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"LAUGHING TORSO" AND A LAW SUIT.

**PASSAGES ALLEGED TO BE
VULGAR AND INDECENT.**

"Laughing Torso, a book of memoirs dealing with life in Bohemian circles in London and Paris, which was reviewed at length in last Sunday's Sunday Times, has been the subject of a law suit. Mr. Aleister Crowley, an author who is mentioned in the book, being refused an injunction to restrain further sale or publication on the grounds that the book contained statements alleged to be untrue, indecent and vulgar.

COURT REFUSES INJUNCTION.

London, Oct. 6.

In the Vacation Court yesterday, before Mr. Justice du Parcq, mention was again made of the motion by Mr. Edward Alexander Crowley, the author, whose pen-name is Aleister Crowley, for an interim injunction to restrain the further sale or publication of a book entitled, "Laughing Torso."

The book is written by Nina Hamnett, and printed and published respectively by Charles Whittingham and Griggs Ltd. and Constable and Co. Ltd.

The matter came before Mr. Justice Lawrence on Sept. 22, when it was stated that Mr. Crowley had reason to complain of passages in the book which he considered reflected upon him, and which, it was alleged, were untrue, indecent and vulgar.

The motion had been allowed to stand over to enable Miss Hamnett and her advisors to consider the position. Messrs. Constable gave an undertaking that meanwhile there would be no further publication of the book.

Printers' Position.

Mr. Upjohn (Waterhouse and Co.), for the printers and publishers, said that the position of his clients today was this: There was the evidence of the plaintiff that the evidence of the plaintiff that certain passages were libelous. There was a long

and extremely strong affidavit by Miss Hamnett in which Mr. O'Connor (counsel for Miss Hamnett) was going to justify all the statements, and he was going to rely on other defences.

His submission on that was that the court would not grant an injunction against Miss Hamnett, because she was going to justify. It was open to his clients, if they so desired, to justify, and that being so, on the authorities, he submitted his lordship could not grant an injunction against them.

Mr. Martin O'Connor (Edmund O'Connor and Co.,) for Miss Hamnett: My defence is that every word published in the book about Mr. Crowley is true, and will be justified at the trial. I have made an affidavit in which I say that, and I say in my affidavit that Mr. Crowley is a man who has been known to Miss Hamnett for a number of years. She can speak about him and about matters referred to in the pages of the book as being within her own knowledge.

Other Ways.

In a case where there was an allegation of the grossest fraud against plaintiffs in a libel brought in a civil court, the Court of Appeal, consisting of all the Lords Justices, had said that where the defence of truth was pleaded an injunction ought not to be granted.

Mr. Justice du Parcq: You say if there is an obscene libel there are other ways of stopping it.

Mr. O'Connor: Yes, and this is not the court to stop it. In such a case the Criminal Court is the proper court.

Mr. Justice du Parcq, reading the affidavit of Miss Hamnett, observed that it was to the effect that "everything is true, and I intend to justify."

Behaviour In Sicily.

"I think," the Judge said, "you may say this that these references to Sicily would suggest that Mr. Crowley was behaving in an odd and extraordinary way there, and in such a way that people who were superstitious might have thought he was doing all kinds of magical and extraordinary things, but I am not sure the affidavit does not go beyond that."

Mr. O'Connor: It does.

Mr. Justice du Parcq: And you say accounts of this have been published in the papers, but you do not say what papers.

Mr. O'Connor: I have some here.

Counsel produced a newspaper which was handed up to the Bench.

Mr. C. Gallop (Forsythe, Kerman and Phipps) said Mr. Crowley would deny the allegations in the affidavit, if necessary, on oath.

Mr. Justice du Parcq: He has already said there is no truth at all in the book.

Judgment.

Mr. Gallop: I do not want the impression to go abroad that there is any shadow of truth in these statements.

Mr. Justice du Parcq said it might be that Miss Hamnett could not be restrained and the motion must fail against her. Did Mr. Gallop say that notwithstanding that, unless the defendant publishers and printers declared that they were going to justify, they could be restrained?

Mr. Gallop: Yes, I do say that.

Mr. Upjohn said he was not willing to give any undertaking to submit to an injunction. In the second place, he did not that day make any statement whether his defence was going to be justification or not.

Mr. Justice du Parcq, giving judgment, said that in the face of Miss Hamnett's sworn statement that the words were true, he thought it would be wrong to stop the publication of the book at the present time. If the words could be said to constitute an obscene libel there was a way to prevent their further publication. But with that he had nothing to do and he expressed no opinion.

The application for an injunction would be refused. The costs would be costs in the action.