

Re DE LASZLO.

I have read the correspondence which has been obtained through the Foreign Office, and with the exception of the two extracts to which attention is drawn, I think it is very much in Mr. De Laszlo's favour.

The terms in which the letters are couched, show the very affectionate relations existing between Mr. De Laszlo and the members of his family, especially his devotion to his Mother. These are matters which it is important to establish. It would be well to have a key to the identity of the names mentioned, and Mr. De Laszlo might go through the correspondence and indicate the relationship.

I understand that the case is to be conducted by the Law Officers. Having regard to the statements which have been made in the Press and in Parliament, the trial should take place in public. This would seem to be the only way in which Mr. De Laszlo could satisfactorily clear himself. I see that under the directions issued on the 20th. September 1918, by the Home Secretary to the Committee, by Clause 8, the Committee have power to admit the public or any portion of the public to be present, so that in this way publicity might be obtained, if the Home Secretary did not order the inquiry to be held by the High Court. I notice also under Clause 6, that the Committee have the widest powers to act upon any information which is available, whether admissible in a court of law or not. This has a bearing on the admission of the declaration made by Madam Van Reimsdyke. The issue is so serious now, having regard to the attacks that have, from time to time been made upon Mr. De Laszlo, that

nothing would be likely to satisfy him, except the telling of his story in public, and submitting himself to cross-examination. It should be in his favour that he has so fully disclosed the history of his past life in his statement, & also that from the first he has shown a desire to place the authorities in possession of all the information he could: and also that he has taken steps that every document procurable should be available for inspection.

I understand, that if Mr. De Laszlo's case is reached in the ordinary course, it will probably not be taken before Whitsuntide. It cannot certainly be taken for some time, as at present we do not know what the matters are which will be alleged against him, nor have we had inspection of the documents in possession of the Home Office. It may be desirable to delay the application for the trial to take place in the High Court, until we are in possession of the particulars of the case to be presented against him, and until we have had copies of the documents in the possession of the Home Office, including the Accountant's report.

I see in the letter of the 30th. November 1918, the promise to furnish concise particulars of the matters alleged and again in the letter of the 9th. January, the statement that "there is no urgency in regard to the delivery of the particulars", which, however, we are promised in ample time before the hearing, and in the letter of the 19th. December, that with regard to the letters from Mr. De Laszlo's family in possession of the Home Office, at the proper time we are to have full opportunity of inspecting all these documents. Until we are in possession of all this material, Mr. De Laszlo's case cannot be properly prepared.

He will have to satisfy the Tribunal that he has neither by act or speech shown himself disloyal, and that his correspondence was of an absolutely innocent character. It is quite possible that when the particulars are delivered, they will be practically the same as those contained in the document handed to him on the 21st. September, 1917.

I notice that during the debate on the Aliens Bill in the House of Commons, the other night, Sir Richard Cooper made a very grave charge against Mr. De Laszlo, which must have been founded upon the letter which Mr. Basil Thompson read to Mr. De Laszlo on the 15th. August, 1917, and which is mentioned on page 24 of Mr. De Laszlo's statement. A full note of what Sir Richard Cooper actually said should be obtained by getting a copy of Hansard, which contains the speech in question. It may be desirable to write to Sir Richard Cooper, asking him for his authority for the statement which he made. If this letter read by Mr. Basil Thompson is to be used in any way against Mr. De Laszlo, we ought to have inspection of it, and an opportunity of having it examined and photographed and inquiries made with regard to it, to enable us if possible, to dispose of it, as it certainly seems as if the reckless charges which have been made against Mr. De Laszlo from time to time are founded on this letter. There can be no doubt, that every effort has been made to obtain evidence to prove that the letter is genuine, and if evidence could have been obtained, action would have been taken upon it.

When the charges have been formulated, and we have had access to the documents in the possession of the Home Office, a definite decision should at once be arrived at, as to proposed application to the Home office, asking for the trial to be held in the High Court.

On this question of publicity, it will be necessary to consider whether, if the proceedings before the Committee were reported there would be any advantage in trial by the High Court. I do not quite follow what is contemplated by the provision enabling the Home Secretary to have the inquiry held by the High Court, that is to say, whether this may mean having the issues tried by the Jury. This however, can be discussed in consultation.

C. F. G.

22 April, 1919.

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Copy

O P I N I O N
of
Mr. C. F. GILL, K.C.

14.5.19
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