

LOCAL ACTION FOR SLANDER.
INTERESTING PROCEEDINGS.
MR. SCHWEDER SUES LORD LEONFIELD AT THE ASSIZES.
SPECIAL JURY AWARD DAMAGES.
THE POLICE RAID AT THE PLAINTIFF'S HOUSE.

CONSIDERABLE interest was centred in an action for slander which was heard at the Sussex Assizes, before Mr. Justice Horridge and a Special Jury, on Friday. The plaintiff was Mr. Paul E. Schweder, of Courtlands, Goring-by-Sea, and the action was brought against Lord Leonfield, of Petworth Park, who denied uttering the words complained of.

Mr. Hums Williams, K.C., and Mr. Lancelot Fletcher appeared for the plaintiff, and Mr. Pollock, K.C., and Mr. Barrington Ward were briefed for the defendant.

At a County Cricket Match

In opening the plaintiff's case Counsel said that Lord Leonfield was alleged to have remarked in the course of conversation at a County Cricket match last August that the plaintiff was a dangerous character, the obvious deduction being that as he bore a name which might well be thought to be a German one he was a dangerous man to this country; also that when the Police searched his house under a warrant plaintiff managed to destroy incriminating documents. The telephonic was that he had been in possession of documents which, had they been discovered, would have incriminated him as an enemy of this country. Defendant was further alleged to have said that plaintiff's firm—had belonged to the Stock Exchange—had a private wire to Germany. The statements were absolutely unjustified, and Mr. Schweder had no option but to bring this action—not for the purpose of putting money into his pocket, but to clear his character once and for all from the attacks which had been made on him. The name of Schweder might possibly occur to them as being German, but it was

Really of Swedish Origin.

Plaintiff's father established a considerable business in this country, and purchased a large amount of freehold property, and became an English subject. Plaintiff was born in England, and had lived here all his life. All his interests, business and domestic, were in this country. Dealing with the search made by the Police at the plaintiff's house, Counsel explained that in 1915 there was considerable dispute in the county with reference to some action by the Chief Constable. Apparently some junior members of the Force had been degraded, and this had excited a good deal of attention. Mr. Schweder took some part in that agitation, and saw a Member of Parliament; and it might be that the Chief Constable (Mr. Williams) had not entirely forgotten that incident. One day after the War had broken out the Police arrived at Courtlands. No warrant had been applied for to the local Justices who were known to Mr. Schweder, but the Chief Constable sent a posse of Police to search Mr. Schweder's house. They arrived in ten cars from Worthing, accompanied by officials from the Post Office prepared to find

A Wireless or Telephone Installation.

They searched the house from top to bottom, and they found nothing. Oh, yes! they did find one thing! Mr. Schweder had rather an interesting collection of old armour, and among the things in his house was an old Mauser rifle—a trophy of the Boer War, which somebody had given him. Mr. Schweder also had a few cartridges which he had bought at some time in order to try this Mauser rifle on a target in his grounds. Consequently in triumph the Police went off with this Mauser rifle and the twenty cartridges. One other thing they triumphantly removed was Mr. Schweder's commission. Why they took that was inconceivable, unless they thought it a forgery; but take it they did, and Mr. Schweder's solicitors had to claim it back before it was returned.

Plaintiff, who wore the khaki uniform of a British Officer, gave evidence bearing out his Counsel's statement as to his being a British subject. He also said he had served as a gunner in the Royal Naval Artillery Volunteers and as a trooper in the Middlesex Yeomanry, and he was a member of the Army Motor Reserve from 1906 until it was disbanded in 1913. On the outbreak of the War he placed his services

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 although he was fifty-seven years of age; and he was now attached to the Headquarters Staff of the First Division of the West Lancashire Brigade. He was stationed at Sevenoaks, and had driven his cars thousands of miles on Government service. He also had two sons in his Majesty's Forces. In consequence of a letter written to the Stock Exchange he had to appear before the Committee of that body. It was true the Police raided his house, and what they found was an old Mauser rifle captured in the Boer War, and which was in his collection of old armour. They also found a packet of cartridges which had been purchased in order to try this rifle in his grounds. He was in bed at the time, and on going downstairs he found his house full of policemen, and there was also a Postal official present. He had never met Lord Leonfield. His purpose in bringing this action was not to recover damages, but to procure publicity and to stop by some means the unfavourable comments that had been going round about him. He had noticed since the War began that on occasions people had not been so friendly. He had told Mr. Somerset that he had been called before the Committee of the Stock Exchange, and that he was

Bound to Take Some Action
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to clear his character. He said his wife wished to leave the district, and that she refused to allow her youngest son to go to School, as she was afraid he would be called the son of a spy. A Colonel Conolly wrote from Worthing on October 6th to the Secretary of the Stock Exchange:

"I understand that the Committee of the Stock Exchange is to hold an inquiry into the conduct of German members of the Stock Exchange, and I am writing to draw your attention to one Paul E. Schweder, residing at Courtlands, Goring. This alien is reported to be stockbroker to the Kaiser, and had a wireless installation in his house which was removed by the Police. He is said to be a spy, and a route to which other spies make reports. I do not know this man, but he is considered in Worthing to be a dangerous and crafty individual, and in the pay of Germany."

Witness added that he was called to appear before the Committee of the Stock Exchange, and did so, and he was told he was free to take any action he wished against Colonel Conolly. His solicitors at once wrote to Colonel Conolly, and the latter signed and sent to the Stock Exchange an apology and paid his costs. In this apology Colonel Conolly said he was now satisfied that such imputations and suggestions were

Wholly Unfounded.

and had absolutely no justification in fact. Colonel Conolly also wrote to plaintiff a complete withdrawal and apology.

Mr. A. W. F. Somerset, a Justice of the Peace and Deputy Lieutenant for Sussex, who resides at Castle Goring, gave evidence that the alleged slander was uttered in the course of conversation at a cricket match—Sussex v. Yorkshire—last August. Until the day in question he did not think defendant knew the plaintiff's name.

Cross-examined, witness explained that, unfortunately, he mentioned the subject of the conversation at his dinner table, and his son also unfortunately chaffed the plaintiff's son while bathing, and Mr. Schweder subsequently called on him. He had done everything to try to stop these proceedings.

Case for the Defence.

Lord Leonfield, now a Captain in the First Life Guards, deposed that during a conversation in relation to spies at the cricket match a case was referred to from Worthing, and Mr. Somerset then mentioned the name of Schweder. Up to that time witness did not know Mr. Schweder. Mr. Somerset took up the cudgels on behalf of Mr. Schweder, and purely by way of argument he remarked that if Mr. Schweder was all that Mr. Somerset said he was in regard to his having served in various branches of His Majesty's Forces, that did not necessarily prove anything, because if the man were a spy he would be all that, and perhaps even more, to distract attention from him. Defendant added that as a member of the Standing Joint Committee he

frequently saw the Chief Constable, and the latter had told him that the Police had visited some house in the district of Worthing. He did not tell him that it was Mr. Schweder's house. He said that the man had come down in his pyjamas, and had run out of the house at the back, and he imagined had done something. Witness asked: "What did he do in the backyard?" and the Chief Constable replied: "I don't know!" Witness said: "Why were you not round there to see?" and he replied, laughingly, "Oh, I suppose, the old thing—too late again!" Defendant admitted saying that the plaintiff had

A Private Wire.

but he did not say it was to Germany. Cross-examined, he denied saying that Mr. Schweder was a dangerous man.

Captain A. B. S. Frazer, of the Territorial Force Reserve, who was present at the conversation at the cricket match, stated that an argument arose as to whether the Chief Constable was justified in raiding the plaintiff's house, and personally he took the conversation to be on the question whether the Chief Constable's action could be considered vindictive. It was Mr. Somerset who first mentioned the name of Mr. Schweder. Lord Leonfield remarked: "Well, I don't like Germans!" and witness responded: "Hear, hear, Leonfield!" Lord Leonfield did not say he understood the plaintiff was a dangerous man. There was nothing said about a private wire to Germany.

The Jury, after deliberating for about ten minutes, found a verdict for plaintiff, and awarded £100 damages.