Appendix 26: Lucie’s appeal to the Minister of Justice for the revision of the Dreyfus verdict at the 1894 court martial, 5 July 1898

Minister,

You alone have the power to refer to the Supreme Court of Appeal verdicts which were delivered in violation of the law.

The only right which I possess is that of begging you to make use of this power; I beg you to refer to the Supreme Court the verdict which sentenced my unfortunate husband on 22 December 1894.

He had been brought before the first Court Martial of the Government of Paris as the author of the bordereau, the only document which was communicated to him, the only document referred to in the indictment, the only document upheld by the Government Commissioner after a long examination and long proceedings. However, this document was not written by him, and this was demonstrated after the contradictory expert reports of 1894 made by the highest authorities of science.

In the almost four years of my husband’s appalling martyrdom, he has not ceased for a single day or a single hour to protest his innocence.

The recent proceedings at the Assize Court have proved clearly that the Court Martial had ruled on secret documents.

It emerges from revelations made during this trial that the verdict pronounced against my husband rested on accusations provided to the judges of the Court, in violation of article 101 of the military code, without having been brought to the attention of the accused or his defence.

It is up to you, Minister, to refer this breach of defence rights, in the formal text of the law, to the Supreme Court of Appeal. In accordance with article 441 of the Code of Criminal Procedure. You alone can do this.

The good faith and loyalty of the officers who convicted my husband are beyond suspicion; they would not have convicted him had the accused been able to discuss the documents which were secretly invoked against him, which were not related to him at all, and of which several may be apocryphal.

I express but one wish: that the man whose name I bear should be judged again, with reference to all the documents which can be charged against him, in the light of proceedings with due hearing of the parties, convinced that his innocence will burst forth to broad daylight.

Confident of your spirit of justice, I beseech you, Minister, to take all necessary measures to order the annulment of a verdict which was illegally delivered.

Be assured, Minister, of my highest regard.

Lucie Dreyfus.


Appendix 27: Cavaignac’s speech in the Chamber of Deputies, 7 July 1898

The Dreyfus case

In anticipation of M. Castelin on the Dreyfus affair the Palais Bourbon was crowded today, the diplomatic boxes and the front rows of the galleries being filled with spectators, whose efforts to procure cards of admission during the past week have been nothing short of desperate.

...
M. Cavaignac then immediately ascended the tribune and said:

'It has been the first anxiety of the Government to consider by what means it could put an end to the agitation on this subject. It might, perhaps, have simply affirmed its respect for the *chose jugée* and its resolution not to shrink from any duty for ensuring that respect. I believe the public conscience to be so convinced of the necessity of obtaining the guarantees necessary for its tranquillity that such a declaration would have sufficed. That will, perhaps, be the work of tomorrow; but today we have to do more. We are bound to offer the Chamber and the country all the truth that we can. What is the situation? The honest men composing the Court-martial judged according to their conscience and without passion. There has been an attempt to impeach their decision by substituting for Dreyfus an officer who will be visited tomorrow by the disciplinary punishment which he has merited. (Cheers.) The members of the second Court-martial held in their conscience that it was not for them to consider the proofs of crime imputed to that officer, which, moreover, would not have made Dreyfus innocent. Nothing that has been attempted can impeach the decisions of the Courts-martial. We shall know how to enforce respect for their decisions and for themselves.

At the same time, we hold that the most ample recognition of the authority of the *chose jugée* cannot prevent us from bringing before you the facts which have come to confirm it.

... 

Having said this I bring to the tribune the facts which I am at liberty to bring. They are of two classes. First the Intelligence Department of the War Office has collected during six years more than 1,000 documents and letters, emanating from persons whose business is espionage. These documents, in the light of their origin, their number, their aspect, and the tests which may be applied to them, can leave no doubt as to their authenticity or as to the identity of those who write them or receive them. Among these there are some which are insignificant, there are some which are important. I will not dwell on the former. I will call the attention of the Chamber to only three documents. The first two were exchanged between certain persons who have been mentioned and refer to a person designated by his initial D. Here is the first letter. It received the date of March 1894 when it reached the Intelligence Department of the War Office:

"Last evening I finally decided to send for a doctor, who forbade me to go out. Being unable to go and see you tomorrow, I beg you to come to me in the morning, for D. has brought me a number of very interesting things, and we must divide up the work as we have only 10 days' time."

The second, dated April 16, 1894, is in the following terms:

"I exceedingly regret not having seen you before my departure. However, I shall be back in a week. I enclose 12 plans of ..." here he gives the name of one of our fortresses which I omit – "which *Ce canaille de D.* gave me for you. I told him you had no intention of resuming relations. He alleges that there has been a misunderstanding and that he will do all in his power to satisfy you. He says he was obstinate and that you will not bear a grudge against him. I replied that he was mad and that I did not believe you cared to resume relations. Do as you like."

Although it is certain in my view that this refers to Dreyfus, owing to the confirmation afforded by a comparison of the less important documents which I have mentioned, I will read a third document, which contains the full name Dreyfus. When, in October or November, 1896, M. Castelin put in his first request to interpellate the Government, the two correspondents of whom I am going to speak became anxious as to what was going to take place, and one of them wrote to the other:
“I have read that a Deputy is going to make an interpellation on Dreyfus. If – here is a portion of a phrase which I am unable to read – “I shall say that never have I had any relations with this Jew. That is understood. If you are asked, say the same, for nobody must ever know what has occurred with him.” (M. Humbert.– “That is clear enough.”)

The material authenticity of this document is evident, not merely from the circumstances which I have related, but from the striking similarity between it and a document written on the same paper and with the same blue pencil, dated 1894, which has not since been out of the War Office archives. The moral authenticity is established by the correspondence exchanged between the same persons in 1896. The first writes to the other, who replies in terms which leave no obscurity on the cause of their common uneasiness. Thus the guilt of Dreyfus is clearly proved by a document of 1896, which perfectly fits in with a previous correspondence, and which proves that guilt in an irrefutable fashion. (Cheers.)

... I have done. Fortified not only by a resolution which nothing can shake, but by what is better, with a sense of the truth and justice of the cause we defend, we shall not permit any injury to be done to the national interests of which we have the keeping. (Loud cheers and cries of “Vive la France!”)

I have now but one wish to express – it is, perhaps, only an illusion; it is in any case an ardent hope – namely, that tomorrow all Frenchmen may join in proclaiming that this army, which is their pride and which is their hope (loud cheers), is powerful, not merely because of its own strength and because of the confidence of the country, but also because of the justice of the acts which it has had to fulfil.’

Loud and prolonged cheers burst from the entire House. Never was a Minister more generally acclaimed. Then, amid the tumult of applause, the voice of M. Mirman was heard proposing the placarding of this speech throughout France, and someone asked for a public vote.

Source: The Times, Friday 8 July 1898.

Appendix 28: General Roget’s report on Captain Cuignet’s examination of the _faux Henry_, 30 August 1898

Paris, 30 August 1898

As soon as he arrived at the Ministry, the Minister ordered an overall enquiry and report, as complete and detailed as possible, on the Dreyfus affair. This report was in particular to present, for each document included in the dossier, all the arguments which could prove its authenticity.

This work had been entrusted to Captain Cuignet, the Minister’s aide-de-camp, under the direction of General Roget, principal private secretary.

On Saturday 13 August, Captain Cuignet was proceeding with his work, around 10 o’clock in the evening, in the aide-de-camp’s office. He was proposing to group together the existing arguments about the authenticity of one of the documents in the dossier, seized in October 1896.

It was a letter written in blue pencil, on squared paper, beginning with the words: ‘My dear friend, I have read that a deputy intends to raise the Dreyfus case in the Chamber’, and signed with a pseudonym. It had arrived at the Bureau of Information torn into tiny pieces; it had been reconstituted and the fragments were held together using bands of gummed paper.