

Brooks, George Washington ^[1]

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by W. Michael Golnick, Jr., 1979

March 16, 1821 - January 6, 1882

George Washington Brooks, lawyer and U.S. district court judge, was born in Elizabeth City. His father, William C. Brooks, originally of [Gates County](#) ^[2], was a prominent merchant and farmer. His mother, Catherine B. Davis of [Pasquotank County](#) ^[3], was the widow of Captain Hugh Knox before her marriage to Brooks. George W. Brooks was a voracious reader in his youth. He attended Henry Riddick's School near Sunbury and Belvedere Academy, established by the Society of Friends in [Perquimans County](#) ^[4]. Too poor to attend college, he read law first with Charles R. Kinney and later with John C. B. Ehringhaus (1814-1853) in Elizabeth City and was admitted to practice there in 1844. Brooks entered his practice almost penniless, but through diligence and faithfulness to his clients' causes, he established a thriving practice and a growing reputation by 1860.

On June 20, 1850, Brooks married Margaret Ann Costen of Gates County. They had five children: William, George, Margaret, Sarah, and James, all bearing the middle name Costen.

Brooks was a member of the Methodist Episcopal church and a Master [Mason](#) ^[5]. A [Whig](#) ^[6] in politics, he agreed to run for the legislature in 1852 to avert a local party schism. He was elected and served that term but refused reelection. By 1861 he had become convinced of the evil of slavery and favored manumission. He was a slave owner himself but purchased slaves at their own request, to save them from other slave buyers. He opposed secession and remained an avowed but inactive [Unionist](#) ^[7], spending the [Civil War](#) ^[8] years at his home as a noncombatant.

In August 1865, President [Andrew Johnson](#) ^[9] appointed Brooks federal district court judge for the District of North Carolina; he was confirmed by the Senate in January 1866. During the interval he served as a member of the [state constitutional convention](#) ^[10], playing an influential role in its deliberations. As the sole district judge in the state during a period of unusual turmoil, he had varied and exceptionally arduous duties.

In 1870, Brooks received state-wide attention for his role in terminating the [Kirk-Holden War](#) ^[11]. Many citizens of Alamance and Caswell counties had been arrested for violence connected with the [Ku Klux Klan](#) ^[12]. When Governor [W. W. Holden](#) ^[13] frustrated the writs of habeas corpus issued in their behalf by state Chief Justice [Richmond M. Pearson](#) ^[14], the defendants got ex-Confederate General [Mathew W. Ransom](#) ^[15] to petition Brooks for their release under the new [Fourteenth Amendment](#) ^[16]. Brooks ordered the prisoners brought before him at the federal court in Salisbury. Governor Holden telegraphed President U. S. Grant to rescind Brooks's order but to no avail. On August 19, 1870, Colonel [George W. Kirk](#) ^[17] of the state militia presented the prisoners as ordered, and Brooks dismissed them all when Kirk failed to present any evidence to substantiate their continued imprisonment. Upon his return to Elizabeth City, Brooks was welcomed with a public demonstration. He continued to serve as district court judge for the remainder of his life.

Brooks died after a lingering illness and was buried in Elizabeth City.

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