

THE

FANNISH

CASE OF

ASHWORTH

v

LINDSAY.

This is a Fannish publication, produced as a post-mailing,
to the March 1955 mailing of O.M.P.A.
Also issued to various intrested (we hope) persons.

Duplicated and published by
Ethel Lindsay
120 West Regent St.,
Glasgow, Scotland.

THE CASE OF ASHWORTH V LINDSAY.

DRAMATIS PERSONAE.

Mr. Mal Ashworth-Plaintiff (you may hiss!)
Miss Ethel Lindsay-Defendant (you may cheer!)
Mr. Byron Terence Jeeves-Lawyer for the Defence.
Mr. Barry S.T.E.R. Attlaw-Lawyer for the Prosecution.

Case judged by-Lord Chief Justice Charles Randolph Harris.

THE FANNISH CASE OF ASHWORTH V LINDSAY.

The case opened as a result of the following letter, published in that eminent fanzine 'Hyphen' on Sept. 10th. 1955.

"For instance even your organisation had no man on the spot when Ethel Lindsay perpetrated the most serious affront to the honour of a Truefan since fandom failed to raise the 20000 snakes needed for Bloch's planned reception of you in Chicago two years ago.

This grave incident occurred on the Sunday evening shortly after I left. It seems that Ina Shorrocks told Ethel about BEM'S subscription rate for attractive young females--to wit, one photo of self in a bikini. A genuine offer. Ethel naturally decided to avail herself of the opportunity and, digging out one such photo, went in search of me. She found what she thought was me and opened negotiations by proffering her photograph... It appears the creature reeled away gibbering unintelligibly. It also appears--and this is where the story steps over from light amusement to sheer gothic horror--that the creature was---BURGESS! It was two weeks after the Con that I first learned the devastating truth, but I am recuperating quite satisfactorily in the circumstances and I even have hopes that I shall be completely fit again in time for next year's Con. A pity about Ethel too, she was a nice girl, and I don't think that life in a Siberian salt-mine is going to suit her temperament." Mal Ashworth.

Miss Lindsay, being a nice girl, felt that this could not be taken seriously. However, a very kind gentleman, one Mr. Vincent A. Clarke, pointed out that she was in very real danger and advised her to consult a lawyer. The following letters are the result of her doing so.

From: Ethel Lindsay,
126 West Regent Street,
Glasgow, Scotland.
Sept. 1954.

To: Mr Mal Ashworth,
Dear Sir,

Having been warned of your dastardly plan to exile me to Siberia, I took the matter up with my solicitor, Mr Byron T. Jeeves. Herewith are his findings on the matter:

- 1: White slave traffic is verboten. *Umbazi v Drake*, Sir F. 1948 and not yet repealed or abrogated.
- 2: Meat export embargo 1953 does not permit it.
- 3: Siberian laws (95 of them) prohibit the import of livestock, birds, animals, fish, or domestic pets.
- 4: Mr Ashworth must obtain an exporters license, then a permit to export you with a clean bill of health (impossible since you can prove mental deficiency on the grounds of being a fan...and in maintaining a correspondence with me)
- 5: He must get you a passport. You can frustrate this by putting out your tongue at the photographer, this is considered highly pornographic by the Siberians (a cold lot) and would instantly bar you from entry.

I think therefore, in view of the aforementioned impeiments you can rest assured that Mr Ashworth has no possible hope of carrying out his foul ends (short of smoking them in the pub, or swallowing them)"

Naturally these are only Mr Jeeves preliminary findings on the matter. Should you express the intention to persist in your unnatural object, I shall be forced to carry this thing further.

Yours very coolly,
Ethel Lindsay.

From the office of
BARRY S.T.E.R. ATT LAW
 (Ex of Harris, Morris, Snoopwhistle
 and Harris, Confidential ~~X/13K/1074~~
 Solicitors)
 Legal Consultant.

40 Makin street,
 Tong Street,
 Bradford 4.
 Yorks.
 8/10/54.

To: Miss Ethel Lindsay.
 Dear Madam,

Re: Proposed Trip To Siberia:

I have been informed by my client, Mr. Mal Ashworth to contact you with regard to the above. He has also handed me your letter concerning this matter in which you quote the views of your Counsel Mr. Byron T. Jeeves. May I say at the outset how pleased I am to make Mr. Jeeves acquaintance; as Mr. Pat Pending, Legal Consultant to Proxyboo, so aptly puts it "One good attorney deserves another" and I am doubly glad because of the reputation which Mr. Jeeves has gained for himself at the Bar. However that may be, my client feels that he is unable to revoke his original decision and that the points Mr. Jeeves makes can be easily circumnavigated. Mr. Ashworth points out that he has already made arrangements for the trip with his very close friend Mr. Georgi Malenkov and that Mr. Malenkov is deeply grateful on account of the acute labour shortage at the place in question as a result of which my client feels that it would be tantamount to a breach of faith were he to fail Mr. Malenkov, and for this reason he has instructed me to, as he himself puts it, "Find some way to wriggle out of it, Barry Old Boy"

In reply to Mr. Jeeves points therefore, I must say that on account of the third point made in your letter, i.e. 'mental deficiency', it will be impossible for you to make a legal case out of the matter prior to your actual transportation to Siberia, after which date we feel that you may possibly lose interest in the illegal aspect of the question. However we would again thank you for your letter and if there is any other point over which your lawyer shows himself to be just a 'crazy, mixed-up kid' please do not hesitate to contact us for further assurances. Wishing you a most enjoyable ~~X/13K/1074~~ journey and a hearty reception 'Over the other side'

I remain,

Barry S.T.E.R. Attlaw.

The following letter was passed by Miss Lindsay to Mr. Ashworth with her compliments, and the added remark - 'Sucks to you!'

From the skyscraper of:-
Terry Jeeves,
(Formerly with P.G. WODEHOUSE)
Confidence Men Inc.
and Legal Insultant.

58 Sharrard Grove,
Sheffield. 12.
12-10-54.

Your ref.
Our ref. Jack Solomons.

To: Miss E. Lindsay

(de abscondis. Siberian Journey)

Dearest Client,

I have given your case a great deal of thought and there is absolutely no doubt that your legal position is perfectly sound. However, certain 'legal' shysters, (the attorney of Mr. Ashworth among them) will always snatch at such borderline cases, in the hope of running up a large bill. In the case of Mr. Barry S.T.E.R. Attlaw, it is at once obvious from his name, that he is only just outside stir, and even this he cannot spell properly. In addition, this Attlaw person sees fit to refer slightly to my reputation at the Bar. The fact that I clear a case away quickly is known to all, yet Mr. Attlaw, who attempts to smear me, was and never has been called to the Bar. In actual fact, he is regularly ejected therefrom every evening. Therefore I trust that your mind is set at rest, when the plaintiff is so desperate as to retain such a person. Doubtless no one else would retain him for five minutes. His memory is also very badly at fault, first he offers Mr. Malenkov as an escort, and later chooses Mr. Malenkov. Thus showing either a very bad memory, or the employment of 'snifty' characters. To use a legal term, dear lady, a clear case of 'deo a djuvante', 'labor proficit'. It is also a singular coincidence that Mr. Attlaw shares the same address as Mr. Ashworth, life must be very cramped in the barrel unless they operate on the 'weather house system'. Very inconvenient to say the least.

Mr. Attlaw also makes the common gambit of the shyster, to wit (and to who) I quote, "Mr. Jeeves makes points that can be circumnavigated" Having attempted to plant a doubt in your mind, the charlatan leaves the topic, and never does explain HOW these points may be circumnavigated. The simple point is that as my points were square, it is impossible to sail round them. I trust you see the point, and that Mr. Attlaw sits on it for a while.

Mr. Ashworth obviously realises that he has no case, as is made obvious by the thoughtless remark of his attorney who quotes him as follows 'Find some way to wriggle out of this Barry Old Boy'. It would be wisest to leave all stones unturned, lest the removal of one does allow these two (?) slippery customers to effect this means of evading their just deserts.

Another remarkable coincidence to which I would draw your attention, is the lack of initiative in the various names bestowed upon the various places and people scattered throughout the communication from Mr. Attlaw. First we have the previously mentioned 'common' address, and this I assure you is very common. Next, Mr. Attlaw refers to the Bar.... His own 'Christian' name is Barry. I suspect collusion or malice aforethought. Worse however is yet to come. We are introduced to Messers Milenkov and Malnekov, who act on behalf of Mr. Mal Ashworth. May I remind you, that Mal is the French for 'badly' and this is a farago very 'badly' done.

With reference to the threat of publication in his 'OMPAZINE', you need have no fear. Any such act, would lay the opposition open to suits for slander, libel and tailor made. As to his allusion to me as a 'crazy mixed up kid', that is easily refuted, as I can PROVE that I am over 21. Definitely not a kid.

In conclusion, we may ignore the 'mental deficiency' remark as an evidence of non compos mentis. Should this person Ashworth again contact you under any of his various aliases (or aley asses) do not deliberate, or shilly shally, but come straight to me with your problems and I will write him a strong letter (2/6) which will finally put him in his place.

I remain,

Yours financially,

Terry Jeeves.....xhis mark.

At this point Mr. Ashworth received the following postcard. It is quoted as being dignified enough to indicate the general feeling in fandom at the time.

You rat, Ashworth. Fandom has come to a pretty pass when curs like you insult nice feminine fans, you snake. I am rallying all the bachelors in fandom to either (a) burn you, or (b) establish a fan-club in Siberia. Your megalomaniac plans for taking all the femmes away will fail. It's only natural that Ethel should mistake you for Burgess. Why not?? Except that you look more lecherous. I have no wish to be unkind, Ashworth, but I thought you looked like a purple-bellied skunk at the Mancon, and this proves it. Up the Femme Fans! I say.

A.V. CLARKE ESQUIRE.

To:

Mal Ashworth,
40 Makin Street,
Tong Street,
Bradford 4.

BARRY S.T.E.R. ATTLAW.

40 Makin Street,
Tong Street,
Bradford 4.
24th. October 1954.

Dear Madam,

Re: Capitulation on Siberia, proposed trip to, of
Miss E. Lindsay.

We thank you for passing on the letter from your Mr. Jeeves
We should be grateful if you would refer Mr. Jeeves to the case
of Bearstein v Ethelread (1954) from which he will no doubt recall
the following judicial dictum:

"Hic (this word should be familiar to Mr. Jeeves), cum iam
esset, sine ullo morbo lumina oculorum amisit. Quam calamitatem
tam fortiter tulit ut nunquam audierit. Nec minus quam antea
iura privas publicasque res transigebat. Venibat saepe in con-
cilium, propter valetudinem vectus curru, atque de veniculo sententiam
dicebat, Nemo autem cum hoc faceret, superbum eum esse cum
iudicabat; nihil enim unquam gloriosum ex ore eius cadebat. Sed
quis in concilio ea laudabat quae effecerat, nunquam aliud dixit
quam se propter id maxime dis gratias agere, quod, cum Siberian
liberare constituissent, eius rei se ducem esse voluissent, Nihi-
enim rerum humanarum sine dis geri putabat; caveat lector, cavea
emptor, uberrima fides. Sine verba qua non; Quis custodiet ipsos
absit invidia, ab aperturum libri exempli gratia ipissima verba
Quis custodiet ipsos custodes ad eundem gradum anno conditas.
Exeunt omnes"

We trust that this will render the whole matter quite
clear to both yourself and Mr. Jeeves and that you will now
appreciate that our original course of action is inevitable.
Trusting that you are preparing for your long and cold journey
and hoping to hear from you (if not from your solicitor) again,

I remain,

Yours on behalf of Mr. Ashworth,

Barry S.T.E.R. Attlaw.

Legal Advisor to;

King Charles the 1st.
Guy Fawkes.
Dr. Crippen.
Adolph Schickengriber.

Terry Jeeves Q.C. O.H.M.S. P.A.Y.E.

58 Sharrard Grove
Sheffield 12.Ref:Siberian Sleighride.

4/11/54.

Dear Madam,

From the tone of the letter sent to you by Mr. Barry S.T.E.R. Attlaw, it is increasingly obvious, that Mr. Attlaw realises his false position, and is doing his utmost to make a strategic withdrawal.

The citing of the case of Bearstein v Ethelread (The name is actually Beerstein) is merely a red herring intended to frighten the layman with a meaningless display of Latin. Literally translated, Mr. Attlaw says the following;

"Hic, (due to intoxicants no doubt) I am without sex, but a dead light gleams in my eye. What a terrible thing to be without an audience to listen to one, or to be sent from a private place to a public house. He will come to console me with brave vectors, and he will speak wise words. In spite of this I will laugh, a superman needs no oil, nothing is more glorious than I. (Much more grandiose and paranoid ramblings follow, until Mr. Attlaw concludes...) "While I am guarded by the very custodians who clean the city each year, who care if they all go out"

Obviously then, Mr. Attlaw is either weak on Latin, or trying a desperate bluff with maniacal ravings. You can safely discount the fictitious case of Beerstein v Ethelread, and label it the invention of a diseased mind.

Mr. Attlaw carefully avoids any reference to my earlier letter, as he knows full well that he is unable to answer the many valid points which I levelled against him.

May I also point out the list of famous people who have avoided themselves of Mr. Attlaw's services.

King Charles the 1st.....Now very dead.
Guy Fawkes.....Not only dead, but still reviled.
Dr. Crippen.....Convicted and hung.
Adolf Schickelgruber.....Cause lost and life followed.

These names are hardly likely to inspire one with any great confidence in Mr. Attlaw.

I doubt whether we need proceed further with this case, as you are no longer in any danger, owing to your unutterable wisdom in retaining me on your behalf. In all modesty, I say that you could not have picked a better counsel.

Yours Faithfully,

Terry Jeeves Q.C.

Legal Advisor to: Budcha.

Superman.

St. Peter etc.

40 Makin Street,
Tong Street,
Bradford 4.
The Throne of the Empire.

My Dear Miss Lindsay,

I find the suggestion that your case is now proven utterly preposterous and moreover I don't think it is in the least correct. I regret to have to inform you that I can never concede such a state of affairs. I would, of course submit Mr. Jeeves' latest ~~reply~~ letter to my solicitor, Mr. Attlaw, but Mr. Attlaw has at present been called away to some sort of a legal conference at Strangeways and is not likely to be back in the near future. In the circumstances I can only suggest that you submit the whole case to a competent only magistrate for judgement to be passed, before any proceedings are published. I would suggest Mr. Charles Randolph Harris of 'Carolin', Lake Avenue, Rainham, Essex as one of the most learned and competent men in the country to judge the case and I think that in Lord Chief Justice Harris you will find a man most sympathetic to your side of the action as he is noted for his amicable associations with femme-fans of every variety.

If the action should then be granted in your favour and a Right of Appeal granted I shall probably be able to produce further ~~proof~~ evidence, supplied by a member of your own sex.

In passing I would deplore your action in trying to influence the public mind over this case by dint of your letter in the popular press (i.e. BYPHEN) before the case had been presented for judgement and can only point out that this must necessarily weigh against you in the Final Judgement.

Hoping to see you in ~~the~~ Court and sympathising with you in advance over your impending exile, I remain,

here,

Mal Ashworth.

58 Sharrard Grove,
Sheffield. 12.
December '54.

My Very Dear Miss Lindsay,

With reference to the latest bit of paper from the 'Throne of Empire', I would like to assure you that the absence of Mr Attlaw was not unknown to me. In fact, I might go so far as to say that I played no small part in his disappearance, and ultimate incarceration in Strangeways (Ah, the aptness of names). To be precise, I had him re-called to the Bar and on his arrival, he was propped upright before his ~~best~~ peers and confronted with the evidence of his malpractise. A glassy look appeared in his eyes, his face turned green, and he threw up the whole thing in a frenzy of remorse (or of some stronger emotion). When he'd finished, there was not a trace of spirit left in him, and he never even batted one bleary eye when the judgement was passed. His name was to be struck from the rolls (it had been scratched on the paintwork), and he was to be forever barred from the bar. This last blow was too much, and Mr. Attlaw lashed out at Random, causing him serious injury. Random preferred charges, and as a result Attlaw now languishes in Durange vile.

Left to defend himself by his own wits, Mr Ashworth is ill-prepared to more than struggle half heartedly, so he now throws the whole thing in the lap of a wiser man. Suggesting that Lord Chief Justice Harris delivers a verdict, is the first sign of sanity shown by Mr. Ashworth and his verminous Doppalgangers. By all means let us submit ourselves to the Solomon like judgement of the Lord Chief Justice. Charles Randolph Harris (known to his intimates, as Boma' Harris) has never been known to utter a false estimate of the path of truth. Nay, by his very honesty and outspoken words has he even incurred the enmity of some. I could not place you in better hands than his.

With humble trust in one who is but little lower than God, let us rest thy case, and before long, when right has prevailed, we shall stand together and wave farewell as the cattle boat bearing knave and Malapert Mal, on his lonely voyage to the Siberian Salt mines of the U.S.A. (commonly called Uncle Sam's mines). This will make a Thrilling Story of Wonder for future generations, Beauty and the Beast reincarnated. Once again, good will triumph over evil, and the three pinnacles of an Englishman's castle will have been upheld. Faith, Hope, and Chastity, and the greatest of these is chastity.

Hoping to see you in court, if the case I have just opened can be finished in time.

I remain, yours judiciously,

Byron T. Jeeves.

(The man who prosecuted Campbell)

HARRIS, HARRIS, SNOOFWHISTLE AND HARRIS

Attorneys at Law ----- Judgements by mail.
Rapine and Pillage a speciality --- parties catered for.

Office of The Lord Chief Justice
(The second Harris from the left)
"Carolin" Lake Ave Rainham Essex

Case No. 795463

Ashworth v. Lindsay

To whom it may concern:

Be it known that I, Charles Randolph Harris, conscious of the authority vested in me, and after long and solemn deliberations, have finally reached a verdict in this most distressing and unfortunate case. I have weighed the evidence, examined the witlesses, and am now ready to deliver judgement.

Never before in my long judiciary career have I been compelled to don the Black Beanie, but in this case there is no other alternative. I find that Malcolm Ashworth is guilty of slander, disorderly behaviour, conduct unbecoming to a Trufan, flouting the sublimation requirements for faneds, omitting to renew his fmz. subs promptly, and not having the right sort of shape for successful litigation in this court.

Impartial and unbiased as I am, I must say how shocked and disgusted I feel about the way this monster has ridden roughshod over the Law, and blemished the reputation (at least!) of our charming and modest Ministering Angel of Mercy. Even at our most solemn conclave in Manchester this young desparado not only insulted the Majesty of the Law by squirting water at it, but even forgot the sacred, traditional order of precedence and went whooping off after every female within range. Furthermore, instead of buying refreshments for OMPA executives, he stood at the bar and sipped his drink (an old trick in the Bradford underworld) and carefully avoided being left with an empty glass when it was time to order another round. This, of course, is the Mark of Cain to a fine sharp legal mind such as mine is, and I have long since been expecting him to stand in the dock before us, a sad and horrifying example of the depths to which fandom can sink.

However, relatives of the accused, and even Ghod himself, have pleaded his case, and asked the court to show leniency. Bearing in mind that this youthful sex-fiend may have suffered undue provocation by having his pin-up pictures taken by Burgess, and taking into account other extenuating circumstances, we have decided to pass the following sentence.....

Malcolm Ashworth, you have been found guilty of the offences listed above. You should be aware that the maximum sentence would be to sell you down the river to Operation Fantast. However, we temper justice with mercy, and have decided to parole you into the care of your Uncle Tom and Aunt Betty. You will be kept fully occupied in such manly fannish pursuits as stencil-cutting, slip-sheeting. and sticking stamps onto the copies when they are ready to mail. Under no circumstances will you be allowed within ten yards of the vestal virgins at Kettering. You will take graduated doses of potassium bromide three times daily, and a cold bath upon awakening each morning. There is no appeal from this sentence.

Given under my seal on the 31st of February 1955

Charles Randolph Harris

Lord Chief Justice.

....and so we come to the end of this Very Fannish
Case. Once again Justice has triumphed, Virtue been rewarded, and
the moral is-a Femme-fan's best friend is her lawyer....

This case has been published to allow the verdict to be known,
throughout Fandom. Thus they will be able to see that the very
appropriate sentence is carried out. Otherwise the miscreant may
not comply with it fully...I have my doubts as to whether he will
keep up these cold baths.

Thanks are due to His Worship Judge Harris for his competent
verdict, and also to his kindness in duplicating it.

