## CONCLUSION.

What I said in jest, you took seriously.—*Old Spanish Romance (King Alfonso to Bernard)*.

FOR a fortnight the events which we have just related formed the sole topic of conversation in the town and province of Throndhjem, judged from the various standpoints of the various speakers. The people of the town, who had waited in vain to see seven successive executions, began to despair of ever having that pleasure; and purblind old women declared that, on the night of the lamentable fire at the barracks, they had seen Hans of Iceland fly up in the flames, laughing amid the blaze, as he dashed the burning roof of the building upon the Munkholm musketeers; when, after an absence which to his Ethel seemed an age, Ordener returned to the Lion of Schleswig tower, accompanied by General Levin de Knud and Chaplain Athanasius Munder.

Schumacker was walking in the garden, leaning on his daughter. The young couple found it hard not to rush into each other's arms; but they were forced to be content with a look. Schumacker affectionately grasped Ordener's hand, and greeted the two strangers in a friendly manner.{195}

"Young man," said the aged captive, "may Heaven bless your return!"

"Sir," replied Ordener, "I have just arrived. Having seen my father at Bergen, I would now embrace my father at Munkholm."

"What do you mean?" asked the old man, in great surprise.

"That you must give me your daughter, noble sir."

"My daughter!" exclaimed the prisoner, turning to the confused and blushing Ethel.

"Yes, my lord, I love your Ethel. I have devoted my life to her; she is mine."

Schumacker's face clouded: "You are a brave and noble youth, my son. Although your father has done me much harm, I forgive him for your sake; and I should be glad to sanction this marriage. But there is an obstacle—"

"What is it, sir?" asked Ordener, anxiously.

"You love my daughter; but are you sure that she loves you?"

The two lovers cast at each other a rapid glance of mute amazement.

“Yes,” continued the father. “I am sorry; for I love you, and would gladly call you son. But my daughter would never consent. She has recently confessed her aversion for you, and since your departure she is silent whenever I speak of you, and seems to avoid all thought of you as if you were odious to her. You must give up your love for her, Ordener. Never fear; love may be cured as well as hatred.”

“My lord!” exclaimed the astonished Ordener.{196}

“Father!” cried Ethel, clasping her hands.

“Do not be alarmed, my daughter,” interrupted the old man; “I approve of this marriage, but you do not. I will never force your inclinations, Ethel. This last fortnight has wrought a great change in me; you are free to choose for yourself.”

Athanasius Munder smiled. “She is not,” he said.

“You are mistaken, dear father,” added Ethel, taking courage; “I do not hate Ordener.”

“What!” cried her father.

“I am—” resumed Ethel. She hesitated.

Ordener knelt at the old man’s feet.

“She is my wife, father! Forgive me as my other father has forgiven me, and bless your children.”

Schumacker, surprised in his turn, blessed the young couple.

“I have cursed so many people in my lifetime,” said he, “that I now seize every opportunity for blessing. But explain.”

All was made clear to him. He wept with emotion, gratitude, and love.

“I thought myself wise; I am old, and I did not understand the heart of a young girl!”

“And so I am Mrs. Ordener Guldenlew!” said Ethel, with child-like delight.

“Ordener Guldenlew,” rejoined old Schumacker, “you are a better man than I, for in the day of my prosperity I would never have stooped to wed the penniless and disgraced daughter of an unfortunate prisoner.”

The general took the old man’s hand, and offered{197} him a roll of parchment, saying: “Do not speak thus, Count. Here are your titles, which the king long since sent you by Dispolsen; his Majesty now adds a free pardon. Such is the dowry of your daughter, Countess Danneskiold.”

“Pardon! freedom!” repeated the enraptured Ethel.

“Countess Danneskiold!” added her father.

“Yes, Count,” continued the general; “your honors and estates are restored.”

“To whom do I owe all this?” asked the happy Schumacker.

“To General Levin de Knud,” answered Ordener.

“Levin de Knud! Did I not tell you, Governor, that Levin de Knud was the best of men? But why did he not bring me the good news himself? Where is he?”

Ordener pointed in surprise to the smiling, weeping general: “Here!”

The recognition of the two who had been comrades in the days of their youth and power was a touching one. Schumacker’s heart swelled. His acquaintance with Hans had destroyed his hatred of men; his acquaintance with Ordener and Levin taught him to love them.

The gloomy wedding in the cell was soon celebrated by brilliant festivities. Life smiled upon the young couple who had smiled at death. Count d’Ahlefeld saw that they were happy; this was his most cruel punishment.

Athanasius Munder shared their joy. He obtained the pardon of his twelve convicts, and Ordener added that of his former companions in misfortune, Jonas and Norbith,{198} who returned, free and happy, to inform the appeased miners that the king released them from the protectorate.

Schumacker did not long enjoy the union of Ethel and Ordener. Liberty and happiness were too much for him; he went to enjoy a different happiness and a different freedom. He died that same year, 1699, his children accepting this blow as a warning that there is no perfect bliss in this world. He was buried in Veer Church, upon an estate in Jutland belonging to his son-in-law, and his tomb preserves all the titles of which captivity deprived him. From the marriage of Ordener and Ethel sprang the race of the counts of Danneskiold.

THE END.

{199}

THE

LAST DAY OF A CONDEMNED.

FROM THE FRENCH OF

M. VICTOR HUGO.

WITH OBSERVATIONS

ON

CAPITAL PUNISHMENT,

BY

SIR P. HESKETH FLEETWOOD.

BART., M.P.
{201}{200}

DEDICATION.

TO

THE QUEEN'S MOST GRACIOUS MAJESTY.

Madam,—The personal favour which your Majesty has been so graciously pleased to confer on me, in allowing the present dedication,—thus implying a confidence in the probable nature of the work,—will not, I trust, be found to have been misused by me, should your Majesty hereafter honour the volume by perusal. In thus being the medium through which the pleadings of a class of society, so far removed from the sympathy of mankind, approach the throne of your Majesty, may I be permitted to take this opportunity of expressing what is responded to by every feeling heart in your Majesty's dominions,—a respectful appreciation of the mildness and clemency which have pervaded the administration of the laws during the present merciful reign.

With sincere prayers for the happiness of your Majesty,

I have the honour to be, Madam,
Your Majesty's
Most humble and faithful

Servant and subject,
P. Hesketh Fleetwood.

Rossall Hall, *Lancashire*.

{203}{202}

PREFACE.

“To be, or not to be—that is the question.”

THAT is indeed the question we are about to consider,—BEING or DEATH; a short sentence, but of unequalled importance. Yet how little does the demise of a fellow-man dwell on the human mind, unless the ties of kindred, or any peculiarity of circumstance by which the event may happen to be encircled, impart to it adventitious interest.

A newspaper paragraph entitled “Awful and sudden death” may for a moment arrest our attention; but it is the “awful and sudden,” not the actual transit, which attracts the fancy. Perchance, also, it may be printed in rather a larger type than the adjoining paragraph, or we may expect to find some exciting detail of the facts of the case; but the awful Reality, the earthly ending of the being, immortal though it is to be, elicits little sympathy, and the wearied eye turns to some other news.

The dying *speech* of the malefactor arrests our attention; the dead *speaker* of it is unregarded as a lump of clay. Who that amidst the excitement of a crowded court of justice has turned his thoughts within himself, and divesting the scene of all the panoply of pomp which surrounds{204} him, has reflected on the moral effect to be the result of the sentence of death *if executed*, but has felt his sympathy rather awakened in favour of the culprit, and confessed to himself how inefficient the gibbet is when viewed (according to its intended purpose) as the roadside guidepost, by which other earthly travellers, who might be disposed to stray, should be warned of a pathway to be avoided.

Alas! the body on the gibbet is but like the scarecrow in the field of grain,—little heeded by its brethren in plumage, scarcely noticed by aught save the vacant gape of curiosity; it dangles for a time, and is remembered no more!

But let us take a more serious view of the question,—one which commands our deepest respect and our gravest veneration. Let us consider the question of the assumed right to take human life on the warranty, or, as is sometimes said, on the express command of Scripture.

It has been often urged that it is expressly commanded in the Old Testament that "he who sheddeth man's blood, by man *shall* his blood be shed;" and, consequently, that the punishment of death for murder is sanctioned by the high and holy God who inhabiteth eternity.

How cautious should we be, to ascertain that no fallacy exists in this our opinion! I grant that, according to our translation, the above isolated text, if taken alone, may be so construed; but what are the acts of the Creator recorded as following upon this text? What was his first judgment on the first of murderers, Cain? Not only did he not inflict death, but by a special providence protected{205} him from its infliction by his fellow-man. Behold again the case of David, guilty of at least imagining the death of Uriah. Was David struck dead for the crime?

Whatever an isolated chapter (much less, then, a single verse) may amount to of itself, if we take the context of the same part of Genesis and behold the first murderer even especially guarded, by God's mark, from the effect of "every man's hand being against him;" and again if we search the New Testament, where we find no passage, under the new dispensation, that can be construed to call for the infliction of death for murder,—from these results I submit that the question must be left solely to mundane argument, to stand or fall by its own efficacy as a preventive of murder, and that the isolated phrase of Scripture should not be construed into a command as to what ought to be done, but rather as the probable result of human revenge, a feeling at variance with God's holy ordinance; for we read, "Vengeance is mine, saith the Lord,"—expressly and clearly withholding the power over human life from mere mortal judgment.

Let me here give a short extract from the "Morning Herald,"—a paper which has always so consistently and ably advocated the sacredness of human life:—

"On the motion of Mr. Ewart, some important returns connected with the subject of CAPITAL PUNISHMENTS have been made to the House of Commons, and ordered to be printed.

"*First Class*.—A return of the number of persons *sentenced to death* for MURDER in the year 1834, whose punishment was *commuted*,—specifying the counties in which their crimes occurred, and stating the number of *commitments* for murder in {206}the same counties during the *same* year and in the *following* year, together with the *increase* or *diminution of commitments* for murder in the same counties in the year following the commutation of the sentences; similar returns for 1835, 1836, 1837, and 1838.

"*Second Class*.—A return of the number of EXECUTIONS which took place in England and Wales during the three years ending the 31st day of December, 1836, and also during the three years ending the 31st day of December, 1839, together with the number of *commitments* in each of those periods respectively for offences *capital*, on the 2d day of January, 1834. Also, the total number of *convictions* for the same offences, together with the *centesimal proportions of convictions to commitments* in each of those periods respectively.

"The facts set forth upon the face of these returns furnish very strong evidence, indeed, to prove the utter *inutility of* CAPITAL PUNISHMENTS as a means of preventing or repressing crime.

"What are the facts?

"We find that in one county (Stafford) in the year 1834 the sentence of one convict for *murder* was *commuted*. In that year the commitments for murder were six, and in the following year the commitments for that crime were also six. Thus the commutation of the sentence in that instance was followed by neither a *diminution* nor an *increase* of commitments for murder.

"It is sufficient for the argument of the advocates of abolition of capital punishment to show that the suppression of the barbarous exhibitions of the scaffold would *not* necessarily cause an *increase* of heinous offences; for if the amount of crime were to remain the *same* under laws *non-capital* as under those which are *capital*, to prefer the latter to the former would evince a passion for the wanton and unavailing destruction of human life, unspeakably disgraceful to the Government or Legislature of any civilized country.{207}

"In Derbyshire, in the year 1835, we find a similar result following a commutation of sentence for murder to that which followed a similar commutation in the county of Stafford in the preceding year; namely, the same number of *commitments for murder* in the year following the commutation as in that in which it occurred,—being two in each; thus, also, in this instance, there was neither increase nor diminution of the crime of murder in the year following that of the commutation, judging from the number of commitments.

"In Warwickshire, in the year 1835, the sentence of a convict for murder was commuted, the number of commitments for the crime in that year being five, whereas in the year following there was but one commitment. In this instance, then, we have not only *no increase* of the crime of murder, but an actual *diminution* amounting to four.

“In Westmoreland, in the year 1835, there was one commutation; and the commitments in the year following showed neither an *increase* nor *diminution*, being two in each.

“In Cheshire, in the year 1836, the sentences of *two* convicts for *murder* were *commuted*, the commitments for the crime in that year being two; the commitments for the year following were also two, showing *neither an increase nor diminution*.

“Here we have an instance where the sentences of *all* convicted were commuted, and no *increase* of the crime followed.

“In Devonshire, in the year 1836, there was one commutation of sentence for *murder*, the commitments being four. In the year following there were *no* commitments, making a *decrease* of four.

“In Lancashire, in the year 1836, the sentences of *four* convicts for *murder* were commuted, the number of commitments in the same year being seven. In the year following the number of commitments was one, making a *decrease* of six.

“In the county of Norfolk, in the year 1836, the sentences of *five* convicts for *murder* were commuted, the number of com{208}mitments for the same year being eight. In the following year the number of commitments for murder were but five, giving a *decrease* of three.

“In the counties of Norfolk, Nottingham, and Stafford, in the year 1837, there was one commutation of the sentence of murder for each respectively. The result was a fall in the committals of the following year from five to two in the first county,—giving a decrease of three; in the second county a fall from one to *none*; in the third county *neither* an increase nor diminution,—the number of committals having been three in each year.

“In the counties of Lincoln, Stafford, and Denbigh, in the year 1838, there was respectively *one* commutation of the sentence for *murder*. The result was that in the following year the commitments fell from two to one in the first county, from three to one in the second, and from one to *none* in the third, thus giving respectively a decrease of one-half, two-thirds, and of the whole. The last is more correctly called an extinction than a decrease.

“In Cheshire, Middlesex, Somersetshire, and Surrey, in the year 1838, there were, respectively, *two* commutations of the sentence for murder. The result was that in the first county the commitments, as between that year and the year following, fell from

two to one; in the second county they fell from seven to three; in the third, from three to one; and in the fourth, from three to two; thus giving a diminution, respectively, of one-half, four-sevenths, two-thirds, and one-third.

"In Kent, in the year 1838, the sentences of *nine* convicts for murder were commuted, the commitments for that crime in the same year being seventeen. In the following year the commitments for murder were only two, showing a decrease of fifteen. In this last case, however, we cannot in fairness press the argument in favour of the *salutary* effect of discontinuing capital punishments to the extent that the arithmetical table{209} would show. That year, if we recollect right, was the year of the extraordinary outbreak headed by the madman Courtenay or Thom. That event swelled the commitments for murder to an unprecedented height. The fall in the commitments from seventeen, in that year, to two in the year following, is not a fall under *equal* circumstances, and it would be illogical to make it an argument for more than this: that society received *no detriment* because the deluded followers of the frantic Courtenay *were sent to a penal settlement, instead of being strangled on the scaffold*.

"Looking to the table of EXECUTIONS, we find that in the *three* years ending the 31st of December, 1836, the number *executed* was 85, while during the *three* years ending the 31st of December, 1839, the number was only twenty-five. The *commitments* in the former period were 3,104, in the latter 2,989, showing a *decrease*, though a small one, in the number of *commitments*, while there is exhibited an *increase* in the number of *convictions*; namely, from 1,536 to 1,788, showing the *centesimal* proportion of convictions to commitments in the two periods, to be represented by the figures 49·48 and 59·48 respectively.

"These returns, as far as they go, are highly satisfactory as the testimony of experience to the *safe* policy of ABOLISHING CAPITAL PUNISHMENTS ALTOGETHER, and thus getting rid of the barbarous and brutalizing exhibitions of cold-blooded cruelty and deliberate slaughter which they present to the people."

*Morning Herald*, 1840.

From this statement of facts, and indeed from all that has taken place regarding crimes where capital punishment has been remitted, there can be little doubt that it is inexpedient; there can be none that it is unnecessary. But if any still persist that the Divine sanction is given by{210} "He who sheddeth man's blood, by man shall his blood be shed," then the tyrant who engages in a war of aggression, the general who sanctions one effective shot being fired, should alike bear the penalty with the midnight assassin. Nay, does not the man who accidentally "sheds the blood" of him

who is “made in the likeness of God,” literally come within the pale of the command, if *command* it be?

The Chinese but seek to carry out this principle: they merely say, and with juster pretension to consistency, “we cannot remit it; there must be blood for blood.”

Yet we would dispute their right to have *always* blood for blood; why then may we not question the right *ever* to have blood shed, under Bible sanction at least? God makes no mention of motives or comparative reasonings as to guilt; in this His supposed command there is no discretionary option to soften its asserted force. By whatever means or under whatever circumstances one man kills another, *blood is shed*; and if blood for blood should hold good, then under this reasoning the slayer must die. If it be argued, that *wilful* shedding of blood is meant, I point to the words of the text; they refer to “life for life,” they give no exceptions: “Who then, oh man! made thee a judge to tell the signs of the times?”

Once grant an exception to execution, once admit the doctrine of reprieve, and the authority, as a command, in the Bible ceases altogether.

Those who argue in favour of executions say, “But as an earthly punishment, we *may* hang;” *may*, indeed! There are fifty things we *may* do that are better avoided. Why need we hang, when other punishments will suffice,{211} and have been proved to have succeeded in other cases? A very few years back, and the advances we have recently made in the civilization of our laws would have been scouted as equally Utopian, as is now considered the attempt to abolish the punishment of death altogether. Let us reflect too that in a case of murder, the prisoner (from a feeling which imperceptibly affects the minds of all) is looked on with a degree of suspicious anxiety to convict that almost watches to make out a case against him sufficient to condemn. The very fact of his being put on his trial for murder prejudges him in our eyes; and a slight variation in reporting a conversation has marvellously increased many a poor man’s danger of the gallows.

There is no recalling the erroneously condemned from the grave; a wrong judgment cannot there be reversed! Let us bear in mind, also, that the wisest judges may sometimes decide wrongfully. They were considered by myself and others to have erred in respect to the privileges of the House of Commons; why might they not commit a similar error in the case of a prisoner?

But enough; let errors in judgment speak for themselves. They contain matter for deep reflection and self-examination for us all.

If the average number of executions be reduced, even by one, I shall have the satisfaction of feeling at least that I have been an humble labourer in the great cause of mercy, which could not have a more zealous advocate, though it may have many more powerful and successful supporters.{212}

Happy are we if, in all we do during the course of our career, we have not to answer for one death; for the bitter word, the cruel neglect, the light injurious observation, may be the cause of death, as well as the bludgeon or the steel.

I would here desire to make a few observations as to the medium through which I have introduced to the public my opinions in favour of the abolition of Capital Punishment, and the advantages to the cause obtained from its appearing in the form of a translation, the reflections being those of a foreigner who looked not to England when he penned his work. In all this there is a beneficial distraction of ideas created, for we look, as it were, at a foreign scene when we read the interesting paper of the narrative,—the sentiments conveyed, the idioms transcribed, are foreign, and the reader appropriates alone the portion he feels is applicable to the circumstances of his own country; in fact, he examines the context, not as he would an original treatise, but as one who would apply the problems found advantageous in one region to another. He cavils not at words or similes; his criticism is reserved for the object at which the translator aims,—no matter even if the phraseology be too flowery, the expressions too strong. There may be strange similes, strained amplifications; he studies but a translation, and cares comparatively little for them. True, he may have some curiosity awakened as to what the original author was in feeling and ideas; but these thoughts are light and evanescent compared with the anxiety, or more properly the curiosity, he has to ascertain what could be the{213} translator's ideas in thus "wasting the midnight oil" by reducing into the phraseology of his vernacular (English) tongue, the varied thoughts, the acute observations, the (to English ears) novel ideas of that clever, eccentric, single-minded writer, Victor Hugo. "What was the aim of the copyist?" methinks I hear repeated by many; and as my object is one of serious importance to the realities of life, and to arrest the attention of the reader beyond the mere passing hour, I reply: The object for which I plead is the priceless value of human life. Well and truly may the reading public,—and happy for this my dear native land is it that its public is a reading one,—well may this public exclaim, "Who is he, or what his view, who has thus dared to scatter these additional leaves on the pathway of a nation's thoughts? Why has he done so, what motives urged him, what end did he seek?"

Such are the surmises that may flit across the reader's brain, and the translator humbly hopes that the lightning scowl, or the thunder of maledictive criticism, will be

directed alone against the oaken plank of a hundred years' growth, and that this his nautilus bark will feel no breeze beyond the *aura populi*. Probably to the English public many of the observations in this translation will be original. Haply to the gay and frivolous the thoughts may appear exaggerated; but, alas! with too many they will come home to the heart. Numbers there are, who, steeped in misery before they were steeped in crime, had as little inclination to sin as their more fortunate fellow-men, but whose first transgressions were the offsprings of their misery, the necessitous urgings of their{214} poverty. Yes, gentle reader,—for among the fair and young I hope to have many readers; readers whose hearts yet know how to feel,—ye would I address, and exclaim, for the startling fact is but too true, that though,—

"we who in lavish lap have rolled
And every year with new delight have told;
We who recumbent on the lacquered barge
Have dropped down life's gay stream of pleasant marge;
We may extol life's calm untroubled sea,"

well may the miserable, the guilty answer,—

"The storms of misery never burst on thee."

"You never felt poverty. You never were comparatively tempted to crime." "A noble," say they, and truly, "a noble is tried, is judged by his peers, as being those who alone are considered to know, to be able to appreciate his case. Let poverty have her peers also." "My poverty and not my will consented" is a phrase to which too little consideration is given when we discuss the question of crime and punishment; for though poverty cannot be pleaded by the criminal in justification of his offence (nor should such justification be permitted in the legal view), Society, whose interests are represented by the tribunal which adjudges, should be careful that any circumstances or defects in its conformation which may have had a tendency even to induce the criminality of the culprit, should go in mitigation of his punishment. It would be a startling observation in the present day, and one for which Society is not yet prepared, to hear the assertion made that *punishment* for{215} crime is more often unjust than just; but after much reflection on the origin of crime, humanly speaking, I am constrained to come to this conclusion: that the criminality of individuals is more frequently traceable to the evils incidental to an imperfect social system than to the greater propensity towards crime, as affecting others, that exists in the heart of one person if compared with another. Had the judge or the prosecutor entered life under the same circumstances as the prisoner, been early initiated into the same habits, been taught to view society through the same distorted glass, and had their feelings

blunted by the same cold blasts of adversity, who shall say what their respective positions might have been?

In the phrase “My poverty but not my will consented,” let me not be understood to speak of poverty merely in the light of want of money; that is a very narrow view, and very confined as to what forms the real pains of poverty. Poverty is the want of means, intellectual and moral as well as pecuniary, to feed the being who is placed on the area of the world; with mind active as well as body, sustenance is necessary to its existence. If the poor man cannot obtain bread, he takes to gin to assuage cravings of the stomach. No less, if the mind cannot obtain light to guide it in the onward path, the visual organs become habituated to the dark and murky gloom of almost darkness; and through these confused gleamings, no wonder if the being fall into the pits and whirlpools which beset with danger the pathway of man, even when blessed with the clear light of day; how much more, therefore, when he has not light to discern good from evil, nor an intel{216}lectual poor-law to supply him with food, when a beggar by the way-side of knowledge! How strange it is that we can incarcerate the *bodies* of the poor because they are poor, objecting to let them be dependent on casual charity for bodily sustenance, and yet cannot be equally strict in legislating for the mind.

Surely if, as members of one common society, we contend it is necessary for the well-being of the community at large that each person should be provided with work to enable him to procure food, and that if persons be unable to obtain work, or purchase food, then that the State shall provide for them,—should we not equally be provident for the mental as well as we are for the corporeal wants of those who hold a less fortunate position in the scale of society; more particularly when we reflect on the effect mind has on matter, and that did we sufficiently provide for the former, each individual would probably find little difficulty in procuring a supply for his bodily wants.

The poverty of the mind, if relieved, will probably be a permanent good; whereas bodily relief is at best but temporary. How vast, too, is the effect of knowledge, on the creation of food. Knowledge teaches industry; knowledge and industry multiply an hundred fold the product of labour. Comfort and security are thus increased; idleness, and consequently crime, is diminished,—for a man of information is seldom idle, and one surrounded with comforts is rarely inclined to commit crimes against society.

Would not, therefore, the effects resulting from education be the best preventative of crime?—and, if so,{217} heavy indeed is the responsibility of every man who puts an impediment in the way of a nation’s enlightenment. Circumstanced as Great Britain

now is, internally speaking, with her countless millions congregated or *hived* in large towns, ready to follow any leader of more daring or greater knowledge than themselves, comparatively indifferent as to the means for compassing any much desired end,—though actuated by no wish to work ill to others, even when excited beyond the unmanageableness of irrational physical force,—there is much to be feared from the effects of any combustion which might suddenly inflame a people thus charged to the full with every ingredient requisite for scenes of violence, whilst at the same time, through a strong line of prescribed demarcation, separated from the privileged classes; and it cannot but be mainly by the controlling power of knowledge that we can expect to see the masses endeavouring to be satisfied with their lot in life. Thus it is, as I have before asserted, that the poverty of opportunity for information, and consequently acquirement of knowledge, originates much of the present state of crime. Oh, that I could distinctly see my way through the halo which as yet obscures that glorious day, when ignorance shall be deplored as much as shame! With what satisfaction would the statesman then die and bequeath his country to the care of, not the fate of accident, as now, but the masses of its own population. Methinks the gleam which harbingers this bright morning, already, though faintly, begins to tinge the horizon, under the happy auspices of our beloved Queen; and to the credit of the liberal advisers of Her Majesty, a more liberal{218} arrangement of schools has been established,—though it probably remains for ages yet unborn to develope fully the blessings of such a system. Well worthy, aye, brighter than a diadem of a thousand stars, is the advancement of a nation's happiness. May such thoughts have our beloved Queen's deep and considerate attention; and as her noble mind traces, on an ideal map, the future destinies of her people, and turns to times when another generation, with its train of guilt or happiness, shall arise, may she anticipate in time the benefits which will flow from a system of general education!

But if these things be now lightly accounted, the time may arrive when population shall be yet more dense, and the strong arm of numbers become yet more strong; for if no countervailing power intervene, force and numbers must prevail at last, and there must come a time when it will alone depend upon the respective powers of intellect or animal force being dominant, whether confidence in our stability shall be shaken, capital cease to be here expended, and commerce leave our shores,—whether, in fact, brute force or reason become the recognized sovereign of the people; whether the influence of intellect has been fostered, and nobler thoughts and more refined pleasures become the pastime of this great nation. Then, but not till then, will crime hide her head, and the race no longer be to the swift or the battle to the strong: a calm and steady breeze will temper the course of the swift to wrath, or the powerfully

scientific lever of knowledge uproot violence out of the councils of the nation; for they will then appreciate law, knowing it is peculiarly the pal{219}ladium of the defenceless, and confident in the strength of their cause, they will cast off the trammels of tradition, form unions of information, not restriction; and when the various classes of society shall have learned to know that each has his proper duties, each his proper limits, each is equally necessary to each, whose strength is a combination of the whole,—like the arch, sure to drop to pieces if the key-stone were removed.

Oh, how the heart bleeds to reflect on the pains which are taken to render efficient the laws for punishing crime, and the little care to fortify the minds of the people to resist the first impress of crime. Train up the child in the way he should go, and he will not depart therefrom. If, therefore, we train it not up, it never has wherefrom to depart, but is cast forth, like a helmless, pilotless bark, on the waters of life; strange if it founder not, or at least if it become not damaged by striking on some of the shoals by which it is beset on every side. We talk of "penal laws" or a "penal settlement" as though the aim and intention of laws were to be *penal*, instead of being as they most decidedly are, or ought to be, *sanitary*. Wherefore do we, as we term it, *punish*, but to cure an evil which hurts and pains society? Just so we cauterize a wound, in order to heal the body, not for the sake of giving pain to the affected limb.

The very fact of the common acceptation of the word *penal*, as applied to our criminal system, is of itself a strong proof of the misunderstanding on which that system is founded, and on which we legislate. If we arrogate to ourselves a right to judge men for their crimi{220}nality, instead of urging our only legitimate excuse for punishing, namely, "the giving over the offending member to that course of discipline we deem most likely to restrain a similar disposition to delinquency in another member of the frame-work of society," let us at least carry out this principle to the full extent; and then the man who cheats his neighbour of money by availing himself of his ignorance, and leads him to make an improvident bargain, will be deemed as guilty in the eye of the law as he who, throwing him off his guard, surreptitiously conveys his hand into the other's pocket.

But it is really absurd to talk of laws being framed to punish sin. It is to restrain others, as well as the culprit himself, from similar offences that pains and penalties are inflicted. If they fail of this end they become themselves improper; if the same end can be attained by a mild as by a severe sentence, the milder course should be adopted.

Perhaps there may be some who are only timid regarding the total abolition of capital punishment because they are fearful of a license being given which would render human life of less value in the sight of man. Can then the destruction of a second life increase the reverence for its sacredness? Surely, not! If we were, in imagination, to place ourselves in the chamber of the condemned, or by the fire-side of the mere spectator of an execution, we shall find the heart of the first generally in a morbid state, whilst the spectator commiserates the fate of the condemned more than he learns to reprobate the crime for which the guilty one suffered.{221}

Punishment, when strained beyond what is necessary becomes revenge; punishment, also, should never exceed, but rather be milder than, public opinion. In the awful decision of death, more especially, we should be careful not to inflict a penalty which we cannot repay back to the sufferer if the condemnation should afterwards prove to have been erroneous. There can be no recall from the grave: in the beautiful words of our author, “THE DOOR OF THE TOMB OPENS NOT INWARDS!”

---

There are several points in “The Last Days of a Condemned” to which I would particularly invite the attention of the reader. In the first place, the story being left unfinished, and there being a doubt as to whether the condemned was executed or pardoned, takes from the feeling of horror without affecting our interest in his fate. It is as a veil cast over the last moments,—a film, an indistinctness that blends into harmony the last distorted features of the vision we are contemplating.

Next, I would mention the papers relating to chaplains. How touchingly does the author paint the pure and pastorly being who has dwelt in the homely cure, and amid the peaceful scenes of nature studied nature’s God! At page 277, the poor captive, crushed in worldly feeling, yearns for those “good and consoling words” that shall “heal the bruised reed, and quench the smoking flax.” How beautiful to see the soul seeking for that hope which dieth not; and whether we look at pages 279 and 280,{222} or 289, we cannot but feel a happy and holy wish that Heavenly Peace may rest on the poor condemned.

Pass we now to a beautiful scene of nature, page 290,—the final interview between the prisoner and his infant daughter, which few could read unmoved by its pathos. How happy for the parent who can enfold his child in his arms,—a happiness of which parents seldom know the value until the grave has closed over them, or they have left the homestead and parental hearth for the pathway of independent manhood. Agonizing must it be to a parent when absence has transferred much of the warmth of filial affection to strangers, to behold the child you have pictured, possibly for years,

as anxious to welcome home from distant noxious climes the parent from whom it parted in the happy days of innocence, perhaps ere yet the mind was conscious of the father's parting blessing. How the pulse throbs and the heart beats when the vessel touches land, and the waving handkerchief is indistinctly discerned amidst hundreds of spectators; and if when disengaged from the crowd, and with the beloved object seated beside you as the carriage speeds you to your home, how scrutinizingly does the heart search each gaze, fearfully anxious lest it should be able to fathom the depth of a love it would hold fathomless! But oh! how bitter beyond expression must be a meeting such as is described by the author of "The Condemned:" not only want of recognition from the innocent little prattler, not only indifference towards him,—but *terror*! How infinitely more must this have reconciled him, and made him court death than all that myriads of arguments could have effected!{223}

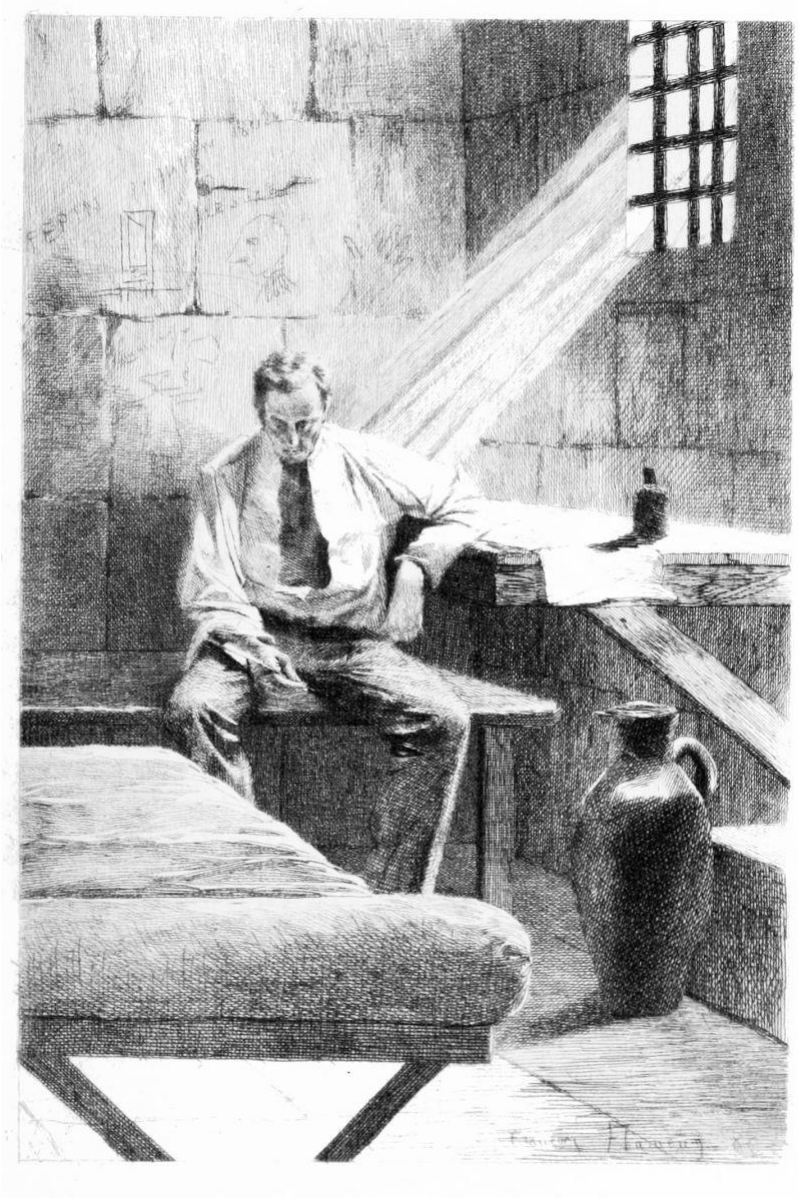
A widely contrasted scene is painted from page 245 to 251, wherein is described the departure of the convicts for the Galleys. What an interesting and painful study for the philanthropist or the moralist! In a few words we read the history of years, the downward path, the emulation in vice. The pride of the hardened sinner to show his superiority in crime, and the effort of the newer delinquent to hide his inexperience under a more hardened exterior, prove forcibly how equally emulative is man, whether the object be a sceptre or a public execution, that his fellows may admire him when he is gone, that his compeers shall not surpass him while he remains!

The deterioration of mind on all connected with a crowded gaol,—that university for crime—is shown, in a paper a few pages further on (page 255), where even the song of a young girl, the outpouring of an unburthened heart, is tainted by the details of crime. The words are left in their original tongue; retained for the sake of showing the ability of the author, but not translated, as being little suited to give pleasure or effect any good. Alas! that the gaol should have power thus to efface even the charms of melody, and render discordant music's silvery tones. But even that sweetest of sounds, a female voice, becomes tainted by prison association: the rust of a gaol corrodes the heart, and eats into every thing; time cannot efface its mark, nor the brightest sun call forth one gleam from where its dimness has once affixed itself.

As it mars lovely woman's charms, so it renders disgustful the venerableness of age. From the song of the{224} young girl we trace its earlier mildew; from the powerful paper narrating the history of the old convict (which is by far the most stirring and full of adventure of the whole, see pages 268 to 272) we learn its baleful effects on old age.

May a beneficent, rationally-grounded clemency be, in future, the means of redeeming “all such as have erred;” and may a widely-spread system of enlightened education happily train the children of adverse circumstances “in the way they should go.”

P. Hesketh Fleetwood.



“*Condemned to Death.*”

Etched by R. de los Rios.—From drawing by François Flameng.

{225}

THE LAST DAY OF A CONDEMNED.

FIRST PAPER.

Bicêtre Prison.

CONDEMNED to death!

These five weeks have I dwelt with this idea,—always alone with it, always frozen by its presence, always bent under its weight.

Formerly (for it seems to me rather years than weeks since I was free) I was a being like any other; every day, every hour, every minute had its idea. My mind, youthful and rich, was full of fancies, which it developed successively, without order or aim, but weaving inexhaustible arabesques on the poor and coarse web of life. Sometimes it was of youthful beauties, sometimes of unbounded possessions, then of battles gained, next of theatres full of sound and light, and then again the young beauties, and shadowy walks at night beneath spreading chestnut-trees. There was a perpetual revel in my imagination: I might think on what I chose,—I was free.{226}

But now,—I am a Captive! Bodily in irons in a dungeon, and mentally imprisoned in one idea,—one horrible, one hideous, one unconquerable idea! I have only one thought, one conviction, one certitude,—

*Condemned to death!*

Whatever I do, that frightful thought is always here, like a spectre, beside me,—solitary and jealous, banishing all else, haunting me for ever, and shaking me with its two icy hands whenever I wish to turn my head away or to close my eyes. It glides into all forms in which my mind seeks to shun it; mixes itself, like a horrible chant, with all the words which are addressed to me; presses against me even to the odious gratings of my prison. It haunts me while awake, spies on my convulsive slumbers, and re-appears, a vivid incubus, in my dreams!

I have just started from a troubled sleep in which I was pursued by this thought, and I made an effort to say to myself, “Oh, it was but a dream!”

Well, even before my heavy eyes could read the fatal truth in the dreadful reality which surrounds me,—on the damp and reeking dungeon-walls, in the pale rays of my night-lamp, in the rough material of my prison-garb, on the sombre visage of the sentry, whose cap gleams through the grating of the door,—it seems to me that already a voice has murmured in my ear,—

“*Condemned to death!*{227}”

SECOND PAPER.

FIVE weeks have now elapsed since I was tried,—found guilty,—sentenced.

Let me endeavour to recall the circumstances which attended that fatal day.

It was a beautiful morning at the close of August. My trial had already lasted three days; my name and accusation had collected each morning a knot of spectators, who crowded the benches of the Court, as ravens surrounded a corpse. During three days all the assembly of judges, witnesses, lawyers, and officers had passed and repassed as a phantasmagoria before my troubled vision.

The two first nights, through uneasiness and terror, I had been unable to sleep; on the third I had slept, from fatigue and exhaustion. I had left the jury deliberating at midnight, and was taken back to the heap of straw in my prison, where I instantly fell into a profound sleep,—the sleep of forgetfulness. These were the first hours of repose I had obtained after long watchfulness.

I was buried in this oblivion when they sent to have me awakened, and my sound slumber was not broken by the heavy step and iron shoes of the jailor, by the clanking of his keys, or the rusty grating of the lock; to rouse me from my lethargy it required his harsh voice in my ear, his rough hand on my arm.

“Come,” shouted he, “rise directly!”

I opened my eyes, and started up from my straw bed: it was already daylight.{228}

At this moment, through the high and narrow window of my cell, I saw on the ceiling of the next corridor (the only firmament I was allowed to see) that yellow reflection by which eyes accustomed to the darkness of a prison recognize sunshine. And oh, how I love sunshine!

“It is a fine day!” said I to the jailor.

He remained a moment without answering me, as if uncertain whether it was worth while to expend a word; then, as if with an effort, he coolly murmured, “Very likely.”

I remained motionless, my senses half sleeping, with smiling lips, and my eyes fixed on that soft golden reflection which reverberated on the ceiling.

“What a lovely day!” I repeated.

“Yes,” answered the jailor; “*they are waiting for you*.”

These few words, like a web which stops the flight of an insect, flung me back into the reality of my position. I pictured to myself instantly, as in a flash of lightning, that sombre Court of Justice, the Bench of Judges, in their robes of sanguine hue, the three rows of stupid-looking witnesses, two gendarmes at the extremity of my bench; black robes waving, and the heads of the crowd clustering in the depth of the shadow, while I fancied that I felt upon me the fixed look of the twelve jurymen, who had sat up while I slept.

I rose: my teeth chattered, my hands trembled, my limbs were so weak that at the first step I had nearly fallen; however, I followed the jailor slowly.{229}

Two gendarmes waited for me at the door-way of the cell; they replaced my fetters, to which I yielded mechanically, as in a dream.

We traversed an interior court, and the balmy air of morning reanimated me. I raised my head: the sky was cloudless, and the warm rays of the sun (partially intercepted by the tall chimneys) traced brilliant angles of light on the high and sombre walls of the prison. It was indeed a delicious day.

We ascended a winding staircase; we passed a corridor, then another, then a third, and then a low door was opened. A current of hot air, laden with noise, rushed from it; it was the breath of the crowd in the Court of Justice which I then entered.

On my appearance the hall resounded with the clank of arms and the hum of voices; benches were moved noisily; and while I crossed that long chamber between two masses of people who were walled in by soldiers, I painfully felt myself the centre of attraction to all those fixed and gaping looks.

At this moment I perceived that I was without fetters, but I could not recall where or when they had been removed.

At length I reached my place at the bar, and there was a deep silence. The instant that the tumult ceased in the crowd, it ceased also in my ideas: a sudden clearness of perception came to me, and I at once understood plainly, what until then I could not discover in my confused state of mind, that *the decisive moment was come*! I was brought there to hear my *sentence*!{230}

Explain it who can: from the manner in which this idea came to my mind, it caused me no terror! The windows were open; the air, and the sounds of the City came freely through them; the room was as light as for a wedding; the cheerful rays of the sun traced here and there the luminous forms of the windows, sometimes lengthened on the flooring, sometimes spreading on a table, sometimes broken by the angles of the

walls; and from the brilliant square of each window the rays fell through the air in dancing golden beams.

The Judges at the extreme of the hall bore a satisfied appearance, probably from the anticipation of their labours being soon completed. The face of the President, softly lighted by a reflected sunbeam, had a calm and amiable expression; and a young counsel conversed almost gaily with a handsome woman who was placed near him.

The Jury alone looked wan and exhausted, but this was apparently from the fatigue of having sat up all night. Nothing in their countenances indicated men who would pass sentence of death.

Opposite to me a window stood wide open. I heard laughter in the Market for Flowers beneath; and on the sill of the window a graceful plant, illumined by sunshine, played in the breeze.

How could any sinister idea be formed amongst so many soothing sensations? Surrounded by air and sunshine, I could think of nought save freedom. Hope shone within me, as the day shone around me; and I awaited my sentence with confidence, as one daily calculates on liberty and life.{231}

In the meantime my counsel arrived; after taking his place he leaned towards me with a smile.

“I have hopes!” said he.

“Oh, surely!” I replied in the same light tone.

“Yes,” returned he; “I know nothing as yet of the verdict, but they have doubtless acquitted you of premeditation, and then it will be only *hard labour for life*!”

“What do you mean, sir?” replied I, indignantly; “I would prefer death!”

Then the President, who had only waited for my counsel, desired me to rise. The soldiers carried arms; and, like an electric movement, all the assembly rose at the same instant. The Recorder, placed at a table below the Tribunal, read the verdict, which the Jury pronounced during my absence.

. . . . . .

A sickly chill passed over my frame; I leaned against the wall to avoid falling.

“Counsel, have you anything to say why this sentence should not be passed?” demanded the President.

I felt that *I* had much to urge, but I had not the power,—my tongue was cleaving to my mouth.

My counsel then rose. His endeavour appeared to be, to mitigate the verdict of the Jury, and to substitute the punishment of hard labour for life,—by naming which he had rendered me so indignant! This indignation must again have been powerful within me to conquer the thousand emotions which distracted my thoughts. I wished to repeat aloud what I had already said to him, but my{232} breath failed, and I could only grasp him by the arm, crying with convulsive strength, "No!"

The Attorney-General replied against my counsel's arguments, and I listened to him with a stupid satisfaction. The Judges then left the Court; soon returned, and the President read my sentence.

"*Condemned to death!*" cried the crowd; and as I was led away the assembly pressed on my steps with avidity, while I walked on, confused, and nearly in unconsciousness. A revolution had taken place within me. Until that sentence of Death I had felt myself breathe, palpitate, exist, like other beings. Now I felt clearly that a barrier existed between me and the world. Nothing appeared to me under the same aspect as hitherto. Those large and luminous windows, that fair sunshine, that pure sky,—all was pale and ghastly, the colour of a winding sheet. Those men, women, and children who pressed on my path seemed to me like phantoms.

At the foot of the stairs a black and dirty prison-cart was waiting; as I entered it, I looked by chance around.

"The Condemned Prisoner!" shouted the people, running towards the cart.

Through the cloud which seemed to me to interpose between me and all things, I distinguished two young girls who gazed at me with eager eyes.

"Well," said the youngest, clapping her hands, "*it will take place in six weeks*.{233}"

THIRD PAPER.

CONDEMNED to death!

Well, why not? I remember once reading, "All mankind are condemned to death, with indefinite respites." How then is my position altered?

Since my sentence was pronounced, how many are dead who calculated upon a long life! How many are gone before me, who, young, free, and in good health, had fully intended to be present at my execution! How many, between this and then, perhaps, who now walk and breathe in the fresh air any where they please, will die before me!

And then, what has life for me, that I should regret? In truth, only the dull twilight and black bread of a prison, a portion of meagre soup from the trough of the convicts; to be treated rudely,—*I*, who have been refined by education; to be brutalized by turnkeys without feeling; not to see a human being who thinks me worthy of a word, or whom I could address; incessantly to shudder at what I have done, and what may be done to me,—these are nearly the only advantages of which the executioner can deprive me!

Ah! still it is horrible.{234}

FOURTH PAPER.

THE black cart brought me here to this hideous Bicêtre Prison.

Seen from afar, the appearance of that edifice is rather majestic. It spreads to the horizon in front of a hill, and at a distance retains something of its ancient splendour,—the look of a Royal Palace. But as you approach it, the Palace changes to a ruin, and the dilapidated gables shock the sight. There is a mixture of poverty and disgrace soiling its royal façades; without glass or shutters to the windows, but massive crossed-bars of iron instead, against which is pressed, here and there, the ghastly face of a felon or a madman.

FIFTH PAPER.

WHEN I arrived here the hand of force was laid on me, and numerous precautions were taken: neither knife nor fork was allowed for my repasts; and a strait-waistcoat—a species of sack made of sail-cloth—imprisoned my arms. I had sued to annul my sentence, so the jailors might have for six or seven weeks their responsibility; and it was requisite to keep me safe and healthful for the Guillotine!

For the first few days I was treated with a degree of attention which was horrible to me,—the civilities of a turnkey breathe of a scaffold. Luckily, at the end of some{235} days, habit resumed its influence; they mixed me with the other prisoners in a general brutality, and made no more of those unusual distinctions of politeness which continually kept the executioner in my memory.

This was not the only amelioration. My youth, my docility, the cares of the Chaplain of the prison, and above all some words in Latin which I addressed to the keeper, who did not understand them, procured for me a walk once a week with the other prisoners, and removed the strait-waistcoat with which I was paralyzed. After considerable hesitation they have also given me pens, paper, ink, and a night-lamp. Every Sunday after Mass I am allowed to walk in the Prison-court at the hour of

recreation; there I talk with the prisoners, which is inevitable. They make boon companions, these wretches. They tell me their adventures,—enough to horrify one; but I know they are proud of them. They also try to teach me their mystic idioms,—an odious phraseology grafted on the general language, like a hideous excrescence; yet sometimes it has a singular energy, a frightful picturesqueness. To be hung is called "marrying the widow," as though the rope of the gallows were the widow of all who had been executed! At every instant mysterious, fantastic words occur, base and hideous, derived one knows not whence; they resemble crawling reptiles. On hearing this language spoken, the effect is like the shaking of dusty rags before you.

These men at least pity me, and they alone do so. The jailors, the turnkeys,—and I am not angry with them,—gossip and laugh, and speak of me in my presence as of a mere animal.{236}

SIXTH PAPER.

ISAID to myself, "As I have the means of writing, why should I not do it? But of what shall I write? Placed between four walls of cold and bare stone, without freedom for my steps, without horizon for my eyes, my sole occupation mechanically to watch the progress of that square of light which the grating of my door marks on the sombre wall opposite, and, as I said before, ever alone with one idea,—an idea of crime, punishment, death,—can I have anything to *say*, I who have no more to *do* in this world; and what shall I find in this dry and empty brain which is worthy the trouble of being written?

"Why not? If all around me is monotonous and hueless, is there not within me a tempest, a struggle, a tragedy? This fixed idea which possesses me, does it not take every hour, every instant a new form, becoming more hideous as the time approaches? Why should I not try to describe for myself all the violent and unknown feelings I experience in my outcast situation? Certainly the material is plentiful; and, however shortened my life may be, there will still be sufficient in the anguish, the terrors, the tortures, which will fill it from this hour until my last, to exhaust my pen and ink! Besides, the only means to decrease my suffering in this anguish will be to observe it closely; and to describe it will give me an occupation. And then, what I write may not be without its use. This journal of my sufferings, hour by hour, minute by minute, torment after torment, if I have strength to carry it on to{237} the moment when it will be *physically* impossible for me to continue,—this history necessarily unfinished, yet as complete as possible, of my sensations, may it not give a grand and deep lesson? Will not there be in this process of agonizing thought, in this ever increasing progress of pain, in this intellectual dissection of a condemned man, more

than one lesson for those who condemned? Perhaps the perusal may render them less heedless, when throwing a human life into what they call ‘the scale of justice.’ Perhaps they have never reflected on the slow succession of tortures conveyed in the expeditious formula of a sentence of death. Have they ever paused on the important idea, that in the man whose days they shorten there is an immortal spirit which had calculated on life, a soul which is not prepared for death? No! they see nothing but the execution, and doubtless think that for the condemned there is nothing anterior or subsequent!”

These sheets shall undeceive them. Published, perchance, some day, they will call their attention a few moments to the suffering of the mind; for it is this which they do not consider. They triumph in the power of being able to destroy the body, almost without making it suffer. What an inferior consideration is this! What is mere physical pain compared to that of the mind? A day will come,—and perhaps these memoirs, the last revelations of a solitary wretch, will have contributed—

That is, unless after my death the wind carries away these sheets of paper into the muddy court, or unless they melt with rain when pasted to the broken windows of a turnkey.{238}

SEVENTH PAPER.

SUPPOSE that what I write might one day be useful to others,—might make the Judge pause in his decision, and might save the wretched (innocent or guilty) from the agony to which I am condemned,—why should *I* do it? What matters it? When my life has been taken, what will it be to me if they take the lives of others? Have I really thought of such folly?—to throw down the scaffold which I had fatally mounted!

. . . . . .

What! sunshine, spring, fields full of flowers and birds, the clouds, trees, nature, liberty, life,—these are to be mine no more!

Ah, it is myself I must try to save! Is it really true that this cannot be, that I must die soon,—to-morrow, to-day perhaps; is it all thus? Oh, heavens! what a dreadful idea,—of destroying myself against the prison wall!

EIGHTH PAPER.

LET me consider what time generally elapses between the condemnation and the execution of a prisoner.

Three days of delay, after sentence is pronounced, for the prisoner's final plea to annul it.

The plea forgotten for a week in a Court of Assize,{239} before it is sent to the Minister; a fortnight forgotten at the Minister's, who does not even know that there are such papers, although he is supposed to transmit them, after examination, to the "Cour de Cassation."

Then classification, numbering, registering; the guillotine-list is loaded, and none must go before their turn! A fortnight more waiting; then the Court assembles, rejects twenty pleas together, and sends all back to the Minister, who sends them back to the Attorney-General, who sends them back to the executioner: this would take three more days.

On the morning of the fourth day the Deputies of the Attorney-General and Recorder prepare the order of execution; and the following morning, from day-break, is heard the noise of erecting the scaffold, and in the cross-streets a commotion of hoarse voices.

Altogether *six weeks*. The young girl's calculation was right! I have now been at least five weeks (perhaps six, for I dare not reckon) in this fatal prison; nay, I think I have been even three days more.

NINTH PAPER.

IHAVE just made my will; what was the use of this?

I have to pay my expenses, and all I possess will scarcely suffice. A forced death is expensive.

I leave a mother, I leave a wife, I leave a child,—a little girl of three years old, gentle, delicate, with large{240} black eyes and chesnut hair. She was two years and one month old when I saw her the last time.

Thus after my death there will be three women without son, without husband, without father,—three orphans in different degrees; three widows by act of law.

I admit that I am justly punished; but these innocent creatures, what have they done? No matter; they will be dishonoured, they will be ruined; and this is justice!

It is not so much on account of my poor old mother that I feel thus wretched; she is so advanced in years, she will not survive the blow; or if she still linger a short time, her feelings are so blunted that she will suffer but little.

Nor is it for my wife that I feel the most. She is already in miserable health, and weak in intellects; her reason will give way, in which case her spirit will not suffer while the mind slumbers as in death.

But my daughter, my child, my poor little Mary, who is laughing, playing, singing at this moment, and who dreams of no evil! Ah, it is the thought of her which unmans me!

TENTH PAPER.

HERE is the description of my prison: eight feet square; four walls of granite, with a flagged pavement; on one side a kind of nook by way of alcove, in which is thrown a bundle of straw, where the prisoner{241} is supposed to rest and sleep, dressed, winter, as in summer, in slight linen clothing. Over my head, instead of curtains, a thick canopy of cobwebs, hanging like tattered pennons. For the rest, no windows, not even a ventilator; and only one door, where iron hides the wood. I mistake; towards the top of the door there is a sort of window, or rather an opening of nine inches square, crossed by a grating, and which the turnkey can close at night. Outside, there is a long corridor lighted and aired by means of narrow ventilators high in the wall. It is divided into compartments of masonry, which communicate by a series of doors; each of these compartments serves as an antichamber to a dungeon, like mine. In these dungeons are confined felons condemned by the Governor of the Prison to hard labour. The three first cells are kept for prisoners under sentence of death, as being nearest to the goal, therefore most convenient for the jailor. These dungeons are the only remains of the ancient Bicêtre Castle, such as it was built in the fifteenth century by the Cardinal of Winchester, he who caused Jeanne of Arc to be burned. I overheard this description from some persons who came to my den yesterday, to gratify their curiosity, and who stared at me from a distance as at a wild beast in a menagerie. The turnkey received five francs for the exhibition.

I have omitted to say that night and day there is a sentry on guard outside the door of my cell; and I never raise my eyes towards the square grating without encountering his eyes, open, and fixed on me.{242}

ELEVENTH PAPER.

AS there is no appearance of daylight, what is to be done during the night? It occurred to me that I would arise and examine, by my lamp, the walls of my cell. They are covered with writings, with drawings, fantastic figures, and names which mix with and efface each other. It would appear that each prisoner had wished to leave behind him some trace here at least. Pencil, chalk, charcoal,—black, white, grey letters; sometimes deep carvings upon the stone. If my mind were at ease, I could take an

interest in this strange book, which is developed page by page, to my eyes, on each stone of this dungeon. I should like to recompose these fragments of thought; to trace a character for each name; to give sense and life to these mutilated inscriptions,—these dismembered phrases.

Above where I sleep there are two flaming hearts, pierced with an arrow; and beneath is written “Amour pour la vie.” Poor wretch! it was not a long engagement.

Beyond this, a three-sided cocked hat, with a small figure coarsely done beneath, and the words, “Vive l’Empereur!”

On the opposite wall is the name of “Papavoine.” The capital *P* is worked in arabesques and embellished with care.

A verse of a popular drinking-song.{243}

A Cap of Liberty, cut rather deeply into the stone, with the words beneath of “Bories, La Republique!”

Poor young man! he was one of the four subaltern officers of La Rochelle. How horrible is the idea of their (fancied) political necessity, to give the frightful reality of the guillotine for an opinion, a reverie, an abstraction!—And I! *I* have complained of its severity!—I who have really committed crime—

Ah, what have I seen! I can go no farther in my research! I have just discovered, drawn with chalk in the corner of the wall, that dreadful image, the representation of that scaffold, which even at this moment is perhaps being put up for my execution! The lamp had nearly fallen out of my trembling hands!

TWELFTH PAPER.

IRETURNED precipitately to sit on my straw bed; my head sunk on my knees. After a time, my childish fear was dissipated, and a wild curiosity forced me to continue the examination of my walls.

Beside the name of Papavoine, I tore away an enormous cobweb, thick with dust, and filling the angle of the wall. Under this web there were four or five names perfectly legible, among others of which nothing remained but a smear on the wall,—Dautan, 1815. Poulain, 1818. Jean Martin, 1821. Castaing, 1823.

As I read these names, frightful recollections crowded{244} on me. *Dautan* was the man who cut his brother in quarters, and who went at night to Paris and threw the head into a fountain, and the body into a sewer. *Poulain* assassinated his wife. *Jean Martin* shot his father with a pistol as the old man opened a window.

And *Castaing* was the physician who poisoned his friend; and while attending the illness he had caused, instead of an antidote, gave him more poison. Then, next to these names, was Papavoine, the horrible madman who stabbed children to death in his phrenzy.

“These,” I exclaimed, as a shudder passed over me, “these, then, have been my predecessors in this cell. Here, on the same pavement where I am, they conceived their last thoughts,—these fearful homicides! Within these walls, in this narrow square, their last steps turned and re-turned, like those of a caged wild-beast. They succeeded each other at short intervals; it seems that this dungeon does not remain empty. They have left the place warm,—and it is to me they have left it. In my turn I shall join them in the felons’ cemetery of Clamart, where the grass grows so well!”

. . . . . .

I am neither visionary nor superstitious, but it is probable these ideas caused in my brain a feverish excitement; for, whilst I thus wandered, all at once these five fatal names appeared as though written in flames on the dark wall; noises, louder and louder, burst on my ears; a dull red light filled my eyes, and it seemed to me that my cell became full of men,—strangers to me. Each bore his severed head in his left hand, and carried it by the{245} mouth, for the hair had been removed; each raised his right hand at me, *except the parricide*.[5]

I shut my eyes in horror, and then I saw all even more distinctly than before!

Dream, vision, or reality, I should have gone mad if a sudden impression had not recalled me in time. I was near fainting, when I felt something cold crawling over my naked foot. It was the bloated spider, whom I had disturbed. This recalled my wandering senses. Those dreadful spectres, then, were only the fumes of an empty and convulsed brain. The sepulchre is a prison from whence none escape. The door of the tomb opens not inwards!

. . . . . .

THIRTEENTH PAPER.

IHAVE lately witnessed a hideous sight. As soon as it was day, the prison was full of noise, I heard heavy doors open and shut; the grating of locks and bolts; the clanking of bunches of keys; the stairs creaking from top to bottom with quick steps; and voices calling and answering from the opposite extremes of the long corridors. My neighbours in the dungeons, the felons at hard labour, were more gay than usual. All in

the prison{246} seemed laughing, singing, running, or dancing; I—alone silent in this uproar, alone motionless in this tumult—listened in astonishment.

A jailor passed; I ventured to call and ask him “if there were a Fête in the Prison.”

“A Fête, if you choose to call it so,” answered he; “this is the day that they fetter the galley-slaves who are to set off to-morrow for Toulon. Would you like to see them? It would amuse you.”

For a solitary recluse, indeed, a spectacle of any kind was an event of interest, however odious it might be; and I accepted the “amusement.”

The jailor, after taking the usual precautions to secure me, conducted me into a little empty cell, without a vestige of furniture, and only a grated window,—but still a real window, against which one could lean, and through which one could actually perceive the sky! “Here,” said he, “you will see and hear all that happens. You will be ‘alone in your box,’ like the King!”

He then went out, closing on me locks, bolts, and bars.

The window looked into a square and rather wide court, on every side of which was a large six-storied stone edifice. Nothing could seem more wretched, naked, and miserable to the eye than this quadruple façade, pierced by a multitude of grated windows, against which were pressed a crowd of thin and wan faces, placed one above the other, like the stones of a wall; and all, as it were, framed in the intercrossings of iron bars. They were prisoners, spectators of the ceremony, until their turn came to be the actors.{247}

All looked in silence into the still empty court; among these faded and dull countenances there shone, here and there, some eyes which gleamed like sparks of fire.

At twelve o’clock, a large gateway in the court was opened. A cart, escorted by soldiers, rolled heavily into the court, with a rattling of irons. It was the Convict-guard with the chains.

At the same instant, as if this sound awaked all the noise of the prison, the spectators of the windows, who had hitherto been silent and motionless, burst forth into cries of joy, songs, menaces, and imprecations, mixed with hoarse laughter. It was like witnessing a masque of Demons; each visage bore a grimace, every hand was thrust through the bars, their voices yelled, their eyes flashed, and I was startled to see so many gleams amidst these ashes. Meanwhile the galley-sergeants quietly began their work. One mounted on the cart, and threw to his comrades the fetters, the iron

collars, and the linen clothing; while others stretched long chains to the end of the court and the Captain tried each link by striking it on the pavement,—all of which took place under the mocking raillery of the prisoners, and the loud laughter of the convicts for whom they were being prepared.

When all was ready, two or three low doors poured forth into the court a collection of hideous, yelling, ragged men; these were the galley-convicts.

Their entry caused increased pleasure at the windows. Some of them, being 'great names' among their comrades, were saluted with applause and acclamation, which they received with a sort of proud modesty. Several wore a{248} kind of hat of prison straw, plaited by themselves, and formed into some fantastic shape; these men were always the most applauded.

One in particular excited transports of enthusiasm,—a youth of seventeen, with quite a girlish face. In his prison he had made himself a straw-dress, which enveloped him from head to foot; and he entered the court, jumping a summerset with the agility of a serpent. He was a mountebank condemned for theft, and there was a furious clapping of hands, and a volley of cheers, for him.

At length the names were called in alphabetical order, and they went to stand two and two, companions by similar initials; so that even if a convict had a friend, most likely their chains would divide them from suffering together.

Whilst they were exchanging their worn-out prison-garments for the thin and coarse clothing of the galleys, the weather, which had been hitherto uncertain, became suddenly cold and cloudy, and a heavy shower chilled their thin forms, and saturated their vesture.

A dull silence succeeded to their noisy bravadoes; they shivered, their teeth chattered, and their limbs shook in the wet clothes.

One convict only, an old man, retained a sort of gaiety. He exclaimed laughing, while wiping away the rain, and shaking his fist at the skies, "This was not in the playbill!"

When they had put on their miserable vestments, they were taken in bands of twenty or thirty to the corner of the court where the long chains were extended. At{249} every interval of two feet in these long chains were fastened short transverse chains, and at the extremity of each of the latter was attached a square iron collar, which opened by means of a hinge in the centre and closed by an iron bolt, which is riveted, for the whole journey, on the convict's neck. The convicts were ordered to sit down in the mud on the inundated pavement; the iron collars were fitted on them, and two prison-

blacksmiths, with portable anvils, riveted the hard, unheated metal with heavy iron hammers.

This was a frightful operation, and even the most hardy turned pale! Each stroke of the hammer, aimed on the anvil resting on their backs, makes the whole form yield; the failure of its aim, or the least movement of the head, might launch them into eternity.

When this operation was finished, the convicts rose simultaneously. The five gangs joined hands, so as to form an immense circle, and thus ran round and round in the court, with a rapidity that the eye could hardly follow. They sung some couplets, in their own idiom, to a melody which was sometimes plaintive, sometimes furious, often interrupted by hoarse cries and broken laughter, like delirious ravings, while the chains, clanking together in cadence, formed an accompaniment to a song more harsh than their own noise. A large trough was now brought in; the guards, striking the convicts to make them discontinue their dance, took them to the trough, in which was swimming I know not what sort of herbs in some smoking and dirty-looking liquid. Having partaken of it, they threw the remainder on the pavement, with their{250} black bread, and began again to dance and sing. This is a liberty which is allowed them on the day they are fettered and the succeeding night.

I gazed on this strange spectacle with such eager and breathless attention, that I totally forgot my own misery. The deepest pity filled my heart, and their laughter made me weep.

Suddenly, in the midst of a profound reverie into which I had fallen, I observed the yelling circle had stopped, and was silent. Then every eye was turned to the window which I occupied. “The Condemned! the Condemned!” shouted they, pointing their fingers at me; and their bursts of laughter were redoubled.

I was thunderstruck. I know not where they knew me, or how I was recognized.

“Good day! good night!” cried they, with their mocking sneer. One of the youngest, condemned to the Galleys for life, turned his shining, leaden face on me, with a look of envy, saying, “He is lucky! he is to be *clipped*! Good bye, Comrade!”

I cannot describe what passed within me. I was indeed their “comrade!” The Scaffold is Sister to the Galleys. Nay, I was even lower than they were; the convicts had done me an honour. I shuddered: yes! their “comrade!” I remained at the window, motionless, as if paralyzed; but when I saw the five gangs advance, rushing towards me with phrases of disgusting cordiality; when I heard the horrible din of their chains, their clamours, their steps at the foot of my wall, it seemed to me that this knot of demons were scaling my cell! I uttered a shriek; I threw{251} myself against the door

violently, but there was no means of flight. I knocked, I called with mad fury. Then I thought I heard, still nearer, the horrid voices of the convicts. I thought I saw their hideous heads appearing on a level with the window; I uttered another shriek of anguish, and fainted.

. . . . . .

FOURTEENTH PAPER.

WHEN my consciousness returned it was night: I was lying on a truckle bed; a lamp which swung from the ceiling enabled me to see a line of beds similar to mine, and I therefore judged that I had been taken to the Infirmary. I remained a few moments awake, but without thought or recollection, totally engrossed by the happiness of being again in a bed. Certainly, in former days, this prison-hospital bed would have made me shrink with disgust; but I am no longer the same individual. The sheets were brown, and coarse to the touch, the blanket thin and ragged, and there was but one straw mattress.

No matter! I could stretch my limbs at their ease between these coarse sheets; and under this blanket, thin as it was, I felt the gradual decrease of that horrible chill in the marrow of my bones, to which I had lately been accustomed.—I slept again.

A loud noise awakened me at daylight. The noise came from without; my bed was beside the window, and I sat up to see from what it arose. The window looked into{252} the large Court of the Bicêtre, which was full of people. Two lines of veterans had difficulty in keeping the crowd away from a narrow passage across the Court. Between this double rank of soldiers, five long wagons, loaded with men, were driven slowly jolting at each stone; it was the departure of the convicts.

These wagons were open, and each gang occupied one. The convicts, in consequence of their iron collars being attached to the centre chain, are obliged to sit back to back, their feet hanging over the sides of the wagon; the centre chain stretched the whole length of the cart, and on its unfastened end the Sergeant stood with his loaded musket. There was a continual clanking of the prisoners' chains, and at each plunge of the wagon their heads and pendant limbs were jolted violently. A quick penetrating rain chilled the air, and made their wet slight vesture cling to their shivering forms. Their long beards and short hair streamed with wet; their complexions were saturnine; they were shivering, and grinding their teeth with mingled rage and cold. But they had no power of moving: once riveted to that chain, each becomes a mere fraction of that hideous whole which is called the Gang. Intellect must abdicate,—the fetters condemn it to death; and the mere animal must not even hunger but at certain hours.

Thus fixed, the greater part half clad, with bare heads, and no rest for their feet, they begin their journey of twenty-five days; the same sort of wagons, the same portion of dress being used in scorching July as in the cold rains of November. One would almost think that man wishes Heaven to take a part in his office of executioner.{253}

Between the crowd and the convicts a horrible dialogue was maintained,—abuse on one side, bravadoes on the other, imprecations from both; but at a sign from the Captain I saw the sticks of the Guard raining indiscriminate blows into the wagon, on heads or shoulders, and all returned to that kind of external calm which is called "order." But their eyes were full of vengeance, and their powerless hands were clenched on their knees.

The five wagons, escorted by mounted gendarmes and guards on foot, passed slowly under the high arched door of the Bicêtre. The crowd followed them: all vanished like a phantasmagoria, and by degrees the sounds diminished of the heavy wheels, clanking fetters, and the yells of the multitude uttering maledictions on the journey of the convicts. And such was their happy beginning!

What a proposition my counsel made! The Galleys! I was right to prefer death; rather the Scaffold than what I had seen!

FIFTEENTH PAPER.

UNFORTUNATELY I was not ill; therefore the next day I was obliged to leave the Infirmary to return to my dungeon.

Not ill? No truly, I am young, healthful, and strong; the blood flows freely in my veins; my limbs obey my will; I am robust in mind and body, constituted for a long life. Yes, all this is true; and yet, nevertheless, I have an illness, a fatal illness,—an illness given by the hand of man!{254}

Since I came out of the Infirmary a vivid idea has occupied me,—a thought which affects me to madness; namely, that I might have escaped, had they left me there! Those Physicians, those Charity Sisters seemed to take an interest in me. "To die so young! and by such a death!" One would have imagined they pitied me by their pressing round my bed. Bah! it was curiosity! I have no chance now! My plea will be rejected, because all was legal; the witnesses gave correct evidence, the counsel pleaded well, the Judges decided carefully. I do not reckon upon it, unless—No! folly; there is no hope. The plea is a cord which holds you suspended over an abyss, and which you feel giving way at each instant until it breaks. It is as if the axe of the Guillotine took six weeks to fall.

If I could obtain my pardon!—my pardon! From whom, for what, and by what means? It is impossible that I should be pardoned. They say *an example is requisite*.

SIXTEENTH PAPER.

DURING the few hours I passed at the Infirmary, I seated myself at a window in the sunshine (for the afternoon had become fine), and I enjoyed all the sun which the gratings of the window would allow me.

I sat thus, my heavy and fevered head within my hands, my elbows on my knees, my feet on the bar of the chair; for dejection had made me stoop, and sink within myself, as if I had neither bone nor muscular power.

The stifling air of the prison oppressed me more than ever; I still fancied the noise from the convicts' chains{255} rung in my ears; I was almost overcome. I wished that some guardian spirit would take pity on me, and send even a little bird to sing there, opposite, on the edge of the roof.

I know not if it were a spirit of good or evil which granted my wish; but almost at the moment I uttered it, I heard beneath my window a voice,—not that of a bird, but far better,—the pure, fresh, *velvet* voice of a young girl of fifteen!

I raised my head with a start; I listened with avidity to the song she sung. It was a slow and plaintive air,—a sad yet beautiful melody. As I gathered the sense of the words, I cannot describe my pain and disappointment, while the following stanzas of prison-dialect marred the sweet music.[6]{256}

I heard no more. I could listen to no more. The meaning, half-hidden, half-evident, of this horrible lament,—the struggle between the felon and the police; the thief he meets and despatches for his wife; his dreadful explanation to her: "I have sweated an oak" ("I have assassinated a man") the wife who goes to Versailles with a petition, and the King indignantly exclaiming that he{257} "will make the guilty man dance where there is no floor!"—and all this sung to the sweetest air, and by the sweetest voice that ever soothed human ear! I was shocked, disgusted, overcome. It was a repulsive idea that all these monstrous words proceeded from a fresh rosy mouth: it was like the slime of a snail over a rosebud!

I cannot express what I felt; I was at once pained and gratified. The idiom of crime, a language at once sanguinary and grotesque, united to the voice of a young girl, that graceful transition from the voice of childhood to the voice of woman,—all these deformities of words delightfully sung, cadenced, rounded!

Ah, how infamous is a prison! It contains a venom which assails all within its pestilential reach. Everything withers there, even the song of a girl of fifteen!

If you find a bird within its courts, it has mud on its wing. If you gather a beauteous flower there, it exhales poison!

SEVENTEENTH PAPER.

WHILST I was writing, my lamp faded, daylight appeared, and the clock of the chapel struck six.

---

What can be the meaning of what has since happened? The turnkey on duty came into my cell; he took off his cap, bowed to me, apologized for disturbing me, and making an effort to soften his rough voice, inquired what I wished to have for my breakfast{258}—

A shudder has come over me. *Is it to take place to-day?*

EIGHTEENTH PAPER.

IFEEL that it *is* for to-day!

The Governor of the prison himself came to visit me. He asked me how he could serve or accommodate me; he expressed a hope that I had no complaint to make respecting him or his subordinates; and he inquired with interest regarding my health, and how I had passed the night. On leaving me, he called me “Sir!”

Oh, it surely is for to-day!

NINETEENTH PAPER.

THE Governor of the prison thinks I have no cause of complaint against him or his jailors. He is right, and it would be wrong of me to complain; they have done their duty, they have kept me safe; and then they have been complaisant at my arrival and departure. Ought I not to be satisfied?

This Governor, with his benign smile, his soft words, his eye which flatters and spies, his coarse heavy hands,—he is the incarnation of a prison!

Ah, hapless creature! what will become of me? What will they do with me?

. . . . . .

{259}

TWENTIETH PAPER.

NOW I am calm. All is finished—quite finished!

I am relieved from the dreadful anxiety into which I was thrown by the Governor's visit; for I confess I still felt hope. Now, thank Heaven! hope is gone.

Let me record what has happened.

At half-past six the door of my cell was opened; an old man with white hair entered, dressed in a brown great-coat. He unfastened it, and beneath I saw the black cassock and bands of a priest. He was not the usual Chaplain to the prison, and I thought this appeared ominous. He seated himself opposite to me, with a quiet smile; then shook his head, and raised his eyes to heaven. I understood him.

"My son!" said he, "are you prepared?"

I answered, in a low tone, "I am not prepared—but I am ready."

Then my sight became troubled; a chill damp pervaded my frame. I felt the veins on my temples swelling, and a confused murmur in my ears.

Whilst I vacillated on my chair as though asleep, the old man continued speaking,—at least, so it appeared to me, for I think I remember seeing his lips move, and his hand raised.

The door was opened again; the noise of the lock roused me from my reverie, and the Priest from his discourse. A person dressed in black entered, accompanied{260} by the Governor of the prison, and bowed profoundly to me; he carried a roll of paper.

"Sir," said he, with a courteous smile, "I have the honour to bring you a message from the Attorney-General."

The first agitation was over; all my presence of mind returned, and I answered in a firm tone, "Read on, Sir."

He then read a long, technically-expressed paper, the purport of which was the rejection of my plea. "The execution will be to-day," added he; "we shall leave this for the Conciergerie Prison at half-past seven. My dear Sir, will you have the extreme goodness to accompany me at that hour?"

For some instants I had no longer listened to him; for while his eyes were fixed on the paper the Governor was occupied talking to the Priest; and I looked at the door which they had left half open!... Ah, hapless me! Four sentinels in the corridor. Again I was asked when I would be ready to go.

"When you please," I said; "at your own time."

“I shall have the honour of coming for you, then, in half an hour,” said he, bowing; and all the party withdrew.

Oh, for some means of escaping! Good heavens! any means whatever! I *must* make my escape! I must! Immediately! By the doors, by the windows, by the roof! Even though in the struggle I should destroy myself!

Oh, rage! demons! malediction! It would take months to pierce this wall with efficient tools. And I have not one nail, nor one hour!{261}

TWENTY-FIRST PAPER.

Conciergerie Prison.

Here I am transferred, then. Let me record the details.

At half-past seven the messenger again presented himself at the threshold of my dungeon. “Sir,” said he, “I wait for you.”

Alas! and I saw that four others did the same! I rose, and advanced one step. It appeared to me I could not make a second. My head was so heavy, and my limbs so feeble; but I made an effort to conquer my weakness, and assumed an appearance of firmness.

Prior to leaving the cell, I gave it a final look; I had almost become attached to it. Besides, I left it empty and open, which gives so strange an appearance to a dungeon.

It will not be long untenanted. The turnkeys said they expected some one this evening,—a prisoner who was then being tried at the Court of Assizes.

At the turn of the corridor the Chaplain rejoined us; he had just breakfasted.

At the threshold of the gaol, the Governor took me by the hand; he had reinforced my escort by four veterans.

By the door of the Infirmary a dying old man exclaimed, “Good bye, we shall soon meet again!{262}”

We arrived in the courtyard, where I could breathe again freely, and this refreshed me greatly; but we did not walk long in the open air. The carriage was stationed in the first court. It was the same which had brought me there,—a sort of oblong van, divided into two sections by a transverse grating of close wire. Each section had a door; one in the front, one in the back of the cart; the whole so dirty, so black, so dusty, that the hearse for paupers is a state carriage by comparison! Before I buried myself in this moving tomb, I cast a look round the yard,—one of those despairing looks which seem to ask

a miracle. The court was already encumbered with spectators. Like the day when the convicts departed, there was a slight, chilling shower of the season; it is raining still, and doubtless there will be rain all the day,—which will last when I am no more! We entered the van. The messenger and a gendarme, in the front compartment, the Priest, myself, and a gendarme in the other, with four mounted gendarmes around the carriage. As I entered it, an old grey-eyed woman who stood near exclaimed, “I like seeing this, even better than seeing the galley convicts!”

I can conceive this. It is a spectacle more easily taken in at one view. Nothing divides the attention; there is but one man, and on this isolated being there is as much misery heaped as on all the other convicts together. The van passed with a dull noise under the gateway, and the heavy doors of the Bicêtre were closed after us. I felt myself moving, but in stupor, like a man fallen into a lethargy, who can neither move nor cry out, and who{263} fancies he feels that he is being buried alive. I listened vaguely to the peal of bells on the collars of the post-horses which drew the van, the iron wheels grating over various substances in the road, the clacking whips of the postillion, the galloping of the gendarmes round the carriage,—all seemed like a whirlwind which bore me away.

My mind was so stupefied with grief that I only conceived ideas as in a dream. I saw the blue towers of Nôtre Dame in the distance. “Those who will be on the tower with the flag will see my execution well,” said I to myself, smiling stupidly.

I think it was at that moment that the Priest addressed me again; I patiently let him speak. I had already in my ears the noise of the wheels, the galloping horses, and the postillion’s whip; therefore it was only one more incomprehensible noise. I listened in silence to that flow of monotonous words, which deadened my thoughts, like the murmur of a brook; and they passed before my torpid mind, always varied yet always the same, like the crooked elms we passed by the road-side. The short and jerking voice of the messenger in the front of the van suddenly aroused me.

“Well, Chaplain,” said he, in almost a gay tone, “what news have you to-day?”

The Chaplain, who spoke to me without ceasing, and who was deafened by the carriage, made no answer.

“Well, well! how the van rattles; one can hardly hear oneself. What was I saying to you, Chaplain! Oh, aye!—do you know the great news of Paris to-day?{264}”

I started as if he were speaking to me.

“No,” said the priest, who had at last heard him, “I have not had time to read the papers this morning: I shall see them this evening. When I am occupied in this way all day, I order my servant to keep the papers, and I read them on my return.”

“Bah!” replied the other, “it is impossible that you have not heard what I mean. The news of Paris—the news of this morning.”

It was now my turn to speak; and I said, “I know what you mean.”

The Messenger looked at me. “You? really! and pray what is your opinion about it?”

“You are inquisitive,” said I.

“How so, sir?” replied he. “Every one should have a political opinion: I esteem you too much to suppose that you are without one. As to myself, I am quite in favour of re-establishing the National Guard. I was a serjeant in my company; and, faith! it was very agreeable to—”

I interrupted him by saying, “I did not think this was the subject in question.”

“What did you suppose, then? You professed to know the news.”

“I spoke of something else with which Paris is also occupied to-day.”

The fool did not understand, and his curiosity was awakened.

“More news! Where the deuce could *you* learn news? What is it, my dear sir? Do you know what it is,{265} Chaplain? Do let me hear all about it, I beg. I like news, you see, to relate to the President; it amuses him.”

He looked from one to the other, and obtained no answer.

“Well,” said he, “what are you thinking of?”

“I am thinking,” said I, “that I shall be past thinking, this evening.”

“Oh, that’s it,” returned he. “Come, come, you are too sad. Mr. Castaing conversed on the day of his execution.”

Then, after a pause, he continued: “I accompanied Mr. Papavoine on his last day. He wore his otter-skin cap, and smoked his cigar. As for the young men of La Rochelle, they only spoke among themselves, but still they spoke. As for you, I really think you are too pensive, young man.”

“Young man?” I repeated. “I am older than you; every quarter of an hour which passes makes me a year older.”

He turned round, looked at me some minutes with stupid astonishment, and then began to titter.

“Come, you are joking; older than I am? why, I might be your grandfather.”

“I have no wish to jest,” I answered gravely. He opened his snuff-box.

“Here, my good sir, don’t be angry. Take a pinch of snuff, and don’t bear malice.”

“Do not fear,” said I; “I shall not have long to bear it against you.{266}”

At this moment the snuff-box which he extended to me came against the grating which separated us. A jolt caused it to strike rather violently, and it fell, wide open, under the feet of the gendarme.

“Curse the grating!” said the Messenger; then, turning to me, he added, “Now, am I not unlucky? I have lost all my snuff!”

“I lose more than you,” said I.

As he tried to pick up his snuff, he muttered between his teeth, “More than I! that’s very easily said. No more snuff until I reach Paris! It’s terrible.”

The Chaplain then addressed him with some words of consolation; and I know not if I were pre-occupied, but it seemed to me to be part of the exhortation of which the commencement had been addressed to me.

By degrees conversation increased between the Chaplain and the officer; and I became again lost in thought. The van was stopped for a minute before the toll-gate, and the inspector examined it. Had it contained a sheep or an ox which was going to be slaughtered, they would have required some money; but a human head pays no duty!

We passed through the gates, and the carriage trotted quickly through those old and crooked streets of the Faubourg St. Marceau and the city, which twist and cross each other like the many paths of an ant-hill. On the pavement of these narrow streets the rolling of the wheels became so noisy and rapid that I could hear no other sound, though I saw that people exclaimed, as the van passed, and bands of children followed its track. I fancied also I occa{267}sionally saw in the cross-streets ragged men displaying in their hands a bundle of printed papers, their mouths open as if vociferating something, while the passers stopped to purchase.

Half-past eight struck by the palace clock as we arrived in the court of the Conciergerie Prison. The sight of its wide staircase, its dark chapel, its sombre gates,

made me shudder; and when the carriage stopped, I fancied the beatings of my heart stopped also.

But I collected my strength; the door was opened; with the rapidity of lightning I jumped from the moving prison, and passed between two lines of soldiers: already there was a crowd formed on my path.

TWENTY-SECOND PAPER.

ALL my resolution abandoned me when I reached the low doors, private stairs, and interior corridors, which are only entered by the condemned. The Officer still accompanied me: the Priest had left me for a couple of hours—perchance to read the papers!

I was then taken to the Governor, into whose charge the Officer gave me. They made an exchange. The Director told him to wait a moment, as he had some "game" for him to take back in the Van to the Bicêtre. No doubt it was the man condemned to-day. He is to sleep to-night on the bundle of straw which I have not had time to wear out.{268}

"Oh, very well," said the Officer to the Governor, "I will wait with pleasure; we can make out the two papers together, and it will be very convenient."

They then placed me in a small room adjoining the Governor's office, and left me, locked in, alone.

I know not of what I was thinking, or how long I had been there, when a sudden and loud burst of laughter in my ear dispersed my reverie.

I raised my eyes with a start. I was no longer alone in the cell; a man was beside me. He was about fifty-five years old, middle-sized, wrinkled, stooping, and bald: with a sinister cast in his grey eyes, and a bitter sneer on his countenance; he was dirty, half-clothed, ragged, disgusting.

We looked at each other steadfastly for some moments; he prolonging his bitter laugh, while I felt half astonished, half alarmed.

"Who are you?" said I to him at last.

"That is a funny question," said he. "I am a *friauche*."

"A friauche?" said I; "what does that mean?"

This question redoubled his merriment.

“Why,” cried he, in the midst of a shout of laughter, “it means that they will play the same game with my head in six weeks hence, as they will with thine in six hours! Ha! ha! ha! thou seem’st to understand now!”

And truly I was pale, and my hair stood on end. This, then, was the other condemned prisoner, the one just sentenced, whom they expected at the Bicêtre; the heir of my cell.{269}

He continued: “Never mind! Here’s *my* history. I am son of a famous thief; it is a pity that they gave him one day a hempen cravat; it was during the ‘reign of the Gallows by the grace of Heaven.’ At six years of age I had neither father nor mother; in summer I turned summersets in the dust on the high-road, that carriage-travellers might throw me money; in winter I walked with naked feet in the mud, in ragged clothes, and blowing on my purple hands to excite pity. At nine years old I began to use my fingers; at times I emptied a pocket or a reticule; at ten years old I was a pilferer: then I made acquaintances, and at seventeen I became a thief. I broke into a shop, I robbed the till; I was taken and sent to the Galleys. What a hard life that was! Sleeping on bare boards, drinking plain water, eating black bread, dragging a stupid fetter which was of no use; sun-strokes and whip-strokes: and then all the heads are kept shaved, and I had such fine chesnut hair! Never mind! I served my time; fifteen years. That wears one famously!

“I was two-and-thirty years old; one fine morning they gave me a map of the road, a passport, and sixty-six francs, which I had amassed in my fifteen years at the Galleys, working sixteen hours a-day, thirty days a-month, twelve months a-year. Never mind! I wished to be an honest man with my sixty-six francs; and I had finer sentiments under my rags than you might find beneath the cassock of a priest. But deuce take the passport! It was yellow, and they had written upon it ‘*Freed convict*.’ I was obliged to show this at every village, and to present it every week to the mayors of the towns through which{270} I was ordered to pass. A fine recommendation! a galley-convict! I frightened all the folk, and little children ran away, and people locked their doors. No one would give me work; I expended the last of my sixty-six francs,—and then—one must live. I showed my arms, fit for labour; the people shut their doors. I offered my day’s work for fifteen sous, for ten sous, for five sous! and no one would have me. What could be done? One day, being hungry, I knocked my elbow through a baker’s window; I seized on a loaf, and the baker seized on me. I did not eat the loaf, yet I was condemned to the Galleys for life, with three letters branded on my shoulder; I’ll show them to you if you like. They call that sort of justice *the relapse*. So here I was, a returned horse. I was brought back to Toulon,—this time among the Green-caps (galley-slaves for life); so now I decided to escape. I had *only* three walls to pierce, two

chains to break, and I had one nail! I escaped. They fired the signal gun; for we convicts are, like the Cardinals of Rome, dressed in red, and they fire cannons when we depart! Their powder went to the sparrows! This time, no yellow passport, but then no money either. I met some comrades in the neighbourhood who had also served their time or broken their chains. Their captain proposed to me to join the band. They killed on the highways. I acceded, and I began to kill to live. Sometimes we attacked a Diligence, sometimes it was a post-chaise, sometimes a grazier on horseback. We took the money, we let the horses go, and buried the bodies under a tree, taking care that their feet did not appear; and then we{271} danced on the graves, so that the ground might not seem fresh broken.

"I grew old this way, hiding in the bushes, sleeping in the air, hunted from wood to wood, but at least free and my own master. Everything has an end, and this like the rest: the gendarmes one night caught us at our tricks; my comrades escaped; but I, the oldest, remained under the claw of these cats in cocked hats. They brought me here. I had already mounted all the steps of the justice-ladder, except one. Whether I had now taken a handkerchief or a life was all the same for me. There was but one 'relapse' to give me,—the executioner. My business has been short: faith, I began to grow old and good for nothing. My father *married the widow* (was hanged); I am going to retire to the Abbey of Mont-à-Regret (the Guillotine); that's all, comrade!"

I remained stupefied during the recital. He laughed louder than at the beginning, and tried to take my hand. I drew back in horror.

"Friend," cried he, "you don't seem game. Don't be foolish on the scaffold: d'ye see? There is one bad moment to pass on the board, but that's so soon done. I should like to be there to show you the step! Faith, I've a great mind not to plead, if they will finish me with you to-day. The same Priest will serve us both. You see I'm a good fellow, eh? I say, shall we be friends?"

Again he advanced a step nearer to me.

"Sir," I answered, repulsing him, "I decline it."

Fresh bursts of laughter at my answer.{272}

"Ha, ha, ha! Sir, you must be a Marquis."

I interrupted him, "My friend, I require reflection: leave me in peace."

The gravity of my tone rendered him instantly thoughtful. He shook his grey and nearly bald head, while he murmured between his teeth, "I understand now,—the Priest!"

After a few minutes' silence, he said to me, almost timidly,—

"Sir, you are a Marquis; that is all very well; but you have on such a nice great-coat, which will not be of much use to you. The Executioner will take it. Give it to me, and I will sell it for tobacco."

I took off my great-coat, and gave it to him. He began to clap his hands with childish joy; then looking at my shirt-sleeves, and seeing that I shivered, he added, "You are cold, Sir; put on this; it rains, and you will be wet through; besides, you ought to go decently on the wagon!"

While saying this, he took off his coarse, grey woollen jacket, and put my arms into it, which I allowed him to do unconsciously. I then leaned against the wall, and I cannot describe the effect this man had on me. He was examining the coat which I had given him, and uttered each moment an exclamation of delight. "The pockets are quite new! The collar is not in the least worn! It will bring me at least fifteen francs. What luck! I shall have tobacco during all my six weeks."

The door opened again. They were come to conduct me to the room where the condemned finally await their{273} execution; and the guard was also come to take the other prisoner to the Bicêtre. He placed himself, laughingly, amongst them, and said to the gendarmes,—

"I say, don't make a mistake! We have changed skins, the gentleman and I; but don't take me in his place. That won't suit me at all, now that I can have tobacco for six weeks!"

TWENTY-THIRD PAPER.

THAT old scoundrel! he took my great-coat from me, for I did not give it to him; and then he left me this rag, his odious jacket. For whom shall I be taken?

It was not from indifference, or from charity, that I let him take it. No; but because he was stronger than I! If I had refused, he would have beaten me with those great coarse hands. Charity, indeed! I was full of bad feeling; I should like to have strangled him with my own hands, the old thief!—to have trampled him under my feet.

I feel my heart full of rage and bitterness, and my nature turned to gall: the approach of violent death renders one wicked.

TWENTY-FOURTH PAPER.

THEY brought me into an empty cell. I asked for a table, a chair, and writing materials. When all these were brought, I asked for a bed. The turnkey eyed{274} me with

astonishment, and seemed mentally to say, “What will be the use of it?” However they made up a chaff bed in the corner. But at the same time a gendarme came to install himself in what was called my chamber. Are they afraid that I would strangle myself with the mattress?

TWENTY-FIFTH PAPER.

IT is ten o’clock.

Oh, my poor little girl! In six hours more thy Father will be dead,—something to be dragged about the tables of lecturing rooms; a head to be cast by one party, a trunk to be dissected by another; then all to be thrown together into a bier, and despatched to the felons’ burial-ground. This is what they are going to do with thy Father; yet none of them hate me, all pity me, and all could save me! They are going to kill me, Mary, to kill me in cold blood,—a ceremonial for the general good. Poor little girl! thy Father, who loved thee so well, thy Father who kissed thy little white neck, who passed his hands so fondly through the ringlets of thy silken hair, who danced thee on his knee, and every evening joined thy two little hands to pray to God!

Who will do all this for thee in future? Who now will love thee? My darling child, what wilt thou do for my presents, pretty play things, and kisses? Ah, unfortunate Orphan! What wilt thou do for food and raiment?

If the Jury had seen thee, my pretty little Mary, they would have understood it was wrong to kill the Father of a child three years old.{275}

And when she grows up, what will become of her? Her Father will be one of the disgraces of Paris. She will blush for me and at hearing my name; she will be despised, rejected, reviled, on account of him who loved her with all the tenderness of his heart. Oh, my little Mary, whom I so idolized! can it be true that thou wilt encounter shame and horror through me?

Oh! can it be true that I shall die before the close of day? Those distant shouts which I hear, that mass of animated spectators who are already hastening to the Quays, those gendarmes preparing in their barracks,—is it all for me? Yes, I—myself am going to die?—this actual self which is here, which lives, moves, breathes,—this self which I touch and can feel!

TWENTY-SIXTH PAPER.

IF I even knew how *it* is built, and in what way one dies upon it; but it is horrible, I do not know this.

The very name of it is frightful, and I cannot understand how I have hitherto been able to write and utter it. The idea I attach to this hateful name is vague, undefined, and therefore more sinister. I construct and demolish in my mind continually its hideous scaffolding.

I dare not ask a question about it; yet it is dreadful not to know what it is, and how to act. I fancy there is a sort of hollow, and that you are laid on your face, and—

Ah, my hair will be white before my head falls!{276}

TWENTY-SEVENTH PAPER.

IHAD a glimpse of *it* once. I was passing by the Grêve in a carriage, about eleven o'clock, one morning, when a crowd impeded our progress. I looked out of the window; a dense throng of men, women, and children filled the place and the neighbouring streets. Above the crowd I saw a kind of frame of red wood, which three men were building. I turned away my head with disgust. Close to the carriage there was a woman who said to a child, "Now, look! the axe slides badly; they are going to grease the slide with a candle-end."

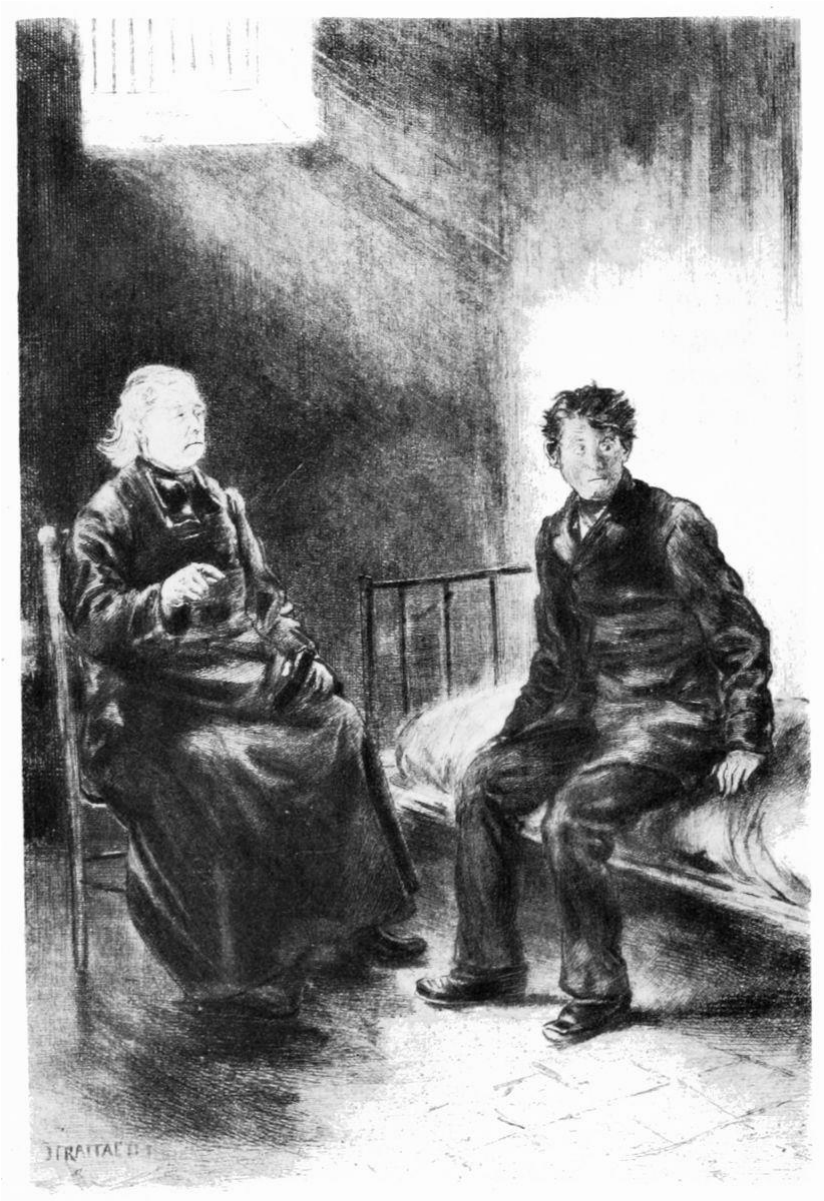
They are probably doing the same now. Eleven o'clock has just struck. No doubt they are greasing the slide.

Oh, unhappy creature! this time I shall not turn away my head.

TWENTY-EIGHTH PAPER.

OH for a pardon! My reprieve! Perhaps I shall be pardoned. The King has no dislike to me. I wish to see my lawyer! He was right, and I should prefer the galleys. Five years of the galleys,—nay, twenty years, or even the galleys for life. Yes, and to be branded with letters! But it would let me have a reprieve of my life! A galley-slave can move, come and go, and see the sunshine.

Oh! I must see my lawyer; he shall discover some new plea to urge in mitigation of my sentence.



*The Priest and the Condemned Man*.

Photo-Etching.—From drawing by J. F. Raffaelli.

{277}

How can I thus write when every point of his eloquence has already failed, and been unanswerably refuted!

TWENTY-NINTH PAPER.

THE Priest returned. He has white hair, a very gentle look, a good and respectable countenance, and is a charitable man. This morning I saw him empty his purse into

the hands of the prisoners. Whence is it then that his voice causes no emotion, and he does not ever seem affected by his own theme? Whence is it that he has as yet said nothing which has won on my intellect or my heart?

This morning I was bewildered; I scarcely heard what he said; his words seemed to me useless, and I remained indifferent; they glided away like those drops of rain off the window-panes of my cell.

Nevertheless, when he came just now to my room, his appearance did me good. Amongst all mankind he is the only one who is still a brother for me, I reflected; and I felt an ardent thirst for good and consoling words.

When he was seated on the chair, and I on the bed, he said to me,—

"My son,—"

This word opened my heart. He continued:

"My son, do you believe in God?"

"Oh, yes, Father!" I answered him.

"Do you believe in the holy Catholic, Apostolic, and Roman Church?{278}"

"Willingly," said I.

"My son," returned he, "you have an air of doubt."

Then he began to speak. He spoke a long time; he uttered a quantity of words. Then, when he had finished, he rose, and looked at me for the first time since the beginning of his discourse, and said "Well?"

I protest I had listened to him with avidity at first, then with attention, then with consideration.

I also rose and said, "Sir, leave me for a time, I beg of you."

He asked, "When shall I return."

"I will let you know, Sir."

Then he withdrew in silence, but shaking his head as though inwardly exclaiming, "An Unbeliever."

No! low as I have fallen, I am *not* an unbeliever. God is my witness that I believe in Him. But how did that old man address me? Nothing to be felt, nothing to affect me,

nothing to draw forth tears, nothing which sprung from his heart to enter into mine,—nothing which was addressed from himself to myself.

On the contrary, there was something vague, inaccentuated, applicable to any case and to none in particular: emphatic where it should have been profound, flat where it ought to have been simple; a species of sentimental sermon and theological elegy. Now and then a quotation in Latin; here and there the names of Saint Augustine and Saint Gregory, and others of the Calendar. And throughout he had the air of reciting a lesson which he had already twenty times repeated; seeming to go over a theme almost obliterated in his memory from being so long{279} known; but not one look in his eyes, not one accent in his voice, to indicate that *he* was interested!

And how could it be otherwise? This Priest is the head Chaplain of the Prison; his calling is to console and exhort,—that is, he lives by it. Condemned felons are the spring of his eloquence; he receives their confession, and prays with them, because he keeps his place by it. He has advanced in years in conducting men to death from his youth, he has grown accustomed to that which makes others shudder. The dungeon and scaffold are every-day matters with him.

He receives notice the preceding evening that he will have to attend some one the following day, at a certain hour. He asks, “Is it for the Galleys or an execution?” and he asks no more respecting them, but comes next day as a matter of course.

*Oh that they would bring me, instead of this man, some young curate, some aged Priest, taken by chance from the nearest parish! Let them find him at his devotional studies, and, without warning, say to him, “There is a man who is going to die, and it is reserved for you to console him. You must be there when they bind his hands; you must take a place in the fatal cart, with your crucifix, and conceal the executioner from him. You must pass with him through that horrible crowd which is thirsting for his execution; you must embrace him at the foot of the scaffold, and you must remain there until his soul has flown!”*

*When they have said this, let them bring him hither, agitated, palpitating, all shuddering from head to foot. Let me throw myself into his arms; then kneel at his feet, and*{280} *he will weep, and we will weep together; and he will be eloquent, and I shall be consoled, and my heart will unburthen itself into his heart,—and I shall receive the blessed hope of Redemption, and he will take my Soul!*

THIRTIETH PAPER.

BUT that old man, what is he to me? What am I to him? Another individual of an unhappy class, a shadow of which he has seen so many; another unit to add to his list of executions.

I have been wrong, perhaps, not to attend to him more; it is he who is good, while I am the reverse. Alas! it was not my fault. The thought of my violent death has spoiled and hardened all within me.

They have just brought me food, as if I could possibly wish for it! I even tried to eat, but the first mouthful fell untasted from my lips.

THIRTY-FIRST PAPER.

SINCE then a strange circumstance happened. They came to relieve my good old gendarme, with whom, ungrateful egotist that I am, I did not even shake hands. Another took his place; a man with a low forehead, heavy features, and stupid countenance. Beyond this I paid no attention, but seated myself at the table, my forehead rest{281}ing on my hands, and my mind troubled by thought. A light touch on my shoulder made me look round. It was the new gendarme, with whom I was alone, and who addressed me pretty nearly in these terms:—

“Criminal, have you a kind heart?”

“No!” answered I, impatiently. The abruptness of my answer seemed to disconcert him. Nevertheless, he began again, hesitatingly,—

“People are not wicked for the pleasure of being so?”

“Why not?” answered I. “If you have nothing but that to say to me, leave me in peace. What is your aim?”

“I beg your pardon, Criminal,” he returned; “I will only say two words, which are these: If you could cause the happiness of a poor man, and that it cost you nothing, would you not do so?”

I answered gravely, “Surely, you cannot allude to me as having power to confer happiness?”

He lowered his voice and assumed a mysterious air, which ill-suited with his idiotic countenance.

“Yes, Criminal, yes,—happiness! fortune!” whispered he; “all this can come to me through you. Listen here, I am a poor gendarme; the service is heavy, the pay is light; my horse is my own, and ruins me. So I put into the lottery as a counterbalance.

Hitherto I have only missed by not having the right numbers. I am always very near them. If I buy seventy-six, number seventy-seven comes up a prize. Have a little patience, if you please; I have almost done. Well, here is a lucky opportunity for me. It appears, Criminal, begging your pardon, that you are to be executed to-day. It is a certain fact{282} that the dead who are destroyed that way see the lottery before it is drawn on earth. Promise that your spirit shall appear to me to-morrow evening, to give me three numbers,—three good ones, eh? What trouble will it be to you? and I am not afraid of ghosts. Be easy on that point. Here's my address: Popincourt Barracks, staircase A, No. 26, at the end of the corridor. You will know me again, won't you? Come even to-night, if it suits you better."

I would have disdained to reply to such an imbecile, if a mad hope had not crossed my mind. In my desperate position there are moments when one fancies that a chain may be broken by a hair.

"Listen," said I to him, acting my part as well as a dying wretch could. "I can indeed render thee richer than the King. I can make thee gain millions, on one condition."

He opened his stupid eyes.

"What, what? I will do anything to please you, Criminal."

"Then instead of three numbers I promise to tell you four. Change coats with me."

"Oh, is that all?" cried he, undoing the first hooks of his uniform cheerfully.

I rose from my chair; I watched all his movements with a beating heart. I already fancied the doors opening before the uniform of a gendarme; and then the prison—the street—the town—left far behind me! But suddenly he turned round with indecision, and asked,—

"I say,—it is not to go out of this?{283}"

I saw that all was lost; nevertheless, I tried one last effort, useless as it was foolish.

"Yes, it is," said I to him; "but as thy fortune will be made—"

He interrupted me.

"Oh, law, no! on account of my numbers! To make them good, you must be dead, you know!"

I sat down again, silent, and more desponding, from all the hope that I had conceived.

THIRTY-SECOND PAPER.

ISHUT my eyes, covered them with my hands, and sought to forget the present in the past. In a rapid reverie, the recollections of childhood and youth came back one by one, soft, calm, smiling, like islands of flowers on the black gulf of confused thoughts which whirled through my brain.

I was again a child,—a laughing, healthy schoolboy, playing, running, shouting with my brothers, in the broad green walks of the old garden where my first years were passed.

And then, four years later, behold me there again, still a child, but a passionate dreamer. And there is a young girl in the garden,—a little Spaniard, with large eyes and long hair, her dark polished skin, her rosy lips and cheeks, the Andalusian of fourteen, named *Pepa*. Our mothers had told us to "go and run together;" we had come forth{284} to walk. They had told us to play; but we had talked instead. Only the year before, we used to play and quarrel and dispute together. I tyrannized over Pepita for the best apple in the orchard; I beat her for a bird's nest. She cried; I scolded her, and we went to complain of each other to our mothers. But now—she was leaning on my arm, and I felt proud and softened. We walked slowly, and we spoke low. I gathered for her some flowers, and our hands trembled on meeting. She spoke to me of the birds, of the sky above us, of the crimson sun-set behind the trees; or else of her schoolfellows, her gown and ribbons. We talked in innocence, but we both blushed. The child had grown into a young girl. After we had walked for some time, I made her sit down on a bank; she was smiling. I was serious.

"Sit down there," said she, "there is still daylight; let us read something. Have you a book?"

I happened to have a favourite volume with me. I drew near her, and opened it by chance. She leaned her shoulder against mine, and we began to read the same page. Before turning the leaf, she was always obliged to wait for me. My mind was less quick than hers. "Have you finished?" she would ask, when I had only just commenced. Then our heads leaned together, our hair mixed, our breath gradually mingled, and at last our lips met.

When we again thought of continuing our reading it was starlight. I shall remember that evening all my life!

Oh, heavens! All *my* life!{285}

THIRTY-THIRD PAPER.

THE clock had just struck some hour,—I do not know which. I do not hear the strokes plainly. I seem to have the peal of an organ in my ears. It is the confusion of my last

thoughts. At this final day, when I look back over the events of life, I recall my crime with horror; but I wish to have still longer to repent of it. I felt more remorse after my condemnation; since then it seems as if there were no space but for thoughts of death. But now, oh, how I wish to repent me thoroughly! When I had lingered for a minute on what had passed in my life, and then came back to the thought of its approaching termination, I shuddered as at something new. My happy childhood, my fair youth,—a golden web with its end stained. If any read my history, after so many years of innocence and happiness, they will not believe in this execrable year, which began by a crime, and will close with an execution. It would appear impossible.

And nevertheless, oh,—imperfection of human laws and human nature!—I was not ill-disposed.

THIRTY-FOURTH PAPER.

OH! to die in a few hours, and to think that a year ago, on the same day, I was innocent and at liberty, enjoying autumnal walks, wandering beneath the trees! To think that in this same moment there are, in the houses{286} around me, men coming and going, laughing and talking, reading newspapers, thinking of business; shopkeepers selling their wares, young girls preparing their ball-dresses for the evening; mothers playing with their children!

THIRTY-FIFTH PAPER.

IREMEMBER once, when a child, going alone to see the belfry of Nôtre Dame.

I was already giddy from having ascended the dark winding staircase, from having crossed the slight open gallery which unites the two towers, and from having seen Paris beneath my feet; and I entered the cage of stone and woodwork where the great bell is hung. I advanced with trembling steps over the ill-joined planks, examining at a distance that bell, so famous amongst the children and common people in Paris; and it was not without terror that I observed the slated pent-houses, which surrounded the belfry with inclined planes, were just on a level with my feet. Through the openings I saw, in a bird's-eye view, the street beneath, and the passengers diminished to the size of ants.

Suddenly the enormous bell resounded; its deep vibration shook the air, making the heavy tower rock, and the flooring start from the beams. The noise had nearly upset me. I tottered, ready to fall, and seemed on the point of slipping over the pent-houses. In an agony of terror I lay down on the planks, pressing them closely with both my{287} arms,—speechless, breathless, with this formidable sound in my ears, while

beneath my eyes was the precipice, a profound abyss, where so many quiet and envied passengers were walking.

Well, it appears to me as if I were again in that belfry; my senses seem again giddy and dazzled; the booming of that bell seems to press on my brain, and around me I no longer see that tranquil and even life which I had quitted (where other men walk still) except from a distance, and beyond a terrible abyss.

THIRTY-SIXTH PAPER.

IT is a quarter past one o'clock.

The following are my sensations at present: a violent pain in my head, my frame chilled, my forehead burning. Every time that I rise, or bend forward, it seems to me that there is a fluid floating in my head, which makes my brain beat violently against the bone.

I have convulsive startings, and from time to time my pen falls from my hand as if by a galvanic shock. My eyes ache and burn, and I suffer greatly in all my limbs.

In two hours and three-quarters hence, *all will be cured*.{288}

THIRTY-SEVENTH PAPER.

THEY say that it is nothing,—that one does not suffer; that it is an easy death. Ah! then, what do they call this agony of six weeks,—this summing-up in one day? What, then, is the anguish of this irreparable day, which is passing so slowly and yet so fast? What is this ladder of tortures which terminates in the scaffold? Are they not the same convulsions whether life is taken away drop by drop, or intellect extinguished thought by thought?

THIRTY-EIGHTH PAPER.

IT is singular that my mind so often reverts to the King. Whatever I do, there is a voice within me which says,—

"There is, in this same town, at this same hour, and not far from hence, in another Palace, a man who also has guards to all his gates; a man alone, like thee, in the crowd,—with this difference, that he is as high as thou art low. His entire life is glory, grandeur, delight. All around him is love, respect, veneration; the loudest voices become low in speaking to him, and the proudest heads are bent. At this moment he is holding a Council of Ministers, where all coincide with his opinions; or else he thinks of the Chase to-morrow, or the Ball for this evening, feeling certain that the Fête will come, and leaving to others the trouble of his pleasures.{289}

Well, this man is of flesh and blood like thee! And in order that at this instant the scaffold should fall, and thou be restored to life, liberty, fortune, family, it would only be requisite for him to write his name at the foot of a piece of paper; or even that his carriage should meet thy fatal cart! And he is good, too, and perhaps would be glad to do it; and yet it will not be done!

THIRTY-NINTH PAPER.

WELL then, let me have courage with death,—let me handle this horrid idea, let me face it boldly. I will ask what it is, know what it demands, turn it in every sense, fathom the enigma, and look before-hand into the tomb.

. . . . . .

I have speculated upon Death and Eternity until my mind seems bewildered by its own horrible fantasies. My ideas wander. Oh, for a Priest,—a Priest who could instruct me! I must have a Priest, and a crucifix to embrace.

Alas! here is the same Priest again!

FORTIETH PAPER.

AFTER a time, I begged of him to let me sleep. I threw myself on the bed. I had a fulness of{290} blood in my head which made me sleep,—my last sleep on earth. I had a horrible dream, from which I awoke in terror, shuddering and in agony.

The Chaplain was seated at the foot of my bed, reading prayers.

“Have I slept long?” I inquired of him.

“My son,” said he, “you have slept an hour. They have brought your child, who is waiting in the next room; I would not allow them to awaken you.”

“Oh,” cried I, “my darling child! Let them bring in my idolized child!”

FORTY-FIRST PAPER.

MY child looked rosy and happy, and her large eyes were bright. Oh, she is so pretty! I drew her towards me; I raised her in my arms, and placing her on my knees, kissed her dear hair. I asked, “Why is her Mother not with her?” And I learnt that she was very ill, and my poor old mother also.

Mary looked at me with astonishment. Caressed, embraced, devoured with kisses, she submitted quietly; but, from time to time, cast an uneasy look towards her Nurse, who was crying in the corner.

At length I was able to speak.

“Mary,” I exclaimed. “My own little Mary!” and I pressed her violently against my breast, which was heaving with sobs. She uttered a little cry, and then said, “Oh, you hurt me, Sir.{291}”

“*Sir!*” It is nearly a year since she has seen me, poor child! She has forgotten me, face, words, voice; and then who could know me with this beard, this dress, and this pallor?

What! already effaced from that memory,—the only one where I wished to survive! What! already, no longer a Father, am I condemned to hear no more that word, so soft in the language of children that it cannot remain in the language of men, “Papa”?

And yet to have heard it from that sweet mouth, once more,—only once more,—that is all that I would have asked in payment for the forty years of life they will take from me.

“Listen, Mary,” said I to her, joining her two little hands in mine. “Do you not know me?”

She looked at me with her bright beautiful eyes and answered,—

“Oh, no indeed.”

“Look at me well,” I repeated. “What! dost thou not know who I am?”

“Yes, Sir,” she answered. “You are a gentleman.”

Alas! while loving one being on earth, loving with all your deep affection, having that being before you, who sees and looks at you, speaks and answers you, and yet knows you not! You wish for consolation but from this one being, who is the only one that does not know that you require it because you are going to die!

“Mary,” I continued, “hast thou a papa?”

“Yes, Sir,” said the child.

“Well, then, dearest, where is he?{292}”

She raised her large eyes in astonishment:—

“Ah, then you don’t know, Sir? Papa is dead.”

Here she began to cry: I nearly let the little angel fall.

“Dead!” I exclaimed: “Mary, knowest thou what it is to be dead?”

“Yes, Sir,” she answered. “He is in earth and in Heaven;” and she continued of her own accord, “I pray to God for him morning and evening at mamma’s knees.”

I kissed her on her forehead.

“Mary, say to me thy prayer.”

“I could not, Sir; a prayer you do not say in the middle of the day. Come to-night to my house, and you shall hear me say it.”

This was enough. I interrupted her.

“Darling Mary, it is *I* who am thy papa.”

“You!” returned she.

I added, “Wouldst thou like me for thy papa?”

The child turned away. “No, Sir; my papa was much prettier.”

I covered her with kisses and tears. She tried to escape from my arms, crying,—

“Sir, you hurt me with your beard.”

Then I replaced her on my knees, devouring her with my eyes, and continued,—

“Mary, canst thou read?”

“Yes,” she answered, “I can read very well. Mamma makes me read my letters.”

“Well, then, read a little to me,” said I, pointing to a printed paper which she held crumpled in one of her dimpled hands.{293}

She shook her pretty head, saying,—

“Oh, dear me! I can only read fables.”

“But try, my darling: come, open your paper.”

She unfolded the paper, and began to spell with her finger, “S E N—sen,—T E N C E—tence,—*Sentence*.” I snatched it from her hands. It was my own sentence of death she was reading to me!

Her nurse had bought the paper for a penny. To me it had cost more.

No words can convey what I felt; my violence had alarmed the child, who was ready to cry.

Suddenly she said to me,—

“Do give me back my paper; I want to play with it!”

I restored her to her nurse.

“Take her hence!” and I fell back in my chair, gloomy, desolate, in despair! Now they may come: I care for nothing more; the last fibre of my heart is broken.

FORTY-SECOND PAPER.

THE Priest is kind; so is the jailor: tears came in their eyes when I sent away my child.

It is done. Now I must fortify myself, and think firmly of the Executioner, the cart, the gendarmes, the crowd in the street and the windows.

I have still an hour to familiarize myself with these ideas. All the people will laugh and clap their hands, and applaud; yet among those men, now free, unknown to{294} jailors, and who run with joy to an execution,—in that throng there is more than one man destined to follow me sooner or later, on the scaffold.

More than one who is here to-day on my account, will come hereafter on his own.

FORTY-THIRD PAPER.

MY little Mary. She is gone away to play; she will look at the crowd from the coach-window, and already she thinks no more of the “Gentleman.” Perhaps I may still have time to write a few pages for her, so that she may read them hereafter, and weep, in fifteen years hence, the sorrows of to-day. Yes, she shall know my history from myself, and why the name I leave her is tarnished.

FORTY-FOURTH PAPER.

MY HISTORY.

[Note. The pages which immediately followed this have not been found. Perhaps, as the next chapter seems to indicate, the Condemned had not time to write his history, as it was so late when he thought of it.]

{295}

FORTY-FIFTH PAPER.

From a Chamber of the Town Hall.

The Town Hall. Yes, I am here; the execrable journey is over. The place of execution is before me, and beneath the window, a horrible throng, laughing and yelling, while they await my appearance. My efforts at composure were vain: when above the heads of

the crowd I saw the frightful scaffold, my heart failed. I expressed a wish to make my last declaration; so they brought me in here, and have sent for some law-officer to receive it. I am now waiting for him; so there is thus much gained. Here is what occurred, on my removal from the Conciergerie.

At three o'clock they came to tell me it was time. I trembled as if I had thought of any thing else during the last six hours, six weeks, six months. It produced on me the effect of something quite unexpected. They made me cross corridors, and descend stairs, they pushed me through a low door into a sombre room, narrow, arched, and scarcely lighted by a day of rain and fog. A chair was in the centre, on which I seated myself at their desire. Some persons were standing near the door; and beside the Priest and gendarmes, there were three men. The first of these, the tallest and oldest, was stout, with a red countenance. This was HE.

This was the Executioner,—the servant of the Guillotine; the others were his own servants. When I was seated, these walked quietly behind me; then suddenly I felt{296} the cold of steel in my hair, and heard the grating action of scissors. My hair, cut carelessly, fell in heavy locks on my shoulders, and the executioner removed them gently with his coarse hand.

The parties in the room spoke in subdued tones. There was a heavy dull sound from without, which I fancied at first was caused by the river; but a shout of laughter soon proved to me it came from the crowd.

A young man near the window, who was writing with a pencil, in his pocket-book, asked one of the turnkeys, what was the name of the present operation? He was answered "The Toilet of the Condemned." From this I gathered that he was preparing the Report for to-morrow's newspaper. One of the servants then removed my waistcoat, and the other one taking my hands, placed them behind me, and I felt the knots of a cord rolled slowly round my wrists; at the same time the other took off my cravat. My linen,—the only remains of former times,—being of the finest quality, caused him a sort of hesitation for a moment; but at length he began to cut off the collar.

At this dreadful precaution, and the sensation of the steel touching my neck, a tremor passed over me, and a stifled groan escaped; the man's hand trembled.

"Sir," said he, "I beg your pardon; I fear I've hurt you."

The people shouted louder in the street. The tall red-faced man offered a handkerchief, steeped in vinegar, for me to inhale.

“Thank you,” said I to him, in the firmest tone I could summon, “it is needless; I am recovered.{297}”

Then one of the men stooped down and fastened a small cord to my ankles, which restricted my steps; and this was again tied to the cord around my wrists; finally, the tall man threw my jacket over my shoulders, and tied the sleeves in front. All was now completed.

Then the Priest drew near with his Crucifix.

“Come, my son,” said he.

The men raised me by my arms; and I walked, but my steps were weak and tottering. At this moment the folding doors were thrown open. A furious clamour, a chill breeze, and a strong white light reached me in the shade. From the extreme of the dark chamber I saw through the rain a thousand yelling heads of the expectant mass. On the right of the doorway, a range of mounted gendarmes; in front, a detachment of soldiers; on the left, the back of the cart, with a ladder. A hideous picture, with the appropriate frame of a prison-door.

It was for this dread moment that I had reserved my courage. I advanced a few steps, and appeared on the threshold.

“There he is! there he is!” bellowed the crowd. “He’s come out at last!” and the nearest to me clapped their hands. Much as a king might be loved, there could not be more greeting for him.

The tall man first ascended the cart.

“Good morning, *Mr. Sampson*!” cried the children hanging by the lamp-posts. One of his servants next followed. “Bravo, *Tuesday*!” cried out the children, as the two placed themselves on the front seat.

It was now my turn, and I mounted with a firm step.{298}

“He goes well to it!” said a woman beside the gendarmes.

This atrocious commendation gave me courage. The Priest took his seat beside me. They had placed me on the hindmost seat, my back towards the horse. I shuddered at this last attention. There is a mixture of humanity in it.

I wished to look around me,—gendarmes before and behind: then crowd! crowd! crowd! A sea of heads in the street. The officer gave the word, and the procession moved on, as if pushed forward by a yell from the populace.

“Hats off! hats off!” cried a thousand voices together, as if for the King. Then I laughed horribly also myself, and said to the Priest, “Their hats—my head.”

We passed a street which was full of public-houses, in which the windows were filled with spectators, seeming to enjoy their good places, particularly the women.

There were also people letting out tables, chairs, and carts; and these dealers in human life shouted out, “Who wishes for places?”

A strange rage seized me against these wretches, and I longed to shout out to them, “Do you wish for mine?”

The procession still advanced. At each step the crowd in the rear dispersed; and I saw, with my wandering eyes, that they collected again farther on, to have another view. I know not how it was, that, notwithstanding the fog and the small white rain which crossed the air like gossamer, nothing which passed around escaped me; every detail{299} brought its torture: words fail to convey my emotions. My great dread was lest I should faint. Last vanity! Then I endeavoured to confuse myself into being blind and deaf to all, except to the Priest, whose words I scarcely heard amidst the tumult. I took the Crucifix and kissed it.

“Have mercy on me,” said I. “O my God!”

And I strove to engross myself with this thought.

But every shake of the cart disturbed me; and then I became excessively chilled, as the rain had penetrated my clothes, and my head was bare.

“Are you trembling with cold, my son?” demanded the Priest.

“Yes,” answered I. “Alas! not only from cold.”

At the turn to the Bridge, the women expressed pity at my being so young. We approached the fatal Quay. My hearing and sight seemed about to fail me. All those voices, all those heads at the windows, at doors, at shop fronts, on lamp-posts; these thirsting and cruel spectators; this crowd where all knew me, and I knew none; this road paved and walled with human visages,—I was confounded, stupefied, senseless. There is something insupportable in the weight of so many looks being fixed upon one. I could scarcely maintain my place on the seat, and lent no further attention to the Priest. In the tumult which surrounded me, I no longer distinguished exclamations of pity from those of satisfaction, or the sounds of laughter from those of complaint. All formed together a noise in my ears like sounding brass.

My eyes read mechanically the signs over the shops.

Once I felt a painful curiosity to look round on *that* which we were approaching.{300}

It was the last mental bravado, and the body would not aid it; for my neck remained paralyzed, and I could not turn it.

And the cart went on, on. The shops passed away; the signs succeeded each other,—written, painted, gilt; and the populace laughed while they tramped through the mud; and I yielded my mind, as persons do in sleeping. Suddenly this series of shops ended as we turned into the square; the voice of the mob became still more loud, yelling, and joyous; the cart stopped suddenly, and I had nearly fallen on my face. The Priest held me up.

“Courage!” murmured he.

They next brought a ladder to the back of the cart. I leaned on the arm of the Priest and descended. I made one step, and turned round to advance another, but I had not the power; beyond the lamp I saw something startling....

Oh, it was the Reality!

I stopped as if staggered by a blow.

“I have a last declaration to make,” cried I, feebly.

And then they brought me up here.

I asked them to let me write my last wishes; and they unbound my hands; but the cord is here, ready to be replaced.

FORTY-SIXTH PAPER.

AJUDGE, a Commissioner, a Magistrate,—I know not what was his rank,—has just been here.

I intreated him to procure my pardon; I begged it with clasped hands, and dragging myself on my knees at his feet.{301}

He asked, with a fatal smile, if that were all I had to say to him?

“My pardon, my pardon!” I repeated. “Oh, for mercy’s sake, five minutes more! Who knows, my pardon may come. It is so horrible at my age to die in this manner. Reprieves have frequently arrived even at the last moment! And to whom would they show mercy, Sir, if not to me?”

That detestable Executioner! He came in to tell the Judge that the execution was ordered for a certain hour, which hour was at hand, and that he was answerable for the event.

“Oh, for mercy’s sake! five minutes to wait for my pardon,” cried I, “or I will defend myself.”

The Judge and the Executioner went out. I am alone,—at least with only two gendarmes present.

That horrible throng, with its hyena cry! Who knows but that I shall escape from it, that I shall be saved? If my pardon,—it is impossible but that they will pardon me! Hark! I hear some one coming upstairs!

FOUR O’CLOCK.
{303}{302}

---

PREFACE

OF

M. VICTOR HUGO,

TO THE RECENT EDITIONS OF

“LE DERNIER JOUR D’UN CONDAMNÉ.”

{304}

{305}

PREFACE.

IN the earlier editions of this work, published at first without the name of the author, the following lines formed the sole introduction to the subject:—

“There are two ways of accounting for the existence of the ensuing work. Either there really has been found a roll of papers on which were inscribed, exactly as they came, the last thoughts of a condemned prisoner; or else there has been an author, a dreamer, occupied in observing nature for the advantage of society, who, having been seized with those forcible ideas, could not rest until he had given them the tangible form of a volume.”

At the time when this book was first published, I did not deem fit to give publicity to the full extent of my thoughts; I preferred waiting to see whether the work would be fully understood, and I find such has been its fate.

I may now, therefore, unmask the political and social ideas which I wished to render popular under this harmless literary guise. I avow openly, that "The Last Day of{306} a Condemned" is only a pleading, direct or indirect, for *the abolition of punishment by death*. My design herein (and what I would wish posterity to see in my work, if its attention should ever be given to so slight a production) is, not to make out the special defence of any particular criminal, such defence being transitory as it is easy: I would plead generally and permanently for *all* accused persons, present and future; it is the great point of Human Right stated and pleaded before society at large,—that highest judicial court; it is the sombre and fatal question which breathes obscurely in the depths of each capital offence, under the triple envelopes of pathos in which legal eloquence wraps them; it is the question of life and death, I say, laid bare, denuded of the sonorous twistings of the bar, revealed in daylight, and placed where it should be seen, in its true and hideous position,—not in the law courts, but on the scaffold,—not among the judges, but with the Executioner!

This is what I have desired to effect. If futurity should award me the glory of having succeeded,—which I dare not hope,—I desire no other crown.

I proclaim and repeat it, then, in the name of all accused persons, innocent or guilty, before all courts, juries, or judges. And in order that my pleading should be as universal as my cause, I have been careful, while writing "The Last Day of a Condemned," to omit any thing of a special, individual, contingent, relative, or modifiable nature, as also any episode, anecdote, known event, or real name,—keeping to the limit (if "limit" it may be termed!) of pleading the cause of *any* condemned pris{307}oner whatever, executed at any time, for any offence; happy if, with no other aid than my thoughts, I have mined sufficiently into my subject to make a heart bleed, under the *æs triplex* of a magistrate! happy if I could render merciful those who consider themselves just! happy if I penetrate sufficiently deep within the Judge to reach the man.

When this book first appeared, some people thought it was worth while to dispute the authorship. Some asserted that it was taken from an English work, and others that it was borrowed from an American author. What a singular mania there is for seeking the origin of matters at a great distance,—trying to trace from the source of the Nile the streamlet which flows through our village! In this work there is no English, American,

or Chinese assistance. I formed the idea of “The Last Day of a Condemned” where you all might form it,—where perhaps you may all have formed it (for who is there that has not reflected and had reveries of “the last day of a condemned”?)—there, on the public walk, the place of execution!

It was there, while passing casually during an execution, that this forcible idea occurred to me; and, since then, after those funereal Thursdays of the Court of Cassation, which send forth through Paris the intelligence of an approaching execution, the hoarse voices of the assembling spectators, as they hurried past my windows, filled my mind with the prolonged misery of the person about to suffer, which I pictured to myself, from hour to hour, according to what I conceived was its actual progress. It was a torture which commenced from daybreak, and{308} lasted, like that of the miserable being who was tortured at the same moment, until *four o’clock*. Then only, when once the *ponens caput expiravit* was announced by the heavy toll of the clock, I breathed again freely, and regained comparative peace of mind. One day at length—I think it was after the execution of Ulbach—I commenced writing this work; and since then I have felt relieved. When one of those public crimes called *legal executions* is committed, my conscience now acquits me of participation therein. This, however, is not sufficient; it is well to be freed from self-accusation, but it would be still better to endeavour to save human life. I do not know any aim more elevated, more holy, than that of seeking the abolition of capital punishment; with sincere devotion I join the wishes and efforts of those philanthropic men of all nations who have laboured, of late years, to throw down the patibulary tree,—the only tree which revolution fails to uproot! It is with pleasure that I take my turn to give my feeble stroke, after the all-powerful blow which, seventy years ago, Beccaria gave to the ancient gibbet, which had been standing during so many centuries of Christianity.

I have just said that the scaffold is the only edifice which revolutions do not demolish. It is rare indeed that revolutions are temperate in spilling blood; and although they are sent to prune, to lop, to reform society, the punishment of death is a branch which they have never removed! I own, however, if any revolution ever appeared to me capable and worthy of abolishing capital punishment, it was the Revolution of July, 1830. It seemed, indeed, as if it{309} belonged to the merciful popular rising of modern times to erase the barbarous enactments of Louis the Eleventh, of Richelieu, and of Robespierre, and to inscribe at the head of the code, “the inviolability of human life!” 1830 was worthy of breaking the axe of 1793.

At one time we really hoped for it. In August, 1830, there seemed so much generosity afloat, such a spirit of gentleness and civilization in the multitude, that we almost fancied the punishment of death was abolished, by a tacit and unanimous consent,

with the rest of the evils which had oppressed us. For some weeks confiding and credulous, we had faith in the inviolability of life, for the future, as in the inviolability of liberty.

In effect, two months had scarcely passed, when an attempt was made to resolve into a legal reality the sublime Utopia of Cæsar Bonesana. Unfortunately, this attempt was awkward, imperfect, almost hypocritical, and made in a different spirit from the general interest.

It was in the month of October, 1830, as may be remembered, that the question of capital punishment was brought before the Chamber of Deputies, and discussed with much talent, energy, and apparent feeling. During two days there was a continued succession of impressive eloquence on this momentous subject; and what was the subject?—to abolish the punishment of death? Yes and No! Here is the truth.

Four "gentlemen,"—four persons well known in society,[7]—had attempted in the higher range of politics one of those daring strokes which Bacon calls crimes, and which{310} Machiavel calls *enterprises*. Well! crime or enterprise,—the law, brutal for all, would punish it by death; and the four unfortunates were prisoners, legal captives guarded by three hundred tri-coloured cockades at Vincennes. What was now to be done? You understand the impossibility of sending to the place of execution, in a common cart, ignobly bound with coarse ropes, seated back to back with that functionary who must not be named,—four men of our own rank,—four "gentlemen"!

If there were even a mahogany Guillotine!

Well, to settle the matter, they need only *abolish the punishment of death*; and thereupon the Chamber set to work!

Only yesterday they had treated this abolition as Utopian,—as a theory, a dream, a poetic folly. This was not the first time that an endeavour had been made to draw their attention to the cart, the coarse ropes, and the fatal machine. How strange it is that these hideous details acquired such sudden force in their minds!

Alas! it was not on account of the general good that they sought to abolish capital punishment, but for their own sakes,—as Deputies, who might become Ministers. And thus an alloy of egotism alters and destroys the fairest social combinations. It is the dark vein in statuary marble, which, crossing everywhere, comes forth at each moment unexpectedly under the chisel!

It is surely unnecessary for me to declare that I was not among those who desired the death of the Ministers. When once they were imprisoned, the indignant anger I had felt

at their attempt changed with me, as with every{311} one else, into profound pity. I reflected on the prejudices of education of some among them; on the ill-developed head of their chief (fanatic and obstinate relapse of the conspiracies of 1804), whitened before its time, in the damp cells of state prisons; on the fatal necessity of their common position; on the impossibility of their placing a drag on that rapid slope down which monarchy rushed blindly on the 8th of August, 1829; on the influence of personal intercourse with Royalty over them, which I had hitherto under-rated: and finally I reflected, above all, on the dignity which one among them spread, like a purple mantle, over their misfortunes! I was among those who sincerely wished their lives saved, and would have readily lent my aid to that effect.

If a scaffold had been raised for them in Paris, I feel quite certain (and if it be an illusion, I would preserve it) that there would have been an insurrection to pull it down; and I should have been one of the rioters.

Here I must add that, in each social crisis, of all scaffolds, the political one is the most abominable, the most fatal, the most mischievous, the most necessary to extirpate.

In revolutionary times, beware of the first execution. It excites the sanguinary passions of the mob.

I therefore agreed thoroughly with those who wished to spare the four Ministers, both as a matter of feeling and of political reasoning. But I should have liked better that the Chamber had chosen another occasion for proposing the abolition of capital punishment. If they had suggested this desirable change not with reference to those four Ministers, fallen from a Palace to a Prison, but{312} in the instance of the first highwayman,—in the case of one of those wretches to whom you neither give word nor look, and from whom you shrink as they pass: miserable beings, who, during their ragged infancy, ran barefoot in the mud of the crossings; shivering in winter near the quays, or seeking to warm themselves outside the ventilator from the kitchens of the hotels where you dine; scratching out, here and there, a crust of bread from the heaps of filth, and wiping it before eating; scraping in the gutter all day, with a rusty nail, in the hopes of finding a farthing; having no other amusement than the gratuitous sight of the King's fête, and the public executions,—that other gratuitous sight,—poor devils! whom hunger forces on theft, and theft to all the rest; children disinherited by their step-mother, the world; who are adopted by the House of Correction in their twelfth year,—by the Galleys at eighteen,—and by the Guillotine at forty! unfortunate beings whom, by means of a school and a workshop, you might have rendered good, moral, useful; and with whom you now know not what to do,—flinging them away like

a useless burthen, sometimes into the red ant-heaps of Toulon, sometimes into the silent cemetery of Clamart; cutting off life after taking away liberty.

If it had been in the instance of one of these outcasts that you had proposed to abolish the punishment of death, oh, then your councils would have indeed been noble, great, holy, majestic! It has ever belonged to those who are truly great and truly powerful, to protect the lowly and weak. How grand would be a Council of Bramins advocating{313} the cause of the Paria! And with us the cause of the Paria is the cause of the people. In abolishing the penalty of death for sake of the people, and without waiting until you were personally interested in the question, you would have done more than a political work,—you would have conferred a social benefit.

Instead of this, you have not yet even completed a political act, while seeking to abolish it not for the abolition's sake, but to save four unfortunate Ministers detected in political delinquency. What has happened? As you were not sincere, the people were distrustful; when they suspected the cause of your change, they became angry at the question altogether, and, strange to say, they declared in favour of that condign punishment, the weight of which presses entirely on themselves.

Immediately after the famous discussion in the Chamber, orders were given to respite, indefinitely, all executions. This was apparently a great step gained; the opponents of punishment by death were rendered happy; but the illusion was of short duration. The lives of the Ministers were spared, and the fortress of Ham was selected as a medium, between death and liberty. These different arrangements once completed, all fear was banished from the minds of the ruling statesmen; and along with fear humanity was also banished. There was no farther question of abolishing capital punishment; and, when they no longer wished to prove to the contrary, Utopia became again Utopia!

There were yet in the prisons some unfortunate condemned wretches, who, having been allowed during five or{314} six months to walk about the prison-yards and breathe the fresh air, felt tranquil for the future, sure of life, mistaking their reprieve for pardon.

There had indeed been a reprieve of six months for these hapless captives, whose sufferings were thus gratuitously aggravated, by making them cling again to life: then, without reason, without necessity, without well knowing why, the respites were all revoked, and all these human beings were launched into eternity.

Let me add, that never were executions accompanied by more atrocious circumstances than since that revocation of the reprieve of July. Never have the "anecdotes" been more revolting, or more effectual to prove the execration of capital

punishment. I will cite here two or three examples of the horrors which have attended recent executions. I must shock the nerves of the wives of king's counsel. *A wife is sometimes a conscience!*

In the South, towards the close of last September, the following circumstance occurred: I think it was at Pamiers. The officers went to a man in prison, whom they found quietly playing at cards, and gave him notice that he was to die in two hours. The wretched creature was horror-struck; for during the six months he had been forgotten, he had no longer thought on death; he was confessed, bound, his hair cut off, he was placed in the fatal cart, and taken to the place of execution. The Executioner took him from the Priest; laid him down and bound him on the Guillotine, and then let loose the axe. The heavy triangle of iron slowly detached itself, falling by jerks down the slides, until, horrible to relate,{315} it wounded the man, without killing him! The poor creature uttered a frightful cry. The disconcerted Executioner hauled up the axe, and let it slide down again. A second time, the neck of the malefactor was wounded, without being severed. Again he shrieked, the crowd joining him. The Executioner raised the axe a third time, but no better effect attended the third stroke. Let me abridge these fearful details. Five times the axe was raised and let fall, and after the fifth stroke, the condemned was still shrieking for mercy. The indignant populace commenced throwing missiles at the Executioner, who hid himself beneath the Guillotine, and crept away behind the gendarmes' horses: but I have not yet finished. The hapless culprit, seeing he was left alone on the scaffold, raised himself on the plank, and there standing, frightful, streaming with blood, he demanded with feeble cries that some one would unbind him! The populace, full of pity, were on the point of forcing the gendarmes to help the hapless wretch, who had five times undergone his sentence. At this moment the servant of the Executioner, a youth under twenty, mounted on the scaffold, told the sufferer to turn round, that he might unbind him: then taking advantage of the posture of the dying man, who had yielded himself without any mistrust, sprang on him, and slowly cut through the neck with a knife! All this happened; all this was seen.

According to law, a judge was obliged to be present at this execution; by a sign he could have stopped all. Why was he leaning back in his carriage then, this man, while they massacred another man? What was he doing, this{316} punisher of assassins, while they thus assassinated, in open day, his fellow-creature? And the Judge was not tried for this; nor the Executioner was not tried for it; and no tribunal inquired into this monstrous violation of all law on one of God's creatures.

In the seventeenth century, that epoch of barbarity in the criminal code, under Richelieu, under Christophe Fouquet, Monsieur de Chalais was put to death at

Nantes by an awkward soldier, who, instead of a sword-stroke, gave him thirty-four strokes of a cooper's adze.[8] But at least it was considered execrable by the parliament of Paris, there was an inquest and a trial; and, although Richelieu and Fouquet did not suffer, the soldier was punished,—an injustice doubtless, but in which there was some show of justice.

In the modern instance, nothing was done. The fact took place after July, in times of civilization and march of intellect, a year after the celebrated lamentation of the Chamber on the penalty of death. The circumstance attracted no attention; the Paris papers published it as an anecdote, and no one cared about it. It was only known that the Guillotine had been put out of order by a dismissed servant of the Executioner, who, to revenge himself, had taken this method of action.

Another instance. At Dijon, only three months ago, they brought to the scaffold a woman (a woman!). This time again the axe of the Guillotine failed of its effect, and the head was not quite detached. Then the Executione{317}r's servants pulled the feet of the woman; and, amidst the yells of the populace, thus finished the law!

At Paris, we have come back to the time of secret executions; since July they no longer dare to decapitate in the town, for they are afraid. Here is what they do. They took lately from the Bicêtre prison a man, under sentence of death, named Desandrieux, I think; they put him into a sort of panier on two wheels, closed on every side, bolted and padlocked; then with a gendarme in front, and another at the back, without noise or crowd, they proceeded to the deserted barrier of St. James. It was eight in the morning when they arrived, with but little light. There was a newly erected Guillotine, and for spectators, some dozens of little boys, grouped on the heaps of stones around the unexpected machine. Quickly they withdrew the man from the basket; and without giving him time to breathe, they furtively, secretly, shamefully deprived him of life! And that is called a public and solemn act of high justice! Infamous derision! How then do the lawgivers understand the word civilization? To what point have we attained? Justice reduced to stratagems and frauds! The law reduced to expedient! Monstrous! A man condemned to death, it would seem, was greatly to be feared, since they put an end to him in this traitorous fashion!

Let us be just, however; the execution was not quite secret. In the morning people hawked and sold, as usual, the sentence of death through the streets. It appears there are people who live by such sales. The crime of a hapless fellow-creature, its punishment, his torture, his agony, forms their stock in trade—a paper that they sell for a penny.{318} Can one conceive anything more hideous than this coin, *verdigrised* in blood?

Here are enough of facts; here are too many. Is not all this horrible? What can be alleged in favour of punishment by death?

I put this question seriously. I ask it that it may be answered; I ask it of Legislators, and not of literary gossips. I know there are people who take “the excellence of punishment by death” for a text of paradoxes, like any other theme; there are others who only advocate capital punishment because they hate so-and-so who attack it. It is for them almost a literary question, a question of persons, and proper names; these are the envious, who do not find more fault with good lawyers than with good artists. The Joseph Grippas are no more wanting to the Filangieri than the Torregiani to the Michael Angelos, and the Scuderies to the Corneilles.

It is not to these that I address myself, but to men of law, properly so called,—to logicians, to reasoners; to those who love the penalty of death for its beauty, its goodness, its grace!

Let them give their reasons.

Those who judge and condemn say that “punishment by death is necessary,—first, because it is requisite to remove from the social community a member which has already injured it, and might injure it again.”

If this be all, perpetual imprisonment would suffice. What is the use of inflicting death? You argue that a prisoner may escape from gaol,—keep watch more strictly! If you do not believe in the solidity of iron bars, how do{319} you venture to have menageries? Let there be no executioner where the jailer can be sufficient.

They continue, “But society must avenge itself, society must punish.”

Neither one nor the other; *vengeance* is an individual act, and *punishment* belongs to God. Society is between the two; punishment is above its power, retaliation beneath it. Society should not punish, to avenge itself; it should correct, to ameliorate others!

Their third and last reason remains, the theory of example. “We must make examples. By the sight of the fate inflicted on criminals, we must shock those who might otherwise be tempted to imitate them!”

Well, in the first place, I deny the power of the example. I deny that the sight of executions produces the desired effect. Far from edifying the common people, it demoralizes and ruins their feeling, injuring every virtue; proofs of this abound and would encumber my argument if I chose to cite them. I will allude to only one fact, amongst a thousand, because it is of recent occurrence. It happened only ten days back from the present moment when I am writing; namely, on the 5th of March, the

last day of the Carnival. At St. Pol, immediately after the execution of an incendiary named Louis Camus, *a group of Masqueraders came and danced round the still reeking scaffold*!

Make, then, your fine examples! Shrove Tuesday will turn them into jest!

If, notwithstanding all experience, you still hold to the theory of example, then give us back the Sixteenth{320} Century; be in reality formidable. Restore to us a variety of suffering; restore us Farinacci; restore us the sworn torturers; restore us the gibbet, the wheel, the block, the rack, the thumb-screw, the live-burial vault, the burning cauldron; restore us in the streets of Paris, as the most open shop among the rest, the hideous stall of the Executioner, constantly full of human flesh; give us back Montfaucon, its caves of bones, its beams, its crooks, its chains, its rows of skeletons; give us back, in its permanence and power, that gigantic outhouse of the Paris Executioner! This indeed would be wholesale example; this would be "punishment by death," well understood; this would be a system of execution in some proportion,—which, while it is horrible, is also terrible!

But do you seriously suppose you are making an example, when you take the life of a poor wretch, in the most deserted part of the exterior Boulevards, at eight o'clock in the morning?

Do not you see then, that your public executions are done in private? That fear is with the execution, and not among the multitude? One is sometimes tempted to believe, that the advocates for capital punishment have not thoroughly considered in what it consists. But place in the scales, against any crime whatever, this exorbitant right, which society arrogates to itself, of taking away that which it did not bestow: that most irreparable of evils!

The alternatives are these: First, the man you destroy is without family, relations, or friends, in the world. In this case, he has received neither education nor in{321}struction; no care has been bestowed either on his mind or heart; then, by what right would you kill this miserable orphan? You punish him because his infancy trailed on the ground, without stem, or support: you make him pay the penalty of the isolated position in which you left him! you make a crime of his misfortune! No one taught him to know what he was doing; this man lived in ignorance: the fault was in his destiny, not himself. You destroy one who is innocent.

Or, Secondly,—the man has a family; and then do you think the fatal stroke wounds him alone?—that his father, his mother, or his children will not suffer by it? In killing him, you vitally injure all his family: and thus again you punish the innocent.

Blind and ill-directed penalty; which, on whatever side it turns, strikes the innocent!

Imprison for life this culprit who has a family: in his cell he can still work for those who belong to him. But how can he help them from the depth of the tomb? And can you reflect without shuddering, on what will become of those young children, from whom you take away their father, their support? Do you not feel that they must fall into a career of vice?

In the Colonies, when a slave is condemned to public execution, there are a thousand francs of indemnity paid to the proprietor of the man! What, you compensate a master, and you do not indemnify a family! In this country, do you not take the man from those who possess him? Is he not, by a much more sacred tie{322} than master and slave, the property of his father, the wealth of his wife, the fortune of his children?

I have already proved your law guilty of assassination; I have now convicted it of robbery!

And then another consideration. Do you consider the soul of this man? Do you know in what state it is, that you dismiss it so hastily?

This may be called “sentimental reasoning,” by some disdainful logicians, who draw their arguments only from their minds. I often prefer the reasonings of the heart; and certainly the two should always go together. Reason is on our side, feeling is on our side, and experience is on our side. In those States where punishment by death is abolished, the mass of capital crime has yearly a progressive decrease. Let this fact have its weight.

I do not advocate, however, a sudden and complete abolition of the penalty of death, such as was so heedlessly attempted in the Chamber of Deputies. On the contrary, I desire every precaution, every experiment, every suggestion of prudence: besides, in addition to this gradual change, I would have the whole penal code examined, and reformed; and time is a great ingredient requisite to make such a work complete. But independently of a partial abolition of death in cases of forgery, incendiarism, minor thefts, et cætera, I would wish that, from the present time, in all the greater offences, the Judge should be obliged to propose the following question to the Jury: “Has the accused acted from Passion, or Interest?” And in case{323} the Jury decide “the accused acted from Passion,” then there should be no sentence of death.

Let not the opposite party deceive themselves; this question of the penalty of death gains ground every day. Before long, the world will unanimously solve it on the side of mercy. During the past century, punishments have become gradually milder: the rack has disappeared, the wheel has disappeared; and now the Guillotine is shaken. This

mistaken punishment will leave France; and may it go to some barbarous people,—not to Turkey, which is becoming civilized, not to the savages, for they will not have it;[9] but let it descend some steps of the ladder of civilization, and take refuge in Spain, or Russia!

In the early ages, the social edifice rested on three columns, Superstition, Tyranny, Cruelty. A long time ago a voice exclaimed, “Superstition has departed!” Lately another voice has cried, “Tyranny has departed!” It is now full time that a third voice shall be raised to say, “The Executioner has departed!”

Thus the barbarous usages of the olden times fall one by one; thus Providence completes modern regeneration.

To those who regret Superstition, we say, “God remains for us!” To those who regret Tyranny, we say, “Our Country remains!” But to those who could regret the Executioner we can say nothing.

Let it not be supposed that social order will depart with the scaffold; the social building will not fall from{324} wanting this hideous keystone. Civilization is nothing but a series of transformations. For what then do I ask your aid? The civilization of penal laws. The gentle laws of Christ will penetrate at last into the Code, and shine through its enactments. We shall look on crime as a disease, and its physicians shall displace the judges, its hospitals displace the Galleys. Liberty and health shall be alike. We shall pour balm and oil where we formerly applied iron and fire; evil will be treated in charity, instead of in anger. This change will be simple and sublime.

The Cross shall displace the Gibbet.

THE END.

**FOOTNOTES:**

[1] The Gypsy form of marriage.

[2] There were grave differences between Denmark and Sweden, because Count d’Ahlefeld insisted, during the negotiation of a treaty between the two States, that the Danish king should be addressed as *rex Gothorum*, which apparently attributed to him supremacy over Gothland, a Swedish province; while the Swedes persisted in styling him *rex Gotorum*, a vague title, equivalent to the ancient name of Danish sovereigns,—King of the Goths. It is probably to this “h”—the cause not of a war, but of long and threatening negotiations—that Schumacker alluded.

[3] Certain chroniclers assert that in 1525 a bishop of Borglum made himself notorious by his depredations. He is said to have kept pirates in his pay, who infested the coast of Norway.

[4] According to popular superstition, Nistheim was the hell reserved for those who died of disease or old age.

[5] This forcible passage scarcely requires the explanation that in France a parricide has the right hand taken off, prior to execution, and all criminals about to be guillotined have their hair removed, lest the axe might be impeded, and cause extra suffering.

[6] The translator having a detestation of "slang idiom" in any language has declined the task of rendering this prison-song into English; not from any actual indecorum being in its clever though coarse composition, but from a doubt of any advantage to be obtained by familiarizing the reading public with the idiom of a Gaol, and which was doubtless invented for the concealment and furtherance of immoral or criminal purposes.

It has become a sort of fashion of the hour to descend from the utmost refinement of sentiment, or the most elevated speculation of philosophy, to grovel and almost revel in the phraseology hitherto confined to the obscure haunts of crime. In order to render justice to M. Victor Hugo's versatile powers, his skilful imitation of a low ballad shall be given here, in the original, the translator only disliking to be the means of interrupting the refined illusion arising from the author's elegant conception of the "Condemned." The general meaning of the song is given afterwards in the text.

SONG OF THE YOUNG GIRL OF THE PRISON.

I.

C'est dans la rue du Mail, Lirlonfa malurette,
Où j'ai été coltigé, Maluré,
Par trois coquins du railles, lirlonfa malurette,
Sur mes sique' ont foncé, lirlonfa maluré.

II.

Ils m'ont mis la tartouve, lirlonfa malurette,
Grand Meudon est aboulé, lirlonfa maluré;

Dans mon trimin rencontre, lirlonfa malurette,
Un peigre du quartier, lirlonfa maluré.

III.

Va-t'en dire à ma largue, lirlonfa malurette,
Que je suis enfourraillé, lirlonfa maluré.
Ma largue tout en colère, lirlonfa malurette,
M'dit: Qu' as-tu donc morfillé? lirlonfa maluré.

IV.

J'ai fait suer un chêne, lirlonfa malurette,
Son auberg j'ai enganté, lirlonfa maluré.
Son auberg et sa toquante, lirlonfa malurette,
Et ses attach 's de cés, lirlonfa maluré.

V.

Ma largu' part pour Versailles, lirlonfa malurette,
Aux pieds d' sa Majesté, lirlonfa maluré.
Elle lu fonce un babillard, lirlonfa malurette,
Pour m' fair' defourrailler, lirlonfa maluré.

VI.

Ah! si j'en défourraille, lirlonfa malurette,
Ma largue j'entiferai, lirlonfa maluré.
J'li ferai porter fontange, lirlonfa malurette,
Et souliers galuchés, lirlonfa maluré.

VII.

Mais grand dabe qui s'fâche lirlonfa malurette,
Dit: par mon caloquet, lirlonfa maluré,
J'li ferai danser une danse, lirlonfa malurette,
Où il n'y a pas de plancher, lirlonfa maluré.

[7] The Ministers, who were afterwards imprisoned in the fortress of Ham.

[8] La Porte says twenty-two strokes, but Aubery says thirty-four. Monsieur de Chalais shrieked until the twentieth.

[9] The Parliament of Otaheite have just abolished capital punishment.