

# ESSENTIAL CIVIL WAR CURRICULUM

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## The Brooks-Sumner Affair

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A large crowd of South Carolinians, which the local newspaper estimated at between 5,000 and 8,000, had gathered in Edgefield under the comfortable fall sun of a mid-October day. A stage had been set up under the shade of old oak trees, barbecue pits smoked all afternoon, and the crowd buzzed with anticipation. Those scheduled to speak included Senator Robert Augustus Toombs of Georgia, South Carolina Senator Andrew Pickens Butler, South Carolina Governor James Hopkins Adams, and the star of the evening and reason for this event, local Congressman Preston Smith Brooks. There were many speeches, all glorifying the Representative, leading up to his appearance on the stage. Before Brooks gave his much-anticipated speech, he was presented with two beautiful, inscribed goblets, one golden from the citizens of Abbeville, the other silver and “massive” from Laurens, South Carolina (later, in private, Brooks accepted an “elegant” pair of dueling pistols). Preston Smith Brooks had become a hero not just in South Carolina, but across the entire South, for his actions directed at Massachusetts Senator Charles Sumner earlier in May 1856.<sup>1</sup>

Senator Charles Sumner strode to the podium in the U.S. Senate on May 19, 1856 to deliver his “Crime Against Kansas” speech, the speech of a lifetime, *the* speech of his lifetime. In May 1856 Charles Sumner was in his first term in the Senate, having been elected in 1851 by a coalition of Free Soilers and Democrats in the Massachusetts state legislature. When he was first elected to the U.S. Senate the fugitive slave law enacted in 1850 became the focus of his attention.<sup>2</sup> Sumner had long been part of the fight against racial discrimination; his father had antislavery beliefs and he had read William Lloyd Garrison’s many abolitionist writings. Sumner helped found the Free Soil Party in 1848, was on friendly terms with antislavery figures, and was vehemently opposed to the 1850 fugitive slave law. Historian Manisha Sinha suggests that Sumner “led a virtually one-man crusade in Congress” for the repeal of the fugitive slave law.<sup>3</sup> In his opposition to this law Sumner reverted to a practice he picked up in the 1840s, using aggressive personal attacks against those who disagreed with him. And when preparing his May 1856 “Crime Against Kansas” speech

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<sup>1</sup> For details see *Yorkville Enquirer*, October 16, 1856.

<sup>2</sup> Act of September 18, 1850 An Act to amend, and supplementary to, the Act entitled “An Act respecting Fugitives from Justice, and Persons escaping from the Service of their Masters,” approved February twelfth, one thousand seven hundred and ninety-three. <https://www.loc.gov/law/help/statutes-at-large/31st-congress/session-1/c31s1ch60.pdf>, accessed March 16, 2021.

<sup>3</sup> Manisha Sinha, “The Caning of Charles Sumner: Slavery, Race, and Ideology in the Age of the Civil War,” in *Journal of the Early Republic*, 23, no. 2 (Summer 2003): 240.

Sumner included numerous attacks aimed at those he saw as his political opposition. His use of invective in Senate speeches made him, according to historian Allan Nevins, “the best-hated man in the chamber.”<sup>4</sup>

The man being honored in the Edgefield, S.C. ceremony, Preston Brooks, was a member of the U.S. House of Representatives from South Carolina in May 1856. Brooks grew up in Edgefield, S.C., in the middle of the South’s aristocratic society, and attended South Carolina College in Columbia (currently the University of South Carolina). While there, Brooks was involved in a number of controversies, one of which resulted in the college withholding his degree. Just prior to graduation Brooks heard exaggerated stories of his brother’s poor treatment in the Columbia jail. Preston showed up at the jail brandishing two pistols, which were quickly taken from him. This incident, combined with his rather poor work habits, led college officials to refuse to grant Brooks his degree.

In addition, a long-standing political rivalry led Brooks to fight a duel with Louis Wigfall in 1840. After both parties were seriously injured Brooks swore off duels and counseled others to avoid them. Brooks was elected to the U.S. House in 1852, took his seat in 1853, and was thereafter generally regarded as a moderate. Despite this moderate label Brooks held traditional southern views. He was a proslavery advocate, as his speeches in the U.S. House demonstrate. When speaking on the Kansas-Nebraska Act on March 15, 1854 Brooks stated, “The institution of slavery, which it is so fashionable now to decry, has been the greatest of blessings to this entire country.”<sup>5</sup>

Preston Brooks’ Edgefield relative, often incorrectly identified as an uncle, was Andrew P. Butler, a U.S. Senate colleague of Charles Sumner. Butler was an important, though somewhat peripheral character in the explosive episode on the Senate floor on May 22, 1856. Butler served in the South Carolina state legislature in the 1820s and 1830s, was appointed to fill an unexpired term in the U.S. Senate in 1846 and was duly elected to full terms in 1848 and 1854. In the Senate Butler was an ardent proslavery advocate and a member of the F Street Mess, a group of pro-southern senators who lived in the same Washington, D.C. boardinghouse (the other members included Virginians James Mason and Robert M.T. Hunter and Missourian David Atchison). In the slavery debates in Congress Butler distinguished himself by being an ardent supporter and defender of the 1850 fugitive slave law and by influencing the provisions of the controversial Kansas-Nebraska Act in 1854.

The Kansas-Nebraska Act of 1854 was, in the estimation of historian James McPherson, “the most important single event pushing the nation toward civil war.”<sup>6</sup> It was also the underlying

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<sup>4</sup> Allan Nevins, *Ordeal of the Union*, 8 vols. (NY: Charles Scribner’s Sons, 1947), 2:438.

<sup>5</sup> Cong. Globe, 33rd Cong., 1st Sess. Appendix, 374 (1853-1854).

<sup>6</sup> Act of May 30, 1854 An Act to Organize the Territories of Nebraska and Kansas, <https://www.loc.gov/law/help/statutes-at-large/33rd-congress/session-1/c33s1ch59.pdf>, accessed March 16, 2021; James McPherson, *Battle Cry of Freedom: The Civil War Era* (New York: Oxford University Press, 1988), 121.

cause of the Brooks-Sumner Affair. The Kansas-Nebraska Act organized Kansas and Nebraska into official territorial status, which was the first step toward becoming states. Popular sovereignty was to be used to determine the status of slavery in those territories and states; this meant the voters in those territories were to make that decision, not Congress. In repealing the Missouri Compromise provisions, the 1854 bill opened up to slavery territory that had previously been closed to the institution. That was what made it objectionable in the North; conversely, the bill received wide southern support. The Kansas-Nebraska Act passed with overwhelming southern support (25/34 southern Whigs voted for it, as did 72/75 southern Democrats). And, as sponsor Illinois Senator Stephen A. Douglas predicted, it created a hell of a storm.<sup>7</sup>

The results of the Kansas-Nebraska Act included increased sectional antagonisms, much more pervasive than any previous time, and ultimately civil war. Opposition to the bill led to the creation of a new political party in the North, adherents first using several names such as anti-Nebraska Democrats, Fusion, People's, and Independent before settling on Republicans. Beyond Washington and national politics was the effort in Kansas to define the status of slavery there (Nebraska, with a much smaller population, kind of faded into the background, and eventually achieved statehood in 1867). Kansas was the battleground, literally and figuratively. The struggle in Kansas included significant fraud in the elections for a state legislature and constitution; it also included significant bloodshed and the state's appellation was called Bleeding Kansas. Many lives were lost and several millions of dollars of property was destroyed in the battle between proslavery and antislavery ideals.<sup>8</sup>

Though the "Crime Against Kansas" was Sumner's most well-known speech on slavery and the Kansas situation, he had sparred with other Senators on these issues previously, most notably with Andrew P. Butler in 1854; by 1856 Sumner and Butler had an established record of antagonism. Sumner's first speech on the Kansas-Nebraska Act was on February 21, 1854, a rebuttal to Senator Douglas's defense of the bill. In that effort Sumner accused the South of breaking its promise from 1820, a reference to the Missouri Compromise; his phraseology was a subtle and nuanced attack on southern honor. Butler's response came a few days later, on February 24 and 25 and included the same kind of language and attacks on Massachusetts and the North generally that had made Sumner's attacks on the South notorious; Butler, for example, attacked northern abolitionists and temperance supporters as the cankers and fungi of society. Later in May and June 1854 both Sumner and Butler exchanged insults from the Senate floor, earning Sumner the enmity of all southern Senators. The upshot of this exchange was two-fold: it demonstrated

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<sup>7</sup> For details on the Kansas-Nebraska Act see Debra L. McArthur, "The Kansas Nebraska Act of 1854," in *Essential Civil War Curriculum* (Blacksburg: Virginia Center for Civil War Studies at Virginia Polytechnic Institute and State University, May 2013, <https://www.essentialcivilwarcurriculum.com/the-kansas-nebraska-act-of-1854.html> , accessed March 16, 2021.

<sup>8</sup> For details on the struggle in Kansas see Nicole Etcheson, "Bleeding Kansas," in *Essential Civil War Curriculum* (Blacksburg: Virginia Center for Civil War Studies at Virginia Polytechnic Institute and State University, June 2012, <https://www.essentialcivilwarcurriculum.com/bleeding-kansas.html> , accessed March 16, 2021.

that Senator Butler was no innocent victim; and it placed Senator Butler even more squarely in Sumner's sights.

The ramifications of the Kansas-Nebraska Act—fraudulent elections and Bleeding Kansas—provided Charles Sumner the incentive for his May 1856 speech. It also gave him an opportunity to give voice to his positions on slavery. In addition, the 1856 election cycle had started, it was the legislature elected in the fall that would choose the next occupant of Sumner's Senate seat, and the incumbent wanted reelection.<sup>9</sup> What stood to assist Sumner in his 1856 campaign was the relatively new Republican Party running its first presidential candidate, the famed explorer John C. Frémont. His speech needed to appeal to the Massachusetts voters and those elected to the state legislature. As he had in the past Sumner planned to include personal attacks as a way to bring attention to his broader beliefs on the peculiar institution. He used the Kansas situation to make a more general assault on slavery. The immediate reason for his speech was the pending proposal to recognize the proslavery government in Kansas.

Senator Charles Sumner's "The Crime Against Kansas" speech was a five-hour oration over two days, May 19 and 20, 1856.<sup>10</sup> Sumner opened with "Mr. President, you are now called to redress a great transgression," and a few moments later added "...a Crime has been committed, which is without example in the records of the Past."<sup>11</sup> From there Sumner outlined four crimes, four apologies, and four remedies for the problems in Kansas, while voicing his general disgust with slavery and including the personal attacks that marked his speeches. Before getting to the crimes, apologies, and remedies, the Bay Stater informed his colleagues that he "must say something of a general character..." which included some of the personal attacks. He called Senators Stephen A. Douglas and Andrew P. Butler the Don Quixote and Sancho Panza of the championship of human wrongs. Specifically targeting Butler, Sumner suggested "...he has chosen a mistress to whom he has made his vows, and who, though ugly to others, is always lovely to him; though polluted in the sight of the world, is chaste in his sight—I mean the harlot slavery." In addition, forcing the proslavery government onto Kansas was, according to Sumner, "the rape of a virgin territory, compelling it to the hateful embrace of Slavery."<sup>12</sup>

Sumner addressed the four crimes and four apologies on May 19 and the four remedies on May 20. The four crimes included the passage of the Kansas-Nebraska Act, President Pierce's appointment of proslavery officials in Kansas, groups of Missourians (whom he called invaders) crossing the border to influence Kansas, and the "Slave Power" using force against the antislavery population in Kansas. In describing the Missourians who crossed the border Sumner was at his descriptive best (or worst): "...murderous robbers from Missouri. Hirelings, picked from the

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<sup>9</sup> Senators were appointed by state legislatures until the passing of the Seventeenth Amendment which provided for election of senators.

<sup>10</sup> The text of the speech can be found in *Congressional Globe*, 34<sup>th</sup> Congress, 1<sup>st</sup> Session, Appendix, 529-544 and Charles Sumner, *The Works of Charles Sumner*, 15 vols. (Boston: Lee and Shepard, 1875), 4:137-249.

<sup>11</sup> *Cong.*, 34<sup>th</sup> Cong. 1<sup>st</sup> Sess. Appendix, 529 (1856).

<sup>12</sup> *Ibid*, 530.

drunken spew and vomit of an uneasy civilization....”<sup>13</sup> Sumner labeled the four apologies as Apology *Tyrannical*, Apology *Imbecile*, Apology *Absurd*, and Apology *Infamous* and included a criticism of Kansas Governor Andrew Reeder’s proslavery policies (*Tyrannical*), President Pierce’s position that he had no authority over events in Kansas (*Imbecile*), southerners’ accusations of secret antislavery societies in Kansas (*Absurd*), and southerners’ criticisms of the New England Emigrant Aid Company (*Infamous*).<sup>14</sup>

The second day, May 20, 1856, Sumner identified the four remedies as the Remedy of Tyranny, the Remedy of Folly, the Remedy of Injustice and Civil War, and the Remedy of Justice and Peace. The first remedy (Tyranny) was President Pierce’s statement that the federal government would enforce the laws in Kansas, laws the proslavery territorial government passed. The second remedy (Folly) was the belief by Senator Butler that the people of Kansas should be disarmed, which, according to Sumner violated their constitutional rights. The third remedy (Injustice and Civil War) referred to Senator Douglas’s suggestion that Kansas be admitted as a state as soon as it reached the requisite population, regardless of the influence of the invaders from Missouri. Lastly, Sumner’s fourth remedy (Justice and Peace) suggested that the previous three remedies were unacceptable and called for the reversal of events in Kansas to date and to accept Senator William H. Seward’s proposal to admit Kansas immediately as a free state.<sup>15</sup>

After outlining his crimes, apologies, and remedies Sumner took the opportunity to attack his colleagues, again focusing on Senator Butler. This attack on Butler, though, was personal and not over political philosophy or beliefs or slavery, it was an example Sumner’s habit of injecting invective to bring attention to his cause. The Senator from South Carolina had a speech impediment he could not control, and this is what Sumner targeted. In referencing Butler’s recent speeches on Kansas issues, Sumner stated Butler had “...with incoherent phrases, discharged the loose expectoration of his speech...” A few minutes later Sumner seemingly attacked Butler’s knowledge of law and the Constitution by saying he “...cannot open his mouth, but out there flies a blunder.”<sup>16</sup> Personal attacks of this nature are generally unacceptable on the Senate floor and Stephen A. Douglas paced the floor in the back of the Senate muttering “That damn fool will get himself killed by some other damn fool.”<sup>17</sup>

Speeches in Congress were frequently antagonistic, especially when on sectional issues, and often led to violence.<sup>18</sup> Sumner’s efforts on May 19 and 20 not only approached that line but crossed it, though it should be noted that at no time did Senate leadership stop him. Senate protocol

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<sup>13</sup> The four crimes are found in *Ibid*, 531-55; quotation on 534.

<sup>14</sup> The four apologies are found in *Ibid*, 535-8.

<sup>15</sup> The four remedies are found in *Ibid*, 538-40.

<sup>16</sup> *Ibid*, 543.

<sup>17</sup> Quoted in George F. Milton, *The Eve of Conflict: Stephen A. Douglass and the Needless War* (New York: Houghton Mifflin Company, 1934), 233.

<sup>18</sup> For more on this see Joanne B. Freeman, *The Field of Blood: Violence in Congress and the Road to the Civil War* (New York: Farrar, Straus and Giroux, 2018).

frowned on personal attacks and after delivering the speech Sumner seemingly was not aware that he had done anything wrong or crossed any line. Though nobody interrupted Sumner's speech, there was considerable criticism as soon as he finished. Senator Lewis Cass called the speech "un-American" and unpatriotic" and Stephen A. Douglas suggested the speech simply rehashed old arguments and Sumner's classical allusions were distinguished only for their "lasciviousness and obscenity."<sup>19</sup> Southerners were even less pleased with Sumner's speech. One Massachusetts House member, James Buffington, testified that he overheard a House colleague (who he suggested was Tennessee Representative Thomas Rivers) say "Mr. Sumner ought to be knocked down, and his face jumped into."<sup>20</sup> The fear for Charles Sumner's personal safety was so high that several Senate colleagues insisted on escorting him home after the session ended on May 20. Sumner, still unaware that he had violated any Senate protocol, scoffed at the idea and slipped out of the Senate chamber and walked to his boardinghouse alone.

Of utmost importance was the response of Representative Preston Brooks of South Carolina, a cousin of Senator Andrew P. Butler, one of Sumner's targets in "The Crime Against Kansas." Brooks was present in the Senate chamber for a short time on May 19, long enough to hear Sumner call Senator Butler slavery's Don Quixote, a reference that made Brooks cringe. That part of the speech, in addition to what Sumner said on May 20, convinced Brooks that he needed to punish Sumner for insulting Senator Butler and the state of South Carolina. Because Senator Butler was getting up in age and was traveling at that time, Brooks decided the responsibility to punish Sumner was his. There is also considerable evidence that Brooks felt compelled to do something to head off criticism back home, criticism that dated back to the US-Mexican War. Between whispers about his alleged cowardice in that conflict, coupled with voter dissatisfaction with his alleged moderation on slavery and sectional issues, Brooks had a lot to prove by the spring of 1856, and this was an opportunity to do just that.

But how? The southern code of honor may have called for a duel, but Brooks rejected that option for three reasons: Sumner would decline any duel on moral grounds; Brooks believed Sumner would likely report the challenge to law enforcement (dueling was illegal); and most importantly, the southern honor code called for duels only between social equals, and Brooks did not consider Sumner an equal. Instead of challenging Sumner to a duel, Brooks determined to beat, or assault, the Senator, which was more in line with the southern code on how to punish an insulting inferior.

Preston Brooks decided a physical assault on Charles Sumner was the appropriate action in this situation. In choosing how to assault him, Brooks was concerned to avoid losing in a fight with

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<sup>19</sup> Quoted in David H. Donald, *Charles Sumner and the Coming of the Civil War* (New York: Alfred A. Knopf, Inc., 1960), 286.

<sup>20</sup> U.S. House. Select Committee. *House Report No. 182, Alleged Assault Upon Senator Sumner*, Cong. Globe, 34th Cong. 1st Sess. 66 (1856).

the larger Sumner. Brooks' first attempt to accost Sumner, on Wednesday, May 21, 1856, failed. This is how the South Carolinian described it:

On Wednesday I took a seat in the Capitol grounds, expecting Mr. Sumner to pass. While going down the lower steps of the Capitol I met Mr. Edmundson of Va., who is my personal friend, and asked him to walk with me to the seat. I then informed him that it was my purpose to see Mr. Sumner and that as he might be accompanied by several of his friends I desired him to remain with me as a witness and for nothing else. I also enjoined upon him on no account to interfere. Mr. Sumner did not pass by while we were so seated though we remained until ½ past 12 o'clock. My colleague Mr. Keitt joined us a few moments before we returned to the House and so did Senator Johnson of Arkansas. Neither of them was informed of my purpose during that day.<sup>21</sup>

Brooks decided that since he might not be able to intercept Sumner on the streets of Washington D.C., he would assault Sumner on the Senate floor. On May 22, the day after missing Sumner on the Capitol grounds, Brooks entered the U.S. Senate intent on punishing Sumner. Representative Lawrence Massillon Keitt from South Carolina accompanied him into the Senate chamber. The session had just ended, and Senators and visitors were chatting; Brooks took a seat at the back of the chamber until all the women on the floor exited. Senator Sumner was at his desk doing paperwork, franking copies of his speech. Desks in the U.S. Senate were bolted to the floor, the chair on tracks that could only move forward and back; senators were largely trapped at their desks.

Brooks, walking with a gutta-perch cane, approached Sumner and said, "Mr. Sumner, I have read your Speech with care and as much impartiality as was possible and I feel it my duty to tell you that you have libeled my State and slandered a relative who is aged and absent and I am come to punish you for it."<sup>22</sup> Then Brooks rained down blows on Sumner's head and shoulders with his cane. In a letter to his brother John Hampden Brooks, the Representative stated he "gave him about 30 first rate stripes with a gutta-percha cane.... Every lick went where I intended."<sup>23</sup> Sumner, trapped behind his desk, fended off the attack as best he could, to no avail. The cane eventually broke in Brooks' hand, but he continued to swing the remnants. Sumner eventually ripped his Senate desk away from the floor and broke free of it, collapsing unconscious. Brooks

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<sup>21</sup> "June meeting. Charles Grenfill Washburn; Letter of John Tyler, 1849; Preston S. Brooks; Letter of William Ellery, 1790; Henry Knox – Bookseller." in *Proceedings of the Massachusetts Historical Society* 61 (1927): 221-222.

<sup>22</sup> Preston Brooks to his brother John Hampden Brooks (Ham), May 23, 1856, in "Preston S. Brooks on the Caning of Charles Sumner," in *The South Carolina Historical and Genealogical Magazine*, 52, no. 1 (January 1951): 2; Gutta percha is a natural plastic derived from the latex of trees from Malaysia. Pliable when heated but relatively hard and somewhat flexible at ordinary temperatures, in the 1850's it was used for, among other purposes, the manufacture of relatively inexpensive canes.

<sup>23</sup> *Ibid*, 2-3.

calmly exited the Senate chamber; at no time during the beating, which lasted less than one minute, did anybody intervene to stop Brooks although some of his friends, including Lawrence Keitt, helped fend off onlookers who might have intervened.

Senator Charles Sumner, battered and bloody, was taken into an anteroom just off the Senate chamber where a physician, Dr. Cornelius Boyle, cleaned and dressed his wounds. His Senate colleague Henry Wilson put Sumner in a carriage, drove him to his lodging, and put him to bed, his clothes still covered in his own blood. Dr. Boyle checked on him later that evening and before falling asleep Sumner muttered, “I could not believe that a thing like this was possible.”<sup>24</sup> By the time Brooks wrote to his brother the following day (May 23, 1856) he had already been arrested for assault; he reported to Ham, “I have been arrested of course...”<sup>25</sup> He was immediately released on \$500 bail and promised to return for trial when the court deemed it necessary.

Both Charles Sumner and Preston Brooks experienced the aftermath of the speech and assault differently. Sumner’s immediate concern was medical, while Brooks was legal. Sumner was unable to retake his Senate seat for another three years, northerners calling his unoccupied place “the vacant chair” to highlight southern violence and brutality.<sup>26</sup> After the surface wounds healed the Massachusetts man had still not physically recovered from the beating. He traveled to Europe twice to seek medical attention, even indulging in the “fire treatment” in Paris, France. The “fire treatment” was described as “the application of a system of counter-irritants in order to reach the malady in the cerebral system and in the spine.”<sup>27</sup> It consisted of rolled cotton wool being burned on Sumner’s back and neck, tracing his spinal cord; the idea was to fix the injury to his spine the blows to his head caused. Sumner subjected himself to this excruciating regimen six times over a two-week span in June 1858. The southern press believed Sumner was playing possum to generate sympathy in the North and generally did not recognize the extent of his injuries.

Preston Brooks faced legal and congressional inquiries. Following his arrest for assault, Brooks faced trial on July 7, 1856 and the next day Judge Thomas H. Crawford found him guilty and imposed a \$300 fine (there was no jury). Brooks paid the fine and walked out of the courthouse with no additional legal issues. Both the Senate and the House conducted investigations of Brooks actions. The Senate formed a special committee to investigate because the incident took place in the Senate. This committee met briefly and determined it had no jurisdiction in the matter, and as

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<sup>24</sup> Quoted in Stephen Puleo, *The Caning: The Assault that Drove America to Civil War* (Yardley, PA: Westholme Publishing, LLC, 2012), 116.

<sup>25</sup> Preston Brooks to his brother John Hampden Brooks (Ham), May 23, 1856, in “Preston S. Brooks on the Caning of Charles Sumner,” in *The South Carolina Historical and Genealogical Magazine*, 52, no. 1 (January 1951): 3.

<sup>26</sup> The first reference to a vacant chair was a speech Senator Henry Wilson delivered on May 23, 1856 (“Mr. President, the seat of my colleague is vacant to-day...”). See *Con. Globe*, 34<sup>th</sup> Cong., 1st Sess. Appendix, 1279 (1856). Sumner himself used the term “vacant chair” in a May 22, 1858 letter to the people of Massachusetts as he sailed home from Europe: “...to every sincere lover of civilization my vacant chair was a perpetual speech.” See Charles Sumner, *The Works of Charles Sumner*, 15 vols. (Boston, MA: Lee and Shepard, 1875), 4:409. Northerners and Republicans used the term as long as Sumner was absent from the Senate.

<sup>27</sup> Quoted in Puleo, *The Caning*, 256.



Preston Brooks was not a member of the Senate it could not punish him. The committee's report, issued on May 28, 1856, concluded: "The Senate, therefore, for a breach of its privileges, cannot arrest a member of the House of Representatives, and, *a fortiori*, cannot try and punish him. That authority devolves solely upon the House of which he is a member. It is the opinion of the committee, therefore, that the Senate cannot proceed further in the present case..."<sup>28</sup>

The House of Representatives likewise formed a committee to investigate Brooks and his actions of May 22, 1856. This five-member committee did not agree on what action to take, if any, and therefore issued two reports on June 2, 1856. The majority report issued under the signatures of Representatives Lewis Davis Campbell (OH), Francis Elias Spinner (NY), and Alexander Pennington (NJ), concluded that Brooks should be expelled from the House. The minority report, issued by Representatives Howell Cobb (GA) and Alfred Burton Greenwood (AR), concluded that the House had no jurisdiction over the alleged assault and determined it was improper to express an opinion on the matter.<sup>29</sup> The House did, however, address the question of expulsion, but because it took a 2/3 vote to expel a member it was not likely to pass. After debating for a week, the House voted on July 14, 1856 to expel Brooks, 121-95, 23 votes short of the required 2/3.<sup>30</sup> Brooks responded with a defiant speech, resigned from the House, and was almost unanimously reelected to his seat a few months later.<sup>31</sup>

In the bigger picture of American politics and sectionalism the Brooks-Sumner Affair exacerbated sectional tensions, widening the growing gulf between North and South. Northern Republicans, running their first presidential candidate in the 1856 election, used Sumner's beating to great effect, combining Bleeding Sumner, Bleeding Kansas, and other acts of southern violence to emphasize sectional differences in a remarkably close contest. Republican campaigners used southern brutality, which the Brooks-Sumner Affair symbolized, to convince moderate, undecided voters to support the Republican Party in the 1856 election cycle. Emphasizing southern violence turned more northern voters against the South and its institutions, and likely made the Republican Party surprisingly competitive in the presidential race. In the South, Preston Brooks became a southern hero and icon; a noted moderate, he unintentionally became a symbol of southern extremism. Because Brooks broke his cane while beating Sumner southerners sent him replacements, some inscribed with "Hit Him Again" and "Use Knock-Down Arguments." Southern states named towns and counties after Brooks, notably Brooksville, Florida and Brooks County, Georgia. These actions not only lauded Brooks, but also put the North on notice that southerners would not stand for northern portrayals of the South and its culture. The Brooks-Sumner Affair was a defining incident in pushing the country toward civil war.

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<sup>28</sup> *Cong. Globe*, 34th Cong. 1st Sess. 1317 (1856).

<sup>29</sup> For the majority report see *Cong. Globe*, 34th Cong. 1st Sess. 1348-1349 (1856); see *ibid.*, 1349-1352 for the minority report.

<sup>30</sup> *U. S. House Journal*. 1856. 34th Cong., 1st sess. 14 July. (1201-3).

<sup>31</sup> For Brooks' speech see *Cong. Globe*, 34th Cong. 1st Sess. Appendix, 831-3 (1856).

### **Preston Smith Brooks**

Born	August 5, 1819, Edgefield County South Carolina
Died	January 27, 1857, Washington D.C.
Buried	Edgefield Village Cemetery, Edgefield, Edgefield County South Carolina
Father	Whitfield Brooks
Mother	Mary (Parsons-Carroll) Brooks
Career Milestones	1840 fought duel with Louis Wigfall; both men were seriously wounded   1844 elected to South Carolina state legislature   1846 raised company of soldiers to fight in Mexican War and was elected captain   1852 elected to U.S. House of Representatives.

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