

In Defense of His Attack on Sumner

Preston Smith Brooks (1819–57)

(1856)

Born in 1819, died in 1857; elected to Congress from South Carolina in 1853, serving until 1856, when, after the failure of the attempt to expel him, he resigned and appealed to his constituents, who reelected him in the same year almost without opposition; served until his death on January 27, 1857.

SOME 1 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 defense 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. ¹

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 offenses 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. ²

If I desired to kill the senator why did I not do it? You all admit that I had him in my power. 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. ³

My answer is, that the senator would not accept a message; and having formed the unalterable determination to punish him, I believed that the offense of “sending a hostile ⁴

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.

To such 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. [2](#)

5

Note 1. Delivered in the House of Representatives on July 14, 1856. Abridged. The assault occurred on May 22. [\[back\]](#)

Note 2. On concluding this speech Mr. Brooks walked out of the House. [\[back\]](#)