

**THE DAILY INDEPENDENT
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"Black Magic" Libel Action Appeal Fails

**"JUDGE WAS NATURALLY INDIGNANT"
—LORD JUSTICE GREER**

DISCLOSURE OF UNCLEAN POEMS

JURY'S "SENSE"

The Court of Appeal yesterday dismissed the appeal of Mr. Aleister Crowley, the author, with costs.

Mr. Crowley appealed from the judgment of Mr. Justice Swift in a libel action he brought against Miss Nina Hamnett, authoress of "Laughing Torso," Messrs. Constable and Company, publishers, and Messrs. Charles Whittingham and Briggs, the printers.

Mr. Crowley said the book imputed to him the practice of black magic.

Lord Justice Greer, giving judgment dismissing the appeal, said the court had come to the conclusion that though there might be something to be said in favour of the view that the summing-up was not as full as it ought reasonably to have been, the only possible result in this case, having regard to the evidence and admissions of Mr. Crowley, was a verdict for the defendants.

GROSS ADMISSIONS

For a long time Mr. Crowley had been cross-examined, and he had made admissions in regard to his conduct which Mr. Justice Swift described as admissions of the grossest kind he had heard in 45 years' experience at the Bar and on the bench.

In fact, the judge said this: "Never have I heard such dreadful, horrible, blasphemous, abominable stuff as that which has been produced by the man who describes himself as the greatest living poet."

Mr. Crowley had written a book when he was a young man, continued Lord Justice Greer, and it was admitted to be obscene "in a technical sense."

"It contains one poem," continued the Lord Justice, "which Mr. Crowley says he did not write, but which was of the most horrid description. It was published as part of the book.

SCIENTIFIC TREATISES

He said these sonnets were scientific treatises for the purpose of combatting a theory with which he did not agree about people who were addicted to abnormal vices.

"Is it astonishing," asked the Lord Justice, "that a jury of common-sense, after hearing evidence of that kind should think it was impossible that they could give a verdict for plaintiff?"

"They had extracts from his books in which insulting language had been used with reference to matters which average persons regarded as sacred—to be treated with words that do not indicate abusive attack.

"The net result of a new trial if the case is dealt with by ordinary human beings, the man in the street, must be just the same." added his Lordship.

"The Judge at the trial of the action had been listening for a long time to this filth and blasphemy which plaintiff had been guilty of on his own confession.

"I can't help thinking the words Mr. Justice Swift used were not as measured as they would have been if he had not been naturally in some state of indignation in regard to the conduct of plaintiff, and his idea that this was a case in which he was entitled to come before a jury and ask for damages."

Lord justices Slessor and Roche concurred.