

Correspondence with the United States Ambassador respecting the execution of Miss Cavell at Brussels.

Contributors

Great Britain. Foreign Office.

United States. Embassy (Great Britain)

United States. Legation (Belgium)

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MISCELLANEOUS. No. 17 (1915).

CORRESPONDENCE

WITH THE

UNITED STATES AMBASSADOR

RESPECTING THE

EXECUTION OF MISS CAVELL
AT BRUSSELS.

*Presented to both Houses of Parliament by Command of His Majesty.
October 1915.*

LONDON :

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TABLE OF CONTENTS.

No.	Name.	Date.	SUBJECT.	Page
1	Sir E. Grey to Mr. Page ..	Aug. 26, 1915	Asks that the United States Minister at Brussels may be requested to enquire as to the reported arrest of Miss Cavell	1
2	"	Sept. 22,	Asks for answer to No. 1.	1
3	Mr. Page to Sir E. Grey ..	28,	Transmits letter from the United States Minister at Brussels enclosing Baron von der Lancken's reply as to the reasons for Miss Cavell's arrest. No interview with her can be allowed ..	1
4	"	Oct. 13,	Informs of telegram received from the United States Minister at Brussels reporting execution of Miss Cavell	2
5	"	15,	Transmits two letters from the United States Minister at Brussels of October 9 and 11 respectively reporting how the case stands ..	3
6	"	18,	Transmits despatch from United States Minister at Brussels enclosing copies of all correspondence with the German authorities, as well as reports by Mr. Gibson and M. de Leval in regard to the case	4
7	Sir E. Grey to Mr. Page ..	20,	Expresses confidence that news of Miss Cavell's execution will be received with horror and disgust throughout the civilised world. Ask that the grateful thanks of His Majesty's Government may be conveyed to Mr. Whitlock and his staff for their untiring efforts on Miss Cavell's behalf	12
8	Sir E. Grey to Señor Merry del Val.	20,	Asks that the Spanish Government may be informed how much His Majesty's Government appreciate the efforts made by the Spanish Minister in Brussels on behalf of Miss Cavell ..	13
9	Mr. Page to Sir E. Grey ..	22,	Transmits despatch from United States Minister at Brussels enclosing an account of the British chaplain's last interview with Miss Cavell ..	13
10	"	22,	Transmits despatch from United States Minister at Brussels respecting the burial of Miss Cavell	14

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Correspondence with the United States Ambassador respecting
the Execution of Miss Cavell at Brussels.

No. 1.

Sir Edward Grey to Mr. Page, United States Ambassador in London.

THE Secretary of State for Foreign Affairs presents his compliments to the United States Ambassador, and, has the honour to state that it is reported that Miss Edith Cavell, who is the head of a large training-school for nurses in the Rue de la Culture at Brussels, has been arrested at that place.

Sir E. Grey would be grateful if Mr. Page would kindly enquire of the United States Minister at Brussels, by telegraph, whether the report is correct and, if so, the reason for Miss Cavell's arrest. In the latter event Sir E. Grey would be grateful if his Excellency would request Mr. Whitlock to render her any assistance he properly can.

Foreign Office, August 26, 1915.

No. 2.

Sir Edward Grey to Mr. Page, United States Ambassador in London.

THE Secretary of State for Foreign Affairs presents his compliments to the United States Ambassador, and, with reference to his note of the 26th ultimo, in which he requested Mr. Page to be good enough to endeavour to obtain, by telegraph, from the United States Minister at Brussels information in regard to the reported arrest by the German military authorities of Miss Edith Cavell, head of a training-school for nurses at that place, has the honour to state that he will be greatly obliged if his Excellency will again communicate with Mr. Whitlock, with a view to ascertaining whether it is probable that any confirmation, or denial, of the report is forthcoming.

Foreign Office, September 22, 1915.

No. 3.

*Mr. Page, United States Ambassador in London, to Sir Edward Grey.—
(Received September 30.)*

THE American Ambassador presents his compliments to His Majesty's Secretary of State for Foreign Affairs, and, with reference to the note Sir Edward Grey was good enough to address to him on the 26th August respecting the case of Miss Edith Cavell, has the honour to enclose herewith a copy of a letter he has just received from the Minister of Brussels in the premises.

*American Embassy, London,
September 28, 1915.*

Enclosure 1 in No. 3.

Mr. Whitlock, United States Minister in Brussels, to Mr. Page.

Sir,

American Legation, Brussels, September 21, 1915.

REFERRING to your telegram of the 27th August in regard to the case of Miss Edith Cavell, who was arrested on the 5th August, and is now in the military prison

at St.-Gilles, I beg to enclose herewith, for your information, 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 for 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, &c.

BRAND WHITLOCK.

Enclosure 2 in No. 3.

Baron von der Lancken to Mr. Whitlock.

(Translation.)

Politische Abteilung
bei dem
Generalgouverneur in Belgien.
I. 6940.

Political Department
of the
Governor-General in Belgium.
I. 6940.

Bruxelles,

Brussels,

M. le Ministre, le 12 septembre, 1915.

Sir, September 12, 1915

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.

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 5th August, and that she is at present in the military prison of 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 qu'ils faisaient franchir clandestinement la frontière néerlandaise.

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 to cross the Dutch frontier secretly.

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.

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.

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.

In view of the fact that the Department of the Governor-General 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.

Je profite, &c.

I avail, &c.

LANCKEN.

LANCKEN.

No. 4.

Mr. Page, United States Ambassador in London, to Sir Edward Grey.—
(Received October 14.)

THE American Ambassador presents his compliments to His Majesty's Secretary of State for Foreign Affairs, and, with reference to the note Sir Edward Grey was good enough to address to him on the 26th August last,* and subsequent correspondence

* See No. 1.

respecting the arrest of Miss Edith Cavell, has the honour to quote the following telegram just received from the Minister at Brussels:—

“Miss Cavell sentenced yesterday, and executed at 2 o'clock this morning, despite our best efforts continued until the last moment. Full report follows by mail.”

*American Embassy, London,
October 13, 1915.*

No. 5.

Mr. Page, United States Ambassador in London, to Sir Edward Grey.

THE American Ambassador presents his compliments to His Majesty's Secretary of State for Foreign Affairs, and, with reference to Sir Edward Grey's note of the 22nd September respecting the case of Miss Edith Cavell, a British subject in Belgium, who was arrested on a charge of espionage, has the honour to enclose herewith copies of two letters just received from the Minister at Brussels in the premises.

Mr. Page ventures to point out that these letters were written prior to the despatch of the telegram of the 12th instant from Mr. Whitlock, which was communicated to Sir Edward Grey on the 13th instant.

*American Embassy, London,
October 15, 1915.*

Enclosure 1 in No. 5.

Mr. Whitlock, United States Minister in Brussels, to Mr. Page.

Sir,

American Legation, Brussels, October 9, 1915.

I BEG to acknowledge the receipt of your letter of the 23rd 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 August, I took the matter up with the German authorities, and learned that Miss Cavell has 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 will write you as soon as there is any further development.

I am, &c.

BRAND WHITLOCK.

Enclosure 2 in No. 5.

Mr. Whitlock, United States Minister in Brussels, to Mr. Page.

Sir,

American Legation, Brussels, October 11, 1915.

REFERRING to my letter of the 9th October 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 as 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, &c.

BRAND WHITLOCK.

No. 6.

Mr. Page, United States Ambassador in London, to Sir Edward Grey.

THE American Ambassador presents his compliments to His Majesty's Secretary of State for Foreign Affairs, and, with reference to his note of the 13th instant, has the honour to enclose herewith a copy of a letter, dated the 13th October, just received from the Legation at Brussels, together with a report upon the case of Miss Edith Cavell, a British subject, who was recently executed at that capital.

*American Embassy, London,
October 18, 1915.*

Enclosure 1 in No. 6.

Mr. Whitlock, United States Minister in Brussels, to Mr. Page.

Sir,

American Legation, Brussels, October 13, 1915.

REFERRING to previous correspondence in regard to the case of Miss Edith Cavell, I regret to be obliged to inform you, in confirmation of my telegram of yesterday morning,* that the death sentence recommended by the prosecuting attorney was imposed by the court-martial and that Miss Cavell was executed early yesterday morning.

I enclose herewith for your information copies of all the correspondence which I have had with the German authorities in regard to this case, together with copies of previous letters addressed to you on the subject.

I know that you will understand without my telling you that we exhausted every possible effort to prevent the infliction of the death penalty, and that our failure has been felt by us as a very severe blow. I am convinced, however, that no step was neglected which could have had any effect. From the date we first learned of Miss Cavell's imprisonment, we made frequent enquiries of the German authorities and reminded them of their promise that we should be fully informed as to developments.

They were under no misapprehension as to our interest in the matter. Although the German authorities did not inform me when the sentence had actually been passed, I learned, through an unofficial source, that judgment had been delivered, and that Miss Cavell was to be executed during the night. I immediately sent Mr. Gibson, the Secretary of Legation, to present to Baron von der Lancken my appeal that execution of the sentence should be deferred until the Governor could consider my plea for clemency. Mr. Gibson was accompanied by Maitre de Leval, Legal Counsellor of the Legation, who had worked from the beginning upon the legal aspect of the case. Mr. Gibson was fortunate enough to find the Spanish Minister, and got him to accompany him on his visit to Baron von der Lancken. The details of the visit you will find in Mr. Gibson's report to me. The other papers which are attached speak for themselves and require no further comment from me.

I have, &c.

BRAND WHITLOCK.

* See No. 4.

Enclosure 2 in No. 6.

Mr. Whitlock, United States Minister in Brussels, to Baron von der Lancken.

(Translation.)

Bruxelles,
Excellence, *le 31 août, 1915.*

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, &c.

BRAND WHITLOCK.

Brussels,
Your Excellency, *August 31, 1915.*

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 authorisation from the German judicial authorities, so that M. de Leval may consult with Miss Cavell, and eventually entrust someone with her defence.

I avail, &c.

BRAND WHITLOCK.

Enclosure 3 in No. 6.

Mr. Whitlock, United States Minister in Brussels, to Baron von der Lancken.

(Translation.)

LE Ministre des Etats-Unis 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.

THE United States Minister presents his compliments to Baron von der Lancken and has the honour to draw his Excellency's attention to his letter of the 31st 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 defence 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 defence, and to answer by telegraph to the despatch which he has received.

Brussels, September 10, 1915.

Enclosure 4 in No. 6.

Mr. Hugh Gibson, Secretary of United States Legation, Brussels, to Mr. Whitlock, United States Minister in Brussels.

Report for the Minister.

Sir, *American Legation, Brussels, October 12, 1915.*

UPON learning early yesterday morning through unofficial sources that the trial of Miss Edith Cavell had been finished on Saturday afternoon, and that the prosecuting attorney ("Kriegsgerichtsrat") had asked for a sentence of death against her, telephonic enquiry was immediately made at the Politische Abteilung as to the facts. It was

stated that no sentence had as yet been pronounced and that there would probably be delay of a day or two before a decision was reached. Mr. Conrad gave positive assurances that the Legation would be fully informed as to developments in this case. Despite these assurances, we made repeated enquiries in the course of the day, the last one being at 6:20 P.M. Belgian time. Mr. Conrad then stated that sentence had not yet been pronounced, and specifically renewed his previous assurances that he would not fail to inform us as soon as there was any news.

At 8:30 it was learned from an outside source that sentence had been passed in the course of the afternoon (before the last conversation with Mr. Conrad), and that the execution would take place during the night. In conformity with your instructions, I went (accompanied by Mr. de Leval) to look for the Spanish Minister and found him dining at the home of Baron Lambert. I explained the circumstances to his Excellency and asked that (as you were ill and unable to go yourself) he go with us to see Baron von der Lancken and support as strongly as possible the plea, which I was to make in your name, that execution of the death penalty should be deferred until the Governor could consider your appeal for clemency.

We took with us a note addressed to Baron von der Lancken, and a plea for clemency ("requête en grâce") addressed to the Governor-General.* The Spanish Minister willingly agreed to accompany us, and we went together to the Politische Abteilung.

Baron von der Lancken and all the members of his staff were absent for the evening. We sent a messenger to ask that he return at once to see us in regard to a matter of utmost urgency. A little after 10 o'clock he arrived, followed shortly after by Count Harrach and Herr von Falkenhausen, members of his staff. The circumstances of the case were explained to him and your note presented, and he read it aloud in our presence. He expressed disbelief in the report that sentence had actually been passed, and manifested some surprise that we should give credence to any report not emanating from official sources. He was quite insistent on knowing the exact source of our information, but this I did not feel at liberty to communicate to him. Baron von der Lancken stated that it was quite improbable that sentence had been pronounced, that even if so, it would not be executed within so short a time, and that in any event it would be quite impossible to take any action before morning. It was, of course, pointed out to him that if the facts were as we believed them to be, action would be useless unless taken at once. We urged him to ascertain the facts immediately, and this, after some hesitancy, he agreed to do. He telephoned to the presiding judge of the court-martial and returned in a short time to say that the facts were as we had represented them, and that it was intended to carry out the sentence before morning. We then presented, as earnestly as possible, your plea for delay. So far as I am able to judge, we neglected to present no phase of the matter which might have had any effect, emphasising the horror of executing a woman, no matter what her offence, pointing out that the death sentence had heretofore been imposed only for actual cases of espionage, and that Miss Cavell was not even accused by the German authorities of anything so serious. I further called attention to the failure to comply with Mr. Conrad's promise to inform the Legation of the sentence. I urged that inasmuch as the offences charged against Miss Cavell were long since accomplished, and that as she had been for some weeks in prison, a delay in carrying out the sentence could entail no danger to the German cause. I even went so far as to point out the fearful effect of a summary execution of this sort upon public opinion, both here and abroad, and, although I had no authority for doing so, called attention to the possibility that it might bring about reprisals.

The Spanish Minister forcibly supported all our representations and made an earnest plea for clemency.

Baron von der Lancken stated that the Military Governor was the supreme authority ("Gerichtsherr") in matters of this sort; that appeal from his decision could be carried only to the Emperor, the Governor-General having no authority to intervene in such cases. He added that under the provisions of German martial law the Military Governor had discretionary power to accept or to refuse acceptance of an appeal for clemency. After some discussion he agreed to call the Military Governor on to the telephone and learn whether he had already ratified the sentence, and whether there was any chance for clemency. He returned in about half an hour, and stated that he had been to confer personally with the Military Governor, who said that he had acted in the case of Miss Cavell only after mature deliberation; that the circumstances in her case were of such a character that he considered the infliction of the death penalty

* See Enclosures 5, 6, and 7.

imperative; and that in view of the circumstances of this case he must decline to accept your plea for clemency or any representation in regard to the matter.

Baron von der Lancken then asked me to take back the note which I had presented to him. To this I demurred, pointing out that it was not a "requête en grâce" but merely a note to him transmitting a communication to the Governor, which was itself to be considered as the "requête en grâce." I pointed out that this was expressly stated in your note to him, and tried to prevail upon him to keep it; he was very insistent, however, and I finally reached the conclusion that inasmuch as he had read it aloud to us, and we knew that he was aware of its contents, there was nothing to be gained by refusing to accept the note and accordingly took it back.

Even after Baron von der Lancken's very positive and definite statement that there was no hope, and that under the circumstances "even the Emperor himself could not intervene," we continued to appeal to every sentiment to secure delay, and the Spanish Minister even led Baron von der Lancken aside in order to say very forcibly a number of things which he would have felt hesitancy in saying in the presence of the younger officers and of Mr. de Leval, a Belgian subject.

His Excellency talked very earnestly with Baron von der Lancken for about a quarter of an hour. During this time Mr. de Leval and I presented to the younger officers every argument we could think of. I reminded them of our untiring efforts on behalf of German subjects at the outbreak of war and during the siege of Antwerp. I pointed out that, while our services had been rendered gladly and without any thought of future favours, they should certainly entitle you to some consideration for the only request of this sort you had made since the beginning of the war. Unfortunately, our efforts were unavailing. We persevered until it was only too clear that there was no hope of securing any consideration for the case.

We left the Politische Abteilung shortly after midnight and I immediately returned to the Legation to report to you.

HUGH GIBSON.

Enclosure 5 in No. 6.

Mr. Whitlock, United States Minister in Brussels, to Baron von der Lancken.

(Translation.)

Mon cher Baron,

JE suis trop malade pour vous présenter ma requête moi-même, mais je fais appel à votre générosité de cœur pour l'appuyer et sauver de la mort cette malheureuse. Ayez pitié d'elle!

Votre bien dévoué,

BRAND WHITLOCK.

My dear Baron,

I AM too ill to present my request to you in person, but I appeal to the generosity of your heart to support it and save this unfortunate woman from death. Have pity on her!

Yours sincerely,

BRAND WHITLOCK.

[Written by hand by the Minister.]

Enclosure 6 in No. 6.

Mr. Whitlock, United States Minister in Brussels, to Baron von der Lancken.

(Translation.)

Bruxelles,

Excurrence, *le 11 octobre, 1915.*

JE viens d'apprendre que Miss Cavell, sujette anglaise, et par conséquent sous la protection de ma Légation, a été condamnée à mort ce matin par le conseil de guerre.

Sans examiner les causes qui ont motivé une condamnation aussi sévère, et qui, si les renseignements qu'on me donne sont exacts, est plus sévère dans le cas actuel

[1161]

Brussels,

Your Excellency, *October 11, 1915.*

I HAVE just heard that Miss Cavell, a British subject, and consequently under the protection of my Legation, was this morning condemned to death by court-martial.

If my information is correct, the sentence in the present case is more severe than all the others that have been passed in similar cases which have been tried by the same

B 5

que dans tous les autres cas de même espèce qui ont été jugés par le même tribunal, je crois pouvoir faire appel aux sentiments d'humanité et de générosité de son Excellence le Gouverneur Général en faveur de Miss Cavell, afin que la peine de mort prononcée contre elle soit commuée et que cette malheureuse femme ne soit pas passée par les armes.

Miss Cavell, en effet, est la principale nurse de l'Institut chirurgical de Bruxelles. Elle a passé sa vie à soigner la souffrance des autres, et à son école se sont formées de nombreuses infirmières qui ont, dans le monde entier, en Allemagne comme en Belgique, veillé au chevet des malades. Au début de la guerre, Miss Cavell a prodigué ses soins aux soldats allemands comme aux autres. A défaut d'autres raisons, sa carrière humanitaire est de nature à inspirer toutes les pitiés et à promouvoir tous les pardons. Si les informations qui me sont données sont exactes, Miss Cavell, loin de se cacher, a, avec une louable franchise, avoué tous les faits qui étaient à sa charge, et ce seraient même des renseignements fournis par elle seule, et qu'elle seule pouvait fournir, qui ont causé l'aggravation de la peine prononcée contre elle.

C'est donc avec confiance, et avec l'espoir de la voir favorablement accueillie, que je prie votre Excellence de présenter à M. le Gouverneur Général ma requête en grâce en faveur de Miss Cavell.

Je saisis, &c.

BRAND WHITLOCK.

court, and, without going into the reasons for such a drastic sentence, I feel that I have the right to appeal to his Excellency the Governor-General's feelings of humanity and generosity in Miss Cavell's favour, and to ask that the death penalty passed on Miss Cavell may be commuted, and that this unfortunate woman shall not be executed.

Miss Cavell is the head of the Brussels Surgical Institute. She has spent her life in alleviating the sufferings of others, and her school has turned out many nurses who have watched at the bedside of the sick all the world over, in Germany as in Belgium. At the beginning of the war Miss Cavell bestowed her care as freely on the German soldiers as on others. Even in default of all other reasons, her career as a servant of humanity is such as to inspire the greatest sympathy and to call for pardon. If the information in my possession is correct, Miss Cavell, far from shielding herself, has, with commendable straightforwardness, admitted the truth of all the charges against her, and it is the very information which she herself has furnished, and which she alone was in a position to furnish, that has aggravated the severity of the sentence passed on her.

It is then with confidence, and in the hope of its favourable reception, that I beg your Excellency to submit to the Governor-General my request for pardon on Miss Cavell's behalf.

I avail, &c.

BRAND WHITLOCK.

Enclosure 7 in No. 6.

Mr. Whitlock, United States Minister in Brussels, to Baron von Bissing, Governor-General in Belgium.

(Translation.)

Bruxelles,

Excellence, *le 11 octobre, 1915.*

JE viens d'apprendre que Miss Cavell, sujette anglaise, et par conséquent sous la protection de ma Légation, a été condamnée à mort ce matin par le conseil de guerre.

Sans examiner les causes qui ont motivé une condamnation aussi sévère, et qui, si les renseignements qu'on me donne sont exacts, est plus sévère dans le cas actuel que dans tous les autres cas de même espèce qui ont été jugés par le même tribunal, je crois pouvoir faire appel aux sentiments d'humanité et de générosité de Votre Excellence en faveur de Miss Cavell, afin que la peine de mort prononcée contre elle soit commuée et que cette malheureuse femme ne soit pas passée par les armes.

Brussels,

Your Excellency, *October 11, 1915.*

I HAVE just heard that Miss Cavell, a British subject, and consequently under the protection of my Legation, was this morning condemned to death by court-martial.

If my information is correct, the sentence in the present case is more severe than all the others that have been passed in similar cases which have been tried by the same Court, and, without going into the reasons for such a drastic sentence, I feel that I have the right to appeal to your Excellency's feelings of humanity and generosity in Miss Cavell's favour, and to ask that the death penalty passed on Miss Cavell may be commuted and that this unfortunate woman shall not be executed.

Miss Cavell en effet est la principale nurse de l'Institut chirurgical de Bruxelles. Elle a passé sa vie à soigner la souffrance des autres, et, à son école, se sont formées de nombreuses infirmières qui ont, dans le monde entier, en Allemagne comme en Belgique, veillé au chevet des malades. Au début de la guerre, Miss Cavell a prodigué ses soins aux soldats allemands comme aux autres. A défaut d'autres raisons, sa carrière humanitaire est de nature à inspirer toutes les pitiés et à promouvoir tous les pardons. Si les informations qui me sont données sont exactes, Miss Cavell, loin de se cacher, a, avec une louable franchise, avoué tous les faits qui étaient à sa charge, et ce seraient même des renseignements fournis par elle seule, et qu'elle seule pouvait fournir, qui ont causé l'aggravation de la peine prononcée contre elle.

C'est donc avec confiance, et avec l'espoir de le voir favorablement accueillie, que j'ai l'honneur de présenter à Votre Excellence ma requête en grâce en faveur de Miss Cavell.

Je saisis, &c.

BRAND WHITLOCK.

Miss Cavell is the head of the Brussels Surgical Institute. She has spent her life in alleviating the sufferings of others, and her school has turned out many nurses who have watched at the bedside of the sick all the world over, in Germany as in Belgium. At the beginning of the war Miss Cavell bestowed her care as freely on the German soldiers as on others. Even in default of all other reasons, her career as a servant of humanity is such as to inspire the greatest sympathy and to call for pardon. If the information in my possession is correct, Miss Cavell, far from shielding herself, has, with commendable straightforwardness, admitted the truth of all the charges against her, and it is the very information which she herself has furnished, and which she alone was in a position to furnish, which has aggravated the severity of the sentence passed on her.

It is then with confidence, and in the hope of its favourable reception, that I have the honour to present to your Excellency my request for pardon on Miss Cavell's behalf.

I avail, &c.

BRAND WHITLOCK.

Enclosure 8 in No. 6.

Mr. Whitlock, United States Minister in Brussels, to Mr. Page.

(Telegraphic.)

American Legation, Brussels, October 12, 1915.

YOUR letter of the 23rd September and my replies of the 9th and 11th October. Miss Cavell sentenced yesterday and executed at 2 o'clock this morning, despite our best efforts continued until the last moment. Full report follows by mail.—WHITLOCK, *American Minister.*

Enclosure 9 in No. 6.

M. de Leval to Mr. Whitlock, United States Minister in Brussels.

Report for the Minister.

Sir,

October 12, 1915.

AS soon as the Legation received an intimation that Miss Cavell was arrested, your letter of the 31st August* was sent to Baron von der Lancken. The German authorities were by that letter requested, *inter alia*, to allow me to see Miss Cavell, so as to have all necessary steps taken for her defence. No reply being received, the Legation, on the 10th September,† reminded the German authorities of your letter.

The German reply, sent on the 12th September,‡ was that I would not be allowed to see Miss Cavell, but that Mr. Braun, lawyer at the Brussels Court, was defending her and was already seeing the German authorities about the case.

I immediately asked Mr. Braun to come to see me at the Legation, which he did a few days later. He informed me that personal friends of Miss Cavell had asked him to defend her before the German Court, that he agreed to do so, but that owing to some unforeseen circumstances he was prevented from pleading before that Court,

* See Enclosure 2 in No. 6.

† See Enclosure 3 in No. 6.

‡ See Enclosure 2 in No. 3.

adding that he had asked Mr. Kirschen, a member of the Brussels Bar and his friend, to take up the case and plead for Miss Cavell, and that Mr. Kirschen had agreed to do so.

I, therefore, at once put myself in communication with Mr. Kirschen, who told me that Miss Cavell was prosecuted for having helped soldiers to cross the frontier. I asked him whether he had seen Miss Cavell and whether she had made any statement to him, and to my surprise found that the lawyers defending prisoners before the German Military Court were not allowed to see their clients before the trial, and were not shown any document of the prosecution. This, Mr. Kirschen said, was in accordance with the German military rules. He added that the hearing of the trial of such cases was carried out very carefully, and that in his opinion, although it was not possible to see the client before the trial, in fact the trial itself developed so carefully and so slowly, that it was generally possible to have a fair knowledge of all the facts and to present a good defence for the prisoner. This would specially be the case for Miss Cavell, because the trial would be rather long as she was prosecuted with thirty-four other prisoners.

I informed Mr. Kirschen of my intention to be present at the trial so as to watch the case. He immediately dissuaded me from taking such attitude, which he said would cause a great prejudice to the prisoner, because the German judges would resent it and feel it almost as an affront if I was appearing to exercise a kind of supervision on the trial. He thought that if the Germans would admit my presence, which was very doubtful, it would in any case cause prejudice to Miss Cavell.

Mr. Kirschen assured me over and over again that the Military Court of Brussels was always perfectly fair and that there was not the slightest danger of any miscarriage of justice. He promised that he would keep me posted on all the developments which the case would take and would report to me the exact charges that were brought against Miss Cavell and the facts concerning her that would be disclosed at the trial, so as to allow me to judge by myself about the merits of the case. He insisted that, of course, he would do all that was humanly possible to defend Miss Cavell to the best of his ability.

Three days before the trial took place, Mr. Kirschen wrote me a few lines saying that the trial would be on the next Thursday, the 7th October. The Legation at once sent him, on the 5th October, a letter* confirming in writing in the name of the Legation the arrangement that had been made between him and me. This letter was delivered to Mr. Kirschen by a messenger of the Legation.

The trial took two days, ending Friday the 8th.

On Saturday I was informed by an outsider that the trial had taken place, but that no judgment would be reached till a few days later.

Receiving no report from Mr. Kirschen, I tried to find him, but failed. I then sent him a note on Sunday, asking him to send his report to the Legation or call there on Monday morning at 8.30. At the same time I obtained from some other person present at the trial some information about what had occurred, and the following facts were disclosed to me :—

Miss Cavell was prosecuted for having helped English and French soldiers, as well as Belgian young men, to cross the frontier and to go over to England. She had admitted by signing a statement before the day of the trial, and by public acknowledgment in Court, in the presence of all the other prisoners and the lawyers, that she was guilty of the charges brought against her, and she had acknowledged not only that she had helped these soldiers to cross the frontier, but also that some of them had thanked her in writing when arriving in England. This last admission made her case so much the more serious, because if it only had been proved against her that she had helped the soldiers to traverse the Dutch frontier, and no proof was produced that these soldiers had reached a country at war with Germany, she could only have been sentenced for an attempt to commit the "crime" and not for the "crime" being duly accomplished. As the case stood, the sentence fixed by the German military law was a sentence of death.

Paragraph 58 of the German Military Code says :—

"Will be sentenced to death for treason any person who, with the intention of helping the hostile Power, or of causing harm to the German or allied troops, is guilty of one of the crimes of paragraph 90 of the German Penal Code."

* See Enclosure 10 in No. 6.

The case referred to in above said paragraph 90 consists in:—

“ conducting soldiers to the enemy (viz.: “dem Feinde Mannschaften zuführt”).

The penalties above set forth apply, according to paragraph 160 of the German Code, in case of war, to foreigners as well as to Germans.

In her oral statement before the Court Miss Cavell disclosed almost all the facts of the whole prosecution. She was questioned in German, an interpreter translating all the questions in French, with which language Miss Cavell was well acquainted. She spoke without trembling and showed a clear mind. Often she added some greater precision to her previous depositions.

When she was asked why she helped these soldiers to go to England, she replied that she thought that if she had not done so they would have been shot by the Germans, and that therefore she thought she only did her duty to her country in saving their lives.

The Military Public Prosecutor said that argument might be good for English soldiers, but did not apply to Belgian young men whom she induced to cross the frontier and who would have been perfectly free to remain in the country without danger to their lives.

Mr. Kirschen made a very good plea for Miss Cavell, using all arguments that could be brought in her favour before the Court.

The Military Public Prosecutor, however, asked the Court to pass a death sentence on Miss Cavell and eight other prisoners amongst the thirty-five. The Court did not seem to agree, and the judgment was postponed. The person informing me said he thought that the Court would not go to the extreme limit.

Anyhow, after I had found out these facts (viz., Sunday evening), I called at the Political Division of the German Government in Belgium and asked whether, now that the trial had taken place, permission would be granted to me to see Miss Cavell in jail, as surely there was no longer any object in refusing that permission. The German official, Mr. Conrad, said he would make the necessary enquiry at the Court and let me know later on.

I also asked him that permission be granted to Mr. Gahan, the English clergyman, to see Miss Cavell.

At the same time we prepared at the Legation, to be ready for every eventuality, a petition for pardon, addressed to the Governor-General in Belgium and a transmitting note addressed to Baron von der Lancken.

Monday morning at 11 I called up Mr. Conrad on the telephone from the Legation (as I already had done previously on several occasions when making enquiries about the case), asking what the Military Court had decided about Mr. Gahan and myself seeing Miss Cavell. He replied that Mr. Gahan could not see her, but that she could see any of the three Protestant clergymen attached to the prison; and that I could not see her till the judgment was pronounced and signed, but that this would probably only take place in a day or two. I asked the German official to inform the Legation immediately after the passing of said judgment, so that I might see Miss Cavell at once, thinking, of course, that the Legation might, according to your intentions, take immediate steps for Miss Cavell's pardon if the judgment really was a sentence of death.

Very surprised to still receive no news from Mr. Kirschen, I then called at his house at 12.30 and was informed that he would not be there till about the end of the afternoon. I then called, at 12.40, at the house of another lawyer interested in the case of a fellow-prisoner, and found that he also was out. In the afternoon, however, the latter lawyer called at my house, saying that in the morning he had heard from the German Kommandantur that judgment would be passed only the next morning, viz., Tuesday morning. He said that he feared that the Court would be very severe for all the prisoners.

Shortly after, this lawyer left me, and while I was preparing a note about the case, at 8 P.M. I was privately and reliably informed that the judgment had been delivered at 5 o'clock in the afternoon, that Miss Cavell had been sentenced to death, and that she would be shot at 2 o'clock the next morning. I told my informer that I was extremely surprised at this, because the Legation had received no information yet, neither from the German authorities nor from Mr. Kirschen, but that the matter was too serious to run the smallest chance, and that therefore I would proceed immediately to the Legation to confer with your Excellency and take all possible steps to save Miss Cavell's life.

According to your Excellency's decision, Mr. Gibson and myself went, with the Spanish Minister, to see Baron von der Lancken, and the report of our interview and of our efforts to save Miss Cavell is given to you by Mr. Gibson.

This morning, Mr. Gahan, the English clergyman, called to see me and told me that he had seen Miss Cavell in her cell yesterday night at 10 o'clock, that he had given her the Holy Communion and had found her admirably strong and calm. I asked Mr. Gahan whether she had made any remarks about anything concerning the legal side of her case, and whether the confession which she made before the trial and in Court was, in his opinion, perfectly free and sincere. Mr. Gahan says that she told him she perfectly well knew what she had done; that according to the law, of course, she was guilty and had admitted her guilt, but that she was happy to die for her country.

G. DE LEVAL.

Enclosure 10 in No. 6.

M. de Leval to M. Kirschen.

(Translation.)

Bruxelles,
M. l'Avocat, *le 5 octobre, 1915.*
JE vous remercie pour la lettre que vous avez bien voulu adresser à 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.

Veuillez, &c.

(Pour le Ministre),

G. DE LEVAL,

*Conseiller-légiste de la
Légation.*

Brussels,
Sir, *October 5, 1915.*

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

I am, &c.

(For the Minister),

G. DE LEVAL,

*Legal Adviser to the
Légation.*

No. 7.

Sir E. Grey to Mr. Page, United States Ambassador in London.

THE Secretary of State for Foreign Affairs presents his compliments to the United States Ambassador, and has the honour to acknowledge the receipt of his Excellency's note of the 18th instant,* enclosing a copy of a despatch from the United States Minister at Brussels respecting the execution of Miss Edith Cavell at that place.

Sir E. Grey is confident that the news of the execution of this noble Englishwoman will be received with horror and disgust, not only in the Allied States, but throughout the civilised world. Miss Cavell was not even charged with espionage, and the fact that she had nursed numbers of wounded German soldiers might have been regarded as a complete reason in itself for treating her with leniency.

The attitude of the German authorities is, if possible, rendered worse by the discreditable efforts successfully made by the officials of the German civil administration at Brussels to conceal the fact that sentence had been passed and would be carried out immediately. These efforts were no doubt prompted by the determination to carry out the sentence before an appeal from the finding of the court-martial could be made to a higher authority, and show in the clearest manner that the German authorities

* See No. 6.

concerned were well aware that the carrying out of the sentence was not warranted by any consideration.

Further comment on their proceedings would be superfluous.

In conclusion, Sir E. Grey would request Mr. Page to express to Mr. Whitlock and the staff of the United States Legation at Brussels the grateful thanks of His Majesty's Government for their untiring efforts on Miss Cavell's behalf. He is fully satisfied that no stone was left unturned to secure for Miss Cavell a fair trial, and, when sentence had been pronounced, a mitigation thereof.

Sir E. Grey realises that Mr. Whitlock was placed in a very embarrassing position by the failure of the German authorities to inform him that the sentence had been passed and would be carried out at once. In order therefore to forestall any unjust criticism which might be made in this country, he is publishing Mr. Whitlock's despatch to Mr. Page without delay.

Foreign Office, October 20, 1915.

No. 8.

Sir E. Grey to Señor Don Alfonso Merry del Val, Spanish Ambassador in London.

Your Excellency,

I have the honour to inform your Excellency that I have received, through the United States Ambassador at this Court, a copy of a despatch from the United States Minister at Brussels respecting the execution at that place of Miss Edith Cavell, a British subject.

It appears from Mr. Whitlock's report that the Spanish Minister at Brussels accompanied Mr. Hugh Gibson, Secretary to the United States Legation at Brussels, on his visit to the German civil authorities at Brussels after the sentence passed on Miss Cavell became known, and did all he could to secure a commutation of the capital sentence.

His Majesty's Government much appreciate the efforts made by the Marquis de Villalobar on this occasion, and the sentiments of humanity and chivalry which animated him, and they would be grateful if your Excellency would be good enough to so inform the Spanish Government.

I have, &c.
(Signed) E. GREY.

No. 9.

Mr. Page, United States Ambassador in London, to Sir Edward Grey.

THE American Ambassador presents his compliments to His Majesty's Secretary of State for Foreign Affairs, and, with reference to previous correspondence respecting the execution by the German authorities of Miss Edith Cavell, a British subject at Brussels, has the honour to enclose herewith a copy of a communication from the Minister at Brussels, together with a copy of a report made by the Rev. H. S. T. Gahan, British chaplain at that capital, touching his last interview with Miss Cavell.

*American Embassy, London,
October 22, 1915.*

Enclosure 1 in No. 9.

Mr. Whitlock, United States Minister in Brussels, to Mr. Page.

My dear Colleague,

American Legation, Brussels, October 18, 1915.

I BEG to transmit herewith, for your information and such action as you may consider desirable, copy of a memorandum prepared at my request by the Rev. H. S. T. Gahan, British chaplain at Brussels, in regard to his last interview with Miss Edith Cavell on the night she was executed.

I am, &c.
BRAND WHITLOCK.

Enclosure 2 in No. 9.

Report by Mr. Gahan, British Chaplain in Brussels.

ON Monday evening, the 11th October, I was admitted by special passport from the German authorities to the prison of St. Gilles, where Miss Edith Cavell had been confined for ten weeks. The final sentence had been given early that afternoon.

To my astonishment and relief I found my friend perfectly calm and resigned. But this could not lessen the tenderness and intensity of feeling on either part during that last interview of almost an hour.

Her first words to me were upon a matter concerning herself personally, but the solemn asseveration which accompanied them was made expressly in the light of God and eternity. She then added that she wished all her friends to know that she willingly gave her life for her country, and said: "I have no fear nor shrinking; I have seen death so often that it is not strange or fearful to me." She further said: "I thank God for this ten weeks' quiet before the end." "Life has always been hurried and full of difficulty." "This time of rest has been a great mercy." "They have all been very kind to me here. But this I would say, standing as I do in view of God and eternity, I realise that patriotism is not enough. I must have no hatred or bitterness towards anyone."

We partook of the Holy Communion together, and she received the Gospel message of consolation with all her heart. At the close of the little service I began to repeat the words "Abide with me," and she joined softly in the end.

We sat quietly talking until it was time for me to go. She gave me parting messages for relations and friends. She spoke of her soul's needs at the moment and she received the assurance of God's Word as only the Christian can do.

Then I said "Good-bye," and she smiled and said, "We shall meet again."

The German military chaplain was with her at the end and afterwards gave her Christian burial.

He told me: "She was brave and bright to the last. She professed her Christian faith and that she was glad to die for her country." "She died like a heroine."

H. STIRLING T. GAHAN, *British Chaplain, Brussels.*

No. 10.

Mr. Page, United States Ambassador in London, to Sir Edward Grey.

THE American Ambassador presents his compliments to His Majesty's Secretary of State for Foreign Affairs, and, with reference to his note of the 18th instant, has the honour to enclose herewith a copy of a letter from the Minister at Brussels respecting the burial of Miss Edith Cavell.

*American Embassy, London,
October 22, 1915.*

Enclosure 1 in No. 10.

Mr. Whitlock, United States Minister in Brussels, to Mr. Page.

My dear Colleague,

American Legation, Brussels, October 14, 1915.

REFERRING to my letter of yesterday in regard to the case of Miss Cavell, I beg to enclose herewith further correspondence in regard to my request that her body be delivered to the School for Nurses of which she was the directress.

I have not received a written reply to my note to Baron von der Lancken on the subject, but he came to see me yesterday afternoon and stated that the body had been interred near the prison of St. Gilles, where the execution took place; that under the regulations governing such cases it was impossible to exhume the body without written permission from the Minister of War in Berlin. He added that he had no authority to ask permission to exhume the body, but that immediately upon the return of the Governor-General he would request him to take the matter up.

I shall hope to be able to tell you that we have at least been able to accomplish this small service.

I am, &c.
BRAND WHITLOCK.

Enclosure 2 in No. 10.

Mr. Whitlock, United States Minister in Brussels, to Baron von der Lancken.

(Translation.)

Bruxelles,
Excellence, *le 12 octobre, 1915.*

M. FAIDER, Premier Président de la Cour d'Appel de Bruxelles, et Président de l'École belge d'Infirmières diplômées, me prie de réclamer, pour cette institution, le corps de Miss Cavell, qui en était directrice, et qui a été exécutée ce matin.

Le Comité s'engage, pour l'enlèvement du corps et pour la conservation de celui-ci dans un cimetière dans l'arrondissement de Bruxelles, à se conformer à toutes les mesures que l'Administration allemande jugerait utile de prescrire.

Je suis persuadé qu'aucune objection ne sera faite à cette demande, et que l'on ne refusera pas à l'institution à laquelle Miss Cavell a consacré si charitablement une partie de son existence, l'accomplissement de ce pieux devoir.

Je me permets donc d'appuyer auprès de votre Excellence la requête de l'École belge d'Infirmières diplômées, et dans l'attente de sa réponse, je la prie, &c.

BRAND WHITLOCK.

Brussels,
Your Excellency, *October 12, 1915.*

M. FAIDER, First President of the Brussels Court of Appeal and President of the Belgian School of Certificated Nurses, begs me to ask, on behalf of this institution, for the body of Miss Cavell, its directress, who was executed this morning.

The Committee undertakes, in the removal of the body and its burial in a cemetery in the Brussels district, to conform to all regulations that the German authorities may see fit to make.

I feel sure that no objection will be made to this request, and that the institution, to which Miss Cavell has so generously devoted a part of her life, will not be denied the performance of this pious duty.

I venture, therefore, to commend to your Excellency the request of the Belgian School of Certificated Nurses, and, awaiting your reply, I am, &c.

BRAND WHITLOCK.



MISCELLANEOUS. No. 17 (1915).

Correspondence with the United States Ambassador respecting the Execution of Miss Cavell at Brussels.

Presented to both Houses of Parliament by Command of His Majesty. October 1915.

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