

Boston, Jan 21, 1846

Dear Spooner,

Your petition, with the two letters accompanying it, I rec'd yesterday. I have been busy, almost ever since to see what I could do in the premises. And I am sorry to say that I have little hope of making the thing go at all. Just as I was on the point of dispatching the petition to Worcester, for Judge Allen's[?] inspection & signature, I was thrown all aback by our Governor Sewall, who told me he could not sign it himself, not being able to accept all of its views, & did not believe it could be made to command any attention from the Legislature. Failing, thus, of obtaining for the project the sanction of Sewall, I fear Allen, & more, especially Williams, might regard it as \_\_\_\_\_ were I to attempt to enlist them in its behalf. Hildreth had told me you were too specific, had gone too much into details, to some of which many would object, which admitting the general principle of the petition; though I suspect he [?] did not imagine Sewall would stumble at any of those. I had thought, that, on submitting it to Judge A., I would ask him to say for how much of it he would go, if he should find himself unable to accept the whole; & thus, should he not utterly emasculate the thing, \_\_\_\_\_ to \_\_\_\_\_ others to go for the same. Perhaps I will yet put it into his hands, with such a request. I wish I was still a small position of "the assembled wisdom of the Commonwealth"; your petition should then be heard, or at least, heard of, by that wonderful embodiment. I know of no one, in either branch of the Leg., at all fit to be entrusted[?] with such a business.

---If you have any further advice for me, touching the matter, I would be glad of it. I like the plan; or should like it, were it practicable; & therefore very deeply regret it should be all too far in advance of this asinine[?] generation. Your projects must be longer-eared [?], if you would have to see them realized.

I asked Sewall to tell me what, for instance, he could not subscribe to, in your view. He specified your construction of "free", as applied to persons, in the Constitution. He does not believe you have given to it its legal meaning. But I did not answer the question with him; though I told him I could not see wherein your own argument, which had failed to satisfy him, on that point, ends not quite as sound as the argument by which you support, to his so very great satisfaction, your views of the Fugitive Slave of the Const.

Directed there by Hidreth, who had just fallen upon the same, I have been looking at the record of certain facts, which go to

sustain several of the arguments in your book. And I am curious to know if you were acquainted with them at the time of writing that work. The facts, or some of them, are there: Long before the adoption of our State Const., which alone is usually supposed, or I had always supposed it, to have abolished slavery in Massachusetts, larger number of illegal slaves sued their masters for wages. The latter pleaded, that the former were their slaves; exhibited in court their wills of sale, etc. & referred to sundry legislative acts regulating slavery, & one of them forbidding emancipation, except under certain specified conditions. For the Negroes, it was pleaded, that no such laws could be held to sanction slavery; that, were they intended to sanction it, it would still be illegal, or conflicting with the Charter, which guaranteed to all the people of the state the same freedom that was received[?] to Englishmen at home; & the case of a Negro, taken to England from \_\_\_\_\_ by his master [this of course must have been the case of some \_\_\_\_\_], & who was there liberated on the ground that no man could be legally held as a slave in England, was referred to. In every such case, both courts & \_\_\_\_\_ went for the Negroes. O—it was also \_\_\_\_\_, in some instances, that, even if the parents of the alleged slaves were slaves, that part could not make the children slaves. But this, of course [?] [? in text] must have been after the adoption of the Constitution. Another fact: though this has nothing to do with your book, in the sense those above cited have: The clause in the Dec. of Rights, "all men are born free & equal" "we inserted not merely as a moral or political truth, but with a particular view to establish the liberation of the Negroes on a general principle, & so it was understood by the people at large." —The courts in N.H. ruled (their const. having this[?] seem clearer), that all born after the const. was adopted, were born free!

But all this, to say nothing of my laughing[?] statement of it, may be a carrying of coals to \_\_\_\_\_ . I should add, that I got the facts from the Mass. Hist. Collection, in a letter from Dr. Belknap to a Judge Tucker of Va (Pa?); I think Sewall & myself, or rather myself alone, were wondering this afternoon, if you were acquainted with them.

What glorious news from England; the resignation of Pevl[?], & the recall of Lord John! ---What a capital speech that was of Gidding's[?]. Who, but culprits, can blame a man for wishing, under any & all circumstances, the triumph of "stern, unalterable fortuna"?[?]

You have sometimes spoken of your Athol & \_\_\_\_\_. Does it go on the Peck\_\_\_\_\_ plan, touching compensating those it employs for "the diffusion of useful knowledge." I am feeling as if I must be after those dear Christian salutations soon, any how. A sort of insane attachment to plan, alone, induced by my inordinately longer \_\_\_\_\_, has kept me here all this while. Tell me how one must really get from B. to your plan; what "\_\_\_\_\_", etc., he is liable to, in the

way thither; how long a ride by stage, which I abhor, especially in the winter. Does Mrs. Hait[?] play chess? If she does not, bid her lean forthwith. Can you not teach her? I suppose the Dr. has been all his life quite too "pious", [?] to indulge in any amusement. He does every thing from a sense of duty. Well, --- --- Have they ceased corresponding with me?

Mrs. Hildreth wrote me this evening, that Mrs. Sargeant was there to day. She returned from Con. Because her husband could no longer stand it without her. O you must get her w/o[?] these before March, if I am to meet you all.

With love to the Drs. & his wife, I am, truly, yours,

G. Bradburn