

CHAPTER V

THE DEATH PENALTY

ARTICLE 12 of the Penal Code decrees that "every person condemned to death shall be beheaded." Exception is only made to this rule when reference can be made to a verdict given by a military court of justice concerning a crime which such a court is capable of determining or to a crime dependent on military justice in consequence of the proclamation of a state of siege. In such cases, as we have seen earlier in the case of Mata Hari, the condemned person is shot.

By a decree of 20th March 1792, the death penalty is carried out by means of the "Guillotine." It is commonly believed that Doctor Guillotin, who gave his name to this machine, was its inventor and its first victim. Actually Doctor Guillotin no more invented the guillotine than Amerigo Vespucci, the mere companion of Christopher Columbus, discovered America. It sometimes happens that History makes similar errors. Doctor Guillotin, a Member of the Constituent Assembly, proposed for humanitarian reasons that the death penalty should be inflicted, not by a man, but by a machine. He made this humorous remark :

"With my machine, gentlemen, I'll take your head off in a wink. You won't feel anything."

The Assembly laughed, the *mot* became celebrated, and the doctor famous. The instrument which he recommended as a substitute for the old means of punishment,¹ had been known and used in Europe since the fifteenth century.

Jean d'Auton, who died in 1528, gives an account in his *Chronicles*, of the execution of Demetri Justinian, who was put to death at Genoa on 13th May 1507, during the residence in that city of King Louis XII, for having incited the people to revolution. The mechanism of the instrument he described is almost exactly the same as that of our guillotine.

A machine called a *mannaja* was used in Rome, in 1600, to behead Beatrice Cenci. The Scotch possessed a similar instrument called a "maiden," which was used in 1651 and 1685 to put to death the Marquis of Argyll and his son. Finally, it was with an engine of the same sort that the Duc de Montmorency was beheaded in Toulouse in 1632. "In that country," writes Puysegur in his *Memoirs*, "an axe between two pieces of wood

¹ In France, before the Revolution, common people condemned to death were hanged, while the nobles enjoyed—if you put it like that—the privilege of being beheaded by an axe or sword.

is used, and when the head is placed on the block a cord is released, and the axe comes down and separates the head from the body."

The guillotine once adopted, after the proposal of Doctor Guillotin and a favourable technical report from Doctor Louis, Secretary of the College of Surgeons, the first plan of the instrument was made by M. Laquiente, clerk of the Court of Strasbourg, and it was then constructed by a certain Tobias Schmitz, a maker of pianos. The blade then curved inwards in such a way that it encircled the victim's head on three sides before cutting it off. Poor Louis XVI who was, as is known, something of a mechanic, caused a triangular blade to be adopted, which descended point downwards. This was one of his last acts of authority, for on January 21st 1793 he was himself forced to test the efficacy of his improvement. In the model now in use—it was adopted in 1875—the height of the platform and the size of the "bois de justice" (that is, of the uprights) have both been reduced. The knife has an oblique blade and cuts more or less sideways. This special shape, in alliance with its weight, confers upon it unfailing efficacy and renders its operation extremely rapid.

The law enacts that capital punishment shall be undergone in a public place. The publicity thus given to executions has aroused fierce criticism. The partisans of closed doors put forward the scandalous behaviour of certain condemned persons, who pose and swagger before the audience, in order to make an effective end. They add that the execution of a man is always an improper spectacle for a crowd, in which, besides, is mingled an element whose avid curiosity and shouts obtrude in a repellent manner. On the other side of the question it is argued that courage, even when shown by a criminal, is never immoral, that publicity is indispensable to the maintenance of the exemplary character of the death penalty, and also to prevent rumours among the lower orders of the population that certain criminals have suffered the supreme punishment clandestinely. One must beware of the ease with which tales of this nature get about.

The place of execution must be stated in the judgment. Invariably, the Assize Court specifies only *the commune* in which it has been decided that the condemned person shall undergo the penalty, and it leaves to the municipality, which is in sole authority over its streets and public places, the choice of the *actual spot*. This is in fact nothing more than what theoretically happens. In fact, for several years, with the object of shortening

as far as possible the preliminaries of execution, it has always taken place in the town in which the Assize Court which pronounces the sentence of death has been sitting, and in close proximity to the prison in which the condemned person has been confined.

Capital punishment takes place at dawn.

A representative of the law, the attorney-general or his substitute, accompanied by a clerk, the chaplain of the prison—or a minister of whatever religion the condemned person belongs to—and counsel for the defence, enter the cell.

The magistrate tells the condemned person that the time has come to expiate his crime, exhorts him to have courage, and asks him if he has any statement to make. In the event of such statement constituting a new fact, giving rise to the fear that an error of justice has been made, the representative of the law has authority to postpone the execution.

If a woman is concerned, the magistrate must inform her that if she has grounds to believe herself to be with child she should state the fact to him, when, after a medical examination, the execution of the penalty will be postponed till after the birth has taken place.

The condemned person is then, if he wishes, left alone with the chaplain, who may hear his confession and administer the last sacrament to him. Twenty minutes are allowed for this and for the celebration of the Mass.

Afterwards follows, if not the last meal, at least the last cigarette. It is a tradition to let the condemned person have whatever he asks for. It is untrue, in spite of popular belief, that a condemned person is given a drug.

At last the executioner or one of his assistants prepares the condemned person for the punishment. The shirt is cut with scissors in such a way as to leave the neck free. A rope binds the arms, another trammels the legs, in order that at the last moment the instinct of self-preservation shall not give rise to movements which can only compromise the rapidity of the punishment and render it more painful.

There is one further formality—"the removal of the entry." The executioner officially takes possession of the condemned person and gives a discharge for him to the governor of the prison. The criminal administration is cleared of the responsibility which it assumed on the arrest.

The procession, surrounded by warders, by municipal guards or by *gendarmes*, proceeds towards the gate of the prison, close to which the guillotine has been erected. The soldiers, who have

kept order outside and have left free a space round the guillotine to which access is allowed only to authorised persons and to the representatives of the press, present arms. . . . In a few seconds the condemned person is stretched on the plank, the head beyond the lower beam projecting below the knife. The executioner presses a button, the knife falls, the head drops into a basket of bran. . . . Justice is served!

From a cart placed close to the guillotine, the assistants bring out a coffin of white wood. Very rapidly, the remains of the victim are placed inside it, the body stretched at full length, the head between the legs. Then the bier, its lid summarily nailed down, is put back into the cart, which drives off, followed by another vehicle in which the minister of religion is seated, and surrounded by an escort of *gendarmes* or mounted guards. The procession goes to the cemetery, or generally to a little space reserved for the bodies of executed persons. For condemned people executed in Paris, a little corner of the cemetery at Ivry is used, called, for some reason unknown to me, "the turnip-field." The coffin is lowered into the grave while the priest recites the last prayers. But it is usually only a pretence of a burial. In fact, Article 14 of the Penal Code lays down that "the bodies of executed persons shall be handed over to their families, if they claim them, on the understanding that they shall cause them to be buried without any solemnity." If one of the relatives does not exercise this sad privilege, the corpse is nearly always handed over to the Faculté de Médecine, to serve as a subject for experiments.

Before beginning the study of the incidents of certain executions which have now become famous and which throw some light on the mentality of the crowd, I think this is a favourable opportunity to describe what has become, in the realities of the present, of that legendary person whose official description is "executor in chief of arrested criminals."

This personality has also been called "Monsieur de Paris." This nickname is doubtless explained by the fact that nowadays there is only one executioner for the whole of metropolitan France, whereas in earlier times there was one to each department and even—before the introduction of transportation—one for each prison.

M. Heindreich, who died in 1872 at the age of seventy and still in the exercise of his profession, became an executioner forty-four years earlier when, at the age of sixteen, he was assistant to his father, executioner at the prison of Toulon. I did not

know him personally, but I saw him one day in my childhood at a moment when the man who had guillotined Tropmann was especially in the public eye. I remember what I was told of his character and of the uncommon quality of his manners. He was a tall, old man, very cold and calm. Always impeccably dressed, with white hair cut "en brosse," short whiskers, moustache and chin carefully shaven, he had the appearance of some old survivor of the armies of the First Empire. When performing an execution he always wore a black coat and a white tie. As soon as his task was over, he went to the nearest church and arranged for a Mass to be said there for the dead criminal. Then he retired to a bath.

M. Roch, who was his first assistant and who succeeded him, was of different demeanour. A native of the Lozère, he used to wear a pair of small gold ear-rings and it was with great difficulty that he would consent to take them off. Here are the exact words of his reply when once asked, on the evening afterwards, about an execution: "Everything went off delightfully." (*Tout s'est passé à ravir*). For the rest, this was a very worthy man, the father of eight children, four boys and four girls, to whom he gave the best education. He died of apoplexy in 1879 and was succeeded by one of his assistants, M. Deibler, the father of the present executioner.

The elder M. Deibler was sixty years old at the time of his nomination to the post. Before entering upon the career of an executioner he had been a carpenter. He was a small man with a slight limp and a delicate appearance. Mentally he was cultivated but he had an excessively reserved character. Beneath an appearance of weakness and timidity he concealed extraordinary energy, which was revealed during his first execution—that of Laprade, at Agen. This murderer was a man twenty years old who had shot and killed with a bill-hook his father, his mother and his grandmother. On reaching the guillotine he fought with desperation and would not allow himself to be stretched along the plank under the knife. That day he was ill-supported by his assistants, and Deibler had to seize the murderer by the throat and bang his head several times on the floor of the scaffold!

The younger M. Deibler, our present executioner, is a cultivated and resolute man who hides under an appearance of great simplicity a deep consciousness of the social necessity and the formidable gravity of his calling. I have preferred to allow him to reveal in person to my readers, in so far as he thinks it advisable, his opinion of the death penalty and the conclusions he has reached

since the application of that penalty has devolved upon him. Here is what he has been so kind as to write for me :

PARIS,
16th February, 1929.

To : M. MORAIN,
Honorary Préfet de Police.

MONSIEUR LE PRÉFET,

In accordance with the wish you have expressed, I propose to give you my views on capital punishment.

Personally I regret that the growth of criminality necessitates the maintenance of the death penalty.

But as this penalty exists it seems to me that it should be more rigorously applied. In fact, two-thirds of the people condemned to death are reprieved. I consider this of no advantage at all.

During the last fifteen years executions have taken place a long time after the sentences (generally four or five months after). Under these conditions the crimes are to some extent forgotten, and it often happens that the execution takes place a year—sometimes even more—after the crime has been committed.

In themselves, the executions are very similar. Some of the victims are brave, others cowardly. Here are a few examples :

David was executed at Saint-Nazaire on 21st March 1892, for the murder of two women who lived near that town. He showed courage ; at the foot of the scaffold he made a speech, asking God and man to forgive him, regretting his act, and hoping that his execution would be an example to young people.

Anastay, a sub-lieutenant at Lyons, was executed at Paris on 9th April 1892, for the murder of Baroness Dellard and the attempted murder of her servant. In the record-office of the prison he told the people there that he deserved his fate and, addressing his executioners, said : " Gentlemen, do your duty."

Koenigstein (alais Ravachol), a dangerous anarchist, was beheaded at Montbrison on 11th July 1892. He showed a revolting cynicism as he went to the scaffold, saying that he did not regret any of his actions, insulting the magistrates and even the chaplain of the prison, and singing obscene songs at the top of his voice.

Caserio, an Italian anarchist, the murderer of President Sadi-Carnot, was beheaded at Lyons on 16th August 1894. He went to the scaffold trembling in every limb. He had to be held up to prevent him from falling.

The Abbé Bruneau, the incumbent of Entrammes, Mayenne,

murdered his curate, the Abbé Fricot, and was beheaded at Laval on 30th August 1894. He went to his death telling his rosary, halting and making a genuflection at each Ave-Maria.

Vacher was executed at Bourg-en-Bresse on 31st December 1898, for the murder of eleven people. He had to be carried to the scaffold.

I hope, Monsieur le Préfet, that these few notes will give you satisfaction, and I remain,

Your very obedient,

A. DEIBLER,

Executioner in Chief of arrested criminals.

M. Deibler has also been so kind as to contribute the following :

ACCOUNT OF AN EXECUTION

“ As soon as the appeal for reprieve has been rejected, the Chancellerie sends a summons to the Executioner in Chief of Arrested Criminals, ordering him to present himself as soon as possible, that is to say, within a few hours. The day of execution is then fixed and the Executioner is given three orders. The first of these runs as follows : ‘ Monsieur Deibler, Executioner in Chief of Arrested Criminals, will proceed immediately to X—— to receive the orders of the Attorney-General (or the Public Prosecutor) in regard to the execution of X—— sentenced to death for murder, etc., by order of the Assize Court of X——, dated. . .

“ ‘ He will be accompanied by three assistant executioners (or four if this is a double execution).

“ ‘ He will show this document to the Attorney-General.

“ ‘ Issued in Paris on . . .

“ ‘ *Le Directeur des Affaires criminelles et des Grâces.*’

“ The second order requires the Railway Company of X—— to give transportation in both directions, in a reserved compartment of the 2nd Class, to the Executioner in Chief of Arrested Criminals and his three (or four) assist nt executioners.

“ The third order deals with the transportation to and fro of the scaffold.

“ As soon as he receives these orders, the Executioner goes to the railway station, obtains tickets for himself and his assistants, and then proceeds to the forwarding office to order the flat-bottomed waggon needed for the transportation of the guillotine. Afterwards he instructs his carmen to have the carriage containing the scaffold brought from the Santé prison to the station, where it is placed on the waggon and covered with a cloth. This

operation is supervised by the Chief Executioner. The waggon is then placed on a siding to await the hour of departure. The Executioner and his assistants take a fast train in order to arrive on the day before the execution. On arrival, he orders a vehicle for the next day to transfer the carriage from the station to the place where the guillotine is to be erected. Then he goes to the Public Prosecutor's office, where he shows the first order and where he receives the necessary information concerning the place of the execution, the hour of the calling of the guard composed of garrison soldiers, police, gendarmerie, or local police, the hour of the awakening of the prisoner and the hour of execution. The Public Prosecutor must, in concert with the Executioner and according to Article 376 of the Penal Code, demand the assistance of armed forces to maintain order. He must requisition alike police and soldiery, as the assistance of the gendarmerie is in any case indispensable. The municipal authorities have to decide the actual spot where the execution will take place, but they must be in agreement with the Executioner and the Public Prosecutor.

"On the demand of the Executioner, the place of execution has lately been near, or in front of, the gate of the prison. In the event of difficulties the Préfet de Police interposes. Without interfering with the arrangements of the Service d'Ordre, the Public Prosecutor requires the Service to abide by the following regulations :

"The place chosen for the erection of the guillotine must be cleared of the public.

"Access to this space is forbidden.

"Only duly qualified persons, such as the Executioner and his assistants, magistrates, public functionaries, and journalists who can justify their presence, are admitted. For this purpose the Public Prosecutor provides admittance cards.

"Three or four hours before the time fixed for the execution, the Executioner and his assistants go to the railway station in order to take delivery of the carriage containing the scaffold. He contrives to reach the place appointed for the execution a little while after the arrival of the Service d'Ordre.

"The erection of the guillotine begins at once. About three-quarters of an hour must be reckoned for this purpose, according to the slope of the ground. The essential point is that it should be on a horizontal plane. For this purpose, wooden blocks of various sizes and levelling instruments are used.

"When the guillotine is ready the Executioner and his assistants go into the prison to await the hour of the waking of

the prisoner, at which they can attend if they choose. More often they wait in the clerk's office for the moment of the making of the last toilet. This consists in a simple cut into the collar of the shirt, the binding of the arms behind the back, and the fettering of the legs with a cord that permits of paces of about eight inches. This formality, made as a measure of security, takes three or four minutes.

"The Executioner certifies the removal of the entry in the prison books and the condemned person is led to the scaffold. He arrives at the foot of the guillotine. He is placed in such a way that the abdomen rests against the vertical timber called the *bascule*. The assistants, while supporting him, at the same time push his shoulders. The plank tips over, the prisoner loses his foothold and lies in a horizontal position. The plank supporting the body, moving on rollers, is pushed forward until the head of the condemned person passes beyond the main posts of the guillotine.

"At this decisive moment, the Executioner, standing to the left of the guillotine, must have his left hand on the spring of the *lunette* (which encloses the head) and his right hand on the lever of the knife. He presses simultaneously with both hands.

"The *lunette* falls and secures the head. The knife follows immediately afterwards and carries out the decapitation.

"A slight push on the body causes it to fall into the basket placed alongside the *bascule*..

"The tin pail containing the head is emptied into the basket, which is covered and placed in the carriage. Then, accompanied by an escort of mounted *gendarmes*, it is taken to a cemetery where, in the presence of the Executioner, it is put into a coffin and buried. Meanwhile the assistants take down the guillotine. On the return of their chief, the machine is reloaded on to the carriage, which then returns to the railway station.

"The return to Paris is made in the same manner as the outward journey."

After the suppression of the Commune, the first criminal who was put to death under the Common Law was a man named Moreux. This was on 17th June 1872. The only originality about his crime lay in the motives which gave rise to it. He killed a woman of easy morals in order to steal from her for the benefit of his legitimate wife. He died bravely. But as his head fell into the bucket, the crowd gave vent to strident whistling. When asked why they did this, the manifestors said they had

protested because in their view the spectacle had not lasted long enough !

When a crime or series of crimes gives rise to several death-sentences, the prisoners are usually guillotined all together. The most celebrated execution of this kind was that of the bandits of Orgères, during the first years of the Consulate. Twenty-one of the leaders of this band, which consisted of more than six hundred members, and whose general, "Beau François," had succeeded in escaping, were guillotined on the same day, in the Place des Epars at Chartres. Contemporary memoirs state that at the finish the guillotine seemed to be floating in a lake of blood. Less often are two murderers executed, whose crimes and trials have no connexion. Still, this happened in 1874. Moreau, a herbalist, accused of having poisoned his two wives in succession, and Boudas, a carpenter of the Batignolles, who had killed a second-hand goods dealer for the money he had on him, were guillotined on the same day, at an interval of three minutes and in such a way that the second, while lying on the *bascule*, was able to see the decapitated head of the first in the bucket where his own was about to fall !

I have mentioned the precautions taken to prevent the condemned person from making, at the last moment, movements which can only result in making the execution more painful for himself and more difficult for the assistant executioners. These measures have been carefully thought out and are of absolute efficacy. But it was not always so, as witness the story of the poacher Montcharmout, who was executed at Châlon-sur-Saône in 1850 and who had to go to the scaffold twice. Montcharmout had been condemned to death for having killed two *gendarmes* and a game-keeper one after another. He was a man of herculean strength. When the party went to take him to the place of execution, they found him barricaded in his cell. After a fairly long struggle, they managed to seize him and hoist him, with feet and hands bound, on to a cart in which he was taken to the foot of the guillotine. But after he had been taken out and an attempt was being made to carry him up the ladder leading to the platform, he managed to catch his feet in between the steps and, with his hugely strong shoulders, he held himself between the uprights with an amazing powerfulness. Of the two executioners, one was old and the other a weakling. They tried unsuccessfully to lift him and a horrible struggle took place which lasted for thirty-five minutes. Huddled up, Montcharmout concentrated his resistance, united himself with the frame-work, and would not yield an inch. At the same time he screamed, abused the

executioners, insulted the *gendarmes*, and called to the spectators to help him. At last he had to be taken back to his cell. The guillotine remained upright for the whole day, surrounded by a crowd of people. Finally, at nightfall, the Executioner from Dijon arrived, under the orders of the Public Prosecutor. Montcharmont was tied up again, but in such a way that he was entirely unable to move, and the execution was successfully accomplished.

Billoir, the author of a crime which for several months thrilled the whole of France, "the murderer of the woman cut into pieces," was an old soldier, decorated with the Military Medal. His death was that of a brave man. He had not, before the guillotine, the expression of terror which is to be seen on the faces of almost all condemned people. His glance took in the machine from bottom to top and then from top to bottom—the attitude of someone who was willing to atone. Then, making a bow towards the Chaplain, he said in a calm and steady voice: "*Au revoir, mon père.*" Of his own accord he put himself on the *bascule*.

On the other hand, Welter, the murderer of the little girl Marie-Joséphine Akerlé, showed such terror that it was thought he would die of fear before arriving at the scaffold. From the moment he had been informed of the rejection of his appeal, he was seized with a spasmodic trembling, accompanied by a sort of death-rattle. This went on without interruption. The assistant executioners had to carry him all the way from his cell to the Place de la Roquette, where the guillotine had been erected. His head rolled from one shoulder to the other, his feeble legs dragged along the ground. He had lost consciousness when he was put under the knife.

Prévost, the fine-looking police-constable who had killed and dismembered one of his mistresses and a jeweller, died like Billoir, with much dignity. At the tragic moment of awakening he said to someone who had exhorted him to have courage:

"Don't worry, I shall have it."

He walked steadily up to the guillotine, dwarfing the Chaplain by his great height. When the latter again said: "Be brave, my friend, be brave," he repeated: "Don't be frightened!"

This piece of advice given by the man who was about to die was his last word. Twenty seconds later he had ceased living.

One could multiply these reminiscences, citing instances of more recent executions, the accounts of which are still in the memories of many people. But the lesson would be the same. It seems to me that it may be summed up as follows:

(1) Criminals, like everybody else, die in accordance with their

temperament, their character, or the discipline which their profession or their surroundings have imposed on them ;

(2) The manner of the execution of capital punishment could no doubt be simplified yet more ; it might still be deprived of the majority of the formalities which unnecessarily aggravate its cruelty.

M. Deibler once told me about the experiment of a doctor at an execution at Orléans, on 25th June 1905, with a view to discovering if life continues after decapitation. I have now looked up the story in the newspapers of that time, and submit here the story of this macabre experiment as related in the *Républicain Orléanais* of 27th June 1905.

It is extraordinarily moving in its atrocious reality.

THE EXECUTION OF LANGUILLE

The scaffold has arrived. Henri Languille, the bandit who has terrorized the Beauce and the Gâtinais for several years, is to expiate his crime—perhaps we should say his crimes—at dawn this morning.

THE EXECUTION

The day has come, a pale day that makes the figures look more ghastly. From time to time cries and shouts resound behind the enclosures to the right and left of the Rue de Bel-Air, barriers almost broken down in spite of the triple rank of soldiers and the groups of *gendarmes* under the weight of the huge crowd pressing against them.

In the tension and anxiety of the wait a movement is seen in the Rue Verte.

It is the closed waggon, preceded by a troop of *gendarmes*, which is bringing Languille from the prison. It is half-past three.

The sad procession comes quickly to the end of the Rue Verte and emerges on the Place, the waggon drawing up on the left, by the side of the guillotine.

The Chaplain of the prison, the Abbé Marçais, an old man, greatly moved, himself as pale as the condemned man, first alights from the vehicle. Then, behind him, comes Languille, whom the assistant executioners hold by the arms, which are tied behind his back, and help to alight.

The murderer of Nibelle is as white as a shroud, of a corpse-like whiteness. His half-clad shoulders shiver in the cold of the morning. But he has a grip on himself and he sustains till the end the firm and resolute courage he has shown up till now.

For a second he rolls big eyes enlarged by fear. Then, seeing the crowd which is present, into the great silence of hovering death he throws an ironical insult, a defiance of all these curious people, an expression which has been peculiarly his own :

“ Muck-heap of peasants.”

The assistant executioners seize Languille and push him, throw him on to the *bascule*.

It seems as if all the muscles of the condemned man make a supreme and instinctive effort to cast him backwards. But he is laid on the plank. His neck, which one sees is desperately tense, is encircled with the *lunette*. It is a minute of anguish, more tragic than solemn. A poignancy before this thing which is about to happen, this execution, tightens the breasts of all who are present.

A few seconds only pass. The young Deibler is quicker, more matter-of-fact than his father, whom I have seen many times and who was always a little hesitating. “ Monsieur de Paris ” has put the spring in motion. The knife, glittering with a fugitive brightness, falls with a dry sound. A thin stream of blood spurts up in the air as the head falls into the tray—and the decapitated corpse rolls to the right into the basket of sawdust.

Justice has been done. Languille, to whom one cannot deny the merit of having died, at least, with courage, has paid his debt to Society. It is exactly 3.35 a.m.

The basket containing the remains of the victim is put back into the waggon and it starts, preceded and followed by *gendarmes*, on its way for the new cemetery.

THE HEAD OF LANGUILLE

When Languille's head fell into the tray placed before the guillotine, Doctor Beurieux, with the permission of the Public Prosecutor, took it and made a curious experiment.

At the desire of Doctor Beurieux, none of the local newspapers spoke of this business.

But our Parisian contemporaries did not observe the same discretion.

We read in the *Matin* :

“ Doctor Beurieux . . . has the severed head between his hands.

“ ‘ Languille ! ’ he cries, ‘ Languille ! ’

“ We are amazed. The eyelids are opening. And two eyes, still full of life, give a long stare into those of Doctor Beurieux ; then the lids fall again.

“ A second time the doctor calls : ‘ Languille ! ’

"Again the eyelids are raised and again the eyes stare into those of the doctor.

"They close once more and for the third time Doctor Beau-rioux calls :

" ' Languille ! Languille ! ' "

"But this time the eyelids are finally closed.

"The experiment lasted thirty seconds. For thirty seconds the decapitated head quite certainly preserved conscious life."

This is the version of *Le Journal* :

"The doctor raised the head by the ears immediately after the fall of the knife and asked in a loud voice :

" ' Languille, do you hear me ? ' "

"The eyes opened suddenly and shut again. Doctor Beau-rioux repeated his question for a second time. Then, slowly, the eyelids were raised and that was all.

"The doctors present around the experimenter came to the conclusion that vital perception lasted no more than ten seconds after the execution."

A FRESH DETAIL

Doctor Beau-rioux enthusiastically explained his experiment, and to make it easily understood that he had encountered no difficulty in taking the head from the tray full of blood, he made frequent use of this singular comparison.

"It was not complicated ! The head was standing right up in the basin. You know, very much like the head of St. John the Baptist when it was offered to Holophernes. . . ."

For women the death penalty has in fact been abolished since 1887, by constant exercise of the rights of pardon and commutation which the French constitution confers upon the President of the Republic. But at this moment the question has arisen (and undoubtedly will have been answered by the time these lines appear), as to whether it should not be re-established. During the last few months women have been sentenced to death for murdering children—the most hateful of crimes, the most contrary to nature and the most inexcusable that a woman can commit. These crimes, inspired by base cupidity or by monstrous wickedness, have been committed in cold blood, with ferocious cruelty. Public opinion—and the view is held by women even more enthusiastically than by men—cries out for an exemplary punishment. The penalty of imprisonment in a French prison, which for women has replaced that of transportation to Guiana, seems altogether too mild for these vile criminals. There is therefore

a contemporaneous interest in a study of the way in which the punishment was inflicted upon women when the practice of reprieving them from the penalty of the guillotine had not been established.

It is only from 1846 that the criminal statistics of the Ministry of Justice can be usefully consulted on this subject. Between that year and 1886, one hundred and sixty women were sentenced to death and forty-eight actually executed. In proportion as we approach our own times, these executions become less and less frequent. There were forty-two between 1846 and 1860, six between 1861 and 1875. Between 1876 and 1886 the guillotine was completely inactive and then it was used for the last time on 24th January 1887 at Romorantin, where the woman Thomas expiated the crime of parricide. If one studies those executions which had the greatest publicity, one gains the impression that, in refraining from the guillotine, Justice has obeyed less a sentiment of pity for the criminals than an anxiety to avoid a resumption of deplorable scenes which roused a dangerous state of excitement in the mob.

In January 1846, the criminal court of Seine-Inférieure sentenced a poisoner to death, the widow Foucaux, who was guilty of two murders. On 25th February the condemned woman was taken from the prison at Rouen and brought to the town of Argueil where she was to be executed on the following day. Thus, contrary to the general practice of waiting till the last moment—at most an hour before the execution—before notifying the condemned of the rejection of their reprieve, the unfortunate woman knew twenty-four hours beforehand that she was going to the scaffold. There was a big crowd in the little town, for the inhabitants of the surrounding country, forewarned by the arrival of the guillotine, had flowed into it *en masse*, and above all it was market day. When the woman Foucaux had arrived at the guillotine, the priest who was officiating got up on the platform and made a speech :

“ I am standing on the scaffold in order to carry out a mission. I have never been the confessor of the unhappy woman to whom I am acting in your presence as interpreter. She has confessed to the Abbé Guérard. Even the most egregious malevolence, therefore, cannot find in my words any violation, however indirect, of the secrets of the confessional. . . . Just now, when I urged the woman Foucaux to die as a Christian and to relieve her conscience by an avowal of her crimes, she answered—and she is near me and in a position to deny if my words are not the expression of the truth—‘ Yes, you are right. My sacrifice

must begin with a moral expiation. I feel the need of speaking to the crowd, but I foresee that I lack the courage to do this. Say for me that I publicly plead guilty of the double crime which the justice of man is making me expiate to-day. . . . Say that I demand pardon for it from God and from mankind.'"

During this speech, the condemned woman knelt and the crowd, from which just before threatening cries had been raised, was silent, as if gripped with a feeling of anguish and of pity. The execution was ended in a silence broken only by the sound of sobs.

On 23rd June, in the same year, the guillotine was taken to Le Puy. The widow Chanal, sentenced to death for the murder of her husband, had shown, during the trial, extraordinary calmness and presence of mind. People wondered whether she would have as much firmness in the face of death. When the chaplain came to warn her that her last hour had come, she greeted him with the greatest serenity.

"I know," she said, "what you are going to tell me. I am ready."

In accordance with her request she walked barefooted, with her head covered with a black veil, the distance between the prison and the town hall, in front of which the scaffold had been erected. She covered this distance without a single hesitation or fit of trembling, without a tear, without asking for anyone's arm, and, as firmly, ascended the steps to the platform. The crowd, impressed by such courage, uttered not a single hostile cry.

The widow Labatut, likewise executed in 1846 for poisoning her husband, did not show anything approaching the same bravery. As soon as she was told that the fatal moment had arrived she had a violent fit of despair.

"No! No!" she cried. "They must speak about me to the Queen! The Queen doesn't want women killed!"

She revolted against the inevitable, bewailed being warned of its arrival at the last moment, and said that she would rather have dashed out her brains against the walls of her cell.

"If I must be put to death, let it be another death! If only they would shoot me, or poison me, but not take me to the guillotine!"

Two hours later the last toilet began. Her hair was cut, her feet and hands were bound, and all the time she sobbed:

"Oh, God! to die such a death! Have pity on me. Oh, be kind, gentlemen! Kill me at once, I beg you!"

She was urgently begged to be calm and told that her fate had to be fulfilled, but she hung on desperately to her last idea:

" *Gendarmes*, cut my neck here, with your swords. But not out there, not out there ! "

For nearly three hours the fear of punishment sent the poor creature half mad, and on the scaffold she again tried, in a last violent contortion, to escape from the hands of the executioner. . . .

On 4th May 1847, the town of Poitiers watched the accomplishment of an event perhaps unique in the annals of capital punishment—the simultaneous execution of a mother and her son. The widow Meunier and her son, who was twenty years old, had been sentenced to death for murder, theft, and parricide. Up till the last moment the young man believed that his age would save him from the extreme penalty. His mother was perfectly calm and resigned. From the threshold of the prison she called to the crowd in a loud voice :

" Fear the justice of God, all of you, and the justice of mankind ! "

Then she advanced with a steady step, her head high, reciting the prayer of the dying.

Her son, barefooted, his face hidden in a black veil and his body covered with a long white garment, was in such a state of prostration that the *gendarmes* had to carry him to the scaffold. He was guillotined first, without a word, passing insensibly into the blankness of death. But his mother, seeing the bloody knife being raised which had just cut off the head of her child and was about to fall upon her own, moved towards the executioner and addressed him :

" God will be very much astonished to see me ! "

On 30th January 1848, the woman Hennebois, who had killed her husband and buried his corpse in a field, was told at midnight that she was to be taken to Saint-Pol to be guillotined there at noon the next day. At 4 a.m., she started on her journey in a closed carriage, surrounded by an escort of *gendarmes*. During this long journey she conversed placidly with the chaplain and the nun who were sitting with her. At dawn it was found that, although her hands had been tied, she had succeeded in cutting her throat ! Her clothes were saturated with blood. So the journey was prolonged until ten o'clock ! At Saint-Pol the prison doctor was ordered to attend to her. Her wound was dressed and sewn up in order to avoid further loss of blood and to preserve the little life that remained in the condemned woman. Senseless, almost bloodless, she allowed this to be done, then, when she was a little restored to life, she was in such pain that she begged the execution might be postponed for a day so that she might recover her courage. This request was not granted, and at noon

the blade of the guillotine completed the task of death which she had so tragically begun with her little pocket-knife.

Ambroisine Gosselin was executed at Arras on 13th April 1849, for the murder of her husband with the help of her lover. She received the announcement of her death with great calmness, asked for a cup of coffee and ate a cake during the journey from the prison. But when placed under the knife her head was not cut off. The knife fell only as far as the *lunette*, just marking on the neck the place it ought to have struck. The knife had to be raised and the whole operation begun again—in a word, the woman was executed for a second time. She did not falter, but the executioner was violently hooted by the crowd.

Is anxiety to avoid a renewal of the lamentable scenes to which some of the executions I have related have given rise, a sufficient reason for absolutely exempting female criminals from the death penalty?

I do not think so.

Like men, women die, some meanly, others with courage.

Too slow formalities, too long journeys from the cell to the scaffold, lack of personnel and material deficiencies which may all uselessly increase the agony of sufferers—all this has been revised, rectified, shortened (and perhaps is still capable of improvement, if desired) for women as much as for men.

In a word, the putting to death of murderers is essentially an *exemplary* and *eliminatory* punishment. Society has the right of ridding itself of monsters of whatever sex, and the number of crimes committed by women bear witness to the fact that excessive indulgence can only result in their increase. Systematically to withhold the supreme punishment from murderesses is equivalent to condemning fresh victims to death.