the Potomac River, October 9, 1864-November, 1864; ARC Identifier: 305600
- Pamphlet, “John Brown’s Provisional Constitution and Ordinances for the People of the United States” from records relating to John Brown’s raid at Harpers Ferry, Virginia (now West Virginia), in October 1859; ARC Identifier: #300375

A.

H<sup>d</sup> Qrs: Harpers Ferry  
18<sup>th</sup> Oct 1859

Colonel All U. S. A. Command the troops sent by the President of the U. S. to suppress the insurrection at this place; demands the surrender of the persons in the Armory buildings.

If they will peacefully surrender themselves & restore the pillaged property; they shall be kept in safety to await the orders of the President.

Col All represents to them in all frankness that it is impossible for them to escape; that the Armory is surrounded on all sides by troops; & that if he is compelled to take them by force he cannot answer for their safety.

(Signal)

B. B. M.  
Col Command  
U. S. Troops

objective was the liberation of all slaves in Virginia and of the entire South. Lee concluded that Brown's failure proved the plan was the attempt of a fanatic or madman, which could only end in failure; and its temporary success was a result of the panic and confusion Brown had succeeded in creating by magnifying his numbers. Ten of the white men, including Brown's sons, and two of the blacks associated with Brown were killed during the combat. One white man, Cook, escaped, but was subsequently captured and executed; and one black man was unaccounted for. The insurgents killed three white men, including one Marine, and a black railroad porter. They wounded eight white citizens and one member of the Marine Corps.

Lee turned Brown, two other white men, and two blacks over to the U.S. Marshal and to the sheriff of Jefferson County, Virginia. Brown was brought to trial in state circuit court at Charlestown on the following Thursday, October 20. He was indicted on charges of treason and murder. That afternoon, Governor Henry Wise of Virginia arrived to interrogate the prize prisoner, and he brought with him a group of men who played a critical role in John Brown's story: reporters. Brown answered their questions for hours and subsequently became an instant celebrity. Even as Brown spoke to reporters, troops continued to search the farm where the raiders had lived for several months. In addition to the weapons mentioned above, they found a large carpetbag crammed with letters from Brown's prominent supporters. Clearly, important people had financed his raid. To the South, it seemed that the entire North had sanctioned the murderous attack. The South was terrorized. Vigilante groups organized to patrol areas throughout the South. New militia companies were organized in county after county and city after city.

The trial took less than a week. Brown's lawyer tried to have him declared insane. But Brown denounced the idea, and the judge rejected the plea. On November 2, the jury, after deliberating for just forty-five minutes, reached its verdict: guilty of murder; guilty of treason; and guilty of inciting slave insurrection. The judge calmly

sentenced Brown to execution by hanging. He was condemned to be executed on December 2, 1859. After the conviction, Governor Wise, fearing published threats that an attempt might be made by Northern sympathizers to rescue Brown, ordered Virginia troops to Charlestown to guard the prisoners until after their execution. By the end of November about 1,000 troops were assembled, among them the cadets of the Virginia Military Institute, whose cadet battery was under the command of Maj. T. J. "Stonewall" Jackson. He was among those who witnessed the execution of Brown at midday, December 2, 1859.

### Teaching Suggestions

#### 1. Document Analysis

Provide students with a copy of the featured document. Ask pairs of students to read and then write a transcription of the document. Guide a class discussion using the following questions:

- ▶ What kind of record is it?
- ▶ When was it written?
- ▶ Where was it written?
- ▶ Who wrote it and to whom?
- ▶ What was its purpose?
- ▶ What special issues and questions does it raise?

#### 2. Small Group Research

Provide students with the information from the background essay on John Brown and the raid on Harpers Ferry. Then divide students into six groups, and assign one decade to each group from the 1790s to the 1850s. Direct each group to research their assigned decade and construct an annotated timeline of abolitionist and counter-abolitionist events for that decade. Suggest that they also include the political, economic, and literary impact of those events. Ask each group to select one member to share their timeline with the class in a short oral presentation. After the presentations, lead the students in a class discussion on the role of Brown's raid in the abolition of slavery and the events leading to the Civil War.

#### 3. Cross-Curricular Activity

John Brown's raid was celebrated in song (visit the PBS site [\[www.pbs.org/wgbh/amex/brown/sfeature/song.html\]\(http://www.pbs.org/wgbh/amex/brown/sfeature/song.html\) for the background and lyrics\) under the title "John Brown's Body." Later, the lyrics were rewritten by Julia Ward Howe and adopted by the Northern army as The Battle Hymn of the Republic \(visit the University of Oklahoma Law Center site \[www.law.ou.edu/hist/bathymn.html\]\(http://www.law.ou.edu/hist/bathymn.html\)\). As a cross-curricular activity, ask students to sing and analyze the two versions of the song and lead a class discussion on the similarities and differences. Also, as a follow-up, encourage students to analyze the music associated with other American wars.](http://www.pbs.org/wgbh/</a></p></div><div data-bbox=)

#### 4. Biographic Timeline Chart Analysis

From the information in the background essay on John Brown and the raid on Harpers Ferry, point out to students that a number of noteworthy individuals were involved in this event. Ask students to construct a matrix chart that lists these individuals down one side, and lists the years from 1859 through 1865 across the top. Based on their research, guide students to complete the squares with information that describes where each individual was and what they were doing each year. Provide time for the students to share and discuss their research.

#### 5. News Reporting

Remind students that much of the impact of Brown's raid resulted from articles written by newspaper reporters and journalistic writers. Ask students to further research Brown's life and his raid on Harpers Ferry and to write a twelve question-and-answer interview based on their research and as if they were there that day in 1859 after Brown's arrest and indictment. As extra credit, suggest that students script their interview, using other students as players, and create a newscast to be performed and/or recorded.

#### 6. Assessment Essay

Brown's actions were considered terrorist and treasonous by some and the ultimate, unselfish sacrifice of a martyr to a divine cause by others. Ask students to research Brown's life and write an assessment essay of the value and impact of Brown's actions

at Harpers Ferry and elsewhere. Extend this activity by asking students to research other violent insurrections in American history and their causes and effects. Invite students to consider to what extent, and on what basis, violence is condoned in America's political history.

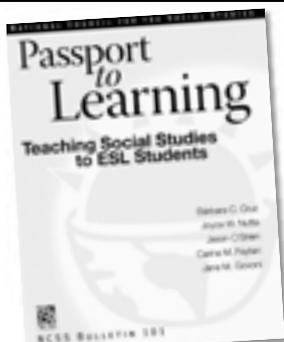
**7. Small Group Comparative Analysis**  
Provide students with a copy of the featured surrender document and Lee's surrender document at Appomattox Court House, 1865, available at [www.archives.gov/research\\_room/arc/](http://www.archives.gov/research_room/arc/) (ARC Identifier: 300386). Ask students in small groups to compare and contrast the terms, individuals, and circumstances of these two surrender documents. 📄

**Note**

The featured document, Robert E. Lee's Demand for the Surrender of John Brown and his Party [at Harpers Ferry], October 18, 1859, is from the Records of the Adjutant General's Office, 1780s–1917; Record Group 94, and is in the holdings of the National Archives.

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Robert Edward Lee (19 January 1807 – 12 October 1870) was an American soldier known for commanding the Confederate Army of Northern Virginia (and eventually all the armies of the Confederacy as general-in-chief) in the American Civil War from 1862 until his surrender to Ulysses S. Grant in 1865. The son of Revolutionary War officer Henry "Light Horse Harry" Lee III, Lee was a top graduate of the United States Military Academy and an exceptional officer and military engineer in the United States Army Robert E. Lee's Demand for the Surrender of John Brown. Daniel F. Rulli. Born in Torrington, Connecticut, on May 9, 1800, John Brown was the son of a wandering New Englander. Brown spent much of his youth in Ohio, where his parents taught him to revere the Bible and to hate slavery. During the course of two marriages, Brown fathered twenty children. He built and sold several tanneries, speculated in land sales, raised sheep, and established a brokerage for woolgrowers. Every venture Brown embarked on failed, as he was too much of a visionary to keep his mind on business. As a result, his