

*Thomas Paine*



## THOMAS PAINE

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DISCLOSED IN THE LIFE AND PAPERS OF EDMUND RANDOLPH,"  
"GEORGE WASHINGTON AND MOUNT VERNON," ETC.

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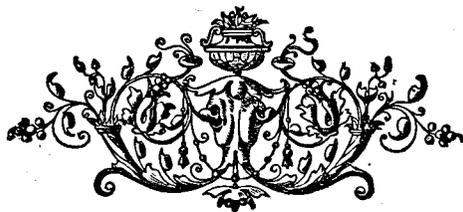
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## GENERAL INTRODUCTION,

WITH LAST GLEANINGS, HISTORICAL AND BIOGRAPHICAL.

BEFORE sending out this final volume, I have rambled again in some of the fields harvested in my seven years' labour on the Life and Works of Thomas Paine, and present the more important gleanings in these preliminary pages.

I recently obtained from a solicitor of Rotherham, Mr. Rising, a letter (on whose large seal part of the P remains), written by Paine from London to Thomas Walker, Esq., a member of the firm which manufactured the large model of the iron bridge invented by the author, and exhibited at Paddington in June, 1790. The letter is dated February 26, 1789, and the first part, which relates to the bridge, is quoted in Appendix E. The political part, here given, relates to the controversy which arose on the insanity of George III., in which Mr. Fox and the Opposition maintained that the crown passed to the Prince of Wales by hereditary right, while the Pitt Ministry maintained that the Prince had no right during the King's lifetime, more than any other person, though it was "expedient" to select him as the Regent, with restrictions on his power imposed by the two Houses of Parliament. Paine writes:

"With respect to News and Politics, the King is certainly greatly amended, but what is to follow from it is a matter of much uncertainty. How far the Nation may be safe with a man of a deranged mind at the head of it, and who, ever since he took up the notion of quitting England and going to live in Hanover, has been continually planning to entangle England with German connections, which if followed must end in a war, is a matter that

will occasion various opinions. However unfortunate it may have been for the sufferer, the King's malady has been no disservice to the Nation ; he was burning his fingers very fast in the German war, and whether he is enough in his senses to keep out of the fire is a matter of doubt.

" You mention the Rotherham Address as complimenting Mr. Pitt on the success of his administration, *and for asserting and supporting the Rights of the People*. I differ exceedingly from you in this opinion, and I think the conduct of the Opposition much nearer to the principles of the Constitution, than what the conduct of the Ministry was. So far from Mr. Pitt asserting and supporting the Rights of the people, it appears to me taking them away—but as a man ought not to make an assertion without giving his reasons, I will give you mine.

" The English Nation is composed of two orders of men—Peers and Commoners. By Commoners is properly meant every man in the Nation not having the title of Peer. And it is the existence of those two orders, setting up distinct and opposite Claims, the one hereditary and the other elective, that makes it necessary to establish a third order, or that known by the name of the Regal Power, or the Power of the Crown.

" The Regal Power is the Majesty of the Nation collected to a center, and residing in the person exercising the Regal Power. The Right therefore of the Prince is a Right standing on the Right of the whole Nation. But Mr. Pitt says it stands on the Right of Parliament. Is not Parliament composed of two houses, one of which is itself hereditary, and over which the people have no controul, and in the establishment of which they have no election ; and the other house the representative of only a small part of the nation ? How then can the Rights of the People be asserted and supported by absorbing them into an hereditary house of Peers ? Is not one hereditary power or Right as dangerous as the other ? And yet the Addressers have all gone on the Error of establishing Power in the house of Peers, over whom, as I have already said, they have no controul, for the inconsistent purpose of opposing it in the prince over whom they have some controul.

" It was one of those Cases in which there ought to have been a National Convention for the express purpose : for if Government be permitted to alter itself, or any of the parts be permitted

to alter the other, there is no fixed Constitution in the Country. And if the Regal Power, or the person exercising the Regal Power, either as King or Regent, instead of standing on the universal ground of the Nation, be made the meer Creature of Parliament, it is, in my humble opinion, equally as inconsistent and unconstitutional as if Parliament was the meer Creature of the Crown.

"It is a common Idea in all countries that to take Power from the Prince is to give liberty to the people. But Mr. Pitt's conduct is almost the reverse of this: his is to take power from one part of the Government to add it to another; for he has encreased the Power of the Peers, not the Rights of the People.—I must give him credit for his ingenuity if I do not for his principles, and the less so because the object of his conduct is now visible, which was to [keep] themselves in pay after they should be out of [avow], by retaining, thro' an Act of Parliament of their own making, between four and five hundred thousand pounds of the Civil List in their own hands. This is the key of the whole business; and it was for this and not for the Rights of the people that he set up the Right of Parliament, because it was only by that means that the spoil could be divided. If the restrictions had been that he should not declare war, or enter into foreign alliances without the consent of Parliament, the objects would have been national and would have had some sense in them; but it is, that he should not have *all the money*. If Swift was alive he would say—'S—— on such Patriotism.'

"How they will manage with Ireland I have no opportunity of learning, as I have not been at the other end of the Town since the Commission arrived. Ireland will certainly judge for itself, and not permit the English Parliament or Doctors to judge for her.—Thus much for Politics."

The letter just quoted is the more remarkable because the Prince Regent was particularly odious to Paine. The reader will find this issue of the Regency dealt with in the "Rights of Man" (ii., p. 371 of this edition), but it may be remarked in passing that this supposed purblind enemy of thrones was found in 1789 maintaining that the monarch, however objectionable, was more related to the people than a non-representative Parliament, and that in 1793 he pleaded for the life of Louis XVI.

The last paragraph in the above extract shows that Paine was already in sympathy with Irish discontent. I have a little scrap of his writing (early 1792) which appears to be from the draft of a note to one of the associations in London, respecting the Society of United Irishmen, whose Declaration was issued in October, 1791:

“I have the honour of presenting the Gentlemen present a letter I have received from the United Irishmen of Dublin informing me of my having been elected an honorary member of their Society. By this adoption of me as one of their body I have the pleasure of considering myself on their”——[*cetera desunt*].

The tremendous effect produced in Ireland by Paine's answer to Burke is indicated in the Charlemont Papers (Hist. MSS. Com. 1894). Mr. Thomas Shore first called attention to the items concerning Paine in the London *Free-thinker*, March and April, 1896. Although Charlemont had been made an earl for quelling an insurrection in Ulster, 1763, he was a Liberal Whig. In 1791 (April 11) Sheridan writes from Downpatrick to Charlemont:

“I find from the newspapers that the Whigs of the capital (a society of which I am a member, and into which I entered with the best intentions) have, in my absence, and without my knowledge, named and published me one of a committee for disseminating Mr. Paine's pamphlet in reply to Mr. Burke's 'Reflections on the French Revolution.' I have read that pamphlet; it appears to me designed to level all distinction, and to have this object in view—a total overthrow of the Constitution. With this opinion I must naturally feel it indecent, in my public situation as a member of parliament, a citizen, a barrister and (what I value least) one of his majesty's counsel, to disseminate that work, but I am at a loss how to act. My first intention was to contradict it publicly. I fear a misinterpretation of my motives, and I dislike public differences with men in whose cause I am an humble assistant.”

Two days later Charlemont replies:

“Thinking exactly as you do of Paine’s very entertaining, very ingenious, but very dangerous performance . . . yet how to advise upon this occasion I do not well know. A serious public contradiction would not be pleasant, and possibly not innoxious. Perhaps the best method may be to expostulate between jest and earnest with some of your brethren on the liberty they have taken, and to declare in all companies, without being too serious, your real opinion of the tendency of the pamphlet, giving it, however, its due praise, for much merit it certainly has. . . . Men connected with the popular party will often be brought into scrapes of this sort, as the people who sometimes do not go too far will seldom go far enough.”

It is evident that Paine had a powerful following, and that it was not at that time prudent for a Whig politician to repudiate him. Soon after we find Earl Charlemont writing from Dublin, May 9, 1791, to Dr. Alexander Haliday, Belfast: “I did, indeed, suppose that Paine’s pamphlet, which is, by the way, a work of great genius, would be well received in your district; yet, in my opinion, it ought to be read with some degree of caution. He does, indeed, tear away the bandage from the public eye; but in tearing it off there may be some danger of injuring the organ.” In reply to a radical outburst from Haliday, Charlemont writes (July 30, 1791): “Though I admire Mr. Paine, I am by no means a convert to his doctrine concerning our constitution, and cannot help thinking that some approbation of this constitution, as it ought to be, should at all times be joined with the applause which we so justly bestow on the emancipation of a great people from utter slavery.” Charlemont was a friend and correspondent of Burke, and frankly expressed his differences of opinion, but Haliday gave him proofs of a dishonourable proceeding on Burke’s part, eleven years before (borrowing a manuscript play of Haliday’s in confidence, showing it to Sheridan, and never returning it, professing that it was lost), and pronounced him (Burke) a snake in the grass. Thereafter no communication appears between Charlemont and Burke.

The prosecution of the second Part of the “Rights of

Man," and the panic caused by massacres in France, thinned the ranks of Paine's eminent friends, while the popularity of his work increased. Malone, writing from London to Charle-  
mont, December 3, 1792, says: "For several weeks past not less than four thousand per week of Paine's despicable and nonsensical pamphlet have been issued forth, for almost nothing, and dispersed all over the kingdom. At Manchester the innovators bribe the poor by drink to hear it read." And on December 22, four days after Paine's trial, Malone has the satisfaction of reporting: "That vain fellow Erskine has been going about this month past, saying he would make a speech in defence of Paine's nonsensical and impudent libel on the English constitution, that would astonish the world, and make him to be remembered when Pitt and Fox and Burke, etc., were all forgotten. After speaking for four hours, and fainting in the usual form, the jury, without suffering the attorney-general to reply, found Paine guilty." Malone (Edmund, the Shakespearian) was an admirable Irishman, but he seems to have been taken off his feet by the court-panic in London. There is a touch of comedy in finding him bringing out a quarto with a republican publisher.

"This person," he tells Charle-  
mont, November 15, 1793, "a Mr. George Robinson, is unluckily too a determined republican, on which account alone I am sorry that I have employed him. In consequence of his political phrenzy he at this moment is apprehensive of judgment being pronounced against him by the king's bench for selling Paine's pamphlet, and may probably be punished for his zeal in the 'good old cause,' as they called it in the last century, by six months' imprisonment. I shall not have the smallest pity for him. To do any act whatever that may tend to forward the principles maintained by the diabolical ruffians in France is so highly criminal that I hope the chief justice will inflict the most exemplary punishment on all the favourers of that vile system, whenever he can lay hold on them."

Robinson had been found guilty August 10, and when called up for judgment seems to have escaped with a fine

(Sherwin's "Paine," p. 138). Before leaving the Charlemont Papers it may be remarked that in no case does the Earl respond to Malone's acrimonious language against Paine, and even when the good Catholic has before him the author's direst offences, he limits himself in writing to Haliday (long since scared) to a mild sentence: "So Paine has now attacked Washington! No wonder; he has lately dared to attack heaven."

From the papers of Francis Place (British Museum), it appears that the work of repressing political discussion was begun by the Lord Mayor, who on November 27, 1792, closed the debating society which had been meeting at the King's Arms, Cornhill. (By the diary of Paine's friend, John Hall, I find that after the information had been lodged against Paine, all of the debating societies in London were intimidated, and the King's Arms debate had come down to the question, "Whether a husband obstinate and ignorant, or a man of parts, though tyrannical, was the most eligible for a woman of refined sensibilities?" Hall adds: "Did not stay to the end, but it seemed to be going in favour of the sensible man, the tyrant." Whether the Lord Mayor scented sedition in such questions or not, John Hall, after some absence from London, enters in his diary, November 26, "Could not find where Debating Society met.")

In the Francis Place MSS., 27, 809, p. 268, there is a list of the prosecutions in 1793; and in 27, 812, pp. 10, 12, are documents showing that about the middle of June, 1792, subscriptions had been opened, for the defence of Paine, by both the "London Corresponding Committee" and the "Constitutional Society." In MSS. 27, 817, p. 24, "Mr. Payne" (*sic*) and Rickman are in the list of those who met in the London Coffee House, May 9, 1792, and founded the "Society of Friends of the People."

Paine was elected a member of the French National Convention by four departments—Oise, Puy-de-Dôme, the Somme, and Pas-de-Calais, and decided to sit for the latter. Among the manuscripts of Genet, the first Minister sent by the Convention to the United States, confided to me by his

son, George Clinton Genet of New York, I find a memorandum of great historical interest, which may be inserted here in advance of the monograph I hope to prepare concerning that much-wronged ambassador. In this memorandum Genet—a brother of Madame Campan—states that his appointment to the United States was in part because of the position his family had held at Court, and with a view to the banishment of the royal family to that country. (It had already been arranged that Paine should move for this in the Convention.) I now quote Genet :

Roux Facillac, who had been very intimate in my father's family at Versailles, met me one morning [January 14, 1793] and wished me to spend the evening at Le Brun's, where I had been invited. He accompanied me there and we met Brissot, Guadet, Leonnet, Ducos, Fauchet, Thomas Paine, and most of the Gironde leaders. . . . Tom Paine, who did not pretend to understand French, took no part in the conversation, and sat quietly sipping his claret. "Ask Paine, Genet," said Brissot, "what effect the execution of Capet would have in America?" Paine replied to my enquiry by simply saying "bad, very bad." The next day Paine presented to the Convention his celebrated letter demanding in the name of Liberty, and the people of the United States, that Louis should be sent to the United States. Vergniaux enquired of me what effect I thought it would have in Europe. I replied in a few words that it would gratify the enemies of France who had not forgiven Louis the acceptance of the Constitution nor the glorious results of the American Revolution. . . . "Genet," continued Le Brun, "how would you like to go to the United States and take Capet and his family with you?"

The next day, January 15, Genet was appointed by Le Brun (Minister of Foreign Affairs), and Paine's appeal was made in the Convention; but there is reason to believe that Le Brun's servant was a spy; and the conversation, reported to the Jacobins soon after its occurrence, "contributed," Genet believed, "to the early fall of Louis."

I will now call attention to a passage in "The Journal of a Spy in Paris during the Reign of Terror," recently pub-

lished, and will place it beside an extract from Paine's memorial to Monroe while in prison.

*The Spy.*

"April 2, 1793. He [Paine] is said to be moving heaven and earth to get himself recognized as an *American Citizen*, and thereon liberated. . . . The Minister of the American States [Gouverneur Morris] is too shrewd to allow such a fish to go over and swim in his waters, if he can prevent it ; and avows to Robespierre that he knows nothing of any rights of naturalization claimed by Paine."

Paine, 1794.

"However discordant the late American Minister Gouverneur Morris and the late French Committee of Public Safety were, it suited the purpose of both that I should be continued in arrestation. The former wished to prevent my return to America that I should not expose his misconduct ; and the latter, lest I should publish to the world the history of its wickedness. Whilst that Minister and the Committee continued I had no expectation of liberty. I speak here of the Committee of which Robespierre was a member."

Here then is corroboration, were it needed, of the criminal treachery of Morris to both Paine and Washington, of which I have given unanswerable documentary evidence (vol. iii., chap. 21), although I had not then conceived that Morris' guilt extended to personal incitements of Robespierre against Paine.

Morris knew well that "naturalization," though an effective word to use on Robespierre, had nothing to do with the citizenship acquired at the American Revolution by persons of alien birth, such as Paine, Hamilton, Robert Morris,—to name three who had held high offices in the United States. But, as Monroe stated, all Americans of 1776 were born under the British flag, and needed no formal process to make them citizens.

Mr. J. G. Alger, author of "Englishmen in the French Revolution," and "Glimpses of the French Revolution,"

whose continued researches in Paris promise other original and striking works, has graciously sent me a document of much interest just discovered by him in the National Archives, where it is marked U 1021. It is the copy of a "Declaration" made by Paine, the original being buried away in the chaos of Fouquier-Tinville documents. The Declaration was made on October 8, 1794, in connection with the trial of Denis Julien, accused of having been a Spy of Robespierre and his party in the Luxembourg prison. It was proved that on June 29, 1794, Julien had been called on in the prison, where he was detained, to inform the revolutionary tribunal concerning the suspected conspiracy among the prisoners. He said that he knew nothing; that his room was at the extremity of the building divided off from the mass of prisoners, and he could not pronounce against any one. (Wallon's "Hist. Tribunal Révolutionnaire," iv., p. 409.) Wallon, however, had not discovered this document found by Mr. Alger, which shows that Paine was long a room-mate of Julien in the prison where his (Paine's) Declaration was demanded and given as follows:

"Denis Julien was my room mate from the time of his entering the Luxembourg prison at the end of the month of Ventose [about the middle of March] till towards the end of Messidor [about the middle of July], at which date I was visited with a violent fever which obliged me to go into a room better suited to the condition I was in. It is for the time when we were room mates that I shall speak of him, as being within my personal knowledge. I shall not go beyond that date, because my illness rendered me incapable of knowing anything of what happened in the prison or elsewhere, and my companions on their part, all the time that my recovery remained doubtful, were silent to me on all that happened. The first news which they told me was of the fall of Robespierre. I state all this so that the real reason why I do not speak of any of the allegations preferred against Julien in the summoning of him as a witness before the revolutionary tribunal, in the case of persons accused of conspiracy, may be clearly known, and that my silence on that case may not be attributed to any unfavourable reticence. Of his conduct during the time of

our room intimacy, which lasted more than four months, I can speak fully. He appeared to me during all that time a man of strict honour, probity, and humanity, incapable of doing anything repugnant to those principles. We found ourselves in entire agreement in the horror which we felt for the character of Robespierre, and in the opinion which we formed of his hypocrisy, particularly on the occasion of his harangue on the Supreme Being, and on the atrocious perfidy which he showed in proposing the bloody law of the 22 Prairial [June 10, 1794]; and we communicated our opinions to each other in writing, and these confidential notes we wrote in English to prevent the risk of our being understood by the prisoners, and for our own safety we threw them into the fire as soon as read. As I knew nothing of the denunciations which took place at the Luxembourg, or of the judgments and executions which were the consequence, until at least a month after the event, I can only say that when I was informed of them, as also of the appearance of Julien as a witness in that affair, I concluded from the opinion which I had already formed of him that he had been an unwilling witness, or that he had acted with the view of rendering service to the accused, and I have now no reason to believe otherwise. That the accused were not guilty of any anti-revolutionary conduct is also what I believe, but the fact was that all the prisoners saw themselves shut up like sheep in a pen to be sacrificed in turn just as they daily saw their companions were, and the expression of discontent which the misery of such a situation forced from them was converted into a conspiracy by the spies of Robespierre who were posted in the prison.—Luxembourg, 17 Vendemiaire, Year 3."

Julien was discharged without trial. The answers he had given to the Revolutionary Committee, quoted above, unknown of course to Paine, justified his opinion of Julien, though the fact of his being summoned at all looks as if Julien had been placed with Paine as an informer. In the companionship of the author Julien may have found a change of heart! Mr. Alger in a note to me remarks, "What a picture of the prisoners' distrust of each other!" The document also brings before us the notable fact that, though at its date, fourteen weeks after the fall of Robespierre, the sinister power of Gouverneur Morris' accomplices

on the Committee of Public Safety still kept Paine in prison, his testimony to the integrity of an accused man was called for and apparently trusted.

The next extract that I give is a clipping from a London paper of 1794, the name not given, preserved in a scrap-book extending from 1776 to 1827, which I purchased many years ago at the Bentley sale.

“GENERAL O'HARA AND MR. THOMAS PAYNE.—These well-known Gentlemen are at Paris—both kept at the Luxembourg—imprisoned, indeed, but in a mitigated manner as to accommodations, apartments, table, intercourse, and the liberty of the garden—which our well-informed readers know is very large. The ground plan of the Luxembourg is above six acres. In this confinement General O'Hara and Mr. Thomas Payne have often met, and their meeting has been productive of a little event in some sort so unexpected as to be added to the extraordinary vicissitudes of which the present time is so teeming. The fact was that General O'Hara wanted money; and that through Mr. Thomas Payne he was able to get what he wanted. The sum was 200*l.* sterling. The General's bill, through other channels tried in vain, was negotiated by Mr. Thomas Payne.”

The story of this money, and how Paine contrived to keep it, is told in vol. iii., p. 396, n. The mitigations of punishment alluded to in the paragraph did not last long; the last months of Paine's imprisonment were terrible. O'Hara, captured at Toulon and not released until August, 1795, was the General who carried out the sword of Cornwallis for surrender at Yorktown.

Charles Nodier, in his “*Souvenirs de la Révolution et de l'Empire*” (Paris, 1850), has some striking sketches of Paine and his friends in the last years of the eighteenth century. Nodier had no sympathy with Paine's opinions, but was much impressed by the man. I piece together some extracts from various parts of his rambling work.

“One of our dinners at Bonneville's has left such an impression on me that when I am thinking of these things it seems like a dream. There were six of us in the Poet's immense sitting room.

It had four windows looking on the street. The cloth was spread on an oblong table, loaded at each end with bronzes, globes, maps, books, crests, and portraits. The only one of the guests whom I knew was the impenetrable Seyffert, with his repertory of ideas a thousand times more profound, but also a thousand times more obscure, than the cave of Trophonius. . . . Old Mercier came in and sat down with his chin resting on his big ivory-topped cane. . . . The fifth guest was a military man, fifty years of age, with a sort of inverted curled up face, reserved in conversation, like a man of sense, common in manners, like a man of the people. They called him a Pole. The last guest was an Anglo-American, with a long, thin, straight head, all in profile as it were, without any expression; for gentleness, benevolence, shyness, give little scope for it. . . . This Anglo-American was Thomas Payne, and the Tartar with sullen looks was Kosciusko. . . . Thomas Payne, whom I seldom saw, has left on me the impression of a well-to-do man, bold in principle, cautious in practice; liable to yield himself up to revolutionary movements, incapable of accepting the dangerous consequences; good by nature, and a sophist by conviction. . . . On the whole an honest and unpretending person who, in the most fatal day of our annals, exhibited every courage and virtue; and of whom history, in order to be just to his memory, ought to forget nothing but his writings."

At a somewhat later period Paine was met in Paris by the eminent engraver, Abraham Raimbach, Corresponding Member of the Institute of France, whose "Recollections," privately printed, were loaned me by Mr. Henry Clifton. I am permitted by Mr. W. L. Raimbach, grandson of the engraver, to use this family volume. Raimbach probably had met Paine between 1800 and 1802, and writes:

"He was at this time constantly to be seen at an obscure *cabaret* in an obscure street in the fauxbourg St. Germain (Café Jacob, rue Jacob). The scene as we entered the room from the street—it was on the ground floor—was, under the circumstances, somewhat impressive. It was on a summer's evening, and several tables were occupied by men, apparently tradesmen and mechanics, some playing at the then universal game of dominoes, others drinking their bottle of light, frothy, but pleasant beer, or their

little glass of liqueur, while in a retired part of the room sat the once-dreaded demagogue, the supposed conspirator against thrones and altars, the renowned Thomas Paine ! He was in conversation with several well-dressed Irishmen, who soon afterwards took leave, and we placed ourselves at his table. His general appearance was mean and poverty-stricken. The portrait of him engraved by Sharp from Romney's portrait is a good likeness, but he was now much withered and careworn, tho' his dark eye still retained its sparkling vigour. He was fluent in his speech, of mild and gentle demeanour, clear and distinct in enunciation, and his voice exceedingly soft and agreeable. The subject of his talk being of course political, resembled very much his printed opinions ; and the dogmatic form in which he delivered them seemed to evince his own perfect self-conviction of their truth."

Raimbach mentions having afterwards understood that Colonel Bosville, of Yorkshire, was very kind to him, and enabled Paine to return to America. Lewis Goldsmith says that Sir Francis Burdett and Mr. William Bosville made him a present of 300 louis d'ors, with which he remunerated Bonneville, with whom he had resided nearly six years. Goldsmith's article on Paine (*Anti-Gallican Monitor*, February 28, 1813) contains a good many errors, but some shrewd remarks :

"From what I knew of this man, who once made such a noise in this country and America, I judge him to have been harmless and inoffensive ; and I firmly believe that if he could have imagined that his writings would have caused bloodshed he would never have written at all. . . . He never was respected by any party in France, as he certainly was not an advocate of (what was falsely called) French liberty,—that system which enforced Republican opinions by drowning, shooting, and the guillotine. . . . He even saw several foreigners, who like himself were staunch admirers of the French Revolution, led to the scaffold—such as Anacharsis Clootz, Baron Trenk, etc.—and had Robespierre lived eight days longer Paine would have certainly followed them, as his name was already on the Proscribed list of the Public Accuser. . . . I have no doubt that if

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Paine, on his return to America, had found the head of the government of that country [Jefferson] to be that stern Republican which he professed to be, he would have written some account of the French Revolution, and of the horrid neglect which he experienced there from Robespierre as well as from Buonaparte; for if the former designed to take away his life, the latter refused him the means of living. . . . I must in justice to him declare that he left France a decided enemy to the Revolution in that country, and with an unconquerable aversion to Buonaparte, against whom he indulged himself in speaking in severe terms to almost every person of his acquaintance in Paris."

The last of my gleanings were gathered at Bromley, in Kent, where Paine went on April 21, 1792, "to compose," says his friend Hall, "the funeral sermon of Burke," but local tradition says, to write the "Age of Reason." Paine, as a private letter proves, was anxious for a prosecution of his "Rights of Man," which Burke had publicly proposed, and no doubt began at Bromley his pamphlet with the exposure of Burke's pension. However, when Paine sought refuge from the swarm of radicals and interviewers besetting him in his London lodgings, it is highly probable that he wished to continue his meditations on religious subjects and add to his manuscripts, begun many years before, ultimately pieced together in the "Age of Reason." Under the guidance of Mr. Coles Childs, present owner of Bromley Palace, I visited Mr. How, an intelligent watchmaker, who remembers when a boy of twelve hearing his father say that Paine occupied "Church Cottage," and there wrote the "Age of Reason." There is also a local tradition that Paine used to write on the same work while seated under the "Tom Paine Tree," which is on the palace estate. "Church Cottage" was ecclesiastical property, may even have been the Vicarage, and Paine would pass by the beautiful palace of the Bishops of Rochester to his favourite tree. The legend which has singled out the heretical work of Paine as that which was written in an ecclesiastical mansion, and in an episcopal park, is too picturesque for severe criticism. The "Tom Paine

Tree" is a very ancient oak, solitary in its field, and very noble. Mr. Childs pointed out to me some powerful but much rusted wires, amid the upper branches, showing that it had been taken care of. The interior surface of the trunk, which is entirely hollow, is completely charred. The girth at the ground must be twenty-five feet. Not a limb is dead: from the hollow and charred trunk a superb mass of foliage arises. I think Paine must have remembered it when writing patriotic songs for America in the Revolution,—“The Liberty Tree,” and the “Boston Patriot’s Song,” with its lines—

“Our mountains are crowned with imperial oak,  
Whose roots like our Liberty ages have nourished.”

From this high and clear spot one may almost see the homestead of Darwin who, more heretical than Paine, has Westminster Abbey for his monument; and whose neighbor, the Rev. Robert Ainslie, of Tromer Lodge, kept in his house the skull and right hand of Thomas Paine! Of the remains of Paine, exhumed by Cobbett in America, the brain came into the possession of Rev. George Reynolds, the skull into that of Rev. Robert Ainslie, both orthodox at the time, both subsequently unorthodox, possibly through some desire to know what thoughts had played through the lamp whose fragments had come into their hands. The daughter of Mr. Ainslie, the first wife of the late Sir Russell Reynolds, wrote me that she remembered the relics, but could not find them after her father’s death; if ever discovered they might well be given quiet burial or cremation at the foot of this “Tom Paine Tree.” However that may be, it is a Talking Oak, if one listens closely, and tells true fables of the charred and scarred and storm-beaten man, rooted deep in the conscience and soul of England, whose career, after its special issues are gone, is still crowned with living foliage. That none can doubt who witnessed the large Paine Exhibition in South Place Chapel, in December, 1895, or that in the Bradlaugh Club, January 29, 1896, and observes the steady demand for his works in England

and America. Yet it is certain that comparatively few of those who cherish relics of Paine, and read his books, agree with his religious opinions, or regard his political theories as now practicable. Paine's immortality among the people is derived mainly from the life and spirit which were in him, consuming all mean partitions between man and man, all arbitrary and unreal distinctions, rising above the cheap Jingoism that calls itself patriotism, and affirming the nobler State whose unit is the man, whose motto is "My country is the world, to do good my religion."

Personally I place a very high value on Paine's writings in themselves, and not simply for their prophetic genius, their humane spirit, and their vigorous style. While his type of deism is not to me satisfactory, his religious spirit at times attains sublime heights; and while his republican formulas are at times impaired by his eagerness to adapt them to existing conditions, I do not find any writer at all, not even the most modern, who has equally worked out a scheme for harmonizing the inevitable rule of the majority with individual freedom and rights. Yet it is by no means on this my own estimate of Paine's ideas that I rest the claims of his writings to attention and study. Their historical value is of the highest. Every page of Paine was pregnant with the life of his time. He was the *enfant terrible* of the times that in America, England, France, made the history that is now our international heritage: he was literally the only man who came out with the whole truth, regardless of persons: his testimony is now of record, and the gravest issues of to-day cannot be understood until that testimony is mastered.

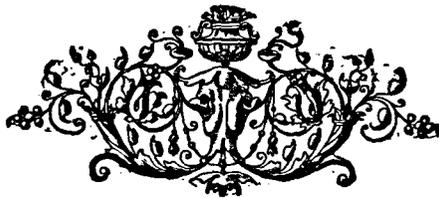
I especially invoke to the study of Paine's Life, and of these volumes of his Writings, the historians, scholars, statesmen of the mother of nations—England. I have remarked a tendency in some quarters to preserve the old odium against Paine, no longer maintainable in respect of his religion or his character, by transferring it to his antagonism to the government of England in the last century. And it is probable that this prejudice may be revived by the republi-

cation in this edition of several of his pamphlets, notably that on the "Invasion of England" in the Appendix (to which some of Paine's most important works have been relegated). But if thinking Englishmen will rid themselves of that counterfeit patriotism now called "Jingoism," and calmly study those same essays, they will begin to understand that while Paine arraigned a transient misgovernment of England, his critics arraign England itself by treating attacks on minions of George III. as if hostile to the England of Victoria. The widespread hostility to England recently displayed in America has with some justice been traced to the kind of teaching that has gone on for nearly four generations in American schools under the name of history; but what remedy can there be for this disgraceful situation so long as English historians are ignorantly keeping their country, despite the friendship of its people for Americans, in the attitude of a party to a *vendetta* transmitted from a discredited past? And much the same may be said concerning the strained relations between England and France, which constitute a most sad, and even scandalous, feature of our time. About a hundred years ago an English government was instigating parochial mobs to burn "Tom Paine" in effigy for writing the "Rights of Man," little reflecting that it was making the nation it misgoverned into an effigy for American and French democrats to burn, on occasion, for a century to come. Paine, his name and his personal wrongs, passed out of the case altogether, like the heart of the hollow "Tom Paine Tree" at Bromley: but like its living foliage the principles he represented are still renewed, and flourish under new names and forms. But old names and forms are coined in prejudices. The Jeffersonian in America and the Girondin in France are now in power, and are sometimes victimized by a superstition that George III. is still monarch of England, and Pitt still his Minister. Meanwhile the credit of English Literature commands the civilized world. The next great writer will be the historian who shall without flattery, and with inflexible justice and truth, examine and settle these long-standing accounts with the past; and to him I dedicate

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in advance these volumes, wherein he will find valuable resources and materials.

Here then close my labours on the history and the writings of the great Commoner of Mankind, founder of the Republic of the World, and emancipator of the human mind and heart,  
**THOMAS PAINE.**





## APPENDIX A.

### ATUOBIOGRAPHICAL SKETCH.

**PREFATORY NOTE BY THE EDITOR.**—For this recently discovered paper I am indebted to the Lenox Library, New York, into whose possession the original came with the papers of the Hon. George Bancroft. It was enclosed in a letter of January 14, 1779, to Hon. Henry Laurens, which was published in 1861 (Frank Moore's "Materials of History," p. 129) and is here reprinted, as connected with the autobiographical sketch which has so long been buried among the papers of the late historian. The circumstances under which the communication was made may be gathered from the last three chapters of vol. ii. of this edition, and from my "Life of Paine," i., chapters 10 and 11. The exposure of Silas Deane's frauds by Paine led to his resignation of his office of Secretary to the Foreign Affairs Committee, and also to the resignation of the presidency of Congress by the Hon. Henry Laurens, who had stood shoulder to shoulder with Paine in breaking up the "ring" in Paris. The Secretary had resigned on January 8, 1779. There were rumors of duels at the time, and Paine's expression of apprehensions about his nearest friend probably refers to them; or it may even be that there were grounds for fearing assassination, so large were the money interests baffled. The subjoined account that Paine gives of himself after his arrival in America (November 30, 1774), written probably at the request of Laurens, may appear egotistical, but in fact he omits facts that would have shed great honor upon him, and, in this entirely confidential letter to an intimate friend, limits himself to services that involved pecuniary losses. These had just culminated in a service which saved much money to the Treasury, but had been requited with an ill-treatment that led him to resign office, being thereby left without means.

#### THOMAS PAINE TO HON. HENRY LAURENS.

SIR: My anxiety for your *personal* safety has not only fixed a profound silence upon me, but prevents my asking you a great many questions, lest I should be the unwilling, unfortunate cause of new difficulties or fatal consequences to you, and in such a case I might indeed say, "*T is the survivor dies.*"

I omitted sending the inclosed in the morning as I intended. It will serve you to parry ill nature and ingratitude with, when undeserved reflections are cast upon me.

I certainly have some awkward natural feeling, which I never shall get rid of. I was sensible of a kind of shame at the Minister's door to-day, lest any one should think I was going to solicit a pardon or a pension. When I come to you I feel only an *unwillingness* to be seen, on your account. I shall never make a courtier, I see that.

I am your obedient humble servant,

THOMAS PAINE,

January 14, 1779.

SIR,—For your amusement I give you a short history of my conduct since I have been in America.

I brought with me letters of introduction from Dr. Franklin. These letters were with a flying seal, that I might, if I thought proper, close them with a wafer. One was to Mr. Bache of this city. The terms of Dr. Franklin's recommendation were "*a worthy, ingenious, etc.*" My particular design was to establish an academy on the plan they are conducted in and about London, which I was well acquainted with.<sup>1</sup> I came some months before Dr. Franklin, and waited here for his arrival. In the meantime a person of this city desired me to give him some assistance in conducting a magazine, which I did without making any bargain.<sup>2</sup> The work turned out very profitable. Dr. Witherspoon had likewise a concern [in] it. At the end of six months I thought it necessary to come to some contract. I agreed to leave the matters to arbitration. The bookseller mentioned two on his own part—Mr. Duché, your late chaplain, and Mr. Hopkinson. I agreed to them and declined mentioning any on my part. But the bookseller getting information of what Mr. Duché's private opinion was, withdrew from the arbitration, or rather refused to go into it, as our agreement to abide by it was only verbal. I was requested by several literary gentlemen in this city to undertake such a work on my own account, and I could have rendered it very profitable.

As I always had a taste to science, I naturally had friends of that cast in England; and among the rest George Lewis Scott, esq., through whose formal introduction my first acquaintance with Dr. Franklin commenced.<sup>3</sup> I esteem Mr. Scott as one of the most amiable characters I know of, but his particular situation had been, that in the minority of the present King he was his sub-preceptor, and from the occasional traditionary accounts yet remaining in the family of Mr. Scott, I obtained the true character of the present King from his childhood upwards, and, you may naturally suppose, of the present ministry. I saw the people of this country were all wrong, by an ill-placed confidence. After the breaking out of hostilities I was confident their design was a total conquest. I wrote to Mr. Scott in May, 1775, by Captain James Josiah, now in this city. I read the letter to him before I closed it. I used in it this free expression: "Surely the ministry are all mad; they never will be able to conquer America." The reception which the last petition of Congress met with put it past a doubt that such was their design, on which I determined with myself to write the pamphlet '*[Common] Sense.*' As I knew the time of the Parliament meeting, and had no doubt what sort of King's speech it would produce, my contrivance was to have the pamphlet come out just at the time the speech might arrive in America, and so fortunate was I in this cast of policy that both of them made their appearance in this city on the same day.<sup>4</sup> The first edition was printed by Bell on the recommendation of Dr. Rush. I gave him the pamphlet on the following conditions: That if any loss should arise I would pay it—and in order to make him industrious in circulating it, I gave him one-half the profits, if it should produce any. I gave a written order to Col. Joseph Dean and Capt. Thos. Prior, both of this city, to receive the other half, and lay it out for mittens for the troops that were going to Quebec. I did this to do honour to the cause. Bell kept the whole, and abused me into the bargain. The price he set upon them was two shillings. I then enlarged the pamphlet with an appendix and an address to the Quakers, which made it one-third bigger than before, printed 6,000 at my own expense, 3,000 by B. Towne, 3,000 by Cist & Steyner, and delivered them ready stitched and fit for sale to Mr. Bradford at the Coffee-house; and though the work was thus increased, and consequently should have borne a higher price, yet, in order that it might produce the general service I wished, I confined Mr. Bradford to sell them at only one shil-

<sup>1</sup> In 1767 Paine was usher in a school in Kensington, London. For Franklin's letter see my "Life of Paine," i., p. 40.—*Editor.*

<sup>2</sup> Robert Aitkin. This was the *Pennsylvania Magazine*.—*Editor.*

<sup>3</sup> Scott was a Commissioner of the Board of Excise, by which Paine had been employed. See my "Life of Paine," i. p. 30.—*Editor.*

<sup>4</sup> "Common Sense" appeared January 10, 1776.—*Editor.*

ling each, or tenpence by the dozen, and to enable him to do this, with sufficient advantage to himself, I let him have the pamphlets at 8½d. Pennsylvania currency each.

The sum of 8½d. each was reserved to defray the expense of printing, paper, advertising, etc., and such as might be given away. The state of the account at present is that I am £39 11s. out of pocket, being the difference between what I have paid for printing, etc., and what I have received from Bradford. He has a sufficiency in his hands to balance with and clear me, which is all I aimed at, but by his unaccountable dilatoriness and unwillingness to settle accounts, I fear I shall be obliged to sustain a real loss exclusive of my trouble.

I think the importance of that pamphlet was such that if it had not appeared, and that at the exact time it did, the Congress would not now have been sitting where they are. The light which that performance threw upon the subject gave a turn to the politics of America which enabled her to stand her ground. Independence followed in six months after it, although before it was published it was a dangerous doctrine to speak of, and that because it was not understood.

In order to accommodate that pamphlet to every man's purchase and to do honour to the cause, I gave up the profits I was justly entitled to, which in this city only would at the usual price of books [have] produced me £1,000 at that time a day, besides what I might have made by extending it to other States. I gave permission to the printers in other parts of this State [Pennsylvania] to print it on their own account. I believe the number of copies printed and sold in America was not short of 150,000—and is the greatest sale that any performance ever had since the use of letters,—exclusive of the great run it had in England and Ireland.

The doctrine of that book was opposed in the public newspapers under the signature of Cato, who, I believe, was Dr. Smith,<sup>1</sup> and I was sent for from New York to reply to him, which I did, and happily with success. My letters are under the signature of "The Forester." It was likewise opposed in a pamphlet signed "Plain Truth," but the performance was too weak to do any hurt or deserve any answer. In July following the publication of 'Common Sense' the Associators of this State<sup>2</sup> marched to Amboy under the command of Gen. Roberdeau. The command was large, yet there was no allowance for a secretary. I offered my service voluntarily, only that my expenses should be paid, all the charges I put Gen. Roberdeau to was \$48; although he frequently pressed me to make free with his private assistance. After the Associators returned I went to Fort Lee, and continued with Gen. [Nathaniel] Greene till the evacuation.

A few days after our army had crossed the Delaware on the 8th of December, 1776, I came to Philadelphia on public service, and, seeing the deplorable and melancholy condition the people were in, afraid to speak and almost to think, the public presses stopt, and nothing in circulation but fears and falsehoods, I sat down, and in what I may call a passion of patriotism, wrote the first number of the *Crisis*. It was published on the 19th of December, which was the very blackest of times, being before the taking of the Hessians at Trenton. I gave that piece to the printer gratis, and confined him to the price of two coppers, which was sufficient to defray his charge.

I then published the second number, which being as large again as the first number, I gave it to him on the condition of his taking only four coppers each. It contained sixteen pages.

I then published the third number, containing thirty-two pages, and gave it to the printer, confining him to ninepence.

When the account of the battle of Brandywine got to this city, the people were again in a state of fear and dread. I immediately wrote the fourth number [of the *Crisis*]. It contained only four pages, and as there was no less money than the sixth of dollars in general circulation, which would have been

<sup>1</sup> The Rev. William Smith, D.D., President of the University of Philadelphia.—*Editor*.

<sup>2</sup> The Flying Camp.—*Editor*.

too great a price, I ordered 4,000 to be printed at my own private charge and given away.

The fifth number I gave Mr. Dunlap, at Lancaster. He, very much against my consent, set half a crown upon it; he might have done it for a great deal less. The sixth and seventh numbers I gave in the papers. The seventh number would have made a pamphlet of twenty-four pages, and brought me in \$3,000 or \$4,000 in a very few days, at the price which it ought to have borne.

Monies received since I have been in America :

Salary for 17 months at 70 dollars per month <sup>1</sup> .....	1,190 dollars
For rations and occasional assistance at Fort Lee.....	141 ditto
For defraying the expense of a journey from East Town round by Morriss when secretary to the Indian Commission, <sup>2</sup> and some other matters, about 140 or 145 dollars.....	145 ditto
<b>Total of public money.....</b>	<b>1,476</b>

In the spring, 1776, some private gentleman, thinking it was too hard that I should, after giving away my profits for a public good, be money out of pocket on account of some expense I was put to—sent me by the hands of Mr. Christopher Marshall 108 dollars.

You have here, sir, a faithful history of my services and my rewards.

<sup>1</sup> As Secretary of the Congressional Committee of Foreign Affairs, to which he was appointed April 17, 1777.—*Editor*.

<sup>2</sup> This commission met the Indian chiefs at Easton, Pa., in January, 1777.—*Editor*.





## APPENDIX B.

### A LETTER FROM LONDON.<sup>1</sup>

LONDON, January 5, 1789.

"I sincerely thank you for your very friendly and welcome letter. I was in the country when it arrived and did not receive it soon enough to answer it by the return of the vessel.

"I very affectionately congratulate Mr. and Mrs. Few on their happy marriage, and every branch of the families allied by that connection; and I request my fair correspondent to present me to her partner, and to say, for me, that he has obtained one of the highest Prizes on the wheel. Besides the pleasure which your letter gives me to hear you are all happy and well, it relieves me from a sensation not easy to be dismissed; and if you will excuse a few dull thoughts for obtruding themselves into a congratulatory letter I will tell you what it is. When I see my female friends drop off by matrimony I am sensible of something that affects me like a loss in spite of all the appearance of joy: I cannot help mixing the sincere compliment of regret with that of congratulation. It appears as if I had outlived or lost a friend. It seems to me as if the original was no more, and that which she is changed to forsakes the circle and forgets the scenes of former society. Felicities are cares superior to those she formerly cared for, create to her a new landscape of Life that excludes the little friendships of the past. It is not every Lady's mind that is sufficiently capacious to prevent those greater objects crowding out the less, or that can spare a thought to former friendships after she has given her hand and heart to the man who loves her. But the sentiment your letter contains has prevented these dull Ideas from mixing with the congratulations I present you, and is so congenial with the enlarged opinion I have always formed of you, that at the time I read your letter with pleasure, I read it with pride because it convinces me that I have some judgment in that most difficult science—a Lady's mind. Most sincerely do I wish you all the good that Heaven can bless you with, and as you have in your own family an example of domestic happiness you are already in the knowledge of obtaining it. That no condition we can enjoy is an exemption from care—that some shade will mingle itself with the brightest sunshine of Life—that even our affections may become the instruments of our own sorrows—that the sweet felicities of home depend on good temper as well as on good sense, and that there is always something to forgive even in the nearest and dearest of our friends,—are truths which, tho' too obvious to be told, ought never to be forgotten; and I know you will not esteem my friendship the less for impressing them upon you.

"Though I appear a sort of wanderer, the married state has not a sincerer friend than I am. It is the harbour of human life, and is, with respect to the things of this world, what the next world is to this. It is *home*; and that one

<sup>1</sup> This letter was written to Miss Kitty Nicholson, whom Paine had petted as a school girl in Bordentown, New Jersey, and who had written to him of her approaching marriage with Colonel Few, an eminent Southern Congressman. I am indebted to a member of that family for the use of this letter, remarkable for its historical as well as personal interest.—*Editor.*

word conveys more than any other word can express. For a few years we may glide along the tide of youthful single life and be wonderfully delighted ; but it is a tide that flows but once, and what is still worse, it ebbs faster than it flows, and leaves many a hapless voyager aground. I am one, you see that have experienced the fate, I am describing.<sup>1</sup> I have lost my tide ; it passed by while every thought of my heart was on the wing for the salvation of my dear America, and I have now as contentedly as I can, made myself a little bower of willows on the shore that has the solitary resemblance of a home. Should I always continue the tenant of this home, I hope my female acquaintance will ever remember that it contains not the churlish enemy of their sex, not the cold inaccessible hearted mortal, nor the capricious tempered oddity, but one of the best and most affectionate of their friends.

"I did not forget the Dunstable hat, but it was not on wear here when I arrived. That I am a negligent correspondent I freely confess, and I always reproach myself for it. You mention only one letter, but I wrote twice ; once by Dr. Derby, and another time by the Chevalier St. Triss—by whom I also wrote to Gen. Morris, Col. Kirkbride, and several friends in Philadelphia, but have received no answers. I had one letter from Gen. Morris last winter, which is all I have received from New York till the arrival of yours.

"I thank you for the details of news you give. Kiss Molly Field for me and I wish her joy,—and all the good girls of Bordentown. How is my favorite Sally Morris, my boy Joe, and my horse Button? Pray let me know. Polly and Nancy Rogers,—are they married? or do they intend to build bowers as I have done? If they do, I wish they would twist their green willows somewhere near to mine.

"I am very much engaged here about my Bridge. There is one building of my construction at Messrs. Walkers Iron Works in Yorkshire, and I have direction of it. I am lately come from thence and shall return again in two or three weeks.

"As to news on this side the water, the King is mad, and there is great bustle about appointing a Regent. As it happens, I am in pretty close intimacy with the heads of the opposition—The Duke of Portland, Mr. Fox and Mr. Burke. I have sent your letter to Mrs. Burke as a specimen of the accomplishments of the American Ladies. I sent it to Miss Alexander, a lady you have heard me speak of, and I asked her to give me a few of her thoughts how to answer it. She told me to write as I felt, and I have followed her advice.

"I very kindly thank you for your friendly invitation to Georgia and if I am ever within a thousand miles of you, I will come and see you ; though it be but for a day.

"You touch me on a very tender part when you say my friends on your side the water 'cannot be reconciled to the idea of my resigning my adopted America, even for my native England.' They are right. Though I am in as elegant style of acquaintance here as any American that ever came over, my heart and myself are 3000 miles apart ; and I had rather see my horse Button in his own stable, or eating the grass of Bordentown or Morrisania, than see all the pomp and show of Europe.

"A thousand years hence (for I must indulge in a few thoughts), perhaps in less, America may be what England 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 ruin of that liberty which thousands bled for, or suffered to obtain, may just furnish materials for a vil-

<sup>1</sup> Paine's marriage and separation from his wife had been kept a secret in America, where the "Tories" would have used it to break the influence of his patriotic writings. In the absence of any divorce law in England, a separation under the Common Law was generally held as pronouncing the marriage a nullity *ad initia*. According to Chalmers, Paine was dissatisfied with articles of separation drawn up by an attorney, Josias Smith, May 24, 1774, and insisted on new ones to which the clergyman was a party. The "common lawyers" regarded the marriage as completely annulled, and Paine, in America certainly, was free to marry again. However, he evidently never thought of doing so, and that his relations with ladies were chaste as affectionate appears in this letter to Mrs. Few, and in his correspondence generally.—*Editor.*

lage tale or extort a sigh from rustic sensibility, while the fashionable of that day, enveloped in dissipation, shall deride the principle and the fact.

"When we contemplate the fall of Empires and the extinction of nations of the ancient world, we see but little to excite our regret than the mouldering 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, the fair cause of freedom rose and fell!

"Read this and then ask if I forget America—But I'll not be dull if I can help it, so I leave off, and close my letter to-morrow, which is the day the mail is made up for America.

"January 7th. I have heard this morning with extreme concern of the death of our worthy friend Capt. Read. Mrs. Read lives in a house of mine at Bordentown, and you will much oblige me by telling her how much I am affected by her loss; and to mention to her, with that delicacy which such an offer and situation require, and which no one knows better how to convey than yourself, that the two years' rent which is due I request her to accept of, and to consider herself at home till she hears further from me.

"This is the severest winter I ever knew in England; the frost has continued upwards of five weeks, and is still likely to continue. All the vessels from America have been kept off by contrary winds. The Polly and the "Pigeon" from Philadelphia and the Eagle from Charleston are just got in.

"If you should leave New York before I arrive (which I hope will not be the case) and should pass through Philadelphia, I wish you would do me the favor to present my compliments to Mrs. Powell, the lady whom I wanted an opportunity to introduce you to when you were in Philadelphia, but was prevented by your being at a house where I did not visit.

"There is a Quaker favorite of mine at New York, formerly Miss Watson of Philadelphia; she is now married to Dr. Lawrence and is an acquaintance of Mrs. Oswald; be so kind as to make her a visit for me. You will like her conversation. She has a little of the Quaker primness—but of the pleasing kind—about her.

"I am always distressed at closing a letter, because it seems like taking leave of my friends after a parting conversation.—Captain Nicholson, Mrs. Nicholson, Hannah, Fanny, James, and the little ones, and you my dear Kitty, and your partner for life—God bless you all! and send me safe back to my much loved America!

THOMAS PAINE = act. 52  
or if you better like it  
COMMON SENSE.

"This comes by the packet which sails from Falmouth, 300 miles from London; but by the first vessel from London to New York I will send you some magazines. In the mean time be so kind as to write to me by the first opportunity. Remember me to the family at Morrisiana, and all my friends at New York and Bordentown. Desire Gen. Morris, to take another guinea of Mr. Constable, who has some money of mine in his hands, and give it to my boy Joe. Tell Sally to take care of 'Button.' Then direct for me at Mr. Peter Whiteside's London. When you are at Charleston remember me to my dear old friend Mrs. Laurens, Col. and Mrs. L. Morris, and Col. Washington; and at Georgia, to Col. Walton. Adieu."



## APPENDIX C.

### SCIENTIFIC MEMORANDA.

#### *Trees and Fountains.*<sup>1</sup>

DEAR SIR: I enclose you a Problem, not about Bridges but Trees; and to explain my meaning I begin with a fountain. The Idea seems far-fetched,—but Fountains and Trees are in my walk to Challiot. Suppose Fig. 1. a fountain. It is evident that no more water can pass thro' the branching Tubes than pass thro' the trunk. Secondly that, admitting all the water to pass with equal freedom, the sum of the squares of the diameters of the two first branches must be equal to the square of the diameter of the Trunk; also the sum of the squares of the four Branches must be equal to the two; and the sum of the squares of the eight Branches must be equal to the four. And therefore 8, 4, 2, and the Trunk, being reciprocally equal, the solid content of the whole will be equal to the Cylinder (Fig. 2) of the same diameter of the trunk, and height of the fountain.

Carry the Idea of a fountain to a Tree growing. Consider the sap ascending in capillary tubes like the water in the fountain, and no more sap will pass thro' the Branches than passes thro' the Trunk. Secondly, consider the Branches as so many divisions and sub-divisions of the Trunk, as they are in the fountain, and that their contents are to be found by some rule—with the difference only of a Pyramidal figure instead of a Cylindrical one. Therefore, to find the quantity of timber (or rather loads) in the Tree (figure 3,) draw a Pyramid equal to the height of the Tree (as in Fig 4), taking for the inclination of the Pyramid, the diameter at the bottom, and at any discretionary height above it (which in this is as 3 and 2.)

P. S.—As sensible men should never guess, and as it is impossible to judge without some point to begin at, this appears to me to be that point; and [one] by which a person may ascertain near enough the quantity [of] Timber and loads of wood in any quantity of land. And he may distinguish them into Timber, wood and faggots.

#### *Attraction.*<sup>2</sup>

YOUR saying last evening that Sir Isaac Newton's principle of gravitation would not explain, or could not apply as a rule to find, the quantity of the attraction of cohesion, and my replying that I never could comprehend any meaning in the term "Attraction of Cohesion"<sup>3</sup>—the result must be, that either I have a dull comprehension, or that the term does not admit of comprehension. It appears to me an Athanasian jumble of words, each of which admits of a clear and distinct Idea, but of no Idea at all when compounded.<sup>4</sup>

<sup>1</sup> Undated, but written at Paris, in 1788, and left with Jefferson, residing at Challiot.—*Editor.*

<sup>2</sup> Left with Jefferson at Paris, undated.

<sup>3</sup> This phrase "Athanasian jumble of words," used more than five years before Paine had published any theological heresies, suggests that the creeds had been discussed with his friend at Challiot.—*Editor.*

The immense difference there is between the attracting power of two Bodies, at the least possible distance the mind is capable of conceiving, and the great power that instantly takes place to resist separation when the two Bodies are incorporated, prove to me that there is something else to be considered in the case than can be comprehended by attraction or gravitation. Yet this matter appears sufficiently luminous to me, according to my own line of Ideas.

Attraction is to matter, what desire is to the mind; but cohesion is an entirely different thing, produced by an entirely different cause—it is the effect of the figure of matter.

Take two iron hooks,—the one strongly magnetical,—and bring them to touch each other, and a very little force will separate them for they are held together only by attraction. But their figure renders them capable of holding each other with infinitely more power to resist separation than attraction can; by hooking them.

Now if we suppose the particles of Matter to have figures capable of interlocking and embracing each other we shall have a clear distinct Idea between cohesion and attraction, and that they are things totally distinct from each other and arise from as different causes.

The welding of two pieces of Iron appears to me no other than entangling the particles in much the same manner as turning a key within the wards of a lock,—and if our eyes were good enough we should see how it was done.

I recollect a scene at one of the Theatres that very well explains the difference between attraction and cohesion. A condemned lady wishes to see her child and the child its mother—this call attraction. They were admitted to meet, but when ordered to part they threw their arms round each other and fastened their persons together. This is what I mean by cohesion,—which is a mechanical contact of the figures of their persons, as I believe all cohesion is.

Tho' the term "*attraction of cohesion*" has always appeared to me like the Athanasian Creed, yet I think I can help the Philosophers to a better explanation of it than what they give themselves—which is, to suppose the attraction to continue in such a direction as to produce the mechanical interlocking of the figure of the particles of the bodies attracted.

Thus suppose a male and female screw lying on a table, and attracting each other with a force capable of drawing them together. The direction of the attracting power to be a right line till the screws begin to touch each other, and then, if the direction of the attracting power be circular, the screws will be screwed together. But even in this explanation, the cohesion is mechanical, and the attraction serves only to produce the contact.

While I consider attraction as a quality of matter capable of acting at a distance from the visible presence of matter, I have as clear an Idea of it as I can have of invisible things.

And while I consider cohesion as the mechanical interlocking of the particles of matter, I can conceive the possibility of it much easier than I can attraction, because I can, by crooking my fingers, see figures that will interlock—but no visible figure can explain attraction. Therefore to endeavour to explain the less difficulty by the greater appears to me unphilosophical. The cohesion which others attribute to attraction and which they cannot explain, I attribute to figure, which I can explain.

A number of fish hooks attracting and moving towards each other will shew me there is such a thing as attraction, but I see not how it is performed, but their figurative hooking together shews cohesion visibly. And a handful of fish hooks thrown together in a heap explains cohesion better than all the Newtonian Philosophy. It is with Gravitation, as it is with all new discoveries, it is applied to explain too many things.

It is a rainy morning, and I am waiting for Mr. Parker, and in the mean time, having nothing else to do, I have amused myself with writing this.

*On the Means of Generating Motion for Mechanical Uses.<sup>1</sup>*

As the limit of the Mechanical powers, properly so called, is fixt—in Nature no addition or improvement otherwise than in the application of them, can be made. To obtain a still greater quantity of power we must have recourse to the natural powers, and for usefulness, combine them with the Mechanical powers. Of this kind are wind and water, to which has since been added steam. The first two cannot be generated at pleasure. We must take them where and when we find them. It is not so with the Steam Engine. It can be erected in any place and act in all times where a well can be dug and fuel can be obtained. Attempts have been made to apply this power to the purpose of transportation, as that of moving carriages on land and vessels on the water. The first I believe to be impracticable, because I suppose, that the weight of the apparatus necessary to produce steam is greater than the power of the steam to remove that weight and consequently that the steam engine cannot move itself.

The thing wanted for purposes of this kind, and if applicable to this may be applicable to many others, is something that contains the greatest quantity of power in the least quantity of weight and bulk, and we find this property in gunpowder. When I consider the wisdom of nature I must think that she endowed matter with this extraordinary property for other purposes than that of destruction. Poisons are capable of other uses than that of killing.

If the power which an ounce of Gun-powder contains could be detailed out as steam or water can be, it would be a most commodious natural power, because of its small weight, and little bulk; but gun powder acts, as to its force, by explosion. In most machinery operations the generating power is applied to produce a rotary motion on a wheel, and I think that gun powder can be applied to this purpose. But as an ounce of Gun powder or any other quantity when on fire, cannot be detailed out so as to act with equal force thro' any given space of time, the substitute in this case is, to divide the gun powder into a number of equal parts, and discharge them in equal spaces of time on the wheel, so as to keep it in nearly an equal and continual motion; as a boy's whipping top is kept up by repeated floggings. Every separate stroke given to the top acts with the suddenness of explosion, but produces, as to continual motion, the effect of uninterrupted power.

When a stream of water strikes on a water wheel, it puts it in motion, and continues it. Suppose the water removed and that discharges of Gunpowder were made on the periphery of the wheel where the water strikes, would they not produce the same effect?

I mention this merely for the simplicity of the case. But the wheel on which Gunpowder is to act must be fitted for the purpose. The buckets or boards placed on the periphery of a water wheel are the whole breadth of the stream of water; but the parts corresponding to them on a gunpowder wheel should be of Iron and concave like a cup, and of no larger size than to receive the whole of the explosion. The back of them should be convex or oval, because in that shape they meet with less resistance from the air. The barrels from which the discharges are to be made, should, I think, be in the direction of a tangent with the cups. But if it should be found better to make the discharge on the solid periphery of the Wheel the barrels should be a tangent of a circle something less than the periphery of the wheel. A wheel put and continued in motion in this manner is represented by holding the axis of a wheel in one hand and striking the periphery with the other.

If acting on the solid periphery of the wheel should be found preferable to acting on the cups, the wheel should be shod with Iron, the edges should be turned up, and the middle part fluted cross. By this means the explosion cannot well escape sideways and the fluting will be preferable to a plain surface.

That the power of any given quantity of Gun powder can be detailed out by this means to act thro' any given quantity of time, and that a wheel can be put

and continued in motion thereby, there is I think no doubt. Whether it will answer profitably in practice is another question. But the experiment, I think is worth making, and the more so, because it appears one of things in which a small experiment decides almost positively for a large one, which is not the case in many other small experiments. I think the wheel for a great work should be large, 30 or 40 feet diameter, because the explosions would give too much velocity to a small one, and because the larger the wheel is, the longer the explosion would rest upon it and the motion will be less irregular.

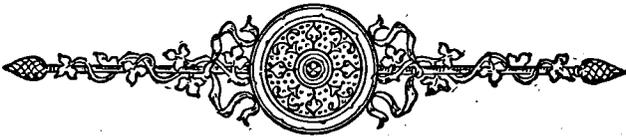
The machine which it seems to come into competition with is the steam engine. In the first place a steam engine is very expensive to erect. In this only a few Iron barrels are required. In a steam engine the expence and consumption of fuel is great, and this is to be compared to the expence of Gun powder, with the advantage that the interest of the money expended in erecting a steam engine goes towards the expence of the Gunpowder. A steam engine is subject to be out of order, and for this reason they frequently have two, that when one is repairing the other can supply its place, or all the works dependent upon it must stand still. But nothing of this kind can happen to the gunpowder engine, because if a barrel burst, which is all that can happen, its place can be immediately supplied by another; but if a boiler bursts there must be a new one. But I will not take up your time with calculations of this kind. The first thing to know is, if the experiment will succeed.

If in your retirement from business you should be disposed to vary your mechanical amusements, I wish you would try the effect of gunpowder on a wheel of two or three feet diameter; the smallest bored pistol there is, about the size of a quill would give it considerable velocity. The first experiment will be to observe how long it will revolve with one impulse, and then with two. If the wheel revolves perpendicularly fast to its axis, and a cord be fastened to the axis with a weight to the end of the cord which, when the wheel is in motion, will wind on the axis and draw up the weight, the force with which it revolves will be known.

Perhaps there may be some difficulty in starting a great wheel into motion at first, because Gunpowder acts with a shock. In this case, might not Gunpowder be mixed with some other material, such as is used to make sky rockets ascend, because this lessens the shock and prolongs the force. But I conceive that after the wheel is in motion, there will be scarcely any sensible shock from the Gunpowder.

As it is always best to say nothing about new concerts till we know something of their effects I shall say nothing of this till I have the happiness to see you, which I hope will not be long, and which I anxiously wish for.

T. P.





## APPENDIX D.

### THE IRON BRIDGE.

#### LETTER TO SIR GEORGE STAUNTON, BART.<sup>1</sup>

SIR:—As I know you interest yourself in the success of the useful arts, and are a member of the society for the promotion thereof, I do myself the pleasure to send you an account of a small experiment I have been making at Messrs. Walker's iron works at this place. You have already seen the model I constructed for a bridge of a single arch, to be made of iron, and erected over the river Schuylkill, at Philadelphia; but as the dimensions may have escaped your recollection, I will begin with stating those particulars.

The vast quantity of ice and melted snow at the breaking up of the frost in that part of America, render it impracticable to erect a bridge on piers. The river can conveniently be contracted to four hundred feet, the model, therefore, is for an arch of four hundred feet span; the height of the arch in the centre, from the chord thereof, is to be about twenty feet, and to be brought off on the top, so as to make the ascent about one foot in eighteen or twenty.

The judgment of the Academy of Sciences at Paris, has been given on the principles and practicability of the construction. The original, signed by the Academy, is in my possession; and in which they fully approve and support the design. They introduce their opinion by saying:

"It is certain that when such a project as that of making an iron arch of four hundred feet span is thought of, and when we consider the effects resulting from an arch of such vast magnitude, it would be strange if doubts were not raised as to the success of such an enterprise, from the difficulties which at first present themselves. But if such be the disposition of the various parts, and the method of uniting them, that the collective body should present a whole both firm and solid, we should then no longer have the same doubts of the success of the plan."

The Academy then proceed to state the reasons on which their judgment is founded, and conclude with saying:

"We conclude from what we have just remarked that Mr. Paine's Plan of an Iron Bridge is ingeniously imagined, that the construction of it is simple, solid, and proper to give it the necessary strength for resisting the effects resulting from its burden, and that it is deserving of a trial. In short, it may furnish a new example of the application of a metal, which has not hitherto been used in any works on an extensive scale, although on many occasions it is employed with the greatest success."

As it was my design to pass some time in England before I returned to America, I employed part of it in making the small essay I am now to inform you of.

My intention, when I came to the iron works, was to raise an arch of at least two hundred feet span; but as it was late in the fall of last year, the season was too far advanced to work out of doors, and an arch of that extent too great to be worked within doors, and as I was unwilling to lose time, I

<sup>1</sup> Sir George Leonard Staunton, LL.D. (died 1801), an eminent physician, diplomatist, and author of a work on China.—*Editor*.

moderated my ambition with a little "common sense," and began with such an arch as could be compassed within some of the buildings belonging to the works. As the construction of the American arch admits, in practice, any species of curve with equal facility, I set off in preference to all others a catenarian arch of ninety feet span and five feet high. Were this arch converted into an arch of a circle, the diameter of its circle would be four hundred and ten feet. From the ordinates of the arch taken from the wall where the arch was struck, I produced a similar arch on the floor whereon the work was to be fitted and framed, and there was something so apparently just when the work was set out, that the looking at it promised success.

You will recollect that the model is composed of four parallel arched ribs, and as the number of ribs may be increased at pleasure to any breadth an arch sufficient for a road-way may require, and the arches to any number the breadth of a river may require, the construction of one rib would determine for the whole; because if one rib succeeded, all the rest of the work, to any extent, is a repetition.

In less time than I expected, and before the winter set in, I had fitted and framed the arch, or properly the rib, completely together on the floor; it was then taken in pieces and stowed away during the winter, in a corner of a work shop, used in the meantime by the carpenters, where it occupied so small a compass as to be hid among the shavings; and though the extent of it is ninety feet, the depth of the arch at the centre two feet nine inches, and the depth at the branches six feet, the whole of it might, when in pieces, be put in an ordinary stage wagon, and sent to any part of England.

I returned to the works in April, and began to prepare for erecting; we chose a situation between a steel furnace and a workshop, which served for butments. The distance between those buildings was about four feet more than the span of the arch, which we filled up with chumps of wood at each end. I mention this as I shall have occasion to refer to it hereafter.

We soon ran up a centre to turn the arch upon, and began our erections. Every part fitted to a mathematical exactness. The raising an arch of this construction is different to the method of raising a stone arch. In a stone arch they begin at the bottom, on the extremities of the arch, and work upwards, meeting at the crown. In this we began at the crown by a line perpendicular thereto and worked downward each way. It differs likewise in another respect. A stone arch is raised by sections of the curve, each stone being so, and this by concentric curves. The effect likewise of the arch upon the centre is different, for as stone arches sometimes break down the centre by their weight, this, on the contrary, grew lighter on the centre as the arch increased in thickness, so much so, that before the arch was completely finished, it rose itself off the centre the full thickness of the blade of a knife from one butment to the other. and is, I suppose, the first arch of ninety feet span that ever struck itself.

I have already mentioned that the spaces between the ends of the arches and the butments were filled up with chumps of wood, and those rather in a damp state; and though we rammed them as close as we could, we could not ram them so close as the drying, and the weight of the arch, or rib, especially when loaded, would be capable of doing; and we had now to observe the effects which the yielding and pressing up of the wood, and which corresponds to the giving away of the butments, so generally fatal to stone arches, would have upon this.

We loaded the rib with six tons of pig iron, beginning at the centre, and proceeding both ways, which is twice the weight of the iron in the rib, as I shall hereafter more particularly mention. This had not the least visible effect on the strength of the arch, but it pressed the wood home, so as to gain in three or four days, together with the drying and the shrinking of the wood, above a quarter of an inch at each end, and consequently the chord or span of the arch was lengthened above half an inch. As this lengthening was more than double the feather of the keystone in a stone arch of these dimensions, such an alteration at the butment would have endangered the safety of the

stone arch, while it produced on this no other than the proper mathematical effect. To evidence this, I had recourse to the cord still swinging on the wall from which the curve of the arch was taken. I set the cord to ninety feet span, and five feet for the height of the arch, and marked the curve on the wall. I then removed the ends of the cords horizontally something more than a quarter of an inch at each end. The cord should then describe the exact catenarian curve which the rib had assumed by the same lengthening at the butments; that is, the rising of the cord should exactly correspond to the lowering of the arch, which it did through all their corresponding ordinates. The cord had risen something more than two inches at the centre, diminishing to nothing each way, and the arch had descended the same quantity, and in the same proportion. I much doubt whether a stone arch, could it be constructed as flat as this, could sustain such an alteration; and, on the contrary, I see no reason to doubt but an arch on this construction and dimensions, or corresponding thereto, might be let down to half its height, or as far as it would descend, with safety. I say "as far as it would descend," because the construction renders it exceedingly probable that there is a point beyond which it would not descend, but retain itself independent of butments; but this cannot be explained but by a sight of the arch itself.

In four or five days, the arch having gained nearly all it could gain on the wood, except what the wood would lose by a summer's drying, the lowering of the arch began to be scarcely visible. The weight still continues on it, to which I intend to add more, and there is not the least visible effect on the perfect curvature or strength of the arch. The arch having thus gained nearly a solid bearing on the wood and the butments, and the days beginning to be warm, and the nights continuing to be cool, I had now to observe the effects of the contraction and expansion of the iron.

The Academy of Sciences at Paris, in their report on the principles and construction of this arch, state these effects as a matter of perfect indifference to the arch, or to the butments, and the experience establishes the truth of their opinion. It is probable the Academy may have taken, in part, the observations of M. Peronnet, architect to the King of France, and a member of the Academy, as some ground for that opinion. From the observations of M. Peronnet, all arches, whether of stone or brick, are constantly ascending or descending by the changes of the weather, so as to render the difference perceptible by taking a level, and that all stone and brick buildings do the same. In short, that matter is never stationary, with respect to its dimensions, but when the atmosphere is so; but that as arches, like the tops of houses, are open to the air, and at freedom to rise, and all their weight in all changes of heat and cold is the same, their pressure is very little or nothing affected by it.

I hung a thermometer to the arch, where it has continued several days, and by what I can observe it equals, if not exceeds, the thermometer in exactness.

In twenty-four hours it ascends and descends two and three tenths of an inch at the centre, diminishing in exact mathematical proportion each way; and no sooner does an ascent or descent of half a hair's breadth appear at the centre, but it may be proportionally discovered through the whole span of ninety feet. I have affixed an index which multiplies ten times, and it can as easily be multiplied an hundred times: could I make a line of fire on each side the arch, so as to heat it in the same equal manner through all its parts, as the natural air does, I would try it up to blood heat. I will not attempt a description of the construction; first, because you have already seen the model; and, secondly, that I have often observed that a thing may be so very simple as to baffle description. On this head I shall only say, that I took the idea of constructing it from a spider's web, of which it resembles a section, and I naturally supposed, that when Nature enabled that insect to make a web, she taught it the best method of putting it together.

Another idea I have taken from Nature is, that of increasing the strength of matter by causing it to act over a larger space than it would occupy in a solid state, as is evidenced in the bones of animals, quills of birds, reeds, canes, etc.,

which, were they solid with the same quantity of matter, would have the same weight with a much less degree of strength.

I have already mentioned that the quantity of iron in this rib is three tons : that an arch of sufficient width for a bridge is to be composed of as many ribs as that width requires ; and that the number of arches, if the breadth of a river requires more than one, may be multiplied at discretion.

As the intention of this experiment was to ascertain, first, the practicability of the construction, and secondly, what degree of strength any given quantity of iron would have when thus formed into an arch, I employed in it no more than three tons, which is as small a quantity as could well be used in the experiment. It has already a weight of six tons constantly lying on it, without any effect on the strength or perfect curvature of the arch. What greater weight it will bear cannot be judged of ; but taking even these as data, an arch of any strength, or capable of bearing a greater weight than can ever possibly come upon any bridge, may be easily calculated.

The river Schuylkill, at Philadelphia, as I have already mentioned, requires a single arch of four hundred feet span. The vast quantities of ice render it impossible to erect a bridge on piers, and is the reason why no bridge has been attempted. But great scenes inspire great ideas. The natural mightiness of America expands the mind, and it partakes of the greatness it contemplates. Even the war, with all its evils, had some advantages. It energized invention and lessened the catalogue of impossibilities. At the conclusion of it every man returned to his home to repair the ravages it had occasioned, and *to think of war no more*. As one amongst thousands who had borne a share in that memorable revolution, I returned with them to the re-enjoyment of quiet life, and, that I might not be idle, undertook to construct a bridge of a single arch for this river. Our beloved General had engaged in rendering another river, the Patowmac, navigable. The quantity of iron I had allowed in my plan for this arch was five hundred and twenty tons, to be distributed into thirteen ribs, in commemoration of the Thirteen United States, each rib to contain forty tons ; but although strength is the first object in works of this kind, I shall, from the success of this experiment, very considerably lessen the quantity of iron I had proposed.

The Academy of Sciences, in their report upon this construction, say, " there is one advantage in the construction of M. Paine's bridge that is singular and important, which is, that the success of an arch to any span can be determined before the work be undertaken on the river, and with a small part of the expense of the whole, by erecting part on the ground."

As to its appearance, I shall give you an extract of a letter from a gentleman in the neighborhood, member in the former parliament for this county, who, in speaking of the arch, says, " In point of elegance and beauty, it far exceeds my expectations, and it is certainly beyond anything I ever saw." I shall likewise mention that it is much visited and exceedingly admired by the ladies, who, though they may not be much acquainted with mathematical principles, are certainly judges of taste.

I shall close my letter with a few other observations, naturally and necessarily connected with the subject.

That, contrary to the general opinion, the most preservative situation in which iron can be placed is within the atmosphere of water, whether it be that the air is less saline and nitrous than that which arises from the filth of streets, and the fermentation of the earth, I am not undertaking to prove ; I speak only of fact, which any body may observe by the rings and bolts in wharfs and other watery situations. I never yet saw the iron chain affixed to a well-bucket consumed or injured by rust ; and I believe it is impossible to find iron exposed to the open air in the same preserved condition as that which is exposed over water.

A method of extending the span and lessening the height of arches has always been the *desideratum* of bridge architecture. But it has other advantages. It renders bridges capable of becoming a portable manufacture, as they may, on

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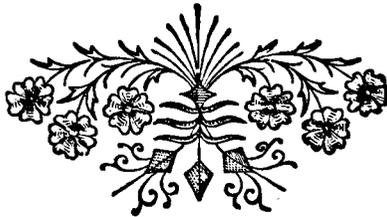
this construction, be made and sent to any part of the world ready to be erected ; and at the same time it greatly increases the magnificence, elegance, and beauty of bridges, it considerably lessens their expense, and their appearance by re-painting will be ever new ; and as they may be erected in all situations where stone bridges can be erected, they may, moreover, be erected in certain situations where, on account of ice, infirm foundations in the beds of rivers, low shores, and various other causes, stone bridges cannot be erected. The last convenience, and which is not inconsiderable, that I shall mention is, that after they are erected, they may very easily be taken down without any injury to the materials of the construction, and be re-erected elsewhere.

I am, sir,

Your much obliged and obedient humble servant,

THOMAS PAINE.

(Rotherham, spring of 1789.)





## APPENDIX E.

### THE CONSTRUCTION OF IRON BRIDGES.

As bridges, and the method of constructing them, are becoming objects of great importance throughout the United States, and as there are at this time proposals for a bridge over the Delaware, and also a bridge beginning to be erected over the Schuylkill at Philadelphia, I present the public with some account of the construction of iron bridges.

The following memoir on that subject written last winter at the Federal City, was intended to be presented to Congress. But as the session would necessarily be short, and as several of its members would be replaced by new elections at the ensuing session, it was judged better to let it lie over. In the mean time, on account of the bridges now in contemplation, or begun, I give the memoir the opportunity of appearing before the public, and the persons concerned in those works.

N.B.—The two models mentioned in this memoir will, I expect, arrive at Philadelphia by the next packet, from the federal city and will remain for some time in Mr. Peale's museum.

THOMAS PAINE.

BORDENTOWN, June, 1803.

### TO THE CONGRESS OF THE UNITED STATES.

I HAVE deposited in the office of the Secretary of State, and under the care of the Patent Office, two models of iron bridges; the one in pasteboard, the other cast in metal.<sup>1</sup> As they will show, by inspection, the manner of constructing iron bridges, I shall not take up the time of Congress with a description of them.

My intention in presenting this memoir to Congress, is to put the country in possession of the means and of the right of making use of the construction freely; as I do not intend to take any patent right for it.

As America abounds in rivers that interrupt the land communication, and as by violence of floods, and the breaking up of the ice in the spring, the bridges depending for support from the bottom of the river are frequently carried away, I turned my attention, after the revolutionary war was over, to find a method of constructing an arch, that might, without rendering the height inconvenient or the ascent difficult, extend at once from shore to shore, over rivers of three, four, or five hundred feet, and probably more.

The principle I took to begin with, and work upon, was that the small segment of a large circle was preferable to the great segment of a small circle. The appearance of such arches, and the manner of forming and putting the parts together, admit of many varieties, but the principle will be the same in all. The bridge architects that I conversed with in England denied the principle, but it was generally supported by mathematicians, and experiment has now established the fact.

In 1786, I made three models, partly at Philadelphia, but mostly at Bordentown in the state of New-Jersey. One model was in wood, one in cast iron,

<sup>1</sup> For an account of the making of these models see vol. iii., p. 376, of this work.—*Editor.*

and one in wrought iron connected with blocks of wood, representing cast iron blocks, but all on the same principle, that of the small segment of a large circle.

I took the last mentioned one with me to France in 1787, and presented it to the Academy of Sciences at Paris for their opinion of it. The Academy appointed a committee of three of their own body—Mons. Le Roy, the abbé Bossou, and Mons. Borda. The first was an acquaintance of Dr. Franklin, and of Mr. Jefferson, then Minister at Paris. The two others were celebrated as mathematicians. I presented it as a model for a bridge of a single arch of 400 feet span over the river Schuylkill at Philadelphia. The committee brought in a report which the Academy adopted—that an arch on the principle and construction of the model, in their opinion, might be extended 400 feet, the extent proposed.

In September of the same year, I sent the model to Sir Joseph Banks, president of the Royal Society in England, and soon after went there myself.

In order to ascertain the truth of the principle on a larger scale than could be shown by a portable model five or six feet in length, I went to the iron foundry of Messrs. Walker, at Rotherham, county of Yorkshire, in England, and had a complete rib of 90 feet span, and 5 feet of height from the cord line to the centre of the arch, manufactured and erected.<sup>1</sup> It was a segment of a circle of 410 feet diameter; and until this was done, no experiment on a circle of such an extensive diameter had ever been made in architecture, or the practicability of it supposed.

The rib was erected between a wall of a furnace belonging to the iron works, and the gable end of a brick building, which served as butments. The weight of iron in the rib was three tons, and we loaded it with double its weight in pig iron. I wrote to Mr. Jefferson who was then at Paris, an account of this experiment, and also to Sir Joseph Banks in London, who in his answer to me says—"I look for many other bold improvements from your countrymen, the Americans, who think with vigour, and are not fettered with the trammels of science before they are capable of exerting their mental faculties to advantage." On the success of this experiment, I entered into an agreement with the iron-founders at Rotherham to cast and manufacture a complete bridge, to be composed of five ribs of 210 feet span, and 5 feet of height from the cord line, being a segment of a circle 610 feet diameter, and send it to London, to be erected as a specimen for establishing a manufactory of iron bridges, to be sent to any part of the world. The bridge was erected at the village of Paddington, near London, but being in a plain field, where no advantage could be taken of butments without the expense of building them, as in the former case, it served only as a specimen of the practicability of a manufactory of iron bridges. It was brought by sea, packed in the hold of a vessel, from the place where it was made; and after standing a year was taken down, without injury to any of its parts, and might be erected any where else.

At this time my bridge operations became suspended. Mr. Edmund Burke published his attack on the French revolution and the system of representative

<sup>1</sup> See Guest's "Historic Notices of Rotherham," where two letters of Paine appear. The tradition that Paine wrote there his "Age of Reason," and the similar one at Bromley, Kent, suggest that Paine may already have given expression in conversation to his deistical views. With regard to the model arch the following extract from an unpublished letter, written from London by Paine (Feb. 26, 1789) to Thomas Walker, Rotherham, will be read with interest: "I wrote to the President of the Board of Works last Monday wishing him to begin making preparations for erecting the arch. I am so confident of his judgment that I can safely rely upon his going on as far as he pleases without me, and at any rate I shall not be long before I visit Rotherham.—I had a letter yesterday from Mr. Foljambe apologizing for his being obliged unexpectedly to leave town without calling on me, but that he should be in London again in a few days. He concludes his letter by saying: "I saw the Rib of your Bridge. In point of eloquence and beauty it far exceeded my expectations, and is certainly beyond anything I ever saw." You will please to inform the President what Mr. Foljambe says, as I think him entitled to participate in the applause. Mr. Fox of Derby called again on me last evening respecting the Bridge, but I was not at home. There is a project of erecting a Bridge at Dublin, which will be a large undertaking; and as the Duke of Leinster and the other deputies from Ireland are arrived, I intend making an opportunity of speaking to them on that business."—*Editor.*

government, and in defence of government by hereditary succession, a thing which is in its nature an absurdity, because it is impossible to make wisdom hereditary; and therefore, so far as wisdom is necessary in a government, it must be looked for where it can be found, sometimes in one family, sometimes in another. History informs us that the son of Solomon was a fool. He lost ten tribes out of twelve (2 Chron. ch. x.). There are those in later times who lost thirteen.<sup>1</sup>

The publication of this work by Mr. Burke, absurd in its principles and outrageous in its manner, drew me, as I have said, from my bridge operations, and my time became employed in defending a system then established and operating in America, and which I wished to see peaceably adopted in Europe. I therefore ceased my work on the bridge to employ myself on the more necessary work, *Rights of Man*, in answer to Mr. Burke.

In 1792, a Convention was elected in France for the express purpose of forming a Constitution on the authority of the people, as had been done in America, of which Convention I was elected a member. I was at this time in England, and knew nothing of my being elected till the arrival of the person who was sent officially to inform me of it.

During my residence in France, which was from 1792 to 1802, an iron bridge of 236 feet span, and 34 of height from the cord line, was erected over the river Wear near the town of Sunderland, in the county of Durham, England. It was done chiefly at the expense of the two Members of Parliament for that county, Milbanke and Burdon.

It happened that a very intimate friend of mine, Sir Robert Smyth (who was also an acquaintance of Mr. Monroe, the American Minister, and since of Mr. Livingston) was then at Paris. He had been a colleague in Parliament with Milbanke, and supposing that the persons who constructed the iron bridge at Sunderland had made free with my model, which was at the iron works where the Sunderland bridge was cast, he wrote to Milbanke on the subject, and the following is that gentleman's answer.

"With respect to the iron bridge over the river Wear at Sunderland, it certainly is a work well deserving admiration, both for its structure and utility, and I have good grounds for saying that the first idea was suggested by Mr. Paine's bridge exhibited at Paddington. What difference there may be in some part of the structure, or in the proportion of wrought and cast iron, I cannot pretend to say, Burdon having undertaken to build the bridge, in consequence of his having taken upon himself whatever the expense might be beyond between three and four thousand pounds sterling, subscribed by myself and some other gentlemen. But whatever the mechanism might be, it did not supersede the necessity of a centre."\* (The writer has here confounded a centre with a scaffolding.) "Which centre (continues the writer) was esteemed a very ingenious piece of workmanship, and taken from a plan sketched out by Mr. Nash, an architect of great merit, who had been consulted in the outset of the business, when a bridge of stone was in contemplation.

"With respect therefore to any gratuity to Mr. Paine, though ever so desirous of rewarding the labours of an ingenious man, I do not feel how, under the circumstances already described, I have it in my power, having had nothing to do with the bridge after the payment of my subscription, Mr. Burdon then becoming accountable for the whole. But if you can point out any mode according to which it would be in my power to be instrumental in procuring him any compensation for the advantages the public may have derived from his ingenious model, from which certainly the outline of the Bridge at Sunderland was taken, be assured it will afford me very great satisfaction.†

"RA. MILBANKE."

<sup>1</sup> The thirteen American colonies.—*Editor*.

\* It is the technical term, meaning the boards and numbers which form the arch upon which the permanent materials are laid; when a bridge is finished the workmen say they are ready to strike centre, that is to take down the scaffolding.—*Author*.

† The original is in my possession.—*Author*.

The year before I left France, the government of that country had it in contemplation to erect an iron bridge over the river Seine, at Paris. As all edifices of public construction came under the cognizance of the Minister of the Interior, (and as their plan was to erect a bridge of five iron arches of one hundred feet span each, instead of passing the river with a single arch, and which was going backward in practice, instead of forward, as there was already an iron arch of 230 feet in existence), I wrote the Minister of the Interior, the citizen Chaptal, a memoir on the construction of iron bridges. The following is his answer :

*“The Minister of the Interior to the citizen Thomas Paine.*—I have received, Citizen, the observations that you have been so good as to address to me upon the construction of iron bridges. They will be of the greatest utility to us, when the new kind of construction goes to be executed for the first time. With pleasure, I assure you, Citizen, that you have rights of more than one kind to the thankfulness of nations, and I give you, cordially, the particular expression of my esteem.—CHAPTAL.” \*

A short time before I left France, a person came to me from London with plans and drawings for an iron bridge of one arch over the river Thames at London, of 600 feet span, and sixty feet of height from the cord line. The subject was then before a committee of the House of Commons, but I know not the proceedings thereon.

As this new construction of an arch for bridges, and the principles on which it is founded, originated in America, as the documents I have produced sufficiently prove, and is becoming an object of importance to the world, and to no part of it more than to our own country, on account of its numerous rivers, and as no experiment has been made in America to bring it into practice, further than on the model I have executed myself, and at my own expense, I beg leave to submit a proposal to Congress on the subject, which is,

To erect an experiment rib of about 400 feet span, to be the segment of a circle of at least 1000 feet diameter, and to let it remain exposed to public view, that the method of constructing such arches may be generally known.

It is an advantage peculiar to the construction of iron bridges that the success of an arch of a given extent and height, can be ascertained without being at the expense of building the bridge ; which is, by the method I propose, that of erecting an experiment rib on the ground where advantage can be taken of two hills for buttments.

I began in this manner with the rib of 90 feet span and 5 feet of height, being a segment of a circle of 410 feet diameter. The undertakers of the Sunderland bridge began in the same manner. They contracted with the iron-founder for a single rib, and, finding it to answer, had five more manufactured like it, and erected into a bridge consisting of six ribs, the experiment rib being one. But the Sunderland bridge does not carry the principle much further into practice than had been done by the rib of 90 feet span and 5 feet in height, being, as before said, a segment of a circle of 410 feet diameter ; the Sunderland bridge, being 206 feet span and 34 feet of height, gives the diameter of the circle of which it is a segment to be 444 feet, within a few inches, which is but a larger segment of a circle of 30 feet more diameter.

The construction of those bridges does not come within the line of any established practice of business. The stone architect can derive but little from the theory or practice of his art that enters into his construction of an iron bridge ; and the iron-founder, though he may be expert in moulding and casting the parts, when the models are given him, would be at a loss to proportion

\* The original, in French, is in my possession.—*Author.* Lewis Goldsmith, in his “*Anti-gallican Monitor*” (Feb. 28, 1813) says: “Paine really had a claim on Buonaparte’s government, independent of the revolutionary labours, for a Bridge which he projected to go over the Seine, at Paris, and which is like that of Sunderland ; but Buonaparte’s Minister, Chaptal, told him that foreigners could not make any legal claim on the French government, and thus was the application got rid of.”—*Editor.*

them, unless he was acquainted with all the lines and properties belonging to a circle.

If it should appear to Congress that the construction of iron bridges will be of utility to the country, and they should direct that an experiment rib be made for that purpose, I will furnish the proportions for the several parts of the work, and give my attendance to superintend the erection of it.

But, in any case, I have to request that this memoir may be put on the journals of Congress, as an evidence hereafter, that this new method of constructing bridges originated in America.

THOMAS PAINE.

FEDERAL CITY, JAN. 3, 1803.

*Editorial Note.*—Paine's Specification is given in vol. ii., chap. 10, of this work, and some facts about his bridge in chap. 11. (See also my "Life of Paine," Index.) For the convenience of those who wish to pursue the subject I quote Burdon's declaration: "My Invention consists in applying iron or other metallic compositions to the purpose of constructing arches, upon the same principle as stone is now employed, by a substitution into blocks, easily portable, answering to the keystones of a common arch, which being brought to bear on each other, gives them all the firmness of the solid stone arch, whilst by the great vacuities in the blocks and their respective distances in their lateral position, the arch becomes infinitely lighter than that of stone, and, by the tenacity of the metal, the parts are so intimately connected that the accurate calculation of the extrados and intrados, so necessary in stone arches of magnitude, is rendered of much less consequence." (*Specification of Rowland Burdon, A.D. 1795, No. 2066.*) Those who are aware of the extent to which Paine's discoveries and "materials" have been utilized in political and religious structures, while their originator's effigy (alone known to many people) has been held up to execration, will not wonder that while the literal effigy was being burnt throughout England (1792-93) his Paddington model (210 feet span) was following the usual course, as is stated by Dr. Smiles: "In the meantime the bridge exhibited at Paddington had produced important results. The manufacturers agreed to take it back as part of their debt, and the materials were afterwards used in the construction of the noble bridge over the Wear at Sunderland, which was erected in 1796. The project . . . is due to Mr. Rowland Burdon, under whom Mr. T. Wilson served as engineer. The details differed in several important respects from the proposed bridge of Paine, Mr. Burdon introducing several new and original features, more particularly as regarded the framed iron panels radiating towards the centre in the form of voussoirs, for the purpose of resisting compression. Mr. Phipps, C. E., in a report prepared by him at the instance of the late Robert Stephenson . . . observes, with regard to the original design,—'We should probably make a fair division of the honour connected with this unique bridge, by conceding to Mr. Burdon all that belongs to a careful elaboration and improvement upon the designs of another, to the boldness of taking upon himself the responsibility of applying this idea on so magnificent a scale, and to his liberality and public spirit in furnishing the requisite funds; but we must not deny to Paine the credit of conceiving the construction of iron bridges of far larger span than had been made before his time, or of the important examples both as models and large constructions which he caused to be made and publicly exhibited.'"—Smiles' "Life of Telford."—*Editor.*



## APPENDIX F.

### TO THE PEOPLE OF ENGLAND ON THE INVASION OF ENGLAND.

EDITOR'S PREFACE.—It may appear at this distance of time inconsistent with Paine's humane and peaceful principles that he should desire the invasion of England by Napoleon, for it is difficult to see behind the England of to-day the country of Pitt which was harrying the world by land and sea, seizing American ships and seamen, and at home imprisoning every patriot who protested against royal outrages. It had become the firm faith of best men, in many countries, that the English people would never rise in their strength and stop these outrages until they could look upon the horrid face of war at their own doors. On the return of Napoleon from his brilliant campaign in Italy, December, 1797, he consulted Paine, said the author of *Rights of Man* should have a statue of gold, and invited him to accompany him on his invasion of England, and assist his purpose of liberating the English people. Flushed with the great hope of giving, as he wrote to Jefferson, "the people of England an opportunity of forming a government for themselves, and thereby bring about peace," Paine wrote a letter read by Coupé to the Council of Five Hundred, January 28, 1798 :

"CITIZENS REPRESENTATIVES: Though it is not convenient to me, in the present situation of my affairs, to subscribe to the loan towards the descent upon England, my economy permits me to make a small patriotic donation. I send a hundred livres, and with it all the wishes of my heart for the success of the descent, and a voluntary offer of any service I can render to promote it. There will be no lasting peace for France, nor for the world, until the tyranny and corruption of the English government be abolished, and England, like Italy, become a sister republic. As to those men, whether in England, Scotland, or Ireland, who, like Robespierre in France, are covered with crimes, they, like him, have no other resource than committing more. But the mass of the people are the friends of liberty: tyranny and taxation oppress them, but they deserve to be free.

"Accept, Citizens Representatives, the congratulations of an old colleague in the dangers we have passed and on the happy prospect before us. Salut et respect."

Paine accompanied the expedition to Belgium, and discovered that it was, as he wrote to Jefferson, "only a feint." He also discovered that Napoleon's enthusiasm for *Rights of Man* and its author was a feint. A London paper, quoted in the New York *Theophilanthropist* (1801, No. 1) says:

"He [Paine] continued in Paris long after Bonaparte rendered himself supreme in the State, and spoke as freely as ever. He told the writer of this article, at Paris, on the peace of Amiens, that he was preparing for America; that he could not reside in comfort in the dominions of Bonaparte; that if he was to govern like an angel, he should always remember that he had perjured himself; that he had heard him swear that France should be a pure republic; and that he himself would rather die than endure the authority of a single in-

dividual : he would end his days in America, for he thought there was no liberty anywhere else."

When Paine reached America, towards the close of 1802, he found his friend Jefferson, now President, almost an enthusiast for Napoleon, and soon afterwards the First Consul's Civil Code, his provisions for education and Science, and the declaration of war against him (May 18, 1803) by England, somewhat restored Paine's confidence in him. The revival of the plan for a descent on England, whose fleets were paralyzing the commerce of the world, made Napoleon appear, if not a republican, a "scourge of God" to arrest the aggressions of monarchy. But Paine little dreamed that at the very moment when this pamphlet was appearing in America (May, 1804,) Napoleon was assuming at St. Cloud the title of Emperor !

#### TO THE PEOPLE OF ENGLAND

IN casting my eye over England and America, and comparing them together, the difference is very striking. The two countries were created by the same power, and peopled from the same stock. What then has caused the difference? Have those who emigrated to America improved, or those whom they left behind degenerated? There are as many degrees of difference in the political morality of the two people as there are of longitude between the two countries.

In the science of cause and effect, every thing that enters into the composition of either must be allowed its proportion of influence. Investigating, therefore, into the cause of this difference, we must take into the calculation the difference of the two systems of government, the *hereditary* and the *representative*. Under the hereditary system, it is the government that forms and fashions the political character of the people. In the representative system, it is the people that form the character of the government. Their own happiness as citizens forms the basis of their conduct, and the guide of their choice. Now, is it more probable that an hereditary government should become corrupt, and corrupt the people by its example, or that a whole people should become corrupt, and produce a corrupt government? For the point where the corruption begins, becomes the source from whence it afterwards spreads.

While men remained in Europe as subjects of some hereditary potentate, they had ideas conformable to that condition; but when they arrived in America, they found themselves in possession of a new character, the character of sovereignty; and, like converts to a new religion, they became inspired with new principles. Elevated above their former rank, they considered government and public affairs as part of their own concern, for they were to pay the expence and they watched them with circumspection. They soon found that government was not that complicated thing, enshrined in mystery, which church and state, to play into each other's hands, had represented; and that to conduct it with proper effect, was to conduct it justly. Common sense, common honesty, and civil manners, qualify a man for government; and besides this, put man in a situation that requires new thinking, and the mind will grow up to it, for, like the body, it improves by exercise. Man is but a learner all his life-time.

But whatever be the cause of the difference of character between the government and people of England and those of America, the effect arising from that difference is as distinguishable as the sun from the moon. We see America flourishing in peace, cultivating friendship with all nations, and reducing her public debt and taxes, incurred by the revolution. On the contrary, we see England almost perpetually in war, or warlike disputes, and her debt and taxes continually increasing. Could we suppose a stranger, who knew nothing of the origin of the two countries, he would from observation conclude that America was the *old* country, experienced and sage, and England the *new*, eccentric and wild.

Scarcely had England drawn home her troops from America, after the revolutionary war, than she was on the point of plunging herself into a war with Hol-

land, on account of the Stadtholder ; then with Russia ; then with Spain, on the account of Nootka *cat-skins* ; and actually with France to prevent her revolution. Scarcely had she made peace with France, and before she had fulfilled her own part of the treaty, than she declared war again to avoid fulfilling the treaty. In her treaty of peace with America, she engaged to evacuate the western posts within six months, but having obtained peace she refused to fulfil the conditions, and kept possession of the posts and embroiled us in an Indian war. In her treaty of peace with France, she engaged to evacuate Malta within three months, but having obtained peace she refused to evacuate Malta, and began a new war.<sup>1</sup>

All these matters pass before the eyes of the world, who form their own opinion thereon, regardless of what English newspapers may say of France, or French papers say of England. The non-fulfilment of a treaty is a case that every body can understand. They reason upon it as they would on a contract between two individuals, and in so doing they reason from a right foundation. The affected pomp and mystification of courts make no alteration in the principle. Had France declared war to compel England to fulfil the treaty, as a man would commence a civil action to compel a delinquent party to fulfil a contract, she would have stood acquitted in the opinion of nations. But that England still holding Malta, should go to war for Malta, is a paradox not easily solved, unless it be supposed that the peace was insidious from the beginning, that it was concluded with the expectation that the military ardour of France would cool, or a new order of things arise, or a national discontent prevail, that would favour a non-execution of the treaty, and leave England arbiter of the fate of Malta.

Something like this, which was like a vision in the clouds, must have been the calculation of the British ministry ; for certainly they did not expect the war would take the turn it has. Could they have foreseen, and they ought to have foreseen, that a declaration of war was the same as sending a challenge to Bonaparte to invade England and make it the seat of war, they hardly would have done it unless they were mad ; for in any event such a war might produce, in a military view, it is England would be the sufferer unless it terminated in a wise revolution. One of the causes assigned for this declaration of war by the British Ministry, was that Bonaparte had cramped their commerce. If by cramping their commerce is to be understood that of encouraging and extending the commerce of France, he had a right, and it was his duty to do it. The prerogative of monopoly belongs to no nation. But to make this one of the causes of war, considering their commerce in consequence of that declaration is now cramped ten times more, is like the case of a foolish man who, after losing an eye in fight, renews the combat to revenge the injury, and loses the other eye.

Those who never experienced an invasion, by suffering it, which the English people have not, can have but little idea of it. Between the two armies the country will be desolated, wherever the armies are, and that as much by their own army as by the enemy. The farmers on the coast will be the first sufferers ; for, whether their stock of cattle, corn, &c. be seized by the invading army, or driven off, or burnt, by orders of their own government, the effect will be the same to them. As to the revenue, which has been collected altogether in paper, since the bank stopped payment, it will go to destruction the instant an invading army lands ; and as to effective government, there can be but little where the two armies are contending for victory in a country small as England is.

With respect to the general politics of Europe, the British Ministry could not have committed a greater error than to make Malta the ostensible cause of the

<sup>1</sup> With regard to the Western Posts, Paine was not fully informed. The United States had failed to fulfil the Treaty as to the payment of their debts to English creditors. For the Treaty with France see *Parl. Hist.*, xxxvi., p. 558. Among the reasons for the Declaration of May, 1803, is that His Majesty has learned that the French Government had "even suggested the idea of a partition of the Turkish empire!"—*Editor*.

war ; for though Malta is an unproductive rock, and will be an expence to any nation that possesses it, there is not a power in Europe will consent that England should have it. It is a situation capable of annoying and controuling the commerce of other nations in the Mediterranean ; and the conduct of England on the seas and in the Baltic, has shewn the danger of her possessing Malta. Bonaparte, by opposing her claim, has all Europe with him : England, by asserting it, loses all. Had the English Ministry studied for an object that would put them at variance with all nations, from the north of Europe to the south, they could not have done it more effectually.

But what is Malta to the people of England, compared with the evils and dangers they already suffer in consequence of it ? It is their own government that has brought this upon them. Were Burke now living, he would be deprived of his exclamation, that "*the age of chivalry is gone ;*" for this declaration of war is like a challenge sent from one knight of the sword to another knight of the sword to fight him on the challenger's ground, and England is staked as the prize.

But though the British Ministry began this war for the sake of Malta, they are now artful enough to keep Malta out of sight. Not a word is now said about Malta in any of their parliamentary speeches and messages. The King's speech is silent upon the subject, and the invasion is put in its place, as if the invasion was the cause of the war, and not the consequence of it. This policy is easily seen through. The case is, they went to war *without counting the cost*, or calculating upon events, and they are now obliged to shift the scenes to conceal the disgrace.

If they were disposed to try experiments upon France, they chose for it the worst possible time, as well as the worst possible object. France has now for its chief the most enterprising and fortunate man, either for deep project or daring execution, the world has known for many ages. Compared with him, there is not a man in the British government, or under its authority, has any chance with him. That he is ambitious, the world knows, and he always was so ; but he knew where to stop. He had reached the highest point of probable expectation, and having reduced all his enemies to peace, had set himself down to the improvement of agriculture, manufactures, and commerce at home ; and his conversation with the English ambassador, Whitworth, shewed he wished to continue so. In this view of his situation, could anything be worse policy than to give to satisfied ambition a new object, and provoke it into action ? Yet this the British Ministry have done.

The plan of a descent upon England by gun-boats, began after the first peace with Austria, and the acquisition of Belgium by France. Before that acquisition, France had no territory on the North Sea, and it is there the descent will be carried on. Dunkirk was then her northern limit. The English coast opposite to France, on the Channel, from the straits between Dover and Calais to the Land's End, about three hundred miles, is high, bold, and rocky, to the height, in many places, perpendicular, of three, four, or five hundred feet, and it is only where there are breaks in the rocks, as at Portsmouth, Plymouth, &c., that a landing can be made ; and as those places could be easily protected, because England was mistress of the Channel, France had no opportunity of making an invasion, unless she could first defeat the English fleet. But the union of Belgium to France makes a new order of things.

The English coast on the North Sea, including the counties of Essex, Suffolk, Norfolk, and Lincolnshire, is as level as a bowling green, and approachable in every part for more than two hundred miles. The shore is a clean firm sand, where a flat-bottomed boat may row dry a-ground. The country people use it as a race-ground, and for other sports, when the tide is out. It is the weak and defenceless part of England, and it is impossible to make it otherwise : and besides this, there is not a port or harbour in it where ships of the line or large frigates can rendezvous for its protection. The Belgic coast, and that of Holland, which joins it, are directly opposite this defenceless part, and opens a new passage for invasion. The Dutch fishermen knew this coast better than the

English themselves, except those who live upon it; and the Dutch smugglers know every creek and corner in it.

The original plan, formed in the time of the Directory, (but now much more extensive,) was to build one thousand boats, each sixty feet long, sixteen feet broad, to draw about two feet water, to carry a twenty-four or thirty-six pounder in the head, and a field-piece in the stern, to be run out as soon as they touched ground. Each boat was to carry an hundred men, making in the whole one hundred thousand, and to row with twenty or twenty-five oars on a side. Bonaparte was appointed to the command, and by an agreement between him and me, I was to accompany him, as the intention of the expedition was to give the people of England an opportunity of forming a government for themselves, and thereby bring about peace. I have no reason to suppose this part of the plan is altered, because there is nothing better Bonaparte can do. As to the clamour spread by some of the English newspapers, that he comes for plunder, it is absurd. Bonaparte is too good a general to undiscipline and dissolve his army by plundering, and too good a politician, as well as too much accustomed to great achievements, to make plunder his object. He goes against the government that has declared war against him.

As the expedition could choose its time of setting off, either after a storm, when the English would be blown off, or in a calm, or in a fog; and as thirty-six hours' rowing would be able to carry it over, the probability is it would arrive, and when arrived no ship of the line or large frigate could approach it, on account of the shoalness of the coast; and besides this, the boats would form a floating battery, close in with the shore, of a thousand pieces of heavy artillery; and the attempt of Nelson against the gun-boats at Boulogne shews the insufficiency of ships in such situations. About two hundred and fifty gun-boats were built, when the expedition was abandoned for that of Egypt, to which the preparations had served as a feint.

The present impolitic war by the English government has now renewed the plan, and that with much greater energy than before, and with national unanimity. All France is alive to chastise the English government for recommencing the war, and all Europe stands still to behold it. The preparations for the invasion have already demonstrated to France what England ought never to have suffered her to know, which is, that she can hold the English government in terror, and the whole country in alarm, whenever she pleases, and as long as she pleases, and that without employing a single ship of the line, and more effectually than if she had an hundred sail. The boasted navy of England is outdone by gun-boats! It is a revolution in naval tactics; but we live in an age of revolutions.

The preparations in England for defence are also great, but they are marked with an ominous trait of character. There is something sullen on the face of affairs in England. Not an address has been presented to the king by any county, city, town, or corporation, since the declaration of war. The people unite for the protection of themselves and property against whatever events may happen, but they are *not pleased*, and their silence is the expression of their discontent.

Another circumstance, curious and awkward, was the conduct of the House of Commons with respect to their address to the king, in consequence of the king's speech at the opening of the Parliament. The address, which is always an echo of the speech, was voted without opposition, and this equivocal silence passed for unanimity. The next thing was to present it, and it was made the order for the next day that the House should go up in a body to the king, with the Speaker at their head, for that purpose. The time fixed was half after three, and it was expected the procession would be numerous, three or four hundred at least, in order to shew their zeal and their loyalty and their thanks to the king for his intention of taking the field. But when half after three arrived, only thirty members were present, and without forty (the number that makes a House) the address could not be presented. The serjeant was then sent out, with the authority of a press-warrant, to search for members, and by

four o'clock he returned with just enough to make up forty, and the procession set off with the slowness of a funeral ; for it was remarked it went slower than usual.

Such a circumstance in such a critical juncture of affairs, and on such an occasion, shews at least a great indifference towards the government. It was like saying, you have brought us into a great deal of trouble, and we have no *personal* thanks to make to you. We have voted the address, as a customary matter of form, and we leave it to find its way to you as well as it can.

If the invasion succeed, I hope Bonaparte will remember that this war has not been provoked by the people. It is altogether the act of the government, without their consent or knowledge ; and though the late peace appears to have been insidious from the first, on the part of the government, it was received by the people with a sincerity of joy.

There is yet, perhaps, one way, if it be not too late, to put an end to this burthensome state of things, and which threatens to be worse ; which is, for the people, now they are embodied for their own protection, to instruct their representatives in Parliament to move for the fulfilment of the treaty of Amiens, for a treaty ought to be fulfilled. The present is an uncommon case, accompanied with uncommon circumstances, and it must be got over by means suited to the occasion. What is Malta to them ? The possession of it might serve to extend the patronage and influence of the Crown, on the appointment to new offices, and the part that would fall to the people would be to pay the expence. The more acquisitions the government makes abroad, the more taxes the people have to pay at home. This has always been the case in England.

The non-fulfilment of a treaty ruins the honour of a government, and spreads a reproach over the character of a nation. But when a treaty of peace is made with the concealed design of not fulfilling it, and war is declared for the avowed purpose of avoiding it, the case is still worse. The representative system does not put it in the power of an individual to declare war of his own will. It must be the act of the body of the representatives, for it is their constituents who are to pay the expence. The state which the people of England are now in shews the extreme danger of trusting this power to the caprice of an individual, whatever title he may bear. In that country this power is assumed by what is called the Crown, for it is not constituted by any legal authority. It is a branch from the trunk of monarchical despotism.

By this impolitic declaration of war the government of England have put every thing to issue ; and no wise general would commence an action he might avoid, where nothing is to be gained by gaining a battle, and every thing is to be lost by losing it. An invasion and a revolution, which consequently includes that of Ireland, stand now on the same ground. What part the people may finally take in a contest pregnant with such an issue is yet to be known. By the experiment of raising the country *in mass* the government have put arms into the hands of men whom they would have sent to Botany Bay but a few months before, had they found a pike in their possession. The honour of this project, which is copied from France, is claimed by Mr. Pitt ; and no project of his has yet succeeded, in the end, except that of raising the taxes, and ruining the Bank. All his schemes in the revolutionary war of France failed of success, and finished in discredit. If Bonaparte is remarkable for an unexampled series of good fortune, Mr. Pitt is remarkable for a contrary fate, and his want of popularity with the people, whom he deserted and betrayed on the question of a reform of Parliament, sheds no beams of glory round his projects.

If the present eventful crisis, for an eventful one it is, should end in a revolution, the people of England have, within their glance, the benefit of experience both in theory and fact. This was not the case at first. The American revolution began on untried ground. The representative system of government was then unknown in practice, and but little thought of in theory. The idea that man must be governed by effigy and show, and that superstitious reverence was necessary to establish authority, had so benumbed the reasoning

faculties of men; that some bold exertion was necessary to shock them into reflection. But the experiment has now been made. The practice of almost thirty years, the last twenty of which have been of peace, notwithstanding the wrong-headed tumultuous administration of John Adams, has proved the excellence of the representative system, and the NEW WORLD is now the preceptor of the OLD. The children are become the fathers of their progenitors.

With respect to the French revolution, it was begun by good men and on good principles, and I have always believed it would have gone on so, had not the provocative interference of foreign powers, of which Pitt was the principal and vindictive agent, distracted it into madness, and sown jealousies among the leaders.

The people of England have now two revolutions before them. The one as an example; the other as a warning. Their own wisdom will direct them what to choose and what to avoid, and in every thing which regards their happiness, combined with the common good of mankind, I wish them honour and success.

THOMAS PAINE.

NEW YORK, May, 1804.





## APPENDIX G.

### CONSTITUTIONAL REFORM.<sup>1</sup>

#### *To the Citizens of Pennsylvania on the Proposal for calling a Convention.*

As I resided in the capital of your state, Philadelphia, in the *time that tried men's souls*, and all my political writings, during the revolutionary war, were written in that city,<sup>2</sup> it seems natural for me to look back to the place of my political and literary birth, and feel an interest for its happiness. Removed as I now am from the place, and detached from every thing of personal party, I address this token to you on the ground of principle, and in remembrance of former times and friendships.

The subject now before you, is the call of a Convention, to examine, and, if necessary, to reform the Constitution of the State; or to speak in the correct language of constitutional order, to propose written articles of reform to be accepted or rejected by the people by vote, in the room of those now existing, that shall be judged improper or defective. There cannot be, on the ground of reason, any objection to this; because if no reform or alteration is necessary, the sense of the country will permit none to be made; and, *if necessary*, it *will* be made because it *ought* to be made. Until, therefore, the sense of the country can be collected, and made known by a Convention elected for that purpose, all opposition to the call of a Convention not only passes for nothing, but serves to create a suspicion that the opposers are conscious that the Constitution will not bear an examination.

The Constitution formed by the Convention of 1776, of which Benjamin Franklin (the greatest and most useful man America has yet produced,) was president, had many good points in it which were overthrown by the Convention of 1790, under the pretence of making the Constitution conformable to that of the United States; as if the forms and periods of election for a territory extensive as that of the United States is could become a rule for a single State.

The principal defect in the Constitution of 1776 was, that it was subject, in practice, to too much precipitancy; but the ground-work of that Constitution was good. The present Constitution appears to me to be clogged with inconsistencies of a hazardous tendency, as a supposed remedy against a precipitancy that might not happen. Investing any individual, by whatever name or official title he may be called, with a negative over the formation of the laws, is copied from the English government, without ever perceiving the inconsistency and absurdity of it, when applied to the representative system, or understanding the origin of it in England.<sup>3</sup>

The present form of government in England, and all those things called pre-

<sup>1</sup> This was Paine's last political pamphlet. It was printed at the *Aurora* office, Philadelphia. The gubernatorial election of 1805 turned on this proposal, and the "new constitutionalists" were defeated by the election of McKean over Snyder.—*Editor*.

<sup>2</sup> The fifth "Crisis," was written at Lancaster, Pennsylvania.—*Editor*.

<sup>3</sup> Cf. an important note by Paine on the single executive, vol. iii., p. 214.—*Editor*.

rogatives of the Crown, of which this negative power is one, was established by conquest, not by compact. Their origin was the conquest of England by the Normans, under William of Normandy, surnamed the Conqueror, in 1066, and the genealogy of its kings takes its date from him. He is the first of the list. There is no historical certainty of the time when Parliaments began; but be the time when it may, they began by what are called grants or charters from the Norman Conqueror, or his successors, to certain towns, and to counties, to elect members to meet and serve in Parliament,\* subject to his controul; and the custom still continues with the king of England calling the parliament *my Parliament*; that is, a Parliament originating from his authority, and over which he holds controul in right of himself, derived from that conquest. It is from this assumed right, derived from conquest, and not from any constitutional right by compact, that kings of England hold a negative over the formation of the laws; and they hold this for the purpose of preventing any being enacted that might abridge, invade, or in any way affect or diminish what they claim to be their hereditary or family rights and prerogatives, derived originally from the conquest of the country.† This is the origin of the king of England's negative. It is a badge of disgrace which *his* Parliaments are obliged to wear, and to which they are abject enough to submit.

But what has this case to do with a Legislature chosen by freemen, on their own authority, in right of themselves? Or in what manner does a person styled Governor or Chief Magistrate resemble a conqueror subjugating a country, as William of Normandy subjugated England, and saying to it, *you shall have no laws but what I please*? The negating power in a country like America, is of that kind, that a wise man would not choose to be embarrassed with it, and a man fond of using it will be overthrown by it. It is not difficult to see that when Mr. M'Kean negated the Arbitration Act, he was induced to it as a *lawyer*, for the benefit of the profession, and not as a *magistrate*, for the benefit of the people; for it is the office of a Chief Magistrate to compose differences and *prevent* law-suits. If the people choose to have arbitrations instead of law-suits, why should they not have them? It is a matter that concerns them as individuals, and not as a State or community, and is not a proper case for a Governor to interfere in, for it is not a State or government concern: nor does it concern the peace thereof, otherwise than to make it more peaceable by making it less contentious.

This negating power in the hands of an individual ought to be constitutionally abolished. It is a dangerous power. There is no prescribing rules for the use of it. It is discretionary and arbitrary; and the will and temper of the person at any time possessing it, is its only rule. There must have been great want of reflection in the Convention that admitted it into the Constitution. Would that Convention have put the Constitution it had formed (whether good or bad) in the power of any individual to negative? It would not. It would have treated such a proposal with disdain. Why then did it put the Legislatures thereafter to be chosen, and all the laws, in that predicament? Had that Convention, or the law members thereof, known the origin of the negating power used by kings of England, from whence they copied it, they must have seen the inconsistency of introducing it into an American Constitution. We are not a conquered people; we know no conqueror; and the negating power used by kings in England is for the defence of the personal and family prerogatives of the successors of the conqueror against the Parliament and the People. What is all this to us? We know no prerogatives but what belong to the sovereignty of ourselves.

At the time this Constitution was formed, there was a great departure from

\* *Parliament* is a French word, brought into England by the Normans. It comes from the French verb *parler*—to speak.—*A. Author.*

† When a king of England (for they are not an English race of kings) negatives an act passed by the Parliament, he does it in the Norman or French language, which was the language of the conquest, the literal translation of which is, *the king will advise himself of it.* It is the only instance of a king of England speaking French in Parliament; and shews the origin of the negative.—*A. Author.*

the principles of the revolution, among those who then assumed the lead, and the country was grossly imposed upon. This accounts for some inconsistencies that are to be found in the present constitution, among which is the negating power inconsistently copied from England. While the exercise of the power over the State remained dormant, it remained unnoticed; but the instant it began to be active it began to alarm; and the exercise of it against the rights of the People to settle their private pecuniary differences by the peaceable mode of arbitration, without the interference of lawyers, and the expence and tediousness of courts of law, has brought its existence to a crisis. Arbitration is of more importance to society than courts of law, and ought to have precedence of them in all cases of pecuniary concerns between individuals or parties of them. Who are better qualified than merchants to settle disputes between merchants, or who better than farmers to settle disputes between farmers? And the same for every other description of men. What do lawyers or courts of law know of these matters? They devote themselves to forms rather than to principles, and the merits of the case become obscure and lost in a labyrinth of verbal perplexities. We do not hear of lawyers going to law with each other, though they could do it cheaper than other people, which shews they have no opinion of it for themselves. The principle and rule of arbitration ought to be constitutionally established. The honest sense of a country collected in Convention will find out how to do this without the interference of lawyers, who may be hired to advocate any side of any cause; for the case is, the practice of the bar is become a species of prostitution that ought to be controuled. It lives by encouraging the injustice it pretends to redress.

Courts in which law is practised are of two kinds. The one for criminal cases, the other for civil cases, or cases between individuals respecting property of any kind, or the value thereof. I know not what may be the numerical proportion of these two classes of cases to each other; but that the civil cases are far more numerous than the criminal cases, I make no doubt of. Whether they be ten, twenty, thirty, or forty to one, or more, I leave to those who live in the State, or in the several counties thereof, to determine. But be the proportion what it may, the expence to the public of supporting a Judiciary for both will be, in some relative degree, according to the number of cases the one bears to the other; yet it is only one of them that the public, as a public, have any concern with. The criminal cases, being breaches of the peace, are consequently under the cognizance of the government of the State, and the expence of supporting the courts thereof belong to the public, because the preservation of the peace is a public concern. But civil cases, that is, cases of private property between individuals, belong wholly to the individuals themselves; and all that government has consistently to do in the matter, is to establish the process by which the parties concerned shall proceed and bring the matter to decision themselves, by referring it to impartial and judicious men of the neighbourhood, of their own choosing. This is by far the most convenient, as to time and place, and the cheapest method to them; for it is bringing *justice home to their own doors*, without the chicanery of law and lawyers. Every case ought to be determined on its own merits, without the farce of what are called precedents, or reports of cases; because, in the first place, it often happens that the decision upon the case brought as a precedent is bad, and ought to be shunned instead of imitated; and, in the second place, because there are no two cases perfectly alike in all their circumstances, and therefore the one cannot become a rule of decision for the other. It is justice and good judgment that preside by right in a court of arbitration. It is forms, quoted precedents, and contrivances for delay and expence to the parties, that govern the proceedings of a court of law.

By establishing arbitrations in the room of courts of law for the adjustment of private cases, the public will be eased of a great part of the expence of the present judiciary establishment; for certainly such a host of judges, associate judges, presidents of circuits, clerks, and criers of courts, as are at present supported at the public expence, will not then be necessary. There are, perhaps,

more of them than there are criminals to try in the space of a year. Arbitration will lessen the sphere of patronage, and it is not improbable that this was one of the private reasons for negating the arbitration act; but public economy, and the convenience and ease of the individuals, ought to have outweighed all such considerations. The present administration of the United States has struck off a long list of useless officers, and economised the public expenditure, and it is better to make a precedent of this, than to imitate its forms and long periods of election, which require reform themselves. A great part of the people of Pennsylvania make a principle of not going to law, and others avoid it from prudential reasons; yet all those people are taxed to support a Judiciary to which they never resort, which is as inconsistent and unjust as it is in England to make the Quakers pay tythes to support the Episcopal church. Arbitration will put an end to this imposition.

Another complaint against the Constitution of Pennsylvania, is the great quantity of patronage annexed to the office of Governor.

Patronage has a natural tendency to increase the public expence, by the temptation it leads to (unless in the hands of a wise man like Franklin) to multiply offices within the gift or appointment of that patronage. John Adams, in his administration, went upon the plan of increasing offices and officers. He expected by thus increasing his patronage, and making numerous appointments, that he should attach a numerous train of adherents to him who would support his measures and his future election. He copied this from the corrupt system of England; and he closed his midnight labours by appointing sixteen new unnecessary judges, at an expence to the public of thirty-two thousand dollars annually. John counted only on one side of the case. He forgot that *where* there was *one* man to be benefited by an appointment, all the rest had to pay the cost of it; and that by attaching *the one* to him by patronage, he ran the risk of losing *the many* by disgust. And such was the consequence; and such will ever be the consequence in a free country, where men reason *for* themselves and *from* themselves, and not from the dictates of others.

The less quantity of patronage a man is *incumbered* with, the safer he stands. He cannot please everybody by the use of it; and he will have to refuse, and consequently to displease, a greater number than he can please. Mr. Jefferson gained more friends by dismissing a long train of officers, than John Adams did by appointing them. Like a wise man, Mr. Jefferson dismantled himself of patronage.

The Constitution of New-York, though like all the rest it has its defects, arising from want of experience in the representative system of government at the time it was formed, has provided much better, in this case, than the Constitution of Pennsylvania has done. The appointments in New-York are made by a *Council of Appointment*, composed of the Governor and a certain number of members of the Senate, taken from different parts of the State. By this means they have among them a personal knowledge of whomsoever they appoint. The Governor has one vote, but no negative. I do not hear complaints of the abuse of this kind of patronage.

The Constitution of Pennsylvania, instead of being an improvement in the representative system of government, is a departure from the principles of it. It is a copy in miniature of the government of England, established at the conquest of that country by William of Normandy. I have shewn this in part in the case of the king's negative, and I shall shew it more fully as I go on. This brings me to speak of the Senate.

The complaint respecting the Senate is the length of its duration, being four years. The sage Franklin has said, "Where annual election ends, tyranny begins;" and no man was a better judge of human nature than Franklin, nor has any man in our time exceeded him in the principles of honour and honesty.

When a man ceases to be accountable to those who elected him, and with whose public affairs he is entrusted, he ceases to be their representative, and is put in a condition of being their despot. He becomes the representative of nobody but himself. *I am elected, says he, for four years; you cannot turn me*

out, neither am I responsible to you in the meantime. All that you have to do with me is to pay me.

The conduct of the Pennsylvania Senate in 1800, respecting the choice of electors for the Presidency of the United States, shews the impropriety and danger of such an establishment. The manner of choosing electors ought to be fixed in the Constitution, and not be left to the caprice of contention. It is a matter equally as important, and concerns the rights and interests of the people as much as the election of members for the State Legislature, and in some instances much more. By the conduct of the Senate at that time, the people were deprived of their right of suffrage, and the State lost its consequence in the Union. It had but one vote. The other fourteen were paired off by compromise,—seven and seven. If the people had chosen the electors, which they had a right to do, for the electors were to represent *them* and not to represent the Senate, the State would have had fifteen votes which would have counted.

The Senate is an imitation of what is called the House of Lords in England, and which Chesterfield, who was a member of it, and therefore knew it, calls "*the Hospital of Incurables.*" The Senate in Pennsylvania is not quite an hospital of incurables, but it took almost four years to bring it to a *state of convalescence.*

Before we imitate any thing, we ought to examine whether it be worth imitating, and had this been done by the Convention at that time, they would have seen that the model from which their mimic imitation was made, was no better than unprofitable and disgraceful lumber.

There was no such thing in England as what is called the House of Lords until the conquest of that country by the Normans, under William the Conqueror, and like the king's negative over the laws, it is a badge of disgrace upon the country; for it is the effect and evidence of its having been reduced to unconditional submission.

William, having made the conquest, dispossessed the owners of their lands, and divided those lands among the chiefs of the plundering army he brought with him, and from hence arose what is called the *House of Lords.* Daniel de Foe, in his historical satire entitled "*The True-born Englishman,*" has very concisely given the origin and character of this House, as follows:

The great invading Norman let them know  
 What conquerors, in after times, might do;  
 To every musketeer he brought to town,  
 He gave the lands that never were his own—  
 He cantoned out the country to his men,  
 And every soldier was a denizen;  
 No parliament his army could disband,  
 He raised no money, for he paid in land;  
 The rascals, thus enriched, he called them *Lords,*  
 To please their upstart pride with new made words,  
 And Domesday Book his tyranny records;  
 Some show the sword, the bow, and some the spear,  
 Which their great ancestor, forsooth, did wear;  
 But who the hero was, no man can tell,  
 Whether a colonel or a corporal;  
 The silent record blushes to reveal  
 Their undescended dark original;  
 Great ancestors of yesterday they show,  
 And Lords whose fathers were—the *Lord knows who!*

This is the disgraceful origin of what is called the House of Lords in England, and it still retains some tokens of the plundering baseness of its origin. The swindler Dundas was lately made a lord, and is now called *noble lord!*<sup>1</sup> Why do they not give him his proper title, and call him *noble swindler,* for he swindled by wholesale. But it is probable he will escape punishment; for Blackstone, in his commentary on the laws, recites an Act of Parliament, passed in 1550, and not since repealed, that extends what is called the benefit of clergy,

<sup>1</sup> Lord Melville, impeached in 1805, but, as Paine predicted, acquitted by the Lords. It was to the same man that Paine addressed two public letters (vol. iii., chaps. 5 and 10 of this edition).—*Editor.*

that is, exemption from punishment for all clerical offences, to all lords and peers of the realm who could not read, as well as those who could, and also for "the crimes of *house-breaking, highway-robbing, horse-stealing, and robbing of churches.*" This is consistent with the original establishment of the House of Lords, for it was originally composed of robbers. This is aristocracy. This is one of the pillars of John Adams' "stupendous fabric of human invention." A privilege for house-breaking, highway-robbing, horse-stealing, and robbing of churches! John Adams knew but little of the origin and practice of the government of England. As to Constitution, it has none.

The Pennsylvania Convention of 1776 copied nothing from the English government. It formed a Constitution on the basis of honesty. The defect, as I have already said, of that constitution was the precipitancy to which the Legislatures might be subject in enacting laws. All the members of the Legislature established by that Constitution sat in one chamber, and debated in one body, and this subjected them to precipitancy. This precipitancy was provided against, but not effectually. The Constitution ordered that the laws, before being finally enacted, should be published for public consideration. But as no given time was fixed for that consideration, nor any means for collecting its effects, nor were there then any public newspapers in the State but what were printed in Philadelphia, the provision did not reach the intention of it, and thus a good and wise intention sank into mere form, which is generally the case when the means are not adequate to the end.

The ground work, however, of that Constitution was good, and deserves to be resorted to. Every thing that Franklin was concerned in producing merits attention. He was the wise and benevolent friend of man. Riches and honours made no alteration in his principles or his manners.

The Constitution of 1776 was conformable to the Declaration of Independence and the Declaration of Rights, which the present Constitution is not; for it makes artificial distinctions among men in the right of suffrage, which the principles of equity know nothing of; neither is it consistent with sound policy. We every day see the rich becoming poor, and those who were poor before becoming rich. Riches, therefore, having no stability, cannot and ought not to be made a criterion of right. Man is man in every condition of life, and the varieties of fortune and misfortune are open to all.

Had the number of representatives in the Legislature established by that Constitution been increased, and instead of their sitting together in one chamber, and debating and voting all at one time, been divided by lot into two equal parts, and sat in separate chambers, the advantage would have been, that one half, by not being entangled in the first debate, nor having committed itself by voting, would be silently possessed of the arguments, for and against, of the former part, and be in a calm condition to review the whole. And instead of one Chamber, or one House, or by whatever name they may be called, negating the vote of the other, which is now the case, and which admits of inconsistencies even to absurdities, to have added the votes of both chambers together, and the majority of the whole to be the final decision,—there would be reason in this, but there is none in the present mode. The instance that occurred in the Pennsylvania Senate, in the year 1800, on the bill for choosing electors, where a small majority in that house controuled and negated a large majority in the other House, shews the absurdity of such a division of legislative power.

To know if any theory or position be true or rational, in practice, the method is, to carry it to its greatest extent; if it be not true upon the whole, or be absurd, it is so in all its parts, however small. For instance, if one House consists of two hundred members and the other fifty, which is about the proportion they are in some of the States, and if a proposed law be carried on the affirmative in the larger House with only one dissenting voice, and be negated in the smaller House by a majority of one, the event will be, that twenty-seven controul and govern two hundred and twenty-three, which is too absurd even for argument, and totally inconsistent with the principles of representative

government, which know no difference in the value and importance of its members but what arises from their virtues and talents, and not at all from the name of the House or Chamber they sit in.

As the practice of a smaller number negating a greater is not founded in reason, we must look for its origin in some other cause.

The Americans have copied it from England, and it was brought into England by the Norman Conqueror, and is derived from the ancient French practice of voting by ORDERS, of which they counted three; *the Clergy*, (that is, Roman Catholic clergy,) the *Noblesse*, (those who had titles,) and the *Tiers État*, or third estate,\* which included all who were not of the two former orders, and which in England are called the *Commons*, or *common people*, and the house in which they are represented is from thence called the *House of Commons*.

The case with the Conqueror was, in order to complete and secure the conquest he had made, and hold the country in subjection, he cantoned it out among the chiefs of his army, to whom he gave castles, and whom he dubbed with the title of *Lords*, as is before shewn. These being dependent on the Conqueror, and having a united interest with him, became the defenders of his measures, and the guardians of his assumed prerogative against the people; and when the house called the *Commons House of Parliament* began by grants and charters from the Conqueror and his successors, these Lords, claiming to be a distinct ORDER from the Commons, though smaller in number, held a controuling or negating vote over them, and from hence arose the irrational practice of a smaller number negating a greater.

But what are these things to us, or why should we imitate them? We have but one ORDER in America, and that of the highest degree, the ORDER OF SOVEREIGNTY, and of this ORDER every citizen is a member in his own personal right. Why then have we descended to the base imitation of inferior things? By the event of the Revolution we were put in a condition of thinking originally. The history of past ages shews scarcely anything to us but instances of tyranny and antiquated absurdities. We have copied some of them, and experienced the folly of them.

Another subject of complaint in Pennsylvania is the Judiciary, and this appears to require a thorough reform. Arbitration will of itself reform a great part, but much will remain to require amendment. The courts of law still continue to go on, as to practice, in the same manner as when the State was a British colony. They have not yet arrived at the dignity of independence. They hobble along by the stilts and crutches of English and antiquated precedents. Their pleadings are made up of cases and reports from English law books; many of which are tyrannical, and all of them now foreign to us. Our courts require to be domesticated, for as they are at present conducted, they are a dishonour to the national sovereignty. Every case in America ought to be determined on its own merits, according to American laws, and all reference to foreign adjudications prohibited. The introduction of them into American courts serves only to waste time, embarrass causes, and perplex juries. This reform alone will reduce cases to a narrow compass easily understood.

The terms used in courts of law, in sheriffs' sales, and on several other occasions, in writs, and other legal proceedings, require reform. Many of those terms are Latin, and others French. The Latin terms were brought into Britain by the Romans, who spoke Latin, and who continued in Britain between four and five hundred years, from the first invasion of it by Julius Cæsar, fifty-two years before the Christian era. The French terms were brought by the Normans when they conquered England in 1066, as I have before shewn, and whose language was French.

\* The practice of voting by *orders* in France, whenever the States-General met, continued until the late Revolution. It was the present Abbé Sieyès who made the motion, in what was afterwards called the National Assembly, for abolishing the vote by *orders*, and established the rational practice of deciding by a majority of numbers.—*Author*.

These terms being still used in English law courts, show the origin of those courts, and are evidence of the country having been under foreign jurisdiction. But they serve to *mystify*, by not being generally understood, and therefore they serve the purpose of what is called law, whose business is to perplex; and the courts in England put up with the disgrace of recording foreign jurisdiction and foreign conquest, for the sake of using terms which the clients and the public do not understand, and from thence to create the false belief that law is a learned science, and lawyers are learned men. The English pleaders, in order to keep up the farce of the profession, always compliment each other, though in contradiction, with the title of *my learned brother*. Two farmers or two merchants will settle cases by arbitration which lawyers cannot settle by law. Where then is the learning of the law, or what is it good for?

It is here necessary to distinguish between *lawyer's law*, and *legislative law*. Legislative law is the law of the land, enacted by our own legislators, chosen by the people for that purpose. Lawyer's law is a mass of opinions and decisions, many of them contradictory to each other, which courts and lawyers have instituted themselves, and is chiefly made up of law-reports of cases taken from English law books. The case of every man ought to be tried by the laws of his own country, which he knows, and not by opinions and authorities from other countries, of which he may know nothing. A lawyer, in pleading, will talk several hours about law, but it is *lawyer's law*, and not *legislative law*, that he means.

The whole of the Judiciary needs reform. It is very loosely appointed in most of the States, and also in the general government. The case, I suppose, has been, that the judiciary department in a Constitution has been left to the lawyers, who might be in a Convention, to form, and they have taken care to leave it loose. To say, that a judge shall hold his office during *good behaviour*, is saying nothing; for the term *good behaviour* has neither a legal nor a moral definition. In the common acceptation of the term, it refers rather to a style of manners than to principles, and may be applied to signify different and contradictory things. A child of good behaviour, a judge of good behaviour, a soldier of good behaviour in the field, and a dancing-master of good behaviour in his school, cannot be the same good behaviour. What then is the good behaviour of a judge?

Many circumstances in the conduct and character of a man may render him unfit to hold the office of a judge, yet not amount to cause of impeachment, which always supposes the commission of some known crime. Judges ought to be held to their duty by continual responsibility, instead of which the constitution releases them from all responsibility, except by impeachment, from which, by the loose, undefined establishment of the judiciary, there is always a hole to creep out. In annual elections for legislators, every legislator is responsible every year, and no good reason can be given why those entrusted with the execution of the laws should not be as responsible, at stated periods, as those entrusted with the power of enacting them.

Releasing the judges from responsibility, is in imitation of an act of the English Parliament, for rendering the judges so far independent of what is called the Crown, as not to be removable by it. The case is, that judges in England are appointed by the Crown, and are paid out of the king's civil list, as being his representatives when sitting in court; and in all prosecutions for treason and criminal offences, the king is the prosecutor. It was therefore reasonable that the judge, before whom a man was to be tried, should not be dependent, for the tenure of his office, on the will of the prosecutor. But this is no reason that in a government founded on the representative system a judge should not be responsible, and also removable by some constitutional mode, without the tedious and expensive formality of impeachment. We remove or turn out presidents, governors, senators, and representatives, without this formality. Why then are judges, who are generally lawyers, privileged with duration? It is, I suppose, because lawyers have had the formation of the judiciary part of the Constitution.

The term, "contempt of court," which has caused some agitation in Pennsylvania, is also copied from England; and in that country it means *contempt of the king's authority or prerogative in court*, because the judges appear there as his representatives, and are styled in their commissions, when they open a court, "His Majesty the King's Justices."

This now undefined thing, called *contempt of court*, is derived from the Norman conquest of England, as is shown by the French words used in England, with which proclamation for silence, "on pain of imprisonment," begins, "Oyez, Oyez, Oyez."\* This shows it to be of Norman origin. It is, however, a species of despotism; for contempt of court is now any thing a court imperiously pleases to call so, and then it inflicts punishment as by prerogative without trial, as in Passmore's case, which has a good deal agitated the public mind. This practice requires to be constitutionally regulated, but not by lawyers.

Much yet remains to be done in the improvement of Constitutions. The Pennsylvania Convention, when it meets, will be possessed of advantages which those that preceded it were not. The ensuing Convention will have two Constitutions before them; that of 1776, and that of 1790, each of which continued about fourteen years. I know no material objection against the Constitution of 1776, except that in practice it might be subject to precipitancy; but this can be easily and effectually remedied, as the annexed essay, respecting "Constitutions, Governments, and Charters," will show. But there have been many and great objections and complaints against the present Constitution and the practice upon it, arising from the improper and unequal distribution it makes of power.

The circumstance that occurred in the Pennsylvania Senate in the year 1800, on the bill passed by the House of Representatives for choosing electors, justifies Franklin's opinion, which he gave by request of the Convention of 1776, of which he was president, respecting the propriety or impropriety of two houses negating each other. "It appears to me," said he, "like putting one horse before a cart and the other behind it, and whipping them both. If the horses are of equal strength, the wheels of the cart, like the wheels of government, will stand still; and if the horses are strong enough, the cart will be torn to pieces." It was only the moderation and good sense of the country, which did not engage in the dispute raised by the Senate, that prevented Pennsylvania from being torn to pieces by commotion.

Inequality of rights has been the cause of all the disturbances, insurrections, and civil wars, that ever happened in any country, in any age of mankind. It was the cause of the American revolution, when the English Parliament sat itself up to *bind America in all cases whatsoever*, and to reduce her to unconditional submission. It was the cause of the French revolution; and also of the civil wars in England, in the time of Charles and Cromwell, when the House of Commons voted the House of Lords useless.

The fundamental principle in representative government is, that *the majority governs*; and as it will be always happening that a man may be in the minority on one question, and in the majority on another, he obeys by the same principle that he rules. But when there are two houses of unequal numbers, and the smaller number negating the greater, it is the minority that governs, which is contrary to the principle. This was the case in Pennsylvania in 1800.

America has the high honour and happiness of being the first nation that gave to the world the example of forming written Constitutions by Conventions elected expressly for the purpose, and of improving them by the same procedure, as time and experience shall shew necessary. Government in other nations, vainly calling themselves civilized, has been established by bloodshed. Not a drop of blood has been shed in the United States in consequence of establishing Constitutions and governments by her own peaceful system. The silent vote, or the simple *yea* or *nay*, is more powerful than the bayonet, and decides the strength of numbers without a blow.

\* Hear ye, hear ye, hear ye.—*Author*.

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I have now, citizens of Pennsylvania, presented you, in good will, with a collection of thoughts and historical references, condensed into a small compass, that they may circulate the more conveniently. They are applicable to the subject before you, that of calling a Convention, in the progress and completion of which I wish you success and happiness, and the honour of shewing a profitable example to the States around you, and to the world.

Yours, in friendship,

THOMAS PAINE.

NEW ROCHELLE, NEW-YORK,  
August, 1805.





## APPENDIX H.

### CONSTITUTIONS, GOVERNMENTS, AND CHARTERS.

THE people of Pennsylvania are, at this time, earnestly occupied on the subject of calling a Convention to revise their State Constitution, and there can be but little doubt that a revision is necessary. It is a Constitution, they say, for the emolument of lawyers.

It has happened that the Constitutions of all the States were formed before any experience had been had on the representative system of government; and it would be a miracle in human affairs that mere theory without experience should start into perfection at once. The Constitution of New-York was formed so early as the year 1777. The subject that occupied and engrossed the mind of the public at that time was the revolutionary war, and the establishment of Independence, and in order to give effect to the Declaration of Independence by Congress it was necessary that the States severally should make a practical beginning by establishing State Constitutions, and trust to time and experience for improvement. The general defect in all the Constitutions is that they are modelled too much after the system, if it can be called a system, of the English government, which in practice is the most corrupt system in existence, for it is corruption systematized.

An idea also generally prevailed at that time of keeping what were called the Legislative, the Executive, and the Judicial powers distinct and separated from each other. But this idea, whether correct or not, is always contradicted in practice; for where the consent of a Governor, or Executive, is required to an Act before it can become a law, or where he can by his negative prevent an act of the legislature becoming a law, he is effectually a part of the Legislature, and possesses full one half of the powers of a whole Legislature.

In this state, (New-York,) this power is vested in a select body of men, composed of the Executive, by which is to be understood the Governor, the Chancellor, and the Judges, and called the Council of Revision. This is certainly better than vesting that power in an individual, if it is necessary to invest it any where; but is a direct contradiction to the maxim set up, that those powers ought to be kept separate; for here the Executive and the Judiciary are united into one power, acting legislatively.

When we see maxims that fail in practice, we ought to go to the root, and see if the maxim be true. Now it does not signify how many nominal divisions, and sub-divisions, and classifications we make, for the fact is, *there are but two powers in any government, the power of willing or enacting the laws, and the power of executing them*; for what is called the *Judiciary* is a branch of Executive power; it executes the laws; and what is called the *Executive* is a superintending power to see that the laws are executed.<sup>1</sup>

Errors in theory are, sooner or later, accompanied with errors in practice; and this leads me to another part of the subject, that of considering a Constitution and a Government relatively to each other.

A Constitution is the act of the people in their original character of sovereignty. A Government is a creature of the Constitution; it is produced and

<sup>1</sup> Cf. vol. ii., pp. 238-239.—*Editor.*

brought into existence by it. A Constitution defines and limits the powers of the Government it creates. It therefore follows, as a natural and also a logical result, that the governmental exercise of any power not authorized by the Constitution is an assumed power, and therefore illegal.

There is no article in the Constitution of this State, nor of any of the States, that invests the Government in whole or in part with the power of granting charters or monopolies of any kind; the spirit of the times was then against all such speculation; and therefore the assuming to grant them is unconstitutional, and when obtained by bribery and corruption is criminal. It is also contrary to the intention and principle of annual elections. Legislatures are elected annually, not only for the purpose of giving the people, in their elective character, the opportunity of showing their approbation of those who have acted right, by re-electing them, and rejecting those who have acted wrong; but also for the purpose of correcting the wrong (where any wrong has been done) of a former Legislature. But the very intention, essence, and principle of annual election would be destroyed, if any one Legislature, during the year of its authority, had the power to place any of its acts beyond the reach of succeeding Legislatures; yet this is always attempted to be done in those acts of a Legislature called charters. Of what use is it to dismiss Legislators for having done wrong, if the wrong is to continue on the authority of those who did it? Thus much for things that are wrong. I now come to speak of things that are right, and may be necessary.

Experience shows that matters will occasionally arise, especially in a new country, that will require the exercise of a power differently constituted to that of ordinary legislation; and therefore there ought to be in a Constitution an article, defining how that power shall be constituted and exercised. Perhaps the simplest method, that which I am going to mention, is the best; because it is still keeping strictly within the limits of annual elections, makes no new appointments necessary, and creates no additional expense. For example,

That all matters of a different quality to matters of ordinary legislation, such, for instance, as sales or grants of public lands, acts of incorporation, public contracts with individuals or companies beyond a certain amount, shall be proposed in one legislature, and published in the form of a bill, with the yeas and nays, after the second reading, and in that state shall lie over to be taken up by the succeeding Legislature; that is, there shall always be, on all such matters, one annual election take place between the time of bringing in the bill and the time of enacting it into a permanent law.<sup>1</sup>

It is the rapidity with which a self-interested speculation, or a fraud on the public property, can be carried through within the short space of one session, and before the people can be apprised of it, that renders it necessary that a precaution of this kind, unless a better can be devised, should be made an article of the Constitution. Had such an article been originally in the Constitution, the bribery and corruption employed to seduce and manage the members of the late Legislature, in the affair of the Merchants' Bank, could not have taken place. It would not have been worth while to bribe men to do what they had not the power of doing. That Legislature could only have proposed, but not have enacted the law; and the election then ensuing would, by discarding the proposers, have negated the proposal without any further trouble.

This method has the appearance of doubling the value and importance of annual elections. It is only by means of elections, that the mind of the public can be collected to a point on any important subject; and as it is always the interest of a much greater number of people in a country, to have a thing right than to have it wrong, the public sentiment is always worth attending to. It may sometimes err, but never intentionally, and never long. The experiment of the Merchants' Bank shows it is possible to bribe a small body of men, but it is always *impossible* to bribe a whole nation; and therefore in all legislative matters that by requiring permanency differ from acts of ordinary legislation,

<sup>1</sup> Cf. the distinction drawn between *acts* and *laws*, vol. ii., p. 142.—*Editor*.

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which are alterable or repealable at all times, it is safest that they pass through two legislatures, and a general election intervene between. The elections will always bring up the mind of the country on any important proposed bill; and thus the whole state will be its own *Council of Revision*. It has already passed its *veto* on the Merchants' Bank bill, notwithstanding the *minor* Council of Revision approved it.

COMMON SENSE.

NEW ROCHELLE, June 21, 1805.





## APPENDIX I.

### THE CAUSE OF THE YELLOW FEVER,

AND THE MEANS OF PREVENTING IT IN PLACES NOT YET INFECTED WITH IT.

*Addressed to the Board of Health in America.<sup>1</sup>*

A GREAT deal has been written respecting the Yellow Fever. First, with respect to its causes, whether domestic or imported. Secondly, on the mode of treating it.

What I am going to suggest in this essay is, to ascertain some point to begin at, in order to arrive at the cause, and for this purpose some preliminary observations are necessary.

The Yellow Fever always begins in the lowest part of a populous mercantile town near the water, and continues there, without affecting the higher parts. The sphere or circuit it acts in is small, and it rages most where large quantities of new ground have been made by banking out the river, for the purpose of making wharfs. The appearance and prevalence of the Yellow Fever in these places, being those where vessels arrive from the West Indies, has caused the belief that the Yellow Fever was imported from thence: but here are two cases acting in the same place: the one, the condition of the ground at the wharves, which being new made on the muddy and filthy bottom of the river, is different from the natural condition of the ground in the higher parts of the city, and consequently subject to produce a different kind of effluvia or vapour; the other case is the arrival of vessels from the West Indies.

In the State of Jersey neither of these cases has taken place; no shipping arrive there, and consequently there have been no embankments for the purpose

<sup>1</sup> The distinguished physician, Dr. Francis, in his recollections of "Old New York," makes honorable mention of this "timely" essay, to which indeed Paine had given a good deal of time and study. In a letter to Jefferson, September 23, 1803, he says: "We are still afflicted with the Yellow Fever, and the Doctors are disputing whether it is an imported or domestic disease. Would it not be a good measure to prohibit the arrival of all vessels from the West Indies from the last of June to the middle of October? If this was done this session of Congress, and we escaped the fever next summer, we should always know how to escape it. I question if performing quarantine is sufficient guard. The disease may be in the cargo, especially that part which is barrelled up, and not in the persons on board, and when that cargo is opened on our wharfs, the hot steaming air in contact with the ground imbibes the infection. I can conceive that infected air can be barrelled up, not in a hogshhead of rum, nor perhaps sucre, but in a barrel of coffee." Paine's pamphlet was printed in London, in 1807, by Clio Rickman, with the following lines (his own) on the title-page:

"Friend, to what'er is good, and great, and free,  
All comes appropriate and clear from THEE;  
And did Diogenes, in this our day,  
Seeking an Honest Man, pursue his way,  
Light but on THEE, no farther would he pry,  
But smile with joy—and throw his Lanthorn by!"

Rickman says in his note "To the Reader"—"I know it will gratify many to have anything from his pen; and to hear that the Author, though above seventy, possesses health, fortune, and happiness; and that he is held in the highest estimation amongst the most exalted and best characters in America—that America which is indebted for almost every blessing she knows to HIS labours and exertions."—*Editor.*

of wharfs; and the Yellow Fever has never broke out in Jersey. This, however, does not decide the point, as to the immediate cause of the fever, but it shows that this species of fever is not common to the country in its natural state; and, I believe the same was the case in the West Indies before embankments began for the purpose of making wharfs, which always alter the natural condition of the ground. No old history, that I know of, mentions such a disorder as the Yellow Fever.

A person seized with the Yellow Fever in an affected part of the town, and brought into the healthy part, or into the country, and among healthy persons, does not communicate it to the neighbourhood, or to those immediately around him; why then are we to suppose it can be brought from the West Indies, a distance of more than a thousand miles, since we see it cannot be carried from one town to another, nor from one part of a town to another, at home? Is it in the air? This question on the case requires a minute examination. In the first place, the difference between air and wind is the same as between a stream of water and a standing water. A stream of water is water in motion, and wind is air in motion. In a gentle breeze the whole body of air, as far as the breeze extends, moves at the rate of seven or eight miles an hour; in a high wind, at the rate of seventy, eighty, or an hundred miles an hour: when we see the shadow of a cloud gliding on the surface of the ground, we see the rate at which the air moves, and it must be a good trotting horse that can keep pace with the shadow, even in a gentle breeze; consequently, a body of air that is in and over any place of the same extent as the affected part of a city may be, will, in the space of an hour, even at the moderate rate I speak of, be moved seven or eight miles to leeward; and its place, in and over the city, will be supplied by a new body of air coming from a healthy part, seven or eight miles distant the contrary way; and then on in continual succession. The disorder, therefore, is not in the air, considered in its natural state, and never stationary. This leads to another consideration of the case.

An impure effluvia, arising from some cause in the ground, in the manner that fermenting liquors produce near their surface an effluvia that is fatal to life, will become mixed with the air contiguous to it, and as fast as that body of air moves off it will impregnate every succeeding body of air, however pure it may be when it arrives at the place.

The result from this state of the case is, that the impure air, or vapour, that generates the Yellow Fever, issues from the earth, that is, from the new made earth, or ground raised on the muddy and filthy bottom of the river; and which impregnates every fresh body of air that comes over the place, in like manner as air becomes heated when it approaches or passes over fire, or becomes offensive in smell when it approaches or passes over a body of corrupt vegetable or animal matter in a state of putrefaction.

The muddy bottom of rivers contains great quantities of impure and often inflammable air, (carburetted hydrogen gas,) injurious to life; and which remains entangled in the mud till let loose from thence by some accident. This air is produced by the dissolution and decomposition of any combustible matter falling into the water and sinking into the mud, of which the following circumstance will serve to give some explanation.

In the fall of the year that New York was evacuated (1783,) General Washington had his headquarters at Mrs. Berrian's, at Rocky Hill, in Jersey, and I was there: the Congress then sat at Prince Town.<sup>1</sup> We had several times been told that the river or creek, that runs near the bottom of Rocky Hill, and over which there is a mill, might be set on fire, for that was the term the country people used; and as General Washington had a mind to try the experiment, General Lincoln, who was also there, undertook to make preparation for it against the next evening, November 5th. This was to be done, as we were told, by disturbing the mud at the bottom of the river, and holding something in a blaze, as paper or straw, a little above the surface of the water.

<sup>1</sup> See vol. ii., p. 464, also my "Life of Paine," vol. i., p. 209.—*Editor*.

Colonels Humphreys and Cobb were at that time Aids-de-Camp of General Washington, and those two gentlemen and myself got into an argument respecting the cause. Their opinion was that, on disturbing the bottom of the river, some bituminous matter arose to the surface, which took fire when the light was put to it; I, on the contrary, supposed that a quantity of inflammable air was let loose, which ascended through the water, and took fire above the surface. Each party held to his opinion, and the next evening the experiment was to be made.

A scow had been stationed in the mill dam, and General Washington, General Lincoln, and myself, and I believe Colonel Cobb, (for Humphreys was sick,) and three or four soldiers with poles, were put on board the scow. General Washington placed himself at one end of the scow, and I at the other; each of us had a roll of cartridge paper, which we lighted and held over the water, about two or three inches from the surface, when the soldiers began disturbing the bottom of the river with the poles.

As General Washington sat at one end of the scow, and I at the other, I could see better any thing that might happen from his light, than I could from my own, over which I was nearly perpendicular. When the mud at the bottom was disturbed by the poles, the air bubbles rose fast, and I saw the fire take from General Washington's light and descend from thence to the surface of the water, in a similar manner as when a lighted candle is held so as to touch the smoke of a candle just blown out, the smoke will take fire, and the fire will descend and light up the candle. This was demonstrative evidence that what was called setting the river on fire was setting on fire the inflammable air that arose out of the mud.

I mentioned this experiment to Mr. Rittenhouse of Philadelphia<sup>1</sup> the next time I went to that city, and our opinion on the case was, that the air or vapour that issued from any combustible matter, (vegetable or otherwise,) that underwent a dissolution and decomposition of its parts, either by fire or water in a confined place, so as not to blaze, would be inflammable, and would become flame whenever it came in contact with flame.

In order to determine if this was the case, we filled up the breech of a gun barrel about five or six inches with saw dust, and the upper part with dry sand to the top, and after spiking up the touch hole, put the breech into a smith's furnace, and kept it red hot, so as to consume the saw dust; the sand of consequence would prevent any blaze. We applied a lighted candle to the mouth of the barrel; as the first vapour that flew off would be humid, it extinguished the candle; but after applying the candle three or four times, the vapour that issued out began to flash; we then tied a bladder over the mouth of the barrel, which the vapour soon filled, and then tying a string round the neck of the bladder, above the muzzle, took the bladder off.

As we could not conveniently make experiments upon the vapour while it was in the bladder, the next operation was to get it into a phial. For this purpose, we took a phial of about three or four ounces, filled it with water, put a cork slightly into it, and introducing it into the neck of the bladder, worked the cork out, by getting hold of it through the bladder, into which the water then emptied itself, and the air in the bladder ascended into the phial; we then put the cork into the phial, and took it from the bladder. It was now in a convenient condition for experiment.

We put a lighted match into the phial, and the air or vapour in it blazed up in the manner of a chimney on fire; we extinguished it two or three times, by stopping the mouth of the phial; and putting the lighted match to it again it repeatedly took fire, till the vapour was spent, and the phial became filled with atmospheric air.

These two experiments, that in which some combustible substance (branches and leaves of trees) had been decomposed by water, in the mud; and this, where the decomposition had been produced by fire, without blazing, shews

<sup>1</sup> David Rittenhouse (1732-1796) who succeeded Franklin as President of the Philosophical Society.—*Editor*.

that a species of air injurious to life, when taken into the lungs, may be generated from substances which, in themselves, are harmless.

It is by means similar to these that charcoal, which is made by fire without blazing, emits a vapour destructive to life. I now come to apply these cases, and the reasoning deduced therefrom, to account for the cause of the Yellow Fever.\*

First:—The Yellow Fever is not a disorder produced by the climate naturally, or it would always have been here in the hot months. The climate is the same now as it was fifty or a hundred years ago; there was no Yellow Fever then, and it is only within the last twelve years, that such a disorder has been known in America.

Secondly:—The low grounds on the shores of the rivers, at the cities, where the Yellow Fever is annually generated, and continues about three months without spreading, were not subject to that disorder in their natural state, or the Indians would have forsaken them; whereas, they were the parts most frequented by the Indians in all seasons of the year, on account of fishing. The result from these cases is, that the Yellow Fever is produced by some new circumstance not common to the country in its natural state, and the question is, what is that new circumstance?

It may be said, that everything done by the white people, since their settlement in the country, such as building towns, clearing lands, levelling hills, and filling vallies, is a new circumstance; but the Yellow Fever does not accompany any of these new circumstances. No alteration made on the dry land produces the Yellow Fever; we must therefore look to some other new circumstances, and we now come to those that have taken place between wet and dry, between land and water.

The shores of the rivers at New York, and also at Philadelphia, have on account of the vast increase of commerce, and for the sake of making wharfs, undergone great and rapid alterations from their natural state within a few years; and it is only in such parts of the shores where those alterations have taken place that the Yellow Fever has been produced. The parts where little or no alteration has been made, either on the East or North River, and which continue in their natural state, or nearly so, do not produce the Yellow Fever. The fact therefore points to the cause.

Besides several new streets gained from the river by embankment, there are upwards of eighty new wharfs made since the war, and the much greater part within the last ten or twelve years; the consequence of which has been that great quantities of filth or combustible matter deposited in the muddy bottom of the river contiguous to the shore, and which produced no ill effect while exposed to the air, and washed twice every twenty-four hours by the tide water, have been covered over several feet deep with new earth, and pent up, and the tide excluded. It is in these places, and in these only, that the Yellow Fever is produced.

Having thus shewn, from the circumstances of the case, that the cause of the Yellow Fever is in the place where it makes its appearance, or rather, in the pernicious vapour issuing therefrom, I go to shew a method of constructing wharfs, where wharfs are yet to be constructed (as on the shore on the East River at Corlider's Hook, and also on the North River) that will not occasion the Yellow Fever, and which may also point out a method of removing it from places already infected with it. Instead, then, of embanking out the river and raising solid wharves of earth on the mud bottom of the shore, the better method would be to construct wharfs on arches, built of stone; the tide will then flow in under the arch, by which means the shore, and the muddy bottom, will be washed and kept clean, as if they were in their natural state, without wharves.

When wharfs are constructed on the shore lengthways, that is without cut-

\* The author does not mean to infer that the inflammable air or carburetted hydrogen gas, is the cause of the Yellow Fever; but that perhaps it enters into some combination with miasm generated in low grounds, which produces the disease.—*Author.*

ting the shore up into slips, arches can easily be turned, because arches joining each other lengthways serve as buttments to each other; but when the shore is cut up into slips there can be no buttments; in this case wharfs can be formed on stone pillars, or wooden piles planked over on the top. In either of these cases, the space underneath will be commodious shelter or harbour for small boats, which can come in and go out always, except at low water, and be secure from storms and injuries. This method besides preventing the cause of the Yellow Fever, which I think it will, will render the wharfs more productive than the present method, because of the space preserved within the wharf.

I offer no calculation of the expence of constructing wharfs on arches or piles; but on a general view, I believe they will not be so expensive as the present method. A very great part of the expence of making solid wharfs of earth is occasioned by the carriage of materials, which will be greatly reduced by the methods here proposed, and still more so were the arches to be constructed of cast iron blocks. I suppose that one ton of cast iron blocks would go as far in the construction of an arch as twenty tons of stone.

If, by constructing wharfs in such a manner that the tide water can wash the shore and bottom of the river contiguous to the shore as they are washed in their natural condition, the Yellow Fever can be prevented from generating in places where wharfs are yet to be constructed, it may point out a method of removing it, at least by degrees, from places already infected with it; which will be by opening the wharfs in two or three places in each, and letting the tide water pass through; the parts opened can be planked over, so as not to prevent the use of the wharf.

In taking up and treating this subject, I have considered it as belonging to natural philosophy, rather than medicinal art; and therefore I say nothing about the treatment of the disease, after it takes place; I leave that part to those whose profession it is to study it.

THOMAS PAINE.

NEW YORK, June 27, 1806.





## APPENDIX J.

### LIBERTY OF THE PRESS.<sup>1</sup>

THE writer of this remembers a remark made to him by Mr. Jefferson concerning the English newspapers, which at that time, 1787, while Mr. Jefferson was Minister at Paris, were most vulgarly abusive. The remark applies with equal force to the Federal papers of America. The remark was, that "the licentiousness of the press produces the same effect as the restraint of the press was intended to do, if the restraint was to prevent things being told, and the licentiousness of the press prevents things being believed when they are told." We have in this state an evidence of the truth of this remark. The number of Federal papers in the city and state of New-York are more than five to one to the number of Republican papers, yet the majority of the elections go always against the Federal papers; which is demonstrative evidence that the licentiousness of those papers is destitute of credit.

Whoever has made observation on the characters of nations will find it generally true that the manners of a nation, or of a party, can be better ascertained from the character of its press than from any other public circumstance. If its press is licentious, its manners are not good. Nobody believes a common liar, or a common defamer.

Nothing is more common with printers, especially of newspapers, than the continual cry of the *Liberty of the Press*, as if because they are printers they are to have more privileges than other people. As the term *Liberty of the Press* is adopted in this country without being understood, I will state the origin of it, and show what it means. The term comes from England, and the case was as follows:

Prior to what is in England called *the Revolution*, which was in 1688, no work could be published in that country without first obtaining the permission of an officer appointed by the government for inspecting works intended for publication. The same was the case in France, except that in France there were forty who were called *Censors*, and in England there was but one, called *Imprimatur*.

At the Revolution, the office of *Imprimatur* was abolished, and as works could then be published without first obtaining the permission of the government officer, the press was, in consequence of that abolition, said to be free, and it was from this circumstance that the term *Liberty of the Press* arose. The press, which is a tongue to the eye, was then put exactly in the case of the human tongue. A man does not ask liberty before hand to say something he has a mind to say, but he becomes answerable afterwards for the atrocities he may utter. In like manner, if a man makes the press utter atrocious things, he becomes as answerable for them as if he had uttered them by word of mouth. Mr. Jefferson has said in his inaugural speech, that "*error of opinion might be tolerated, when reason was left free to combat it.*" This is sound philosophy in cases of error. But there is a difference between error and licentiousness.

Some lawyers in defending their clients, (for the generality of lawyers, like

<sup>1</sup> From the *American Citizen*, October 20, 1806. Paine had witnessed in France (see vol. iii. p. 138) the terrible effects of personal libels shielded under the liberty of press.—*Editor.*

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Swiss soldiers, will fight on either side,) have often given their opinion of what they defined the liberty of the press to be. One said it was this, another said it was that, and so on, according to the case they were pleading. Now these men ought to have known that the term *liberty of the press* arose from a FACT, the abolition of the office of Imprimeur, and that opinion has nothing to do in the case. The term refers to the fact of printing *free from prior restraint*, and not at all to the matter printed, whether good or bad. The public at large,—or in case of prosecution, a jury of the country—will be judges of the matter.

THOMAS PAINE.

October 19, 1806.





## APPENDIX K.

### SONGS AND RHYMES.

#### THE DEATH OF GENERAL WOLFE.<sup>1</sup>

In a mouldering cave where the wretched retreat,  
Britannia sat wasted with care ;  
She mourned for her Wolfe, and exclaim'd against fate  
And gave herself up to despair.  
The walls of her cell she had sculptured around  
With the feats of her favourite son ;  
And even the dust, as it lay on the ground,  
Was engraved with the deeds he had done.

The sire of the Gods, from his crystalline throne,  
Beheld the disconsolate dame,  
And moved with her tears, he sent Mercury down,  
And these were the tidings that came :  
' Britannia forbear, not a sigh nor a tear  
For thy Wolfe so deservedly loved,  
Your tears shall be changed into triumphs of joy,  
For thy Wolfe is not dead but removed.

' The sons of the East, the proud giants of old,  
Have crept from their darksome abodes,  
And this is the news as in Heaven it was told,  
They were marching to war with the Gods ;  
A Council was held in the chambers of Jove,  
And this was their final decree,  
That Wolfe should be called to the armies above,  
And the charge was entrusted to me.

' To the plains of Quebec with the orders I flew,  
He begg'd for a moment's delay ;  
He cry'd, ' Oh ! forbear, let me victory hear,  
And then thy command I 'll obey.'  
With a darksome thick film I encompass'd his eyes,  
And bore him away in an urn,  
Lest the fondness he bore to his own native shore,  
Should induce him again to return.'

<sup>1</sup> This song was written at the time of Wolfe's death, and is said to have been sung at the Headstrong Club, in Lewes, England. In several editions it is said to have been printed in *The Gentleman's Magazine*. Such is not the fact. It first appeared in Paine's *Pennsylvania Magazine*, March, 1775, with the music. It is the earliest composition of Paine which has been preserved.—*Editor*.

FARMER SHORT'S DOG PORTER: A TALE.<sup>1</sup>

The following story, ridiculous as it is, is a fact. A farmer at New Shoreham, near Bright-helmstone, in England, having voted at an election for a member of Parliament, contrary to the pleasure of three neighboring justices, they took revenge upon his dog, which they caused to be hung, for starting a hare upon the road. The piece has been very little seen, never published, nor any copies taken.

THREE Justices (so says my tale)  
 Once met upon the public weal.  
 For learning, law, and parts profound,  
 Their fame was spread the county round;  
 Each by his wondrous art could tell  
 Of things as strange as Sydrophe!;  
 Or by the help of sturdy ale,  
 So cleverly could tell a tale,  
 That half the gaping standers by  
 Would laugh aloud. The rest would cry.  
 Or by the help of nobler wine,  
 Would knotty points so nice define,  
 That in an instant right was wrong,  
 Yet did not hold that station long,  
 For while they talk'd of wrong and right,  
 The question vanish'd out of sight.  
 Each knew by practice where to turn  
 To every powerful page in Burn,  
 And could by help of note and book  
 Talk law like Littleton and Coke.  
 Each knew by instinct when and where  
 A farmer caught or kill'd a hare;  
 Could tell if any man had got  
 One hundred pounds per ann. or not;  
 Or what was greater, could divine  
 If it was only ninety-nine.  
 For when the hundred wanted one,  
 They took away the owner's gun.  
 Knew by the leering of an eye  
 If girls had lost their chastity,  
 And if they had not—would divine  
 Some way to make their virtue shine.

<sup>1</sup> This incident was made the subject of a prose drama, by Mr. Justice Edward Long: "The Trial of Farmer Carter's Dog Porter, for Murder. Taken down verbatim et literatim in Short-hand (*sic*), and now published by Authority, from the corrected Manuscript of Counselor Clear-point, Barrister at Law. N. B. This is the only true and authentic copy; and all others are spurious.

'— Manet altá mente repostum  
 Judicium."

VIRGIL.

"LONDON: Printed for T. LOWNDES, in Fleet-Street. MDCCLXXI. Price One Shilling."

Nichols ("Literary Anecdotes," viii., p. 435) says that Long's pamphlet "has been attributed to Tom Paine, some of whose admirers assert that he did write a pamphlet on that subject, founded on a real event which actually took place, 1771, in the neighbourhood of Chichester, where the actors in the tragedy were well known by their nicknames given in Mr. Long's pamphlet."

Regarding the genuineness of the incident, it seems to be sufficiently attested by the fact of its having engaged the attention of two different writers, Justice Long and Paine, neither of whom seems (for I have carefully compared the two) to have seen the composition of the other; nor need it be wondered at by those who recall that, so recently as 1888, a Welsh jury ordered the destruction of a gun which had killed a man. (*Folklore*, March, 1895, p. 70.) There is little doubt that this piece, like the Song on Wolfe, was written by Paine to amuse his fellows of the Headstrong Club, at Lewes, where he resided until the autumn of 1774. It was first printed in the *Pennsylvania Magazine* (edited by Paine), July, 1775.—*Editor*.

These learned brothers being assembled,  
 (At which the county feared and trembled,)  
 A warrant sent to bring before 'em,  
 One Farmer Short, who dwelt at Shoreham,  
 Upon a great and heavy charge,  
 Which we shall here relate at large,  
 That those who were not there may read,  
 In after days, the mighty deed :

*Vis.*

“ That he, the 'foresaid Farmer Short,  
 Being by the devil moved, had not  
 One hundred pounds per annum got ;  
 That having not (in form likewise)  
 The fear of God before his eyes,  
 By force and arms did keep and cherish,  
 Within the aforesaid town and parish,  
 Against the statute so provided,  
 A dog. And there the dog abided.  
 That he, this dog, did then and there  
 Pursue, and take, and kill a hare ;  
 Which treason was, or some such thing,  
 Against our SOVEREIGN LORD THE KING. ”

The constable was bid to jog,  
 And bring the farmer—not the dog.

But fortune, whose perpetual wheel  
 Grinds disappointment sharp as steel,  
 On purpose to attack the pride  
 Of those who over others ride,  
 So nicely brought the matter round,  
 That Farmer Short could not be found,  
 Which plunged the bench in so much doubt  
 They knew not what to go about.  
 But after pondering pro and con,  
 And mighty reasonings thereupon,  
 They found, on opening of the laws,  
 That he, the dog aforesaid, was  
 By being privy to the fact,  
 Within the meaning of the act,  
 And since the master had withdrawn,  
 And was the Lord knows whither gone,  
 They judged it right, and good in law,  
 That he, the dog, should answer for  
 Such crimes as they by proof could show,  
 Were acted by himself and Co.  
 The constable again was sent,  
 To bring the dog ; or dread the event.

POOR PORTER, right before the door,  
 Was guarding of his master's store ;  
 And as the constable approach'd him,  
 He caught him by the leg and broach'd him ;  
 Poor Porter thought (if dogs can think)  
 He came to steal his master's chink.

The man, by virtue of his staff,  
 Bid people help ; not stand and laugh ;  
 On which a mighty rout began ;  
 Some blamed the dog, and some the man.  
 Some said he had no business there,  
 Some said he had business every where.  
 At length the constable prevail'd,  
 And those who would not help were jail'd ;  
 And taking Porter by the collar,  
 Commanded all the guards to follow.

The justices received the felon,  
 With greater form than I can tell on,  
 And quitting now their wine and punch,  
 Began upon him all at once.

At length a curious quibble rose,  
 How far the law could interpose,  
 For it was proved, and rightly too,  
 That he, the dog, did not pursue  
 The hare with any ill intent,  
 But only followed by the scent ;  
 And she, the hare, by running hard,  
 Thro' hedge and ditch, without regard,  
 Plunged in a pond, and there was drown'd,  
 And by a neighboring justice found ;  
 Wherefore, though he the hare annoy'd,  
 It can't be said that he destroy'd ;  
 It even can't be proved he beat her,  
 And " to destroy " must mean " to eat her."  
 Did you e'er see a gamester struck,  
 With all the symptoms of ill luck ?  
 Or mark the visage which appears,  
 When even Hope herself despairs ?  
 So look'd the bench, and every brother  
 Sad pictures drew of one another ;  
 Till one more learned than the rest  
 Rose up, and thus the court address'd :

" Why, gentlemen, I 'll tell ye how,  
 Ye may clear up this matter now,  
 For I am of opinion strong  
 The dog deserves, and should be hung.  
 I 'll prove it by as plain a case,  
 As is the nose upon your face.

" Now if, suppose, a man, or so,  
 Should be obliged, or not, to go  
 About, or not about, a case,  
 To this, or that, or t' other place ;  
 And if another man, for fun,  
 Should fire a pistol (*viz.*) a gun,  
 And he, the first, by knowing not  
 That he, the second man, had shot,  
 Should undesign'dly meet the bullet,  
 Against the throat (in Greek) the gullet,  
 And get such mischief by the hit

As should unsense him of his wit,  
 And if that, after that he died,  
 D'ye think the other may n't be tried?  
 Most sure he must, and hang'd, because  
 He fired his gun against the laws:  
 For 't is a case most clear and plain,  
 Had A not shot, B had not been slain:  
 So had the dog not chased the hare,  
 She never had been drown'd—that 's clear."

This logic, rhetoric, and wit,  
 So nicely did the matter hit,  
 That Porter, though unheard, was cast,  
 And in a halter breathed his last.  
 The justices adjourned to dine,  
 And whet their logic up with wine.

### THE SNOWDROP AND THE CRITIC,<sup>1</sup>

*To the Editor of the Pennsylvania Magazine, 1775.*

SIR—

I have given your very modest "Snow Drop" what, I think, Shakespeare calls "a local habitation and a name;" that is, I have made a poet of him, and have sent him to take possession of a page in your next Magazine: here he comes, disputing with a critic about the propriety of a prologue. ♫

*Enter CRITIC and SNOW DROP.*

CRITIC.

Prologues to magazines!—the man is mad,  
 No magazine a prologue ever had;  
 But let us hear what new and mighty things  
 Your wonder working magic fancy brings.

SNOW DROP.

Bit by the muse in an unlucky hour,  
 I've left myself at home, and turn'd a flower,  
 And thus disguised came forth to tell my tale,  
 A plain white Snow Drop gathered from the vale:  
 I come to sing that summer is at hand,  
 The summer time of wit you 'll understand;  
 And that this garden of our Magazine  
 Will soon exhibit such a pleasing scene,  
 That even critics shall admire the show  
 If their good grace will give us time to grow;  
 Beneath the surface of the parent earth  
 We've various seeds just struggling into birth;

<sup>1</sup> In the Introduction to the *Pennsylvania Magazine*, No. 1, it was said that "like the snow-drop it comes forth in a barren season, and contents itself with foretelling that choicer flowers are preparing to appear." Paine was the Editor, and wrote both the Introduction and this poetic response.—*Editor*.

Plants, fruits, and flowers, and all the smiling race,  
 That can the orchard or the garden grace ;  
 Our numbers, Sir, so fast and endless are,  
 That when in full complexion we appear,  
 Each eye, each hand, shall pluck what suits its taste,  
 And every palate shall enjoy a feast ;  
 The Rose and Lily shall address the fair,  
 And whisper sweetly out, " My dears, take care " ;  
 With sterling worth, the Plant of Sense shall rise,  
 And teach the curious to philosophize ;  
 The keen eyed wit shall claim the Scented Briar,  
 And sober cites the Solid Grain admire ;  
 While generous Juices sparkling from the Vine,  
 Shall warm the audience until they cry—divine !  
 And when the scenes of one gay month are o'er,  
 Shall clap their hands, and shout—encore, encore !

## CRITIC.

All this is mighty fine ! but prithee, when  
 The frost returns, how fight you then your men ?

## SNOW DROP.

I 'll tell you, Sir : we 'll garnish out the scenes  
 With stately rows of hardy Evergreens,  
 Trees that will bear the frost, and deck their tops  
 With everlasting flowers, like diamond drops ;  
 We'll draw, and paint, and carve, with so much skill,  
 That wondering wits shall cry,—diviner still !

## CRITIC.

Better, and better, yet ! but now suppose,  
 Some critic wight, in mighty verse or prose,  
 Should draw his gray goose weapon, dipt in gall,  
 And mow ye down, Plants, Flowers, Trees, and all.

## SNOW DROP.

Why, then we 'll die like Flowers of sweet Perfume,  
 And yield a fragrance even in the tomb !

## THE MONK AND THE JEW.

AN unbelieving Jew one day  
 Was skating o'er the icy way,  
 Which being brittle let him in,  
 Just deep enough to catch his chin ;  
 And in that woful plight he hung,  
 With only power to move his tongue.  
 A brother skater near at hand,  
 A Papist born in foreign land,

With hasty strokes directly flew  
 To save poor Mordecai the Jew—  
 "But first, quoth he, I must enjoin  
 That you renounce your faith for mine;  
 There 's no entreaties else will do,  
 'T is heresy to help a Jew—"  
 "Forswear mine fait! No! Cot forbid!  
 Dat would be very base indeed,  
 Come never mind such tings as deeze,  
 Tink, tink, how fery hard it freeze.  
 More coot you do, more coot you be,  
 Vat signifies your fait to me?  
 Come tink agen, how cold and vet,  
 And help me out von little bit."  
 "By holy mass, 't is hard, I own,  
 To see a man both hang and drown,  
 And can't relieve him from his plight  
 Because he is an Israelite;  
 The church refuses all assistance,  
 Beyond a certain pale and distance;  
 And all the service I can lend  
 Is praying for your soul my friend."  
 "Pray for my soul, ha! ha! you make me laugh.  
 You petter help me out py half:  
 Mine soul I farrant will take care,  
 To pray for her own self, my tear:  
 So tink a little now for me,  
 'T is I am in de hole not she."  
 "The church forbids it, friend, and saith  
 That all shall die who have no faith."  
 "Vell, if I must believe, I must,  
 But help me out von little first."  
 "No, not an inch without Amen  
 That seals the whole"—"Vell, hear me den,  
 I here renounce for coot and all  
 De race of Jews both great and small;  
 'Tis de vurst trade peneath the sun,  
 Or vurst religion; dat 's all von.  
 Dey cheat, and get deir living py 't,  
 And lie, and swear the lie is right.  
 I'll co to mass as soon as ever  
 I get to toder side the river.  
 So help me out, dow Christian friend,  
 Dat I may do as I *intend*."  
 "Perhaps you do intend to cheat,  
 If once you get upon your feet."  
 "No, no, I do intend to be  
 A *Christian*, such a one as *dee*."  
 For, thought the Jew, he is as much  
 A Christian man as I am such.  
 The bigot Papist joyful hearted  
 To hear the heretic converted,  
 Replied to the *designing* Jew,  
 "This was a happy fall for you:  
 You 'd better die a Christian now,  
 For if you live you 'll break your vow."  
 Then said no more, but in a trice  
 Popp'd Mordecai beneath the ice.

## IMPROMPTU ON

## BACHELORS' HALL,

*At Philadelphia, being destroyed by Lightning, 1775.*

FAIR Venus so often was miss'd from the skies,  
 And Bacchus as frequently absent likewise,  
 That the synod began to inquire out the reason,  
 Suspecting the culprits were plotting of treason ;  
 At length it was found they had open'd a ball  
 At a place by the mortals call'd Bachelors' Hall ;  
 Where Venus disclosed every fun she could think of,  
 And Bacchus made nectar for mortals to drink of,  
 Jove, highly displeas'd at such riotous doings,  
 Sent Time to reduce the whole building to ruins ;  
 But Time was so slack with his traces and dashes,  
 That Jove in a passion consumed it to ashes.

## LIBERTY TREE.

*A Song, written early in the American Revolution.*

*Tune—The gods of Greece.*

IN a chariot of light, from the regions of day,  
 The Goddess of Liberty came,  
 Ten thousand celestials directed her way,  
 And hither conducted the dame,  
 A fair budding branch from the gardens above,  
 Where millions with millions agree,  
 She brought in her hand as a pledge of her love,  
 And the plant she named Liberty Tree.

The celestial exotic stuck deep in the ground,  
 Like a native it flourished and bore ;  
 The fame of its fruit drew the nations around,  
 To seek out this peaceable shore,  
 Unmindful of names or distinctions they came,  
 For freemen like brothers agree ;  
 With one spirit endued, they one friendship pursued,  
 And their temple was Liberty Tree.

Beneath this fair tree, like the patriarchs of old,  
 Their bread in contentment they ate,  
 Unvexed with the troubles of silver or gold,  
 The cares of the grand and the great,  
 With timber and tar they Old England supplied,  
 And supported her power on the sea :  
 Her battles they fought, without getting a goat,  
 For the honour of Liberty Tree.

But hear, O ye swains, ('t is a tale most profane,)  
 How all the tyrannical powers,  
 Kings, Commons, and Lords, are uniting amain  
 To cut down this guardian of ours.

From the east to the west blow the trumpet to arms,  
Thro' the land let the sound of it flee :  
Let the far and the near all unite with a cheer,  
In defence of our Liberty Tree.

AN ADDRESS TO LORD HOWE.<sup>1</sup>

THE rain pours down, the city looks forlorn,  
And gloomy subjects suit the howling morn ;  
Close by my fire, with door and window fast,  
And safely shelter'd from the driving blast,  
To gayer thoughts I bid a day's adieu,  
To spend a scene of solitude with you.

So oft has black revenge engross'd the care  
Of all the leisure hours man finds to spare ;  
So oft has guilt, in all her thousand dens,  
Call'd for the vengeance of chastising pens ;  
That while I fain would ease my heart on you,  
No thought is left untold, no passion new.

From flight to flight the mental path appears,  
Worn with the steps of near six thousand years,  
And fill'd throughout with every scene of pain,  
From George the murderer down to murderous Cain  
Alike in cruelty, alike in hate,  
In guilt alike, but more alike in fate,  
Curs'd supremely for the blood they drew,  
Each from the rising world, while each was new.

Go, man of blood ! true likeness of the first,  
And strew your blasted head with homely dust :  
In ashes sit—in wretched sackcloth weep,  
And with unpitied sorrows cease to sleep.  
Go haunt the tombs, and single out the place  
Where earth itself shall suffer a disgrace,  
Go spell the letters on some mouldering urn,  
And ask if he who sleeps there can return.  
Go count the numbers that in silence lie,  
And learn by study what it is to die ;  
For sure your heart, if any heart you own,  
Conceits that man expires without a groan ;  
That he who lives receives from you a grace,  
Or death is nothing but a change of place :  
That peace is dull, that joy from sorrow springs  
And war the most desirable of things.  
Else why these scenes that wound the feeling mind,  
This sport of death—this cockpit of mankind !  
Why sobs the widow in perpetual pain ?  
Why cries the orphan, " Oh ! my father 's slain ! "  
Why hangs the sire his paralytic head,  
And nods with manly grief—" My son is dead ! "

<sup>1</sup> The British Commander to whom Paine addressed "Crisis No. II.," January 13, 1777.—  
*Editor.*

Why drops the tear from off the sister's cheek,  
 And sweetly tells the misery she would speak?  
 Or why, in sorrow sunk, does pensive John  
 To all the neighbors tell, "Poor master's gone!"

Oh! could I paint the passion that I feel,  
 Or point a horror that would wound like steel,  
 To thy unfeeling, unrelenting mind,  
 I'd send destruction and relieve mankind.  
 You that are husbands, fathers, brothers, all  
 The tender names which kindred learn to call;  
 Yet like an image carved in massy stone,  
 You bear the shape, but sentiment have none;  
 Allied by dust and figure, not with mind,  
 You only herd, but live not with mankind,

Since then no hopes to civilize remain,  
 And mild Philosophy has preached in vain,  
 One prayer is left, which dreads no proud reply,  
 That he who made you breathe will make you die.

#### THE BOSTON PATRIOTIC SONG.

*Tune*—Anacreon in Heaven.

YE sons of Columbia who bravely have fought,  
 For those rights which unstain'd from your sires have descended,  
 May you long taste the blessings your valor has bought,  
 And your sons reap the soil which their fathers defended;  
     'Mid the reign of mild peace,  
     May your nation increase,  
 With the glory of Rome, and the wisdom of Greece;  
 And ne'er may the sons of Columbia be slaves,  
 While the earth bears a plant or the sea rolls its waves.

In a clime whose rich vales feed the marts of the world,  
 Whose shores are unshaken by Europe's commotion,  
 The trident of commerce should never be hurl'd,  
 To increase the legitimate power of the ocean;  
     But should pirates invade,  
     Though in thunder array'd,  
 Let your cannon declare the free charter of trade.  
 For ne'er shall the sons, etc.

The fame of our arms, of our laws the mild sway,  
 Had justly ennobled our nation in story,  
 Till the dark clouds of faction obscured our bright day,  
 And envelop'd the sun of American glory;  
     But let traitors be told,  
     Who their country have sold,  
 And barter'd their God for his image in gold,  
 That ne'er shall the sons, etc.

While France her huge limbs bathes recumbent in blood,  
 And society's base threats with wide dissolution,  
 May Peace, like the dove who return'd from the flood,  
 Find an Ark of abode in our mild Constitution ;  
     But tho' peace is our aim,  
     Yet the boon we disclaim,  
 If bought by our Sovereignty, Justice, or Fame.  
     For ne'er shall the sons, etc.

'T is the fire of the flint each American warms,  
 Let Rome's haughty victors beware of collision !  
 Let them bring all the vassals of Europe in arms,  
 We're a World by ourselves, and disdain a division ;  
     While with patriot pride,  
     To our laws we're allied,  
 No foe can subdue us, no faction divide ;  
     For ne'er shall the sons, etc.

Our mountains are crown'd with imperial oak,  
 Whose roots like our Liberty ages have nourish'd,  
 But long e'er the nation submits to the yoke,  
 Not a tree shall be left on the soil where it flourish'd.  
     Should invasion impend,  
     Every grove would descend,  
 From the hill tops they shaded, our shores to defend.  
     For ne'er shall the sons, etc.

Let our patriots destroy vile anarchy's worm,  
 Lest our Liberty's growth should be check'd by corrosion,  
 Then let clouds thicken round us, we heed not the storm,  
 Our earth fears no shock but the earth's own explosion ;  
     Foes assail us in vain,  
     Tho' their fleets bridge the main,  
 For our altars, and claims, with our lives we'll maintain.  
     For ne'er shall the sons, etc.

Should the tempest of war overshadow our land,  
 Its bolts can ne'er rend Freedom's temple asunder ;  
 For unmoved at its portals would Washington stand  
 And repulse with his breast the assaults of the thunder.  
     His sword from its sleep,  
     In its scabbard would leap,  
 And conduct with its point every flash to the deep.  
     For ne'er shall the sons, etc.

Let Fame to the world sound America's voice,  
 No intrigue her sons from their government can sever ;  
 Its wise regulations and laws are their choice,  
 And shall flourish till Liberty slumber forever.  
     Then unite heart and hand,  
     Like Leonidas' band ;  
 And swear by the God of the ocean and land,  
     That ne'er shall the sons of Columbia be slaves,  
     While the earth bears a plant, or the sea rolls its waves.

## HAIL GREAT REPUBLIC.

*Tune*—Rule Britannia.

HAIL great Republic of the world,  
 Which rear'd her empire in the west,  
 Where fam'd Columbus' flag unfurl'd,  
 Gave tortured Europe scenes of rest ;  
 Be thou forever great and free,  
 The land of Love, and Liberty !

Beneath thy spreading, mantling vine,  
 Beside each flowery grove and spring,  
 And where thy lofty mountains shine,  
 May all thy sons and fair ones sing.  
 Be thou forever, &c.

From thee may hellish Discord prowl,  
 With all her dark and hateful train ;  
 And whilst thy mighty waters roll,  
 May heaven-descended Concord reign.  
 Be thou forever, &c.

Where'er the Atlantic surges lave,  
 Or sea the human eye delights,  
 There may thy starry standard wave,  
 The Constellation of thy Rights !  
 Be thou forever, &c.

May ages as they rise proclaim  
 The glories of thy natal day ;  
 And States from thy exalted name  
 Learn how to rule, and to obey.  
 Be thou forever, &c.

Let Laureats make their birthdays known,  
 Or how war's thunderbolts are hurl'd ;  
 Tis ours the charter, ours alone,  
 To sing the birthday of a world !  
 Be thou forever great and free,  
 The land of Love and Liberty !

## COLUMBIA.

*Tune*—Anacreon in Heaven.

To Columbia who, gladly reclined at her ease  
 On Atlantic's broad bosom, lay smiling in peace,  
 Minerva flew hastily sent from above,  
 And address her this message from thundering Jove :  
 " Rouse, quickly awake !  
 Your Freedom 's at stake,  
 Storms arise, your renown'd Independence to shake,

Then lose not a moment, my aid I will lend,  
If your sons will assemble your Rights to defend.

Roused Columbia rose up, and indignant declared,  
That no nation she'd wrong'd and no nation she fear'd,  
That she wished not for war, but if war were her fate,  
She would rally up souls independent and great :

Then tell mighty Jove,

That we quickly will prove,

We deserve the protection he'll send from above ;  
For ne'er shall the sons of America bend,  
But united their Rights and their Freedom defend.

Minerva smiled cheerfully as she withdrew,  
Enraptured to find her Americans true,  
" For," said she, " our sly Mercury oft-times reports,  
That your sons are divided "—Columbia retorts,  
" Tell that vile god of thieves,  
His report but deceives,  
And we care not what madman such nonsense believes,  
For ne'er shall the sons of America bend,  
But united their Rights and their Freedom defend."

Jove rejoiced in Columbia such union to see,  
And swore by old Styx she deserved to be free ;  
Then assembled the Gods, who all gave consent,  
Their assistance if needful her ill to prevent ;  
Mars arose, shook his armour,  
And swore his old Farmer<sup>1</sup>  
Should ne'er in his country see aught that could harm her,  
For ne'er should the sons of America bend,  
But united their Rights and their Freedom defend.

Minerva resolved that her Ægis she'd lend,  
And Apollo declared he their cause would defend,  
Old Vulcan an armour would forge for their aid,  
More firm than the one for Achilles he made.  
Jove vow'd he'd prepare,  
A compound most rare,  
Of courage and union, a bountiful share ;  
And swore ne'er shall the sons of America bend,  
But their Rights and their Freedom most firmly defend.

Ye sons of Columbia, then join hand in hand,  
Divided we fall, but united we stand ;  
'T is ours to determine, 't is ours to decree,  
That in peace we will live Independent and Free ;  
And should from afar  
Break the horrors of war,  
We'll always be ready at once to declare,  
That ne'er will the sons of America bend,  
But united their Rights and their Freedom defend.

<sup>1</sup> Washington.—*Editor*.

FROM THE CASTLE IN THE AIR,  
TO THE LITTLE CORNER OF THE WORLD.<sup>1</sup>

IN the region of clouds, where the whirlwinds arise,  
My Castle of Fancy was built ;  
The turrets reflected the blue from the skies,  
And the windows with sunbeams were gilt.

The rainbow sometimes, in its beautiful state,  
Enamell'd the mansion around ;  
And the figures that fancy in clouds can create,  
Supplied me with gardens and ground.

I had grottoes, and fountains, and orange tree groves,  
I had all that enchantment has told ;  
I had sweet shady walks, for the Gods and their Loves,  
I had mountains of coral and gold.

But a storm that I felt not, had risen and roll'd,  
While wrapp'd in a slumber I lay ;  
And when I look'd out in the morning, behold  
My Castle was carried away.

It pass'd over rivers, and vallies, and groves,  
The world it was all in my view ;  
I thought of my friends, of their fates, of their loves,  
And often, full often of YOU.

At length it came over a beautiful scene,  
That nature in silence had made ;  
The place was but small, but 't was sweetly serene,  
And chequer'd with sunshine and shade.

I gazed and I envied with painful goodwill,  
And grew tired of my seat in the air ;  
When all of a sudden my Castle stood still,  
As if some attraction was there.

Like a lark from the sky it came fluttering down,  
And placed me exactly in view,  
When whom should I meet in this charming retreat,  
This corner of calmness, but YOU.

Delighted to find you in honour and ease,  
I felt no more sorrow, nor pain ;  
But the wind coming fair, I ascended the breeze,  
And went back with my Castle again.

<sup>1</sup> Addressed to Lady Smyth (see vol. iii., chap. 27). While in prison in Paris, Paine received sympathetic letters from "The Little Corner of the World." He responded from "The Castle in the Air," and afterwards found her to be Lady Smyth.—*Editor.*

## TO SIR ROBERT SMYTH.

*Paris, 1800.*

As I will not attempt to rival your witty description of Love, (in which you say, "Love is like paper, with a fool it is wit, with a wit it is folly,") I will retreat to sentiment, and try if I can match you there ; and that I may start with a fair chance, I will begin with your own question,

## WHAT IS LOVE ?

'T is that delightful transport we can feel  
Which painters cannot paint, nor words reveal,  
Nor any art we know of can conceal.

Canst thou describe the sunbeams to the blind,  
Or make him feel a shadow with his mind ?  
So neither can we by description shew  
This first of all Felicities below.

When happy Love pours magic o'er the soul,  
And all our thoughts in sweet delirium roll ;  
When Contemplation spreads her rainbow wings,  
And every flutter some new rapture brings ;  
How sweetly then our moments glide away,  
And dreams repeat the raptures of the day :  
We live in ecstasy, to all things kind,  
For Love can teach a moral to the mind.

But are there not some other marks that prove,  
What is this wonder of the soul, call'd Love ?  
O yes there are, but of a different kind,  
The dreadful horrors of a dismal mind :  
Some jealous Fury throws her poison'd dart,  
And rends in pieces the distracted heart.

When Love 's a tyrant, and the soul a slave,  
No hope remains to thought, but in the grave ;  
In that dark den it sees an end to grief,  
And what was once its dread becomes relief.

What are the iron chains that hands have wrought ?  
The hardest chain to break is made of thought.  
Think well of this, ye Lovers, and be kind,  
Nor play with torture on a tortured mind.

## CONTENTMENT ; OR, IF YOU PLEASE, CONFESSION.

*To Mrs. Barlow, on her pleasantly telling the author, that after writing against the superstition of the Scripture religion, he was setting up a religion capable of more bigotry and enthusiasm, and more dangerous to its votaries—that of making a religion of Love.*

O COULD we always live and love,  
And always be sincere,  
I would not wish for heaven above,  
My heaven would be here.

Though many countries I have seen,  
And more may chance to see,  
*My Little Corner of the World*  
Is half the world to me ;

The other half, as you may guess,  
America contains ;  
And thus, between them, I possess  
The whole world for my pains.

I 'm then contented with my lot,  
I can no happier be ;  
For neither world I 'm sure has got  
So rich a man as me.

Then send no fiery chariot down  
To take me off from hence,  
But leave me on my heavenly ground—  
This prayer is *common-sense*.

Let others choose another plan,  
I mean no fault to find ;  
The true theology of man  
Is *happiness of mind*.

## IMPROMPTU

## ON A LONG-NOSED FRIEND.

GOING along the other day,  
Upon a certain plan ;  
I met a nose upon the way,  
Behind it was a man.

I called unto the nose to stop,  
And when it had done so,—  
The man behind it—he came up ;  
They made Zenobio.

*Paris, 1800.*

A FEDERALIST FEAST.<sup>1</sup>

*From Mr. Paine to Mr. Jefferson, on the occasion of a toast being given at a federal dinner at Washington, of, "May they never know pleasure who love Paine."*

I SEND you, Sir, a tale about some 'Feds,'  
 Who, in their wisdom, got to loggerheads.  
 The case was this, they felt so flat and sunk,  
 They took a glass together and got drunk.  
 Such things, you know, are neither new nor rare,  
 For some will harry themselves when in despair.  
 It was the natal day of Washington,  
 And that they thought a famous day for fun ;  
 For with the learned world it is agreed,  
 The better day the better deed.  
 They talked away, and as the glass went round  
 They grew, in point of wisdom, more profound ;  
 For at the bottom of the bottle lies  
 That kind of sense we overlook when wise.  
 'Come, here 's a toast,' cried one, with roar immense,  
 May none know pleasure who love (Common Sense).  
 'Bravo !' cried some,—no, no ! some others cried,  
 But left it to the waiter to decide.  
 'I think, said he, the case would be more plain,  
 To leave out (Common Sense), and put in Paine.'  
 On this a mighty noise arose among  
 This drunken, bawling, senseless throng :  
 Some said that common sense was all a curse,  
 That making people wiser made them worse—  
 It learned them to be careful of their purse,  
 And not be laid about like babes at nurse,  
 Nor yet believe in stories upon trust,  
 Which all mankind, to be well governed, must ;  
 And that the toast was better at the first,  
 And he that did n't think so might be cursed.  
 So on they went, till such a fray arose  
 As all who know what Feds are may suppose.

## LINES EXTEMPORE.

*July, 1803.*

QUICK as the lightning's vivid flash  
 The poet's eye o'er Europe rolls ;  
 Sees battles rage, hears tempests crash,  
 And dims at horror's threatening scowls—

Marks ambition's ruthless king,  
 With crimson'd banners scathe the globe,  
 While trailing after conquest's wing,  
 Man's festering wounds his demons probe.

<sup>1</sup> 1803. I found these lines among some manuscripts of William Cobbett.—*Editor.*

Palléd with streams of reeking gore  
That stain the proud imperial day ;  
He turns to view the western shore,  
Where freedom holds her boundless sway.

'T is here her sage<sup>1</sup> triumphant sways  
An empire in the people's love,  
'T is here the sovereign will obeys  
No King but Him who rules above.

THE STRANGE STORY OF

KORAH, DATHAN, AND ABIRAM.

*Numbers, chap. xvi., accounted for.*

OLD ballads sing of Chevy Chace,  
Beneath whose rueful shade,  
Full many a valiant man was slain  
And many a widow made.

But I will tell of one much worse,  
That happ'd in days of yore,  
All in the barren wilderness,  
Beside the Jordan shore,

Where Moses led the children forth,  
Call'd chosen tribes of God,  
And fed them forty years with quails,  
And ruled them with a rod.

A dreadful fray once rose among  
These self named tribes of I Am ;  
Where Korah fell, and by his side  
Fell Dathan and Abiram.

An earthquake swallowed thousands up,  
And fire came down like stones,  
Which slew their sons and daughters all,  
Their wives and little ones.

'T was all about old Aaron's tythes  
This murdering quarrel rose ;  
For tythes are worldly things of old,  
That led from words to blows.

A Jew of Venice has explained,  
In the language of his nation,  
The manner how this fray began,  
Of which here is translation.

<sup>1</sup> President Jefferson.—*Editor.*

There was a widow old and poor,  
Who scarce herself could keep ;  
Her stock of goods was very small,  
Her flock one single sheep.

And when her time of shearing came,  
She counted much her gains ;  
For now, said she, I shall be blest  
With plenty for my pains.

When Aaron heard the sheep was shear'd  
And gave a good increase,  
He straightway sent his tything man  
And took away the fleece.

At this the weeping widow went  
To Korah to complain,  
And Korah he to Aaron went  
In order to explain.

But Aaron said, in such a case,  
There can be no forbearing,  
The law ordains that thou shalt give  
The first fleece of thy shearing.

When lambing time was come about,  
This sheep became a dam,  
And bless'd the widow's mournful heart,  
By bringing forth a lamb.

When Aaron heard the sheep had young,  
He staid till it was grown,  
But then he sent his tything man,  
And took it for his own.

Again the weeping widow went  
To Korah with her grief,  
But Aaron said, in such a case  
There could be no relief ;

For in the holy law 't is writ,  
That whilst thou keep'st the stock,  
Thou shalt present unto the Lord  
The firstling of thy flock.

The widow then, in deep distress,  
And having naught to eat,  
Against her will she killed the sheep,  
To feed upon the meat.

When Aaron heard the sheep was killed  
He sent and took a limb ;  
Which by the holy law, he said,  
Pertained unto him :

For in the holy law 't is writ,  
That when thou kill'st a beast,  
Thou shalt a shoulder and a breast  
Present unto the priest.

The widow then, worn out with grief,  
Sat down to mourn and weep ;  
And in a fit of passion said,  
The devil take the sheep !

Then Aaron took the whole away,  
And said, the laws record  
That all and each devoted thing  
Belongs unto the Lord.

The widow went among her kin,  
The tribes of Israel rose,  
And all the widows, young and old,  
Pull'd Aaron by the nose.

But Aaron called an earthquake up,  
And fire from out the sky ;  
And all the consolation is—  
The Bible tells a lie.

A COMMENTARY ON

THE EASTERN WISE MEN,

*Travelling to Bethlehem, guided by a Star, to see the little Jesus in a Manger,  
as recorded in the Gospel of Matthew.*

THREE pedlars travelling to a fair,  
To see the fun and what was there,  
And sell their merchandise ;  
They stopp'd upon the road to chat,  
Refresh, and ask of this and that,  
That they might be more wise.

“ And pray,” the landlord says to them,  
“ Where go ye, sirs ? ” “ To Bethlehem,”  
The citizens replied,  
“ You 're merchants, sirs,” to them said he,  
“ We are,” replied the pedlars three,  
“ And eastern men beside.”

“ I pray, what have you in your packs ?  
If worth the while I will go snacks,”  
To them quoth Major Domo ;  
“ We 've buckles, buttons, spectacles,  
And every thing a merchant sells,”  
Replied the travelling trio.

" These things are very well," said he,  
 " For beaux and those who cannot see  
 Much further than their knuckles ;  
 But Bethlehem Fair 's for boys and girls  
 Who never think of spectacles,  
 And cannot buy your buckles :

" I have a pack of toys," quoth he,  
 " A travelling merchant left with me,  
 Who could not pay his score,  
 And you shall have them on condition  
 You sell them at a cheap commission,  
 And make the money sure."

" There 's one of us will stay in pawn,  
 Until the other two return,  
 If you suspect our faith," said they ;  
 The landlord thought this was a plan  
 To leave upon his hands the man,  
 And therefore he said " Nay."

They truck'd however for the pack,  
 Which one of them took on his back,  
 And off the merchants travelled ;  
 And here the tale the apostles told  
 Of wise men and their gifts of gold,  
 Will fully be unravelled.

The star in the east that shines so bright,  
 As might be seen both day and night,  
 If you will credit them,  
 It was no other than a sign  
 To a public house where pedlars dine,  
 In East Street, Bethlehem.

These wise men were the pedlars three,  
 As you and all the world may see,  
 By reading to the end ;  
 For commentators have mistook,  
 In paraphrasing on a book  
 They did not understand.

Our travellers coming to a house,  
 Scarce fit to entertain a mouse,  
 Enquired to have a room ;  
 The landlord said he was not able,  
 To give them any but a stable,  
 So many folks were come.

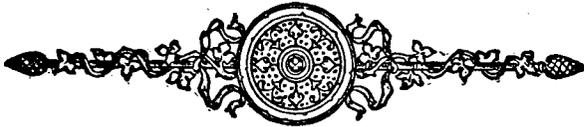
" I pray, whom have you here," say they,  
 " And how much money must we pay,  
 For we have none to spare."  
 " Why, there 's one Joseph and a wench,  
 Who are to go before the bench  
 About a love affair.

“ Some how or other, in a manger,  
A child exposed to every danger  
Was found, as if 't was sleeping :  
The girl she swears that she 's a maid,  
So says the man, but I 'm afraid  
On me will fall the keeping :

“ Now if you 'll set your wits about  
To find this knotty matter out,  
I 'll pay whate'er it may be.”  
Then on the trav'ling pedlars went,  
To pay their birthday compliment,  
And talk about the baby.

They then unpack'd their pack of toys,  
Some were for show and some for noise,  
But mostly for the latter ;  
One gave a rattle, one a whistle,  
And one a trumpet made of gristle,  
To introduce the matter :

One squeaked away, the other blew,  
The third played on the rattle too,  
To keep the bantling easy ;  
And hence this story comes to us,  
Of which some people make such fuss,  
About the Eastern Magi.





## APPENDIX L.<sup>1</sup>

### CASE OF THE OFFICERS OF EXCISE ; WITH REMARKS ON THE QUALIFICATIONS OF OFFICERS, AND ON THE NUMEROUS EVILS ARISING TO THE REVENUE, FROM THE INSUFFICIENCY OF THE PRESENT SALARY: HUMBLY ADDRESSED TO THE MEMBERS OF BOTH HOUSES OF PARLIAMENT.

#### THE INTRODUCTION.

As a Design among the Excise Officers throughout the Kingdom is on Foot, for an humble Application to Parliament next Session, to have the State of their Salaries taken into Consideration ; it has been judged not only expedient, but highly necessary, to present a State of their Case, previous to the Presentation of their Petition.

There are some Cases so singularly reasonable, that the more they are considered, the more Weight they obtain. It is a strong Evidence both of Simplicity and honest Confidence, when Petitioners in any Case ground their Hopes of Relief on having their Case fully and perfectly known and understood.

Simple as this Subject may appear at first, it is a Matter, in my humble Opinion, not unworthy a Parliamentary Attention. 'T is a Subject interwoven with a Variety of Reasons from different Causes. New Matter will arise on every Thought. *If the Poverty of the Officers of Excise, if the Temptations arising from their Poverty, if the Qualifications of Persons to be admitted into Employment, if the Security of the Revenue itself,* are Matters of any Weight, then I am conscious that my voluntary Services in this Business, will produce some good Effect or other, either to the better Security of the Revenue, the Relief of the Officers, or both.

#### THE STATE OF THE SALARY OF THE OFFICERS OF EXCISE.

WHEN a Year's Salary is mentioned in the Gross, it acquires a Degree of Consequence from its *Sound*, which it would not have if separated into daily Payments, and if the Charges attending the receiving and other unavoidable Expences were considered with it. Fifty Pounds a Year, and One Shilling and Ninepence Farthing a Day, carry as different Degrees of Significancy with them, as My Lord's Steward, and the Steward's Labourer ; and yet an Out-Ride Officer in the Excise, under the Name of Fifty Pounds a Year, receives for himself no more than One Shilling and Ninepence Farthing a Day.

<sup>1</sup> I place at the end of my edition Paine's earliest prose composition and his last,—his Plea for Excisemen, and his Will. This Plea was a petition to Parliament ; it was printed and widely distributed in 1772, but not published until 1793. Its interest being now mainly biographical, I have reproduced it with exactness, including its multiplicity of capitals. Concerning the circumstances under which it was written, see my "Life of Paine," vol. i., ch. 2.—*Editor.*

After Tax, Charity, and sitting Expences are deducted, there remains very little more than Forty-six pounds; and the expences of Horse-keeping in many Places cannot be brought under Fourteen Pounds a Year, besides the Purchase at first, and the Hazard of Life, which reduces it to Thirty-two Pounds *per Annum*, or One Shilling and Ninepence Farthing *per Day*.

I have spoken more particularly of the Out-Rides, as they are by far the most numerous, being in Proportion to the Foot-Walks as Eight is to Five throughout the Kingdom. Yet in the latter the same Misfortunes exist; the Channel of them only is altered. The excessive dearness of House-rent, the great Burthen of Rates and Taxes, and the excessive Price of all Necessaries of Life, in Cities and large Trading Towns, nearly counter-balance the expences of Horse-keeping. Every Office has its Stages of Promotions, but the pecuniary Advantages arising from a Foot-walk are so inconsiderable, and the Loss of disposing of Effects, or the Charges of removing them to any considerable Distance so great, that many Out-ride Officers with a Family remain as they are, from an Inability to bear the Loss, or support the expence.

The Officers resident in the Cities of *London* and *Westminster*, are exempt from the particular Disadvantages of Removals. This seems to be the only Circumstance which they enjoy superior to their Country Brethren. In every other respect they lay under the same Hardships, and suffer the same Distresses.

There are no Perquisites or Advantages in the least, annexed to the Employment. A few Officers who are stationed along the Coast, may sometimes have the good Fortune to fall in with a Seizure of contraband Goods, and yet, that frequently at the Hazard of their Lives: But the inland Officers can have no such Opportunities. Besides, the surveying Duty in the Excise is so continual, that without Remissness from the real Business itself, there is no Time to seek after them. With the Officers of the Customs it is quite otherwise; their whole Time and Care is appropriated to that Service, and their Profits are in proportion to their Vigilance.

If the Increase of Money in the Kingdom is one Cause of the high Price of Provisions, the Case of the Excise-Officers is peculiarly pitiable. No Increase comes to them—They are shut out from the general Blessing—They behold it like a map of *Peru*. The answer of Abraham to Dives is somewhat applicable to them, "*There is a great Gulf fix'd.*"

To the Wealthy and Humane, it is a Matter worthy of Concern that their Affluence should become the Misfortune of others. Were the Money in the Kingdom to be increased double, the Salary would in Value be reduced one half. Every Step upwards, is a Step downwards with them. Not to be Partakers of the Increase would be a little hard, but to be Sufferers by it exceedingly so. The Mechanic and the Labourer may in a great Measure ward off the Distress, by raising the Price of their Manufactures or their Work, but the Situation of the Officers admits of no such Relief.

Another Consideration in their Behalf, (and which is peculiar to the Excise,) is, that as the Law of their Office removes them far from all their natural Friends and Relations, it consequently prevents those occasional Assistances from them, which are serviceably felt in a Family, and which even the poorest among the poor enjoys. Most poor Mechanics, or even common Labourers, have some Relations or Friends, who, either out of Benevolence or Pride, keep their Children from Nakedness, supply them occasionally with perhaps half a Hog, a Load of Wood, a Chaldron of Coals, or something or other which abates the Severity of their Distress; and yet those Men thus relieved will frequently earn more than the daily Pay of an Excise Officer.

Perhaps an Officer will appear more reputable with the same Pay, than a Mechanic or Labourer. The difference arises from Sentiment, not Circumstances. A something like reputable Pride makes all the Distinction, and the thinking Part of Mankind well knows that none suffer so much as they who endeavour to conceal their Necessities.

The frequent Removals which unavoidably happen in the Excise are at-

tended with such an Expence, especially where there is a Family, as few Officers are able to support. About two Years ago, an Officer with a Family, under Orders for removing, and rather embarrassed Circumstances, made his Application to me, and from a conviction of his Distress I advanced a small Sum to enable him to proceed. He ingenuously declared, that without the Assistance of some Friend, he should be driven to do Injustice to his Creditors, and compelled to desert the Duty of his Office. He has since honestly paid me, and does as well as the Narrowness of such Circumstances can admit of.

There is one general allowed Truth which will always operate in their favour, which is, that no Set of Men under his Majesty earn their Salary with any Comparison of Labour and Fatigue with that of the Officers of Excise. The Station may rather be called a Seat of constant Work, than either a Place or an Employment. Even in the different Departments of the general Revenue, they are unequalled in the Burthen of Business; a Riding-Officer's place in the Customs, whose Salary is 60 *l.* a Year, is *Ease* to theirs; and the Work in the Window-Light Duty, compared with the Excise, is Lightness itself; yet their Salary is subject to no Tax, they receive Forty-nine pounds Twelve shillings and Sixpence, without Deduction.

The Inconveniences which affect an Excise Officer are almost endless; even the Land Tax Assessment upon their Salaries, which though the Government pays, falls often with Hardship upon them. The Place of their Residence, on account of the Land Tax, has in many Instances, created frequent Contentions between Parishes, in which the Officer, though the innocent and unconcerned Cause of the Quarrel, has been the greater Sufferer.

To point out particularly the Impossibility of an Excise Officer supporting himself and Family, with any proper Degree of Credit and Reputation, on so scanty a Pittance, is altogether unnecessary. The Times, the Voice of general Want, is Proof itself. Where Facts are sufficient, Arguments are useless; and the Hints which I have produced are such as affect the Officers of Excise *differently* to any other set of Men. A single Man may barely live; but as it is not the Design of the Legislature, or the Honourable Board of Excise, to impose a State of Celibacy on them, the Condition of much the greater Part is truly wretched and pitiable.

Perhaps it may be said, Why do the Excise Officers complain; they are not pressed into the Service, and may relinquish it when they please; if they can mend themselves, why don't they? Alas! what a Mockery of Pity would it be, to give such an Answer to an honest, faithful old Officer in the Excise, who had spent the Prime of his Life in the Service, and was become unfit for any Thing else. The Time limited for an Admission into an Excise Employment, is between twenty-one and thirty Years of Age—the very Flower of Life. Every other Hope and Consideration is then given up, and the Chance of establishing themselves in any other Business becomes in a few Years not only lost to them, but they become lost to it. "There is a Tide in the Affairs of Men," which if embraced, leads on to Fortune—*That neglected*, all beyond is Misery or Want.

When we consider how few in the Excise arrive at any comfortable Eminence, and the Date of Life when such Promotions only can happen, the great Hazard there is of ill rather than good Fortune in the Attempt, and that all the Years antecedent to that is a State of mere Existence, wherein they are shut out from the common Chance of Success in any other Way: a Reply like that can be only a Derision of their Wants. 'T is almost impossible after any long Continuance in the Excise, that they *can* live any other way. Such as are of Trades, would have their Trade to learn over again; and People would have but little Opinion of their Abilities in any Calling, who had been ten, fifteen, or twenty Years absent from it. Every Year's Experience gained in the Excise, is a Year's Experience lost in Trade; and by the Time they become wise Officers, they become foolish Workmen.

Were the Reasons for augmenting the Salary grounded only on the Charitableness of so doing, they would have great Weight with the Compassionate.

But there are Auxiliaries of such a powerful Cast, that in the Opinion of Policy they obtain the Rank of Originals. The first is truly the Case of the Officers, but this is rather the Case of the Revenue.

The Distresses in the Excise are so generally known, that Numbers of Gentlemen, and other Inhabitants in Places where Officers are resident, have generously and humanely recommended their Case to the Members of the Honourable House of Commons: And Numbers of Traders of Opulence and Reputation, well knowing that the Poverty of an Officer may subject him to the fraudulent Designs of some selfish Persons under his Survey, to the great Injury of the fair Trader, and Trade in general, have, from Principles both of Generosity and Justice, joined in the same Recommendation.

THOUGHTS ON THE CORRUPTION OF PRINCIPLES, AND ON THE  
NUMEROUS EVILS ARISING TO THE REVENUE, FROM THE TOO  
GREAT POVERTY OF THE OFFICERS OF EXCISE.

It has always been the Wisdom of Government to consider the Situation and Circumstances of Persons in Trust. Why are large Salaries given in many Instances, but to proportion it to the Trust, to set Men above Temptation, and to make it even literally worth their while to be honest? The Salaries of the Judges have been augmented, and their Places made independent even on the Crown itself, for the above wise Purposes.

Certainly there can be nothing unreasonable in supposing there is such an Instinct as Frailty among the Officers of Excise, in common with the rest of Mankind; and that the most effectual Method to keep Men honest is to enable them to live so. The Tenderness of Conscience is too often overmatched by the Sharpness of Want; and Principle, like Chastity, yields with just Reluctance enough to excuse itself. There is a powerful Rhetorick in Necessity, which exceeds even a *Dunning* or a *Wedderburne*. No Argument can satisfy the feelings of Hunger, or abate the Edge of Appetite. Nothing tends to a greater Corruption of Manners and Principles, than a too great Distress of Circumstances; and the Corruption is of that Kind, that it spreads a Plaster for itself: Like a Viper, it carries a Cure, though a false one, for its own Poison. *Agur*, without any Alternative, has made Dishonesty the immediate Consequence of Poverty. "Lest I be poor and steal."<sup>1</sup> A very little Degree of that dangerous Kind of Philosophy, which is the almost certain Effect of involuntary Poverty, will teach men to believe that to starve is more criminal than to steal, by as much as every Species of Self-Murder exceeds every other Crime; that true Honesty is sentimental, and the Practice of it dependent upon Circumstances. If the Gay find it difficult to resist the Allurements of Pleasure, the Great the temptations of Ambition, or the Miser the Acquisition of Wealth, how much stronger are the Provocations of Want and Poverty? The Excitements to Pleasure, Grandeur, or Riches, are mere "Shadows of a Shade," compared to the irresistible Necessities of Nature. Not to be led into temptation, is the prayer of Divinity itself; and to guard against, or rather to prevent, such insnaring Situations, is one of the greatest Heights of Human Prudence: In private life it is partly religious; and in a Revenue Sense, it is truly political.

The Rich, in Ease and Affluence, may think I have drawn an unnatural Portrait; but could they descend to the cold Regions of Want, the Circle of Polar Poverty, they would find their Opinions changing with the Climate. There are Habits of Thinking peculiar to different Conditions, and to find them out is truly to study Mankind.

That the situation of an Excise Officer is of this dangerous Kind, must be allowed by every one who will consider the Trust unavoidably reposed in him, and compare the Narrowness of his Circumstances with the Hardship of the

<sup>1</sup> See *ante*, p. 125.—*Editor*.

Times. If the Salary was judged competent an Hundred Years ago, it cannot be so now. Should it be advanced, that if the present Set of Officers are dissatisfied with the Salary, that enow may be procured not only for the present Salary, but for less; the Answer is extremely easy. The question needs only be put; it destroys itself. Were Two or Three Thousand Men to offer to execute the Office without any Salary, would the Government accept them? No. Were the same Number to offer the same Service for a Salary less than can possibly support them, would the government accept them? Certainly No; for while Nature, in spite of Law or Religion, makes it a ruling Principle not to starve, the event would be this, that if they could not live on the Salary, they would discretionarily live out of the Duty. Quære, whether Poverty has not too great an Influence now? Were the Employment a Place of direct Labour, and not of Trust, then Frugality in the Salary would be sound Policy: But when it is considered that the greatest single Branch of the Revenue, a Duty amounting to near Five Millions Sterling, is annually charged by a Set of Men, most of whom are wanting even the common Necessaries of Life, the thought must, to every Friend to Honesty, to every Person concerned in the Management of the Public Money, be strong and striking. Poor and in Power, are powerful Temptations; I call it Power, because they have it in their Power to defraud. The trust unavoidably reposed in an Excise Officer is so great, that it would be an Act of Wisdom, and perhaps of Interest, to secure him from the Temptations of downright Poverty. To relieve their Wants would be Charity, but to secure the Revenue by so doing, would be Prudence. Scarce a Week passes at the Office but some Detections are made of fraudulent and collusive proceedings. The Poverty of the Officers is the fairest Bait for a designing Trader that can possibly be; such introduce themselves to the Officer under the common Plea of the Insufficiency of the Salary. Every considerate Mind must allow, that Poverty and Opportunity corrupt many an honest Man. I am not at all surpris'd that so many opulent and reputable Traders have recommended the Case of the Officers to the good favour of their Representatives. They are sensible of the pinching Circumstances of the Officers, and of the injury to Trade in general, from the Advantages which are taken of them. The welfare of the fair Trader and the Security of the Revenue are so inseparably one, that their Interest or Injuries are alike. It is the Opinion of such whose Situation give them a perfect Knowledge in the Matter, that the Revenue suffers more by the Corruption of a few Officers in a County, than would make a handsome Addition to the Salary of the whole Number in the same Place.

I very lately knew an Instance where it is evident, on Comparison of the Duty charged since, that the Revenue suffered by one Trader, (and he not a very considerable one,) upwards of One Hundred and Sixty Pounds *per Annum* for several Years; and yet the Benefit to the Officer was a mere trifle, in Consideration of the Trader's. Without Doubt the Officer would have thought himself much happier to have received the same Addition another Way. The Bread of Deceit is a Bread of Bitterness; but alas! how few in Times of Want and Hardship are capable of thinking so: Objects appear under new Colours, and in Shapes not naturally their own; Hunger sucks in the Deception, and Necessity reconciles it to Conscience.

The Commissioners of Excise strongly enjoin that no Officer accept any Treaty, Gratuity, or, in short, lay himself under any kind of Obligation to the Traders under their Survey: The wisdom of such an Injunction is evident; but the Practice of it, to a Person surrounded with Children and Poverty, is scarcely possible; and such Obligations, wherever they exist, must operate, directly or indirectly, to the Injury of the Revenue. Favours will naturally beget their Likenesses, especially where the Return is not at our own Expence.

I have heard it remarked by a Gentleman whose Knowledge in Excise Business is indisputable, that there are Numbers of Officers who are even afraid to look into an unentered Room, lest they should give Offence. Poverty and Obligation tye up the Hands of Office, and give a prejudicial Bias to the Mind.

There is another kind of Evil, which, though it may never amount to what

may be deemed Criminality in Law, yet it may amount to what is much worse in Effect, and that is, *a constant and perpetual leakage in the revenue*: A Sort of Gratitude in the Dark, a distant Requit for such Civilities as only the lowest Poverty would accept, and which are a Thousand *per Cent.* above the Value of the Civility received. Yet there is no immediate Collusion; the Trader and Officer are both safe; the Design, if discovered, passes for Error.

These, with numberless other Evils, have all their Origin in the Poverty of the Officers. Poverty, in Defiance of Principle, begets a Degree of Meanness that will stoop to almost any Thing. A thousand Refinements of Argument may be brought to prove, that the Practice of Honesty will be still the same, in the most trying and necessitous Circumstances. He who never was an hunger'd may argue finely on the Subjection of his Appetite; and he who never was distressed, may harangue as beautifully on the Power of Principle. But Poverty, like Grief, has an incurable Deafness, which never hears; the Oration loses all its Edge; and "*To be, or not to be,*" becomes the only Question.

There is a striking Difference between Dishonesty arising from Want of Food, and Want of Principle. The first is worthy of Compassion, the other of Punishment. Nature never produced a Man who would starve in a well stored Larder, because the Provisions were not his own: But he who robs it from Luxury of Appetite deserves a Gibbet.

There is another Evil which the Poverty of the Salary produces, and which nothing but an Augmentation of it can remove; and that is Negligence and Indifference. These may not appear of such dark Complexion as Fraud and Collusion, but their Injuries to the Revenue are the same. It is impossible that any Office or Business can be regarded as it ought, where this ruinous Disposition exists. It requires no sort of Argument to prove that the Value set upon any Place or Employment will be in Proportion to the Value of it; and that Diligence or Negligence will arise from the same Cause.<sup>1</sup> The continual Number of Relinquishments and Discharges always happening in the Excise, are evident Proofs of it.

Persons first coming into the Excise form very different Notions of it, to what they have afterwards. The gay Ideas of Promotion soon expire. The Continuance of Work, the Strictness of the Duty, and the Poverty of the Salary, soon beget Negligence and Indifference: The Course continues for a while, the Revenue suffers, and the Officer is discharged: The Vacancy is soon filled up, new ones arise to produce the same Mischief, and share the same Fate.

What adds still more to the Weight of this Grievance is, that this destructive Disposition reigns most among such as are otherwise the most proper and qualified for the Employment; such as are neither fit for the Excise, or any Thing else, are glad to hold in by any Means: But the Revenue lies at as much Hazard from their Want of Judgment, as from the others' Want of Diligence.

In private Life, no Man would trust the Execution of any important Concern to a Servant who was careless whether he did it or not, and the same Rule must hold good in a Revenue Sense. The Commissioners may continue discharging every Day, and the Example will have no Weight while the Salary is an Object so inconsiderable, and this Disposition has such a general Existence. Should it be advanced, that if Men will be careless of such Bread as is in their Possession, they will still be the same were it better; I answer that, as the Disposition I am speaking of is not the Effect of natural Idleness, but of Dissatisfaction in point of Profit, they would *not* continue the same. A good Servant will be careful of a good Place, though very indifferent about a bad one. Besides, this Spirit of Indifference, should it procure a discharge, is no ways

<sup>1</sup> The documents connected with Paine's own discharge from office in 1776, his restoration, and final dismissal in 1774, are given in my *Life of Paine*, vol. i. ch. 2. No dishonesty was charged. Cobbett held that this dismissal of Paine cost England her American Colonies!—*Editor.*

affecting to their Circumstances. The easy Transition of a qualified Officer to a 'Compting-House, or at least to a School-Master, at any Time, as it naturally supports and backs his Indifference about the Excise, so it takes off all Punishment from the Order whenever it happens.

I have known Numbers discharged from the Excise who would have been a Credit to their Patrons and the Employment, could they have found it worth their while to have attended to it. No Man enters into Excise with any higher Expectations than a competent Maintenance; but not to find even that, can produce nothing but *Corruption, Collusion and Neglect.*

#### REMARKS ON THE QUALIFICATIONS OF OFFICERS.

IN Employments where direct Labour only is wanted, and Trust quite out of the Question, the Service is merely animal or mechanical. In cutting a River, or forming a Road, as there is no Possibility of Fraud, the Merit of Honesty is but of little Weight. Health, Strength, and Hardiness are the Labourer's Virtues. But where Property depends on the Trust, and lies at the Discretion of the Servant, the Judgement of the Master takes a different Channel, both in the Choice and the Wages. The Honest and the Dissolute have here no Comparison of Merit. A known Thief may be trusted to gather Stones; but a Steward ought to be Proof against the Temptations of uncounted Gold.

The Excise is so far from being of the Nature of the first, that it is all and more than can commonly be put together in the last: 'T is a place of *Poverty, of Trust, of Opportunity, and Temptation.* A Compound of Discords, where the more they harmonize, the more they offend. Ruin and Reconciliation are produced at once.

To be properly qualified for the Employment, it is not only necessary that the Person should be honest, but that he be sober, diligent, and skilful: Sober, that he may be always capable of Business; diligent, that he may be always in his business; and skilful, that he may be able to prevent or detect Frauds against the Revenue. The Want of any of these Qualifications is a Capital Offence in the Excise. A Complaint of Drunkenness, Negligence, or Ignorance, is certain Death by the Laws of the Board. It cannot then be all Sorts of Persons who are proper for the Office. The very notion of procuring a sufficient Number for even less than the present Salary, is so destitute of every Degree of sound Reason, that it needs no Reply. The Employment, from the Insufficiency of the Salary, is *already* become so inconsiderable in the general Opinion, that Persons of any Capacity or Reputation will keep out of it; for where is the Mechanic, or even the Labourer, who cannot earn at least *is. 6<sup>d.</sup> per day*? It certainly cannot be proper to take the Dregs of every Calling, and to make the Excise the common Receptacle for the Indigent, the Ignorant, and the Calamitous.

A truly worthy Commissioner, lately dead, made a public Offer a few Years ago, of putting any of his Neighbours' Sons into the Excise; but though the Offer amounted almost to an Invitation, one only, whom seven Years Apprenticeship could not make a Taylor, accepted it; who, after a Twelvemonth's Instruction, was ordered off, but in a few Days finding the Employment beyond his Abilities, he prudently deserted it, and returned Home, where he now remains in the Character of an Husbandman.

There are very few Instances of Rejection even of persons who can scarce write their own names legibly; for as there is neither Law to compel, nor Encouragement to incite, no other can be had than such as offer, and none will offer who can see any other Prospect of Living. Every one knows that the Excise is a Place of Labour, not of Ease; of Hazard, not of Certainty; and that downright Poverty finishes the Character.

It must strike every considerate Mind to hear a Man with a large Family faithful enough to declare, that he cannot support himself on the Salary with that honest Independance he could wish. There is a great Degree of affecting

Honesty in an ingenuous Confession. Eloquence may strike the Ear, but the Language of Poverty strikes the Heart; the first may charm like Music, but the second alarms like a Knell.

Of late Years there has been such an Admission of improper and ill qualified Persons into the Excise, that the Office is not only become contemptible, but the Revenue insecure. Collectors, whose long Services and Qualifications have advanced them to that Station, are disgraced by the Wretchedness of new Supers continually. Certainly some Regard ought to be had to Decency, as well as Merit.

These are some of the capital Evils which arise from the wretched Poverty of the Salary. Evils they certainly are; for what can be more destructive in a Revenue Office, than CORRUPTION, COLLUSION, NEGLIGENCE, AND ILL QUALIFICATIONS.

Should it be questioned whether an Augmentation of Salary would remove them, I answer, there is scarce a Doubt to be made of it. Human Wisdom may possibly be deceived in its wisest Designs; but here, every Thought and Circumstance establish the Hope. They are Evils of such a ruinous Tendency, that they must, by some Means or other, be removed. Rigour and Severity have been tried in vain; for Punishment loses all its Force where Men expect and disregard it.

Of late Years, the Board of Excise has shewn an extraordinary Tenderness in such Instances as might otherwise have affected the Circumstances of their Officers. Their compassion has greatly tended to lessen the Distresses of the Employment: But as it cannot amount to a total Removal of them, the Officers of Excise throughout the Kingdom have (as the Voice of one Man) prepared Petitions to be laid before the Hon. House of Commons on the ensuing Parliament.

An Augmentation of Salary, sufficient to enable them to live honestly and competently, would produce more good Effect than all the Laws of the Land can enforce. The Generality of such Frauds as the Officers have been detected in, have appeared of a Nature as remote from inherent Dishonesty as a temporary Illness is from an incurable Disease. Surrounded with *Want*, *Children*, and *Despair*, what can the *Husband* or the *Father* do? No Laws compel like Nature—No Connections bind like Blood.

With an Addition of Salary, the Excise would wear a new Aspect, and recover its former Constitution. Languor and Neglect would give Place to Care and Cheerfulness. Men of Reputation and Abilities would seek after it, and finding a comfortable Maintenance, would stick to it. The unworthy and the incapable would be rejected; the Power of Superiors be re-established, and Laws and Instructions receive new Force. The Officers would be secured from the Temptations of Poverty, and the Revenue from the Evils of it; the Cure would be as extensive as the Complaint, and new Health out-root the present CORRUPTIONS.

THOMAS PAINE.





## APPENDIX M.

### THE WILL OF THOMAS PAINE.

NOTE BY THE EDITOR.—The fact that Paine's wife (*née* Elizabeth Ollive) is not mentioned in his Will may be explained by the fact that she pre-deceased him. In the *Monthly Repository* (London) of September, 1808, is the following obituary: "MRS. PAINE. On Sunday July 27, at her brother's house, at Cranbrook in Kent, in the 68th year of her age, Mrs. Paine, wife of the celebrated Thomas Paine, author of the 'Rights of Man,' 'Age of Reason,' &c. &c. She was the daughter of Mr. Ollive, a respectable tradesman in Lewes, Essex, in whose house Mr. Paine lived before his marriage as well as some time after. The marriage took place at Lewes in the year 1771; but brought the parties little satisfaction or comfort. After living together three years Mr. and Mrs. Paine, convinced it would seem that they were unsuited to each other, agreed mutually to separate, and accordingly a legal deed of separation was executed. Mrs. Paine's family were Dissenters of the Calvinistic persuasion. It may be considered unfortunate that Mr. Paine knew little of Christians in England but as Calvinists, or in France but as Papists. His attack on Christianity was indeed directed against the gross corruptions of it, as exhibited by those two great Christian parties. Few or none of his sneers affect the religion of the New Testament. Mrs. Paine lived amongst her friends, maintaining a respectable and Christian character. Some of her time was passed in London, where she communicated with the Calvinistic church under Dr. Rippon, meeting in Carter Lane, Tooley-st, Southwark; the rest of it at Cranbrook, where she attended on the ministry of Mr. Stonehouse of the same denomination.—The death of Mrs. Paine has given occasion for much abuse of her husband. This was needless, ungenerous, and we believe in a great measure unjustifiable. Husbands and wives may live uncomfortably together where there is no deism or republicanism to favour dissension." Paine's domestic troubles are detailed, so far as known, in my biography of him. He gave to his wife all of his possessions, and went to America penniless. When he had secured means he sent money to her anonymously. Madame Bonneville and her children, to whom most of his property was left, were its proper recipients. She and her husband (detained in France under surveillance, by Napoleon) had given Paine a home, 1797–1802, for which he could partly pay, but also care and affection which his always warm gratitude could not forget.

*The People of the State of New York, by the Grace of God, Free and Independent, to all to whom these presents shall come, or may concern, SEND GREETING :*

KNOW YE, That the annexed is a true copy of the Will of THOMAS PAINE, deceased, as recorded in the office of the surrogate, in and for the city and county of New York. In testimony whereof, we have caused the seal of office of our said surrogate to be hereunto affixed. Witness, Silvanus Miller, Esq., surrogate of said county, at the city of New York, the twelfth day of July,

in the year of our Lord one thousand eight hundred and nine, and of our Independence the thirty-fourth.

SILVANUS MILLER.

THE WILL.

THE last Will and Testament of me, the subscriber, Thomas Paine, reposing confidence in my Creator, God, and in no other being, for I know of no other, nor believe in any other. I, Thomas Paine, of the State of New York, author of the work entitled *Common Sense*, written in Philadelphia, in 1775, and published in that city the beginning of January, 1776, which awaked America to a declaration of Independence on the fourth of July following, which was as fast as the work could spread through such an extensive country; author also of the several numbers of the *American Crisis*, thirteen in all; published occasionally during the progress of the revolutionary war—the last is on the peace; author also of *Rights of Man*, parts the first and second, written and published in London, in 1791 and 1792; author also of a work on religion, *Age of Reason*, parts the first and second—N. B. I have a third part by me in manuscript, and an answer to the bishop of Llandaff; author also of a work, lately published, entitled *Examination of the Passages in the New Testament, Quoted from the Old, and called Prophecies concerning Jesus Christ, and showing there are no Prophecies of any such Person*; author also of several other works not here enumerated, *Dissertations on First Principles of Government,—Decline and Fall of the English System of Finance,—Agrarian Justice, &c. &c.*, make this my last Will and Testament, that is to say: I give and bequeath to my executors hereinafter appointed, Walter Morton and Thomas Addis Emmet, thirty shares I hold in the New York Phoenix Insurance Company, which cost me fourteen hundred and seventy dollars, they are worth now upwards of fifteen hundred dollars, and all my moveable effects, and also the money that may be in my trunk or elsewhere at the time of my decease, paying thereout the expenses of my funeral, IN TRUST as to the said shares, moveables, and money, for Margaret Brazier Bonneville, wife of Nicholas Bonneville, of Paris, for her own sole and separate use, and at her own disposal, notwithstanding her coverture. As to my farm in New Rochelle, I give, devise, and bequeath the same to my said executors, Walter Morton and Thomas Addis Emmet, and to the survivor of them, his heirs and assigns forever, IN TRUST nevertheless, to sell and dispose of the north side thereof, now in the occupation of Andrew A. Dean, beginning at the west end of the orchard, and running in a line with the land sold to — Coles, to the end of the farm, and to apply the money arising from such sale as hereinafter directed. I give to my friends Walter Morton, of the New York Phoenix Insurance Company, and Thomas Addis Emmet, Counsellor at Law, late of Ireland, two hundred dollars each, and one hundred dollars to Mrs. Palmer, widow of Elihu Palmer, late of New York, to be paid out of the money arising from said sale; and I give the remainder of the money arising from that sale, one half thereof to Clio Rickman, of High or Upper Mary-le-Bone Street, London, and the other half to Nicholas Bonneville, of Paris, husband of Margaret B. Bonneville, aforesaid: and as to the south part of the said farm, containing upwards of one hundred acres, in trust to rent out the same, or otherwise put it to profit, as shall be found most adviseable, and to pay the rents and profits thereof to the said Margaret B. Bonneville, in trust for her children, Benjamin Bonneville, and Thomas Bonneville, their education and maintenance, until they come to the age of twenty-one years, in order that she may bring them well up, give them good and useful learning, and instruct them in their duty to God, and the practice of morality; the rent of the land, or the interest of the money for which it may be sold, as hereinafter mentioned, to be employed in their education. And after the youngest of the said children shall have arrived at the age of twenty-one years, in further trust to convey the same to the said children, share and share alike, in fee simple. But if it shall be thought adviseable by my executors and executrix, or the survivors of them, at

any time before the youngest of the said children shall come of age, to sell and dispose of the said south side of the said farm, in that case I hereby authorize and empower my said executors to sell and dispose of the same, and I direct that the money arising from such sale be put into stock, either in the United States Bank stock, or New York Phoenix Insurance Company stock, the interest or dividends thereof to be applied as is already directed for the education and maintenance of the said children, and the principal to be transferred to the said children, or the survivor of them, on his or their coming of age. I know not if the society of people, called Quakers, admit a person to be buried in their burying ground, who does not belong to their society, but if they do, or will admit me, I would prefer being buried there; my father belonged to that profession, and I was partly brought up in it. But if it is not consistent with their rules to do this, I desire to be buried on my own farm at New Rochelle. The place where I am to be buried, to be a square of twelve feet, to be enclosed with rows of trees, and a stone or post and rail fence, with a headstone with my name and age engraved upon it, author of *Common Sense*. I nominate, constitute, and appoint Walter Morton, of the New York Phoenix Insurance Company, and Thomas Addis Emmet, Counsellor at Law, late of Ireland, and Margaret B. Bonneville, executors and executrix to this my last Will and Testament, requesting the said Walter Morton and Thomas Addis Emmet, that they will give what assistance they conveniently can to Mrs. Bonneville, and see that the children be well brought up. Thus placing confidence in their friendship, I herewith take my final leave of them and of the world. I have lived an honest and useful life to mankind; my time has been spent in doing good, and I die in perfect composure and resignation to the will of my Creator, God. Dated the eighteenth day of January, in the year one thousand eight hundred and nine; and I have also signed my name to the other sheet of this Will, in testimony of its being a part thereof.

THOMAS PAINÉ.

Signed, sealed, published, and declared by the testator, in our presence, who, at his request, and in the presence of each other, have set our names as witnesses thereto, the words "published and declared" first interlined.

WM. KEESE,  
JAMES ANGEVINE,  
CORNELIUS RYDER.





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