Appendix 32: Extracts from the Observer article on Esterhazy's authorship of the bordereau

Extracts from article by special correspondent [Rowland Strong]
LIGHT UPON THE DREYFUS CASE.
THE AUTHORSHIP OF THE BORDEREAU

Count Ferdinand Esterhazy came from Paris to London with the object of making certain disclosures. The principal disclosure which he made (and this to more persons than one) was that he was the author of the bordereau…

‘I wrote the bordereau’ he said ‘at the request of Colonel Sandherr who is now dead.’

It is unfortunate that both Colonel Sandherr and Colonel Henry should be dead, for they both knew the facts; but it is quite possible to prove that I did write the bordereau in spite of the disappearance of those two witnesses.

The bordereau was intended to constitute the material proof of Dreyfus’s guilt. All that the Intelligence Department had managed to find out against Dreyfus was in the nature of moral proof. It was known through the French spy services in Berlin that certain documents had reached the German General Staff which Dreyfus alone could have obtained. And it was the list of these documents, whose arrival in Berlin had been signalled to our Intelligence Department, which constituted the bordereau. Dreyfus had been tested in several ways. For instance a plan of the concentration of troops on the south-eastern frontier had been dictated to him which was quite fantastic. A short time afterwards our spies in Italy informed us that the Italian Staff was making certain modifications in the fortifications around Nice which corresponded to the changes announced in the imaginary scheme dictated to Dreyfus. Then Dreyfus managed to spend long holidays in Alsace without being apparently found out by the German authorities – a very suspicious sign in itself for it is almost impossible for a French officer to remain any length of time in the conquered provinces without being discovered. In fact there was considerable moral proof against Dreyfus before his trial took place; but there was not material proof. Colonel Sandherr, who was an Alsatian, like Dreyfus, but intensely anti-Semitic, determined to forge this proof. He was personally convinced of the accused man’s guilt, and he would not allow him to escape. Since circumstantial evidence was not enough, it was necessary for the purposes of the Court-martial that documents should exist. I was at that time attached to the Intelligence Department, my duty being to watch the movements of the military attachés accredited by the Powers of the Triple Alliance, and also to make voyages to foreign countries, where I was never supposed to be a French officer, partly owing to the fact that I speak Italian and German very well – and then my name, Esterhazy, made everybody believe I was an Austrian.

When Colonel Sandherr told me to write out the bordereau I did so without the slightest compunction or hesitation. I am one of those men who are soldiers by profession, and who cling to the old medieval traditions of military discipline. When I received an order I obeyed it implicitly, and without any sort of question. I wrote the bordereau because Colonel Sandherr told me to do so. I knew, of course, the purposes it was intended to serve. I knew that I was committing a forgery, but I also knew that all intelligence departments in all countries in the world are run on precisely the same lines as our own, and that it is impossible to achieve practical results in any other way… It is nearly always necessary to manufacture the material evidence against spies, because otherwise they would never be punished. They never, or very rarely, leave written evidence of their nefarious work.

The bordereau then, having been written by me, it became necessary to give it the indispensable air of an authentic document. As you know, it
was supposed to have been stolen from the German Embassy. Colonel Schwartzkoppen, however, denied having ever seen it. I believe he gave his word of honour to that effect. What he said was perfectly true. He never did see the bordereau. It was handed by an agent of our Intelligence Department to the porter of the German Embassy, who is a spy in our service, and the porter gave it to another agent whose name is Genest, and by him it was brought back to the Intelligence department, and there duly docketed and numbered as a document which had been obtained from the German Embassy in the usual course. It thus received the official baptism. Now, it was exclusively upon the evidence of the bordereau that Dreyfus was condemned. The document privately shown to the officers of the Court-martial was fetched from the War Office during the huis clos, with the object of convincing the judges, should they show any signs of wavering. It was the famous letter containing the phrase, _Ce canaille de D_. Now this letter, which is genuine, and was really written by Schwartzkoppen, did not refer to Dreyfus at all, and the General Staff was absolutely aware of the fact. The ‘D’ in question was a certain Dollfus, a building contractor, who years before the Dreyfus affair had supplied the German military attaché with plans of the fortifications near Nice.’

The ex-Major concluded his conversation by bitterly inveighing against the General Staff which had, he said, abandoned him. He told the whole story of the Speranza and Blanche forgeries, and said that the judges of the Court of Indictment had quashed the case against him in defiance of all law and justice. He also described his relations with Colonel Du Paty de Clam and said that the veiled lady was none other than the Colonel’s wife, the Marquise Du Paty de Clam.

We think that it may now be said, with M. Zola, that nothing will prevent the truth in this lamentable affair from ultimately being told.

_Source: The Observer, 25 September 1898._

**Appendix 33: The ruling of admissibility of Lucie’s appeal for revision (5 July 1898), 29 October 1898**

In view of the letter of the Minister of Justice, dated 27 September 1898;

In view of the closing speech of the Public Prosecutor at the Supreme Court of Appeal denouncing to the Court the condemnation pronounced by the first court-martial of the Military Court of Paris, on December 22, 1894, on Alfred Dreyfus, then captain of artillery, attached to the General Staff of the Army;

In view of all documents of the case, and of Article 443 to 446 of the Code of Criminal Procedure, amended by the law of June 10, 1895, on the formal admissibility of the demand for a review;

Whereas the Court is vested by its public prosecutor, in virtue of an express order from the Minister of Justice, acting after having taken the advice of the commission instituted by article 444 of the Code of Criminal Procedure;

Whereas the application falls within the cases provided for by the last paragraph of article 443; whereas it was introduced within the time limit fixed by article 444; whereas finally the verdict which is the subject of an appeal for review has the force of a _res judicata_;

On the status of the procedure:

Whereas the documents produced do not place the Court in a position to give a ruling on the merits of the case, and that there are grounds to proceed to a supplementary investigation;