

# “If Men Should Fight”

Dueling as Sectional Politics, 1850–1856

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“A Duel!!”<sup>1</sup>

In late March of 1854, the press burst with the news, alerting the public to a duel that had allegedly taken place between Congressmen Francis B. Cutting of New York and John C. Breckenridge of Kentucky. It was immediately clear that their conflict had arisen out of a vicious debate in Congress over the Kansas-Nebraska Act, but little else about the affair was certain. Confusion reigned and a flurry of rumors circulated. Had Breckenridge been shot in the neck? Was he killed or wounded? Had Cutting emerged victorious? Or was the entire affair little more than a hoax? The situation became so dramatic that it even appeared in a theatrical advertisement, which beckoned people to see a play that promised to be just as exciting as the purported duel. By early April, the dust had settled, and it was clear that no bullets had been exchanged. But two key questions remained for those readers who had followed the story in the pages of the

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<sup>1</sup> “A Duel!!” *Ripley Bee*, April 1, 1854.

popular press. How would they, the public, choose to interpret the duel? And why did these two Congressmen feel compelled to resort to arms as a way to resolve their political differences?<sup>2</sup>

The answers lie in the development of Congressional duels in the 1850s as a function of mounting sectional tension. Three confrontations arising out of debates in Congress offer apt illustrations of the shifting role and perception of these political duels. The first, between Northern Congressman William Bissell and Southern Senator Jefferson Davis, emerged as a result of debate over the Compromise of 1850 but was ultimately resolved by President Zachary Taylor. In the wake of the conflict, newspapers North and South condemned dueling in general terms and applauded the reconciliation of the parties as a symbolic settlement of sectional differences. In the second conflict, an argument in Congress between Cutting and Breckenridge over the Kansas-Nebraska bill nearly led to a duel. In response, the Northern and Southern press criticized dueling as an institution, just as they had done after the altercation between Bissell and Davis. Unlike its 1850 predecessor, however, the Cutting-Breckenridge conflict was represented in the Northern press as a symptom of sectional discord. Southern newspapers noted and reinforced this interpretation, commenting most heavily on the duel by censuring Northern coverage because it focused too heavily on the sectional implications of the affair. Finally, the third confrontation occurred after Massachusetts Congressman Anson Burlingame condemned South Carolina Congressman Preston Brooks for his violent caning of Charles Sumner on the floor of the Senate. Brooks, feeling that his honor had been besmirched by Burlingame's speech, challenged him to a duel. The conflict between the two – from the speech that precipitated the challenge to Brooks' ultimate refusal to meet Burlingame – enacted the escalating tension between North and South. And both the Northern and Southern press assessed the duel as fundamentally sectional in character. By this time, Southern papers had dropped their criticisms of affairs of honor, while Northern newspapers split – some still staunchly opposed to dueling, and others beginning to perceive it as a legitimate way of combating Southern aggression. Southerners, in turn, saw the duel as revealing the hostility of the North toward Southern society. Between 1850 and 1856, Congressional duels became sectionalized in both form and popular perception, as exhibited prominently in the Davis-Bissell, Cutting-Breckenridge, and Brooks-Burlingame conflicts.

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<sup>2</sup> Ibid; "Excitement at Washington," *Daily Scioto Gazette*, March 30, 1854; "The Duel Yesterday," *New York Daily Times*, March 30, 1854.

In antebellum America, dueling stemmed from a language and code of honor that dictated the behavior of so-called gentlemen. In the culture of honor, appearances were paramount, and everyday behavior constituted a ritualized performance of respectable conduct. The gravest insult to a man was to claim that his outward demeanor was a false projection and his internal self was thus disreputable and ungentlemanly. Accordingly, duels nearly always began with the pronouncement of a lie – that is, proclaiming that some aspect of the gentleman’s façade was false, deceitful, and worthy of scorn. The lie could take many forms. Calling a man a coward or puppy, stating that his opinions were incorrect in a newspaper or public space, pulling his nose and thereby compromising his external appearance, or otherwise using insulting language could all merit a challenge to a duel. In order to maintain his claim to honor, a gentleman then had to clarify whether the man giving the lie meant to do so, and if he had, ask him to retract his statement. If the offender refused to withdraw the comments in question, the insulted party was obligated to challenge his antagonist to a duel in order to prove his honor. Although most duels were resolved before any bullets were exchanged, the practice nevertheless allowed a gentleman to profess his courage by confronting death – or at least confronting the prospect of engaging in a stand-off that might lead to death – without fear. The intention of a duel was not to kill your antagonist or seriously injure him, but for both parties to lay claim to genuine courage in a moment in which truth was bared in the face of death.<sup>3</sup>

Dueling between 1850 and 1856 was geographically diverse and occurred for a variety of reasons. Affairs of honor were most prevalent among Southern gentleman, but Northern men, particularly those in public life, also spoke the language of honor and engaged in duels throughout the 1850s. Despite its increasing illegality in states throughout the Union, dueling was a phenomenon that ultimately traversed sectional lines. Not only did affairs of honor occur nationwide, they were fought for many reasons. Some of the most commonly cited causes of duels in this period include women, drink, verbal affrays, newspaper editorials, and politics. Although they were very uncommon, the

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<sup>3</sup> There are many studies that discuss nineteenth century honor culture. Joanne B. Freeman’s *Affairs of honor* (New Haven: Yale University Press, 2001) discusses the code of honor in the early republic and its role in national politics. John Hope Franklin’s *The militant South, 1800 – 1861* (Cambridge: Belknap Press of Harvard University Press, 1956), Betram Wyatt-Brown’s *Southern honor: ethics and behavior in the Old South* (New York: Oxford University Press, 1982), and Steven M. Stowe’s *Intimacy and power in the Old South: ritual in the lives of the planters* (Baltimore: Johns Hopkins University Press, 1987) are the seminal examinations of the role of honor culture and dueling in the antebellum South. One of the most compelling studies of the subject, from which much of this paragraph derives its content is Kenneth S. Greenberg’s *Honor and slaver: lies, duels, noses, masks, dressing as a woman, gifts, strangers, humanitarianism, death, slave rebellions, the slavery argument, baseball, hunting, and gambling in the Old South* (Princeton: Princeton University Press, 1996), 1-23.

duels most prominently featured in the press ended in death for at least one of the parties. For example, in 1855, two members of the New York Shakespeare Club, one of whom was drunk, became embroiled in a duel over membership fees that ended in the death of the challenger. Another fatal duel occurred in Louisiana in 1851 between Dr. Thomas Hunt, brother of Whig Congressional candidate Theodore Hunt, and J. W. Frost, editor of the *New Orleans Crescent*. After Frost used words personally offensive to Dr. Hunt in a speech outside the nominating convention, the latter challenged the former and mortally wounded him. In California, Edward Gilbert, editor of the *Alta California*, challenged State Senator J. W. Denver. Both were badly injured, and Gilbert died shortly after being shot. The majority of cases, however, did not result in death. Pennsylvania Senator James Cooper challenged Mr. McMichael, who ran the Philadelphia-based *North American and United States Gazette*, to a duel, but the newspaper editor declined to meet the Senator. In 1854, two students of Jefferson College, one from Baltimore and the other from Pennsylvania, fought a duel over a lady that both men had courted. One of the antagonists was wounded seriously, but not fatally. John Daniel, editor of the *Richmond Examiner*, and William Scott, member of the Virginia House of Delegates, were to fight a duel but it was amicably arranged before it came to blows. From New York to Virginia to California, duels in the 1850s transcended geographical boundaries.<sup>4</sup>



In Congress, affairs of honor differed markedly from those that occurred amongst men in the general public. Congressional duels were overwhelmingly a result of political disagreements, were widely covered in the press regardless of their result, and only rarely ended in the exchange of bullets. For instance, a duel nearly erupted between Missouri Senator Thomas Hart Benton and Mississippi Senator Henry Foote over the admission of California in 1850. Another took place after a debate in the House about the 1851 River and Harbor

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<sup>4</sup> “New York, June 6,” *Boston Daily Advertiser*, June 7, 1855 (Shakespeare Club members); “The New Orleans Duel,” *Daily Ohio Statesman*, July 26, 1851 (Frost-Hunt); “Fatal Duel,” *Sacramento Union*, August 14, 1852; “Senator Cooper, and the Code of Honor,” *Daily Cleveland Herald*, September 29, 1854 (Cooper-McMichael); *Vermont Patriot and State Gazette*, May 5, 1854 (Jefferson College students); *Boston Daily Atlas*, April 4, 1851 (Daniel-Scott). Traditionally, duels in the antebellum era have been understood as a phenomenon largely confined to the South. Some scholars, however, have expressed skepticism about this claim and argued that dueling was a more national experience than most Southern historians have admitted. In particular, Mark E. Neely, Jr. discusses the participation of Northerners in political duels that occurred during the Kansas-Nebraska controversy, and Michael C. C. Adams’ reflects on the existence of a national culture of political violence. See Neely, Jr., “The Kansas-Nebraska Act in American Political Culture: The Road to Bladensburg and the *Appeal of the Independent Democrats*,” in *The Nebraska-Kansas Act of 1854*, eds. John R. Wunder and Joann M. Ross (Lincoln: University of Nebraska Press, 2008), 13-46; See Adams, *Our masters the Rebels: A speculation on Union military failure in the East, 1861-1865* (Cambridge: Harvard University Press, 1978).

Bill, when North Carolina Congressman Edward Stanley and Alabama Congressman Samuel Inge exchanged a single ineffective shot each and then promptly reconciled. During debates discussing Southern disunion in 1852, South Carolina Senator Robert Rhett declined to fight a duel with Alabama Senator Jeremiah Clemens. Another almost occurred between Kansas Free State advocate James Lane and Illinois Senator Stephen A. Douglas after the latter rejected a petition submitted by the former to the Senate. Massachusetts Senator Henry Wilson refused a challenge from South Carolina Congressman Preston Brooks, which was issued after Wilson condemned Brooks' caning of Sumner. Examining these duels together, it becomes clear that there are three key factors that determined the nature of Congressional affairs of honor: whether or not the challenge was accepted, the tenor of the political questions before the House or Senate, and the sectional identity of the two antagonists. Notably, the Davis-Bissell, Cutting-Breckenridge, and Brooks-Burlingame conflicts all involved the acceptance of the duel challenge, occurred in the midst of considerable sectional tension in Congress, and pitted a Northerner and Southerner against one another. While other Congressional duels in this period were characterized by one or two of these key features, only the Davis-Bissell, Cutting-Breckenridge, and Brooks-Burlingame duels possessed all three. Thus these three affairs are emblematic of the greater trends that distinguished Congressional duels between 1850 and 1856 while remaining unique in their convergence of all three determining factors. Perhaps for this reason, these duels were more extensively covered and discussed in the popular press than any others that occurred out of Congressional conflicts in the 1850s, and they therefore serve as indications of both the popular perception and function of dueling throughout the period.<sup>5</sup>

The interaction between Congress and the press in the 1850s made the principals in these duels focus closely on their audience. Prior to the 1850s, Congressmen and Senators had a heavy hand in preparing their speeches for reproduction in the national press organs that covered politics in the capital. Accordingly, speeches were modified by members of Congress before publication, meaning that an oration given on the House or Senate floor that catered to other politicians could be altered for or withheld from consumption by local constituents in one's state or district. In this way, compromise remained possible, because national parties could represent a different attitude toward a particular issue in Congress than the one projected to voters at home. However, this process underwent a marked

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<sup>5</sup> *Daily South Carolinian*, April 1, 1850 (Foote-Benton); *Bangor Daily Whig and Courier*, February 26, 1851 (Stanley-Inge); "Disgraceful Scene in the Senate," *Trenton State Gazette*, March 1, 1852 (Clemens-Rhett); *New York Daily Times*, April 28, 1856 (Lane-Douglas); *North American and United States Gazette*, May 31, 1856 (Brooks-Wilson).

shift in the late 1840s. New journals and newspapers emerged, including the *Annals of Congress* and the *Congressional Globe*, which were dedicated exclusively to reporting on Congressional proceedings. And the collection and consolidation of Congressional oratory was facilitated by the fact that it became increasingly acceptable for House or Senate members to deliver a pre-written speech, a practice which, in the earlier antebellum period, had been perceived as absurd and greeted with laughter. As a result, the printed speeches closely resembled, in both form and content, those that were given on the floor of Congress. This meant that the nature of Congressional debate shifted. Because words spoken in Congress were published with little modification, representatives in the House and Senate began to use the floor as a stage, performing not for the men around them but instead for the general public. Thus members of Congress catered to the interests of specific swathes of public opinion rather than attempting to negotiate compromises with fellow politicians. As a result, Congressmen could not appeal to differing groups with divergent opinions, and national coalitions fractured as sectional conflict mounted. In this context, for Davis and Bissell, Cutting and Breckenridge, and Brooks and Burlingame, the audience of their speeches, debates, and ultimately, their duels, was less their fellow Congressmen than it was the newspapers and the public that read them. The opinions of the popular press and its readership became just as crucial as the speeches and conflicts themselves.<sup>6</sup>

The Davis-Bissell duel arose out of the intense debates in Congress over the Compromise of 1850. The 1848 Treaty of Guadalupe Hidalgo, settling the Mexican-American War, brought in a massive amount of new territory and thus raised the question of whether slavery would be permitted or restricted therein. President Zachary Taylor, a Southern Whig, began to believe that aggressive slaveholders were agitating for slavery in the territories and, in so doing, causing political tumult in the Union. Accordingly, he proposed that California should be admitted to the Union immediately and New Mexico advised to apply for statehood either as a free or slave state. This plan, predating the Compromise of 1850, evaded several key issues and took the problem of legislating slavery out of Congress by bypassing the territorial stage. Taylor hoped that this would settle political conflict over the Mexican Cession and avoid debate over whether or not Congress had the power to determine the status of slavery in the territories. Southerners were incensed at Taylor's plan, which raised the prospect of two

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<sup>6</sup> Thomas C. Leonard, *The power of the press: the birth of American political reporting* (New York: Oxford University Press: 1986), 70-95.

new free states while failing to address the slave trade in D. C., the problem of a harsher fugitive slave law, and the Texas-New Mexico border dispute.<sup>7</sup>

Into this tense political climate stepped Henry Clay. Introduced as a series of measures in January 1850 by Clay and spearheaded by Senator Stephen A. Douglas, the Compromise of 1850 was intended to settle debate over the slavery issue and quell sectional unrest. Passed in separate pieces by differing coalitions of Democrats and Whigs, the Compromise as it was enacted in September admitted California as a free state, organized the territories of Utah and New Mexico and dictated that the status of slavery there be determined by popular sovereignty, passed a more stringent Fugitive Slave Act, abolished the slave trade (but not slavery) in the capital, resolved the border dispute between Texas and New Mexico, and allowed for federal assumption of the debts that Texas had incurred while existing as an independent state. Still, the Compromise as a whole was opposed in February and March by Southern radicals like Senators Jeremiah Clemens of Alabama, Jefferson Davis of Mississippi, and John C. Calhoun of South Carolina. They argued that the North would gain control of the government through the admission of more free states and claimed that disunion would come if the North continued to debate over the slavery question. According to these Southerners, the North must let the question of slavery rest, because continual agitation might lead to emancipation or abolition, an event that would force the South to secede.<sup>8</sup>

The conflict between Illinois Congressman William Bissell and Senator Jefferson Davis emerged in the context of disunionist sentiment wrought by disagreement over the Compromise of 1850. On February 21, 1850, Bissell, a Democrat, rose in the House to deliver a speech entitled "The Slave Question." Focusing on the words of Congressman Thomas Clingman of North Carolina and Congressman Albert Brown of Mississippi, Bissell objected to Southern representatives who consistently discussed the dissolution of the Union in reaction to the Compromise of 1850. Bissell explained that Southern Congressmen cited, "alleged aggressions by the non-slaveholding States upon the rights of the slaveholding, in respect to slavery," as their justification for disunionist sentiment. But Bissell disagreed with this logic, asserting that Southerners were incorrect because Northerners had relatively little power in government and

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<sup>7</sup> John C. Waugh, *On the brink of civil war: the Compromise of 1850 and how it changed the course of American history* (Wilmington, Del: Scholarly Resources Inc., 2003), 33-43; James McPherson, *Battle cry of freedom: the Civil War era* (New York: Oxford University Press, 1988), 70-71.

<sup>8</sup> Waugh, 50-51, 85-97; McPherson, 70-71; *Congressional Globe*, Senate, 31<sup>st</sup> Congress, 1<sup>st</sup> Session, March 4, 1850, 451-456.

could thus not act against slavery in any meaningful way. Rather, Bissell contended, Southerners reigned in the seats of power. In particular, he pointed to the domination – both contemporaneously and historically – of the presidency, cabinet, and diplomatic posts by Southerners and commented that the many Northerners had supported the annexation of Texas and other slave territories. He questioned, “Is this northern ‘aggression’ upon the rights of the South on the slavery question? Is this one of the acts of ‘aggression’ on that subject which is to justify gentlemen of the South in dissolving the Union?” For Bissell, it certainly was not. Bissell’s statements forcefully suggested that Southerners were false about their perceived power in the national government.<sup>9</sup>

At the end of his speech, Bissell responded to Virginia Congressman James Seddon, who, “disparaged the North for the benefit of the South,” by focusing too closely on the retreat of the 2<sup>nd</sup> Indiana during the 1847 Battle of Buena Vista, a key moment in the Mexican-American War. Seddon, according to Bissell, unduly glorified a Mississippi regiment for allegedly plugging the gap in the line left by the fleeing Indiana troops. Bissell argued that although Seddon said that all of the “troops of the North” gave way, the space left by the Indiana regiment was actually filled not by Mississippi men, but by the 2<sup>nd</sup> Illinois – of which Bissell was Colonel – and a portion of the 1<sup>st</sup> Illinois. This comment implied that the Mississippians were not as brave as Seddon had purported them to be – and that their claims to valor were, therefore, in some way false. In the language of honor, this was an insult that amounted to an accusation of lying. But for Bissell, the action of the Illinois men didn’t necessarily malign the character of the Mississippians; rather, it simply proved the strength and military ability of Northern soldiers. Bissell concluded by asserting that given the demonstrable nerve of Northern men, “should danger threaten the Union from any source, or in any quarter,” Illinois and other states would not shy from supplying as many troops as necessary, “to march where that danger may be, to return when it is passed, or return no more.” In Bissell’s eyes, although the North did not exhibit domination in government, it did possess a reserve of strength, which it would use to defend the Union at all costs against anyone – in this case, Southern slaveholders – who might secede.<sup>10</sup>

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<sup>9</sup> *Congressional Globe*, House of Representatives, 31<sup>st</sup> Congress, 1<sup>st</sup> Session, February 21, 1850, 225-228. The argument Bissell made about the preponderance of Southerners in seats of power was a recurring theme of the slave power argument, whose proponents posited that slavery was a problematic institution because it gave the South disproportionate influence in government and thus threatened American republicanism. See Leonard L. Richards, *The slave power: the free North and southern domination, 1780-1860* (Baton Rouge: Louisiana State University Press, 2000).

<sup>10</sup> *Congressional Globe*, House of Representatives, 31<sup>st</sup> Congress, 1<sup>st</sup> Session, February 21, 1850, 225-228.

Rather than disputing Bissell's suggestion that he and other early disunionists were false in their arguments about the distribution of power among Northerners and Southerners, Jefferson Davis, a Democratic Senator, reacted more strongly to the Illinois Congressman's depiction of the Mississippians at the Battle of Buena Vista. In this way, Davis chose to focus on what he perceived as insults to his state's military prowess instead of the attacks on his political thought. Davis, the colonel of the Mississippi regiment to which Bissell had referred, sent a letter to the Congressman on February 22 in order to ascertain whether or not his speech had included the statement that the Mississippi troops were uninvolved in replacing the 2<sup>nd</sup> Indiana in the front lines at Buena Vista. Bissell reiterated what he had said in debate about the Illinois troops, firmly explaining that his intention was not to insult the Mississippi men. Finding this answer unsatisfactory, Davis challenged Bissell to a duel. Bissell readily accepted, and they arranged to fight on the morning of February 28. However, President Zachary Taylor, Davis' father-in-law, heard about the affair and interposed personally. Although the precise nature of Taylor's involvement remains unclear, it is almost certain that he alerted the police to the duel, as the practice was illegal in the District of Columbia. In this way, Taylor forced the parties to reconcile in order to avoid arrest. Davis retracted his challenge and Bissell again avowed that his remarks were not intended to detract from the valor of the Mississippi soldiers, and as a result, the duel was prevented and the affair "honorably adjusted." On February 28, Bissell rose in the House and affirmed that he believed the Mississippi troops behaved as gallantly at Buena Vista as any other regiment present.<sup>11</sup>

In their assessment of the altercation between Davis and Bissell, Northern and Southern newspapers offered a generalized critique of dueling. New Hampshire's *Farmer's Cabinet* asserted that the Congressman and the Senator "disgrace themselves in thus attempting to bolster up their reputation. Their example is pernicious, and ought to be detested, and everywhere reprobated." Those engaging in duels were depicted here as utterly contemptible and the practice implicitly portrayed as inherently disreputable. Other papers took a different approach in their denunciations of dueling. The Whig *Albany Evening Journal* commented that it did not want to accept that a duel had occurred between Bissell and Davis, "only because we are not willing to believe both of the gentlemen insane." Similarly, the anti-slavery *New York Tribune* remarked that "men of their ability and power should not trifle with life, health, and

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<sup>11</sup> "Rumored Duel Explained," *Natchez Semi-Weekly Courier*, March 15, 1850; "Settlement of the Duel," *New York Herald*, March 4, 1850; *Daily National Intelligencer*, March 6, 1850; Benjamin C. Truman, *The Field of Honor* (New York: Fords, Howard, & Hulbert, 1884), 549-550; *Congressional Globe*, House of Representatives, 31<sup>st</sup> Congress, 1<sup>st</sup> Session, February 28, 1850, 195-196.

representative responsibility.” Both of these Northern newspapers highlighted the irrationality or absurdity of using a duel to solve a disagreement – involvement in one was at best reckless and at worst a symptom of mental illness. The *Baltimore Sun*, an independent, cheap daily that tended to favor the Democrats, made this point more explicit by asserting that a conception of honor should never, “compel two really generous and courageous men to stand up against each other, at fifteen paces. A duel, at all events, is no historical proof, and scarcely settles an individual conviction.” For the *Sun*, not only did dueling fail to resolve the root of a conflict, but it did not offer a representation of true courage as the code of honor insisted it would. Instead, real valor was proven by the rejection of dueling and the honor culture that underpinned the practice. In the eyes of the press, dueling reflected poorly on its participants and did not determine any real solutions to an argument, so it could not prove the bravery and honor for which it was intended.<sup>12</sup>

In many Northern Whig papers, this pragmatic critique of dueling also arose in discussion of President Taylor, a Southern Whig, and his involvement in the prevention of the affair. The *Vermont Watchman and State Journal* commended Taylor for a job “well done” in settling the fight. More than that, newspapers like Ohio’s *Daily Scioto Gazette* commented that there was no one, “as capable and appropriate, as a peace-maker,” between Bissell and Davis, who fought, “bravely under his [Taylor’s] command as the fatherly Old Chief who led the victorious army at Buena Vista.” Similarly, the *Milwaukee Daily Sentinel* printed a glowing assessment of Taylor – in his role as both President and “glorious Chief” of the military – as the most “fitting mediator” for such a conflict, because both Bissell and Davis, “must have felt that when Old Zack directed them to lay down their arms...they could do so without shame.” In a later article, the *Sentinel* credited Taylor with sparing, “public morality...the shock of a barbarian duel.” Echoing the general critique of dueling exhibited in the early 1850s, Taylor became symbolic of the possibility for courage and honor in the rejection of a dueling culture increasingly seen as outdated. Taylor had indicated his bravery as both the commander-in-chief and the leader of the American troops at Buena Vista, and as such, his prevention of the duel stood as an indication that manliness and respect could be reaffirmed by repudiating, rather than engaging in, an affair of honor.<sup>13</sup>

<sup>12</sup> *Farmer’s Cabinet*, March 7, 1850; “Contradictory,” *Albany Evening Journal*, February 28, 1850; “The Rumored Duel,” *New York Tribune*, February 26, 1850; “Settlement of the Bissell and Davis Difficulty,” *Sun*, February 27, 1850; Frank Towers, *The urban South and the coming of the Civil War* (Charlottesville: University of Virginia Press, 2004), 113 – 114; David Grimsted, *American mobbing, 1828-1861: toward Civil War* (New York: Oxford University Press, 1998), 237.

<sup>13</sup> “A Peace-maker,” *Vermont Watchman and State Journal*, March 7, 1850; “A Peace-Maker,” *Daily Scioto Gazette*, March 5, 1850; “A Peace-Maker,” *Milwaukee Daily Sentinel*, March 11, 1850; “From Our New York Correspondent,” *Milwaukee Daily Sentinel*, March 15, 1850.

In some newspapers, discussion of the Davis-Bissell conflict was directed toward the context of sectional tensions out of which the duel arose. The Baltimore *Sun* commented briefly that if a duel had occurred, it, “would have been on exclusively sectional grounds,” implying that the nature of the affair was fundamentally about Bissell’s speech and the discord between the North and the South that it discussed. Other papers derived arguments about the sectional character of the duel from their partisan affiliations and biases. Most notably, the anti-slavery *New York Tribune* ran a stark condemnation of Davis’ challenge, avowing that if Bissell, “can be killed off for repelling the base insinuations constantly thrown out against the free States . . . well may others shrink from the bombast of men . . . who rely upon such bullying to stifle the freedom of debate and utterance of truth,” in Congress. Like the *Sun*, the *Tribune* argued that the crux of the conflict was Bissell’s insistent critique of Southern disunionism. But the *Tribune* went further, alleging that Davis intentionally attempted to murder and thus silence Bissell – and anyone who might speak against the South – by way of a duel. In this way, not only did the article denounce Davis specifically and slaveholders at large for their attempts to stifle Northern opinion, but it also aligned dueling with Southern violence and condemned the practice accordingly. Both of these interpretations of the duel were responses to the fundamentally sectional nature of the speech that gave rise to the Davis’ complaint and the possible expression of conflict between Northerners and Southerners that the duel represented. However, such articles were rare; despite the content of Bissell’s speech, the majority of newspapers that commented on the duel at length did not focus on the conflict as a function of sectional tension nor discuss it in those terms.<sup>14</sup>

The press did concentrate heavily, however, on the mutual honor of Bissell and Davis and the sectional harmony allegedly symbolized by their reconciliation. The independent *Boston Evening Transcript* ran a poem that described Taylor as mediating between Bissell and Davis and encouraging them to, “embrace with warmth fraternal.” Although brief, this excerpt speaks to Taylor’s role in bringing the two parties together, who abandoned their (implicitly sectional) disagreements in favor of national, brotherly love. Other newspapers focused not only on reconciliation but on the equitable honor of both parties involved. The

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<sup>14</sup> “The Duel,” *Sun*, March 2, 1850; “From Washington,” *New York Daily Tribune*, February 27, 1850. The *Tribune*’s partisan-driven focus on the content of Bissell’s speech is echoed in the memoirs of Gustave Körner, an anti-slavery politician and German immigrant active in Illinois. He wrote that the “Southern fire-eaters” had been “hurt badly” by Bissell’s address, and Davis challenged the Illinois Congressman because “it was supposed that Bissell, as a Northern man, would not fight, and that Southern chivalry would be vindicated.” Gustave Philipp Körner and Thomas J. McCormack, *Memoirs of Gustave Körner, 1809-1896, life-sketches written at the suggestion of his children*, Volume 1 (Cedar Rapids: The Torch Press, 1909), 557.

Whig *Charleston Courier* and Savannah's *Daily Morning News* explained that Taylor had revealed the "undoubted bravery" and gallantry of Bissell and Davis, who had each fought at Buena Vista and deserved equal measures of honor. The Democratic *Daily Ohio Statesman* also conveyed this sentiment of equality, claiming that Bissell and Davis were, "equally eloquent and equally impulsive – equally patriotic, and of course equally brave," and expressing hope that, "we have heard the last of any and all trouble to grow out of the feelings of the southern members against Col. Bissell's speech." Although this article mentioned the sectional and divisive nature of Bissell's oration, it focused much more on the resolution of conflict – both between the duelists and the sections of the country they represented – and the matching claims each party possessed to honor, and, indeed, to blame.

These newspapers, by portraying the duelists as alike, discarded the sectional implications of the conflict for a story that emphasized the role of a fundamentally national figure – the President – in bringing a Northerner and a Southerner together. The independent and anti-abolitionist *New York Herald*, while it originally scorned Davis as the challenger, ultimately produced a piece focused on compromise. After Taylor threatened to have the principals in the duel arrested, Davis, according to the *Herald*, evaded the police by "assuming a woman's dress, a calico gown, a straw bonnet, a shawl, and ... a bustle." This initial portrayal of Davis as feminized and ignobly fleeing his arrest was a grave insult to the Mississippian's honor, casting him as unmanly and incapable of laying claim to gentlemanly conduct. Such an unflattering view of the Mississippian does not fit with the equality of honor promoted elsewhere. However, once the Senator was caught, the *Herald* described how the President explained to Davis and Bissell that, "they were both right, and both wrong, that both regiments had done their duty, and there must be no fighting. ... All right. One compromise, at least, has succeeded." The initial criticism of Davis advanced by the *Herald* was replaced by a vision of Taylor and his emphasis on parity of fault, integrity, and valor among Bissell and Davis. Perhaps more importantly, the *Herald* linked the resolution between Bissell and Davis to the larger national discussion over the Compromise of 1850, which was intended to promote sectional harmony. In this way, Taylor's resolution of the Davis-Bissell conflict stood in the press as symbolic of the larger hope for conciliation between North and South through the Compromise of 1850.<sup>15</sup>

<sup>15</sup> "The Davis and Bissell Duel," *Boston Evening Transcript*, March 6, 1850; Peter R. Knights, *Yankee destinies: the lives of ordinary nineteenth-century Bostonians* (Chapel Hill: University of North Carolina Press, 1991), 106; "Personal Difficulty in Washington," *Charleston Courier*, March 1, 1850; "A Duel Prevented," *Daily Morning News*, March 2, 1850; "From Washington," *Daily Ohio Statesman*, March 6, 1850; "Settlement of the Duel," *New York Herald*, March 4, 1850; James L. Crouthamel, *Bennett's New York Herald and rise of the popular press* (Syracuse: Syracuse University

The Davis-Bissell conflict represented several key features of duels in the early 1850s. In the aftermath of the confrontation between the Congressman and the Senator, criticism of affairs of honor – and honor culture at large – was applied broadly, and the press honed in on the practical problems with dueling. Moreover, discussion of the phenomenon of dueling also surfaced among Whigs in assessments of Taylor as a courageous figure who resolved the tension between Bissell and Davis without recourse to the code of honor. Most importantly, the termination of the duel proceedings and the mutual valor of the parties involved became reflective of hope for a larger sectional settlement. Indeed, many of the papers that did not comment at length on the duel, including the *Boston Evening Journal*, the *New Hampshire Gazette*, and the *Ohio Observer*, noted that the affair was particularly problematic, as it occurred, “at this time when the country is wrought to such a high pitch of political excitement.” Referring to the heated debates over the Compromise of 1850, these newspapers linked the duel to the contemporary tension over sectional issues; however, rather than seeing the Davis-Bissell conflict as a symptom of the friction between the North and the South, the press condemned it as an aberration that might interfere with the compromise and national conciliation. The Davis-Bissell duel, a function of sectional issues, was assessed by the press as an outdated mode of resolving conflict and discussed in terms of the resolution of difficulties between the North and the South.<sup>16</sup>



Unlike the Davis-Bissell conflict, Congressional dueling in 1854 would have greater implications in the context of sectional tension. This was due, in large part, to the Kansas-Nebraska Act of that year. The bill was introduced to the Senate in January after significant modification by Democratic Senator Stephen A. Douglas of Illinois and with the support of President Franklin Pierce. The act proposed to organize the Kansas and Nebraska territories by applying the doctrine of popular sovereignty, which would enable the residents of those regions to determine the status of slavery there for themselves. Douglas championed popular sovereignty and justified its use by explaining that the 1820 Missouri Compromise’s prohibition of slavery north of the 36° 30’ line had been “subsumed” by the provisions in the Compromise of 1850 dictating that the

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Press, 1989). Interestingly, in May 1865, Davis was again depicted as fleeing arrest in a woman’s garb – but this time, he was running to evade capture by Union forces after the fall of Richmond had forced him, as President of the Confederacy, to evacuate the seat of rebel government. See Nina Silber, “Intemperate Men, Spiteful Women, and Jefferson Davis: Northern Views of the Defeated South,” *American Quarterly* 41, no. 4 (1989): 614-635.

<sup>16</sup> *Boston Evening Journal*, March 2, 1850; *New Hampshire Gazette*, March 12, 1850; *Ohio Observer*, March 13, 1850.

slavery issue would be decided in the territories of Utah and New Mexico by local choice. Although envisioned as a way to end disputes over the slavery question, it became the focal point of vehement sectional debate, with most Southerners in favor of the bill and Northerners largely divided over it. Southerners thought that popular sovereignty would give them a greater opportunity to spread slavery compared to earlier compromises. Northerners, in contrast, were divided over the Kansas-Nebraska measure. A vocal group was opposed to it for reasons of economics or morality, but others supported the popular sovereignty doctrine on the basis of idealized white democracy or as a method of ending national discussion about slavery. In the early hours of March 4, 1854, the bill passed in the Senate, 37 to 14. Among Northerners, however, the margin of victory was much narrower: 14 to 12.<sup>17</sup>

When the bill moved into the House, a conflict arose between Francis B. Cutting and John C. Breckenridge that would nearly lead to a duel. Cutting, a “Hard” or “Hard-shell” Democrat from New York, championed the principle of popular sovereignty, and thus despite his opposition to many of the policies of President Franklin Pierce, joined with other “Administration Democrats” like Breckenridge in support of the Kansas-Nebraska measure. Cutting’s support for the doctrine of popular sovereignty motivated his proposal to move the Kansas-Nebraska bill from the small Committee of Territories to the Committee of the Whole, where the whole House operated in committee and could thus more fully discuss and amend the measure. Douglas’ principal ally in the House, Illinois Congressman William Richardson, accused Cutting of attempting to kill the bill by burying it under the large number of other items that would be ahead of the Kansas-Nebraska measure for consideration. Cutting replied that he had no intention of destroying the bill’s prospects; rather, he thought that several of its amendments violated the doctrine of popular sovereignty and should be removed. Furthermore, Cutting argued that because the Kansas-Nebraska measure attempted to establish a precedent that would settle future questions about slavery, it required discussion and passage by the entirety of the House to gain popular legitimacy as law. Finally, Cutting reminded the House that by a two-thirds vote, the bills in front of the Kansas-Nebraska Act could be temporarily laid aside. Ultimately, the House twice voted to move the bill to the Committee of the Whole, and the motion passed, 110 to 95.<sup>18</sup>

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<sup>17</sup> Nicole Etcheson, *Bleeding Kansas: contested liberty in the Civil War era* (Lawrence: University Press of Kansas, 2004), 9-27; S. 22, “A Bill to Organize the Territory of Nebraska,” December 14, 1853; *Senate Journal*, 33<sup>rd</sup> Congress, 1<sup>st</sup> Session, March 3, 1854.

<sup>18</sup> *Congressional Globe*, House of Representatives, 33<sup>rd</sup> Congress, 1<sup>st</sup> Session, January 17, 1854, 192-195; *Congressional Globe*, House of Representatives, 33<sup>rd</sup> Congress, 1<sup>st</sup> Session, January 20, 1854, 84-87; *House Journal*, 33<sup>rd</sup> Congress,

Despite his convincing explanation of his choice to refer the Kansas-Nebraska bill to the Committee of the Whole, most newspapers portrayed Cutting's maneuver as intentionally damaging if not fatal to the measure. Papers representing interests opposed to the bill rejoiced. In describing Cutting's speech, the *Daily Cleveland Herald* explained that, "the monster is not killed *dead*, but he gasps for breath." William Lloyd Garrison's abolitionist newspaper, *The Liberator*, described the movement of the measure to the Committee of the Whole as "encouraging" and the enemies of the bill as "exultant." In contrast, the Northern Democrats who understood Cutting's true intentions in favor of the bill commended his behavior by passing resolutions in his support; the Young Men's National Democratic Club stated that his speech, "reflects a brilliant halo . . . and entitles him to the gratitude of the North," and the Democratic Republican General Committee, "applaud the chivalric conduct of Mr. Cutting." The Southern press agreed with those Northern newspapers that believed the movement of the Kansas-Nebraska bill to the Committee of the Whole had killed it; however, Southerners disparaged Cutting in particular and Northern Democrats in general for doing so. The *Daily Morning News* reported that Cutting's, "motion astonished everyone. The Southern members [of Congress] denounce it as traitorous." Raleigh, North Carolina's *Daily Register* was more combative, explaining that Cutting and the fifty-four allegedly "national" Democrats who voted to "kill the bill" should be, "kick[ed] out of the party – 'they have become *abolitionized*' – they are 'a miserable *faction!*'" and utterly "denationalized." Thus despite Cutting's apparent attempt to openly discuss the bill in the whole House and amend it to more fully fit the doctrine of popular sovereignty, he was cast throughout the nation as destroying the Kansas-Nebraska measure and thus interpreted and reacted to along powerful and, for the most part, clearly delineated sectional lines.<sup>19</sup>

Kentucky Congressman John C. Breckenridge's virulent and insulting response to Cutting – and the ensuing debate between the two that nearly led to a duel – fits within the context of the sectionalized response to what was perceived to be Cutting's supposed attack on the Kansas-Nebraska measure. Breckenridge was a pro-slavery, pro-Nebraska, pro-administration Democrat. On March 23, prior to a lengthy speech in favor of the Kansas-Nebraska Act, Breckenridge accused Cutting of destroying the bill by moving it to the end of the House calendar and

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1<sup>st</sup> Session, March 21, 1854; *Congressional Globe*, House of Representatives, 33<sup>rd</sup> Congress, 1<sup>st</sup> Session, March 21, 1854, 701-703; "Congress – Yesterday," *Daily National Intelligencer*, March 22, 1854.

<sup>19</sup> "How It Was Done," *Daily Cleveland Herald*, March 24, 1854; "The Nebraska Bill in the House," *The Liberator*, March 24, 1854; *New York Tribune*, March 22, 1854; "Democratic War on the Administration," *Boston Daily Atlas*, April 3, 1854; "The Administration and the Nebraska Bill," *Boston Daily Atlas*, April 10, 1854; *Daily Morning News*, March 28, 1854; "More 'Nationality,'" *Daily Register*, March 29, 1854.

thus smothering it beneath “a mountain” of other bills. According to Breckenridge, the support given to Cutting by opponents of the measure made it clear that the New York Congressman had damaged the bill. He concluded that Cutting was a traitor to the Kansas-Nebraska Act and its supporters; moving to refer the bill to the Committee of the Whole, “was the act of a man who throws his arm in apparently friendly embrace around another, saying, ‘How is it with thee, brother?’ and at the same time covertly stabs him to the heart.” This accusation of lying and disloyalty was a direct insult to Cutting’s honor and could not be brooked. Cutting responded on March 27. After reiterating the points about his principled support of popular sovereignty and the ease with which the other bills in front of the Kansas-Nebraska Act could be laid aside, Cutting questioned why Breckenridge would set out to attack a supporter of the bill. The *New Yorker* suggested that Breckenridge’s speech was, “unbecoming of a Congressman,” a personal attack that was both, “inflammatory in style, and exaggerated in facts.” Breckenridge replied by indicating that there were fifty bills in front of the Kansas-Nebraska Act and that the measure would have been discussed in the Committee of the Whole after it had been completed in the Committee on Territories. Accordingly, the Kentuckian could not comprehend why Cutting would move the bill to the Committee of the Whole if he did not intend to destroy it entirely. Cutting escalated the pitch of the debate by remarking that Breckenridge “was the last person from whom I expected,” such disrespect, as the New York Hards had contributed fifteen hundred dollars to Breckenridge’s campaign when he was in danger of defeat. Cutting insisted, moreover, that Breckenridge was doing little more than arguing over the number of measures in the Committee of the Whole, thus “skulking” behind the Kansas-Nebraska bill’s position at the end of the House calendar. Breckenridge, appalled, demanded Cutting withdraw the last statement; Cutting refused, justifying it as a response to, “the most violent and the most personal attack that has been witnessed,” upon the floor of the House. Breckenridge then accused Cutting of intentionally lying in his description of the Kentucky Congressman as skulking. Cutting replied that he would not answer Breckenridge’s remark, because, “it was not here that I will desecrate my lips by undertaking to retort on it in the manner which it deserves.”<sup>20</sup>

Later that day, Cutting sent Breckenridge a note requesting that Breckenridge retract his claim that what Cutting had said was false or else, “make the explanation due from one gentleman to another.” In the language of the antebellum code of honor, this clearly meant that Cutting offered a challenge to

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<sup>20</sup> *Congressional Globe*, House of Representatives, 33<sup>rd</sup>, 1<sup>st</sup> Session, March 23, 1854, 439-443; *Congressional Globe*, House of Representatives, 33<sup>rd</sup> Congress, 1<sup>st</sup> Session, March 27, 1854, 759-764.

Breckenridge if the Kentuckian declined to withdraw his accusation. Breckenridge refused to do so unless Cutting took back his claim that the Kentucky Congressman had been “skulking.” Cutting sent a reply on March 28 professing that he had not intended any personal insult during their debate the previous day, but Breckenridge’s representative, Colonel Hawkins of Kentucky, declined to receive the letter, apparently because he believed he could not do so due to Cutting’s possible duel challenge. As a result, Breckenridge never received the message, and, accordingly, sent a note to Cutting that he intended to “embrace the alternative” that he believed the New York Congressman had offered: a duel. Over the course of the next several days, communication fell to their “seconds,” Hawkins and Kentucky Congressman William Preston for Breckenridge and New York Colonel Monroe and Illinois Senator James Shields for Cutting. Hawkins and Monroe, the correspondents primarily responsible for determining the precise arrangements of the duel, became quickly confused as to which party had been challenged and thus reserved the right to select weapons. Hawkins claimed that Breckenridge believed that Cutting’s first letter was the challenge to a duel. Monroe somewhat disingenuously replied that Cutting’s original note was not a challenge but a request for verbal clarification. Breckenridge, after finally reading Cutting’s letter that Hawkins had originally refused to receive, withdrew his offending remarks. Cutting reciprocated the apology, and the matter was settled. On March 31, Preston rose in the House to explain that the conflict had been resolved in a manner satisfactory and honorable to all parties involved.<sup>21</sup>

After word broke about a potentially violent confrontation between Cutting and Breckenridge, Northern and Southern newspapers began to heavily criticize dueling. The Democratic *Boston Post* expressed its hope that, “Congress will never present [a] parallel,” to the duel and articulated its relief that the conflict had been amicably resolved, the only appropriate end to an affair involving two “Christianized and civilized citizens.” While not explicitly denouncing the practice of dueling, the article insinuated that duels had no place in politics and that an affair of honor, brought to conclusion, was anathema to modern life and Christian morality. The *Baltimore Patriot* and Raleigh’s *Whig Daily Register* both printed a mocking depiction of the altercation, focusing particularly on the absurdity of the seconds’ arrangements of a duel that ultimately resulted in the

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<sup>21</sup> Lorenzo Sabine, *Notes on duels and duelling: alphabetically arranged with a preliminary historical essay* (Boston: Crosby, Nichols, 1855), 137; Benjamin C. Truman, *The field of honor: being a complete and comprehensive history of duelling in all countries; including the judicial duel of Europe, the private duel of the civilized world, and specific descriptions of all the noted hostile meetings in Europe and America* (New York: Fords, Howard, & Hubert, 1884), 438; “The Cutting and Breckenridge Difficulty – The Correspondence Between the Parties,” *New York Daily Times*, April 7, 1854; *Congressional Globe*, 33<sup>rd</sup> Congress, 1<sup>st</sup> Session, March 31, 1854, 825.

parties standing, “as we were and hereafter shall be good friends and say no more *hard* things about each other.” Playing off of Cutting’s political affiliation, the editorial alluded to the inability of honor scuffles to end in any legitimate solution, whether by arms or otherwise.

Other papers pointed to the meaninglessness of the affair, but in a tone much more serious. The Whig *New York Daily Times* called it a, “rich commentary on the bloody code,” and asserted that duels were a “barbarous and murderous business” in all cases, thereby deeming this near-duel – and the practice at large – immoral and backward. In a similar vein, the *Daily South Carolinian* hoped that it would be a long time, “before another similar enactment is perpetrated, especially originating with the members of a body that should radiate all the calmness and deliberation of public discussion.” Similarly, the Democratic *San Antonio Ledger* proclaimed its concern that dueling, “the offspring of a superstitious and barbarous age,” had fallen into “disuse and disrepute” but it was becoming a legitimate way for men in “in high places” to “revenge wrongs.” Going further, the Baltimore *Sun* hoped that Cutting and Breckenridge “do not contemplate an aggravation of the offence against congressional decency by another against society at large, in a deliberate attempt to murder one another.” Together, these three articles not only condemned dueling itself as wrong, but criticized both Cutting and Breckenridge – men of high social standing and responsibility – for participating in a practice that was at best outdated and at worst institutionalized murder. In the wake of the Cutting-Breckenridge conflict, dueling as was attacked by the press, both North and South, just as it had been after the Davis-Bissell altercation.<sup>22</sup>

Many Northern newspapers, however, moved beyond a generalized denunciation of dueling to applaud Cutting’s behavior and fault Breckenridge for the affair because he was a product of violent Southern society. The Democratic *Cleveland Plain Dealer* commented that although Breckenridge hoped to fight with rifles, as, “shooting is a favorite pastime with all Kentuckians,” Cutting would, “not be scared off, even by a Kentucky rifle.” In this way, while not attributing blame to any one party, the *Plain Dealer* implied that if the two were to fight with rifles, despite Breckenridge’s advantage due to his upbringing in a culture that enjoyed recreational shooting, Cutting would bravely stand his ground. Other newspapers not only praised Cutting, but blamed Breckenridge. The

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<sup>22</sup> *Boston Post*, April 3, 1854; “Correspondence Condensed,” *Baltimore Patriot* in the *Daily Register*, April 9, 1854; “Latest Intelligence,” *New York Daily Times*, March 29, 1854; “Washington Correspondence,” *Daily South Carolinian*, April 4, 1850; “Dueling in High Places,” *San Antonio Ledger*, April 20, 1854; “Rumored Duel,” *Sun*, March 30, 1854.

independent *Boston Evening Transcript* and the *New York Commercial Advertiser*, for example, observed that Cutting exhibited, “gentlemanly bearing and personal courtesy,” while, “Mr. Breckenridge was, from first to last, the aggressor.” Although Cutting did technically act as the challenging party, this assessment shifted the onus of blame from the Northerner to the Southerner. Other newspapers went further. Frederick Douglass made the relationship between the South, Breckenridge, and violent dueling culture clear in his newspaper. He argued that during the March 27 debate, Breckenridge, “showed himself to be possessed of all the claims of a genuine lord of the lash,” as opposed to Cutting, who, “bore himself like a MAN” on the floor of the House. Here, Douglass entirely switched responsibility for the duel by applauding Cutting’s honor and manliness while maligning Breckenridge as representative of violent slaveholding culture. Furthermore, emphasizing Breckenridge’s “quick loss of temper” and readiness to charge Cutting with committing treason during their debate, the *New York Daily Times* asserted that this was, “characteristic of the class of gentlemen to which Mr. Breckenridge belongs,” who, when, “dealing with Northern men especially, whose principles or laws they have reason to suppose fetter their hands in the matter of fighting, they are apt to play the bully.” Thus the *Times* not only blamed Breckenridge’s apparent violence on his Southern roots, but also implied that Southerners in general used force to impose their own political opinions on Northerners.<sup>23</sup>

This indictment of Southern society, stemming from criticism of duels in general and Breckenridge in particular, emerged primarily but not exclusively in the Whig sector of the Northern press as an argument against the Kansas-Nebraska Act and the extension of slavery. The Whig *Trenton State Gazette* and the independent but anti-abolitionist *New York Herald* both posited that Breckenridge was a tool of President Pierce to cast Cutting, the leader of the anti-administration Democrats, into disrepute. The *Herald* declared that it was in Pierce’s interest to “divert public attention” from his own role in damaging the Kansas-Nebraska bill and sarcastically commented that the President and Breckenridge “would have been still better served had the duel been fought and Mr. Cutting left upon the field.” In this way, the paper implied that Breckenridge – and Pierce – would not have hesitated to use a duel as a way to kill Cutting and thus further their political position. The Whig *Albany Evening Journal* bemoaned this use of violence by Southerners like Breckenridge to achieve political ends, arguing that, “it has long been the custom of the ‘Chivalry,’ when sectional

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<sup>23</sup> “The Cutting and Breckenridge Duel,” *Cleveland Plain Dealer*, March 31, 1854; *New York Commercial Advertiser*, in “The Expected Duel,” *Boston Evening Transcript*, March 30, 1854; “Display of Chivalry,” *New York Daily Times*, March 29, 1854; *Frederick Douglass’ Paper*, March 31, 1854.

questions were pending, to endeavor to embarrass Northern men ... [by] insisting upon a Row or a duel ... the object in such cases being to place Northern men where they must fight or be disgraced.” Other newspapers directly connected Breckenridge’s challenge to the passage of the Kansas-Nebraska Act and, in turn, the spread of slavery. The Whig *Ohio State Journal* commented that Breckenridge had been upset by Cutting’s maneuver in the House because he wanted to pass it in any way possible, including, “under gag, whip and spur,” implying that the Kentucky Congressman was more than willing to utilize violence in order to pass the Kansas-Nebraska Act. Going further, the anti-slavery *New York Tribune* explained that the lesson the Cutting-Breckenridge conflict, “teaches to the northern Members [of Congress] who rejoice in the title of ‘Democratic’ is substantially this: Support the Nebraska bill or submit to be bullied or shot.” Moreover, the *Tribune* alleged that the duel was part of a, “well considered plan” to coerce, “through intimidation and violence ... every independent and northern Democrat who dares to defy the mandates of the Slavocracy,” by opposing the Kansas-Nebraska bill. In this way, the *Tribune* unambiguously portrayed the affair between Cutting and Breckenridge as an example of the Southerners’ attempt to suppress their opponents through unabashed violence in order to pass the Kansas-Nebraska Act. The Whig *Daily Cleveland Herald* was more specific, arguing that Breckenridge and his second, Colonel Hawkins:

evidently meant that Mr. Cutting should fall, and we are not too charitable to believe that the death of that man was one of the means to be used in forcing the passage of the iniquitous Nebraska measure. It is perhaps consistent that that ‘code,’ which finds its advocates on slave soil, should be called in to back up a measure which was invented for the express purposes of extending slave territory.

This article explicitly condemned the duel as a function of slave society while suggesting that the Cutting-Breckenridge altercation was part of a plot to force the Kansas-Nebraska bill through Congress by using thinly veiled murder to spread slavery. Significantly, this expansion of slavery would ultimately lead to the augmentation of Southern power – and the perpetuation of the South’s violent political oppression of the North. Dueling was thus depicted as a Southern practice that could be used as a way in which slaveholders like Breckenridge could extend their “peculiar institution” and, accordingly, political power – in this case, by passing the Kansas-Nebraska Act.<sup>24</sup>

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<sup>24</sup> “The Late Congressional Duel,” *Ohio State Journal*, April 4, 1854; “Cutting and Breckenridge,” *Trenton State Gazette*, March 30, 1854; “The Cutting and Breckenridge Correspondence,” *New York Weekly Herald*, April 8, 1854; “Pistol

When Southern writers commented on the Cutting-Breckenridge conflict at length, they criticized Northern coverage of the duel, both indicating and reinforcing the sectionalism that had emerged in the Northern press. The Democratic *Mississippian and State Gazette* suggested that Northern coverage had been excessive, explaining that, “much more has been said about this affair by the press than its importance or good taste either, can be admitted of.” The Whig *Charleston Daily Courier* expressed a similar sentiment, declaring that the, “unjust comments of the papers in this city [New York], I sincerely believe, are calculated to excite friends of both parties, and thus make an ‘affair of honor’ a necessity.” These Southern papers thus argued that Northern newspapers had exaggerated the intensity of the conflict, and, in so doing, were most culpable for the near-duel. The Democratic *Richmond Examiner* pushed that line of reasoning further, condemning “the demagogue press” of the North for, “railing out against southern ‘bullyism.’ Already are the passions of the populace invoked against southern *hauteur* and violence.” This extract from the *Examiner* indicates that Southerners understood that Northern papers had focused on sectional discord in response to the Cutting-Breckenridge conflict – and condemned them for doing so. The *Daily Morning News* went furthest in its censure of the Northern press, accusing “Greel[e]y, and his co-laborers in the cause of abolitionism” of, “exhausting the English language in search of epithets with which to denounce its [the Kansas-Nebraska Act’s] friends,” in their coverage of the Cutting-Breckenridge duel. Moreover, the paper cited the *New York Herald* and the *New York Sun* as examples of anti-slavery agitation, associating these more conservative or independent papers with Horace Greeley’s *New York Tribune*, which was explicitly opposed to slavery. The *Daily Morning News* clearly denounced Northern newspapers, particularly those of anti-slavery bent, for casting the Cutting-Breckenridge duel in sectional terms and thereby using it as a tool to castigate supporters of the Kansas-Nebraska Act. But more than that, by portraying the Northern press – or at least that of New York – as almost monolithically opposed to slavery, the *Daily Morning News* fed into the sectionalism that many Southern newspapers criticized the Northern press for fueling. Taken together, Southern newspapers pointed to the sectional nature of Northern coverage of the Cutting-Breckenridge duel and, in so doing, exhibited their own sectionalist understanding of the affair.<sup>25</sup>

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and Bowie Knife Law,” *Albany Evening Journal*, April 3, 1854; “Cutting and Breckenridge,” *New York Tribune*, March 29, 1854; *Daily Cleveland Herald*, April 8, 1854.

<sup>25</sup> “The Cutting and Breckenridge Affair,” *Mississippian and State Gazette*, April 14, 1854; “New-York Correspondence,” *Charleston Daily Courier*, April 3, 1854; *Richmond Examiner*, in “Messrs. Cutting and Breckenridge,” *New York Daily Times*, April 6, 1854; “The New York Press and the Sectionalism at Washington,” *Daily Morning News*, April 5, 1854.

The Cutting-Breckenridge duel occurred as a direct result of sectional conflict over the Kansas-Nebraska Act. The *New York Observer and Chronicle* commented that the duel was, “one of the many difficulties springing like the dragon’s teeth, out of the Nebraska bill.” And the *Public Ledger*, an independent penny paper published in Philadelphia, noted that Cutting and Breckenridge opposed one another, “as Northern and Southern representatives” and were perceived as symbolic, “champions . . . of different sections of the country.” The *Ledger* went on to lament the possibility that duelists would, “convert the halls of Congress into an arena for gladiators,” in order to solve political controversies among Northerners and Southerners. These comments attest to the Cutting-Breckenridge duel as one that, unlike the Davis-Bissell conflict, enacted the sectional tensions produced by debates over the Kansas-Nebraska Act and was recognized in the press as such. Thus although Northern and Southern newspapers did conduct a generalized critique of dueling as they had in the aftermath of the altercation between Bissell and Davis, the press reaction to the Cutting and Breckenridge duel differed markedly from its 1850 predecessor. Rather than focusing on reconciliation and compromise, Northern papers honed in on the sectional ramifications of the debates between Cutting and Breckenridge and the resort to arms it nearly wrought. More specifically, Northern newspapers in general condemned Breckenridge as a product of violent Southern society and Whigs in particular pointed to the affair as a way in which slaveholders could violently push their politics. The Southern press picked up on this development, denouncing the Northern newspapers’ sectional discussion of the duel while feeding into the very sectional tension it lambasted. The Cutting-Breckenridge conflict was one produced by sectional tension and discussed in the national press accordingly.<sup>26</sup>



The form and perception of Congressional dueling underwent another marked shift after the brutal caning of Charles Sumner in May of 1856. On May 19 and 20, Sumner, an abolitionist Senator from Massachusetts, delivered a speech entitled “The Crime Against Kansas.” It responded to the attempt of the Pierce administration and its allies to recognize Kansas’ illegitimate proslavery government. In particular, Sumner maligned the architects of the Kansas-Nebraska Act, Senators Stephen A. Douglas of Illinois and Andrew Butler of South Carolina. His condemnation of Butler was particularly truculent; he described Butler, a pro-slavery Southerner, as, “choosing a mistress to whom he

<sup>26</sup> “Letter from Washington,” *New York Observer and Chronicle*, April 6, 1854; “Letter from Washington,” *Public Ledger*, March 31, 1854.

has made his vows, and who . . . though polluted in the sight of the world, is chaste in his sight – I mean the harlot Slavery.” This statement was unmistakably sexualized, casting Butler as immoral and licentious and thereby taking aim at his claims to honor. That is, Sumner argued that Butler secretly took part in a lewd world of racial and sexual deviancy and therefore that his appearance as a gentleman was false. Preston S. Brooks, Congressman from South Carolina and relative of Butler, felt that Sumner’s insult could not be countenanced without reply. Accordingly, Brooks consulted with Congressman Laurence Keitt, also of South Carolina, on dueling protocol.

Although Brooks initially intended to send a challenge to Sumner, Keitt told him that the abolitionist Congressman was not a gentleman and thus could not be challenged to a duel. A duel was the means by which social equals proved their honor; social inferiors, on the other hand, could be more summarily beaten with a cane. Consequently, on May 22, Brooks entered the Senate chamber as Sumner was franking copies of his speech in order to mail them to his constituents free of charge. Brooks pronounced the libel Sumner had committed against Butler and the state of South Carolina, lifted his cane, and began to beat him viciously. Brooks continued to strike Sumner, who was lodged beneath his chair, while Keitt preventing anyone from stopping the assault. Ultimately, Sumner freed himself, staggered out into the aisle, and collapsed into unconsciousness. In the wake of the attack, Northerners bemoaned the violence of the caning as indicative of Southern power and aggression, and newspapers printed frequent updates on Sumner’s condition and recovery. Many Southerners, in contrast, applauded Brooks for striking down an abolitionist and sent the South Carolinian canes in sympathy and solidarity.<sup>27</sup>

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<sup>27</sup> William James Hoffer, *The caning of Charles Sumner: honor, idealism, and the origins of the Civil War* (Baltimore: The Johns Hopkins University Press, 2010), 7-35, 60-62; Jack K. Williams, *Dueling in the Old South: vignettes of social history* (College Station, TX: Texas A&M University Press, 1980), 87-103. Between 1854 and 1856, the Second Party System of Whigs and Democrats collapsed and American politics underwent a major reorganization. The Whigs fractured and disappeared in the wake of the Kansas-Nebraska Act. Two different parties arose against the Democrats. The first, the Know-Nothing (or American) Party, enjoyed brief, localized success by appealing to anti-Catholic and anti-immigrant sentiment in the North particularly and using anti-party rhetoric in both North and South to tap into frustration with Second Party System. However, their popularity waned by 1855 because of the extraordinarily difficult task of finding a nationally supported stance on the increasingly divisive subject of slavery. The Know-Nothings were eclipsed by the Republican Party, which unequivocally opposed the extension of slavery into the territories. The Republicans were supported almost solely in the Northern states and their ranks included former Whigs, former Free Soilers, anti-slavery advocates, and estranged Northern Democrats frustrated with their party’s domination by its Southern branch. The ideology of the Republican Party, which praised free white labor, land ownership, and the possibility of social mobility, had broad appeal in the North. See Michael F. Holt, *The rise and fall of the American Whig Party: Jacksonian politics and the onset of the Civil War* (New York: Oxford University Press, 1999); Michael F. Holt, *The political crisis of the 1850s* (New York: W. W. Norton & Company, 1983); and Eric Foner, *Free soil, free labor, free men: the ideology of the Republican Party before the Civil War* (Oxford: Oxford University Press, 1995).

In the months following Brooks' assault on Sumner, Northern politicians often rose in Congress to condemn it. On June 21, Congressman Anson Burlingame of Massachusetts, a Republican, delivered a speech that did just that. In his "Defense of Massachusetts," Burlingame upheld his state as a bastion of support for the Constitution and refuted the charges of its detractors. In so doing, he pinpointed the attacks – both verbal and physical – made against Massachusetts by prominent Southerners, focusing predominantly on Brooks' violent beating of Sumner. Burlingame applauded Sumner, describing his speech on Kansas as "noble in sentiment" and his bearing as that of a gentleman. He went on to narrate the course of the Brooks assault, explaining that the Congressman from South Carolina, "stole into the Senate, that place which had hitherto been held sacred against violence, and smote him as Cain smote his brother." Immediately after Burlingame uttered these words, the fire-eater Keitt stated that the Massachusetts Congressman was false. Burlingame replied that he refused to "bandy epithets" and maintained that he was, "responsible for my own language," and Keitt, in turn, was responsible for his own. After Keitt confirmed this, Burlingame asserted that he would stand by his words. Keitt fell silent, and Burlingame pushed forward in his depiction of the caning of Sumner. Denouncing it, "in the name of the Constitution . . . [and] in the name of the civilization which it outraged," Burlingame proclaimed, "strike a man . . . when he cannot respond to a blow! Call you that chivalry? . . . Even the member himself if he has left a spark of that chivalry and gallantry attributed to him, must loathe and scorn the act." Burlingame here castigated the assault on Sumner as malevolent and ungentlemanly, a violent attack that, while sanctioned by the code of honor, was entirely contrary to what Burlingame considered morally sensible. He concluded that despite the brutality of Brooks' attack, there were men in Massachusetts, "who will not shrink from a defense of freedom of speech, and the honored State they represent, on any field, where they may be assailed." Burlingame thus appealed to the honor code in order to argue that there were Northerners who possessed the strength and nerve to stand their ground and resist Southern aggression on Southern terms.<sup>28</sup>

On July 1, Congressman Thomas Boccock of Virginia visited Burlingame at the National Hotel. Once he had assured Burlingame that their meeting would be confidential, Boccock explained that he had been sent, at the behest of Brooks, to state that the language employed by the Massachusetts Congressman was "injurious and offensive" and to ask whether he would "accept a call" from the South Carolinian "to answer for the offence." Burlingame protested that his

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<sup>28</sup> *Congressional Globe*, House of Representatives, 34<sup>th</sup> Congress, 1<sup>st</sup> Session, June 21, 1856, 653-656.

speech did not violate Congressional decorum and denied that he had said anything to personally impugn the character of Brooks. The matter was apparently settled until Brooks began to prepare a speech tendering his resignation from the House and justifying his actions against Sumner. Bocoock again called upon Burlingame, seeking a card retracting any charge of cowardice that may have been made upon Brooks. Burlingame reiterated his former remarks and again asserted that he had not intended to make personal charges against the Congressman from South Carolina. The result of this conversation was an addendum to Brooks' speech, which was published in the *Congressional Globe* on July 15. It stated that Burlingame had, "in a fair and manly way, admitted his responsibility for all the language used in his speech and disclaimed any intention to reflect upon the personal character of Mr. Brooks, or to impute him in any respect with a want of courage," and that the Congressman from Massachusetts only stated what his, "representative duty required him to do." Signed by Bocoock and W. W. Boyce, another "friend of Mr. Brooks," it declared that Burlingame had acknowledged and approved the memorandum. Burlingame, however, had not endorsed the note, and published his own on July 21. In it, he averred that he had only sanctioned an addendum that attested to his observation of Congressional etiquette and maintained his responsibility for the language he uttered in his speech. To avoid any, "misapprehension in the future," Burlingame concluded that he now left his address to, "interpret itself . . . without qualification or amendment." Rather than equivocate, Burlingame chose to stand by a sectionalist speech that applauded Massachusetts while denouncing Brooks as a manifestation of Southern violence.<sup>29</sup>

Less than two hours after reading the card, Brooks sent a letter to Burlingame through Oregon Congressman Joseph Lane, asking him to indicate where, outside of Washington, D. C., "it will be convenient to you to negotiate in reference to the difference between us." Because of the capital's prohibition on dueling, this note implied a challenge. That is, Brooks evaded a direct breach of the law by requesting that Burlingame suggest a location outside of the District where the conflict might be settled. Burlingame implicitly assented to the challenge, responding through Ohio Congressman Lewis D. Campbell that he would be at the Clifton House, on the Canada side of Niagara Falls, to, "negotiate in reference to any difference between us which in your judgment, may require settlement outside of this District." Anticipating that Brooks would meet him there, Burlingame departed for Canada immediately after sending his

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<sup>29</sup> "From the National Capital," *New York Herald*, July 24, 1856; "Affair of Honor Between Col. Brooks and Mr. Burlingame," *New York Weekly Herald*, July 26, 1856; *Congressional Globe*, House of Representatives, 34<sup>th</sup> Congress, 1<sup>st</sup> Session, July 14, 1856, 831-833.

reply. Brooks, however, took issue with Burlingame's selection of location, and printed his opinion of the entire affair in the press – rather than communicating with Burlingame or a member of his party – on July 23, while the Congressman from Massachusetts was absent. In his description of the conflict, Brooks complained that the Clifton House was located seven hundred miles away on a route, “running through the enemy's country, and through which no man knows better than Mr. Burlingame that I could not pass without running the gauntlet of mobs and assassins. . . . He might as well have designated Boston Common.” Although discussion continued briefly between Lane and Campbell after Burlingame's return, both Brooks and Burlingame had been arrested – and posted \$5000 bail – in order to keep the peace, making a duel impractical. The correspondence and opinions of all parties involved were printed in the national press and there the conflict rested. The duel, stemming from a disagreement over a sectional issue – that is, the assault on Sumner – ultimately resolved in Brooks' refusal to meet Burlingame due to his fear that Northerners would retaliate against him because he was a Southerner who had viciously beaten a Northerner. Thus the affair, which began as a result of Burlingame's criticism, in terms of Southern aggressiveness, of the caning of Sumner, ended because of Brooks' fear of violent Northern hostility. To the end, the conflict between Brooks and Burlingame was an enactment of violence motivated by sectional discord and an expression of fears about that very violence.<sup>30</sup>

The press reacted immediately and broadly to the altercation between Burlingame and Brooks. Some Northern newspapers condemned Burlingame for consenting to fight a duel because the institution was immoral and contrary to Northern principles. The Democratic *Wisconsin Free Democrat* refused to believe that Burlingame had assented to Brooks' challenge, because participation in a duel would be, “a violation of the law of God . . . [and] a mark of cowardice.” The Massachusetts *Pittsfield Sun* and the Democratic *New Hampshire Patriot and State Gazette* both argued that, “there is no necessity for Northern men to fight duels, if they are opposed, in principle, to doing it; the only sensible and manly course is that adopted by Wilson,” a Massachusetts Senator who had declined a challenge from Brooks. By criticizing Burlingame for engaging in a duel because he was a Northerner, these papers posited that engaging in a duel was a symptom of cowardice – not an indication of bravery or manliness – and that dueling itself was a backward institution that did not or should not belong in the North. Other newspapers went further than reproaching Burlingame for his participation in an affair of honor. The *Boston Daily Advertiser* explained that future Northern

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<sup>30</sup> “A Card,” *Daily National Intelligencer*, August 7, 1856; “Affair of Honor Between Col. Brooks and Mr. Burlingame,” *New York Weekly Herald*, July 26, 1856; *Boston Daily Advertiser*, July 23, 1856.

politicians should learn to, “*have nothing to do with the duellists’s barbarous code,*” because, “in this part of the country duelling is abhorred.” In a similar vein, the independent *Boston Evening Transcript* and the Republican *New York Evening Post* pronounced that any man who went to Washington and, “conforms to this barbarous custom renounces his Northern origin and admits the superiority of the people of the slave States.” These papers contrasted Northern society’s disapproval of dueling with a South that condoned the practice. Drawing on familiar tropes of anti-dueling rhetoric that surfaced throughout the 1850s, all of these critical comments about Burlingame’s behavior pointed to the outdated nature of the code of honor, its inability to prove the manliness or bravery of its adherents, and its lack of support – in law and opinion – in the North. These objections, however, differed from those that emerged after the Davis-Bissell and Cutting-Breckenridge duels; rather than lambasting dueling in general terms, these members of the Northern press condemned the practice of dueling as something fundamentally associated with the South and thus out of touch with contemporary society and opinion in the North.<sup>31</sup>

Other papers more explicitly connected their censure of Burlingame with Southern society and slavery. The abolitionist *Liberator* demanded, “Can it be ... that *Burlingame* is becoming SOUTHERNIZED?” and argued that, “A party aiming at the overthrow of the slave power should not honor the duellist. Slavery and duelling are twin sisters, and both are the offspring of the devil.” Similarly, the Philadelphia *North American and United States Gazette* commented that dueling, “is the twin brother of slavery ... it is the effort of violence against reason.” Going further, the Republican *Milwaukee Daily Sentinel* asserted that, “SLAVERY is the Law of Force, and by force only can it be maintained, defended or justified.” Accordingly, this paper was unsurprised that Brooks was involved in a duel but shocked that, “men can be found in the Free North to uphold this accursed institution.” Creating a direct and explicit connection between slavery and dueling, these members of the Northern press reproached Burlingame for participating in and thereby implicitly supporting a practice intrinsically linked to the South’s “peculiar institution” – and thus directly contrary to liberty and free will. Burlingame was condemned for accepting a challenge to a duel because the practice was a product of the violence perceived as endemic to slaveholding Southern society.<sup>32</sup>

<sup>31</sup> *Wisconsin Free Democrat*, July 30, 1856; “Brooks and Burlingame,” *New Hampshire Patriot and State Gazette*, July 30, 1856; *Pittsfield Sun*, August 21, 1856; “Mr. Burlingame,” *Boston Daily Advertiser*, July 29, 1856; “Mr. Burlingame,” *Boston Daily Advertiser*, July 24, 1856; “Duelling – Representative Burlingame!” *New York Evening Post*, quoted in *Boston Evening Transcript*, July 24, 1856.

<sup>32</sup> *The Liberator*, August 22, 1856; “Brooks and Burlingame,” *The Liberator*, August 22, 1856; “A Duel in Prospect,” *Milwaukee Daily Sentinel*, July 23, 1856; *North American and United States Gazette*, July 25, 1856.

Much of the Northern press, however, denounced Brooks, not Burlingame. Many newspapers focused on Brooks' cowardice, arguing in particular that his refusal to meet Burlingame at the Clifton House stood as evidence of his lack of nerve. The Philadelphia *Saturday Evening Post* wryly commented that since Brooks, as representative of Southern duelists in general, was so afraid of Canada, "all Congressmen who are opposed to the ridiculous and criminal habit of duelling . . . should chalk 'CANADA' upon their hats, which word should be sufficient to render a challenge entirely inoperative." In this way, the *Saturday Evening Post* condemned affairs of honor while castigating all Southern duelists as easily cowed by the prospect of traveling through the North. More specifically, a poem by William Cullen Bryant, originally published anonymously in his newspaper, the *New York Evening Post*, mocked Brooks for his fear of Northerners like the, "savages hunting New York Bay, / To murder strangers that pass that way; / The Quaker Garrison keeps them in pay, / And they kill at least a score a day." Each verse ended with the rhythmic lines, "And I am afraid, afraid, afraid, / Bully Brooks is afraid." By discussing Northerners – like the pacifist Garrison – who were categorically opposed to violence, Bryant underscored the absurdity of Brooks' fear of moving through the North and thus portrayed him as shirking from the duel for no reason whatsoever. New York's *Jamestown Journal* argued that the reason Brooks refused to go to Canada was, "because he was made acquainted with the fact that Mr. Burlingame had nerves like iron, that he was a dead shot, and that he had selected the rifle as the weapon to be used in combat." Here, the *Journal* contrasted Brooks' refusal to fight with Burlingame's skill, thereby implicitly attesting to Northern strength and Southern cowardice. The independent, anti-abolitionist *New York Herald* explicitly connected this notion of Burlingame's vigor with Brooks' evasion of a duel in Canada. The *Herald* noted correctly that traveling for a few days or leaving the country to fight a duel was not at all uncommon, and Burlingame was fully justified in his selection of the Clifton House as a meeting-place. Moreover, the *Herald* explained that Brooks' concern about being attacked in the North was absurd, because while citizens of the Northern states abhorred Brooks for his assault on Sumner, that general sentiment would not, "find expression by assaults on his person," because while, "that sort of thing may be common in the societies which Mr. Brooks has hitherto frequented . . . it is not in fashion here." The article concluded that Brooks left Burlingame under the impression that his challenge had been accepted and then published the entirety of the affair in the newspaper, all, "for the very paltry and cowardly reason that Mr. Brooks was afraid of being shot by Mr. Burlingame's rifle." The *Herald* thus spoke in terms of fundamental sectional difference, aligning Brooks' belief that his safety would be endangered in the North with his expectation, as a Southerner, that brutality was a normative response to anger.

Tinged with a tone of irony, the article condemned Brooks as a coward for his actions in the conflict because he was afraid of Burlingame specifically and Northerners generally, who, according to the *Herald*, were emphatically *resistant* to fighting.<sup>33</sup>

Other papers moved beyond basic assessments of Brooks' anxiety about traveling in the North to connect the duel with the caning of Sumner. For the *Boston Daily Advertiser*, Brooks' refusal to meet Burlingame was explained by the fact that, "Any man, anywhere, who will deliberately assault an unarmed man, and who deliberately plans the assault because he fears he may get flogged himself ... any such man is a brute and a coward." Other papers more explicitly connected the attack on Sumner to Brooks' failure to meet Burlingame. The Republican *Daily Cleveland Herald* asserted that Brooks, "measures honor and courage by the bloody code" and, "never means to fight on equal terms; he will come up to a sitting man, and knocking him senseless ... beat him to a jelly, and he will swagger and bluster about fighting a duel so as to make the matter public and cause his own arrest." In short, the *Herald* asserted, "Bully Brooks is a coward ... Now the world knows just how much courage there is in Brooks." This paper described Brooks' caning of Sumner and his reaction to the conflict with Burlingame as parallel, each revealing the South Carolinian as cowardly and unable to engage in a fair fight. In this way, the *Daily Cleveland Herald* used the "bloody code" to cast Brooks as failing as a man by the litmus test of his own belief system. Ohio's Democratic *Newark Advocate* and Republican *Cleveland Morning Leader* offered a similar argument in a different manner. Under the heading, "A Female Going to Fight," these papers printed the letter of a woman who purportedly challenged Brooks as, "punishment for his cowardly attack upon the Hon. Charles Sumner, and for his ... recent refusal to fight a man whom he had challenged – (for fear of being killed)." She squared herself against Brooks by declaring, "let us see some of your boasted courage! You are *afraid* to meet a *man!* – *dare* you meet a *woman?*" Though nearly fifty, she avowed that she was, "truly anxious to do my country some service by whipping or choking the cowardly Carolina ruffian." Like the article that appeared in the *Daily Cleveland Herald*, this anecdote linked the assault on Sumner to Brooks' refusal to meet Burlingame. But more than that, in terms of the code of honor, Brooks' manliness was seriously called into question by a

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<sup>33</sup> "Brooks and Burlingame," *Saturday Evening Post*, August 2, 1856; "Brooks' Canada Song," *New York Evening Post*, July 24, 1856; *Jamestown Journal*, August 1, 1856; "The Brooks and Burlingame Affair," *New York Herald*, July 25, 1856. As the *New York Herald* commented, duels in Canada were not at all uncommon in this period, as leaving the country was a way in which duelists could dodge the anti-dueling laws of their states. In fact, a duel that occurred less than a year earlier between two members of the New York Shakespeare Club – referenced earlier in this paper – was settled on the Canada side of the Niagara Falls. See *Daily National Intelligencer*, June 9, 1855; *Daily Cleveland Herald*, June 8, 1855; *Boston Daily Advertiser*, June 8, 1855.

woman who would challenge Brooks, assert her willingness to fight him, and denounce him as a coward. That is, if a woman was able and eager to fight Brooks, then why could not Brooks, a man, follow up on his own challenge to Burlingame or face Sumner on equal ground? Whether or not this woman existed, the newspapers used her as a way to insult the South Carolinian and drive home the association between Brooks' assault on Sumner, his refusal to fight Burlingame, and his inherent cowardice.<sup>34</sup>

Beyond concentrating on Brooks' lack of bravery, some members of the Northern press – Republicans in particular – cast Burlingame, and his decision to fight the duel, as righteous and justified. Despite the strong anti-dueling sentiment that pervaded the North, some Republican newspapers applauded Burlingame for consenting to fight Brooks. The independent *Boston Evening Transcript* offered a, “word in justice to Burlingame . . . His conduct has been censured, in some quarters . . . too hastily. . . . Admitting the general sentiment, have not his constituents, in the moment of excitement, urged on the fight?” The *Daily Cleveland Herald* commented that, “so far as he conceived the honor of Massachusetts demanded such a course, he should not be censured.” While not fully endorsing Burlingame's actions, the *Herald* and the *Evening Transcript* set the Congressman's decision to duel Brooks in the context of his constituents, who, according to these papers, commended his resolve and urged him to fight the South Carolinian. In this way, the *Herald* and the *Evening Transcript* cast his choice in a reasonable and honorable light. Other papers went further, more openly supporting Burlingame's course of action. The *Chicago Journal* ran an anecdote about a Quaker man who approached Burlingame, praising him for accepting the duel challenge and commenting that, “I am glad that thee has courage, it is a good thing for one in thy situation.” According to the *Journal*, even a Quaker, part of an explicitly and openly pacifist sect, could condone Burlingame as brave and his actions as justifiable in context. Going further, Wisconsin's *Waukesha Republican* believed that Burlingame's course of action was imperative to, “vindicate the Northern position and spirit,” indicating that the Massachusetts Congressman, by engaging in the duel, had defended the valor of the North. Together, these newspapers candidly supported Burlingame, arguing that his refusal to equivocate with Brooks was a testament to Northern courage.<sup>35</sup>

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<sup>34</sup> *Boston Daily Advertiser*, July 23, 1856; “Bully Brooks Backing,” *Daily Cleveland Herald*, July 24, 1856; *Cleveland Morning Leader* in “A Female Going to Fight,” *Newark Advocate*, August 20, 1856.

<sup>35</sup> *Boston Evening Transcript*, July 30, 1856; “How the Code of Honor Works,” *The Daily Cleveland Herald*, July 25, 1856; *Chicago Journal* quote in *Weekly St. Louis Pilot*, August 30, 1856; *Waukesha Republican* quoted in *Wisconsin Free Democrat*, August 8, 1856.

Some Republican newspapers not only approved of Burlingame, but argued that his actions were a way for Northerners to combat Southern aggression. The Republican *Lowell Daily Citizen and News* commended Burlingame for, “showing a degree of spirit the southrons hadn’t counted on and seems to have cowed them on their own ground.” To this paper, Burlingame was upstanding because he confronted Southerners on their own terms through the practice of dueling. In this way, the *Citizen and News* praised Burlingame for engaging in an affair of honor while positing that the practice was primarily a Southern one. The anti-slavery *New York Tribune* made a similar argument. While maintaining that it would never approve of dueling as an institution, it noted that the, “slaveholding chivalry expends itself on the surprised, non-combatant and defenseless, while it walks warily by those whom it knows to be ready and willing to fight.” Although clearly refusing to condone the code of honor, the *Tribune* implied that Burlingame – by presenting himself as unafraid – scared off violent Southern slaveholders like Brooks and thus did a service to the North. Similarly, the *New York Daily Times* spoke to the difficulties Northern representatives faced in resisting, “the aggressions . . . of the champions of Slavery.” And while the *Times* insisted that dueling was a social ill, it argued that if Southern Congressmen, “maintain their determination to punish by force what they consider insulting to themselves or their States, we prefer that Northern men should meet them in the duel rather than fall their victims while unarmed, or while at such a disadvantage that successful resistance is impossible.” The *Times*, like the *Tribune*, disparaged affairs of honor while explicitly maintaining that Northern men should fight against Southerners on equal terms – via a duel if necessary – rather than allowing another incident like the caning of Sumner to occur. The Republican *Boston Daily Atlas* made this point at more length. In an editorial discussing the implications of the Brooks-Burlingame affair, the *Daily Atlas* alleged that, “Massachusetts approves, in spite of all her pet dogmas. In her heart she loves true courage; and even though shown through a wrong-headed system of chivalry, she will applaud the spirit and forgive the manner of its manifestation.” In a different article printed on the same day, the paper connected its approval of Burlingame to Brooks’ violence, explaining that, “our Southern bullies have reduced the formalities of the duel to a mere game, for the purpose of intimidating Northern men,” and thus that the Massachusetts Congressman was right to stand up to the South Carolinian. Much as the Northern press condemned Breckenridge, this paper denounced Brooks particularly and Southerners generally for using the duel to force Northerners to capitulate to Southern interests. In this light, Burlingame’s acceptance of the duel challenge was a way in which he could resist Southern power and attest to the courage of the North – and it was for this reason, the *Boston Daily Atlas* argued,

Massachusetts supported his actions despite their moral opposition to the duel. In many Republican newspapers, Burlingame was applauded for accepting the challenge, because it enabled him to defy Southerners, like Brooks, who would use violence to coerce Northern men.<sup>36</sup>

A cadre of Northern newspapers that were generally but not exclusively Democratic disparaged those members of the Republican press that both condemned dueling and supported Burlingame. The Democratic *Daily Ohio Statesman* berated, “the men who profess to be imbued with the utmost horror of duelling, the men who claim to be the sole representative of the Christian sentiment of the North,” for being, “most eager and active in this work,” of encouraging Burlingame to fight Brooks. The Republican *Trenton State Gazette* similarly disliked the, “strange inconsistencies these papers commit,” for both “violently opposing dueling” and, “ridiculing every man who declines to accept a challenge.” These papers each found fault with Northern Republicans who both professed the immorality of dueling while supporting a Northerner for engaging in one. Others linked the Republicans’ condemnation of dueling to those papers’ denunciation of the South. Stockton, California’s Democratic *Weekly San Joaquin Republican* called the “anti-‘stab and shoot’ gentlemen” inconsistent for denouncing the “stab and shoot party” while supporting Burlingame’s acceptance of a challenge from Brooks. More forcefully, the Democratic *New Hampshire Patriot and State Gazette* explained that heretofore, “The ‘code’ has been stigmatized, and contemptuously spit upon as the ‘slaveholder’s code.’ It has been denounced as the legitimate accompaniment of slavery.” But now, given the Northern support of Burlingame, “the ‘slaveholder’s code’ is honorable; now duelling is ‘unselfish and chivalric!’” Calling attention to the Northern critique of dueling as a derivative of Southern violence and Southern slavery, these newspapers highlighted the apparent hypocrisy of Republican opinion. In some ways, the anger exhibited by many of these papers was a function of their Democratic affiliation. But perhaps more than that, their collective frustration with Northern attitudes toward Burlingame also points to a marked shift in the Northern press over time. Their disdain for the inconsistent views of these Northern newspapers suggests that a sea change had occurred between 1850, when dueling was universally condemned among Northerners and Southerners of all political persuasions, and 1856, when a Northerner accepting a challenge was applauded among the Republican press just as – if not more – widely than the

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<sup>36</sup> “More Chivalry,” *Lowell Daily Citizen and News*; *New York Tribune*, July 16, 1856; “Dueling at Washington,” *New York Daily Times*, July 23, 1856; “Burlingame and Brooks,” *Boston Daily Atlas*, July 26, 1856; “The Burlingame and Brooks Affair,” *Boston Daily Atlas*, July 26, 1856.

code of honor was criticized. These papers indicate that perception of dueling among the Northern press had altered noticeably between 1850 and 1856.<sup>37</sup>

Southern newspapers' reaction to the duel also interacted with a sense of mounting sectional discord. Unlike before, in the wake of both the Davis-Bissell duel and the Cutting-Breckenridge conflict, criticism of dueling was entirely absent. Instead, the Southern press noted the consequences of the Brooks-Burlingame affair, concentrating heavily on the sectional motivations of the Massachusetts Congressman. Georgia's *Daily Morning News* commented that the duel was representative of sectional tensions, and, accordingly, ominously feared, "the probable result of a mortal recontre between representatives of the South and North." But other newspapers went further than just noting the sectional character of the duel. The New Orleans *Daily Picayune* described Burlingame as a pawn of Northerners seeking a, "champion and avenger of Mr. Sumner," who was selected because he was the sole man in New England who accepted, "the code of personal responsibility" and could thus, "be brought forward to do the fighting." This was an implicit expression of the sectional nature of the duel while taking a subtle jab at the inability of Northerners to find more than one champion to fight for their cause. The *Picayune* went on to assert that the only reason Brooks had taken the bait and opted to challenge Burlingame was the boasting among Northerners that, "the New England rifle had scared the Southern man." In the final analysis, Brooks was a man of courage and honor, while Burlingame was little more than a tool for Northern vengeance against Sumner's assailant. The *Picayune* thus explicitly condemned Burlingame as a pawn for a North seeking to use violence to punish the South and force it to submit to Northern will. Similarly, the Democratic *Georgia Telegraph* cast Burlingame as "inducing" Brooks to challenge him and then, "sneaking out of it by an unfair advantage and cowardly subterfuge." Moreover, this article associated Burlingame with the abolitionists, who, according to the *Telegraph*, were undeniably, "the aggressors – they have thrown us upon the defensive – and unless their insults and aggressions cease there must be between us and them war of the knife." The *Georgia Telegraph* thus portrayed Burlingame as both a coward and the initiator of the duel – echoing and reversing Northern Republican papers who castigated Brooks both for his lack of bravery and his role as the challenging party. And by linking Burlingame to an aggressive abolitionist movement, this paper made the South appear victimized by the North, much like Cutting or Sumner had been portrayed as victimized by the Southern slave power. Finally,

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<sup>37</sup> "Brooks and Burlingame," *Daily Ohio Statesman*, July 27, 1856; *Trenton State Gazette*, July 25, 1856; *Weekly San Joaquin Republican*, September 6, 1856; "New England Duellist," *New Hampshire Patriot and State Gazette*, August 6, 1856.

the paper, like its Northern Republican counterparts, implied a call to arms – a willingness to fight and fend off this aggressor if need be.<sup>38</sup>

The confrontation between Burlingame and Brooks revealed – and fed into – a high degree of sectional tension in both its course and consequences. The duel emerged as a response to Brooks' assault on Sumner, which was a result of Sumner's condemnation of the pro-slavery bent of one of Brooks' relatives. And ultimately, the duel did not take place because of Brooks' fear that Northern anger at his beating of Sumner would manifest in violent attacks on his person. Furthermore, the newspapers' reaction to the conflict became firmly sectionalized. Although there was some anti-dueling rhetoric among Northern newspapers, as there had been before, the critique of the practice disappeared from the Southern press. Instead, the vast majority of Northern papers discussed Brooks' cowardice, and among the Republican press in particular, Burlingame was perceived as righteous for standing up to Southerners who would use violence to intimidate Northerners in order to push their politics. The Southern press discussed the duel in similar terms, but in reverse; in the pages of the Southern newspapers, Burlingame became representative of purported Northern violence and aggression against the South. In this way, the Brooks-Burlingame scuffle – and its interpretation in the press – was indicative of and perhaps contributed to a larger phenomenon of escalating sectional tensions. The *New York Ledger* spoke to this state of affairs, bemoaning that, “dueling is likely to becoming a fashionable amusement among the people of Congress. . . . The District of Columbia is lapsing into a state of barbarism.” The *New York Herald* lamented the pitch of dueling in Washington and its connection to sectional strife, exclaiming that:

all the Northern members of Congress, and many of the Southerners, are crazy for fighting. . . . Can we no longer discuss politics without billingsgate and pistols? . . . We hear that no man walks the street without a revolver. . . . that Northerners and Southerners cannot meet without scowling upon each other.

By the time of the Brooks-Burlingame altercation, duels – both on the ground and in the pages of the national press – had become a way in which Northerners and Southerners exercised violence as an expression of sectional hostility.<sup>39</sup>

By the summer of 1856, William Bissell had emerged as the, “Fremont and anti-Buchanan candidate” for the Governor of Illinois. Both the *Daily Cleveland Herald*

<sup>38</sup> “The Ball Opening in Washington,” *Daily Morning News*, July 23, 1856; “Brooks and Burlingame,” *Daily Picayune*, July 30, 1856; “Northern Fanaticism,” *Georgia Telegraph*, July 29, 1856.

<sup>39</sup> “Revival of the Bloody Code,” *New York Ledger*, August 9, 1856; “The Brooks-Burlingame Affair – Barbarism at Washington,” *New York Herald*, July 24, 1856.

and the *Daily Scioto Gazette* ran an article entitled the “Gallant Bissell,” which lauded him as “chivalrous and fearless” in the conflict that nearly led to a duel with Jefferson Davis in 1850. This piece cast Bissell as courageously defending himself against “the Southern fire eater” and attested to Northern strength on the battlefield of Buena Vista. It concluded that the duel was never fought because although Bissell refused to equivocate, Davis ultimately, “withdrew his aspersions upon the gallant men who won the victory upon that bloody field, and the bravery of the men of Illinois has never since been questioned.” This assessment of the Davis-Bissell conflict, focusing on Northern might in the face of Southern aggression, was a far cry from the focus on sectional reconciliation that dominated the press in 1850. Clearly, perceptions of Congressional dueling had shifted markedly in the little over six years that had passed between the Davis-Bissell altercation and the summer of 1856. But that was not all that had changed. Between 1850 and 1856, political duels between Northerners and Southerners had become a form in which sectional tension was expressed, and the press increasingly discussed them in those terms. And while papers in the North and the South criticized dueling throughout the period, that attitude was ultimately overridden by a focus on affairs of honor as a mechanism through which Northerners and Southerners could combat each other and defeat the hostility that each believed the other possessed. The Davis-Bissell, Cutting-Breckenridge, and Brooks-Burlingame conflicts expose the increasingly sectional nature of duels discussed in a popular press that, by 1856, condoned, in a limited way, outward aggression between Northerners and Southerners. In both form and perception, Congressional duels had become civil wars in miniature long before 1861.<sup>40</sup>

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<sup>40</sup> “The Gallant Bissell,” *Daily Cleveland Herald*, July 26, 1856; “The Gallant Bissell,” *Daily Scioto Gazette*, August 20, 1856.