Chapter 52

THE TRIAL

"Well, I'll say as you did just now, we'll talk about it when I return, if I do."

"Bless me!" exclaimed Bonaparte, "I'm not afraid; you'll kill him as you have the others; only this time, I must admit, I shall be sorry to have him die."

"If you are going to feel so badly about it, general, I can easily be killed in his stead."

"Don't do anything foolish, ninny!" cried Bonaparte; hastily; "I should feel still worse if I lost you."

"Really, general, you are the hardest man to please that I know of," said Roland with his harsh laugh.

And this time he took his way to Chivasso without further delay.

Half an hour later, Roland was galloping along the road to Ivrae in a post-chaise. He was to travel thus to Aosta, at Aosta take a mule, cross the Saint-Bernard to Martigny, thence to Geneva, on to Bourg, and from Bourg to Paris.

While he is galloping along let us see what has happened in France, and clear up the points in the conversation between Bonaparte and his aide-de-camp which must be obscure to the reader's mind.

The prisoners which Roland had made at the grotto of Ceyzeriat had remained but one night in the prison at Bourg. They had been immediately

transferred to that of Besançon, where they were to appear before a council of war.

It will be remembered that two of these prisoners were so grievously wounded that they were carried into Bourg on stretchers. One of them died that same night, the other, three days after they reached Besançon. The number of prisoners was therefore reduced to four; Morgan, who had surrendered himself voluntarily and who was safe and sound, and Montbar, Adler, and d'Assas, who were more or less wounded in the fight, though none of them dangerously. These four aliases hid, as the reader will remember, the real names of the Baron de Sainte-Hermine, the Comte de Jayat, the Vicomte de Valensolle, and the Marquis de Ribier.

While the evidence was being taken against the four prisoners before the military commission at Besançon, the time expired when under the law such cases were tried by courts-martial. The prisoners became accountable therefore to the civil tribunals. This made a great difference to them, not only as to the penalty if convicted, but in the mode of execution. Condemned by a court-martial, they would be shot; condemned by the courts, they would be guillotined. Death by the first was not infamous; death by the second was.

As soon as it appeared that their case was to be brought before a jury, it belonged by law to the court of Bourg. Toward the end of March the prisoners were therefore transferred from the prison of Besançon to that of Bourg, and the first steps toward a trial were taken.

But here the prisoners adopted a line of defence that greatly embarrassed the prosecuting officers. They declared themselves to be the Baron de Sainte-Hermine, the Comte de Jayat, the Vicomte de Valensolle, and the Marquis de Ribier, and to have no connection with the pillagers of diligences, whose names were Morgan, Montbar, Adler, and d'Assas. They acknowledged having belonged to armed bands; but these forces belonged to the army of M. de Teyssonnet and were a ramification of the army of Brittany intended to operate in the East and the Midi, while the army of Brittany, which had just signed a peace, operated in the North. They had waited only to hear of Cadoudal's surrender to do likewise, and the despatch

of the Breton leader was no doubt on its way to them when they were attacked and captured.

It was difficult to disprove this. The diligences had invariably been pillaged by masked, men, and, apart from Madame de Montrevel and Sir John Tanlay, no one had ever seen the faces of the assailants.

The reader will recall those circumstances: Sir John, on the night they had tried, condemned, and stabbed him; Madame de Montrevel, when the diligence was stopped, and she, in her nervous struggle, had struck off the mask of the leader.

Both had been summoned before the preliminary court and both had been confronted with the prisoners; but neither Sir John nor Madame de Montrevel had recognized any of them. How came they to practice this deception? As for Madame de Montrevel, it was comprehensible. She felt a double gratitude to the man who had come to her assistance, and who had also forgiven, and even praised, Edouard's attack upon himself. But Sir John's silence was more difficult to explain, for among the four prisoners he must have recognized at least two of his assailants.

They had recognized him, and a certain quiver had run through their veins as they did so, but their eyes were none the less resolutely fixed upon him, when, to their great astonishment, Sir John, in spite of the judge's insistence, had calmly replied: "I have not the honor of knowing these gentlemen."

Amélie--we have not spoken of her, for there are sorrows no pen can depict--Amélie, pale, feverish, almost expiring since that fatal night when Morgan was arrested, awaited the return of her mother and Sir John from the preliminary trial with dreadful anxiety. Sir John arrived first. Madame de Montrevel had remained behind to give some orders to Michel. As soon as Amélie saw him she rushed forward, crying out: "What happened?"

Sir John looked behind him, to make sure that Madame de Montrevel could neither see nor hear him, then he said: "Your mother and I recognized no one."

"Ah! how noble you are I how generous! how good, my lord!" cried the young girl, trying to kiss his hand.

But he, withdrawing his hand, said hastily: "I have only done as I promised you; but hush--here is your mother."

Amélie stepped back. "Ah, mamma!" she said, "so you did not say anything to compromise those unfortunate men?"

"What!" replied Madame de Montrevel; "would you have me send to the scaffold a man who had helped me, and who, instead of punishing Edouard, kissed him?"

"And yet," said Amélie, trembling, "you recognized him, did you not?"

"Perfectly," replied Madame de Montrevel. "He is the fair man with the black eyebrows who calls himself the Baron de Sainte-Hermine."

Amélie gave a stifled cry. Then, making an effort to control herself, she said: "Is that the end of it for Sir John and you? Will you be called to testify again?"

"Probably not," replied Madame de Montrevel.

"In any case," observed Sir John, "as neither your mother nor I recognized any one, she will persist in that declaration."

"Oh I most certainly," exclaimed Madame de Montrevel. "God keep me from causing the death of that unhappy young man. I should never forgive myself. It is bad enough that Roland should have been the one to capture him and his companions."

Amélie sighed, but nevertheless her face assumed a calmer expression. She looked gratefully at Sir John, and then went up to her room, where Charlotte was waiting for her. Charlotte had become more than a maid, she was now Amélie's friend. Every day since the four young men had returned to the prison at Bourg she had gone there to see her father for an hour or so. During these visits nothing was talked of but the prisoners, whom the worthy jailer, royalist as he was, pitied with all his heart. Charlotte made him tell her everything, even to their slightest words, and later reported all to Amélie.

Matters stood thus when Madame de Montrevel and Sir John arrived at Noires-Fontaines. Before leaving Paris, the First Consul had informed Madame de Montrevel, both through Josephine and Roland, that he approved of her daughter's marriage, and wished it to take place during his absence, and as soon as possible. Sir John had declared to her that his most ardent wishes were for this union, and that he only awaited Amélie's commands to become the happiest of men. Matters having reached this point, Madame de Montrevel, on the morning of the day on which she and Sir John were to give their testimony, had arranged a private interview between her daughter and Sir John.

The interview lasted over an hour, and Sir John did not leave Amélie until the carriage came to the door which was to take Madame de Montrevel and himself to the court. We have seen that his deposition was all in the prisoners' favor, and we have also seen how Amélie received him on his return.

That evening Madame de Montrevel had a long conversation with her daughter. To her mother's pressing inquiries, Amélie merely replied that the

state of her health was such that she desired a postponement of her marriage, and that she counted on Sir John's delicacy to grant it.

The next day Madame de Montrevel was obliged to return to Paris, her position in Madame Bonaparte's household not admitting of longer absence. The morning of her departure she urged Amélie to accompany her; but again the young girl dwelt upon the feebleness of her health. The sweetest and most reviving months in the year were just opening, and she begged to be allowed to spend then in the country, for they were sure, she said, to do her good.

Madame de Montrevel, always unable to deny Amélie anything, above all where it concerned her health, granted her request.

On her return to Paris, Madame de Montrevel travelled as before, with Sir John. Much to her surprise, during the two days' journey he did not say anything to her about his marriage to Amélie. But Madame Bonaparte, as soon as she saw her friend, asked the usual question: "Well, when shall we marry Amélie and Sir John? You know how much the First Consul desires it."

To which Madame de Montrevel replied: "It all depends on Sir John."

This response furnished Madame Bonaparte with much food for reflection. Why should a man who had been so eager suddenly grow cold? Time alone could explain the mystery.

Time went by, and the trial of the prisoners began. They were confronted with all the travellers who had signed the various depositions, which, as we have seen, were in the possession of the minister of police. No one had recognized them, for no one had seen their faces uncovered. Moreover, the travellers asserted that none of their property, either money or jewels, had been taken. Jean Picot testified that the two hundred louis which had been taken from him by accident had been returned.

These preliminary inquiries lasted over two months. At the end of that time the accused, against whom there was no evidence connecting them with the pillage of the coaches, were under no accusation but that of their own admissions; that is to say, of being affiliated with the Breton and Vendéan insurrection. They were simply one of the armed bands roaming the Jura under the orders of M. de Teyssonnet.

The judges delayed the final trial as long as possible, hoping that some more direct testimony might be discovered. This hope was balked. No one had really suffered from the deeds imputed to these young men, except the Treasury, whose misfortunes concerned no one. The trial could not be delayed any longer.

The prisoners, on their side, had made the best of their time. By means, as we have seen, of an exchange of passports, Morgan had travelled sometimes as Ribier, and Ribier as Sainte-Hermine, and so with the others. The result was a confusion in the testimony of the innkeepers, which the entries in their books only served to increase. The arrival of travellers, noted on the registers an hour too early or an hour too late, furnished the prisoners with irrefutable alibis. The judges were morally convinced of their guilt; but their conviction was impossible against such testimony.

On the other hand, it must be said that public sympathy was wholly with the prisoners.

The trial began. The prison at Bourg adjoins the courtroom. The prisoners could be brought there through the interior passages. Large as the hall was, it was crowded on the opening day. The whole population of Bourg thronged about the doors, and persons came from Mâcon, Sons-le-Saulnier, Besançon, and Nantua, so great was the excitement caused by the stoppages, and so popular were the exploits of the Companions of Jehu.

The entrance of the four prisoners was greeted by a murmur in which there was nothing offensive. Public sentiment seemed equally divided between

curiosity and sympathy. Their presence, it must be admitted, was well calculated to inspire both. Very handsome, dressed in the latest fashion of the day, self-possessed without insolence, smiling toward the audience, courteous to their judges, though at times a little sarcastic, their personal appearance was their best defence.

The oldest of the four was barely thirty. Questioned as to their names, Christian and family, their age, and places of birth, they answered as follows:

"Charles de Sainte-Hermine, born at Tours, department of the Indre-et-Loire, aged twenty-four."

"Louis-André de Jayat, born at Bage-le-Château, department of the Ain, aged twenty-nine."

"Raoul-Frederic-Auguste de Valensolle, born at Sainte-Colombe, department of the Rhone, aged twenty-seven."

"Pierre-Hector de Ribier, born at Bollène, department of Vaucluse, aged twenty-six."

Questioned as to their social condition and state, all four said they were of noble rank and royalists.

These fine young men, defending themselves against death on the scaffold, not against a soldier's death before the guns--who asked the death they claimed to have merited as insurrectionists, but a death of honor--formed a splendid spectacle of youth, courage, and gallant bearing.

The judges saw plainly that on the accusation of being insurrectionists, the Vendée having submitted and Brittany being pacificated, they would have to

be acquitted. That was not a result to satisfy the minister of police. Death awarded by a council of war would not have satisfied him; he had determined that these men should die the death of malefactors, a death of infamy.

The trial had now lasted three days without proceeding in the direction of the minister's wishes. Charlotte, who could reach the courtroom through the prison, was there each day, and returned each night to Amélie with some fresh word of hope. On the fourth day, Amélie could bear the suspense no longer. She dressed herself in a costume similar to the one that Charlotte wore, except that the black lace of the head-dress was longer and thicker than is usual with the Bressan peasant woman. It formed a veil and completely hid her features.

Charlotte presented Amélie to her father as one of her friends who was anxious to see the trial. The good man did not recognize Mademoiselle de Montrevel, and in order to enable the young girls to see the prisoners well he placed them in the doorway of the porter's room, which opened upon the passage leading to the courtroom. This passage was so narrow at this particular point that the four gendarmes who accompanied the prisoners changed the line of march. First came two officers, then the prisoners one by one, then the other two officers. The girls stood in the doorway.

When Amélie heard the doors open she was obliged to lean upon Charlotte's shoulder for support, the earth seemed to give way under her feet and the wall at her back. She heard the sound of feet and the rattle of the gendarmes' sabres, then the door of the prison opened.

First one gendarme appeared, then another, then Sainte-Hermine, walking first, as though he were still Morgan, the captain of the Companions of Jehu.

As he passed Amélie murmured: "Charles!"

The prisoner recognized the beloved voice, gave a faint cry, and felt a paper slip into his hand. He pressed that precious hand, murmured her name, and passed on.

The others who followed did not, or pretended not to, notice the two girls. As for the gendarmes, they had seen and heard nothing.

As soon as the party stepped into the light, Morgan unfolded the note and read as follows:

Do not be anxious, my beloved Charles; I am and ever will be

your faithful Amélie, in life or death. I have told all to Lord

Tanlay. He is the most generous man on earth; he has promised me

to break off the marriage and to take the whole responsibility

on himself. I love you.

Morgan kissed the note and put it in his breast. Then he glanced down the corridor and saw the two Bressan women leaning against the door. Amélie had risked all to see him once more. It is true, however, that at this last session of the court no additional witnesses were expected who could injure the accused, and in the absence of proof it was impossible to convict them.

The best lawyers in the department, those of Lyons and Besançon, had been retained by the prisoners for their defence. Each had spoken in turn, destroying bit by bit the indictment, as, in the tournaments of the Middle Ages, a strong and dexterous knight was wont to knock off, piece by piece, his adversary's armor. Flattering applause had followed the more remarkable points of their arguments, in spite of the usher's warnings and the admonitions of the judge.

Amélie, with clasped hands, was thanking God, who had so visibly manifested Himself in the prisoners' favor. A dreadful weight was lifted from her tortured breast. She breathed with joy, and looked through tears of gratitude at the Christ which hung above the judge's head.

The arguments were all made, and the case about to be closed. Suddenly an usher entered the courtroom, approached the judge, and whispered something in his ear.

"Gentlemen," said the judge, "the court is adjourned for a time. Let the prisoners be taken out."

There was a movement of feverish anxiety among the audience. What could have happened? What unexpected event was about to take place? Every one looked anxiously at his neighbor. Amélie's heart was wrung by a presentiment. She pressed her hand to her breast; it was as though an ice-cold iron had pierced it to the springs of life.

The gendarmes rose. The prisoners did likewise, and were then marched back to their cells. One after the other they passed Amélie. The hands of the lovers touched each other; those of Amélie were as cold as death.

"Whatever happens, thank you," said Charles, as he passed.

Amélie tried to answer, but the words died on her lips.

During this time the judge had risen and passed into the council-chamber. There he found a veiled woman, who had just descended from a carriage at the door of the courthouse, and had not spoken to any one on her way in.

"Madame," said the judge, "I offer you many excuses for the way in which I have brought you from Paris; but the life of a man depends upon it, and before that consideration everything must yield."

"You have no need to excuse yourself, sir," replied the veiled lady, "I know the prerogatives of the law, and I am here at your orders."

"Madame," said the judge, "the court and myself recognize the feeling of delicacy which prompted you, when first confronted with the prisoners, to decline to recognize the one who assisted you when fainting. At that time the prisoners denied their identity with the pillagers of the diligences. Since then they have confessed all; but it is our wish to know the one who showed you that consideration, in order that we may recommend him to the First Consul's clemency."

"What!" exclaimed the lady, "have they really confessed?"

"Yes, madame, but they will not say which of their number helped you, fearing, no doubt, to contradict your testimony, and thus cause you embarrassment."

"What is it you request of me, sir?"

"That you will save the gentleman who assisted you."

"Oh! willingly," said the lady, rising; "what am I to do?"

"Answer a question which I shall ask you."

"I am ready, sir."

"Wait here a moment. You will be sent for presently."

The judge went back into the courtroom. A gendarme was placed at each door to prevent any one from approaching the lady. The judge resumed his seat.

"Gentlemen," said he, "the session is reopened."

General excitement prevailed. The ushers called for silence, and silence was restored.

"Bring in the witness," said the judge.

An usher opened the door of the council-chamber, and the lady, still veiled, was brought into court. All eyes turned upon her. Who was she? Why was she there? What had she come for? Amélie's eyes fastened upon her at once.

"O my God!" she murmured, "grant that I be mistaken."

"Madame," said the judge, "the prisoners are about to be brought in. Have the goodness to point out the one who, when the Geneva diligence was stopped, paid you those attentions."

A shudder ran through the audience. They felt that some fatal trap had been laid for the prisoners.

A dozen voices began to shout: "Say nothing!" but the ushers, at a sign from the judge, cried out imperatively: "Silence!"

Amélie's heart turned deadly cold. A cold sweat poured from her forehead. Her knees gave way and trembled under her.

"Bring in the prisoners," said the judge, imposing silence by a look as the usher had with his voice. "And you, madame, have the goodness to advance and raise your veil."

The veiled lady obeyed.

"My mother!" cried Amélie, but in a voice so choked that only those near her heard the words.

"Madame de Montrevel!" murmured the audience.

At that moment the first gendarme appeared at the door, then the second. After him came the prisoners, but not in the same order as before. Morgan had placed himself third, so that, separated as he was from the gendarmes by Montbar and Adler in front and d'Assas behind, he might be better able to clasp Amélie's hand.

Montbar entered first.

Madame de Montrevel shook her head.

Then came Adler.

Madame de Montrevel made the same negative sign.

Just then Morgan passed before Amélie.

"We are lost!" she said.

He looked at her in astonishment as she pressed his hand convulsively. Then he entered.

"That is he," said Madame de Montrevel, as soon as she saw Morgan--or, if the reader prefers it, Baron Charles de Sainte-Hermine--who was now proved one and the same man by means of Madame de Montrevel's identification.

A long cry of distress burst from the audience. Montbar burst into a laugh.

"Ha! by my faith!" he cried, "that will teach you, dear friend, to play the gallant with fainting women." Then, turning to Madame de Montrevel, he added: "With three short words, madame, you have decapitated four heads."

A terrible silence fell, in the midst of which a groan was heard.

"Usher," said the judge, "have you warned the public that all marks of approbation or disapproval are forbidden?"

The usher inquired who had disobeyed the order of the court. It was a woman wearing the dress of a Bressan peasant, who was being carried into the jailer's room.

From that moment the accused made no further attempt at denial; but, just as Morgan had united with them when arrested, they now joined with him. Their four heads should be saved, or fall together.

That same day, at ten in the evening, the jury rendered a verdict of guilty, and the court pronounced the sentence of death.

Three days later, by force of entreaties, the lawyers obtained permission for the accused to appeal their case; but they were not admitted to bail.