

THE TIMES
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Law Report, Sept. 22

VACATION COURT
CHANCERY DIVISION
BOOK BY MISS NINA HAMNETT

CROWLEY v. CONSTABLE AND CO., LIMITED,
AND OTHERS

Before Mr. Justice Lawrence

There was a motion on behalf of the plaintiff to restrain the further publication of a book entitled *Laughing Torso*, of which the defendant, Miss Nina Hamnett, was the author. The plaintiff, Mr. Edward Alexander Crowley, of Albermarle Court, Piccadilly, was an author who wrote under the style of Aleister Crowley. The other defendants, Constable and Co., Limited, were the publishers of the book and Charles Whittingham and Griggs, Limited, the printers.

Mr. C. Gallop appeared for the plaintiff; Mr. G. R. Upjohn for the publishers and printers; and Mr. Martin O'Connor for the author.

Mr. Gallop said that the plaintiff complained of certain passages contained in the book, especially on pages 69 and 173. As far as he (counsel) had been able to gather, the book was autobiographical in its nature, and included what he (counsel) supposed were intended to be interesting anecdotes about various people, including the plaintiff. The plaintiff said that there was not a word of truth in what was written about him. It was indecent, vulgar and ignorant. The plaintiff had sworn an affidavit to which he stated that his attention had only recently been called to the passages in the book, and he denied that there was a word of truth in them.

Counsel said that he found it extremely difficult to understand how the book came to be written. He felt sure that the publishers and printer would deal with the matter in the way

one would expect from firms of their high reputation. What attitude the author would take up he did not at present know. The plaintiff therefore asked for an interim injunction to restrain the further circulation of the book until the trial of the action or further order. In the action the plaintiff asked for delivery up of all available copies of the book for the purpose of their being destroyed.

Mr. Upjohn, on behalf of the publishers and printers, said that within 10 minutes of their being served with the writ and the notice of motion, Messrs. Constable and Co. had suspended publication of the book. He (counsel) was willing to give an undertaking to discontinue publication until further notice. With regard to the printers, they had printed and delivered to the publisher all the copies it was prepared to print. As to the future sale of the book, he (counsel) was instructed that it had not been proposed to publish a second edition of the book.

Mr. Gallop said that, so far as the publishers and printers were concerned, he was satisfied with that undertaking.

Mr. Martin O'Connor, who appeared on behalf of Miss Hamnett, asked that the motion might stand over for a week, as the solicitor instructing him had only been instructed yesterday, and he (counsel) desired to have time to look into the matter. Miss Hamnett was not disposing of any copies of the book; in fact, she had none to dispose of.

Mr. Gallop said that if the undertaking were forthcoming he would have no objection to a week's delay.

Mr. Justice Lawrence said that, on the undertaking given by Mr. Upjohn, the matter would stand over until Wednesday, October 5.

Solicitors.—Messrs. Forsyte, Kerman, and Phillips; Messrs. Waterhouse and Co.; Messrs. Edmond O' Connor and Co.