

bottomed chairs, a pine table, two lighted candles, a stool in front of the table.

The chairs were for the judges, and the stool for the accused. At either end of the table also stood a stool, one for the commissioner-auditor, who was a quartermaster; the other for the registrar, who was a corporal.

On the table were a stick of red sealing-wax, a brass seal of the Republic, two inkstands, some sheets of white paper, and two printed placards spread open, the first containing the declaration of outlawry, a second the decree of the Convention.

The centre chair was backed up by a cluster of tri-coloured flags; in that period of rude simplicity decorations were quickly arranged, and it needed little time to change a guard-room into a court of justice.

The middle chair, intended for the president, stood facing the prison door.

The soldiers made up the audience.

Two gendarmes stood on guard by the stool.

Cimourdain was seated in the centre chair, having at his right Captain Guéchamp, first judge, and at his left Sergeant Radoub, second judge.

Cimourdain wore a hat with a tri-coloured cockade, his sabre at his side, and his two pistols in his belt. His scar, of a vivid red, added to his savage appearance.

Radoub's wound had been only partially staunch. He had a handkerchief knotted about his head, upon which a blood-stain slowly widened.

At midday the court had not yet opened its proceedings. A messenger, whose horse could be heard stamping outside, stood near the table of the tribunal. Cimourdain was writing—writing these lines:

"Citizen members of the Committee of Public Safety—Lantenac is taken. He will be executed to-morrow."

He dated and signed the despatch; folded, sealed, and handed it to the messenger, who departed.

This done, Cimourdain called in a loud voice, "Open the dungeon."

The two gendarmes drew back the bolts, opened the door of the dungeon, and entered.

Cimourdain lifted his head, folded his arms, fixed his eyes on the door, and cried, "Bring out the prisoner."

A man appeared between the two gendarmes, standing beneath the arch of the doorway.

It was Gauvain.

Cimourdain started. "Gauvain!" he exclaimed.

Then he added, "I demand the prisoner."

"It is I," said Gauvain.

"Thou?"

"I."

"And Lantenac?"

"He is free."

"Free!"

"Yes."

"Escaped?"

"Escaped."

Cimourdain trembled as he stammered, "Truly, the castle belongs to him—he knows all its outlets. The dungeon may communicate with some secret opening—I ought to have remembered that he would find means to escape. He would not need any person's aid for that."

"He was aided," said Gauvain.

"To escape?"

"To escape."

"Who aided him?"

"I."

"Thou?"

"I."

"Thou art dreaming!"

"I went into the dungeon; I was alone with the prisoner; I took off my cloak; I put it about his shoulders; I drew the hood down over his face; he went out in my stead, and I remained in his. Here I am."

"Thou didst not do it!"

"I did it."

"It is impossible!"

"It is true."

"Bring me Lantenac!"

"He is no longer here. The soldiers, seeing the commandant's cloak, took him for me, and allowed him to pass. It was still night."

"Thou art mad!"

"I tell you what was done."

A silence followed. Cimourdain stammered, "Then thou hast merited"—

"Death," said Gauvain.

Cimourdain was pale as a corpse. He sat motionless as a man who had just been struck by lightning. He no longer seemed to breathe. A great drop of sweat stood out on his forehead.

He forced his voice into firmness, and said, "Gendarmes, seat the accused."

Gauvain placed himself on the stool.

Cimourdain added: "Gendarmes, draw your sabres."

Cimourdain's voice had got back its ordinary tone.

"Accused," said he, "you will stand up."

He no longer said "thee" and "thou" to Gauvain.

III.—THE VOTES.

Gauvain rose.

"What is your name?" demanded Cimourdain.

The answer came unhesitatingly—"Gauvain."

Cimourdain continued the interrogatory: "Who are you?"

"I am commander-in-chief of the expeditionary column of the Côtes-du-Nord."

"Are you a relative or connection of the man who has escaped?"

"I am his grand-nephew."

"You are acquainted with the decree of the Convention?"

"I see the placard lying on your table."

"What have you to say in regard to this decree?"

"That I countersigned it, that I ordered its carrying out, that it was I who had this placard written, at the bottom of which is my name."

"Make choice of a pleader."

"I will defend myself."

"You can speak."

Cimourdain had become impassible. But his impassibility resembled the sternness of a rock rather than the calmness of a man.

Gauvain remained silent for a moment, as if collecting his thoughts.

Cimourdain spoke again. "What have you to say in your defence?"

Gauvain slowly raised his head, but without fixing his eyes upon either of the judges, and replied:

"This: one thing prevented my seeing another. A good action seen too near hid from me a hundred criminal deeds; on one side an old man, on the other three children—all these put themselves between me and duty. I forgot the burned villages, the ravaged fields, the butchered prisoners, the slaughtered wounded, the women shot; I forgot France betrayed to England; I set at liberty the murderer of our country. I am guilty. In speaking thus I seem to speak against myself; it is a mistake. I speak in my own behalf. When the guilty acknowledges his fault, he saves the only thing worth the trouble of being saved—honour."

"Is that," returned Cimourdain, "all you have to say in your own defence?"

"I add that, being the chief, I owed an example; and that you in your turn, being judges, owe one."

"What example do you demand?"

"My death."

"You find that just?"

"And necessary."

"Be seated."

The quartermaster, who was auditor-commissioner, rose and read, first, the decree of outlawry against the ci-devant Marquis de Lantenac; secondly, the decree of the Convention ordering capital punishment against whoever should aid the escape of a rebel prisoner. He closed with the lines printed at the bottom of the placard, forbidding "to give aid or succour to the rebel named below, under penalty of death;" signed: "Commander-in-Chief of the Expeditionary Column—Gauvain." These notices read, the auditor-commissioner sat down again.

Cimourdain folded his arms, and said, "Accused, pay attention. Public, listen, look, and be silent. You have before you the law. The votes will now be taken. The sentence will be given according to the majority. Each judge will announce his decision aloud, in presence of the accused, justice having nothing to conceal."

Cimourdain continued: "The first judge will give his vote. Speak, Captain Guéchamp."

Captain Guéchamp seemed to see neither Cimourdain nor Gauvain. His downcast lids concealed his eyes, which remained fixed upon the placard of the decree as if they were staring at a gulf. He said:

"The law is immutable. A judge is more or less than a man; he is less than a man because he has no heart; he is more than a man because he holds the sword of justice. In the 414th year of Rome Manlius put his son to death for the crime of having conquered without his orders. Violated discipline demanded an example. Here it is the law which has been violated, and the law is still higher than the discipline. Through an emotion of pity the country is again endangered. Pity may amount to crime. Commandant Gauvain has helped the rebel Lantenac to escape. Gauvain is guilty. I vote—Death."

"Write, registrar," said Cimourdain.

The clerk wrote: "Captain Guéchamp, death."

Gauvain's voice rang out, clear and firm—

"Guéchamp," said he, "you have voted well, and I thank you."

Cimourdain resumed:

"It is the turn of the second judge. Speak, Sergeant Radoub."

Radoub rose, turned towards Gauvain, and made the accused a military salute. Then he exclaimed:

"If that is the way it goes, then guillotine me, for I give here, before God, my most sacred word of honour that I would like to have done, first, what the old man did, and, after that, what my commandant did. When I saw that old fellow, eighty years of age, jump into the fire to pull three bantlings out of it, I said, 'Old fellow, you are a brave man!' And when I hear that my commandant has saved that old man from your beast of a guillotine, a thousand thunders! I say, 'My commandant, you ought to be my general, and you are a true man, and as for me, I would give you the cross of St. Louis if there were still crosses, or saints, or Louises. O there! Are we going to turn idiots at present? If it was for these sort of things that we gained the battle of Jemappes, the battle of Valmy, the battle of Fleurus, and the battle of Wattignies, then you had better say so. What! Here is Commandant Gauvain, who, for these four months past, has been driving those asses of royalists by beat of the drum, and saving the Republic by his sword, who did a thing at Dol which needed a world of brains to do; and when you have a man like that, you try to get rid of him. Instead of electing him your general, you want to cut off his head. I say it is enough to make a fellow throw himself off the Pont Neuf head foremost. You yourself, Citizen Gauvain, my commandant, if you were my corporal, instead of being my superior, I would tell you that you talked a heap of infernal nonsense just now. The old man did a fine thing in saving the children; you did a fine thing in saving the old man; and if we are going to guillotine people for good actions, why then get away with you all to the devil, for I don't know any longer what the question is about. There is nothing to hold fast to. It is not true, is it, all this? I pinch myself to see if I am awake. I can't understand. So the old man ought to have let the babies burn, and my commandant ought to have let the old man's head cut off! See here—guillotine me. I would as lief have it done as not. Let us suppose. If the children had been killed, the battalion of the Bonnet Rouge would have been dishonoured. Is that what was wished for? Why then, let us eat each other up and be done. I understand politics as well as any of you—I belonged to the Club of the Section of Pikes. Zounds, we are coming to the end! I sum up the matter according to my way of looking at it. I don't like things to be done which are so puzzling you don't know any longer where you stand. What the devil is it we get ourselves killed for? I order that somebody may kill our chief. None of that, Lisette. I want my chief. I will have my chief. I love him better to-day than I did yesterday. Send him to the guillotine? Why, you make me laugh. Now we are not going to have anything of that sort. I have listened. People may say what they please. In the first place it is not possible!"

And Radoub sat down again. His wound had reopened. A thin stream of blood exuded from under the kerchief and ran along his neck from the place where his ear had been.

Cimourdain turned towards the sergeant—

"You vote for the acquittal of the accused?"

"I vote," said Radoub, "that he be made general."

"I ask if you vote for his acquittal?"

"I vote for his being made head of the Republic."

"Sergeant Radoub, do you vote that Commandant Gauvain be acquitted—yes or no?"

"I vote that my head be cut off in place of his."

"Acquittal," said Cimourdain. "Write it, registrar."

The clerk wrote, "Sergeant Radoub, acquittal."

Then the clerk said, "One voice for death; one voice for acquittal—a tie."

It was Cimourdain's turn to vote.

He rose. He took off his hat and laid it on the table.

He was no longer pale or livid. His face was the colour of clay.

Had all the spectators been corpses lying there in their winding-sheets, the silence could not have been more profound.

Cimourdain said in a solemn, slow, firm voice:

"Accused, the case has been heard. In the name of the Republic, the court-martial, by a majority of two voices against one"—

He broke off; there was an instance of terrible suspense. Did he hesitate before pronouncing the sentence of death? Did he hesitate before granting life? Every listener held his breath.

Cimourdain continued:

"Condemns you to death."

His face expressed the torture of an awful triumph. Jacob, when he forced the angel whom he had overthrown in the darkness to bless him, must have worn that fearful smile.

It was only a gleam—it passed. Cimourdain was marble again. He seated himself, put on his hat, and added, "Gauvain, you will be executed to-morrow at sunrise."

Gauvain rose, saluted, and said, "I thank the court."

"Lead away the condemned," said Cimourdain.

He made a sign; the door of the dungeon reopened; Gauvain entered; the door closed. The two gendarmes stood sentinel, one on either side of the arch, sabre in hand.

Sergeant Radoub fell senseless on the ground, and was carried away.

IV.—AFTER CIMOURDAIN THE JUDGE COMES CIMOURDAIN THE MASTER.

A camp is a wasp's nest. In revolutionary times above all. The civic sting which is in the soldier moves quickly, and does not hesitate to prick the chief after having chased away the enemy. The valiant troop which had taken La Tourgue was filled with diverse commotions; at first against Commandant Gauvain when it learned that Lantenac had escaped. As Gauvain issued from the dungeon which had been believed to hold the marquis the news spread as if by electricity, and in an instant the whole army was informed. A murmur burst forth; it was—"They are trying Gervain. But it is a sham. Trust ci-divants and priests! We have just seen a viscount save a marquis, and now we are going to see a priest absolve a noble!"

When the news of Gauvain's condemnation came there was a second murmur:

"It is horrible! Our chief, our brave chief, our young commander—a hero! He may be a viscount—very well; so much the more merit in his being a republican. What, he, the liberator of Pontorson, of Villedieu, of Pont-au-Beau! The conqueror of Dol and La Tourgue! He who makes us invincible. He, the sword of the Republic in Vendée. The man who, for five months, has held the Chouans at bay and repaired all the blunders of Léchelle and the others. This Cimourdain to dare condemn him to death! For what? Because he saved an old man who had saved three children. A priest kill a soldier!"

Thus muttered the victorious and discontented camp. A stern rage enveloped Cimourdain. Four thousand men against one—that should seem a power; it is not. These four thousand men were a crowd; Cimourdain was a Will. It was known that Cimourdain's frown came easily, and nothing more was needed to hold the army in respect. In those stern days it was sufficient for a man to have behind him the shadow of the Committee of Public Safety to make that man formidable, to make imprecation die into a whisper and the whisper into silence.

Before as after the murmurs Cimourdain remained the arbiter of Gauvain's fate, as he did of the fate of all. They knew there was nothing to ask of him, that he would only obey his conscience—a superhuman voice audible to his ear alone. Everything depended upon him. That which he had done as martial judge, he could undo as civil delegate. He only could show mercy. He possessed unlimited power; by a sign he could set Gauvain at liberty; he was master of life and death; he commanded the guillotine. In this tragic moment he was the man supreme.

They could only wait. Night came.

V. THE DUNGEON.

The hall of justice had become again a guard-room; the guard was doubled as upon the previous evening; two sentinels stood on duty before the closed door of the prison.

Towards midnight, a man who held a lantern in his hand, traversed the hall, made himself known to the sentries, and ordered the dungeon to be opened. It was Cimourdain.

He entered, and the door remained ajar behind him. The dungeon was dark and silent. Cimourdain moved a step forward in the gloom, put the lantern on the ground, and stood still. He could hear amid the shadows the measured breath of a sleeping man. Cimourdain listened thoughtfully to this peaceful sound.

Gauvain lay on a bundle of straw at the farther end of the dungeon. It was his breathing which caught the new comer's ear. He was sleeping profoundly.

Cimourdain advanced as noiselessly as possible, moved closer, and looked down upon Gauvain; the glance of a mother watching her nursing's slumber could not have been more tender or fuller of love. Even Cimourdain's will could not control that glance. He pressed his clenched hands against his eyes with the gesture one sometimes sees in children, and remained for a moment motionless. Then he knelt, softly raised Gauvain's hand, and pressed his lips upon it.

Gauvain stirred. He opened his eyes full of the wonder of sudden waking. He recognised Cimourdain in the dim light which the lantern cast around the cave.

"Ah," said he, "it is you my master."

And, he added, "I dreamt that Death was kissing my hand."

(To be continued.)