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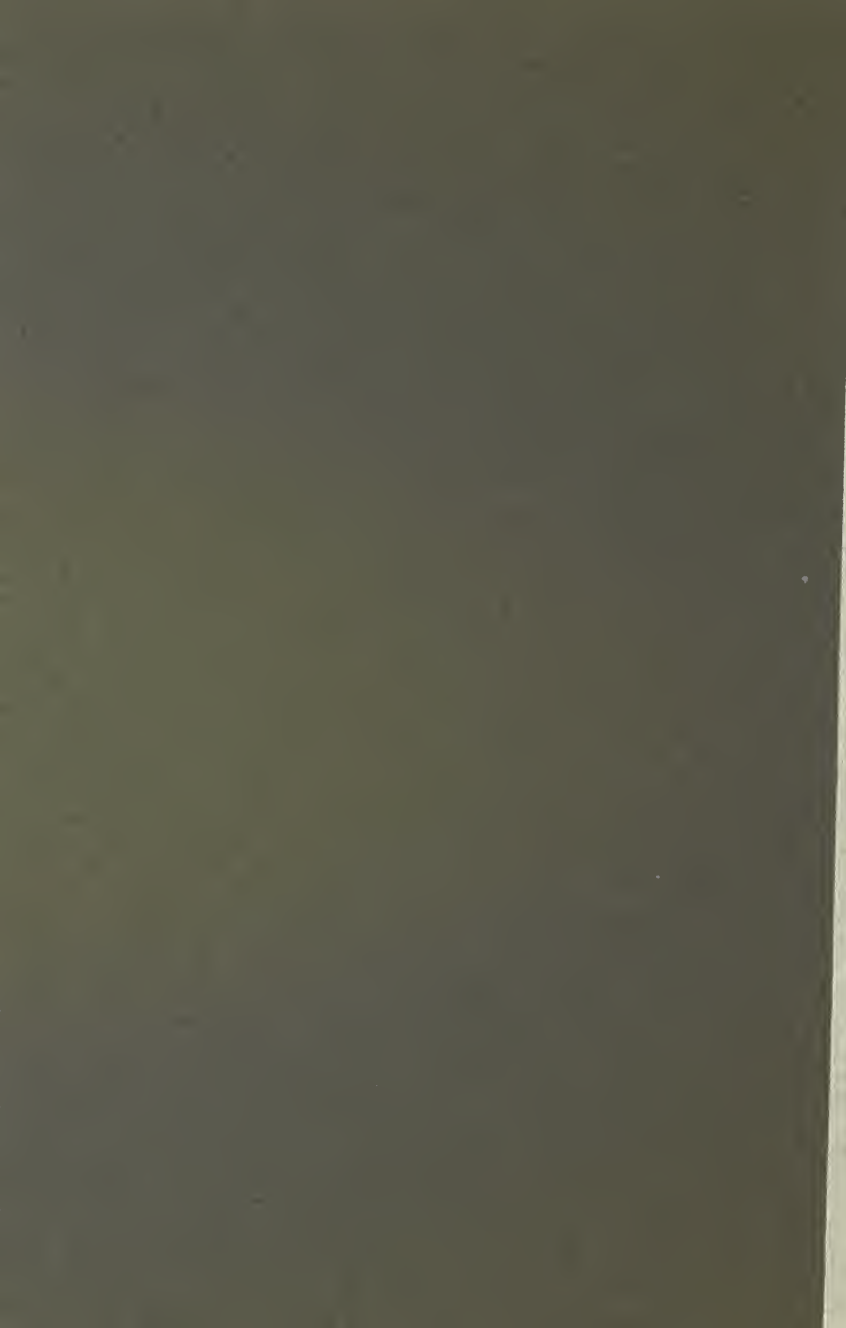
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The German white book on
the war in Belgium

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THE
GERMAN WHITE BOOK
ON THE
WAR IN BELGIUM.




A COMMENTARY

BY

Professor A. A. H. STRUYCKEN.



The articles here translated originally appeared in
"Van Onzen Tijd" (Amsterdam) on 31st July,
7th August, 14th August, and 21st
August, 1915.



THOMAS NELSON & SONS,
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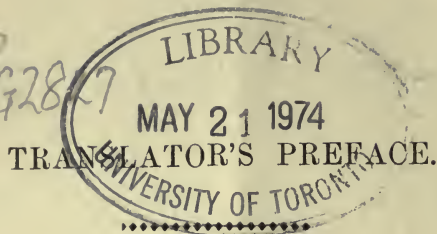
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TRANSLATOR'S PREFACE.

The charges made against the German army of misconduct at the time of the invasion of Belgium during the months of August and September, 1914, which have occupied so large a place in the public press, received official confirmation in the Reports of the Belgian Committee. (*“La Violation du Droit des Gens en Belgique,”* Berger-Levrault, Paris, and Libraires-Editeurs, Nancy. An English translation has been published as a Parliamentary Paper: *“Reports on the Violation of the Rights of Nations and of the Laws and Customs of War in Belgium,”* Harrison and Sons, London.) This has been supplemented by the important evidence collected in this country among the Belgian refugees, and published as the report of the Commission on Alleged German Outrages.

Charges of this kind when made officially by the government of the country could not be ignored or left unanswered, and in May, 1915,


the German Government, which had hitherto confined itself to vague and general repudiation of the accusations, published their official reply.* Those who wish to investigate one of the most lamentable episodes in the whole history of war are therefore now able to compare the case for what we may call the prosecution and the defence. But this comparison requires a trained legal mind, it can only be made by one who is accustomed to weigh, analyse and test evidence. It is a comparison which, moreover, can be better undertaken by the citizen of a neutral state than by one whose country is a participant in the war. This is the task which Professor Struycken has undertaken. No one could be better suited for the work. For many years a distinguished professor in the faculty of Law at the University of Amsterdam, and now a member of the Council of State, he belongs to a country which has from the time of Grotius associated itself with the effort to bring international relations and the conduct of war under the influence of Law and

* It should be noted that the Report of the English Commission did not appear till after the publication of the German White Book, which, therefore, contains no reference to it.

Justice. In the following pages he has submitted the German case to a close investigation ; it is a work that deserves to be more widely known than it could be so long as it was accessible only in the Dutch Magazine in which it originally appeared, and this translation has been issued in the belief that it will be of material assistance to those English speaking readers who would desire to understand the nature of the defence put forward by the German Government against the charges brought against the German army.



THE
GERMAN WHITE BOOK
ON THE
WAR IN BELGIUM.



1.—*Objects of the White Book, and the legal position.*

The Governments of the belligerent States continue zealously to collect and publish material with regard to the manner in which the war has been conducted by their enemies ; and apparently, so far as the rules of law and humanity are concerned, importance is still attached to the opinion of the great public. To a particular degree, attention continues to be focussed on the question of the respective behaviour of the German armies and the civilian inhabitants in Belgium in the first months of the war. For many people the reports on these points were decisive in determining the side to which their sympathies were to be

attached during the war, and perhaps after it too. The Belgian Official Committee of Inquiry has already published many batches of depositions to prove that German troops conducted the war in a needlessly cruel manner, destroying the lives, honour and property of innumerable defenceless civilians, and many of the scientific and artistic monuments of the Belgian people. The German Government has now replied to this in an impressive folio of more than 325 pages bearing the title "Die Völkerrechtswidrige Führung des belgischen Volkskrieges," (Offences against international law in the Conduct of the War by the Belgians), consisting of an extensive collection of evidence, mostly on oath, which is intended to prove that the numerous executions, burnings and acts of devastation carried out by the German troops in Belgium were a "*Kriegsnotwendigkeit*" (necessity of war), necessary as a deterrent in view of the treacherous and criminal behaviour of the civil population, which, both at the time of and after the invasion, transgressed against all rules of law and humanity.

It is clear that, owing to the failure to entrust the investigations to neutral commissions, we must

despair of ever learning the *whole* truth with regard to what happened in Belgium in August and September of last year. The evidence collected is already extensive enough, but is in many respects contradictory, and each side pours contempt on the investigations of their antagonists and on the trustworthiness of the witnesses examined by them. It would be rash, however, to infer from this that all neutral investigations is superfluous, and that the study of the atrocity books published on either side is a waste of time. On the contrary the impartial looker-on may find much that has already been definitely established and which will go down as historical truth whatever the end of the war may be ; and, if we are not mistaken the above-mentioned publication of the German Government will, in many respects, give considerable assistance in forming a true view of the attitude adopted by the German troops towards the population.

This book is entirely different in character from the reports of the Belgian, French and English Commissions. The latter purport to be indictments of the German army, and with that in view present in an almost monotonous and unbroken series the declarations of victims and witnesses of German outrages. The German book on the other hand

is a defence, not designed primarily to deny the outrages which are the subject of this charge—to some extent they are described therein in all their details—but to justify them in the very words of those actually responsible. In it are given the statements of the officers and soldiers who took part in the proceedings against the Belgian civil population. The book, therefore, enables one to obtain insight into the state of mind in which officers and soldiers ordered and carried out the innumerable executions and acts of destruction which took place. We learn, from their own mouths, how the troops conceived their attitude to the inhabitants to be justifiable according to the law of nations, on what grounds they thought themselves entitled to carry out their cruel deeds, what evidence they regarded as sufficient to establish the so severely punished offences of the citizens, what relation they established between punishment and crime, and what procedure was followed for the ascertainment of guilt or innocence. So regarded, this book offers interesting material for the investigation of the criminologist, moralist and psychologist. Here we can only make a few general observations presenting themselves on a first perusal.

The work opens with a "Denkschrift" (memorandum) by the German Government which can be regarded as a summary of the conclusions drawn by them from the evidence in the Appendices. In the eyes of the German Government it is an established fact that a "wilder Volkskampf" (*savage people's war*), against the German army, broke out in Belgium immediately after the invasion, and that this must be regarded as a flagrant violation of the law of nations. Civilians of every station in life, workmen, manufacturers, doctors, teachers, priests, women and children, were taken with weapons in their hands. From houses and gardens, from roofs and cellars, from fields and woods, civilians fired upon the German troops; the soldiers were exposed to a most despicable ill-treatment; hot tar and boiling water were poured upon them; eyes were gouged out, ears, noses and fingers were cut off, bellies cut open, &c., &c.; all this following on an apparently friendly reception on the part of the inhabitants.

In face of this the German army was not only justified in taking, but obliged to take, the severest measures (schärfsten Massnahmen); the guilty had to be treated not as soldiers and prisoners of war, but as criminals and murderers; the innocent had

to suffer with the guilty, hostages were taken in great numbers to be killed if necessary as a deterrent, houses had to be burnt down, villages and towns devastated, &c.

In forming a judgment on all this, the German Government takes up the standpoint that its troops as well as the Belgian population were subject to the Hague Convention of 1907 as to the laws of war. It therefore makes no use of the formally correct excuse, first made by Professor F. R. von Liszt, that since States have come into this war which did not accept that Convention, it is, according to its own rules, not binding upon any party. Indeed, whether this excuse is relied upon or not, it makes little difference to the consideration of the behaviour of the army of the civilian population, for this would in that case be regulated by the Convention of 1899 which was signed by all States, and contains the same rules on this subject as that of 1907.* In accordance, therefore, with article 2 of the Convention, the

* The Convention of 1899 is rather more favourable to the civilian population in so far as it does not, like that of 1907, require that they should carry weapons openly if they are to be regarded as combatants.

German Government distinguishes between fighting by the inhabitants in territory already occupied by the troops (as in Aerschot, Andenne and Louvain), in which the unorganised population taking part in hostilities can never, according to the laws of nations, claim to be treated as combatants—that is as soldiers—and the forcible resistance of the population to the invading troops in territory hitherto unoccupied as in the frontier places and in Dinant and its neighbourhood, where the unorganised population, provided that they carry arms openly and respect the laws and customs of war, must, according to the Convention, be regarded as combatants, if on the approach of the enemy they take up arms spontaneously to resist the invading troops, without having had time to organise themselves.

A perusal of the evidence of the various witnesses, however, fails to show that the officers ever took this legal distinction into account, or even that it was present to their minds. Civilians supposed to have taken part in the fighting were never treated as soldiers, but always as criminals. One is inclined to seek the reason for this in the circumstance that the book “*Kriegsbrauch in Landkriege*” (*i.e.*, the German

War Book) by means of which the officers are educated in the law of nations, does not make this distinction, or rather, bearing in mind what was settled at the Hague, rejects it, requiring that, in all cases, in all hostilities in which the people take part, there should be a military organisation and military emblems openly worn.

The passage runs as follows: "But the
 "organisation of irregulars in military bands and
 "their subjection to a responsible leader are not
 "by themselves sufficient to enable one to grant
 "them the status of belligerents; even more
 "important than these is the necessity of being
 "able to recognise them as such and of their
 "carrying their arms openly . . ."

"This condition must also be maintained if it
 "becomes a question of the '*levée en masse*,' the
 "arming of the whole population of the country,
 "province, or district; in other words the so-called
 "people's war or national war. Starting from the
 "view that one can never deny to the population
 "of a country the natural right of defence of one's
 "fatherland, and that the smaller and consequently
 "less powerful States can only find protection in
 "such *levées en masse*, the majority of authorities

“ on international law have, in their proposals for
 “ codification, sought to attain the recognition on
 “ principle of the combatant status of all these
 “ kinds of people’s champions, and in the Brussels
 “ declaration and the Hague Regulations the
 “ aforesaid condition is omitted. As against this
 “ one may nevertheless remark that the condition
 “ requiring a military organisation and a clearly
 “ recognisable mark of being attached to the
 “ enemy’s troops, is not synonymous *with a denial*
 “ *of the natural right of defence of one’s country.*
 “ It is therefore not a question of restraining the
 “ population from seizing arms but only of com-
 “ pelling it to do this in an organised manner.
 “ ‘ Subjection to a responsible leader, a military
 “ ‘ organisation, and clear recognisability cannot
 “ ‘ be left out of account unless the whole recog-
 “ ‘ nised foundation for the admission of irregulars
 “ ‘ is going to be given up altogether and a
 “ ‘ conflict of one private individual against another
 “ ‘ is to be introduced again, with all its attendant
 “ ‘ horrors, of which, for example, the proceedings in
 “ ‘ Bazeilles in the last Franco-Prussian War affords
 “ ‘ an instance. If the necessary organisation does
 “ ‘ not really become established—a case which is
 “ ‘ by no means likely to occur often—then nothing

“ ‘ remains but a conflict of individuals, and those
 “ ‘ who conduct it cannot claim the rights of an
 “ ‘ active military status. The disadvantages and
 “ ‘ severities inherent in such a state of affairs
 “ ‘ are more insignificant and less inhuman than
 “ ‘ those which would result from recognition.’
 “ (Professor Dr. C. Luder, *Das Landkriegsrecht*,
 “ Hamburg, 1888.)” * The German Government,
 however, gives another reason why the troops
 in unoccupied territories must treat resisting
 inhabitants in the same manner as in occupied
 territories, that is, as criminals. Listen to this :
 “ But the unorganised People’s War was also
 “ impermissible in those places which had not
 “ yet been occupied by German troops, and
 “ particularly in Dinant and the neighbourhood,
 “ as the Belgian Government had sufficient time
 “ for an organisation of the People’s War as
 “ required by international law. For years the
 “ Belgian Government has had under consideration
 “ that at the outbreak of a Franco-German war
 “ it would be involved in the operations ; the
 “ preparation of mobilisation began, as can be

* Translator’s Note. The version of the passage from
 German War Book here given is from Professor Morgan’s
 translation, pp. 62-63.

“ proved, at least a week before the invasion
“ of the German army. The Government
“ was, therefore, completely in a position to
“ provide the civil population with military badges
“ and appoint responsible leaders, so far as they
“ wished to use their services in any fighting which
“ might take place.”

One has some reason to be astonished at such scornful remarks addressed to the Belgian Government by a Government which was a co-guarantor of Belgian neutrality, and had repeatedly in recent times, before the invasion, given the assurance that this would be respected. In any case, it reveals a misunderstanding as regards the aims of the Hague Convention. In the first place it by no means follows from Article 2 of the convention that the population taking up arms without fulfilling the conditions contained therein is acting in conflict with the law of nations, and at the Conference at Brussels and at the first Peace Conference it was precisely the Belgian delegates who took the lead in obviating the possibility that any such inference should be drawn from the Convention. Armed resistance not in accordance with the Hague Convention does not enjoy the protection of the law of the

nations ; those who take part in it have not the *right* to be regarded as soldiers, but it does not by any means follow that their actions are to be regarded as in conflict with the law. In the second place it is not a question whether the Belgian *Government* was in a position to organise civilian population for warlike purposes—this Government did not desire it. No, the Convention is designed to protect the *population* in places where they have, on their own initiative, taken up arms to repel the enemy, and therefore the question that must be put is whether the *population* had had sufficient time to give themselves a military organisation. If one is to assume that, in the given circumstances, the population in the Belgian Frontier villages and Dinant had, in fact, sufficient time for this, one can without hesitation strike out the provisions of Article 2 of the Convention on the ground that they are never applicable.

However that may be, whether because they had never been taught anything else, or because the explanation of the Convention now given by the German Government was then before them, the German Officers had no hesitation in applying the same methods both to occupied and unoccupied

territories whenever they imagined themselves to be confronted by forcible resistance on the part of the civilian inhabitants. What that meant may be illustrated by the events at Dinant, as given in the German White Book.

On the 23rd August Dinant was stormed by the German troops. They were under the impression that the part of the town lying on the right hand side of the Meuse had already been evacuated by the Belgian troops. As they entered they were in fact fired upon from all sides, and, as they thought, out of the houses. In the conviction that the civilian inhabitants were responsible for this, house after house was stormed and cleared of inhabitants. As it appeared impossible to obtain control of the town in this way it was then destroyed by artillery.

What had now to be the fate of the civilian inhabitants who—in the opinion of the German troops—had offered forcible resistance? On the 23rd August, even according to the judgment of the German Government, the town did not form part of the occupied territory. The population, so the German troops were convinced, had organised

armed resistance, and had taken up arms on their own initiative to resist the invading troops. That the latter, in this belief, stormed the houses in order to overcome the resistance, is clear. Had they met with armed resistance in the course of this, and repelled it by force, the victims thereof would have had nothing to complain of. But—by hundreds and hundreds, men, women and children, were taken prisoners in the houses, on suspicion of having fired. What was their fate to be? If they fell under the protection of Article 2 of the Convention they should have been treated as combatants, as soldiers, *i.e.*, they should have been made prisoners of war and in accordance with Article 4 of the Convention, have been treated with humanity. What happened to them? *They were all “niedergemacht” (slaughtered).* How? One deposition out of many, that of “stabsarzt” (staff-surgeon) Dr. Petrenz, shows how. He tells us of his experiences on the morning of the 24th August, the day after the assault:—“On the bank of the Meuse between the river and a garden wall directly to the left of the pontoon bridge lay a heap of civilians who had been shot; I do not know how many, I estimate about 30 to 40. I do not know who had shot them. I have heard that the

Grenadier Regiment No. 101 carried out an execution there. *Among the people who were shot were some women, but by far the greater number were young lads. Under the heap I discovered a girl of about five years of age, alive and without any injuries. I took her out and brought her down to the house where the women were. She took chocolate, was quite happy, and was clearly unaware of the seriousness of the situation. I then searched the heap of bodies to see whether any other children were underneath. But we only found one girl of about ten years of age who had a wound in the lower leg. I had her wound dressed and brought her at once to the women."*

II.—*The Published Evidence.*

The German White Book consists of an "Auslese" (selection) from the comprehensive material at the disposal of the German Government. It does not by any means deal with the whole course of the war in Belgium, nor with the long series of charges which have been made against the German troops by the Belgians. It merely deals, by way of example, with the events

in the places concerning which the most serious charges have been made, especially the frontier villages and Aerschot, Andenne Dinant and Louvain.

In what spirit has this "selection" been put together? Has the collection of the most important data concerning the various events been made in an impartial manner? Or have all the documents tending to inculcate the Germans been put on one side and the choice been limited to the reports and declarations which, it was hoped, would throw a favourable light on the German troops? To be in a position to form a considered judgment on this it would be necessary to know the unpublished documents as well. Nevertheless, it may be said that the German Government, however much it may assert its conviction that its troops are innocent, at any rate of any more serious excesses than such as are unavoidable in the best regulated armies invading an enemy country, must, in the compilation of its White Book, have perceived that its perusal was not likely to produce the same conviction in the mind of every reader. In one respect, indeed, impartiality has been exhibited by Berlin, for the White Book is by no means limited to such declarations as place beyond

doubt the guilt of the civilian inhabitants, and the right of the troops to take forcible steps against them; on the other hand, however, a one-sided character has been given to the published material by excluding from it important documents which are indispensable for the knowledge of the whole truth. With regard to this we are not referring to the peculiar fact that the sworn depositions are almost exclusively those of Protestant witnesses, and only in exceptional cases those of Catholics—that may be a mere coincidence,—but to the fact that the book contains none of the numerous depositions made before the German Commissioners of Enquiry in the occupied territories by Belgian and neutral citizens, although, surely, no better means could have been chosen to establish the truth than to have the events described by the military also described and explained by peaceful citizens. Only two such reports are included, and it is not apparent why precisely these two have been chosen out of the many that are available.

The first relates to the examination by a Lieutenant of the Burgomaster and some inhabitants of the little town of Andenne, where, according to the report, 200 citizens were killed

on the 20th August. The witnesses examined, who indeed were nearly all prisoners, or wounded, or hiding in their cellars on the day in question, have, generally speaking, very little of importance to impart; in particular none of them support the statement of the Military Commander that the citizens had fired, and had used machine-guns, bombs and hand-grenades too. With regard to the Burgomaster, the report indeed says: "He only knew that at 7 p.m. on the 20th August a murderous fire was opened on our troops who wished to cross the bridge at Seilles." But, when it comes to the point, it does not add that he declared that this shooting was by *civilians*. The observation of the manufacturer Debrun that at about 7 o'clock an aeroplane appeared above the town, whereupon the German troops immediately opened fire, as to which fact nothing is found in the military evidence, is the only one which is worthy of remark. The witness adds that immediately thereon firing commenced in all parts of the town. Comparing this statement with the military reports—only two of these are inserted—one cannot escape the inference that the shooting at the airmen by some of the troops was thought by the others to be shooting by the

civilian inhabitants, and that this mistake gave occasion to the cruel massacre. When one thinks of the bullets fired at the airmen falling to earth again the complaint of shooting from “Dachoffnungen” (*i.e.*, “holes in the roof”) is explained, as is also the remark of the General: “Wonderfully enough our losses were slight; the franc-tireurs aimed very badly.”

The other report is of the examination of Professor Albert Lemaire, director of the St. Peter's Hospital at Louvain. Why his statement is inserted is not clear. He expressly says that he did not see “that civilians fired into the streets from the houses.” On the other hand, shots were repeatedly fired upon himself when he went into the garden of his house in the evening. That this was done by Belgian citizens can hardly be supposed. The remainder of his declaration:—
 “Nearly all the houses of the doctors and professors in Leopold Street were burnt. On the following day for safety's sake I had my family taken to the hospital by two German soldiers. On Thursday, 27th August, the bombardment and destruction of the town was announced. I went with my family into the country. On my return I found that my house had also been burnt down,”

does not assist the Germans in justifying their conduct in Louvain.

The gap caused by the absence of depositions of peaceful Belgians and more important still, of neutral citizens, must be filled, if the White Book is to be entirely convincing. There is all the more reason for the German Government to do this, for the fact that they more than once lay stress on communications and expressions of opinion from such quarters which were transmitted to the Committee of enquiry by German witnesses, shows that they themselves apparently attach great importance to the evidence and opinion of these citizens. Such a reference, for instance, was made by a captain of cavalry in his evidence with regard to the events at Aerschot. He had picked out the "am intelligentesten Aussehenden" (the most intelligent looking) from a troop of civilian prisoners—he appeared to be a "Seminarlehrer" (seminary teacher)—and informed him that all the guilty prisoners should be shot but that he (the Captain) would take steps to save the professor's life provided that he would betray the truth with regard to the alleged attack by the citizens, whereupon he is said to have been told: "that it was a great mistake on the part of the citizens of

Aerschot to have received fugitive Belgian soldiers, kept them in hiding and put them in civilian clothes. These had without question united with the Garde Civique and an attack had then been undertaken by them." What would it not be worth to have the statements made by such an intelligent witness himself before a judge, under oath, not as a ransom for his life but given in entire freedom ! So too, Herr Sittart, a member of the Reichstag, who makes the following remarkable statement under oath : " On the 31st August at Louvain, a number of women of the town complained to me in tears of the trouble which had come upon them owing to the bombardment of the town. They expressly admitted that our troops had been fired upon from houses and cellars. One of these, a widow of a doctor, said indeed that those who had done it belonged to the Garde Civique. When she heard, however, that in Aix-la-Chapelle, there were wounded who had been seriously injured by small shot, she had to admit that civilians had taken part in the shooting as well. She agreed with me, too, when I said that neither the Garde Civique nor the regular troops deserve any consideration when they fire from an ambush, from cellars and

roofs instead of in open and honourable combat. The Vice-Rector of the University of Louvain, Mgr. Coenraets, told me that he, as a hostage, had been ordered to read a proclamation to the people, to the effect that the hostages would be shot and the town bombarded if the troops were treacherously fired upon. He had scarcely read this in one street when in fact shots were fired upon the German soldiers accompanying him."—How much more value would it not have had to hear, not what an unnamed woman had "admitted" to a member of the Reichstag, not what an unnamed doctor's widow had finally to "admit" to him, and in what respect she had to "agree" with his view, but the direct evidence given by civilian inhabitants before a judge concerning the facts that they had observed. And so, further, what would it not have been worth to hear directly what the hostages could tell us with regard to the shooting of which they were witnesses, and whether they really observed that German soldiers were fired upon by citizens and out of houses. Various professors of the University, including some neutrals, have been examined by the German administration. To their direct evidence one would certainly attach more weight than to the hearsay

of a member of the Reichstag, who had not been himself a witness of the incidents, though, nevertheless, he had not been able to find any better consolation for the sorrowing women of Louvain than to use them for the purpose of obtruding his *opinion* that the guilt lay exclusively at the doors of their husbands and children.

III.—*The Nature of the Evidence.*

In considering why the German White Book has in many respects so little convincing power, one discovers the chief reason in the fact that in justifying the cruel punishments administered to the citizens of Belgium so little direct evidence with regard to events observed by the witnesses themselves has been collected or, at any rate, published. What we have before us consists far too much of suppositions, guesses, assurances, for the truth of which no satisfactory grounds are given. It is inconceivable that the persons charged with the investigation—a “Kriegsgerichtsrat” or “Oberkriegsgerichtsrat,” sometimes an “Amtsrichter” or “Oberamtsrichter”—could have been satisfied with it; at every deposition there rises to the lips of the

reader of their report question after question, the answer to which appears to be indispensable to the forming of a correct judgment, but which, nevertheless, were not put to the witnesses. One would gladly have had the direct evidence of many of the soldiers concerned, which, being that of eye-witnesses, would have the greatest importance—but their evidence is not found in the White Book. The possibility of guilt on the part of the civilian population is certainly not excluded, but the fact that the military authorities in Berlin are satisfied with this method of investigation, and apparently regard the evidence now published as satisfactory, makes us shudder at the thought of the evidence on which, in the confusion of the fighting, in the witches' cauldron of Dinant, in burning Aerschot and in so many other places in unhappy Belgium, sentence of death was carried out on thousands of citizens by officers and by soldiers of lower rank.

“ Man hat geschossen ” (there has been firing), was the ordinary signal for death and destruction. One would expect to find in this dossier abundant and direct proof of the fact that civilians had fired ; in such a furious contest as that between the citizens and the army would have been, there must have been hundreds of witnesses available who

observed the facts themselves. Relatively few witnesses, however, are produced who make a direct statement on this ; moreover, their observation frequently took place under such circumstances as to magnify the chances of error : as for instance, when forms were seen in the darkness, shooting down from the upper storeys of houses, or out of holes in the roof, or out of trees, or firing took place from cellars, or loopholes near the ground, on passing soldiers, &c. With regard to Andenne and Aerschot not a single direct statement is given. As a rule the charge rests on hearsay statements, or on suppositions, such as : “ firing took place out of the houses, shooting from cellar-holes and openings in the roof,” “ the sound of the shot was not that of a German weapon,” “ apparently small shot was fired,” “ light smoke and dust clouds rose above the roof,” “ there were no further Belgian or French soldiers in the place,” or “ could not have been in the place,” &c., &c. If one takes into account that the German troops lived in a state of constant fear of shooting by civilians, as to whose treachery and cruelty the wildest rumours were in circulation, that many places had only very recently or only partly been evacuated by the Belgians and the French, that German soldiers

were frequently billeted in the houses, that a single shot and the rumour that it was fired by a civilian instigated the soldiers to a furious bombardment of the houses with rifles and machine guns, which the officers were often unable to stop, one can attach no great importance to such evidence even though it was also stated that "Es waren bestimmt Zivilisten" (it was certainly done by civilians), and one must still ask for *direct* evidence.

And this all the more since there is so much, in the story of the resistance by the population, to arouse astonishment and compel suspicion. If the stories are true, the Belgian population in various places has made an incomprehensible display of insane heroism. Although the town is occupied by the Germans, and as a punishment for the supposed firing on the troops is set on fire in all directions and blown to ruins, although hundreds of citizens are taken prisoners and shot, although every citizen knows what his fate will be if the merest suspicion arise that his house has been fired from, nevertheless, they continue, day after day, day and night, greybeards, men, women, priests, children, down to little girls of 10, without hesitation, to fire on the troops as they pass by, although they know with certainty that it can

only lead to their own destruction. But—and the contrast is remarkable—whenever the houses in which the firing took place are stormed and the soldiers force their way in, all their courage appears to vanish: there arises no hand-to-hand fight between civilians and soldiers in which many are killed on either side; no, the civilians are merely “niedergemacht” (cut down), or, indeed, defenceless and helpless, taken prisoner and driven along, with upraised hands, into the market place or square to meet their fate.

And how bad the shooting of the civilians was! Various officers themselves were amazed at this; *the losses of the Germans were always very small.* In narrow winding streets, the citizens opened fire on the troops as they marched past, from the surrounding houses they fired on the columns which were halted on the square, not in single shots, no, a “lebhaftes Schnellfeuer” (lively rapid firing) a “sehr heftiges (very violent) “kolossales” “rasendes” (furious), “mörderisches” (murderous), “wütendes” (fierce), rifle fire, a “mad,” “devastating” “Schieszerei” (firing), “es krachte von allen Seiten, aus allen Häusern wurde geschossen, von allen Hängen blitzte es auf”; (it burst from all sides, all the houses were fired from, it flashed

from every slope) ; they fired with pistols, sporting guns, rifles, machine guns, bombs and hand grenades. One would have expected an innumerable list of victims—but hardly any are heard of. In some places they are not referred to at all, in other cases only few are mentioned.

The Belgian civilian population was guilty of cruel outrages on German wounded and therefore deserved no consideration. As an example one might instance the fact, which has attracted much attention and has been exploited by the German press to arouse hatred against the Belgians who were defending their country, and which also occasioned a cry of horror from many neutrals—the gouging out of the eyes of the wounded, even by women and young girls. The White Book declares this fact to be established, and speaks of the “bestialische Verhalten der Bevölkerung” (bestial behaviour of the population) ; many neutrals believed it too. One refers to the report expecting to find the depositions of doctors, especially in military hospitals, or the depositions of those who themselves had been maltreated, and *nothing* of the sort is to be found. Has no single wounded or dead man whose eyes may have been gouged out, been examined by

a medical man? Has no single one of the many who were maltreated survived so as to be able to give evidence of his maltreatment? As long as such evidence is not published it cannot seriously be imagined that the allegation is proved. The only evidence is that of about eight soldiers and an officer that they saw wounded men or corpses on the ground whose eyes had been gouged out. How they knew that the eyes had been *gouged out* and not destroyed by shell splinters, by birds of prey, or by decay, is not stated. A reservist, whose calling is that of a book-keeper, declares indeed positively "the nature of the wound showed with certainty that the eyes had been gouged out deliberately and not in the course of fighting," and without hesitation the "Kriegsgerichtsrat" accepts his statement without any enquiry as to why this book-keeper possessed such remarkable knowledge. He will blush for it some day.

For the ascertainment of the nature and cause of wounds of that kind expert investigation is indispensable. The charge that the eyes of wounded have been gouged out, has been circulated both in the west and in the east, but we have never heard that the fact has been

scientifically established ; on the contrary, we have repeatedly seen the accusation repelled by experts as deliberately untrue.* In the absence of further evidence, the repetition of such charges can only be indulged in at the risk of being guilty of calumny.

As may be conceived, strong measures were taken whenever the German troops believed that firing by the civil population had taken place. On what principle did they act in such cases ? Did the officers act in accordance with the Hague Convention which, with special reference to the measures to be taken with regard to combatant civilians, admonishes belligerents that the population, even where the convention does not protect them, "remains under the protection and governance of the principles of the law of nations, derived from the usages established among civilised peoples, from the laws of humanity, and from the

* The case of the wounded in hospital at Aix-la-Chapelle is known to everyone. With regard to the hospitals at Vienna, Prof. Lammasch reports in the "Deutsche Revue" that he has investigated several cases, in which maltreatment of this kind has been alleged, but that investigation revealed that the loss of the soldier's eyes was attributable to shell splinters.

dictates of public conscience," a warning which enabled many States to join in the convention which otherwise in their opinion did not afford sufficient protection to the population? Did they, in particular, bear in mind Article 50 of the Convention, which expressly prescribes that "no collective penalty . . . shall be inflicted upon the population on account of the acts of individuals for which it cannot be regarded as collectively responsible"? Or did they remember the lessons given them by the great General Staff by means of the German War Book, in which they were warned against the "humanitären Anschauungen" (humanitarian views) of the day which not seldom degenerate into "Sentimentalität" and "weichlicher Gefuhlschwärmerei" (flabby emotion), and are in entire opposition (volkommenem Widerspruch) to the nature and object of war, and which have already found moral recognition in some of the rules of the Hague Convention?* And did

* In the modern usages of war one can no longer regard merely the traditional inheritance of the ancient etiquette of the profession of arms, and the professional outlook accompanying it, but there is also the deposit of the *currents of thought which agitate our time*. But since the tendency of thought of the last century was

the fact that Article 50 of the Convention is not referred to in the booklet issued by the General Staff and that, on the contrary, the suppression of armed resistance by the population by means of the most ruthless measures and terrorism is recommended by reference to Napoleon and

dominated essentially by humanitarian considerations which not infrequently degenerated into sentimentality and flabby emotion (Sentimentalität und weichlicher Gefühlschwärmerei) there have not been wanting attempts to influence the development of the usages of war in a way which was in fundamental contradiction with the nature of war and its object. Attempts of this kind will also not be wanting in the future, the more so as these agitations have found a kind of moral recognition in some provisions of the Geneva Convention and the Brussels and Hague Conferences. Moreover, the officer is a child of his time. He is subject to the intellectual tendencies which influence his own nation; the more educated he is the more will this be the case. *The danger that, in this way, he will arrive at false views about the essential character of war must not be lost sight of.* The danger can only be met by a thorough study of war itself. By steeping himself in military history an officer will be able to guard himself against excessive humanitarian notions; it will teach him that certain severities are indispensable to war—nay more, that *the only true humanity very often lies in a ruthless application of them.* (German War Book. See Professor Morgan's translation, pp. 54–55 *ib.*)

Wellington,* give them the impression that the considerations referred to above apply to this Article also ?

* By war rebellion is to be understood the taking up of arms by the inhabitants against the occupation ; by war treason, on the other hand, the injury or imperilling of the enemy's authority through deceit or through communication of news to one's own army as to the disposition, movement, and intention, &c., of the army in occupation, whether the person concerned has come into possession of his information by lawful or unlawful means (*i.e.*, by espionage).

Against both of these only the most ruthless measures are effective. Napoleon wrote to his brother Joseph, when, after the latter ascended the throne of Naples, the inhabitants of lower Italy made various attempts at revolt : "The security of your dominion depends on how you behave in the conquered province. Burn down a dozen places which are not willing to submit themselves. Of course, not until you have first looted them ; my soldiers must not be allowed to go away with their hands empty. Have three to six persons hanged in every village which has joined the revolt ; pay no respect to the cassock. Simply bear in mind how I dealt with them in Piacenza and Corsica." 'The Duke of Wellington, in 1814, threatened the South of France ; "he will, if leaders of factions are supported, burn the villages and have their inhabitants hanged." In the year 1815, he issued the following proclamation : "All those who after

The White Book gives a few instances of humane treatment, especially of women and children, and no one will doubt that many other instances could have been given—the German soldier is still a man—nevertheless it does not appear from these instances that the many acts of inhumanity with which the Germans are accused, in the Belgian, French and English reports, did not take place. But if one asks what system was followed in suppressing the actual or supposed resistance of the civil population, the answer can only be that it was one of “*terrorism,*” *slaughter and destruction of both the guilty and the innocent, on a large scale utterly disproportionate,*

the entry of the (English) army into France leave their dwellings and all those who are found in the service of the usurper will be regarded as adherents of his and as enemies; their property will be used for the maintenance of the army.” “These are the expressions in the one case of one of the great masters of war and of the dominion founded upon war power, and in the other, of a commander-in-chief who elsewhere had carried the protection of private property in hostile lands to the extremest possible limit. Both men as soon as a popular rising takes place resort to terrorism.”—J. von Hartmann, *Kritische Versuche*, II, p. 73. (German War Book. See Prof. Morgan’s version, pp. 121–122. Translator.)

to the measure of guilt found or thought to be found, and designed not only for the suppression of the supposed resistance but as a deterrent for the future. Clearly the humanitarian principle contained in Article 50 of the Convention was not regarded as binding.

In conclusion, we may test the general observations given above by reference to a particular instance, namely, the series of events at Aerschot.

IV.—*Aerschot.*

Aerschot is an old town of about 8,000 inhabitants, and lies to the North of Louvain. On the morning of the 19th of August there took place in its immediate neighbourhood, an engagement between German and Belgian troops, as a result of which the former entered the town.* In the course of the day the place became crowded with soldiers—infantry and cavalry, supply artillery and

* For all that follows the White Book is the exclusive source. Even where we give our own explanation of the facts this is exclusively founded on the German statements. The use of statements from other sources would lead one to a conclusion not wholly coincident with this.

ammunition columns. About five o'clock the staff arrived. Colonel Stenger, commanding the brigade, together with his adjutant, Captain Schwarz, and his orderly officer, Lieutenant Beyersdorf, took up quarters in the house of the Burgomaster on the Market Square. Captain Karge, of the military police, went to the house of the Burgomaster's brother, situated in a narrow street, which ran towards the market place in a northerly or north-westerly direction. Captain Folz, of the 49th Infantry Regiment arrived at the same time as the latter, and shortly after came Colonel Jenrich, who acted as local commandant, and Captain Schleusener, with his machine gun company.

With the exception of Colonel Stenger, who was killed, these are the witnesses whose statements are contained in the White Book. The book contains no evidence given by citizens of Aerschot.

The troops were well received by the inhabitants. Immediately after his arrival, Colonel Jenrich summoned the Burgomaster, warned him against any hostile behaviour on the part of the inhabitants, and impressed upon him "that he would suffer the penalty of death if an attack were made on the German troops by the population."

At 8 o'clock in the evening shots were suddenly heard in the neighbourhood of the market place. The first shots were followed by volleys, and then by lively rapid firing. The soldiers, who filled the narrow winding streets and the market place, fell into great disorder and fired without intermission ; the mounted men and drivers left their horses in the lurch, the horses bolted and the waggons ran into each other. The officers hurried out, attempted by orders and signals to make the soldiers cease firing, a task in which they only succeeded with difficulty.* The houses were fired upon with rifles and machine guns, some were stormed and set on fire, the fleeing

* " I, too, with Captain Schwartz, left the room at the first shot in order to restore order in the market place among the troops, who had fallen into disorder owing to the shooting " (*Beyersdorf*).

" The drivers and artillery soldiers had in the meantime left their horses and waggons and taken cover from the shots in the entrances of the houses. The waggons to some extent had run together, because the horses becoming restless, had sought their own way without the drivers " (*Karge*).

" After a short time I seemed to notice that the firing was being answered by our troops from the direction of the market place. Soon after signals and shouts ' Cease

towns-folk were taken prisoners and a large number of them shot.

Did the *townspeople* fire? Not one of the witnesses examined deposes to having seen this; not one of them found a citizen with arms in his hands; not one of them had heard from anyone else that he had done this. Nevertheless they were convinced of it. On what did their conviction rest?

Captain Schwarz and Lieutenant Beyersdorf, when, in the house of the Burgomaster, they heard the first shots, were of opinion, to begin with, that these emanated from the enemy, who had been reported in the North. This appeared to be incorrect. Soon shots fell in their immediate neighbourhood; and the Burgomaster's house itself was fired upon. By citizens or soldiers? Both officers state positively "Von den eigenen Truppen

fire!' were heard. The firing then ceased for a time, but was re-opened apparently from both sides, though not so heavily" (*Karge*).

"Near the Mairie, which was to be used as an artillery depôt, there stood a Captain of the Infantry Regiment No. 140, who had the signal 'Halt!' blown continuously. Clearly, this officer desired, in the first place, to stop the shooting of our men" (*Folz*).

rührten die Schüsse nicht her." (The shots did not come from our own troops.) How could they know that? All the other witnesses declare that their own troops fired without intermission, and principally on the market square itself. It follows, therefore, that the statement of the two officers, positively as it is expressed, is, in its sweeping terms, certainly not correct. And how, in the given circumstances, the streets and the market place being full of thousands of disordered soldiers, horses and waggons, could they, whether from their room in the burgomaster's house, or from the street itself, ascertain with certainty that, neither from the side streets nor on the market place, firing by their own soldiers had taken place?

It first occurred to Captain Karge that there had been some carelessness on the part of a soldier in the baggage train, but he soon changed his mind. On what grounds? When, at the first shot, he looked out of the window, he noticed in the distance near the roof of the house, which stood at the corner of the market place and the street in which his quarters were situated, "leichte Rauch- und Staubwolken aufsteigen" (light clouds of smoke and dust rising), a phenomenon which was repeated at the next volley. No firing took place from the

windows, and hence he inferred from the dust and smoke clouds that firing had taken place through openings in the roof. Apparently he regarded this inference as obvious. When the rapid firing followed the first volleys, it *appeared* to him that it came from other houses also. On what grounds he made this inference is not stated by him.

That is all. Further evidence, that *townspeople* fired on and near the market place, is not given. Serious doubts are indeed raised, that the soldiers themselves were guilty of it.

There arose a rumour, also mentioned by Captain Schwarz, that Belgian troops made an attack on the town. This rumour originated among the troops at the northern gate of the town, who thereupon retired to the market place in disorder, firing as they came. Is it possible that the soldiers in the market place, and in the narrow winding streets around it, hearing that shooting, but being unable to see who fired, took it for firing by the townspeople? This is, at any rate, made likely by the evidence of Captain Folz, who thus describes the first incidents:—"It was between three and four o'clock in the afternoon when we rode into

the place.* Of German troops the 3rd Infantry Division had before this partly come through, and the whole of the narrow and angularly built little town was full of provision, artillery and ammunition columns. We had been about three hours in the town when suddenly mad firing began. This firing came from about the north-west entrance of the village. Immediately afterwards the Ambulance Company, I think it was the second, with a part of the transport of the 3rd Division, came to us and reported that they had been fired upon; and that a Belgian battalion was approaching."

There was, accordingly, a double rumour by which the soldiers were brought into a state of excitement, both that the town was being attacked by the Belgians and that the townsfolk were firing on the soldiers. The houses were now stormed and fired upon from all sides, a part were set on fire, and the townspeople driven or dragged out of them. It is conceivable that during these proceedings in the narrow winding streets of the town,

* This must be a mistake. Captain Folz entered the town contemporaneously with the Staff Officers and Colonel Jenrich, all of whom declare that it was five o'clock.

firing took place in and through the houses, and that thus the impression was produced that firing was taking place *from* the houses. Captain Folz, who at the beginning of the firing refers only to firing by soldiers, declares now—about an hour later—that he had heard or seen shots coming from houses. Captain Schleusener also makes the same observation at this stage. There is nothing to show that the shots emanated from *citizens*, and not from soldiers in the streets and in the houses. How great was the confusion appears from the evidence of Captain Schleusener himself. On the rumour that the Belgians were approaching, he with difficulty assembled his machine gun company and marched through the village to the open country. Captain Folz went with him. About three kilometres from the village it was perceived that no trace of the enemy was anywhere to be found, and they immediately returned. Captain Folz returned on foot, and therefore came back later than the others. As Captain Schleusener with his company entered the town he heard firing; he met “the cavalry battalions dashing backwards and forwards and the transport waggons of the Third Infantry Division which were trying to turn round,” and were firing hard. He sought

to stop the firing, was of opinion that he had succeeded, and heard further shots coming from the houses. On this he ordered "the machine guns to be unlimbered and the house fronts on the left to be fired upon." He is told "that shots had also been fired from a house on the right." What does he do? "I had the guns turned round to open fire when a medical officer indicated that wounded were lying in that house." For this reason the house was not fired upon. It can well be conceived that Captain Folz, when he entered the village just afterwards, was also of opinion that firing was taking place from the houses and indeed can distinguish "that the firing was from both rifle and machine guns."

Apparently the losses of the Germans, even with all this were very slight. Only one is mentioned as being killed. This was Colonel Stenger, who was found shot dead in his room in the Burgomaster's house with wounds in the face and chest. The balcony doors were open ; on the wall opposite them traces of bullets were found ; window panes were smashed. Probably, therefore, the Colonel was killed by bullets from outside.

Was this done by civilians, or by the German soldiers who had been firing wildly on the houses? An autopsy was made on the following day by an army surgeon, but neither his evidence nor his report on the post mortem are included in the documents. Captain Folz, indeed, declares that he heard from this doctor that the wound in the Colonel's face was not attributable to an infantry bullet, and that he himself is of the opinion that the breast wound must have been caused by a shot from a muzzle loader. But is one, on this statement alone, without even hearing the medical man, to assume that the Colonel was killed by the citizens of Aerschot?

How did the military proceed in the suppression of the supposed insurrection of the populace? How many citizens were killed by the continuous firing on the houses is not mentioned. The manner in which they went about it is best shown in the vivid narrative given by Captain Karge. This officer, as above mentioned, had suspicion of the red corner house by the market place, on account of the light smoke and dust clouds near its roof. During a short "Feuerpause" (interval in the firing) he left his house, in order to communicate his discoveries to a Colonel standing

in the market place, and at the same time asked for permission to set the house in question on fire, since in his opinion "The ringleaders of the whole affair were collected in this house." The Colonel refused to give his consent. Thereupon, so he himself tells us, "I now took some soldiers who were near me and went with them towards the house from which the shooting had first taken place, and in the loft of which I still presumed the originators and leaders to be. In the meantime, a lieutenant of the regiment also came up, and having taken the officer and men under my command I ordered the doors—the house had a house and a shop door—and the windows of the ground floor, which were securely locked, to be broken in. Thereupon I pushed into the house with the others, and using a fairly large quantity of turpentine, which was found in a can of about 20 litres capacity, and which I had poured out partly on the first storey and then downstairs and on the ground floor, succeeded in setting the house on fire in a very short time. Further I had ordered the men not taking part in this to guard the entrances of the house and to arrest all male persons escaping from it."

How many of the citizens thus taken prisoner were shot, does not appear. The above-named Captain caused at least 88 to be shot down. What investigation was made? What proofs were there of their guilt? He tells himself how it happened, "When I left the burning house several civilians, including a young priest, had been arrested from the adjoining houses. I had these brought to the market place, where in the meantime my company of field gendarmes had collected. I then put the columns on the march out of the town, took command of all prisoners, among whom I set free the women, boys and girls. I was commanded by a Staff Officer (a Section Commander of the Field Artillery Regiment No. 17) to shoot the prisoners. Then I made my gendarmes arrange the columns and keep some of them in motion out of the town. I ordered the rest to escort the prisoners and take them out of the town. Here, at the exit, a house was burning, and by the light of it I had the culprits—88 in number, after I had separated out three cripples—shot."

On the following day many others were shot dead. On this we get nothing beyond the statement of Colonel Jenrich, which speaks for itself.

“ In the meantime the houses were searched by the troops, and a considerable number of inhabitants arrested, whose complicity in the attack on the troops was proved. Of the arrested male inhabitants the burgomaster, his son, the brother of the burgomaster, and every third man were shot on the following morning.”

From the foregoing declaration it appears that the burgomaster was also shot, the Colonel thus carrying out his threat, although there was nothing to show any guilt or complicity on the part of the burgomaster in the supposed insurrection of the population. Why were his son and his brother also killed? The depositions give only slight indications on this point.

After Captain Schwarz had found Colonel Stenger dead in his room, he thought it necessary to institute a search of the house in the presence of the wife and daughter of the Burgomaster, the latter not being present. In the course of this they forced their way into the cellar, and there found, in front of the window opening on to the street, an “ auffälliges Gestell ” (a remarkable stand) while the window pane was shattered. The Captain concluded from this that firing must have

taken place from the cellar. We are not told what the stand was like, and still less are we informed why the pane must have been broken by a shot from within and not by a shot from without. It is true that Captain Karge declares that coming to the market place in the evening, he saw a rifleman standing in a "Toreingang" (porch), who assured him that he had just distinctly seen that a shot had come from a house situated on the opposite side, and pointed in the direction of the Burgomaster's house. Assuming that the observation was accurate, was accurately communicated and accurately understood, then it would by no means follow that firing had taken place from the cellar of the house; indeed, it is very improbable that the rifleman, standing on the opposite side of the market place, which was crowded with soldiers and carts, could have perceived that the shot came from the *cellar*.

However, that may be, the Captain in the further course of his search of the house, found the son of the Burgomaster, a lad of 15, in one of the living rooms, and handed him over to the guard in the market place. On the following day this youth together with his father and uncle were shot.

With regard to these shootings there is undeniably a serious omission in the depositions. The "Militär-Untersuchungs-stelle für Verletzungen des Kriegsrechts"* (Military Department for Inquiry into Breaches of the Laws of War), apparently felt this too, and therefore in their "Zusammenfassender Bericht" (Summary) they have to some extent "clothed" the subject matter. The summary justifies the shooting of the Burgomaster together with his son and brother as follows: "That the family of the Burgomaster himself not only had knowledge of the hostile acts, but also took part in them, was established by the immediate search of the house; there had been firing into the street from the locked cellar† the key of which the family pretended to have lost‡ and which had to be forced open, a trestle had even been pushed up to the cellar window to make a con-

* Major Bauer and Kammergerichterat Dr. Wagner sign in its name.

† This was observed by nobody.

‡ The witness merely said "Zu der der Schlüssel angeblich nicht zu finden war." (The key of which it was alleged could not be found.) It will be remembered that the burgomaster was not at home.

venient position for a rifleman* ; a musketeer had observed with the greatest distinctness a shot fired from the house. The son of the Burgomaster, who had been concealed by the family† and had been dragged out of a dark room‡ was the only person who could possibly be held guilty of this.§ As the family were in all respects accomplices in the murder of the Colonel || who had been “ hospitably ” received according to the Belgian story, father and son were shot on the following day, August 20th. The brother of the burgomaster in whose house Cavalry Captain Karge, in command

* Free rendering by the Commission of the words “ ein auffälliges Gestell ” (a remarkable stand).

† Statement by the Commission, not made by any of the witnesses.

‡ The witness said : “ Beim Absuchen der Wohnzimmer kam mir der Sohn des Bürgermeisters aus einem dunklen Rimeau entgegen.” (In the course of searching the living rooms the son of the burgomaster came towards me out of a dark room.)

§ The Commission’s inference, not made by any of the witnesses.

|| In taking this view is not the Commission closer to the blood feud of the ancient Germans than to Article 50 of the Hague Convention ?

of the second company of Field Gendarmes had been billeted, on the proposal of the chief magistrate of the town, and who had been attacked* shared this fate.

In this way the matter is reconstructed by a Commission in Berlin, which was neither present when the events took place, nor heard the witnesses themselves. The climax of the report of the Commission is reached in the final conclusion—“The complicity of the whole of the burgomaster’s family proves how systematically the Belgian officials co-operated in this treacherous treatment of the German troops, which was so regrettably frequent.”

Nothing is given beyond a supposition based on very unreliable grounds, that the burgomaster’s son fired a shot; and there is no evidence of the complicity of the father. Nevertheless, according to the view of the Commission the whole family had to suffer. And *because* they all had to suffer for it, it is assumed that they all took part in the attack, and this amounts to a proof that the

* The witness himself said merely that “Schüsse einschlugen” (shots fell) near him.

Belgian "officials" "systematically" co-operated in such plots.

It has on many previous occasions in the course of the war been noticeable that the Germans have apparently formed a low estimate of the insight and critical judgment of the neutrals whom they seek to convince of the justice of their cause. The German White Book furnishes a fresh instance of this. If neutrals are to be convinced that the extreme severities carried out against the population in Belgium were justified, it will be necessary for much clearer evidence to be brought forward than that contained in this book. We are anxious to receive enlightenment as to the events which have occurred, and do not wish to found our judgment solely on Belgian, French and English reports into which exaggerations may easily have found their way, but desire that the Germans too may bring forward evidence which will stand the test of criticism, and will in fact prove that which it is desired to prove, instead of proving the exact opposite.



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