

Athol, Oct. 27, 1845

Dear Bradburn,

I have just received yours of yesterday, and regret to hear that you had not received the letter I directed to you at Worcester—not because the letter was of much value, but because I should be sorry to have you suppose I should neglect to answer your own. I put it in the office Wednesday morning, directed to you to the care of Mr. White, hoping you would get it Wednesday evening. The purport of it was that the authority of the decisions of a superior court over an inferior one is moral, not legal—and that I know of no decision, no law, nothing in the constitution, nothing in a judge's oath of office, that requires an inferior judge to be bound by the opinions of a superior. He is bound to administer the law as he understands it—and if either party be dissatisfied, he must appeal from the decision, and this right of appeal is a safety value against anarchy.

I thought I would take no notice of Davis's letter. I had an idea of giving a synopsis of its absurdity and contradictions but concluded that it were better that I should not—inasmuch as Marsh had requested him to review the book, and there was nothing in the review ill-natured towards me—And I was afraid that if I should review it as its merits deserve he would think I was ill-natured towards him. If you feel inclined to squib him a little, I have no objection—although I think its absurdities too apparent to claim much time or thought from anybody by way of answer. The whole amount of his argument is that the constitution has no meaning of its own, but chameleon-like takes the hue of public opinion, or the public will, and changes with it—Pshaw!

In the letter which I sent you to Worcester, I mentioned that I had lost my mother. She died on the 20th two days after I got here. During those two days she was too sick to talk much, but she expressed great pleasure that my book was out and that it as thought likely to do so much good. She was one of the kindest of mothers, and one of the best of women. Almost all our family have been ardent abolitionists for years—And you will readily imagine that it was no slight consolation to me to have contributed in such a manner to the happiness of my family, and above all to the happiness of the last days of such a mother.

In regard to your question whether the President and Congress are not bound to support the decisions of the judiciary however atrocious—I answer, that they are bound to support the decisions of the judiciary. No exception is made to this rule by the terms of the constitution—that the constitution does not suppose that the

judiciary will make ay atrocious or flagrant decisions. They will make erroneous decisions occasionally and even frequently—and they must stand. But in such cases it is supposed that the matter was doubtful—enough so to prevent the decisions being flagrant or outrageous _____ cases of outrageous decisions (if such cases are to be supposed) it is quite safe to suppose that neither congress nor the president would support them. Congress would rather impeach the judges and leave the decision to die, unless a new hearing could be obtained.

You judge rightly in supposing that if Mrs. Sargeant were a Miss, she would be very likely to be missed [?] by me, provided it should take but one to make the bargain.

Both your letters were marked "Paid"—hope your conscious will now be at rest on that point—

The Dr's folks were well last evening. I showed the Dr that part of your former letter which disclosed your great anxiety to kiss his wife, and he, after tantalizing her awhile, concluded that it was safe to trust her with a knowledge of your desires. So you see it will not do to trust such secrets with me, if you intend them as secrets—

In my letter to you at Worcester I spoke of your coming up here before election. But I suppose it would be impossible to raise as much money for you here as you would be likely to get elsewhere. Besides Mrs. Aboyt[?] says she does not want you to come till after election, for she says you will not stop any if you do. But we shall expect you after election, and if you please to get Sargeant's wife away from him and bring her with you, we shall all be very much obliged to you, although I imagine you would not in that event monopolize so much of our attention as though you were to come alone

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My best respects to Mrs. Hildreth and Mrs. Sargeant.

Yours sincerely,

L. Spooner

By the way, I requested Mr. Leavitt, if any papers should come to his office containing notices of my book, either to send them to me, or hand them to you. I also requested Mr. Marsh [?] to get them and send them to me. But I have received none as yet. If you should be in Leavitt's office, please ask him if he has any on hand. I would not have you go there on purpose—for it is not of much consequence any way--

