

1935 libel actions: Arnold Bennett's Journals

It appears that the same passage was the cause of both libel actions – note the reference to "Mrs H. P." in both cases. I cannot find the passage in Vol 3 of the Journals, and I assume Cassells had to reprint the book with the passage excised.

First action:

The Yorkshire Post, 18 April 1935, p. 5

ARNOLD BENNETT JOURNALS

Libel on Widow of an R.A.

A settlement was announced before Mr Justice du Parcq, in the King's Bench Division yesterday, of a libel action by Mrs. Ethel Maud Poole (widow of the sculptor and R.A., Henry Poole), who complained of passages in "The Journals of Arnold Bennett" volume 3. 1921–28.

The book was published by Messrs Cassell and Company Limited, edited by Mr. Newman Flower, and printed by Messrs Butler and Tanner. all of whom were joined as defendants, and now apologised to Mrs Poole. In addition to paying her a sum of money by way of damages and costs.

Mr H. J. Wallington. K C. (for Mrs. Poole), said that, while it was unnecessary to read the libel, he was anxious to identify the book, so that people who had been misled by it as to the respectability of his client might have such ideas disposed of. In the book Mrs. Poole was referred to as "Mrs. H P," and it was obvious that persons who knew her and had read the passage complained of would have no difficulty In identifying her with "Mrs. H. P."

There was no justification for the libel. The defence put in was a denial that the passages were defamatory, or that they referred to Mrs. Poole. The defendants realised that there was no foundation for the aspersion cast upon Mrs. Poole, and were prepared to make ample apology for the publication.

There was a payment into court, and the defendants had also agreed to pay Mrs. Poole a further sum in satisfaction of damages and costs.

Mr. Valentine Holmes (for defendants) endorsed this statement. and said that, as soon as they realised it was possible to identify Mrs. Poole with the words complained of, his clients readily apologised.

Second action:

The Manchester Guardian, 23 November 1935, p. 17

£2,500 DAMAGES FOR LIBEL – Award to Irish Poet

Mr. Augustine Joseph Clarke, the Irish poet and author known as Austin Clarke, alleged in an action before Mr. Justice Swift and a special jury in the King's Bench Division yesterday that he had been libelled by an entry in "The Journals of Arnold Bennett." He sued Cassell and Co., Ltd., and Newman, Flower, and Butler and Tanner, Ltd., publishers and printers respectively, for damages for libel. The defence was a denial that the words complained of bore a defamatory meaning.

Serjeant Sullivan, K.C., for Mr. Clarke, said that complaint was made of the following entry which appeared Vol. III. of the "Journals" .

1923, Ciro's Club, Saturday, September 29. A waiter brought me a card. It was Mrs. H. P.'s. I went over to her. She said. she had beautiful musical evenings. I said I hated musical evenings. She said they weren't really musical evenings, hut general affairs, with dancing, but fine music. She knows a lot of people, including Austin Clarke, an Irish poet, who, she said, had annoyed all Ireland by his truthfulness (I think), she quoted from him: "Oh, Irish girls, are you as dirty as the holy water you dip your fingers in?" or something like that, she added.

Mr. Clarke was a Catholic, of Irish birth, and educated in Dublin. In 1933 he heard from someone who had read the proofs of the "Journals," which the defendants contemplated publishing, that there was some offensive reference to him. He visited the office of Messrs. Cassell and was given the assurance there was nothing in the "Journals" that would be offensive to him. In spite of his warning the "Journals" were published with the entry which Mr. Clarke said imputed that he had written something that was an insult to the women folk of his own race and a sneer about a national habit in connection with a religious ceremony.

Giving evidence, Mr. Clarke said he had written books of poems and of fiction.

Serjeant Sullivan: Did you write any thing at all in the nature of what purports to be a quotation from you? Nothing.

Did you ever comment on the dirtiness of Irish girls ? – Absolutely no.

Or sneer at the habit of using holy water at the church door? – No.

Are these sentiments attributed, to you repulsive to you? – Entirely so.

What would be the result among your Irish public of a Publication of this kind? – It would injure my social and literary reputation.

Mr. J. D. Morris, K.C. (for the defendants), who called no evidence, submitted that the words reflected no more than upon the cleanliness of some Irish girls. They were not intended to be an exact quotation from Mr. Clarke's works. They involved no sort of scoffing at the ritual of the Roman Church. It was nothing more than a flippant suggestion that some Irish girls had "soiled their fingers."

The jury awarded (Mr. Clarke £2,500 damages, and judgment was entered accordingly with costs. Mr. Morris asked for a stay of execution with a view to appeal on the ground that the damages were excessive.

Mr Justice Swift: "In my view this was a gross libel, and I entirely agree with the jury's verdict."

He granted a stay until Monday.