

THE  
TRIAL  
OF  
LOUIS XVI



THE  
T R I A L  
OF  
L O U I S XVI.  
L A T E K I N G O F F R A N C E,

WHO WAS

BEHEADED ON MONDAY, *January 21, 1793,*

With the Examination and Proceedings of the  
NATIONAL CONVENTION OF FRANCE.

TO WHICH IS ADDED

AN AUTHENTIC ACCOUNT OF HIS

E X E C U T I O N,

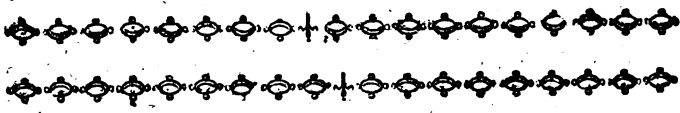
AND A

True Copy of his last WILL.

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L O N D O N:

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THE  
T R I A L  
OF  
L O U I S X V I .  
&c. &c.

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ON December 3, 1792, M. Barbaroux demanded that Louis XVI, late King of the French, should be put upon his trial. M. Charlier moved that he should be decreed to be in a state of accusation, and a great part of the assembly immediately approved the latter motion.

M. Robespierre said that to propose the trial of Louis in any manner, was to go backward towards despotism; it was a counter-revolution idea, for it placed the revolution in dispute.

"I propose," said he, "to decide instantly upon the fate of Louis XVI; to refer his wife to the ordinary tribunals, as well as all those accused of the same offences; and to imprison his son until peace and liberty shall be firmly established. For Louis I demand that the National

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tional Convention shall declare him a traitor to the French nation, and a criminal to humanity. I demand his punishment even upon the very spot where, on the 10th of August, the martyrs of liberty died, and that a monument be erected upon the spot in memory of the event.

M. Petion contended that the Convention, in passing a decree of accusation, would fulfil the office of a jury of accusation, and would refuse giving any decision themselves. He thought that the question could not be referred to any of the present tribunals, because tribunals could only apply the laws, of which there were, at present, none upon the subject. He moved to declare, first, whether Louis XVI should be judged—and by whom?

M. Robespierre, after much opposition from the Convention, produced his motion in writing, which the galleries applauded with great vehemence. The question was put upon the first motion, and carried in the following terms—

“ The National Convention decrees that Louis XVI shall be judged by the Convention.

M. Julien then began an oration, demanding the instant death of Louis. The Assembly would not hear it throughout.

M. Phillippeaux demanded, that the Assembly should proceed without interruption to determine the fate of Louis.

Robespierre proposed to determine upon the first motion; but at length it was decreed—‘ That the Convention shall employ itself every day, from eleven o’clock till six, in the trial of Louis XVI.’

#### DECEMBER 9,

M. Lindet, one of the committee of twenty-one, presented himself at the bar of the Convention, to make a report of the act announcing the charges made against Louis XVI.

The report begins with the circumstances of the 20th  
of

of June, 1789, when the king interrupted the sittings of the National Constituent Assembly, which then removed to a tennis court. It mentions, that on the 6th of July, the hall of the National Assembly was surrounded by foreign troops; that, on the 9th the king refused to dismiss them; that on the 10th the king refused to receive the President of the National Assembly; and that on the 20th of June, 1791, he left Paris, with his family.

It passes through several other circumstances, making observations upon them all, to the 10th of August, on the morning of which it avers, the king reviewed his Swiss troops, and commanded them to fire upon the people.

The commandant general said——‘Louis Capet attends your orders.’

The unfortunate Louis then appeared at the bar. The Mayor, two municipal officers, and Generals Santerre and Wittenkoff entered with him. The guard remained on the outside, in the hall.

President. “Louis, the French Nation accuses you. The National Convention has resolved, on the third of December, that you shall be judged by itself: on the 6th of December it was decreed, that you should be brought to the bar. They are about to read the act which announces the crimes imputed to you. You may sit down.”

Louis seated himself.

One of the secretaries read the whole act. The President taking each article of accusation, called successively upon Louis to answer to the different charges which it contained. He then said——

“Louis, the French people accuse you of having committed a multitude of crimes to establish your tyranny and destroy their liberty. You attacked, on the 29th of June, 1789, the sovereignty of the people, by suspending forcibly the assemblies of their representatives, and by repulsing them with violence from the place of their sitting. The proof is in the process ver-

bal, drawn up in the tennis court of Versailles, by the members of the Constituent Assembly. On the 23d of June you wished to dictate laws to the nation; you surrounded her representatives with troops, and you ordered them to separate. Your declarations, and the procès verbals of the Assembly prove these facts. What have you to answer?

Louis. "There did not exist laws which forbade me."

President. "You marched an army against the citizens of Paris. Your satellites shed the blood of many of them, and you did not remove this army until the taking of the Bastille informed you that the people had been victorious. The discourses held by you on the 9th, 12th, and 14th of July, shewed what had been your intentions, and the massacre of the Thuilleries depose against you. What have you to answer?"

Louis. "I was at liberty to order the march of the troops; but had never the intention to shed blood."

President. "After these events, and notwithstanding the promises which you made on the 15th, in the Constituent Assembly, and on the 17th, in the Hotel de Ville, at Paris, you persisted in your plans against national liberty; you for a long time neglected executing the decrees of August 11, concerning the abolition of personal servitude. You for a long time refused to acknowledge the declaration of the rights of Frenchmen; you doubled the number of your guards; you permitted, in the Orgies, passing under your eyes, that the National cockade should be trodden under foot; the white cockade mounted, and the nation abused. It was not till after the defeat of your guards that you changed your language and renewed your promises.— The proofs of these facts are in your observations of the 18th of September upon the decrees of the 11th of August, in the procès verbals of the Constituent Assembly, in the events at Versailles, on the 5th and 6th of October, and in the discourse which you held the same day to a deputation of the Constituent Assembly when you

you said, that you wished to inform yourself by its councils, and never to separate yourself from it. What have you to answer?"

Louis. "I made the observations which I thought just upon the two first objects. As to the cockade, that is false, it did not pass before me."

President. "You took, at the federation on the 14th of July, an oath, which you did not keep. Soon after you endeavoured to corrupt the public mind by the assistance of Talon, who laboured in Paris, and of Mirabeau, who was to effect a counter-revolutionary movement in the province. What have you to answer?"

Louis. "I do not recollect what passed in that time, but the whole is prior to the acceptance of the constitution."

President. "On the 17th of July, after your arrest at Varennes. the blood of the citizens was shed at the Champ de Mars. A letter in your hand, written in 1790, to La Fayette, proves that there existed a criminal coalition between you and La Fayette, to which Mirabeau had acceded. Division commenced under these cruel auspices; all kinds of corruption were employed. You paid libellers to discredit the assignats, and support the cause of the emigrants. The registers of Septeuil point out what enormous sums have been employed. What have you to answer?"

Louis. "What passed on the 17th of July, cannot in any manner, regard me; as to the rest, I have no knowledge of it."

President. "You appeared to accept the constitution on the 14th of September; your discourses announced a will to maintain it, and you laboured to overthrow it before it was finished. A Convention was formed at Philintz between Leopold of Austria and Frederick William of Brandenburg, who engaged themselves to re-establish in France the throne of the ancient monarchy, and you were silent, concerning this Convention, till it was known to all Europe. What have you to answer?"

Louis.



Louis. " I made it known as soon as it came to my knowledge. As to the rest, whatever relates to this object regards, by the constitution, the minister."

President. " Arles raised the standard of revolt; you favoured it by sending there three civil commissioners, who did not endeavour to suppress the insurgents, but to justify their crimes. What have you to answer?"

Louis. " The instructions given to the commissioners ought to prove with what they were charged; I knew of none till the ministers proposed them to me."

President. " You sent twenty-two battalions against the Marseillois, who marched to reduce the insurgents at Arles. What have you to answer?"

Louis. " I should have some papers to be able to answer justly to that."

" President. " Your brothers, enemies of the state, rallied the emigrants under their colours; they raised regiments, made loans, and contracted alliances in your name; you did not disavow them till the moment when you knew that their project could not be injured."

Louis. " I have disavowed all the conduct of my brothers, following what the constitution prescribed to me, as soon as I knew of it. I do not know any thing of this note."

Thus the examination continued for some time, the President reading several charges relative to a disorganization of the army, dilapidation of the navy, the desertion of the officers, the disturbances of the colonies, the discontents of the priests, the detention of the Swiss guards, and an alleged delay in giving notice of the march of the Prussians. To these the king replied shortly but distinctly; sometimes that he knew nothing of what was imputed to him; at others stating that it was the act of his ministers, and referring to the powers invested in him by the constitution.

To a question concerning the review of the Swiss guards, on the 10th of August, he replied—

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“ I went to see the troops who were assembled round me on that day; the constitutional authorities were with me; the department, the mayor, the municipality : I even intreated a deputation of the National Assembly to come to me, and I afterwards went to it with my family.”

When the President said, “ You caused the blood of the French to flow ; what have you to answer ? ” Louis replied, “ No, sir, it was not I.”

After two other questions, the President said to the Assembly, “ The questions are gone through.” And then to the king, “ Louis, have you any thing to add ? ”

Louis. “ I demand a communication of the accusations which I have heard, and of the pieces which are added to them, and the liberty of chusing a counsel to defend me.”

Valaze, who sat near the bar, delivered to the king the several pieces, reading over the titles of each. To the greater part of these Louis replied, “ I do not know them,” or used other short expressions to that purpose. To one paper, entitled, “ Letter of Louis Capet, dated June 29, 1790, establishing his connections with Mirabeau and La Fayette to operate a revolution in the constitution,” he said, “ I reserve myself to explain its contents. Valaze then read the letter, and Louis replied, “ This is but a project, there is no question in it of a counter-revolution; the letter should not have been sent.”

Upon one piece Valaze said, “ Do you know this writing ? ”

Louis. “ No.”

Valaze. “ Your note ? ”

Louis. “ No.”

When, upon presenting a piece called—“ Letter of the ci-devant King to the Bishop of Clermont, with the answer of the latter, dated April 16, 1791, Louis said, “ I do not know it.”

President.

President. " Do you not recollect your writing and your signature ?"

Louis. " No."

President. " The seal is that of the arms of France."

Louis. " Great number of persons had that."

After the delivery of all the pieces, the President said, " I invite you to retire into the Hall of Conferences.— The Assembly is about to enter upon a deliberation."— Louis said, " I have demanded a counsellor," and then retired.

M. Treilhard proposed the following decree; " Louis Capet may chuse one or more counsellors." There were several murmurs in the Assembly, and several members, amongst whom was Marat, demanded the adjournment of the question, but this was rejected by a great majority. Much agitation ensued, during which the President covered himself, and silence was at length obtained. M. Petion then represented that counsel could not be denied without a breach of all the principles of humanity, and of all the laws of civilized nations; and it was decreed almost unanimously, that he should have counsel.

The Assembly then rose.

On the next day four Commissioners were then sent to Louis to enquire what counsel he had chosen. He replied either Target or Tronchet; or rather, as he should suppose the law would permit, both. Notice of this was immediately sent to the citizens Target and Tronchet.

### DECEMBER 13.

Target has refused to be the counsel of Louis. He gave his reason for his refusal, in a letter read in the Assembly. He is 60 years of age, and left off pleading in 1785, his health not permitting him to continue.

Cambacares announced that Tronchet, the other person mentioned by Louis for that office, had also declined it.

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Lamoignon de Malasherbes, a man 78 years of age, who was one of the ministers of Louis in the beginning of his reign, has offered to defend his cause, and begged the President for a letter to inform the accused of it.—“If Louis accepts me for his counsel,” said he, “I am ready to devote myself in his defence.”

A citizen of Troyes also proposed himself.

The Convention decreed, that the four commissioners who had already been to the Temple, should return to communicate to Louis the refusals and offers concerning his defence.

JANUARY 4, 1793.

The President said, “I announce to the Assembly that Louis and his defenders are ready to appear at the bar. I forbid the members and the spectators to shew any signs of censure or approbation.” Louis then appeared at the bar, accompanied by Malasherbes, Tronchet, Deseze, the Mayor of Paris, and the commandant of the National Guard.

The President said, “Louis, the Convention has decreed, that you shall be definitively heard to-day.”

Louis. “My counsel will read to you my defence.”

M. Deseze then read for some hours the defence, of which the following is the substance, as exactly as we can recollect it. It began thus—

“Citizens Representatives of the Nation, the moment is now arrived in which Louis, accused in the name of the French people, and surrounded by the counsel which humanity and the law have given him is about to deliver his justification. Even the silence with which we are surrounded informs me that the day of justice has succeeded to the days of presumption and pre-judgment. The misfortunes of kings have something much more affecting and more sacred than those of other men; and he who once occupied the most brilliant throne in the universe, ought to excite the most powerful of interests. You have called him into the midst of you, and he is come, with calm dignity,

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strong in his innocence, supported by the testimony of his past life. He has discovered to you his thoughts, by discussing, without preparation, without examination, charges which he could not foresee, and offering an extemporary defence. Louis could only speak of his innocence; I come to prove it. Would that this circle could increase till the whole multitude of citizens, who have received a dreadful impression against him, could be contained in it, that they might form a different opinion. Louis knows that Europe expects, with impatience, the judgment which you shall give; he knows that posterity will, one day, investigate it; but he considers only his cotemporaries. Like him, we forget posterity, and see only the present moment..”

M. Deseze then said, that the question might be considered in two points of view; either with respect to the situation of Louis, before or after his acceptance of the constitution. The nation he admitted was the sovereign, and was free to give itself what form of government it pleased; but the nation itself could not exercise its own sovereignty, and must, therefore, delegate it. In 1789 the nation chose a monarchical government, and decreed the inviolability of its chief. He then shewed that the forfeiture of the throne was the only punishment to which the king, according to the constitution, could be subject, and that it was only for crimes committed after this destitution that he could be tried like other citizens. Either the crimes of which Louis was accused were held crimes for the constitutional act, and, of course, if proved, were to be punished according to that act; or they were not to be found in it, and were, therefore, not to be punished at all.

He would, however, admit, for argument's sake, that the crimes were all proved, and all mentioned in the constitutional act. What then was the punishment? The abdication of the throne. But it might be said, that the nation had already abolished the throne, so that there was no further punishment for Louis in that. But, because circumstances did not justly permit the further punishment of Louis, were new laws to be made, applicable only to one man, and formed since the accusation itself?

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If, however, Louis was to be deprived of his inviolability as a king, he must then, of course, have the right of being judged like a citizen; and, in that case, where were the preparatory forms of trial decreed for citizens by the law? Where were the jurors, those hostages for the life and honour of citizens? Where was the proportion of suffrages which the law had so wisely established? Where that silent ballot which inclosed within the same urn the opinion and conscience of the judge? "I speak to you," said M. Deseze, "with the freedom of a free man: I search among you for judges, and I see only accusers; you would give judgment upon Louis, and you have accused him; you would try him, and you have already expressed your will."

As to the charge of having wished to dissolve the National Assembly, was it forgotten that Louis had convoked it? Was it forgotten, that during 150 years, princes, more jealous of their authority, had constantly refused that convocation? Was it forgotten that, but for Louis, but for the numerous sacrifices to which he had consented, the audience could not then be sitting to deliberate upon the interests of the State?

He would not then speak of the moment in which Talon was said to have the care of producing a counter-revolution, intrusted in part to him; but, even upon an ordinary trial, could it be permitted that papers, taken from a citizen, without an inventory, and unsealed, by the invasion of his house, should be produced in evidence against him. In some of these papers mention was made of money which had been expended; but, even if it was denied that this expence was for purposes of benevolence, could it be forgotten how easily kings were circumvented and deceived. The plan of a letter to La Fayette and Mirabeau was spoken of, but this letter had not been sent; and as to the letter of thanks to Bouille, the Constituent Assembly itself had voted thanks to that officer. But the words were still to be uttered which would immediately overthrow the whole series of accusation; they were these, "Subsequent to all these circumstances Louis accepted the constitution." The constitution was the pact of the alliance between the people and the king;

there was no longer any contention; the past was forgotten. What had been done subsequent to this acceptance was now to be examined.

The constitution had not ordered the guarantee of the king for the ministers; but, on the contrary, had commanded the responsibility of the ministers for the king; and, even if the constitution was forgotten, the king and his ministers could not be both accused for the same acts. Louis had been accused of delaying the execution of the decree relative to Avignon: the minister Delessart had been accused of the same thing. Louis had been accused of not communicating intelligence of the treaty of Philintz; but was not that the province of the minister, even if it had been a public, instead of a secret, transaction? He had been reproached with the troubles of Nîmes, Jales, and other places; but was the king to be answerable for all the troubles of a great revolution? The account given by Narbonne was laid to the charge of Louis; but, had not the National Assembly itself declared that Narbonne carried with him the regret and the confidence of the nation? The surrender of Longwi and Verdun were imputed to him; but were not the inhabitants of those places the guilty persons? And who had appointed the commander at Verdun—who chose rather to die than yield? Was it not Louis?

M. Deseze pursued his speech with much perspicuity, contending, and shewing, that either Louis had no knowledge of the circumstances, with which he was charged; or that they were not criminal; or that he could not be held responsible for them; or that, if responsible, the punishment could not justly, or even lawfully, be greater than deposition.

With respect to the affair of the 10th of August, he argued, that the king had made no preparations, but for the defence of his palace; that the constitutional magistrates were with him, and that one of those read the article of the law, which authorized the opposition of force to force; that when he was invited to the assembly he went there, and that the battle did not commence till an hour afterwards. It had been said by many deputies in the Convention that they had  
assisted

assisted in producing the events of that day; if then they were premeditated how could Louis be accused of them? Louis who had never given a sanguinary order, who, at Varennes, chose rather to return a captive than to expose the life of one man; who, on the 20th of June, refused every sort of defence, and chose rather to stay alone in the midst of his people. Louis, of whom history will be heard to say, that during a reign of twenty years he had borned only an example of manners, justice, and economy; who had abolished servitude in his domains; who when the people wished for liberty gave it them.

At the conclusion of the speech Louis rose and said, "Citizens, the means of my defence have been just exposed to you, I shall not resume them. In speaking to you, perhaps, for the last time, I declare that my conscience reproaches me with nothing. My defenders have said only the truth.

"My heart is torn when I perceive myself suspected of having wished to shed the blood of the people, and especially of being the author of what passed on the 10th of August. I avow that the multiplied proofs of my love for the people seem to me sufficient to remove from me this charge, and prove that I have not feared to expose myself, that blood might be saved."

He was asked if he had any thing more to say in his defence, to which he replied, "No."

It was then nearly three o'clock, and Louis retired. The Convention, after a long debate, resolved, that the trial should be proceeded in, to the suppression of every other affair, until judgment was given.

The unhappy Louis delivered his few words with an air of the greatest sincerity and emotion, shedding tears as he spoke.

#### JANUARY 14.

Lehardi moved, that it be previously decided by a nominal call, if the decree that is to be pronounced on the fate of Louis shall be sanctioned by the nation at large.

Another proposed these questions—

1. Is it compatible with the interest of the State that Louis be deprived of his dignity?

2. Is



2. Is it proper he should suffer death, or should he be imprisoned for life?

3. In either case, shall an appeal to the people take place? Coulthon and Gauthier moved that the following question be first put:

1. Is Louis guilty of high treason and conspiracy against the liberty and sovereignty of the nation?

Louvet moved, that in order to shew a proper respect to the opinions of different members, it should be first decided, whether or not the appeal to the sovereign people should take place?

Cambaceres was of opinion, that the Convention ought to pronounce a judgment in *ipso facto*; he expressed at the same time his doubts, if the Convention had such a power vested in them; he therefore moved, that to avoid all difficulties, the Convention should make an appeal to the Primary Assemblies, to consult them, whether or not it is their wish that the Convention should judge Louis, and pronounce sentence upon him,

Quinette was for judging Louis, and referring his sentence to the sovereign people in the primary Assemblies.

The Mountain became extremely clamorous, and wished that Louis should be immediately sentenced to suffer death; that his sentence should be pronounced, and afterwards referred to the ratification of the people.

After many debates, the discussion was finally closed, and the following three questions adopted on the motion of Barrere.

1. Is Louis guilty or not guilty of high treason, and attempts against the safety of the State?

2. Shall the appeal to the people take place?

3. What punishment shall he suffer?

JANUARY 15,

Bouzet moved, and the Convention decreed, that every member who should vote on the questions terminating the judgment of Louis should have his name inscribed in a book destined for that purpose, and that the different names should be sent to the eighty-four departments.

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Here Manuel, one of the Secretaries, read the question, on which the members of the Convention were to vote, viz.

Is Louis guilty or not guilty of high treason, and of attempts against the general safety of the state?

The nominal call began. M. Salles read the names, and each member ascended the tribune.

The following members then voted—

Buzot. I vote that Louis be imprisoned with his family, till all the nation shall unite to decide his fate.

Lanjuinais, Louis is guilty.

Boudron. I declare Louis is guilty.

Vandelicourt. Legislators, I do not chuse to be a judge in criminal matters.

Offelin. I know that Louis paid his guards at Coblenz. I therefore do pronounce him guilty.

M. Egalite. Guilty.

Danton. Guilty.

Noel. I once had a son. He died in defence of his country. I do not think that a father who bewails a son slain, can be the judge of him who is accused of being the author of his wretchedness.

Maure. Guilty on my honour and conscience.

Valady. I cannot pronounce, for I am no judge.

Fauchet. As a citizen I am convinced of his guilt; as a legislator I declare him guilty; as a judge I have nothing to say.

Dubos. As a judge I do declare Louis guilty; but we ought to appeal to the people.

Laumont. I cannot believe that the Convention have all powers invested in them: upon the present matter I shall be silent for ever.

Lanriere. I did never vote that the Convention should judge Louis, so I cannot vote on the business in question.

Bonfret. I vote for the safe custody of Louis till the termination of the war, and then let the decree of his fate be submitted to the people.

Meynard was of the same opinion.

Julien. I am invested with unlimited powers; and in virtue of my legislative capacity, I do declare Louis is guilty.

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JANUARY 17.

The Deputies voted in their turn, according to the order prescribed, and their votes were generally accompanied with a reason for their opinions.

Ysabeau. It is equally repugnant to my character and principles to any man whatever, except a tyrant, and a tyrant does not resemble a man. Besides it is not I, who pronounce this sentence—it is the law, it is the penal law. This shall be the first and only time of my life that this awful word shall come from my lips, for I would not live if my country had yet a king to condemn: I vote the punishment of death.

Desfigoyte. I will not compound with tyrants—I vote for death, and the immediate execution of that sentence.

Garan de Coulon. I think that we ought not to exercise at once the functions of a jury, or accusation, a jury of judges, and accusers. The people have not delegated to us the right of pronouncing sentence without their ratification; I think that where men place themselves above law and the sovereignty of the people, there tyranny prevails. I respect a contrary opinion, but I cannot submit to it. I vote for the imprisonment of Louis as a necessary measure for the public safety.

Chabot: I vote for death, because Louis has been a tyrant—because he is still one, and because he will still continue to be so.

Louvet. I vote for death, but with this express provision, that the execution of that sentence shall be delayed until the Constitution, which you have formed, shall receive the sanction of the people.

Pons de Verdun. Louis has passed the limits of constitutional inviolability. Between the crimes provided for by a constitution, which he had annihilated, and those of which he is found guilty, I see the same difference as between poison and assassination. In exceeding the measure of his crime, he becomes liable to a punishment in proportion. Shall he be treated with less

less severity than his co-conspirators? The rights of man rise up with force. They may reproach me with disguising my opinion under the cover of policy, or pusillanimity. They may accuse me of weakness, if I permit myself to be frightened with vain phantoms. Louis has been accused by the whole nation of having conspired against its liberties. We have been convinced of the truth of this charge. My conscience tells me to open the penal code; it pronounces against Louis the punishment of death, which many of his accomplices have already suffered.

Cambaceres. I think, that the National Convention ought to decree, that Louis shall incur the pains which the law dictates against conspirators, but that the execution of this decree shall be put off until the cessation of hostilities, when the fate of Louis ought to be ultimately determined, either by the Convention or the Legislature that shall succeed it: until then he shall be kept in custody. But in case of an invasion of France by the enemies of the republic, that the decree shall be forthwith put in execution.

J. B. Lacoste said, the tyrant while in life is the centre of all our enemies, both within and without. Dead, he will be the terror of confederated kings and their satellites; his shade will disconcert the projects of traitors, put a period to our troubles and factions, give peace to the republic, and finally destroy the prejudices which have led mankind astray. The tyrant is declared guilty of the greatest of all crimes, of having attempted to subjugate the nation—the law pronounces the punishment of death against such an attempt. In obedience to the law I vote for death.

Robespierre. Although you are not constituted the judges of Louis according to the ordinary forms, are you the less his judges? You cannot separate characters of judges and legislators—they are indivisible—you have been satisfied of the crimes of the tyrant, it is for you therefore to punish. No considerations ought to weigh with you on the punishment to be inflicted on the greatest criminal that ever was. I vote for the punishment of death.

Danton. I am not one of the crowd of statesmen who have no other rule of determination but upon political con-

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siderations; I am a republican, and as such do not hesitate upon the choice of a punishment reserved for Louis the Last. It becomes you to strike tyrants with terror by a dreadful example. I vote for death.

Manuel. The Romans have been spoken of—their example has been quoted—but can we refrain from acknowledging this great truth, that the great law of death belongs to nature only. If Louis had been tried before the ordinary judges they would have been under the necessity of pronouncing sentence of death, but we, the representatives of the people, who are not bound to obey the penal code, ridiculously severe—we whom the nation sent to dissipate error, and proclaim truths and principles, ought not to hesitate in pronouncing that the life of a man, although guilty, is not at the will of society. I vote for the imprisonment of the tyrant in the very place where the victims of his despotism have languished during the duration of the war, and his expulsion when a peace shall be made.

Robert. I vote for death; and if I have any regret, it is that my power does not extend to all tyrants, I should then pass sentence of death upon them all.

M. Rouzet gave his opinion for his being shut up for a time, not as a punishment, but as a measure of prudence.

M. Laplaigne, after having examined whether they could judge Louis, or if he could be judged, and what punishment ought to be awarded, gave his opinion for death.

M. Vergniaud. I would appeal to the people, because political considerations require it. The Convention has decided otherwise. I am silent. It remains to pronounce punishment. He thought him guilty of conspiracy. The penal code pronounced death against conspirators. He pronounced it against Louis, but with the same restriction as Mailhe.

M. Gaudet was of the same opinion.

Genfonne gave his opinion for death; and demanded, that after his execution the Convention should consider what is to be done with his family, and shall examine into the crimes committed on the 2d of September.

M. Amar

M. Amar said, the life of Louis was only a series of crimes. His existence ought to be detested; his death to be desired as our happiness; the law demands his death. I swear by Brutus that he must die.

M. Darligoete. I am both judge and legislator: as judge, I should be afraid that the blood spilt at the Thuilleries, and on the frontiers, would cry for vengeance against me, and my descendants, if the head of Louis did not fall under the sword of the law. As legislator, the safety of the people ought to be the supreme law. The existence of Louis may be the signal of a civil war; he must therefore die, and suddenly, because a republican makes no composition with his conscience.

M. Cadroy endeavoured to prove, that Louis according to the penal code, could not be judged, because, having violated, with respect to him, the necessary forms of law, it was unjust to seek for the greatest rigour of the same law. He considered the sentence to be pronounced with regard to the public safety; and voted for imprisonment.

M. Leroux. My only regret is, that the head of every tyrant is not united with that of Louis, that in voting against him, I might be certain of destroying the hydra of despotism.

M. Lehardy. I am only a legislator, not a judge: in what light can you be considered as judges? it cannot be for your impartiality; for there are more than sixty of you, who by your writings have not only condemned Louis to death, but also boasted, that if the sword of justice did not strike his guilty head, you would assassinate him. History teaches us, that the death of a tyrant does not always destroy tyranny, but sometimes produces a greater number of tyrants. I vote then that he may live, and remain among us till the people have excepted the new constitution.

M. Blaux. One of my sons died in the American war. I regret it, because he lost his life for a despot. A second son has been massacred at Frankfort. I do not lament his death, because he died for his country. I can-

not pronounce sentence against him who has occasioned the death of my children : but, as legislator, I vote for his imprisonment.

M. Cloutz. Louis and Frederick William are tyrants. I demand of mankind what punishment they deserve : they answer me death, I then vote for it.

Philip Egalite. I have performed my duty, being fully convinced that those who have made, or shall make, an attempt against the sovereignty of the people, deserve death, I vote for death.

Marat. We are to judge the principle author of those rivers of blood which ran on the 10th of August, and of those evils which desolate France. The death of a tyrant in 24 hours is for the public weal.

Fabre D'Eglantine unveiled a singular theory on sovereignty ; he cited many passages from Rousseau, to shew that the general will, and consequently the sovereignty, could not be collected from the Primary Assemblies, because these Assemblies were but the representatives of the social body ; that in order to collect the true sense of the whole people they must be all collected. He therefore concluded, that as an appeal to the people tended to subvert the system of representation, he would vote for death,

Thomas Paine voted for temporary imprisonment, and perpetual banishment when a peace shall be concluded.

A member rose after him and said, that the opinion of Thomas Paine was a sufficient authority for him to follow. He voted for imprisonment, and banishment after the war.

Brissot. Whatever the judgment of the Convention may be upon this question, it will produce innumerable misfortunes. If imprisonment, it will be an eternal pretence to the factious ; the Convention will be accused of weakness, their pusillanimity will be reviled—If death, it will be the signal for a universal war. There is only one method in my opinion left to conciliate the minds of nations. It is to join the sentence of the Convention with that of the nation—It is to pronounce the sentence  
of

of death, and to suspend the execution of that sentence until the ratification of the constitution.

Pétion was of the opinion of the last speaker, with some little difference. He wished for a discussion of the opinion of Brissot.

Kerfaint. I think Louis guilty; but this is not proved. I have but moral certainty, I therefore am not able to decide. To the people alone this right belongs. But as I am under a necessity of giving my opinion on the question, I vote for imprisonment, and banishment after the peace.

M. Barrere. I have examined the law of banishment, and found that a dethroned king was a bad diplomatic coin. I am of opinion that he who has occasioned the shedding of blood, ought to die.

M. Mafuyer thought that his death would be an advantage, both to external and internal enemies. He thought that all the partizans of royalty would interest themselves the more for his son, innocent of his father's crimes. He observed, that foreign powers wished for his death, as proved by papers found in the portefeuille of Monsieur, in which case Monsieur was to be considered by the King of Prussia as *regent* during a minority; while the court of Vienna wished to confer that authority on Marie Antoinette. He then observed, that many dethroned kings, whom he mentioned, had never recovered their thrones. He voted for imprisonment.

These reflections were continued till five o'clock at night. The president then informed the Convention, that the defenders of Louis demanded to be admitted to the bar.

M. Duchastel now entered, who had been sick and absent; the question was, shall he be heard; he was at length admitted. After having declared, that in his opinion, Louis was not guilty, he voted for his banishment.

The restrictions with which many members had given their opinions was then considered.

M. Chambon maintained, that every one of his colleagues



leagues might demand an arrest of judgment upon the execution of the sentence, after it shall have been pronounced.

Great tumult now ensued. A conspiracy was declared to have been intended; and the sick member, it was said, had confessed that he came for that purpose.

M. Duchastel was desired to give up the name of the person who had gone to bring him to vote.

M. Manuel, who had given his place to Chabot, wished to pass by the side of the Mountain. He was prevented, and took the other side. On this, terrible uproar was heard from the side where Phillippe d'Orleans was. Some demanded that Manuel should return to his post; others said, that M. Duchastel had only been brought to turn the balance in favour of Louis, because there was only one voice wanting for that purpose.

M. Gorsas explained the affair of Manuel, and said that the majority was evidently against Louis.

In five, at a quarter after eight o'clock, the president read the result of the appeal nominal, and then, in the name of the National Convention; he declared, *that the punishment to be inflicted upon Louis was Death*, which was carried by a majority of five only.

Upon this the three counsel of Louis XVI. presented themselves at the bar.

M. de Seze read a declaration, written and signed in Louis's own hand, conceived in these terms:

I owe it to my honour, I owe it to my children, to my wife—I owe it to myself, not to subscribe to the judgment, which the National Convention has just passed against me; in consequence, I declare, that I appeal from it to the nation itself, and empower my council to make known immediately this appeal to the national Convention, and to demand that mention be made of it in the minutes of the sitting.

(Signed)

Louis.

M. de Seze then prayed the National Convention, in the name of his colleagues, to consider with what a small majority the punishment of death was pronounced against

against Louis. Do not afflict France, added this respectable citizen, by a judgment that will appear to her to be terrible, when five voices only were thought sufficient to carry it. He invoked the eternal justice, and sacred humanity, to determine the Convention to refer their judgment to the tribunal of the people.

We declare, said M. Tronchet, that it is inconceivable that the greatest numbers of voters have invoked the penal code to justify their judgment, and that they have forgot the humanity of the law in favour of the accused. They have forgot that the law requires two thirds of the voices for the decision.

M. Maléshèrbes demanded of the assembly to grant him till to-morrow, to make such reflections as crowded upon his imagination—After the defenders of Louis had finished their observations, they were invited to the honours of the sitting.

M. Robespierre opposed the inserting in the *procès-verbal*, the appeal to the people demanded by Louis. He demanded that such an appeal be declared contrary to the principles of public justice, and an invasion of the authority of the National Convention, and that those ought to be considered as conspirators who thought otherwise.

M. Gaudet was also against the appeal to the people; but he demanded an adjournment till after M. Maléshèrbes had been heard upon the question to be considered, whether it is for the interest of the French people, that the execution of the judgment pronounced against Louis ought to be delayed or accelerated.

The previous question rejected the appeal to the people, and the observations to be made by M. Maléshèrbes; and it was decreed, that the National Convention should examine, whether the national interest required or did not require an arrest of judgement upon the execution of the sentence pronounced against Louis,

Thus, after 36 hours, the sitting was finished—a sitting that the latest posterity will never forget.

JANU.

JANUARY 18.

After the dispatch of some preliminary matters, the Convention proceeded to the further discussion of the Trial of Louis.

Breard moved, 1st, That the secretaries should withdraw, and correct the minutes, that they might be ready by tomorrow's sitting; and 2d, That the Convention should order an address to be addressed to the people, upon the judgment of Louis Capet.

Thurot opposed the second of these propositions, as a measure beneath the dignity of the Convention and the people of France; as, on the one hand, it would represent the sentence pronounced on Louis, as a daring action which required an apology; and, on the other hand, would infer a supposition, that the tyrant had partizans among the French people. He then moved, that the Convention should not separate, until they had pronounced upon the question of the delay demanded in favour of Louis.

Tallien supported the opinion of the last speaker, on the principles of humanity. Louis, said he, knows that he is condemned. Would it not then be barbarous in the extreme, to leave him long in the anguish naturally attached to such a situation.

Couton was of the same opinion. I know, said he, that by this example of justice, we shall draw upon our heads the vengeance and the rage of tyrants; but these reflections have no weight with me. I move therefore, that the judgment may be executed in 24 hours, and an account thereof instantly transmitted to the 84 departments, by extraordinary couriers.

Roberfpierre. Since Louis has been declared guilty and worthy of death, I cannot see the propriety of separating without deciding a question, which we are all engaged by one common interest to determine with promptitude. We have voted the death of the tyrant—ought we not then to put a period to tyranny by hastening judgment.—I cannot think there is a man in this Convention who would refuse himself the glory and courage

rage of acquiring by this means, the admiration of posterity. Why did you make a decree if you did not mean to execute it? the condemnation of Louis pronounced and not executed will revive the hopes of those who wish to save him from the scaffold. If honour and justice will not engage you, to order his immediate execution, I demand an adjournment of the question till to-morrow; when I flatter myself we shall not part without coming to an ultimate decision.

The question of adjournment being put, the president pronounced an adjournment till the next day and left his seat.

Robespierre again rose and stated that a plot had been discovered, for taking away the life of Louis, that he might avoid the ignominy of dying on a scaffold.

Several Members announced that a report was spread, that an attempt had been made to set fire to the chamber of Louis, but that measures had been taken to prevent its taking effect.

After some further conversation the members left the hall.

### JANUARY 19.

M. Barrere took the chair. A letter was read from the commissioners sent to Moët Blanc: they voted for the death of Louis.

An order of the Council General of the Commons of Paris was read, which forbade any further communication between Louis and his counsel, and that the commissioners at the Temple should never leave him alone.

M. Choudieu called for the order of the day, and it was determined that the question should be decided before they separated.

M. Bourdon demanded, that the call of the names should take place, to determine whether there should be an arrest of judgment of the execution of sentence pronounced against Louis, or not. Many persons presented themselves to speak on the question.

E

M. Valeze

M. Valeze said, he wished for no longer delay, than till the whole family of the Bourbons were expelled from the territory of the republic.

M. Marat, after declaring that these delays were only the fruits of the plots of a few factious persons, added, "You have decreed a Republic; but it will only be a castle of papers as long as the head of the tyrant remains on his shoulders." He demanded the previous question on the arrest of judgment, and that the sentence should have its full and entire execution in 24 hours.

M. Barbaroux opposed the arrest of judgment, which, in his opinion, was very dangerous; he therefore demanded his immediate execution.

M. Goufroi made a severe attack, both upon the secretaries, whom he accused of perfidy, and on those who thought a prompt execution would give room to misfortunes, whose term might be uncertain.

Brissot considered the question in a political point of view, and after expatiating on the innumerable evils, to which, in his opinion, France was about to be exposed, demanded a delay until the constitution to be formed should be accepted by the people. "Who," he exclaimed, "can have greater reason than myself to wish for the fall of tyrants? Who ought to entertain a greater dread of their triumph? Truth, however, obliges me to declare, that those do not confine themselves to the question, who see here the man and his crimes only. I, for my part, extend my views to the safety of the republic.—Let us not, however, calumniate our reciprocal opinions, but let us consider coolly what we are now to do. Is it the interest of France to suspend the execution of the sentence of Louis the sixteenth? I say yes—and I will now prove it.

"The too precipitate execution of this sentence will infallibly turn the opinion of all Europe against France. It will diminish the number of our friends, by augmenting the number of our enemies, because we are not associated. I do not say with the wish, but with the opinion of the departments.

"I entreat

“ I entreat you to be just, to be calm, otherwise all the nations of Europe will declare against you one common war.”

“ Disorders and troubles in the departments are already announced to you; they will cease to exist, provided you will associate with the opinion of the departments the decree you are about to frame.”

M. Legendre, on this occasion, knew of no policy; but he knew as little, however, of the factions which declared, that for the sake of justice, it was necessary that the head of Louis should fall at the scaffold.

Thomas Paine, from a persuasion that the National Convention ought not to prolong its sittings beyond five or six months, was of opinion that the execution of the sentence, which he had wished to be referred to the Primary Assemblies should be delayed. He prayed the Convention to reflect, that France had only one ally to depend upon, in the war all the coalesced powers of Europe were about to wage against her; and this ally was North America. The virtuous citizens of that favoured country regarded Louis as their best friend, because he had procured them liberty. “ Do not, exclaimed he, afflict their sensibility; do not expose them to such painful sentiments. Let the voice at least of your interest make itself heard. The wood for constructing your ships of war, cannot be found in the North of Europe, about to declare against you.

“ North America alone can supply you with this wood: will you deprive yourselves of such a resource? Louis would not have been a bad man, had he been surrounded by virtuous citizens. He owes his present misfortunes to the Constituent Assembly, who, without consulting the French Nation, which should alone have pronounced on such an occurrence, had the temerity and folly to replace on his head, the crown he had just abdicated.”

Barrere was against a delay, and demanded the nominal appeal.

A member was desirous, that before the appeal should be had recourse to, it should be decreed, that provided a delay

try should not take place, the sentence should be executed within 24 hours.

Another member was of opinion, that the male Bourbons should be exiled to Marseilles.

Mailhe demanded that the question should be stated in these terms; *Shall there, or shall there not, be a delay, till the 15th of February next?*

After some debate, the question was determined thus simply—*Shall there, or shall there not be a delay?*

The nominal appeal commenced at eight o'clock. At midnight the president announced

*That no delay could take place, there being a majority of voices for the execution of the sentence at the expiration of twenty-four hours.*

THE

## THE EXECUTION OF LOUIS XVI.

The following is the report of the *Commune of Paris* of this horrid murder :

The proclamation of the Provisional Executive Council relative to his execution, had hardly been notified to Louis, before he requested permission to confer with his family. The commissioners testifying their embarrassment at this request, proposed to him, that his family should be brought into his apartment; to which he agreed. His wife, his children, and his sister accordingly came to him; and they conferred together in the room, in which he was accustomed to dine. This interview lasted two hours and an half; their conversation was very earnest. After his family had retired, Louis told the commissioners that he had been obliged to use strong language to his wife.

His family had asked, whether they might not see him again in the morning. To this he made no answer, and Madame Elizabeth saw him no more. Louis cried out in his chamber, "Oh, the murderers! the murderers!" Addressing herself to the son, Marie Antoinette said, "Learn by the misfortunes of your father not to avenge his death."

The morning of his execution Louis asked for scissars to cut his hair; they were refused him.

When they took away his knife he exclaimed, "Do they think me base enough to destroy myself?"

The Commandant General and the Commissioners of the *Commune* ascended, at half past eight o'clock in the morning, to the apartment of Louis, and signified to him the order which they had received to conduct him to the place of execution.—Louis required three minutes to speak to his confessor, which were readily granted.—Immediately after, Louis presented a packet to one of the commissioners, with an entreaty to convey it to the Council General of the *Commune*.

Jaques



Jaques Roux, the citizen to whom Louis addressed himself, answered, that he could not take charge of it, because his mission was only to conduct him to execution; but he engaged one of his colleagues, who was on duty in the Temple, to do what Louis desired; with which he was satisfied.

Louis then told the Commandant General that he was ready; and in going out of his apartment, he begged the Municipal Officers to recommend to the commune, the persons who had been in his service, and to beg that they would give his Valet-de-Chamber, Clery, a situation under the Queen—correcting himself, he said “under my wife.” They answered Louis, that an account would be given of what he required to the Commune.

Louis crossed on foot the first court; in the second he mounted into a carriage, in which were his confessor, and two officers of the Gensd'armes. The executioner awaited him at the Place de la Révolution. The whole train moved along the Boulevards to the place of execution, where Louis arrived at ten minutes after ten o'clock. He undressed himself, mounted the scaffold with firmness and courage, and shewed an inclination to harangue the people, but the executioner of criminal justice, by the order of General Santerre, and by sound of drum, gave him notice that he was only to receive his sentence.

The head of Louis was then struck off; and being exhibited, a thousand cries were heard of *Vive la Nation, Vive la République Française.*

The spectators rushed towards the scaffold, to behold the dismal remains of a dethroned monarch. His hair was distributed, and sold to the crowd. Some people dipt their handkerchiefs in the blood that flowed, and tossing them in the air, cried, *Behold the blood of the Tyrant.*

After the execution, his mortal part was carried to the burying ground of *la Madière.* To accelerate the dissolution of his body, lime was thrown into his grave. Guards were placed to prevent his being taken away in the night.

LAST

**LAST WILL AND TESTAMENT  
OF LOUIS,**

**AS FOUND IN THE TEMPLE,**

**AND DELIVERED BY THE COMMISSIONERS TO THE  
COMMUNE OF PARIS.**

In the name of the Holy Trinity, Father, Son, &c.

This 25th of December, 1792, I, Louis, sixteenth of the name, King of France, imprisoned in the Temple for more than four months, by those who were my subjects, involved in a trial; of which the issue cannot be known, from the passions of men, in the presence of God, declare my sentiments.

I leave my soul to God, my creator, praying him not to judge it according to my merits, but those of Jesus Christ.

I acknowledge what is contained in the symbol of the sacraments, and the doctrine of the church; I refer to the church for an explanation of its dogmas; and do not pretend to judge those who are in error.

I pray God to forgive me, for having put my name to acts, which may be contrary to the dogmas of the Catholic church, although I did it on compulsion.

I pray those, whom I may have offended by disregard, to pardon the ill I have done them.

I pardon those who have become my enemies, and I pray God to pardon them in the same manner.

I commend to God, my wife, my children, and my sister; I recommend my children to my wife, and intreat her to watch over their education; I pray my sister to continue her tenderness to my children; I intreat my wife to pardon me for what she has suffered on my account.

count; and I recommend to my children to obey their mother, and always to have God before their eyes.

I recommend to my son, if ever he becomes king, to think only of the happiness of his fellow citizens, and to be mindful that he never can be happy, but by ruling according to the laws.

I recommend to my son the persons who have been attached to me.

I recommend to my son, M. M. Chamiley and Flut. I beg M. M. of the Commune to deliver to Clery (his valet) my cloaths, my watch, and the trifles that were taken to the Commune.

I beg M. M. Malesherbes, Tronchet and Deseze, to receive my tender acknowledgement.

I protest, that I am not guilty of any of the crimes, with which I am reproached.

This will was sent by the Commune to the Executive Powers.

F I N I S.



