

The Beacon

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THOMAS PAINE NATIONAL HISTORICAL ASSOCIATION

Founded in 1884 • New Rochelle, New York • ThomasPaine.org



The Comstock Act and the Founders of the Thomas Paine National Historical Association



by Gary Berton with Judah Freed

Part Two of Three Parts

Responding to assaults on civil liberties under the 1873 Comstock Act, freethinkers played central roles in the social reform movement opposing abuses of the rich and powerful in the Gilded Age. They were guided by Thomas Paine and Enlightenment Age ideals of democracy, equality and natural rights.

The TPNHA's founding board represented the freethinking liberal movement in late 19th century America, which fought Gilded Age repressions.

"St. Anthony Comstock, The Village Nuisance"

Satiric cartoon, circa 1870s, spoofs Anthony Comstock and his anti-vice campaign against obscenity, including nudity. Comstock lobbied Congress to pass his 1873 act for the "Suppression of Trade in, and Circulation of, Obscene Literature and Articles of Immoral Use." Comstock enforced his law as a Postal Service special agent. He boasted that in his life he seized 150 tons of books, made 4,000 arrests, and drove 15 people to suicide.

Source for facts and image : National Archives, Library of Congress

Founded in 1884, the Thomas Paine National Historical Association upheld its founders' philosophical foundations in freethought, free speech, women's rights,

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TPNHA Founders — *Continued from Pg. 1*

The TPNHA's founding board represented the freethinking liberal movement in late 19th century America.

labor organizing, anarchism, and socialism. This shifted after the first world war as society shifted.

TPNHA founders were tied to the Liberal League, People's Party of New York and the Populist Party. Many met through the Manhattan Liberal Club, a New York locus for free thought. The People's Party was an east coast version of agrarian populism, which sprouted among south and west farmers and spread to the trade unions. The TPNHA was formed just before the National Liberal League split into factions.

The strongest bond uniting the TPNHA founders in 1884 was free thought and the leading freethought newspaper, *The Truth Seeker*. Nine TPNHA founding members had direct ties to *The Truth Seeker's* editor, **D.M. Bennett** (De Robigne Mortimer Bennett). In 1879, he was arrested and convicted under the Comstock Act for mailing an anti-marriage tract. His sentence was 13 months of hard labor.

Bennett called on freethinkers when he spearheaded the 1881 fund-raising drive to renovate the vandalized Thomas Paine Monument in New Rochelle, erected in 1839. At the Memorial Day rededication, Bennett delivered a speech and visited the farmhouse where Paine lived before his 1809 death. Bennett died in 1882.

Meet the TPNHA founders tied to Bennett:

Thaddeus Wakeman, a former university president, was D.M. Bennett's lawyer, defending the editor from his Comstock Act prosecution. He was active in New York politics as the President of the Liberal League. Wakeman was the main force behind TPNHA formation, chairing the organizing meeting in the Liberal Club on January 29, 1884,



D. M. Bennett

Source: *The Truth Seeker*



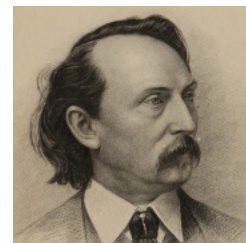
Thaddeus Wakeman

Source: TPNHA

at the club's annual celebration of Paine's birthday, a date observed widely by freethinkers.

Dr. Edward Bond Foote, Jr., established the National Defense Association and worked with the National Liberal League in efforts to repeal Comstock laws and support Comstock Act victims. "Ned" was a founding member of the Free Speech League and Manhattan Liberal Club. He took leadership roles in organizations backing a woman's right to contraception, defying Comstock morality. He gave financial support to Mother Jones and Emma Goldman.

Dr. Edward Bliss Foote, Sr., Ned's father, a free speech activist, was among the very first arrested under Comstock for promoting sexual education and contraception rights. He also ran for the New York Senate under the Populist and People's Party banners. Ned and his father were personal friends of Bennett.



Edward Foote Sr.

Source: Harvard Library Archive

Asenath Chase Macdonald, a Civil War widow and freethinker, was among America's first trained nurses. Her sons joined Bennett at *The Truth Seeker*.

Eugene and George Macdonald, the sons of Asenath, first worked for Bennett as a printer and printer's devil, respectively. Years later, Eugene with partners bought the enterprise. George became the editor in 1907, serving in the role until 1937.



Eugene and George Macdonald

Source: *The Truth Seeker*

A.E. Chamberlain, a People's Party member and *Truth Seeker* contributor, was a founder of the National Defense Association along with Dr. E.B. Foote Jr, and T.B. Wakeman. Formed to fight "Comstockery," NDA evolved into the American Civil Liberties Union.

Theron Leland, a friend of Bennett, was an abolitionist and among New York's first "phonographers" (phonetic shorthand stenographer). A member of the National Liberal League and Liberal Club, he staffed the office of the American Industrial Union.



Theron Leland

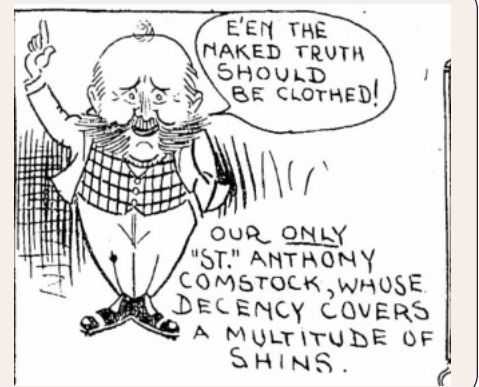
Source: TPNHA

Continued on pg. 3

Petition supports a D.M. Bennett pardon for Comstock conviction

D.M. Bennett founded The Truth Seeker and inspired founding the TPNHA. He was jailed at hard labor in 1879 under the Comstock Act for distributing a free-love essay. He died afterwards in 1882. ▲

[Click to sign The Fire petition for a presidential pardon of D.M. Bennett.](#)



TPNHA Founders — *Continued from Pg. 2*

Wilson MacDonald, a noted sculptor, was a liberal and spiritualist. He created the bust atop the Paine Monument and made the medallion on the D.M. Bennett monument in Brooklyn's Green-Wood cemetery. He made busts of George Washington, Washington Irving, Wm. Cullen Bryan and others. MacDonald stayed active in the TPNHA through the turn of the century.



Wilson MacDonald

Source: TPNHA

Daniel E. Ryan, another friend of Bennett, was a Liberal League and Liberal Club member. He's named in the TPNHA founding meeting minutes.

Louis Freeland Post, not directly tied to Bennett, was a prominent Georgist who upheld Paine's *Agrarian Justice* to assert income from land innately belongs equally to all. He was editor of the pro-labor New York Truth. In 1913 Post became Asst. Secretary of Labor under Woodrow Wilson, doing the job until 1921. He witnessed the Bureau of Immigration conducting the Palmer Raids to deport non-citizen immigrants under the 1918 Anarchist Exclusion Act.



Louis Post

Source: TPNHA

He could not stop the red-scare witch hunt, but his 1923 memoir called the raids "deportation delirium," labeling them a "stupendous and cruel fake."

Stephen Pearl Andrews was an abolitionist, labor movement advocate and women's suffrage supporter. A linguist and political philosopher, the "libertarian

socialist" and "individualist anarchist" wrote 17 books on personal autonomy and related topics.

Samuel Porter Putnam, a former Congregational and Unitarian minister, departed Christianity for freethinking. When the Liberal League split, he allied with the American Secular Union. In 1892 Putnam formed the Freethought Federation of America, which in 1895 merged with the American Secular Union. He urged separating church and state.

Charles P. Somerby was a freethinking New York publisher and bookseller. He published titles like *The Ultimate Generalization* (a philosophy of science).

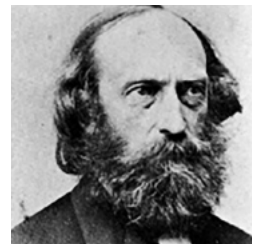
Capt. George Loyd, a Civil War veteran in the Populist Party, for years cared for Paine's gravesite.

Two local women are named in the 1884 TPNHA organizing meeting minutes. **Mrs. Kate G. Foote**, the wife of Dr. Foote Jr., and **Mrs. Hannah A. Allen**. Their backstories are unknown.

These are the freethinkers who in 1884 founded the Thomas Paine National Historical Association. In response to renewed repressions in the 20th century, the organization would evolve. ▲

Read Part One in the September 2024 Beacon.

Read Part Three in the January 2025 Beacon.



Stephen Andrews

Source: Wikimedia



Samuel Putnam

Source: Wikimedia

Gary Berton is president of the Thomas Paine National Historical Association. **Judah Freed** edits The Beacon.

By Thomas Paine

Voting Rights and Electing a Representative Government

Excerpt from *Dissertation on the First Principles of Government* (1795). [Verbatim text]

The true and only true basis of representative government is equality of rights. Every man has a right to one vote, and no more in the choice of representatives. The rich have no more right to exclude the poor from the right of voting, or of electing and being elected, than the poor have to exclude the rich; and wherever it is attempted, or proposed, on either side, it is a question of force and not of right. Who is he that would exclude another? — That other has a right to exclude him.

That which is now called aristocracy implies an inequality of rights; but who are the persons that have a

'The true and only true basis of representative government is equality of rights.'

right to establish this inequality? Will the rich exclude themselves? No! Will the poor exclude themselves? No! By what right then can any be excluded? It would be a question, if any man, or class of men, have a right to exclude themselves; but be

this as it may, they cannot have the right to exclude another. The poor will not delegate such a right to the rich, nor the rich to the poor, and to assume it is not only to assume arbitrary power, but to assume a right to commit robbery. Personal rights, of which the right of voting for representatives is one, are a species of property of the most sacred kind: and he that would employ his pecuniary property, or presume upon the influence it gives him, to dispossess or rob another of his property or rights, uses that pecuniary property as he would use fire-arms, and merits to have it taken from him.

Inequality of rights is created by a combination in one part of the community to exclude another part from its rights. Whenever it be made an article of a constitution, or a law, that the right of voting, or of electing and being elected, shall appertain exclusively to persons possessing a certain quantity of property, be it little or much, it is a combination of the persons possessing that quantity to exclude those who do not possess the same quantity. It is investing themselves with

powers as a self-created part of society, to the exclusion of the rest.

It is always to be taken for granted, that those who oppose an equality of rights, never mean the exclusion should take place on themselves; and in this view of the case, pardoning the vanity of the thing, aristocracy is a subject of laughter. This self-soothing vanity is encouraged by another idea not less selfish, which is that the opposers conceive they are playing a safe game, in which there is a chance to gain and none to lose; that at any rate the doctrine of equality includes them, and that if they cannot get more rights than those whom they oppose and would exclude, they shall not have less. This opinion has already been fatal to thousands, who, not contented with equal rights, have sought more till they lost all, and experienced in themselves the degrading inequality they endeavoured to fix upon others.

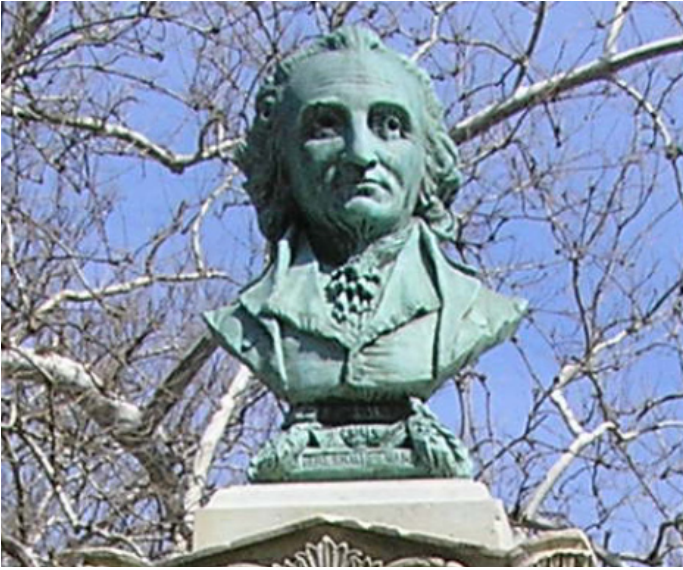
In any view of the case it is dangerous and impolitic, sometimes ridiculous, and always unjust, to make prop-

erty the criterion of the right of voting. If the sum, or value of the property upon which the right is to take place be considerable, it will exclude a majority of the people, and unite them in a common interest against the government, and against those who support it, and as the power is always with the majority, they can overturn such a government and its supporters whenever they please.

If, in order to avoid this danger, a small quantity of property be fixed, as the criterion of the right, it exhibits liberty in disgrace, by putting it in competition with accident and insignificance. When a broodmare shall fortunately produce a foal or a mule, that by being worth the sum in question, shall convey to its owner the right of voting, or by its death take it from him, in

'Inequality of rights is created by a combination [collusion] in one part of the community to exclude another part from its rights.'

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Thomas Paine Monument bust by Wilson MacDonald

Source: TPNHA

“O ye that love mankind! Ye that dare oppose, not only the tyranny, but the tyrant, stand forth. Every spot of the old world is overrun with oppression. Freedom hath been hunted round the globe. Asia, and Africa, have long expelled her — Europe regards her like a stranger, and England hath given her warning to depart. O! receive the fugitive, and prepare in time an asylum for [hu]mankind.”

— Thomas Paine,
Common Sense

Representative Government — *From Pg. 4*

whom does the origin of such a right exist? Is it in the man, or in the mule? When we consider how many ways property may be acquired without merit, and lost without crime, we ought to spurn the idea of making it a criterion of rights.

But the offensive part of the case is that this exclusion from the right of voting implies a stigma on the moral character of the persons excluded; and this is what no part of the community has a right to pronounce upon another part. No external circumstance can justify it: wealth is no proof of moral character; nor poverty of the want of it. On the contrary, wealth is often the presumptive evidence of dishonesty; and poverty the negative evidence of innocence. If therefore property, whether little or much, be made a criterion, the means by which that property has been acquired ought to be made a criterion also.

‘When we consider how many ways property may be acquired without merit, and lost without crime, we ought to spurn the idea of making it a criterion of rights.’

The only ground upon which exclusion from the right of voting is consistent with justice, would be to inflict it as a punishment for a certain time

upon those who should propose to take away that right from others. The right of voting for representatives is the primary right by which other rights are protected. To take away this right is to reduce a man to slavery, for slavery consists in being subject to the will of another, and he that has not a vote in the election of representatives is in this case. The proposal therefore to disfranchise any class of men is as criminal as the proposal to take away property. When we speak of right we ought always to unite with it the idea of duties: rights become duties by reciprocity. The right which I enjoy becomes my duty to guarantee it to another, and he to me; and those who violate the duty justly incur a forfeiture of the right.

In a political view of the case, the strength and permanent security of government is in proportion to the number of people interested in supporting it. The true policy therefore is to interest the whole by an equality of rights, for the danger arises from exclusions. It is possible to exclude men from the right of voting, but it is impossible to exclude them from the right of rebelling against that exclusion; and when all other rights are taken away the right of rebellion is made perfect. ▲

‘The right of voting for representatives is the primary right by which other rights are protected.’

Thomas Paine News

Paine Memorial Association Seeking Washington Site Approval

by Margaret Downey

The Thomas Paine Memorial Association (TPMA) won congressional and presidential approval for a Paine memorial in Washington, DC. Unsettled is the exact location of the memorial. TPMA reported on the site selection process as of October.

In compliance with the Commemorative Works Act of 1986, when HR 6720 was signed into law on December 27, 2022, by President Joe Biden, the law authorized TPMA to sponsor a memorial to honor the life and legacy of Thomas Paine within Washington, DC, “or its environs.”

In May 2023, TPMA contracted AECOM, a Washington, DC, infrastructure consulting firm, to help navigate the complex details of building a memorial. AECOM provides advisory, planning, design, engineering advice to TPMA, and will assist with construction management.

In March 2024, AECOM hosted a tour of possible DC sites for TPMA officers and memorial sculptor Zenos Frudakis. Twenty-two sites were visited, examined and considered.

Only two locations looked feasible for the placement of a proper Thomas Paine memorial.

A. Madison Drive at 12th Street.

B. Constitution Avenue at 3rd Street NW.

Site A is outside the Smithsonian Museum of American History and near the National Mall. It’s the best site for foot traffic to discover the Paine Memorial.

Site B is at an intersection flanked by the National Gallery of Art (East), Prettyman U.S. Courthouse, the U.S. Department of Labor, and an I-395 tunnel.

TPMA favors the Smithsonian location. Both sites are located in “Area One,” the prestigious area in Wash-

ington, DC, reserved for only the “most preeminent” historical figures with lasting U.S. contributions.

To locate any memorial in Area One, the sponsor must consult with the National Capital Memorial Advisory Commission (NCMAC), which advises the Secretary of the Interior or the Administrator of the General Service Administration, who determines if the

memorial qualifies to be in Area One. If approval is granted, Congress must reauthorize the memorial.

An online video meeting with the NCMAC took place September 4. We asked commissioners to approve moving forward with Area One status for the Paine monument.

In the meeting, I presented many reasons why Paine deserves a memorial, emphasizing that the story of the founding the United States of America is incomplete without highlighting Paine’s contributions.

AECOM consultant Claire Sale reported that TPMA had examined all 22 sites available under the statute, and determined the Paine memorial properly belongs in Area One.

Congressman Jamie Raskin, who spearheaded passage of HR 6720, could not join the meeting. He sent video testimony about Paine’s significance as a forgotten founder, stating a Paine memorial would have lasting national importance.

We’re now hoping for NCMAC’s recommendation of Area One placement of the Paine memorial.

Engagement Links:

- [Endorse](#) Area One placement for Paine Memorial.
- [Watch](#) the September 4 NCMAC meeting.
- [Subscribe](#) to TPMA on YouTube.

Margaret Downey is president of the Thomas Paine Memorial Association. She is a TPNHA member.



Thomas Paine Memorial Statue
A work in progress by Zenos Frudakis

Source: Zenos Frudakis

TPNHA News

Thomas Paine Legacy directors from Lewes UK visit TPNHA in New Rochelle

by Barbara Crane

TPNHA in October hosted two important UK visitors to the Thomas Paine Memorial Building in New Rochelle. Leanne O'Boyle is executive director of the Sussex Archaeological Society, and Amanda Jones chairs the Society's Council of Trustees. The Society owns Bull House in Lewes, where Thomas Paine lived before coming to America in 1774.

The six years (1768-1774) that Paine spent in Lewes, Sussex, were formative years. He married, ran a business and forged his skills in debate. Paine went on to lead 2,800

of his fellow excise (tax) officers in Britain's first unionised action for fair pay and job safety, writing his first pamphlet, *The Case of the Officers of Excise*



TPNHA welcomes visitors from Britain

Leanne O'Boyle, Gary Berton and Amanda Jones at the Thomas Paine Memorial Building on October 21.

Source: Barbara Crane

Leanne and Amanda also are directors of a new UK organization, Thomas Paine: Legacy. They explored collaborating with TPNHA to commemorate the 250th anniversary of *Common Sense* and the American Revolution in 2026.

The ideas discussed include virtual lectures tied to the 2026 release the mult-volume Collected Works of Thomas Paine, a project of TPNHA, being published by Princeton University Press. ▲



Florida Veterans For Common Sense

An all-volunteer nonprofit advocate for veterans inspired by Thomas Paine to defend democracy, liberty, equality, and human rights.

FloridaVeteransforCommonSense.org | Contact@flvcs.us

TPNHA Membership Dues and Benefits

Individual - \$25 yearly (Beacon subscription)

Family - \$40 yearly (Beacon subscription)

Supporter - \$100 yearly (Beacon, Paine lapel pin)

Donor - \$500 for 1 year (Beacon, lapel pin, personal plaque)

Benefactor - \$1,000 yearly (All above & Memorial Building plaque)

Patron - \$10,000, 1 year (All the above & a set of 2026 six-volume *Thomas Paine: Collected Works*, autographed by the Editorial Board.)



The Truth Seeker has been the world's foundational source of freethought information continuously since 1873, longer than TPNHA has existed. The Truth Seeker was the main force behind our formation in 1884.

The Thomas Paine National Historical Association thanks our "sister" publication for their leadership.

Visit TheTruthSeeker.net



THE THOMAS PAINE NATIONAL HISTORICAL ASSOCIATION

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About TPNHA

The Mission of the Thomas Paine National Historical Association is to educate the world about the life, works and legacy of Thomas Paine.

TPNHA was founded in 1884 to correct the record on Thomas Paine by refuting negative propaganda and slanders perpetrated against him by most historians in the 19th century. We've since become the most reliable and accurate source of information about Paine worldwide. We assist scholars, authors, journalists, readers and anyone interested in Paine's life and work.

TPNHA is managing the international project to complete and publish *Thomas Paine: Collected Works*, which may double the corpus of known writings.

In New Rochelle, we operate the Paine Memorial Building and Museum, built 1925, where we hold educational programs. A 501(c)(3) nonprofit, we gratefully welcome member support sustaining our efforts. ▲

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The Beacon is a bi-monthly publication for members of the Thomas Paine National Historical Association

The Beacon from TPNHA extends the volumes of Gilbert Vale's influential *The Beacon* in the mid-19th century, both restoring the legacy of Thomas Paine.

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