

**THE EVENING DESPATCH
BIRMINGHAM, WARWICKSHIRE, ENGLAND
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(page 11)**

**LIBEL CASE HUMOUR
"BLACK MAGIC" APPEAL
JUDGES' SHAFTS
DEFAMATION AND THE DEVIL**

More was heard about the magic which Mr. Aleister Crowley is alleged to have practiced in the Court of Appeal to-day.

Mr. Crowley, the author, was appealing from the judgment of Mr. Justice Swift in a libel action he brought against Miss Nina Hamnett, authoress of "Laughing Torso," the publishers, and the printers.

The appeal was dismissed.

Mr. Crowley said the book imputed to him the practice of black magic, which, he said, was "foul and criminal." He had never practiced it.

Respondents maintained that his reputation was that of a "black magician."

"DAMAGE" ARGUMENTS.

For the publishers Mr. Malcolm Hilbery, K.C., said the statements in the book were not defamatory of Mr. Crowley or damaging to his reputation, "having regard to what his reputation was."

A libel, said counsel, defames if it really diminishes the reputation a man enjoys whatever his reputation is.

Lord Justice Roche: You mean that it would not be defamatory to say of the devil that he is black. (Laughter.)

Lord Justice Slesser: I want to know whether it was part of the plaintiff's case that the words complained of meant not only that he had practiced black magic but that in consequence of his magic a baby had disappeared.

FELT SAFE.

Mr. Hilbery said Mr. Eddy (for Mr. Crowley) opened the case in that way.

Mr. Hilbery: I invited Mr. Crowley to make me disappear and I did not feel that I was in peril. (Laughter).

Lord Justice Slesser: If he had done that it would certainly have been ground for a new trial. (Laughter).

Later Lord Justice Greer intimated that at the moment the view that commended itself to the court was: "This is a case in which we can say that although the summing-up might have been more satisfactory if it had been more detailed, yet we are inclined to come to the conclusion that the result would necessarily have been the same however full the summing-up.

Mr. Eddy, in reply to Mr. Crowley, said that though there was much to suggest that his client had practiced magic there was a vital distinction between white and black magic. The court might take cognizance of an Act of Parliament passed in 1735.

Lord Justice Greer: If you go back so far as that he would probably have been burned at the stake whether he called his magic white or black. (Laughter).

THE JUDGMENT

Giving judgment Lord Justice Greer 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 presumably to have been, the only possible result was a verdict for the defendants.

"It is not a question of speculation or guessing. I, personally, have come to the conclusion that, however much the contents of Mr. Eddy had been repeated by the judge the result would have been exactly the same as it was."

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 40 years' experience at the Bar and on the Bench.