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JURY STOP "BLACK MAGIC" CASE.

JUDGE'S STERN WORDS ABOUT MR. CROWLEY

From our London Staff.
FLEET STREET, Friday.

The "black magic" libel action came to a dramatic finish in the King's Bench Division to-day.

The jury stopped the case and returned a verdict for all the defendants. Judgment for all the defendants, with costs was entered.

The Judge ordered certain documents in the case to be kept in the custody of the court. He made some trenchant comments about the plaintiff Mr. Crowley.

The action was brought by Mr. Aleister Crowley, the author, against Miss Nina Hamnett, authoress of a book entitled "Laughing Torso."

Messrs. Constable and Co, Ltd., the publishers, and Messrs. Charles Whittingham and Briggs, the printers, were joined as defendants.

Mr. Crowley complained that the book imputed that he had practised black magic which he said was a libel upon him.

The defence was a plea of justification.

STORY OF A SACRIFICE.

Mr. Crowley denied that he practised black magic at a villa which he occupied at Cefalu, Sicily, and which was known as the "Abbey of Thelema."

According to the evidence given by Mrs. Betty Sedgwick, whose former husband, Raoul Loveday, died at the Cefalu villa, a cat on one occasion was sacrificed in the course of a magical ceremony. Her husband then drank a cup of the cat's blood, she stated.

To-day Mr. Eddy (for Mr. Crowley) continued his cross-examination of Mrs. Sedgwick on her evidence regarding the

"terrible sacrifice of a cat." "Is there a word of truth in it?" he asked.

Mrs. Sedgwick: Absolutely true. Everything about the cat is true.

WROTE TO SOLICITORS.

She admitted having written to Messrs. Waterhouse and Co., solicitors for the printers and publishers, asking for £5 "on account of my personal expenses incurred in connection with my recent services in regard to evidence." At that time she had been paid between £15 and £20 from the solicitors for her expenses of coming up from the country and staying in London in connection with the case.

In reply she received a letter stating, "I am afraid I cannot send you as much as another £5. I am grateful for your help, but I thought previous remittances covered a good deal."

Mrs. Sedgwick admitted that she eventually received a letter from Messrs. Waterhouse enclosing £5 for expenses incurred in coming to London about the case.

MYSTERY OF LETTERS.

Mrs. Sedgwick was asked if she had authorised anyone to extract letters from her case and give them to Mr. Crowley? She said she had not.

Mr. Justice Swift: Are these produced by Mr. Crowley?—Yes.

Do you know how Mr. Crowley got possession of your letters?—I can't imagine how he got them.

Mr. Hilbery: Were there other letters in the case?—Yes, everything was taken from the case. The contents were all stolen.

Until they were produced here—with the suggestion that it was documentary evidence that your evidence had been "bought," did you know they had got into Crowley's possession?—I didn't know at all.

Mr. Hilbery called on Mr. Eddy to produce a letter of February 24, 1933, from the defendant's solicitors to Mrs. Sedgwick.

Mr. Justice Swift: He clearly has no right to have it. Whoever has possession of those letters is in possession, according to this lady's evidence, of stolen property. They have no right to have it.

When some of the copies of the missing letters were produced and referred to, Mr. Justice Swift agreed with Mr. Hilbery that they should remain in the custody of the Court.

At the conclusion of Mrs. Sedgwick's re-examination, Mr. Hilbery said this was all the evidence he proposed to call, subject to the fact that he would like to call Mr. Harper, of Messrs. Waterhouse, to refute any suggestion that he had been a party to purchasing any evidence.

Mr. Eddy: My suggestion was, is, and will be that money explains the presence of Mrs. Sedgwick in the witness-box. I do not make any sort of imputation upon the solicitors. I suggest they were put in the position by the attitude taken up by the witness.

Referring to Mr. Crowley's refusal to accept his challenge the previous day to try his magic, Mr. O'Connor, opening the case for Miss Hamnett, said it was appalling that "in this enlightened age a court should be investigating magic which is arch-humbug practised by arch-roguers to rob weak-minded people."

JURY CONFER.

All the members of the jury then conferred together. One of the jurymen said they wished to know whether this was a correct time for them to intervene.

The Judge replied: "You cannot stop the case as against the defendants. You must hear all of their case before you stop it, but you may stop it against the plaintiff when Mr. Eddy has said everything he wants to say and when I have taken care to see that you know what the issues are which you have to try."

Mr. Eddy then made his final submissions to the jury.

At the end of Mr. Eddy's speech Mr. Justice Swift asked the jury if they were of the same mind as intimated earlier.

JUDGE'S ADVICE.

"If you think the plaintiff fails on the ground that he was never libelled or that his reputation was never damaged or, if you think the defendants have justified what was written, then your verdict should be for the defendants," continued his Lordship.

"I have nothing to say about the facts except this—I have been over forty years engaged in the administration of the law in one capacity or another. I thought that I knew of every conceivable form of wickedness.

"I thought that everything which was vicious and bad had been produced at some time or another before me.

"ABOMINABLE STUFF."

"I have learnt in this case that we can always learn something more if we live long enough. I have never heard such dreadful, horrible, blasphemous, and abominable stuff as that which has been produced by the man who described himself to you as the greatest living poet. Are you of the same opinion still?"

The foreman said the jury were unanimous. They found a verdict for defendants.

Judgment was entered for all the defendants with costs.

Mr. Justice Swift said there was no reflection on Mr. Harper.

NO STAY OF EXECUTION.

Mr. Eddy asked for a stay of execution.

Mr. Justice Swift: No, Mr. Eddy. It was a plain question of fact for the jury.

Mr. Eddy: I was desirous of pointing out, before the jury gave their decision, exactly what had to be done before a verdict could be returned at all. It is no use my doing it now, but I would desire to call your attention to the form of the summing up to be administered particularly the need for calling attention to the cross-examination.

Mr. Justice Swift: You shall do that in another place when it seems convenient to you to do it. I thought I had followed the instructions of Lord Justice Scrutton. I still think that I did, but you can go and point out to him that I did not. Some day another jury will reinvestigate this matter.

DOCUMENTS IN CUSTODY.

Mr. C. W. Lilley (for the defence), mentioned the documents which the Judge had in his custody.

"You indicated some little difficulty as to the proper ownership of them," he said. "If you think it right to allow these documents to remain in the custody of the court, pending an application for them to be made on behalf of one party or the other, we should be very glad if they may stay in the custody of the court.

Mr. Justice Swift: We will keep the letters in court, and we shall certainly have them in proper custody if you take them to another court.