

## B. Bleeding Kansas and “Bully” Brooks

### 1. Charles Sumner Assails the Slavocracy (1856)

*The erasing of the Missouri Compromise line in 1854 touched off a frantic tug-of-war between South and North to make Kansas either a slave or a free state. “Border ruffians,” pouring into Kansas from slaveholding Missouri by the hundreds, set up a fraudulent but legal government. Resolute pioneers from the north, some of them assisted by the New England Emigrant Aid Company, countered by founding Lawrence, by setting up an extralegal free-soil government, and by seeking admission as a free state. Aroused by the resulting civil war, Senator Charles Sumner of Massachusetts—a handsome, egotistical, and flamingly outspoken abolitionist—assailed the slavery men in a savage two-day speech (“The Crime against Kansas”). He singled out the slaveholding state of South Carolina, and in particular her well-liked Senator Butler, who, declared Sumner, had taken as his “mistress” “the barlot, slavery.” What aspects of the speech would be most offensive to a South Carolina “gentleman”?*

If the slave states cannot enjoy what, in mockery of the great Fathers of the Republic, he [Butler] misnames equality under the Constitution—in other words, the full power in the national territories to compel fellow men to unpaid toil, to separate husband and wife, and to sell little children at the auction block—then, sir, the chivalric Senator will conduct the state of South Carolina out of the Union! Heroic knight! Exalted Senator! A second Moses come for a second exodus!

But not content with this poor menace . . . the Senator, in the unrestrained chivalry of his nature, has undertaken to apply opprobrious words to those who differ from him on this floor. He calls them “sectional and fanatical”; and opposition to the usurpation in Kansas he denounces as “an uncalculating fanaticism.” To be sure, these charges lack all grace of originality, and all sentiment of truth; but the adventurous Senator does not hesitate. He is the uncompromising, unblushing representative on this floor of a flagrant sectionalism, which now domineers over the Republic. . . .

With regret, I come again upon the Senator from South Carolina [Butler], who, omnipresent in this debate, overflowed with rage at the simple suggestion that Kansas had applied for admission as a state; and, with incoherent phrases, discharged the loose exhortation of his speech,\* now upon her representative, and then upon her people. There was no extravagance of the ancient parliamentary debate which he did not repeat. Nor was there any possible deviation from truth which he did not make, with so much of passion, I am glad to add, as to save him from the suspicion of intentional aberration.

But the Senator touches nothing which he does not disfigure—with error, sometimes of principle, sometimes of fact. He shows an incapacity of accuracy, whether in stating the Constitution or in stating the law, whether in the details of statistics or the diversions of scholarship. He cannot open his mouth but out there flies a blunder. . . .

<sup>1</sup>*Congressional Globe*, 34th Congress, 1st session (May 19–20, 1856), Appendix, pp. 530, 543.

\*Butler suffered from a slight paralysis of the mouth.

*[Sumner next attacks South Carolina, with her “shameful imbecility” of slavery, for presuming to sit in judgment over free-soil Kansas and block the latter’s admission as a free state.]*

South Carolina is old; Kansas is young. South Carolina counts by centuries; where Kansas counts by years. But a beneficent example may be born in a day; and I venture to say that against the two centuries of the older state may be already set the two years of trial, evolving corresponding virtue, in the younger community. In the one is the long wail of Slavery; in the other, the hymns of Freedom. And if we glance at special achievements, it will be difficult to find anything in the history of South Carolina which presents so much of heroic spirit in an heroic cause as appears in that repulse of the Missouri invaders by the beleaguered town of Lawrence, where even the women gave their efforts to Freedom. . . .

Were the whole history of South Carolina blotted out of existence, from its very beginning down to the day of the last election of the Senator to his present seat on this floor, civilization might lose—I do not say how little; but surely less than it has already gained by the example of Kansas, in its valiant struggle against oppression, and in the development of a new science of emigration. Already in Lawrence alone there are newspapers and schools, including a high school, and throughout this infant territory there is more mature scholarship far, in proportion to its inhabitants, than in all South Carolina. Ah, sir, I tell the Senator that Kansas, welcomed as a free state, will be a “ministering angel” to the Republic when South Carolina, in the cloak of darkness which she hugs, “lies howling.”

### 2. The South Justifies Yankee-Beaters (1856)

*Southern fire-eaters had already used abusive language in Congress, but Sumner’s epithets infuriated Congressman Brooks of South Carolina. Resenting the insults to his state and to his cousin (Senator Butler), he entered the Senate chamber and broke his cane over the head of Sumner, then sitting at his desk. The senator fell bleeding to the floor, while several other members of Congress, perhaps thinking that he was getting his just deserts, made no effort to rescue him. His nervous system shattered, Sumner was incapacitated for about three years; Brooks resigned his seat and was unanimously reelected. A resolution passed by the citizens of his district applauded his exhibition of “the true spirit of Southern chivalry and patriotism” in “chastising, coolly and deliberately, the vile and lawless Sumner.” The same group sent him a new cane inscribed “Use knock-down arguments.” What does the following editorial in an Alabama newspaper suggest about the general attitude of the white South and what it portended for the Union?*

There are but two papers in the state that we have seen that denounce the chastisement of Sumner by Mr. Brooks as a shameful outrage. One of them is the *Mobile Tribune*, one of the editors of which is a Yankee, and the other is a sheet, the name of which we shall not mention.

With the exception of the papers alluded to, the press of the entire state have

<sup>2</sup>*Autauga (Alabama) Citizen*, in *The Liberator* (Boston), July 4, 1856.



#### The Delicate Balance

This chart, prepared for the 1856 presidential election, illustrates the nation's growing consciousness of the North-South conflict. (Chicago Historical Society)

fully approved of the course Mr. Brooks pursued, under the circumstances, and recommended that other Southern members of Congress adopt the same method of silencing the foul-mouthed abolition emissaries of the North. Indeed, it is quite apparent, from recent developments, that the shillalah (club) is the best argument to be applied to such low-bred mongrels.

More than six years ago, the abolitionists were told that if they intended to carry out their principles, they must fight. When the Emigrant Aid Societies began to send their [Yankee] tools to Kansas, they were told that if their object was to establish a colony of thieves under the name of "Free State Men," on the border of Missouri, for the purpose of keeping out Southerners and destroying slavery, they must fight. And let them understand that if they intend to carry their abolitionism into Congress, and pour forth their disgusting obscenity and abuse of the South in the Senate Chamber, and force their doctrines down the throats of Southerners, they must fight.

Let [editor Horace] Greeley be severely cowhided, and he will cease to publish his blackguardism about Southern men. Let [Senators] Wilson and Sumner and Seward, and the whole host of abolition agitators in Congress, be chastised to their heart's content, and, our word for it, they will cease to heap abuse upon our citizens.

We repeat, let our Representative in Congress use the cowhide and hickory stick (and, if need be, the bowie knife and revolver) more frequently, and we'll bet our old hat that it will soon come to pass that Southern institutions and Southern men will be respected.

## C. The Dred Scott Decision

### I. The Pro-Southern Court Speaks (1857)

*Dred Scott, an illiterate Missouri slave, was taken by his master for several years (1834–1838) to the free state of Illinois and then to a portion of Wisconsin Territory now located in the state of Minnesota. The Minnesota area was then free territory, since it lay north of the line of 36° 30' established by the Missouri Compromise of 1820 (subsequently repealed in 1854). Scott, taken in hand by interested abolitionists, sued for his freedom on the grounds of residence on free soil. The case was appealed from the circuit court to the Supreme Court, which grappled with several basic questions: Was a slave a citizen under the Constitution? (If not, he was not entitled to sue in the federal courts.) Was Dred Scott rendered free by residence in Wisconsin Territory, under the terms of the Missouri Compromise? The Court, headed by the pro-Southern Chief Justice Taney of the slaveholding state of Maryland, ruled as follows: How were the basic questions answered? What were their implications for the future?*

Now . . . the right of property in a slave is distinctly and expressly affirmed in the Constitution. The right to traffic in it, like an ordinary article of merchandise and property, was guaranteed to the citizens of the United States, in every state that might desire it, for twenty years. And the government in express terms is pledged to protect it in all future time, if the slave escapes from his owner. This is done in plain words—too plain to be misunderstood. And no word can be found in the Constitution which gives Congress a greater power over slave property, or which entitles property of that kind to less protection, than property of any other description. The only power conferred is the power coupled with the duty of guarding and protecting the owner in his rights.

Upon these considerations, it is the opinion of the Court that the Act of Congress [Missouri Compromise] which prohibited a citizen from holding and owning property of this kind in the territory of the United States north of the line [of 36° 30'] therein mentioned is not warranted by the Constitution, and is therefore void; and that neither Dred Scott himself, nor any of his family, were made free by being carried into this

<sup>1</sup>B. C. Howard, *Reports of Cases Argued and Adjudged in the Supreme Court of the United States* (Newark, N.Y.: The Lawyers Co-operative Publishing Company, 1857).