

That special someone

Britain's first exclusively gay law firm, Woods Lovatt, was established to provide homosexuals—who often fall victim to several archaic British laws—with legal protection.

The firm's advertising describes its founder, Simon Woods, as "single and available for that special person, is into home movies and travel, particularly the Caribbean".

His partner, John Lovatt, has "a good bedside manner" and "seeks similar, interested in country walks and flower arranging".

(Defamatorium, Brief, Law Society of WA, April 1994)

A love story ... sort of

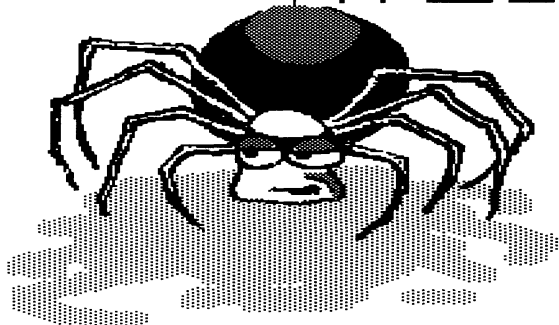
Spider was flicking through the April edition of *Brief* (Law Society of Western Australia) and found a story of some interest from the *Drover's Dog* column. It is a report of the wonderful House of Lords case of Vervaekev and Smith from 1981, which is worth summarising.

It concerned Marie Vervaekev, who worked as a prostitute in London in 1950 for Eugenio Messina. She was Belgian, so in order to avoid being deported, a marriage was arranged with William Smith, a down and out drunk. Smith was given £50 and a ticket to South Africa (!).

Eugenio Messina was meanwhile serving a prison sentence in Belgium. When he was released, he took Marie to San Remo, where they lived together. In 1970, Eugenio and Marie got married. That same evening, he had a heart attack and died. This is where it gets interesting.

Eugenio was a wealthy man. Marie quickly worked out that her entitlement to inherit his fortune depended on the invalidity of the 1954 marriage to Mr Smith. She accordingly applied in England for a petition of nullity. The nullity was

THE SPIDER'S WEB



granted. Unfortunately for Marie, at Court on the day that the nullity was granted, the Messina family barrister was in attendance and overheard.

As a result of this, Salvatore, Eugenio's brother, applied for leave to intervene. It was eventually found that her original petition for nullity had been false.

However another issue arose—someone had managed to track down Mr Smith, who pointed out that he himself had previously been married before his 1954 marriage to Marie. This marriage had been to a Russian and took place at the British Consulate in Shanghai in 1937.

Further complicating matters was the fact that the Russian wife took proceedings in Las Vegas in 1946 for a divorce. This was granted on the grounds of long separation.

It was questionable whether this grant would be recognised by the English courts, however, in which case the 1937 marriage would be valid, in which case the Vervaekev-Smith marriage would be invalid, in which case the Messina - Vervaekev marriage would be valid.

In 1971, an English Court held that the Nevada decree was recognised in England and that accordingly the original Vervaekev-Smith marriage was valid.

On to "Plan B". Vervaekev commenced action in Belgium to declare her marriage to Smith invalid. This time she succeeded.

She then went back to England and commenced proceedings seeking a declaration that the Belgium nullity decree should be recognised. These proceedings were started in 1973, but

only came to hearing in 1979, by which time Smith and Salvatore had both died. Her appeal was dismissed. Finally, the House of Lords rejected her appeal. Got it?

High flyer falls to earth

An intoxicated German tourist—who told a flight attendant "the roof would go" if he wasn't permitted to use the aircraft's toilet—was held in jail for nine months before sentencing. The flight attendant took the expression to be a bomb threat.

ABA Journal (US) reports that a US District Judge in Fort Lauderdale, Florida, scolded prosecutors, saying: "It's a disgrace he's been in jail this long. Do you see anything that happened that couldn't have been remedied by letting this man go to the bathroom?"

Apparently, "the roof will go" is a German colloquialism that means one's bladder is about to explode.

(Outside View, Law Society Journal of NSW, May 1994)



Thought for the month:

THE SIX PHASES OF A PROJECT

1. Enthusiasm
2. Disillusionment
3. Panic
4. Search for the Guilty
5. Punishment of the Innocent
6. Praise and Honours for the Non-Participants