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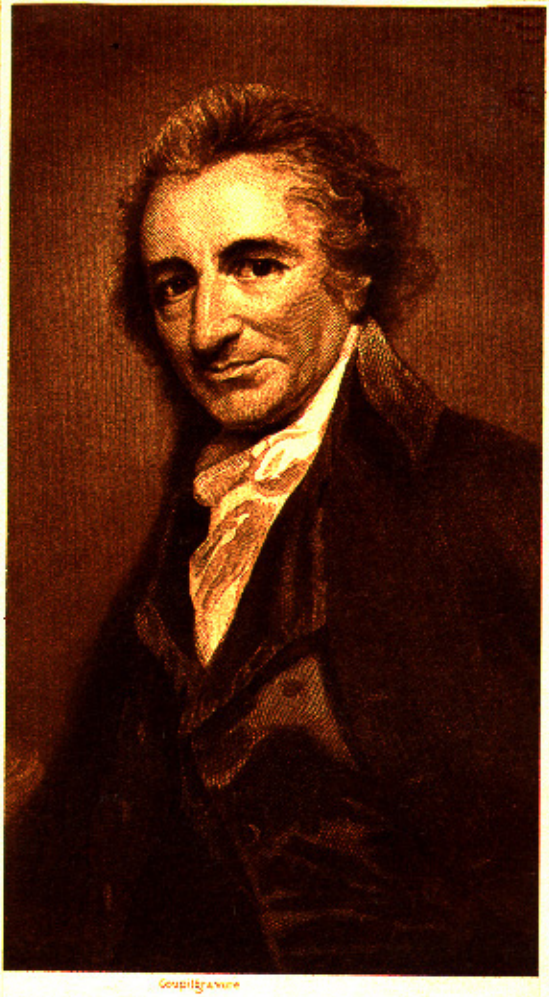

Goupil gravure

THOMAS PAINE

Goupilgravure from an Engraving by William Sharp of the Original Painting by George Romney

This is the best known portrait of Paine, and was painted in 1792. The original disappeared years ago, but imitations have been found of it. One commentator has said of the Romney likeness: "It is the English Paine, in all his vigor, and in the thick of his conflict with Burke."

Of this Special De Luxe

Independence Edition

of the

Centenary Issue

of the writings of

Thomas Paine

there have been printed five hundred numbered copies of which this is

Number 331

Attest:

Daniel Edwin Wheeler

Editor

T Paine

LIFE AND WRITINGS of THOMAS PAINE

CONTAINING A BIOGRAPHY BY THOMAS CLIO RICKMAN AND APPRECIATIONS BY LESLIE STEPHEN, LORD ERSKINE, PAUL DESJARDINS, ROBERT G. INGERSOLL, ELBERT HUBBARD AND MARILLA M. RICKER

EDITED AND ANNOTATED BY

DANIEL EDWIN WHEELER

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1998
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P.O. Box 926
Louisville, KY 40201
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The purpose of the Bank of Wisdom
is to again make the United States the
Free Marketplace of Ideas that the
American Founding Fathers
originally meant this Nation to be.
Emmett F. Fields

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LIFE AND APPRECIATIONS OF THOMAS PAINE

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ILLUSTRATIONS

INTRODUCTION

NEITHER biographical nor critical disquisition is necessary here, for the eminent writers presented in this volume cover every essential point in the career of Thomas Paine. Especially worthy of note is our international *critique* on the extraordinary writings and world-wide services of the most illustrious apostle of freedom mankind has ever known. Combine the candid, intimate account of Paine by his bosom friend, Thomas Clio Rickman; the marvelous forensic effort made in behalf of "Rights of Man" by Lord Erskine; the charming bit of appreciation from the scholarly pen of Leslie Stephen; the keen psychological analysis of Paul Desjardins, whose essay is now translated into English for the first time; the eloquent oration by Robert Ingersoll; the brilliant contributions by Elbert Hubbard and Marilla M. Ricker, and together they form a literary symposium of exceptional strength, representative of the three countries for which Paine incessantly, unselfishly labored. Only a succinct resumé of his achievements will, therefore, be possible or permissible in this place. To facilitate the purpose an effort will be made to draw up a scenario of that thrilling drama, the life-work of Thomas Paine, author-hero.

The prologue, extending over a period of thirty-seven years, is not too promising, unless the reader is prepared to find in repeated failures stimuli to success. Everything Paine followed,

whether as staymaker, sailor, teacher, exciseman or tobacconist, led him to the same bitter end—failure. Two things, however, he could do: argue and write. As a disputant he was locally famed, and as a writer he displayed unusual power in his plea for his fellow excisemen. Benjamin Franklin, coming into his life, was the shrewd and wise stage manager who advised a change of scene, and Paine embarked for America, where began the great first act of his noble life. But before opening that act it would be well to touch upon one significant, though mooted, phase of the prologue. According to a well-founded theory—at least as good as any competitive one—Paine was Junius, and this has been proved by skilful and subtle analogy. Howbeit, it is referred to here simply to arouse curiosity and speculation, and perhaps will instigate further research. In any event the supposition that Paine and Junius were the same individual partly explains the amazing authorship of the former upon reaching these shores.

Arriving in America, Paine became a tutor, but the opportunity offered itself for him to edit the *Pennsylvania Magazine,* and from the beginning his contributions were strikingly original. One article advocated the abolition of negro slavery, and may be said to have anticipated the Emancipation Proclamation by a century, (and it should be remembered that Lincoln in his twenties read Paine with enthusiasm); another

essay was directed against the evil of dueling; another dealt with the "woman question" and urged the civil and social rights of the fair sex; while still another favored the formation of societies to prevent cruelty to animals and children. All of which were in advance of Nineteenth Century reforms.

Then this seer "with genius in his eyes" wrote a paper called "A Serious Thought" which was the Declaration of Independence in embryo. This was eight months before the epoch-making charter of American freedom was drawn. Apropos of that immortal document, many believe Paine its author. At least it is known Jefferson was in constant communication with Paine, and to the latter is credited, without question, the clause against slavery, which was stricken out of the Declaration by Congress. If that clause had remained the Civil War had not been fought. Its author alone in his time foresaw the consequences of slavery. He, too, stands responsible for the anti-slavery preamble to the act passed by the Pennsylvania Assembly March 1, 1870.

To return to the magazine writer: while Washington was deprecating the possibility of separation from the mother country, and while Franklin was in England reassuring that Government of peaceful measures on the part of the colonies, Paine realized the inevitable rupture. Heart and soul aflame, he turned over the question day and night—the result was "Common Sense," the pamphlet that decided the destiny of

the United States. It sounded the tocsin of rebellion, and war enveloped the country. Shouldering a musket, Paine joined the rank and file, and won reputation as a brave soldier. Then, during the darkest hours of the strife he took up his pen and wrote his first "Crisis," which infused courage into the army. From time to time, as occasion demanded, he penned similar papers, and so he deserves to be called the Tyrtæus of the American Revolution. Nor must be forgotten the services rendered the cause when, with Colonel Laurens, Paine went to France, where they borrowed money with which to feed and clothe the suffering soldiers; and again when Paine headed with a five-hundred dollar subscription (practically all his money) a fund to support the war. In passing it may be mentioned that this action resulted in the establishment of the Bank of North America.

After the close of the Revolutionary War he urged stronger union among the States, and pointed out the necessity of a Constitution. About this time his invaluable services were recognized by Pennsylvania and Congress, both of which voted him money, and by New York, which granted him some two hundred acres in New Rochelle. There was nothing exceptionally generous in these actions, for Paine had given the copyright of his unequaled pamphlets to every state, and had labored unceasingly for the cause with meager recompense.

His design of a model for an iron bridge led Paine to cross the ocean for the approval of French scientists, and also opened the stormy second act of his life-drama. Its details are comprehensively given in the present volume, but there is no resisting the temptation to allude to his extraordinary rôle in the French Revolution, after he had written the "Rights of Man." That book had convulsed England and its fearless author had been condemned. Escaping the officers of the King, Paine fled to Paris, where he was made a citizen. Then followed wonderful months of counsel in shaping the new republic, all to no end, for Paine was thrown into prison, where he languished upwards of a year, unheeded, neglected. By a seeming miracle he escaped the guillotine. During these days of horror and blood, Paine wrote his most maltreated and most misunderstood book, "The Age of Reason," which was originally given to the world to counteract the spread of atheism! Distinctly and repeatedly he affirms his belief in a Supreme Being. Confirmatory of this we witness him founding a Theophilanthropist Society for the worship of God and the love of fellow-men. Thus he became a pioneer in the field of theistic and ethical bodies. But Theophilanthropy was swept away by the Concordat between Napoleon and the Pope.

Disappointed in both political and religious ideals in France, Paine turned his face toward his "beloved America," and at that point begins

the sad last act of our drama. Instead of a haven of peace, he found the United States a nest of vipers. Forgotten were his heroic services in the Revolution, because he had turned "infidel." Therefore, his declining years were made miserable, and his death welcomed by the inhabitants of the country he had helped to create.

For giving to America his "Common Sense" and "Crisis," for giving to England and France his "Rights of Man," for giving to the world his "Age of Reason," for endeavoring to give political and religious liberty to mankind—he was prosecuted, burnt in effigy in England, cast into prison and condemned to death in France, and vilified and rejected by America. Because he advocated the "religion of humanity" and the "republic of the world" he was deprived of country and creed, doomed to wander the earth in pursuit of his glorious dream, which was not to be realized.

But let us, as an epilogue to our rapidly sketched drama, recapitulate the undeniable and undying thoughts and activities of Thomas Paine.

He was first to advocate the emancipation of the negro in America.

He was first to say "the American nation," "the Free and Independent States of America."

He was first to propose constitutional government to the United States.

He was first to form a plan of international arbitration.

He was a pioneer in national and international copyright.

He was an early supporter of the plan to purchase Louisiana from France.

He was a pioneer in the question of the rights of women.

He was first to propose and see the advantages of commercial alliance between the great countries of Europe and the United States.

He was largely responsible for the organization of the Bank of North America.

Had France heeded him the Reign of Terror would never have come to pass.

Had the United States heeded him the Civil War could not have happened.

He projected land reforms more practical than those of Henry George.

He outlined an industrial and wage system more practical than the socialist schemes of latter days.

He invented the first iron bridge used in Europe.

He inferred that the fixed stars were suns, twenty years before Herschel.

He rightfully surmised the cause of, and thereby pointed to the remedy for yellow fever.

He devised the plan to utilize small explosions of gun powder to run an engine.

He was one of the first to suggest the application of steam to vessels—in fact, had made plans for steamboats seven years before John Fitch.

He forged a model of a crane with an improved lever; invented a planing machine; and experimented on a smokeless candle.

Does this man not deserve the honor of being called the Eighteenth Century Archimedes, as well as its political and religious prophet?

History continually revises her statements at the command of truth, and the latter is slowly, certainly rehabilitating the name and fame of Paine. The slime of a mythology which has for over a century stained his reputation is disappearing and the prophet pamphleteer is coming into his own.

Villainous type and paper have been usually employed to print the writings of our author, but at last we hope to have provided a format worthy of the mighty man who changed the course of the world with his pen. This edition, the reader will observe, presents all of Paine's writings in modern spelling, save in few instances where it has been thought better to preserve a characteristic word of the author. For greater clearness new punctuation has been substituted. Finally, attention is called to the condensation of the Rickman "Life," from which have been cut lengthy quotations from Paine, all of which are in the body of the work. Unnecessary repetition is thereby avoided.

Acknowledgments are gratefully made to Mr. C. P. Farrell for the reprint of the Ingersoll oration, and to Elbert Hubbard and Marilla M. Ricker for the kind permission to use their essays.

PREFACE TO RICKMAN'S "LIFE"

THE two following letters are explanatory of the reasons why the publication of the life of Mr. Paine has been so long delayed, and are so well calculated to excite the candor of the reader toward the work, that no apology is offered for making them a part of the preface.

"To the Editor of the Universal Magazine:

[November, 1811.]

"ON MR. CLIO RICKMAN'S SUPPOSED UNDERTAKING OF THE 'LIFE OF THOMAS PAINE'

"SIR: The public has been, within the last year or two, led to expect a Life of the celebrated Thomas Paine, from the pen of Mr. Clio Rickman, well known, on various accounts, to be more thoroughly qualified for that task than any other person in this country.

"This information, however, I repeat as I received it, uncertain whether it came abroad in any authenticated shape; and can only add, that no doubt need be entertained of sufficient attention from the public in times like the present, to a well-written life of that extraordinary charac-

ter, whose principles and precepts are at this moment in full operation over the largest and richest portion of the habitable globe, and which in regular process of time may, from the efficacious influence of the glorious principles of freedom, become the grand theater of civilization.

"I have often desired to make a communication of this kind to your magazine, but am particularly impelled thereto at this moment, from observing in some periodical publications devoted to political and religious bigotry, a sample of their usual sophistical accounts of the last moments of men who have been in life eminent for the independence and freedom of their opinions; but the whole that the bigot to whom I allude has been able to effect in the case of Mr. Paine, amounts to an acknowledgment that the philosopher died steadfast to those opinions of religion in which he had lived; and the disappointment is plain enough to be seen, that similar forgeries could not, with any prospect of success, be circulated concerning Paine's tergiversation and death-bed conversion, which were so greedily swallowed for a length of time by the gulls of fanaticism respecting Voltaire, D'Alembert, and others, until the *Monthly Review*, in the real spirit of philosophy, dispelled the imposition.

"The late 'Life of Thomas Paine' by Cheetham of New York, gave rise to the above magazine article. Cheetham, humph! Now should it not rather be spelled CHEAT'EM, as applicable to every reader of that farrago of imposition and malignity, miscalled the 'Life of Paine'?

"Probably it may be but a traveling name in order to set another book a-traveling, for the purpose of scandalizing and maligning the reputation of a defunct public man, instead of the far more difficult task of confuting his principles.

"Nothing can be more in course than this conjecture, authorized indeed by the following fact, with which I believe the public is, to this day, unacquainted; namely, that Mr. Chalmers publicly at a dinner acknowledged himself the author of that very silly and insipid catchpenny, formerly sent abroad under the misnomer of a 'Life of Thomas Paine, by F. Oldys, of America.'

"The chief view of this application is to ascertain whether or not Mr. Rickman really intends to undertake the work in question.

"I am, Sir, etc., etc.

"POLITICUS."

Universal Magazine, December, 1811.

"MR. CLIO RICKMAN'S REPLY TO POLITICUS

"Sir: If you had done me the favor of a call, I would readily have satisfied all your inquiries about the 'Life of Mr. Paine.'

"It is true I had the memoirs of that truly wise and good man in a great state of forwardness about a year ago; but a series of the most severe and dreadful family distresses since that time have rendered me incapable of completing them.

"Though an entire stranger to me (for I have not the least idea from whom the letter I am replying to came), I feel obliged to you for the liberal opinion therein expressed of me and of my fitness for the work.

"I have taken great pains that the life of my friend should be given to the world as the subject merits; and a few weeks, whenever I can sit down to it, will complete it.

"Unhappily, Cheetham is the real name of a real apostate. He lived, when Mr. Paine was my inmate in 1792, at Manchester, and was a violent and furious idolater of his.

"That Mr. Paine died in the full conviction of the truth of the principles he held when living

I shall fully prove, and should have answered the contemptible trash about his death, so industriously circulated, but that the whole account exhibited on the face of it fanatical fraud; and it was pushed forward in a mode and manner so ridiculous and glaringly absurd, as to carry with it its own antidote.

"Such Christians would be much better employed in mending their own lives, and showing in them an example of good manners and morals, than in calumniating the characters and in detailing silly stories of the deaths of those Deists who have infinitely outstripped them, in their journey through life, in every talent and virtue, and in diffusing information and happiness among their fellowmen.

"I again beg the favor of a call, as the circumstances attached to the query of yours, and the delays and hindrances, which are of a family and distressing nature, to the publication of Mr. Paine's life, are better adapted for private than for public discussion.

"I am, Sir, your obedient servant,

"CLIO RICKMAN."

It may not be necessary for me to promise anything further than to say, that I affect not

to rank with literary men, nor, as they rise, do I wish it; that authorship is neither my profession nor pursuit; and that, except in an undeviating attention to truth, and a better acquaintance with Mr. Paine and his life than any other man, I am perhaps the most unfit to arrange it for the public eye.

What I have hitherto written and published has arisen out of the moment, has been composed on the spur of the occasion, inspired by the scenery and circumstances around me, and produced abroad and at home, amid innumerable vicissitudes, the hurry of travel, business, pleasure, and during a life singularly active, eventful and checkered.

Latterly, too, that life has been begloomed by a train of ills which have trodden on each other's heel, and which, added to the loss of my inspirer, my guide, my genius, and my muse; of HER, the most highly qualified and best able to assist me, have rendered the work peculiarly irksome and oppressive.

In the year 1802, on my journey from France, I had the misfortune to lose my desk of papers—a loss I have never lamented more than on the present occasion. Among these were Mr. Paine's letters to me, particularly those from

France in the most interesting years to Europe, 1792, 1793. Not a scrap of these, together with some of his poetry, could I ever recover. By this misfortune the reader will lose much entertaining and valuable matter.

These memoirs [1819] have remained untouched from 1811 till now, and have not received any addition of biographical matter since. They were written by that part of my family who were at hand, as I dictated them; by those loved beings of whom death has deprived me, and from whom other severe ills have separated me. The manuscript, on these and many other accounts, awakens "busy meddling MEMORY," and tortures me with painful remembrances; and save that it is a duty I owe to the public and to the memory and character of a valued friend, I should not have set about its arrangement.

My heart is not in it. There are literary productions, which, like some children, though disagreeable to everybody else, are still favorites with the parent: this offspring of mine is not of this sort, it hath no such affection.

Thus surrounded, and every way broken in upon by the most painful and harassing circumstances, I claim the reader's candor; and I now

literally force myself to the publication of Mr. Paine's Life, lest it should again be improperly done, or not be done at all, and the knowledge of so great and good a man be thereby lost to the world.

The engraving of Mr. Paine, prefixed to this work, is the only true likeness of him; it is from his portrait by Romney, and is perhaps the greatest likeness ever taken by any painter: to that eminent artist I introduced him in 1792, and it was by my earnest persuasion that he sat to him.

Mr. Paine in his person was about five feet ten inches high; and rather athletic; he was broad-shouldered, and latterly stooped a little.

His eye, of which the painter could not convey the exquisite meaning, was full, brilliant, and singularly piercing; it had in it the "muse of fire." In his dress and person he was generally very cleanly, and wore his hair cued, with side curls, and powdered, so that he looked altogether like a gentleman of the old French school.

His manners were easy and gracious; his knowledge was universal and boundless; in private company and among friends his conversation had every fascination that anecdote, novelty and

truth could give it. In mixed company and among strangers he said little, and was no public speaker.

Thus much is said of him in general, and in this place, that the reader may the better bear us company in his Life.

LIFE OF THOMAS PAINE

By Thomas Clio Rickman

THE following memoirs of Mr. Paine, if they have no other merit, at least have that of being true.

Europe and America have for years been in possession of his works: these form the most important part of his life, and these are publicly sold and generally read; nor will the spirit of inquiry and sound reasoning, which the publication of them is so well calculated to promote, be long confined to any part of the world; for, to use his own words, "An army of principles will penetrate where an army of soldiers cannot. It will succeed where diplomatic management would fail. It is neither the Rhine, the Channel, nor the Ocean, that can arrest its progress. It will march on the horizon of the world, and it will conquer."

"What manner of man" Mr. Paine was, his works will best exhibit, and from these his public, and much of his private character, will be best ascertained. But, as solicitude about the life of a great man and an extraordinary writer is

common to all, it is here attempted to be gratified.

The Life of Mr. Paine by Francis Oldys was written seventeen years before Mr. Paine's death; and was in fact, drawn up by a person employed by a certain lord, and who was to have five hundred pounds for the job, if he calumniated and belied him to his lordship's and the Ministry's satisfaction.

A continuation of this Life, printed at Philadelphia in 1796, is in the same strain as the above, and equally contemptible.

A most vile and scandalous memoir of Paine, with the name of William Cobbett as the author, though we hope he was not so, appeared in London about the year 1795 with this motto:

> A life that's one continued scene
> Of all that's infamous and mean.

Mr. James Cheetham's Life of Mr. Paine, published at New York after Mr. Paine's death in 1809, is a farrago of still more silly, trifling, false and malicious matter. It is an outrageous attack upon Paine which bears upon the face of it, idle gossiping and gross misrepresentation.

The critique of this Life, in the *British Review* for June, 1811, consists of more corrupt trash about Mr. Paine than even Cheetham's book

and is in its style inflated and bombastic to a laughable excess. Whence this came, and for what purpose published, the candid will readily discern and cannot but lament the too frequent abuse, both by the tongue and by the pen, of characters entirely unknown to those who libel them, and by whom, if they were known, they would be approved and esteemed.

Indeed the whole of these works are so ridiculously overstrained in their abuse that they carry their own antidote with them.

The Life by Cheetham is so palpably written to distort, disfigure, mislead, and vilify, and does this so bunglingly, that it defeats its own purposes, and becomes entertaining from the excess of its labored and studied defamation.

It is indeed "guilt's blunder," and subverts all it was intended to accomplish. It is filled with long details of uninteresting American matter, bickering letters of obscure individuals, gossiping stories of vulgar fanatics, prejudiced political cant and weak observations on theology.

It may be supposed, from my long and affectionate intercourse with Mr. Paine, that these memoirs will have an opposite bias, and portray a too flattering and exalted character of him.

To this I reply, that I am not disposed to

advocate the errors or irregularities of any man, however intimate with him, nor to suffer the partialities of friendship to prevent the due appreciation of character, or induce me to disregard the hallowed dictates of truth.

Paine was of those—

> Who, wise by centuries before the crowd,
> Must by their novel systems, though correct,
> Of course offend the wicked, weak and proud—
> Must meet with hatred, calumny, neglect.

In his retirement to America, toward the close of his life, Mr. Paine was particularly unfortunate; for, as the author of the "Age of Reason," he could not have gone to so unfavorable a quarter of the world.

A country abounding in fanatics, could not be a proper one for him whose mind was bold, inquiring, liberal and soaring, free from prejudice, and who from the principle was a Deist.

Of all wrath, fanatical wrath is the most intense; nor can it be a matter of surprise that Mr. Paine received from great numbers in America, an unwelcome reception, and was treated with neglect and illiberality.

It is true on his return to that country in 1802, he received great attention from many of those who remembered the mighty influence of his

writings in the gloomy period of the Revolution; and from others who had since embraced his principles; but these attentions were by many not long continued.

Thousands, who had formerly looked up to Mr. Paine as the principal founder of the Republic, had imbibed a strong dislike to him on account of his religious principles; and thousands more, who were opposed to his political principles, seized hold of the mean and dastardly expedient of attacking those principles through the religious feelings and prejudices of the people. The vilest calumnies were constantly vented against him in the public papers, and the weak-minded were afraid to encounter the popular prejudice.

The letter he wrote to General Washington also estranged him from many of his old friends, and has been to his adversaries a fruitful theme of virulent accusation, and a foundation on which to erect a charge of ingratitude and intemperance. It must certainly be confessed that his naturally warm feelings, which could ill brook any slight, particularly where he was conscious he so little deserved it, appear to have led him to form a somewhat precipitate judgment of the conduct of the American President, with regard

to his (Mr. Paine's) imprisonment in France, and to attribute to design and wilful neglect what was probably only the result of inattention or perhaps of misinformation; and under the influence of this incorrect impression he seems to have indulged, rather too hastily, suspicions of Washington's political conduct with respect to England.

But surely some little allowance should be made for the circumstances under which he wrote; just escaped from the horrors of a prison where he had been for several months confined under the sanguinary reign of Robespierre, when death strode incessantly through its cells, and the guillotine floated in the blood of its wretched inhabitants; and if, with the recollection of these scenes of terror fresh in his memory, and impressed with the idea that it was by Washington's neglect that his life had been thus endangered, he may have been betrayed into a style of severity which was perhaps not quite warranted, we can only lament, without attaching blame to either, that anything jarring should have occurred between two men who were both stanch supporters of the cause of freedom, and thus have given the enemies of liberty occasion to triumph because its advocates were not more than mortal.

The dark and troublous years of the Revolution having passed away, and a government being firmly established, wealth possessed more influence than patriotism; and, a large portion of the people consisting of dissenters, fanaticism was more predominant than toleration, candor and charity.

These causes produced the shameful and ungrateful neglect of Mr. Paine in the evening of his days; of that Paine who by his long, faithful, and disinterested services in the Revolution, and afterwards by inculcating and enforcing correct principles, deserved, above all other men, the most kind and unremitting attention from, and to be held in the highest estimation by, the American people.

There were indeed a chosen and enlightened few, who, like himself "bold enough to be honest and honest enough to be bold," feeling his value, continued to be his friends to his last hour.

Paine was not one of the great men who live amid great events, and forward and share their splendor; he created them; and, in this point of view, he was a very superior character to Washington.

Mr. Paine having ever in his mind the services he had rendered the United States, of whose in-

dependence he was the principal author and means, it cannot be a matter of wonder that he was deeply hurt and affected at not being recognized and treated by the Americans as he deserved, and as his labors for their benefit merited.

Shunned where he ought to have been caressed, coldly neglected where he ought to have been cherished, thrown into the background where he ought to have been prominent, and cruelly treated and calumniated by a host of ignorant and canting fanatics, it cannot be a subject of surprise, though it certainly must of regret, that he sometimes, toward the close of his life, fell into the too frequent indulgence of stimulants, neglected his appearance, and retired, mortified and disgusted, from an ill-judging, unkind, unjust world, into obscurity, and the association of characters in an inferior social position.

In this place it is absolutely necessary to observe that during his residence with me in London, in and about the year 1792, and in the course of his life previous to that time, he was not in the habit of drinking to excess; he was clean in his person, and in his manners polite and engaging; and ten years after this, when I was with him in France, he did not drink spirits, and wine he took moderately; he even objected to any

spirits being laid in as a part of his sea stock, observing to me, that though sometimes, borne down by public and private affliction, he had been driven to excesses in Paris, the cause and effect would cease together, and that in America he should live as he liked, and as he ought to live.

That Mr. Paine had his failings is as true as that he was a man, and that some of them grew on him at a very advanced time of life, arising from the circumstances before detailed, there can be no doubt: but to magnify these, to give him vices he had not, and seek only occasions of misrepresenting and vilifying his character, without bringing forward the great and good traits in it, is cruel, unkind, and unjust.

"Let those who stand take heed lest they fall." They too, when age debilitates the body and mind, and unexpected trials and grievances assail them, may fall into errors that they now vauntingly value themselves in not having. Singularly blest are they who are correct in their conduct; they should be happy and thankful that they are so; and instead of calumniating and being hard upon, should compassionate those who are not.

The throwers of the first stone would indeed be few if the condition were complied with on

which it should be cast. That Mr. Paine in his declining years became careless of his personal appearance, and maybe, somewhat parsimonious, is in some measure true; but, to these errors of his old age, we ought to oppose his being the principal agent in creating the government of the American States; and that through his efforts millions have now the happiness of sitting at ease under their own vines and their own fig trees; his fair and upright conduct through life, his honest perseverance in principles which he might have had immense sums for relinquishing, or for being silent about, his never writing for money or making his works matter of pecuniary advantage to himself, but, on the contrary, as will be exemplified in these memoirs, his firmness in resisting all such emolument and in not listening to the voice of the briber.

Even amidst the violent party abuse of the day there were contemporary writers who knew how to appreciate Mr. Paine's talents and principles, and to speak of him as he deserved.*

*There were also public meetings held, and addresses to him from Nottingham, Norwich, etc., etc., from the Constitutional Society in London, to which belonged persons of great affluence and influence, and some of the best informed, best intentioned, and most exalted characters. From these and from many other bodies of men were published the highest testimonies of thanks

"We are now," says one of these, "to treat of a real great man, a noble of nature, one whose mind is enlarged and wholly free from prejudice; one who has most usefully and honorably devoted his pen to support the glorious cause of general liberty and the rights of man. In his reply to Mr. Burke's miserable rhapsody in favor of oppression, popery, and tyranny, he has urged the most lucid arguments, and brought forward truths the most convincing. Like a powerful magician he touches with his wand the hills of error and they smoke; the mountains of inhumanity and they melt away."

"Had Thomas Paine," says another most enlightened writer in 1795, in reply to Cheetham, Cobbett, Oldys, etc., "been nothing superior to a vagabond seaman, a bankrupt stay-maker, a discarded exciseman, a porter in the streets of Philadelphia, or whatever else the insanity of Grub Street chooses to call him, hundreds of thousands of copies of his writing had never announced his name in every village on the globe where the English language is spoken, and very extensively where it is not; nor would the rays of royal indig-

and approbation of Mr. Paine and his political works. These addresses and the resolutions of the public meetings may be seen in the papers and hand bills of the day.

nation have illuminated that character which they cannot scorch."

Even Mr. Burke, writing on one of Mr. Paine's works, "Common Sense," says, "that celebrated pamphlet, which prepared the minds of the people for independence."

It has been a fashion among the enemies of Mr. Paine, when unable to cope with his arguments, to attack his style, which they charge with inaccuracy and want of elegance; and some, even of those most friendly to his principles have joined in this captious criticism. It had not, perhaps, all the meretricious ornaments and studied graces that glitter in the pages of Burke, which would have been so many obscurities in the eyes of that part of the community for whose perusal his writings were principally intended, but it is singularly nervous and pointed; his arguments are always forcibly stated, nor does a languid line ever weary the attention of the reader. It is true, he never studied variety of phrase at the expense of perspicuity. His object was to enlighten, not to dazzle; and often, for the sake of more forcibly impressing an idea on the mind of the reader, he has made use of verbal repetitions which to a fastidious ear may perhaps sound unmusical. But although, in the opinion of some,

his pages may be deficient in elegance, few will deny that they are copious in matter; and, if they sometimes fail to tickle the ear, they will never fail to fill the mind.

Distinctness and arrangement are the peculiar characteristics of his writings: this reflection brings to mind an observation once made to him by an American girl, "that his head was like an orange—it had a separate apartment for everything it contained."

Notwithstanding this general character of his writings, the bold and original style of thinking which everywhere pervades them often displays itself in a luxuriance of imagery, and a poetic elevation of fancy, which stand unrivaled in the pages of our English classics.

Thomas Paine was born at Thetford in the County of Norfolk in England, on the twenty-ninth of January, 1736. His father, Joseph Paine, who was the son of a reputable farmer, followed the trade of a stay-maker, and was by religious profession a Quaker. His mother's maiden name was Frances Cocke, a member of the Church of England, and daughter of an attorney at Thetford.

They were married at the parish church of

Euston, near Thetford, the twentieth of June, 1734.

His father, by this marriage out of the Society of Quakers, was disowned by that community.

Mr. Paine received his education at the grammar school at Thetford, under the Rev. William Knowles, master; and one of his schoolmates at that time was the late Counsellor Mingay.

He gave very early indication of talents and strong abilities, and addicted himself when a mere boy, to reading poetical authors; but this disposition his parents endeavored to discourage.

When a child he composed some lines on a fly being caught in a spider's web, and produced when eight years of age, the following epitaph on a crow which he buried in the garden:

> Here lies the body of John Crow,
> Who once was high but now is low:
> Ye brother Crows take warning all,
> For as you rise, so must you fall.

At this school his studies were directed merely to the useful branches of reading, writing, and arithmetic, and he left it at thirteen years of age, applying, though he did not like it, to his father's business for nearly five years.

In the year 1756, when about twenty years of age, he went to London, where he worked some

time in Hanover Street, Long Acre, with Mr. Morris, a noted stay-maker.

He continued but a short time in London, and it is probable about this time made his seafaring adventure of which he thus speaks: "At an early age, raw and adventurous, and heated with the false heroism of a master [Rev. Mr. Knowles, master of the grammar school at Thetford] who had served in a man-of-war, I began my fortune, and entered on board the *Terrible,* Captain Death. From this adventure I was happily prevented by the affectionate and moral remonstrances of a good father, who from the habits of his life, being of the Quaker profession, looked on me as lost; but the impression, much as it affected me at the time, wore away, and I entered afterwards in the *King of Prussia* privateer, Captain Mendez, and went with her to sea."

This way of life Mr. Paine soon left, and about the year 1758, worked at his trade for near twelve months at Dover. In April, 1759, he settled as a master stay-maker at Sandwich; and the twenty-seventh of September following married Mary Lambert, the daughter of an exciseman of that place. In April, 1760, he removed with his wife to Margate, where she died shortly after, and he again mingled with the crowds of London.

In July, 1761, disgusted with the toil and little gain of his late occupation, he renounced it for ever, and determined to apply himself to the profession of an exciseman, toward which, as his wife's father was of that calling, he had some time turned his thoughts.

At this period he sought shelter under his father's roof at Thetford, that he might prosecute, in quiet and retirement, the object of his future course. Through the interest of Mr. Cocksedge, the recorder of Thetford, after fourteen months of study, he was established as a supernumerary in the excise, at the age of twenty-five.

In this situation at Grantham and Alford, etc., he did not continue more than two or three years, when he relinquished it in August, 1765, and commenced it again in July, 1766.

In this interval he was teacher at Mr. Noble's academy in Leman Street, Goodman's Fields, at a salary of twenty-five pounds a year. In a similar occupation he afterwards lived for a short time, at Kensington, with a Mr. Gardner.

I remember when once speaking of the improvement he gained in the above capacities and some other lowly situations he had been in, he made this observation. "Here I derived consid-

erable information; indeed I have seldom passed five minutes of my life, however circumstanced, in which I did not acquire some knowledge."

During this residence in London, Mr. Paine attended the philosophical lectures of Martin and Ferguson, and became acquainted with Dr. Bevis of the Temple, a great astronomer. In these studies and in the mathematics he soon became a proficient.

In March, 1768, he was settled as an exciseman at Lewes, in Sussex, and there, on the twenty-sixth of March, 1771, married Elizabeth Ollive, shortly after the death of her father, whose trade of a tobacconist he entered into and carried on.

In this place he lived several years in habits of intimacy with a very respectable, sensible, and convivial set of acquaintance, who were entertained with his witty sallies, and informed by his more serious conversations.

In politics he was at this time a Whig, and notorious for that quality which has been defined perseverance in a good cause and obstinacy in a bad one. He was tenacious of his opinions, which were bold, acute, and independent, and which he maintained with ardor, elegance, and argument.

At this period, at Lewes, the White Hart Evening Club was the resort of a social and intelligent circle who, out of fun, seeing that disputes often ran very warm and high, frequently had what they called the "Headstrong Book." This was no other than an old Greek Homer which was sent the morning after a debate vehemently maintained, to the most obstinate haranguer of the club: this book had the following title, as implying that Mr. Paine the best deserved and most frequently obtained it.

THE

HEADSTRONG BOOK,

OR

ORIGINAL BOOK OF OBSTINACY,

WRITTEN BY

**** ****, OF LEWES, IN SUSSEX,

AND REVISED AND CORRECTED BY

THOMAS PAINE.

EULOGY ON PAINE.

Immortal PAINE, while mighty reasoners jar,
We crown thee General of the Headstrong War;
Thy logic vanish'd error, and thy mind
No bounds, but those of right and truth, confined.
Thy soul of fire must sure ascend the sky,
Immortal PAINE, thy fame can never die;
For men like thee their names must ever save
From the black edicts of the tyrant grave.

My friend Mr. Lee, of Lewes, in communicating this to me in September, 1810, said: "This was manufactured nearly forty years ago, as applicable to Mr. Paine, and I believe you will allow, however indifferent the manner, that I did not very erroneously anticipate his future celebrity."

During his residence at Lewes, he wrote several excellent little pieces in prose and verse, and among the rest the celebrated song on the death of General Wolfe, beginning

In a mouldering cave where the wretched retreat.

It was about this time he wrote " The Trial of Farmer Carter's Dog Porter," in the manner of a drama, a work of exquisite wit and humor.

In 1772 the excise officers throughout the kingdom formed a design of applying to Parliament for some addition to their salaries. Upon this occasion Mr. Paine, who, by this time, was distinguished among them as a man of talent, was fixed upon as a fit person, and solicited to draw up their case, and this he did in a very succinct and masterly manner. This case makes an octavo pamphlet, and four thousand copies were printed by Mr. William Lee, of Lewes. It is entitled "The Case of the Salary of the Officers

of Excise, and Thoughts on the Corruption Arising from the Poverty of Excise Officers." No application, however, notwithstanding this effort, was made to Parliament.

In April, 1774, the goods of his shop were sold to pay his debts. As a grocer, he trafficked in excisable articles, and being suspected of unfair practises, was dismissed the excise after being in it twelve years. Whether this reason was a just one or not never was ascertained; it was, however, the ostensible one. Mr. Paine might perhaps have been in the habit of smuggling, in common with his neighbors. It was the universal custom along the coast, and more or less the practise of all ranks of people, from lords and ladies, ministers and magistrates, down to the cottager and laborer.

As Mr. Paine's being dismissed the excise has been a favorite theme with his abusers it may be necessary here to relate the following fact:

At the time he was an exciseman at Lewes, he was so approved for doing his duty that Mr. Jenner, principal clerk in the excise office, London, had several times occasion to write letters from the Board of Excise, thanking Mr. Paine for his assiduity in his profession, and for his

information and calculations forwarded to the office.

In May following Mr. Paine and his wife separated by mutual agreement, articles of which were finally settled on the fourth of June. Which of them was in this instance wrong, or whether either of them was so, must be left undetermined, as on this subject no knowledge or judgment can be formed. They are now both removed, where, as we are told, none "are either married or given in marriage," and where, consequently, there can be no disagreements on this score. This I can assert, that Mr. Paine always spoke tenderly and respectfully of his wife, and several times sent her pecuniary aid, without her knowing even whence it came.

Toward the end of the year 1774, he was strongly recommended to the great and good Dr. Franklin, "the favor of whose friendship," he says, "I possessed in England and my introduction to this part of the world [America] was through his patronage."*

Mr. Paine now formed the resolution of quitting his native country, and soon crossed the Atlantic; and, as he himself relates, arrived in Philadelphia in the winter, a few months before the

*Crisis, No. 3.

battle of Lexington, which was fought in April, 1775.

It appears that his first employment in the new world was with Mr. Aitken, a book-seller, as editor of the *Pennsylvanian Magazine;* and his introduction to that work, dated January 24, 1775, is thus concluded: "Thus encompassed with difficulties, this first number of the *Pennsylvanian Magazine* entreats a favorable reception, of which we shall only say, that like the early snow-drop it comes forth in a barren season, and contents itself with foretelling the reader that choicer flowers are preparing to appear."

Soon after his return [sic] to America, as foreign supplies of gunpowder were stopped, he turned his attention to chemistry, and set his fertile talents to work in endeavoring to discover some cheap and expeditious method of furnishing Congress with saltpeter, and he proposed, in the *Pennsylvanian Journal,* November 2, 1775, the plan of a saltpeter association for voluntarily supplying the national magazines with gunpowder.

His popularity in America now increased daily, and from this era he became a great public character and an object of interest and attention in the world. In 1776, on the tenth of January,

he published the celebrated and powerfully discriminating pamphlet, "Common Sense." Perhaps the greatest compliment that can be paid to this work is the effect it so rapidly had on the people, who had before no predisposition toward its principles.

Even Mr. Cheetham, whom no one will suspect of flattering Mr. Paine, thus forcibly describes the effects of "Common Sense" on the people of America:

"This pamphlet of forty octavo pages, holding out relief by proposing independence to an oppressed and despairing people, was published in January, 1776, speaking a language which the colonists had felt, but not thought of. Its popularity, terrible in its consequences to the parent country, was unexampled in the history of the press. At first involving the colonists, it was thought, in the crime of rebellion, and pointing to a road leading inevitably to ruin, it was read with indignation and alarm, but when the reader, (and everybody read it), recovering from the first shock, re-perused it, its arguments nourishing his feelings, and appealing to his pride, reanimated his hopes and satisfied his understanding, that 'Common Sense,' backed up by the resources and force of the colonies, poor and feeble as they were,

could alone rescue them from the unqualified oppression with which they were threatened. The unknown author, in the moments of enthusiasm which succeeded, was an angel sent from heaven to save from all the horrors of slavery by his timely, powerful and unerring councils, a faithful but abused, a brave but misrepresented people."

"Common Sense," it appears, was universally read and approved; the first edition sold almost immediately, and the second with very large additions was before the public soon after.

Owing to this disinterested conduct of Mr. Paine, it appears that though the sale of "Common Sense" was so great, he was in debt to the printer £29 12*s* 1*d*. This liberality and conscientious discharge of his duty with respect to his serviceable writings, as he called them, he adopted through life. "When I bring out my poetical and anecdotical works," he would often say to me, "which will be little better than amusing, I shall sell them; but I must have no gain in view, must make no traffic of my political and theological writings. They are with me a matter of principle and not a matter of money; I cannot desire to derive benefit from them or make them the subject to attain it."

In the course of this year, 1776, Mr. Paine accompanied the army with General Washington, and was with him in his retreat from the Hudson River to the Delaware. At this period our author stood undismayed, amid a flying Congress, and the general terror of the land. The Americans, he loudly asserted, were in possession of resources sufficient to authorize hope, and he labored to inspire others with the same sentiments which animated himself. To effect this, on the nineteenth of December he published "The Crisis," wherein, with a masterly hand, he stated every reason for hope, and examined all the motives for apprehension. This work he continued at various intervals, till the Revolution was established. The last number appeared on the nineteenth of April, 1783, the same day a cessation of hostilities was proclaimed.

In 1777, Congress unanimously, and unknown to Mr. Paine, appointed him Secretary in the Foreign Department, and from this time a close friendship continued between him and Dr. Franklin. From his office went all letters that were officially written by Congress, and the correspondence of Congress rested afterwards in his hands. This appointment gave Mr. Paine an opportunity of seeing into foreign courts, and

their manner of doing business and conducting themselves. In this office, which obliged him to reside with Congress wherever it fled, or however it was situated, Mr. Paine deserved the highest praise for the clearness, firmness and magnanimity of his conduct. His uprightness and entire fitness for this office did not, however, prevent intrigue and interestedness, or defeat cabal; for a difference being fomented between Congress and him, respecting one of their commissioners then in Europe (Mr. Silas Deane), he resigned his secretaryship on the eighth of January, 1779, and declined, at the same time, the pecuniary offers made him by the ministers of France and Spain, M. Gérard and Don Juan Mirralles.

This resignation of, or dismissal from his situation as Secretary for Foreign Affairs, has been so variously mentioned and argued upon, that the reader is referred to the tedious detail of it in the journals of the day, if he has patience to wade through so much American temporary and party political gossip. Mr. Paine's own account in his letter to Congress shortly is, "I prevented Deane's fraudulent demand being paid, and so far the country is obliged to me, but I became the victim of my integrity."

The party junto against him say he was guilty of a violation of his official duty, etc.

And here I shall leave it, as the bickerings of parties in America, in the year 1779, cannot be worth a European's attention; and as to the Americans themselves they have various means, by their legislatural records, registers of the day, and pamphlets, then and since, to go into the subject if they think it of importance enough.

About this time Mr. Paine had the degree of Master of Arts conferred on him by the University of Philadelphia, and in 1780 was chosen a member of the American Philosophical Society, when it was revived by the Legislature of the Province of Pennsylvania.

In February, 1781, Colonel Laurens, amidst the financial distress of America, was sent on a mission to France in order to obtain a loan, and Mr. Paine, at the solicitation of the Colonel, accompanied him.

Mr. Paine, in his letter to Congress, intimates that this mission originated with himself, and takes upon himself the credit of it.

They arrived in France the following month, obtained a loan of ten millions of livres and a present of six millions, and landed in America the succeeding August with two millions and a half

in silver. His value, his firmness, his independence, as a political character, were now universally acknowledged; his great talents, and the high purposes to which he devoted them, made him generally sought after and looked up to, and General Washington was foremost to express the great sense he had of the excellence of his character and the importance of his services, and would himself have proposed to Congress a great remuneration of them, had not Mr. Paine positively objected to it as a bad precedent and an improper mode.

In August, 1782, he published his spirited letter to the Abbé Raynal; of this letter a very sensible writer observes, "that it displays an accuracy of judgment and strength of penetration that would do honor to the most enlightened philosopher. It exhibits proofs of knowledge so comprehensive, and discrimination so acute, as must in the opinion of the best judges place the author in the highest ranks of literature."

On the twenty-ninth of October he brought out his excellent letter to the Earl of Shelburne, on his speech in the House of Lords, July 10, 1782.

To get an idea of the speech of this Earl it may not be necessary to quote more than the fol-

lowing sentence: "When Great Britain acknowledges American independence the sun of Britain's glory is set forever."

"When the war ended," says Mr. Paine, "I went from Philadelphia to Borden Town on the East end of the Delaware, where I have a small place. Congress was at this time at Prince Town, fifteen miles distant, and General Washington had taken his headquarters at Rocky Hill, within the neighborhood of Congress, for the purpose of resigning his commission, the object for which he had accepted it being accomplished, and of retiring to private life. While he was on this business he wrote me the letter which I here subjoin:"

"ROCKY HILL, September 10, 1783.

"I have learned since I have been at this place that you are at Borden Town. Whether for the sake of retirement or economy I know not; be it for either, for both, or whatever it may, if you will come to this place and partake with me, I shall be exceedingly happy to see you at it. Your presence may remind Congress of your past services to this country, and if it is in my power to impress them, command my best services with freedom; as they will be rendered cheerfully by

one who entertains a lively sense of the importance of your works, and who with much pleasure, subscribes himself,

"Your sincere friend,

"G. WASHINGTON."

In 1785, Congress granted Mr. Paine three thousand dollars for his services to the people of America, as may be seen by the following document:

"Friday, August 26, 1785.

"On the report of a committee consisting of Mr. Gerry, Mr. Petet and Mr. King, to whom was referred a letter of the thirteenth from Thomas Paine,

"*Resolved,* That the early, unsolicited, and continued labors of Mr. Thomas Paine, in explaining the principles of the late Revolution, by ingenious and timely publications upon the nature of liberty and civil government, have been well received by the citizens of these states, and merit the approbation of Congress; and that in consideration of these services, and the benefits produced thereby, Mr. Paine is entitled to a liberal gratification from the United States."

"Monday, October 3, 1785.

"On a report of a committee consisting of Mr. Gerry, Mr. Howell and Mr. Long, to whom were referred sundry letters from Mr. Thomas Paine, and a report on his letter of the fourteenth of September,

"*Resolved*, That the Board of Treasury take order for paying to Mr. Thomas Paine, the sum of three thousand dollars, for the considerations of the twenty-third of August last."—*Journals of Congress.*

The State of Pennsylvania, in which he first published "Common Sense" and the "Crisis," in 1785, presented him, by an act of Legislature, five hundred pounds currency. New York gave him the estate at New Rochelle, in the county of Westchester, consisting of more than three hundred acres of land in high cultivation. On this estate was an elegant stone house, 125 by 28 feet, besides outhouses; the latter property was farmed much to his advantage, during his long stay in Europe, by some friends, as will hereafter be more fully noticed.

Mr. Monroe, when Ambassador in England, once speaking on this subject at my house, said that Mr. Paine would have received a very large

remuneration from the State of Virginia, but that while the matter was before the Assembly, and he was extremely popular and in high favor, he published reasons against some proceedings of that State which he thought improper, and thereby lost, by a majority of one, the high reward he would otherwise have received;*—a memorable instance of the independence of his mind, and of his attachment to truth and right above all other considerations. A conduct exactly opposite to that of the pensioned Burke, whose venality cannot be better pointed out than in the following conversation with Mr. Paine, after dining together at the Duke of Portland's at Bulstrode.

Burke was very inquisitive to know how the Americans were disposed toward the King of England, when Mr. Paine, to whom the subject was an ungracious one, and who felt teased, related the following anecdote:

At a small town, in which was a tavern bearing the sign of the King's head, it was insisted on by the inhabitants that a memento so odious should not continue up, but there was no painter at hand to change it into General Washington, or

*This work was entitled "Public Good, being an Examination of the Claim of Virginia to Vacant Western Territory."

any other favorite, so the sign was suffered to remain, with this inscription under it:

This is the sign of the Loggerhead!

Burke, who at this moment was a concealed pensioner, though a public oppositionist, replied, peevishly: "Loggerhead or any other head, he has many good things to give away, and I should be glad of some of them."

This same Mr. Burke, in one of his speeches in the House of Commons, said, "kings were naturally fond of low company," and "that many of the nobility act the part of flatterers, parasites, pimps and buffoons, etc.," but his character will be best appreciated by reading Mr. Paine's "Letter to the Addressers."

In 1786 he published in Philadelphia "Dissertation on Government, the Affairs of the Bank, and Paper Money," an octavo pamphlet of sixty-four pages. The bank alluded to is the Bank of North America, of which he thus speaks:

"In the year 1780, when the British Army, having laid waste the Southern States, closed its ravages by the capture of Charleston, when the financial sources of Congress were dried up, when the public treasury was empty, and the army of independence paralyzed by want, a vol-

untary subscription for its relief was raised in Philadelphia." This voluntary fund, amounting to three hundred thousand pounds, afterwards converted into a bank by the subscribers, headed by Robert Morris, supplied the wants of the army; probably the aids which it furnished enabled Washington to carry into execution his well-concerted plan against Cornwallis. Congress, in the year 1781, incorporated the subscribers to the fund, under the title of the Bank of North America. In the following year it was further incorporated by an Act of the Pennsylvanian Assembly. Mr. Paine liberally subscribed five hundred dollars to this fund.

After the establishment of the independence of America, of the vigorous and successful exertions to attain which glorious object he had been the animating principle, soul and support; feeling his exertions no longer requisite in that country, he embarked for France, and arrived in Paris early in 1787, carrying with him his fame as a literary man, an acute philosopher, and most profound politician.

At this time he presented to the Academy of Science the model of a bridge which he invented, the principle of which has been since so highly celebrated and approved.

From Paris he arrived in England the third of September, just thirteen years after his departure for Philadelphia. Prompted by that filial affection which his conduct had ever manifested, he hastened to Thetford to visit his mother, on whom he settled an allowance of nine shillings a week. Of this comfortable solace she was afterwards deprived by the bankruptcy of the merchant in whom the trust was vested.

Mr. Paine resided at Rotherham in Yorkshire during part of the year 1788, where an iron bridge upon the principle alluded to was cast and erected, and obtained for him among the mathematicians of Europe a high reputation. In the erection of this, a considerable sum had been expended, for which he was hastily arrested by the assignees of an American merchant, and thrown into confinement. From this, however, and the debt, he cleared himself in about three weeks.*

The publication of Mr. Burke's "Reflections on the French Revolution," produced in reply from Mr. Paine his great, universally known, and celebrated work, "Rights of Man." The first part of this work was written partly at the Angel, of Islington, partly in Harding Street, Fetter

*More or less upon this plan of Mr. Paine's, the different iron bridges in Europe have been constructed.

Lane, and finished at Versailles. In February, 1791, this book made its appearance in London, and many hundred thousand copies were rapidly sold. In May following he went again to France and was at Paris at the time of the flight of the King, and also on his return. On this memorable occasion he made this observation: "You see the absurdity of your system of government; here will be a whole nation disturbed by the folly of one man." Upon this subject also he made the following reply to the Marquis Lafayette, who came into his bedroom before he was up, saying, "The birds are flown." " 'Tis well; I hope there will be no attempt to recall them."

On the thirteenth of July he returned to London, but did not attend the celebration of the anniversary of the French Revolution the following day, as has been falsely asserted.

On the twentieth of August he drew up the address and declaration of the gentlemen who met at the Thatched House Tavern.

The language of this address is bold and free, but not more so than that of the late Lord Chatham, or of that once violent advocate of reform, the late Mr. Pitt, better known by the title of the "Enemy of the Human Race."

On the subject of the address at the Thatched

House Tavern, which Mr. Paine did write, it is impossible not to quote Cheetham's "Life," just to exhibit his blindness and ignorance, and to show how prejudice had warped this once idolizer of Mr. Paine: "Horne Tooke, perhaps the most acute man of his age, was at this meeting; and as it was rumored, Paine observes, that the great grammarian was the author of the address, he takes the liberty of mentioning the fact, that he wrote it himself. I never heard of the rumor, which was doubtless a fiction formed and asserted by Paine merely to gratify his egotism. No one could mistake the uncouth and ungrammatical writings of one, for the correct and elegant productions of the other." But what can be expected from him who calls "Common Sense" a wretched work; the "Rights of Man" a miserable production; and "Burke's Reflections" a book of the proudest sagacity?

What can be expected from him who a few years before writing the above, in England deified Mr. Paine, and called his writings immortal?

Mr. Paine's life in London was a quiet round of philosophical leisure and enjoyment. It was occupied in writing, in a small epistolary correspondence, in walking about with me to visit different friends, occasionally lounging at

coffee-houses and public places, or being visited by a select few. Lord Edward Fitzgerald, the French and American ambassadors, Mr. Sharp the engraver, Romney the painter, Mrs. Wollstonecraft, Joel Barlow, Mr. Hull, Mr. Christie, Dr. Priestley, Dr. Towers, Colonel Oswald, the walking Stewart, Captain Sampson Perry, Mr. Tuffin, Mr. William Choppin, Captain De Stark, Mr. Horne Tooke, etc., etc., were among the number of his friends and acquaintance; and of course, as he was my inmate, the most of my associates were frequently his.

At this time he read but little, took his nap after dinner, and played with my family at some game in the evening, as chess, dominos, and drafts, but never at cards; in recitations, singing, music, etc., or passed it in conversation; the part he took in the latter was always enlightened, full of information, entertainment and anecdote. Occasionally we visited enlightened friends, indulged in domestic jaunts, and recreations from home, frequently lounging at the White Bear, Piccadilly, with his old friend, the walking Stewart, and other clever travelers from France, and different parts of Europe and America.

When by ourselves we sat very late, and often broke in on the morning hours, indulging the re-

ciprocal interchange of affectionate and confidential intercourse. "Warm from the heart and faithful to its fires," was that intercourse, and gave to us the "feast of reason and the flow of soul."

The second part of "Rights of Man," which completed the celebrity of its author, and placed him at the head of political writers, was published in February, 1792. Never had any work so rapid and extensive a sale; and it has been calculated that near a million and a half of copies were printed and published in England.

From this time Mr. Paine generally resided in London, and principally with me, till the twelfth of September, 1792, when he sailed for France with Mr. Achilles Audibert, who came express from the French Convention to my house to request his personal assistance in their deliberations.

On his arrival at Calais a public dinner was provided, a royal salute was fired from the battery, the troops were drawn out, and there was a general rejoicing throughout the town. He has often been heard to remark that the proudest moment of his life was that in which, on this occasion, he set foot upon the Gallic shore.

In his own country he had been infamously

treated, and at the time of his quitting Dover most rudely dealt with both by the officers who ransacked his trunks, and a set of hirelings who were employed to hiss, hoot and maltreat, and it is strongly suspected, to destroy him.

It depressed him to think that his endeavors to cleanse the Augæan stable of corruption in England should have been so little understood, or so ill appreciated as to subject him to such ignominious, such cowardly treatment. Yet seven hours after this, those very endeavors obtained him an honorable reception in France, and on his landing he was respectfully escorted, amidst the loud plaudits of the multitude, to the house of his friend, Mr. Audibert, the chief magistrate of the place, where he was visited by the commandant and all the municipal officers in form, who afterwards gave him a sumptuous entertainment in the town hall.

The same honor was also paid him on his departure for Paris.*

About the time of his arrival at Paris the National Convention began to divide itself into

*The reader is referred to Brissot's paper, *Le Patriot François*, and *Le Journal de Gorsas*, for minute particulars of Mr. Paine's introduction to the president of the Convention, to the ministers and different committees; his being appointed a deputy, a member of the committee of constitution, etc., etc., etc.

factions; the King's friends had been completely subdued by the suppression of the Feuillans, the affair of the tenth of August, and the massacre of the second and third of September; while the Jacobins, who had been hitherto considered as the patriotic party, became in their turns divided into different cabals, some of them wishing a federative government, others, the *enragès,* desiring the death of the King, and of all allied to the nobility; but none of those were republicans.

Those few deputies who had just ideas of a commonwealth, and whose leader was Paine, did not belong to the Jacobin Club.

I mention this, because Mr. Paine took infinite trouble to instil into their minds the difference between liberty and licentiousness, and the danger to the peace, good order, and well-doing of society, that must arise from letting the latter encroach upon the prerogatives of the former.

He labored incessantly to preserve the life of the King, and he succeeded in making some converts to his opinions on this subject; and his life would have been saved but for Barrère, who, having been appointed by Robespierre to an office he was ambitious of obtaining, and certainly very fit for, his influence brought with it forty

votes; so early was corruption introduced into this assembly. For Calais, Mr. Paine was returned deputy to the Convention; he was elected as well for Versailles, but as the former town first did him the honor he became its representative. He was extremely desirous and expected to be appointed one of the deputies to Holland; a circumstance that probably would have taken place had not the Committee of Constitution delayed so long the production of the new form that the Jacobins anticipated them, and published proposals for a new constitution before the committee.

This delay was owing to the jealousy of Condorcet, who had written the preface, part of which some of the members thought should have been in the body of the work. Brissot and the whole party of the Girondites lost ground daily after this; and with them died away all that was national, just and humane: they were, however, highly to blame for their want of energy.

In the beginning of April, 1793, the Convention received the letter from Dumourier that put all France in a panic: in this letter he mentioned the confidence the army had in him, and his intention of marching to Paris to restore to France her constitutional King: this had the strongest effect, as it was accompanied by an address from

the Prince of Coburg, in which he agreed to co-operate with Dumourier.

Mr. Paine, who never considered the vast difference between the circumstances of the two countries, France and America, suggested an idea that Dumourier might be brought about by appointing certain deputies to wait on him coolly and dispassionately, to hear his grievances, and armed with powers to redress them.

On this subject he addressed a letter to the Convention, in which he instanced the case of an American general who receded with the army under his command in consequence of his being dissatisfied with the proceedings of Congress. The Congress were panic-struck by this event, and gave up all for lost; and when the first impression of alarm subsided they sent a deputation from their own body to the general, who with his staff gave them the meeting; and thus matters were again reinstated. But there was too much impetuosity and faction in the French Convention to admit of such temperate proceedings.

Mr. Paine, however, had written the letter, and was going to Brissot's in order to meet Barrère for the purpose of proposing an adjustment, when he met a friend who had that moment left the Convention, who informed him that a decree

had been passed offering one hundred thousand crowns for Dumourier's head, and another making it high treason to propose anything in his favor.

What the consequence of Mr. Paine's project might have been I do not know, but the offer of the Convention made hundreds of desperate characters leave Paris as speedily as possible, in hopes of the proffered reward; it detached the affection of the soldiers from their general, and made them go over to the enemy.

Toward the close of 1792 his "Letter to the Addressers" was published, which was sought after with the same avidity as his other productions.

Of this letter, which, with many other things, he wrote at my house, I have the original manuscript, and the table on which they were written is still carefully preserved by me. It has a brass plate in the center with this inscription, placed there by my direction on his quitting England:

"This Plate is inscribed
by Thomas Clio Rickman,
in remembrance of his dear friend,
THOMAS PAINE,
who on this Table in the Year 1792,
wrote several of his invaluable
Works."

The "Letter to the Addressers" possesses all Mr. Paine's usual strength of reasoning, and abounds also in the finest strokes of genuine satire, wit and humor. About this time a prosecution took place against the publishers of "Rights of Man."

As the Proclamation which gave rise to the "Letter to the Addressers" is a curious document, and evinces the temper of the powers that were of that day, it is for the entertainment of the reader here inserted:

"The London *Gazette,* published by authority, from Saturday, May nineteenth, to Tuesday, May twenty-second.

"By the King, a Proclamation.

"George R.

"*Whereas,* Divers wicked and seditious writings have been printed, published, and industriously dispersed, tending to excite tumult and disorder, by endeavoring to raise groundless jealousies and discontents in the minds of our faithful and loving subjects respecting the laws and happy constitution of government, civil and religious, established in this kingdom, and endeavoring to vilify, and bring into contempt, the wise and wholesome provisions made at the time of the glorious Revolution, and since strength-

ened and confirmed by subsequent laws for the preservation and security of the rights and liberties of our faithful and loving subjects: and whereas divers writings have also been printed, published, and industriously dispersed, recommending the said wicked and seditious publications to the attention of all our faithful and loving subjects:

"And whereas we have also reason to believe that correspondencies have been entered into with sundry persons in foreign parts with a view to forward the criminal and wicked purposes above mentioned: and whereas the wealth, happiness and prosperity of this kingdom do, under Divine Providence, chiefly depend upon a due submission to the laws, a just confidence in the integrity and wisdom of Parliament, and a continuance of that zealous attachment to that government and constitution of the kingdom which has ever prevailed in the minds of the people thereof: and whereas there is nothing which we so earnestly desire as to secure the public peace and prosperity, and to preserve to all our loving subjects the full enjoyment of their rights and liberties, both religious and civil:

"We, therefore, being resolved, as far as in us lies, to repress the wicked and seditious practises

aforesaid, and to deter all persons from following so pernicious an example, have thought fit, by the advice of our Privy Council, to issue this our Royal Proclamation, solemnly warning all our loving subjects, as they tender their own happiness, and that of their posterity, to guard against all such attempts, which aim at the subversion of all regular government within this kingdom, and which are inconsistent with the peace and order of society: and earnestly exhorting them at all times, and to the utmost of their power, to avoid and discourage all proceedings, tending to produce tumults and riots: and we do strictly charge and command all our magistrates in and throughout our kingdom of Great Britain, that they do make diligent inquiry, in order to discover the authors and printers of such wicked and seditious writings as aforesaid, and all others who shall disperse the same: and we do further charge and command all our sheriffs, justices of the peace, chief magistrates in our cities, boroughs and corporations, and all other our officers and magistrates throughout our kingdom of Great Britain.

"That they do, in their several and respective stations, take the most immediate and effectual care to suppress and prevent all riots, tumults and other disorders, which may be attempted to be

raised or made by any person or persons, which, on whatever pretext they may be grounded, are not only contrary to law, but dangerous to the most important interests of this kingdom: and we do further require and command all and every our magistrates aforesaid that they do from time to time transmit to one of our principal secretaries of state due and full information of such persons as shall be found offending as aforesaid, or in any degree aiding or abetting therein: it being our determination, for the preservation of the peace and happiness of our faithful and loving subjects, to carry the laws vigorously into execution against such offenders as aforesaid. Given at our Court at the Queen's House, the twenty-first day of May, one thousand seven hundred and ninety-two, in the thirty-second year of our reign.—God save the King."

Soon after this, Mr. Paine's excellent "Letters" to Lord Onslow, to Mr. Dundas, and the Sheriff of Sussex were published.

Mr. Paine's trial for the second part of "Rights of Man" took place on the eighteenth of December, 1792, and he being found guilty, the booksellers and publishers who were taken up and imprisoned previously to this trial forbore to stand one themselves, and suffered judgment to

go by default, for which they received the sentence of three years' imprisonment each. Of these booksellers and publishers I was one, but by flying to France I eluded this merciful sentence.

On the subject of these prosecutions I wrote to Mr. Fox, whom I well knew, and my intimate friend for years, Lord Stanhope, as I was myself the subject of two of them, and was well acquainted with the party factions of the day, and the iniquitous intrigues of the opposing leaders, in and out of office; for the writings of Mr. Paine, which were as broad as the universe, and having nothing to do with impure elections and auger-hole politics, gave equal offense to all sides.

In the course of these letters, which are still extant, it was impossible not to dwell on the absurdity of trial by jury in matters of opinion, and the folly of any body of men deciding for others in science and speculative discussion, in politics and religion. Is it not applying the institution of juries to purposes for which they were not intended, to set up twelve men to judge and determine for a whole nation on matters that relate to systems and principles of government? A matter of fact may be cognizable by a jury, and certainly ascertained with respect to offenses against

common law and in the ordinary intercourses of society; but on matters of political opinion, of taste, of metaphysical inquiry, and of religious belief, everyone must be left to decide as his inquiries, his experience, and his conviction impel him.

If the arm of power in every country and on every doctrine could have enforced its tyranny, almost all we now possess, and that is valuable, would have been destroyed; and if all the governments and factions that have made the world miserable could have had their way, everything desirable in art, science, philosophy, literature, politics and religion, would have been by turns obliterated, and the Bible, the Testament, the Alcoran, the writings of Locke, Erasmus, Helvetius, Mercier, Milton, Shakespeare, Voltaire, Montesquieu, Swift, Bolanger, Hume, Penn, Tucker, Paine, Bacon, Bolingbroke, and of thousands of others on all sides would have been burned; nor would there be a printing press in the world.

It has happened happily for many years past, thanks to the art of printing and the means adopted to crush the circulation of knowledge, that the very modes employed to accomplish this end have not only proved abortive, but have given

wings to truth, and diffused it into every corner of the universe. The publication of trials containing quotations from the works to be put down have disseminated their contents infinitely wider than they would else have reached, and have excited inquiries that would otherwise have lain dormant.

So ludicrously did this strike Mr. Paine that his frequent toast was, "The best way of advertising good books—by prosecution."

As the attorney-general's attacks upon prosecuted works of a clever and profound description, and the judges' charges upon them contain nothing like argument or refutation, but follow up the criminating and absurd language of the indictment or *ex-officio* information, and breathe only declamation and ignorant abuse, they by their weakness expose the cause they espouse, and strengthen the truths they affect to destroy.

I shall close these observations by quoting two old and good humored lines:

> Treason does never prosper—what's the reason?
> When it prospers—it is never treason!

This trial of Mr. Paine, and these sentences, subverted of course the very end they were intended to effect.

Mr. Paine was acknowledged deputy for Calais the twenty-first of September, 1792. In France, during the early part of the Revolution, his time was almost wholly occupied as a deputy of the Convention and as a member of the Committee of Constitution. His company was now coveted and sought after universally among every description of people, and by many who for some reasons never chose to avow it. With the Earl of Lauderdale and Dr. Moore, whose company he was fond of, he dined every Friday till Lord Gower's departure made it necessary for them to quit France, which was early in 1793.

About this period he removed from White's Hotel to one near the Rue de Richelieu, where he was so plagued and interrupted by numerous visitors, and sometimes by adventurers, that in order to have some time to himself he appropriated two mornings in a week for his levee days. To this indeed he was extremely averse, from the fuss and formality attending it, but he was nevertheless obliged to adopt it.

Annoyed and disconcerted with a life so contrary to his wishes and habits, and so inimical to his views, he retired to the Faubourg St. Denis, where he occupied part of the hotel that Madame de Pompadour once resided in.

Here was a good garden well laid out, and here, too, our mutual friend, Mr. Choppin, occupied apartments: at this residence, which for a town one was very quiet, he lived a life of retirement and philosophical ease, while it was believed he was gone into the country for his health, which by this time indeed was much impaired by intense application to business, and by the anxious solicitude he felt for the welfare of public affairs.

Here, with a chosen few, he unbent himself; among whom were Brissot, the Marquis de Chatelet le Roi, of the *galerie de honore*, and an old friend of Dr. Franklin's, Bançal, and sometimes General Miranda. His English associates were Christie and family, Mrs. Wollstonecraft, Mr. and Mrs. Stone, etc. Among his American friends were Captain Imlay, Joel Barlow, etc., etc. To these parties the French inmates were generally invited.

Joel Barlow was for many years Mr. Paine's intimate friend, and it was from Mr. Paine he derived much of the great knowledge and acuteness of talent he possessed.

Joel Barlow was a great philosopher, and a great poet; but there are spots in the sun, and I instance the following littleness in his conduct as a warning, and to prove how much of honest fame

and character is lost by anything like tergiversation.

Joel Barlow has omitted the name of Mr. Paine in his very fine poem, "The Columbiad"; a name essential to the works, as the principal founder of the American Republic and of the happiness of its citizens.

Omitting the name of Mr. Paine in the history of America, and where the amelioration of the human race is so much concerned, is like omitting the name of Newton in writing the history of his philosophy, or that of God when creation is the subject; yet this, Joel Barlow has done, and done so, lest the name of Paine, combined with his theological opinions, should injure the sale of the poem. Mean and unhandsome conduct!

He usually rose about seven, breakfasted with his friends, Choppin, Johnson, and two or three other Englishmen, and a Monsieur La Borde, who had been an officer in the *ci-devante garde du corps,* an intolerable aristocrat, but whose skill in mechanics and geometry brought on a friendship between him and Paine: for the undaunted and distinguished ability and firmness with which he ever defended his own opinions when controverted, do not reflect higher honor upon him than that unbounded liberality toward the opinions of

others which constituted such a prominent feature in his character, and which never suffered mere difference of sentiment, whether political or religious, to interrupt the harmonious intercourse of friendship, or impede the interchanges of knowledge and information.

After breakfast he usually strayed an hour or two in the garden, where he one morning pointed out the kind of spider whose web furnished him with the first idea of constructing his iron bridge; a fine model of which, in mahogany, is preserved at Paris.

The little happy circle who lived with him here will ever remember these days with delight: with these select friends he would talk of his boyish days, play at chess, whist, piquet, or cribbage, and enliven the moments by many interesting anecdotes: with these he would play at marbles, scotch hops, battledores, etc., on the broad and fine gravel walk at the upper end of the garden, and then retire to his boudoir, where he was up to his knees in letters and papers of various descriptions. Here he remained till dinner time; and unless he visited Brissot's family, or some particular friend in the evening, which was his frequent custom, he joined again the society of his favorites and fellow-boarders, with whom his conver-

sation was often witty and cheerful, always acute and improving, but never frivolous.

Incorrupt, straightforward and sincere, he pursued his political course in France, as everywhere else, let the government or clamor or faction of the day be what it might, with firmness, with clearness, and without a "shadow of turning."

In all Mr. Paine's inquiries and conversations he evinced the strongest attachment to the investigation of truth, and was always for going to the fountain head for information. He often lamented we had no good history of America, and that the letters written by Columbus, the early navigators, and others, to the Spanish Court, were inaccessible, and that many valuable documents, collected by Philip II, and deposited with the national archives at Simania, had not yet been promulgated. He used to speak highly of the sentimental parts of Raynal's "History."

It is not intended to enter into an account of the French Revolution, its progress, the different colors it took and aspects it assumed. The history of this most important event may be found at large detailed by French writers as well as those of other nations, and the world is left to judge of it.

It is unfortunate for mankind that Mr. Paine by imprisonment and the loss of his invaluable papers, was prevented giving the best, most candid, and philosophical account of these times. These papers contained the history of the French Revolution, and were no doubt a most correct, discriminating, and enlightened detail of the events of that important era. For these papers the historian, Gibbon, sent to France, and made repeated application, upon a conviction that they would be impartial, profound, and philosophical documents.

It is well known that Mr. Paine always lamented the turn affairs took in France, and grieved at the period we are now adverting to, when corrupt influence was rapidly infecting every department of the state. He saw the jealousies and animosities that were breeding, and that a turbulent faction was forming among the people that would first enslave and ultimately overwhelm even the Convention itself.

On the day of the trial of Marat, Mr. Paine dined at White's Hotel with Mr. Milnes, a gentleman of great hospitality and profusion, who usually gave a public dinner to twenty or thirty gentlemen once a week. At table, among many others besides Mr. Paine, was a Captain Grim-

stone, who was a lineal descendant from Sir Harbottle Grimstone, who was a member of Cromwell's Parliament and an officer in his army. This man was a high aristocrat, a great gambler, and it was believed could not quit France on account of his being much in debt. He took little pains to conceal his political principles, and when the glass had freely circulated, a short time after dinner he attempted, loudly and impertinently, to combat the political doctrines of the philosopher; this was, to be sure, the viper biting at the file.

Mr. Paine, in few words, with much acuteness and address, continued exposing the fallacy of his reasoning, and rebutting his invectives.

The Captain became more violent, and waxed so angry, that at length, rising from his chair, he walked round the table to where Mr. Paine was sitting, and here began a volley of abuse, calling him incendiary, traitor to his country, and struck him a violent blow that nearly knocked him off his seat. Captain Grimstone was a stout young man about thirty, and Mr. Paine at this time nearly sixty.

The company, who suspected not such an outrage against everything decent, mannerly, and just, and who had occasion frequently during

dinner to call him to order, were now obliged to give him in charge of the National Guard. It must be remembered that an act of the Convention had made it death to strike a deputy, and every one in company with the person committing the assault refusing to give up the offender was considered as an accomplice.

But a short period before this circumstance happened, nine men had been decapitated, one of whom had struck Bourdeur de L'oise, at Orleans. The other eight were walking with him in the street at the time.

Paine was extremely agitated when he reflected on the danger of his unprovoked enemy, and immediately applied to Barrère, at that time president of the Committee of Public Safety, for a passport for the unhappy man, who must otherwise have suffered death; and though he found the greatest difficulty in effecting this, he however persevered and at length accomplished it, at the same time sending Grimstone money to defray his traveling expenses; for his passport was of so short a duration that he was obliged to go immediately from his prison to the *messagerie nationale.*

Of Mr. Paine's arrest by Robespierre and his imprisonment, etc., we cannot be so well in-

formed as by himself in his own affecting and interesting letters.

While Mr. Paine was in prison he wrote much of his "Age of Reason," and amused himself with carrying on an epistolary correspondence with Lady S*** under the assumed name of THE CASTLE IN THE AIR, and her ladyship answered under the signature of THE LITTLE CORNER OF THE WORLD. This correspondence is reported to be extremely beautiful and interesting.

At this period a deputation of Americans solicited the release of Thomas Paine from prison; and as this document, and the way in which it is introduced in Mr. Sampson Perry's "History of the French Revolution," bear much interest, and are highly honorable to Mr. Paine, the deputation, and Mr. Perry, I give it in his own words:

"As an historian does not write in conformity to the humors or caprice of the day, but looks to the mature opinions of a future period, so the humble tracer of these hasty sketches, though without pretensions himself to live in after times, is nevertheless at once desirous of proving his indifference to the unpopularity of the moment, and his confidence in the justice posterity will exercise toward one of the greatest friends of the human race. The author is the more authorized

to pass this eulogium on a character already sufficiently renowned, having had the means and the occasion of exploring his mind and his qualities, as well with suspicion as with confidence.

"The name of Thomas Paine may excite hatred in some, and inspire terror in others. It ought to do neither, he is the friend of all; and it is only because reason and virtue are not sufficiently prevalent, that so many do not love him: he is not the enemy of those even who are eager to have his fate at their disposal. The time may not be far off when they will be glad their fate were at his; but the cowardly as well as the brave have contributed to fill England with dishonor for silently allowing the best friends of the human race to be persecuted with a virulence becoming the darkest ages only.

"The physical world is in rapid movement, the moral advances perhaps as quick; that part of it which is dark now will be light; when it shall have but half revolved, men and things will be seen more clearly, and he will be most esteemed by the good who shall have made the largest sacrifice to truth and public virtue. Thomas Paine was suspected of having checked the aspiring light of the public mind by opinions not suitable to the state France was in. He

was for confiding more to the pen, and doubting the effect of the guillotine.

"Robespierre said, that method would do with such a country as America, but could avail nothing in one highly corrupted like France. To disagree in opinion with a mind so heated was to incur all the resentment it contained. Thomas Paine had preserved an intimacy with Brissot from an acquaintance of long date, and because he spoke the English language; when Brissot fell, Paine was in danger, and, as his preface to the second part of the 'Rights of Man,' shows, he had a miraculous escape.

"The Americans in Paris saw the perilous situation of their fellow-citizen, of the champion of the liberty of more than one-quarter of the world; they drew up an address and presented it at the bar of the Convention; it was worded as follows:

" 'Citizens! the French nation had invited the most illustrious of all foreign nations to the honor of representing her.

" 'Thomas Paine, the apostle of liberty in America, a profound and valuable philosopher, a virtuous and esteemed citizen, came to France and took a seat among you. Particular circum-

stances rendered necessary the decree to put under arrest all the English residing in France.

"'Citizens! representatives! we come to demand of you Thomas Paine, in the name of the friends of liberty, in the name of the Americans your brothers and allies; was there anything more wanted to obtain our demand we would tell you. Do not give to the leagued despots the pleasure of seeing Paine in irons. We shall inform you that the seals put upon the papers of Thomas Paine have been taken off, that the Committee of General Safety examined them, and far from finding among them any dangerous propositions, they only found the love of liberty which characterized him all his lifetime, that eloquence of nature and philosophy which made him the friend of mankind, and those principles of public morality which merited the hatred of kings and the affection of his fellow-citizens.

"'In short, citizens! if you permit us to restore Thomas Paine to the embraces of his fellow-citizens we offer to pledge ourselves as security for his conduct during the short time he shall remain in France.'"

After his liberation he found a friendly asylum at the American Minister's house, Mr. Monroe, and for some years before Mr. Paine

left Paris, he lodged at M. Bonneville's, associating occasionally with the great men of the day, Condorcet, Volney, Mercier, Joel Barlow, etc., etc., and sometimes dining with Bonaparte and his generals.* He now indulged his mechanical turn, and amused himself in bridge and ship modeling, and in pursuing his favorite studies, the mathematics and natural philosophy. "These models," says a correspondent of that time, "exhibit an extraordinary degree not only of skill but of taste in mechanics, and are wrought with extreme delicacy entirely by his own hands. The largest of these, the model of a bridge, is nearly four feet in length: the iron-works, the chains, and every other article belonging to it were forged and manufactured by himself. It is intended as a model of a bridge which is to be constructed across the Delaware, extending 480 feet with only one arch. The other is to be erected over a narrower river, whose name I forget, and is likewise a single arch, and of his own

*When Bonaparte returned from Italy he called on Mr. Paine and invited him to dinner: in the course of his rapturous address to him he declared that a statue of gold ought to be erected to him in every city in the universe, assuring him that he always slept with his book "Rights of Man" under his pillow and conjured him to honor him with his correspondence and advice.

This anecdote is only related as a fact. Of the sincerity of the compliment, those may judge who know Bonaparte's principles best.

workmanship excepting the chains, which instead of iron are cut out of pasteboard, by the fair hands of his correspondent, THE LITTLE CORNER OF THE WORLD, whose indefatigable perseverance is extraordinary. He was offered £3,000 for these models and refused it. He also forged himself the model of a crane of a new description, which when put together exhibited the power of the lever to a most surprising degree."

During this time he also published his "Dissertation on First Principles of Government," his "Essay on Finance," his first and second part of the "Age of Reason," his "Letter to Washington," his "Address to the Theophilanthropists," "Letter to Erskine," etc., etc. Poetry, too, employed his idle hours, and he produced some fine pieces, which the world will probably one day see.

Wearied with the direction things took in France, which he used to say, was "the promised land, but not the land of promise," he had long sighed for his own dear America.

"It is," he would say, "the country of my heart and the place of my political and literary birth. It was the American Revolution made me an author, and forced into action the mind that had been dormant and had no wish for public life, nor has it now." Mr. Paine made many

efforts to cross the Atlantic, but they were ineffectual.

In July, 1802, Mr. Jefferson, the then President of America, in a letter to Mr. Paine writes thus:

"You express a wish in your letter to return to America by a national ship.

"Mr. Dawson, who brings over the treaty, and who will present you this letter, is charged with orders to the captain of the *Maryland,* to receive and accommodate you back if you can be ready to return at such a short warning. You will in general find us returned to sentiments worthy of former times; in these it will be your glory to have steadily labored, and with as much effect as any man living. That you may live long to continue your useful labors, and reap the reward in the thankfulness of nations, is my sincere prayer. Accept the assurance of my high esteem and affectionate attachment.

"THOMAS JEFFERSON."

Washington, July, 1802.

By the *Maryland,* as Mr. Paine states, he did not go; and it was not till the first of September, 1802, after spending some time with him at

Havre de Grace, that I took leave of him on his departure for America, in a ship named the *London Pacquet,* just ten years after his leaving my house in London.

The ardent desire which Mr. Paine ever had to retire to and dwell in his beloved America is strongly portrayed in the following letter to a female friend in that country, written some years before.

"You touch me on a very tender point when you say that my friends on your side of the water cannot be reconciled to the idea of my abandoning America even for my native England.

"They are right, I had rather see my horse 'Button' eating the grass of Borden Town or Morrisania, than see all the pomp and show of Europe.

"A thousand years hence, for I must indulge a few thoughts, perhaps in less, America may be what Europe now is. The innocence of her character that won the hearts of all nations in her favor may sound like a romance, and her inimitable virtue as if it had never been.

"The ruins of that liberty for which thousands bled may just furnish materials for a village tale, or extort a sigh from rustic sensibility, while the

fashionable of that day, enveloped in dissipation, shall deride the principles and deny the fact.

"When we contemplate the fall of empires and the extinction of the nations of the ancient world we see but little more to excite our regret than the moldering ruins of pompous palaces, magnificent monuments, lofty pyramids, and walls and towers of the most costly workmanship; but when the empire of America shall fall, the subject for contemplative sorrow will be infinitely greater than crumbling brass or marble can inspire. It will not then be said, here stood a temple of vast antiquity, here rose a babel of invisible height, or there a palace of sumptuous extravagance; but here (ah! painful thought!) the noblest work of human wisdom, the grandest scene of human glory, and the fair cause of freedom, rose and fell! Read this, and then ask if I forget America."

There is so uncommon a degree of interest, and that which conveys an idea of so much heart intercourse in this letter, that the reader may be led to desire some knowledge of the person to whom it was addressed. This lady's name was I believe Nicholson, and afterwards the wife of Colonel Few; between her and Mr. Paine a very

affectionate attachment and sincere regard subsisted, and it was no small mortification on his final return to New York to be totally neglected by her and her husband.

But against the repose of Mr. Paine's dying moments there seems to have been a conspiracy, and this lady after years of disregard and inattention sought Mr. Paine on his death bed.

Mr. Few was with her, but Mr. Paine, refusing to shake hands with her, said firmly and very impressively, "You have neglected me, and I beg you will leave the room."

Mrs. Few went into the garden, and wept bitterly.

Of Mr. Paine's reception in America and some interesting account of his own life and its vicissitudes, his "Letters to the Citizens of America," before noticed, speak better than I can.

These letters, under the care of Mr. Monroe, he sent me in 1804, and I published them, with the following one of his own accompanying them.

"My dear Friend,

"Mr. Monroe, who is appointed Minister Extraordinary to France, takes charge of this, to be delivered to Mr. Este, banker in Paris, to be forwarded to you.

"I arrived at Baltimore, thirtieth of October, and you can have no idea of the agitation which my arrival occasioned. From New Hampshire to Georgia (an extent of 1,500 miles) every newspaper was filled with applause or abuse.

"My property in this country has been taken care of by my friends, and is now worth six thousand pounds sterling; which put in the funds will bring me £400 sterling a year.

"Remember me in friendship and affection to your wife and family, and in the circle of our friends.

"I am but just arrived here, and the Minister sails in a few hours, so that I have just time to write you this. If he should not sail this tide I will write to my good friend Colonel Bosville, but in any case I request you to wait on him for me.

"Yours in friendship,

"THOMAS PAINE."

What course he meant to pursue in America, his own words will best tell, and best characterize his sentiments and principles: they are these:

"As this letter is intended to announce my arrival to my friends, and my enemies if I have any, for I ought to have none in America, and as introductory to others that will occasionally fol-

low, I shall close it by detailing the line of conduct I shall pursue.

"I have no occasion to ask, nor do I intend to accept, any place or office in the Government.

"There is none it could give me that would in any way be equal to the profits I could make as an author (for I have an established fame in the literary world) could I reconcile it to my principles to make money by my politics or religion; I must be in everything as I have ever been, a disinterested volunteer. My proper sphere of action is on the common floor of citizenship, and to honest men I give my hand and my heart freely.

"I have some manuscript works to publish, of which I shall give proper notice, and some mechanical affairs to bring forward, that will employ all my leisure time.

"I shall continue these letters as I see occasion, and as to the low party prints that choose to abuse me, they are welcome; I shall not descend to answer them. I have been too much used to such common stuff to take any notice of it.

"THOMAS PAINE.

"City of Washington."

From this period to the time of his death, which was the ninth of June, 1809, Mr. Paine

lived principally at New York, and on his estate at New Rochelle; publishing occasionally some excellent things in the *Aurora* newspaper, also "An Essay on the Invasion of England," "On the Yellow Fever," "On Gun-Boats, etc., etc.," and in 1807, "An Examination of the Passages in the New Testament, Quoted from the Old, and Called Prophecies Concerning Jesus Christ, etc."

This is a most acute, profound, clear, argumentative, and entertaining work, and may be considered and is now entitled "The Third Part of the Age of Reason."

In the course of Mr. Paine's life, he was often reminded of a reply he once made to this observation of Dr. Franklin's, "Where liberty is, there is my country:" Mr. Paine's retort was, "Where liberty is not, there is my country." And, unfortunately, he had occasion for many years in Europe to realize the truth of his axiom.

Soon after Mr. Paine's arrival in America, he invited over Mr. and Mrs. Bonneville and their children. At Bonneville's house at Paris he had for years found a home, a friendly shelter, when the difficulty of getting supplies of money from America, and other and many ills assailed him. Bonneville and his family were poor, and sunk in the world; Mr. Paine therefore, though he was

not their inmate without remuneration, offered them an asylum with him in America. Mrs. Bonneville and her three boys, to whom he was a friend during his life and at his death, soon joined him there.

The particulars of Mr. Paine being shot at while sitting by his fireside at New Rochelle are given in his own letters. The bullet from the fire-arm shattered the glass over the chimney-piece very near to him. I find a letter in reply to one of mine, in which he writes, "the account you heard of a man's firing into my house is true—the grand jury found the bill against him, and he lies over for trial."

In January, 1809, Mr. Paine became very feeble and infirm, so much so, as to be scarcely capable of doing anything for himself.

During this illness he was pestered on every hand with the intrusive and impertinent visits of the bigoted, the fanatic, and the designing. To entertain the reader, some specimens of the conduct of these intruders are here given.

He usually took a nap after dinner, and would not be disturbed let who would call to see him. One afternoon a very old lady dressed in a large, scarlet, hooded cloak knocked at the door and inquired for Thomas Paine. Mr. Jarvis,

with whom Mr. Paine resided, told her he was asleep.

"I am very sorry," she said, "for that, for I want to see him particularly."

Thinking it a pity to make an old woman call twice, Mr. Jarvis took her into Mr. Paine's bed room, and awoke him. He rose upon one elbow, and then, with an expression of eye that made the old woman stagger back a step or two, he asked,

"What do you want?"

"Is your name Paine?"

"Yes."

"Well then, I come from Almighty God to tell you that if you do not repent of your sins, and believe in our Blessed Saviour Jesus Christ, you will be damned, and—"

"Poh, poh, it is not true," replied Paine, "you were not sent with any such impertinent message. Jarvis make her go away: pshaw! He would not send such a foolish, ugly old woman about with His messages; go away, go back, shut the door."

The old lady retired, raised both her hands, kept them so, and without saying another word walked away in mute astonishment.

The following is a curious example of a friendly, neighborly visit.

About two weeks before his death he was visited by the Rev. Mr. Milledollar, a Presbyterian minister of great eloquence, and the Rev. Mr. Cunningham. The latter gentleman said:

"Mr. Paine, we visit you as friends and neighbors. You have now a full view of death, you cannot live long, and whoever does not believe in Jesus Christ will assuredly be damned."

"Let me," said Paine, "have none of your popish stuff. Get away with you. Good morning, Sir, good morning."

The Rev. Mr. Milledollar attempted to address him but he was interrupted in the same language. When they were gone, he said to Mrs. Hedden, his housekeeper, "do not let them come here again, they intrude upon me."

They soon renewed their visit, but Mrs. Hedden told them they could not be admitted, and that she thought the attempt useless, for if God did not change his mind, she was sure no human power could. They retired.

Among others, the Rev. Mr. Hargrove, minister of a new sect called the New Jerusalemites, once accosted him with this impertinent stuff:

"My name is Hargrove, Sir; I am a minister

of the New Jerusalem Church. We, Sir, explain the Scripture in its true meaning; the key has been lost these four thousand years, and we have found it."

"Then," said Paine in his own neat way, "it must have been very rusty."

In his last moments he was very anxious to die, and also very solicitous about the mode of his burial; for as he was completely unchanged in his theological sentiments, he would on no account, even after death, countenance ceremonies he disapproved, containing doctrines and expressions of a belief which he conscientiously objected to, and had spent a great part of his life in combating.

He wished to be interred in the Quakers' burying ground, and on this subject he requested to see Mr. Willet Hicks, a member of the Society, who called on him in consequence.

Mr. Paine, after the usual salutations, said, "As I am going to leave one place it is necessary to provide another; I am now in my seventy-third year, and do not expect to live long; I wish to be buried in your burying ground."

He said his father was a Quaker, and that he thought better of the principles of that Society than any other, and approved their mode of

burial. This request of Mr. Paine was refused, very much to the discredit of those who did so; and as the Quakers are not unused to grant such indulgences, in this case it seemed to arise from very little and unworthy motives and prejudices on the part of those who complied not with this earnest and unassuming solicitation.

The above named Quaker in a conversation of a serious nature with Mr. Paine, a short time before his death, was assured by him that his sentiments respecting the Christian religion were now precisely the same as when he wrote the "Age of Reason."

About the fourth of May, symptoms of approaching dissolution became very evident to himself, and he soon fell off his milk-punch, and became too infirm to take anything; complaining of much bodily pain.

On the eighth of June, 1809, about nine in the morning, he placidly, and almost without a struggle, died, as he had lived, a Deist.

Why so much consequence should be attached to what is called a recantation in a man's last moments of a belief or opinion held through life, a thing I never witnessed nor knew anyone who did, it is difficult to say, at least with any credit, to those who harp so much upon it. A belief

or an opinion is none the less correct or true even if it be recanted, and I strenuously urge the reader to reflect seriously, how few there are who really have any fixed belief and conviction through life of a metaphysical or religious nature; how few who devote any time to such investigation, or who are not the creatures of form, education, and habit; and take upon trust tenets, instead of inquiring into their truth and rationality. Indeed it appears that those who are so loud about the recantation of philosophers, are neither religious, moral, or correct themselves, and exhibit not in their own lives, either religion in belief, or principle in conduct.

Paine was aged seventy-two years and five months. At nine of the clock in the forenoon of the ninth of June, the day after his decease, he was taken from his house at Greenwich, attended by seven persons, to New Rochelle; where he was afterwards interred on his own farm. A stone has been placed at the head of his grave according to the direction in his will, with the following inscription:

THOMAS PAINE,

AUTHOR OF

COMMON SENSE,

Died June 8, 1809, Aged 72 Years and 5 Months.

The reader must from the foregoing pages be persuaded how unkindly teased and obtrusively tormented were the closing hours of Mr. Paine's life; hours that always should be soothed by tenderness, quietude, and every kind attention, and in which the mind generally loses all its strength and energy, and is as unlike its former self as its poor suffering companion the body.

> Infirmity doth still neglect all office,
> Whereto our health is bound; we are not ourselves
> When nature, being oppress'd, commands the mind
> To suffer with the body.—*Shakespeare.*

To a rational man it should seem that a Deist, if he be so from principle, and he is as likely to be so as any other religionist, is no more to be expected to renounce his principles on his death-bed or to abandon his belief at that moment, than the Christian, the Jew, the Mahometan, or any other religionist.

It will be seen that Mr. Paine very early, when a mere child, was inspired as it were with the anti-Christian principles which he held religiously through life.

His philosophical and astronomical pursuits could not but confirm him in the most exalted,

the most divine ideas of a supreme being, and in the purity and sublimity of Deism.

A belief in millions of millions of inhabited worlds, millions of millions of miles apart, necessarily leads the mind to the worship of a God infinitely above the one described by those religionists who speak and write of Him as they do, and as if He were only the maker of our earth, and as alone being interested in what concerns it. In contemplating the immense works of God, "the creation" is the only book of revelation in which the Deist can believe; and his religion consists in contemplating the power, wisdom, and benignity of God in His glorious works, and endeavoring to imitate Him in everything moral, scientific and mechanical. It cannot be urged too strongly, so much wrongheadedness if not wrongheartedness is there on this subject, that the religion of the Deist no more precludes the blessed hope of salvation than that of the Christian or of any other religion.

We see through different mediums, and in our pursuits and experience are unlike. How others have felt after reading maturely the "Age of Reason" and the "Rights of Man," and pursuing fairly, coolly, and assiduously the subjects therein treated, I leave to them; but for myself I

must say, these works carried perfect conviction with them to my mind, and the opinions they contain are fully confirmed by much reading, by long, honest, unwearied investigation and observation.

The best and wisest of human beings both male and female that I have known through life have been Deists, nor did anything in the shape of their recantation either in life or death ever come to my knowledge, nor can I understand how a real, serious, and long-adopted belief can be recanted.

That Mr. Paine's religious belief had been long established and was with him a deep-rooted principle, may be seen by his conduct when imprisoned and extremely ill in the Luxembourg prison in 1794.*

Mr. Bond, an English surgeon who was confined there at the same time, though by no means a friend to Mr. Paine's political or theological doctrines, gave me the following testimony of Mr. Paine's sentiments:

"Mr. Paine, while hourly expecting to die, read to me parts of his 'Age of Reason'; and every night when I left him to be separately locked up, and expected not to see him alive in

* See "Age of Reason," Part 1.

the morning, he always expressed his firm belief in the principles of that book, and begged I would tell the world such were his dying opinions. He often said that if he lived he should prosecute further that work, and print it." Mr. Bond's frequent observation when speaking of Mr. Paine was, that he was the most conscientious man he ever knew.

While upon this subject, it will probably occur to the reader, as well as to the writer, how little belief from inquiry and principle there is in the world; and how much oftener religious profession is adopted from education, form, prudence, fear, and a variety of other motives, than from unprejudiced inquiry, a love of truth, of free discussion, and from entire conviction. Reasoning thus, it may fairly be inferred that men like Mr. Paine, a pious Deist, of deep research, laborious inquiry, and critical examination, are the most likely from disinterested motives to adopt opinions, and of course the least likely to relinquish them.

Before I quit the subject I give the following authentic document, received in a letter from New York:

"Sir: I witnessed a scene last night which occasioned sensations only to be felt, not to be

described; the scene alluded to was no less extraordinary than the beholding the well-known Thomas Paine struggling to retain a little longer in connection his soul and body. For near an hour I sat by the bedside of that well-known character, to whom I was introduced by one of his friends. Could the memory have retained the suggestions of my mind in the moments when I was reviewing the pallid looks of him who had attempted to overthrow kingdoms and monarchies, of him who had astonished the world with the fruits of a vast mind, whose works have caused a great part of mankind to think and feel as they never did before, such suggestions would not be uninteresting to you. I could not contemplate the approaching dissolution of such a man, see him gasping for breath, without feelings of a peculiar nature. Poor Paine's body has given way before his mind, which is yet firm; mortification seems to have taken up its dwelling in his frame, and he will soon be no more. With respect to his principles he will die as he has lived; they are unaltered.

"Some Methodists went to him a few days ago to endeavor to make a convert of him, but he would not listen to their entreaties."

Before I take leave of my reader I would

press upon his mind the necessity of candor; and if he be a Christian I must tell him he will cease to be so the moment he appeals to coercion and resorts to prosecution and to persecution in matters of belief and opinion: such conduct his own "New Testament" is decidedly against. It is better not to believe in a God than to believe unworthily of Him, and the less we make Him after our image the less we blaspheme Him. Let inquiry supersede calumny and censure, and let it be ever remembered that those systems in government and religion which will not bear discussion and investigation are not worth solicitude. Ignorance is the only original sin; spread information and knowledge, and virtue and truth will follow.

Oppose argument to argument, reason to reason, opinion to opinion, book to book, truth must prevail; and that which is of divine origin will bring itself through.

Set not attorney-generals and human laws at work, nor pay any religion which boasts an heavenly origin so bad a compliment, or libel its founders, by endeavoring to support it by such infamous means.

How paltry, how detestable, is that criticism which only seeks to find out and dwell on errors

and inaccuracies; passing over in silence, what is grand, sublime, and useful! How still more paltry, and detestable, is that disposition, which seeks only to find out and dwell on the defects and foibles of character!

While Mr. Paine's enemies have labored, and are still laboring, to detect vices and errors in his life and manners, shall not his friends dwell on the immense good he has done in public life, on the happiness he has created for myriads, in private? Shall they not point to the abodes of delight and comfort, where live and flourish the blessings of domestic bliss; affection's dear intercourses, friendship's solaces, and love's sacred enjoyments? And there are millions of such abodes originating in his labors. Why seek occasion, surly critics and detractors! to maltreat and misrepresent Mr. Paine? He was mild, unoffending, sincere, gentle, humble, and unassuming; his talents were soaring, acute, profound, extensive, and original; and he possessed that charity, which covers a multitude of sins.

ERSKINE'S DEFENSE OF PAINE*

GENTLEMEN of the Jury.—The Attorney-general, in that part of his address which referred to a letter supposed to have been written to him from France, exhibited signs of strong sensibility and emotion. I do not, I am sure, charge him with acting a part to seduce you; on the contrary, I am persuaded, from my own feelings, and from my acquaintance with my friend from our childhood upwards, that HE expressed himself as he felt.

But—gentlemen, if he felt those painful embarrassments, you may imagine what mine must be: he can only feel for the august character whom he represents in this place as a subject for his Sovereign, too far removed by custom from the intercourses which generate affections to produce any other sentiments than those that flow from a relation common to us all: but it will be remembered that I stand in the same relation† toward another great person more deeply implicated by this supposed letter; who, not restrained from the cultivation of personal attachments by

*Lord Erskine's Speech in behalf of Thomas Paine, Court of King's Bench, December 18, 1792.—Ed.

†Mr. Erskine was then Attorney-general to the Prince of Wales. —Ed.

those qualifications which must always secure them, has exalted my duty to a prince into a warm and honest affection between man and man.

Thus circumstanced, I certainly should have been glad to have had an earlier opportunity of knowing correctly the contents of this letter, and whether (which I positively deny) it proceeded from the defendant. Coming thus suddenly upon us, I see but too plainly the impression it has made upon *you,* who are to try the cause, and I feel its weight upon *myself,* who am to conduct it; but this shall neither detach me from my duty, nor enervate me (if I can help it) in the discharge of it.

If the Attorney-general be well founded in the commentaries he has made to you upon the book which he prosecutes; if he be warranted by the law of England in repressing its circulation, from the illegal and dangerous matters contained in it; if that suppression be, as he avows it, and as in common sense it must be, the sole object of the prosecution, the public has great reason to lament that this letter should have been at all brought into the service of the cause. It is no part of the charge upon the record; it had no existence for months after the work was composed and published; it was not written by the defend-

ant, if written by him at all, till after he had been in a manner insultingly expelled from the country by the influence of Government; it was not even written till he had become the subject of another country. It cannot, therefore, by any fair inference, decipher the mind of the author when he composed his work; still less can it affect the construction of the language in which it is written.

The introduction of this letter at all is, therefore, not only a departure from the charge, but a dereliction of the object of the prosecution, which is to condemn *the book:* since, if the condemnation of the author is to be obtained, *not by the work itself,* but by *collateral matter,* not even existing when it was written, nor known to its various publishers throughout the kingdom, how can a verdict upon *such* grounds condemn the work, or criminate *other* publishers, strangers to the collateral matter on which the conviction may be obtained to-day?

I maintain, therefore, upon every principle of sound policy, as it affects the interests of the Crown, and upon every rule of justice, as it affects the author of "The Rights of Man," that the letter should be wholly dismissed from your consideration.

Gentlemen, the Attorney-general has thought it necessary to inform you that a rumor had been spread, and had reached his ears, that he only carried on the prosecution as a *public* prosecutor, but without the concurrence of his own judgment; and, therefore, to add the just weight of his *private* character to his public duty, and to repel what he thinks a calumny, he tells you that he should have deserved to have been driven from society, if he had not arraigned the work and the author before you.

Here, too, we stand in situations very different. I have no doubt of the existence of such a rumor, and of its having reached his ears, because he says so; but for the narrow circle in which any rumor, personally implicating my learned friend's character, has extended, I might appeal to the multitudes who surround us, and ask, which of them all, except the few connected in office with the Crown, ever heard of its existence?

But with regard to myself, every man within hearing at this moment—nay, the whole people of England, have been witnesses to the calumnious clamor that, by every art, has been raised and kept up against me: in every place where business or pleasure collect the public together, day

after day my name and character have been the topics of injurious reflection. And for what? Only for not having shrunk from the discharge of a duty which no personal advantage recommended, and which a thousand difficulties repelled.

But, Gentlemen, I have no complaint to make, either against the printers of these libels, or even against their authors: the greater part of them, hurried perhaps away by honest prejudices, may have believed they were serving their *country* by rendering *me* the object of its suspicions and contempt; and if there has been among them others who have mixed in it from personal malice and unkindness, I thank God I can forgive *them* also.

Little, indeed, did they know me, who thought that such calumnies would influence my conduct. I will forever, at all hazards, assert the dignity, independence, and integrity of the English Bar, without which impartial justice, the most valuable part of the English Constitution, can have no existence.

From the moment that any advocate can be permitted to say that he *will* or will *not* stand between the Crown and the subject in the court where he daily sits to practise, from that moment the liberties of England are at an end.

If the advocate refuses to defend, from what *he may think* of the charge or of the defense he assumes, the character of the judge; nay, he assumes it before the hour of judgment; and, in proportion to his rank and reputation, puts the heavy influence of, perhaps, a mistaken opinion into the scale against the accused, in whose favor the benevolent principle of English law makes all presumptions, and which commands the very judge to be his counsel.

Gentlemen, it is now my duty to address myself without disgression to the defense.

The first thing which presents itself in the discussion of any subject is to state distinctly and with precision, what the question is, and, where prejudice and misrepresentation have been exerted, to distinguish it accurately from what it is NOT. The question, then, is NOT whether the Constitution of our fathers—under which we live, under which I present myself before you, and under which alone you have any jurisdiction to hear me—be or be not preferable to the Constitution of America or France, or any other human constitution. For upon what principle can a court, constituted by the authority of any government, and administering a positive system of law under it, pronounce a decision against the Con-

stitution which creates its authority, or the rule of action which its jurisdiction is to enforce? The common sense of the most uninformed person must revolt at such an absurd supposition.

I have no difficulty, therefore, in admitting that, if by accident some or all of you were alienated in opinion and affection from the forms and principles of the English Government, and were impressed with the value of that unmixed representative constitution which this work recommends and inculcates, you could not *on that account* acquit the defendant. Nay, to speak out plainly, I freely admit that even if you were avowed enemies to monarchy, and devoted to republicanism, you would be nevertheless bound by your oaths, as a jury sworn to administer justice according to the English law, to convict the author of the "Rights of Man," if it were brought home to your consciences that he had exceeded those widely extended bounds which the ancient wisdom and liberal policy of the English Constitution have allotted to the range of a free press.

I freely concede this, because you have no jurisdiction to judge either the author or the work by any rule but that of English law, which is the source of your authority. But having made this

large concession, it follows, by a consequence so inevitable as to be invulnerable to all argument or artifice, that if, on the other hand, you should be impressed (which I know you to be) not only with a dutiful regard, but with an enthusiasm, for the whole form and substance of your own Government; and though you should think that this work, in its circulation among classes of men unequal to political researches, may tend to alienate opinions; still you cannot, *upon such grounds,* without a similar breach of duty, convict the defendant of a libel—unless he has clearly stepped beyond that extended range of communication which the same ancient wisdom and liberal policy of the British Constitution has allotted for the liberty of the press.

Gentlemen, I admit, with the Attorney-general, that in every case where a court has to estimate the quality of a writing, the *mind* and *intention* of the writer must be taken into the account —the *bona* or *mala fides,* as lawyers express it, must be examined—for a writing may undoubtedly proceed from a motive, and be directed to a purpose, not to be deciphered by the mere construction of the thing written. But wherever a writing is arraigned as seditious or slanderous, not upon its ordinary construction in language,

nor from the necessary consequences of its publication, under *any* circumstances, and at *all* times, but that the criminality springs from some *extrinsic matter,* not visible upon the page itself, nor universally operative, but capable only of being connected with it by evidence, so as to demonstrate the effect of the publication and the design of the publisher; such a writing, libelous *per se,* cannot be arraigned as the author's work is arraigned upon the record before the court.

I maintain, without the hazard of contradiction, that the law of England positively requires, for the security of the subject, that every charge of a libel complicated with *extrinsic facts and circumstances, dehors the writing,* must appear literally upon the record by an averment of such extrinsic facts and circumstances, that the defendant may know what crime he is called upon to answer, and how to stand upon his defense.

What crime is it that the defendant comes to answer for to-day?—what is the notice that I, who am his counsel, have from this parchment of the crime alleged against him?

I come to defend his having written *this book.* The record states nothing else: the general charge of sedition in the introduction is notoriously paper and pack-thread; because the innuendoes

cannot enlarge the sense or natural construction of the text. The record does not state any one *extrinsic fact or circumstance* to render the work criminal at one time more than *another;* it states no peculiarity of time or season or intention, not provable from the writing itself, which is the naked charge upon record. There is nothing, therefore, which gives you any jurisdiction beyond the construction of the *work itself;* and you cannot be justified in finding it criminal because published at *this* time, unless it would have been a criminal publication under any circumstances, or at *any other* time.

The law of England, then, both in its forms and substance, being the only rule by which the author or the work can be justified or condemned, and the charge upon the record being the naked charge of a libel, the cause resolves itself into a question of the deepest importance to us all—THE NATURE AND EXTENT OF THE LIBERTY OF THE ENGLISH PRESS.

But before I enter upon it, I wish to fulfil a duty to the defendant, which, if I do not deceive myself, is at this moment peculiarly necessary to his impartial trial. If an advocate entertains sentiments injurious to the defense he is engaged in, he is not only justified, but bound in duty, to

conceal them; so, on the other hand, if his own genuine sentiments, or anything connected with his character or situation, can add strength to his professional assistance, he is bound to throw them into the scale. In addressing myself, therefore, to gentlemen not only zealous for the honor of English Government, but *visibly* indignant at any attack upon its principles, and who would, perhaps, be impatient of arguments from a suspected quarter, I give my client the benefit of declaring that I am, and ever have been, attached to the genuine principles of the British Government; and that, however the Court or you may reject the application, I defend him upon principles not only consistent with its permanence and security, but without the establishment of which it never could have had an existence.

The proposition which I mean to maintain as the basis of the liberty of the press, and without which it is an empty sound, is this: that every man, not intending to mislead, but seeking to enlighten others with what his own reason and conscience, however erroneously, have dictated to him as truth, may address himself to the universal reason of a whole nation, either upon the subject of governments in general, or upon that of our own particular country: that he may ana-

lyze the principles of its Constitution, point out its errors and defects, examine and publish its corruptions, warn his fellow-citizens against their ruinous consequences, and exert his whole faculties in pointing out the most advantageous changes in establishments which he considers to be radically defective, or sliding from their object by abuse.

All this every subject of this country has a right to do, if he contemplates only what he thinks would be for its advantage, and but seeks to change the public mind by the conviction which flows from reasonings dictated by conscience.

If, indeed, he writes *what he does not think;* if, contemplating the misery of others, he wickedly condemns what his own understanding approves; or, even admitting his real disgust against the Government or its corruptions, if he *calumniates living magistrates,* or holds out to individuals that they have a right to run before the public mind in their *conduct;* that they may oppose by contumacy or force what private reason only disapproves; that they may disobey the law, because their judgment condemns it; or resist the public will, because they honestly wish to change it—he is then a criminal upon every principle of rational policy, as well as upon the

immemorial precedents of English justice; because such a person seeks to disunite individuals from their duty to the whole, and excites to overt acts of *misconduct* in a part of the community, instead of endeavoring to change, by the impulse of reason, that universal assent which, in this and in every country, constitutes the law for all.

I have, therefore, no difficulty in admitting that if, upon an attentive perusal of this work, it shall be found that the defendant has promulgated any doctrines which excite individuals to withdraw from their subjection to the law by which the whole nation consents to be governed; if his book shall be found to have warranted or excited that unfortunate criminal who appeared here yesterday to endeavor to relieve himself from imprisonment by the destruction of a prison, or dictated to him the language of defiance which ran through the whole of his defense; if throughout the work there shall be found any syllable or letter which strikes at the security of property, or which hints that anything less than *the whole nation* can constitute the law, or that the law, be it what it may, is not the inexorable rule of action for every individual, I willingly yield him up to the justice of the Court.

Gentlemen, I say, in the name of Thomas

Paine, and in his words as author of the "Rights of Man," as written in the very volume that is charged with seeking the destruction of property:

"The end of all political associations is the preservation of the rights of man, which rights are liberty, property, and security; that the nation is the source of all sovereignty derived from it; the right of property being secured and inviolable, no one ought to be deprived of it, except in cases of evident public necessity, legally ascertained, and on condition of a previous just indemnity."

These are undoubtedly the rights of man—the rights for which all governments are established—and the only rights Mr. Paine contends for; but which he thinks (no matter whether right or wrong) are better to be secured by a republican constitution than by the forms of the English Government. He instructs me to admit that, when government is once constituted, no individual, without rebellion, can withdraw their obedience from it; that all attempts to excite them to it are highly criminal, for the most obvious reasons of policy and justice; that nothing short of the will of a WHOLE PEOPLE can change or affect the rule by which a nation is to be governed; and that no private opinion, however

honestly inimical to the forms or substance of the law, can justify resistance to its authority, while it remains in force. The author of the "Rights of Man" not only admits the truth of all this doctrine, but he consents to be convicted, and I also consent for him, unless his work shall be found studiously and painfully to inculcate those great principles of government which it is charged to have been written to destroy.

Let me not, therefore, be suspected to be contending that it is lawful to write a book pointing out defects in the English Government, and exciting individuals to destroy its sanctions, and to refuse obedience. But, on the other hand, I do contend that it is lawful to address the English nation on these momentous subjects; for had it not been for this inalienable right (thanks be to God and our fathers for establishing it!) how should we have had this Constitution which we so loudly boast of? If, in the march of the human mind, no man could have gone before the establishments of the time he lived in, how could our establishment, by reiterated changes, have become what it is? If no man could have awakened the public mind to errors and abuses in our Government, how could it have passed on from stage to stage, through reformation and revolution, so

as to have arrived from barbarism to such a pitch of happiness and perfection, that the Attorney-general considers it as profanation to touch it further, or to look for any further amendment?

In this manner power has reasoned in every age; government, in *its own estimation,* has been at all times a system of perfection; but a free press has examined and detected its errors, and the people have from time to time reformed them. This freedom has alone made our Government what it is; this freedom alone can preserve it; and therefore, under the banners of that freedom, to-day I stand up to defend Thomas Paine. But how, alas! shall this task be accomplished? How may I expect from you what human nature has not made man for the performance of? How am I to address your reasons, or ask them to pause amidst the torrent of prejudice which has hurried away the public mind on the subject you are to judge.

Was any Englishman ever so brought as a criminal before an English court of justice?

If I were to ask you, Gentlemen of the jury, what is the choicest fruit that grows upon the tree of English liberty, you would answer, SECURITY UNDER THE LAW. If I were to ask the whole people of England the return they looked for at the

hands of Government for the burdens under which they bend to support it, I should still be answered, SECURITY UNDER THE LAW; or, in other words, an impartial administration of justice. So sacred, therefore, has the freedom of trial been ever held in England; so anxiously does justice guard against every possible bias in her path, that if the public mind has been locally agitated upon any subject in judgment, the forum has either been changed, or the trial postponed. The circulation of any paper that brings, or can be supposed to bring, prejudice, or even well-founded knowledge, within the reach of a British tribunal, *on the spur of an occasion,* is not only highly criminal, but defeats itself, by leading to put off the trial which its object was to pervert.

On this principle, the noble and learned judge will permit me to remind him that on the trial of the Dean of St. Asaph for a libel, or rather when he was brought to trial, the circulation of books by a society favorable to his defense was held by His Lordship, as Chief-justice of Chester, to be a reason for not trying the cause; although they contained no matter relative to the Dean, nor to the object of his trial; being only extracts from ancient authors of high reputation on the general rights of juries to consider the

innocence as well as the guilt of the accused; yet still, as the recollection of these rights was pressed forward *with a view to affect the proceedings,* the proceedings were postponed.

Is the defendant, then, to be the only exception to these admirable provisions? Is the English law to judge *him,* stripped of the armor with which its universal justice encircles *all others?* Shall we, in the very act of judging him for detracting from the English Government, furnish him with ample matter for just reprobation, instead of detraction? Has not his cause been prejudged through a thousand channels? Has not the work before you been daily and publicly reviled, and his person held up to derision and reproach? Has not the public mind been excited by crying down the very phrase and idea of the "Rights of Man"? Nay, have not associations of gentlemen—I speak it with regret, because I am persuaded, from what I know of some of them, that they, amongst them at least, thought they were serving the public—yet have they not, in utter contempt and ignorance of that Constitution of which they declare themselves to be the guardians, published the grossest attacks upon the defendant?

Have they not, even while the cause has been

standing here for immediate trial, published a direct protest against the very work now before you; advertising in the same paper, though under the general description of seditious libels, a reward on the conviction of any person who should dare to sell the book itself, to which their own publication was an answer?

The Attorney-general has spoken of a forced circulation of this work; but how have these prejudging papers been circulated? We all know how. They have been thrown into our carriages in every street; they have met us at every turnpike; and they lie in the areas of all our houses. To complete the triumph of prejudice, that high tribunal of which I have the honor to be a member (my learned friends know what I say to be true) has been drawn into this vortex of slander; and some of its members—I must not speak of the House itself—have thrown the weight of their stations into the same scale. By all these means I maintain that this cause has been prejudged.

It may be said that I have made no motion to put off the trial for these causes, and that courts of themselves take no cognizance of what passes elsewhere, without facts laid before them. Gentlemen, I know that I should have had equal justice from the Court, if I had brought myself

within the rule. But when should I have been better in the present aspect of things? And I only remind you, therefore, of all these hardships, that you may recollect that your judgment is to proceed upon that alone which meets you *here,* upon *the evidence* in the cause, and not upon suggestions destructive of every principle of justice.

Having disposed of these foreign prejudices, I hope you will as little regard some arguments that have been offered to you in court. The letter which has been so repeatedly pressed upon you ought to be dismissed even from your recollection. I have already put it out of the question, as having been written long subsequent to the book, and as being a libel on the King, which no part of the information charges, and which may hereafter be prosecuted as a distinct offense. I consider that letter, besides, and indeed have always heard it treated, as a forgery, contrived to injure the merits of the cause, and embarrass *me personally* in its defense. I have a right so to consider it, because it is unsupported by anything similar at an earlier period.

The defendant's whole deportment, previous to the publication, has been wholly unexceptionable: he properly desired to be given up as the author of the book if any inquiry should take

place concerning it: and he is not affected in evidence, either directly or indirectly, with any illegal or suspicious conduct; not even with having uttered an indiscreet or taunting expression, nor with any one matter or thing inconsistent with the duty of the best subject in England. His *opinions* indeed were adverse to our system; but I maintain that opinion is free, and that conduct alone is amenable to the law.

You are next desired to judge of the author's mind and intention by the modes and extent of the circulation of his work.

The FIRST part of the "Rights of Man" Mr. Attorney-general tells you he did not prosecute, although it was in circulation through the country for a year and a half together, because it seems it circulated only amongst what he styles the judicious part of the public, who possessed in their capacities and experience an antidote to the poison; but that, with regard to the SECOND part now before you, its circulation had been forced into every corner of society; had been printed and reprinted for cheapness even upon whited-brown paper, and had crept into the very nurseries of children as a wrapper for their sweetmeats.

In answer to this statement, which after all stands only upon Mr. Attorney-general's own

assertion, unsupported by any kind of proof (no witness having proved the author's personal interference with the sale), I still maintain that if he had the most anxiously promoted it, the question would remain exactly THE SAME: the question would still be, whether at the time when Paine composed his work, and promoted the most extensive purchase of it, he believed or disbelieved what he had written?—and whether he contemplated the happiness or the misery of the English nation, to which it is addressed? And whichever of these intentions may be evidenced to your judgments upon reading the book itself, I confess I am utterly at a loss to comprehend how a writer can be supposed to mean something different from what he has written, by proof of an anxiety (common, I believe, to all authors) that his work should be generally read.

Remember, I am not asking your opinions of the *doctrines themselves*—you have given them already pretty visibly since I began to address you—but I shall appeal not only to you, but to those who, without our leave, will hereafter judge, and without appeal, of all that we are doing to-day—whether, upon the matter which I hasten to lay before you, you can refuse to pronounce that from his education—from the acci-

dents and habits of his life—from the time and occasion of the publication—from the circumstances attending it—and from every line and letter of the work itself, and from all his other writings, his conscience and understanding (*no matter whether erroneously or not*) were deeply and solemnly impressed with the matters contained in his book?—that he addressed it to the reason of the nation at large, and not to the passions of individuals?—and that, in the issue of its influence, he contemplated only what appeared to *him* (*though it may not to us*) to be the interest and happiness of England, and of the whole human race?

In drawing the one or the other of these conclusions, the book stands first in order, and it shall now speak for itself.

Gentlemen, *the whole of it* is in evidence before you; the particular parts arraigned having only been read by my consent, upon the presumption that, on retiring from the court, you would carefully compare them with the context, and all the parts with the WHOLE VIEWED TOGETHER.

You cannot indeed do justice without it. The most common letter, even in the ordinary course of business, cannot be read in a cause to prove an obligation for twenty shillings without THE

WHOLE being read, that the writer's meaning may be seen without deception. But in a criminal charge, comprehending only four pages and a half, out of a work containing nearly two hundred, you cannot, with even the appearance of common decency, pronounce a judgment without the most deliberate and cautious comparison. I observe that the noble and learned judge confirms me in this observation.

If any given part of a work be legally explanatory of every other part of it, the preface, *à fortiori,* is the most material; because the preface is the author's own key to his writing: it is *there* that he takes the reader by the hand and introduces him to his subject; it is there that the spirit and intention of the whole is laid before him by way of prologue. A preface is meant by the author as a clue to ignorant or careless readers; the author says by it, to every man who chooses to begin where he ought, Look at my plan—attend to my distinctions—mark the purpose and limitations of the matter I lay before you.

Let, then, the calumniators of Thomas Paine now attend to his preface, where, to leave no excuse for ignorance or misrepresentation, he expresses himself thus:

I have differed from some professional gentlemen on the subject of prosecutions, and I since find they are falling into my opinion, which I will here state as fully but as concisely as I can.

I will first put a case with respect to any law, and then compare it with a government, or with what in England is or has been called a Constitution.

It would be an act of despotism, or what in England is called arbitrary power, to make a law to prohibit investigating the principles, good or bad, on which such a law, or any other, is founded.

If a law be bad, it is one thing to *oppose the practise* of it, but it is quite a different thing to *expose its errors*, to *reason* on its defects, and to *show cause* why it should be repealed, or why another ought to be substituted in its place. I have always held it an opinion (making it also my practise) that it is better to obey a bad law, making use at the same time of every argument to show its errors and procure its repeal, than forcibly to violate it; because the precedent of breaking a bad law might weaken the force, and lead to discretionary violation, of those which are good.

The case is the same with principles and forms of governments, or to what are called constitutions, and the parts of which they are composed.

It is for the good of nations, and not for the emolument or aggrandizement of particular individuals, that government ought to be established, and that mankind are at the expense of supporting it. The defects of every government and constitution, both as to principle and form, must, on a parity of reasoning, be as open to discussion as the defects of a law, and it is a duty which every man owes to society to point them out. When

those defects and the means of remedying them are generally seen by a NATION, THAT NATION will reform its government or its constitution in the one case as the government repealed or reformed the law in the other.

Gentlemen, you must undoubtedly wish to deal with every man who comes before you in judgment as you would be dealt by; and surely you will not lay it down to-day as a law to be binding hereafter, even upon yourselves, that if you should publish any opinion concerning existing abuses in your country's government, and point out to the whole public the means of amendment, you are to be acquitted or convicted as any twelve men may happen to agree with you in your *opinions.* Yet this is precisely what you are asked to do to another—it is precisely the case before you.

Mr. Paine expressly says, I obey a law until it is repealed; obedience is not only my principle but my practise, since my disobedience of a law, from thinking it *bad,* might apply to justify another man in the disobedience of a *good one;* and thus individuals would give the rule for themselves, and not society for all. You will presently see that the same principle pervades the whole work; and I am the more anxious to call your attention to it, however repetition may tire

you, because it unfolds the whole principle of my argument; for, if you find a sentence in the whole book that invests any individual, or any number of individuals, or any community short of the WHOLE NATION, with a power of changing any part of the law or constitution, I abandon the cause—YES, I freely abandon it, because I will not affront the majesty of a court of justice by maintaining propositions which, even upon the surface of them, are false. Mr. Paine, pages 162-168,* goes on thus:

> When a NATION changes its opinion and habits of thinking, it is no longer to be governed as before; but it would not only be wrong, but bad policy, to attempt by force what ought to be accomplished by reason. Rebellion consists in forcibly opposing the general will of a nation, whether by a party or by a government. There ought, therefore, to be, in every nation, a method of occasionally ascertaining the state of public opinion with respect to government.
>
> There is, therefore, no power but the voluntary will of the people that has a right to act in any matter respecting a general reform; and by the same right that two persons can confer on such a subject, a thousand may. The object in all such preliminary proceedings is to find out what the GENERAL SENSE OF A NATION is, and to be governed by it. If it prefer a bad or defective government to a reform, or choose to pay ten times more taxes than there is occasion for, it has a

*Folios of the original edition.—Ed.

right so to do; and, so long as the majority do not impose conditions on the minority different to what they impose on themselves, though there may be much error, there is no injustice; neither will the error continue long. Reason and discussion will soon bring things right, however wrong they may begin. By such a process no tumult is to be apprehended. The poor, in all countries, are naturally both peaceable and grateful in all reforms in which their interest and happiness are included. It is only by neglecting and rejecting them that they become tumultuous.

Gentlemen, these are the sentiments of the author of the "Rights of Man"; and, whatever *his* opinions may be of the defects in our Government, it never can change ours concerning it, if our sentiments are just; and a writing can never be seditious, in the sense of the English law, which states that the Government leans on the UNIVERSAL WILL for its support.

This universal will is the best and securest title which His Majesty and his family have to the throne of these kingdoms; and in proportion to the wisdom of our institutions, the title must in common sense become the stronger. So little idea indeed have I of any other, that in my place in Parliament, not a week ago, I considered it as the best way of expressing my reverence to the Constitution; as established at the Revolution, to declare (I believe in the presence of the heir-

apparent to the Crown, to whom I have the greatest personal attachment), that His Majesty reigned in England by choice and consent, as the magistrate of the English people; not indeed a consent and choice by personal election, like a King of Poland—the worst of all possible constitutions; but by the election of a family for great national objects, in defiance of that hereditary right, which only becomes tyranny, in the sense of Mr. Paine, when it claims to inherit a nation, instead of governing by their consent, and continuing for its benefit. This sentiment has the advantage of Mr. Burke's high authority, who says with great truth, in a "Letter to his Constituents":

"Too little dependence cannot be had at this time of day on names and prejudices: the eyes of mankind are opened; and communities must be held together by a visible and solid interest." I believe, Gentlemen of the jury, that the Prince of Wales will always render this title dear to the people. The Attorney-general can only tell you what he *believes* of him; I can tell you what I KNOW, and what I am bound to declare, since this Prince may be traduced in every part of the kingdom, without its coming in question, till brought in to load a defense with matter collateral to the

charge. I therefore *assert* what the Attorney-general can only *hope,* that whenever that Prince shall come to the throne of this country (which I pray, but, by the course of nature, may never happen), he will make the Constitution of Great Britain the foundation of all his conduct.

Having now established the author's general intention by his own introduction, which is the best and fairest exposition, let us next look at the occasion which gave it birth.

The Attorney-general throughout the whole course of his address to you (I knew it would be so), has avoided the most distant notice or hint of any circumstance having led to the appearance of the author in the political world, after a silence of so many years; he has not even pronounced, or even glanced, at the name of Mr. Burke, but has left you to take it for granted that the defendant volunteered this delicate and momentous subject, and, without being led to it by the provocation of political controversy, had seized a favorable moment to stigmatize, from mere malice, and against his own confirmed opinions, the Constitution of this country.

Gentlemen, my learned friend knows too well my respect and value for him to suppose that I am charging him with wilful suppression; I know

him to be incapable of it; he knew it would come from me. He will permit me, however, to lament that it should have been left for me to inform you, at this late period of the cause, that not only the work before you, but the first part, of which it is a natural continuation, were written, *avowedly and upon the face of them,* IN ANSWER TO MR. BURKE.

They were written, besides, under circumstances to be explained hereafter, in the course of which explanation I may have occasion to cite a few passages from the works of that celebrated person. And I shall speak of him with the highest respect; for, with whatever contempt he may delight to look down upon my humble talents, however, he may disparage the principles which direct my public conduct, he shall never force me to forget the regard which this country owes to him for the writings which he has left upon record as an inheritance to our most distant posterity.

After the gratitude which we owe to God for the divine gifts of reason and understanding, our next thanks are due to those from the fountains of whose enlightened minds they are fed and fructified. But pleading, as I do, the cause of freedom of opinions, I shall not give offense by

remarking that this great author has been thought to have changed some of his; and, if Thomas Paine had not thought so, I should not now be addressing you, because the book which is my subject would never have been written.

Who may be right and who in the wrong, in the contention of doctrines, I have repeatedly disclaimed to be the question. I can only say that Mr. Paine may be right THROUGHOUT, but that Mr. Burke CANNOT. Mr. Paine has been UNIFORM in *his* opinions, but Mr. Burke HAS NOT. Mr. Burke can only be right in part; but should Mr. Paine be even mistaken in the whole, still I am not removed from the principle of his defense. My defense has nothing to do with the rectitude of his doctrines.

I admit Mr. Paine to be a republican; you shall soon see what made him one. I do not seek to shade or qualify his attack upon our Constitution; I put my defense on no such matter. He undoubtedly means to declare it to be defective in its forms, and contaminated with abuses which, in his judgment, will, one day or other, bring on the ruin of us all. It is in vain to mince the matter; this is the scope of his work. But still, if it contain no attack upon the King's majesty, nor upon any other LIVING MAGISTRATE; if it excite to

no resistance to magistracy, but, on the contrary, if it even studiously inculcate obedience, then, whatever may be its defects, the question continues as before, and ever must remain, an unmixed question of the liberty of the press.

I have therefore considered it as no breach of professional duty, nor injurious to the cause I am defending, to express my own admiration of the real principles of our Constitution—a Constitution which I hope may never give way to any other—a Constitution which has been productive of many benefits, and which will produce many more hereafter, if we have wisdom enough to pluck up the weeds that grow in the richest soils and amongst the brightest flowers.

I agree with the merchants of London, in a late declaration, that the English Government is equal to the reformation of its own abuses; and, as an inhabitant of the city, I would have signed it, if I had known, *of my own knowledge,* the facts recited in its preamble. But abuses the English Constitution unquestionably has, which call loudly for reformation, the existence of which has been the theme of our greatest statesmen, which have too plainly formed the principles of the defendant, and may have led to the very conjuncture which produced his book.

Gentlemen, we all but too well remember the calamitous situation in which our country stood but a few years ago—a situation which no man can look back upon without horror, nor feel himself safe from relapsing into again, while the causes remain which produced it. The event I allude to you must know to be the American War, and the still existing causes of it, the corruptions of this Government. In those days it was not thought virtue by the patriots of England to conceal the existence of them from the people; but then, as now, authority condemned them as disaffected subjects, and defeated the ends they sought by their promulgation.

Hear the opinion of Sir George Saville—not his speculative opinion concerning the structure of our Government in the *abstract,* but his opinion of the settled abuses which prevailed in *his own time,* and which continue at *this moment.* But first let me remind you who Sir George Saville was. I fear we shall hardly look upon his like again. How shall I describe him to you? In my own words I cannot. I was lately commended by Mr. Burke in the House of Commons for strengthening my own language by an appeal to Dr. Johnson. Were the honorable gentleman present at this moment he would no doubt doubly

applaud my choice in resorting to *his own works* for the description of Sir George Saville.

"His fortune is among the largest; a fortune which, wholly unencumbered as it is, without one single charge from luxury, vanity, or excess, sinks under the benevolence of its dispenser. This private benevolence, expanding itself into patriotism, renders his whole being the estate of the public, in which he has not reserved a *peculium* for himself of profit, diversion, or relaxation. During the session, the first in and the last out of the House of Commons, he passes from the senate to the camp; and seldom seeing the seat of his ancestors, he is always in Parliament to serve his country, or in the field to defend it."

It is impossible to ascribe to such a character any principle but patriotism, when he expressed himself as follows:—

"I return to you baffled and dispirited, and I am sorry that truth obliges me to add, with hardly a ray of hope of seeing any change in the miserable course of public calamities.

"On this melancholy day of account, in rendering up to you my trust, I deliver to you your share of a country maimed and weakened; its treasure lavished and misspent; its honors faded; and its conduct the laughing-stock of Europe:

our nation in a manner without allies or friends, except such as we have hired to destroy our fellow-subjects, and to ravage a country in which we once claimed an invaluable share. I return to you some of your principal privileges impeached and mangled. And, lastly, I leave you, as I conceive, at this hour and moment, fully, effectually, and absolutely under the discretion and power of a military force, which is to act without waiting for the authority of the civil magistrates.

"Some have been accused of exaggerating the public misfortunes, nay, of having endeavored to help forward the mischief, that they might afterwards raise discontents. I am willing to hope that neither my temper nor my situation in life will be thought naturally to urge me to promote misery, discord, or confusion, or to exult in the subversion of order, or in the ruin of property. I have no reason to contemplate with pleasure the poverty of our country, the increase of our debts and of our taxes, or the decay of our commerce. Trust not, however, to my report: reflect, compare and judge for yourselves.

" But, under all these disheartening circumstances, I could yet entertain a cheerful hope, and undertake again the commission with alacrity, as well as zeal, if I could see any effectual steps

taken to remove the original cause of the mischief. 'Then would there be a hope.'

"But till the purity of the constituent body, and thereby that of the representative, be restored, there is NONE.

"I gladly embrace this most public opportunity of delivering my sentiments, not only to all my constituents, but to those likewise not my constituents, whom yet, in the large sense, I represent, and am faithfully to serve.

"I look upon restoring election and representation in some degree (for I expect no miracles) to their original purity, to be that, without which all other efforts will be vain and ridiculous.

"If something be not done, you may, indeed, retain the OUTWARD FORM of your Constitution, but not the POWER thereof."

Such were the words of that great, good man, lost with those of many others of his time, and his fame, as far as power could hurt it, put in the shade along with them. The consequences we have all seen and felt: America, from an obedient, affectionate colony, became an independent nation; and two millions of people, nursed in the very lap of our monarchy, became the willing subjects of a republican constitution.

Gentlemen, in that great and calamitous con-

flict Edmund Burke and Thomas Paine fought in the same field of reason together, but with very different successes. Mr. Burke spoke to a Parliament in England, such as Sir George Saville describes it, having no ears but for sounds that flattered its corruptions. Mr. Paine, on the other hand, spoke TO A PEOPLE, reasoned with them, told them that they were bound by no subjection to any sovereignty, further than their own benefit connected them; and by these powerful arguments prepared the minds of the American people for that GLORIOUS, JUST, and HAPPY revolution.

Gentlemen, I have a right to distinguish it by these epithets, because I aver that at this moment there is as sacred a regard to property, as inviolable a security to all the rights of individuals, lower taxes, fewer grievances, less to deplore, and more to admire, in the Constitution of America, than that of any other country under heaven. I wish indeed to except our own, but I cannot even do that, till it shall be purged of those abuses which, though they obscure and deform the surface, have not as yet, *thank God,* destroyed the vital parts.

Why then is Mr. Paine to be calumniated and reviled, because, out of a people consisting of

near three millions, *he alone* did not remain attached *in opinion* to a monarchy? Remember that all the blood which was shed in America, and to which he was for years a melancholy and indignant witness, was shed by the authority of the Crown of Great Britain, under the influence of a Parliament such as Sir George Saville has described it, and such as Mr. Burke himself will be called upon by and by in more glowing colors to paint it.

How, then, can it be wondered at that Mr. Paine should return to this country in his heart a republican? Was he not equally a republican when he wrote "Common Sense"? Yet that volume has been sold without restraint or prosecution in every shop in England ever since, and which nevertheless (*I appeal to the book, which I have in Court, and which is in everybody's hands*) contains every one principle of government, and every abuse in the British Constitution, which is to be found in the " Rights of Man."

Yet Mr. Burke himself saw no reason to be alarmed at that publication, nor to cry down its contents, even when America, which was swayed by it, was in arms against the Crown of Great Britain. You shall hear his opinion of it in his

"Letter to the Sheriffs of Bristol," pages 33 and 34.

"The *Court Gazette* accomplished what the abettors of independence had attempted in vain. When that disingenuous compilation, and strange medley of railing and flattery, was adduced as a proof of the united sentiments of the people of Great Britain, there was a great change throughout all America. The tide of popular affection, which had still set toward the parent country, began immediately to turn, and to flow with great rapidity in a contrary course.

"Far from concealing these wild declarations of enmity, *the author of the celebrated pamphlet* which prepared the minds of the people for independence,* insists largely on the multitude and the spirit of these addresses; and draws an argument from them which (if the fact were as he supposes) must be irresistible; for I never knew a writer on the theory of government so partial to authority as not to allow that the hostile mind of the rulers to their people did fully justify a change of government; nor can any reason whatever be given why one people should voluntarily yield any degree of pre-eminence to another, but on a supposition of great affection and benevol-

*"Common Sense," written by Thomas Paine in America.

ence toward them. Unfortunately, your rulers, trusting to other things, took no notice of this great principle of connection."

Such were the sentiments of Mr. Burke; but there is a time, it seems, for all things.

Gentlemen, the consequences of this mighty Revolution are too notorious to require illustration. No audience would sit to *hear* (what everybody has *seen* and *felt*), how the independence of America notoriously produced, not by remote and circuitous effect, but directly and palpably, the revolutions which now agitate Europe, and which portend such mighty changes over the face of the earth. Let governments take warning.

The Revolution in France was the consequence of her incurably corrupt and profligate Government. God forbid that I should be thought to lean, by this declaration, upon her unfortunate monarch, bending perhaps at this moment under afflictions which my heart sinks within me to think of: when I speak with detestation of the former politics of the French Court, I fasten as little of them upon that fallen and unhappy prince, as I impute to our gracious Sovereign the corruptions of our own. I desire, indeed, in the distinctest manner, to be understood that I mean to speak of His

Majesty, not only with that obedience and duty which I owe to him as a subject, but with that justice which I think is due to him from all men who examine his conduct either in public or private life.

Gentlemen, Mr. Paine happened to be in England when the French Revolution took place; and notwithstanding what he must be supposed and allowed from his own history to have felt upon such a subject, he remained wholly silent and inactive. The people of this country, too, appeared to be indifferent spectators of the animating scene. They saw, without visible emotion, despotism destroyed, and the King of France, by his own consent, become the first magistrates of a free people.

Certainly, at least, it produced none of those effects which are so deprecated by Government at present; nor, most probable, ever would, if it had not occurred to the celebrated person whose name I must so often mention voluntarily to provoke the subject—a subject which, if dangerous to be discussed, HE should not have led to the discussion of; for surely it is not to be endured that any private man shall publish a creed for a whole nation; shall tell us that we are not to think for ourselves, shall im-

pose his own fetters upon the human mind, shall dogmatize at discretion, and yet that no man shall sit down to answer him without being guilty of a libel. I assert that if it be a libel to mistake our Constitution, to attempt the support of it by means that tend to destroy it, and to choose the most dangerous season for doing so, Mr. Burke is that libeler; but not therefore the object of a criminal prosecution.

While I am not defending the motives of one man, I have neither right nor disposition to criminate the motives of another. All I contend for is a fact that cannot be controverted—viz., that *this officious interference was the origin of Mr. Paine's book.* I put my cause upon its being the origin of it—the avowed origin—as will abundantly appear from the introduction and preface to both parts, and from the whole body of the work; nay, from the very work of Mr. Burke himself, to which both of them are answers.

For the history of that celebrated work, I appeal to itself.

When the French Revolution had arrived at some of its early stages, a few, and but a few, persons (not to be named when compared with the nation) took a visible interest in these mighty events—an interest well worthy of Englishmen.

They saw a pernicious system of government which had led to desolating wars, and had been for ages the scourge of Great Britain, giving way to a system which seemed to promise harmony and peace amongst nations. They saw this with virtuous and peaceable satisfaction; and a reverend divine,* eminent for his eloquence, recollecting that the issues of life are in the hands of God, saw no profaneness in mixing the subject with public thanksgiving, by reminding the people of this country of their own glorious deliverance in former ages.

It happened, also, that a society of gentlemen, France being then a neutral nation, and her own monarch swearing almost daily upon her altars to maintain the new Constitution, thought they infringed no law by sending a general congratulation. Their members, indeed, were very inconsiderable; so much so, that Mr. Burke, with more truth than wisdom, begins his volume with a sarcasm upon their insignificance:

"Until very lately he had never heard of such a club. It certainly never occupied a moment of his thoughts; nor, he believed, those of any person out of their own set."

Why then make their proceedings the sub-

*Dr. Price.

ject of alarm throughout England? There had been no prosecution against them, nor any charge founded even upon suspicion of disaffection against any of their body. But Mr. Burke thought it was reserved for his eloquence to whip these curs of faction to their kennels. How he has succeeded, I appeal to all that has happened since the introduction of his schism in the British Empire, by giving to the King, whose title was questioned by no man, a title which it is His Majesty's most solemn interest to disclaim.

After having, in his first work, lashed Dr. Price in a strain of eloquent irony for considering the monarchy to be elective, which he could not but know Dr. Price, *in the literal sense of election,* neither did nor could possibly consider it, Mr. Burke published a second treatise; in which, after reprinting many passages from Mr. Paine's former work, he ridicules and denies the supposed right of the people to change their governments, in the following words:

"The French Revolution, *say they,*" speaking of the English societies, "was the act of the majority of the people; and if the majority of any other people, *the people of England for instance,* wish to make the same change, they have

the same right; just the same undoubtedly; that is, none *at all.*"

And then, after speaking of the subserviency of will to duty (in which I agree with him), he, in a substantive sentence, maintains the same doctrine, thus:

"The constitution of a country being once settled upon some compact, tacit or expressed, there is no power existing of force to alter it, without the breach of the covenant, or the consent of all the parties. Such is the nature of a contract."

So that if reason, or even revelation itself, were now to demonstrate to us that our Constitution was mischievous in its effects—if, to use Mr. Attorney-general's expression, we had been insane for the many centuries we have supported it; yet that still, if the King had not forfeited his title to the Crown, nor the Lords their privileges, *the universal voice of the people of England* could not build up a new government upon a legitimate basis.

Passing by, for the present, the absurdity of such a proposition, and supposing it could, beyond all controversy, be maintained; for Heaven's sake, let wisdom never utter it! Let policy and prudence forever conceal it! If you seek

the stability of the English Government, rather put the book of Mr. Paine, which calls it bad, into every hand in the kingdom, than doctrines which bid human nature rebel even against that which is the best.

Say to the people of England, Look at your Constitution, there it lies before you—the work of your pious fathers—handed down as a sacred deposit from generation to generation—the result of wisdom and virtue—and its parts cemented together with kindred blood: there are, indeed, a few spots upon its surface; but the same principle which reared the structure will brush them all away. You may preserve your Government—you may destroy it. To such an address, what would be the answer? A chorus of the nation—YES, WE WILL PRESERVE IT.

But say to the *same* nation, even of the very *same* Constitution, It is yours, such as it is, for better or for worse—it is strapped upon your backs, to carry it as beasts of burden—you have no jurisdiction to cast it off. Let *this* be your position, and you instantly raise up (I appeal to every man's consciousness of his own nature) a spirit of uneasiness and discontent. It is this spirit alone that has pointed most of the passages arraigned before you.

But let the prudence of Mr. Burke's argument be what it may, the argument itself is untenable. His Majesty undoubtedly was not elected to the throne. No man can be supposed, in the teeth of fact, to have contended it; but did not the people of England elect King William, and break the hereditary succession? and does not His Majesty's title grow out of that election? It is one of the charges against the defendant, his having denied the Parliament which called the Prince of Orange to the throne to have been a legal convention of the whole people; and is not the very foundation of that charge that it *was* such a legal convention, and that it was intended to be so? And *if it was so,* did not the people then confer the crown upon King William without any regard to hereditary right?

Did they not cut off the Prince of Wales, who stood directly in the line of succession, and who had incurred no personal forfeiture? Did they not give their deliverer an estate in the Crown totally new and unprecedented in the law or history of the country? And, lastly, might they not, by the same authority, have given the royal inheritance to the family of a stranger? Mr. Justice Blackstone, in his "Commentaries," asserts in terms *that they might;* and ascribes

their choice of King William, and the subsequent limitations of the Crown, not to want of jurisdiction, but to their true origin, to prudence and discretion in not disturbing a valuable institution further than public safety and necessity dictated.

The English Government stands then on this public consent, the true root of all governments. And I agree with Mr. Burke that, while it is well administered, it is not in the power of factions or libels to disturb it; thougth, when ministers are in fault, they are sure to set down all disturbances to these causes. This is most justly and eloquently exemplified in his own "Thoughts on the Cause of the Present Discontents," pages 5 and 6:

"Ministers contend that no adequate provocation has been given for so spreading a discontent, our affairs having been conducted throughout with remarkable temper and consummate wisdom. The wicked industry of some libelers, joined to the intrigues of a few disappointed politicians, have, in their opinion, been able to produce this unnatural ferment in the nation.

"Nothing, indeed, can be more unnatural than the present convulsions of this country, if the above account be a true one. I confess I shall assent to it with great reluctance, and only on

the compulsion of the clearest and firmest proofs; because their account resolves itself into this short but discouraging proposition: 'That we have a very good Ministry, but that we are a very bad people'; that we set ourselves to bite the hand that feeds us; and, with a malignant insanity, oppose the measures and ungratefully vilify the persons of those whose sole object is our own peace and prosperity. If a few puny libelers, acting under a knot of factious politicians, without virtue, parts, or character (for such they are constantly represented by these gentlemen), are sufficient to excite this disturbance, very perverse must be the disposition of that people amongst whom such a disturbance can be excited by such means."

He says true; never were serious disturbances excited by such means!

But to return to the argument. Let us now see how the rights of the people stand upon authorities. Let us examine whether this great source of government insisted on by Thomas Paine be not maintained by persons on whom my friend will find it difficult to fasten the character of libelers.

I shall begin with the most modern author on the subject of government—whose work lies

spread out before me, as it often does at home for my delight and instruction in my leisure hours. I have also the honor of his personal acquaintance. He is a man, perhaps more than any other, devoted to the real Constitution of this country, as will be found throughout his valuable work; he is a person, besides, of great learning, which enabled him to infuse much useful knowledge into my learned friend now near me, who introduced me to him.* I speak of Mr. Paley, Archdeacon of Carlisle, and of his work "The Principles of Political and Moral Philosophy," in which he investigates the first principles of all governments—a discussion not thought dangerous *till lately*. I hope we shall soon get rid of this ridiculous panic.

Mr. Paley professes to think of governments what the Christian religion was thought of by its first teachers—*"If it be of God, it will stand"*; and he puts the duty of obedience to them upon free will and moral duty. After disseting from Mr. Locke as to the origin of governments in compact, he says:

"Wherefore, rejecting the intervention of a compact as unfounded in its principle, and dangerous in the application, we assign for the only

*Lord Ellenborough, then Mr. Law.

ground of the subjects' obligation, THE WILL OF GOD, AS COLLECTED FROM EXPEDIENCY.

"The steps by which the argument proceeds are few and direct. 'It is the will of God that the happiness of human life be promoted';—this is the first step, and the foundation, not only of this, but of every moral conclusion. 'Civil society conduces to that end'—this is the second proposition. 'Civil societies cannot be upheld unless in each the interest of the whole society be binding upon every part and member of it'—this is the third step, and conducts us to the conclusion—namely, 'That, so long as the interest of the whole society requires it (that is, so long as the established government cannot be resisted or changed without public inconveniency), it is the will of God (which will universally determines our duty) that the established government be obeyed'—*and no longer.*

"But who shall judge of this? We answer, *'Every man for himself.'* In contentions between the sovereign and the subject, the parties acknowledge no common arbitrator; and it would be absurd to commit the decision to those whose conduct has provoked the question, and whose own interest, authority, and fate are immediately concerned in it. The danger of error and abuse

is no objection to the rule of expediency, because every other rule is liable to the same or greater; and every rule that can be propounded upon the subject (like all rules which appeal to or bind the conscience) must, in the application, depend upon private judgment. It may be observed, however, that it ought equally to be accounted the exercise of a man's private judgment, whether he determines by reasonings and conclusions of his own, or submits to be directed by the advice of others, provided he be free to choose his guide."

He then proceeds in a manner rather inconsistent with the principles entertained by my learned friend in his opening to you:

"No usage, law, or authority whatever, is so binding that it need or ought to be continued when it may be changed with advantage to the community. The family of the Prince—the order of succession—the prerogative of the Crown—the form and parts of the Legislature—together with the respective powers, office, duration, and mutual dependency of the several parts—are all only so many laws, mutable, like other laws, whenever expediency requires, either by the ordinary act of legislature, or, if the occasion deserve it, BY THE INTERPOSITION OF THE PEOPLE."

No man can say that Mr. Paley intended to

diffuse discontent by this declaration. He must, therefore, be taken to think with me, that freedom and affection, and the sense of advantage, are the best and the only supports of government. On the same principle he then goes on to say: "These points are wont to be approached with a kind of awe; they are represented to the mind as principles of the Constitution, settled by our ancestors; and, being settled, to be no more committed to innovation or debate; as foundations never to be stirred; as the terms and conditions of the social compact, to which every citizen of the state has engaged his fidelity by virtue of a promise which he cannot now recall. Such reasons have no place in our system."

These are the sentiments of this excellent author; and there is no part of Mr. Paine's work, from the one end of it to the other, that advances any other proposition.

But the Attorney-general will say these are the grave speculative opinions of a friend to the English Government, whereas Mr. Paine is its professed enemy; what then? The principle is, that every man, while he obeys the law, is to think for himself, and to communicate what he thinks. The very ends of society exact this license, and the policy of the law, in its provisions for its secu-

rity, has tacitly sanctioned it. The real fact is, that writings against a free and well-proportioned government need not be guarded against by laws. They cannot often exist, and never with effect. The just and lawful principles of society are rarely brought forward but when they are insulted or denied, or abused in practise. Mr. Locke's "Essay on Government" we owe to Sir Robert Filmer, as we owe Mr. Paine's to Mr. Burke; indeed, between the arguments of Filmer and Burke I see no essential difference, since it is not worth disputing whether a king exists by *divine* right or by *indissoluble human* compact, if he exists whether we will or no. If his existence be without our consent, and is to continue without benefit, it matters not whether his title be from God or from man.

That his title is from man, and from every generation of man, without regard to the determination of former ones, hear from Mr. Locke: *"All men,"* say they (*i.e.*, Filmer and his adherents), *"are* BORN *under government, and therefore they cannot be at liberty to begin a new one. Everyone is born a subject to his father, or his Prince, and is therefore under the perpetual tie of subjection and allegiance.* It is plain mankind never owned nor considered any such nat-

ural *subjection that they were born in,* to one or the other, that tied them, without their own consents, to a subjection to them and their heirs.

"It is true that whatever engagements or promises anyone has made for himself, he is under the obligation of them, but cannot, by any compact whatsoever, bind his children or posterity; for his son, when a man, being altogether as free as his father, any *act of the father can no more give away the liberty of the son* than it can of anybody else."

So much for Mr. Locke's opinion of the rights of man. Let us now examine his ideas of the supposed danger of trusting him with them.

"Perhaps it will be said that—the people being ignorant, and always discontented—to lay the foundation of government in the unsteady opinion and uncertain humor of the people is to expose it to certain ruin; and no government will be able long to subsist if the people may set up a new legislature whenever they take offense at the old one.

"To this I answer, Quite the contrary; people are not so easily got out of their old forms as some are apt to suggest; they are hardly to be prevailed with to amend the acknowledged faults in the frame they have been accustomed

to; and if there be any original defects, or adventitious ones, introduced by time or corruption, it is not an easy thing to be changed, even when all the world sees there an opportunity for it. This slowness and aversion in the people to quit their old constitutions has, in the many revolutions which have been seen in this kingdom in this and former ages, still kept us to, or, after some interval of fruitless attempts, still brought us back again, to our old legislative of kings, lords, and commons; and whatever provocations have made the crown be taken from some of our princes' heads, they never carried the people so far as to place it in another line."

Gentlemen, I wish I had strength to go on with all that follows; but I have read enough, not only to maintain the true principles of government, but to put to shame the narrow system of distrusting the people.

It may be said that Mr. Locke went great lengths in his positions to beat down the contrary doctrine of divine right, which was then endangering the new establishment. But that cannot be objected to David Hume, who maintains the same doctrine. Speaking of the Magna Charta in his "History," vol. ii, page 88, he says:

" It must be confessed that the former articles

of the great charter contain such mitigations and explanations of the feudal law as are reasonable and equitable; and that the latter involve all the chief outlines of a legal government, and provide for the equal distribution of justice and free enjoyment of property; the great object for which political society was founded by men, *which the people have a perpetual and unalienable right to recall; and which no time, nor precedent, nor statute, nor positive institution, ought to deter them from keeping ever uppermost in their thoughts and attention.*"

These authorities are sufficient to rest on; yet I cannot omit Mr. Burke himself, who is, if possible, still more distinct on the subject. Speaking not of the ancient people of England, but of colonies planted almost within our memories, he says:

"If there be one fact in the world perfectly clear, it is this, that the disposition of the people of America is wholly averse to any other than a free government; and this is indication enough to any honest statesman how he ought to adapt whatever power he finds in his hands to their case. If any ask me what a free government is, I answer, THAT IT IS WHAT THE PEOPLE THINK SO; AND THAT THEY, AND NOT I, ARE THE NATURAL,

LAWFUL, AND COMPETENT JUDGES OF THIS MATTER. If they practically allow me a greater degree of authority over them than is consistent with any correct ideas of perfect freedom, I ought to thank them for so great a trust, and not to endeavor to prove from thence that they have reasoned amiss; and that, having gone so far, by analogy, they must hereafter have no enjoyment but by my pleasure."

Gentlemen, all that I have been stating hitherto has been only to show that there is not that *novelty* in the opinions of the defendant as to lead you to think he does not *bona fide* entertain them, much less when connected with the history of his life, which I therefore brought in review before you. But still the great question remains unargued: Had he a right to promulgate these opinions? If he entertained them, I shall argue that he had; and although my arguments upon the liberty of the press may not to-day be honored with your or the Court's approbation, I shall retire not at all disheartened, consoling myself with the reflection that a season may arrive for their reception.

The most essential liberties of mankind have been but slowly and gradually received; and so very late indeed do some of them come to matu-

rity that, notwithstanding the Attorney-general tells you that the very question I am now agitating is most peculiarly for *your* consideration, AS A JURY under our ANCIENT Constitution, yet I must remind both YOU and HIM that your jurisdiction to consider and deal with it at all in judgment is but A YEAR OLD. Before that late period I ventured to maintain this very RIGHT OF A JURY over the question of libel under the same *ancient* Constitution (I do not mean before the noble judge now present, for the matter was gone to rest in the courts long before he came to sit where he does, but) before a noble and reverend magistrate of the most exalted understanding, and of the most uncorrupted integrity.*

He treated me not with contempt, indeed, for of that his nature was incapable, but he put me aside with indulgence, as you do a child while it is lisping its prattle out of season; and if this cause had been tried *then,* instead of *now,* the defendant must have been instantly convicted on the proof of the publication, whatever *you* might have thought of his case. Yet I have lived to see it resolved, by an almost unanimous vote of the whole Parliament of England, that I had all along been in the right. If this be not an awful

*Earl of Mansfield.

lesson of caution concerning opinions, where are such lessons to be read?

Gentlemen, I have insisted, at great length, upon the origin of governments, and detailed the authorities which you have heard upon the subject, because I consider it to be not only an essential support, but the very foundation of the liberty of the press. If Mr. Burke be right in HIS principles of government, I admit that the press, in my sense of its freedom, ought not to be free, *nor free in any sense at all;* and that all addresses to the people upon the subject of government, and all speculations of amendment, of what kind or nature soever, are illegal and criminal, since, if the people have, without possible recall, delegated all their authorities, they have no jurisdiction to act, and therefore none to think or write upon such subjects; and it would be a libel to arraign Government, or any of its acts, before those who have no jurisdiction to correct them. But, on the other hand, as it is a settled rule in the law of England that the subject may always address a competent jurisdiction, no legal argument can shake the freedom of the press, in my sense of it, if I am supported in my doctrines concerning the great unalienable right of the people, to reform or to change their governments.

It is because the liberty of the press resolves itself into this great issue that it has been, in every country, the last liberty which subjects have been able to wrest from power. Other liberties are held *under* governments, but the liberty of opinion keeps GOVERNMENTS THEMSELVES in due subjection to their duties. This has produced the martyrdom of truth in every age, and the world has been only purged from ignorance with the innocent blood of those who have enlightened it.

Gentlemen, my strength and time are wasted, and I can only make this melancholy history pass like a shadow before you.

I shall begin with the grand type and example.

The universal God of nature, the Savior of mankind, the Fountain of all light, who came to pluck the world from eternal darkness, expired upon a cross—the scoff of infidel scorn; and His blessed apostles followed Him in the train of martyrs. When He came in the flesh, He might have come like the Mahometan prophet, as a powerful sovereign, and propagated His religion with an unconquerable sword, which even now, after the lapse of ages, is but slowly advancing under the influence of reason over the face of the

earth; but such a process would have been inconsistent with His mission, which was to confound the pride, and to establish the universal rights of men. He came, therefore, in that lowly state which is represented in the Gospel, and preached His consolations to the poor.

When the foundation of this religion was discovered to be invulnerable and immortal, we find political power taking the Church into partnership; thus began the corruptions, both of religion and civil power; and, hand in hand together, what havoc have they not made in the world?—ruling by ignorance and the persecution of truth; but this very persecution only hastened the revival of letters and liberty. Nay, you will find that in the exact proportion that knowledge and learning have been beat down and fettered, they have destroyed the governments which bound them.

The Court of Star Chamber, the first restriction of the press of England, was erected previous to all the great changes in the Constitution. From that moment, no man could legally write without an *imprimatur* from the State; but truth and freedom found their way with greater force through secret channels; and the unhappy Charles, *unwarned by a free press,* was brought to an ignominious death. When men can freely

communicate their thoughts and their sufferings, real or imaginary, their passions spend themselves in air, like gunpowder scattered upon the surface; but, pent up by terrors, they work unseen, burst forth in a moment, and destroy everything in their course. *Let reason be opposed to reason, and argument to argument, and every good government will be safe.*

The usurper, Cromwell, pursued the same system of restraint in support of his Government, and the end of it speedily followed.

At the restoration of Charles II the Star Chamber Ordinance of 1637 was worked up into an act of Parliament, and was followed up during that reign, and the short one that followed it, by the most sanguinary prosecutions. But what fact in history is more notorious than that this blind and contemptible policy prepared and hastened the Revolution? At that great era these cobwebs were all brushed away. The freedom of the press was regenerated, and the country, ruled by its affections, has since enjoyed a century of tranquillity and glory. Thus I have maintained by English history that, in proportion as the press has been free, English government has been secure.

Gentlemen, the same important truth may be

illustrated by great authorities. Upon a subject of this kind resort cannot be had to law cases. The ancient law of England knew nothing of such libels; they began, and should have ended, with the Star Chamber. What writings are slanderous of *individuals* must be looked for where these prosecutions are recorded; but upon *general* subjects we must go to *general* writers. If, indeed, I were to refer to obscure authors, I might be answered that my very authorities were libels, instead of justifications or examples; but this cannot be said with effect of great men, whose works are classics in our language, taught in our schools, and repeatedly printed under the eye of Government.

I shall begin with the poet Milton, a great authority in all learning. It may be said, indeed, he was a republican, but that would only prove that republicanism is not incompatible with virtue. It may be said, too, that the work which I cite was written against previous licensing, which is not contended for to-day. But if every work were to be adjudged a libel which was adverse to the wishes of Government, or to the opinions of those who may compose it, the revival of a licenser would be a security to the public. If I present my book to a magistrate appointed by law, and

he rejects it, I have only to forbear from the publication. In the forbearance I am safe; and he too is answerable to law for the abuse of his authority. But, upon the argument of to-day, a man must print at his peril, without any guide to the principles of judgment upon which his work may be afterwards prosecuted and condemned. Milton's argument therefore applies, and was meant to apply, to every interruption to writing, which, while they oppress the individual, endanger the state.

"We have them not," says Milton, "that can be heard of, from any ancient state, or policy, or church, nor by any statute left us by our ancestors, elder or later, nor from the modern custom of any reformed city, or church abroad; but from the most anti-Christian council, and the most tyrannous inquisition that ever existed. Till *then,* books were ever as freely admitted into the world as any other birth; *the issue of the brain was no more stifled than the issue of the womb.*

"To the pure all things are pure; not only meats and drinks, but all kind of knowledge, whether good or evil. The knowledge cannot defile, nor consequently the books, if the will and conscience be not defiled.

"Bad books serve in many respects to dis-

cover, to confute, to forewarn, and to illustrate. Whereof, what better witness can we expect I should produce than one of your own, now sitting in Parliament, the chief of learned men reputed in this land, *Mr. Selden,* whose volume of natural and national laws proves, not only by great authorities brought together, but by exquisite reasons and theorems almost mathematically demonstrative, that all opinions, YEA, ERRORS, known, read, and collated, are of main service and assistance toward the speedy attainment of what is truest?

"Opinions and understanding are not such wares as to be monopolized and traded in by tickets, and statutes, and standards. We must not think to make a staple commodity of all the knowledge in the land to mark and license it like our broadcloth and our woolpacks.

"Nor is it to the common people less than a reproach; for if we be jealous over them that we cannot trust them with an English pamphlet, what do we but censure them for a giddy, vicious, and ungrounded people; in such a sick and weak estate of faith and discretion as to be able to take nothing down but through the pipe of a licenser? That this is care or love of them we cannot pretend.

"Those corruptions which it seeks to prevent break in faster at doors which cannot be shut. To prevent men thinking and acting for themselves by restraints on the press is like to the exploits of that gallant man who thought to pound up the crows by shutting his park gate.

"This obstructing violence meets, for the most part, with an event utterly opposite to the end which it drives at. Instead of suppressing books, it raises them and invests them with a reputation. The punishment of wits enhances their authority, saith the Viscount St. Albans, and a forbidden writing is thought to be a certain spark of truth that flies up in the face of them who seek to tread it out."

He then adverts to his visit to the famous Galileo, whom he found and visited in the Inquisition, "for not thinking in astronomy with the Franciscan and Dominican monks." And what event ought more deeply to interest and affect us? THE VERY LAWS OF NATURE were to bend under the rod of a licenser. This illustrious astronomer ended his life within the bars of a prison, because, in seeing the phases of Venus through his newly invented telescope, he pronounced that she shone with borrowed light, and from the sun as the center of the universe. This was the *mighty crime,*

the placing the sun in the center: that sun which now inhabits it upon the foundation of mathematical truth, which enables us to traverse the pathless ocean, and to carry our line and rule among other worlds, which, but for Galileo, we had never known, perhaps even to the recesses of an infinite and eternal God.

Milton then, in his most eloquent address to the Parliament, puts the liberty of the press on its true and most honorable foundation:

"Believe it, Lords and Commons, they who counsel ye to such a suppressing of books, do as good as bid you suppress yourselves, and I will soon show how.

"If it be desired to know the immediate cause of all this free writing and free speaking, there cannot be assigned a truer than your own mild, and free, and humane government. It is the liberty, Lords and Commons, which your own valorous and happy counsels have purchased us; liberty, which is the nurse of all great wits. This is that which hath rarefied and enlightened our spirits like the influence of Heaven. This is that which hath enfranchised, enlarged, and lifted up our apprehensions degrees above themselves. Ye cannot make us now less capable, less knowing, less eagerly pursuing the truth, unless ye first

make yourselves that made us so less the lovers, less the founders, of our true liberty. We can grow ignorant again, brutish, formal, and slavish, as ye found us; but you then must first become that which ye cannot be, oppressive, arbitrary, and tyrannous, as they were from whom ye have freed us. That our hearts are now more capacious, our thoughts now more erected to the search and expectation of greatest and exactest things, is the issue of your own virtue propagated in us. Give me the liberty to know, to utter, and to argue freely, according to conscience, above all liberties."

Gentlemen, I will yet refer you to another author, whose opinion you may think more in point, as having lived in our own times, and as holding the highest monarchical principles of government. I speak of Mr. Hume, who, nevertheless, considers that this liberty of the press extends not only to abstract speculation, but to keep the public on their guard against all the acts of their government.

After showing the advantages of a monarchy to public freedom, provided it is duly controlled and watched by the popular part of the Constitution, he says, "These principles account for the great liberty of the press in these kingdoms, be-

yond what is indulged in any other government. It is apprehended that arbitrary power would steal in upon us were we not careful to prevent its progress, and were there not an easy method of conveying the alarm from one end of the kingdom to the other. *The spirit of the people must frequently be roused in order to curb the ambition of the Court,* and the dread of rousing this spirit must be employed to prevent that ambition. Nothing is so effectual to this purpose as the liberty of THE PRESS, by which all the learning, wit, and genius of the nation may be employed on the side of freedom, and everyone be animated to its defense. *As long, therefore, as the republican part of our Government can maintain itself against the monarchical, it will naturally be careful to keep the press open, as of importance to its own preservation.*"

There is another authority contemporary with the last, a splendid speaker in the Upper House of Parliament, and who held during most of his time high offices under the King. I speak of the Earl of Chesterfield, who thus expressed himself in the House of Lords: "One of the greatest blessings, My Lords, we enjoy is liberty; but every good in this life has its alloy of evil. Licentiousness is the alloy of liberty, it is—"

LORD KENYON: Doctor Johnson claims to pluck that *feather* from Lord Chesterfield's wing. He speaks, I believe, of the eye of the political body.

MR. ERSKINE: My Lord, I am happy that it is admitted to be a feather. I have heard it said that Lord Chesterfield borrowed that which I was just about to state, and which His Lordship has anticipated.

LORD KENYON: That very speech which did Lord Chesterfield so much honor is supposed to have been written by Doctor Johnson.

MR. ERSKINE: Gentlemen, I believe it was so, and I am much obliged to His Lordship for giving me a far higher authority for my doctrine. For though Lord Chesterfield was a man of great wit, he was undoubtedly far inferior in learning and, what is more to the purpose, in *monarchical* opinion, to the celebrated writer to whom my Lord has now delivered the work by his authority. Doctor Johnson then says, "One of the greatest blessings we enjoy, one of the greatest blessings a people, My Lords, can enjoy, is liberty; but every good in this life has its alloy of evil. Licentiousness is the alloy of liberty. It is an ebullition, an excrescence; it is a speck upon the eye of the political body, but which I can never touch

but with a gentle, with a trembling hand, lest I destroy the body, lest I injure the eye upon which it is apt to appear.

"There is such a connection between licentiousness and liberty, that it is not easy to correct the one without dangerously wounding the other: it is extremely hard to distinguish the true limit between them: like a changeable silk, we can easily see there are two different colors, but we cannot easily discover where the one ends, or where the other begins."

I confess I cannot help agreeing with this learned author. THE DANGER OF TOUCHING THE PRESS IS THE DIFFICULTY OF MARKING ITS LIMITS. My learned friend, who has just gone out of court, has drawn no line and unfolded no principle. He has not told us, if *this* book is condemned, *what* book may be written. If I may not write against the existence of a monarchy, and recommend a republic, may I write against any part of the Government? May I say that we should be better without a House of Lords, or a House of Commons, or a Court of Chancery, or any other given part of our establishment? Or if, as has been hinted, a work may be libelous for stating even *legal* matter with *sarcastic* phrase,

the difficulty becomes the greater, and the liberty of the press more impossible to define.

The same author, pursuing the subject, and speaking of the fall of Roman liberty, says, "But this sort of liberty came soon after to be called licentiousness; for we are told that Augustus, after having established his empire, restored order in Rome by restraining licentiousness. God forbid we should in this country have order restored or licentiousness restrained, at so dear a rate as the people of Rome paid for it to Augustus.

"Let us consider, My Lords, that arbitrary power has seldom or never been introduced into any country at once. It must be introduced by slow degrees, and as it were step by step, lest the people should see its approach. The barriers and fences of the people's liberty must be plucked up one by one, and some plausible pretenses must be found for removing or hoodwinking, one after another, those sentries who are posted by the constitution of a free country for warning the people of their danger. When these preparatory steps are once made, the people may then, indeed, with regret, see slavery and arbitrary power making long strides over their land; but it will be too late

to think of preventing or avoiding the impending ruin.

"The stage, my Lords, and the press, are two of our out-sentries; if we remove them, if we hoodwink them, if we throw them in fetters, the enemy may surprise us."

Gentlemen, this subject was still more lately put in the justest and most forcible light by a noble person high in the magistracy, whose mind is not at all tuned to the introduction of disorder by improper popular excesses: I mean Lord Loughborough, Chief Justice of the Court of Common Pleas. I believe I can answer for the correctness of my note, which I shall follow up with the opinion of another member of the Lords' House of Parliament, the present Earl Stanhope; or rather, I shall take Lord Stanhope first, as His Lordship introduces the subject by adverting to this argument of Lord Loughborough's. "If," says Lord Stanhope, "our boasted liberty of the press were to consist only in the liberty to write *in praise* of the Constitution, this is a liberty enjoyed under many *arbitrary* governments. I suppose it would not be deemed quite an unpardonable offense, even by the Empress of Russia, if any man were to take into his head to write a panegyric upon the Russian form of govern-

ment. Such a liberty as that might therefore properly be termed the *Russian liberty of the press. But the English liberty of the press* is of a very different description: for, by the law of England, it is not prohibited to publish speculative works upon the Constitution, whether *they contain praise or censure.*"—(Lord Stanhope's "Defense of the Libel Bill.")

You see, therefore, as far as the general principle goes, I am supported by the opinion of Lord Stanhope, for otherwise the noble Lord has written a libel himself, by exciting other people to write *whatever they may think,* be it good or evil, of the Constitution of the country. As to the other high authority, Lord Loughborough, I will read what applies to this subject—" Every man," said Lord Loughborough, " may publish at his discretion his opinions concerning forms and systems of government. If they be wise and enlightening, the world will gain by them; if they be weak and absurd, they will be laughed at and forgotten; and if they be *bona fide, they cannot be criminal, however* ERRONEOUS. On the other hand, the purpose and the direction may give a different turn to writings whose common construction is harmless, or even meritorious.

" Suppose men, assembled in disturbance of

the peace, to pull down mills or turnpikes, or to do any other mischief, and that a mischievous person should disperse among them an excitation to the planned mischief known to both writer and reader, *To your tents, O Israel;* that publication would be criminal;—not as a libel, not as an abstract writing, but as an act; and the act being the crime, *it must be stated as a fact extrinsic on the record;* for otherwise a court of error could have no jurisdiction but over the *natural construction of the writing;* nor would the defendant have any notice of such matter at the trial, without a charge on the record. To give the jury cognizance of any matter beyond the construction of the writing, the averment should be, in the case as I have instanced, that certain persons were, as I have described, assembled; and that the publisher, intending to excite these persons so assembled, wrote *so and so.* Here the crime is complete, and consists in an *overt act of wickedness evidenced by a writing.*"

In answer to all these authorities, the Attorney-general may say that if Mr. Paine had written his observations with the views of those high persons, and under other circumstances, he would be protected and acquitted;—to which I can only answer, that no facts or circumstances attending

his work are either *charged or proved;*—that you have *no* jurisdiction whatever but over the natural construction of the work before you, and that I am therefore brought without a flaw to the support of the passages which are the particular subject of complaint.

Gentlemen, I am not unmindful how long I have already trespassed upon your patience; and, recollecting the nature of the human mind, and how much, for a thousand reasons, I have to struggle against at this moment, I shall not be disconcerted if any of you should appear anxious to retire from the pain of hearing me further. It has been said in the newspapers, that my vanity has forwarded my zeal in this cause;—but I might appeal even to the authors of those paragraphs whether a situation ever existed which vanity would have been fonder to fly from—the task of speaking against every known prepossession—with every countenance, as it were, planted and lifted up against me.

But I stand at this bar to give to a criminal arraigned before it the defense which the law of the country entitles him to. If any of my arguments be indecent, or unfit for the Court to hear, the noble Judge presides to interrupt them; if all, or any of them, are capable of an answer,

they will be answered; or if they be so unfounded in your own minds, who are to judge them, as not to call for refutation, your verdict in a moment will overthrow all that has been said. We shall then have all discharged our duties. It is your unquestionable province to judge, and mine not less unquestionably to address your judgments.

When the noble Judge and myself were counsel for Lord George Gordon in 1781, it was not considered by that jury, nor imputed to us by anybody, that we were contending for the privileges of overawing the House of Commons, or recommending the conflagration of this city. *I* am doing the same duty now which *My Lord and I* then did in concert together; and, whatever may become of the cause, *I expect to be heard;* conscious that no just obloquy can be, or will in the end be, cast upon me for having done my duty in the manner I have endeavored to perform it.—Sir, I shall name you presently.*

Gentlemen, I come now to observe on the passages selected by the information; and with regard to the first, I shall dispose of it in a moment.

*This expression was provoked by the conduct of one of the jury, which this rebuke put an end to.—Ed.

"All *hereditary* government is in its nature tyranny. An heritable crown, or an heritable throne, or by what other fanciful name such things may be called, have no other significant explanation than that mankind are heritable *property*. To *inherit* a government is to *inherit* the *people* as if they were flocks and herds."

And is it to be endured, says the Attorney-general, that the people of this country are to be told that they are driven like oxen or sheep? Certainly not. I am of opinion that a more dangerous doctrine cannot be instilled into the people of England. But who instills such a doctrine? I deny that it is instilled by Mr. Paine. When he maintains that hereditary monarchy inherits a people like flocks and herds, it is clear from the context (*which is kept out of view*) that he is combating the proposition in Mr. Burke's book, which asserts that the hereditary monarchy of England is fastened upon the people of England by *indissoluble compact*.

Mr. Paine, on the contrary, asserts the King of England to be the *magistrate of the people*, existing by their consent, which is utterly incompatible with their being driven like herds. His argument, therefore, is this, and it retorts on his adversary: he says, Such a king as *you*, Mr.

Burke, represent the King of England to be, inheriting the people by virtue of conquest, or of some compact, which, having once existed, cannot be dissolved while the original terms of it are kept *is an inheritance like flocks and herds.* But I deny that to be the King of England's title. He is *the magistrate of the people,* and that title I respect.

It is to your own imaginary King of England, therefore, and not to His Majesty, that your unfounded innuendoes apply. It is the monarchs of Russia and Prussia, and all governments fastened upon unwilling subjects by hereditary indefeasible titles, who are stigmatized by Paine as inheriting the people like flocks. The sentence, therefore, must either be taken in the pure abstract, and then it is not only merely speculative, but the application of it to our own Government fails altogether, or it must be taken connected with the matter which constitutes the application, and then it is MR. BURKE'S KING OF ENGLAND, and NOT His Majesty, whose title is denied.

I pass, therefore, to the next passage, which appears to be an extraordinary selection. It is taken at a leap from page twenty-one to page forty-seven, and breaks in at the words "This convention." The sentence selected stands thus:

"This Convention met at Philadelphia in May, 1787, of which General Washington was elected president. He was not at that time connected with any of the state governments, or with Congress. He delivered up his commission when the war ended, and since then had lived a private citizen.

"The Convention went deeply into all the subjects; and having, after a variety of debate and investigation, agreed among themselves upon the several parts of a federal constitution, the next question was, the manner of giving it authority and practise.

"For this purpose they did not, like a cabal of courtiers, send for a Dutch stadtholder, or a German elector; but they referred the whole matter to the sense and interest of the country."

This sentence, standing thus by itself, may appear to be a mere sarcasm on King William, upon those who effected the Revolution, and upon the Revolution itself, without any reasoning or deduction; but when the context and sequel are looked at and compared, it will appear to be a serious historical comparison between the Revolution effected in England in 1688 and the late one in America when she established her in-

dependence; and no man can doubt that his judgment on that comparison was sincere.

But where is the libel on the Constitution? For whether King William was brought over here by the sincerest and justest motives of the whole people of England, each man acting for himself, or from the motives and through the agencies imputed by the defendant, it signifies not one farthing at this time of day to the establishment itself. Blackstone properly warns us not to fix our obedience or affection to the government on the motives of our ancestors, or the rectitude of their proceedings, but to be satisfied with what is established. This is safe reasoning, and, for my own part, I should not be differently affected to the Constitution of my country, which my own understanding approved, whether angels or demons had given it birth.

Do any of you love the Reformation the less because Henry VIII was the author of it? or because lust and poverty, not religion, were his motives? He had squandered the treasures of his father, and he preferred Anne Boleyn to his queen: these were the causes which produced it. What then? Does that affect the purity of our reformed religion? Does it undermine its establishment, or shake the King's title, to the

exclusion of those who held by the religion it had abolished? Will the Attorney-general affirm that I could be convicted of a libel for a volume of asperity against Henry VIII, merely because he effected the Reformation; and if not, why against King William, who effected the Revolution? Where is the line to be drawn?

Are one, two, or three centuries to constitute the statute of limitation? Nay, do not our own historians detail this very cabal of courtiers from the records of our own country? If you will turn to Hume's "History," volume viii, page 188, etc., etc., you will find that he states, at great length, the whole detail of intrigues which paved the way for the Revolution, and the interested coalition of parties which gave it effect.

But what of all this, concerning the motives of parties, which is recorded by Hume? The question is, *What is the thing brought about?—Not,* HOW *it was brought about.* If it stands, as Blackstone argues it, upon the consent of our ancestors, followed up by our own, no individual can withdraw his obedience. If he dislikes the establishment, let him seek elsewhere for another; I am not contending for uncontrolled *conduct,* but for freedom of *opinion.*

With regard to what has been stated of the

Edwards and *Henries,* and the other princes under which the author can only discover *"restrictions on power, but nothing of a constitution,"* surely my friend is not in earnest when he selects that passage as a libel.

Paine insists that there was no constitution under these princes, and that English liberty was obtained from usurped power by the struggles of the people. So SAY I. And I think it for the honor and advantage of the country that it should be known. Was there any freedom after the original establishment of the Normans by conquest? Was not the MAGNA CHARTA wrested from John by *open force of arms* at Runnymede? Was it not again re-enacted while menacing arms were in the hands of the people? Were not its stipulations broken through, and two-and-forty times re-enacted by Parliament, upon the firm demand of the people in the following reigns? I protest it fills me with astonishment to hear these truths brought in question.

I was formerly called upon, under the discipline of a college, to maintain them, and was rewarded for being thought to have successfully maintained that our present Constitution was by no means a remnant of Saxon liberty, nor any other institution of liberty, but the pure conse-

quence of the oppression of the Norman tenures, which, spreading the spirit of freedom from one end of the kingdom to another, enabled our brave fathers, inch by inch, not to reconquer, *but for the first time to obtain* those privileges which are the unalienable inheritance of all mankind.

But why do we speak of the Edwards and Henries, when Hume himself expressly says, notwithstanding all we have heard to-day of the antiquity of our Constitution, that our monarchy was nearly absolute till the middle of the last century? It is his "Essay on the Liberty of the Press," vol. 1, page 15—

"All absolute governments, and such in a great measure was England till the middle of the last century, *notwithstanding the numerous panegyrics on* ANCIENT *English liberty,* must very much depend on the administration."

This is Hume's opinion; the conclusion of a grave historian from all that he finds recorded as the materials for history; and shall it be said that Mr. Paine is to be punished for writing to-day what was before written by another, who is now a distinguished classic in the language? All the verdicts in the world will not make such injustice palatable to an impartial public or to posterity.

The next passage arraigned is this (page 56): "The attention of the Government of England (for I rather choose to call it by this name than the English Government) appears, since its political connection with Germany, to have been so completely engrossed and absorbed by foreign affairs, and the means of raising taxes, that it seems to exist for no other purposes. Domestic concerns are neglected; and with respect to regular law, there is scarcely such a thing."

That the Government of this country has, in consequence of its connection with the Continent, and the Continental wars which it has occasioned, been continually loaded with grievous taxes, no man can dispute; and I appeal to your justice whether this subject has not been, for years together, the constant topic of unreproved declamation and grumbling.

As to what he says with regard to there hardly existing such a thing as regular law, he speaks *in the abstract* of the complexity of our system; he does not arraign the administration of justice *in its practise.* But with regard to criticisms and strictures on the general system of our Government, it has been echoed over and over again by various authors, and even from the pulpits, of our country. I have a sermon in court,

written during the American War by a person of great eloquence and piety, in which he looks forward to an exemption from the intolerable grievances of our old legal system in the infant establishment of the New World:—

"It may be in the purposes of Providence, on yon western shores, to raise the bulwark of a purer reformation than ever Britain patronized; to found a less burdensome, more auspicious, stable, and incorruptible government than ever Britain has enjoyed; and to establish there a system of law more just and simple in its principles, less intricate, dubious, and dilatory in its proceedings, more mild and equitable in its sanctions, more easy and more certain in its execution; wherein no man can err through ignorance of what concerns him, or want justice through poverty or weakness, or escape it by legal artifice, or civil privileges, or interposing power; wherein the rule of conduct shall not be hidden or disguised in the language of principles and customs that died with the barbarism which gave them birth; wherein hasty formulas shall not dissipate the reverence that is due to the tribunals and transactions of justice; wherein obsolete prescripts shall not pervert, nor entangle, nor impede the administration of it, nor in any instance ex-

pose it to derision or to disregard; wherein misrepresentation shall have no share in deciding upon right and truth; and under which no man shall grow great by the wages of chicanery, or thrive by the quarrels that are ruinous to his employers."

This is ten times stronger than Mr. Paine; but who ever thought of prosecuting Mr. Cappe?*

In various other instances you will find defects in our jurisprudence pointed out and lamented, and not seldom by persons called upon by their situations to deliver the law in the seat of magistracy; therefore, the author's *general* observation does not appear to be that species of attack upon the magistracy of the country as to fall within the description of a libel.

With respect to the two Houses of Parliament, I believe I shall be able to show you that the very person who introduced this controversy, and who certainly is considered by those who now administer the Government, as a man usefuly devoted to maintain the Constitution of the country in the present crisis, has himself made remarks upon these assemblies, that upon comparison you will think more severe than those which are the

*A late eminent and pious minister at York.

subject of the Attorney-general's animadversion. The passage in Mr. Paine runs thus—

"With respect to *the two Houses* of which the English Parliament is composed, they appear to be effectually influenced into one, and, as a legislature, to have no temper of its own.

"The Minister, whoever he at any time may be, touches it as with an opium wand, and it sleeps obedience.

"But if we look at the distinct abilities of the two Houses, the difference will appear so great as to show the inconsistency of placing power where there can be no certainty of the judgment to use it. Wretched as the state of representation is in England, it is manhood compared with what is called the House of Lords; and so little is this nicknamed House regarded that the people scarcely inquire at any time what it is doing. It appears also to be most under influence, and the furthest removed from the general interest of the nation."

The conclusion of the sentence, and which was meant by Paine as evidence of the previous assertion, the Attorney-general has omitted in the information and in his speech; it is this: "In the debate on engaging in the Russian and Turkish War, the majority in the House of Peers in favor

of it was upwards of ninety, when in the other House, which is more than double its numbers, the majority was sixty-three."

The terms, however, in which Mr. Burke speaks of the House of Lords are still more expressive: "It is something more than a century ago since we voted the House of Lords useless. They have now voted themselves so, and the whole hope of reformation (*speaking of the House of Commons*) is cast upon us."

This sentiment Mr. Burke not only expressed in his place in Parliament, where no man can call him to an account; but it has been since repeatedly printed among his works. Indeed his opinion of BOTH THE HOUSES OF PARLIAMENT, which I am about to read to you, was originally published in a separate pamphlet, and applied to the settled habitual abuses of these high assemblies. Remember, I do not use them as *argumenta ad hominem,* or *ad invidiam,* against the author; for if I did, it could be no defense of Mr. Paine. But I use them as high authority, the work* having been the just foundation of a substantial and lasting reputation. Would to God

*Mr. Burke's "Thoughts on the Cause of the Present Discontents," published in 1775.

that any part of it were capable of being denied or doubted!

"Against the being of Parliament I am satisfied no designs have ever been entertained since the Revolution. Everyone must perceive that it is strongly the interest of the Court to have some second cause interposed between the Ministers and the people. The gentlemen of the House of Commons have an interest equally strong in sustaining the part of that intermediate cause. However they may hire out the *usufruct* of their voices, they never will part with the *fee and inheritance.* Accordingly, those who have been of the most known devotion to the will and pleasure of a court, have at the same time been most forward in asserting an high authority in the House of Commons. *When they knew who were to use that authority, and how it was to be employed, they thought it never could be carried too far.* It must be always the wish of an unconstitutional statesman, that a House of Commons *who are entirely dependent upon him, should have every right of the people dependent upon their pleasure.* FOR IT WAS DISCOVERED THAT THE FORMS OF A FREE AND THE ENDS OF AN ARBITRARY GOVERNMENT WERE THINGS NOT ALTOGETHER INCOMPATIBLE.

"The power of the Crown, almost dead and rotten as prerogative, has grown up anew, with much more strength and far less odium, under the name of influence. An influence which operates without noise and violence—which converts the very antagonist into the instrument of power—which contains in itself a perpetual principle of growth and renovation; and which the distresses and the prosperity of the country equally tend to augment, was an admirable substitute for a prerogative that, being only the offspring of antiquated prejudices, had moulded in its original stamina irresistible principles of decay and dissolution.

"The ignorance of the people is a bottom but for a temporary system; but the interest of active men in the state is a foundation both perpetual and infallible."

Mr. Burke, therefore, in page sixty-six speaking of the same Court party, says—

"Parliament was indeed the great object of all these politics, the end at which they aimed, as well as the INSTRUMENT by which they were to operate."

And pursuing the subject in page seventy, proceeds as follows:

"They who will not conform their conduct

to the public good, and cannot support it by the prerogative of the Crown, have adopted a new plan. They have totally abandoned the shattered and old-fashioned fortress of prerogative, and made a lodgment in the stronghold of Parliament itself. If they have any evil design to which there is no ordinary legal power commensurate, they bring it into Parliament. *There the whole is executed from the beginning to the end; and the power of obtaining their object absolute; and the safety in the proceeding perfect; no rules to confine, nor after-reckonings to terrify.* For Parliament cannot with any great propriety punish others for things in which they themselves have been ACCOMPLICES. Thus its control upon the executory power is lost, because it is made to partake in every considerable act of government: *and impeachment, that great guardian of the purity of the Constitution, is in danger of being lost even to the idea of it.*

"Until this time, the opinion of the people, through the power of an Assembly, still in some sort popular, led to the greatest honors and emoluments in the gift of the Crown. Now the principle is reversed; and the favor of the Court is the only sure way of obtaining and holding

those honors which ought to be IN THE DISPOSAL OF THE PEOPLE."

Mr. Burke, in page one hundred, observes with great truth that the mischiefs he complained of did not at all arise from the monarchy, but from the Parliament, and that it was the duty of the people to look to it. He says, "The distempers of monarchy were the great subjects of apprehension and redress in the *last century; in this,* the distempers of Parliament."

Not the distempers of Parliament in this year or the last, but in *this century—i.e.,* its settled habitual distemper. "It is not in Parliament alone that the remedy for parliamentary disorders can be completed; and hardly indeed can it begin there. Until a confidence in Government is re-established, the people ought to be *excited* to a more strict and detailed attention to the conduct of their representatives. Standards for judging more systematically upon their conduct ought to be settled in the meetings of counties and corporations, and frequent and correct lists of the voters in all important questions ought to be procured.

"By such means something may be done, since it may appear who those are that, by an indiscriminate support of all administrations, have

totally banished all integrity and confidence out of public proceedings; have confounded the best men with the worst; and weakened and dissolved, instead of strengthening and compacting, the general frame of Government."

I wish it was possible to read the whole of this most important volume—but the consequences of these truths contained in it were all eloquently summed up by the author in his speech upon the reform of the household.

"But what I confess was uppermost with me, what I bent the whole course of my mind to, was the reduction of that corrupt influence which is itself the perennial spring of all prodigality and disorder; which loads us more than millions of debt; which takes away vigor from our arms, wisdom from our councils, and every shadow of authority and credit from the most venerable parts of our Constitution."

The same important truths were held out to the whole public, upon a still later occasion, by the person now at the head of His Majesty's councils; and so high (as it appears) in the confidence of the nation.* *He,* not in the *abstract,* like the author before you, but upon the *spur of the occasion,* and in the teeth of what had been

*Mr. Pitt.

just declared in the House of Commons, came to, and acted upon, resolutions which are contained in this book*—resolutions pointed to the purification of a Parliament dangerously corrupted into the very state described by Mr. Paine.

Remember here, too, that I impute no censurable conduct to Mr. Pitt. It was the most brilliant passage in his life, and I should have thought his life a better one if he had continued uniform in the support of opinions which it is said he has not changed, and which certainly have had nothing to change them. But at all events, I have a right to make use of the authority of his splendid talents and high situation, not merely to protect the defendant, but the public, by resisting the precedent—that what one man may do in England with approbation and glory, shall conduct another to a pillory or a prison.

The abuses pointed out by the man before you led that right honorable gentleman to associate with many others of high rank, under the banners of the Duke of Richmond, whose name stands at the head of the list, and to pass various public resolutions concerning the absolute necessity of purifying the House of Commons; and we collect the plan from a preamble entered in

*Mr. Erskine took up a book.—Ed.

the book: "Whereas the life, liberty, and property of every man is or may be affected by the law of the land in which he lives, and every man is bound to pay obedience to the same.

"And whereas, by the Constitution of this kingdom, the right of making laws is vested in three estates, of King, Lords, and Commons, in Parliament, assembled, and the consent of all the three said estates, comprehending the whole community, is necessary to make laws to bind the whole community. And whereas the House of Commons represents all the commons of the realm, and the consent of the House of Commons binds the consent of all the commons of the realm, and in all cases on which the Legislature is competent to decide.

"And whereas no man is, or can be, actually represented who hath not a vote in the election of his representative.

"And whereas it is the right of every commoner of this realm (infants, persons of insane mind, and criminals incapacitated by law, only excepted) to have a vote in the election of the representative who is to give his consent to the making of laws by which he is to be bound.

"And whereas the number of persons who are suffered to vote for electing the members of the

House of Commons do not at this time amount to one-sixth part of the whole commons of this realm, whereby far the greater part of the said commons are deprived of their right to elect their representatives; and the consent of the majority of the whole community to the passing of laws is given by persons whom they have not delegated for such purposes; and to which the said majority have not in fact consented by themselves or by their representatives.

"And whereas the state of election of members of the House of Commons hath in process of time so grossly deviated from its simple and natural principle of representation and equality, that in several places the members are returned by the property of one man; that the smallest boroughs send as many members as the largest counties, and that a majority of the representatives of the whole nation are chosen by a number of votes not exceeding twelve thousand."

These, with many others were published, not as *abstract speculative writings,* but within a few days after the House of Commons had declared that no such rights existed, and that no alteration was necessary in the representation. It was *then* that they met at the Thatched House and published their opinions and resolutions to the coun-

try at large. Were any of them prosecuted for these proceedings? Certainly not, for they were legal proceedings. But I desire you, as men of honor and truth, to compare all this with Mr. Paine's expression of the Minister's touching Parliament with his opiate wand, and let equal justice be done—*that is all I ask*—let all be punished, or none. Do not let Mr. Paine be held out to the contempt of the public upon the score of his observations on Parliament, while others are enjoying all the sweets which attend a supposed attachment to their country, who have not only expressed the same sentiments, but have reduced their opinions to practise.

But *now* every man is to be cried down for such opinions. I observed that my learned friend significantly raised his voice in naming Mr. Horne Tooke, as if to connect him with Paine, or Paine with him. This is exactly the same course of justice; for, after all, he said nothing of Mr. Tooke. What could he have said, but that he was a man of great talents, and a subscriber with the great names I have read in proceedings which they have thought fit to desert?

Gentlemen, let others hold their opinions, and change them at their pleasure; I shall ever maintain it to be the dearest privilege of the people

of Great Britain to watch over everything that affects their happiness, either in the system of their government or in the practise, and that for this purpose THE PRESS MUST BE FREE. It has always been so, and much evil has been corrected by it. If Government finds itself annoyed by it, let it examine its own conduct, and it will find the cause; let it amend it, and it will find the remedy.

Gentlemen, I am no friend to sarcasms in the discussion of grave subjects, but you must take writers according to the view of the mind at the moment; Mr. Burke, as often as anybody, indulges in it. Hear his reason, in his speech on reform, for not taking away the salaries from Lords who attend upon the British Court. "You would," said he, "have the Court deserted by all the nobility of the kingdom.

" Sir, the most serious mischiefs would follow from such a desertion. Kings are naturally lovers of low company; they are so elevated above all the rest of mankind, that they must look upon all their subjects as on a level, they are rather apt to hate than to love their nobility on account of the occasional resistance to their will, which will be made by their virtue, their petulance, or their pride. It must indeed be admitted that

many of the nobility are as perfectly willing to act the part of flatterers, tale-bearers, parasites, pimps, and buffoons, as any of the lowest and vilest of mankind can possibly be. But they are not properly qualified for this object of their ambition. The want of a regular education, and early habits, with some lurking remains of their dignity, will never permit them to become a match for an Italian eunuch, a mountebank, a fiddler, a player, or any regular practitioner of that tribe. The Roman emperors, almost from the beginning, threw themselves into such hands; and the mischief increased every day till its decline and its final ruin. It is, therefore, of very great importance (provided the thing is not overdone) to contrive such an establishment as must, almost whether a prince will or not, bring into daily and hourly offices about his person a great number of his first nobility; and it is rather a useful prejudice that gives them a pride in such a servitude: though they are not much the better for a court, a court will be much the better for them. I have therefore, not attempted to reform any of the offices of honor about the King's person."

What is all this but saying that a king is an animal so incurably addicted to low company as

generally to bring on by it the ruin of nations; but, nevertheless, he is to be kept as a necessary evil, and his propensities bridled by surrounding him with a parcel of miscreants still worse, if possible, but better than those he would choose for himself. This, therefore, if taken by itself, would be a most abominable and libelous sarcasm on kings and nobility; but look at the whole speech, and you observe a great system of regulation; and no man, I believe, ever doubted Mr. Burke's attachment to monarchy. To judge, therefore, of any part of a writing, *the whole must be read.*

With this same view, I will read to you the beginning of Harrington's "Oceana"; but it is impossible to name this well-known author without exposing to just contempt and ridicule the ignorant or profligate misrepresentations which are vomited forth upon the public, to bear down every man as desperately wicked who in any age or country has countenanced a republic, for the mean purpose of prejudging this trial.

[Mr. Erskine took up a book, but laid it down again without reading from it, saying something to the gentleman who sat near him, in a low voice, which the reporter did not hear.]

Is this the way to support the English Constitution? Are these the means by which Englishmen are to be taught to cherish it? I say,

if the man upon trial were stained with blood instead of ink, if he were covered over with crimes which human nature would start at the naming of, the means employed against him would not be the less disgraceful.

For this notable purpose, then, Harrington, *not above a week ago,** was handed out to us as a low, obscure wretch, involved in the murder of the monarch and the destruction of the monarchy, and as addressing his despicable works at the shrine of a usurper. Yet this very Harrington, this low blackguard, was descended (you may see his pedigree at the Herald's Office for sixpence) from eight dukes, three marquises, seventy earls, twenty-seven viscounts, and thirty-six barons, sixteen of whom were Knights of the Garter—a descent which I think would save a man from disgrace in any of the circles of Germany.

But what was he besides? A BLOOD-STAINED RUFFIAN? Oh, brutal ignorance of the history of the country! He was the most affectionate servant of Charles I. from whom he never concealed his opinions; for it is observed by Wood that the King greatly affected his company; but when

*A pamphlet had been published just before, putting T. Paine and Harrington on the same footing—as obscure blackguards.

they happened to talk of a commonwealth, he would scarcely endure it. "I know not," says Toland, "which most to commend: the King, for trusting an honest man, though a republican; or Harrington, for owning his principles while he served a king."

But did his opinions affect his conduct? Let history again answer. He preserved his fidelity to his unhappy prince to the very last, after all his fawning courtiers had left him to his enraged subjects. He stayed with him while a prisoner in the Isle of Wight; came up by stealth to follow the fortunes of his monarch and master; even hid himself in the boot of the coach when he was conveyed to Windsor; and, ending as he began, fell into his arms and fainted on the scaffold.

After Charles's death, the "Oceana" was written, and as if it were written from justice and affection to his memory; for it breathes the same noble and spirited regard, and asserts that it was not CHARLES that brought on the destruction of the *monarchy*, but the feeble and ill-constituted nature of monarchy *itself*.

But the book was a flattery to Cromwell. Once more and finally let history decide. The "Oceana" was seized by the Usurper as a libel,

and the way it was recovered is remarkable. I mention it to show that Cromwell was a wise man in himself, and knew on what governments must stand for their support.

Harrington waited on the Protector's daughter to beg for his book, which her father had taken, and on entering her apartment, snatched up her child and ran away. On her following him with surprise and terror, he turned to her and said: "I know what you feel as a mother, feel then for ME; your father has got MY child" —meaning the "Oceana." The "Oceana" was afterwards restored on her petition; Cromwell answering with the sagacity of a sound politician, "Let him have his book; if my Government is made to stand, it has nothing to fear from PAPER SHOT." He said true. No GOOD government will ever be battered by paper shot. Montesquieu says that "In a free nation it matters not whether individuals reason well or ill; it is sufficient that they *do* reason. Truth arises from the collision, and from hence springs liberty, which is a security from the effect of reasoning." The Attorney-general has read extracts from Mr. Adam's answer to this book. Let others write answers to it, like Mr. Adam; I am not insisting upon the infallibility of Mr. Paine's doc-

trines; if they are erroneous, let them be answered, and truth will spring from the collision.

Milton wisely says that a disposition in a nation to this species of controversy is no proof of sedition or degeneracy, but quite the reverse. [I omitted to cite the passage with the others.] In speaking of this subject he rises into that inexpressibly sublime style of writing wholly peculiar to himself. He was indeed no plagiary from anything human; he looked up for light and expression, as he himself wonderfully describes it, by devout prayer to that great Being who is the source of all utterance and knowledge; and who sendeth out His seraphim with the hallowed fire of His altar to touch and purify the lips of whom He pleases.

"When the cheerfulness of the people," says this mighty poet, "is so sprightly up as that it has not only wherewith to guard well its own freedom and safety, but to spare and to bestow upon the solidest and sublimest points of controversy and new invention, it betokens us not degenerated nor drooping to a fatal decay, but casting off the old and wrinkled skin of corruption, to outlive these pangs, and wax young again, entering the glorious ways of truth and prosperous virtue, destined to become great and

honorable in these latter ages. Methinks I see, in my mind, a noble and puissant nation rousing herself, like a strong man after sleep, and shaking her invincible locks: methinks I see her as an eagle mewing her mighty youth, and kindling her undazzled eyes at the full midday beam; purging and unscaling her long-abused sight at the fountain itself of heavenly radiance; while the whole noise of timorous and flocking birds, with those also that love the twilight, flutter about, amazed at what she means, and in their envious gabble would prognosticate a year of sects and schisms."

Gentlemen, what Milton only saw in his mighty imagination, I see in fact; what he expected, but which never came to pass, I see now fulfilling; methinks I see this noble and puissant nation, not degenerated and drooping to a fatal decay, but casting off the wrinkled skin of corruption to put on again the vigor of her youth. And it is because others as well as myself see this that we have all this uproar!—France and its Constitution are the mere pretenses. It is because Britons begin to recollect the inheritance of their own Constitution, left them by their ancestors;—it is because they are awakened to the corruptions which have fallen upon its most valu-

able parts, that forsooth the nation is in danger of being destroyed by a single pamphlet.

I have marked the course of this alarm; it began with the renovation of those exertions for the public which the alarmists themselves had originated and deserted; and they became louder and louder when they saw them avowed and supported by my admirable friend Mr. Fox, the most eminently honest and enlightened statesman that history brings us acquainted with: a man whom to name is to honor, but whom in attempting adequately to describe, I must fly to Mr. Burke, my constant refuge when eloquence is necessary: a man who, to relieve the sufferings of the most distant nation, "put to the hazard his ease, his security, his interest, his power, even his darling popularity, for the benefit of a people whom he had never seen." How much more then for the inhabitants of his native country!—yet this is the man who has been censured and disavowed in the manner we have lately seen.

Gentlemen, I have but a few more words to trouble you with: I take my leave of you with declaring that all this freedom which I have been endeavoring to assert is no more than the ancient freedom which belongs to our own inbred Constitution. I have not asked you to acquit Thomas

Paine upon any new lights, or upon any principle but that of the law, which you are sworn to administer;—my great object has been to inculcate that wisdom and policy, which are the parents of the Government of Great Britain, forbid this jealous eye over her subjects; and that, on the contrary, they cry aloud in the language of the poet, adverted to by Lord Chatham on the memorable subject of America, *unfortunately without effect*—

> Be to their faults a little blind,
> Be to their virtues very kind,
> Let all their thoughts be unconfined,
> And clap your padlock on the mind.

Engage the people by their affections—convince their reason—and they will be loyal from the only principle that can make loyalty sincere, vigorous or rational—a conviction that it is their truest interest, and that their Government is for their good. Constraint is the natural parent of resistance, and a pregnant proof that reason is not on the side of those who use it. You must all remember Lucian's pleasant story: Jupiter and a countryman were walking together, conversing with great freedom and familiarity upon the subject of heaven and earth. The countryman listened with attention and acquiescence,

while Jupiter strove only to convince him; but happening to hint a doubt, Jupiter turned hastily round and threatened him with his thunder. "Ah, ah!" says the countryman, "now, Jupiter, I know that you are wrong; you are always wrong when you appeal to your thunder."

This is the case with me—I can reason with the people of England, but I cannot fight against the thunder of authority.

Gentlemen, this is my defense for free opinions. With regard to myself, I am, and always have been, obedient and affectionate to *the law*—to that rule of action, as long as I exist, I shall ever give my voice and my conduct; but I shall ever do as I have done to-day, maintain the dignity of my high profession, and perform, as I understand them, all its important duties.

[Mr. Attorney-general arose immediately to reply to Mr. Erskine, when Mr. Campbell (the foreman of the jury) said: "My Lord, I am authorized by the jury to inform the Attorney-general that a reply is not necessary for them, unless the Attorney-general wishes to make it, or Your Lordship." Mr. Attorney-general sat down, and the jury gave in their verdict—GUILTY.]

LORD ERSKINE

Photogravure from an Old Engraving by George E. Perine of the Original Painting

THOMAS PAINE: FATHER OF REPUBLICS

By Paul Desjardins

I HAVE been attempting to learn some true details concerning Thomas Paine, and I will explain my motive for doing so as clearly as I am able. After satisfying myself as to the real meaning of the word "republic," I wished to discover the reason why I am a republican: Is it because of certain influences or on account of a certain intellectual necessity? Then I asked myself in what sense and to what degree are all thinking men of the present day republicans, and at what point do they cease to agree and begin to quarrel on the subject. Afterwards I formulated the modern idea of "republic," and wrote it down in the three closely connected propositions which follow:

The greatest possible liberty should be desired for the greatest possible number of men, and no liberty should be assured to anyone which is not assured to all. A principle of justice.

This equal extension of every liberty, won for everybody by the law, can only be sheltered from usurpation when all equally concur in *making the law.* A lesson of experience.

But this power of making the law is only guaranteed to all, even to the weak, when the force which executes the law is controlled by all. Rejecting, then, the government of a single individual, we try to found by a written contract, or Constitution, *mutual government*, as rightly conceived by moderns, under the ancient name of *republic*. An arrangement also suggested by experience.

The first two propositions have long been regarded as almost truths of common sense. Posted in every French primary school in the very words of the decree of the Constituent Assembly of 1792, they have been inoculated into every people, during the century which has closed, along with our Western civilization. The third is regarded as an opinion rather than an absolute truth, but it is an opinion that is growing, an opinion that is embraced in a blind, yet vigorous kind of fashion by four out of every five Frenchmen.

Such, then, is the idea whose origin I have been seeking. Now, it is clear that I cannot find the origin of the first proposition in the ancient world, for, although it has given us the word *republic*, it assigned to it a different significance. The Greek and Roman cities were built up by means of a scaffolding of classes with slavery as a foundation. The fine discipline to which the

youth of these cities was subjected owed its perfection to the refusal to see that an isolated person had any rights against the despotism of the community. Even conscience was not sheltered against public ordinances, for religion was also the concern of the state. So far was the republic from guaranteeing the "rights of man" and of the citizen, that it exacted their sacrifice. And this was not really an outrage, because the desire of independence was either not felt at all or was considered the mark of a bad citizen. Thus the Republicans of 1792, when they believed themselves to be the successors of those of Rome or Sparta, were altogether mistaken. "I must endeavor," I said to myself, "to gain a more accurate conception of the matter."

Apparently, the idea of a state that protects the "rights of man" supposes that man has rights actually, and then that he has a destination, for what is the use of a permit to travel except it is given to a traveler who is going somewhere? But this idea, that man is traveling somewhere was introduced, as we all know, by a great prophet, who said: "Father, Thy kingdom come!" and filled hearts with the expectation of future justice. We are thus induced to believe that

there is a Christian source of liberty, and we must push our inquiries in this direction.

As to the other republican thesis, that of equality, it also assumes the belief in a God who is not nature; for in nature there is no equality, and we improve nature in order to restore to the weak their place in life. In presence of the mind of God, visible grandeurs have no value, while invisible ones exist, perhaps, where their existence is least suspected; and so from fear of making a wrong estimate of the value of some particular man, we are driven to the conclusion that one man is as good as another, and that equality is justice. Thus we are obliged to have recourse to a Christian source again.

In fact, no book takes so little notice of social hierarchies as the Gospels do. At no period has a sincerer effort been made at equality than during the early times of Christianity; and, still later, wherever the spirit of Christ breathes freely, emancipated from Roman imperialism, little fraternities have been formed, real republics in which election and universal suffrage were the only source of power.

After the Reformation of the Seventeenth Century, these republican organizations were multiplied and secularized. Puritans and Quak-

ers, especially, establish mutual government, draw up constitutions, compacts, *covenants* or *agreements*, supported by a declaration of the "rights of man," on whatever coasts they select for their settlements: in Holland, in Cromwell's England for a moment, on the virgin shores of America permanently. And America is probably the teacher—a teacher but half understood—of modern France, who, in her turn, is teaching Europe.

Such was the bird's-eye view which I took of the idea now covered by the word *republic*. To verify this hypothesis, it became necessary to find out who were the men that, either as discoverers or imitators, had transplanted the idea from England to America, from America to France, and from the order of religious doctrines to the order of secular facts.

Now, Thomas Paine suddenly struck across the path of my investigation as the mediator I had been seeking; not, indeed, the only one, but the chief. He was born an Englishman and belonged to the sect of Quakers; he emigrated to America, and when the colonies were still hesitating as to their action in their quarrel with the mother country, he spoke out plainly for autonomy, and then for a republic.

Finally, he came to France, and there, too, when, during the Legislative Assembly, men were disconcerted in presence of an incredible crisis, he spoke out plainly for a republic; he suggested doubtless to his friend Condorcet the plan of the first republican Constitution; he sat himself, although a foreigner, in the National Convention and on the Constitutional Committee, and he did not abandon the French Revolution until it had degenerated into the Terror, demagogism and, at last, the Empire. His career makes me think of those insects that fecundate flowers by transporting the pollen through space. If we had a really good biography of him it would, I imagine, contain a complete epitomized genealogy of the modern idea of a republic.

The name of "Payne" is frequently mentioned by the historians of the French Revolution, and always in such relations as prove that in the opinion of his contemporaries it was a very great name indeed. He figures among the eighteen illustrious foreign philosophers upon whom the Legislative Assembly conferred on August 6, 1792, the title of French citizen, for "having prepared the enfranchisement of peoples"; Wilberforce, Washington and Schiller are on the

same list. He is elected to the Convention by four Departments, although neither a Frenchman nor a candidate, and absent.

Just imagine the popularity a foreign author would need to have to-day to win in this fashion the senatorial electors of a province! Would even Tolstoi succeed in doing so? The landing of Paine at Calais might be compared to that of President Krüger some time ago at Marseilles, with its salvos of artillery, its banquets, flags and orations.

He was manifestly regarded as the real liberator of America. Danton said to him: "What you have done for the happiness and liberty of your country, I have in vain tried to do for mine." Brissot declared that the despots of Europe feared Paine more than an army. Later on, M. J. Chenier says: "He is endeared to all the friends of humanity"; Bonaparte, on his return from Italy, believes it his duty to visit him in his room, where he tells him that his *Droits de l'homme* has been the companion of his pillow, and that the author of such a work deserves a statue of gold.

And now, in the midst of all this, what is the action really exercised by this living idol? I no longer find any traces of it. What has he ac-

complished in the legislative work of the Revolution? We do not know. He is always to be found among the small group of the doctrinaire republicans of 1792, Condorcet, Brissot, Grégoire; he is their friend; we should, however, like to know if he is their inspirer. But what remains on the morrow of a conversation, a phrase, a word, which, perhaps on the evening before has solved a difficulty and lit up the entire path? Is anyone ever truly acquainted with the first author of a thought?

As to the famous books of Paine, "Common Sense," the "Crisis," the "Rights of Man," "The Age of Reason," at first they have a sale of hundreds of thousands of copies, and are translated into all languages. The first of these books is bound with the *Contrat social* of Rousseau in the same French edition, like a Bible in two parts. Furthermore, in 1832, the *Sociétés des droits de l'homme et du citoyen* draw from it a *Catéchisme républicain* for the political education of young Frenchmen. Then, according as the republican thesis begins to make its way, these republican writings lose their luster and their audacity. Nobody cares to look at them, because everyone knows what they are. Not being poems, but agents of revolution, their very

success puts them out of fashion, for they are no longer useful. Which of us can say he has read them to-day?

In countries where the English language is spoken, these writings, with their robust eloquence, should, one would imagine, have remained popular. But in these countries Tom Paine has lost his reputation; and this is very natural; he has offended every prejudice to which the people of the Bible and of Custom cling with a sort of fierce timidity. Tom Paine has proved faithless to the mother country, then to the religion of his ancestors; he sneers at English traditions, denies the divinity of Christ—so Great Britain will have nothing to do with him; he is rude to Washington—so America will have nothing to do with him; he votes against the death of Louis XVI, so the French revolutionists will have nothing to do with him.

Finally, he does not belong to any compact group. He is an outsider, let him take the consequences. For all these reasons, he is bound to be, then, a wicked man, a drunkard, an atheist, a sort of antichrist. Even the Quakers repudiate him. During his lifetime tracts are published prophesying that he will be soon carried off by his boon companion Satan. While waiting for

this catastrophe, the members of certain pious clubs burn him in effigy; he is caricatured, and has the ears of an ass on plates and beer-mugs; honest citizens have the initials T. P. stamped on the soles of their boots so that they can always trample on this heretic and renegade to his country. On the news of his death, patriots sing in the taverns:

> The Fox has lost his tail,
> The Ass has stopped his braying,
> The Devil has carried off Tom Paine—
> *John Bull forever!*

Never has a friend of the people suffered so much from the people's hatred. Consequently, his books and his fame have been flung into the same common ditch, as usually happens to those whom society repudiates. This is doubtless the reason why, in my conversations with Englishmen and Americans, I have never been able to bring the singular personage whose attraction I felt out of the darkness that envelops him.

It is only by a very careful examination of his biographies, and especially of his diary, that I have finally succeeded in gaining some conception of the circumstances under the influence of which his idea of a republic took form and substance. And, in the second place, a similar ex-

amination of the content of this idea will show us that it had been until then unheard of, particularly in France, and that it still holds within itself, even at the present hour, a certain significance that has been, so far, unperceived.

The work which M. Aulard has published on the *Histoire politique de la Révolution française* throws considerable light upon this second point. We can easily deduce from this book that the French people, even in 1791, disliked the very notion of a republic, and that the latter owed its realization to the abrupt shock of events, every other issue being barred, and not to the preconceived design of any of the public men of the period, save and except of the man whom I regard as its true inventor, the phlegmatic and determined man who inferred the necessity of the republic from principles independent of the hour and of casualty.

From his earliest years Paine had experienced all the miseries that crush the life out of the humble, of those who are weighed down by the enormous framework of society. As he possessed no other title but that of man upon which to base his protest against being trampled underfoot, his was a condition very favorable to the discovery that man in society has, simply as man,

certain rights. For that matter, there was not the slightest bitterness in his knowledge of the situation. He never had a thought of personal success. Gracious Heaven! success in what? He took very little interest in himself. His carelessness in this respect was perfect. Provided he had leisure to read, to meet a few friends at night at a debating club where he could have the pleasure of displaying his eloquence and the force of his logic, he was satisfied with his fate. Marvelously endowed as a dialectitian, he had no passions except intellectual ones, and all his training was received in lecture-rooms and halls of discussion.

It is by this intellectual training that, when he sails for America, at the age of thirty-eight, all his thoughts have been completely developed and have received their final form. For their expression he is gifted with an eloquence, not as yet displayed in public, but already admired by his friends. Moreover, although indigent and unknown, he is not disturbed by the loss of the years which are flying or by his failure to open a path to the modest employments which, one after another, have been shut against him. He is tranquil. He quits England, where he can no longer find means of subsistence, and he

leaves, not as an apostle of the enfranchisement of a people, but simply as a workman who hopes to earn four or five guineas a month.

Thomas Paine, then, is already a decided republican. All that future experience in political affairs can teach him is the difficulties to be overcome in establishing a republic, not the duty and necessity of establishing it.

And every idea which will be the basis of his actions has its origin in three facts: he is an Englishman, he is one of the common people, he is a Quaker, and all three combine to give him the *republican temperament.* Now, this republican temperament may also be recognized among several of the countrymen and contemporaries of Paine. In good truth, it is among the unbending and sturdy English spirits of the Seventeenth and Eighteenth Centuries that we encounter the pioneers of that right of *resistance to oppression* which is affirmed so decidedly in our French *Declaration of Rights.*

Paine brought to America this obstinate Britannic conviction of the intangibility of his rights, and he transported it to France. It is shown in his letter to the Committee of General Safety, written on September 19, 1794: "Citizen repre-

sentatives, I demand an inquiry. Justice is due to every man. I demand only justice."

The same tranquil spirit of resistance also marks his opposition in 1802 to the Government of the First Consul: " I cannot live with ease in the States of Bonaparte; though he governed like an angel, the memory would always haunt me that he has perjured himself"; and, in rendering judgment, he never raises his voice; but he makes his meaning clear.

We have here, then, an authentic picture of a republican temperament furnished by old England to the new France, at a time when the latter was searching in the "Lives" of Plutarch and elsewhere for the type of man that would harmonize with free institutions. But the way had also been opened in another manner by royal old England for the modern republic; for, ever since the beginning of the Seventeenth Century, the mode of government had been discussed there, at first by the parliamentary opposition, then, among the people, by everyone.

The forums of debate were not, as in France, salons in which the fatuous self-conceit engendered by the presence of women found full satisfaction in gibes and sarcasms directed at an opponent, and in dogmatic assertion; but taverns,

clubs, *A Society for the maintenance of the Declaration of Rights, A Society of Constitutional Studies, The Society of the Friends of the Revolution,* in which each disputant exhausted the logical bearings of every question. Let us add that the habit of theological controversies between the various sects, to which England and Scotland had been accustomed for two centuries, was also very efficacious.

Brought into collision with such influences, mere idle dogmatism is no longer tenable; the disputant must have a fixed notion in his own mind of what he believes, must define it clearly, and separate it from what he only half believes. This is why nearly all the English radicals of the Nineteenth Century are emancipated clergymen, like the Rev. John Horne Tooke, Dr. Richard Price and Dr. Joseph Priestley. They are exactly contemporaries of Thomas Paine, his collaborators, his friends. The little group which they form unite and solder together the English Revolution of 1688 to the French Revolution of 1789.

These clubs have a checkered history. They were often the antechamber of the royal prisons. But in these isolated clubs, always menaced with annihilation, certain logicians, sprung from the

people, distilled as it were into an alembic the people's sufferings and complaints, and afterwards converted them into clear ideas. The programme of fraternal government was thus elaborated in darkness, article after article. Thus, the *republican spirit,* which is the spirit of free research, the spirit of criticism, applied to things political, was sharpened in the same country in which the republican temperament was steeled.

It is not, in fact, sufficient to set up a government of liberty, even though wide enough and strong enough to resist the shocks of brute force; a cool head, which is not affected by demonstrations and cannot be magnetized by words, is also needed. Now a discipline of that kind is acquired only by familiarity with scientific methods or by the habit of debate in a small club, confined to its members. As Paine was an Englishman of the Eighteenth Century, he had the benefit of the latter.

And so, no sooner has this petty custom-house clerk, this proletarian, as we may almost call him, landed on American soil than he is at once able to edit magazines, hold his own in the most complex controversies with the ablest statesmen, jurists and theologians. From a confused apperception he is able to draw the enlightening

formula, the one fit *word*;—and of the important part that the *nomenclator* plays in a propaganda we have numerous examples: the nomenclator is the person who supplies ideas with wings.

Paine was also an adept at discussion, and, at first, discussion with himself; he knew how to extract ideas from the maze of impulsive prejudices. Shaded in a garden by some linden tree, or in the evening around the tea-cups, it is his pleasure to hold a debate, not on the chances of this party or that succeeding, which is, in his opinion only a "jockeyship," but on the need of an entire upheaval, if total justice is to be realized.

Consequently, when, later on, he will stand in presence of the Conventionals, their discourses and their plans will strike him as the vague amplifications of young collegians, gleaned by them from their desultory readings. The only persons who look to him like adult statesmen are Condorcet and Brissot, who have traveled, who have seen and reflected. The others make the same use of words that they might make of a gesture or a cry, to relieve their nerves, not to objectivize their thought. They are children. But, then, he has the advantage over the French

of two centuries of political self-*cross-examination* and self-possession.

This statement, however, requires some correction. Although an Englishman by temperament and education, he does not belong to the England of the classes, the England that is harsh to the poor. He is poor himself, he is one of the common people; and this fact, taken in connection with his miserable years of apprenticeship, is not, perhaps, without consequence for the future of the republic.

In the first place, he is thereby liberated from that special English characteristic which would have limited his action to his own country; for the man who has not always earned enough to insure him his dinner has, by practical experiment, learned the grievous condition of human life in every country. Diversity and non-comprehension are the concomitants of ease and comfort. Habituated to a frugal table, Paine will never change his customary fare. His food will always be of the simplest and plainest. Poverty is so much his normal condition that for him it is no longer poverty.

This ex-staymaker, who has witnessed the sale of his shabby furniture on the street before his door, will always remain on both continents the

friend of the poor, because he knows what their life is, and on account of this impoverished condition (which by the way is the natural condition of man), he is as exempt from class prejudices as from national prejudices. A few aristocrats in London had, indeed, championed the cause of equality; but with them this was an idea, a caprice; it becomes an appetite in those to whom inequality signifies the extreme difficulty of mere existence; and it is appetite alone that invigorates the will and loads the musket.

It is well to remark, in fact, that nearly all the English radical associates of Paine were born far below the middle class; they are workmen, petty shopkeepers, petty country clergymen; they have not, therefore, an atom of class pride about them. They are not at all likely to be satisfied with a middle-class government; they make very little difference between the Tories who believe in the divine right of kings, and the Whigs who believe in the divine right of the gentry; as far as they are concerned, they will be satisfied only with complete political equality for the workmen. This is no small innovation.

Recollect that the very opposite thesis has been supported by the *philosophers* who acted as guides to the French revolutionists: Turgot,

Rousseau, Mably, Condorcet. Rendered distrustful by the spectacle of the destructive results of demagogism in ancient times, they exclude from the right of suffrage "the stupid and bestial populace" (Rousseau), "those dregs of humanity destined to serve only as ballast to the vessel of society" (Mably). Consequently, the democracy will be limited to property-holders alone, who have a stake in the country, and who, being fixed to the soil, participate in the stability of the nation.

This opinion will take the form of law in July, 1789, with the distinction formulated by Sieyès between *active* and *passive* citizens. Thus the Revolution will try to install the middle class in power. Certainly, the arguments alleged in favor of this are not destitute of wisdom; nevertheless, they are of too different a character and sprung too suddenly not to have been suggested by another motive, at once simple, involuntary and secret: the semi-economic, semi-intellectual prejudices of parvenus against the class of the poor and ignorant. Thus the modern republic was stopped on its road.

At that moment, Paine and his friends on the other side of the Channel, who had at first acclaimed, in the destruction of the Bastile and the

Declaration of the Rights of Man, the success of their long struggle, suddenly come to a halt; they had believed in a radical advance; this is but a Whig movement. They perceive that the French Revolution is not made by the entire people, that it is being developed outside the humbler classes, which it has forgotten. This conclusion is still more strongly enforced in 1792 by the fact that among the attorneys, notaries, priests and doctors who are his colleagues in the Convention, there is scarcely a single artisan except himself.

He will, then, be a supporter of equality, not less firm than Robespierre, but less ostentatious. And the reason of this is that, while Robespierre has discovered the dignity of labor in the home of the Duplays, with whom he is lodging, Tom Paine remembers that he has been a workman himself. The man who has made stays, rolled tobacco and forged bars of iron will not experience in his contact with the mobs of the faubourgs that disgust and terror at the aspect of their blackened hands, their animal faces, which drawing-room democrats, like Buzot, Madame Roland and the other Girondins cannot surmount, and which will cost them so dear, and the republic also.

Thomas Paine, then, will know how to speak

to the people like one who is of the people. He will speak with such limpid clearness that the first-comer understands all he says, for what he says reflects the experience of the listener. It is by this mark that I recognize the man of the people: he is a man intelligible to all the people; he is not a specialist in any direction, and certainly not in books, journals or other writings, which tend to accustom the mind to act on signs any emolument from it.

Now the man we are discussing exactly fits this description. In what profession shall we class him? If the nation were divided into trades and professions, he might be regarded as a type of the manual laborer or of the lower class of employees; but he would also be a type of the engineers, for, after applying his sound common sense to the study of the arched threads by means of which spiders hang their webs, he drew therefrom the plans of the first metallic bridge constructed in Europe; and of the hygienists also, for, having applied this same sound common sense to the etiology of yellow fever, he proved that it is propagated in harbors by the putrefaction of inorganic matter; and of astronomy as well, for, always exercising the same sound common sense on everything he saw, he inferred,

twenty years before Herschel, that the fixed stars are suns; finally, he might be taken as a type of the statesman and author; for his books stir up nations, although he has never made a profession of literature or thought of drawing any emolument from it.

His mind is free, because it is altogether concrete. When we read his pamphlets, we are struck by the fact that his eloquence is compounded of things rather than of words. His imagination adheres strictly to reality, it does not devote itself to expression for the purpose of ornament, but to the impression in order to render it fixed and permanent as well as vivid and naked.

He deduces the rights of man from incidents in his own biography: he sees again the Duke of Grafton passing in his carriage through the lines of the bent backs of the Thetford magistrates, the judges, in their long wigs at the Lenten assizes, hanging men and women for breaches of the game laws, and the grimaces on the pallid faces of the Dissenters, framed by the pillory at the corner of the market-place. His conclusion that the republic is "a government of justice" is not dictated to him by Plutarch's "Life of Lycurgus," but by what he has dis-

covered during his walks in the streets or in the country. Upon this groundwork of concrete and common experience he reasons, asserting that the common sense is the only authority, and that a blacksmith's apprentice is as likely to possess this common sense as a doctor of theology.

His method of reasoning is also *common;* there is no preliminary imitation, no technical jargon—"You have not read Plutarch? Nor Montesquieu? Nor Rousseau?—that is a pity; but it has nothing to do with my demonstration. I do not suppose that you are in possession of any fundamental principle except common sense."

"Common Sense" is precisely the title of Paine's first pamphlet, which is the first defense of the modern republic. It was absolutely necessary that the author should express himself in natural and direct language; for in it he had to give public expression to the thought of everyone, and to do so with such simple naturalness that it appeals to the humblest, who think it is what they have always been thinking themselves. Then, as evidence is piled on evidence, he manifests a sort of exultant gaiety. The logic is blended with joviality; for common sense has its source in the natural man, and so we find,

here and there, certain hearty, downright words, that will force the honest mechanic who reads them to break into a triumphant laugh between two whiffs of his pipe. There is nothing in his discourses that resembles in the slightest degree the rhetorical abstractions of our Revolutionary orators or their melodramatic emphasis.

Thus in Thomas Paine, although he is a worker at everything, there is no specialization; he does not belong to this or that trade, or to this or that class, certainly he is not a bourgeois; neither is he an anti-bourgeois. The very real life he has led has made of him *a man of the commons,* in the fullest and noblest sense. But it is a religious doctrine that authorizes and consecrates this sentiment of equality, which in him has been the result of experience—in fact, a law of God. This doctrine is that of Jesus Christ and of the few who are faithful to Him. So when a modern lays down the principle that equality among men must be absolute, is essentially absolute, you can boldly conjecture that his starting-point is the Gospel, whether he knows it or not.

You may see this from the example of those English radicals of the Eighteenth Century who base the claims of the workingman on the *Our Father.* And among the French democrats

who, in 1789, 1790 and 1791, oppose the pretensions of the middle class to exclusive privilege, we find that they are chiefly priests, educated in Gospel meditation: the Abbé Grégoire, who says: "It is time to honor the indigent"; the Abbé de Cournand, professor in the Collège de France, who writes that the poor: "are also our brothers, having all the same rights to the common heritage"; the Abbé Claude Fauchet, who declares: "All rights are common property in a well ordered society."

Having now reached down to the deep religious roots of the republic, let us try to show how far religious beliefs affected the principles of Thomas Paine:

He was born a Quaker Christian, and he retained a certain Quaker bias even after he had ceased to be a Christian, which occurred at a very early age. He was hardly eight years old when his conscience revolted against the official theology; he refused to believe that a God and a Father required the bloody sacrifice of His only Son in order to appease His hatred toward humanity. His first religious impressions persisted long after he had publicly denied them, and for this reason especially: the Quakers depend on internal illumination rather than on any dogma

or sacrament, and this was the lantern by whose light Paine had discovered the interior world; he never at any period entirely departed from his first point of view. The doctrine of his duty to fraternity had always been his religion; it was his philosophy.

Such lessons assuredly had their effect on Thomas Paine. Fortified from childhood against the glamor which begins in childhood for grown men, he weighed kings and nobles by their weight as men and no more; George III, his own prince, is, in his judgment, simply a poor madman. Later on, when our Frenchmen experience the same thrill before Louis XVI, anointed with the holy chrism, that they might before the Holy Sacrament, and afterwards, when by a natural reaction, they throw themselves on him with the fury of a profaner of the sacred Host, the ex-Quaker deliberates as composedly as if the fate of a trapped mouse was only at stake. The personage who makes a whole people tremble, now with veneration, now with fury, is for him a weak-minded, but not an ill-minded creature. He measures dukes, peers and all persons of rank with the same tranquillity. In short, there is not a fiction, not a challenge to good sense, not an obstacle to republics, that

has not been effaced from his mind by his Quaker phlegm. Even the glory and the great name of Washington do not impose upon him. Believing that the conduct of the hero has been marked in his own case by duplicity, he plainly tells him so. Thus the Quakers, respectful to God alone, were the first to break "those cords," as Pascal calls them, "which attach respect to such and such a person, and which are simply cords of the imagination."

Another inequality is that which our sympathy places between our own countrymen and the people of other lands. There again the imagination plays a part. The Quakers are too unimaginative to be "nationalists"; they find in every country the same humanity of flesh and spirit of which they feel they are members. Paine, then, passes from England to America, then to France, then back again to America without the slightest quiver of emotional leave-taking on his departure from one land for another. He is in exile nowhere, for "my country is the world," he says, after the ancient stoic. This "internationalism" of Paine, as was afterwards that of Lamartine, is offensive to the passionate plebeians, who elevate impulses to the rank of virtues. Thus, Marat, pure *nationalist,*

as well as perfect demagogue (he was born at Neufchatel, but that does not disturb him) says to a friend of Paine: "The French are mad to allow foreigners to live among them. They should cut off their ears, let them bleed for a few days, then cut off their heads." Thus the hatred of Marat for Paine is a natural thing, for they are two mental structures one of which implies the negation of the other. Still, it is in France that Paine hopes to find the clearest comprehension of his humanitarian doctrine. France is a country of common sense even more than of imagination; for two centuries her philosophers have had an immense audience, and an audience not limited by frontiers; she has inaugurated her Revolution by the affirmation of principles which are essential to mankind.

As "Humanus," then, Paine attaches himself to France as the missionary of that progressive enfranchisement which he proclaims. But he does not wish her to be an armed missionary. What Paine desires is not the clash of nationalities, still less their effacement, but a federation among them, with a "Parliament of Man," in which reason, by the agency of perpetual arbitration, would organize peace. Paris should be its seat, for it is of Paris that men speak the most.

There a common flag would float composed of the flags of all nations, a veritable scarf of iris in which all the shades of the prism would succeed one another as in the celestial bow. A dream, no doubt. No matter; in the colors of the dream I recognize the mark of a mind which Christianity has liberated from all tribal fetichism. How could Quakers, who call themselves the *Society of Friends,* say: "Our friendship stops here; this is its exact frontier; beyond, there is a clear field for violence"? Thus the pupil of Quakers, instead of representing to himself society as a tower with stones superimposed upon one another and without any ladder, sees transitions everywhere, the possibilities of ascent everywhere, and he holds it as a sacred obligation never to prevent them, never to keep the people down.

Thomas Paine, then, felt in the very recesses of his soul that be belonged to a society of persons who had no authority over others, no claim to exercise power of any kind, and who were not considered entitled to any consideration whatever. And, in addition to the severities of power, they had to endure the insults of the brutal mob. On every side they found all the outlets closed against them, which, if they were open, would

have allowed the Quakers to enjoy the ease and comfort that render men insensible to injustice. These were fortunate persecutions, and from them has sprung the determination to subordinate all other social ends to respect for the rights of man. If the affirmation of the first republican thesis is a progress of justice, this progress had to be won from the very impossibility of living otherwise, which was made manifest by innumerable errors and sufferings, since forgotten. It is the common law, already recognized by the ancient sages: "Injustice gives birth to Sorrow, and Sorrow gives birth to Justice."

I have tried to answer this question, in which, as it seemed to me, all the permanent interest of the career of Thomas Paine is contained: how did it happen that, about the year 1770, an obscure man, in a dependent position, the subject of an ancient monarchy, was able to conceive, and that with absolute assurance, a certain political system as being both desirable and realizable, which to-day appears very difficult to be realized, although dictated by sound sense, and which was then unheard of? Most decidedly, it was not a sudden and fortuitous outburst. Such a discovery was the result of long preparations under

divers influences of which some were explicit traditions and others latent instincts.

It is clear that heredity, social condition and religion acted together upon Thomas Paine, who was simultaneously an Englishman, a man of the people and a Quaker Christian. The formula, according to which these forces were tempered, was simply his own temperament. If, for example, he separated himself from the Quakers of Pennsylvania and New Jersey because their principles of non-resistance would have led them to endure everything from the Crown of England rather than resolve to stuff bullets into their muskets; if he gave, to the great scandal of these peaceful people, the signal for the battle in behalf of right, it was because another English characteristic of quite an opposite nature had tempered his Quakerism; on the other hand, there was none of the English arrogance about him which might have hindered him from becoming a naturalized French citizen, and he remained to the very end quite simply a friend of the human race; and the reason for his action in both cases is obvious: he had been as closely associated with a Christian community as he was with popular life; if, finally, he had freed himself, on attaining maturity, from the Quaker principle of passive

resistance, it was because that opulent plebeian nature of his could no longer be kept apart from the joys of efficacious activity. We may be assured, moreover, that his practical knowledge of science would in any case have conducted him to a religion of pure reason.

All this work of combination had been accomplished in him during the period which in every fecund spirit is essentially the period of fecundity: namely that of obscure, meditative groping. Such a spirit accomplishes nothing, men say; but it is accomplishing its own formation.

After his arrival in America, none of the adventures of Thomas Paine will modify his convictions, which then received their final form. From this moment his inner biography loses almost all importance, and, at the same time, his external biography begins to become singularly striking.

It is my intention to dwell only slightly on the latter.

To pass from London to New York in that day was to change from sky to sky, not from kingdom to kingdom. On the other side of the Atlantic, the English subject was still in England. There was nothing to foretell to the indigent pilgrim (nor to anyone else, either) that the

American colonies were on the eve of constituting themselves a distinct nation, and that he had just arrived in time to assist them. When he returns to his natal soil twelve years later, this American land, which he is now seeking as a temporary asylum against famine, will have become his mother country forever. That nation is our mother country really whose true destiny we have discovered and adopted as our own; who, therefore, could be more authentically American among the sons of the first settlers on the coast than this newly landed emigrant? Having first discovered in himself the goal assigned to the new nation, he is the first to point it out to all the others. He is as much American as Jeremiah is a Jew and Demosthenes an Athenian.

It was in an article, chiefly directed toward the suppression of the slave trade and signed HUMANUS, that he mentioned the fateful word *Independence.* Yet this article was not at all his political manifesto; it was the imprecation of a humanitarian Christian, revolted by the inhumanity of the world, and inclined, according to the usual custom, to blame the Government for it. Thus, *Polyeucte,* in the tragedy, does not believe he is giving utterance to a political

prophecy when he curses the *Emperor Decius,* "that tiger athirst for blood," and predicts that "his hour has come."

But, once the word "independence" had been launched, Thomas Paine is irresistibly impelled to deliver himself of his whole thought at a bound: with autonomy must be joined republicanism: all that Utopia, all that blissful dream which the plebeian Quaker used to caress last summer in the streets of London—why, a crevice has now been opened through which it can enter and meet with a probable and speedy realization! The hour is striking. Moreover, the uncertainty in which he sees other men sunk is but a halting-stage for the man who has absolute certainty. Later on, Paine will say: "It was the cause of America that suddenly made me an author." And thus "Common Sense" came into being.

"Common Sense" was like a flash from the heavens. It was just what the time and the men of the time needed. The effect was prodigious. For the first time, the colonies perceived suddenly what they wanted and that what they wanted was possible. If it be asked how could Paine, but newly arrived from England, and the American public come to such an understanding all at once, it must be remembered that community of

origin, language, and, above all, of religious sentiment, predisposed the minds of both hemispheres to a mutual understanding. The Quakers of Pennsylvania found again their principles in the missionary whom English Quakerism had sent to them. The Non-conformists, who had emigrated of yore for the sake of religion, and whose republican temperament had been nurtured by their meditations on the Bible and by their subjection to arbitrary power, formed a ready audience for the Good Tidings.

For that matter, the writings of Paine were much more effective in winning success for his ideas than fame for himself. As he preserved his anonymity, many people, who were entirely impregnated by his opinions, knew nothing of the author. Once when he had come to a meeting where his name did not excite any attention, he had only to tell them that he was COMMON SENSE to arouse the most fiery enthusiasm in one part of his audience and cries of fury in the other. As for money, he would never touch it, and he had to contribute a certain number of guineas from his own ill-furnished purse to the expenses of the publication of the book which was soon seen in every hand.

"Common Sense" opened to the Americans a

perilous future. They committed themselves to it. Six months after Paine had spoken, the majority of them were converted to his opinion. Henceforth the ties that bound them to the mother country were loosened. The die was cast.

As for the writer who had inspired the efforts of the states, if he were now to stand apart from their cause, he would have incurred the blame of having hurled a whole people into the direst dangers. But he showed that his conviction was serious. He shouldered a musket as a simple volunteer, not having the fear of his Quaker coreligionists before his eyes, was in the retreat on the Delaware, saw with his own eyes the wretched encampments, the night marches under the rain, starvation, bleeding wounds, splendid young fellows dead or at the last gasp, saw, indeed, what were the consequence and the payment of the logical propositions which he had written down tranquilly at his work-table.

Discouragement soon spread through Washington's poorly fed and badly equipped army, and despair and lassitude were universal.

Then Paine becomes the self-constituted orator of the forces. He sets about writing, in the very bivouacs, under the stress of present ne-

cessity. In this fashion was begun that series of effective pamphlets, called severally the "Crisis," which, for intensity of accent and prompt unraveling of difficulties, may be compared to the "Philippics" of Demosthenes. These papers succeeded one another at irregular intervals, beginning on November 22, 1776, and ending on October 29, 1782. The first is a military exhortation after the manner of the ancients. Washington ordered it to be read aloud in his camp to every corporal's guard. Another is addressed to Lord Howe, warning him, in the interest of his own country, not to continue the campaign; another brings home to the American people the lamentable dearth of soldiers; the aim of another is to refute the autonomist prejudices of some of the states, and to plead for federal union; another, when the country is on the road to bankruptcy, proposes practical measures for strengthening the public credit.

Another, after the successful close of the war, thanks to French assistance, proves that it must always be America's duty to remain faithful to the ally of her evil days; the last, now that peace has been finally established, is a farewell

to the public and an outline of the organization which it is time to give the new nation.

Each of these papers, lightly thrown off, is his gift to the insurgents of a thought that is constantly lucid. And this lucidity is immediate; for Paine writes under the first shock of events. He is with Washington at Valley Forge, among those five thousand men in whom even their chief has no longer confidence, and who crouch in mud huts like beavers; he goes in a sloop to reconnoiter Fort Mifflin under an English cannonade, and he finds it nothing but a heap of ruins; thus, every day he verifies with his own eyes failure in all directions; and these are the very occasions he chooses to proclaim the approaching triumph of the cause of Independence and the near destruction of English power! And the event does not belie his prognostics.

Well, the Revolution had come to an end. It would have been natural to believe that the office of "guide for revolutions" was to come to an end also. This American Revolution had been so great and singular that it was hard to conjecture that the same men should be reserved to see another revolution still greater and still more singular.

It was simply the wish to consult the Acad-

emy of Sciences in Paris on the construction of an iron arch five hundred feet wide that led Thomas Paine back to the old continent. He arrived in Paris at the beginning of summer, 1787. Note this date, and you will recognize the man fated to land always at the point where the tocsin is sounding. However, he is at first occupied with questions not requiring any special activity.

He frequents the company of certain philosophers who are friends of Franklin and are adepts in mechanical science. As he does not speak French, his circle is necessarily limited. But this small circle is, as we know to-day, the first nucleus of the republican party in France. Those who form it are persons equally ready to discuss in English the mechanism of an iron bridge or the Constitution of the United States. In addition to the Marquis and Marquise de la Fayette, patrons of all Americans, there are the Marquis de Condorcet, geometer, philosopher, statesman and free thinker, and his wife, an enthusiast about Paine and now busy with a translation of his works; Brissot, later on to be the leader of the *Gironde,* who had traveled in America and has lately founded a *Société des Amis des Noirs* that is trying to interest fashion-

able people in a cause of which Paine is the prophet; Danton, who is soon a very intimate friend of Paine, and a few others, all devout disciples of "Common Sense," and they all know English.

In fact, we have here the staff, all united and ready, of *Le Républicain,* the journal that in some years will have its own rôle in the Revolution but will expire with its fourth number. I consider this moment of contact between Paine's mind and theirs solemn. It is now that the grafting begins to take hold on the old tree.

When the year 1790 is about to expire, Paine, the engineer, is in England, anxious concerning the success of his iron bridge, a model of which is exposed in one of the suburbs of London. It was at the very moment when Burke's "Reflections on the Revolution in France" appeared. The entire spirit of conservatism is there unfolded with the superb eloquence and arrogance of a master in statesmanship rebuking his pupils. The mixture of contempt for man and respect for established power that marked the entire work, the blending of that political optimism and philosophic pessimism which are the characteristic qualities of the authoritative and well-contented conservative, was but too well known

to Paine as the deadly enemy of every effort to attain enfranchisement.

It was necessary to speak, the more so as Burke had disdainfully passed aside as unworthy of notice the marks of sympathy given to the French revolutionists by Priestley, Price, and the radical associations, and, as the "Reflections" were immediately translated, and went through five editions in France in a single year, it was evident that, if no Englishman replied to them, the idea would spread through France that all England was indifferent to the agonies of justice. How could the misunderstandings between the two peoples ever be dissipated if this belief was established?

Paine for the second time in his life heard a sudden call. Hardly had he finished the last page of the "Reflections" at the Red Lion in Islington before he asked for pen and ink, and set about composing his reply in the inn itself. In this fashion, was dashed off, in less than three months, the first part of the "Rights of Man."

It is a strange book. Burke is there bantered, parodied, caricatured by his friend of a few years before. The most insulting abuse is heaped on the monarchy of George III, with its venal, incoherent Parliament, with the jobberies

and mania for every sort of oppression of its unprincipled government, and above all, with the decay and rottenness which are the natural consequences of heredity of office and heredity of royalty. Then the journalist, transforming himself into the historian, gives what he regards as a just estimate of the American Revolution, based on his personal reminiscences, and proceeds to relate, on the testimony of his Parisian friends, the beginnings of the French Revolution. Finally, with all the serenity of the philosopher, he lays down dogmatically the principles which must guide any government that wishes to bestow effective protection on equality of rights.

The tone of the entire work is outspoken and rough; it bears no resemblance to the gorgeous and stately drapery, fashioned after the antique, in which the eloquence of Burke is grabed; we must rather find its parallel in the coarse cotton homespun out of which are made the shirts of the workman. Not only was the delicate epidermis of the literary classes excoriated, but the entire English people shuddered, fairly quivered with rage; for it is a people obstinately smitten with its venerable servitude, and the least revolutionary that has ever existed.

Who, then, is this public disturber who would

throw everything into confusion? Is he even qualified to speak? No, he is a bad Englishman, who glorifies all that is done on the other side of the water. Let him take himself off to France, if he find more reason there than we have here! And, as the writer's face is not well known, a supposed effigy of him is incased in stays by workingmen, before being burned, in memory of the trade Paine once followed at Thetford. This little feature, this mockery of the artisan's condition by a crowd composed of artisans, proves to what a degree a long habit of slavery may deform and degrade the human mind. Such is the support supplied by the poor to their defenders.

Burke himself, disconcerted by the attack, declared with a shrug of the shoulders, that the only refutation worthy of the "Rights of Man" was that of criminal justice. And, in fact, all the agencies of criminal justice were put in motion against Paine. But before they could reach him he was safe in Paris.

Certainly, the position of Paine, first as an accused traitor, then as a proscribed exile, greatly enhanced his prestige in France. Among the Frenchmen who applauded with transports at Calais, Amiens and Paris there were few who

ever saw the pages of "Common Sense" and the "Rights of Man." They hailed him, above all, because he was "the man who had suffered for the cause." It is enough in France to make a man popular, and, at electioneering time, to make him a deputy. Thomas Paine was elected, then, deputy to the National Convention in four Departments. So, from being an enthusiastic but distant spectator of the French Revolution, lo, all of a sudden, he becomes an actor in it.

All France doubtless knew that he was a republican. Not only had thousands of translations of his "Common Sense" and the "Rights of Man" been sold, but the author had assumed the attitude of a champion of republicanism more than a year previously on two notable occasions: on the first of July, 1791, by the publication of a manifesto, and on the eighth of July, by a public discussion with Sieyès on the principles of government. The first was placarded on the walls of Paris immediately after the King's return from Varennes.

It is true the denunciation of this manifesto was almost universal. One deputy said: "It is ridiculous to take the trouble of censuring an opinion so wild and extravagant." Another: "The author of this manifesto is a lunatic, and

should be handed over to the care of his relatives"; a third jeers at "the ridiculous chimera of a French republic." Robespierre is disgusted: "I will not," he says, "deign to answer certain imputations of republicanism which some persons would attach to the cause of justice and truth." Thus all denounce as vain and delirious the prophecy of an event that will be realized in less than fifteen months in the midst of unanimous applause. So true it is that the people, far from marching of their own accord toward the future, have to be dragged toward it backwards, and then they fall into it.

However, the flight to Varennes had started the question of a monarchy or a republic. On the sixth of July Sieyès published an article in the *Moniteur,* wherein he attempted to demonstrate, with his usual dogmatism, that men are freer in a monarchy than in a republic. Paine entered the lists against him with open vizor. He addressed a long letter to him which the *Moniteur* published, with Sieyès's reply.

Paine declared himself the frank and intrepid enemy of the form of government known as monarchy, and he did so, taking his stand on the principles of humanity, fraternity and liberty for all, which are exactly the principles of the

"Rights of Man." He demanded, therefore, a representative government, but such a government would not be sincere except with an executive elected by the people and dependent on the people. And this fact was being every day demonstrated by the experience of England. Such a proposition plainly bound together mutual government and the rights of man, the third proposition of the republican thesis added to the first two, which were approved of by Sieyès himself. Sieyès retorted that the republic of Paine was a "poliarchie" which would disintegrate national unity, and, at the same time, would compromise the division of powers, and, as a necessary consequence, would compromise liberty. This might be true, but it was to change the question.

Such, then, was this controversy, to which I have reason for believing the five "republican" friends of Paine brought a concerted plan, for on the same day on which Paine's letter appeared in the *Moniteur,* Condorcet published in the *Républicain* a scathing sarcasm upon monarchical prejudice. But what were these five republicans among a nation that had been monarchical for ten centuries? They were not listened to. Their time had not come.

A year later, however, events have taken a rapid turn; the country is "in danger"; it looks as if the royal war-lord has failed in his duty; and the urgent character of the peril has forced the nation to decide on governing itself or else abandoning itself to the fate to which it has been abandoned by its sovereign; and the phantom of royal power has vanished on the tenth of August. I am not surprised that, on this occasion, more than one person called to mind the republican declarations which had made him shrug his shoulders the year preceding. On the republic discovering that the republic was a fact, the mass of Frenchmen became republican, republican because of their very conservatism, as is the way with Frenchmen generally, or rather because of the principle of gravitation that exists in every mass of human beings. So, the opinions of the day have at last exactly coincided with those expressed in the manifesto of Paine. It is recognized that he has uttered the word which solves the problem. And so, with the help of some who lately fought against him, Thomas Paine is elected to the Convention as the standard-bearer of the republic. I have already explained that the persecution of the English Government had already rendered him popular in France. To

vote for this foreigner, therefore, becomes the act of a patriot.

When our honest friend took his seat in the Salle du Manège, where the Convention at first held its sessions; when he saw himself lost among those seven hundred emphatic, gesticulating Frenchmen, I imagine he must have felt not altogether comforted by the success of his principles. On the twenty-first of September, the formula of the fateful break with the past was enunciated, after a philippic from Grégoire: "The National Convention decrees unanimously that Royalty is abolished in France." And then there were cries and applause and fraternal kisses and arms lifted up, waving pocket handkerchiefs and canes and hats, even in the lobbies and galleries. All this must have disgusted Paine not a little.

He was present at the debates, but to a certain extent outside them, for his ignorance of French kept him beyond the magnetic circle of words. He sat calmly on his bench, with that vague, enigmatic smile we see on the lips of the deaf and dumb which chills the spectator. Yet everyone turned toward him as toward the living statue of liberty. The enfranchisement of America consecrated him. Moreover, his presence in the midst of Frenchmen, with that of Anacharsis Clootz,

the Prussian, seemed to signify that the Convention had its ramifications in every country, and this was congenial to its pretension to legislate for all humanity.

On the eleventh of October, Paine was named on the Constitutional Committee. Among the eight members elected with him, he found his friends Condorcet, Brissot, Danton, who would serve him as interpreters, and his old antagonist, Sieyès. We do not know exactly what part he took in the labors of the Committee; but it is pretty certain that he had a good deal to do with the project of Condorcet.

If we analyze this project, we shall discover some of the English, plebeian and Quaker ideas which I have already expounded. Universal suffrage was definitely consecrated, contrary to the doctrine of the Constituents and in accordance with that of the radical supporters of equality; the principle, not of toleration in the religious order, but of respect for convictions, was affirmed in the terms of the Puritans; liberty of the press and of all manifestations of opinion was guaranteed; universal instruction was promulgated as the debt of society to its members; all heredity in functions were abolished as absurd and tyrannical; finally, the censorship of the people over the

acts of the national representation was minutely organized: any citizen could protest against the whole system of assemblies that went on, ever widening, around him; all he had to do was first to win over fifty citizens, then a primary assembly, then the primary assemblies of a commune, then those of a department, and finally those of the entire republic.

Now this system of concentric waves was, as I have pointed out before, exactly that of the Quaker *meetings*. Certainly Condorcet could have found a model for it nowhere else. And let us say, by the way, that this Constitution is the most purely republican constitution that has ever been drafted in France.

You know that it was not voted. There were others, in which, however, the paragraphs which exhibited a frank confidence in the intelligence of the people were prudently altered, and religious liberty was restricted from fear of the plots of refractory priests; the Quaker system of popular initiative was destroyed. Whatever was democratic in the edifice was borrowed from the project of Paine's friend Condorcet.

But no sooner is the republic established than it begins to be very apparent indeed that the fear of the past has not vanished. The past has

been killed, but, then, no one is fully sure, and it is necessary to bury it speedily, and so deep that it can never return. Penalties are multiplied feverishly, like shovelfuls of earth. That most deadly enemy of liberty, the panic of crowds, has taken hold of the Assembly. There are shrieks of treason. Death to the traitors!

Thomas Paine knew better than anyone could know from mere hearsay what this sort of patriotic delirium foreshadowed. The madmen who had sacked the house of his friend Priestley, and who glutted their hatred by burning manikins supposed to resemble himself were still busy on the other side of the Channel; mobs of the same character he saw now, always ready to rise against reason and liberty. He recognized them: he was not under the illusion of all, or nearly all, the members of the Convention that these anarchists were republicans. He did everything in his power to resist them, in harmony with that Quaker prayer of his in which he asks to be enabled to serve the people in spite of themselves! All that man could do to save the life of the dethroned monarch he did.

The arguments of Thomas Paine fell under two categories: that of policy and that of justice. He invoked the experience of English history,

which points to the return of the Stuarts after the beheading of Charles I; while, with the simple banishment of James II, it was all over with their dynasty. To kill the man is not, therefore, to kill royalty, and the younger brother of Louis XVI, who was beyond the frontiers, would find himself invested, by the death of his elder brother and the captivity of his nephew, with that royal prestige which would be a force in the ranks of the enemies of France. This fault, he declares, must be avoided. And if anyone advances the interests of justice as an argument for a different procedure, it can be answered that the culpability ought to be shared between Louis and the National Assembly, which, after his voluntary disappearance and his return from Varennes, restored him, in spite of himself, to the throne.

In fine, capital punishments may be needed to prop up old monarchies, but are repugnant to a government of reason. The only real way to destroy royalty is to destroy also the governing methods of royalty and, first of all, the penalty of death.

We know that the vote was for death. Even Sieyès, who had, a short time before, defended the monarchy against Paine, voted for death, calmly and with a shrug of his shoulders. Thomas

Paine alone, when his name was called, rose, and, in a distinct voice, and in French uttered these words:

> I vote for the seclusion of Louis until the end of the war, and for perpetual banishment after the war.

We understand to-day the consequences of the execution of Louis XVI, that deed of weakness and anger, and we know the appalling events which followed it, so that sympathetic spectators beyond the borders of France, who had hoped that the definite overthrow of a régime of handcuffs and arbitrary imprisonment was the herald of the closure of the zoological period of human history, came to believe that even despotism is better than the anarchy of a murderous populace. Even Paine, with all his robust optimism, was plunged into despair by the bankruptcy of his ardently desired republic. He has ingenuously confessed that he drank rum to distract him from the scenes around him. He was seen more than once looking wild and absent-minded; this was enough, in the eyes of some, to justify them in branding his name with the stain of an ugly vice. However, that he did not lose his lucidity, his letters, written at that period, clearly demonstrate.

Meanwhile, the Revolution continued to march in the same direction into which the weight of its first errors had necessarily dragged it. After the National Guard has demanded and obtained by menaces from the Assembly its consent to the death of twenty-nine of its own members, Robespierre requires a law to be passed "against foreigners."

Paine employed whatever prestige was left him in saving some of these foreigners. He spent the whole summer of 1793 in retirement; he lodged in an old abandoned residence of Madame de Pompadour. However, certain persons soon began to recall the fact that Paine himself was not to the manor born; he came from somewhere else. His origin, name, language, all proclaimed the foreigner. Then, he was the friend of the Girondists, and the dregs of the Parisian populace were convinced that the Girondists had plotted against the national unity, because they hated Paris.

The month of October, 1793, was one long crisis. A decree of the Convention enacted on the third that the Girondists, "as agents of the English faction," should be tried before the Revolutionary Tribunal. In his report, the Conventionnel Amar denounced Thomas Paine as equal-

ly guilty—that very Thomas Paine whom England had, notwithstanding, proscribed. "He had," said Amar, "dishonored himself during the trial of Capet by supporting Brissot and daring to talk about the dissatisfaction of the United States of America." But Robespierre, having caught the Girondists in his net, was contented, and scorned to support an accusation against the author of the "Rights of Man" for the present. However, on the tenth of October, it was decreed that all Englishmen should be arrested; several young republicans from across the Channel fled stealthily, first to Paine, then beyond the frontier. Now, on the very day upon which the decree was issued, Paine, on his side, was writing to Jefferson, advising the United States to take the initiative in convoking a congress of peace at The Hague, the object of which should be to guarantee freedom of commerce and to reconcile hostile nations: it was the sole chance of saving the rights of man—with innocent *internationalism* on one side, venomous *nationalism* on the other, and both of them manifesting themselves simultaneously. You see how far apart the gulf had grown between Paine and the Revolution.

However, he sees that Brissot and his other friends have been cut off from the land of the

living. The benches around him in the Convention were empty, and the Terrorists soon returned to the charge against Paine himself. Bourdon de l'Oise denounced him in the Convention on the twenty-sixth of December. The accusation, as might naturally have been expected, was based on his "connivance with the foreigners," and this "connivance" was wrapped up in deep mystery. "I know," said Bourdon, "that he has been intriguing with an ex-agent of the Foreign Office." That was all; the accusation was of the vaguest, and therefore, the more impossible to meet. When Paine became aware of it, he was somewhat taken aback by the strange methods of discussion adopted by his "Nationalist" opponents. "I should have wished," he said, in his honest simplicity, "that Bourdon de l'Oise had taken the trouble to make himself better acquainted with the facts, before rising to speak against me." Barrère defended the thesis upon which Bourdon had founded his charge. "It is necessary that the French people should understand how injurious to its interests is the decree that allows foreigners to form a part of the national representation." Robespierre was silent, but the Assembly divined his wishes. It showed its docility by decreeing that "no foreigner could be permitted

to represent the French people." So Thomas Paine and the Prussian humanitarian, Anacharsis Clootz, found themselves excluded from the Assembly.

Two days afterwards, the Committee of General Safety ordered them both to be arrested. Paine had passed the night with a few American friends, and, in the morning, was awakened by a commissary of police and some of the National Guards. A perquisition was made in his domicile in his presence, and he was then conducted to the prison of the Luxembourg, where he remained for more than eleven months, escaping the guillotine by a miracle.

At all events, this tedious incarceration was a benefit to him in one respect: he was not caught up in the deluge of tyranny that followed. He was really freer in a dungeon than he would have been outside, for he was, at least, sheltered from informers. And then, during the spring of 1794, France had to submit to a régime that was, in every respect, directly opposed to his doctrine of the equality of rights and of a real republic: there was not a single liberty for which he had struggled that was not flouted and crushed.

Yet, for all that, in the midst of all the terrible forces that had been let loose, Thomas Paine

was quietly philosophizing in his prison. He was arranging methodically his ideas upon religion. It was not solely in order to distract his mind from dwelling on external events that he was doing so; he was too much of a journalist to allow his thoughts to loosen their hold on the actual; and, in fact, the question of religious belief was as actual at this period as anything well could be. As a result of the maxims of the Terror, fetichism began to have a new and flourishing life. The origin of all the deadly errors of the time lay in a certain confused theology which went back many centuries behind the Declaration of Rights, and which was, in all respects, the downright contradiction of every principle embodied in that document. For the universal, humanitarian, rational God to whom Voltaire said: "Thou hast not given us hearts to hate or hands to butcher one another; grant that all men may hold in horror the tyranny that would constrain the soul!" was gradually substituted an ancient, tribal God, jealous and murderous.

He was not known as God, but as *La Patrie* (the Fatherland), and sometimes even as Liberty, officially as Reason, or rather as the Supreme Being. But, by whatever name He might be styled, He was actually a god like the Yavah of

Deborah and Gideon, and His devotees, the "patriots," felt themselves bound by an inexorable rule, a rule obeyed without examination, to use the saber and the knife of the guillotine against "incivism," I was almost going to say, against the "uncircumcized." All the servants of this deity had to swear to love certain objects and to hate certain other objects. The wives, children and relatives of the accused were all involved in the same destruction; sepulchers were violated; war was waged against stones, for men spoke in the Convention the language that is found on a Moabite or Assyrian stela, talked of razing rebellious cities, like Toulon and Lyons, to the ground, and of abolishing their very names, so as to kill them even in the memory of men. And this new religion has a whole liturgy of rites—those rites that have always characterized holy wars, or the wars of "the pure with the impure"—before God was conceived as one and universal.

The time had arrived, therefore, for the grand idea of the Eighteenth Century, Humanity, to be resuscitated, if the new aberration was to be successfully confronted.

And this is just what Paine endeavored to do in his "Age of Reason." A government emancipated from tyranny—and that was the sole form

of government he favored—could be maintained only among a people that had arrived at the "age of reason"; that is to say, at the age of free thought. The man who does not flatter himself that he possesses definite truth, but who modestly seeks to see clearer, and who has learned the habit of self-criticism, is alone preserved from wishing to tyrannize over consciences; he alone has the republican spirit. But Robespierre and his acolytes, being disciples of Rousseau, proved that they were incapable of thinking freely. Did they even know what sort of a thing free thought was? In their *natural religion,* they dogmatized, they excommunicated, just as the Pope did in his literal religion.

Paine had observed this phenomenon, he had noted that the intolerant spirit of ecclesiastical persecution had been transported into politics, and that the Revolutionary Tribunal had taken the place of the Inquisition. No one would have expected that the *Profession de foi du Vicaire Savoyard* would have given birth to such servitude. Thomas Paine has the same beliefs as the Vicaire Savoyard, but his method is very different. He is not like the village priest, an "Orpheus singing primal hymns"; he is an utilitarian who consults experience. Instead of setting

forth as primary truths his own inner illuminations, he finds the marks of the truth of a religion in the proofs it is able to show of its capacity for insuring the general happiness of mankind. A religion which stimulates men to hate and slaughter one another cannot help being false. The true divine is the human.

True religion, then, does not consist in pure good will, which simply renders the individual himself blameless, but in carefully planned and efficacious beneficence. It is the *imitation of God* as Creator and Father, as Reason and Love. Far from this true religion having been revealed to us by the agency of a primitive instinct and afterwards again discovered in the recesses of our souls "in the silence of prejudices," it is a recent acquisition of experience, valuable in proportion to the high price paid for it, and in proportion to its salutary consequences. It is necessary to preserve this acquisition and to increase it still further.

Thus the conscience of the modern man is really a product of history; but its authority is not the less sure on that account; the very reverse is the case, for as it is the authority of an authentic experiment prosecuted from age to age, this modern conscience has the right to

sit in judgment on the religious conceptions of the past; in the Bible, it makes selections; it retains all that is conformable to reason and promotes praternity; it rejects all the irrational marvels, all the "Christian mythology," and it particularly thrusts aside the barbarous commandments given by the national Jewish God to His people. The exclusivism of the synagogue is certainly detestable, and it is necessary to deprive it of the prestige it has gained by a pretended conformity to the will of God. The philanthropist Jesus did his best, because of his natural goodness, to free his contemporaries from this notion; but he was the victim of the kindliness of his heart, a victim well worthy of pity and still an object of veneration.

Such is a summary of the ideas of Paine on religion; they are, in my opinion, much nearer to those of Voltaire than to those of Rousseau; but they differ from Voltaire in tone and accent, and are far more popular, serious and tender.

None of the pamphlets of Paine won him more enemies than this little book of rational theology. He touched the English reader on his sensitive point, his reverence for the "Holy Scriptures." From that moment, the malignant hatred of the pious met him at every turn

and blackened his character with indefatigable zeal.

Yet, it had never been his intention to wound the feelings of anybody; all his purpose was to render testimony to the truth as he saw it. He had written the "Age of Reason" with profound conviction: it was to be his last will and testament. He completed it in prison, in daily expectation of death, which everything predicted to be inevitable. From the cells next his own, he saw the departure, in tumbril after tumbril, of Hérault de Séchelles, Clootz, Camille Desmoulins, Danton, etc., all gagged by their judges, as had been the Girondists. In a single night, 168 prisoners were dragged from the Luxembourg, and of these 160 were guillotined the next day. What chance had Paine, then, of surviving them? Doubtless he was an American citizen; but Gouverneur Morris, the official representative of the United States, had abandoned him. Some of his fellow-citizens settled in France addressed, indeed, a petition to the Convention (January 27, 1794) praying for his liberation; but at that very moment, Vadier, one of the accusers of the man they were trying to save, was president of the Assembly; Vadier, instead of answering yes or no, buried the protest under a heap of mean-

ingless phrases. Paine was, therefore, to all appearances, lost. He was undisturbed, devoting all his care to the preservation of his papers and the composition of a farewell dedication to his fellow-citizens of North America.

The circumstance which saved his life was quite fortuitous: it was simply the negligence of his jailers. The door of his cell was open and thrown back against the wall of the corridor on the night when a keeper went round to chalk on it the death sign for the following morning. In a fit of absent-mindedness he wrote the name of Paine on the inside of the door. The commissary who, before daybreak, passed along the corridor, ordering the condemned prisoners to come out of their cells, saw nothing on one particular door, and went on. Then came the ninth Thermidor, the downfall of the Terror and the general jail delivery.

Yes, delivery for the other captives; Paine, who had been forgotten by the executioners, was now forgotten by the liberators. He wrote to the Convention on the nineteenth Thermidor, reminding it that he was still in existence and demanding his release; the communication never reached the Legislature, so he continued to crouch in that Luxembourg cell of his the whole autumn;

he was very ill, exhausted by the bad air and the bad food, and suffering from an abscess in the hip which was rapidly undermining his health. Fortunately for him, his friend Monroe had replaced his personal enemy, Morris, as United States Minister. Monroe at once interfered, and Paine was restored to freedom. The author of the "Age of Reason" was, then, again among the living. The decree excluding him from the Convention being annulled, he again took his seat in it on the eighth of December, like the pallid ghost of the days, already far distant, when the republic had been inaugurated with shouts and hurrahs. Of the nine members of the Constitutional Committee only two were left: Sieyès, who owed his safety to his pliancy, and Paine, who never bent to anything or anybody.

After the Terror had been once banished, it was the terror of the Terror that governed. The pendulum had swung backward. Just as in 1792, all imaginable measures were adopted to prevent the slightest possibility of the revival of royal despotism and of the past, so, two years later, all energies were devoted to the task of rendering the existence of a new Robespierre forever impossible and of killing forever the recent past, more hated than that of old. The longing for

security, after months of chaotic confusion, is likely to reach a degree of savage exasperation in the bosom of the honest bourgeois.

So Thomas Paine, who preserved his normal serenity, found that he had to pass once more from the right to the left. A while ago, an "aristocrat" in the eyes of the Terrorists, he is now a democrat from the standpoint of the Thermidorians. But it was not because he really oscillated. It was his opinion that principles which could be influenced by circumstances had no genuine foundation in the heart. He pardoned everybody. Why not? None of the people had done him wrong. The experience he had undergone had not in the slightest degree shaken his confidence in the people. It was not, he believed, the people that had imprisoned and persecuted him, but a faction that had usurped the popular power. The people is, and not the less on that account, the legitimate sovereign, the only sovereign that has the right to establish a government by the election of representatives, who are delegated, not to issue decrees suggested by passing whims, but to enact general and durable laws.

If the Constitution had been obeyed, these acts of arbitrary power which now revolted everyone would have been rendered impossible. What

constitution? That of Condorcet or that of Hérault? It did not make any difference, provided that it was a written, printed constitution, containing a certain number of articles, a constitution which each citizen could carry in his pocket. Despotism arises only when people place themselves at the mercy of events. The evil is that the republic has no stable defensive organization, that liberty is not regulated. This thesis was developed with great force by Paine in his dissertations on the "First Principles of Government," published in July, 1795, just when the Constitution of the Year III was the subject of deliberation. It was a liberal constitution enough, but it was never popular. It was a prudent return to the vote by qualification, to the régime of the middle classes.

Because the poor have brandished their pikes during the past riotous days, the poor are to be deprived of the right of voting. A strange but yet natural mode of reasoning! Boissy expounds it in explicit terms: "We ought to be governed by *the best.* The best are the best educated and those most interested in the maintenance of the laws. Now, with very few exceptions, you will find such persons only amongst those who possess property. A country gov-

erned by men of property is in the social order." It was, in all its nakedness, the society of classes against which Paine had always protested. He could not permit such a theory to be advanced without raising his voice against it. Although enfeebled by sickness, he forced himself to come to the Convention (seventh of July, 1795). He remained standing in the tribune while the secretary read a translation of his discourse. After apologizing for his long, involuntary absence, he affirmed the constancy of his republicanism, and recalled the initial meaning of the French Revolution as indicated by the Declaration of Rights.

Now, the proposed constitution was completely out of harmony with the latter; by withdrawing universal suffrage from the people, it showed that it was not truly republican. To introduce political right as an attribute of property was to strike with inertia a system of government whose very essence was life and movement. Important words these, but they were not listened to. Paine seemed not to understand the situation. The Constitution was a *confiteor* that the Convention knew itself to be unpopular, that it was about to disappear, and that its only chance of returning to power was to conciliate the respectable classes. The speech of Paine was heard

with deference, but found no echo; the French translation was not even published.

It was the last time that the champion of the Republic was to intervene in the affairs of France. The Convention was dissolved on the twenty-sixth of October, 1795, and Thomas Paine became a private citizen.

He continued to vegetate in Paris under the Directory, surrounded by a few faithful disciples and forgotten by the public. Yet he still tried to contribute, for the sake of a distant future, to the progress of republican morals and republican religion, the want of which had just made the Revolution a failure. He had a French translation published of the "Age of Reason," the book in which the modern conscience first dared, without indirection and without sarcasm, to set itself up as the judge of Christian traditions, and laid the basis of a purified religion, reduced to the only beliefs which appeared necessary as a foundation of fraternity among men.

Naturally he was one of the first adherents, if he was not the instigator, of Theophilanthropy. This new religion, in fact, owed its origin to England. David Williams, that friend of Paine who had presented him to Franklin, had invented a *Liturgy founded on the universal*

principles of reason and morality, and he had gathered together a number of free-thinkers in a chapel in London, in order that they might strengthen one another by their mutual sympathy. The Theophilanthropists simply tried to naturalize this institution in France. They succeeded at first. Certain fathers of families, anxious that their children should have a moral training; certain philosophers who, although disciples of reason, required an outlet for their spiritual emotions, such as Thomas Paine, Grégoire, Marie Joseph Chénier, Bernardin Saint-Pierre, became naturally and eagerly its adherents.

For those who did not incline to any particular form of worship, the Theophilanthropist meetings offered a substitute; for the faithful of some other church it was a help to listen to exhortations which urged them to make their conduct conform to their faith. All religious and political polemics were forbidden, as well as all attempts at proselytism. The simple influence of a pure and practical system of morals was of itself calculated to rally free spirits to this free church. The first meeting, on the sixteenth of January, 1797, opened with a lay homily from Thomas Paine *on the existence of God.* After a demonstration analogous to that of the Vicaire

Savoyard, the orator went on to insist on the peril of plunging into mysticism and on the necessity of keeping the mind in a condition of rational and scientific lucidity. But he did not remain long with the Theophilanthropists. The latter, fearing to wound the sympathies of anyone, avoided stating categorically what they did *not* believe. This reticence by no means suited the taste of Thomas Paine, who was always frank and outspoken.

Nevertheless the followers of this religion were gaining some footing, and eighteen churches were abandoned to them. They even installed themselves in Notre Dame for a time. Then came the Concordat, and the Theophilanthropists, with other non-conformists, had to vanish into obscurity.

When the priests returned openly and the peals of the bells again rang out in triumph, the temper of Thomas Paine was not at all in tune with the change. In his passing freak of ill-humor, he even wrote to Camille Jordan, who was in favor of toleration, a letter of protest. The kind of worship that commended itself to Paine was of the silent, meditative order: no bells or organs or trumpets for him! No manifestations that are likely to arouse hostility, either. Have

not recent experiences taught us to distrust whatever tends to overexcite the sensitive element in man's nature? The influence which is gained over him by such methods is neither legitimate nor prudent: he is led like a somnambulist, it may be to misery, it may be to crime. He must be liberated from such a yoke; every religion which has any end in view except the happiness of humanity is a public peril, etc.

But apparently the First Consul had not the least intention of liberating his fellow-citizens.

Paine had at first believed in Bonaparte. The latter, on his return from Italy, had caressed and cajoled him with the skill of which he alone had the secret. What if this Bonaparte was predestined to destroy all antiquated despotisms? Perhaps even William Pitt would find his match in him! For it was just the moment when rumors were abroad that the conqueror of Italy was meditating a descent on England. At this news the old English radical fairly quivered with hope: why should a general of the French Revolution land in Britain if not to emancipate the English people, and at last bring to them that long-desired republic which could alone procure peace?

The abandonment of this fine plan for the

liberation of England and the departure of Bonaparte for Egypt cruelly deceived Thomas Paine. But if the departure of the First Consul was a disappointment, how much more so was his return! After the eighteenth Brumaire, France no longer offered any field of activity to a counselor of the people, for the people no longer influenced events. They were politely dispensed from the trouble of watching over their own interests. And, should any of them exhibit a tendency to meddle with public affairs notwithstanding, he encountered a diligent police and a determined censorship that quickly brought him to his senses. "The love of order," has become, according to the formula of Fouchè, "the first of public virtues." Woe to the man who shows himself devoid of it! And so Nicholas de Bonneville, Paine's host and good friend, is locked up in prison and his journal, *Le Bien Informé,* is suspended, because he has compared Bonaparte to Cromwell. The Terror has apparently come to life again, not more cruel, but chronic, regular, and with every chance of surviving.

It was the rebound of the rock of Sisyphus. This time Thomas Paine gave it up. All his dreams had been vanquished, and he was beginning to feel the weight of his advanced years—

he was near seventy. So he wanted rest, wanted a holiday, the society of dumb nature. A longing to till the land, to live on his farm at New Rochelle, took hold of him, and he bade a last farewell to the feverish agitations of unhappy Europe.

He embarked at Havre on the first of September, 1802, and, on the thirtieth of October, after an absence of fifteen years, years filled with strife and trouble, he again saw the shores of America.

The United States, after its pacification, seemed a good country to die in. Having no longer any enemies, the American people, at their ease on the wide continent, were safe from that patriotic fever which rendered the old nations of Europe unfit for fraternal government. Ah, yes, but another fever was agitating them, religious zeal. "The enemy" here was not the man on the other side of the river, but Satan himself. The sacred fetich was no longer the flag, the cockade; it was the Bible. The Bible was still considered inviolable among this primitive people to whom Voltaire was unknown. Now Thomas Paine had spoken in a very free and easy manner of the Bible, and he was soon made to feel the result.

Doubtless, in gratitude for old services, COMMON SENSE was amicably received by Jefferson, the successor of Washington in the Presidency of the United States. He was permitted to enter into possession of his lands, and make a home for himself. But the "Age of Reason" had been dedicated to the people of America, and had reached its address. And the people of America left no one in doubt as to the nature of their reply: the reprobation of the clergy and of all the simple hearts in the community fell on the head of the daring innovator. Nor were the Quakers less indignant with their former coreligionist. The number of those who had read the book was very restricted; the number of those who would not for the world have consented to read it, and who anathematized it all the same, was immense. The people in Paine's neighborhood expected every day to see the devil spring down through the chimney of his cottage and bear away the soul of his servant. A cab-driver, who was also blest with saving faith, refused to drive him, because he knew if he did so, a thunderbolt would surely fall from heaven and shatter his cab to pieces.

The archaic sentiment known as the *imprecation of the impure* assumed at this period the

form of a political proscription. For to interdict the communion of saints to a person who had, of his own free will, withdrawn from it long before, to devote to the infernal gods a man who did not believe in them, was like brandishing a wooden sword at an enemy. But to refuse to accept the vote he had just deposited in the urn under the pretext, invented on the spur of the moment, that the emancipator of America was not regularly an American citizen—that, indeed, was to attack him in a weak point, for it was to attack the rights to which he clung with all his energy, it was to make a mockery of the very principles which his enemies knew to be his most sacred possession. Yet this the political adversaries of Paine did at New Rochelle in 1806, for they had the well-grounded persuasion that the compact majority of the people would sustain this outlawry of the friend and ally of Satan.

Yet, unawed by excommunication and anathema, and rather amused at the attempts of some worthy clergymen to convert him, Paine lived on tranquilly until 1809. He died, with perfect calmness and perfect resignation, on the ninth of June, and not a single clap of thunder was heard, and not a single spark of flame shot

upwards from the bowels of the earth on the occasion.

France, and even America herself, both being at that time, and for a considerable time afterwards, plunged in barbarism, forgot the inventor of the Republic, whose hour had not yet come.

THE THOMAS PAINE FARM

Photogravure from an Original Photograph of the home of Thomas Paine at New Rochelle, N.Y.

PAINE IN THE AMERICAN REVOLUTION

By Leslie Stephen

WHAT was the real value and significance of Paine's work? Paine, of course, more than anyone else, represents for Englishmen the principles of 1789; and in particular the connection of those principles with the War of Independence in America. What, then, were his antecedents and his achievements?

Paine, in the first place, was the son of a poor Quaker in Thetford. The Quaker spirit undoubtedly had much to do with his development. He was, like Franklin, a Quaker minus the orthodox creed, as in later years Carlyle was a Calvinist who had dropped the dogma. With the mysticism, indeed, which distinguished the earlier members of the sect, Paine had no sympathy. It was replaced in him as in Franklin by the metaphysical Deism of the Eighteenth Century. But he certainly imbibed the practical sentiment which made Quakers take so honorable and conspicuous a part in all the philanthropic movements of his time, and shared their aversion to all forms and ecclesiastical institutions.

The Quaker religion, he declared in the "Age of Reason," was that which approached most nearly to true Deism. A contempt for the pomps and vanities of the world, an enthusiasm for the brotherhood of mankind, and a reverence for the rights of individual consciences, may be expressed in terms of George Fox as of Thomas Paine. For the "inner light" we have only to substitute a metaphysical dogmatism, less emotional but equally imperative.

Paine, however, from his youth must have hung very lightly to any religious sect. There are vague indications that he preached, but his sermons, if any, are with the snows of last year. Nor is there the least proof that he was specially affected by the sight of the evils of the day. A lad of nine years old was probably more pleased by the drums of the regiments returning from the Highlands—if, indeed, any of them passed through Thetford—than shocked by the blood-stained uniforms of the instruments of Cumberland's vengeance.

Certainly at the age of eighteen or nineteen he became for a short time a privateersman, which would hardly be the choice of a premature philanthropist. His career as a staymaker and afterwards as an exciseman is naturally obscure.

We can see dimly by that he had ambitions and that he neglected his business. He was a member of a jovial political club at Lewes, wrote songs and comic poems, and argued with great vivacity on behalf (it seems) of Wilkes and liberty.

English radicalism was slowly stirring to life after the profound calm of the middle of the century. Paine, we may guess, read the English translations of Rousseau's "Social Contract" and discourse on the "Inequality of Mankind," which were the prophetic utterances of the new-born spirit. If he did not read them he learned their formulæ.

He became conspicuous enough among his fellows to be put forward as their spokesman in an agitation for an increase of salaries. The position was dangerous, for of all classes of men, excisemen were the last who could count upon popular sympathy, and a request for more money rarely conciliates superiors. It is not surprising that Paine soon found himself an exciseman out of place. He had one resource. Paine's intellectual temper was that of a mathematician, and he had at some period acquired a knowledge of science. He got some teaching from two self-educated men, Benjamin Martin

and the well-known astronomer, Thomas Ferguson, who both gave lectures in London.

It was possibly through them that he became known to Franklin, already famous for having snatched the lightning from heaven, and soon to snatch the scepter from kings. Armed with a letter of introduction from Franklin, Paine sailed to Philadelphia toward the end of 1774, intending to set up a school. He became editor of a magazine at the humble salary of £50 a year; but within a few months found much livelier occupation.

When Paine reached America a Congress was already sitting in Philadelphia. The skirmish at Lexington (nineteenth April, 1775) and the Battle of Bunker Hill (seventeenth June) were followed by the choice of Washington to be Commander-in-chief of the provincial armies. Paine during the autumn wrote his "Common Sense," which appeared in January, 1776, and made him famous at a blow. In three months 120,000 copies were sold, and it became the recognized manifesto of the Revolutionary party; an exciseman with such training only as was to be had at Thetford had become the spokesman of a nation in which hardly a year before he had been almost a foreigner. What was the secret

of his success? In the first place, it was that Paine was endowed with the most valuable instinct that a journalist can possess.

Americans had up to the last moment been declaring that they had no wish for separation. Franklin asserted that he had heard no such desire expressed by "any person, drunk or sober." Paine says much the same elsewhere, but in the pamphlet he also says that he never met a man in England or America who did not expect that separation would come sooner or later.

A newspaper, it is said, has thriven by saying a little better what everybody is already saying. It is a still greater triumph to say what everybody is going to say to-morrow, but does not quite dare to say to-day.

A quaint illustration of the obvious principle occurs in Coleridge's "Literary Remains." When reading Leighton, he says, he seems to be "only thinking his own thoughts over again." On the next page he expresses the same opinion by saying that he almost believes Leighton to have been actually an inspired writer. Nothing is so impressive as revelation of our own thoughts.

When armed resistance had actually begun, when the colonists had formed a league and

chosen a commander-in-chief, it must, one would suppose, have been hard for any man to keep up the pretense of disavowing a wish for independence. It could be merely a way of throwing the responsibility upon the mother country; and the time for such special pleading passed with the first outbreak of war. What was needed then was a clear, distinctive unveiling of the hitherto masked conviction.

Paine, in a literary sense, was the man who "belled the cat." He had an audience ready to hail him as a prophet because he was an echo, not of their words, but of their thoughts. But he also put the case with a clearness and vigor which is the more remarkable from his entire want of literary experience. His method is characteristic. There is less than one might expect of such rhetoric as is called inflammatory. A native American would probably have dwelt more upon specific grievances, but Paine had no special personal knowledge of such things.

He takes them for granted rather than expatiates upon them. He speaks like a man insisting upon an absolutely demonstrable scientific truth. The thesis which he had to establish is simply, "It is time to part"; and the proof is drawn from the obvious designs of Providence as

manifested in geography. It is absurd to suppose that a continent can be perpetually governed by an island. Nature does not make a satellite bigger than its primary planet.

When the quarrel has once broken out, compromise becomes obviously absurd. Such differences cannot be patched up by any settlement. To come to terms for the moment could only be to leave the quarrel to the next generation. England is small, America a vast continent; therefore English rule of America is in a position of unstable equilibrium. Once upset it, and you can never again balance the pyramid on its apex. That is the substance of an argument which undoubtedly deserves, too, the title of "Common Sense." It rests upon broad, undeniable facts and is, of course, backed up by sufficient reference to the abominations of the British Government. But Paine also provides his argument with certain prolegomena which supersede any reference to expediency. Sir Henry Maine has traced the social contract theory from its sources in Roman jurisprudence to its transfiguration by Rousseau.

Rousseau, he says, transmitted it to Jefferson. It appears, therefore, in the Declaration of Independence, upon which Paine had, perhaps, some

influence. He had expounded it fully in "Common Sense." Starting from the natural equality of man and the regular hypothesis of a small body of men meeting "in some sequested part of the earth," and making a bargain as to their rights, we get at once a clean-cut theory of government and a demonstration of the gross absurdity of kings and aristocrats. It is plainly impossible to prove the value of the British Constitution by *a priori* reasoning.

To Paine, therefore, the American Revolution was already the promulgation of the "rights of man" in the most absolute form. The colonies revolted, according to him, not because charters had been infringed or specific injuries inflicted upon merchants; but in virtue of principles as true as the propositions of Euclid, and applicable not only to Englishmen or Americans, but to man as man.

So long as all patriots were agreed to turn out George III, it mattered little what metaphysical principles they chose to postulate as the ground of their claims; whether they fought in the name of the great charter or of the rights of man. The more sweeping the principle announced the more effective the war-cry.

Paine's doctrine covered claims enough, and

if it covered rather too many, that was for the moment unimportant. He could speak as if his enemies were not only wanting in prudence but denying the plainest dictates of pure reason.

Paine, it must be added, acted in the spirit of his doctrines through the war. At intervals he published the series of pamphlets called, collectively, the "Crisis," which, though of such various degrees of merit, show the same characteristic quality.

If overweening confidence in one's opinions is a doubtful merit in a philosopher, it is undoubtedly valuable in the supporter of a precarious enterprise. "These are the times that try men's souls" was the opening—it became proverbial of the most famous of these productions.

It was written at a time when the cause was apparently in great danger, and it was followed by an unexpected success. Washington, it is said, had the paper distributed to be read throughout his army, and in that sign they conquered. The secret of Paine's power is given in a phrase from the same paper. "My own line of reasoning is to myself as straight and clear as a ray of light."

Paine himself took part in active service until he was appointed secretary to a committee of

Congress; and his words have not unfrequently the genuine ring as of one speaking actually under fire. The unanimous opinion of his companions, and especially Washington's declarations, leave no doubt that they did more than any other pamphlets to rouse the American spirit. Paine, with the calm self-complacency pardonable, perhaps, in a man who had thus suddenly sprung into fame, held in later years that his own pen had done as much service as Washington's sword. He might fairly claim whatever credit belongs to the man who throws himself unflinchingly into the defense of a great cause. He had got into certain difficulties in his official character which showed at worst that a desire to expose a dishonest transaction had led him to disregard diplomatic proprieties.

He had blurted out a statement about French help to the colonies previous to the declaration of war, which had to be disavowed, and which forced him to resign his post. But he had staked his fortunes unreservedly on the issue of the war and deserved reward the more that he had gained nothing by his pamphlets.

He had given up the copyright of his publications to increase their circulation; and the reward which he ultimately received was certainly

not extravagant. New York generously presented him with an estate which it took from a Tory, and Pennsylvania gave him £500.

When the plain issue of the war was finally settled, Paine's occupation was gone. Work had to be done in which mathematical demonstrations of the rights of man were irrelevant. To form the separate colonies into a nation, to reconcile their jealousies and make such compromises as would practically work, was a task for men of very different qualities. The *Federalist,* now the most famous literary record of the guiding principles of that achievement, belongs to another order of thought. The writers follow the lead of Montesquieu instead of Rousseau; and any comparison with Paine's work would be absurd. His merit is to have raised a war-cry.

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The main secret of Paine's strength is, I think, the same throughout. Like other men who have made a remarkable success, he combined qualities not often found together. He was an idealist, endowed with a strong view of common sense. He was by nature a man of science, who imagines the method of Euclid to be applicable to all topics of speculation, and so falls in love with a good mathematical axiom that

he despises the trifling difficulty of applying it to concrete facts. The facts have to bend or be ignored. The type is common enough in the French theorists of the revolutionary movement, but there is something generally uncongenial about it to our rougher English minds. We rather hate symmetry, and our suspicions are roused by any appearance of logic.

THOMAS PAINE *

By Robert G. Ingersoll

With His Name Left Out, the History of Liberty Cannot be Written

TO speak the praises of the brave and thoughtful dead, is to me a labor of gratitude and love.

Through all the centuries gone, the mind of man has been beleagured by the mailed hosts of superstition. Slowly and painfully has advanced the army of deliverance. Hated by those they wished to rescue, despised by those they were dying to save, these grand soldiers, these immortal deliverers, have fought without thanks, labored without applause, suffered without pity, and they have died execrated and abhorred. For the good of mankind they accepted isolation, poverty, and calumny. They gave up all, sacrificed all, lost all but truth and self-respect.

One of the bravest soldiers in this army was Thomas Paine; and for one, I feel indebted to him for the liberty we are enjoying this day. Born among the poor, where children are bur-

* From an oration delivered at Fairburg, Ill., January 30, 1871, and again at the Academy of Music, New York City, May 14, 1899.—Ed.

dens; in a country where real liberty was unknown; where the privileges of class were guarded with infinite jealousy, and the rights of the individual trampled beneath the feet of priests and nobles; where to advocate justice was treason; where intellectual freedom was infidelity, it is wonderful that the idea of true liberty ever entered his brain.

Poverty was his mother—Necessity his master.

He had more brains than books; more sense than education; more courage than politeness; more strength than polish. He had no veneration for old mistakes—no admiration for ancient lies. He loved the truth for the truth's sake, and for man's sake. He saw oppression on every hand; injustice everywhere; hypocrisy at the altar, venality on the bench, tyranny on the throne; and with a splendid courage he espoused the cause of the weak against the strong—of the enslaved many against the titled few.

In England he was nothing. He belonged to the lower classes. There was no avenue open for him. The people hugged their chains, and the whole power of the Government was ready to crush any man who endeavored to strike a blow for the right.

At the age of thirty-seven, Thomas Paine left England for America, with the high hope of being instrumental in the establishment of a free government. In his own country he could accomplish nothing. Those two vultures—Church and State—were ready to tear in pieces and devour the heart of anyone who might deny their divine right to enslave the world.

Upon his arrival in this country, he found himself possessed of a letter of introduction, signed by another infidel, the illustrious Franklin. This, and his native genius, constituted his entire capital; and he needed no more. He found the colonies clamoring for justice; whining about their grievances; upon their knees at the foot of the throne, imploring that mixture of idiocy and insanity, George the III by the grace of God, for a restoration of their ancient privileges. They were not endeavoring to become free men, but were trying to soften the heart of their master. They were perfectly willing to make brick if Pharaoh would furnish the straw. The colonists wished for, hoped for, and prayed for reconciliation. They did not dream of independence.

Paine gave to the world his "Common Sense." It was the first argument for separation, the first

assault upon the British *form* of government, the first blow for a republic, and it aroused our fathers like a trumpet's blast.

He was the first to perceive the destiny of the New World.

No other pamphlet ever accomplished such wonderful results. It was filled with argument, reason, persuasion, and unanswerable logic. It opened a new world. It filled the present with hope and the future with honor. Everywhere the people responded, and in a few months the Continental Congress declared the colonies free and independent states.

A new nation was born.

It is simple justice to say that Paine did more to cause the Declaration of Independence than any other man. Neither should it be forgotten that his attacks upon Great Britain were also attacks upon monarchy; and while he convinced the people that the colonies ought to separate from the mother country, he also proved to them that a free government is the best that can be instituted among men.

In my judgment, Thomas Paine was the best political writer that ever lived. "What he wrote was pure nature, and his soul and his pen ever went together." Ceremony, pageantry, and

all the paraphernalia of power, had no effect upon him. He examined into the why and wherefore of things. He was perfectly radical in his mode of thought. Nothing short of the bed-rock satisfied him. His enthusiasm for what he believed to be right knew no bounds. During all the dark scenes of the Revolution, never for one moment did he despair. Year after year his brave words were ringing through the land, and by the bivouac fires the weary soldiers read the inspiring words of "Common Sense," filled with ideas sharper than their swords, and consecrated themselves anew to the cause of Freedom.

Paine was not content with having aroused the spirit of independence, but he gave every energy of his soul to keep that spirit alive. He was with the army. He shared its defeats, its dangers, and its glory. When the situation became desperate, when gloom settled upon all, he gave them the "Crisis." It was a cloud by day and a pillar of fire by night, leading the way to freedom, honor, and glory. He shouted to them, "These are the times that try men's souls. The summer soldier, and the sunshine patriot, will, in this crisis, shrink from the service of his country; but he that stands it now

deserves the love and thanks of man and woman."

To those who wished to put the war off to some future day with a lofty and touching spirit of self-sacrifice he said: "Every generous parent should say, 'If there must be war let it be in my day, that my child may have peace.'" To the cry that Americans were rebels, he replied: "He that rebels against reason is a real rebel; but he that in defense of reason rebels against tyranny, has a better title to 'Defender of the Faith' than George III."

Some said it was not to the interest of the colonies to be free. Paine answered this by saying, "To know whether it be the interest of the continent to be independent, we need ask only this simple, easy question: 'Is it the interest of a man to be a boy all his life?'" He found many who would listen to nothing, and to them he said, "That to argue with a man who has renounced his reason is like giving medicine to the dead." This sentiment ought to adorn the walls of every orthodox church.

There is a world of political wisdom in this: "England lost her liberty in a long chain of right reasoning from wrong principles"; and there is real discrimination in saying, "The

Greeks and Romans were strongly possessed of the spirit of liberty, but not the principles, for at the time that they were determined not to be slaves themselves, they employed their power to enslave the rest of mankind."

In his letter to the British people, in which he tried to convince them that war was not to their interest, occurs the following passage brimful of common sense: "War never can be the interest of a trading nation any more than quarreling can be profitable to a man in business. But to make war with those who trade with us is like setting a bulldog upon a customer at the shop door."

The writings of Paine fairly glitter with simple, compact, logical statements, that carry conviction to the dullest and most prejudiced. He had the happiest possible way of putting the case; in asking questions in such a way that they answer themselves, and in stating his premises so clearly that the deduction could not be avoided.

Day and night he labored for America; month after month, year after year, he gave himself to the Great Cause, until there was "a government of the people and for the people," and until the banner of the stars floated over

a continent redeemed, and consecrated to the happiness of mankind.

At the close of the Revolution, no one stood higher in America than Thomas Paine. The best, the wisest, the most patriotic, were his friends and admirers; and had he been thinking only of his own good he might have rested from his toils and spent the remainder of his life in comfort and in ease. He could have been what the world is pleased to call "respectable." He could have died surrounded by clergymen, warriors and statesmen. At his death there would have been an imposing funeral, miles of carriages, civic societies, salvos of artillery, a nation in mourning, and, above all, a splendid monument covered with lies.

He chose rather to benefit mankind.

At that time the seeds sown by the great infidels were beginning to bear fruit in France. The people were beginning to think.

The Eighteenth Century was crowning its gray hairs with the wreath of Progress.

On every hand Science was bearing testimony against the Church. Voltaire had filled Europe with light; D'Holbach was giving to the *élite* of Paris the principles contained in his "System of Nature." The Encyclopedists had attacked su-

perstition with information for the masses. The foundation of things began to be examined. A few had the courage to keep their shoes on and let the bush burn. Miracles began to get scarce. Everywhere the people began to inquire. America had set an example to the world. The word Liberty was in the mouths of men, and they began to wipe the dust from their knees.

The dawn of a new day had appeared.

Thomas Paine went to France. Into the new movement he threw all his energies. His fame had gone before him, and he was welcomed as a friend of the human race, and as a champion of free government.

He had never relinquished his intention of pointing out to his countrymen the defects, absurdities and abuses of the English Government. For this purpose he composed and published his greatest political work, the "Rights of Man." This work should be read by every man and woman. It is concise, accurate, natural, convincing, and unanswerable. It shows great thought; an intimate knowledge of the various forms of government; deep insight into the very springs of human action, and a courage that compels respect and admiration. The most difficult political problems are solved in a few sentences. The

venerable arguments in favor of wrong are refuted with a question—answered with a word. For forcible illustration, apt comparison, accuracy and clearness of statement, and absolute thoroughness, it has never been excelled.

The fears of the Administration were aroused, and Paine was prosecuted for libel and found guilty; and yet there is not a sentiment in the entire work that will not challenge the admiration of every civilized man. It is a magazine of political wisdom, an arsenal of ideas, and an honor, not only to Thomas Paine, but to human nature itself. It could have been written only by the man who had the generosity, the exalted patriotism, the goodness to say, "The world is my country, and to do good my religion."

There is in all the utterances of the world no grander, no sublimer sentiment. There is no creed that can be compared with it for a moment. It should be wrought in gold, adorned with jewels, and impressed upon every human heart: "The world is my country, and to do good my religion."

In 1792, Paine was elected by the department of Calais as their representative in the National Assembly. So great was his popularity in France that he was selected about the same time

by the people of no less than four departments. Upon taking his place in the Assembly he was appointed as one of a committee to draft a constitution for France. Had the French people taken the advice of Thomas Paine there would have been no "Reign of Terror." The streets of Paris would not have been filled with blood. The Revolution would have been the grandest success of the world. The truth is that Paine was too conservative to suit the leaders of the French Revolution. They, to a great extent, were carried away by hatred, and a desire to destroy. They had suffered so long, they had borne so much, that it was impossible for them to be moderate in the hour of victory.

Besides all this, the French people had been so robbed by the Government, so degraded by the Church, that they were not fit material with which to construct a republic. Many of the leaders longed to establish a beneficent and just government, but the people asked for revenge.

Paine was filled with a real love for mankind. His philanthropy was boundless. He wished to destroy monarchy—not the monarch. He voted for the destruction of tyranny, and against the death of the King. He wished to establish a government on a new basis; one that would forget

the past; one that would give privileges to none, and protection to all.

In the Assembly, where nearly all were demanding the execution of the King—where to differ from the majority was to be suspected, and where to be suspected was almost certain death, Thomas Paine had the courage, the goodness and the justice to vote against death. To vote against the execution of the King was a vote against his own life. This was the sublimity of devotion to principle. For this he was arrested, imprisoned, and doomed to death.

Search the records of the world and you will find but few sublimer acts than that of Thomas Paine voting against the King's death. He, the hater of despotism, the abhorrer of monarchy, the champion of the rights of man, the republican, accepting death to save the life of a deposed tyrant—of a throneless king. This was the last grand act of his political life—the sublime conclusion of his political career.

All his life he had been the disinterested friend of man. He had labored—not for money, not for fame, but for the general good. He had aspired to no office; had asked no recognition of his services, but had ever been content to labor as a common soldier in the army of Progress.

Confining his efforts to no country, looking upon the world as his field of action, filled with a genuine love for the right, he found himself imprisoned by the very people he had striven to save.

Had his enemies succeeded in bringing him to the block, he would have escaped the calumnies and the hatred of the Christian world. In this country, at least, he would have ranked with the proudest names. On the anniversary of the Declaration his name would have been upon the lips of all the orators, and his memory in the hearts of all the people.

Thomas Paine had not finished his career.

He had spent his life thus far in destroying the power of kings, and now he turned his attention to the priests. He knew that every abuse had been embalmed in Scripture—that every outrage was in partnership with some holy text. He knew that the throne skulked behind the altar, and both behind a pretended revelation from God. By this time he had found that it was of little use to free the body and leave the mind in chains. He had explored the foundations of despotism, and had found them infinitely rotten. He had dug under the throne, and it occurred to him that he would take a look behind the altar.

The result of his investigations was given to

the world in the "Age of Reason." From the moment of its publication he became infamous. He was calumniated beyond measure. To slander him was to secure the thanks of the Church. All his services were instantly forgotten, disparaged or denied. He was shunned as though he had been a pestilence. Most of his old friends forsook him. He was regarded as a moral plague, and at the bare mention of his name the bloody hands of the Church were raised in horror. He was denounced as the most despicable of men.

Not content with following him to his grave, they pursued him after death with redoubled fury, and recounted with infinite gusto and satisfaction the supposed horrors of his death-bed; gloried in the fact that he was forlorn and friendless, and gloated like fiends over what they supposed to be the agonizing remorse of his lonely death.

It is wonderful that all his services were thus forgotten. It is amazing that one kind word did not fall from some pulpit; that someone did not accord to him, at least—honesty. Strange, that in the general denunciation someone did not remember his labor for liberty, his devotion to principle, his zeal for the rights of his fellow-men. He had, by brave and splendid effort, associated

his name with the cause of Progress. He had made it impossible to write the history of political freedom with his name left out. He was one of the creators of light; one of the heralds of the dawn. He hated tyranny in the name of kings, and in the name of God, with every drop of his noble blood. He believed in liberty and justice, and in the sacred doctrine of human equality. Under these divine banners he fought the battle of his life. In both worlds he offered his blood for the good of man. In the wilderness of America, in the French Assembly, in the somber cell waiting for death, he was the same unflinching, unwavering friend of his race; the same undaunted champion of universal freedom. And for this he has been hated; for this the Church has violated even his grave.

This is enough to make one believe that nothing is more natural than for men to devour their benefactors. The people in all ages have crucified and glorified. Whoever lifts his voice against abuses, whoever arraigns the past at the bar of the present, whoever asks the king to show his commission, or questions the authority of the priest, will be denounced as the enemy of man and God. In all ages reason has been regarded as the enemy of religion. Nothing has been con-

sidered so pleasing to the Deity as a total denial of the authority of your own mind. Self-reliance has been thought a deadly sin; and the idea of living and dying without the aid and consolation of superstition has always horrified the Church. By some unaccountable infatuation, belief has been and still is considered of immense importance. All religions have been based upon the idea that God will forever reward the true believer, and eternally damn the man who doubts or denies. Belief is regarded as the one essential thing. To practise justice, to love mercy, is not enough. You must believe in some incomprehensible creed. You must say, "Once one is three, and three times one is one." The man who practised every virtue, but failed to believe, was execrated. Nothing so outrages the feelings of the Church as a moral unbeliever—nothing so horrible as a charitable Atheist.

When Paine was born, the world was religious, the pulpit was the real throne, and the churches were making every effort to crush out of the brain the idea that it had the right to think.

The splendid saying of Lord Bacon, that "the inquiry of truth, which is the love-making or wooing of it, the knowledge of truth, which is the presence of it, and the belief of truth, which is the

enjoying of it, are the sovereign good of human nature," has been, and ever will be, rejected by religionists. Intellectual liberty, as a matter of necessity, forever destroys the idea that belief is either praise- or blame-worthy, and is wholly inconsistent with every creed in Christendom. Paine recognized this truth. He also saw that as long as the Bible was considered inspired, this infamous doctrine of the virtue of belief would be believed and preached. He examined the Scriptures for himself, and found them filled with cruelty, absurdity and immorality.

He again made up his mind to sacrifice himself for the good of his fellow-men.

He commenced with the assertion, "That any system of religion that has anything in it that shocks the mind of a child cannot be a true system." What a beautiful, what a tender sentiment! No wonder the Church began to hate him. He believed in one God, and no more. After this life he hoped for happiness. He believed that true religion consisted in doing justice, loving mercy, in endeavoring to make our fellow creatures happy, and in offering to God the fruit of the heart. He denied the inspiration of the Scriptures. This was his crime.

He contended that it is a contradiction in

terms to call anything a revelation that comes to us second-hand, either verbally or in writing. He asserted that revelation is necessarily limited to the first communication, and that after that it is only an account of something which another person says was a revelation to him. We have only his word for it, as it was never made to us. This argument never has been and probably never will be answered. He denied the divine origin of Christ, and showed conclusively that the pretended prophecies of the Old Testament had no reference to him whatever; and yet he believed that Christ was a virtuous and amiable man; that the morality he taught and practised was of the most benevolent and elevated character and that it had not been exceeded by any. Upon this point he entertained the same sentiments now held by the Unitarians, and in fact by all the most enlightened Christians.

In his time the Church believed and taught that every word in the Bible was absolutely true. Since his day it has been proven false in its cosmogony, false in its astronomy, false in its chronology, false in its history, and so far as the Old Testament is concerned, false in almost everything. There are but few, if any, scientific men who apprehend that the Bible is literally true.

Who on earth at this day would pretend to settle any scientific question by a text from the Bible? The old belief is confined to the ignorant and zealous. The Church itself will before long be driven to occupy the position of Thomas Paine. The best minds of the orthodox world, to-day, are endeavoring to prove the existence of a personal Deity. All other questions occupy a minor place. You are no longer asked to swallow the Bible whole, whale, Jonah and all; you are simply required to believe in God, and pay your pew-rent. There is not now an enlightened minister in the world who will seriously contend that Samson's strength was in his hair, or that the necromancers of Egypt could turn water into blood, and pieces of wood into serpents.

These follies have passed away, and the only reason that the religious world can now have for disliking Paine is that they have been forced to adopt so many of his opinions.

Paine thought the barbarities of the Old Testament inconsistent with what he deemed the real character of God. He believed that murder, massacre and indiscriminate slaughter had never been commanded by the Deity. He regarded much of the Bible as childish, unimportant and foolish. The scientific world entertains the same

opinion. Paine attacked the Bible precisely in the same spirit in which he had attacked the pretensions of kings. He used the same weapons. All the pomp in the world could not make him cower. His reason knew no "Holy of Holies," except the abode of Truth. The sciences were then in their infancy. The attention of the really learned had not been directed to an impartial examination of our pretended revelation. It was accepted by most as a matter of course. The Church was all-powerful, and no one, unless thoroughly imbued with the spirit of self-sacrifice, thought for a moment of disputing the fundamental doctrines of Christianity.

The infamous doctrines that salvation depends upon belief—upon a mere intellectual conviction—was then believed and preached. To doubt was to secure the damnation of your soul. This absurd and devilish doctrine shocked the common sense of Thomas Paine, and he denounced it with the fervor of honest indignation. This doctrine, although infinitely ridiculous, has been nearly universal, and has been as hurtful as senseless. For the overthrow of this infamous tenet, Paine exerted all his strength. He left few arguments to be used by those who should come after him, and he used none that have been re-

futed. The combined wisdom and genius of all mankind cannot possibly conceive of an argument against liberty of thought. Neither can they show why anyone should be punished, either in this world or another, for acting honestly in accordance with reason; and yet a doctrine with every possible argument against it has been, and still is, believed and defended by the entire orthodox world.

Can it be possible that we have been endowed with reason simply that our souls may be caught in its toils and snares, that we may be led by its false and delusive glare out of the narrow path that leads to joy into the broad way of everlasting death? Is it possible that we have been given reason simply that we may through faith ignore its deductions, and avoid its conclusions? Ought the sailor to throw away his compass and depend entirely upon the fog? If reason is not to be depended upon in matters of religion, that is to say, in respect of our duties to the Deity, why should it be relied upon in matters respecting the rights of our fellows? Why should we throw away the laws given to Moses by God himself, and have the audacity to make some of our own? How dare we drown the thunders of Sinai by calling the ayes and noes in a petty

legislature? If reason can determine what is merciful, what is just, the duties of man to man, what more do we want either in time or eternity?

Down, forever down, with any religion that requires upon its ignorant altar the sacrifice of the goddess Reason, that compels her to abdicate forever the shining throne of the soul, strips from her form the imperial purple, snatches from her hand the scepter of thought and makes her the bond-woman of a senseless faith!

* * * * * *

I challenge the world to show that Thomas Paine ever wrote one line, one word in favor of tyranny—in favor of immorality; one line, one word against what he believed to be for the highest and best interest of mankind; one line, one word against justice, charity, or liberty, and yet he has been pursued as though he had been a fiend from hell. His memory has been execrated as though he had murdered some Uriah for his wife; driven some Hagar into the desert to starve with his child upon her bosom; defiled his own daughters; ripped open with the sword the sweet bodies of loving and innocent women; advised one brother to assassinate another; kept a harem with seven hundred wives and three hun-

dred concubines, or had persecuted Christians even unto strange cities.

* * * * * *

Thomas Paine was one of the intellectual heroes—one of the men to whom we are indebted. His name is associated forever with the Great Republic. As long as free government exists he will be remembered, admired and honored.

He lived a long, laborious and useful life. The world is better for his having lived. For the sake of truth he accepted hatred and reproach for his portion. He ate the bitter bread of sorrow. His friends were untrue to him because he was true to himself, and true to them. He lost the respect of what is called society, but kept his own. His life is what the world calls failure and what history calls success.

If to love your fellow-men more than self is goodness, Thomas Paine was good.

If to be in advance of your time—to be a pioneer in the direction of right—is greatness, Thomas Paine was great.

If to avow your principles and discharge your duty in the presence of death is heroic, Thomas Paine was a hero.

At the age of seventy-three, death touched his tired heart. He died in the land his genius

defended—under the flag he gave to the skies. Slander cannot touch him now—hatred cannot reach him more. He sleeps in the sanctuary of the tomb, beneath the quiet of the stars.

A few more years—a few more brave men—a few more rays of light, and mankind will venerate the memory of him who said:

"ANY SYSTEM OF RELIGION THAT SHOCKS THE MIND OF A CHILD CANNOT BE A TRUE SYSTEM";

"THE WORLD IS MY COUNTRY, AND TO DO GOOD MY RELIGION."

MONUMENT TO THOMAS PAINE

Photogravure from an Original Photograph of the Monument at New Rochelle, N.Y.


THOMAS PAINE

A LITTLE JOURNEY TO THE HOME OF THOMAS PAINE*

By Elbert Hubbard

THOMAS PAINE was an English mechanic, of Quaker origin, born in the year 1737. He was the author of four books that have influenced mankind profoundly. These books are "Common Sense," the "Age of Reason," the "Crisis" and the "Rights of Man."

In 1774, when he was thirty-seven years old, he came to America bearing letters of introduction from Benjamin Franklin.

On arriving at Philadelphia he soon found work as editor of *The Pennsylvania Magazine.*

In 1775, in the magazine just named, he openly advocated, and prophesied a speedy separation of the American colonies from England. He also threw a purple shadow over his popularity by declaring his abhorrence of chattel slavery.

His writings, from the first, commanded a profound attention, and on the advice and suggestion of Dr. Benjamin Rush, an eminent citizen of Philadelphia, the scattered editorials and

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paragraphs on human rights, covering a year, were gathered, condensed, revised, made into a book.

This "pamphlet," or paper-bound book, was called "Common Sense."

In France, John Adams was accused of writing "Common Sense." He stoutly denied it, there being several allusions in it stronger than he cared to stand sponsor for.

In England, Franklin was accused of being the author, and he neither denied nor admitted it. But when a lady reproached him for having used the fine alliterative phrase, applied to the King, "That Royal British Brute," he smiled and said blandly, "Madame, I would never have been as disrespectful to the brute creation as that."

"Common Sense" struck the keynote of popular feeling, and the accusation of "treason," hurled at it from many sources, only served to advertise it. It supplied the common people with reasons, and gave statesmen arguments. The Legislature of Pennsylvania voted Paine an honorarium of five hundred pounds, and the University of Pennsylvania awarded him the degree of "Master of Arts," in recognition of eminent services to literature and human rights. John Quincy Adams said, "Paine's pamphlet, 'Com-

mon Sense,' crystallized public opinion and was the first factor in bringing about the Revolution."

Rev. Theodore Parker once said, "Every living man in America in 1776, who could read, read 'Common Sense,' by Thomas Paine. If he were a Tory, he read it, at least a little, just to find out for himself how atrocious it was; and if he was a Whig, he read it all to find the reasons why he was one. This book was the arsenal to which colonists went for their mental weapons."

As "Common Sense" was published anonymously and without copyright, and was circulated at bare cost, Paine never received anything for the work, save the twenty-five hundred dollars voted to him by the Legislature.

When independence was declared, Paine enlisted as a private, but was soon made aide-de-camp to General Greene. He was an intrepid and effective soldier and took an active part in various battles.

In December, 1776, he published his second book, the "Crisis," the first words of which have gone into the electrotype of human speech, "These are the times that try men's souls." The intent of the letters which make up the "Crisis" was to infuse courage into the sinking spirits of the soldiers. Washington ordered the letters to

be read at the head of every regiment, and it was so done.

In 1781 Paine was sent to France with Colonel Laurens to negotiate a loan. The errand was successful, and Paine then made influential acquaintances, which were later to be renewed. He organized the Bank of North America to raise money to feed and clothe the army, and performed sundry and various services for the colonies.

In 1791 he published his third book, the "Rights of Man," with a complimentary preface by Thomas Jefferson. The book had an immense circulation in America and England. By way of left-handed recognition of the work, the author was indicted by the British Government for "sedition." A day was set for the trial but as Paine did not appear—those were hanging days—and could not be found, he was outlawed and "banished forever."

He became a member of the French Assembly, or "Chamber of Deputies," and for voting against the death of the King, came under suspicion, and was imprisoned for one year, lacking a few weeks. His life was saved by James Monroe, America's Minister to France, and for eigh-

teen months he was a member of Monroe's household.

In 1794 while in France, there was published simultaneously in England, America and France, Paine's fourth book, the "Age of Reason."

In 1802 Thomas Jefferson, then President of the United States, offered Paine passage to America on board the man-of-war *Maryland,* in order that he might be safe from capture by the English who had him under constant surveillance, and were intent on his arrest, regarding him as the chief instigator in the American Rebellion. Arriving in America, Paine was the guest for several months of the President at Monticello. His admirers in Baltimore, Washington, Philadelphia and New York gave banquets in his honor, and he was tendered grateful recognition on account of his services to humanity and his varied talents. He was presented by the State of New York "in token of heroic work for the Union," a farm at New Rochelle, eighteen miles from New York, and here he lived in comparative ease, writing and farming.

He passed peacefully away, aged seventy-two, in 1809, and his body was buried on his farm, near the house where he lived, and a modest monument erected marking the spot. He had no Christian

burial, although unlike Mr. Zangwill, he had a Christian name. Nine years after the death of Paine, William Cobbett, the eminent English reformer, stung by the obloquy visited upon the memory of Paine in America, had the grave opened and the bones of the man who wrote the first draft of our Declaration of Independence, were removed to England, and buried near the spot where he was born. Death having silenced both the tongue and pen of the Thetford weaver, no violent interference was offered by the British Government. So now the dead man slept where the presence of the living one was barred and forbidden. A modest monument marks the spot. Beneath the name are these words, "The world is my country, mankind are my friends, to do good is my religion."

In 1839 a monument was erected at New Rochelle, N.Y., on the site of the empty grave where the body of Paine was first buried, by the lovers and admirers of the man. And while only one land claims his birthplace, three countries dispute for the privilege of honoring his dust, for in France there is now a strong movement demanding that the remains of Thomas Paine be removed from England to France, and be placed in the Pantheon, that resting place of so many of

the illustrious dead who gave their lives to the cause of Freedom, close by the graves of Voltaire, Rousseau and Victor Hugo. And the reason the bones were not removed to Paris, was because only an empty coffin rests in the grave at Thetford, as at New Rochelle. Rumor says that Paine's skull is in a London museum, but if so, the head that produced the "Age of Reason" cannot be identified. And the end is not yet.

The genius of Paine was a flower that blossomed slowly. But life is a sequence and the man who does great work has been in training for it. There is nothing like keeping in condition, one does not know when he is going to be called upon. Prepared people do not have to hunt for a position—the position hunts for them. Paine knew no more about what he was getting ready for than did Benjamin Franklin, when at twenty he studied French, evenings, and dived deep into history.

The humble origin of Paine and his Quaker ancestry were most helpful factors in his career. Only a working man who had tasted hardship could sympathize with the over-taxed and oppressed. And Quakerdom made him a rebel by prenatal tendency. Paine's schooling was slight but his parents, though poor, were thinking peo-

ple, for nothing sharpens the wits of men, preventing fatty degeneration of the cerebrum, like persecution. In this respect the Jews and Quakers have been greatly blessed and benefited —let us congratulate them. Very early in life Paine acquired the study habit. And for the youth who has the study habit no pedagogic tears need be shed. There were debating clubs at coffee-houses where great themes were discussed; and our young weaver began his career by defending the Quakers. He acquired considerable local reputation as a weaver of thoughts upon the warp and woof of words. Occasionally he occupied the pulpit in dissenting chapels.

These were great times in England—the air was all a-throb with thought and feeling. A great tidal wave of unrest swept the land. It was an epoch of growth, second only in history to the Italian Renaissance. The two Wesleys were attacking the Church and calling upon men to methodize their lives and eliminate folly; Gibbon was writing his "Decline and Fall"; Burke, in the House of Commons, was polishing his brogue; Boswell was busy blithering about a book concerning a man; Captain Cook was sailing the seas finding continents; the two Pitts and Charles Fox were giving the King unpalatable advice;

Horace Walpole was setting up his private press at Strawberry Hill; the Herschels—brother and sister—were sweeping the heavens for comets; Reynolds, West, Lawrence, Romney and Gainsborough were founding the first school of British art; and Hume, the Scotchman, was putting forth arguments irrefutable. And into this seething discontent came Thomas Paine, the weaver, reading, studying, thinking, talking, with nothing to lose but his reputation.

He was twenty-seven years of age when he met Ben Franklin, at a coffee-house in London. Paine got his first real mental impetus from Franklin. Both were working men. Paine sat and watched and listened to Franklin one whole evening, and then said, "What he is I can at least in part become." Paine thought Franklin quite the greatest man of his time, an opinion he never relinquished, and which also, among various others held by Paine, the world has now finally accepted.

Paine at twenty-four, from a simple weaver, had been called into the office of his employer to help straighten out the accounts. He tried storekeeping but with indifferent success. Then it seems he was employed by the Board of Excise on a similar task. Finally he was given a posi-

tion in the Excise. This position he might have held indefinitely, and been promoted in the work, for he had clerical talents which made his services valuable. But there was another theme that interested him quite as much as collecting taxes for the Government, and that was the philosophy of taxation. This was very foolish in Thomas Paine—a tax collector should collect taxes, and not concern himself with the righteousness of the business, nor about what becomes of the money.

Paine had made note of the fact that England collected taxes from Jews but that Jews were not allowed to vote, because they were not "Christians," it being assumed that Jews were neither as fit intellectually or morally to pass on questions of state as members of the "Church." In 1771 in a letter to a local paper he used the phrase, "The iniquity of taxation without representation," referring to England's treatment of the Quakers. About the same time he called attention to the fact that the Christian religion was built on the Judaic, and that the reputed founder of the established religion was a Jew and his mother a Jewess, and to deprive Jews of the right of full citizenship, simply because they did not take the same view of Jesus that others did was a perver-

sion of the natural rights of man. This expression, "The natural rights of man," gave offense to a certain clergyman of Thetford who replied that man had no natural rights, only privileges, all the rights he had were those granted by the Crown. Then followed a debate at the coffee-house followed by a rebuke from Paine's superior officer in the Excise, ordering him to cease all political and religious controversy on penalty.

Paine felt the smart of the rebuke; he thought it was unjustified, in view of the fact that the excellence of his work for the Government had never been questioned. So he made a speech in a dissenting chapel explaining the situation. But explanations never explain, and his assertion that the honesty of his service had never been questioned was put out of commission the following week by the charge of smuggling. His name was dropped from the official pay-roll until his case could be tried, and a little later he was peremptorily discharged. The charge against him was not pressed—he was simply not wanted, and the statement by the head exciseman that a man working for the Government should not criticize the Government was pretty good logic, anyway. Paine, however, contended that all governments exist for the governed, and with the

consent of the governed, and it is the duty of all good citizens to take an interest in their Government and if possible show where it can be strengthened and bettered.

It will thus be seen that Paine was forging reasons—his active brain was at work, and his sensitive spirit was writhing under a sense of personal injustice. One of his critics—a clergyman—said that if Thomas Paine wished to preach sedition there was plenty of room to do it outside of England. Paine followed the suggestion, and straightway sought out Franklin to ask him about going to America.

Every idea that Paine had expressed was held by Franklin and had been thought out at length. Franklin was thirty-one years older than Paine, and time had tempered his zeal, and besides that, his tongue was always well under control and when he expressed heresy he seasoned it with a smile and a dash of wit that took the bitterness out of it. Not so Paine—he was an earnest soul, a little lacking in humor, without the adipose which is required for a diplomat.

Franklin's letters of introduction show how he admired the man—what faith he had in him—and it is now believed that Franklin advanced him money, that he might come to America.

William Cobbett says:

As my Lord Grenville introduced the name of Burke, suffer me, my Lord, to introduce that of a man who put this Burke to shame, who drove him off the public stage to seek shelter in the pension list, and who is now named fifty million times where the name of the pensioned Burke is mentioned once. The cause of the American colonies was the cause of the English Constitution, which says that no man shall be taxed without his own consent. A little cause sometimes produces a great effect; an insult offered to a man of great talent and unconquerable perseverance has in many instances produced, in the long run, most tremendous effects; and it appears to me very clear that the inexcusable insults, offered to Mr. Paine while he was in the Excise in England, was the real cause of the Revolution in America; for, though the nature of the cause of America was such as I have before described it; though the principles were firm in the minds of the people of that country; still, it was Mr. Paine, and Mr. Paine alone, who brought those principles into action.

Paine's part in the Revolutionary War was most worthy and honorable. He shouldered a musket with the men at Valley Forge, carried messages by night through the enemy's country, acted as rear guard for Washington's retreating army, and helped at break of day to capture Trenton, and proved his courage in various ways. As clerk, secretary, accountant and financier he did excellent service.

Of course, there had been the usual harmonious discord that will occur among men hard-pressed, overworked, where nerve-tension finds vent at times in acrimony. But through all the nine weary years before the British had enough, Paine had never been censured with the same bitterness which had fallen upon the heads of Washington and Jefferson. Even Franklin came in for his share of blame, and it was shown that he expended an even hundred thousand pounds in Europe, with no explanation of what he had done with the money. When called upon to give an accounting for the "yellow dog fund," Franklin simply wrote back, "Thou shalt not muzzle the ox that treadeth out the corn." And on the suggestion of Thomas Paine the matter was officially dropped.

Paine was a writing man—the very first American writing man—and I am humiliated when I have to acknowledge that we had to get him from England. He was the first man who ever used these words, "The American Nation," and also these, "The United States of America." Paine is the first American writer who had a literary style, and we have not had so many since but that you may count them on the fingers of one hand. Note this sample of antithesis: "There

are but two natural sources of wealth—the earth and the ocean—and to lose the right to either, in our situation, is to put the other up for sale."

Here is a little tribute from Paine's pen to America which some of our boomers of boom towns might do well to use:

> America has now outgrown the state of infancy. Her strength and commerce make large advances to manhood; and science in all its branches has not only blossomed, but even ripened upon the soil. The cottages as it were of yesterday have grown into villages, and the villages to cities; and while proud antiquity, like a skeleton in rags, parades the streets of other nations, their genius as if sickened and disgusted with the phantom, comes hither for recovery. America yet inherits a large portion of her first-imported virtue. Degeneracy is here almost a useless word. Those who are conversant with Europe would be tempted to believe that even the air of the Atlantic disagrees with the constitution of foreign vices; if they survive the voyage they either expire on their arrival, or linger away with an incurable consumption. There is a happy something in the climate of America which disarms them of all their power both of infection and attraction.

Ease, fluidity, grace, imagination, energy, earnestness, mark his work. No wonder is it that Franklin said, "Others can rule, many can fight, but only Paine can write for us the English tongue." And Jefferson, himself a great writer,

was constantly, for many years, sending to Paine manuscript for criticism and correction. In one letter to Paine, Jefferson adds this postscript, "You must not be too much elated and set up when I tell you my belief that you are the only writer in America who can write better than your obliged and obedient servant—Thomas Jefferson."

Paine was living in peace at Bordentown in the year 1787. The war was ended—the last hostile Britisher had departed, and the country was awakening to prosperity. Paine rode his mettlesome old war-horse "Button," back and forth from Philadelphia, often stopping and seating himself by the roadway to write out a thought while the horse that had known the smell of powder quietly nibbled the grass. The success of Benjamin Franklin as an inventor had fired the heart of Paine. He devised a plan to utilize small explosions of gunpowder to run an engine, thus anticipating our gas and gasoline engines by near a hundred years. He had also planned a bridge to span the Schuylkill. Capitalists were ready to build the bridge, provided Paine could get French engineers, then the greatest in the world, to endorse his plans. So he sailed away to France, intending also to visit his parents in England, in-

structing his friends in Bordentown, with whom he boarded, to take care of his horse, his room and books with all his papers, for he would be back in less than a year.

He was fifty years old. It was thirteen years since he had left England, and he felt that his transplantation to a new soil had not been in vain. England had practically exiled him, but still the land of his birth called, and unseen tendrils tugged at his heart. He must again see England, even for a brief visit, and then back to America, the land that he loved and which he had helped to free.

And destiny devised that it was to be fifteen years before he was again to see his beloved "United States of America."

Arriving in France, Paine was received with great honors. There was much political unrest and the fuse was then being lighted that was to cause the explosion of 1789. However, of all this Paine knew little. He met Danton, a Freemason like himself, and various other radicals. "Common Sense" and the "Crisis" had been translated into French, printed and widely distributed, and inasmuch as Paine had been a party in bringing about one revolution, and had helped carry it through to success, his counsel and advice

were sought. A few short weeks in France, and Paine having secured the endorsement of the Academy for his bridge, went over to England preparatory to sailing for America.

Arriving in England, Paine found that his father had died but a short time before. His mother was living, aged ninety-one, and in full possession of her faculties. The meeting of mother and son was full of tender memories. And the mother, while not being able to follow her gifted son in all of his reasoning yet fully sympathized with him in his efforts to increase human rights. The Quakers, while in favor of peace, are yet revolutionaries, for their policy is one of protest.

Paine visited the old Quaker church at Stratford, and there seated in the silence, wrote these words:

> When we consider, for the feelings of nature cannot be dismissed, the calamities of war and the miseries it inflicts upon the human species, the thousands and tens of thousands, of every age and sex who are rendered wretched by the event, surely there is something in the heart of man that calls upon him to think! Surely there is some tender chord, tuned by the hand of the Creator, that still struggles to emit in the hearing of the soul a note of sorrowing sympathy. Let it then be heard, and let man learn to feel that the true greatness of a nation

is founded on principles of humanity, and not on conquest. War involves in its progress such a train of unforeseen and unsupposed circumstances, such a combination of foreign matters, that no human wisdom can calculate the end. It has but one thing certain, and that is to increase taxes. I defend the cause of the poor, of the manufacturer, of the tradesman, of the farmer, and of all those on whom the real burden of taxes fall—but above all, I defend the cause of women and children—of all humanity.

Edmund Burke, hearing of Paine's presence in England, sent for him to come to his house. Paine accepted the invitation, and Burke doubtless got a few interesting chapters of history at first hand. "It was equal to meeting Washington and perhaps better, for Paine is more of a philosopher than his chief," wrote Burke to the elder Pitt.

Paine saw that political unrest was not confined to France—that England was in a state of evolution, and was making painful efforts to adapt herself to the progress of the times. Paine could remember a time when in England women and children were hanged for poaching; when the insane were publicly whipped, and when, if publicly expressed, a doubt concerning the truth of Scripture meant exile or to have your ears cut off.

Now he saw the old custom reversed and the nobles were bowing to the will of the people. It came to him that if the many in England could be educated, the Crown having so recently received its rebuke at the hands of the American colonies, that a great stride to the front could be made. Englishmen were talking about their rights. What are the natural rights of a man? He began to set down his thoughts on the subject. These soon extended themselves into chapters. The chapters grew into a book—a book which he hoped would peacefully do for England what "Common Sense" had done for America. This book, the "Rights of Man," was written at the same time that Mary Wollstonecraft was writing her book, " The Rights of Women."

In London, Paine made his home at the house of Thomas Rickman, a publisher. Rickman has given us an intimate glimpse into the life of the patriot, and told us among other things that Paine was five feet ten inches high, of an athletic build, and very fond of taking long walks. Among the visitors at Rickman's house who came to see Paine were Dr. Priestley, Horne Tooke, Romney, Lord Edward Fitzgerald, the Duke of Portland and Mary Wollstonecraft. It seems very probable that Mrs. Wollstonecraft read to

Paine parts of her book, for very much in his volume parallels hers, not only in the thought but in actual wording. Whether he got more ideas from her than she got from him, will have to be left to the higher critics. Certain it is that they were in mutual accord, and that Mrs. Wollstonecraft had read "Common Sense" and the "Rights of Man" to a purpose.

It was too much to expect that a native born Englishman could go across the sea to British colonies and rebel against British rule and then come back to England and escape censure. The very popularity of Paine in certain high circles centered attention on him. And Pitt, who certainly admired Paine's talents, referred to his stay in England as "indelicate."

England is the freest country on earth. It is her rule to let her orators unmuzzle their ignorance and find relief in venting grievances upon the empty air. In Hyde Park any Sunday one can hear the same sentiments for the suppression of which Chicago paid in her Haymarket massacre. Grievances expressed are half cured, but England did not think so then. The change came about through a thirty years' fight, which Paine precipitated.

The patience of England in dealing with

Paine was extraordinary. Paine was right, but at the same time he was as guilty as Theodore Parker was when indicted by the State of Virginia along with Ol' John Brown.

The "Rights of Man" sold from the very start, and in a year fifty thousand copies had been called for. Unlike his other books this one was bringing Paine a financial return. Newspaper controversies followed, and Burke, the radical, found himself unable to go the lengths to which Paine was logically trying to force him.

Paine was in Paris, on a visit, on that memorable day which saw the fall of the Bastile. Jefferson and Adams had left France and Paine was regarded as the authorized representative of America, and in fact he had been doing business in France for Washington. Lafayette in a moment of exultant enthusiasm gave the key of the Bastile to Paine to present to Washington, and as every American schoolboy knows, this famous key to a sad situation now hangs on its carefully guarded peg at Mt. Vernon. Lafayette thought that without the example of America, France would never have found strength to throw off the rule of kings, and so America must have the key to the detested door that was now unhinged forever. "And to me," said Lafayette, "America

without her Thomas Paine is unthinkable." The words were carried to England and there did Paine no especial good. But England was now giving Paine a living—there was a market for the product of his pen—and he was being advertised both by his loving friends and his rabid enemies.

Paine had many admirers in France, and in some ways he felt more at home there than in England. He spoke and wrote French. However, no man ever wrote well in more than one language although he might speak intelligently in several; and the orator using a foreign tongue never reaches fluidity. "Where liberty is, there is my home," said Franklin. And Paine answered, "Where liberty is not, there is my home." The newspaper attacks had shown Paine that he had not made himself clear on all points, and like every worthy orator who considers, when too late, all the great things he intended to say, he was stung with the thought of all the brilliant things he might have said, but had not.

And so straightway he began to prepare Part II of the "Rights of Man." The book was printed in cheap form similar to "Common Sense," and was beginning to be widely read by working men.

"Philosophy is all right," said Pitt, "but it should be taught to philosophical people. If this thing is kept up, London will re-enact the scenes of Paris."

Many Englishmen thought the same. The official order was given, and all of Paine's books that could be found were seized and publicly used for a bonfire by the official hangman. Paine was burned in effigy in many cities, the charge being made that he was one of the men who had brought about the French Revolution. With better truth it could have been stated that he was the man, with the help of George III, who brought about the American Revolution. The terms of peace made between England and the colonies granted amnesty to Paine and his colleagues in rebellion, but his acts could not be forgotten, even though they were nominally forgiven. This new firebrand of a book was really too much, and the author got a left-handed compliment from the Premier on his literary style—books to burn!

Four French provinces nominated him to represent them in the Chamber of Deputies. He accepted the solicitations of Calais, and took his seat for that province.

He knew Danton, Mirabeau, Marat and Robespierre. Danton and Robespierre respected

him and often advised with him. Mirabeau and Marat were in turn suspicious and afraid of him. The times were feverish, and Paine, a radical at heart, here was regarded as a conservative. In America the enemy stood out to be counted; the division was clear and sharp, but here the danger was in the hearts of the French themselves.

Paine argued that of all things we must conquer our own spirits, and in this new birth of freedom not imitate the cruelty and harshness of royalty against which we protest. "We will kill the King, but not the man," were his words. But with all of his tact and logic he could not make his colleagues see that to abolish the kingly office, not to kill the individual, was the thing desired.

So Louis, who helped free the American colonies, went to the block, and his enemy, Danton, a little later, did the same. Mirabeau, the boaster, had died peacefully in his bed; Robespierre, who signed the death warrant of Paine, "to save his own head," died the death he had reserved for Paine; Marat, "the terrible dwarf," horribly honest, fearfully sincere, jealous and afraid of Paine, hinting that he was the secret emissary of England, was stabbed to his death by a woman's hand.

And amid the din, escape being impossible,

and also undesirable, Thomas Paine wrote the first part of the "Age of Reason."

The second part was written in the Luxembourg prison, under the shadow of the guillotine. But life is only a sentence of death, with an indefinite reprieve. Prison, to Paine, was not all gloom.

The jailer, Benoit, was good-natured and cherished his unwilling guests as his children. When they left for freedom or for death, he kissed them, and gave each a little ring in which was engraved the single word, "Mizpah." But finally Benoit, himself, was led away, and there was none to kiss his cheek, nor to give him a ring and cry cheerily, "Good luck, Citizen Comrade! Until we meet again!"

A great deal has been said by the admirers of Thomas Paine about the abuse and injustice heaped upon his name, and the prevarications concerning his life, by press and pulpit and those who profess a life of love, meekness and humility. But we should remember that all this vilification was really the tribute that mediocrity pays genius. To escape censure one only has to move with the mob, think with the mob, do nothing that the mob does not do—then you are safe. The sa-

viors of the world have usually been crucified between thieves, despised, forsaken, spit upon, rejected of men. In their lives they seldom had a place where they could safely lay their weary heads, and dying, their bodies were either hidden in another man's tomb or else subjected to the indignities which the living man failed to survive: torn limb from limb, eyeless, headless, armless, burned and the ashes scattered or sunk in the sea.

And the peculiar thing is that most of this frightful inhumanity was the work of so-called good men, the pillars of society, the respectable element, what we are pleased to call "our first citizens," instigated by the Church that happened to be power. Socrates poisoned, Aristides ostracized, Aristotle fleeing for his life, Jesus crucified, Paul beheaded, Peter crucified head downward, Savonarola martryred, Spinoza hunted, tracked and cursed, and an order issued that no man should speak to him nor supply him food or shelter, Bruno burned, Galileo imprisoned, Huss, Wyclif, Latimer and Tyndale used for kindling —all this in the name of religion, institutional religion, the one thing that has caused more misery, heartaches, bloodshed, war, than all other causes combined. Leo Tolstoi says, " Love, truth, com-

passion, service, sympathy, tenderness exist in the hearts of men, and are the essence of religion, but try to encompass these things in an institution and you get a church—and the Church stands for and has always stood for coercion, intolerance, injustice and cruelty."

No man ever lifted up his voice or pen in a criticism against love, truth, compassion, service, sympathy and tenderness. And if he had, do you think that love, truth, compassion, service, sympathy, tenderness would feel it necessary to go after him with stocks, chains, thumbscrews and torches?

You cannot imagine it.

Then what is it goes after men who criticize the prevailing religion and show where it can be improved upon? Why, it is hate, malice, vengeance, jealousy, injustice, intolerance, cruelty, fear.

The reason the Church does not visit upon its critics to-day the same cruelties that it did three hundred years ago is simply because it has not the power. Incorporate a beautiful sentiment and hire a man to preach and defend it, and then buy property and build costly buildings in which to preach your beautiful sentiment, and if the gentleman who preaches your beautiful sentiment

is criticized he will fight and suppress his critics if he can. And the reason he fights his critics is not because he believes the beautiful sentiment will suffer, but because he fears losing his position which carries with it ease, honors and food, and a parsonage and a church, taxes free.

Just as soon as the gentleman employed to defend and preach the beautiful sentiment grows fearful about the permanency of his position, and begins to have gooseflesh when a critic's name is mentioned, the beautiful sentiment evaporates out of the window, and exists only in that place forever as a name. The Church is ever a menace to all beautiful sentiments, because it is an economic institution, and the chief distributor of degrees, titles and honors.

Anything that threatens to curtail its power it is bound to oppose and suppress, if it can. Men who cease useful work in order to devote themselves to religion, are right in the same class with women who quit work to make a business of love. Men who know history and humanity and have reasonably open minds are not surprised at the treatment visited upon Paine by the country he had so much benefited. Superstition and hallucination are really one thing, and fanaticism, which is mental obsession, easily becomes acute

and the whirling dervish runs amuck at sight of a man whose religious opinions are different from his own.

Paine got off very easy; he lived his life, and expressed himself freely to the last. Men who discover continents are destined to die in chains. That is the price they pay for the privilege of sailing on, and on, and on, and on.

Said Paine:

> The moral duty of a man consists in imitating the moral goodness and beneficence of God manifested in the creation, toward all creatures. That seeing as we daily do, the goodness of God to all men, it is an example calling upon all men to practise toward each other, and consequently that everything of persecution and revenge between man and man, and everything of cruelty to animals is a violation of moral duty.

The pen of Paine made the sword of Washington possible. And as Paine's book, "Common Sense," broke the power of Great Britain in America, and the "Rights of Man" gave free speech and a free press to England, so did the "Age of Reason" give pause to the juggernaut of orthodoxy. Thomas Paine was the legitimate ancestor of Hosea Ballou who founded the Universalist Church, and also of Theodore Parker who made Unitarianism in America an intellectual torch.

Channing, Ripley, Bartol, Martineau, Frothingham, Hale, Curtis, Collyer, Swing, Thomas, Conway, Leonard, Savage, Crapsey, yes—even Emerson and Thoreau, were spiritual children, all, of Thomas Paine. He blazed the way and made it possible for men to preach the sweet reasonableness of reason. He was the pioneer in a jungle of superstition. Thomas Paine was the real founder of the so-called Liberal Denominations and the business of the liberal denominations has not been to become great, powerful and popular, but to make all other denominations more liberal. So to-day in all so-called orthodox pulpits one can hear the ideas of Paine, Henry Frank and B. Fay Mills expounded.

A SQUARE DEAL*

By Marilla M. Ricker

IN the "Life of Gouverneur Morris," by Theodore Roosevelt, on page 289 is the statement that Thomas Paine was a "filthy, little atheist." This was written in 1896, and in the last edition of the book, printed in 1906, the soft orthodox impeachment still remains, although Mr. Roosevelt has been repeatedly reminded since the work was first issued of his indelicacy.

When we cannot answer a man's arguments, all is not lost, we can still call him vile names. The fishwives supply us plenty of precedent, and the traditions of Billingsgate still survive.

Roosevelt is a Presbyterian—Paine was something else. Paine criticized the faith of John Knox and John Calvin, so Roosevelt, who believes in the religion of John Knox and John Calvin, calls Paine "little" also "filthy"; and other savory epithets, which I dare not reproduce, are applied to those who reverence the memory of men who lived and labored to make other men free.

Paine was not "little," mentally or physically.

*Reprinted by permission from *The Philistine,* September, 1907.—Ed.

In height he was five feet, ten, and the man who brings against him the damning indictment of being little is five feet, five. Only in girth does Roosevelt surpass Paine.

As for being "filthy," Paine was ascetic in his manner of life and had the Englishman's passion for his "tub," to such a degree that he was ridiculed for his cold-water habit by his soldier comrades.

The third charge, that of being an "atheist," not being a matter of physique or bodily habit, is more easily controverted. Seven times in the "Age of Reason" Paine says, "I believe in one God." The closing paragraph of the book says, "The creation we behold is the ever existing Word of God."

And yet Mr. Roosevelt still insists that Thomas Paine did not believe in God, and moreover, adds the gratuity that the man was little, also filthy.

In this book the author backs himself up by references to a certain "Isaac Roosevelt." Neither Bancroft, Greene, the "Encyclopedia Britannica" Appleton's nor the "Century Dictionary" mention "Isaac Roosevelt." He is evidently a mythical Mrs. Harris or Ol' Bill Jones, conjured forth in a psychic moment as a happy

thought by the versatile author. Of course the writer might have referred to Thomas Jefferson or Benjamin Franklin, both of whom paid high tribute to the genius of Paine, but instead he rings in Isaac, who has no parts nor dimensions, being neither little nor filthy, whom no one knows or even heard of, who wrote nothing and said nothing, being but a wraith of the figment of Theodore's pigment. To such extremities does a religion of hate and prejudice often drive even very excellent men.

* * * * * *

"Tom" Paine was a straw man made by frightened orthodoxy to save its religion. This uncanny effigy was set up in churches to terrify the timid and weak minded. But it has had its day. This scarecrow has been picked to pieces by the fingers of invisible air. The last rag is gone; the last straw is dust and the cross-sticks on which this scarecrow hung would not be purchased by a Roman Catholic junk dealer in religious relics. And so to-day, let us exclaim, "Tom Paine is dead. Long live Thomas Paine."

The only thing that ever came back from the grave that we know of was a lie. The lies which professed followers of the gentle Christ told of Paine were killed and buried hundreds of times,

but they break the bonds of death now and then and appear in their ghastly robes in the pulpits, just as though they were the white garments of truth. But a lie about an infidel no longer receives credit as an argument in favor of Christianity. Had Thomas Paine been as cruel as John Calvin, as wicked and vile as some of the popes, as merciless as Jonathan Edwards, instead of being one of the greatest and noblest of mankind, the doctrine of vicarious atonement would be just as immoral, the dogma of endless punishment just as barbarous, and a hell for unbelievers just as hideous a thought. It is unnecessary for an honest man to ever again misrepresent Thomas Paine.

The time has been when the person who defended the author of the "Age of Reason" offered himself as a target for religious abuse, but the time has come when to refuse to defend Thomas Paine is to confess that one is a coward, a knave or grossly ignorant. A just man is applauded, a generous man is loved, but a man who can give himself, all he has, and all he can do for the good of his race, deserves immortality in human hearts.

I have looked over the names of those men who left their native land to cast their lot with

that band of Pilgrims who sought these shores, that they might have freedom to worship their God and persecute their fellow man, and also, the list of those who cast their lot with the descendants of that band of Pilgrims, and I say now and here that the most valuable emigrant that ever came to America was Thomas Paine. He did more for our country than every priest and every parson that has touched our soil. He left his home to help make a home for the oppressed of all the world. He came at the right time, he spoke the right word, he had the right spirit.

I have no faith in divinely guided stars, in angels who direct human affairs, or in what is called "Providence." Providence to me is good luck, a happy accident, as there is as much bad luck as good in this wayward world of ours; any theory of Providence makes God partial and whimsical. But if fortuitous circumstances ever furnished a foundation for faith in divine interpretation, surely those attending the triumphant career of Thomas Paine must be regarded as notable examples.

No one knows what power plants in the human mind the seeds of greatness. We like to think that great sons had great mothers, and that loving hearts endowed their offspring with their

own rare natures. But there have been children of the world who surpassed fathers and mothers, who contradicted heredity and environment and who in their bold undertakings turned away from all instruction and defied all authority.

In 1774 Paine was living in England; he was a man of humble parentage, a man poor and unknown who had acted no brilliant part on the stage of life, a man whose experience had not fitted him to grasp great political principles or to solve important political problems, but who, within one year, contributed to the world the greatest work on human liberty and human government that had come from the human brain. It is not too much to say that Paine's "Common Sense" made a nation and that nation to-day the greatest on earth. From being one of the most obscure men on the globe in 1774, Thomas Paine became one of the most influential in 1775. The world delights in martial heroes, in men on horseback, in swords and armor and deadly weapons, and we yet see the stream of destiny following the tide of war, but on the canvas of history I can see a man with a pen in his hand who was a grander hero than ever led a charge on the field of battle.

Ink has made more fate than has blood and

the boldness of Thomas Paine in denouncing tyranny and wrong makes a picture of bravery which outshines in heroic splendor all the deeds of rifle and sword. The man who one hundred years ago dared to speak the truth, faced not only poverty and disgrace, but in many instances death as well. To defy the King was more dangerous than to defy God, and when Paine characterized George III as that "Royal British Brute" he made a halter for his neck, had the colonies not won independence.

I cannot open the book of this man's life with cold, indifferent hands, nor read his burning words without my blood answering to his. To me, Thomas Paine has been not only a man of destiny, but a man who made destiny. Nothing could induce him to cut one inch from the stature of his manhood. A conviction was as sacred to him as an idol to its worshiper. He protected his thought with all the chivalry of a knight of old, who fought for the hand of the woman he loved; as a mother watches over her crippled child. So Paine was devoted to what he believed to be right.

Thomas Paine did not ask a man about his nationality, his color, or his religion; to him a black face was not a mark of slavery, nor an

honest belief a badge of degradation. He knew no rank higher than manhood. Titles were deceptions. Every king was an impostor, every noble a person obtaining honor under false pretenses. He was as democratic as nature, as impartial as rain or sunshine. He wanted a government where those who held office should be no higher than those they served. He wanted every man who was elected to position high or low, to represent the people, to stand for the people, and to work for the people. He wanted to strike the bauble from the head of every monarch on earth, and say: "If manhood be not written across your brow, you deserve no respect from honest men." Every throne has robbed the world, every altar has enslaved it, and Thomas Paine knew that any government which fostered superstition or allowed tyranny would trample upon human rights and lead reason to the gallows. He looked out upon the world with pity for the poor and lowly, with sympathy for the toilers, but with hatred for the thrones of power. I know of no one who has placed duty to mankind higher than did he. In whatever he did he obliterated self. He sought for no advantage over others, and if

a man was endowed by nature with superior ability, he saw in such power only a greater opportunity to bless his race. He never entered the wild race for money; never prostituted the power of his mighty brain; never sold his influence.

Thomas Paine was never a traitor to himself. What did this man hate? Falsehood, wrong, tyranny. What did he love? Justice, truth, right and liberty. The dominating inspiration of Paine's mind was love of freedom. He cried out wherever he went, "Liberty, Liberty and yet again Liberty!" In the land where he was born there was no such thing taught as the equality of mankind. All the springs of freedom in Great Britain were dry. The birds could sing of liberty, but man was dumb.

Thomas Paine dreamed the most glorious dream of human freedom that ever enchanted the mind of man; fairer and sweeter than lay under the broken marbles of Greece; brighter and better than was buried with the dead eagles of Rome. We know not what gave birth to this dream in his soul. The atmosphere of his early life has faded from the sky. The key to his youth is lost. He had seen and heard little of the world. He had lived mostly in the hidden realm of thought.

How the hope of freedom for all mankind gained entrance to his mind no one can tell; what rivers fed it, what suns nourished it, what stars looked down upon it by night can never be learned. He was a genius of solitude. His mind nursed sustenance from the heart of the universe. The wrongs he read of made him long for justice; the falsehoods he heard turned his heart to truth, the oppression about him kindled liberty within him.

His great dream for mankind came from his love of man. He looked upon the King of England as his personal enemy, and hence as the enemy of all humanity. It was the taking of all the wrongs and sufferings of his fellow beings to himself that made him touch to life those "Truths that wake to perish never."

Paine lived in a land where justice was in the grave, where right was led to the scaffold, where liberty had never been born; in a land where honesty went barefoot; and where vice held all the trumps. And yet, in this dismal environment, Paine saw a vision of human equality, a country where a king was not wanted, and a pope was not needed; a country where the people were their own rulers, and where manhood was the brightest crown. He saw in America the land of his dream. In October,

1774, he sailed for these shores and, "By his vision splendid was on his way attended." Thomas Paine did not come to America to look upon some wonderful picture painted by a famous artist, or to see some marvelous figure wrought from a marble block by a sculptor's genius, or to gaze upon some spot sacred to religious faith, but he came to see if in the American colonies an altar of freedom could be raised, and if there were a possibility of establishing a government which would protect human rights.

He came here to find what he could not find in England, what he could not find in Europe, what he could not find in the Old World—a land which would give to man the liberty to be a man and which would respect manhood more than titles and coronets. He came here to find a new world, to found a new government, to help make a country where all men should be equal, to help found a nation which would be the monarch of the earth, as the eagle is of the air.

When Paine reached our shores he found the people in rebellion against the King. The yeast of discontent was working and the land was preparing to resist oppression. The clay was ready for the hand of the potter. One of the first efforts of Paine was an essay condemning

negro slavery and advocating the emancipation of the slave. Before Lexington Green was stained by patriot blood, the first American Anti-slavery Society was formed in Philadelphia. Had Paine's counsel been heeded, there would have been no slaves in the United States, and civil war would not have dug a grave in our soil or broken a heart in our homes. The independence of the American colonies was not sought by the men who emptied British tea into the waters of Boston Harbor, nor was that the purpose of the minutemen who faced the redcoats in the Concord fight, nor did the hope of independence win the victory of Bunker Hill. Only a few men in 1775 believed that separation from England was probable and no one publicly advocated it.

It was at this time that Thomas Paine set to work to show the American people that the hour had come for them to rid the land of monarchy. The bold argument of Paine for national independence could not be answered, and within a few months it had converted a continent. On the fourth of July following its publication the colonies proclaimed their Declaration of Independence, "Common Sense" flashed across the political sky of the New World with a brilliancy that won admiration and wonder from all. No

true estimate can be made of the mighty influence which the ideas in this pamphlet have had, and are destined to have upon the human race.

Paine stands between two epochs: the epoch of Kings and the epoch of Man. To the King he said, "The night is coming." To Man he said, "The day is dawning; tyranny must leave the earth, freedom and equality will possess it." Paine did not say to Men, fall upon your knees and implore God's help, but, stand upon your feet and help yourselves. Muskets did better execution during the Revolutionary War than did prayers. Paine did not say, "Thus saith the Lord," for he had something better to say than was ever said by the Lord. He cried to his fellow men out of his mighty passion for liberty to rise and drive British oppression back over the seas.

One has only to read the writings of Paine to learn that the man who wields a big pen does humanity a nobler service than a man who wields a big stick. Reverence has chained the mind to antiquity, and the lips of eulogy have bestowed the highest praise upon the ancients, but Plato and Socrates, Seneca and Epictetus, Paul and Jesus combined did not do for human life on earth so much as did Thomas Paine. I know that

my words sound extravagant to the popular ear, but the philosophy which made the Athens of Pericles and Aspasia is as dead as its sculptured gods; the morals which built up the Rome of the Cæsars are embalmed in a few rose-jars of literature; and the gospel which conquered Egypt and Syria is powerless before the truths of modern science; while in the words of Paine sleep giants that will yet vanquish every foe of man.

A nation is no stronger than its citizens. Thomas Paine's work was to build man strong and great that the nation might be strong and great. The rights of man are to be defended, not the word of God. When men have been corrupt, governments have decayed. The salvation of the race is not in gods or saviors, or bibles or churches, but in the perpetuation of freedom and equality among men and women.

The tree of liberty had blossomed a thousand times, and the perfume of its flowers filled the air with the glad promise of its ripened fruit, but not until the Stars and Stripes waved over America's soil, was political freedom a fact. Thomas Paine did more than any other man to put the stars on our flag and to give that flag to the breeze. And what he did was done without expectation of pay. When he had finished "Common Sense," he did

not ask the colonies to buy it. His strongest convictions were in that work, his dearest hopes had been written into its words, and these convictions and those hopes were too precious to be bartered for money.

Paine had no love of freedom to sell. This man who started out to give his life to freedom presented to the colonies all his rights in his pamphlets and not less than fifty thousand dollars were realized from the sales. Let us draw the picture of this man in January, 1775: A self-exiled Englishman living in Philadelphia with only a few acquaintances, receiving a salary of two hundred and fifty dollars a year for editing a magazine. He had a head full of good ideas and a heart full of good feeling. Under his arm he carried the manuscript of his first book. He had read portions of his work to the few friends who urged him to publish his thoughts. This man who had spent months in the preparation of his work took it to a printer without thought of personal gain. He only wished that the people would read his book and carry its principles to the heights of victory.

Thomas Paine in writing and giving "Common Sense" to the colonies made the noblest and best contribution to the cause of freedom in

America. During the seven years' war which the revolutionists waged against Great Britain, Paine contributed from time to time thirteen numbers of his "Crisis." The first, which was printed in December, 1776, commenced with this memorable sentence, " These are the times that try men's souls," and the last which appeared on April 19, 1783, opened with these words "The times that try men's souls are over."

Paine's words put strength into men's arms and courage into their hearts, but not a dollar into his own pocket. All he wrote in America was given for her freedom. He gave his services as the night gives its dew, as the flower gives its perfume, as the sun gives its light.

In 1787, Paine sailed for England, intending to be absent about one year. It was fifteen years before he again saw the land of his dream. He was intensely interested in the struggle for liberty which was going on in France and studied its every phase. Soon the struggle became a revolution, and the eyes of the civilized world were watching for the outcome.

In 1790, Edmund Burke, the foremost orator of England published his "Reflections on the Revolution in France." It was a foul blow struck at every attempt of man to overthrow

despotism. Although Burke had uttered noble words of sympathy for Americans in their war for freedom, and although he had been the warm friend of Paine, as soon as his pamphlet reached the public, Paine answered it. He never allowed friendship to turn him from the path of right, or to wreathe his lips with a lie.

In a short time the first volume of the "Rights of Man" appeared. Paine dedicated this work to George Washington and gave the proceeds from its sales to the "Society for Constitutional Information." The second volume was issued a year later. The work created the greatest enthusiasm, both in England and France. It made Paine an outlaw from his native land, and gained him a seat in the French Convention.

Paine was a great power in France, but his humane principles were not appreciated by men who could talk suavely, but act like beasts. He was honored by the best and hated by the worst of men. The Revolution, which opened the Bastile that had held within its gloomy walls so many of the brightest minds and truest hearts of France, was hurried from a desire for liberty to a demand for blood.

When Louis XVI fled from Paris, the cry for his execution went up from the frenzied mob.

It was then that Paine rose to the sublimest heights of humanity. While he would trample the crown of Louis under foot, he would not vote for his death, and said to the infuriated Assembly, "Kill the King but not the Man." When Paine asked that the life of Louis be spared, he saw his own face in the mirror of death, but he did not take back his words. The King went to the scaffold and Paine went to prison.

While daily expecting to be carried to the guillotine, Paine wrote his "Age of Reason." He dedicated this work to his fellow-citizens of the United States in these words: "I put the following work under your protection. It contains my opinion upon religion. You will do me the justice to remember that I have always strenuously supported the right of every man to his opinion, however different that opinion might be to mine. He who denies to another this right makes a slave of himself to his present opinion, because he precludes himself the right of changing it. The most formidable weapon against errors of every kind is reason. I have never used any other and I trust I never shall."

In this book Paine told the straight truth about the Christian Bible. He was the voice of honesty in the wilderness of hypocrisy. Thomas

Paine for forty years battled for truth, for right, for liberty, for reason. He had the only religion fit for a civilized person to profess or practise. He did not say, "He that believeth and is baptized shall be saved, but he that believeth not shall be damned," but he said, "To do good is my religion," and, "The true theology of man is happiness of mind."

Without Thomas Paine the battle of Bunker Hill would have been fought in vain, and the sun of liberty would have gone down in the darkness of Valley Forge. Without Thomas Paine the light of political independence would not have followed the night of oppression, and America would still be addressing petitions across the sea to England's diminutive monarch.