

Boston Novr 8, 1847

Dear Bradburn,

I greatly thank you for your letter giving me an account of the Buffalo convention—also for the glorious fight you made there in behalf of the constitution. Although you did not gain a majority of votes, I am sure that what you and Smith said will not be lost. Indeed I imagine the Liberty Party, as a constitutional party, of an idea, and that an unconstitutional one, has received its death blow. I think many of Hale's friends feel that, while they have gained a candidate, they have lost their party. I do not see that they can do any thing but join the Wilmot proviso and anti-war men. They obviously have dared avow no principles that can avail in a contest for the abolition of slavery.

I mailed for you a copy of the Chronotype, that you might see what Wright said of the convention. (By the way, I mentioned to W. again that you did not receive the Chron. He said your name was entered on their list. I hope you receive it now.)

I understand the resolutions were prepared by Chase. They are worthy of him. In his _____ argument he says (p 81)—

"Neither the word 'slave,' nor the word 'slavery,' nor any term equivalent to either, is to be found in the instrument." And then, within ten lines, adds, "It is quite true that the constitution contains several clauses which were designed to refer to slaves."

Where does he get his knowledge that the constitution was designed to refer to slaves, if "neither the word 'slave' nor the word 'slavery,' nor any term equivalent to either, is to be found in the instrument."? His argument that it refers to slavery as a state, and not as a national institution, is all assumption—for it can no more refer to it as a state, than as a national institution, unless it mention it, or use some term or phrase equivalent to it.

If abolitionists are going to take their law on trust from such a nincompoop, we can imagine where they will land. I sent him a copy of my second part. After he has had time to read and digest it, if he do not come out on the right side, I have some thought of exposing his ignorance and inconsistency—unless yourself or someone else will take the trouble of doing it.

I see that "B.W. Richmond" in the Anti-Slavery Bugle, and William Goodell, in the Albany Patriot, comment upon Leavitt's conduct on the constitutional point. I met L. the other day in the street, and said to him, "I understand you have changed your mind as to my first book." "Do you," said he, "Well, I cannot stop to talk

with you now" He was always more disposed to employ himself in ferreting out and heading the political intrigues of others, than in advocating great principles. This is probably owing to his having a propensity for intrigue himself. He's going for Hale is an evidence of this propensity. It is also evidence of his reliance upon éclat and management, rather than on principles. I wish those politicians, who attempt to lead the people, would give them credit for common sense, and common honesty. But in order to do that, a man must have more sense and honesty himself, than politicians generally have.

I am sorry to tell you that Hildreth thinks the convention did about as well as they could—on the principle of feeding babes with milk. He seems to think also that men's sympathies are much more to be relied on, than these principles, for effecting abolition. I think, on the contrary, that four out of five can be more relied on for their principles, than their sympathies. May a one[?], indeed almost every one, who feels no particular sympathy for the black, will yet admit it to be wrong to make him a slave, and I think would give his vote for his freedom, if he could see that he had a right to vote thus, and that his vote would be effectual. At any rate, principle, and not sympathy, must be the rule of government, and that settles the ground that we must take.

I had a conversation with H.C. Wright, on the point you suggest. He introduced the subject. W. is wrong. The executive looks at the constitution—sees what laws and decisions it authorizes and judges from that observation, whether he can conscientiously swear to support it. Of course he swears to execute only such laws as he thinks the constitution authorizes congress to pass, and such decisions as he thinks it authorizes the courts to make. The constitution presumes that the executive understands what laws and decisions it authorizes—for it presumes everybody to understand the law. Otherwise it would require the executive to swear to be great[?] moral agent of the people for executing the laws. Suppose in a suit between two woman for a child, the court should decide, like Solomon, that the child should be cut in two, and half given to each claimant, does any one suppose the president would be bound to carry the decision into effect? Or that he would not be liable to impeachment and condemnation if he were to execute it? I intend to argue this point further hereafter.

I have just written to Gerrit Smith, asking him to lend me money enough to live on, while writing another book. I have a great deal yet to say—and that that will tell too.

If you have read the whole of my book, let me know how you like it. Hildreth likes it well. Sewall had not read it the last time I spoke with him.

I should have answered your letter sooner, but that I wished to inform you absolutely whether I should go on with my third part. I

have been trying to raise the means here—but cannot do it. If Smith fails me, I must give up the attempt for the present, for ought I see.

Dr. Hoyt was here a few days since—his family and Mrs. Sargeant will—Do write me soon.

Yours sincerely,

L. Spooner

Will you not get up a petition to Congress for an investigation of the constitutional question? I asked Smith to do the same. That ball must be set in motion.