

BELGIUM UNDER THE GERMAN OCCUPATION.

A PERSONAL NARRATIVE 2

Chapter I. Edith Cavell.

We were all a little saddened at Mr. Crosby's going and I regretted my own inability to join in the ceremony at which the men of the C.N. and of the C.R.B. expressed their appreciation of the executive services he had rendered. I happened just then to be confined to my quarters, as the military men say, by the orders of my physician. The long strain had told on all of us, and worse than the strain was the almost intolerable depression, one with the atmosphere all about, that settled down like a black cloud. October had come, with all the signs of the early autumn and the menace of another dark winter of war. The grey, dripping skies seemed but the reflection of the universal spirit of man. There were bitter rains and fogs that pinched the nose and clutched at the throat with cold fingers. Then, imprudently, I went out one afternoon in the rain, and that evening the good Dr. Derscheid came with his little thermometer and bundled me off to bed...

The leaves were falling, and it remains as a part of the memory of that gloomy October that the apprentice of Le Jeune, the barber, had just told me that if "*le patron*" could survive "*la tombée des feuilles*" he might live until "*la poussée des feuilles*". It was of some old superstition, I suppose, that he had this curious notion, and yet it seems in a way to express the feeling of all those suffering Belgians. They had felt for awhile a mounting of their hopes as the cannon preluded the great Allied offensive of that autumn, but after the guns had thundered in full orchestra all about the vast circle that stretched from the Yser to the Vosges they realized, even if they were too stubbornly courageous to admit it, that they were the victims of one more great disappointment. The frequent publication on the walls of those sinister affiches, reporting the morning activities of the firing squad, beat down the spirits ; each day seemed to outdo its predecessor in some such dread news. General von Kraewel had been removed because, it was said, he had not been severe enough, and was succeeded as Chief of Staff and Military Governor of Brussels by General von Sauberzweig.

It was said that many German soldiers were deserting — the offensive was getting on their nerves ; those brought back from Russia to face the fighting on the western front were half-mad with terror. The Germans were beating la Forêt de Soignes for these deserters, and it was said that even officers were fleeing. One day the Rue du Commerce, in the Quartier Léopold, was closed and all the houses searched, because, so the wise-acres said, six officers were hiding there. It was even said that a man was shot for assisting some of them to escape.

Perhaps it was only the ordinary perquisition, the usual search for letters or incriminating documents, now grown more frequent than ever. At any rate, Brussels was nearer black despair than it ever had been. No one smiled, and the people only hoped on because they must; there was nothing else to do. And then a deed was done that threw its black and monstrous shadow not only over us, but over the whole world. It seemed, somehow like the whelming doom that had been implicit in the dreadful events of that dark month, the *dénouement* toward which they had been so implacably tending ; it was so in harmony with the atmosphere, the spirit and the feeling of the time. It was one of a thousand other injustices essentially as bad, but because it doomed in its tragic circumstances a noble woman of our own blood and tongue and tradition it well-nigh overwhelmed us with its horror.

Early in August Brussels had heard, and all Belgium — or at least all that part of Belgium that lived in châteaux — had heard that the Princess Maria de Croy and the Countess Jeanne de Belleville had been arrested. The de Croys are one of the oldest families of the Belgian nobility, and the Princess Maria was a maiden lady who lived almost in seclusion in her chateau of Bellignies, near Mons. The Countess Jeanne de Belleville lived not far away, at her chateau of Montignies-sur-Roc, near Andregnies, in the province of Hainaut. These two distinguished ladies had been arrested for having aided British soldiers to pass the Belgian frontier, and were accused of "treason in time of war." At the beginning of the war the Princess de Croy had established a Red Cross hospital in her chateau, where Belgian, English and German wounded were cared for. After the battle of Mons a great many British soldiers, cut off in the retreat, had been left behind in Belgium, and all through the winter and spring had lived the lives of hunted animals in the woods or in the farms and fields of Hainaut and of Brabant. Near the château of the Princess de Croy thirteen British soldiers had hidden in a hay stack on a Belgian farm, and, tracked down at last by German soldiers, they were taken and shot without mercy. This so affected the Princess that she determined to organise a method whereby British soldiers who, finding themselves in a position that in all civilized countries would have entitled them at least to the consideration shown to prisoners of war, could be cared for, and if possible got out of the country. And, though frail and in delicate health, she and the Countess de Belleville and Mademoiselle Thuliez and certain others organised a system to aid those British soldiers who were still in hiding, and to send them to Brussels, where, as she declared in her interrogatory before the military tribunal, she thought they would be less rigorously dealt with than at Mons, which was under the military régime of the *Etappengebiet*. The Princess did not know what became of them after they reached Brussels ; however, others aided them to get across the frontier into Holland.

One day in August it was learned at the Legation that an English nurse named Edith Cavell had been arrested by the Germans. I wrote a letter to the Baron von der Lancken to ask if it was true that Miss Cavell had been arrested,

and saying that if it were I should request that Maître de Leval, the legal counselor of the Legation, be permitted to see her and to prepare for her defense. There was no reply to this letter and on the tenth of September I wrote a second letter, repeating the questions and the requests made in the first. On the twelfth of September I had a reply from the Baron stating that Miss Cavell had been arrested on the fifth of August, that she was confined in the prison of Saint-Gilles, that she had admitted having hidden English and French soldiers in her home, as well as Belgians of an age to bear arms, all anxious to get to the front ; that she had admitted also having furnished these soldiers with money to get to France, and had provided guides to enable them to cross the Dutch frontier ; that the defense of Miss Cavell was in the hands of Maître Thomas Braun, and that inasmuch as the German Government, on principle, would not permit accused persons to have any interviews whatever he could not obtain permission for Maître de Leval to visit Miss Cavell as long as she was in solitary confinement.*

We at the Legation had not at the time seen anything more serious in the case than in the numerous other cases that were similarly brought to our notice, or of which we were constantly hearing. It was the German practice in Belgium to arrest any one "*on suspicion*", as we should say in America, and to investigate the facts afterward. Under the German system in vogue in Belgium, as Maître Theodor had not feared some months before to point out to the authorities, persons who were arrested were not told of the offense with which they were charged, nor were the offenses themselves clearly defined ; so that Miss Cavell, like many another who had shared her fate, was arrested and held in prison while the secret police continued their investigations and made up the dossier which would reveal its secrets only before a military court, that was at once prosecutor, jury and judge.

For one of our Anglo-Saxon race and legal traditions to understand conditions in Belgium during the German occupation it is necessary to banish resolutely from the mind every conception of right that we have inherited from our ancestors — conceptions long since crystallised into immutable principles of law and confirmed in our charters of liberty. In the German mentality these conceptions do not exist : the Germans think in other sequences, they act according to another principle, if it is a principle — the conviction that there is only one right, one privilege, and that it belongs exclusively to Germany ; the right, namely, to do whatever they have the physical force to do. These so-called courts, of whose arbitrary and irresponsible and brutal nature I have tried to give some notion, were mere inquisitorial bodies, guided by no principle save that inherent in their own bloody nature ; they did as they pleased, and would have scorned a Jeffreys as too lenient, a Lynch as too formal, a Spanish auto de fe as too technical, and a tribunal of the French revolution as soft and sentimental. Before them the accused had literally no rights ; he could not even, as a right, present a defense, and if he was permitted to speak in his own behalf it was only as a generous and liberal favour.

Long months before, a clergyman, an American citizen, had been arrested and held for several days at the *Kommandantur* without the knowledge of any one at the Legation ; the fact came to our knowledge only accidentally. I was able to secure the liberation of this American, however and then I asked the *Politische Abteilung* to notify me and to permit me to present a defense whenever any American citizen, or a citizen of any country whose interests were confided to my care, was arrested. The *Politische Abteilung* agreed to this, but we usually learned of such incidents before the *Politische Abteilung* could notify us, and provided a lawyer to look after the interests of the accused, so far as it was possible to do that before a German military courtmartial. The defense, as I have just said, was not a defense in our meaning of the word. The lawyer was not allowed to see his client until he appeared to plead the case before the court where the accused was assigned for trial, and he was not permitted to speak to his client during the trial ; often he did not know what the accusation was until the trial began, and sometimes he did not know it even then. There were no written charges and no specifications, much less an indictment or information. The secret police would bring before the bench of German officers sitting there in the Senate chamber, all the evidence, as they called it, that they had been able to collect, and present it as they pleased, with no concern as to its pertinence or relevancy. The court would admit hearsay, presumptions, conclusions, inferences and innuendoes so long as they were on behalf of the prosecution ; there was no cross-examination, sometimes even no interrogatory on the part of the presiding judge. The accused was sometimes allowed to present a defense, but it was generally only such as he might contrive in sparring with the judges as they questioned him. He had no process for witnesses in his own behalf, and no right to have them heard even when they were willing to appear.

After the evidence was in, the officer, a kind of judge-advocate, who acted as prosecutor, would state the penalty that he thought applicable, and the court would vote to apply it. The lawyer for the defense, after having gone through the case without any possibility of preparation, without even having spoken to his client before or during the trial, and with no admitted principles to guide him, without the right to present testimony in rebuttal, would be allowed to make a statement or an argument. But, as though he were not already labouring under a disadvantage sufficiently heavy, he must be careful in his argument not to say anything that would reflect in the least on one of the witnesses, especially if the witness happened to be a German soldier, or even a German civilian ; he must not contradict a judge-advocate, or question the validity or propriety of any act of the prosecution, for this would be equivalent to contempt of court and amount to the heinous offense of failing in respect to the German Army. He must show the most exquisite and exaggerated respect for the court, and as a result he could only stand there niddy-nodding, pale with fear, and — say nothing. In a word, even when the judgments of those extraordinary tribunals reflected a kind of natural justice, which perhaps they did

on occasion, the whole proceeding was the veriest travesty and mockery. The judges could be swayed by any passion, any prejudice, any whim, and when the accused happened to be some one who had offended the secret police or *Messieurs les Militaires*, the judgment was a foregone conclusion — unless he was a personage, especially a titled personage, and then he was apt to be shown a snobbish consideration.

It was before such a court that Edith Cavell was to be arraigned. I had asked Maître de Leval to provide for her defense, and on his advice, inasmuch as Maître Thomas Braun was already of counsel in the case, chosen by certain friends of Miss Cavell, I invited Maître Braun into consultation. Maître Braun was a Belgian lawyer of standing and ability ; his father was defending the most distinguished of the accused, the Princess of Croy. He was a man thoroughly equipped, who had the advantage of knowing German as well as he knew French, and had appeared constantly and not without success before the German tribunals. I asked Maître Braun to appear, then, for Miss Cavell, representing the American Legation.

It was supposed at first that the case was no more likely to result in tragedy than the generality of cases brought before such tribunals ; that is, that it was one of those numerous cases in which Belgians were being condemned to deportation to some German prison, like Madame Carton de Wiart or Maître Theodor, to mention the most celebrated, or if one were to consider the cases of those less prominent, the many convictions and sentences to imprisonment for terms of years — two or ten or twenty. They all amounted to the same thing, those terms of imprisonment, for the victims would be freed at the conclusion of peace if they lived, and if peace were ever concluded.

It was not until weeks had passed that we heard that the charges to be brought against Miss Cavell were serious, but still we were in mystery ; all we could learn was that "*the instruction was proceeding*", and that things were taking their course. Then we were told that the offense with which she would be charged was that of aiding young men to cross the Dutch frontier. I think that we were somewhat relieved; such cases were common, and the sentences provided in them were not in general severe, according to the standard of those in vogue in occupied Belgium.

Edith Cavell herself did not expect such a fate. She was a frail and delicate little woman about forty years of age. She had come to Brussels some years before to exercise her calling as a trained nurse, and soon became known to the leading physicians of the capital and nursed in the homes of the leading families. But she was ambitious and devoted to her profession, and ere long had entered a nursing-home in the Rue de la Clinique, where she organized for Dr. Depage a training school for nurses. She was a woman of refinement and education ; she knew French well ; she was deeply religious, with a conscience almost puritan, and was very stern with herself in what she conceived to be her duty. In her training school she showed great executive ability, was firm in

matters of discipline, and brought it to a high state of efficiency. And every one who knew her in Brussels spoke of her with that unvarying respect which her noble character inspired.

Some time before the trial Maître Thomas Braun informed the Legation that the Germans had forbidden him to plead before the Military Court and that some one else must appear for Miss Cavell ; he suggested Maître Sadi Kirschen, who was engaged. I had thought of asking to have Maître de Leval attend but on second thought, and on the advice of Maître Braun and Kirschen, as well as that of Maître de Leval himself, I came to the conclusion that perhaps it would not be entirely tactful to do this, for the presence of Maître de Leval as an observer might suggest to the hyper-sensitive suspicions of the Germans a lack of confidence that could only react against Miss Cavell.

It was the morning of Thursday, the seventh of October 7, that the case came on before the court martial ** in the Senate chamber where the military trials always took place, and Miss Cavell was arraigned with the Princess de Croy, the Countess de Belleville, and thirty-two others. The accused were seated in a circle facing the court in such a way that they could neither see nor communicate with their own counsel, who were compelled to sit behind them. Nor could they see the witnesses, who were also placed behind them.

The charge brought against the accused was that of having conspired to violate the *German Military Penal Code*, punishing with death those who conduct troops to the enemy. Its basis in *German Military Law* is found in Paragraph 68 of the *German Military Code*, which says :

“Whoever, with the intention of helping the hostile Power, or of injuring the German or allied troops, is guilty of one of the crimes of Paragraph 90 of the German Penal Code, will be sentenced to death for treason.”

Among the crimes mentioned in Paragraph 90 is that of "*conducting soldiers to the enemy*" (*dem Feinde Mannschaftenzuführt*).

We have no record of that trial; we do not know all that occurred there behind the closed doors of that Senate chamber, where for four-score years laws based on another and more enlightened principle of justice had been discussed and enacted. The lips of the lawyers who were there, and of the accused — those among the thirty-four who were acquitted — have not been unsealed, and will not be until the little land is released from the terror which daily enacts such scenes. Miss Cavell did not know, or knew only in the vaguest manner, the offense with which she was charged. No written statement of it had ever been delivered to her, no written statement of it had ever been given to her attorney, and it is a pathetic circumstance that it was her own honesty and frankness, her own direct English way of thinking, that convicted her. With the *naïveté* of the pure in heart she assumed that the Germans were charging her with the deeds that she had committed, and these she readily admitted, and even signed a paper to that effect. We know enough to be able to say that Miss Cavell did not deny having received at her hospital English soldiers, whom she nursed and to whom

she gave money ; she did not deny that she knew they were going to try to cross the border into Holland. She even took a patriotic pride in the fact. She was interrogated in German, a language she did not understand, but the questions and responses were translated into French. Her mind was very alert, she was entirely calm and self-possessed, and frequently rectified inexact details in the statements that were put to her. When, in her interrogatory, she was asked if she had not aided English soldiers left behind after the early battles of the preceding autumn about Mons and Charleroi, she said yes ; they were English and she was English, and she would help her own. The answer seemed to impress the court. They asked her if she had not helped twenty.

"Yes", she said, "*more than twenty ; two hundred.*"

"English ?"

"No, not all English ; French and Belgians, too."

But the French and Belgians were not of her own nationality, said the judge — and that made a serious difference. She was subjected to a nagging interrogatory. One of the judges said that she had been foolish to aid English soldiers because, he said, the English are ungrateful.

"No", replied Miss Cavell, "*the English are not ungrateful.*"

"How do you know they are not ?" asked the inquisitor.

"Because", she answered, "*some of them have written to me from England to thank me.*"

It was a fatal admission on the part of the tortured little woman ; under the German military law her having helped soldiers to reach Holland, a neutral country, would have been a less serious offense, but to aid them to reach an enemy country, and especially England, was the last offense in the eyes of a German military court.

The trial was concluded on Friday, and on Sunday one of the nurses in Miss Cavell's school came to say that there was a rumour about town that the prosecuting officer had asked the court to pronounce a sentence of death on the Princess de Croy, the Countess de Belleville and Miss Cavell, and several others. The court had not as yet pronounced judgment, however, and there was some hope — or in the tribunals before which Maître de Leval and I were used to practise there would have been some hope — that the court would not pronounce the judgment proposed. I remember to have said to Maître de Leval, when he came up to my chamber to report this astounding news :

"*That's only the usual exaggeration of the prosecutor ; they all ask for the extreme penalty, everywhere, when they sum up their cases.*"

"Yes", said Maître de Leval, "*and in German courts they always get it.*"

Maître de Leval sent a note to Maître Kirschen asking him to come on Monday at eight-thirty o'clock to the Legation, or to send word regarding Miss Cavell. Maître Kirschen did not send Maître de Leval the word he had requested, and on that Sunday de Leval saw another lawyer who had been in the case and could tell him what had taken place at the trial. This lawyer thought

that the court-martial would not condemn Miss Cavell to death. At any rate no judgment had been pronounced and the judges themselves did not appear to be in agreement. On Monday, October 11, at 8.30 in the morning, Maître de Leval went to the *Politische Abteilung* in the Rue Lambermont, and found Conrad. He spoke to him of the case of Miss Cavell and asked that now that the trial had taken place, he and the Reverend Mr. H. Stirling T. Gahan, the British chaplain at Brussels and rector of the English church, be allowed to see Miss Cavell. Conrad said he would make inquiries and inform de Leval by telephone, and by one of the messengers of the Legation who that morning happened to deliver some papers to the *Politische Abteilung* Conrad sent word that neither the Reverend Mr. Gahan nor Maître de Leval could see Miss Cavell at that time, but that Maître de Leval could see her as soon as the judgment had been pronounced. At 11.30 o'clock on that Monday morning Maître de Leval himself telephoned to Conrad, who repeated this statement. The judgment had not yet been rendered, he said, and Maître de Leval asked Conrad to inform him as soon as the judgment was pronounced, so that he might go to see Miss Cavell. Conrad promised this, but added that even then the Reverend Mr. Gahan could not see her because there were German pastors at the prison, and that if Miss Cavell needed spiritual advice or consolation she could call on them. Conrad concluded this conversation by saying that the judgment would be rendered probably on the morrow — that is, on Tuesday — or the day after, and that even when it had been pronounced it would have to be signed by the Military Governor before it was effective and that the Legation would be kept informed.

Maître de Leval is one of the most meticulously exact men that I ever knew. The instant he had an important conversation of any sort he used to dictate the purport of it to a stenographer, and thus he always had a record of everything — the date, the hour, precisely what was said and done. In preparing this account I have had the benefit of a glance at Maître de Leval's own notes. Shortly after noon on that Monday, not having received any news from Maître Kirschen, Maître de Leval went to his house, but did not find him there and left his card. He then went to the house of a lawyer to whom reference has already been made and left word for him to call at his house. At four o'clock that afternoon the lawyer went to Maître de Leval and said that he had gone to see the Germans at eleven o'clock and that there he had been told that no judgment would be pronounced before the following day. On leaving the Legation to go home Maître de Leval told all that had happened to Gibson, and asked him to telephone again to Conrad before going home himself.

Thus at intervals all day long the inquiry had been repeated, and the same response made. Monday evening, at 6:20 o'clock, Belgian time, Topping, one of the clerks of the Legation, with Gibson standing by, again called Conrad on the telephone, again was told that the judgment had not been pronounced and that the Political Department would not fail to inform the Legation the moment the judgment was confirmed. And then the chancellerie was closed for the night.

Brand WITHLOCK

London ; William HEINEMANN ; 1919.

* **Mr. Whitlock, American Minister in Brussels, to Baron von der Lancken :**

Bruxelles, le 31 août, 1915.

Excellence :

Ma Légation vient d'être informée que Miss Edith Cavell, sujette anglaise habitant rue de la Culture à Bruxelles, aurait été arrêtée.

Je serais fort obligé à Votre Excellence si Elle voulait bien me faire savoir si ce renseignement est exact, et, dans l'affirmative, quelles sont les raisons de cette arrestation. Je lui saurais gré également dans ce cas de bien vouloir faire parvenir à la Légation l'autorisation nécessaire des autorités judiciaires allemandes, pour que M. de Leval puisse conférer avec Miss Cavell, et éventuellement charger quelqu'un de sa défense.

Je saisis, etc.,

Brand Whitlock.

(Translation :)

Brussels, August 31, 1915.

Your Excellency :

My Legation has just been informed that Miss Edith Cavell, a British subject residing in the rue de la Culture, Brussels, is said to have been arrested.

I should be greatly obliged if Your Excellency would be good enough to let me know whether this report is true, and, if so, the reasons for her arrest. I should also be grateful in that case if Your Excellency would furnish this Legation with the necessary authorization from the German judicial authorities so that M. de Leval may consult with Miss Cavell, and eventually entrust some one with her defense.

I avail, etc..

Brand Whitlock.

Mr. Whitlock, American Minister in Brussels, to Baron von der Lancken :

Le Ministre d'Amérique présente ses compliments à son Excellence M. le Baron von der Lancken, et a l'honneur de lui rappeler sa lettre du 31 août, concernant l'arrestation de Miss Cavell, lettre à laquelle il n'a pas encore reçu de réponse.

Comme le Ministre a été, par dépêche, prié de s'occuper aussitôt de la défense de Miss Cavell, il serait fort obligé à son Excellence M. le Baron von der Lancken de bien vouloir le mettre à même de prendre immédiatement les mesures éventuellement nécessaires pour cette défense, et de répondre par télégramme à la dépêche qu'il a reçue.

Bruxelles, le 10 septembre 1915.

(Translation :)

The American Minister presents his compliments to the Baron von der Lancken and has the honour to draw his Excellency's attention to his letter of the 31 August, respecting the arrest of Miss Cavell, to which no reply has yet been received.

As the Minister has been requested by telegraph to take charge of Miss Cavell's defense without delay, he would be greatly obliged if Baron von der Lancken would enable him to take forthwith such steps as may be necessary for this defense, and to answer by telegraph the despatch he has received.

Brussels, September 10, 1915.

Mr. Whitlock, American Minister in Brussels, to Mr. Page

American Legation, Brussels, September 21, 1915.

Sir :

Referring to your telegram of the 27th of August in regard to the case of Miss Edith Cavell, who was arrested on the 5th of August, and is now in the military prison at St.-Gilles, I beg to enclose herewith for your information a copy of a communication which I have just received from Baron von der Lancken in regard to the matter.

The legal adviser appointed to defend Miss Cavell has informed the Legation that she has indeed admitted having hidden in her house English and French soldiers, and has facilitated the departure of Belgian subjects to the front, furnishing them money and guides to enable them to cross the Dutch frontier.

The Legation will of course keep this case in view and endeavour to see that a fair trial is given Miss Cavell, and will not fail to let you know of any developments.

I have, etc.,

Brand Whitlock.

Baron von der Lancken to Mr. Whitlock

Politische Abteilung bei dem General-Gouverneur in Belgien

I. 6940

Bruxelles, le 12 septembre, 1915.

M. le Ministre :

En réponse à la note que Votre Excellence a bien voulu m'adresser en date du 31 du mois dernier, j'ai l'honneur de porter à sa connaissance que Miss Edith Cavell a été arrêtée le 5 août et qu'elle se trouve actuellement dans la prison militaire de St.-Gilles.

Elle a avoué elle-même avoir caché dans sa demeure des soldats anglais et français, ainsi que des Belges en âge de porter les armes, tous désireux de se rendre au front. Elle a avoué également avoir fourni à ces soldats l'argent nécessaire pour faire le voyage en France et avoir facilité leur sortie de Belgique en leur procurant des guides qui les faisaient franchir clandestinement la frontière néerlandaise.

La défense de Miss Cavell est entre les mains de l'avocat Braun, qui du reste s'est déjà mis en rapport avec les autorités allemandes compétentes.

Attendu que le Gouvernement-Général pour des raisons de principe n'admet pas que les prévenus aient des entretiens quels qu'ils soient ; je regrette infiniment de ne pouvoir procurer à M. de Leval la permission d'aller voir Miss Cavell tant qu'elle est au secret.

Je profite, etc.,

Lancken.

(Translation :)

Sir :

In reply to Your Excellency's note of the 31st ultimo, I have the honour to inform you that Miss Edith Cavell was arrested on the 5 August, and that she is at present in the military prison at St.-Gilles.

She has herself admitted that she concealed in her house French and English soldiers, as well as Belgians of military age, all desirous of proceeding to the front. She has also admitted having furnished these soldiers with the money necessary for their journey to France, and having facilitated their departure from Belgium by providing them with guides who enabled them secretly to cross the Dutch frontier.

Miss Cavell's defence is in the hands of the advocate Braun, who, I may add, is already in touch with the competent German authorities.

In view of the fact that the General Government as a matter of principle does not allow accused persons to have any interviews whatever, I much regret my inability to procure for M. de Leval permission to visit Miss Cavell as long as she is in solitary confinement.

I avail, etc.,

Lancken.

Mr. Whitlock, American Minister in Brussels, to Mr. Page

American Legation, Brussels, October 9, 1915.

Sir :

I beg to acknowledge the receipt of your letter of the 23rd of September in regard to the arrest by the German military authorities of Miss Edith Cavell, head of a training school for nurses.

Upon receipt of your telegram of the 27th of August, I took the matter up with the German authorities, and learned that Miss Cavell had indeed been arrested upon a charge of "espionage." The Belgian attorney appointed to defend her before the court-martial called several times at the Legation, and will continue to keep me well posted in regard to the case. It seems that Miss Cavell has made several very damaging admissions, and there appeared to be no ground upon which I could ask, for her release before the trial.

The case will come up for trial next week, and I shall write you as soon as there is any further development.

I am, etc.

Brand Whitlock.

Mr. Whitlock, American Minister in Brussels,
to Mr. Page

American Legation, Brussels, October 11, 1915.

Sir :

Referring to my letter of October 9 in regard to the case of Miss Edith Cavell, I hasten to send you word that her trial has been completed, and that the German prosecutor has asked for sentence of death against her and eight other persons implicated by her testimony. Sentence has not yet been pronounced, and I have some hope that the court-martial may decline to pass the rigorous sentence proposed.

I have thus far done everything that has been possible to secure a fair trial for Miss Cavell, and am assured by her attorney that no complaint can be made on this score.

I feel that it would be useless to take any action until sentence is pronounced. I shall then, of course, neglect no effort to prevent an unduly severe penalty being inflicted upon her. I shall immediately telegraph you upon the pronouncement of sentence.

I have, etc..

Brand Whitlock.

**** M. de Leval to M. Kirschen**

Bruxelles, le 5 octobre 1915.

M. l'Avocat :

Je vous remercie pour la lettre que vous avez bien voulu adresser a M. de Leval l'informant que l'affaire de Miss Cavell viendrait devant le conseil de guerre jeudi prochain à 8 heures du matin. Ainsi qu'il a été convenu, je vous serais fort obligé si vous vouliez bien, après l'audience, m'envoyer un mémorandum exposant les faits pour lesquels Miss Cavell est poursuivie, et indiquant les charges qui se seront révélées contre elle à l'audience ainsi que la sentence qui aura été prononcée.

Veillez, etc.,

(Pour le Ministre),

G. de Leval, Conseiller-légiste de la Légation.

(Translation :)

Brussels, October 5, 1915.

Sir :

I thank you for the letter you were good enough to address to M. de Leval informing him that Miss Cavell's case would come before the court-martial at 8 a.m. next Thursday. In pursuance of the arrangement already made, I should be most grateful if you would be good enough to send me, after the hearing, a memorandum setting forth the acts for which Miss Cavell is being prosecuted, and stating the charges brought against her at the hearing, and also the sentence passed.

I am, etc.,

(For the Minister),

G. de Leval, Legal Adviser to the Legation.

Footnotes.

It would be interesting compare with what **Paul MAX** (cousin of the *bourgmestre* **Adolphe MAX**) told about the same day in his *Journal de guerre* (*Notes d'un Bruxellois pendant l'Occupation 1914-1918*) :

[http://www.museedelavilledebruxelles.be/fileadmin/user_upload/publications/Fichier_PDF/Fonte/Journal de %20guerre de Paul Max bdef.pdf](http://www.museedelavilledebruxelles.be/fileadmin/user_upload/publications/Fichier_PDF/Fonte/Journal_de%20guerre_de_Paul_Max_bdef.pdf)

The Argentine journalist **Roberto J. Payró**, having been arrested on September 22, 1915 :

« *Roberto J. Payró : son arrestation à Bruxelles* » a été, à l'origine, publié dans *La Nación* du 15/12/1915 :

Version **française** :

<http://idesetautres.be/upload/19150922%20ARRESTATION%20PAYRO%20A%20BRUXELLES%20LA%20NACION%2019151215.pdf>

Original **Spanish** version:

<http://idesetautres.be/upload/19150922%20ARRESTO%20PAYRO%20EN%20BRUSELAS%20LA%20NACION%2019151215.pdf>

Fac-simile :

<http://idesetautres.be/upload/19150922%20ARRESTO%20PAYRO%20EN%20BRUSELAS%20LA%20NACION%2019151215.JPG>

« *Une primeur pour nos lecteurs. Sous l'Occupation : M. Roberto J. Payró* », est paru dans *Le Cri de Belgique* (organe hebdomadaire des intérêts belges dans l'Amérique du sud) ; Buenos Aires ; 17 janvier 1920, numéro 223 :

<http://idesetautres.be/upload/19150922%20ARRESTATION%20PAYRO%20CRI%20DE%20BELGIQUE%2019200117.pdf>

Fac-simile :

<http://idesetautres.be/upload/19150922%20ARRESTATION%20PAYRO%20CRI%20DE%20BELGIQUE%2019200117.JPG>

Roberto J. Payró could not react about Edith Cavell's arrestation, as he used to do in his *Diario de un testigo* (*La guerra vista desde Bruselas*) :

<http://www.idesetautres.be/?p=ides&mod=iea&smod=ieaFictions&part=belgique100>

Original **Spanish** version:

www.idesetautres.be