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Trial of Louis XIV.





PROCEEDINGS  
OF THE  
FRENCH NATIONAL CONVENTION  
ON THE  
TRIAL  
OF  
LOUIS XVI.

LATE KING OF FRANCE AND NAVARRE;

TO WHICH ARE ADDED,

SEVERAL INTERESTING OCCURRENCES AND PARTICULARS

ATTENDING THE

TREATMENT, SENTENCE, AND EXECUTION

OF THE ILL-FATED MONARCH;

THE WHOLE

Carefully collected from authentic Documents, and republished with  
Additions, from the Paper of

*THE WORLD.*

By JOSEPH TRAPP, A. M.

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SECOND EDITION.

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“ Murder, most foul, as in the best it is,

“ But this, most foul, horrid, and unnatural!”

SHAKESPEARE.

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L O N D O N :

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1793.





others, are the circumstances under which I beg leave to do you homage of the proceedings which have fixed an everlasting stigma on a neighbouring state, where a Prince, owing to his virtues, gentleness and tractability, fell bleeding, under the axe of an handful of ambitious assassins, who were afraid lest his manly perseverance and patient suffering of all kind of insults, should reclaim his subjects from their error, and thus discomfit their attempts to subvert all humanity and moral principles.

Too well, alas! have they accomplished their sinister designs—while your senatorial firmness, and genuine patriotism, have set a glorious pattern of imitation to every Briton, and fulminated into the deepest recesses of deserved obscurity, those gloomy men, who quite recently attempted to overthrow our excellent Constitution, and to bring into universal contempt and derision, the government of a Monarch who only glories in being the father and defender of his people.—Your civic and patriotic conduct has much contributed to dispel the lowering clouds of delusive Gallic innovation,

innovation, which threatened to eclipse the meridian lustre of British liberty.

The atrocious proceedings which I have the honour to dedicate to your political and private virtues, will serve as a trophy to your loyalty;—they will convince every man of the justice and wisdom of your principles, while, on the other hand, they must impress every feeling heart with a true sense of the calamities resulting from anarchy and confusion. Were it still possible for one Briton to feel the least remnant of partiality to the system of Gallic innovation—show him this trophy—he will shudder at its very aspect—pluck the fatal predilection from his indignant breast—and, turning from this scene of blood, press around the throne of the most beloved of Kings, whose reign, by the Constitution, is the only one calculated to render this nation happy, flourishing, and respected.

Pursue, truly honourable Senator, your laudable career;—continue to set the moving example of peace, morality, and independent patriotism

patriotism to your fellow-citizens ;—and they who now see the awful contrast between confusion and good order, will never cease to enjoy the blessings of the latter, and gratefully own, with me, the signal services which you have rendered to your country, whose annals will cherish your name.

Fully sensible of your merits and excellent qualities, permit me to present you with this slender testimony of the respect with which I have the honour to subscribe myself,

S I R,

Your most obedient,

truly devoted Servant,

JOSEPH TRAPP.



PREFATORY ADDRESS

TO THE

P U B L I C.

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IN soliciting public patronage for the present Work, I need not remind the lovers of useful and polite literature, of the various excellent productions which appeared in the PAPER of the WORLD, and met, on subsequent publication, with the most distinguished reception on the part of the Public—The POETRY of the WORLD, the LIFE of ELWES, have been loaded with their favours, and still shine among the ornaments of English literature.

The present subject, far more dignified, and more momentous to the present and future generations, has been detailed in that journal with uncommon accuracy and superior exertion.

Always proud to devote my time to public instruction and entertainment, I have bestowed several vigils on this Work, which I  
confidently

confidently offer, with many additions and improvements, in opposition to the numerous pamphlets, which, under the title, of *Trial of Louis XVI.* have hitherto been obtruded on public notice. Diffident of my own merit, I trust in an indulgent public, asking for sole recompence, their approbation, which, if granted, shall meet with my warmest gratitude and acknowledgements.

Those who look for a *Guillotine* at the head of the present work, will be disappointed, since, in my humble opinion, its contents are sufficient to rouse their sensibility; and, from this consideration, I scorn to rack the generous mind by the cruel exhibition of that odious instrument, which has already been triumphantly exhibited by those who only wish to operate upon the grosser senses of the less enlightened part of the community, whose credulousness and unqualified sanction is but too easily surpris'd by such insidious trash.

Those whose curiosity may expect for a frontispiece, the portrait of the unfortunate **LOUIS**, will only find it strongly delineated in the narrative of these proceedings; and, although I would have spared no expence to gratify their just curiosity in that particular,  
yet

yet I must solemnly disclaim here every thought of imposture, which has of late been but too successfully practiced on the PUBLIC, by those eager and enterprising men, who, for the sake of lucre, have vended an hundred spurious likenesses of the late Monarch. Upon the strictest and most anxious enquiry, I have been able to discover, that no genuine semblance of the murdered King has, as yet, made its appearance in Europe.—And is there ought that could be absurder than to give in front of so serious a subject, the picture of his late Most Christian Majesty, not in the furrowed, fullen, pale, and deformed features which captivity and complicated sufferings had impressed on it, but the smooth, pleasant, rosy, and health-breathing countenance of LOUIS XVI. which graced his aspect while he still was in plenitude of power and prosperity?—This has been done, but I would deem it an unpardonable insult upon common understanding and discernment.

To a liberal mind it must give pain to make such severe strictures upon the conduct of one's cotemporaries; but, at the same time, candor and manliness, two concomitant requisites which ought to stamp value on every  
literary

literary undertaking, make it my duty to vindicate myself from any imputation of scantiness or fraud which might be urged against me, or those liberal men who have afforded me their most powerful aid and concurrence in the present Work.—These motives have induced me to make this candid and frank avowal—as to the rest, I leave the public to determine the merits of my pretensions.

THE AUTHOR.

THE  
PROCEEDINGS  
OF THE  
French National Convention,  
ON  
*THE TRIAL*  
OF  
LOUIS XVI.  
LATE KING OF FRANCE, NAVARRE, &c. &c.

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FROM the moment LOUIS XVI. had attempted to fly the kingdom, and was brought back from *Varennes* to *Paris*, a continual torrent of misfortunes rushed upon him, which nothing could stop till it had swept away the tide of his wretched existence. The generality of the inhabitants of *Paris*, excited by the leading members of the Legislative Assembly, seduced from their principles by the licentiousness of the press, by means of which every effort was used to denigrate the character of the unfortunate Prince and his family, were now quite against him, and sought eagerly for opportunities to insult and grieve him, and to ill-treat those individuals who were determined to remain his friends and loyal subjects. Emigration—the conduct of the French princes at foreign courts—the invasion of the French territories by the combined armies—the massacres on the 10th of August and those which followed in the beginning of

B

September

September, soured still more the public opinion against the King; he became the object in whom all their hatred and resentment concentrated. He and his family were confined in the temple; royalty was abolished, a National Convention convened, and *France* declared a republic. Not the smallest traces of royalty were left behind; the crown, sceptre, and other insignia of royalty were broke and sent to the mint, and every statue, or monument of Kings, wantonly destroyed; even the ashes of the dead were insulted by those profane innovators, they were taken out of the quiet tomb, and burnt or scattered in the most disgraceful manner. For the name of KING, that of *Tyrant* was substituted; morality and good order fled from the kingdom; the ministers of the Altar were most rigorously prosecuted, and those who had not the good fortune to fly, fell victims to their principles. The new created National Convention did every thing to propagate their principles of modern philosophy; they insulted the very name of religion, and by so doing dissolved every tie of morality among the vulgar, who abandoned themselves to the most profligate and iniquitous excesses. When royalty had been abolished, commissaries were sent to the temple to signify the decree to the KING; he heard his degradation without distorting a feature of his countenance; and when he was ordered to give up his star and ribband, he resigned them cheerfully; from that moment he was treated as a common individual, not with compassion but with rudeness, and consummate cruelty. In the beginning, the KING's confinement was not close, and he could walk about in the temple, but on Sunday the 30th of September, the Council General of the Commons of *Paris*, who were entrusted with the safety of the royal captives, ordered the following  
 decree

Decree to be put into execution at 11 o'clock in the evening:

1. That *LOUIS XVI.* be immediately conducted to the Great Tower of the Temple, and confined in a private room.

2. That *Antoinette* be separated from her husband, and confined in a separate cell.

3. That they be deprived of the use of pens, paper, ink, pencils, books, offensive and defensive arms, all the plate, and every other article not absolutely necessary.

4. That their Valet be put under arrest.

5. That the citizen *Hebert* be joined to the five commissaries already appointed to guard the prisoners.

6. The council authorize the said commissaries to execute this order instantly, and empower them to use every means that their prudence will suggest, for the safety of these hostages of the combination of tyrants.

The National Convention in the sitting of the first of October 1790, on the motion of *Marat*, and *Merlin*, began to think seriously of bringing the King to trial, and made the following arrangement with regard to the papers and documents seized at the *Thuilleries*, and submitted to the examination of the Committee of Vigilance:

1. An Extraordinary Commission shall be appointed, composed of twenty-four members, who shall be taken neither from among the members of the Constituent or Legislative Assemblies, nor from those deputies for Paris, and other citizens, who are members of the National Convention.

2. This commission shall immediately repair to the Mayoralty, where they shall seal and counter-

sign the boxes in which the papers collected by the Committee of Vigilance are inclosed.

3. Each of the said boxes shall be separately opened; the papers they contain shall be arranged and inventoried by two of the commissaries of the National Assembly, in the presence of the other two commissaries of the Committee of Vigilance, and two municipal officers.

4. The papers thus arranged and inventoried shall be replaced in the boxes, and again sealed and counter-signed; they shall then be brought successively into the hall of the National Convention, and placed in a particular spot designed for them, where they shall remain constantly under the guard of four commissaries of the National Convention, two members of the Committee of Vigilance, two Municipal officers, and whatever number of men they will require.

5. The papers of importance shall be printed.

6. The commissaries of the National Convention shall, in the course of their operation, take every necessary measure to secure the accomplices, and are even authorized to issue warrants of arrest.

All these papers were to be brought in evidence against the King, who with the Queen was immured in a separate dungeon each, and their windows covered with brown paper, thereby excluding them from even the cheering light of day.

In their sitting of the 27th of October, as a decree of accusation was passed against the *Marquis de Thoulangcon*, a loyalist, a member rose and said:

“ Every day fresh discoveries are made of the treason of those who have taken up arms against their country; every day decrees of accusation are passed against the subaltern traitors: I move, that the decree of accusation be at last pronounced  
against



against the greatest traitor, against Louis the XVIth.”

In answer to this motion *Mailhe* said: “The Convention have charged their Committee of Legislation to make a report on this subject. The next day the committee met for that purpose, and the discussion has continued for several sittings. I have been considered as their reporter; I am incessantly occupied with this affair. Although this question should not meet with any difficulty, yet we ought to treat it with the utmost solemnity, not for the sake of Louis the XVIth, but to give a striking example to all nations. You know how much the English have been reviled, not for having brought *Charles Stuart* to the scaffold, but for having been too precipitate in judging him, and having evaded all forms. It is because Louis the XVIth is really guilty, that we ought to be more solemn in his judgment. I therefore move for the order of the day. I shall be able to bring up the report at the end of next week.”

*Merlin* then next rose and said, “I demand that the public accuser be ordered to impeach the late Queen before the jury of the Criminal Tribunal.” The Convention passed to the Order of the Day.

In the sitting of the 6th of November, *Valaze*, one of the committee of 24, made the following report relative to the question of the King's trial: “Representatives of the Nation! I come in the name of the Commission of Twenty-four, to lay before you all the matters of fact they have collected respecting the late King. You will hear me with attention; for those in whose name I am speaking, and myself, are in some measure, evidences that depose in this important business.

“The proofs which we have obtained, were scat-

tered amidst a chaos of articles, some insignificant, others quite foreign to the man in question. All has been revised, all read, and the chaos has vanished. To gain that end, we were forced to submit to a long, opinionated, and tedious labour; but since you ordained it, all its difficulties were done away.

“ Vigilance bore the predominant feature in every transaction; every thing was wrapt up in darkness. In one place they would write in symbolic characters; in others they followed projects commenced the preceding night, and the first topics of which could not be traced, either because they were only discussed in secret conversations, or because the letters which might fix their origin could not be collected.—At every step we saw fresh plans starting; and almost at the same instant, the string of conspiracies was broken, so that to find again its traces, baffled all our efforts.

“ How fortunate have been those who were charged with offering you interesting scenes, prudent views, or the narrative of generous actions! for my part, I have nothing to lay before you but perfidious projects; and I can move your hearts with nothing but painful sensations. I should miss the proposed end, were I not to let you participate in the dolorous affections which I felt in preparing the labour, the result of which I now submit to you. Still it remains very imperfect; still am I under the necessity of regretting, that it does not exhibit all the blackness of the designs of the common enemy. But if it be easy to cherish farther suspicion, it was perhaps impossible to gather more proofs, since it is to mere hazard we stand indebted for them.

“ This man, whose character in the want of love and forgiveness was thought extremely simple; this deceitful man was the first, we are certain, to talk  
of

of mystery ; and the merit of his base courtiers is that of endeavouring to outvie one another in villany. The honour of invention is his, whole and entire. So we see, that the art of deception is natural to kings (*some applause*).

“ A pocket-book, taken at the house of one *Septeuil*, Treasurer of the Civil List, is the collection from which we gathered instructions, and we divided it into several separate bundles.

“ In the first place, we shall quote one of *Bouille*'s letters, dated *Mentz*, December 15, 1791.

“ No doubt that perfidious King was not heedless enough at that epoch, to own his correspondence with *Bouille*, and yet the letter seems to have been addressed to no other than him. Besides, the store-room in which it was found, is a strong and sufficient proof.

“ This letter contains the account of the sums given to *Bouille* by LOUIS CAPET, for the purpose of forming the camp of *Montmedy*. It is of a most curious nature, since it includes the names of some of the principal agents of the conspiracy then existing ; and because we see afterwards some of those very agents figure away in the *Thuilleries* in 1792, and receive the same as at the period of the escape to *Varennes*, considerable sums of money, apparently designed for similar projects.

“ The commission has ordained, that I should read you that letter. (*Here the Reporter read the letter, containing a receipt for 993,000 livres, and which has already been read in the Assembly at a former period.*)

“ Thus, LOUIS CAPET, thou canst not plead to have had no hand in the plots in which the infamous *Bouille* has displayed all the blackness of his insolent manifestoes.

“ Thus, thou wilt no more say, thou wast not concerned in the flight of thy brother.

“ Thus, thou wilt no longer be able to deny thy secret connexions with the Court of *Berlin*, and thy efforts in preparing there a Declaration of War against France.

“ The final account of the expedition of *Varennes* was resolved on by the King on the 16th of last April, and it shews us, that it cost the civil list upwards of six millions.

“ You have noticed, Representatives of the People, that a certain *Goguelat* is described in *Bouville's* letter to have received of him the sum of 3600 livres, and in that of *Choiseul-Stainville*, to have received of the latter 9000 livres. Well, this corrupted and apparently secondary agent, for his name is disfigured in *Bouville's* letter, has since made a fresh appearance on the stage; he received, on the 29th of February 1792, a sum of 60,000 livres, for the expenditure of which he makes himself accountable.

“ Judge what account he will tender, and what must be the matters left to his charge?

“ Thou shalt tell it us, LOUIS CAPET; and thou shalt see, that thou wilt not be able to mislead us respecting thy intentions, when we shall produce before thee the receipts of the widow *Favras*, to whom thou gavest a pension of 4000 livres per annum, the payment of which was never missed down to the 1st of June *ultimo*—when we shall shew thee thy promise, dated from last March, to grant to two late rectors of *Versailles* (the *Jacobs*), a pension of 800 livres each, as long as they shall be without their functions.

“ This is likewise one of the objects, respecting which thou enjoinedst secrecy; and thou, surely, didst not expect, imperious despot, that after so  
formal

formal a prohibition, the secret was finally to be divulged.

“ Will he not blush, citizens, colleagues, when we shall manifest to him, that he has left no means of corruption untried on weak men; that his every care was engrossed to mislead the people, and that he never opened his dangerous treasures, but in hope to attain that end;—when we shall prove to him, that the author of the *Postillion de la Guerre* (the Postboy of War) received of him, during the months of May and June last, a sum of 8000 livres; he of the *Logographe*, 34,500 livres, in the space of three months; when we shall present to him a note drawn from *Septeuil's* pocket-book, which announces a bond in his name for the payment of *one million two hundred thousand livres*, to support the bookfellers of Paris; when we shall shew him a letter from *Septeuil* to *Laporte*, of which I think it important to give you a perusal, for it would be a hard matter to express its meaning? Good people, from what a snare have you extricated yourselves!

“ I shall now entertain you with the declaration which has been handed to you from this bar, by the Committee of Safety of the Commons of Paris. They read you a letter from *Laporte*, which imports a sacrifice projected to pay for a decree. This is the only article in which this fact is found; and on our honour do we declare, that there exist no traces else in the immensity of papers we have revised. The crime, therefore, lies wholly to the Tyrant's charge. Yes, Perjurer! it will remain constant, but nothing farther, what thou didst flatter thyself to purchase at the rate of 1,150,000 livres—a decree that might purge the Civil List of a part of its pensions, to bring them to the score of the National Treasury.

“ It

“ It will also remain an incontrovertible fact, that thou hast endeavoured, in the same manner, at the rate of 150,000 livres, to obtain a decree favourable to the liquidation of the offices of thy late household.

“ Citizens colleagues, neither of those decrees have been passed, and the vile corruptor remains unbenefited, overwhelmed with the infamy annexed to his proceedings.

“ I denounce him to you as the monopolizer of corn, sugar, and coffee.

“ *Septeuil* was entrusted with the management of that baneful traffic; to which we see several millions had been consecrated.

“ Ah! I am no longer surprized at the improvidence of the laws against monopolizers; every effort was used to divert the mind of the Legislators from that subject; the mouth of the ever-credulous multitude was shut up by menaces: they were told there was not, nor was there indeed, a possibility of there being any monopolizers; that every part of the empire was so closely watched by the Municipal Corps, and the National Guards. The people kept silence; for is it not an easy thing to persuade them? and the day following, they made them turn out, under the futile pretence of the free circulation of corn; they were turned out, I say, to give assistance to the monopolizers. I will profit by the lesson; and I do here pledge myself, to watch with peculiar care over the digest of the laws relative to provisions.

“ You are well aware, representatives of the people, that they have covered with all the shades of mystery the odious traffic which I have just impeached; and for a long time we ourselves believed that our researches would be fruitless: the sums  
which

which were employed in it, and the name of the person who expended them, left us no doubt in regard to the part which LOUIS CAPET, after the example of his grandfather, took in this commerce. We know the perpetually craving demands of a voluptuous Court: We had before our eyes the embarrassments of *Septeuil* to satisfy those demands: yet we knew that the proud despot wished to be immediately obeyed. We saw this same *Septeuil* devote two millions of livres to this commerce, which was carried on at *Hamburg*, at *London*, and elsewhere, by taking the simple precaution of causing the correspondence on that subject to be carried on in a borrowed name. We were assured at the same time, that the tyrant was informed of the commercial connexions of his agent with the stranger, since we have in our hands, receipts from him for bills drawn upon *London*. We cannot cease to repeat, that *Septeuil* would not have been imprudent enough to deprive himself of the resource of so many millions, when he was pressed every day for so many extraordinary payments, which he could not always answer.

“ Finally, after having an hundred times turned over the documents and the correspondence relative to this commerce, which was carried on from the month of June to the last revolution, we at last found the paper which proved the criminality, signed LOUIS, dated 9th January 1791. It explains every thing. *Septeuil* was authorised to place the stock of the tyrant in the funds of *Paris*, or in foreign ones; and as the nature of the projected commerce exposed the evident risques, this authority bore, that *Septeuil* should not be responsible for any event which might happen.

“ To give some relaxation to your attention, and that you may participate in our amusement, permit  
us,

us, Legislators, to entertain you with the puerile inventions of the court to insure partisans.

“ We found in the pocket-book of *Bertrand*, a note, which shews the establishment of a new order of knighthood, under the name of *Knights of the Queen*.

“ The medal, suspended by a scarlet ribbon, contains, on one side, the picture of the Queen, and her name; and, on the other, this inscription—*Magnum Reginae Nomen obumbrat*.

“ The Patents of the Order bear this inscription—*Dux Femina facto partoque ibit Regi triumpho*.—

“ The note of which I speak, bears, that many Swiss officers, unworthy of their Country, and of the age in which they live, suffered themselves to be seduced by this new bauble, and were not afraid to wear it during the agitations which took place at *Lyons*. When we have such children to contend with, our success cannot be doubtful.

“ But let us return to more serious matters.

“ A person, named *Gilles*, whom we cannot trace out, and who has already made his appearance as receiver and distributor of sums appropriated to the *Postillion of War*, and the *Logographe*,—this man I say, was charged with the organization of a body of 60 men; and in the two months of May and June last, he received for that body a sum of 72,000 livres; and the receipts for these are two, and bear, that it was for the organization of 60 men. Thus, supposing that every one who enlisted was paid at the same rate, they were to receive 1200 livres per annum.

“ Here we invoke against LOUIS CAPET the constitution under the shadow of which he always said he walked; it attributes to the Legislative Body, Title 3d, Chap. 3d, Art. 1st, the right to de-  
termine



termine annually on the proposal of the KING, the number of men and vessels of which the army and navy should be composed.

“ Now, the Legislature had no knowledge of the existence of this body; its establishment is therefore a crime. It was paid from the Civil List, and its existence proves hostile projects.

“ It is therefore evident, that there were secret enrollments made on account of the late KING; and if we have only proofs under the hands of traitors for a company of 60 men, that is no reason for supposing there was not a greater number enlisted. I argue very differently, and say, the secret levying of 60 men only, would have been an useless act, and was not of sufficient magnitude to expose the KING to the rigorous punishment contained in the Penal Code, Art. 3. of the 12th Section of the 1st Title of the Second Part. The certain existence of 60 men attests that there were many more in the same situation.

“ This truth is confirmed by the innumerable declarations made to the police, which are also confirmed by this fact.

“ We have disposed of them in a bundle, where they are numbered. There are four very explicit ones in this article. The one marked 29, made in the name of the Section of *Gravilliers* on the 18th of last July; another marked 20, on the 20th of the same month; the third marked 47, which bears the names of 700 or 800 devoted loyalists; it is dated the 28th of the same month. We read there, that the enemies of the public good regret that the *Sans Culottes* were not present yesterday at the castle, where they would have been briskly fired at. The last, dated the same day, is made in the name of the Sections of Paris.

“ I cannot

“ I cannot conceive that doubts can be made about facts attested in so authentic a manner; however, these declarations, stripped of every other proof, have not appeared sufficient evidence to some; but all have been convinced by the production of GILLES's receipts. This is the first link in the chain; and every thing flows so necessarily from that one fact, that afterwards it will be the only question to produce the proofs of it.

“ Even the most incredulous with respect to the merit of the declarations made to the police, have confessed, in spite of the fruitless researches of the municipality, that they were nevertheless compelled to give credit to this, and to believe that there certainly were deposits of arms and ammunition, and fabrications of uniforms, destined for the rebels. These facts are attested by the papers.

“ Among the declarations, there is one, Number 59, which ought to be deemed incontestible, the more so, as it seems at first to be no person's charge. It is dated the 31st of July.—It imports, that, for about three weeks, there were, at the point of the island of *St. Louis*, two boats loaded with 320 gun-barrels from Biscay, 180 bombs, and a great number of bullets. The informers laid these before the mayoralty, and declared that nobody had watched the boats.

“ It is certain, that these boats contained the ammunition of which I have spoken; it is beyond a doubt, that they belonged to somebody, and this ammunition was brought there designedly.

“ Besides, who can dispute, after the 10th of August, in which the friends of LOUIS CAPET were the aggressors, that plans of attack were formed? We have remarked many detailed in the papers, of which we have an inventory.

“ I know

“ I know of no occasions in which the tyrant has not displayed uncivic sentiments. He received and lived intimately with none but enemies of their country. I lay before you a card of admission to the castle, given to DESPREMENIL; it is signed by the inspector of the *Thuilleries*, who has likewise written under it the name of DESPREMENIL.

“ Did any one arrive from *Coblentz*, he became an Inhabitant of the *Thuilleries*—witness VIOMENIL: BOUILLE himself, the infamous BOUILLE, was to have been there in the month of July last.

“ A note, relative to the service of the posts, found in the pocket-book of SEPTEUIL, attests the preference which LOUIS CAPET granted to the interests of the emigrants, or the enemies of France: we read there, that all the letters of the late KING were addressed to DOGNY; that there was one day in the week set apart for the letters from France, which were opened, but not read; that with respect to those which came from the frontiers, or from *Turin*, *Dogny* had orders to bring them upon their being received.

“ We knew, before we had seen proofs of it in writing, that he had pensioned the old guards of 1789, and even some French guards; and that he has pensioned at the rate of 600 livres per ann. his guards of 1792 after their discharge.

“ You recollect, citizens, colleagues, an act of the executive power, intitled, “ Proclamation of the KING concerning Emigrations,” dated 14th October 1791. I extract from it words chosen at random, for it is all in the same strain—‘ Let Frenchmen know, that the King will consider as his true friends, his only friends, those who will unite with him to maintain the laws and make them respected. A crowd of citizens abandon their KING and their  
country.

country, and carry those riches into foreign countries, which the wants of their fellow citizens require. Return, then, that the heart of the KING may cease to be rent.'

“ Very well, the same man, who likewise sanctioned the Penal Code, paid at *Turin*, in May 1791, a pension to the servant of Madame *Artois*, as the reward of the service of that woman. Such were the terms of the commission. The same man gave assistance, in the month of February 1792, to the woman *Polignac*, to *Vauguyon*, and to *Choiseul Beaupre*, all three emigrants. However, this assistance was of some importance, since the share of *Choiseul* alone, which certainly was not the best, amounted to 9000 livres.

“ The same man, on Monday 23, 1792, insured to the two sons of *Artois* a pension of 200,000 livres per annum, till their father could supply their necessities; and the Act of Accusation against the father is dated January 4, 1792. He did more; on the 15th of last April he gave an order for payment of 16,660 livres at *Turin*.

“ He did more—In spite of the law relative to emigrants, which was of the 8th of April, and in spite of the declaration of war on the 20th of the same month—in spite of the rigours of the penalties pronounced in the Penal Code—he gave, on the 17th of July last, to *Hamilton*, who had made a figure in his flight to *Varennes*, a sum of 3000 livres; and on the 15th of the same month, he gave an order for a similar payment in favour of another emigrant named *Rochfort*. It is worthy of remark, that from the 20th of March to the 15th of July following, he transmitted to *Rochfort* the sum of 81,000 livres.

“ Such

“ Such is the faithful representation of the crimes of which the late KING is convicted by the papers which have been submitted to our examination. We do not doubt but we may find in other places new proofs and new facts; but we conceived ourselves obliged to lay before you only the result of the inventory with which we were charged.”

*Barbaroux.*—“ There exists in the Committee of Safety of Paris, in your own Committee of General Safety, on the records of the Criminal Tribunal established by the law of the 17th of August, and in that of the High National Court, a great many documents respecting the Treasons of LOUIS XVI. I move, that all those be deposited in the Committee of General Safety, in order to select them; and that we shall print nothing on this subject before the general report shall have been made.”

*Sergent.*—“ You must remember that *Petion* mentioned to you a very interesting paper, in which the KING protested against all the decrees he had sanctioned. We have known that one of the late keepers of the seals closetted himself a whole day with several parliament-men: a report was circulated, that this assembly met for the purpose of registering, and depositing in the archives of the parliament, the KING's protest, which *Petion* spoke of. I move, that an inventory be taken of the archives of the late parliament ”

*Petion.*—“ The reporter whom you have heard, has doubtless reported to you only the papers deposited in the Commission of the Twenty-four. There still remains an infinite number of other papers much more important; for instance, the late KING finds himself criminated in several letters of *Choiseul-Gouffier*, and the rebel *Saillant*. His treasons are likewise proved by several papers, of which we took

cognizance in the trial of *Dangremont*, that man who had been hired by LOUIS XVI. to raise a band of assassins.”

*Danton*—“ The only question is, whether or not you will order the printing of the report of *Valaze*, and the observations subjoined to it? I have heard some members oppose the publication of those observations, and vote only for the impression of that part which contains the charges. My opinion is, that you should print the whole. You *must* justify to the universe, and to posterity, the judgment you *must* pronounce upon a perjured and tyrannical KING. In such a business, expences of printing ought not to be spared. Every opinion that shall appear ripe, were it to contain but one single good idea, ought to be published. The dissertation of the reporter on *inviolability* is certainly not complete. Many ideas will be required to be added. It will be an easy task to prove, that nations are inviolable too; that there is no contract with reciprocal obligation; and that it is evident that the late KING was willing to *violate*, to *betray*, to *undo* the French nation: his condemnation is founded upon eternal justice—(*applause*). I shall not enter upon a preposterous discussion; I will confine myself to moving the printing of the report.”

*Rabaud*—“ The Commission of Twenty-four has only made a partial exposure of the pieces; we, on the contrary, want a whole bulk of evidence. I move, that *Valaze's* report, instead of being printed, be sent back to the Committee of Safety, who are charged to make us a general report.”

*Buzot*—“ It is, above all, in the critical moment when all possible schemes are devised for stirring up the people, that nothing ought to be concealed from them;

them; the report read to the National Convention ought to be printed.”

The Convention decreed the printing of *Valaze's* report.

In the sitting of the 7th of November *Mailhe* rose and made the following report in the name of the Committee of Legislation:

“ Can LOUIS the XVIth be tried for the crimes he is charged with, when seated on the constitutional throne? By whom ought he to be tried? Would you delegate the right of sitting in judgment upon him to a tribunal formed by the Electoral Assemblies of the 83 departments? Is it not more natural that the National Convention itself should try him? Is it necessary or convenient to submit the sentence to the ratification of all the members of the Republic united in the Assemblies of the Commons, or in Primary Assemblies?

“ I open the Constitution which had consecrated despotism under the name of hereditary royalty: I find there, that the person of the KING is inviolable and sacred: I find there, that if the KING did not take the oath prescribed, or if, after having taken it, he retracted—that if he put himself at the head of an army, and directed its force against the nation, or if he did not oppose, by a formal act, every enterprize which might be executed in his name; or if, after going out of the kingdom, he did not re-enter after an invitation of the legislative body—he should be deemed to have abdicated the throne.

“ Does this say that the King, if he is skilful enough to elude a case of forfeiture, may with impunity give himself up to the most atrocious passions? Does it say that the King may make use of his constitutional power for the subversion of the constitution?—that if, after having clandestinely called to

his assistance hordes of foreign banditti, and spilled the blood of many thousand citizens, he should fail in his enterprizes against liberty, he should be pardoned for having lost a sceptre which was odious to him, because it was not one of iron? and that a nation, a long time oppressed and betrayed, should not have the right of taking ample vengeance, and displaying a great example to the universe?

“ Citizens, the nation has spoken: the Nation has chosen you to be the organs of its sovereign will: here all difficulties vanish; here the royal infallibility is as if it had never existed. That inviolability had for its only object the insurance of energy to the executive power, by its independence on the legislative body. From thence it followed, that that body had not the right of trying the King, in cases not provided for by the constitution. From thence it followed, that he could in no case be tried by the other constituent authorities, to which he was superior: but it did not follow that he could not be judged by the nation; for, to form such a conclusion, we must say, that by the constitutional act the King was superior to the nation, or independent of it. No, the nation was not bound by the royal inviolability; it could not be so; there existed no reciprocity between the King and the nation. LOUIS the XVIth was King only by the constitution; the nation was sovereign without a constitution and a King. It held its sovereignty from nature; it could not alienate it for a single moment; and this eternal principle was acknowledged by the constitution itself.

“ But has not LOUIS XVI. been tried? Has he not been punished by being deprived of the constitutional sceptre? Can he be subjected to a second judgment—a second punishment?

“ If



“ If the constitution subsisted, and the legislative body had pronounced the fall of LOUIS XVI. in conformity to that act which gave him a successor, that loss would have been a punishment, and the constitution would resist any further punishment. But the nation, which has the imprescriptible right of changing the constitution, has charged its representatives to construct a new one. Invested with the plenitude of its power, you have not said that LOUIS XVI. was unworthy of being King, but you have said that there was no more a King in *France*: it was not because LOUIS XVI. was incapable that you have abolished royalty, but because there can be no liberty without equality, nor equality without a republic.

“ But they may contest the possibility of condemning LOUIS XVI. to a punishment; you may be reminded of the declaration of rights; you may be told that *no one can be punished but in virtue of a law established and promulgated previous to the crime, and legally applied*; you may be asked, where is the law which could be applied to the crimes of which LOUIS XVI. is guilty? Where is the law? It is in the penal code: it is the law which punishes the prevalent actions of the public functionaries; for you know, that in the eye of the law LOUIS XVI. was the first of those functionaries. It is the law which strikes traitors and conspirators. It is the law which lays its heavy sword on the head of every man who is base and audacious enough to attack social liberty.

“ Citizens, do you think that you must be permitted to withdraw yourselves from the great principles of natural and social justice? Cannot you discover your duties impressed upon every object around you? Are they not traced on the still smoking ashes of *Lisle*, and the gates of *Longwy* and *Verdun*? Do

you not see all the nations of the universe, all present and future generations, crowding around you, and waiting with respectful and silent impatience, that you should inform them if he who was originally charged with causing the laws to be executed, could ever make himself independent of those who made the laws; if royal inviolability has the right of destroying citizens, and subverting societies, with impunity; if a monarch is a God whom we ought to bless for his blows, or a man whom we ought to punish for his crimes?

“ This is the basis of the decree which the committee has charged me to present to you :

- 1st. LOUIS the XVIth can be tried.
- 2d. He shall be tried by the National Convention.
- 3d. Three commissioners, chosen from the Assembly, shall be charged to collect all the papers, instructions, and proofs, relative to the crimes imputed to LOUIS the XVIth.
- 4th. The commissioners shall terminate their report by an information, specifying the crimes of which LOUIS the XVIth is accused.
- 5th. If this information is adopted, it shall be printed, and communicated to LOUIS the XVIth, and his defenders if he thinks proper to choose any.
- 6th. The originals of these papers, if LOUIS the XVIth. demands them to be communicated, shall be carried to the temple by twelve commissioners, after copies of them have been taken, to remain at the Archives; and afterwards carried back to the National Archives by them.
- 7th. The National Convention shall fix the day on which LOUIS the XVIth. shall appear before them.
- 8th. LOUIS the XVIth, either by himself or his advisers, shall present his defence in writing, and signed by him, or verbally.
- 9th. The National Convention shall give judgment by a Majority of votes.

The Convention ordered the printing and distribution of the second report concerning LOUIS CAPET.

From

From some incident the debates on the question of the King's trial were postponed till Tuesday, Nov. 13, when the President rose and said: "The Order of the Day calls for the discussion relative to the trial of the late King."

*Petion* proposed that the discussion should be confined to this simple question—Can the King be tried? This proposal was adopted.

*Morisson*—"Citizens, in treating a question of this importance, we ought not to determine without the most mature deliberation; and if, among the speakers, there is one who supports an opinion contrary to the prevailing one, he is the person whom we ought to hear with the greatest attention. Error is often useful for the better display of truth; like the shade in the picture, it displays with greater precision the features of the face.

"According to our institution, to empower us to try Louis the XVIth, there must be a positive pre-existing law, which may be applied to him—but such a law does not exist.

"The Penal Code pronounces the punishment of death against those who betray their country: as dispassionate judges, let us coolly consult this code; and the consequence of that inquiry will be, that the Penal Code contains no provisions which can be applied to Louis the XVIth, since, at the time of his committing the crimes imputed to him, there existed a positive law which contained an exception in his favour—I mean the Constitution. The King, it is said, is inviolable only by the Constitution; but the Constitution being destroyed, his inviolability has perished with it. Now, the Constitution always subsists, inasmuch as it has not been destroyed by posterior laws, or positive acts, such

as the suppression of royalty, and the establishment of the Republic.

“ The Sovereign People has determined the punishment which ought to be inflicted upon him, and that punishment is deposition—a more rigorous punishment for a despot than any which our Penal Code contains. I have said, and I repeat it with regret, the law remains silent with respect to this guilty man, in spite of the atrocity of his crimes. He can now fall under the sword of the law alone; the law pronounces nothing with respect to him, and therefore we cannot try him.”

*St. Just*—“ I undertake to prove, that the King can be tried; that the opinion of *Morisson*, who contends for his inviolability, and that of the committee, which wishes he should be tried as a citizen, are equally false; and that he ought to be tried upon principles different from both.

“ The sole intention of the committee was to persuade you, that the King ought to be tried like a private citizen; and I say he ought to be tried as an enemy that we have rather to fight with than to judge him; and that being reckoned for nothing in the contract which unites France, the form of proceeding should not be founded on municipal law, but on the Law of Nations. A person who is not bound by a contract, is not deemed a party to it; consequently *LOUIS*, who was not bound by it, cannot be tried civilly. This contract was so oppressive, that it bound the People and not the King; such a contract is necessarily null; for nothing is legitimate which wants a natural and moral sanction.

“ Hasten, therefore, to try the King. You have seen his perfidious designs; you have seen his army—the Traitor was not the King of the French; he

he was the King of some Conspirators. Our pity is attempted to be excited; tears will be bought as at a Roman funeral; every effort will be made to interest, to corrupt us. People, if the King is ever acquitted, remember we are no longer worthy of your confidence, and that you may accuse us of perfidy."

*Faucher*—"The French Republic exists; it triumphs over its enemies. Should the King be tried now, he deserves worse than death. Eternal Justice condemns the fallen Tyrant to the long punishment of a life spent among a free people; but there exists a formal law, which declares that the King can only be tried for acts committed after his deposition.

"But it is said, if no positive law condemns the tyrant to death, it is justifiable on the principles of natural law. I reply, that natural law does not authorize the punishment of death, except in the case of self-defence. But when an enemy is seized, and deprived of the power of hurting, nature exclaims, '*Stay thy hand, slay not thy fellow in cold blood.*'

"The apprehension that ordinary malefactors may escape and infest society, is one of the motives which has determined most legislatures to pronounce the punishment of death. Here it is very evident no such motive exists.

"While pretensions to royalty rest on a head so execrable, every endeavour to support his pretensions will be impossible. On the contrary, if you put him to death, you will give new hopes and new opportunities to Conspirators. The idea of royalty replaced on the head of an innocent child, will make profelytes; the stupidity and prejudices of one party will second the ambitious schemes of  
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the other, and thus a new faction will be formed. The preservation of LOUIS the XVth among us, will be the grave of all these ambitious hopes; and he himself has lost the title to conceive them; his influence is drowned in the blood he has shed, and his eternal weakness in the immortal horror with which he has inspired the nation."

*Robert*—"Kings have judged nations too long; the day is come in which nations are about to judge kings.

"The defenders of LOUIS the XVth tell us of his infallibility. Can a man be declared above the laws? Did the people in 1789 pull despotism down, to build it up again on a legal basis? No; the people in an insurrection is the living law. It was the law in person, which on the 10th of August said to LOUIS, 'Thou art a Traitor, an Enemy taken with arms in thy hands, thou shalt be tried.' And it is your duty to try LOUIS.

"A Monarchical Constitution is on one side a public contract with every individual associated; on the other, a particular compact among the associates, excepting one, who contracts alone with the rest of the nation. To render such a contract valid, it must have been freely accepted at first by all the associates, afterwards by the whole society and the King.—Have these conditions been fulfilled on either side? No.

"I may be told, we are no longer in a state of war, since our enemy is our prisoner, and a prisoner of war is never assassinated. I do not seek his assassination; I demand his trial. He is here, till his sentence, under the safeguard of the Law, the public faith, and the honour of the conqueror. But if he come out of prison without being tried, then every member of society would have a right to  
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assassinate him. It is therefore his interest to submit to a trial for the offences of which he has been accused; and I conclude by moving the act of accusation."

*Barbaroux* and *Gregoire* moved that the discussion might be adjourned till Thursday.

The Assembly agreed to this proposal, and ordered the speeches to be printed.

On Thursday following *Manuel* moved:—"That in future the Convention meet at nine o'clock in the morning, and debate on the Trial of the late King till eleven o'clock."

In the same sitting a member observed, "That the Convention had restricted the discussion too much by confining it to this single question, "Can *LOUIS XVI.* be tried?" "I move," said he, "that the Convention recalling its first decree will leave full scope to the opinion of the members."—Adopted.

*Crouzet* made it a principle, that it was not the interest of the French nation to bring *LOUIS XVI.* to trial, and still less to cut off his head on a scaffold. He then represented that clemency is the natural virtue of a great nation, and that a free people, to secure their independence, ought never to lower themselves to the sanguinary means employed by despots; and that to take away the life of the late King, would be transmitting his pretensions to a child, interesting both by his age, and by his innocence.

"Since I promised," said he, "to explain my opinion with full liberty, why should I not say, that *LOUIS XVI.* on his accession to the throne, took the earliest opportunity of abolishing feudal bondage, of renouncing all advantages usurped by his ancestors, and of calling to his council such men as seemed to be the choice of the people. Why then.

then should I not believe that being misled by perfidious counsellors, he has been precipitated from abyss to abyss by the Notables, whom he voluntarily assembled, and by the corrupted members of the Constituent Assembly? Here, Legislators, comes naturally forth the question, can the distinction proposed in the report of the Committee of Legislation respecting the inviolability be adopted? This distinction, according to which the reporter maintained that the King had resumed the danger of responsibility when he was permitted to act without the intervention of any minister.—But as this subtlety has too little consistency in itself, let us examine if it can even be proposed. In this supposition the committee doubtless did not think that the King had behind him a responsible ministry to present to the Nation: the distinction of the committee is more ingenious than solid, *but*, add the committee, *it is not equivocal but independant of the crimes not foreseen by the Constitution.* LOUIS XVI. is criminal for not having solemnly opposed enterprises carried on in his name; and since it is true that there is no longer a throne, and consequently no punishment of dethronement to be applied, humanity commands us to inflict no other.

“ Are those serious, Legislators, who are so barbarous as to incite you to vengeance. There is no longer a throne, there can, therefore, be no longer the punishment of dethronement.—The French nation is for ever delivered from the scourge of kings. Is it not sufficiently avenged? Cannot it be so without blood—and always blood? And is it in the abode of pleasure, the asylum of the arts and the sciences, that people shall be continually excited to shed it?—O ye, who may be misled by an excess of sensibility, does not the deliverance



liverance of mankind expose us to the necessity of shedding enough? and ye, ferocious men, who often deify public vengeance, to clothe your personal resentments under a perfidious veil, will you not have sufficient victims in those unhappy men whom indigence, or the fate of arms, shall bring back to that unhappy country which they have so criminally betrayed.

“ It would thus be more unjust to seek to try or punish LOUIS XVI. as he has been already punished with more severity than the Constitution threatened to inflict. The extremity proposed to you would be only an act of weakness, I will even venture to say of cowardice—a certain sign of madness or of fear. You ought to give to the world, which beholds you, the spectacle of a king returning with his family to the class of citizens, a spectacle much more striking and affecting, a lesson more sublime than those which might be given by all the executioners in the universe. On these considerations I propose the following plan of a decree :

“ That the National Convention, applauding the courage and zeal which the Legislative Assembly displayed when it suspended the executive power in the hands of LOUIS XVI. approving the abolition of royalty in France, and the establishing of a republic, doth decree,

“ That as soon as the Constitution shall be presented to the French people for acceptance, it shall be proposed to them to determine the fate of LOUIS XVI. his son, his daughter, his wife, his sister *Elizabeth*, and all the individuals of the late reigning family actually residing in France ; and till that period the National Convention shall cause proper provision to be made for the safety and maintenance  
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of the late KING, and of such of his family as are now in the temple.”

*Roset*—“ I will examine this question under two points of view: Is it for the interest of the nation to try LOUIS the XVIth? Is it consistent with justice to punish him? In examining if it is for the interest of the nation to try LOUIS the XVIth, it cannot be improper to consider what advantage Frenchmen would derive from his trial.

“ One of the principal objects which laws have in view by the application of the greatest punishments to certain crimes, is to intimidate the wicked, to lay before them examples by which they may be terrified whom virtuous sentiments cannot restrain.

“ To whom, legislators, can you hold up the example of LOUIS the XVIth, conducted to the scaffold for having abused the royal inviolability? Has any one of you the design of raising up the throne so gloriously overthrown? We wish for a Republic, the laws of which may ensure to every individual, safety, liberty, and equality.

“ It is not, therefore, the interest of the nation to try LOUIS the XVIth, much less to conduct him to the scaffold, even allowing him to be guilty in the sense which the reporter of the Committee has endeavoured to establish.

“ Without doubt, an inviolable being is a monster in the social order. But supposing that society had to pull down such a being once more, ought its just indignation to fall upon those who created it? Here, Legislators, is the proper place for inquiring, respecting the distinction proposed in the report of the Committee of Legislation, relative to the inviolability—a distinction according to which the reporter has maintained, that the KING took upon  
himself

himself the danger of responsibility, when he acted without the intervention of ministers. This distinction is more ingenious than solid; and it would be unjust to seek to try or punish LOUIS the XVIth, as he has already been punished more severely than he has been threatened by the constitution.

“ On these accounts, I propose the plan of the following decree :

“ The National Convention, applauding the zeal and courage which the Legislative Assembly displayed, from the suspension of the executive power in the hands of LOUIS the XVIth, to the abolition of royalty in *France*, and the establishment of the republic; decrees, that upon the presentation of the constitution to the people of *France*, it should be proposed to them to regulate the fate of LOUIS the XVIth, of his son, and his daughter, of his wife, and sister ELIZABETH, and all the individuals of the former reigning family now in *France*; and till that time, the National Convention shall provide for the safety and subsistence of the late King, and those of his family who are at the temple.”

*Gregoire*—“ Posterity will perhaps be astonished, that it could be made a question, Whether a great nation can judge its first servant? But sixteen months ago, at this tribunal, I proved that LOUIS the XVIth could be tried. I had the honor to appear among the small class of patriots who contended, disadvantageously, with the mass of robbers in the Constituent Assembly: hisses were the reward of my courage.—Citizens, I come to plead the same cause: I speak to just men: they will hear me with indulgence, and with the calmness of reason.

“ To establish a methodical proceeding in the discussion, I will first prove, that a Constitutional King of the French, abstracting from LOUIS the XVIth, can

can be tried for actions foreign to the exercise of royalty; 2dly. Supposing the King could not be delivered over to any constituted authority, this prerogative must vanish before the National Will.

“ The person of the King, we are told, is inviolable; therefore his inviolability ought to extend to all his actions. The answer is easy—Legislators are equally inviolable, but only for their opinions. Ambassadors are so, but only for the objects relative to their agency—however, their persons are equally indivisible; thus their inviolability should extend to every thing, or that of a King places him, for all personal acts, on a footing with the other servants of the people.

“ Absolute inviolability is a monster! it will impel a man to wickedness, by assuring him impunity for all his crimes. To declare a man inviolable, to entrust him with the care of preserving those laws which he may violate with impunity, is to outrage not only nature, but the Constitution. It expressly bears in the Chapter of Royalty, that there is no authority in France superior to that of the law. To admit absolute inviolability, is in other terms to legalize perfidy, ferocity, and cruelty; and thus you see, upon the admission of a fiction, a shocking morality is presented, as an elementary principle of public felicity.

“ I proceed to the second article—that inviolability, supposing it to be absolute, admits of an exception, and disappears before the national will. If not, we must swallow the following absurdities—that the King is every thing; that the sovereignty is alienable; that the nation, in elevating an individual above itself, has made him greater than itself; and that it is within the scope of possibility, that an effect is out of proportion to the cause which produced it.

“ Inviolability

“ Inviolability being a political institution, could only be established for national happiness. We are told it is useful to disconcert those who aspire at supreme power; it is the tomb of ambition; but if this prerogative extends to all the acts of an individual KING, it will become the tomb of the nation; for it is an additional mode of consecrating the slavery and misery of a people. Without punishment, he conspires against them with the arm of inviolability—he stabs liberty. To pretend, that for general happiness it is requisite that a King should commit with impunity every crime! was there ever a doctrine more absurd? and yet it is maintained at the end of the 18th century. Moreover, if you pretend that the constitutional act gives this absurd latitude to the doctrine of inviolability, while on the other side I read in your declaration of rights, that all social distinctions are founded on general utility, you evidently contradict yourselves; and my choice cannot hesitate between your immoral laws and the eternal maxims of reason.

“ I have therefore proved on one side, that inviolability extends only to administrative acts, and not to personal acts; and on the other, that when you give an unlimited extension to this prerogative, it disappears.

“ After having discussed those principles, I pass to their application: royalty was always an object of horror to me, but Louis the XVIth is no longer invested with it. I divest myself of every prejudice against him, to judge him in an impartial manner. Besides, he has done so much to incur contempt, that there is no longer room for hatred. I maintain that Louis the XVIth was never a constitutional King. When Louis the XVIth, deserting his post fled to *Varennes*, he left us a protest, in which he  
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declared our government vicious, and impossible to be carried into execution; that very Constitution which, however, he afterwards appeared to accept. And this Protestation, which was a real abdication, was always the rule of his conduct. According to the terms of the Constitution, in retracting his Oath he is deemed to have abdicated; and was there ever a man who so solemnly sported with the obligations of Oaths? It was in this place that I said to the Legislators, *He will swear every thing, and observe nothing.*—Was ever a prediction more completely verified? This worthy Descendant of Louis the XIth, told the Assembly, without being invited, that the most dangerous enemies of the state were those who raised doubts of his fidelity; and, returning to his palace, the den of every crime, with *Jezebel* and her Court he contrived and brought to perfection every iniquity.

“ I therefore move, that Louis the XVIth may be brought to Trial.

In the Sitting of Wednesday November 21, *Thomas Paine* author of the rights of man, an obscure individual, detested in *England* for his bad conduct, sent the following letter to the Convention dated:

“ CITIZEN PRESIDENT,

*Paris, Nov. 20.*

“ As I do not know precisely what day the Convention will resume the discussion on the Trial of Louis the XVIth, and, on account of my inability to express myself in French, I cannot speak at the Tribune, I request permission to deposit in your hands the inclosed paper, which contains my opinion on that subject. I adopt this step with so much more eagerness, because circumstances will prove to what a degree it interests France, that Louis the XVI. should continue to enjoy good health. I would be charmed if the Convention would have the goodness to hear this paper read this morning

morning, as I purpose sending a copy of it to London, to be printed in the English Journals.

A Secretary read the opinion of THOMAS PAINE:

“ I think that LOUIS the XVIth ought to be tried; not that this advice is suggested by a spirit of vengeance, but because this measure appears to me just, lawful, and conformable to sound policy. If LOUIS XVIth is innocent, let us put him to prove his innocence; if he is guilty, let the National Will determine if he should be pardoned or punished: But besides the motives which personally interest LOUIS the XVIth, there are others which make his Trial necessary. I am about to develope these motives, in the language which suits them, and no other. I forbid myself the use of equivocal expressions, or of mere ceremony. There was formed among the crowned ruffians of Europe a conspiracy, which threatened not only French liberty, but likewise that of all Nations. Every thing tends to make it be believed, that LOUIS the XVIth was the partner of that horde of conspirators. You have this man in your power, and he is at present the only one of the band of whom we can make sure. I consider LOUIS the XVI. in the same point of view as the two first robbers taken up in the affair of the jewel office: their Trial enabled you to discover the gang to which they belonged. We have seen the unhappy Soldiers of *Austria* and *Prussia*, and the other powers which declared themselves our enemies, torn from their fire-sides, and drawn to carnage, as the vilest of animals, to sustain, at the price of their blood, the common cause of crowned robbers. They loaded the inhabitants of those regions with taxes to support the expences of the War. All this was not done solely for LOUIS XVI. Some of the conspirators have acted openly: but there is reason to presume, that this conspiracy is composed of two classes of robbers; those who have taken up arms, and those who have lent to their cause secret encouragement and clandestine assistance; and it is indispensable to let France and all Europe know all these accomplices.

“ A little time after the National Convention was constituted, the Minister for Foreign Affairs presented the picture of all the Governments of Europe, as well of those whose hostilities were public, as of those who acted with a mysterious circumspection. We have already penetrated into

some part of the conduct of Mr. Gw—p, Elector of H-n-v-r, and violent presumptions affect the same man, his Court and Ministers, in quality of K—g of Eng—d.

“ M. *Calonne* has constantly been favoured with a friendly reception at that Court. The arrival of Mr. S—b, Secretary to Mr. P—t, at *Cöblentz*, when the emigrants were assembling there; the recall of the English Ambassador; the extravagant joy manifested by the Court of St. James’s at the false report of the defeat of *Dumourier* when it caused it to be communicated by Lord E—n, then Minister of Great Britain at Brussels—all these circumstances render him extremely suspicious; the trial of LOUIS XVI. will probably furnish more decisive proofs.

“ The long subsisting fear of a revolution in England, could, I believe, singly, prevent that Court from manifesting as much publicity in its operations as Austria and Prussia. Another reason could be added to this; the consequential decrease of credit, by means of which alone all the ancient Governments could obtain fresh loans; for in proportion as the probability of a revolution increased, whoever should furnish towards the new loans must expect to lose his stock.

“ Every body knows that the LANDGRAVE of HESSE fights only as far as he is paid: he has been for several years in the pay of the Court of London. If the Trial of LOUIS XVI. could bring it to light, that this detestable dealer in human flesh has been paid out of the produce of the taxes levied on the people of *England*, it would be but doing justice to that Nation, to inform them of that fact; it would at the same time give to *France* an exact knowledge of the character of that Court, which has not ceased to be the most intriguing, ever since its connection with *Germany*.

“ LOUIS XVI. considered as an individual, is an object beneath the notice of the Republic; but when he is looked upon as a part of that band of conspirators, as a criminal whose trial may lead all the nations in the world to a knowledge and detestation of the disastrous system of monarchy, and the plots and intrigues of their own Courts, he ought to be, and must be tried.

“ If the crimes for which LOUIS XVI. is arraigned, were absolutely personal to him, without reference to general Conspiracies and confined to the affairs of *France*, the motives of  
inviolability



inviolability, that folly of the moment, might have been urged in his behalf with some appearance of reason; but as he is arraigned not only on the part of *France*, but for having conspired against all *Europe*, we ought to use every means in our power to discover the whole extent of that conspiracy. *France* is now a *Republic*: she has completed her Revolution; but she cannot earn all the advantages arising from it, as long as she is environed with despotical Governments; their armies and marine oblige her likewise to keep troops and ships in readiness. It is therefore her immediate interests, that all Nations be as free as herself; that revolutions be universal; and since *LOUIS XVIth* can serve to prove, by the flagitiousness of Government in general, the necessity of Revolutions, she ought not to let slip so precious an opportunity.

“ The Despots of Europe have formed alliances to preserve their respective authority, and to perpetuate the oppression of nations; this is the end which they proposed to themselves, in making an invasion on the French territory. They dread the effect of the French Revolution in the bosom of their own Countries; and in hopes of preventing it, they are come to try to destroy that Revolution, before it should have attained its perfect maturity.—Their attempt has not been attended with success: France has already vanquished their armies; but it is left to her to sound the particulars of the conspiracy, to discover, to expose to the eyes of the universe, those Despots who had the infamy to take part in it; and the universe expects of her that act of justice.

“ These are my motives for demanding that *LOUIS XVI.* be judged; and it is in this sole point of view, that his Trial appears to me of sufficient importance to attract the attention of the Republic.

“ As to what regards inviolability, I would not have such a motive to be mentioned. Seeing no longer in *LOUIS XVI.* but a weak-minded and narrow-spirited individual, ill-bred, like all his colleagues, given, as it is said, to frequent excesses of drunkenness, and whom the National Assembly raised again imprudently on a throne which was not made for him, if we shew him hereafter some pity, it shall not be the result of the *burlesque* idea of a pretended inviolability.”

Signed: THOMAS PAINE.

The Convention ordered the opinion of Citizen THOMAS PAINE to be printed.

The discussions on the trial of the KING were continued for a considerable time but nothing new transpired till the 22d of November, when a member of the Commission of Twelve announced, that, among the papers found at the Castle of the *Thuilberies* by the Minister *Roland*, there were several pieces which tended to criminate the late KING. I shall read one letter, added he, which proves that the traitor LOUIS advised the massacre of *Nancy*:

LETTER of the KING to M. DE BOUILLE.

“ *Paris, November 4, 1790.* ”

“ I hope Sir, you know me well enough not to doubt of the satisfaction which I feel from your conduct. You saved France on the 31st of August; and you have shewn to others the path which they ought to pursue. Your good conduct for a year past has highly merited my esteem.

“ Continue the same plan—preserve your popularity—it may be useful to me, for I consider it as the anchor of safety. I was very uneasy about you till I heard from you: M. GOUVERNET has at length brought me intelligence from you.

“ I much regret those brave men who perished in that unhappy affair; but the measure you pursued was indispensibly necessary. I beg you will testify my satisfaction to the National Guards, and the troops of the Line, by whom you were so well seconded. You may point out, to the Minister at War, those who have distinguished themselves with honour,

(Signed)

“ LOUIS. ”

P. S. “ Having learnt that you have lost the horse which M. GOUVERNET rode, I have sent you one which I rode, and I beg you will keep him for my sake.”

BOUILLE’S

## BOUILLE'S ANSWER.

" Metz, Sept. 7, 1790.

SIRE,

" Your MAJESTY sets great value on my services. I expected to have rendered you others, greater, and of a different description. I shall neglect no means of being useful; but I am much afraid my labour will be fruitless.

" I am doing every thing in my power to acquire popularity; but my enemies do every thing to make me lose it. I have pointed out to the Minister at War the Officers of the National Guards, and of the troops of the Line, who distinguished themselves in the affair of Nancy; they will receive, with sensibility, the testimonies of your MAJESTY'S satisfaction.

I received the horse, which you had the goodness to send me. This new pledge of your MAJESTY'S kindness can add nothing to my gratitude. I am happy in being able to announce to your MAJESTY, that a good spirit prevails among the troops, both in Alsace and Lorraine: tranquillity is restored.

(Signed)

" BOUILLE."

Another Member observed, that M. BOUILLE'S answer was dated, *prior* to the letter of LOUIS.

The Reporter replied, that this, doubtless, was a mistake of BOUILLE.

The Convention passed to the Order of the Day, enjoining the Committee of Twelve to give in a general report on the whole of the papers found at the *Thulleries*.

On the 27th of November *Le Pelletier* read an address from the friends of the Republic at *Auxerre*, stating that all nations were waiting the judgment of LOUIS XVI. and expected it to be terrible, speedy and such as to make tremble the tyrants of the earth; and that the blood of the most nefarious of conspirators ought to expiate his crimes

without delay. The Convention ordered honourable mention to be made of this address.

Many addresses of a similar tenor poured in from all parts of the kingdom, but they were the productions of a few factious individuals, and never the wish of the generality of the people.—The partiality of the Convention appeared in a most disgraceful light, for whenever an absent friend of his Majesty wished to exert himself in his behalf, they would not hear him. *M. Narbonne*, formerly a minister, and afterwards an exile, wrote from London, that he wished to plead the cause of *LOUIS XVI.* as one of his official defenders. The Convention seemingly afraid of the eloquence and private virtues of this loyal subject, treated his request with contempt.

All this time the King suffered close confinement, and his keepers were obliged to give the strictest account of every expence made for him and his family. On the 30th of November they made the following report of the expenditure for the Royal Captives, which shows to how moderate an allowance those were reduced, who but lately kept the brightest court in Europe. “ There are thirteen officers of the kitchen; first, an intendant, a helper, a roasting-cook, a scullion, a turnspit, and a pastry-cook; second, a clerk of the kitchen, an assistant, and a waiting-boy; third, a butler, a keeper of the silver scullery, and three servants.

“ In the morning the butler serves up for breakfast seven dishes of coffee, six of chocolate, a basin of warm cream, a glass of cold syrup, one of barley water and lemonade, three prints of butter, a plate of fruit, six coffee biscuits, three loaves of table bread, a sugar dish filled with grated sugar, one of sugar in lumps, and one salt-seller.

“ The

“ The whole is not consumed by the prisoners, who are very temperate. What is left serves three persons who wait on them in turns, and the thirteen servants above-mentioned.

“ At dinner the butler serves up three dishes of soup, and two regular courses, consisting, on meat days, of four courses, two dishes of roast, each three pieces, and four side-dishes; and on fast days, of four meagre courses, three or four of meat, two dishes of roast, and four or five side-dishes.

“ The butler adds principally for the desert a plate of pears, three of preserved fruit, three plates of other fruit, two prints of butter, two sugar basons, an oil cruet, a bottle of champaign, a small bottle of Bourdeaux wine, a flask of Malmsey, another of Madeira, and seven loaves of table bread. And for those who dine after the cloth is drawn, a loaf weighing two pounds, and two bottles of table wine.

“ The supper consists of three dishes of soup, and two services. On meat days they are composed of two courses; two pieces of roast, and four or five side-dishes. On meagre days they consist of four meagre courses, two pieces of roast, and four side-dishes.

“ The same desert is used as at dinner, coffee excepted.

The son of LOUIS XVI. has generally his supper apart.

“ The addition of meat at dinner and supper on meagre days, is because LOUIS observes fasting and abstinence very strictly on those days prescribed by the church, but his guests do not. He is the only person who drinks wine, and in moderation; his guests drink only water.

“ What

“ What comes from his table is more than sufficient for the three servants in the tower, who send the rest to the kitchen and butler’s office. Some dishes with bread and wine are added.

“ During the first twenty days, the baker furnished bread to the amount of ten livres, at the rate of four or five sous per pound. During the same time the butcher furnished meat to the amount of 100 livres per day, at the rate of thirteen sous per pound. The poulterer furnished, during the latter part of August, bacon to the amount of 25 livres, at the rate of sixteen sous per pound. From August 16 to September 9, he furnished poultry to the amount of 1544 livres 15 sous, which makes about 56 livres per day.”

When this report was made, the members of the Common murmured aloud, and one of them moved that the tyrant be made to put up with common *soup* and *bouillie*.

On the 3d of December, *Ruhl*, a member of the Convention, made the report of the Commission of Twelve, and read several letters and pieces adding to the inculpation of Louis XVI. among which there were three written by the citizen *St. Foix*. In the first, *St. Foix* invites the King to seduce *Merlin*, a member of the late Constituent Assembly, by offering him a place for his brother-in-law; in the other, *St. Foix* advises the King not to retire to the Assembly on the 10th of August, because by this measure he might disconcert the people, who were ready to take up arms in his behalf; in the third, *St. Foix* endeavours to persuade Louis, that *Kersaint* aspired at the appointment of Minister of the Marine; and that the Assembly were a quite different set of people at home from what they were in the *rostrum* of the Senate.

On

On this occasion *Robespierre* rose, and made a speech which lasted upwards of two hours, and excited the greatest sensation throughout the Convention. He moved, "That LOUIS CAPET be  
 "condemned to suffer death, and executed on the  
 "square before the *Tuilleries*, on which a monu-  
 "ment should be erected to perpetuate a terrible  
 "example of national justice." He also moved,  
 "That the wife of LOUIS be delivered up to the  
 "Tribunals of Justice; and that her son be kept in  
 "custody in the Temple, till liberty should once  
 "be firmly established."

A great number of other motions were made, but the Convention adopted one of *Petion*, and decreed, "LOUIS XVI. shall be judged—he shall be  
 "judged by the National Convention."

On the following day, several members who could not be ranged amongst the blood-thirsty, endeavoured to save themselves the reproach of contributing to the judgment of the unfortunate monarch, by requesting leave of absence; but their laudable designs were frustrated by *Thuriot*, one of the most inveterate enemies of LOUIS XVI. on whose motion it was decreed, that no leave of absence should be granted as long as the trial of LOUIS XVI. were unfinished; and as long as the country should be in any kind of danger, all functionaries, both civil and military that should leave their post, should be prosecuted by the public accuser.

On the same day the discussion on the King's trial being resumed,

*St. Just* spoke in favour of the maxim of inviolability: he was however called to order, and hissed from the tribune.

*Buzot* moved for a nominal call of the house, and that  
 that

that those might be known who were in favour of the re-establishment of royalty.

*Rewbell* moved, that a decree be passed immediately, making it death to all those that should propose the restoration of royalty in any shape, and that *Louis XVI.* be judged without any adjournment.

*Merlin* proposed an amendment to *M. Rewbell's* first proposition, tending to except from punishment the *Primary Assemblies*.

This amendment was rejected, and after a storm of debates, the following decree was passed:

“ That whoever should dare to propose, or to attempt to re-establish royalty, or any other authority incroaching on the Sovereignty of the People, under what denomination soever, should suffer death.”

*Robespierre* began to speak for the immediate execution of the King, but could not be heard till towards the latter end of the sitting.

*Buzot* was for hearing the King, with a view of discovering other accomplices.

*Petion* again made a motion, which was passed, and enacted into a decree:

“ That the trial of *Louis XVI.* and his family, should, all other business ceasing, occupy the Convention every day, from eleven o'clock in the morning till six in the evening, until the said trial should be terminated.”

On the 5th of December decrees of accusation were issued against several individuals whose names were found in old papers discovered at the *Thuileries*, they were all eminent men, and the following were their names: *Rivarol, Talléyrand, Perigord, Ex-bishop of Autun, De Chassy, Gilie, Andre, and Duquesnoy,*



*Duquesnoy*, member of the late Constituent Assembly, and mayor of *Nancy*.

In the same sitting, *Ruhl* the reporter read several pieces relative to the KING, among which there was a letter of the KING's own hand-writing, addressed to the late bishop of *Clermont*, without date, and in these terms:—"I address you with confidence,—I want to consult you about taking the Holy Communion at Easter: Can I take it? If I can, it shall be within the fortnight. You know the cruel state I am in by my acceptance of the decrees against the clergy: I always considered this acceptance as forced, and I am fully resolved to restore the Roman Catholic worship, as soon as I shall be fully re-installed in power."

The bishop's answer consists in many of those arguments so peculiar to the roman prelates.

The last piece, read by *Ruhl*, was a letter signed L. H. containing these words: "*The Queen pulled a pistol from her girdle, and presenting it to the KING, said to him—Now is the moment to show yourself. The stupid man made no answer.*"

The Convention as usual ordered these pieces to be printed, and in their next sitting some very interesting debates took place.

*Carra* accused the bankers, and other agents of the courts of *Vienna*, *Berlin*, *London*, and *Madrid*, of being the authors of the troubles and insurrections which distracted the republic; "all you have to do, said he, to prevent the effect of those dark schemes, is to judge as soon as possible *LOUIS CARPET*."

*Marat* seconded *Carra*.

*Louvet* showed a little more lenity;—he moved that *LOUIS XVI.* be put to the bar the next day, to answer the first charge exhibited against him.

*Guffroi*

*Guffroi* and *Bourbote* complained of the slowness of the justiciary proceedings, and moved, that *Antoinette*, the wife of LOUIS CAPET, be put immediately in a state of accusation. 2. That LOUIS XVI. be arraigned at the bar to-morrow. 3. That he answer to the series of questions proposed by the Committee of Legislation, but only as far as they relate to making him turn evidence against his accomplices. 4. That the declaratory act of all the crimes be presented to him. 5. That judgment of death be pronounced upon the day following.

Several other members were going to make speeches, but the Convention decreed that they would only confine themselves to the plans of decrees, several of which were presented, all purporting, "that LOUIS be put to the bar to-morrow; " that he be heard, and sentenced to suffer-death; " which sentence should be put in execution on the " square of the *Carouzel*."

*Manuel* moved, that LOUIS be heard, and his death not anticipated, since it was possible, that banishment would be proposed.

The Convention adopted the plan presented by *Quinette*, and enacted the following final decree.

Art. I. The Commission of Twenty-four, and the Committees of Legislation and General Safety, should appoint three members each, who should join with the Commission of Twelve.

Art. II. This commission of Twenty-one members should present, on Monday the 10th of December, the Declaratory Act of the crimes with which LOUIS CAPET stood charged, and put in a convenient order all the pieces in behalf of this act.

Art. III. This Commission should present in the Morning Sitting of Tuesday the 11th of the same month,

month, at eight o'clock, the series of questions to be put to LOUIS CAPET.

Art. IV. The National Convention should discuss in Monday's sitting, the Declaratory Act of the Crimes of LOUIS CAPET.

Art. V. The day following, Tuesday, LOUIS CAPET should be arraigned at the bar of the Convention, to hear the reading of this act, and to answer the questions that would be asked of him, only from the mouth of the President.

Art. VI. A copy of the Declaratory Act, and of the series of questions should be delivered unto LOUIS CAPET, and the President should adjourn him two days, to be finally heard.

Art. VII. The day after his last appearance at the Bar, the National Convention should pronounce on the fate of LOUIS CAPET, by a nominal call of the House; each member should ascend the Tribune in rotation, to answer the call.

Art. VIII. The National Convention charged the Executive Power, by their responsibility, to take all the measures of general safety, during the course of the judgment of LOUIS CAPET.

On the 7th one of the secretaries read a letter signed *Mallouet, Narbonne, John Morris, and Williams*, dated December 6; the gentlemen requested to serve LOUIS the XVIth as his official counsels. They concluded thus:

*"We will accompany him to the bar with 12,000 good republicans, who do not want his death."*

Enquiry being afterwards made after the writers of the letter, it was discovered to be a forgery. The above decree was the joint production of *T. Paine*, and *Quinette*. When the Common of *Paris* saw that the crisis of the King's fate was so near, they refined their cruelty to the unfortunate King and  
his

his family, and decreed that they, and those who waited on them should be deprived of all offensive and defensive weapons; that all their victuals should be previously tasted, that the servants should sleep no longer in the tower of the temple. They sent commissaries to execute these several resolutions, who having signified the orders to LOUIS, his valet laid hold of all the weapons, and LOUIS searched himself, and delivered to the commissaries different articles which he said were all he had about him; then he shrugged up his shoulders, and said to them—  
 “ *You need not be afraid of me.*” He wished, however, to retain a small necessary article, which he at last surrendered with great resignation.

The commissaries went afterwards down to the apartment of *Maria Antoinette*, who was with her sister-in-law. She shewed some ill humour at the resolution, and in answer to the demand of the commissaries, with dignity she added: “ *If that is all, you should take away our needles too, for they prick confoundedly!*”—She would perhaps have said more if *Madame Elizabeth* had not beckoned her to be silent.

When the King gave up an ivory-handled knife with six blades, he remarked, with a pitiful countenance—“ *I have had this knife these ten years!*”

On Monday the 10th of December, the following measures were taken by the Executive Council of *France* to conduct LOUIS the XVIth, to and from the bar of the convention, and to preserve the tranquillity of the capital as it is extracted from the minutes of the proceedings of the council general;

1st, That thirty members of the council shall accompany LOUIS CAPET, who will appear to-morrow before the Convention, besides the Mayor, the Procurator of the Common, and the Clerk of Records.

2d, The

2d, The Council General shall remain permanent for this day.

3d, A general call of the members of the council shall take place on Tuesday.

4th, The Procurator General of the Common, and the Commander in Chief of the Parisian Forces shall be invited to enforce the laws relative to the general safety.

5th, The Committee of the Sections shall likewise be permanent and active according to law.

*Order of the March of LOUIS CAPET and his escort, from the Temple to the National Convention.*

The convoy is to pass through *Rue du Temple*, the *Boulevards*, the *Rue Neuve des Capucins*, the *Place Vendome*, and the *Court of the Feuillans*.

The order begins by the assignment of the posts, to be occupied by the legions.

Every section shall keep a reserve of 200 men. Two hundred men shall be at every prison, in every public square, and at all the Magazines and Storehouses.

### ESCORT.

Every legion is to furnish eight pieces of cannon, viz.—three pieces before, and three pieces behind each legion, who are to be at the Temple by six o'clock in the morning. There are to be two gun-carriages, one before and one behind. Each legion is to furnish four Captains, four Lieutenants and second Lieutenants, 100 men armed with muskets, provided with sixteen heavy cartridges each, skilful in their exercise and manœuvres. They are to be at the Temple at eight o'clock in the morning with a list of their names; the whole to form a body of 600 men, who in three ranks, in triple file, are to escort the waggon.

The *Gendarmerie* is to furnish 48 horsemen, perfectly skilful in the manœuvres, to form the *van*.

The Cavalry of the Military School shall equally furnish 48 horsemen for the rear, who are to be at the temple at five o'clock in the morning precisely.

In the gardens of the *Thuilleries* shall be a reserve of 200 men, infantry; the second shall be stationed near *Pont Tournant*, with 8 pieces of cannon, furnished by six legions, and consisting of 8 canoneers; 48 fusileers for each legion, and one gun-carriage, shall likewise be on their post at eight o'clock.

A third reserve shall consist of the battallion of Picketeers, and shall be stationed in the Square of the *Thuilleries*.

The guard to be relieved at the Temple shall remain on their post till the sitting of the Convention shall be over.

All the posts in the city shall be doubled on that day.

The guard is to mount parade at eight o'clock in the morning, at the temple. The call shall be beat with drums, and sounded with trumpets, every hour, and at every station. Whosoever shall absent himself, shall be punished according to martial law.

The orders for firing shall be strictly executed: each legion is to furnish 8 cannoneers, and 8 fusileers, to escort the cannons.

The day being come when *LOUIS* was to appear at the bar of the Convention, the following report was made to the Common of *Paris* of his behaviour before and when he went, by one of the Commissaries on duty:

“ The late King rose at seven o'clock; though his beard was very long, yet he took but little time to prepare himself.— He said prayers for about three quarters of an hour. At eight o'clock

o'clock the noise of the drum made him very uneasy, and he asked me—

*King*—“ Pray what is this drum for, I am not used to hear it so early, I do not hear it so early in common?”

*Commissary*—“ I cannot tell.”

*King*—“ Do you think they beat the generale?”

*Commissary*—“ I am sure I don't know”—(Here he walked for a moment about the room, and listened attentively.)

*King*—“ Methinks I hear the neighing of horses in the court-yard.”

*Commissary*—“ I don't know what it is”—(Here breakfast was served in the family way; agitation seemed depicted in every face; the noise and beating of drums increased. Louis instead of giving his son a lesson of Geography, as usual, played with him one game at Siam—the child, who could go no farther than the point of 16, exclaimed, No. 16 is a very unlucky number).

*King*—“ I know it is before to-day.”

(The noise increased, and I thought it was time to inform him.)

*Commissary*—“ Sir, I have to inform you, that the Mayor will visit you presently.”

*Louis*—“ Ah! so much the better.”

*Commissary*—“ But I tell you, before hand, that he will not speak to you in the presence of your son.”

*Louis*—(Beckoning his son to approach) “ Embrace me, me dear boy, and embrace your mother for me.” (Here young Louis was ordered to be taken out of the room.)

*Louis*—“ Is the Mayor a tall, short, lusty, young, or old man?”

*Commissary*—“ I am but imperfectly acquainted with him, but I believe he is a middling-sized and aged man, made in proportion, and lean.”

*Louis* having walked about for a quarter of an hour, sat down in his elbow-chair, and asked me what the Mayor had to tell him. I told him I did not know, but he would soon inform him. He rose, and again walked about much agitated; nay, so distracted—so lost in thought was he, that I approached him quite close from behind, at last he made a sudden spring round.

*King*—(with timid surprise)—“ What do you want Sir?”

*Commissary*—“ I, Sir! I want nothing; I only thought you was indisposed, and came to see if you stood in need of any thing?”

*King*—“ No, Sir, I don't!”

The King sat down again, and the Mayor came and spoke to him with animation and dignity. The decree that Louis Capet be conducted to the bar of the Convention, was read to him.

*King*—(hearing the words of Louis Capet)—“ My name is not Capet, though my ancestors long bore it.—You have deprived me of my son an hour too soon.”

The King went down stairs by request of the Mayor, and at the bottom of the anti-chamber his uneasiness seemed to increase at the sight of the horses and armed men. Having arrived in the Court-Yard, he cast his eyes on the Tower which he had left, and I perceived his eyes wet with tears.

We afterwards went to the Ladies, who seemed to be in the most shocking state of terror and alarm; I told *MARIA ANTOINETTE* that the Mayor had been with her husband.—Young *LOUIS* had told her it before.

*Queen*—“ We know it, but where is he now?”

*Commissary*—“ At the Bar of the Convention. Be not uneasy, a competent armed force have him under their protection.”

*Madame Elizabeth*—“ We are not uneasy, but afflicted! and had you told us so sooner, you would have afforded us great consolation.”

The King went to the Convention in the carriage of *Chambon* the Mayor, the people on his passage thither kept the most awful silence, except one grenadier, who called out to the *guillotine!* for which reason the wretch was immediately disarmed and taken into custody, from which he was released some time after, owing to a petition presented in his behalf by the Jacobins. The King was forced to wait several hours before he was admitted to the Convention, of which he complained by uttering the following words: “ *It is now very near three hours that I am kept in waiting here—and yet I am deprived of*  
the



*the company of my son, which would however have been a sweet comfort to me."*

I shall now state the proceeding of the Convention before the King was permitted to be at the bar. *Barrere* was the member who occupied the chair as President.

In the beginning of this sitting, which will ever be memorable in the annals of history, *Barbaroux* presented the declaratory act of the crimes of *LOUIS XVI.*—On the motion of several members, various additions were made to the black catalogue of accusation, which, with the act, was passed into a decree. The members and tribunes were ordered to keep profound silence, and to express their sentiments neither by murmurs nor applause. It was next decreed, that *LOUIS XVI.* should be immediately summoned to the Convention, and to wait for orders to be put to the bar. It was next decreed that the series of questions to be asked of *LOUIS*, and which were presented by *Valaze*, in the name of the United Committees, should be suppressed, and that the whole act of accusation should be read to *LOUIS XVI.* article by article: and that at the end of each charge, he should be asked—*What have you to answer?* It was likewise decreed, on the motion of *Fermont*, that a chair should be put within the bar, and *LOUIS* permitted to sit down. The Convention were about entering on some other discussions, when *Barrere*, the President, rose and addressed the Convention.

*President.*—I inform the Assembly, that *LOUIS* is at the gate of the *Feuillans*.

*Representatives,*

“ You are on the point of exercising the right of national justice; you made yourselves answerable to all the citizens, for the wise and firm conduct which you are to pursue on this momentous occasion.

“ Europe observes you; history records your thoughts and actions; incorruptible posterity will judge you with inflexible severity. Let your attitudes correspond with the new functions you are about to perform; impassibility and silence become judges; the dignity of your sitting ought to be responsible to the majesty of the French Nation; she is ready by your organ to give a great lesson to Kings, and to set an useful example for the emancipation of nations.

“ *Citizens in the Tribunes.*

“ You are associated with the glory and freedom of the nation you make a part of. You know that justice presides only in quiet deliberations. The National Convention reposes entirely in your devotion to your country, and in your respect towards the representation of the people. The citizens of *Paris* will not forego this fresh opportunity of evincing the patriotism and the public spirit with which they are animated. Let them only remember the awful silence which followed *LOUIS*, when he was brought back from *Varennes*—a precursory silence of the judgment of Kings by nations.

*Half past Two o'clock.*

General *Santerre* Commander in Chief of the Parisian Forces.—“ I have the honour to inform you that I have put your decree in execution.—*LOUIS CAPET* waits your orders.”

(*LOUIS* entered the bar, dressed in a yellow great coat, with firm countenance, attended by the Mayor, two Municipal Officers, and Generals *Santerre* and *Witenkof*. The guards remained without the hall, and the most awful silence reigned throughout the Convention.)

*President*.—“ *LOUIS*, the French Nation accuses you. The National Convention have decreed, on the 3d of December, that you should be judged by  
them;

them; they have decreed on the 6th of December, that you shall be arraigned at their bar. We are ready to read to you the declaratory act, of the crimes laid to your charge.—You may sit down. (Louis sat down!)

[Here Mailhe, the Secretary, read the whole act; at every distinct charge, the president summoned LOUIS XVI. to answer each separate article.]

*President.*—“ LOUIS, the French Nation accuses you of having committed a multitude of crimes to establish your tyranny, in destroying her freedom. You have, on the 20th of June, 1789, attempted the sovereignty of the people, by suspending the assemblies of their representatives, and driving them with violence from the places of their sittings. This is proved in the *Proces Verbal* set up at the Tennis-Court of *Versailles* by the members of the Constituent Assembly. On the 23d of June you wanted to dictate laws to the nation—you surrounded their representatives with troops—you presented to them two royal declarations, subversive of all liberty, and ordered them to separate. Your own declarations, and the minutes of the Assembly prove these attempts—*What have you to answer?*”

LOUIS.—“ No laws were then existing to prevent me from it.”

*President.*—“ You ordered an army to march against the citizens of *Paris*. Your satellites have spilt the blood of several of them, and you would not remove this army till the taking of the *Bastille*, and a general insurrection announced to you that the people were victorious. The speeches you made on the 9th, 12th, and 14th of July, to the divers deputations of the Constituent Assembly, shew what were your intentions; and the massacres of the

*Thulleries* rise in evidence against you.—*What have you to answer?*

LOUIS.—“ I was master at that time to order the troops to march; but I never had an intention of spilling blood.”

*President*—“ After these events, and in spite of the promises which you made on the 15th, in the Constituent Assembly, and on the 17th in the Town-house of *Paris*, you have persisted in your projects against national liberty; you have long eluded the execution of the decrees of the 11th of August, respecting the abolition of personal servitude, the feudal government and tithes. You have long refused acknowledging the rights of man: you have doubled the number of the life-guards, and called the regiment of *Flanders* to *Versailles*: you have permitted, in *orgies* held before your eyes, the national cockade to be trampled under foot, the white cockade to be hoisted, and the nation to be blasphemed. At last, you have rendered necessary a fresh insurrection; occasioned the death of several citizens, and not changed your language till after your guards had been defeated, when you renewed your perfidious promises. The proofs of these facts are in your observations of the 18th of September, in the decrees of the 11th of August, in the minutes of the Constituent Assembly, in the events of *Versailles*, of the 5th and 6th of October, and in the conversation you had on the same day, with a deputation of the Constituent Assembly, when you told them, *You would enlighten yourself with their councils, and never recede from them.*—*What have you to answer?*

LOUIS.—“ I have made the observations which I thought just on the two first heads. As to the  
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the cockade, it is false: it did not happen before me.”

*President*—“ You have taken an oath, at the Federation of the 14th of July, which you did not keep. You soon tried to corrupt the public opinion, with the assistance of *Talon*, who acted in *Paris*, and *Mirabeau*, who was to have excited counter-revolutionary movements in the provinces.—*What have you to answer?*”

*LOUIS*—“ I do not recollect what happened at that time, but the whole is anterior to my acceptance of the Constitution.”

*President*—“ You have lavished millions of money to effect this corruption, and you would even use popularity as a means of enslaving the people. These facts are the result of a memorial of *Talon*, which you have made your marginal comments on in your own hand writing, and of a letter which *Laporte* wrote to you on the 19th of April, in which, recapitulating a conversation he had with *Rivarol*, he told you, that the millions which you had been prevailed upon to throw away, had been productive of nothing. For a long time you had meditated on a plan of escape. A memorial was delivered to you on the 28th of February, which pointed out the means for you to effect it; you approve of it by marginal notes.—*What have you to answer?*”

*LOUIS*.—“ I felt no greater pleasure, than that of relieving the needy—This proves no design.”

*President*.—“ On the 28th a great number of the nobles and military came into your apartments in the castle of the *Thuilleries*, to favour that escape; you wanted to quit *Paris* on the 10th of April to go to *St. Cloud*.—*What have you to answer?*”

*LOUIS*.—“ *This accusation is absurd.*”

*President.*

*President.*—But the resistance of the citizens made you sensible that distrust was great; you endeavoured to discard it by communicating to the Constituent Assembly a letter which you addressed to the agents of the nation near foreign powers, to announce to them, that you had freely accepted the Constitutional Articles, which had been presented to you; and notwithstanding on the 21st you took flight with a false passport; you left behind a protest against these self-same constitutional articles. You ordered the ministers to sign none of the acts issued by the National Assembly; and you forbid the minister of justice to deliver up the seals of state. The public money was lavished to insure the success of this treachery, and the public force was to protect it, under the orders of *Bouille*, who shortly before had been charged with the massacre of *Nancy*, and to whom you wrote on this head, *To take care of his popularity, because it would be of service to you.* These facts are proved by the memorial of the 23d of February, with marginal comments in your own hand-writing: by your declaration of the 20th of June, wholly in your own hand-writing: by your letter of the 4th of September, 1790, to *Bouille*; and by a note of the latter, in which he gives you an account of the use he made of 993,000 livres, given by you, and employed partly in the trepanning of the troops who were to escort you.—*What have you to answer?*”

LOUIS—“I have no knowledge whatever of the memorial of the 23d of February. As to what relates to my journey to *Varennes*, I appeal to what I said to the Commissaries of the Constituent Assembly, at that period.”

*President.*

*President.*—“ After your detention at *Varennes*, the exercise of the executive power was, for a moment, suspended in your hands, and you again formed a conspiracy. On the 17th of July, the blood of citizens was shed in the *Champ de Mars*. A letter, in your own hand-writing, written in 1790, to *La Fayette*, proves that a criminal coalition subsists between you and *La Fayette*, to which *Mirabeau* acceded to. The revision began under these cruel auspices; all kinds of corruptions were made use of. You have paid for libels, pamphlets, and newspapers, designed to corrupt the public opinion, to discredit the assignats, and to support the cause of the Emigrants. The registers of *Septeuil* show what immense sums have been made use of, in the *freedom-stabbing* manœuvres.—*What have you to answer?*”

LOUIS—“ What happened on the 17th of July has nothing at all to do with me, I do know nothing of it.”

*President.*—“ You seemed to accept the Constitution on the 14th of September; your speeches announced a will of supporting it, and you was busy in overturning it, even before it was compleated.”

“ A convention was entered into at *Pilnitz* on the 24th of July, between *Leopold* of *Austria*, and *Frederic-William* of *Brandenburgh*, who pledged themselves to re-erect in France the throne of absolute monarchy, and you was silent upon this convention till the moment when it was known by all Europe.—*What have you to answer?*”

LOUIS—“ I made it known as soon as it came to my knowledge; besides, every thing that refers to this subject concerns the minister.”

*President.*—“ *Arles* had hoisted the standard of rebellion; you favoured it by sending three civil com-

commissaries, who made it their business, not to repress the counter-revolutionists, but to justify their proceedings—*What have you to answer?*

LOUIS—“ The instructions which were given to the commissaries must prove what was their mission; and I knew none of them, when the ministers proposed them to me.”

President—“ *Avignon*, and the county of *Venaissin*, had been united with France; you caused the decree to be executed; but a month after that time civil war desolated that country. The commissaries you sent thither helped to ravage it—*What have you to answer?*”

LOUIS—“ I do not remember what delay has been caused in the execution of the decree; besides, this occurrence has no personal reference to me—it only concerns them that have been sent, but not those who sent them.”

President—“ *Nimes*, *Montauban*, *Mende*, *Fales*, felt great shocks during the first days of freedom. You did nothing to stifle those germs of counter-revolution, till the moment when *Saillant's* conspiracy became manifestly notorious.—*What have you to answer?*”

LOUIS.—“ I have given, in this respect, all the orders which were proposed to me by the ministers.”

President—“ You sent 22 battalions against the *Marfeillois*, who marched to reduce the counter-revolutionists of *Arles*—*What have you to answer?*”

LOUIS—“ I ought to have the pieces referring to this matter, to give a just answer.”

President—“ You gave the southern command to *Witgenstein*, who wrote to you on the 21st of April, 1792, after he had been recalled: “ A few instants more, and I shall call around the throne of your Majesty,



Majesty, thousands of French, who are again become worthy of the wishes you form for their happiness—*What have you to answer ?*”

LOUIS—“ This letter is dated since his recall ; he has not been employed since. I do not recollect this letter.”

*President*—“ You have paid your late life guards at *Coblentz* ; the registers of *Septeuil* attest this, and general orders signed by you prove, that you have sent considerable remittances to *Bouille*, *Rochefort*, *Vaugyon*, *Choiseul*—*Beaupre*, *Hamilton*, and the wife of *Polignac*—*What have you to answer ?*”

LOUIS—“ When I first learnt that my life-guards assembled beyond the *Rhine*, I stopped their pay ; as to the rest, I do not remember.”

*President*—“ Your brothers, enemies to the state, made the emigrants rally under their banners : they raised regiments, took up loans, and concluded alliances in your name : you did not disclaim them, but at the moment when you was fully certain that you could no longer cross their projects, your intelligence with them by a note, written by *Louis Stanislaus Xavier*, signed by your two brothers, was conceived in these words :

“ I wrote to you, but it was by post, and I could say nothing. We are two here, who make but one ; one in sentiments, one in principles, one in zeal of serving you. We keep silence ; because, were we to break it too soon, it would compromise you : but we shall speak as soon as we shall be certain of general support, and that moment is near. If we are spoke to on the part of those people, we shall hear nothing ; but if on your part, we will listen ; we shall pursue our road straight ; it is therefore desired that you shall make us say something ; do not stand on ceremonies. Be easy about your safety ; we only exist to serve you ; we are eagerly occupied with this point, and all goes on well ; even our enemies

mies feel themselves too much interested in your preservation to commit an useless crime which would terminate in their own destruction. Adieu.

L. S. XAVIER & CHARLES PHILIPPE."

"What have you to answer?"

LOUIS—"I disowned all the proceedings of my brothers, according as the Constitution prescribed me to do, and from the moment they came to my knowledge. This note I do know nothing of."

*President*—"The soldiers of the line, who were to be put on the war establishment, consisted but of 100,000 men at the end of December, you therefore neglected to provide for the safety of the state from abroad. *Narbonne* (your money) required a levy of 50,000 men, but he stopped the recruiting at 26,000, in giving assurances that all was ready; yet there was no truth in these assurances. *Servan* proposed after him to form a camp of 20,000 men near Paris; it was decreed by the Legislative Assembly; you refused your sanction.—*What have you to answer?*

LOUIS—"I had given to the ministers all the orders for expediting the augmentation of the army: In the month of December last, the returns were laid before the Assembly. If they deceived themselves, it is not my fault."

*President*—"A flight of patriotism made the citizens repair to Paris from all quarters. You issued a proclamation, tending to stop their march; at the same time our armies were without soldiers. *Dumourier*, the successor of *Servan*, declared, that the nation had neither arms, ammunition, nor provisions, and that the posts were left defenceless. You waited to be urged by a request made to the minister *Lajard*, whom the Legislative Assembly wished to point out the means of providing for the external  
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nal safety of the state, by proposing the levy of 42 battalions."

" You have given commission to the commanders of the troops to disband the army, to force whole regiments to desert, and to make them pass the *Rhine* to put them at the disposal of your brothers, and of *Leopold* of *Austria*, with whom you had intelligence. This fact is proved by the letter of *Toulougeon*, governor of *Franche Comte*!—*What have you to answer?*

LOUIS—" I know nothing of this; there is not a word true in this charge."

*President*—" You have charged your diplomatical agents to favour this coalition of foreign powers and your brothers, against France, and especially to cement the peace between *Turkey* and *Austria*, and to procure thereby a larger number of troops against France to the latter. A letter of *Choiseul-Gouffier*, Ambassador at *Constantinople*, verifies the fact—*What have you to answer?*

LOUIS—" *M. Choiseul* did not speak the truth: No such thing has ever been."

*President*—" The Prussians advanced against our frontiers: your minister was summoned on the 8th of July to give an account of the state of our political relations with Prussia; you answered, on the 10th, that 50,000 Prussians were marching against us, and that you gave formal notice to the Legislative body, of the formal acts of the pending hostilities, by virtue of the Constitution.—*What have you to answer?*"

LOUIS—" It was only at that period I had knowledge of it: all the correspondence passed with the ministers."

*President*.—" You entrusted *Dabancourt*, the nephew of *Calonne*, with the department of war; and such

such has been the success of your conspiracy, that the posts of *Longwy* and *Verdun* were surrendered to the enemies at the moment of their appearance—*What have you to answer?*

LOUIS—“ I did not know that *Dabancourt* was *M. Calonne*'s nephew; I have not divested the posts. I would not have permitted myself such a thing; I know nothing of it, if it has been so.”

*President*—“ You have destroyed our navy—a vast number of officers belonging to that corps had emigrated, there scarcely remained any to do duty in the harbours; mean while *Bertrand* was granting passports every day; and when the Legislative body represented to you his criminal conduct on the 8th of March, you answered, that you was satisfied with his services—*What have you to answer?*”

LOUIS—“ I have done all I could to retain the Officers. As to *M. Bertrand*, since the Legislative Assembly presented no complaint against him, that might have put him in a state of accusation, I did not think proper to turn him out of office.”

*President*—“ You have favoured the maintenance of absolute government in the colonies; your agents fomented troubles and counter-revolutions throughout them, which took place at the same epoch when it was to have been brought about in *France*, which indicates plainly that your hand laid this plot—*What have you to answer?*”

LOUIS—“ If there are any of my agents in the colonies, they have not spoke the truth; I had nothing to do with what you have just mentioned.”

*President*—“ The interior of the state was convulsed by fanatics; you avowed yourself their protector, in manifesting your evident intention of recovering by them your ancient power.—*What have you to answer?*”

LOUIS

LOUIS—" I cannot answer to this ; I know nothing of such a project !"

*President*—" The Legislative Body had passed a decree on the 29th of January, against the factious priests, you have suspended its execution. *What have you to answer ?*

LOUIS—" The constitution reserved to me the free sanction of the decrees."

*President*—" The troubles had increased ; the Minister declared that he knew no means in the laws extant, to arraign the guilty. The Legislative Body enacted a fresh decree, which you likewise suspended. —*What have you to say to this ?*

LOUIS—(*Replied in the same manner as in the preceding charge.*)

*President*—" The uncitizen-like conduct of the guards whom the constitution had granted you, had rendered it necessary to disband them. The day after, you sent them a letter, expressive of your satisfaction, and continued their pay. This fact is proved by the Treasurer of the Civil List.—*What have you to answer ?*

LOUIS—" I did not continue them in pay till fresh ones could be raised, according to the tenor of the decree."

*President*—" You kept near your person the Swiss Guards : the Constitution forbade you this, and the Legislative Assembly had expressly ordained their departure.---*What have you to answer ?*

LOUIS---" I have executed all the decrees that have been enacted in this respect."

*President*---" You have had private companies at Paris, charged to operate movements useful to your projects of a counter-revolution. Dangremont and Gilles were two of your agents, who had salaries from the Civil List.---The receipts of Gilles, who

was ordered to raise a company of 60 men, shall be presented to you.—*What have you to answer?*

LOUIS—“ I have no knowledge whatever of the projects laid to their charge; the idea of a counter-revolution never entered into my head.”

*President*—“ You wanted to suborn, with considerable sums, several members of the Legislative and Constituent Assemblies. Letters from *St. Leon* and others, evince the reality of these deeds.—*What have you to answer?*”

LOUIS—“ Several persons presented themselves with similar decrees, but I have waved them.”

*President*—“ Who are they that presented you those projects?”

LOUIS—“ The plans were so vague that I do not recollect them now.”

*President*—“ Who are those to whom you gave money?”

LOUIS—“ To nobody.”

*President*—“ You have suffered the French name to be reviled in *Germany, Italy, and Spain*; since you have done nothing to demand satisfaction of the bad treatment which the French have suffered in those countries.—*What have you to answer?*”

LOUIS—“ The diplomatical correspondence will prove the contrary; besides, this was a concern of the Minister's.”

*President*—“ You had reviewed the Swifs on the 10th of August, at five o'clock in the morning, and the Swifs were the first who fired upon the citizens.”

LOUIS—“ I went on that day to review all the troops that were assembled about me; the constituted authorities were with me, the Department, the Mayor and Municipality; I had even invited thither a Deputation of the National Assembly, and I afterwards repaired in the midst of them with my family.

*President*

*President*---“ Why did you draw troops to the castle?”

*LOUIS*---“ All the constituted authorities saw that the castle was threatened, and as I was a constituted authority, I had a right to defend myself.”

*President*---“ Why did you summon the mayor of Paris, in the night between the 9th and 10th of August, to the castle?”

*LOUIS*---“ On account of the reports that were circulated.”

*President*---“ You have caused the blood of the French to be shed.”

*LOUIS*---“ No, Sir, not I.”

*President*---“ You have authorized *Septeuil* to carry on a considerable trade in corn, sugar and coffee, at *Hamburgh*. This fact is proved by a letter of *Septeuil*.”

*LOUIS*---“ I know nothing about what you say.”

*President*---“ Why have you laid a *veto* on the the decree which ordained the formation of a camp of 20,000 men.”

*LOUIS*---The Constitution left to me the free sanction of the decrees; and even from that period, I had demanded the assemblage of a camp at *Soissons*.”

*President*---(addressing the Convention) “ The questions are done with---(to *LOUIS*)---*LOUIS*, is there aught that you wish to add?”

*LOUIS*---“ I request a communication of the charges which I have heard, and of the pieces relating thereto, and the liberty of choosing council for my defence.”

*Valaze*, who sat near the bar, presented and read to *LOUIS CAPET*, the pieces, viz. The memoir of *Laporte* and *Mirabeau*, and some others, containing plans of a counter-revolution.

LOUIS---“ I disown them.”

*Valaze*---“ Letter of LOUIS CAPET, dated June 29, 1790, settling his connections with *Mirabeau* and *La Fayette*, to effect a revolution in the constitution.”

LOUIS---“ I reserve to myself to answer the contents. [*Valaze read the letter.*] It is only a plan, in which there is no question about a counter-revolution; the letter was not to have been sent.”

*Valaze*---“ Letter of LOUIS CAPET, of the 22d of April, relative to conversations about the *Jacobins*, about the President of the Committee of Finances, and the Committee of Domains; it is dated by the hands of LOUIS CAPET.”

LOUIS---“ I disown it.”

*Valaze*---“ Letter of *Laporte*, of Thursday morning, March 3, marked in the margin, in the hand-writing of LOUIS CAPET, with March 3, 1791, implying a pretended rupture between *Mirabeau* and the *Jacobins*.”

LOUIS---“ I disown it.”

*Valaze*---“ Letter of *Laporte* without date, in his hand-writing, but marked in the margin by the hand of LOUIS CAPET, containing particulars respecting the last moments of *Mirabeau*, and expressing the care that had been taken to conceal from the knowledge of men, some papers of great concern, which had been deposited with *Mirabeau*.”

LOUIS---“ I disown it as much as the rest.”

*Valaze*---“ Plan of a constitution, or revision of the constitution, signed *La Fayette*, addressed to LOUIS CAPET, April 6, 1790, marked in the margin with a line in his own hand-writing.”

LOUIS---“ These things have been blotted out by the constitution.”

*Valaze*



*Valaze*—"Do you know this writing?"

LOUIS—"I do not."

*Valze*—"Your marginal comments?"

LOUIS—"I do not."

*Valaze*—"Letter of *Laporte* of the 19th of April, marked in the margin by LOUIS CAPET, April 19, 1791, mentioning a conversation with *Rivarol*."

LOUIS—"I disown it"

*Valaze*—"Letter of *Laporte*, marked April 16, 1791, in which it seems complaints are made of *Mirabeau*, the *Abbé Perigord*, *Andre*, and *Beaumetz*, who do not seem to acknowledge sacrifices made for their sake."

LOUIS—"I disown it likewise."

*Valaze*—"Letter of *Laporte* of the 23d of February, 1791, marked and dated in the hand-writing of LOUIS CAPET; a Memorial annexed to it, respecting the means of his gaining popularity."

LOUIS—"I know neither of these pieces."

*Valaze*—"Several pieces without signature, found in the castle of the *Thulleries*, in the gap which was shut in the walls of the Palace, relating to the expences to gain that popularity."

*President*.—"Previous to an examination on this subject, I wish to ask a preliminary question.

Have you caused a press with an iron door to be constructed in the castle of the *Thulleries*, and had you your papers locked up in that press?"

LOUIS—"I have no knowledge of it whatever."

*Valaze*—"Here is a day-book written by LOUIS CAPET himself, containing the pensions he has granted out of his coffer from 1776 till 1792, in which are observed some *Douceurs* granted to *Acloque*."

LOUIS

LOUIS—" This I own, but it consists of charitable donations which I have made."

Valaze—" Different lists of sums paid to the Scotch Companies of *Noailles*, *Gramont*, *Montmorency*, and *Luxemburgh*, on the 9th of July, 1791."

LOUIS—" This is prior to the epoch when I forbade them to be paid."

President—" LOUIS, where had you deposited those pieces, which you own?"

LOUIS—" With my Treasurer."

Valaze—" Do you know these pension Lists of the Life Guards, the 100 Swiss, and the King's Guards for 1792?"

LOUIS—" I do not."

Valaze—" Several pieces relative to the conjuration of the Camp of *Fales*, the originals of which are deposited among the records of the Department of *L'Ardèche*?"

LOUIS—" I have not the smallest knowledge of them."

Valaze—" Letter of *Bouille*, dated *Mentz*, bearing an account of 993,000 Livres received of LOUIS CAPET."

LOUIS—" I disown it."

Valaze—" An order for payment of 16,8000 Livres, signed LOUIS, endorsed *Le Bonneirs*, with a letter and billet of the same?"

LOUIS—" I disown it."

Valaze—" Two pieces relative to a present made to the wife of *Polignac*, and to *Lavauguyon*, and *Choiseul*?"

LOUIS—" I disown them as much as the others."

Valaze—" Here is a note signed by the two brothers of the late King, mentioned in the declaratory act."

LOUIS

LOUIS—" I know nothing about it."

Valaze—" Here are pieces relating to the affair of *Choiseul Gouffier*, at Constantinople.

LOUIS—" I have no knowledge of them."

Valaze—" Here is a letter of the late King to the Bishop of *Clermont*, with the answer of the latter, of the 16th April, 1791."

LOUIS—" I disown it."

President—" Do you not acknowledge your writing and your signet?"

LOUIS—" I do not."

President—" The seal bears the arms of France?"

LOUIS—" Several persons made use of that seal."

Valaze—" Do you acknowledge this list of sums paid to *Gilles*?"

LOUIS—" I do not."

Valaze—" Here is a memory for indemnifying the civil list for the military pensions; a letter of *Dufresne St. Leon*, which relates to it.

LOUIS—" I know none of these pieces."

President—" I invite you to withdraw to the Hall of Conferences. The Assembly must deliberate."

LOUIS—" I demand Counsel."

Here the King withdrew, and was re-conducted to the Temple in the same manner as he came, and arrived there at half after six o'clock in the evening.

After his arrival, the Council General had taken several very cruel resolutions with regard to himself and his family, and the same Commissary whose name is *Ablatier* made his report to the Council of the following occurrences, which took place after his Majesty's return:—

When LOUIS had returned, and I was left alone with him, he said to me—

King—" Do you think, Sir, they can refuse me Counsel?"

Commissary—" If the Convention grant you one, you will have one; but I cannot pre-judge things."

*Louis*—“ I am going to consult the Constitution (*Louis* went and searched the Book.) Yes, The Law grants me Council. But do you think, Sir, I may have intercourse with my family?”

*Commissary*—“ Sir, this I cannot tell neither, but I will consult the Council.”

*Louis*—“ Pray order me my dinner, for I am hungry, I have been fasting almost ever since morning.”

*Commissary*—“ I will first go to gratify the wish of your heart, by consulting the Council; then I will order dinner.”

I returned a moment after.—“ Sir, I have to inform you, that you are to have no intercourse with your family.”

*Louis*—“ But is not that very hard?—What! not with my son! a boy, only seven years old?”

*Commissary*—“ Such are the orders of the Council.”

Supper was then served up, *Louis* eat six chops, some eggs, a large piece of fowl, drank one glass of Alicant wine, and went to bed immediately after.

We then went to the Ladies.

*Queen*—“ Cannot my husband see his family?”

*Commissary*—“ No Madam.”

*Queen*—“ Leave him his son at least?”

*Commissary*—“ Madam, in the situation you are in, it is he that is supposed to have the greatest courage, that ought to bear this privation: besides the child at his age, wants more his mother to take care of him than his father.

The Ladies seemed very eager to know the name of the President of the Assembly, but the Commissaries gave evasive answers.

The Council of the Commons farther decreed, that the Counsel of the KING should be searched from head to foot, in the most secret parts, and to have their cloaths changed after they have been admitted.

When *Louis* had left the Convention a violent debate ensued with regard to allowing him Council, *Petion* rose and said:—“ I move to be heard in a call to order. I am surpris'd that so simple a question should excite so much acrimony and division. What is the matter? A King demands Council  
I say

I say no one can refuse him, unless he wishes to attack at once all the principles of humanity. This question is simple. I move the question, the simple question; if LOUIS can take Counsel? I see no difficulty to oppose it,

*Thuriot*, in the most sanguinary language, insisted that LOUIS should *ascend the scaffold*.—All the Members seemed here to rise against the *Honourable Member*. They maintained, that no Frenchman ought ever to utter such language. He was reproached, that according to his *bloody advice*, the *Convention would expose themselves to pass for a horde of ruffians and assassins*, and would forget the execrable judgment of CHARLES. I.

Here *Thuriot* dropped the ardour of his subject, and appealed only to the *general wish of the people*.

After some slight debates, all leading principally in the King's favour, the following decree was passed:

“ Four Members of the Convention shall go to the Temple and ask the King, who were the citizens he would entrust with his cause.”

The Commissaries sent to the Temple, returned with an account of their mission. LOUIS demanded *Tronchet*, or *Target*, to be his Counsel: he desired both the Citizens, since the decree did not fix the number.

The Common of Paris had previously refused the King the use of pen, ink and paper, the Convention therefore decreed: 1st a confirmation of the choice which LOUIS made of *Tronchet* and *Target* to be his Counsel; 2d, That the late King should be allowed pens, ink and paper, which the Council of the Common had refused him; 3d. That the Minister of Justice should immediately send to *Target* and *Tronchet*, the resolution that LOUIS CAPET be at liberty to choose one or more Counsel.

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This order was strictly obeyed and in the sitting of the 13th, *Mailhè*, one of the Secretaries, read the following letter from *M. Target*, whom the King had chosen as one of his Counsel :

“ CITIZEN PRESIDENT,

*Paris, Dec. 12.*

“ Since the decree of this morning, I find myself much embarrassed, in having an opinion upon the charges laid against *LOUIS XVI.* I must at least abstain from publishing it. This duty I shall do. Almost sixty years old, dreadfully afflicted with a nervous complaint, pains in the head, and oppressions of the lungs, which have lasted for these fifteen years, and made me quit the bar since 1785, and which excessive labour and application have rendered inveterate to an inconceivable degree, I have hardly strength enough left to fill the quiet function of a Judge during six hours every day; and I wait with longing impatience for the moment which shall rid me from that charge by the new elections. It is enough for me to announce to you, that I find it impossible to undertake the defence of *LOUIS XVI.* I have not a single qualification proper for such a charge: and by my inability, I should at once deceive the trust of the client accused, and public expectation.

“ This moment I learn, for the first time, an appointment, which it was impossible for me to foresee. I made it therefore a matter of conscience to wave this commission; a free and Republican Man cannot consent to take upon him a function which he is sensible he is quite incapable of. I beg the Convention to have the kindness to communicate this my letter to *LOUIS* immediately, so that he may be able to make another choice.

The reading of this Letter was followed by that of two others; the first written by *LA MOIGNON MALESHERBES*: the second by *M. SOURDAT*, of *Troye*. These two Citizens boldly presented themselves to be the defenders of the King.

“ *Paris, Dec. 11.*

“ CITIZEN PRESIDENT,

“ I do not know whether or not the Convention intends to give Counsel to *LOUIS XVI.* to defend him; and if they will

will leave him his choice. At this period I would have LOUIS XVI. to be informed, that if he pitches upon me for that function, I am prepared to devote myself to it. I do not wish you to communicate my offer to the Convention, for I am very far from thinking myself a person of sufficient importance for them to take notice of; but I have twice been called to the Council of him who was my master, at a time when this function was ambitioned by all the world: I owe him the same service, since it is a function which many people believe to be dangerous. If I did know of any possible means to make my sentiments known to him, I would certainly not take the liberty to appeal to you.

“ I think that in the charge you hold, you will have more means than any one else to impart to him this information.

“ I am, with respect,

“ LAMOIGNON MALESHERBES.”

*Another Letter.*

*Paris, Dec. 12, 1792.*

“ CITIZEN PRESIDENT,

“ Public report says, that the National Convention has consented to give LOUIS XVI. Counsel to defend himself. Previous to my offering him my services for this commission, which the conviction of the innocence of LOUIS XVI. and the justice of the National Convention give me a desire zealously to accept, I should be glad to be informed by yourself how the matter stands, and that you give me circumstantial details respecting it. I can communicate to you the ideas which have induced me to make such an offer. I shall instantly repair to the interview you may please to grant me, and which the importance of the subject emboldens me to request. The simplicity of my proceeding, I dare to hope, gives me assurance of the loyalty which I have to expect of you.

“ SOURDAT,

“ Citizen of Troye.”

The Convention sent these different Letters to LOUIS CAPET, including another written by one *Guillaume*, the day before yesterday; they charged the

the Commissaries not to leave the Temple till the accused should have chosen his Counsel, and till those whom he should have chosen, should have accepted his choice. It was also decreed afterwards, that the Commission of Twenty-one should cause in the course of twenty-four hours, copies to be made out of the pieces which were to be communicated to LOUIS and his Counsel.

On Friday the 14th of December, the Minister of Justice sent a letter to the Convention, addressed to him by M. *Tronchet*, Ex-member of the late Constituent Assembly. The following are the outlines of that letter :

“ A stranger to the Court, I did not expect to be one day called from the heart of my solitude, to take upon me the defence of an accused King :—Were I only to consult opinion, I would answer by a refusal—but nature tells me, that LOUIS is a man—and every man has a right to defend his life, when the sword of the law hovers over his head. I do therefore, leave the country, and will immediately repair to PARIS.”

A Deputation from the Council General of the Common of Paris next appeared at the Bar, to communicate to the Convention a resolution which outrages all reason and humanity, and by which it was decreed, that the Counsel of LOUIS should be searched most scrupulously, on their entering the Temple.

Convulsions of horror interrupted the reading of this resolution. The articles shocked most of the Members of the Convention, and hisses and murmurs re-echoed from every part of the hall. *Bazire* himself avowed his indignation at these inhuman proceedings, which he said could not be exceeded by the blood-thirsty Tribunal of Inquisition. He called them abominably villainous and oppres-  
five;



five, and loaded the authors of them with just execration.

*Robespierre* defended the inhuman measures as if they had been digested by himself.

*Valaze* refuted the arguments of *Robespierre*, and convinced the Convention of those principles, the atrocity of which would even disgrace cannibals, and brand them with eternal infamy.

The Abbé *Charles* seconded *Robespierre*.

A Member, with a plaintive voice, stifled by sobs, tears, and inexpressible grief, prayed of the Assembly, for humanity's sake, to refuse applause to the *Caribees* who disgraced the Legislative Body.

*Cambaceres* put the assembly in mind of a former decree, which enacts, that the counsels of *LOUIS XVI.* should have a free communication with the late King.

The Convention persisting in this decree, which humanity exacted, passed to the order of the day, and thus justly disappointed all other bloody opponents.

Afterwards *M. Thuriot*, one of the Commissaries sent to the Temple, read the *proces-verbal* of his mission :

*Proces-verbal of the commissaries of the Temple, relating to what passed between LOUIS XVI. and them, on the 13th of December.*

“ We, the commissaries of the National Convention, in execution of the two Decrees of this day, Dec. 13, 1792, in the first year of the French Republic, repaired to the Temple, were, having been introduced into the Apartment of *LOUIS CAPET*, we have informed him of the two decrees aforesaid, and in execution thereof read to him.

1. The letter written yesterday to the President by Citizen *Target*, in which he declares his impossibility of answering the confidence of *LOUIS XVI.*

2. Those letters addressed to the President of the National Convention,

Convention, one without date, signed *Gustavus Grain D'Orge*, late *Mensil Durand*, Adjutant General of the Army; the second of the present day, signed *Sourdat*, Citizen of *Troye*; the third of this day, signed *Huet De Guepville*, late an advocate of the late Parliament of *Normandy*, all three offering to take upon them the defence of *LOUIS*. *LOUIS* answered, that he was impressed with a due sense of the offers of the undersigned parties, which, however, he must decline accepting.

3. A letter, bearing date of the 11th inst. signed *Lamoignon Malesherbes*, likewise addressed to the President of the Convention, in which the said *Malesherbes* expresses his desire of taking upon himself the defence of *LOUIS XVI.* if the latter should choose him for his Counsel.

“*LOUIS* asked us if *Tronchet* had accepted his choice? We answered that he was at *Palezean*, and that the Minister of Justice had dispatched to him both the decrees yesterday, which authorised him to commune freely with *LOUIS*; that, we had heard that the parcel had been sent him to his country seat, and that we should send orders to have his answer, and to invite him, in case of acceptance, to come immediately to *Paris*.”

“With regard to the offer of *Lamoignon Malesherbes*, *LOUIS* said he accepted it. We likewise informed *LOUIS* that *Guillaume*, late advocate of the Council, and Member of the Constituent Assembly, had offered himself to defend him, but that we were not bearers of his letter. *LOUIS* answered he was doubtful, but should not accept it, and that in case *Tronchet* should refuse, he would consult with *Lamoignon* about the choice of another person.

‘Having read this, *LOUIS* signed with us Commissaries.

(Signed) “*LOUIS, CHAMBACERES,*

“*THURIOT, SALLICETTI,*

“*DUPONT DE BIGORRE.*”

“In conformity with the offer made of my services, I consent to be the Counsel of *LOUIS*.”

(signed) “*LAMOIGNON MALESHERBES.*”

In the sitting of the 15th of December, Messrs. *Tronchet* and *Lamoignon Malesherbes*, stated to the Convention, in a letter, that they could not obtain admittance

admittance to the King's apartments in the temple, till one o'clock in the afternoon, and that they could find none of the pieces on which they were to form their operations.

A woman of the name of *Olympa Degouges*, offered her services in a letter to defend the King.

The Convention passed to the order of the day, since *Tronchet* had accepted the defence of the King.

The Commission of Twenty-one also brought their report, that the copies relating to the charges against *LOUIS XVI.* would be finished in one hour.

On the motion of *Thuriot*, the Convention decreed:

1. That the copies collated with the written documents against the King should be carried to the temple by four members of the Commission of Twenty-one.

2. That in case the counsel of *LOUIS* should wish to see the original pieces, they should be presented to them at the commission, in the presence of four commissaries.

On the motion of *Legendre*, it was next decreed:

“ That *LOUIS* should be finally heard, and his fate decided, on Wednesday the 26th day of December.”

*Lecointre*, of *Versailles*, moved, that *LOUIS XVI.* should have the faculty of seeing his wife and family, which was granted.

A member observed, that the delay granted to *LOUIS* expired on Christmas-day; and that his wife and sisters were accused as his accomplices, since they sent diamonds to the younger brother of *LOUIS*.

Another observation was made—it was, that the children of *LOUIS* might be the intermediate instruments of the correspondence between *LOUIS* and his

his wife; the Convention therefore modified their last decree, by resolving that

“ LOUIS should not see his wife and sister till after his last interrogatory; and in this case, his wife and sister should not see his children till the said period.”

In this same sitting *Buzot*, a great enemy to the Duke of *Orleans*, who had changed his title and real name for that of *Equality*, and whose unaccountable conduct towards the King, his relative, made him suspected of harbouring latent ambitious designs, moved that all the family of the *Bourbons* be banished from *France*, except those detained in the temple, whose fate was reserved for the judgment of the National Convention.

*Languinaiis*, one of the partizans of *Orleans*, who had expended an immense income to create such a party to protect his cruel designs, finding that the Duke would be included in this proscription, being one, though the most worthless and unnatural of the *Bourbon* family, rose, and with all the eloquence he was master of influenced the Convention to make an exception in favour of *Philip Equality*, who, as a representative of the nation, he thought could not be dealt with so rigorously. The Convention accordingly passed a law, bearing that all individuals of the family of LOUIS CAPET, excepting those detained in the temple, on whose fate they shall decide, and *Philippe Egalite*, whose business shall be discussed in two days after the present decree, shall quit in three days the department of *Paris*, and in six days the territory of the republic, as likewise the countries occupied by the French armies.

This same royal *Apostate* had some time before written a letter to the Convention in which he said he  
was

was ashamed of his *family*, meaning the house of *Bourbon*. The historian can say but little about this singular individual, whose whole life has been spent in the most iniquitous excesses, and presents to the good, a most monstrous labyrinth of crimes—his schemes are deep laid—and time, it is hoped, will soon unmask them—from his conduct, in every stage of the proceedings against the unhappy *LOUIS* and his family, our cotemporaries will be best able to judge a wretch, who, in point of cruelty and infernal designs, forms a striking parallel with *RICHARD III.* of *England*, though, in some points, there still is a great contrast between the former and the latter.

On Monday the 17th of December, the Convention received the following letter from the king's official defenders *Messrs. Tronchet and Lamoignon Malesherbes*.

“ We have heard with sorrow, what short delay the National Convention have fixed for the final hearing of *LOUIS XVI.* It is morally impossible for two citizens, both of whom are upwards of 60 years old, to prepare so great a defence, if a third person is not suffered to assist us. *LOUIS* has chosen *M. Deseze des Maisons*, and we are informed that that citizen accepts the choice.”

The Convention decreed the appointment of a third counsel to defend *LOUIS*.

It will not be deemed an injudicious digression, if I remark that *Malesherbes*, who so generously undertook the defence of the unfortunate *LOUIS*, was then about 80 years of age; he had been twice Minister of State, and always enjoyed the confidence of the King, and of the nation, because his conduct was ever marked with disinterestedness and probity.

He loved his Royal Master, because he knew him to be naturally good and virtuous, and Louis esteemed him as an honest and upright Minister. One day *Maleherbes* proposed to the King in council, some reform in the expenditure of the public money but was strongly opposed by the other members of the council, whereupon he cried out, “*An honest man can do no good here; I will retire.*” The King replied, “*Maleherbes you may go, but I must stay; and you know I cannot do the good you propose by myself.*”

In this same sitting, the Commissaries charged with the presentation of the pieces relative to the King's Trial, came to inform the Convention, that they had presented all the papers to Louis XVI. and that the said papers amounted to 107. Louis recognized some, but disowned the greatest part of them. Among the number of pieces recognized by the King, was a letter of *Chambonas*, in which this man gives an account of the attempts he made to corrupt General *Santerre*, who was offered *seven hundred thousand* livres for his brewery—*Santerre* refused the offer.

Several members moved, that fresh pieces be presented to Louis XVI. The Convention however, rejected the motion, and called for the order of the day.

On the day following the discussion came on relative to the banishment of *Philip Equality*, late Duke of *Orleans*, when *Fago*, in an admirable speech, defended his character.

After many debates, the Convention resolved that the decree be suspended, and the discussion adjourned till after the judgment of Louis XVI.

During this interval an incident occurred which proves the miserable condition of the imprisoned monarch.

monarch. The King was forced to beg in the most humble terms to have his beard shaved, and after three days delay it was granted.

The Queen requested scissars to cut her nails, which the inhuman wretches refused.

On the 22d December, *Andrein* announced that a key had just been found, with the following anonymous inscription, representing the hand writing of *Thierry*, late a *Valet de Chambre* of the King: "The key which has been delivered to me by the King, on the 12th of August, in the Court of the Feuillans." It was sent to the Commission of Twenty-one, to see if it did not fit the lock of the iron door of the secret chest discovered in a wall of the *Thuilleries*, with several writings, by *Roland*.

On the following day, *La Moignon Malesherbes*, one of the counsel of LOUIS XVI, demanded of the Department of *Paris*, a communication of the correspondence which took place in the night between the 9th and 10th of August, between the Mayor of *Paris*, the late King, and the Administrators of the Department. The Department of *Paris* did not think proper to grant the demand without a decree on the part of the Convention.

The Convention authorized the Department to give a copy, and leave another with the Commission of Twenty-one.

It was also decreed, that the Committee of General Safety demand a copy of the pieces found at the house of the late *M. Bachmann*, Major of the Regiment of Swiss Guards.

In the evening sitting of the 25th of December, one of the secretaries read the following letter from the Commander in Chief of the Parisian forces:

“ Paris, Dec. 22. 1792.

“ Citizens Representatives,

“ To-morrow is the day which you have fixed to hear LOUIS CAPET. Agreeable to the orders given by the Executive Power, all measures of safety are taken to bring him hither without inconvenience. Nothing but the night is in the way. Please to let me have a decree to-day, which shall determine my duties, and the hour when the Convention desires that LOUIS CAPET be heard.

(Signed)

“ SANTERRE.”

The Convention decreed, that LOUIS XVI. be put to the bar to-morrow, at ten o'clock in the morning.

The morning of the 26th of December being come—a morning which will ever be famous in the annals of history, the King rose early, left the Temple at nine o'clock in the morning, in the mayor's carriage, and was escorted to the hall of the Convention by a large body of cavalry.

The doors of all the churches in Paris were shut from the evening of the 24th till the morning of the 25th. The Council General found it necessary to adopt this step, in consequence of the tumults which were apprehended.

The King reached the Convention about 10 o'clock. His return from the Convention to the Temple was very quiet. It rained hard, and the horse who escorted him rode so fast, that the 80,000 men under arms, in several places planted their cannon; but the Adjutants and Municipal officers soon put them right, by informing them that the rain was the cause of the great haste made in the passage. The wind blew hard, and the rain poured into the carriage from all sides. The King, who was not accustomed of late to take such an airing, begged



begged that the windows of the carriage might be pulled up. This, however, was refused him.

On this memorable day, the President opened the sitting at nine o'clock.

A member of the Committee of Twelve announced, that the key which the late King remitted to *Thierry* on the 10th of August ult. and which *LOUIS* said he knew nothing of, was, notwithstanding, that which opens the iron box contrived in a wall of the *Thuilleries*. He presented, at the same time, four keys, serving to open the chests of drawers in the apartments of the late King.

The Convention ordered the keys to be laid on the table to be presented to *LOUIS XVI.* with the note of *THIERRY*.

*President*---I announce to the Convention that *LOUIS* and his defenders are ready to appear at the bar. I forbid the members and spectators all kinds of murmur or approbation.

[Here *LOUIS XVI.* entered, dressed in the same yellow great coat, which he wore at his first appearance; his countenance was serene and undaunted: he was preceded by Generals *Santerre* and *Berruyer*, some Municipal officers, the Mayor of Paris, and surrounded by Messrs. *Tronchet*, *Lamoignon*, *Maleherbes*, and *Deseze*, his counsel.]

*President*---*LOUIS*, the National Convention has decreed, that you should be finally heard this day, and produce your means of defence, either by yourself or counsel.---Be seated."

*LOUIS* (*inclining his head and beckoning Deseze with his right hand*). "My counsel will read you my defence. [*He then sat down.*]

## DEFENCE OF LOUIS XVI. BY DESEZE.

Here *Deseze* rose, and making a respectful bow to the Convention, in a manly and noble strain of eloquence addressed them with the following defence of his royal client :

*Citizens, Representatives of the Nation,*

“ The moment is come at last, when LOUIS, accused in the name of the people of France, and surrounded by the counsel which humanity and the law have granted him, will cause his justification to be heard. The very silence which encompasses me, tells me that the day of prepossession has given way to the day of justice. The misfortunes of Kings have a certain something far more moving, and far more sacred, than the misfortunes of other men, and *he* who so lately occupied the brightest throne in the world, ought still to excite an interest far more powerful. You have called him amidst you; he came hither with calmness and with dignity, strong by his innocence, supported by the evidence of the whole tenor of his life. He has disclosed to you his very thoughts, in discussing without preparation, without enquiry, charges which he did not foresee; making his defence, as it were, unawares. LOUIS could but tell you his innocence; I come to demonstrate it; I bring the proofs of it. I wish that this enclosure might grow more spacious, that the multitude of citizens who have imbibed the most fatal impression against LOUIS, might receive a contrary impression. LOUIS knows that Europe awaits with anxiety the judgment which you are going to pronounce: he knows that posterity must record it on some future day; he knows it, but only considers  
his

his cotemporaries: we, like him, forget posterity, and only have in view the present moment.

“ Had I only to answer judges, I would content myself with telling them, that since the nation has abolished royalty, there can be no judgment pronounced upon LOUIS; but they are the people to whom I address myself. I am to examine the matter in two different points of view—that in which LOUIS was before the acceptance, and that where he was after the acceptance of the Constitution. In entering upon this matter, I find at first, the decree which bears that LOUIS shall be judged by the Constitution: apparently, the legislators said, by themselves; LOUIS cannot avail himself of his inviolability. What have you done then by your decree? You have constituted yourselves judges of an accusation brought forth by yourselves. You have farther decreed, that LOUIS should be heard. If it was necessary that he should be heard, he has a right to defend himself; it does not depend on the judge to circumscribe the means of it; the Convention will appreciate them. If LOUIS makes mistakes, they will refute his errors.

“ Nations are Sovereign—they are at liberty to give themselves what form of government they please. I shall not contest this principle, and it has not been forgotten that the efforts of one of the counsel of LOUIS have contributed to cause this principle to be inserted in the Constitution. But the Nation cannot exercise her Sovereignty herself. She must therefore delegate this exercise. In 1789 the Nation wished for a Monarchical Government—a Monarchical Government required the inviolability of the Chief; it was necessary that it should impress that respect which causes the obedience which the law commands to be cherished. Has the character of that inviolability been dis-

cuffed—it has been pretended that it was not a *synallogmatical* contract; but that delegation was a contract as long as it was not revoked. It is a mandate, if we choose; but the mandatory could not submit to other conditions, or to other punishments, than those enacted in the mandate.

“ I open the second Chapter of *Royalty*, and I see that the King’s person is inviolable—there is no exception, no restriction, respecting it; but there are circumstances in which he can forfeit that character of inviolability. This is the first case.

“ Art. V. of Section I. Chap. II. Head III. If the King has not taken oath, or if he has taken oath, and *recants, he shall be deemed to have abdicated royalty.*”

“ Here the Nation imposes upon the King the duty of taking the oath. To recant his oath, is a crime against the nation. The nation foresaw this crime, she has dictated the punishment. I express myself wrong, it is no punishment, it is no forfeiture, the word is not once expressed: it is but a supposition, that the King shall be presumed to have abdicated royalty. You see that the Constitution creates no Tribunal, speaks of no judgment, says not a word of forfeiture. But without recanting his oath, he had it in his power to betray himself, he could favour criminal and hostile enterprizes against the state. The Constitution has also foreseen this case.

Art. VI. “ *If the King puts himself at the head of an army, and employs its forces against the nation, or if he does not oppose (by a formal act) such an enterprize, which would be executed in his name, he shall be deemed to have abdicated royalty.*”

“ I intreat you to ponder well here the nature of the crime foreseen by this article. It supposes all  
the

the machinations, all the perfidies, all the treasons, all the horrors, all the scourges, all the calamities of a bloody and intestine war; yet, at the same time, what does the Constitution pronounce?—The supposition of having abdicated royalty.

“ Art. VII. *If the King having left the kingdom should not return to it, after being invited to that return by the legislative body*—what does the constitution pronounce in this case?—The supposition of having abdicated royalty.

“ Art. VIII. Mentions (or decrees) that after the express or legal abdication, the King shall be judged like other citizens for all the crimes subsequent to his abdication. Thus it results from this article, that the King had a particular existence, absolutely different from that of other citizens; and whence else did he derive that particular existence, that privileged existence, but from the law which had impressed him with the character of inviolability, which he could not forfeit but by his express and legal abdication. And it is after the most atrocious crime which a King can commit against the nation, that the latter deems him reduced to the class of citizens. Besides, the law is perfectly equal here between the King and the Legislative body. The Legislative Body could likewise betray a nation. It could invade the national sovereignty; the nation had a right to pronounce a punishment against the deputies, and yet there have none been decreed.

“ LOUIS is accused; he is accused in the name of the nation; he is accused of several crimes. These crimes are either foreseen by the constitutional act, (and then they ought to bear the punishment decreed by that act) or they are not foreseen; and in that case there exists no punishment that might be inflicted upon them.

“ I go

“ I go farther; I say they are foreseen: the constitution has foreseen them; it has foreseen the most atrocious of them all—that of a criminal war against the nation; in whatever manner we may hear this article, the crimes are existing; they are all existing there. Well! the law inflicts no other punishment than the supposition of having abdicated royalty. I well know that now the nation has abolished royalty the punishment can no longer be applied; but could she change the fate of LOUIS? Has he not the right to say, when the constitution was accepted, I was the prisoner of the nation, Why have not you judged me; you have abolished royalty; I do not dispute you the right. But what! because you have abolished royalty, you will punish me; and because you know no existing law that might be applied to me, you want to create one for me—for me alone: you, without doubt, have all the powers; but there is one which you have not, **THAT OF BEING UNJUST!**

“ It has been said, that LOUIS ought to be judged as an enemy. But is not he a very cruel enemy, who could put himself at the head of an army against the nation? It has been asserted, that he was inviolable only to each individual citizen. After this principle, the representatives of the people would be no longer inviolable to the people in every thing they shall have done, said, or written, during a session? I read in *Roussseau*, “ There where I see neither the law that pursues, nor the law that condemns, I will not appeal to the general will; for the general will cannot decide as general will, neither upon a man, nor upon a fact.”

“ It has been urged, that if you take from LOUIS the right of being inviolable as King, you cannot take from him the right of being judged as citizen; and

and, in the latter case, I ask you where are those forms of records? Where are those juries—those species of hostages of the life and honour of citizens? I ask you where is that proportion of suffrages which the law has so wisely established? Where is that silent scrutiny, which contains in one and the same urn, both the opinion and conscience of the judge? I speak to you with the candour of a free man: I seek for judges among you, and I only see accusers. You want to judge LOUIS, and you have accused him! You want to judge LOUIS, and you have manifested your wish in that respect! You want to judge LOUIS, and your opinions are circulating throughout *Europe*.

“ I take up the act of accusation. You trace it from the month of June, 1789. I follow the same date. But how could you accuse him for having intended, at that epoch, to dissolve the Assembly! Do you forget that it was he that convened it? Do you forget, that for these 150 years, Princes more jealous than he was of their authority, had constantly refused calling together that Assembly? Do you forget, that without him, without the numerous sacrifices he consented to make, you would not be this day here to deliberate on the interests of the state? He has been reproached with having collected troops round *Paris*; but I can say, that these troops were only destined to protect *Paris* against the seditious. I had an opportunity of seeing the order, when I was charged with the defence of the commander of those troops whom the nation did not hesitate to dismiss by a full acquittal.

“ I shall not speak here of the memorial in which *Talon* is introduced to act a *counter-revolutionary* part, nor of the pieces that were annexed to that memorial. Had I to plead in defence of a common offender, I  
would

would alledge, that no citizen could ever be judged from pieces found by the invasion of his dwelling-house, without inventories taken on the spot, without sealing up the pieces afore said?

“ The dwelling of LOUIS has been invaded; his chests have been broken, his drawers forced open—there were neither seals nor inventories; pieces may have been mislaid—those which could answer the pieces now adduced in charge may have been mislaid. Letters are quoted of a man defunct; but can the letters of a man deceased furnish proof? It is said, that those letters mention money scattered about; but should this fact, which they do not clear up—should this fact, I say, be true—should it be true that it was contrived to rob sensibility and beneficence of smaller or larger sums—do we not know with what an unhappy easiness kings are circumvented and deceived?—They speak of a letter containing a project, addressed to *La Fayette* and *Mirabeau*; but the letter has not been sent. *Mirabeau* and *La Fayette* were two men that enjoyed the greatest popularity; they both loved the Constitution; the welfare of the State was the only topic of that project. He has been reproached with his letter to *Bouille*; here defence becomes even unnecessary: the National Assembly had voted thanks to the conduct of *Bouille*.

“ You have reproached him with the gathering the crowds on the 28th of February; but popular reports had drawn men of a hot temper to the castle, and LOUIS had ordered them to leave their arms behind them. You have accused him of the massacre of the *Champ de Mars*, but do you forget, that the powers of this ill-fated Prince was then suspended, and himself a prisoner, closely guarded. The nation has decreed the Republic, but it was not the form of government  
which



which the nation then wanted. Did not the Legislative Assembly itself rise against the Republic in the last month of July? If LOUIS had then betrayed the interests of the nation, or abused her confidence, he ought to be pitied; we ought to bewail the fate of kings, but we ought not to judge them. I have not yet uttered the word which would have made fall that series of charges—I have not said, that during all those facts, LOUIS has accepted the Constitution—the Constitution was the compact of alliance between the People and the King—all the clouds were dispersed, all that past was sunk in oblivion. Let us now examine what he has done since that acceptance.

“ The act of accusation comprises both the facts which LOUIS was not personally responsible for, and those facts which have an immediate personal reference to LOUIS. The Constitution had required no responsibility on the part of the King with regard to his agents. On the contrary, it had decreed the responsibility of ministers. We have no right this day to accuse the King and his ministers of the same deeds. LOUIS is accused of not having communicated to the National Assembly the Convention of *Pillnitz*. But this Convention was a secret treaty between the Emperor and the King of Prussia. There was no motive of state that could make it a law for ministers to make known to an assembly whose deliberations are public, a transaction which was secret. You have reproached LOUIS with having delayed for one month to send the decree relative to *Avignon*; this, Citizens, was one of the principal charges against the Minister DELESSART. He had himself announced that his defence, which he was preparing in his prison, would not leave the least doubt of his innocence. And could you, after his death, bring forth

forth the same charge against the King? You have reproached him with the troubles at *Nimes* and *Fales*; was it the King's business to be answerable for all the troubles inseparable from so great a revolution?

A letter from *Witgenstein* was imputed to him as a crime. All he could do was to have given him no place after his recall. The government of *Corsica* was mentioned, but he never obtained it. It was alledged, that he had a commission in the army of the North. It is possible that *La Fayette* wanted him; but the letter which granted him a commission remained at the war-office.

“LOUIS is reproached with the account given by *Narbonne*. I have only one word to answer to this charge. When *Narbonne* left the ministry, the Legislative Assembly decreed, that *Narbonne* was carrying with him the regret and confidence of the nation. He is reproached with the surrender of *Longwy*; but the inhabitants alone are guilty: The surrender of *Verdun*; who had commissioned that governor so celebrated for his heroism, who preferred death to a surrender?—none but LOUIS.

“The King has been reproached with retaining the Swiss guards, in spite of the Constitution, which forbade it. What follows will clear up the matter in point of fact. A decree expressed, that the King should be requested to present a fresh formation of his regiment of Swiss guards; and at the same time the Assembly ordains that it should be provisionally kept till the epoch of that formation. On the 3d of July, the Assembly ordered the departure of the three battalions of that regiment. On the 17th, ensues a letter from *d'Affry*, protesting against that decree, and calling to remembrance the capitulations. A fresh decree follows, commanding  
again

again the departure of the battalions. *D'Affry*, wavering between the decree and the capitulations, addressed fresh remonstrances to the Assembly. The Assembly passed to the order of the day, and the battalions marched out of Paris.

“ I now come to the facts which immediately and personally concern *LOUIS*. He was impeached in the first place for not having sanctioned the decree against the priests, and that respecting the camp at Paris. I may say, that the Constitution left him at full liberty to sanction that decree; and that if he made a mistake, this mistake ought not to be construed into a crime against him; but if a great number of citizens seemed to support this last decree, a great number seemed to be against it. He thought it prudent to refuse his sanction. But at the same time, by a wise measure, he ordered the formation of the camp of *Soissons*, and this camp was more useful to our armies, than that of Paris would have been.

“ His letter to the bishop of *Clermont* was alledged against him; but this was only a mere religious opinion, and it was previous to the acceptance of the Constitution; and when he accepted it, he did not not think it spotless, since even in his acceptance he spoke of *lawful* reforms. He is accused of having paid his guards; but the Assembly in ordaining their being disbanded, said they should be re-embodied; it was, therefore, incumbent on his justice and humanity, to pay them till they should be organized. He is reproached with having given assistance to the Emigrants, to have caused the league of the foreign powers to be protected by his ambassadors. He is reproached with his influence at the court of Vienna. I answer, that *LOUIS* constantly opposed the efforts of the emigrants; and  
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in support of this, I shall quote a matter of fact: Louis was informed, by his resident, of an attempt of the Emigrants to obtain arms and ammunition at *Frankfort*, and of the refusal of the magistrates of that city. He gave orders to his resident to return thanks to the magistrates of *Frankfort*, and to invite them to persist in their refusal.

“ There is not one emigrant that has been relieved by him. He has contributed towards the keeping of his nephews---the eldest was fourteen years of age, the youngest only eleven---there was no law existing which determined the crime of emigration. The Convention has just enacted one. The nephews of Louis were without resources: ought he to have stifled the feelings of humanity? Ought he, because he was King, to have ceased to be a relative? He made gifts to the governess of his children, but she left France in the year 1789. *Choiseul Beaupre* was in *Italy* since 1789, and he never bore arms against France. He has given relief to *Rochefort*, but *Rochefort* was no emigrant. He is accused of having sent pecuniary remittances to *Bouille*. The letter of *Bouille* expresses, “ Given to Monsieur, the King’s brother, by his order.” The truth is, that he never sent any remittances to Monsieur; and the order spoken of, was that of Monsieur, and not that of the King; all he has done, was the giving security for his brother, for a sum of 400,000 livres—but it was in 1789, and his sole inducement to that measure, was an emotion of humanity.

“ He has been reproached with the manœuvres of *Dumoustier* at the court of *Berlin*; but *Dumoustier* was not the agent of Louis, he was the agent of the princes his brothers.

“ He

“ He has been upbraided with a letter of *Choiseul Gouffier*; it was thought because he was the ambassador of LOUIS, the projects of *Choiseul Gouffier* were to be imputed to LOUIS; but the very letters of that ambassador prove, that it was only three days after his recall, and on account of his recall, that he planned an intrigue against the National Ambassador who was to succeed him. It was *Choiseul* that wrote, that acted, that spoke of his services to the princes, brothers of the King. The note proves that LOUIS had no connection with him.

“ I come now to the reproaches of subornation of several members of the Legislative Assembly. This project reduced at ten millions the liquidation of the offices; it acquitted the National Treasury, and charged the interests of that sum on account of the Civil List. This corruption, which turns to the advantage of personal interest—a corruption which leaves to us wholly and solely the shame with which it overwhelms us, and gives to others all the profit—is inconceivable. The fact is, that it results from the pieces communicated to LOUIS, that it was he alone who prevented the decree from being submitted to the Assembly—that he manifested his anger and indignation against it.

“ LOUIS has been upbraided with what has excited the indignation of the people, and with what must have appeared very grave to him: he has been upbraided with having paid his life-guards at *Coblentz*. I own that this charge made a painful impression on me; I could have suspected the faith of LOUIS—the pieces appeared clear to me. I come this day, in the eyes of Europe, to give him the satisfaction I owe him. All the pieces refer to the month of October 1791. Here is what the minister of the

Civil Treasury wrote to the Treasurer in the month of November :

“ It is the intention of his Majesty to continue the pay of his Life Guards till they shall have been replaced; but his Majesty will have it understood, that the amount of that pay be not delivered wholly to the Staff Officers, but to each individual, at the Pay-Office of the Civil List, upon producing a proper receipt, and a certificate of his place of residence in the kingdom.”

“ All the pieces have been made as public as possible. Louis has been accused before *France*; before all *Europe*; the printing of all these charges has been ordered; and the only piece which answers those facts, has alone remained unknown. This piece ought to have been with the rest of the papers. By what strange fatality has it not been found among them? Louis finally had the good fortune to obtain from the offices an authentic copy of that letter; he produces it before the eyes of Europe!

“ I finally come to the disastrous day of the 10th of August. Had we believed that Louis had committed the crimes with which he stands charged, you would not see us at this bar, to afford him the assistance of our candid veracity. All your successes since that day, would have permitted you to be generous; all I ask of you, is justice. He was afraid of having his castle invaded; he kept up a more precise correspondence with the constituted authorities. In fine, the people were there. The Procurator Syndic read, no doubt, with reluctance, the act of repelling force by force, as decreed by Art. V. of the law. The cannoniers made no answer, but discharged the cannon before him. Then the Procurator Syndic invited Louis to repair to the Assembly. He did repair thither—One hour after

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our misfortunes commenced. How did the combat begin? I cannot tell, and perhaps, history, cannot inform us. He has been reproached with having reviewed his guards—Well! accuse the mayor of having visited the posts. Was not LOUIS a constituted authority? Was not his authority a trust upon his hands which the law would not suffer to be in the least infringed? I know it has been maintained that LOUIS had excited the insurrection to bring about the execution of his plans: but who is now, who is this day ignorant, that that insurrection was combined, ripened; that it had its agents, its advisers, its directory? Who is ignorant, that acts have been made and signed, and treaties concluded on that subject.

“ In this hall, the glory of the 10th of August has been disputed; I do not come to contest this glory, but since it is proved that this slaughter had been terminated, why should it be alledged as a crime against LOUIS? You accuse him, and you will pronounce sentence upon him, upon him who has never issued any sanguinary order; against him, who at *Varennes* preferred rather to return a prisoner, than to expose the life of one single man; against him, who on the 20th of June, refused all kind of assistance, and preferred remaining single and alone amidst the people. Hear, history, LOUIS ascended the throne at the age of twenty, carrying with him the example of morality, justice and œconomy; he abolished personal servitude in his dominions; the people wanted liberty, and he gave it them. We cannot dispute LOUIS the glory of having ever anticipated the wishes of the people—I do now conclude, history arrests my farther progress—remember that it will be the test of your judgment.”

As soon as the counsel had gone through the defence, the President rose, and thus addressed the King :

“ LOUIS CAPET, is there aught you should wish to add to this defence?”

[LOUIS rose from his chair, and with an aspect of clouded majesty, in a tone of voice denoting sensibility, addressed the Convention as follows :]

“ CITIZENS,  
 “ My means of defence have just been exposed  
 “ to you, I shall not renew them. *In speaking to*  
 “ *you, perhaps for the last time,* I do declare to you,  
 “ that my conscience reproaches me with nothing ;  
 “ and that my defenders have told you the truth. I  
 “ was never afraid of having my conduct publicly  
 “ enquired into ; but my heart is rent at finding in  
 “ the act of accusation, the charge of having wished  
 “ to shed the blood of the people : and above all,  
 “ that the catastrophes of the 10th of August are  
 “ imputed to me. I own that the multiplied proofs  
 “ which I had at all times given of my love of the  
 “ people, and the manner in which I always con-  
 “ ducted myself seemed to me sufficient to evince  
 “ that I did not fear to expose myself to spare  
 “ their blood, and to discard for ever from me,  
 “ such an imputation.”

[Here the keys found in the Garde de Meuble in the room of *Thierry*, were presented to the King.]

*President*—“ LOUIS CAPET, do you know these keys?”

LOUIS—“ I know that I gave keys to *Thierry* ; I knew that my dwelling had been forced open, and all my furniture broke ; I had no farther occasion for these keys, but I do not know if those which are shown to me are the same which I delivered ; I cannot remember them after so long a time.”

[Here



[Here LOUIS withdrew, with the same calm resignation which he appeared in at first. On his passage from the hall, his countenance seemed red with animation, and torrents of tears burst from his eyes.]

The Convention decreed, after a most tumultuous debate, that LOUIS be re-conducted to the Temple, that his defence be printed, and all other business set aside until his judgment.

Here *Duhem*, a sanguinary Jacobin, demanded the immediate sentence of LOUIS by a nominal call. "Shall he suffer death," said he, "or shall he not? Let him be executed, and after that publish his defence."

*Lajuinais*—"I oppose this barbarous precipitation—the times of sanguinary men are past; let the fate of LOUIS be the fate which public safety requires; let him be judged in so important a case by the primary Assemblies. Can the conspirators of the 10th of August pretend to judge LOUIS? No, they ought not to judge him. Let not all France, and the National Convention, be branded with infamy.

At this speech, the most dreadful hisses and menaces were heard from that part of the assembly where *M. Equality* was sitting. It was called the *Mountain*.

*M. Fermond*, the President, moved the judgment to be adjourned. The party of *Equality* here became furious, rushed into the middle of the hall, bestowed the most opprobrious terms on the President and the Secretaries, and threatened to pull him from the chair, and to take the bell out of his hands. They accused him of having had a secret conference with *Maleherbes*, one of the King's counsel; they accused him of being an Aristocrat, who threatened to dissolve the Republic.

*Fermond* answered the abuse by the most convincing arguments of honour and integrity.

*Thuriot* here conjured up the momentary calm into a roaring tempest of disgraceful low-life. He moved, That the Assembly should not rise till the blood of Louis was shed; and all the horde of Jacobins, and the adherents of *Equality* seconded him.

*Petion* rose to oppose this blood-thirsty monster, which became the signal of universal commotion—They threatened the speaker—rushed into the middle of the hall—and a combat ensued, in which a drawn battle was fought, and blows dealt about as fast as words could possibly have been. *Barbaroux*, *Montaut*, and *Brillaut*, shewed themselves the *Mendozas* and *Humphreys* of France, and sent many a member home in a pitiful plight of deformity and foreness. This scene lasted near half an hour with increased smartness.

The President, whilst the combatants were panting for breath, and with grim aspect and grimace provoking a second attack, put on his hat, and swore he would call in the public force against the disturbers. This which would instantly have been done, in case of non compliance, cooled the spirit of the furious champions, and *Petion* was finally suffered to speak. He spoke with heavenly eloquence—tears gushed from his eyes, and sobs intercepted his speech; in short, so powerful were his arguments in behalf of humanity, and the fate of his royal fallen master, that cruelty could but relent. He vindicated his character, evinced true loyalty and manhood, and owing to his wonderful exertions, he prevailed on the bloody-minded Hydra to adjourn the judgment of Louis.

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The opinions given on the judgement of the unhappy Monarch, were extremely interesting in the sitting of the 27th of December.

*St. Just* said: "After having demanded the banishment of all the *Bourbons*, we cannot without the greatest injustice, spare him who is the most culpable among them.—I do not suppose you will conclude, that the States General were assembled with a view of giving liberty to the people, in 1789: the reason was, to diminish the power of the Parliaments, and to lay on new taxes; but you will remember with what artifice he evaded the laws against the Church, and Nobility. He who pretended to have no other happiness than that of his people, refused the laws that secured their rights, and ought to have insured them. I demand that every member ascend the tribune, and pronounce *LOUIS* stands, or stands not convicted. He farther moved that the sentence or acquittal be, by nominal call pronounced by the president. The latter was forced to oppose his most serious remonstrances to the tumultuous applause which the tribunes and the party of *Equality* manifested at this speech;—they laughed at his remonstrances, and continued the riot till they were tired of it.

*Rouzel* seconded the last member: "According to my principles, said he, I would no more hesitate to sacrifice my son, if the law enjoined it, than to save an enemy, when disarmed, if the law did not allow me to kill him. If I consult one of the members of the Constituent Assembly, who has most powerfully brought to light the ancient abuses, *Camus* is of opinion that *LOUIS* ought to be treated as a prisoner of war. *Condorcet*, on the contrary, that he ought to be dealt with as other conspirators, and to be judged by the common law.

“ Inviolability

“ Inviolability, *Petion* tells us, is an exception to the principles of eternal reason, justice, and the social compact; and that the King can only be punished with Abdication; and I confess, that our Constitution was so far from punishing the hereditary representative, that it did not allow him to be even responsible; and our respect for a law so unjust, ought to assure the universe of our strict observance of whatever we may contract with others. I am therefore of opinion, that *LOUIS* and his family may remain shut up, till the nation, after the publication of the charges against him, and the defence he has made, has given judgment upon them.”

*Sailes* said:—“ You decreed yesterday, a second time, that you would give sentence on *LOUIS* the *XVIIth*; but certainly you do not mean to prevent any member from giving his opinion.—The Convention having constituted each of its members a judge, has left it the same power of deliberation as itself. You have observed that the judgment of *LOUIS* presented a political question, and that the interests of the state required it—we are now therefore occupied about the interests of the state. To judge, is to apply rigorously the law. Justice, as truth, is not susceptible of being increased or diminished. In pronouncing judgment upon *LOUIS* not after any positive or definitive law, but your opinion, and according to the interest of the state, you do not judge; you only decree.

“ If *LOUIS* has deserved death, and does not suffer it, he will be amongst us a source of discord and trouble. Every assassin led to the scaffold will have a right to say, “ Why do you condemn me? Have I done worse than betray my country?” If, on the other hand, *LOUIS* suffers death, all his pretensions survive him; and these pretensions, when  
they

they devolve to another person, will they not be more dangerous to liberty? LOUIS is, of all the individuals of his Family the least to be feared. For even by his life, he will preclude his family from every pretension to the throne. Such are the two views equally embarrassing which his trial offers. It is not doubtful, that the event will be laid hold of. The enemies of the Republic, the despots above all, whom your principles menace, will attempt every thing to give you a King.

“ If you put him to death, the people will compassionate the death of their former monarch. The leading men of each party will affect to lament his fate, when no more prevented by his life. They will load the Convention with the grossest calumnies. They will represent its sentence as regicide. But if the National Convention should escape these snares, it will not the less be in danger of falling into that which the despots of Europe lay for it. Their silence on so great an occasion is very surprising. Do you think that they are indifferent to the fate of one of their equals, though they keep silence? No, certainly; they have views more profound. It is not LOUIS that they are anxious to save, but Royalty; and the punishment of LOUIS enters into their system. LOUIS is a prisoner, and all their efforts to replace him on the throne will be fruitless. His life prevents their efforts; they wish his death. Yes, I tell you so, because I ought to tell you the truth; all the nations of Europe are yet slaves. So far from being desirous to deliver themselves from the yoke that disgraces them, they receive with a bad grace the present we make them. Foreign Powers desire LOUIS's death, to shew, on that account, a pretended sorrow, to raise against you the cry of vengeance, to preserve their own  
 thrones

thrones, to destroy the revolution, and give us a King. These reflections struck me forcibly; but if my conjectures are wrong, it is nevertheless true, that these misfortunes will not be less, and that, whatever be our success, we ought to expect them. And what would be the consequence, if the reverse should happen? Who could be sure, that the people, deceived by the factious, would not demand of the Convention a strict account of the blood that their sentence had caused to be shed. (*Murmurs.*) The regret of the past, present evils, a foreign war, civil dissensions, and the divisions artfully kept up in the Convention, and I know not what; the pity shewn criminals who go to the scaffold—all these threaten us with the greatest misfortunes. The Convention will be calumniated, reproached, dissolved (*murmurs*)—and Royalty will raise a second time its hideous head, amidst the ruins of liberty. Let us make another supposition: If the Convention, alarmed with these conjectures, shall be of opinion that LOUIS ought not to die, perhaps it may incur yet greater dangers. Justice violated in the person of LOUIS, would extinguish the pity that followed him to your bar. The road is already traced out to the factious: already some bold speakers have established the horrible doctrine of the right of every Citizen upon the life of LOUIS, if the Convention does not bring him to the scaffold.

“ They have sanctioned assassination, they have in a manner associated the Convention with these infamous maxims. Well! what shall we think of these indiscretions? What character do they assume in my sight, when speakers rather still, have invoked the axe of the people against the Convention itself, if it did not pronounce the sentence of death against LOUIS? Traitors! as if the people had

had occasion for cannon to dissolve its representatives if they betray them. O shame! such crimes pass in the Convention itself; it does not punish the guilty! and it lulls quietly on the brink of the precipice. (*applauses*) [The President called to order.] O my country! but if such presages shall not remind the Convention of that responsibility which it will have contracted, in preserving the life of LOUIS, when a party is ever ready to take advantage of these supposed abandoned sentiments; will not this party employ the perfidious resource at each disastrous event, of attributing its cause to the existence of LOUIS, that is, to the National Convention? LOUIS would, therefore, still direct our enemies, who would be the Convention, who would desolate the country, burn our towns, massacre our children; or rather, it would be the Convention, who would not cut off from society this public enemy; and the Convention, victim of the maledictions of the people, crushed, destroyed, would give up its powers to the first tyrants that would seize it.

“ There is only one method to avoid such great evils, which is, that the Convention, after having declared LOUIS guilty, should submit to the people the punishment he ought to suffer (*murmurs.*) Well then, citizens, I propose to you this dilemma: Either the Nation demands his death, or that he should live: If it desires his death, we also all desire it; our hopes will not be deceived: If the Nation does not wish it, by what right will you punish him contrary to the wish of the Nation?

“ I would next observe, that the fate of the nation, or what is the same, of liberty, may depend on the solution of the question which I examine. In fine, if the sovereignty decides for death, the pre-  
tensions

tions will continue the same; but they will not be so strong: the resources of the disaffected will be less certain; whatever may happen the Convention will have nothing to answer for. Under this system, all the factions become extinct, and the Republic is safe from dissolution. But, it will be asked, how can the people pronounce sentence. The objection would be good, if the crime remained to be proved. But the question is not, whether Louis is guilty—it is the knowledge of his crimes that has procured from all parts of France congratulations on the abolition of royalty. But, it will be again asked, how can we resume the question? How can we have a fixed decision? This is an unfair objection—if Louis is declared guilty, he ought to be punished. Is there any question of banishment? No, for he would directly go to our enemies' camp, and would obtain by his crimes the occasion of consummating his flight to *Varennes*. If ever he can be banished, it is only when we are in peace: after the full establishment of liberty. There is only two questions to propose: Louis, shall he die, or shall he be kept prisoner? All the interests of the people are consulted in thus placing them; the Assembly, in resuming them, does only with regard to the people what the president does daily with respect to the Convention. There is an objection that has no weight, but by the calumnies made against the Convention. You are going to temporize, it may be said; and the interest of the state forbids it. Ah! the interest of the state obliges you not to endanger the existence of the Convention. But what is the delay of a few weeks at most? The 10th of August the Legislative Assembly called together the Convention, and on the 20th of September it was assembled; and yet there was occasion for both Primary and Electoral



toral Assemblies. In less than a fortnight, you may have a determination that will disconcert the royalists, and agitators. In fine, citizens, it is now to be determined, whether the Convention and the safety of the state, shall be preserved; I may add, that of *Paris* itself. I do not examine if you are perfectly free; however, do you believe it impossible that the malevolent may entertain some doubts on that account? Dread the regrets of the people of the time past. It must be said in after times, it was all France, and not the people of Paris, that judged LOUIS XVI.

*Joseph Serres* said—"I do not wish to justify LOUIS against the crimes that are imputed to him; I do not come to raise your compassion for his unhappy situation; but I come to support what I believe to be for the interest of Liberty, and the safety of the state. What punishment should be inflicted on LOUIS XVI; or, amidst the dangers to which his life or death exposes us, which is the greatest—if the coalition of despots should be stronger by his death; or if the return of peace might be the price of his existence?—I hesitate not to say, that it is better to preserve the life to a criminal who has no power to hurt you, than to consign thousands of innocent people to death. I will not pay so bad a compliment to the French, as to suppose, that with the King, the hatred of royalty will cease; but it will be more difficult to excite troubles after his death, than to re-conduct him to despotism, if you preserve his life. His existence, in my opinion, ought to create no alarm. Besides, you know, that all the French supposed he had a good heart, that his faults were rather those of frailty than of his will, and that he was actuated by a woman who knew how to captivate him. After LOUIS, is there not also his Son? And

can any one punish the children for the crimes of the parents? Would not his Son be, to the desperate, a pretext for tumult? It is almost certain that his death would not put an end to intrigues, and that this would raise up other pretenders. We must then shew our magnanimity to all Europe. I therefore wish him to be shut up during the war, and to be banished when we are at peace; and that the people confirm your judgment.

*Barbaroux* said—"We all equally hate royalty; but when we are going to judge him who was King of France, we are about to pass sentence on a man, and history will record our opinions. I am of opinion, that his crimes are evident, though he may deny some facts. I also wish, that the defence set up for him may be answered; and that he may be charged with all the acts for which his agents were not responsible." In the rest of his speech he attacked the defence of *LOUIS* as frivolous; said he was guilty; that his violability was repugnant to the sacred principles of nature; and that he ought to expiate his crimes by death.

*Lequinio* said—"That he would rather die, even by the sword of a tyrant, than judge a tyrant without observing the forms of justice. He declared, on the contrary, that the assassin of tyrants had deserved the thanks of mankind, and that if he could assassinate them all at once, he would not fail to do it.

"*LOUIS*, said he, had the power and the means of preventing the plots of conspirators, the emigration of the discontented, and the league of foreign powers against France. Had he really had at heart the cause of liberty, you would have had no person to combat. But who gave the orders to fire on the 10th of August? It is necessary for the safety of the people that the tyrant be immediately judged, as our perfidious enemies are every where endeavouring to compass our ruin."

The speech of this blood-thirsty man was interrupted by the loudest bursts of applause. *Barrere*, the president, rose, and in the most poignant and indignant terms, recalled the members to the respect due to the representatives of the people. He was only laughed at, and the refractory continued their villainous derision as long as they chose. The President then put on his hat, and several Members approached the table, and demanded the sitting to be broke up.

In the evening of the same day *Treilhard* was chosen President.

On the 28th following, State Papers were read. The first was an official note from the *Chevalier Ocariz*, the Spanish *Charge d'Affaires* to *M. Lebrun*, Minister for foreign affairs, dated *Paris*, Dec. 26, 1792 of which the following is the substance:

“ It is with satisfaction, says *M. Ocarix*, I inform you of the disarmament of *Spain*: the demand of neutrality insisted on by the French Minister was useless, since that neutrality existed. What will fortify these amicable dispositions, will be the termination of the momentous affair which occupies the mind of every body. The manner in which the people of *France* will behave towards the unfortunate *LOUIS XVI.* will convince the world of their generosity and moderation. His Catholic Majesty does not wish to interfere with the internal affairs of *France*. The trial, however, now in question, is not indifferent to him; *LOUIS XVI.* is his relative, and his ancient ally.

“ I find it incumbent on my station, to represent to you certain general principles of justice, and of the rights of nations. It is certain, that the opinions respecting the fate of *LOUIS XVI.* are divided: If any acts of violence be committed, they will neither be imputed to the nation nor to the government; but it will appear evident, that some private individuals have more power than the nation and government. From that period the foreign powers will no longer have any dependance on the protestation of *France*, on Treaties of  
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commerce and alliance. A magnanimous conduct towards the royal defendant, will produce quite contrary effects: the presence of LOUIS XVI. in foreign countries, will be a proof of the generosity of *France*, a proof of her knowing how to combine moderation with victory; then she may rely on a general and lasting peace.

“ In transmitting these reflections to you, I simply present the wish of his Catholic Majesty, and of the Spanish nation. I deem it an honour to communicate to you their urgent and ardent intercessions, which I entreat you to bring before the Convention.”

(Signed) OCARIZ.

*M. Le Brun*, the Minister at War transmitted the above Letter, with the two State Papers in the Convention, in a Letter dated, superscribed, and signed as follows.

*Paris, Dec. 27, First Year of the Republic.*  
*Lebrun*, Minister for Foreign Affairs to the President of the National Convention.

“ Last night I received a letter from the Spanish *Charge'd' Affaires*, relating to the question which this day takes up every moment of the National Convention, and fixes the attention of all Europe. The duties of my charge oblige me to transmit it to the National Convention, but I ought at the same time to communicate to them some particulars which are not foreign to this subject. The hostile preparations which for some months past have been making in *Spain*, both by land and sea, and the reciprocal measures of security taken on our part, having been the subject of most urgent and most frequent complaints between the two governments, overtures have been made, the result of which has been to propose a reciprocal disarmament, on condition that *Spain* should previously give us a formal and unequivocal declaration of its neutrality during the present war. These negotiations entered into three months ago, were, for a moment, interrupted at the epoch of the retreat of Count *d' Aranda*; but it was not long before they were resumed by his successor, who himself requested to continue them. I should feel great satisfaction in being now able to announce their issue, had I not some reason

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to believe that this condescension on the part of the Court of *Madrid*, depends, in some manner, on a condition which must diminish its merits.

“ In fact, Citizen President, the moment I received the two notes inclosed, one of which contains the disposition, of the Spanish court towards a neutrality, and the other proposes the method to be adopted for effecting the projected disarmament, I learned that the Duke of *Alcudia* had not concealed from the Minister Plenipotentiary of the French Republic, that one of the powerful motives which had determined the Catholic King to have some intercourse with us, was, that he might have some influence on the fate of the late King, his cousin.

“ I have been since more particularly convinced of these dispositions, and the National Convention will convince themselves of them, by the contents of the letter of the Chevalier *Ocariz*, who remained at Paris in the capacity of *Charge d' Affaires* of Spain, since the 10th of August, on which I shall make no further observations.

(Signed)

LE BRUN.”

*A Copy of the Official Note, containing the Declaration of Neutrality of the Court of Spain.*

“ The French Government having signified to that of Spain, the wish of seeing the neutrality which actually subsists between both nations formally proved, his Catholic Majesty has authorised the Undersigned, his first Secretary of State, to declare by this note, that Spain will, on her part, observe the strictest neutrality in the war wherein France finds herself engaged with other powers.

“ This note shall be exchanged at Paris, for another signed by the Minister for Foreign Affairs, in which the same assurances shall be given on the part of France.

“ Done at Madrid, Dec. 17, 1792.

(Signed)

FIRMADA, DUKE of ALCUDIA.”

(A TRUE COPY.)

“ The Minister for Foreign Affairs, LE BRUN.”

*A Copy of the Note relative to the Disarmament proposed by the Court of Spain.*

“The Catholic King, in consequence of the neutrality agreed upon by this power and the French Government, from an assurance of the friendship and good faith of the French Nation, will order the troops who beset the frontiers to be withdrawn therefrom, retaining in the fortresses the number requisite for their service, and that of their respective detachments, which shall be executed immediately after France shall have delivered the like declaration, promising on her part to act in the same manner. Commissaries shall be appointed on each side to assist in the execution of this, at the epoch appointed; and all the measures shall be taken by one common accord, acting with that good faith which is required.

“This note, signed by the first Secretary of State of his Catholic Majesty, shall be exchanged at Paris for another signed by the Minister for Foreign Affairs, in which the same assurances shall be given on the part of France.

“Done at Madrid, December 17, 1792.

(Signed) FIRMADA, DUKE of ALCUDIA.”

(A TRUE COPY.)

(Signed) “LE BRUN.”

After the reading of this letter, a Member exclaimed, “That it did not become a despot to prescribe lessons to the French Nation; and that to convince him of their contempt, they should immediately call for the order of the day, and refer the letters to the Diplomatic Committee.”

*Thuriot* was of the same opinion, and prayed of the Convention not to be influenced were all the tyrants on earth to join in a league against them; he made several severe remarks on the good understanding now subsisting between Great Britain and Spain; and moved, that no writings, whether they  
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came from abroad, or from the internal parts of the kingdom, should be read before Louis XVI. was judged.

On the motion of M. *Carra*, the Convention decreed, "That the Minister for Foreign Affairs shall inform them, if M. *Bourgoing*, their Ambassador, had been acknowledged by the Court of Madrid, as Ambassador from the French Republic; and should he not be acknowledged, to recal him immediately."

With regard to the letter, the Convention passed to the order of the day, and the pieces were referred to the Diplomatic Committee.

The opinions on the King's judgment were then resumed.

*Lequinio*, who could not finish his opinion in yesterday's sitting, maintained that Louis ought to be finally judged by the Convention.

*Buzot* maintained, that it was necessary that the Convention should condemn Louis to suffer death, and afterwards to refer his case to the generosity of the sovereign people.

*Faure* pretended, that the Convention had no right to judge Louis. He moved, that a separate commission of 84, chosen by the 84 departments, be appointed to judge him.

*Rabaut St. Etienne*, in a most eloquent speech, declared, that the nation had not sent deputies to judge Louis. He proved this argument by the impossibility that the nation should have forgotten the eternal principle—*A legislator cannot be a judge.* "The people, said he, treat us as their mandatories, their representatives, their legislators, but not as their judges. They have sent you to delegate the powers, and not to exercise them." He drew, in a most masterly manner, a simile from what had hap-  
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pened

pened in England with regard to *Charles I.* and from what was going forward in France, respecting *LOUIS XVI.* He proved, that the functions of judges and legislators ought never to go together. He observed, that after the death of *Cromwell*, royalty returned with the tragical end of the judges of *Charles*: he assigned as a reason for those events, the pity which used to return to the breast of the people after the commission of too rash and precipitate an action. He also assigned as another reason of the re-establishment of royalty in England, the usurpation of the rights of the people on the part of the English Parliament, who then were the most abject slaves of *Cromwell*. He said, that had the opinion of the people of England been consulted, those events would never have happened. He declared with great emotion, that the hurry and precipitation made use of in the affair of the King, were repugnant to every principle of justice, reason, and humanity.

*Rabaut* concluded his speech with these remarkable words: "If indeed, the judges are at the same time legislators; if they decide the laws, the form, and the time; if they accuse and if they condemn; if they have all the legislative authority, all the executive, and all the judiciary powers, it is not in France, 'tis in *Constantinople*, 'tis in *Lisbon*, 'tis in *Goa*, that liberty must be fought! For my part, I confess myself tired with my portion of despotism; I am fatigued, harrassed, tortured with the tyranny I now exercise, and sigh after the moment when a national tribunal shall be established, by which I may cease to wear the form and semblance of a tyrant. Pronounce on the criminality of *LOUIS*, but refer the punishment to the sovereign people, whose mandatories you are."

*Lefort*



*Lefort* still entertained the same sentiment he had before declared, respecting the inviolability of the King. If, however, said he, sentence must needs be pronounced on him, let each department send an advocate to Paris for that purpose:—a legal and constitutional jury would thus be formed.

*Buzot* proposed an appeal to the people.

*Robespierre* inveighed in the grossest language against the Members, who wished for the appeal to the people, respecting the judgment of *LOUIS*; he called the Primary Assemblies, bodies that would destroy all liberty; he predicted civil war, and all kinds of domestic evils, if *LOUIS* was not brought to the block.

*Duchatelet* combatted the blood-thirsty arguments of *Robespierre*, and maintained that the life of *LOUIS* was more a series of pitiable errors, than of real crimes. He maintained, that there was no law by which he could be condemned, and voted for his banishment.

Six Members spoke in this sitting, most of them for the banishment of *LOUIS CAPET*, others for a more rigorous punishment; but all, one excepted, for referring his fate to the Primary Assemblies.

On the 20th of December, the following interesting report, respecting the King, was made to the Council by *Coubiere*: “On the 19th *LOUIS*, according to his wonted custom, rose at half past seven. He dressed himself hastily, took up a book, asked for a knife to cut open the leaves, and read for half an hour. This book was a Breviary.

At nine o'clock breakfast was served up. “I do not breakfast to day,” said *LOUIS*; “’tis a fast,”

“It is not,” observed *Cubieres*, “a good quality in a King to be devout; for *Charles* the Ninth, and *Henry* the Third, were devout also.”

The Valet (Clery), who is both a wag and a patriot, said—"The Church orders fasting at the age of twenty-one. I have passed that age, and am no longer obliged to keep fasts. Since Louis does not choose to breakfast, I will even take that trouble upon myself for his sake."—He indeed breakfasted before the very eyes of Louis, who then retired for a few minutes.

*Malesherbes*, one of Louis's Counsel, came to the Temple on Thursday morning, and offered to empty his pockets in my presence. He shewed me a few crowns, and said, these I believe were coined under the ancient government.—I have likewise by me two keys, and some papers respecting the treaty of *Pillnitz*, which the King stands in need of."

It is remarkable, that this Counsel and his colleagues always say *the King* and *to the King*; for our own part, we only call him Louis.

*Malesherbes* farther observed, "I have also by me the *Moniteur* and some other journals.

*Coubieres*. "You, *Malesherbes*, are a friend to Louis;—how can you then convey papers to him, so replete with sentiments of public indignation against him."

*Malesherbes*. "The King is not like a man of the vulgar stamp; he is strong-minded, and his energy of soul raises him above all that can be said or done.

*Coubieres*. "You are an honest man; but suppose you were not, you might bring him poison—You might advise him to taste it." (*Here Malesherbes was quite at a nonplus.*) After a long pause he said,—  
"Were the King of the philosophical religion, were he a *Cato*, he might commit suicide. But the King is a pious and christian man, knows that his religion forbids him to take away his own life; he will never kill himself."

In the sittings during the three last days of December Citizen *Biroteau* stated, that the late Monarch being driven from the throne, was effectually nothing more than a private citizen; in viewing him in that light, he could be charged with no crime. It therefore became the Convention to try him as a King? but will such a measure be a measure of policy?—Incontestibly, not. The death of *LOUIS* will blend a civil with a foreign war; and there is no doubt but that all the Powers of *Europe* will in that case be engaged against us; so that we shall have to combat with numerous foreign as well as intestine enemies. Those who contend with so much earnestness for the death of *LOUIS*, may be considered as interested in such an event; and how will it appear to the world, when it shall be known that a small, an inconsiderable party in *Paris*, usurps to itself the right of dictating to eighty-four departments, and twenty-four millions of inhabitants. Scandalous decrees have been made by the departments, tending to excite, on the part of the people, a revengeful spirit against their representatives, provided they should not act conformably to the particular sentiments of these departments. One of their own body (*Robespierre*) singled out no smaller a number than six hundred and forty-five deputies for popular vengeance. He durst maintain in the Convention the day before, that it contained two hundred patriots only. The Convention, sensible of the danger in which it might be placed by such scandalous doctrines, ought to shake off its supineness, and examine into the plots of the traitors it has hitherto nourished in its own bosom. He now moved,

That it shall be determined in the Convention, by the voice of the members, taken individually, whether any actual  
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proof exists that LOUIS has conspired against his country:

That it shall be decided in a similar manner, whether the trial of LOUIS ought, or ought not, to be referred to primary assemblies:

That an abstract of all the crimes with which LOUIS is charged, shall be made out by the Constitutional committee which shall also produce the papers employed as proofs, to the end that they may be printed and transmitted to all the commons of the Republic, to enable them to determine on his fate.

After a slight discussion of the above motion a member (*Cuyter*) made another one, to the following effect;

That the late Monarch, as well as his wife and children, shall be for ever banished from the French Territories:

That provided they should again enter France, they shall be put to death; and that it shall be in the power of any citizen to kill them:

That at certain intervals throughout the kingdom, columns shall be erected, on which shall be inscribed the perpetual banishment of kings, and the eternal, inalienable rights of the people:

That this decree shall not be executed till the conclusion of the war:

That until that time, LOUIS and his family shall be preserved as hostages:

That the remembrance of the happy delivery of France shall be preserved by a festival:

That the people shall be invited immediately to sanction this decree.

In addition to the second article of the preceding motion, respecting the punishment of death, a member moved,

That a reward of five hundred thousand livres should be voted to the person who should in case of his return, kill LOUIS on the French territory,

Another moved,

That LOUIS should be declared guilty, and deserving of death;

death; reserving to the French people, as their right, the power of confirming or changing this punishment.

A third member was of opinion, that an appeal on this occasion to the nation itself would be attended by the inevitable consequence of producing quarrels and parties. He therefore thought, that the fate of LOUIS should be determined by the Convention itself.

The old argument of the incompatibility of the two functions of legislator and judge was revived by a member, who moved in conclusion,

That the guilt of LOUIS being established by the Convention, the nature of his punishment should be referred to the Nation.

*Vergniaud* now ascended the tribune. After having established what ought to be understood by the sovereignty of the people, after having insisted, that decrees could have no legal effect, unless invested with their formal or tacit sanction, he maintained that it belonged to the people alone, to pronounce on the trial of the late Monarch. He would not defend the absurd *dogma* of inviolability; but the nation had accepted the constitution, which was the expression of the general will. It could therefore, he insisted, belong to the people only, to declare that they renounced this constitution and entered again into a plenitude of their rights.

“Troubles,” said the deputy, “have been spoken of; but they exist in *Paris* alone; the departments are peaceable; they respect the laws, and wish for order. *Paris* itself—if we understand by the expression, the citizens of this populous metropolis, who have made so many sacrifices to liberty—*Paris* is calm; and were it not for a small band of assassins, of sanguinary monsters, of cannibals who dare to call themselves the people, this city, in  
common

common with all the others of the republic, might expect every thing from concord.

“ You have been told, by designing men, of intrigues which will agitate the primary assemblies, provided you should refer to them the sentence of Louis? but why not dread these intrigues, when you shall submit to them the establishment of a republican government? Everlasting declaimers, agree among yourselves! You have viewed the major part of the nation as composed of intriguing, of moderate men, of aristocrats, of sworn enemies to liberty; and your philanthropic modesty has taken occasion to calumniate the whole human race.

“ You have affirmed *that virtue is in a minority upon the earth*. Citizens! *Catiline* was also in a minority in the Roman Senate: and had this minority carried its point, there would have been an end to the Roman Republic. *Cazales* and *Maury* were also in a minority in the Constituent Assembly; if this minority had obtained a victory, the liberty of *France* would have been for ever annihilated.

“ Your ears have been incessantly dinned by the terrifying cry of civil war: it is a calamity longed for by those who unremittingly distill the poison of calumny on the truest friends of freedom—who, thirsting after blood, are pleased with the sight of the mutilated bodies of their victims, and who hold the axe of proscription over the heads of those who favour the sovereignty of the people. Panting after this object (a civil war), they declare themselves in a state of insurrection, and display the poignards they have sharpened for your destruction, provided your determination should not accord with their private interests. They treat as miscreants, as cowards, as enemies of our country—we who braved the authors of the horrid crimes committed

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committed on 2d of September, who, on the 10th of August, quitted the chair to demand at the tribunal the forfeiture of Louis; whilst these men, *courageous in their lurking holes*, waited the issue of the combat between liberty and despotism."

M. Vergniaud now treated the question in a political point of view, and drew a most melancholy picture of the present state of France.

"Harassed," said he, "by internal distractions, attacked, dismembered even by her enemies, she presents to us a mere heap of ruins. Unhappy Parisians! you who are so worthy of liberty, but who subsist by the labour of your hands alone! what will become of you, when, deprived of all your sources of industry, the city you inhabit shall no longer contain any others than those perfidious monsters who dare to call themselves your friends! You will then demand bread. Well! this is the frightful language which will be held out to you: *You are oppressed by hunger—go into the caverns filled with dead bodies, and nourish yourself with the fruits of my rage! Thirst torments you—BLOOD, BLOOD!*"

"I trust, that in this ocean of evils, liberty will swim, will buoy itself on the surface; but my unhappy country will then be like the monuments of Egypt. Externally, we are struck by their majestic grandeur; but on entering them, what do we find? *Ashes, and the silence of the tombs!*"

M. Vergniaud now demanded, that the following questions should be put to the vote. Shall the will of the people be consulted? and in what manner?

Dubois de Crance maintained, that the judgment of Louis be not referred to the Primary Assemblies. He quoted the passage in *J. J. Rousseau*, which had been quoted before by M. Desèze, the council of Louis XVI. by which the appeal to the people is  
condemned.

condemned. "Let us brave dangers," said he, "and if our heads roll at the feet of the despots, the people will then say that we have saved the country."

Another member seconded the opinion of *Vergniaud*, and declared himself against the sections of Paris, who endeavoured to exercise their influence on the judiciary proceedings of the Convention, by demanding the blood of *LOUIS*.

*Moreau* declared, that if in case the people of France should not wish for the death of *CAPET*, the Convention ought still to pass sentence of death upon him, to save the people from prejudice. In concluding his speech, he turned towards the Mountain, where *Equality* presided.

On the first of January M. *Jean-Bon-Saint-Andre* refuted the defence of *LOUIS*. He found nothing but sophisms in the first part; and the latter part weak and ridiculous. The appeal to the people he considered as a project to dissolve the National Convention. He was severe against his antagonists. He accused them of having proposed only sanguinary laws. According to his opinion, the Convention was a Revolution Assembly, created by the people. In consequence, he demanded the previous question on the appeal to the people, and urged the Convention to pass sentence upon *LOUIS*.

M. *Petit* attempted to answer all the speeches for and against the accused. His opinion was, that *LOUIS* is guilty—that he ought to be judged—that the Convention was the proper tribunal—that his sentence ought to be death, or perpetual imprisonment—and that an appeal should be made to the people, to choose which of these alternatives they preferred.

*Brissot*



*Brissot* declared that LOUIS was guilty, and worthy of death; he urged that it was necessary to make an appeal to the people in the primary assemblies; such a measure being required by the general safety, and by the disposition of nations and foreign powers.

On the following day *Guillemart* maintained that an appeal to the people was absolutely necessary; he said it was more conformable to the interests of the Republic to keep LOUIS in perpetual confinement, than to punish him with death. He said, that the death of a king did not destroy royalty, and that a strangled sultan, had never yet emancipated Asia.

*Carra*, a blood-thirsty Jacobin, voted for the death of LOUIS, and observed, that it was not the discharge of a pistol, or gun, that terminated the affair of the 10th of August. The National Convention ought to pronounce definitively and irrevocably concerning the destiny of LOUIS. The Convention is the proper judge of LOUIS, for this reason, the people made no reprisals on that memorable day."

He was against the appeal to the people. He refuted the defence set up for LOUIS. He found nothing in it but subterfuges, paradoxes, denials, and every kind of falsity. He endeavoured to represent the fears that had been excited on that account as pusillanimous, and as the effect of a false sensibility. In taking off the head of LOUIS, *M. Carra* was of opinion, that the Convention would for ever annihilate royalty, which would not fail to be regenerated if he was suffered to live. He viewed the future under the happiest aspect. He saw all nations destroying their bastilles, and making such revolutions as those of the 10th of August. He considered the appeal to the people as absurd, because  
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the Convention would in this way give importance to an individual, which was due alone to the constitution, when it should have been presented to the eighty-four departments; and he believed it to be a snare to make a division between the Convention and the people.

*Genfonne*, in a most eloquent speech, vindicated those members who voted for an appeal to the people; he unmasked in striking colours, the villainous faction under the name of the *Mountain*; he accused them as a contemptible minority, who wished to control the Convention to occasion civil war, and whose designs were only founded on bloodshed, troubles, and cruelty.

He reprobated the sanguinary cries of the *Gascons* of the 10th of August, who boasted of having saved the Republic. "Some among them," said he, "may, perhaps, have contributed to the revolution by *instinct*, like the *geese of the capital*; but the Romans," said he, "to shew their gratitude to those species of liberators, did not transform them into dictators and Tribunes."

On the 3d of January, *Dartigotte* gave his opinion: he seemed at first to incline towards the appeal of the people; but afterwards gave it as his opinion, that such a proceeding would be destructive of liberty.

*Petion* spoke afterwards in favour of the appeal to the people; he refuted the objections to that appeal; he spoke with energy against the abettors of crimes; against those who dared to maintain publicly that the wrath and vengeance of the people must light upon the Representatives of the Nation, if *LOUIS* was not found guilty of death. He invited all good citizens to unite against that *horde* of robbers, who only breathed murder and carnage. In the subsequent parts of his speech, he belied the  
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good opinion which one could not help entertaining of his loyalty, by moving, "That LOUIS XVI. be found guilty, sentenced to die, and his sentence referred to be ratified by the Primary Assemblies."

On the 4th of January *Barbaroux* rose and moved That the hearing of opinions, on the trial of LOUIS XVI. be closed in 24 hours.

*Thuriot*, to hasten the deliberation, suggested that the opinions of the speakers should be printed.

*Puyravaux* felt, that there were inconveniences in both these propositions. In an enlightened *Legislative* deliberation he thought the discussion might be closed before all the orators should be heard. Here, however, the Convention did not sit in a legislative but in a juridical capacity, to perform the functions of a jury. Whether the Convention should be considered in the light of an assembly of judges or jurors, no earthly power could, in either of these qualities, prevent its members from declaring their opinion. "We must refute," concluded the speaker, "the defence of LOUIS CAPET, otherwise we shall be charged with injustice."

The order of the day was called for.

*Lécointe*, *Puyravault*, *Barbaroux*, *Buzot*, and *Marat* opposed the order of the day; the latter would force a speech on the Convention, who were obliged to silence him by a decree.

*Barrere* spoke afterwards against the appeal to the people.

He divided his discourse into five general heads: The first related to *facts* and *forms*. He recalled to the attention of his hearers the late miseries of *France*, and the plots which had been set on foot to annihilate her liberty. These conspiracies, he said, were not the work of the fugitive Generals, the vile instruments of a perfidious court; they were not  
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the work of the imbecile Priests, the fanatical agents of that court; neither were they wrought by the haughty emigrants: No, they were the works of Kings for Kings, brought about by the guilty LOUIS who had made innumerable attempts on the freedom of the state.

His next head related to the forms of trial; and on this occasion he proposed an open scrutiny, as the most solemn process.

Inviolability was considered under the third head; the member denied that it could be applied to the present case of LOUIS CAPET.

With respect to an appeal to the people, which he next considered, much as he admired the talents of *Vergniaud* and *Salles*, he was obliged to differ from them on this head. “ I possess (exclaimed he) a republican austerity, a severity of principles, a fidelity to my trust, and am influenced by the terrible necessity of taking off a tyrant, to leave to tyranny no further hope of success. I am therefore entirely against this appeal.”

The fifth and last head he entered into a variety of political considerations, respecting the probable effect the fate of LOUIS will have on the various courts of Europe. These considerations were followed up by reflections on the process against *Charles I. of England*; and the attempts which were made against the persons of his judges.

He then moved, that the Convention should proceed to vote at the tribunal, by a nominal call of its members, on the question of fact, whether LOUIS CAPET was guilty of a conspiracy against the state?

That they should next proceed to a nominal call, on the application to LOUIS CAPET of the law of the code of Penal Statutes, against those who make an attempt

attempt against the internal or external liberty of the state.

That it shall afterwards determine the fate of LOUIS CAPET's family.

In the sitting of the 5th, the official defenders of LOUIS XVI. sent a letter, in answer to a fresh charge brought against their client by a member of the Convention—a charge which is not included in the declaratory act of the crimes of the King. The charge is relative to the note in which *Bouille* gives an account to LOUIS of the 990,000 livres, which the former had received of him; and mentions that *Bouille* paid 2400 livres to *M. Heymann*, who was sent Ambassador to *Berlin*, for the service of the King. The counsel of LOUIS said, that their client never had the least knowledge of that mission. He could not prevent his brothers from sending agents in his name. As soon as he was informed of their proceedings, he informed the National Assembly of what they had done. They also answered the charge brought against LOUIS XVI. of having had two Ministers, the one ostensible, and the other secret. If this is true, said they, why have not the smallest traces of a correspondence with the emigrants been discovered among the numerous papers found in the *Thulleries*?

The Convention decreed the publishing of this letter; and without having come to any determination upon the proposal of *M. Offelín*, that the discussion of the trial of LOUIS should not be closed, before the speakers who intended powerfully to refute it, had been heard; nor upon that of *M. Charrier*, who demanded that first of all, it should be decided by yes, or no, whether the appeal to the people should take place.

From this period until the 14th of January, which was the day from which the fate of Louis began to draw to a final crisis, nothing important happened in the deliberations of the Convention which might have been particularly worthy to be placed on the records of this abominable trial—deputations and addresses were read at the bar of the Convention, praying that the blood of Louis XVI. might be shed. Amongst others *M. Real*, the substitute of the procurator of the Common, making his report, stated, that the fermentation which existed at Paris, was owing to the trial of the King—The people cried aloud, Louis XVI. ought to lose his life.

The triumph of crime and villainy now lifted the axe against Louis's devoted head; and, should this have failed by way of the mock proceedings of the Convention, there was a hundred parties who thirsted after his blood, and threatened every moment to plunge a thousand daggers into his heart. More than 80,000 federates were already arrived, with uplifted weapons, and the signal of carnage and civil war was hourly expected to be given.

*Equality*, at the head of more than 15,000 desperadoes, under the denomination of *Sans Culottes*, had conceived the project of taking the Temple by storm, and embruing his hands with the blood of the King and his family, should the doom be delayed a moment longer than his thirst of blood should have chosen to grant.—He was powerfully seconded by the mob of the *Fauxbourgs*, and his creatures were to seize upon the cannon at the arsenal. The Jacobins had declared themselves to be in a state of insurrection, and sworn to exterminate one half of the Convention, and the party of *Roland*.

*Legendre,*

*Legendre*, a member of the Convention, moved, in one of their infernal sittings, to seize the King, to cut him in 84 pieces, to smoke each piece, and send one to every department, where it was to be burnt under the Tree of Liberty.

The King remained in the calm of majestic resignation at the Temple, ignorant still of the torments which his subjects were preparing for him.—General *Santerre*, the commander in chief of the Parisian forces was insulted at the theatre, and some of his men were wounded by the federates—In short the capital exhibited more horrors and boding events of cruelty than ever appeared in the annals of history.

The King's eldest daughter laid dangerously ill, and could not obtain medical relief for several days, at last it was granted by the Council General, amidst a thousand murmurs.

The King spent his unhappy moments in devotion and moral literature, *Malesherbes* administered to him all the comforts which circumstances would allow him to administer to his royal master. This truly virtuous man was one of the best friends of his Majesty, and all Europe applauded his noble and firm attachment to the fallen Monarch.

An English gentleman, it is said, sent him one day a letter, in which the following expressions were contained:—"It is a comfort to the generous and feeling mind, that the most unfortunate of Kings has the most virtuous of men for his defenders." M. *Malesherbes* answered this passage in our countryman's letter, in these words:—"If my efforts be bestowed in vain, the defender of the most virtuous King will be the most unfortunate of men."

All those whom nature forced to commiserate the fate of the unhappy Monarch, were marked out for prosecution : the Common of *Paris* issued a warrant to apprehend a national Gendarme, who was found distributing a pamphlet in one of the sections, tending to interest the public opinion in his behalf, and the poor fellow was apprehended and committed to be tried for his life,

The city of *Rouen* in *Normandy*, to express its abhorrence at the treatment of its King, cut down the tree of liberty, and began to rise in his favour, but it was soon subdued by a superiour armed force.

In the sitting of the 14th of January, the following proceedings took place in the National Convention, respecting the theatres which had been shut from fear of an insurrection :

*Buzot* informed the Convention that the Common of *Paris* had ordered the play-houses to be shut for the present day. He maintained that such a resolution would be productive of the greatest evils, and moved that the *President* do write to the Municipality to let the theatres open and shut as they used to do.

*Thuriot* defended the conduct of the Municipality, and said it was necessary to preserve the hierarchy of powers.

*Ganfonue* combated the opinion of *Thuriot*, and declared that the Convention had an incontestible right to watch over the general safety, especially when the Council General of *Paris* was so much behind in its duties ; he cited, in support of his argument, the resolution taken by the section *des Graviilliers*, to have the barriers shut, and to establish a jury to judge all those members of the Convention who should not vote for the death of *Louis* the Tyrant, and another jury to issue the warrants. He  
moved



moved that the Convention should itself exercise its principal vigilance over *Paris* and its police.

General *Santerre*, the commander in chief of the Parisian forces, informed the Convention in a letter, that *Paris* was perfectly quiet.

*Manuel* inferred from this letter, that nothing ought to oppose the opening of the theatres.

A tumultuous debate ensued, and the Convention called for the order of the day.

*Kerfaint* was suffered to speak previous to the order. He said that the measures employed by the Common of *Paris* were weak indeed—they wish, said he, to suppress mobs, and still they permit the meeting of a society where massacres are preached up every day. Even yesterday the president of that society durst say—“*I am in a state of insurrection, and will stab the first Royalist, Rolandist, Brissotine, Fueillantine, or Girondist I shall meet with.*—(Here violent murmurs interrupted the speaker.) “What a tumult! There is no set of factious men that shall ever awe me.”

A most tumultuous debate ensued, which was finally suppressed by a motion made by *Garat*, the minister of justice, who appeared at the bar, and said: “This being the moment, when the Convention will perhaps decide the fate of *LOUIS*, I thought it my duty to inform them of a denunciation made against me, and one of the committees, before all Europe. *M. Bertrand de Molleville*, ex-minister of the marine is the accuser. The charge is printed in a supplement of the French Journal entitled *Le Courier de Londres*, and the original is deposited with the Lord Mayor of London. The accuser charges me with “abominable prevarications committed in the trial of *LOUIS XVI.*”—(Here the Minister was interrupted.)

*Albitt*—"Do not read us this accusation. *Bertrand* is an emigrant; he died a civil death, and a dead man cannot speak."

*Garat*—"Suffer me to read the charge.

Permission to read was granted, and *Garat* read as follows:

### DENOUNCIATION

*Of Prevarications committed in the Trial of LOUIS XVI. addressed to the National Convention, by M. Bertrand de Moleville, Minister of State of France.*

*Mr. President,*

I denounce to the National Convention, to the French people, to all Europe, notorious prevarications committed in the trial of LOUIS XVI. of which I will give proofs, that the guilty may be punished.

In the course of last month, I sent to the keeper of the seals, some papers serviceable for the defence of LOUIS XVI. with a formal request, that they might be delivered to him. I had imagined that the surest way to convey them to so sacred a destination, was to address them to the Minister of Justice, to whom I wrote the following letter:

"The most sacred duty of the Ministers of Justice, Sir,  
 "being that of maintaining the execution of all the laws,  
 "which secure to the accused the means of manifesting their  
 "innocence; and the most important of those means being  
 "that of communicating such papers and memorials as may  
 "be useful for their defence—It is to you, Sir, I address my  
 "request; I am sufficiently authorized, nay, even obliged to  
 "do it, from having it in my power, in quality of Ancient  
 "Minister to the King, to point out to him some facts, and  
 "proofs, which annihilate the chief articles of accusation  
 "laid against him. Such is my title, and such is the object  
 "of my demand: You will be sensible, Sir, that it cannot be  
 "refused, without avowing oneself an accomplice of the most  
 "execrable crime in the memory of man."

A few days after, I sent under the directions of this same minister, a parcel, addressed to M. *Maleherbes*, superscribed,  
 "*Papers for the justification of LOUIS XVI.*" I wrote, at the  
 same

same time, to Mr. *Malesherbes*, to apprise him of those two parcels, praying him to send for them: I am told this very day, that he went for them himself; and that the Minister of Justice made him this reply, that “Having no communication  
 “ with the prisoner, he had sent the first parcel, which had  
 “ been addressed to him, to the National Convention; and  
 “ that the second parcel, though addressed to M. *Malesherbes*,  
 “ being superscribed with these words, ‘*Papers for the justifi-*  
 “ *cation of LOUIS XVI.*’—those words had made him think it  
 “ his duty to send it likewise to the Convention.”

I will pause first upon these two facts, and observe, that the conduct of the Minister of Justice, in sending to the Convention, papers addressed to LOUIS XVI. brings to my mind that of the jailors and turnkeys of the prisons of the ancient government, and the barbarous punctuality with which they sent to the commissary of the prisons, all the papers and memorials addressed to the accused; but then there was at least a sure means of conveying them to the persons accused: one had but to address them directly, either to the commissary of the prisons, or to the chief Judge: however, the *Constituent Assembly*, exasperated at the tardiness of this method of conveyance, and at the inhumanity of those precautions, proscribed it formerly in their new criminal code. They decreed, that not only the accused should freely receive every paper and memorial useful for their defence; but moreover, that 24 hours after the demand being made by them, or their defender, a copy should be delivered them of all the articles of their accusation, as well as of the proceedings thereon: and when to be more certain of the execution of that law, I address myself to the minister, specifically charged with the maintenance of it, he does not stop at infringing it, under pretence that he has no communication with the accused! All the laws which protect him might then be equally violated by his very judges, if this atrocious pretext was to be admitted; for there is not one of them that may not say too, that he has no communication with the accused!

With regard to the parcel addressed to M. *Malesherbes*, the conduct of the Minister of Justice is still more guilty. What, because the superscription of that parcel announces, that it contain papers for the justification of LOUIS XVI. the Minister of Justice could think it his duty not to send it to the

defender of LOUIS XVI. to whom it was addressed! What, is it on account of that superscription, (which I had looked upon as an inviolable safeguard, and as the surest means of conveying it to its destination without the least delay) that the Minister of Justice is determined not only to stop it, but to send it to the same committee that has drawn up the act of accusation against LOUIS XVI? If there could ever exist a department of judiciary assassinations, what other conduct could be more worthy of the Minister of this department, and what could he do more, than deprive an accused man of the papers necessary for his defence, and to deliver them into the hands of his accusers.

I submit these considerations to the justice of the National Convention, and resume the series of facts.

Mr. *Malešherbes* went to the committee to demand the parcels addressed to LOUIS XVI. and his defenders; “ he perceived that they had been opened, that there were some printed pieces, and in one of the parcels some manuscripts, which they did not suffer him to read, and which they told him were *public acts*. They delivered him up the printed pieces, but refused to give him the manuscripts, without an order from the National Convention. A member of the committee went to the Convention, with the papers in his hand, to demand an order. He came back, and told *Malešherbes*, that the Convention had passed to the order of the day upon his demand, but he did not bring the pieces back; he said he left them on the table; and it did not appear to M. *Malešherbes* that it has been proved by any act, that those papers had gone out of the committee. He demanded how he should have those pieces? They all looked at one another, and nobody replied.”

One cannot impute to any but a clerk or a secretary, this very unreasonable refusal to M. *de Malešherbes*, to let him only peruse the acts and not the manuscripts contained in one of those parcels. No member of the committee could wish to make himself guilty of a prevarication which a writer of any tribunal whatever could not commit without incurring the destitution pronounced by the law.

I am also convinced, that the National Convention passed to the order of the day, on the request of M. *de Malešherbes*  
only

only because they had not clearly heard it, or that it had not been fairly represented to them. It has; notwithstanding, resulted from thence that the cause of LOUIS XVI. has been pleaded, without his defenders having had the least knowledge of these papers; unfortunately, they are not the only ones that have been kept a secret:—and in this respect every possible means of security have been taken, in observing, at the seizure of the King's papers, none of those formalities prescribed by the law, in order to convert them to a judiciary use; they are, nevertheless, produced against him, as if all these formalities had been strictly complied with. But they went still farther, they printed and published throughout the kingdom, in vast quantities, a collection, said to be complete, of all the papers found in the King's closet, &c.—and it is composed only of those among them which are judged to be susceptible of some unfavourable interpretation, and which have been moreover envenomed by the most infamous and perfidious notes. The authors of this collection, and of these notes, will not surely sit among the number of the judges of LOUIS XVI. no more than those who, instead of confining themselves to the mode of procedure in this judgment, have already openly and publickly, through the medium of the press, given their opinion on the grounds of the trial; for, according to the law universally established, and constantly observed in all criminal causes in every civilized person, before hearing him, can no more concur in his sentence than his own accusers. Were it possible that this law could be violated in the judgment of LOUIS XVI. the whole nation would rise against the infractors, and would call on their heads the most exemplary punishment.

Trusting with the greatest confidence in the justice of the National Convention, I request, that the pieces addressed to the Minister of Justice, to serve as a justification of LOUIS XVI. be remitted to his counsel.

Among the numerous pieces which must have been found in the castle of the *Thuilleries*, and which have certainly been kept secret, as they are not mentioned in the printed collection, I will expose the following:

1st. A letter wrote to King at the latter end of the month of July last, by three deputies of the legislative body, who had at that time a very prepondering influence in the assembly.

bly. The subject of this letter was to announce to the King the catastrophe of the 10th of August, and to propose to him to recal *Servan*, *Clavierre*, and *Roland*, to the ministry, as the only method to prevent it. I have not read the letter, for, since my retreat from the ministry, I only saw the King in public; but I have been correctly informed of its contents. I will name those persons, and the three deputies who signed that letter, as soon as the process of LOUIS XVIth shall begin to instruct them for and against, through the medium of information, as is the custom in every criminal process that stands a trial. This letter will at least clearly prove, that the streams of blood that were shed on the 10th of August, ought not to be reproached to LOUIS XVI. but to the faction who aimed at the dethroning and murdering him, in order to re-establish *Servan*, *Claviere*, and *Roland* in the ministry, and whose successes have not yet satiated their rage. *Thierry*, first Valet de Chambre to the King, was entrusted to deliver him this letter; he has since that been massacred, though he was not even on duty at the castle on the 10th of August.

2d. A secret plan, containing 21 articles, was agreed upon at *Mantua*, by the Emperor *Leopold*, at the end of the month of March, 1791: the object of this plan was to re-establish the King into his former authority: for this purpose the Emperor was to enter *France* at the head of all his troops, at the beginning of the month of July following, at which period our armies and our frontiers were defenceless. The king alone could prevent and did prevent the execution of this plan. Nothing was wanting but his secret consent, and he had no occasion to consult any person to refuse it, because the sacrifices to which the happiness of the people determined him, were always sincere. The only two Ministers who were instructed with these facts, and a number of others equally important for the justification of the King, of whom they enjoyed and justified the confidence (*Mess. De Montmorim* and *De Lessart*) have been massacred; and unfortunately, it is very difficult to attribute to any thing but chance, the choice of victims assassinated on the 2d of September; as also, of such of the pieces and papers of the King as have been withdrawn, or of which the publication has been delayed. However if the secret plan of *Leopold* is not found, I will, as soon as the information shall have been commenced, produce three witnesses  
who

who have a perfect knowledge of it, and who, from the uniformity of their depositions, will be enabled to prove the existence and the tenor of it, as clearly and completely as if the piece itself were produced.

3d. A manuscript written by the King himself, in which he gives an account of every thing he has done since he ascended the throne—of his projects, his views, and even of the faults he has to reproach himself—this manuscript, which may be looked upon as the faithful Portrait of LOUIS the XVIth, drawn by himself, would now prove the most interesting piece on his trial. In this may be traced the force of his virtues, and his constant love for the French Nation, even in the faults with which he reproaches himself. The existence of this manuscript is among the papers of the King seized in his Castle, and is proved in a letter lately addressed to *M. De Malesherbes* by *M. De Liancourt*.

Such, Sir, are the facts to which I thought it my duty to call the animadversion of the National Convention, and the attention of all Europe, in giving to this denunciation all the publicity possible. I deposit the minutes of them in the hands of the Lord Mayor of *London*, and I request you, Sir, in your quality of President, to give an account of them to the National Convention: In failure of which, you will be notoriously responsible for the consequences of their ignorance of the facts contained in this memorial.

(Signed) DE. BERTRAND.

*London, 8th Jan. 1793.*

*Garat* then said: *Bertrand* accuses the president, the commissions of 21, and of 12, and me above all, of having prevaricated in keeping silence respecting the pieces sent to them to be laid before the Convention, and before the defenders of LOUIS XVI. These pieces have long ago been printed, and those which came to my hands I have forwarded to the Committee of 21.”

*Valaze* said, that all the pieces mentioned by *Bertrand*, had been presented to *Malesherbes*, the King's

King's Counsel, who found them so very insignificant, that he would make no use of them.

The Convention passed to the order of the day, respecting the letter of M. *Bertrand*.

The great question of the judgment of LOUIS was now discussed.

*Lehardi* moved, That it be first decreed by nominal call, whether LOUIS was to be judged with or without the appeal to the people.

Another member proposed the following three questions:

1st. Is it compatible with the interest of the state that LOUIS be deposed?

2d. Does the interest of the state require that LOUIS be condemned to suffer death, or that he be condemned to perpetual imprisonment?

3d. Shall, in either case, the appeal to the people take place?

*Coulthon* and *Gauthier* moved, That the question be first put in the following manner: "Is LOUIS guilty of high treason and conspiracy against the liberty of the nation?"

*Louvet* maintained, that it was impossible for the Members of the Convention to judge as *Sovereign* in this business, "How," said he, "can you pronounce sentence upon him, without knowing whether or not that sentence is to be submitted to the appeal of the people. Were you thus to pronounce sentence before the question of the appeal to the people should be decided, and should the appeal afterwards take place, you might pronounce as *Sovereign*, against your intention, against your conscience. Respect therefore, and maintain the liberty of the opinions of the members, and decide in  
the



the first place whether or not the appeal to the people shall take place.”

*Cambarcres* against the opinion of *Lehardi* and *Louvet* said, that it was his idea that the Convention ought to pronounce real judgment upon LOUIS. He was however doubtful whether the Convention had sufficient powers to judge LOUIS, *ad ultimum*. He therefore moved, that the Primary Assemblies be first consulted, respecting the judgment and sentence of LOUIS.

*Guadet* moved, That the appeal to the people be decided before all other questions—because, said he, were you to acquit LOUIS, those who are against the appeal might be the very first to demand it, and they would demand it with justice. The same member urged several other questions with great ingenuity.

*Quinette* said he was persuaded that the Convention ought to judge as Sovereign the question of the guilt or the innocence of LOUIS but should they find him guilty *Death*, they should know whether or not it was compatible with the public interest to modify that judgment; the decision of this matter should therefore be referred to the Primary Assemblies.

*M. Equality* and his party (the *Mountain*) pretended that it was first necessary for the Convention to pronounce upon the guilt of LOUIS, then to pass sentence upon him, and after all decide the appeal to the people.--The views of this sanguinary party were to murder LOUIS in his prison before the appeal could take place. They behaved extremely tumultuous.

After many animated debates the discussion was closed, and the Convention decreed, that the members should vote, rising from their seats and ascending the tribune, to the following questions;

1. IS *LOUIS* GUILTY OR NOT GUILTY OF HIGH TREASON, AND OF ATTEMPTS AGAINST THE GENERAL SAFETY OF THE STATE?

2. SHALL OR SHALL NOT THE APPEAL TO THE PEOPLE TAKE PLACE?

3. WHAT PUNISHMENT SHALL *LOUIS* SUFFER?

In next day's sitting previous to the nominal call, the Convention decreed on the motion of *Buzot*—

1. That the answer and vote of each member shall be carefully set down in a book after his name.

2. That this list shall be printed, and sent to the 84 departments.

3. That the members who shall not be present at the nominal call shall be censured; and, after assigning the reasons for their absence, be at liberty to give their vote on their return to the Convention.

*M. Salles*, one of the secretaries, then began the nominal call, by reading the list of the names of the members of the Convention; upon which each member ascended the tribune to give his vote, and the first question was put:

“ IS *LOUIS* GUILTY, OR NOT GUILTY OF HIGH TREASON, AND OF ATTEMPTS AGAINST THE GENERAL SAFETY OF THE STATE?

*Rouzet*.—“ My opinion is indivisible. I do therefore vote, that *LOUIS* be kept in safe custody with his family, till the people shall have ultimately decided his fate, unless more serious circumstances should oblige us to take a determination.”

*Lanjuinais*.—“ Without being a judge, I do declare that *LOUIS* is guilty.”

*Boudran*.—“ I do declare that *LOUIS* is guilty.”

This

This member founded his vote on a letter of *Laporte* to the King, which he said proved that *LOUIS* identified himself with the conspirators against liberty.

*Vandelicourt*.—“ I appear on this tribune as a legislator. I ought not to take upon me to be a judge in a criminal matter. The gentleness of manners which has been the constant rule of my life, does not permit me to give a vote of judgment.”

*Lalande*.—“ I do declare that *LOUIS* is neither guilty nor *not* guilty.”

*Equality*.—“ GUILTY! !—(without assigning any reason.”)

*Danton*.—“ I pronounce *LOUIS* is guilty.”

*Comte*.—“ As legislator, I do declare *LOUIS* is guilty—as judge, I have nothing to say.”

*Montaigut* called to the remembrance of the Convention the 10th of August, and said: “ Yes *LOUIS* is guilty—nay more than guilty.”

*Faure*.—“ In founding my vote upon the constitutional law respecting royalty, I do say guilty.”

*Delahaye*.—“ To make the guilt of *LOUIS* a question, is to make it a question whether we are not guilty ourselves. I have seen these words written on the walls of *Paris* with the blood of our brothers: *LOUIS IS GUILTY! Aye.*”

*Bernard des Sablons*.—“ *LOUIS* is guilty and *not* guilty.”

*Morrison*.—“ I cannot give my vote to any of the questions put.”

*Noel*.—“ I once had a son: he was slain in defence of his country; I do not think that a father, who bemoans the loss of his son, can be the judge of him who is accused of being the chief author of his wretchedness.”

*Maures*

*Maure, Senior.*—“ Upon my soul and conscience LOUIS is guilty !”

*Fustier.*—“ Guilty.”

*Valady.*—“ I cannot pronounce, for I have not been called to be a judge. As judge I am without powers: I do therefore remain silent.”

*Fauchet.*—“ As citizen, I am convinced that LOUIS is guilty; as legislator, I do declare him so: as judge I am not qualified, and have nothing to say.

*Dubois.*—“ As judge I do pronounce LOUIS is guilty; but we ought, by all means to appeal to the people.”

*Laumont.*—“ All the opinions pronounced in the tribune against LOUIS are mere sophisms. I can never be persuaded that the Convention is invested with all the powers.”

*Lariviere.*—“ I never voted that the Convention should judge LOUIS, so I shall not vote for his condemnation.”

*Doulce.*—“ I vote that LOUIS be kept safe till the termination of the war, and that the decree respecting his fate be then submitted to the sanction of the people.—Above all take care that he may have no successor.”

*Maynard* voted to the same purpose.

*Chambon.*—“ I do vote for the appeal to the people. They ought at the same time to declare to the Primary Assemblies, if they desire the abolition of royalty, and the establishment of a republic.”

*Barailon.*—“ I am not here to judge—my conscience will not allow it—I beg therefore to be excused from giving my vote.”

*Julien.*—“ My powers are indefinite, and in my quality of magistrate I do declare that LOUIS is guilty.”

The nominal call on the first question being ended, *Vergniaud*, the President, arose and spoke thus:

“ Out of 735 voters, 26 were absent on leave,  
 “ five by illness, one for cause unknown, 26 have  
 “ made divers declarations, and 693 voted for the  
 “ question in the affirmative. I do therefore declare,  
 “ in the name of the Convention,

“ THAT LOUIS CAPET IS GUILTY OF HIGH  
 TREASON, AND OF ATTEMPTS AGAINST THE GE-  
 NERAL SAFETY OF THE STATE.”

The nominal call was afterwards proceeded on, and the second question put:

“ SHALL OR SHALL NOT THE APPEAL TO THE  
 PEOPLE TAKE PLACE.”

A great number of members voted for and against the question, assigning their reasons, and most of them seemed apprehensive of civil war, and all the horrors of discord and anarchy.

*Louvet* and *Manuel*, in the most indignant terms of pointed language, expressed their abhorrence of the sanguinary, unnatural relative of Louis, who seemed to laugh at the severe remarks upon his monstrous conduct.

When the turn of *Equality* came to give his vote to the present question, he ascended the tribune with an air of triumph and inward exultation, expressing himself thus:

“ I only mind my duty—and do vote against the appeal.”

*Camille Desmoulins* was called to order, with censure, for having said that a part of the Convention were suborned mercenaries.

*Duffaux*, a venerable old man, voted for the appeal.

A man of the name of *Fourdeuil*, an officer of the police, who was sitting in the galleries, insulted him.

*Rouyer*.—"I beg to know if France has sent her deputies hither to vote under the dagger of assassins. I move that the citizen who insulted our venerable colleague be taken into custody."

*Garan* said there was no precedent law to justify such a proceeding.

*Duffaux* himself interceded for the delinquent, and the Convention continued their deliberations.

*Clootz*.—"I acknowledge no other sovereign than mankind, that is to say, universal reason—with respectful submission to her sacred will, I do vote against the appeal."

*Rabaut St. Etienne*, *Garnier*, and many other members, declared, that they could not be deemed cowards if they voted for the appeal amidst a sanguinary people.

*Rabaut St. Etienne*.—"A fresh idea strikes me, and I will vote for the appeal with as much assurance as *Phillip Orleans* voted against it.

*Barbaroux*.—"It is time the French Nation should resume the exercise of her supreme will, to strike down a faction, in the heart of which I see *Phillip Orleans*, whom I do now impeach before all the republic. I well know that I expose myself to all his daggers, but since the life of man is uncertain, I thought it my duty to make this declaration,"

The nominal call concluded at eleven o'clock at night, and the following was the result:

Members absent	_____	_____	20
Members who did not vote			10
Sick Members	_____	_____	3
Members absent without cause		_____	3
Members for the appeal	_____		383
Members against the appeal		_____	424
			<hr/>
Majority against the appeal			280

The President then rose and said :

THE NATIONAL CONVENTION DOES DECREE,  
THAT THE SENTENCE WHICH SHALL BE PRO-  
NOUNCED AGAINST LOUIS CAPET SHALL  
NOT BE REFERRED BY APPEAL TO THE PEO-  
PLE.

The sitting of the 16th of January, was one of the longest which is ever remembered to have taken place in a judicial body, and lasted from Wednesday 16 till Thursday 17, day and night, making altogether *thirty-six hours!* *Vergniaud* occupied the chair as President.

*Cambon*, Member of the Committee of General Safety, gave an account of some very serious transactions, "*Pache*, the Minister at War," said he, "has been charged severally, for having brought back all the cannon of the park of artillery at St. Dennis, to the capital, to distribute them among the sections. At the same time, a vast number of national guards of Paris, who called themselves federates from the departments, came to complain to the same committee, that a great number of citizens are leaving *Paris*: they said, they only waited for orders from the committee, to fly to the barriers, to prevent that emigration; and several of them were already shut. The committee has consulted *Roland*, but the answer which this minister made, is far from easing our anxiety for the public tranquillity. The cannons are actually arrived from St. Dennis, in compliance with the petitions of the different sections, especially that sanguinary section called *Gravilliers*. It cannot therefore be a matter of astonishment, that quiet, orderly, and peaceful citizens should leave a city where factious ruffians predominate, and dictate laws. The present calm is exactly like that which preceded the dreadful mas-

facres perpetrated during the two first days of September last.”

*Huguet*—I have this moment been informed by an officer of the National Gendarmerie, that the barriers of *Paris* are shut. I move that the commissaries inspectors of the hall do repair to the place of their sitting, to take informations, and lay them before the Convention.

*Rouyer* moved, 1<sup>st</sup>. That the guard of the Convention be doubled by the federates.

2. That one half of the federates of the departments now at *Paris*, do patrolle all the districts of that city, in concert with the good citizens.

3. That sentence of death be passed upon him that shall ordain the shutting of the barriers.

4. That the same punishment be allotted to him, who, without an exprefs decree, shall dare to fire the cannon of alarm, or ring the alarm bell.

A member declared, in the name of *Charles Villette*, his colleague, that a concurrence of noisy voices would hinder the members from speaking in the tribune, and at that very moment some villains had declared to him at the door, that if he did not vote for the death of *LOUIS CAPET*, he should be instantly murdered.

*Breard* moved, That the Executive Council, the Procurator General of the department, the Mayor, and the Commander in Chief of the National forces of *Paris*, do give an account of the situation of this city.—Decreed.

*Legendre*.—“What an abominable fact is this manœuvre to prevent the judgment of the tyrant! I vow and declare, that were it the question to pronounce sentence on the people—(Here the speaker was interrupted by dreadful shrieks and cries. He continued, however, a moment after.)—They tell us that  
that



that we are threatened with daggers. O, the cowards! they well know that there is not a syllable of truth in this impudent assertion. I wish to God the 84 departments were here, to see miserable slaves galled with the chains they bore—to see old Cyclops quite black with the smoke of the thunder of the tyrant, stand up here for his defence.”

*Peynieres*—“ I do wish for a quite different measure to save the country. I move that a decree be passed to call in our successors to replace us, when we shall have expired under the daggers of the ruffians that threaten us. This is the only measure left us at this disastrous moment. We ought not to suffer the country to be undone.”

*Marat*.—“ I do invite the Convention to have more respect for themselves. Those who complain now that they are not free, are the self-same people who boasted four or five days ago, of making decrees; they are the same who surround themselves with bayonets, who dispose of government.”

A member begged the assembly to enquire into a fact. It had been said, that in three or four days, the cannons would be brought from *St. Dennis*, and that an insurrection would take place, similar to that of the 10th of August, which would even be directed against the Convention itself. On the same night when this assertion was made, he left the hall, and was pursued, with several of his colleagues by a mob, who called out, “ *Down, down with these beggarly villians! kill'em, kill'em! slice the dogs!*”

*Le Hardi* moved, that 800 brave national light horsemen be instantly ordered from *Verfailles* to escort the Convention.

The *Mayor of Paris* sent a written account of the situation of this city, stating there were several symptoms of insurrection, and he had discov-

ered two of the principal plans. The first was to shut the barriers, the second to renew the massacres. He said, that the latter plan was the more probable, since all prisoners lately committed, felt the greatest alarms at being sent to prison.

The *Minister of Justice*—“The Mayor never told me a word about the plot of the prisoners. It is I, who after having informed him that all the delinquents apprehended trembled at the idea of being committed, could not help thinking that they must be at the bottom of the plot.”

The Executive Council also made their report, and contradicted that which stated that the cannons had been fetched from *St. Dennis*. They said the barriers were open.

*Danton* then moved, that the Convention do decide the fate of the tyrant without any other business being suffered to intervene—which was unanimously decreed.

*Thibault*.—I beg to be heard to state a most singular fact. Last Sunday I was reading several handbills stuck up on the walls of Paris, full of injuries against me—having stopped a little while, I saw two men, who said to one another—“*I wish I knew that rascal the bishop of Cantal, I would do for him!*” I turned round and said, “*If you want to know him, it is me.*” Seized with indignation at hearing the scandalous expressions repeated, I collared one of them, and conducted him to the assembly. He begged ten thousand pardons, and said he was not a Frenchman.—“I am a Spaniard,” said he, “*I am come in the name of my nation to demand the head of the traitor Louis, that we may enter into a strong alliance with you.*” I beg the Convention will act in this affair with becoming dignity.

*Genfonne*

*Genfonne* and *Valaze* moved, that the particulars of this occurrence be inserted in the *Proces Verbal*.  
(*Murmurs from the Mountain.*)

*Genfonne*.—“ I intreat the Convention to observe that the interruption proceeds from that part of the hall which I have singled out, in my opinion, as the disorganizing faction.” [*Murmurs encreased.*]

Some of the party of *Equality* moved, That *Genfonne* be censured.

The Assembly passed to the Order of the Day, decreeing the first motion of *Breard*.

It was also decreed on the motion of *Rouger*, “ That the guard of the Convention be doubled by the federates.”

*Marat* was suffered to speak a second time, and spoke against those members who signified their apprehensions, and said they were surrounded with daggers. He said they were grieved that the barriers should be shut. He moved that the Convention, in case they ordered them to be kept open, should previously declare as infamous, all the deputies who should not come to their post, that they might be taken, *dead or alive*, without the barriers.

The order of the day being called for, being  
*The SENTENCE of LOUIS XVI.*

*Lehardi* moved, that sentence of death should not be passed without the concurrence of two-thirds of the voters.

*Lajunais* declared himself for *three-fourths* and the closure of the scrutiny. The nominal call began a little after seven o'clock in the evening, on the question of,

“ WHAT PUNISHMENT SHALL LOUIS SUFFER?”

The Convention, previous to the receiving of votes, decreed ;

1. No member shall quit the hall as long as the nominal call shall last.

2. All those who, in voting, shall make personal attacks on any member, shall be called to order by the President.

### VERDICTS.

*Mailhe.*—“ In my capacity of judge, and agreeable to my opinion, I do vote for the death of LOUIS ; as legislator, I vote that, should there be a majority in favour of that punishment, the Convention do decide if the interest of the country does not require a respite from the execution of the sentence.

*Desacy* voted for death under the same restrictions.

*Rouzet.*—“ My opinion lies on the table ; I do vote for temporary punishment, but as a measure of general safety.”

*Laplaigne* examined these three questions.—Can LOUIS be judged ? By whom can he be judged ? What ought to be his punishment ?—He concluded by giving his vote for death, under the same restrictions as the first member.

*Vergniaud.*—“ I have voted for the appeal to the people, because principles and political considerations seemed to me to urge strongly that measure. The Convention has decided otherwise. I have nothing farther to say ; the question now is to pronounce sentence. I declared, that I considered LOUIS guilty of conspiracy. I open the penal code, I find that it dooms conspirators to suffer death. I do pronounce death upon LOUIS, with the restriction of *Mailhe*.

*Caudet* voted for death.

*Genfonne*

*Genfonne* voted for death, and moved, That the Convention, immediately after the execution of *LOUIS*, occupy themselves with the fate of his family, and the punishment of the crimes of the 2d of September.

*Amar.*—“ The life of *LOUIS* is but a series of crimes. His existence ought to be odious; his death is a benefit. The laws and equality ordain his death. I swear by *Brutus*, in the presence of the people of France who hear me, *he ought to die.*—Such is at best my wish expressed in virtue of the law.”

*Dartigotte.*—“ I am a judge and legislator: as judge I would fear lest the blood shed in the *Thuileries*, on the frontiers, &c. should cry out vengeance against me and my progeny, if the head of *LOUIS* did not fall under the sword of the law. As legislator, the common weal ought to be my supreme law. Now, the existence of *LOUIS* might become the signal of civil war; he ought therefore to die, and speedily, because a republican does never compound with his conscience.”

*Cadroy* endeavoured to prove that *LOUIS* could not be judged by the penal code, because having violated in his respect all the forms prescribed by the law, it would be unjust to pick out what is most rigorous in that same law. He therefore considered the judgment to be pronounced in a light of general safety, and voted for imprisonment.

[Here the Executive Council sent a letter, dated eleven o'clock at night, and stated that its different members had patrolled the streets of Paris, and found that all was well.]

*Garan Perilon.*—“ I am terrified at the accumulation of powers which bear heavy on our head. We are accusers, grand and petty jurors, and they  
also

also want us to be judges. This accumulation of power has but too frequently manifested itself in republics. Tyranny begins there, where there are individuals above the laws. As legislator, I do vote for a measure of general safety; that is to say, for imprisonment."

*Louvet.* "You have rejected the appeal to the people, and thereby imposed on me the duty of giving a decisive vote. My sincerest desires are, that your irreparable judgment may not give you reason to lament it. May the Almighty hand that rules our destinies extricate our country from the abyss in which private passions seem to involve her! May the tutelary genius of my country preserve her from the evils which threaten her! May her avenging hand crush the tyrants reserved to us! I do not vote for death, but on the express condition that the sentence shall not be executed, till after the acceptance of the constitution: do not think that I wish hereby to bring back the system which you have rejected. This will not require the sanction of the Primary Assemblies *ad hoc*. The existence of Louis cannot be more detrimental than his non-existence, because so great a villain will always be without credit, and loaded with public contempt. What you have most to fear, is, lest some new tyrant should present himself, who shall be more dangerous, because his crimes less notorious might have less disgraced him: take what resolution you will, imminent dangers menace the country; her safety is still in your hands. Do homage to the Sovereign—tremble not at the menacing steel of assassins. Dying, you will die without feeling regret, for you will have done your duty. Depend upon it, your death, or rather public liberty will be avenged."

*Leroux*

*Leroux.*—“ The only regret I now feel, is, that *LOUIS* does not unite in himself the heads of all the tyrants; so that in voting against him, I might be sure that all the heads of the hydra of despotism would fall.”

*Lehardi.*—“ I can only consider myself as legislator, and not as judge. In what character could you be considered as judges. It would surely not be on account of your impartiality, because there are more than sixty members who have not only condemned *LOUIS* to die in their writings, but who even boasted that they would assassinate him themselves, if the sword of the law did not strike his guilty head. History has taught us, that the death of a tyrant does not strike down tyranny, but made come forth a greater number of tyrants. I do then vote for *LOUIS* to live, and to remain among us till the people have accepted the new constitution.”

*Blaux.*—“ I had a son who died in the American war: I do mourn him, because he lost his life in serving a despot. I had a second son, who has just been massacred at *Frankfort*. He has not carried my regrets with him to the grave, because he died in the service of his country. I will not take it upon me to be a judge of him who is the cause of the death of my children; but as legislator, I think I may vote for his imprisonment.”

*Clootz.*—“ *LOUIS* and *Frederick William* are tyrants. I do ask mankind what punishment they deserve? Mankind answers, they deserve death. Thus I vote for death.”

*Maximilian Robespierre.*—“ I do not think that this present business requires long speeches. I consider them as finistrous to the public welfare, because they cannot compensate for the frankness and laconism of patriotism. I could never separate my  
political

political existence, and find in one, both a judge and a legislator. What I know is, that I have been sent by the people to judge the tyrant who oppressed them. I would not bring the shame upon humanity, to believe that the laws exist for the common citizens, and are not applicable to a King. I am inflexible for a tyrant, and compassionate for the needy. I cannot imagine to myself future tyrants, to dispense with punishing the tyrant now being. I cannot tell France, that I am surrounded with assassins, to make her believe that my sentence on a tyrant is not free. I cannot substitute idle words for principles; and I do vote for the pain of death."

*Danton.*—"I am none of that crowd of statesmen, who do not know that one ought to compromise with tyrants. I am a republican; I am not afraid of tyrants—I wish that we may astonish them by a great example, in cutting off the head of the tyrant."

*Manuel.*—"We ought not to be blood-thirsty because we are free. The pain of death ought to have been suppressed from the very day when another power than that of the law made so many unfortunate beings suffer that pain in the prisons: nature alone has a right to condemn a man to die. The best means of abolishing royalty, is to cause the royal individual to be buried in oblivion. Louis is a tyrant, he lays prostrate on the ground---why should you wish to make him rise to take away his life. I do vote for his imprisonment."

*Marat.*—"The question is, to sentence the principal author of the torrents of blood, which streamed forth on the 10th of August, and of the evils which overwhelmed the country. The death of the tyrant, in twenty-four hours, is for the public welfare."

*Robert*



*Robert.*---“ I condemn the tyrant to die, and in pronouncing this sentence, I only regret one thing, which is, that I am not competent for all tyrants; for death should be the doom of them all.”

*Phillippe de Orleans.*---“ The law dooms traitors to suffer death---*I do vote for death!*”

*Barrere.*---“ I have examined the question of banishment, and found, that a dethroned King is a very bad diplomatic currency. It appeared to me, that he who had shed human blood, was deserving of death; the tree of liberty should be moistened with the blood of Kings, else it will not grow.”

*Massuyer* was of opinion that to doom Louis to suffer death, would be doing some service to foreign and domestic enemies. He observed, that all the partizans of royalty in France, felt a much livelier concern for the fate of the son, innocent of the crimes of his father. He added, that foreign powers wished for the death of the late King, and proved his assertion by papers, found in the *port folio* of Monsieur; from which it results, that *Frederick William* is desirous of having the French Ex-prince considered as regent of the kingdom during the minority; whereas the court of *Vienna* wants to consign that title to *Maria Antoinette.*---He concluded his opinion with holding up to the eyes of the Convention, all the Kings, such as *Tarquin, Dionysius, James II.* who, after having been dethroned, did never get possession again of their dominion. He voted for imprisonment.

*Fabre D'Eglantine* delivered a singular theory on sovereignty; he quoted several passages from *Rousseau*, to prove that sovereignty could never manifest itself in the Primary Assemblies.---He voted for death.

N. N.--

*N. M.*---“ LOUIS CAPET has cut the throat of the French nation as much as he could, I only wish he had the heads of all the tyrants on his shoulders to cut them off.”

*Collot D'Herbois*, just returned from the army of the *Var*, voted for death.

*Charles Villette.*---“ Our legions are in most shocking state of universal want;--- misery and fell disease devour those *colossusses*, already covered with wounds: *Spain, England and Holland* threaten us with a maritime war; and it costs us already 134 millions per month, to keep and pay our land forces: Let us keep the hostage of peace. LOUIS lies prostrate on the ruins of the throne; he will hinder others from paving themselves the way to it. Let us keep him till the wars are over, then banish him.”

*Thomas Paine* voted for a temporary detention of the King, and his banishment after the war.

Another Member said, “ I am of *Paine's* opinion, he has anticipated the wishes of posterity.”

*Sillery.*---“ I declare myself unable to vote as a judge. As a legislator I am for the provisory detention of the King. I reject the fatal sentence of death, since the son of the King, by his innocence, by his misfortunes, and perhaps by his virtues, might cause apprehensions in the breasts of true republicans.”

*Isnard.*---“ I do vote for the death of LOUIS. I do also vote that his two brothers be tried in twenty-four hours by the criminal tribunal of *Paris*, and executed in effigy by the side of the tyrant.

The *Abbey de Sieyes*, voted for death, without assigning any reason.

*Condorcet.*---“ I do not vote for the death of LOUIS XVI. because my principles will not permit me to pronounce that punishment in any case. I do not

vote

vote for detention, because I am a judge, and detention is decreed by no law. I do vote for the heaviest punishment next to death, and wish the restriction of *Mailhe* to be discussed.

Another member voted that *Louis* be imprisoned for life in the castle *Saumur*; that a pension be granted to his daughter, and the whole male branch of his family sent into exile.

*Barbaroux*.---“ I do vote for death, and in a few days I shall vote for the expulsion of the *Bourbons*.

*Brissot*.---“ I am convinced that some evil genius caused the appeal to the people to be rejected. The sentence of death will be the signal of general war—it will be productive of infinite mischief. The Convention will be blamed by all the foreign powers. I do move, that the execution of the sentence be respited till the constitution shall have been ratified by the people. My opinion will perhaps be censured. I shall not answer my calumniators otherwise than by the honourable poverty which I boast of, and which I shall leave as a legacy to my children. I shall not answer them otherwise than by contributing with all my power to maintain that order, without which the republic is undone.

*Lacroix*.—“ We ought not to look for the grounds of the judgment to be passed in the ancient constitution, because, in virtue of that constitution, the representatives of the people ought to be brought to the scaffold. The sacred principles of natural right alone induce me to give my verdict for death.

*Petion*.---“ It is with heartfelt grief and regret that I do vote for death. I wish that the amendment, renewed by *Brissot*, may meet with a fair discussion.

*Kersaint*.---“ Were I to consider myself as a jurymen only, I would find great probability of indicting and convicting *Louis*; but as a judge, his  
crimes

crimes are not proved enough for me to pass sentence of death upon him; my vote therefore is, for his provisory detention and subsequent banishment.

Several other members gave afterwards their votes, and the nominal call lasted till seven o'clock on Thursday evening. At nine the result of the scrutiny was as follows:

*STATE of NOMINAL CALL.*

Number of Members of the Convention	745
Members present	721
Absolute majority against death	361
Members voting for his death	366
	5

Many of the members were absent; some did not vote, others voted under particular restrictions.

At five o'clock in the evening, the President informed the Convention, that the official defenders of LOUIS wished to be admitted to the Bar. He also announced that he had received the following letter which had been transmitted to the minister for Foreign Affairs, by the Chevalier *Ocaritz*, the Spanish *Charge d' Affaires*.

“ *Paris, Jan. 17th, 1793.*

“ The fresh orders I have received, joined to the urgency of the immediate circumstances, authorize me to let slip no occasion of manifesting the extreme sollicitude His CATHOLIC MAJESTY feels, on the trial which is ready to terminate so disastrously for the unfortunate chief of his family. I hasten, therefore, in his name, to repeat to you his most lively entreaties, and his most ardent sollicitations, to the French Nation, and its representatives. I think that the new considerations I have to lay before you, will appear to merit your deepest attention. I therefore entreat you to communi-  
cate

state them to the National Convention. I persuade myself, that, the French Nation being destined, both by its character, and by the nature of the situation of the country it occupies, to preserve in *Europe* a great existence, and vast foreign connections, the Assembly of its representatives cannot have been totally deaf to all the reflections of political prudence made by several of its members. To these reflections it does not become me to add. But, Sir, the importance of the cause, and the interest which the King of Spain takes, and ought to take in it, are such, that I trust I act conformably to his Majesty's sentiments, when I entreat you in this letter, simply to obtain for me the time of demanding from him his intervention and good offices, to effect a restoration of tranquillity between *France* and the belligerent Powers. If this step at the same time that it will be useful to the French Nation, can soften and meliorate the destiny of his unfortunate relative I may venture to expect the approbation of his Catholic Majesty—provided, however, he may think himself engaged, by the manner in which my offer may be received, to enter on negociations, the success of which would be important to humanity. I desire most ardently that the proposition I make to you may be accepted; and in the case of its being so, I demand the time only which will be strictly necessary for the dispatch and return of a courier.

“ With sentiments of the most distinguished consideration,

“ I have the honour to be,

(Signed)

“ LE CHEVALIER D'OCARIZ.”

This letter was not suffered to be read, and the President had no sooner mentioned it than *Danton* rushed into the tribune to speak. A member called out to him, “ Stop! Stop, *Danton*! thou art not King yet!”

*Danton* called his antagonist a coward and calumniator, and moved that he be called to order.

*Garan* opposed the reading of the dispatches, and said the Convention ought never to suffer Foreign Powers to exercise any influence on their proceedings: he said the Assembly could not, without partiality, refuse to hear the counsel of *LOUIS*.

M

*Danton*

*Danton* seconded *Garan*: he said he was astonished that any power on earth should dare to cherish hopes of obtaining influence in the deliberations of the representatives of a great nation. As to *Spain*, had my opinion been taken, war would long ago have been declared against that power. It hesitates to acknowledge the republic; it is in a real state of war against us: let us prepare to give the Court of *Spain* an answer worthy of the nation, else we shall not be worthy of the people, who look up to us, and will judge their representatives, should they not do their duty.

*Genfonne* moved, that the Convention should pass to the order of the day, respecting the Spanish dispatches, and not suffer them to be read; but he thought it became the justice of the representatives to hear the defenders of *LOUIS*, after the decree of sentence should have been pronounced.

*Robespierre* moved for the previous question on the reading of the dispatches, and the admittance of the Counsel of *LOUIS*.

*Chambon* maintained a contrary opinion.

*Freron* claimed the adjournment respecting the second proposition.

(Here an incident survened.)

*Duchatel*, a sick member, appeared on the tribune to give his vote. A great opposition was raised to his speaking.

*M. Lecointre*, of *Versailles*, said, that the result of the scrutiny being partly known, the colleague could not be admitted to vote.

*Lacroix* called him back to the established principles, and the patient was not heard till after the greatest difficulties had been made. He afterwards declared that *LOUIS* was not guilty, and voted for his banishment.

A discussion

A discussion took place then, respecting the restrictions under which many of the members had voted. *Cambon* maintained, that every one of his colleagues had a right to demand a respite of the execution of the decree, after it should have been pronounced. An extreme agitation took place. It was pretended that there was a manœuvre—a conjuration which it was necessary to disappoint. They said, that the sick member had declared that *he came on purpose for it*. Some moved, that *Duchatel* be obliged to declare who had been to fetch him.

At the same moment *Manuel*, who had voluntarily ceded his seat to *Chabot*, wanted to go out by the side of the *mountain*; he was hindered, and went to range himself on the opposite side of the hall—when the most dreadful clamours and howls were heard from that part where *Philippe Orleans* sat.

*Chateauneuf* moved, That *Manuel* be obliged to retake his station at the table.

A member exclaimed, that *Duchatel* had been sent for only to strike the balance in favour of *LOUIS XVI.* since it wanted but one vote for that purpose.

*Gorsas* explained the matter respecting *Manuel*, and said, that from what he had thus far seen, the majority was evidently against *LOUIS*.

At nine o'clock *M. Vergniaud*, the President, rose from his chair, and ordering the members to keep the most awful silence, he pronounced

#### THE FATAL DOOM.

*President*.—“*When Justice has spoke, let Humanity be heard in her turn.* I do declare, in the name of the National Convention, THAT THE PUNISHMENT WHICH *LOUIS CAPET* SHALL SUFFER, IS—**DEATH!**”

A dead silence reigned in the hall during ten minutes. The Convention afterwards decreed, That

special messengers be immediately dispatched to carry the sentence to the 84 departments, and to the Armies.

Here, Messieurs *Deseze*, *Tronchet* and *Malesherbés*, the King's Counsel, were admitted to the bar, all in tears, and sobs intercepting their speech; they also drew tears from many members of the Convention.

*Robespierre* on seeing them, rushed into the tribune, and exclaimed, citizens, we know what you come for—but I tell you that the sentence is irrevocable.

*M. Deseze* read a declaration, written and signed by *LOUIS*, in these words:

“I owe it to my honour, I owe it to my family, not to subscribe to a sentence which accuses me of crimes with which I cannot reproach myself. In consequence, I make an appeal to the people against the decision of their representatives; I pray the National Convention to decree, that mention be made of this appeal in their *Process Verbal*.”

(Signed)

“*LOUIS*.”

*M. Deseze*, in the name of his colleagues, supplicated the Convention to consider with what an astonishing minority sentence of death had just been passed upon *LOUIS*. “Do not afflict France,” said he, “with a sentence which will appear terrible to her, when she shall know that **FIVE VOTES** have been sufficient.” He invoked eternal justice and sacred humanity, to determine the Convention to bring their sentence before the tribunal of the people.

*M. Tronchet*, shedding a torrent of tears, said, “We could declare to you, that it will appear inconceivable, that the greatest number of voters consulted the penal code to ground their judgment, and yet should have forgotten all that is humane in  
that



that law in favour of the delinquent. They have forgotten that *the law requires two thirds of the votes.*" *M. Tronchet* terminated his painful reflections, by demanding the recal of the decree, by which the Convention passed to the order of the day, on casting up the votes.

*M. Malesherbes* requested the Convention to grant him a delay till next morning, to communicate to them some reflexions, which crowded upon his imagination.

When the defenders of *LOUIS* had terminated their observations, they were admitted to the honours of the sitting.

*Robespierre* objected to the appeal to the people, demanded by *LOUIS XVI.* being inserted in the *Proces Verbal.* He moved, that this appeal be declared contrary to the principles of the rights of nations, and an attempt upon the authority of the National Convention, and that those who durst be of a contrary opinion, and express the same, shall be prosecuted as traitors.

*Guadet* also opposed the appeal to the people; and moved the adjournment till to morrow, after having heard *M. Malesherbes*, on the question if it be the interest of the French Nation, that the execution of the judgment of *LOUIS XVI.* be deferred or accelerated.

The appeal to the people, and the observations of *Malesherbes*, were rejected.

The Convention afterwards decreed,

That it shall be enquired the next day whether or not the interest of the nation required that the execution of the sentence passed on *LOUIS XVI.* be respited.

I shall now return to the ill-fated Monarch who remained in the most cruel state of confinement and  
 privation

privation in the Temple; and the only comfort left to him, was his intercourse with his official defenders—*M. Malesherbes* was the first who announced to the King his fate in these words:—“My  
 “ PRINCE, I know you're courageous, but I cannot  
 “ forbear telling you, sentence has been passed.”

“ Well then,” said the devoted King “so much  
 “ the better: this extricates me from a thousand  
 “ troubles!” The King thanked him for the efforts  
 “ he had made in his service.

*Malesherbes* fell at his feet and said: “I will ne-  
 “ ver leave you, my good PRINCE; I could die  
 “ for you.”

The venerable old man shed a torrent of tears. The King raised him from the floor, pressed him to his heart, and endeavoured to allay his grief by the following words: “*Dear Malesherbes, if you do love me, why should you thus envy me the sole asylum which is left to me, after so many disasters?*”—Ah! Sire,” replied *Malesherbes* sobbing “*there are some hopes! The people are generous—they are just!*—“No no,” replied LOUIS “*I am past all hopes, they want my death, and I am ready to suffer it. My dear Malesherbes pray, do not weep so—one day we shall see each other in a better life.*” Here he was torn from the Royal Victim by a Municipal Satellite, who told him, he had orders from the Council that he should quit the Temple. *Malesherbes* departed, and fainted before the door. He was carried home much indisposed. This moving interview with a loyal subject raised a thousand suspicions:—a resolution was passed, not to admit the counsel any more to the royal presence.

The Monarch saw this cruel separation with heroic indignation: Henceforward he preserved to the last moment his usual fortitude, but sometimes he  
 would

would shed tears, and fainted away. The following anecdote, will show that LOUIS had long ago been prepared for his end, and was not afraid to meet it.

M. Malesherbes one night told him he was apprehensive lest his efforts to save him should not be crowned with success.—“ I know what you mean, “ answered LOUIS, but my resolution has long ago “ been taken. I see my last hour come, free from “ all terror, and I shall not repine at losing my head “ on the scaffold. But you will perhaps be astonished that my wife and sister are both as resolute “ as myself.” The King made a short pause, and then said with a smile: “ *I now think on it; Monsieur Malesherbes, when I was a child they used frequently tell me a story, that whenever a King of the house of Bourbon was to die; a tall woman clad in white, did pass at the midnight hour through all the passes and avenues of the palace. May be you have seen her.*” Here Malesherbes shed tears. “ You weep, my kind friend?—nay, I only wanted to prove to you, by way of joke, that I am never “ frightened by the dastardly terrors.”

It was on the 11th of January when LOUIS XVI. was thus cruelly separated from his counsel, on the mere authority of his inhuman keepers.—On the morning of the 18th they acquainted the Council General of the Common with the arbitrary measure they had taken, and the latter came to a formal resolution that all communication between LOUIS XVI. should cease; that his apartments be strictly searched, and the commissaries do not leave him out of sight day or night. It was also decreed that Paris be illuminated the day before, the day of, and on the day after the execution of the sentence of the King. The Council of Commissaries in the Temple

ple was ordered to have eight members constantly on duty, who were to be relieved by eight others every 12 hours. It was also decreed, that all women should stay at home, to keep the windows shut, and to let the sections be under arms ready to march. Every person that should cry out *pardon* was to be dragged to prison and tried for his life.

In the sitting of the 18th, the following question came on to be discussed :

“ *Is it, or is it not, compatible with the interest of the FRENCH NATION, that the EXECUTION of the SENTENCE passed on LOUIS XVI. be respited?*”

*Gasparin* rose and said : “ Citizens, there is an error in the result of the Nominal Call pronounced yesterday—a grievous error. It is my duty to see it corrected, and it is your duty to hear me with attention, and in peace. The basis of the National Representation decreed by the Constitution, fixes the number of its members at 745 ; but this number has been altered since the union of the late county of *Avignon*. Since the period of that union a deputation of three members has been allowed to the county, and consequently the Electoral Assembly of the department of the mouths of the *Rhone* with which the district of *Vancluse* has been united elected twelve deputies to the National Convention, while only ten of them have been appointed to the Legislature. An augmentation of Representatives has likewise taken place in the department of *Drome*, on account of the union with the district of *Louveze*. However, your result of the Nominal Call presents but 745 members ; the sum of the votes presents likewise 745 ; whereas both should amount to 748. Beware, citizens, of the smallest scruple, when the life of a man is at stake. I move, that the President and Secretaries, with the assistance

assistance of six members, if it be necessary, do verify instantly the minutes of Nominal Call, to clear up that difficulty, while we are sitting."

*Lacroix* remarked, that the list of the members had been set down wrong yesterday; that several deputies had not been inscribed in the class in which they were ranged.—*Dumont*, (said he) a deputy for the department of *Somme*, voted for death, and after his name they put down the word *Detention*. I have also to observe, that it is astonishing that the majority which voted for the death of *Louis*, should only have been *five votes*; because all those who voted for death, with the restrictions of respite or discussion, did all the while vote for death; the majority ought, therefore, to have been between 50 and 60.

*Dumont* attested, that his vote had been for death. He called upon the whole deputation of *Somme* to prove his assertion. They consisted of ten members, who ascended the tribune, and confirmed what *Dumont* had advanced.

The four Secretaries who had marked the Nominal Call, said, that their four respective lists bore the word *Detention*, after the name of *Dumont*.

*Dubois de Crance* said, that *Laloue* had likewise voted for death, and still the word *Detention* was put after his name.

*Loisel* said, that he had taken down the list of the voters, and that upon 55 departments, he found that 38 deputies has voted for death under restrictions, while the Secretaries at the table had only marked down 34 for 83 departments; he declared he would never repose any confidence in the Secretaries. He moved for a fresh scrutiny

*Salles*, Secretary, said, that the Secretaries had presented to the President a very exact and summary

mary list of the votes; but, that he and his colleagues did own, that among the 319 voters for Detention and Banishment, they had inserted such as had voted for death on conditions; as for instance, such as voted for Imprisonment, and for Death, if a foreign power should bring about an insurrection in France.

A debate on the question, whether or not those who voted for Death, on condition, at a certain period, should be added to the list of the 366 members who had voted for immediate Death.

*Isnard* moved, That the names of those who voted for the detention or banishment of *LOUIS*, as statesmen, but who declared, that if they had voted as judges, they would have voted for death, be inserted in the minutes of the proceedings: he maintained that this was a proof that the greatest part of the Convention voted for death.

*Thuriot* moved, That the Secretaries should read again, with a loud voice, the names of all the deputies, and that each member present on the tribune, do correct the error which the secretaries might have made respecting their opinion.

*Lasource*.—“ All the motions offered, are snares to enthral the Convention, except that of *Thuriot*. The verdict has been solemnly pronounced, and we must not think that the Convention means to augment the majority. I move that the secretaries do read over the name of every deputy with his vote, and that if the same be conformable to what he said yesterday on the tribune, he be silent and make no remonstrance. This was decreed unanimously.

*M. Salles* ascended the tribune, and read the minutes of the nominal call.

*Mailhe* was the first voter.—(A voice exclaimed, “ *He is ill.*”)

*Gorfas*

*Gorfas*—“ It is on this opinion that a great number of the members voted for death, under the restrictions of *Mailhe*, as they said. *Mailhe*, who spoke himself on the tribune yesterday, repeated to me this morning, that he meant to, and actually did, vote for death, simply and exclusively—but that he thought, afterwards, proper to make an observation which he submitted to the wisdom of the Convention to weigh and consider. *Mailhe*, therefore, by his own avowal, is one of those who voted for absolute death. The verification of the nominal call is made, and all the members who voted for death, concluded for the restriction of *Mailhe*, owning thereby, that that restriction is agreeable to the sense given it by *Mailhe*, and therefore absolute death. Several members, among whom we reckon *Petion*, said, that they voted for death, inviting the Convention to deliberate on the question of respite.

Thus, among the class of voters for death with restriction, there are but those remaining who annexed to the capital punishment an express condition, or those who expressed that their verdict of death was indivisible from the opinion of *Mailhe*. You see, therefore, citizens, after the termination of the nominal call, how incorrect it was. There are two principal reasons for this: the first, that the secretaries unanimously agreed that the observation of *Mailhe* was an amendment; the second, that several members told us, in voting for death with the restriction of *Mailhe*, “ that their vote and restriction were indivisible.”

*Breard* moved, “ That the Secretaries should retire, to digest the minutes of the proceedings, and till then be replaced by others, and that the minutes be read to-morrow.

2. That

2. That they be printed, and sent to all the Sections of the Republic.

3. That an address be set up, and sent to the Sovereign People, in which the Convention should explain the motives which induced them to judge LOUIS XVI.

*Thuriot.*—“ I oppose the system of *Breard*; for the people of France have charged the National Convention to judge LOUIS CAPET.”

Several members exclaimed, “ It is false! it is false!” and a great tumult ensued.

*Thuriot.*—“ It is an incontestible truth. I am surprized to be thus interrupted by people who gave their verdict both as Legislators and Judges. Reason, delicacy, honour—(Here another uproar took place. Gaudet, who occupied the President's chair, exclaimed to one of the bruisers—Bourdon, I call you to order !)

*Bourdon.*—“ What do you mean, Sir? Is it me you call to order?” (Here the tumults and howls became dreadful for some time.)

*Thuriot.*—“ I oppose the address mentioned by *Breard*, because the nation has commissioned us to condemn the tyrant. After such a commission, we are accountable to nobody for our motives! Besides, it would be wronging the whole Republic were we to believe that there is one single Frenchman who doubts still the crimes of the tyrant. I do move,

1. That the Secretaries re-scrutinize the national votes, and present the amendments.

2. That the National Convention do not separate before it shall be declared, whether or not the execution of the sentence of LOUIS shall be respited. (This latter proposition was opposed by tumultuous cries.)

*Tallien.*



*Tallien.*—“ Louis knows his sentence—In the name of justice and humanity, be not so barbarous as to leave him any longer in suspense! You ought not to let a condemned wretch suffer a thousand times the pangs and anguish of death which awaits him.”

*Marat* spoke at great length, to prove that France was impatient to hear the tidings of the death of Louis XVI. and that the members having taken a nap last night, might as well finish their proceedings during the present night.”

*Couthon.*—“ The laws and humanity agree to *Tallien's* motion. Our decree will save France. It is time to tear off the odious mask which concealed the soul of tyrants. The death of Louis will destroy the Kings and Despots. Instead of the address proposed by *Breard*, I do move that the Executive Council send your decree of sentence to the 84 departments, and that the sentence be executed on the place of *Caroussel*, and a report of it made in 24 hours.”

[*Here the monsters in the galleries burst out in applause.*]

The President conjured them in the name of humanity, not to set aside all pity.

In the sitting of the 19th, it struck eleven when neither the President nor his secretaries made their appearance. *Breard* moved that they be all censured; but *Barrere*, who occupied the chair, said, that the President and his secretaries, would come at twelve o'clock, and that their absence was owing to the fatigues they had undergone.

A letter was afterwards read from the commissaries of *Mont Blanc*, who voted for the death of Louis, without the appeal to the people. Different other letters were read afterwards.

At twelve o'clock the order of the day commenced---

SHALL OR SHALL NOT A RESPITE OF THE EXECUTION OF THE SENTENCE PASSED ON LOUIS CAPET, TAKE PLACE ?

*Choudieu* moved, that the question relative to the respite be decided before the Convention should rise.---Decreed.

*Bourdon* moved, that the nominal call do immediately take place, to know whether or not a respite could be granted to LOUIS CAPET, from the sentence passed upon him. Three numerous lists of members were then read, who had inserted their names to speak for or against the respite.

*Valaze* declared, that he wished for no farther respite than till the whole family of the *Bourbons* should have been expelled the territory of the republic.

*Marat*.---“ It is with the greatest indignation I see here a question discussed, which is already resolved in the minds of all the friends of liberty. These delays are the fruit of the plot of a handful of intriguing men. You have decreed a republic, but it will be a castle built of cards as long as the head of the tyrant shall not have been struck off. I move against all respite; I move that the sentence be fully and entirely executed on Louis in twenty-four hours.”

*Marat* made several gross personal allusions to several members, and was called to order by the President; others moved that he be censured. *I defy censure,*” cried *Marat*.---“ *I call you to order a second time,*” said the President.---“ *I defy your censure, I brave it for the public weal.*” Several members called out, “ *to the abbey, to the abbey!*”---“ *I call you a*  
third

third time to order," said the President, "and with censure; and if you persevere in disturbing the Convention, I shall consult whether you are to be sent to the abbey."—Here Marat held his tongue.

Pons insisted, that all discussion respecting a respite should cease, since judgment had been passed after a most solemn deliberation: he said the question had been judged three times, and was sufficiently clear from the explanations given yesterday, when it was evident, that 720 deputies had voted for the death of LOUIS.

Genfonne.—"You cannot order the execution of your sentence without compromising the public welfare, unless you do previously take proper measures of safety, that no sinister accident may happen in Paris, or in the departments in France. I do invite the Convention to order the constituted authorities to come to the bar, to assure us that the situation of Paris be so, that an execution, finished in 24 hours, may not be attended with disturbances; above all, that they do inform us, if property and persons be respected; if the lives of the family of LOUIS be safe, for the Convention ought not to disgrace themselves in their own eyes, by murders which they might have prevented."

Louvet was of opinion, that, for the honour of the people of France, and for the honour of the Convention itself, the question ought to be treated with all possible maturity, and according to its magnitude.

Here was read the following

LETTER of RESIGNATION of M. MANUEL.

CITIZEN PRESIDENT,

Paris, January 18.

"As a representative of the people, I know too well my rights and my duties, and I have so well fulfilled the latter, as  
never

never to forfeit the former. A crime has been committed against the nation in my person: it would be betraying her not to denounce it. As a secretary of the Convention, where *five votes* have decided the fate of perhaps more than one empire, I went out after a sitting of forty hours, extremely in want of a purer air, when a set of *judges* fell upon me, upon me the deputy of a free people! my first impulse was to punish them instantly; but I was in the Convention; it became the whole Convention to avenge the injury—Representatives what have you done?—with your omnipotence, you still want the power of sending to 84 departments the list of some *dijorganizers*, who, by the sole talent of making a noise, deprive you of the faculty of doing good.

“ From the first time you suffered yourselves to be degraded, legislators, you have exposed France; and *such as you are* (I must speak the truth)—Yes, such as you are, you cannot save her; the good man has henceforth nothing else to do, than to wrap himself up in his cloak. For my own part, citizen President, since I am deprived of hopes, I do fear no more; after having protested to the Convention, that I will precipitate myself before them into the gulf of *Curtius*, that the people may be happy at last, I believe it incumbent on my conscience, on my principles, to inform them of my resignation, which I beg you will accept, since it is no longer in my power to serve the nation in the station to which she promoted me; I shall serve her better in my obscure cot, in devoting myself, by my writings, and by my examples to the education of youth—for the revolution only wants men.

“ MANUEL.”

The discussion on the respite now began.

*Buzot* first ascended the tribune—“ I shall perhaps be murdered, but posterity shall judge me; I will therefore vote for the system of respite. Your sentence has been passed by a very small majority; it has been followed by tumults and disturbances, in the heart of your assembly; it would however have been desirable, if many members had joined the majority to give it a greater preponderance, and to let  
calmness

calmness preside over our deliberations. This small majority will be your reproach; the sentence will only be considered as the result of the divers passions which surround you. You wish to hasten the public misfortunes, of which your sentence is certainly not the cause, but it will serve as a pretence. The foreign powers will rush upon us; torrents of blood will flow; our finances will be destroyed, and commerce and industry cannot regenerate amidst such a load of troubles; and these troubles will be imputed to you.

“ If we cannot gain peace, in preparing for war, let us at least surround ourselves with the confidence of our constituents, and let us not therefore precipitate the execution of that sentence. Combine those prudent ideas with the dangers that surround you. It might perhaps be dangerous to protract that period to great length; I only ask for one thing, which is, that you do accompany your judgment with prudential measures, so that no one may doubt that you passed it with all freedom. Take proper measures, that not only the members of the Convention, but the Parisians, and all *France* may be sure that your judgment will not be followed by troubles. I should wish, above all things, to prevent people from saying, that we are the tools of a faction; that besides the sentence and its execution, you do occupy yourselves with the family of the *Bourbons*, that we may not have to apprehend, lest some individuals do succeed the tyrant cut off.”

“ Yes! it is congenial to my soul, that they wish for another King after the present. Citizens, let us never forget what happened in England under the same circumstances. In those times they used to call royalists, those who wished for moderation in the execution of *Charles I.* Compare even the in-

juries which were thrown out at that epoch, with those which we throw out every day, and you will find that there exists a party, and that this party only wishes for the death of LOUIS XVI. to make another King. Yes, citizens, the facts, the events which I have seen, force me to conjure you to take measures that no King may appear after the death of LOUIS. The population of this city is immense, a party may easily be raised from those who have all to gain and nought to lose. If the Convention were in any other place than *Paris*, I would not demand the exile of the *Bourbons*; but do not forget that it was *London* that put *Charles II.* on the throne of his father. If the Convention does not expel the *Bourbons* before the execution of the sentence of LOUIS, you will soon have a King in *Paris*—you will have him, and in despite of you. Yes, you have every thing to fear of the faction, who made you revoke your decree on the expulsion of the *Bourbons*, who have insulted one of your members within these very walls; judge then if you shall not be constrained to decree whatever they please. Of what use is the oath of the son a King! Give me leave to tell you they know nothing but crime and perjury. Those people, born on the throne, want government, as we do want to enjoy equality. Away then—away with them, and I will come among you tomorrow, and all difference between us shall henceforth cease. I do not know, but I foresee that man ascend the throne which he does not deserve. I do therefore demand an interval between the sentence and its execution, and drive away in this interval all those men who belonged to the throne, and whom foreign powers may want; for they want Kings, and they associate with the vilest of men to gain their end.

end. Now I conclude, citizens, and if you do not pass this decree, I give you up as lost, as undone.”

*Thuriot.*—“ The sentence of death is pronounced—it is the will of the nation: it shall be executed. How durst the minority lay a *veto* on the decision of the majority? There is not one man in *Paris* but would shed the last drop of his blood to have the sentence executed, which dooms *LOUIS* to perish on the scaffold! Can we have any interest in seeing the tyrant perish by sedition? Why should we wish to prosecute innocence, while we have crimes to punish? What harm have those *Bourbons* done who remained among us. Let *LOUIS* be executed in twenty-four hours.

*Barbaroux* seconded *Thuriot* with all his might, and voted for immediate execution. He moved, that all the *Bourbons* be expelled: but, says he, “ let us render the exile of *Phillipe Orleans* as comfortable as possible.”

*Condorcet.* Thus far we had only to combat with kings, followed by their armies, whom the habit of obedience, and the chain of a severe discipline, does not permit to examine the justice of the cause for which they fight. The Nations were in doubt, or formed secret wishes for us, which events may transform into effectual succours. At present, kings endeavour to inspire the people whom they govern with a hatred for *France*, and to render national the wars they have declared against her. Calumny is the means they adopt. They assert that the National Convention has only sacrificed *LOUIS* to satisfy its vengeance, and they paint us as men that thirst for blood. They reproach the nation in the same manner. They say that you have yielded to the terror with which a people delivered up to anarchy, and

grounded on barbarous sentiments, inspired you with. This is the only means they have to injure us : I fear no other ; but if we are united, if our conduct is worthy of our cause, we may brave this also.

When my colleagues mounted the tribune to give their votes, I observed the most ardent and the most firm patriots vote for Death with the utmost sorrow. Abolish, then, the pain of Death for all private crimes ; and reserve to yourselves the consideration of examining, if it ought to be inflicted for crimes against the state.

The prompt judgment of the accused is also the duty of humanity ; yet at *Paris*, the prisons are full of accused persons.

There is only one Criminal Tribunal at *Paris* ; there ought to be one for each Department ; but this apparent equity conceals a real inequality ; for where is the equality of having, in one place, a Tribunal for eight hundred thousand persons—in another, for two hundred thousand ? I therefore demand that there be three Criminal Tribunals at *Paris*.

You have hitherto shewn a solicitude for the maintenance of Liberty. Hasten, then, to decree a law to regulate adoptions ; hasten to insure the lot of children not born in wedlock ; and take care that the names of foundlings and illegitimate children no longer stain Republican language.

Hasten to take measures, that if imposts must be levied, it be no longer on the poor. DUSAULX has prepared a report upon the late Royal Lottery, which is at the same time a burdensome impost, and the source of misery.—Examine it ; and be not afraid of destroying, in abolishing, this source of revenue : a better may be substituted in its room.

Submit



Submit to the examination of humanity and of justice, those hurtful and useles laws which give to the creditor, upon the liberty of the debtor, a right which neither nature nor the interests of commerce, rightly understood, require.

The organization of public relief demands all your attention; but humanity demands provisory measures, in seeing our public walks full of people covered with wounds, deprived of their limbs, and unable to provide for their wants. If equality is not a vain name, does not the nation owe to these men a retreat and subsistence?

When you have fulfilled these duties, you may reply to those who reproach you with the death of LOUIS, We have punished a King, but saved a hundred thousand men.

There is in Europe a nation that sincerely loves Liberty, even when it mistakes the nature of this sacred right, and of the means of preserving it. The public spirit rules with energy. The justice and humanity of her laws made her respected, when all Europe groaned under an absurd and barbarous jurisprudence. At present, the English Minister endeavours to excite that nation against us. Let us tell them, we have abolished the pain of Death; you preserve it for the stealing of a few shillings; and it exists in your law for even imaginary crimes: you deliver the debtor to the avarice, to the caprice, of his creditors; but our laws, more humane, respect misery and poverty—Judge, then, between us, and see to whom the reproach of inhumanity more justly belongs.

THOMAS PAINE.—“ I have voted for the detention of LOUIS and his banishment after the war,  
“ but I am much afraid that the speedy execution  
“ of the sentence of LOUIS will rather pass for a

“ deed of vengeance than a measure of justice. I wish  
 “ the Convention had voted as the nation would; I  
 “ mean for imprisonment.

“ The UNITED STATES OF AMERICA have the  
 “ utmost veneration for LOUIS, who gave them Li-  
 “ berty. And I can pledge myself to you, that the  
 “ sentence of LOUIS will overwhelm all the Ame-  
 “ ricans with consternation. And remember, that it  
 “ is they who will alone supply you with all the  
 “ timber and naval stores you shall want in the mari-  
 “ time war you are about to declare. The north  
 “ of Europe is ready to bring its forces against you.  
 “ You mean to send an ambassador to Philadel-  
 “ phia; my sincere wish is, that he may announce  
 “ to the Americans, that the National Convention  
 “ of France, from pure friendship to America, has  
 “ consented to respite the sentence of LOUIS.

“ Citizens, let not a neighbouring Despot enjoy  
 “ the satisfaction of seeing that man mount the  
 “ scaffold who has broke the irons of the Ameri-  
 “ cans.”

*Brissot* treated the question in a political light, and after having exposed the numberless evils which would overwhelm *France*, he moved for a respite, till the new Constitution should be accepted by the people.

*Legendre* swore, that neither politics nor factions would do; but the head of the Traitor LOUIS should drop on the scaffold.

*Barrere*, in a most violent speech, urged, that the execution of the sentence of LOUIS should take place immediately, and concluded, that the Nominal Call should instantly follow.

The Question was then put in the following manner:

SHALL OR SHALL NOT A RESPITE TAKE PLACE?  
 The

The Nominal Call commenced at eight o'clock, and was terminated at half past eleven, when there appeared the following

RESULT.

For a Respite	—	286
For immediate Execution		380
		—
Majority for Execution		193

It was now twelve o'clock at night, when *Vergniaud*, the President, rose and said,

“ IN THE NAME OF THE NATIONAL CONVENTION, I DO DECLARE, THAT THE EXECUTION OF THE SENTENCE PASSED ON LOUIS XVI. SHALL NOT BE RESPITED.”

On the motion of *Cambaceres*, the following decrees were then passed :

1. The Executive Council shall notify the sentence to *LOUIS*, and cause the same to be executed within twenty-four hours after the notification thereof.

2. *LOUIS* shall have free intercourse with his family, and choose any minister he pleases to assist him in his last moments.

3. The Executive Council shall give an account of the measures taken for the safety of *Paris*, at eleven o'clock to-morrow morning.

On Sunday 20th of January, the following transactions took place in the National Couvention :

*Jean de Bry* rose and said—“ The decree of sentence, which you have passed, lies entirely at the Convention's own door. I am convinced that my colleagues will defend it to the last drop of blood, since it is the expression of the general will. I do not in the least degree pretend to restrict the liberty of the press, which ought to remain unattempted, and to reign in its full latitude in a country which

has the happiness of being free; but I can no longer see, without the most poignant grief, several of our colleagues post up profuse notices, that they can no farther abide with blood-thirsty men—give in their resignation, under those critical circumstances in which we now are—and make our constituents believe that we can no longer be conducive to the happiness of France, by giving her good laws.”

“Citizens, *we have burnt our ship*.—We can no more look back upon what is done—Let us prepare for the combat, and, united together, conjure up the storm. The soil of liberty must be maintained. There are some who pretend to rumour about, that there are bad citizens who wish to revive tyranny. I know of no faction,—But if there exists one, we ought for this precise reason to remain on our post.—*Let us perish, if we must perish—-but let us save the country.---* (Here many members rose and repeated the same words!) Let the Convention give the motives from which they passed sentence on LOUIS XVI. and if there is a man, or a faction, who may wish to undo the Common Wealth, I swear to remain on my post.”

*Rabaut St. Etienne*.—“The best means to prevent the evils which might attend the severe measures taken by the Convention would be to charge the Committee of General Defence, to present the fruit of their reflections on the best means of repulsing the despotic aggressions of all the European powers leagued against us.—We ought above all things to occupy our attention with the salutary measures proposed yesterday by *Condorcet*, tending to suppress begging, by finding sure employment for the needy—to establish more criminal tribunals at Paris—to abolish the punishment of death in all crimes except treason against the state—to afford relief and assistance

assistance to sick and lame; and finally, to regulate the system of education, to refine the national manners, and to form men worthy of the Republic, and mankind at large.”

*Lasource.*—“What need we give an account of the motives which prompted us to sentence CAPET to lose his head?—I protest against such a measure. The best manner to justify your decree, is to make due provision for the happiness of the people, by giving them good laws. You have fulfilled the object of your mission with regard to the tyrant: you have struck down despotism, but what can all this avail you if you do not hasten with rapid strides to give France a good constitution. Of what service will it be to you if you do not cast a firm and attentive eye upon every thing that surrounds you: and if, amidst the enemies, who are all prepared to attack you, you do not constantly strain your every nerve to concert such means of defence as may save the Republic. I do therefore move, that your Committee of General Defence do speedily make their report on our present political situation. I do likewise move, that all other business ceasing,—you do occupy yourselves to-morrow, with the fate of the children and parents of LOUIS. I swear before the National Convention, before all France and posterity, rather to die than let a new tyrant destroy the liberty of my country. I do declare that we shall be real tyrants if we do not consult its happiness, or frustrate its hopes. Having now assassinated tyranny, we ought to destroy all factions—we ought to proscribe those discussions which have, for this long time past, set a bad pattern of imitation. Beware, lest the people should regret the despotism of one man, when that of 745 other men might succeed: let us forswear all parties: let

us never talk of a *Petion* or a *Brissot*: I believe they are honourable men, but never will I imitate them: *I do swear never to espouse a faction.*" (Most of the members rose from their seats, and took the same oath with uplifted hands.)

*Breard*.—"I second *Lasource*, and am of opinion, that the surest expedient to stifle all hatreds, all discords, all factions, will be for the Convention to occupy themselves without delay with the fate of *LOUIS* the last, and all the family of the *Bourbons*. Without having recourse to other matters, let us consider this as one of the most important."

*Lacroix*.—"Physicians of the state, you waste too much time in prescribing unfit remedies. Look first to your armies, behold them almost destroyed by want and fell disease; naked, hungry, and destitute. Look to the army in *Belgia*, perhaps they will not be able to take the field next May. I do therefore move, That the Convention, after employing one hour every day in the fate of the *Bourbon* family, consecrate the rest of every sitting to hear the reports of their committees of war and general defence.

The Convention adopted the motion of *Lacroix* by decree, and passed to the order of the day, on the motion of *Lasource*, on account of the decree already extant, purporting that the fate of the family of *Bourbon* shall be discussed immediately after the trial of *LOUIS XVI*.

Here *Cambon* denounced the letter of resignation of *Kersaint*, which was read, and is dated

*Paris, Jan. 18.*

"Citizen President,

"The situation of my health, which has for some time past been extremely delicate, renders it impossible for me to support the fatigues of continuing in so turbulent an Assembly

bly as the National Convention: but it is still more impossible for me to endure the shame of sitting in the same hall with sanguinary men—in a hall where their opinion, preceded by terror, prevails over that of honest men—where MARAT prevails over PETION!

“ If the love of my country has induced me to submit to the misfortune of being the colleague of the panegyrist and promoters of the assassinations of September 2d, I shall, however, prevent my memory from being reproached with having been their accomplice. To do this, I have only the present moment: to-morrow it will be too late.

“ I return to the bosom of the people. I divest myself of that inviolability which they vested in me, ready to give an account to them of all my actions; and, without reproach, I give in my resignation as a Deputy of the National Convention.

(Signed)

KERSAINT.”

*Rabaud St. Etienne* proposed, that the resignations of *Manuel* and *Kersaint* be both rejected, and both members, like all others who should hereafter send in their resignation in a like manner forced to return to their post.

*Cambon*.—“ It is a pity that the most memorable periods of all political assemblies should have been marked with resignations. The very day after the abolition of privileges and titles, several members of the Constituent Assembly gave in their resignation; it was after the country had been declared to be in danger, several members of the Legislative Assembly forsook us; and the day after the judgment of the tyrant, *Kersaint* and *Manuel* desert the Convention. I would, however, have taken no notice of the resolutions which the late representatives of the people chose to take, did not the letter of *Kersaint* appear to be principally directed to degrade the Convention. *Kersaint* says, he can no longer sit with the ruffians and blood-hounds of the second of September. Where are then those wretches

wretches polluted with so many crimes? Mark them out! Let not suspicions so atrocious hover indistinctly over the head of every member of the Convention—suspicions which must revolt in every honest soul. But should *Kersaint* once have proved what he has asserted, how will he be able to justify himself for having put on the same footing both the assassins of the second of September and the sentence just passed by the National Convention?

“Should he, perchance, be in some secret understanding with the Court of *London*, and all the foreign powers who have nothing else to do, than to revile and degrade the French nation and her representatives, as men loaded with crime, and to depict all true Republicans as blood-hounds? Ah! there is no man that detests, more than I do, the dreadful massacres of the 1st and 2d of September. I have but too often told my mind on that subject in this tribune. But could I ever have expected that I should be in some manner impeached as an accomplice of those massacres, merely because I have, from motives of conscience, voted for the death of the tyrant. I do therefore move, that the National Convention accept of the resignation of *Kersaint*; and that for the sake of rendering the last service to the country, he be ordered to make his appearance at the bar, to impeach the assassins and blood-hounds of the 2d of September, who, he says, are here sitting.”

*Le Hardi*.—“Do not accept of the resignation of *Kersaint*, for several motives.—The first, I do urge, is, That no representative of the people has the right to relinquish his post when dangers, heavy and imminent, threaten the country. The second I urge is, That it is a concern of magnitude, at a moment when we are going to declare war by sea, to pre-  
serve



serve a man, who, with many local virtues, and literary talents, unites the knowledge of a skilful seaman.”

*Barbaroux.*—“ I do maintain, that a mandatory of the people, who does no more belong to himself, but to the constituents who have chosen him to represent them, cannot thus give in his resignation. Let, therefore, *Manuel*, denounce the ill-treatment he has met with in the Convention; and let his resignation be annulled like that of *Kersaint*, whose talents the Republic cannot dispense with. If you want him at the bar, he can appear no otherwise than an evidence. I move, therefore, that before all other matters, you do decree that the villains of the 2d and 3d of September, shall be prosecuted.”

*Choudieu.*—“ What a coward is *Kersaint*, to have deserted his post as a public functionary. There is a law which declares infamous and traitors, all those who forsake their station while the country is in danger. Well—let this law be applied to *Kersaint*—let him be declared an infamous traitor to his country; and as such order him to appear at your bar. As to the abilities of *Kersaint*, they may deserve respect—but woe betide the Republic if she cannot find another man equal to him in point of abilities.”

*Genfonne.*—“ Let the same stroke which levelled the tyrant with the dust, level anarchy and villainy. I move that the Convention do not rise, before they decree, that the Minister of Justice shall prosecute the ring leaders, accomplices, and abettors of the massacres perpetrated at Paris in the beginning September.

*Chambon*

*Chambon* vindicated *Kersaint*, and above all, his intentions, which, he said, were not to inculcate the Convention, but only some individuals, such as *Marat*.

*Doucet* moved, That *Kersaint* be not heard at the bar before the motion of *Genfonne* should have been adopted, "for then," said he, "*Kersaint* will be a witness, like many other good citizens."

*Lacroix*.—"Pass to the order of the day, and leave those dastards, who quit their post in time of danger, to the sentiment of their own shame."

[Here a violent and tumultuous debate ensued, which obliged the president to cover himself to restore calm. Voices re-echoed from all parts of the hall, that the proposition of *Genfonne* be decreed.]

*Tallien* proposed, by way of amendment, that the Minister of Justice be charged at the same time to prosecute those, who on the 10th of August repaired to the castle to combat the people.

*Thuriot* farther moved, That those be enrolled in the list of prosecution, who, at the same period, deserted their respective stations, to go and fight in defence of the court, and that the Minister of Justice be charged to give an account of these prosecutions every se'nnight.

The Convention rose, and adopted the proposal of *Genfonne*, with unanimous acclamation, moving the adjournment.

*Barrere*.—"No adjournment—it will not answer."

Here the Convention decreed the motion of *Genfonne*, with the amendments of *Tallien* and *Thuriot*.

They afterwards decreed, that *Kersaint* be ordered to appear at the bar.

Here

Here the report was made by the MINISTER OF JUSTICE, on the NOTIFICATION of the SENTENCE of LOUIS XVI.

GARAT, (*Minister of Justice.*)

“ Citizens, Legislators, I, the Secretary of the Executive Council, two Members of the Department, and the Mayor of Paris, went to the Temple, where we got admittance to LOUIS, the condemned, about ten o’clock in the morning. As President of the Council, I said to the malefactor, LOUIS! the Executive Council has been charged to notify to you the sentence and decrees of the Convention relative to your person! The Secretary read them. LOUIS drew from his *portfolio* a piece of writing, signed with his own hand. We retired to the Executive Council, to whom we delivered the writing of LOUIS, and who, after due deliberation, ordered the same to be laid before you, which I do therefore present.

Here the Convention ordered the piece of writing to be read, which is as follows :

“ I crave a delay of three days, to prepare myself to appear in the presence of God.

“ I beg to be permitted to have a free intercourse with my family, and to see the person whom my conscience chooses, without witness.

“ I request, that the Convention may take into their consideration, the fate of my family, and to permit them, after my execution, to retire wherever they please.

“ I beg that I may be freed from the constant guard and extraordinary vigilance, whenever I shall be with the person approved of by my conscience, or with my family.

“ I intreat the beneficence of the nation, to provide for the persons once attached to my household, many of whom are poor old men and women, who are now reduced to great distress, and had not wherewithal to subsist on but my bounty.

(Signed)

LOUIS.”

“ LOUIS,” said the Minister, “ delivered afterwards a paper to a Commissary of the Common, appointing Citizen *Edgeworth Fermont*, of No. 283, *Rue de Bacq*, to be his confessor.”

A discussion took place on the different requests of LOUIS XVI.

*Lacroix* moved, That the respite demanded by LOUIS, be not granted.

The Convention decreed—“ That the Executive Council be authorized to inform LOUIS CAPET, that the French Nation, ever *magnanimous*, ever *just*, will take care of his family—that all his requests are granted, save the delay or respite.”

On Sunday the 20th, the Council of the Commissaries, on duty in the Temple, sent the following note from the unfortunate LOUIS to the Council general:

“ I pray, the Commissioners of the Common to send to the Council General my demands :

“ 1st, Upon the resolution of Thursday, which orders that I am not to be left alone a moment, day or night. It will be easily perceived, that in my situation, it is hard not to be left alone, and to have the leisure necessary for meditation; and that in the night, there is occasion for repose.

“ 2dly, On the resolution that prevents me from seeing my Counsel. A decree of the National Convention had given me leave to see them without restraint, without fixing any term; and I am ignorant of its having been revoked.”

(Signed)

“ LOUIS.”

It appeared that this letter had been written before the sentence was signified to LOUIS, the Council therefore took no notice of it.

On the same morning the Provisory Executive Council issued the following proclamation,

(Signed)

ROLAND:

The

The Provisory Executive Council, having deliberated upon the measures to be taken for the execution of the decrees of the National Convention of the 15th, 17th, 19th, 20th, of January, 1793 makes the following dispositions;

1st, The execution of the judgment of LOUIS CAPET shall be to-morrow, Monday January 21.

2dly, The place of the execution shall be the place of the Revolution, late that of LOUIS XV, between the pedestal and the *Champs Elysees*.

3dly, LOUIS shall leave the Temple at eight o'clock in the morning; so that the execution may be over at noonday.

4thly, The Commissioners of the department of Paris, the Commissioners of the Municipality, and two members of the criminal tribunal, shall be present at the execution; and the Secretary of the tribunal shall draw up the *proces-verbal*; and the said Commissioners, and the members of the tribunal, as soon as the execution is over, shall give an account of it to the council, which shall remain in permanent sitting the whole day.

5thly, LOUIS CAPET shall pass by the *Boulevards* to the place of the revolution.

General *Santerre*, formerly a brewer, and at this period, Commander in Chief of the Parisian forces, presented a plan to the Common of *Paris* tending to secure the public tranquillity of the city during the execution of the sentence of LOUIS XVI. This plan which was unanimously adopted, was the following:

Each section shall furnish 25 men, armed with fusils, and having 16 charges of powder and ball. They shall understand the use of arms, and their principles shall be well known. Each shall have a paper at his button-hole, with his name, the name of the president, and the section he belongs to.

These 1200 men shall be at the Temple at half after seven o'clock in the morning. Each commander over 25 men shall give in a list of them to the Ad-

jutant-General on duty at the Temple, who shall call over their names, and who, as well as the chief of the *Legion*, may dismiss such men of the guard as may have got into it by mistake, and whose principles may be suspected.

Each legion shall furnish a commander for this escort. The latter shall set out at half after seven o'clock, at latest, from the rendezvous of each legion, with two drummers. All these to be under the orders of the Drum-Major of the second legion.

The Guard on duty at the Temple on the 20th January, shall remain with those that relieve them on the 21st, till after the execution. The Guard which is to do duty to-morrow, shall have two pieces of cannon, with covered waggons to return with them. This Guard shall be at the Temple by seven o'clock in the morning.

The fifth Legion shall post strong detachments from the street *Philipeau* to the gate *Saint Martin*. The cannon must not be nearer than twenty-five paces.

The sixth Legion shall also supply strong detachments, to be posted from the port *Saint Martin* comprising the *Boulevards*, and the gate *Montmartre*.

The first legion, from the gate *Montmartre* to the street *Mirabeau*.

The second legion, from the street *Mirabeau* to the gate *Saint Honoré*.

The fourth legion, from the gate *Saint Honoré* to the square of the revolution; from the street of the *Champs-Elysees*, and the square of the revolution, to the street late *Royale*, to opposite the draw-bridge; and also from the street *Royale*, to the entrance of the road of *Neuilly*.

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The third legion shall be posted from the square of the revolution to opposite the draw-bridge, passing to the bridge of liberty, and forming an extended circle to the street of *Neuilly*.

The third legion shall furnish also a strong detachment upon the quay of the *Thuilleries*, to the entrance of the bridge of liberty, on the side of the street *Bourgogne*.

The first legion shall furnish a reserve of 500 men for the square *Quatre-Nation*; as also a detachment of 100 men to the National Bridge, late *Royale*, where there must also be two pieces of cannon.

The second shall furnish 600 men for the *Place des Victoires*.

The third legion shall also furnish 600 men for the *Champs-Elysées*, towards *Versailles* and *Neuilly*.

The fourth legion, a reserve of 600 men for the *Place de Piques*.

The fifth legion, a reserve of 600 men at the *Thuilleries*, near the basin of the draw-bridge.

The sixth legion, a reserve of 400 men on the green of the *Louvre*, and 200 more stationed at the Commons-House.

All these reserves shall be in arms under the orders of a General Officer, a second in command, and an adjutant-major, of the section, at seven o'clock in the morning precisely.

Besides these reserves, each section shall have, at the chief spot of its circumference, a reserve of 200 men, with their colours, ready to march as soon as ordered.

The reserve of the section of 1792, shall repair to the National Treasury; that of the section of *Mail*, to the treasury called *Caisse d'Extraordinaire*, and to that of *Escompte*.

The section of the square of the federates shall station a reserve at the Park of Artillery.

Each company of cannoniers shall supply two men, who are to be at the arsenal at six o'clock exactly, to reinforce the guard of that post. Another cannonier from each company shall be at the Park of Artillery at the square of the federates.

Each section shall be careful to send two messengers to the Common House, to receive and carry the orders of the respective sections. These orders will serve to direct the retreat at seven o'clock in the morning.

The *Chasseurs du Midi*, quartered in the street *Pe-piniere*, shall be at the house where the *Assignats* are fabricated, at seven o'clock in the morning.

#### ORDER FOR STATIONING THE ARTILLERY.

The first legion to supply fifteen pieces of ordnance—four at the Reserve *des Quatre Nations*, two on the National Bridge, two on the *Boulevard Montmartre*, two on the *Pont de Liberte*, two on the road to *Versailles*, one at the *Conciergerie* (Prison), one at the guard of the *Temple*.

The second legion to supply thirteen—two at the *Pont Tournant* (adjoining to the place of execution), four at the *Place Victorie*, one at the *Boulevard Rich-elieu*, two in the *Rue Grange-Bateliere*, two in the *Rue St. Florentin*, one in the *Champs-Elysees*, one at the National Treasury.

The third legion to supply ten—two on the road to *Versailles*, four on the *Avenue de Neuilly*, one at the *Conciergerie*, two at the *Prison de l'Abbaye*, one at the *Cour des Feuillants*.

The fourth legion to supply thirteen—four in the street and suburb *St. Honore*, six in the square *des Piques*



*Piques*, one at the *Caisse d'Extraordinaire*, two in the street *Mirabeau*.

The fifth legion to supply eleven—two in the street *Philippeau*, three on the *Boulevard du Temple*, four at the gate *St. Martin*, two in the street *St. Florentin*.

The sixth legion to supply ten—six at the *Gazon du Louvre*, and four at the gate *St. Denis*.

The canoniers who shall not be employed at their guns, shall repair, precisely at seven o'clock, to the arsenal, to serve as an escort to the tilted waggons. An hundred canoniers shall repair, under the orders of the Adjutants of Canoniers *Bertrand* and *Robert*, to the *Sorbonne*.

The batallion of Veterans shall repair to the *Thuilleries*, to serve as a guard to the Executive Council.

The Battalion of *Marseillois*, and that of *Aix*, shall repair to the *Champs-Elysees*.

The *Bicetre* (a prison) shall be guarded by 100 Cavalry, and 290 Infantry, of the legion of *Rosenthal*. Where shall be two pieces of ordnance, attended by the canoniers of the batallion of the *Rue de l'Oursine*.

At the *Conciergerie* shall be stationed 300 men: at the *Abbaye* 300; and at the *Hotel de la Force*, the 33d division of *Gendarmerie*, with a reinforcement of 100 men belonging to the barracks of the street *Quincampoix*; at the *Mont de Piete*, 200; in the courts of the *Hotel des Monnoies*, 200 of the batallion of Pikemen.

The sections in the vicinity of the prisons shall send thither numerous and frequent patrols, to watch over the safety of the prisoners.

The women shall remain at home; and there shall be none but the armed force in the streets.

At eight o'clock precisely, without any delay, the procession shall move from the *Temple*. All the citizens must perceive, that the smallest delay will be an unpardonable neglect to the service.

At noon precisely, each colleague shall send to the chief rendezvous of his section, for orders, which are to determine whether he is to continue or to withdraw his guard.

It is forbidden to any one whatever to withdraw without such orders, or on any pretext to quit his post. It is forbidden to discharge any fire-arm.

At the head of the procession there shall be 100 mounted *Gendarmes*, who shall form the van guard. As a rear guard, there shall be 100 national guards mounted from the military school. There shall be, in addition, various reserves of cavalry; a considerable number of which reserves shall patrol the outer parts of the city.

The procession having reached the *Square de la Revolution*, shall continue its march until it shall reach the courts *de l'Egalite*, and until its van shall be commanded to halt.

From the present moment, the fifth and sixth legions shall patrol frequently, and in formidable numbers, round the temple. The other legions shall do the same in the vicinity of the prisons and national establishments.

In the same sitting the commissioners at the *Temple* sent 3,000 livres in gold, found in the drawers of LOUIS CAPET. Upon the wrapper was inscribed: —“ For *M. Maleherbes*, this sum has been put into these drawers.”

The Council General ordered the sum to be deposited in the bureau of the Secretaries of the Convention, with whom it has actually remained till this day.

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The particulars of the last moments of the unfortunate Monarch are so extremely moving, that, although very few of them have transpired from a pure source, yet it is incumbent on the historian to state those which are most congenial to the truth.—It gives me pain to say that the treatment of the unfortunate King during the last hours of his unhappy life, exceeded in point of cruelty, all the powers of description or utterance.—He had been deprived of every intercourse that could be dear to him; a set of sanguinary argufes watched his every motion. On Sunday, January 20, at two o'clock in the afternoon, the Minister of Justice read to him the proclamation of the Executive Council relative to his execution, which he heard with heroic fortitude and resignation.—Immediately after he desired to speak to his wife and family, and expressed a wish to go himself to their apartment. The commissaries however, thought proper to refuse him the latter part of his request. They sent two of their colleagues to the Queen's apartment to signify to her the wish of her royal consort.

The Queen advanced towards the officers, with her hands uplifted, and cried, “O ye murderers! O ye murderers!” for near ten minutes—then in convulsive hysteric fits dropped down on the floor:—having recovered herself, she looked with a staring, significant eye at the officers who stood in a distant corner of the room—then turning round to the *Dauphin*, she shed a flood of tears, embraced him, and exclaimed: “*My dear son, I do not know what I am doing—let us never confound the innocent with the guilty.*”

Soon after, the Queen, Madame *Elizabeth*, (the King's sister) and the *Dauphin*, were conducted to the King's dining-room, where the unfortunate Mo-

narch embraced them with heavenly serenity: the officers withdrew, and a scene ensued of tenderness and grief, which none but heaven, and the parties present, witnessed.

This interview lasted upwards of two hours, the officers were then called in, and the King expressed a desire of seeing his wretched royal daughter, who was in a separate apartment. His demand was granted, and he and his family, under proper escort, went to the spot. Paternal heroism made the King depart from his beloved daughter. Maternal feeling retained the Queen and her Sister-in-law with the Dauphin, who said to Louis, "We will see you by and bye—Adieu Husband! Adieu Brother! Adieu Father!" The King waived a kiss to them with his right hand, but they saw him no more!—Arrived in his room, the Monarch prostrated himself, and said prayers with his Confessor, *Edgeworth*, an Irish Priest, otherwise called *De Fermond*.

The Dauphin fell down on his knees before one of the commissaries, and said: "O my good Sir, you are a stout man, pray take me in your arms and carry me to the Convention, I will speak to them—carry me in the streets, I will see the people and intercede for my dear father—he is so good a father I know they will not refuse me."

LOUIS XVI. spent several hours with *Edgeworth* in prayer, and other acts of devotion—and when the latter had left him he fell in deep prostration before his Maker, hiding his face in his hands.—At 11 o'clock at night he rose from the floor, and being asked by *Clery*, his valet, if he would please to have his supper, he answered in the negative.—A few minutes after he called for a crust of bread, and a glass of wine, which *Clery* immediately brought him.

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He then undressed himself, and went to bed and slept soundly for several hours.

When his valet-de-chambre entered his apartment the next morning drowned in tears, the King took him by the hand and said, "*You are in the wrong, Clery, to be thus affected; those, whose kindness induces them to love me, ought rather to rejoice that I am at last arrived at the end of all my sufferings.*"

He then put on a clean shirt and stock, a white waistcoat, black florentine silk breeches, black silk stockings, a pair of shoes tied with silk strings, and the same yellow coat which he wore when he first appeared at the bar of the Convention. He asked for a pair of scissars to cut off his hair, but they were refused him. The commissaries then took away his knife. Louis said to them, with a smile of pity, "what, could you think me cowardly enough to take away my own life?" The King then spent his time in prayer till eight o'clock, when he took his breakfast. *Clery* attended him as usual, and after his royal master had done, he delivered to his servant the following effects, in the presence of the commissaries on duty, viz. 1. A gold ring, in the inside of which were these letters, M. A. A. A. engraved: (*Maria Antoinette, Archduchess of Austria,*) which ring he charged him to deliver to the queen, and to tell her, that it grieved him much to be parted from her. 2. A silver watch-seal, opening in three different parts, upon which were engraved the arms of *France*---upon another L. L. and upon a third the head of a child with a helmet; which seal he desired him to deliver to his son. 3. A little packet, upon which was written with his own hand, "*Hair of my wife, my sister, and my children,*" inclosing four little parcels of hair, which he had ordered *Clery* to deliver to his wife, and to tell her, that

that he asked her pardon for not having desired her to come down that morning, as he wished to save her the pangs of so cruel a separation.

*Clery* delivered these articles to the commissaries on duty in the Temple, on the 22d of January, who ordained that he should not deliver them, but keep them in his possession until he should have received orders to the contrary.

The guards, amounting to several thousand men, arrived in and before the Temple at seven o'clock in the morning. A little before nine the drums beat and the trumpets sounded, the last summons for the ill-fated monarch.—The King started, and exclaimed, “*It is time!*” Soon after General *Santerre*, the Mayor of *Paris*, and the different officers who were ordered to conduct him to the scaffold, entered the Monarch’s chamber, and found him praying on his knees: *Santerre*, in a ferocious tone of voice, said to the King, “*LOUIS CAPET, I am come to conduct you to the place of execution, where you are to suffer death according to your sentence.*” *LOUIS* rose, and making a slight bow, begged for a delay of three minutes, to speak to Mr. *Edgworth* his confessor, which was granted.

A moment after the King delivered a parcel to *James Roux*, which he begged him to deliver to the Council General of the Common. *Roux* refused taking this parcel, which contained the King’s will, alledging, that his orders went no farther than to conduct him to the place of execution. “*Justly so,*” replied *LOUIS*, and turning round to another commissary, on duty in the Temple, he delivered the will.

He then said to General *Santerre*, “*Let us march, I am ready.*” They immediately descended, and on the bottom of the stairs. *LOUIS* intreated the  
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the Municipal Officers to recommend to the Council of the Common his family, and all the persons who had been attached to his household, and were then reduced to poverty. He also begged, that *Clery*, his valet, might be suffered to remain with the QUEEN—(at this title the municipal monsters made a malicious sneer)—the King recollected himself, and said, “ I beg *Clery* may be suffered to attend my wife.” The inhuman lictors replied, that they would not fail to give a strict account to the Common of what he had said. LOUIS then passed the first court yard on foot, and often turned his head and lifted up his eyes towards the tower in which his wife and family were confined. Arrived in the second yard, the Mayor’s carriage stood ready there to receive him.—He started at the noise of the drums, the sound of the trumpets, and the number of armed men; and, recalling as it were his firmness, by a shake of the body, which was always peculiar to him, he stepped into the carriage, with his confessor and two captains of the light horse.

The carriage was drawn by two black horses, preceded by the Mayor, General *Senterre*, and other Municipal Officers. One squadron of horse, with trumpeters and kettle-drums, led the van of the melancholy convoy. Three heavy pieces of ordnance, with proper implements, and cannoneers with lighted matches, went before the vehicle, which was escorted on both sides by a treble row of troopers.

The train moved on, with a slow pace, from the Temple to the *Boulevards*, which were planted with cannon, and beset with national guards, drums beating, trumpets sounding, and colours flying. The Guillotine, or fatal axe, was erected in the middle of  
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the square, directly facing the gate of the garden of the *Thuilleries*, between the pedestal on which the equestrian statue of the grandfather of Louis was standing, before the 10th of August, and the avenues which lead to the groves called the *Elysian Fields*. The trotting and neighing of horses, the shrill sound of the trumpets, and the continual beating of drums, pierced the ear of every body and heightened the horrors of the awful scene.

The scaffold was high and conspicuous, and the houses surrounding the place of execution were full of women, who looked through the windows: the very slates which covered the roofs were raised up for the curious and interested to peep through.

*Paris* resembled an immense camp; the sections and federates were marching and counter-marching through the different districts;—they had their watch-word;—they wheeled round whenever one corps met another. They carried with them upwards of 100 pieces of heavy artillery, and it made a most imposing spectacle. They were constantly in motion, not standing still five minutes.

The King was two hours in going from the Temple to the place of execution; during this time he talked to his confessor, and repeated from a book the prayers appropriated to those who are in the last agony.

All the shops were shut, and this awful melancholy convoy drew tears of pity from the eyes of many spectators. Upwards of 70,000 men were under arms on that fatal day.

At twenty minutes after ten o'clock the King arrived before the scaffold, and his prayers being ended, *Edgworth* gave him the general absolution, as it is usual in the church of *Rome*. The executioner trembled so much that he could hardly do his duty,  
and



and General *Santerre* ordered two soldiers to help him to tie the King's hands behind his back.——  
 “ *Tie my hands!*” exclaimed the King, with some anger; but recollecting himself he added, “ *do what you please—’tis the last sacrifice.*”——The Monarch had previously taken off his great coat, undone his stock, and opened his shirt in such a manner that his neck and breast were bare.

Mr. *Edgeworth* wanted to go up the steps of the scaffold with him, but this was rudely refused by *Santerre*, who behaved with detestable ferocity; and, as *LOUIS* mounted, he protested he was innocent; and much afraid lest the country should suffer for his unmerited end.

It was in that moment of horror, that his confessor, inspired by the sublime virtue and courage of the King, flung himself on his knees, his hands and eyes elevated towards him, and cried with a loud voice, “ *Son of St. Louis ascend to heaven.*”

Having mounted the scaffold, he begged General *Santerre* to suffer him to speak. The General made a signal for the drums and trumpets to cease: *LOUIS* assumed a most moving attitude, and attempted to speak, but *Santerre* said, “ I have brought you here to die; ’tis not the time to make speeches.” He then gave the signal with his sword to beat the drums and sound the trumpets again.---*LOUIS* during this interval had time to turn to the crowd, and was heard with a loud voice to exclaim, “ *Frenchmen, I die innocent! I forgive mine enemies! May my death serve the people!*” He turned round in a moment, and lifting up his eyes to Heaven, said, “ *In manus tuas, Domine, commendo Spiritum meum!*” ---“ *Into thy hand, O Lord, I commend my spirit!*” He immediately submitted to the fatal stroke of the axe; and, between the time in which he appeared  
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on the scaffold, and the interval of the fatal stroke, no more than *two* minutes elapsed! Instantly the executioner lifted his head, and, amidst the flourish of trumpets, exclaimed, “*Thus dies a Traitor!*” Some of the guards pushed forward to the scaffold, to see the royal corpse streaming with blood: they brandished their swords, and vociferated—“*God save the Republic! God save the Nation!*”

The body was conveyed to the *Thuilleries*, and at the earnest request of the Jacobines and Federates, the executioner cut off the hair imbrued in blood, which was sold for assignats, in small locks! The guards, the federates, and others, dipped their handkerchiefs in the gore, hoisted it on swords, pikes, and staves, and sold it; and the banditti mob carried it triumphantly through the streets till night, intoxicated, and hollowing—“*Behold the blood of a TYRANT!*”

The lifeless remains of his Most Christian, but most inhumanly murdered Majesty, were then wrapt up in common canvas, and brought in a cart to the guard-house of the *Thuilleries*, till the orders of the Convention for its interment should have been received. One of his subjects had accordingly sent the following written request to the Convention, which was read on the same day about 12 o'clock, and contained the following words:

“LOUIS BENEDICT LEDUC intreats the National Convention to permit him to pay the last honour of funeral rites to LOUIS CAPET, which it becomes the dignity of the National Convention to cause to be paid to him. He does, therefore, intreat the Convention to ordain, that the corpse of LOUIS CAPET be delivered to him, to be transferred to the cathedral of SENS, to be interred close to the body of his father.”

*Chabot*, one of the members, rose and said:—“I move that this request be not granted, and that you  
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do charge the Executive Council to order LOUIS to be buried like other common citizens, in the church-yard of the parish where he suffered.

The Convention subscribed to this motion, and orders were accordingly given to inter the corpse of the ill-fated monarch, in the *church-yard* of *St. Magdalen*. Agreeable to these orders, a grave was immediately dug, 12 feet deep, and six feet broad, in which the body of LOUIS was thrown without the least ceremony, about six o'clock in the evening. The grave was filled up with quick-lime, that it might be the sooner consumed. His ashes repose between the people who were stifled in the throng on the 19th of April, 1770, (when a brilliant illumination and firework were exhibited there in honour of his marriage) and the Swifs and other victims slain at the *Thuilleries* on the 10th of August. On the same day his MAJESTY'S will was read to the Council of the Common of PARIS, of which the following is an authentic copy.

# The Last Will of Louis the Sixteenth.

LATE KING OF FRANCE.

*(Written by himself.)*

IN the name of the Most Holy Trinity, the Father, the Son, and the Holy Ghost.

This 25th day of December, 1792. I, LOUIS XVI. by name, KING of FRANCE, imprisoned in the Tower of the Temple at *Paris*, for upwards of four months, with my family, by those who were my subjects, and deprived of all intercourse whatever, even of that with my family, since the 11th instant; being moreover involved in a trial, the issue of which cannot possibly be foreseen, because of the passions of men, and of which there is neither pretext nor precedent to be found in any law existing, having none but GOD as witness to my thoughts, and none but HIM to whom I might address myself, do hereby declare in His presence my last will and sentiments.

I leave my soul to GOD, my Creator, I supplicate him in his mercy to receive it, and not to judge it by its deserts, but by the merits of our LORD JESUS CHRIST, who offered himself up a sacrifice to God his father, for us men, however unworthy we might be, and myself the most unworthy.

I die in union with our mother the Catholic, Apostolic, and Roman Church, who holds her powers by an uninterrupted succession from ST. PETER, to whose trust Jesus Christ committed them.

I verliy believe and confes all that is contained in the commandments of God and the Church, in the sacraments

facraments and myſteries, ſuch as the church teaches and always has taught them; I never preſumed to ſet up as a judge of the different modes of interpreting the doctrines which divide the Church of JESUS CHRIST, but I have always referred, and always will refer thereupon, ſhould God grant me life, to the deciſions which the eccleſiaſtical heads in communion with the holy Catholic Church, do give and ſhall give, agreeable to the diſcipline of the church, obſerved ſince JESUS CHRIST. I pity with all my heart our brethren who may be in error, but do not pretend to judge them, and do not love them leſs all in JESUS CHRIST, according to the precepts of chriſtian charity; I pray GOD to pardon me all my ſins, I have ſcrupuloſly ſought to recollect them, to deteſt them, and to humble myſelf in HIS preſence.\*

Being unable to avail myſelf of the miniſtration of a catholic prieſt, I beg of GOD to receive the confeſſion which I have made to HIM of my ſins, and above all the deep contrition which I feel for having put my name (although it was done againſt my own will) to acts which may be contrary to the regimen and belief of the Catholic Church, unto which I have always been ſincerely attached from my heart. I ſupplicate GOD, to receive the ſteadfaſt reſolution which I have taken, ſhould HE grant me life, to avail myſelf as ſoon as it ſhall be in my power, of the office of a Catholic prieſt, to accuſe myſelf of all my ſins, and to receive the ſacrament

\* This is the only true copy of the Laſt Will of LOUIS XVI. which has hitherto appeared in England.—All former ones were copied in haſte from the French papers, and badly tranſlated.—It was not written on the 21ſt, but on the 25th of December.

of penitence; I intreat all those whom I may have inadvertently offended (for I do not recollect to have knowingly committed an offence against any one) or those to whom I may have given bad examples, or occasion for scandal, to pardon me the injury which they believe I have done them.

I do pardon, from all my heart, those who made themselves mine enemies, without my having given them cause for such enmity, and I pray God would pardon them, as likewise those who, by a false or mistaken zeal, have done me great injury.

I commend to God, my wife, my children, my sister, my aunts, my brothers, and all those connected with me by the ties of consanguinity, or in what other manner soever. I chiefly supplicate God to cast his eyes of mercy upon my wife, my children, and my sister, who have long been fellow-sufferers of mine, to support them with his Grace, should they come to lose me, and as long as they shall remain in this perishable world.

I recommend my children to my wife: I have never questioned her maternal tenderness to them; I recommend to her, above all, to make them good christians, and honest; and to make them consider the grandeurs of this world, (should they be condemned to try them) as no other than dangerous and perishable possessions, and to turn their views to the sole, substantial and lasting glory of eternity.

I beg my sister to be pleased to continue her tenderness to my children, and to supply to them the place of their mother, should they have the misfortune to lose her.

I entreat my wife to forgive me all the ills which she suffers for my sake, and the sorrows I may have caused her in the course of our union, as she may be sure that I owe her no spite, should she think  
that

that there is aught wherewith she might reproach herself.

I recommend most earnestly to my children, after their duties to GOD, which ought to outweigh with them all other considerations, to cherish a constant union between them, to be submissive and obedient to their mother, and grateful for all the cares she bestows on them; and, in memory of me. I beg them to consider my sister as a second mother.

I recommend to my son, if ever he has the misfortune to be King, to remember that he ought wholly to devote himself to the happiness of his fellow-citizens; that he ought to sink in oblivion all hatreds, and all resentments, and especially every thing which relates to the misfortunes and sufferings I am going through; that he cannot effect the happiness of nations, but by ruling according to the laws; but, at the same time, that a King cannot make them respected, nor accomplish the good purposes of his heart, but in as much as he is invested with requisite authority; and that otherwise, being straightened in his operations, and being not able to inspire with respect, he is more a nuisance than useful.

I recommend to my son to take care of all the persons who were attached to me as much as the circumstances he shall find himself in, will leave him the faculties; to remember that it is a sacred debt which I have contracted with the children or relatives of those who perished in my behalf, and likewise, of those who are now reduced to misery for my sake.

I know that there are several persons among those who were attached to me, who did not conduct themselves towards me as they ought to have done, and who even manifested ingratitude; but I

forgive them (since in moments of trouble, and heated with passion, we frequently cannot govern ourselves); and I beg my son, if he finds an opportunity, to consider but their misfortunes. I could wish to have it in my power here to testify my gratitude to those who have manifested a true and disinterested attachment to my person. If on one hand, I was deeply affected at the ingratitude and disloyalty of people, to whom I have constantly shown acts of kindness, either to themselves, or to their relatives or friends: I have, on the other hand, had the consolation of seeing the attachment and concern which many persons have spontaneously evinced towards me. I beg them to accept my warmest acknowledgements; in the present juncture of things, I would be afraid, lest I should compromise them, were I to speak more explicitly; I most earnestly recommend to my son to study all opportunities of discovering them.

I should think I did traduce the sentiments of the nation, if I were not openly to recommend to my son, *Messrs. de Chamilly* and *Hu*, whose pure attachment to my person, had induced them to shut themselves up with me in this abode of wretchedness, and who were like to have fallen victims to their attachment. I, also, recommend to him, *Clery*, whose attentions to me, I have every reason to praise, ever since he has been in my service. As he has continued with me to the last, I request the gentlemen of the common, to give him my wearing-apparel, books, watch, purse, and other small articles, which were deposited with the Council of the Common.

I pardon also, most voluntarily, those who subjected me to the bad treatments, and the painful confinement which they thought proper to exercise  
upon



upon me. I have met with some tender and sympathizing souls; may these enjoy, in their hearts, that tranquillity which ought always to be the produce of their mode of thinking.

I entreat *Messrs. de Maleherbes, Tronchet and Deseze*, to accept here, all my best thanks and effusions of sensibility, for all the pains and troubles they have been at for my sake.

I conclude, with declaring before GOD, and ready to appear in his presence, that I cannot upbraid myself with any of the crimes which have been alleged against me.

Given in duplicate, in the Tower of the Temple, on the 25th day of December, 1792:

(Signed)

LOUIS."

A True Copy, *to wit*:

BAUDRAIS, MUNICIPAL OFFICER.

This will, which must convince the least impartial mind of the magnanimity and virtues of the unhappy testator, was made an object of ridicule and supercilious contempt, by the relentless and tyrannical plebeians in whose hands it fell. Not the least regard has been paid by them to the just and legitimate requests of the royal victim; and his family, whose fate was to be decided immediately after his death, still remains a prey to all the horrors of privation and captivity. The general indignation of every state of Europe, which is ready to burst forth upon the authors of this deplorable catastrophe, seems only more to steel their ferocious bosoms against every sensation of remorse or pity to the undeserved sufferings of the royal prisoners in the Temple, who are in all likelihood to remain incarcerated there for life; or should the gates of their cells open for their liberation, the daggers of a thousand

thousand implacable assassins are pointed to dispatch them.

Thus perished, by the hands of ruthless rebels, Louis XVI. King of France and Navarre, born August 3, 1754, in the 39th year of his age, on the 21st of January, 1793, at twenty-two minutes after ten o'clock in the forenoon.

It has been remarked by several of our contemporaries, that the *twenty-first day of the month* has proved singularly ominous to the Monarch:

On the 21st of April, 1770, he was married. On the 21st of June 1770, the splendid illuminations and fireworks were exhibited, in honour of his marriage, on the same square where he was beheaded; on account of which festivity 1500 persons were killed in the crowd. On the 21st of January, 1782, the grand fete was given, to solemnize the birth of the dauphin. On the 21st of June, 1791, he took flight, and was stopped at *Varrennes*. On the 21st of September, 1792, he lost his crown and kingdom. And finally, on the 21st of January, 1793, he terminated his ever to be lamented life on the scaffold.

F I N I S.