

achieved for us; but he left as choice a legacy in his Christian example, in his incorruptible integrity, and in his unaffected simplicity, if we will appropriate it, as in his public deeds. So we take this excellent life and its results, and, thanking God for them, cease all complaining and press forward under new leaders to new achievements, and the completion of the great work which he who has gone left as a sacred trust upon our hands.

PRESTON S. BROOKS



PRESTON SMITH BROOKS, American congressman and lawyer, noted for his violent personal assault (May 22, 1856), on Senator Sumner, and for his subsequent quarrel with Anson Burlingame, then a fellow-congressman, was born in Edgefield District, S. C., Aug. 4, 1819, and died at Washington, D. C., Jan. 27, 1857. Graduating at the South Carolina College in 1839, he studied law, and in 1843 was admitted to the Bar. In 1844, he was elected to the South Carolina State legislature, but during the Mexican War served as captain of the Palmetto regiment of South Carolina. In 1853, he was elected to Congress as a States-rights Democrat, and was subsequently twice returned as a member. In May, 1856, he made a brutal assault upon Charles Sumner in the United States Senate chamber, which caused intense indignation throughout the country. The attack was caused by words uttered in a debate by Senator Sumner against Senator Butler, who was a relative of Mr. Brooks. In consequence of his grave offence a committee of the House reported in favor of Mr. Brooks's expulsion, but the motion was lost. After this, Brooks, having had words with Anson Burlingame in a debate, challenged him to a duel, but Brooks failed to appear at the appointed time and place of the hostile meeting. Subsequently he resigned his seat in the House, but was reelected by his constituents, dying at the capital in his thirty-eighth year.

SPEECH ON THE SUMNER ASSAULT

DELIVERED IN THE HOUSE OF REPRESENTATIVES, JULY 14, 1856

MR. SPEAKER,—Some time since a senator from Massachusetts allowed himself, in an elaborately prepared speech, to offer a gross insult to my State, and to a venerable friend, who is my State representative, and who was absent at the time.

Not content with that, he published to the world and circulated extensively this uncalled-for libel on my State and my blood. Whatever insults my State insults me. Her history and character have commanded my pious veneration; and in her defence I hope I shall always be prepared, humbly and modestly, to perform the duty of a son. I should have forfeited my own self-respect, and perhaps the good opinion

of my countrymen, if I had failed to resent such an injury by calling the offender in question to a personal account. It was a personal affair, and in taking redress into my own hands I meant no disrespect to the Senate of the United States or to this House.

Nor, sir, did I design insult or disrespect to the State of Massachusetts. I was aware of the personal responsibilities I incurred and was willing to meet them. I knew, too, that I was amenable to the laws of the country, which afford the same protection to all, whether they be members of Congress or private citizens. I did not, and do not now believe, that I could be properly punished, not only in a court of law, but here also, at the pleasure and discretion of the House. I did not then, and do not now, believe that the spirit of American freemen would tolerate slander in high places and permit a member of Congress to publish and circulate a libel on another, and then call upon either House to protect him against the personal responsibilities which he had thus incurred.

But if I had committed a breach of privilege, it was the privilege of the Senate, and not of this House, which was violated. I was answerable there and not here. They had no right, as it seems to me, to prosecute me in these halls, nor have you the right in law or under the constitution, as I respectfully submit, to take jurisdiction over offences committed against them. The constitution does not justify them in making such a request, nor this House in granting it.

If, unhappily, the day should ever come when sectional or party feeling should run so high as to control all other considerations of public duty or justice, how easy it will be to use such precedents for the excuse of arbitrary power, in either house, to expel members of the minority who may have

rendered themselves obnoxious to the prevailing spirit in the House to which they belong.

Matters may go smoothly enough when one House asks the other to punish a member who is offensive to a majority of its own body; but how will it be when, upon a pretence of insulted dignity, demands are made of this House to expel a member who happens to run counter to its party predilections, or other demands which it may not be so agreeable to grant?

It could never have been designed by the constitution of the United States to expose the two Houses to such temptations to collision, or to extend so far the discretionary power which was given to either House to punish its own members for the violation of its rules and orders. Discretion has been said to be the law of the tyrant, and when exercised under the color of the law and under the influence of party dictation it may and will become a terrible and insufferable despotism.

This House, however, it would seem, from the unmistakable tendency of its proceedings, takes a different view from that which I deliberately entertain in common with many others.

So far as public interests or constitutional rights are involved, I have now exhausted my means of defence. I may, then, be allowed to take a more personal view of the question at issue. The further prosecution of this subject, in the shape it has now assumed, may not only involve my friends, but the House itself, in agitations which might be unhappy in their consequences to the country.

If these consequences could be confined to myself individually, I think I am prepared and ready to meet them, here or elsewhere; and when I use this language I mean what I say.

But others must not suffer for me. I have felt more on account of my two friends who have been implicated than for myself, for they have proven that "there is a friend that sticketh closer than a brother." I will not constrain gentlemen to assume a responsibility on my account which possibly they would not run on their own.

Sir, I cannot, on my own account, assume the responsibility, in the face of the American people, of commencing a line of conduct which in my heart of hearts I believe would result in subverting the foundations of this government and in drenching this hall in blood. No act of mine, on my personal account, shall inaugurate revolution; but when you, Mr. Speaker, return to your own home and hear the people of the great North—and they are a great people—speak of me as a bad man, you will do me the justice to say that a blow struck by me at this time would be followed by revolution—and this I know.

If I desired to kill the senator, why did not I do it? You all admit that I had him in my power. Let me tell the member from New Jersey that it was expressly to avoid taking life that I used an ordinary cane, presented to me by a friend in Baltimore nearly three months before its application to the "bare head" of the Massachusetts senator. I went to work very deliberately, as I am charged—and this is admitted—and speculated somewhat as to whether I should employ a horsewhip or a cowhide; but knowing that the senator was my superior in strength, it occurred to me that he might wrest it from my hand, and then—for I never attempt anything I do not perform—I might have been compelled to do that which I would have regretted the balance of my natural life.

The question has been asked in certain newspapers why I did not invite the senator to personal combat in the mode

usually adopted. Well, sir, as I desire the whole truth to be known about the matter, I will for once notice a newspaper article on the floor of the House and answer here.

My answer is that the senator would not accept a message; and, having formed the unalterable determination to punish him, I believed that the offence of "sending a hostile message," superadded to the indictment for assault and battery, would subject me to legal penalties more severe than would be imposed for a simple assault and battery. That is my answer.

Now, Mr. Speaker, I have nearly finished what I intended to say. If my opponents, who have pursued me with unparalleled bitterness, are satisfied with the present condition of this affair, I am. I return my thanks to my friends, and especially to those who are from non-slave-owning States, who have magnanimously sustained me and felt that it was a higher honor to themselves to be just in their judgment of a gentleman than to be a member of Congress for life. In taking my leave I feel that it is proper that I should say that I believe that some of the votes that have been cast against me have been extorted by an outside pressure at home, and that their votes do not express the feelings or opinions of the members who gave them.

To such of these as have given their votes and made their speeches on the constitutional principles involved, and without indulging in personal vilification, I owe my respect. But, sir, they have written me down upon the history of the country as worthy of expulsion, and in no unkindness I must tell them that for all future time my self-respect requires that I shall pass them as strangers.

And now, Mr. Speaker, I announce to you and to this House that I am no longer a member of the Thirty-fourth Congress.