

# The Sumner Caning Was Fake

*By Dennis H.*

*First published June 4, 2020*

No, that's not a picture of Charles Sumner. That's Senator Andrew Butler, the man whose honor was so besmirched that it forced his kinsman Congressman Preston Brooks to beat Senator Charles Sumner with a stick. An historian says of [Butler](#):

**Senator Andrew Pickens Butler was conceded to be the most unique and original intellect in the Senate. His face, though not handsome, was sturdily expressive, with massive features and "troubled, streaming, silvery hair, that looked as though it had been contending with the blasts of winter".... The moment a question was submitted to him, his mind instinctively applied all the great principles.**

To me he looks more like a well-dressed asylum dweller. **Miles: ie a cross-eyed inbred Jew.** I'll cover the insult to his honor in more detail below. For now let's review the mainstream story.

By the Kansas-Nebraska Act of 1854, whether Kansas entered the Union as a slave or free state would be determined by a vote of the citizens of the territory. By the Spring of 1856, both pro- and anti-slavery forces were pushing settlers to move to the territory in order to create a majority for either side. There were skirmishes among the settlers, resulting in "Bleeding Kansas," which Miles has covered in his [John Brown paper](#).

On May 19-20, 1854, Sumner delivered his "Crime against Kansas" speech, in which he insults Senator Butler. On May 22, Brooks armed with his cane goes to the Senate, where Sumner is at his desk signing copies of his speech. The Senate is not in session and the chamber is mostly empty. Then:

**Finding the lobby at last clear of women, Brooks proceeded upon his errand. Operating, as he thought, “under the highest sense of duty,” he approached the front of the desk where Sumner still sat behind a large pile of documents, “writing very rapidly, with his head very close to the desk,” his armchair drawn up close and his legs entirely under the desk. With cool self-possession and formal politeness, Brooks addressed him: “Mr. Sumner.”**

**Sumner did not get up, but merely raised his head to identify his visitor. Nearsightedness, for which he was too vain to wear glasses, made the figure before him indistinct, but perfect vision would not have warned him, as he did not know Brooks by sight.**

**“I have read your speech twice over carefully,” Brooks began in a low voice. “It is a libel on South Carolina, and Mr. Butler, who is a relative of mine—” As Sumner seemed about to rise, Brooks interrupted himself to give Sumner “a slight blow” with the smaller end of his cane. Stunned, Sumner instinctively threw out his arms to protect his head, and Brooks felt “compelled to strike him harder than he had intended.” He began to rain down blows, and, he boasted: “Every lick went where I intended.” In the excitement, Brooks forgot that he had set out only to flog Sumner, and began to strike him on the head “as hard as he could.”**

**Dazed by the first blow, Sumner of course could not remember that in order to rise from his desk, which was bolted to the floor by an iron plate and heavy screws, he had to push back his chair, which was on rollers. Perhaps half a dozen blows fell on his head and shoulders while he was still pinioned. Eyes blinded with blood, “almost unconsciously, acting under the instinct of self-defence,” he then made a mighty effort to rise, and, with the pressure of his thighs, ripped the desk from the floor.**

**I...gave him about 30 first rate stripes,” Brooks summarized. “Towards the last he bellowed like a calf. I wore my cane out completely but saved the Head which is gold.”  
[Donald,p.246]**

**During his attack Brooks is assisted by Congressman Laurence Keitt of South Carolina, who brandishes his own cane to discourage any of the few bystanders from stopping the violence.**

**Let's examine the bios of all the participants.**

# Charles Sumner



Most of my material on Sumner comes from David Herbert Donald's book *Charles Sumner and the Coming of the Civil War*, which won the Pulitzer in 1961, so this is all from the mainstream.

Sumner was born in Boston on January 6, 1811. His father, Charles Pinckney Sumner, was a Harvard lawyer who subsequently became Sheriff of Suffolk County (Boston). He was by all accounts a humorless, formal and undemonstrative man:

**His family rarely, if ever, saw him smile... His wife brought little more warmth to the Sumner household. Tall and stately, with a smooth olive complexion and lustrous brown eyes, Relief Jacob had been a twenty-five-year-old seamstress when she married, and she carried some of her spinster ways into her married life. She did not know how to express affection; not until after her death did Charles learn that she had always cherished a lock of his baby hair. [Donald,p.3]**

His mother's name and occupation sounds Jewish, and contemporary historians thought so as well. The Donald book has this footnote for the above passage:

**John S. Barry: A Historical Sketch of the Town of Hanover, Mass., with Family Genealogies (Boston: Samuel G. Drake; 1853), pp. 319-35. Barry asserted that Sumner's mother, Relief Jacob, was "probably of Jewish descent" [Donald,p.326]**

Sumner seems to have inherited his parents' dour dispositions. He did not appear capable of making or understanding jokes. This is an example of his sense of humor:

**The Longfellow boys were a bit more restive under Sumner's solemnity, and objected strongly to his elephantine humor in taking a child's hand, grinding his thumb into the back of it until the pain was unbearable, and then releasing it with a laugh. [Donald,p.147]**

**A Boston spinster remarked that Sumner was a "specimen of prolonged and morbid juvenility." [Donald,p.202]**

Sumner went to Harvard College, where he learned and memorized much Latin literature, and then to Harvard Law School, from which he graduated in 1834. On the PBS web site's [bio for Sumner](#) we have:

"Born in Boston on January 6, 1811, Sumner graduated from Harvard Law School in 1833"

an error which I suspect is not accidental, given what we will learn about him.

In 1834 he traveled into the South for the first time:

On his way through Maryland, Sumner had his first sight of Negro slaves. "My worst preconception of their appearance and ignorance did not fall as low as their actual stupidity," he reported to his family. "They appear to be nothing more than moving masses of flesh, unendowed with any thing of intelligence above the brutes. I have now an idea of the blight upon that part of our country in which they live." [Donald,p.23]

Nice guy. So it would seem his later anti-slavery stance was more against the concept in the abstract, and not driven by any sort of sympathy for the actual people who suffered.

Also on this trip he visited the Supreme Court.

**Though few causes of importance were being argued, Sumner listened attentively as Francis Scott Key pleaded a case. [Donald,p.23]**

This may not be significant, but I bring it up because a Key will appear later.

He starts his law practice, partnering (perhaps in more ways than one, as we shall see) with George Stillman Hillard, and on **October 13**, 1834, tries his first case. The next three years, during which he is building his practice, are a bit murky. Even his biographer Donald cannot say for sure how much work he was doing; sometimes the practice seems booming, at other times it seems like Sumner is idle. Hillard does most of the work. This is the pattern with the law practice until Sumner finally departs for the Senate. By the late 1840s Hillard leaves the practice because he can't get his work done with all the political and business visitors Sumner received. Sounds a bit like a front.

During this period of 1834-37 Sumner built up his connections among the Boston moneyed elites:

The merchants of State Street began to speak of Sumner as a promising young man, who combined a proper respect for law and a belief in the indispensability of the legal profession with a suitable disdain for popular politics and an outright contempt for the Jacksonian Democrats... The young lawyer seemed to hold no dangerous ideas on the subject of property, so basic to the Whig creed. Instead, he belittled the sermons of William E. Channing, who was beginning to advocate needed social reforms, as wanting "in the forms of logical discussion, and the close, continuous chain of reasoning," and even contributed an article to the North American Review,

arguing that “the enterprise and generosity of the merchants” of the United States were the best contemporary manifestation of the “spirit of chivalry.” [Donald,p.28]

In 1837, with his profession not yet firmly established, Sumner leaves on a trip to Europe that lasts for *three years*. How did he pay for this trip?

**Rather against his own judgment, Story allowed himself to be convinced that Sumner planned to travel “not for display but for purposes of education,” and he agreed to lend his young friend \$1,000 for his journey. Samuel Lawrence, the textile magnate, and Congressman Richard Fletcher, a wealthy Boston lawyer, put up similar amounts. [Donald,p.34]**

Joseph Story was a U.S. Supreme Court justice and Sumner’s mentor at Harvard. Besides the money, Sumner receives numerous letters of introduction from individual in the fields of law, politics, the arts and business. He claimed his purpose in the trip was to study the French and English legal systems.

**Sumner in his long letters to Story still spoke of his studies in Paris as leading ultimately to “a work presenting a comparative view of the judicial institutions of France, England, and America, particularly with a view to the theory of proofs and the initiation of causes...” [Donald,p.42]**

Ha ha ha! Right. The biography describes endless sight-seeing in France, England, Italy, Austria, and Prussia, during which he manages to meet an incredible assortment of powerful people. Here is a snippet of the names he encountered in England:

**Michel Chevalier... the Baron de Gérando... Jean Marie Pardessus...Justice John Vaughan...Sir Robert Peel... Lord John Russell...Lord Denman...Justice James Allan Park...Thomas Carlyle...Walter Savage Landor...Lord Lansdowne...Thomas Babington Macaulay...Lord Denman...Baron Parke...Baron Alderson...John Arthur Roebuck, the young Radical who was later to become the Confederacy’s best, if not wisest, friend in England...Sydney Smith...Lord Advocate Sir John A. Murray...Wordsworth...Henry Brougham...Baron Wharncliffe... Earl Fitzwilliam...Lord Lieutenant of Ireland, Lord Morpeth, oldest son of the Earl of Carlisle....the Earl of Leicester....Lord Mayor of London...Samuel Rogers, the aged poet... Henry Hallam, the historian...Harriet Martineau... Richard Monckton Milnes, the poet...Countess of Blessington...Disraeli, whom he thought “one of the most vulgar fops I ever saw,” and Bulwer, with “his flash falsetto dress, with high-heel boots, a white great coat...and a flaming blue cravat.”...Sir Charles Vaughan welcomed him to All Soul’s College at Oxford, and William Whewell entertained him at Cambridge....Lord Fitzwilliam at Milton Hall...**

Further indication of how well he was received in England:

**He became an honorary member of the Garrick, the Travellers’, the Athenaeum, and the Alfred clubs...At Westminster Hall, after declining repeated invitations to sit on the bench, he was assigned a seat in the Sergeants’ row at the Court of Common Pleas and in the Queen’s Counsel row at the Queen’s Bench. He was admitted to the floor of the House of Commons, and in the House of Lords he had a regular place assigned him, on the steps of the throne, where he could remain even during divisions. For the coronation of the young Queen Victoria, for which admission to Westminster Abbey was so eagerly sought**

**that seats sold at the scalper's rate of twenty-five guineas each, Sumner had no fewer than three tickets... [Donald,p.43]**

But he wasn't universally well-received:

**Sumner's willingness to be pleased irritated choleric Thomas Carlyle, who defined Sumner as "the most completely nothin' of a mon that ever crossed my threshold,—naught whatsoever in him or of him but wind and vanity" [Donald,p.47]**

He then spent more time in France, in Italy where he supposedly studied art for four months, and in Austria and Prussia, about which only this much is said:

**Not even the fact that Prince Metternich showered him with civilities in Vienna, that the Crown Prince of Prussia received him in Berlin, or that in Heidelberg the jurists Mittermaier and Thibaut welcomed him as an equal and addressed him as "Herr Professor" could make him forget that he had so shortly to return to America. [Donald,p.58]**

All this does not sound like the reception for a young unknown lawyer from America. A more plausible explanation is that the big families in Boston decided to turn Sumner into an agent of some sort, and this was his inaugural trip to Europe to establish contacts.

Shifting gears:

There is ample evidence that Sumner was gay. Of course, it doesn't really matter, but you wonder why they never mention this fact about Sumner.

He was always very awkward around women, and had several very close friendships with men. There are minor indications with his friend from Harvard and law partner, George Stillman Hillard:



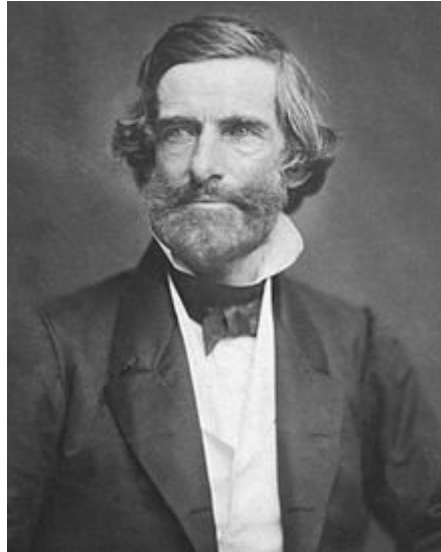
**Gradually [Sumner] built a smaller circle of specially cherished intimates. One, naturally, was his law partner, Hillard, whose dreamy, poetic look and delicate, sickly constitution suggested that literature rather than law should have been his vocation. [Donald,p.30]**

These intimates dubbed themselves "The Five of Clubs" and would meet every Saturday to

discuss poetry and the like. Later, Sumner and his friends are involved in a public debate about prison reform. Hillard participates, not well:

**Hillard was even less effective, for after a newspaper ridiculed the irritable, scolding tone of his one speech as the prerogative of a person who appeared “to be mid-way between the sexes” and who had, therefore, “the right of exercising the privilege of the softer portion of humanity” whenever he felt testy, he lapsed into silence. [Donald,p.106]**

But things become much more obvious with his friend Samuel Gridley Howe:



Concerning Howe:

**“Bachelors both,” Sumner explained, “we drive and ride together—and pass our evenings far into the watches of the night in free and warm communion.” At loose ends when summer came and other friends were out of town, he and Howe used every evening to “mount their horses or jump into a gig and career through the country for two hours,” returning to eat ices and strawberries and to “chat, wherein, are remembered things, experiences and hopes of all sorts, [which] absorb the remainder of the evening.” Often they spent the night together at Howe’s quarters in South Boston, and “Chev” (as intimates nicknamed Howe) had fond memories of Sumner, “his straps unbuttoned, his waistband also, his feet in my red slippers, a glass of orvieto in his hands, his sweet smile on his lips...as he used to sit in my easy chair.” When they went to bed, they left the door between their rooms open, so that they could continue their conversation into the drowsy hours. [Donald,p.72]**

QED

Howe went on to marry Julia Ward, who was eighteen years younger. Julia went on to write “Battle Hymn of the Republic,” perhaps out of frustration from being married to an obvious

homosexual. But "[she hid her unhappiness](#) with their marriage, earning the nickname 'the family champagne' from her children."

Sumner was also very close to Henry Wadsworth Longfellow, going back to their days at Harvard.



To Sumner's dismay Longfellow begins to court Fanny Appleton, the daughter of Boston industrialist Nathan Appleton. In the midst of this:

**In 1842 Longfellow sailed for Europe to recover his health and his spirits. Soon he reported to Sumner a significant dream: the two men were in bed together, and when Sumner mentioned "a certain person's name," Longfellow fell on Sumner's neck and wept, exclaiming: "I am very unhappy." In the dream Sumner was "buried up to his neck in sand," but Longfellow was not—as he promptly demonstrated when he returned to America and won Fanny Appleton's hand, leaving his friend buried in his celibacy. [Donald,p.79]**

But it gets much worse:

**"Howe has gone," [Sumner] reproached Longfellow, "and now you have gone, and nobody is left with whom I can have sweet sympathy....What shall I do these long summer evenings? And what will become of those Sabbaths, sacred to friendship and repose?" The Longfellows, who had no intention of giving up their friends just because they were married, took pity on Sumner and invited him to accompany them on their wedding trip to the Catskills. He accepted, and, on the train, read to the newlyweds Bossuet's funeral orations. [Donald,p.79]**

What?! Sumner went on Longfellow's honeymoon? Here is poor Fanny:





Sounds like quite the honeymoon, having to listen to your husband's boyfriend deliver 17<sup>th</sup>-century French funeral orations.

Sumner continues his association with the Longfellos after their marriage:

**On his regular Sunday visits he inspected the improvements Longfellow was making at Craigie House, and he was especially charmed by the new shower bath the poet installed in his dressing room. Standing nude under it, ready to pull the string, he would announce to Longfellow: "This is a kind of Paradise." "And you a kind of Adam!" replied the poet. "With all my ribs," laughed Sumner, attempting a rare witticism, and then he let the deluge descend. [Donald,p.146]**

Sumner remains a bachelor until age 55, when he marries Alice Mason Hooper, a shrew thirty years younger than him:



She carries on some sort of affair with the Prussian diplomat Baron Friedrich von Holstein. Bismarck recalls him, possibly at Sumner's bidding. The Sumners separate after about a year, and Alice flees to Paris, where:

**Calling herself 'Mrs. Mason,' she became a friend of Henry James, who announced that he adored 'her great beauty (which on horseback is enormous)'... Imperious and high-tempered to the end, she quarreled bitterly with John Singer Sargent, whose portrait of her (above), she protested with justice, 'made her look like a murderess.'" Indeed, as she put on weight, she became more formidable than handsome. [Donald-Rights, chapter VII, section 7]**

Sumner never speaks to her again, and the aftermath of the affair proves deeply embarrassing to him:

**Rumors began to circulate to the effect that...there was a deeper reason for the separation than incompatibility of tempers...Charles Francis Adam was told that Mrs. Sumner was planning to sue "for a divorce on the ground of impotence..."...College classmates now recalled—what nobody had ever preciously suggested—that Sumner had always been known to be impotent and that at Harvard they had nicknamed him "The Stag" because of his alleged deficiency.**

Yes, most gays are impotent with women. But if Lawrence correctly stated Mrs. Sumner's position, she complained not so much of Sumner's total impotence as of his inability "fully" to satisfy "what every matured woman considers a just desire." [Donald-Rights, chapter VII, section 7]

Was Sumner also an actor? In many ways, he was, though not a good one. As an orator he would memorize his often exceedingly long speeches (for example, the speech that got him caned is 112 pages when printed, and he delivered it over the course of 5 hours spread across two days). In his first term in the Senate he did not do much politicking, instead delivering his memorized speeches a few times a year, and then being mostly silent. When speaking he was compelling, with a strong bass voice.

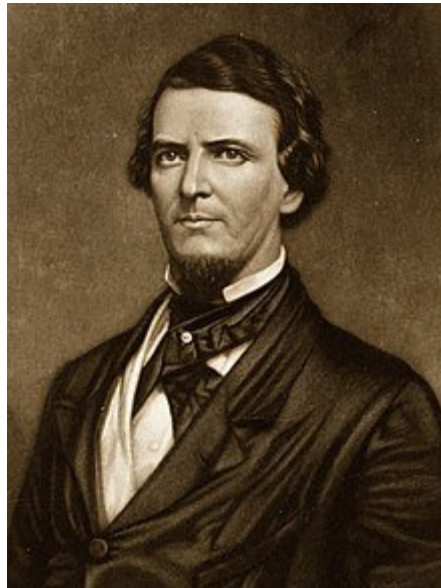
**“Sumner has held his own as an orator,” Richard Henry Dana, Jr., noted. “As a debater, a worker, an influential member, he has not succeeded. He takes but little active part, and seems to have a fear of taking the floor, except on leading subjects, and after great preparation.” [Donald,p.204]**

His speeches were often galling to his enemies:

**But Senator George E. Badger, of North Carolina... attacked this “elaborate oration, carefully written, studied, committed to memory, and interspersed in various parts with curious quotations from modern learning and ancient lore, and every now and then dignified and adorned with Latin quotations, which, when the Senator did not condescend to translate them into English, I presume were very unintelligible to most of the members of this body.” [Donald,p.198]**

He must have been viewed by many as quite the arrogant bore, speaking in Latin and assuming the average mid-19<sup>th</sup>-century American politician would understand him. But of course that doesn't mean he deserved to be brutally and illegally assaulted by a colleague.

## Preston Brooks



Brooks was born August 5, 1819, in Edgefield, South Carolina. His paternal grandfather Zachariah Smith Brooks married “up” into the Butler family. “The Butlers claimed descent from

three English Barons: Henry de Bohun (1176– 1220), Saire de Quincy (ca. 1155–1219), and William Malef (d. 1217). [Deitreich,p.20]”

One of Brooks’ cousins was James Butler Bonham, who is said to have died defending the Alamo. One of Miles’ guest writers covered that [fake](#).

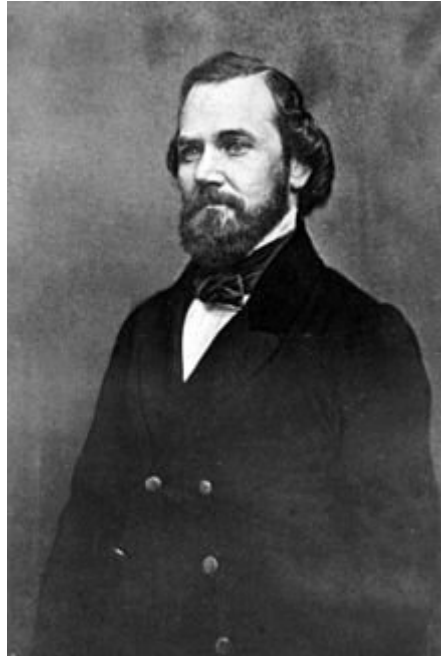
Brooks attended South Carolina College but did not finish, and despite that went on to study law and pass the state bar exam. There is no clear record that Brooks ever tried a case in court. He also kept the family plantation.

Much of the Brooks biography I read was spent covering his duels—or rather his preparation for duels, his reactions to affronts to his or his family’s honor, the elaborate communications leading up to duels, the narrowly averted duels, etc. At some point I thought the historian was laying it on thick, that he was trying a bit too hard to establish that Brooks was a hothead who loved his honor and his duels. In any case Brooks is said to have actually fought one duel (on **November 11**, 1840, on **Goat** Island), where he was shot in the hip, causing him to use a cane for the rest of his life.

Also of interest is that Congressman [Anson Burlingame](#) goaded him into a duel following the caning incident. This was averted because Burlingame chose as the dueling ground the Canadian side of Niagara Falls, knowing it would be impossible for Brooks to travel through the North to get there. I bring this up because the name Burlingame came up in Miles’ recent [paper](#), as one of the 911 pilots.

During the Mexican War, Brooks raised a regiment from his county and led it to Mexico. Once in Mexico his history gets murky. He suffered from the climate and seems to have developed a mysterious illness that sent him home early. The details are not clear and some witnesses describe him as being on the front lines of the battles at Vera Cruz and Mexico City, while others say he was not present. Which of course means he wasn’t there. His younger brother was (allegedly) killed in action. Whatever he was doing during the war the impression back in Edgefield was that he left the war prematurely due to illness, and didn’t not acquit himself honorably.

## Laurence Keitt



Keitt is another planter/lawyer/congressman from South Carolina. He attended South Carolina College with Brooks. Curiously, at the time of Brooks' death in 1857, he and Keitt "shared lodgings at Brown's Hotel" [Deitreich,p.249]. It seems odd that two well-off planters and congressmen would need to live together, but I could find no other evidence that they were gay.

Keitt has the distinction of participating in two famous acts of violence in the halls of Congress. The first of course the caning in 1856, the second in 1858, when he starts a "massive brawl" on the House floor. Responding to a perceived insult during a [heated debate](#):

Keitt became enraged and went for Grow's throat, shouting that he would "choke [him] for that". A large brawl involving approximately 50 representatives erupted on the House floor, ending only when a missed punch from Rep. [Cadwallader Washburn](#) of [Wisconsin](#) upended the [hairpiece](#) of Rep. [William Barksdale](#) of [Mississippi](#). The embarrassed Barksdale accidentally replaced the wig backwards, causing both sides to erupt in spontaneous laughter.

I'm glad to see slapstick humor is so timeless. Or could it be another case of actors falling out of character and laughing?



That's Barksdale, worrying someone will jostle his toupee.

## Francis Lieber



Lieber's part in all this will become clear soon, but for now I will just give background on him.

He was born in Berlin in [1798 or 1800](#) and says he fought in the Battle of Waterloo. After that:

**Lieber did not receive a normal gentleman's education. Returning to Berlin after the Napoleonic wars (post 1815),<sup>[9]</sup> he studied hard and passed the entrance exams for the [University of Berlin](#). However, he was denied admission because of his membership in the [Berliner Burschenschaft](#), which opposed the Prussian monarchy. Moving to [Jena](#), Lieber entered the [University of Jena](#) in 1820 and within four months finished writing a dissertation in the field of mathematics.<sup>[10]</sup> As the Prussian authorities caught up with him, Lieber left Jena for [Dresden](#) to study [topography](#) with Major Decker (briefly). As**

soon as the [Greek Revolution of 1821](#) broke out, Lieber volunteered his services.... and then spent one year, 1822-1823, in [Rome](#) tutoring the son of the Prussian ambassador, historian [Barthold Georg Niebuhr](#). While there, Lieber wrote about his experiences in Greece. The result was published in Leipzig in 1823 and also in Amsterdam under the title *The German Anacharsis*. Lieber returned to Germany on a royal pardon, but was soon imprisoned once again, this time at [Köpenick](#).

So already his bio reads like many of the spooks we've seen in Miles' writing, with mysterious academic advancement, Jewish Get Out of Jail Free cards, etc.

He left England for America in 1827 because he received an offer to manage a gymnasium and swimming pool in Boston. No, seriously. Lieber the cabana boy.

**He came with recommendations from [Jahn](#), as well as from [General Pfuel](#) who ran a swimming program in Berlin. Lieber was also acquainted with the outgoing gymnasium administrator, [Charles Follen](#), both believing thoroughly in the importance of training the body along with the mind. Follen had established the pioneer gymnasium in 1826. Lieber's Boston swimming school of 1827, a new departure in the educational field in the United States, became such a feature that [John Quincy Adams](#), then [President of the United States](#), went to see it.**

General Pfuel was the Prussian Minister of War and later Prime Minister of Prussia, so quite the recommendation if you're looking for a job as a gym manager.

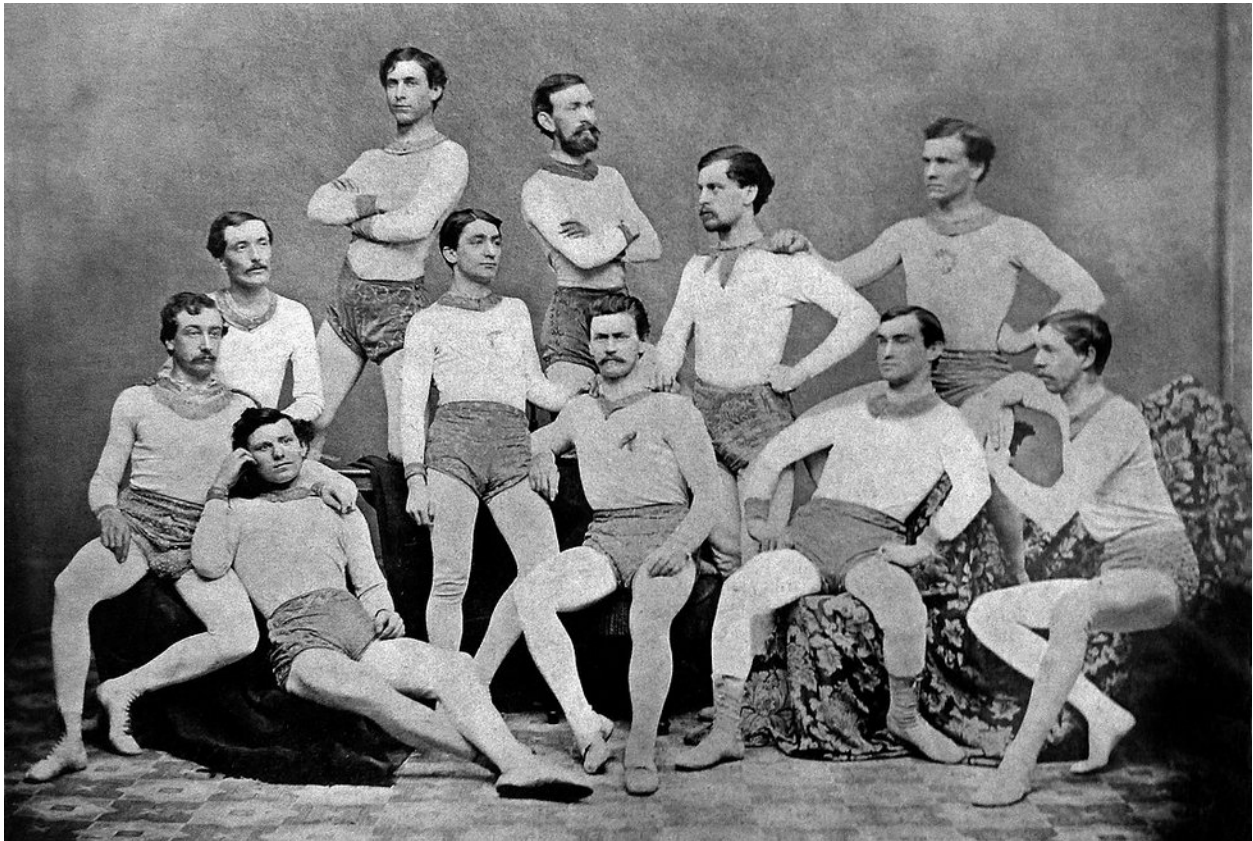
Jahn is worthy of a diversion:



**Friedrich Ludwig Jahn (11 August 1778 - 15 October 1852) was a German [gymnastics](#) educator and [nationalist](#) whose writing is credited with the founding of the German gymnastics ([Turner](#)) movement as well as influencing the [German Campaign of 1813](#), during which a coalition of German states effectively ended the occupation of [Napoleon's First French Empire](#). His admirers know him as *Turnvater Jahn*, roughly meaning "father of gymnastics" Jahn.**



There were many of these “German gymnastics clubs”, or Turnvereins, in America in the 19<sup>th</sup> century. They combine physical culture and German nationalism, and many of the members fought on the Union side in the Civil War. Here’s a picture of one club in Milwaukee in 1869:

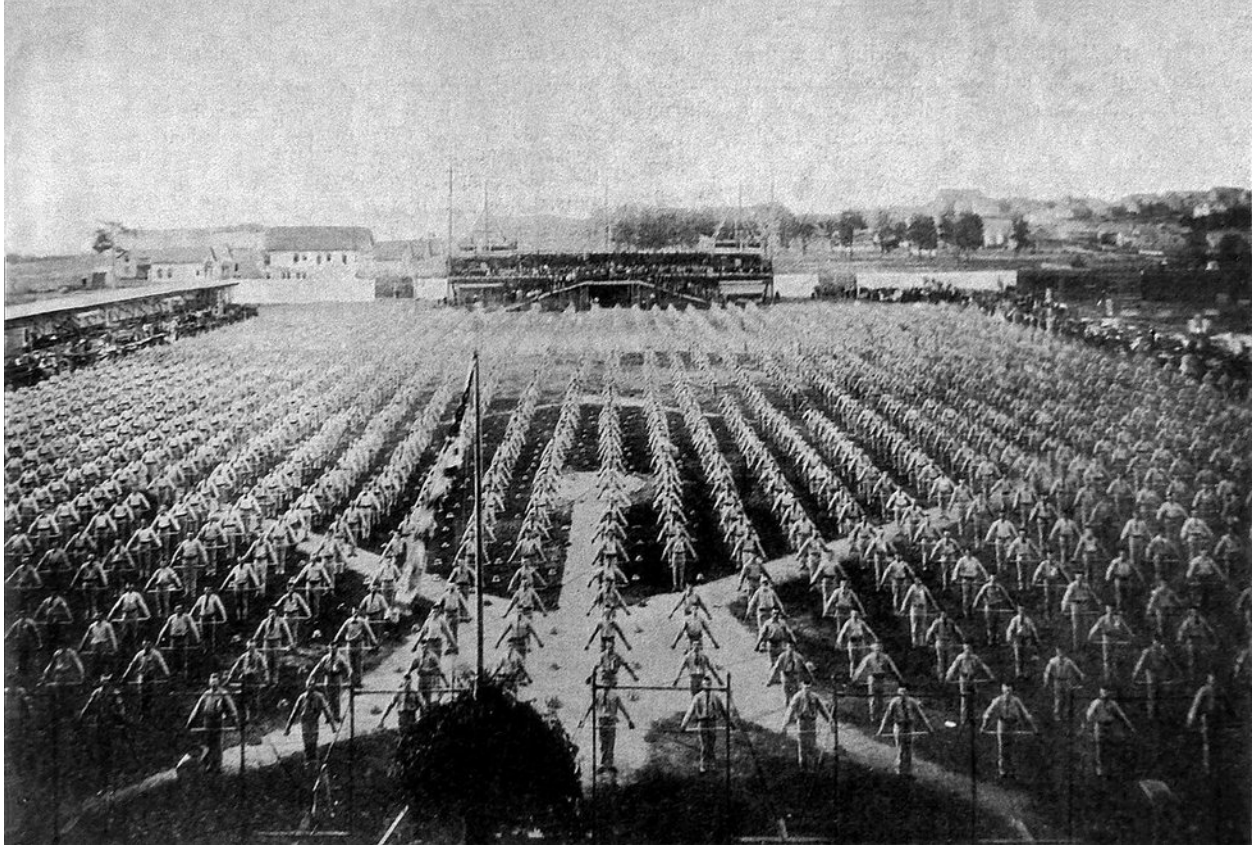


You wonder why so much photo fakery was needed in this simple club photo. And I bet the Five of Clubs would have fit right in.

Later Jahn was claimed to be the spiritual founder of Nazism: “[Alfred Baeumler](#), an educational philosopher and university lecturer who attempted to provide theoretical support for Nazi ideology (through the interpretation of [Nietzsche](#) among others) wrote a monograph on Jahn<sup>[40]</sup> in which he characterises Jahn's invention of gymnastics as an explicitly political project, designed to create the ultimate völkisch citizen by educating his body.” **In other words, more gay Jews.**

Doubtless the Turners found this terribly unfair, but then stuff like this doesn’t help their case:





That's 3,000 Turners performing at the Federal Gymnastics Festival in Milwaukee, 1893.

But back to Lieber:

With his mathematics dissertation under his belt and his experience as a gym manager, he was uniquely suited to edit the *Encyclopaedia Americana*, published in 13 volumes, between the years 1829 and 1833, and after that to become a professor of history and political economy. He is most famous for the [Lieber code](#), a set of rules of war that was introduced during the Civil War. Although it had some good points, such as forbidding rape and disallowing *most* killing of prisoners, it was no Geneva Conventions:

**[It] included practices that would be considered illegal or extremely questionable by today's standards. In the event of the violation of the laws of war by an enemy, the Code permitted [reprisal](#) (by [musketry](#)) against the enemy's recently captured POWs; it permitted the [summary execution](#) (by musketry) of spies, [saboteurs](#), [francs-tireurs](#), and guerrilla forces, if caught in the act of carrying out their missions.**

But most likely the Code was written as a legal defense for the Emancipation Proclamation, specifically a defense of using emancipated slaves (which the South viewed as stolen property) as soldiers.

## Connecting the Participants

The participants in the North and South in the caning incident were all connected via Lieber.

Sumner and Lieber became friends when he first came to Boston:

**Story was impressed by the earnest, learned German expatriate, Francis Lieber, to whom he introduced Sumner, his student promptly annexed Lieber as an admired friend, whose works he humbly praised and whose career he sought to forward by soliciting for him honorary degrees from Harvard, contracts with publishers, and puffs in the Boston newspapers. Lieber asked Sumner to serve as “part friend, part agent” for him in Boston, but the young lawyer promptly replied: “I will be all friend, and do for you as well as I can.” Pleased by such adulation, Lieber told his wife: “Sumner, is one of the finest men I know of; he...studies hard and deep, and is withal enthusiastically devoted to me. He verily loves me. [Donald,p.19]**

Lieber would write some of the letters of recommendation that Sumner took with him on his first trip to Europe, presumably those directed to Prussian eminences.

They remained lifelong “friends”, with occasional breaks due to Sumner’s difficult nature. Lieber didn’t help matters because when he lived in the South he kept slaves, two household servants.

What is Lieber’s next position, after the gym and encyclopedia ventures ended? From 1837 – 56 he was a professor at South Carolina College, where Brooks and Keitt were his students. At the time the college had around 160 student and 6 professors, so definitely they would have known each other. Keitt’s biography confirms the connection:

**[Keitt] was most strongly attracted to the study of history and political economy, and to Francis Lieber, the arch-dissenter who had begun his long and uncomfortable association with the college five years before. Lieber was a prolific writer and an effective teacher who introduced modern methods into his classroom, alternated lectures and recitations, and used maps, globes, and other aids to hold the attention of his students. [Merchant,p.7]**

(Using maps and globes to teach? Genius!)

Also, Brooks, Lieber and Keitt were members of the [Euphradian Society](#), which is billed as a literary society. But I did not find evidence of contact between Brooks or Keitt with Lieber after the college years.

In 1856, perhaps with his mission complete in the South, Lieber left South Carolina College to teach history and political science at Columbia College (now University) in New York. It was while at Columbia that Lieber wrote his Code.

There are probably genealogical connections between Sumner and Brooks/Butler, but I am not a good enough genealogist to find them. There are many prominent Butlers in Massachusetts, as there are Sumners in South Carolina. For example, there is a [Sumner Plantation](#) in South Carolina. (Also a [Sumner nuclear plant.](#)) **Also remember Gordon Sumner, aka Sting.**

[I was curious if Ft. Sumter could have been named for a relative of Charles Sumner, but this speculation was not born out. The fort was named for Gen. Thomas Sumter of Virginia. There are 120 Sumners and 6 Sumpters in the peerage. When the names get fudged Sumner goes to Summer, and Sumpter goes to Sumter, but I could find no cases of Sumner going to Sumter.]

# The Caning

So what was the insult against Senator Butler that provoked the caning? In the midst of Sumner's five hour speech:

**Sumner began his verbal assault with Butler, who was then absent in his native South Carolina, dubbing him the “Don Quixote” of slavery. According to Sumner, Butler had: read many books of chivalry, and believes himself a chivalrous knight, with sentiments of honor and courage. Of course 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. For her, his tongue is always profuse in words. Let her be impeached in character, or any proposition made to shut her out from the extension of her wantonness, and no extravagance of manner or hardihood is then too great for this senator. The phrenzy [ sic ] of Don Quixote, in behalf of his wench, Dulcinea del Toboso, is all unsurpassed.” [ Deitreich,p.182]**

Ouch. Them's fightin' words.

But a bit later, Sumner appears to make fun of Butler's speech impediment, brought on by a recent stroke:

**Sumner said that Butler had “with incoherent phrases, discharged the loose expectoration of his speech” upon the people of the Territory. Sumner went on to say that Butler “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 their [ sic ] flies out a blunder.” [Deitreich,p.182]**

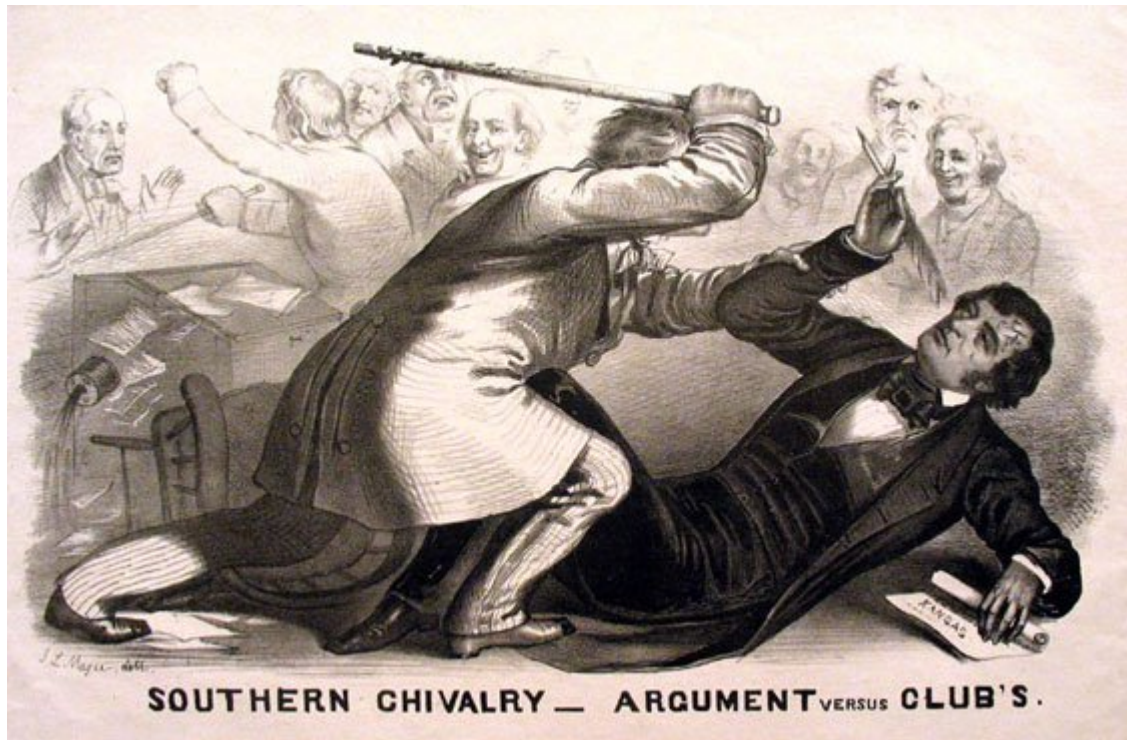
That's a low blow.

Sumner was actually on good terms with Butler initially. When he first arrived in the Senate in 1851:

**Oddly enough it was the Southerners whom Sumner found the best company in Washington... Before long Sumner boasted that Pierre Soulé, the extreme state-rights senator from Louisiana, was his best friend in the Senate... Soon he was also on excellent terms with Andrew Pickens Butler, whose seat adjoined Sumner's. The good-natured South Carolina senator took a fancy to his new colleague and frequently asked him to verify classical quotations he planned to use in his speeches. In his stiff Boston way Sumner grew fond of the old man. [Donald,p.176]**

This is the famous cartoon about the caning:





It makes you think Sumner was overpowered by a larger man, but actually Sumner was bigger and in better shape than Brooks. Sumner was 6'2" (I also saw a claim of 6'4"), with height comparable to Lincoln's. Here's an account of his and Lincoln's first meeting:

**When the President-Elect, admiring the senator's height, offered to "measure backs" to determine who was the taller, Sumner, unamused, stiffly replied that this was "the time for uniting our fronts against the enemy and not our backs." After they parted, Lincoln is supposed to have said: "I have never had much to do with bishops where I live, but, do you know, Sumner is my idea of a bishop." [Donald,p.319]**

Brooks was apparently 6 feet tall. He wrote to his brother, "Sumner is a very powerful man and weighs 30 pounds more than myself." [Deitreich,p.134] He is said to have been worried that if he didn't surprise Sumner in his attack that Sumner might snatch the cane away and beat him back.

There was also the dueling bullet that he is supposed to have carried in his hip that prevented him from walking without a cane. Brooks discussed with another accomplice, Virginia Congressman Edmundson, a different plan for the attack where he would meet Sumner outside the Capitol, a plan which would necessitate running up the steps:

[Edmundson] cannily suggested a flaw: "The exertion and fatigue of passing up so many flights of steps would render him unable to contend with Mr. Sumner, should a personal conflict take place," especially as "no doubt Mr. Sumner was physically a stronger man than himself." [Donald,p.245]

What about the cane?

The instrument he selected was a gutta-percha walking stick, presented to [Brooks] several months earlier by a friend. Weighing eleven and one-half ounces, the cane had a gold head; it tapered from a thickness of one inch at the large end to three quarters of an inch at the small, and had a hollow core of about three eighths of an inch.[Donald,p.244]

Gutta-percha is a plant whose sap can be made into a thermoplastic latex. It once was used to insulate underwater telegraph cables, as well as to make golfballs. It was replaced for many uses in the 20<sup>th</sup> century by Bakelite. So basically the cane was a hollow, 11-ounce, hard plastic stick.

It is said to have broken into many pieces during the attack, and afterwards the pieces were grabbed as souvenirs. The cane is on display at the Boston Old State House—you know, lest we forget this Southern atrocity. Here's the picture of it on the Wikipedia page for the [Sumner Caning](#):



It makes you think just the head survived, which matches the story told in the text. And yet here's another picture of the exhibit:



I can't account for this full cane. It's probably nothing, they probably reconstructed the missing parts.

The mainstream account says the attack began with "a slight blow' with the smaller end of his cane" (so 3/8" of hollow plastic). If this were the case, how incapacitated could Sumner have been? Why didn't he stop the attack from the weaker Brooks? The mainstream claims that he was stunned, and forgot how to get out of his chair (he had to slide it backward), and to save himself he ultimately had to rip the desk from the floor with his manly thighs alone.

Sumner was taken to a room off the Senate where Dr. Cornelius Boyle tended to him. He found two "flesh wounds" on his head, each of which required two stitches to close. The Northern story at the time was that he was beaten to a point near death, and that view has become the official mainstream story.

## The Aftermath for Brooks

Despite allegedly nearly killing Sumner, Brooks escaped any serious punishment. He was not even ejected from the House. Does that make sense? If you were a Congressman, North or South, would you want a colleague among you who was capable of murderous assault? Yes, if you knew the whole thing was a fake.

He also escaped legal punishment. His trial for assault took place about two months later. Sumner claimed he was not well enough to testify, and didn't know when he would be. The trial was presided over by a Judge Crawford, about whom I couldn't find much information. But the prosecutor was Philip Barton Key, U.S. Attorney for the District of Columbia.



We have seen that name before. He was the son of Francis Scott Key, who was mentioned above. He was murdered three years after this trial. Miles covered him in [this paper](#), where he suggests he went into Intelligence. Was Key part of the Brooks trial just as part of his normal duties? Or was he placed there to ensure an outcome?

And what was that outcome?

Given the fact that the assault would soon be “the subject of an investigation in another place [i.e. the House of Representatives]” and having no desire to prejudice any subsequent investigation, Judge Crawford decided that the best course of action was to simply pronounce sentence without comment: “That sentence is that the defender pay a fine of \$300.” [Deitreich,p.218]

The assault was on May 22, and by July 8 the judge had wrapped up the legal issues with a fine, and no jail.

Brooks was the most famous and admired person in the South for a time, but it didn't last for long, because he died within half a year...of the croup. Yes, that relatively harmless (though terrifying to parents) illness that makes your baby bark like a seal, that's what did him in.

**A mere eight months after the Sumner Affair, Preston Brooks fell victim to what at the time was variously described as “a severe cold,” “the croup,” and “an affliction of the throat, of what is technically called laryngitis.” Whatever it was, it came upon him with frightening speed. Less than a week after he felt the first effects of the affliction, Preston Brooks was dead at age thirty-seven. [ Deitreich,p.246]**

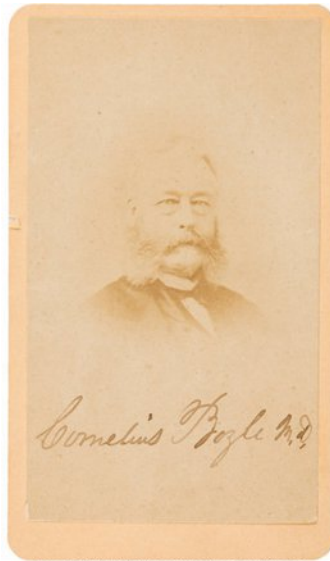
Brooks continued to go to Congress, but the illness grew worse.

It was not until the next morning, Tuesday, January 27, that Brooks finally sent for a physician, Dr. Cornelius Boyle, ironically enough the same doctor who, back in May, had treated Charles Sumner following Brooks's assault.[ Deitreich,p.250]

I think by “ironically” the author intends “coincidentally,” while the correct word he should have used was “appropriately.” What are the chances that the same doctor who first examined

Sumner was the same one who tended to Brooks for his deadly croup? Pretty low, unless he was part of a running project.

And also, Dr. Boyle would become a Confederate spy.



Imaged by Heritage Auctions, HA.com

I found this information about Boyle in a book about the Knights of the Golden Circle:

**Boyle, a noted Washington medical doctor, was now provost marshal for northern Virginia and had commanded the Gordonsville camp since 1862. He was heavily involved in Confederate undercover operations, serving as an essential link for the Confederate Signal Corps as well as for the “secret line” of Confederate agents who passed messages between Richmond and Washington. [Keehn,p.183]**

Also:

**General Robert E. Lee felt that Boyle’s undercover work and contracts were so significant that he disapproved of Boyle’s proposed transfer in 1863 noting: “Major Boyle was commissioned specially for the special service on which he is now engaged. I know of no one who can take his place.” [Keehn,p.256]**

Is it likely that Boyle only took up spying once the War started? Or was he an agent all along?

Although I could find no evidence of Brooks living beyond 1857, his death has all the signs of a fake. He had been a middling Congressman, and only did anything of importance with the fake Sumner caning. They must have decided he would be more useful thereafter outside of Congress, and moved him to some other project.

## The Aftermath for Sumner



In the critical final years leading up to the Civil War, the period of Dred Scott, the Lincoln-Douglas debates, John Brown's raid, etc., what was the leading anti-slavery voice in the Congress doing? He was sightseeing in Europe, according the mainstream story.

Sumner was away from the Senate for nearly three years after the attack. During this time he was said to be recuperating. Many people at the time, both from the South and the North, thought that he was faking it, and grew tired of his communiques from various health resorts saying he was on the mend but not quite ready to return.

He did return twice to the Senate during this period very briefly, when his masters bid him to. He first returned to Washington in late February, 1857:

**...when Massachusetts businessmen demanded that he vote on the new tariff bill. ... After casting the deciding vote against a proposed increase in import duties on raw wool, a proposal naturally opposed by Massachusetts woolen manufacturers who desired cheap raw materials, Sumner felt too unwell to continue in his place. "I have sat in my seat only one day," he reported to Theodore Parker on March 1. "After a short time the torment to my system became great, and a cloud began to gather over my brain. I tottered out and took to my bed." [Donald,p.273]**

During his time away he travels extensively in England, France, Italy, Switzerland, Austria and Prussia, and reacquaints himself with many of the luminaries he met on his first trip to Europe. His reported activities during his trips bely his frail health:

**During the entire trip Sumner kept up a rigorous schedule of sight- seeing which would have exhausted a man half his age. Despite a cold that persisted for the two months he remained in Paris, he saw everything and everybody in the French capital. [Donald,p.274]**

**Sumner was capable of vigorous exertions. They visited museums, inspected the cathedral, went out to Virgil's grotto, climbed Vesuvius, drove to Herculaneum and Pompeii, took a horseback trip to St. Elmo, during which Sumner "indulged himself in a glass of goat's milk, much to the amusement of the by-standers" [Donald,p.287]**

**Then Sumner spent three glorious weeks in Rome, where William Wetmore Story, the artist son of Justice Story, accompanied him to the galleries and the churches and the art studios. Sumner's enthusiasm exhausted the Storys, the Robert Brownings, and the Nathaniel Hawthornes... [Donald,p.288]**

**An exciting fling in London society, six weeks at the salt-water baths near Le Havre, a brief tour of Brittany, a final few days in Paris, where he spent about \$1,500 in buying, generally at outrageous prices, bronzes, china, books, engravings, manuscripts, and other alleged antiques, and a short, happy trip through rural England completed his European travels. On November 5 he sailed from Liverpool. [Donald,p.289]**

The entire time he was drawing his Senate salary. As a taxpayer, even today I am angry! He claimed that he only started feeling bad when he got near Washington, and modern historians excuse him by saying he had a case of PTSD or somesuch.

At the time he was also receiving cover from some high-ranking people:

**Sir James Clarke, the Queen's physician. Clarke, without making any examination himself—indeed, without even seeing Sumner—gave as his considered judgment: “I have no hesitation in affirming, that, if he returns to mental labor in less than a year from this time he will soon become a permanent invalid, if he does not lose his life.” [Donald,p.275]**

A more logical explanation for his travels is that he was an agent when he first traveled to Europe as a young man, and remained an agent during this later trip. His handlers believed that if he were to remain in the Senate there was nothing he could do that would advance their interests more than the caning (in fact, this was a common view among Republicans at the time, that his empty Senate chair provided better symbolic value than Sumner's actual presence), and he would be more useful doing their bidding in Europe.

There is a hint of this in his biography:

**He arrived in northern Italy just as Napoleon III's troops were driving out the Austrians...Sumner exclaimed as he left the capital of the Piedmont, “and may the Austrian empire cease to exist.” [Donald,p.288]**

Here's a final chuckle from Sumner's biography:

**[In 1861] Stephen A. Douglas was working indefatigably to support compromise. So strong was the desire for adjustment that the House of Representatives appointed a Committee of **Thirty-three** and the Senate a Committee of **Thirteen** to work out remedies for the sectional crisis. [Donald,p.307]**

## Why

Even by the mainstream view the caning had huge propaganda value, giving the Republicans half of their 1856 platform: “Bleeding Kansas” and “Bleeding Sumner.” They ran well on that platform and of course went on to win the Presidency in 1860.

But I can't say what the actual reasons behind this project were. Obviously it created huge divisions in the country, and it continues to do so to this day. I got into this story because on May 22 the front page of Wikipedia gave the five most important things that happened on that date, and the Sumner Caning was one of them. I wondered why are they still pushing this story? Why 164 years later we should still be thinking about this? It's because it was a masterful piece of propaganda at the time that served to perfectly divide the country. And it still works at that level. It's the same reason we had the Confederate statues outrage a few years ago; that stuff still works to divide people.

I still remember my AP American History teacher (in 1985 in New York), a nice liberal lady, expressing genuine outrage at the caning, especially the detail of the story where Brooks received souvenir replacement canes that bore the text, “Hit Him Again.” That's really fine propaganda, if it still provokes an emotional response over a century later.

Whatever was the real cause for the conflict between then Northern and Southern elites in that period, it seems like in 1856 they felt they had to ratchet up the divisions between the ordinary people in the country. Maybe they figured physical conflict was inevitable, and it was time to

start up the war propaganda. As such, the Sumner caning worked beautifully. Many Northerners were genuinely mortified by the attack, and came to view the Southerners as beasts.

But the caning was just one part of the project:

**The chance fact that Brooks's attack had occurred almost simultaneously with a (fake) Southern raid on the free-state town of Lawrence, Kansas (May 21, 1856), gave the Republicans the perfectly matched themes of "Bleeding Sumner" and "Bleeding Kansas" for the coming presidential campaign. [Donald,p.252]**

Yes, totally by chance that occurred the day before the caning.

What about ordinary Southerners, the ones who would be pressed into fighting? Were they goaded into action when their Senator was compared to Don Quixote? I sort of doubt it. So for them other projects were used, such as the Pottawatomie massacre, a fake which Miles has [covered](#). This one occurred *two days* after the caning. All these incidents were related and part of the same project to create division.

## Historical Method

A professional historian might accuse me of picking some pieces of information and ignoring others in order to push the viewpoint I have chosen. Perhaps. But is that not what the professional historian also does? Given the information that Sumner took off just as his career was getting started and took a three-year trip to Europe, funded by Boston elites, where he meets countless important people, Donald claims he is there to study European legal systems and to sightsee, while I believe he was being groomed as an agent for the Boston elites. Whose viewpoint makes more sense objectively?

Mainstream history is just another branch of the propaganda machine, perhaps the most potent one because historians seem more educated and trustworthy than, say, TV reporters. But they are cursed to shape their stories to fit the agenda of their masters. I don't envy Donald's task of making any sense of Sumner's second European trip, where on the one hand he has to present him as recovering glacially from a near-death injury, while at the same time needing to report such nonsense as his vigorous and enthusiastic sightseeing. I may have gotten some things wrong in the Sumner story—no, it is quite probable that I did, since I am an amateur who does not have the time to go through the same boxes of materials that Donald did. But I am trying to tell the truth as I see it, and any errors are unintentional, and not in support of the agenda of the powers that be. I wonder what snippets Donald found among Sumner's and Lieber's letters that he chose not to report, because they revealed too much?

What about Donald's treatment, or non-treatment, of Sumner's obvious homosexuality? Was he covering for Sumner? The two volumes of his biography were written in 1960 and 1970, and maybe at the time it wasn't polite for historians to discuss the sexuality of historical figures. But then you get preposterous passages like those quoted above. Maybe for the reader in 1960 that was sufficient to form the correct opinion and they didn't need to be beaten over the head, whereas today everything needs to be spelled out. I'm actually surprised that Sumner hasn't been officially outed, because that would make him a hero for both the anti-racist and LGBTQ agendas. I wonder if that's something we can look forward to in the coming years, that the "left" side of the "culture wars" will start outing famous historical figures? Why not?

I'll close with a few more examples of mainstream history as propaganda. Starting with the mundane:

The premise of the TV show *Drunk History* is that various unknown minor actors (probably all spooks and children of the rich) get totally drunk and try to retell various stories from history. As they narrate we view re-enactments of the story with real actors, using the garbled narrations as a guide. It can be amusing at times (except when the propaganda gets too disgustingly blatant).

They covered the Sumner caning in 2014 and I watched it as "research" for this paper. It covered all the original points of the story, that the Southerners are all hot-headed, dueling, nut jobs, Sumner was flawed but virtuous, etc. For the caning it shows Brooks using a thick wooden club, and afterward Sumner is lying on his back on the Senate floor, with blood welling out from the back of his head and filling the floor. You are to think that his skull was cracked open by a bludgeon. Exaggeration for comic effect? No, all the comedy surrounds this moment, with the narration and the actors; this is a brief serious moment. This one moment is pure propaganda, reinforcing the old story that Sumner was beaten to near death.

Okay, a TV show fudging history might not matter that much (although maybe it does, since *Drunk History* is probably the only form of history the average person ingests these days). But how about a professional historian?

Here is historian Stephen Puleo, who recently (2013) wrote a book on the caning, addressing a crowd of white-hairs in the Old South Meeting House in Boston. C-SPAN was there to [record it](#). Here are some snippets:

**6:40: "On May 22, 1856, Senator Charles Sumner of Massachusetts is sitting at his desk in the Senate chamber in Washington DC when he is beaten to within an inch of his life by South Carolina Preston Brooks with a cane."**

That's one way to describe two flesh wounds and four stitches. **Or to describe nothing.**

**36:28 "As Sumner is looking up Brooks comes down on the top of Sumner's head incredibly hard. Blood bursts from Sumner almost immediately, he is blinded by his own blood on the first blow."**

Puleo surely read the Donald biography, since he admits it was the standard work for decades. There the initial contact is describes as a "slight blow." But Puleo's version is a better explanation of how the more powerful Sumner could have been overcome by the smaller Brooks. Unfortunately his version does not match prior history.

Here he is referring to Sumner during his second European sightseeing trip:

**43:50 "Sumner is recovering during this time, he has terrible head injuries, spinal injuries, neck injuries, tremendous trauma."**

So it sounds like in 2013 they decided to push the Sumner story again, and at the same time tighten up some of the worst inconsistencies. For the majority of people they made a *Drunk History* episode, but they sent out Puleo to deal with the classier C-SPAN crowd.

## Sources

Donald, David Herbert. *Charles Sumner and the Coming of the Civil War*.

Donald, David Herbert. *Charles Sumner and the Rights of Man*.

Deitreich, Kenneth A. *The Short Life and Violent Times of Preston Smith Brooks : A Man of Mark*. Cambridge Scholars Publishing, 2019.

Keehn, David C. *Knights of the Golden Circle : Secret Empire, Southern Secession, Civil War*. LSU Press, 2013.

Merchant, Holt. *South Carolina Fire-Eater : The Life of Laurence Massillion Keitt, 1824-1864*. University of South Carolina Press, 2014.