

## Chapter 8

### 1980 The Crisis

In January 1980 I did my usual winter inspection visit and although relations with A were still strained, I thought I would, out of tact pay him a visit in his office, just to say "hello". He was very pleasant and we chatted for a while. I then asked him if he knew what the charges would be for the current year, all he said was "6,000 francs" I was spellbound. The charges since Brown had left had gone up each year, but this figure was almost double the previous year. I queried it, but he just repeated that figure. That was that.

I returned home and wrote all my usual letters to the Owners about the state of their caravans, but I thought it wise to refrain from telling them the news about the charges in case I had misunderstood. Time enough to worry about that when the Domains informed us with their usual letter.

On 17th January our doorbell rang and the postman asked me to sign for a registered letter from France. "The charges" I thought, and sat down to finish my breakfast. I opened the letter and the nightmare started

The letter told me that our company had gone into liquidation and that in accordance with the law of 13th July, 1967, our 99 year leases had been terminated. There was a statement by the Owner of the Domaine that this step had been forced upon her by the repayment of taxes due under the management of M. Brown, the lack of funds to clear the undergrowth from the Domains and by the seizure of the Domains by the company who had bought back a debt of 6 million francs from the Credit Lyonnais. The seizure had been carried out to ensure that the site could be sold for the highest possible amount.

In our house the first feeling was, "Well, that's that", but it was immediately overtaken by "Not bloody likely, that's our Domaine". I read the letter again and again and then for some reason looked at the envelope and could not believe my eyes. Remember that it was a registered letter and yet there were two postmarks on it. One carried the date 20th December and there was a rest amp on 14th January. Surely you cannot hand a letter in to the PTT, have it stamped and then withdraw it, and even if you could, why was there a delay of three weeks before reposting? I thought back to my last visit to A. Those letters must have been in his desk all the time. The whole thing started to have a very unpleasant smell. I took the most important part of the letter to some translators and sent the rest to Rosemary Sass who worked with SNCP in London to translate. Then I thought, what I need is a lawyer. Fred Morris it had to be.

I rang him at his office only to he told that he was away. They said they could only tell me that he was with his daughter. But didn't know her address. I had met the daughter and family at Canebieres, but did not know the surname. In fact, all I could recall was that her husband was of central European origin had played Rugby for England as a forward and his promising career had been cut short by a back injury. Some detective work was necessary.

So I rang the Daily Telegraph and asked for the Sports Editor. I explained the situation and gave him the little information I had. I stressed that it was really very urgent and asked if he could possibly help me. He said it would take a little time, but if they had any luck he would ring me back. I could hardly believe my ears when the phone rang some ten minutes later and the journalist asked, "Does Novak mean anything to you?" Yes, it certainly does, a million thanks" He was a dentist in Eastbourne and in a matter of minutes I was telling Fred all the news. He said he was returning home to Lymington that evening and would come to us en route. All that day the phone was ringing, with anxious Owners asking advice, and all I could say was, "Hold on, legal advice is being sought".

Fred and Marjorie duly turned up quite late. We talked briefly and Fred said he would go and see Ham first thing in the morning. I was again in limbo, unable to do anything, but not for long as Ham rang me early in the afternoon. He told me that it was essential that we obtained the services of an international lawyer and he had already spoken to Theodore Goddard in London and had been referred to their Paris office and one Bernard Grossin had agreed to take the case.

It was necessary for Bernard to go to Frejus to find out the exact position and speed was essential as the Domaine was scheduled to go to public auction in a month's time. Also, of course, this would cost money and Ham asked me if I would collect £10 from each Owner as a start. I was in full agreement and felt sure everyone would contribute, so gave Ham the necessary authority to brief Theodor Goddard and send Bernard off to Frejus. Thinking back, I certainly stuck my neck out as French lawyers then charged about £40 per hour and we were asking Owners for about £1300. It was going to be tight, but it had to be done

We also had another problem. Ham required the addresses of all the English Owners. There was no register as such so I had to go through my card index of those Owners whose units I looked after, and I referred back to my old insurance book, which I had retained, and thus created a register. I had to write to all the Owners on that register, the first of many letters telling them what I had done and asking for a £10 cheque in favour of Ham's firm. At the same time I asked people to contact anybody who might not be on my list, tell them what we were doing, and try and get them to join in. The response was fantastic and within two days I was able to send Ham a comprehensive list of English, Dutch and German Owners. There were Owners abroad in places such as the USA, Australia, Saudi, Agadir and Spain and all had to be contacted. Our telephone never stopped ringing day and night but I felt we were now getting somewhere

It is necessary for me to comment on Hams involvement. He was only a former Owner and had no interests of his own to protect, although his step-daughter Angela was still an Owner. Also one recalls a promise made to me in those early days that in the event of any trouble he would look after us all when taking action in his own interests. Of course, he now had no interests of his own and so was under no obligation to act on our behalf and one must face the fact that he was being asked to take action in a foreign country. If that was not enough, he would suddenly have over a 100 new clients, many of whom would be ringing him and he would have to correspond with them all.

At a very early stage Fred told me he certainly could not have coped with it in his office, and at the end of the day there would not be much financial reward. There was yet another factor to consider. How would his partners react and what about all his existing clients? Fred does not know the exact story, but I do know that Joy played a leading role in persuading him to act for us. I believe Joy used his love of the Domaine as a lever, the fact that Angela was still there, and that he had promised. I will add that I got to know Ham pretty well, and he was a man of integrity and so he undertook the task.

It must have been a hard decision, for it was going to be a massive operation, the size and duration of which was unknown. I visited his office in the early days and saw for myself what was involved and Fred was amazed. One might think of an extra secretary being necessary, but what I saw was a mini office. Yet the work of the practice had to go on, and I know that this meant that every night he had to take work home with him. Owners who rang him will confirm that he was always willing to discuss matters with them without trying to cut them short. I just hope that all our problems at Canebieres and all the extra work involved did not contribute to his stroke a few years later. Whether they know it or not, every single Owner at Canebieres had cause to be grateful to Ham and Joy for their support. I have said many times that Ham alone did not save the Domaine, but by the immediate briefing of Theodore Goddard and the despatch of Bernard Grossin to Frejus he certainly set us on the road to victory.

Then came the news from France in the form of a phone call from Jo Hadler. There had been a meeting of ASSUC (the French Association) and they had come to the conclusion that they should raise money and go to the auction and buy the Domaine themselves and every Owner was being asked to contribute a sum of 25,000FF in the form of a cheque in favour of three Huissiers (bailiffs), "Charbit, Gregory et Touati". Jo went on to ask if I would organise this amongst the English. Unfortunately, the retainment of the Huissiers was not finalised and I was told that they would give me the exact payee as soon as possible.

With Ham's consent I set about sending out the second letter explaining the proposed action. I had to ask the Owners to phone me on a certain day when I would be able to give them the payee. On that day about 60-70 phone calls came into our house, and I literally had my meals sitting by the phone. Then the cheques started to arrive and every so often someone, sometimes Claude Moins (who was in charge on the Domaine) or Jo would ring to ask how many contributions had been received. They were in those early days always disappointed at so few, but the fact of the matter was that they did not know how the International money markets worked. Few English would have 25,000FF in their French bank in January. They first had to raise the cash and then obtain a draft from their bank, and the whole process could take from 5 to 30 days if the stock market was involved.

I had now sent out two letters, one asking for £10 and the other for 25,000 FF. I had a stack of correspondence, records and cheques on the table when the doorbell rang and in came Muriel and Bertram Gallagher "for a chat". Bertram took one look at the table and asked if I wanted some help. I jumped at the offer and from then on he came over whenever I asked. He was an enormous help as he was so methodical. He rewrote the register in his clear writing and we were able to get some of the £10 cheques over to Ham. Thereafter we tried to update him every day. Any 25,000FF cheques and drafts we retained.

For those overseas I had a special arrangement. They would credit my Nat. West. account with the necessary funds and I would then order a FF draft. Harry Poole was in Marbella by then and we had pre-arranged times when all the Owners living there would assemble in one of the rooms and at the given time either Harry or I would ring. In that way they were kept fully up to date with the latest news. After discussions with Ham, we thought we ought to have a meeting of all the English and I undertook the arrangements. Here I was lucky, for Paul Topham obtained permission for us to use one of his classrooms at St. Paul's School, free of all charge, but it did mean sending out yet another batch of letters. The date was set for 2nd February. I had regular calls from the Domaine, mostly from Jo. I was told that a host of lawyers briefed by Owners had been down to the area and had returned "not with their tails between their legs, but with heads high" and leaving behind the advice to go to the auction and buy the place. Bernard Grossin, however, had other advice. He returned to tell Ham that in our case such a course was impossible. The only course open to us was to fight through the French courts and with this in mind he had issued the liquidator with 130 writs, one for every British Owner, thus ensuring that the matter came before the courts before any auction took place. Funnily enough I had a letter that very day from someone on the Domaine who wrote, *inter alia*, "it would be too costly to try to delay the auction". Luckily Ham now took over the entire letter writing to his "clients"

On about 24th January I received a phone call from Norman Fortune Fowler who had been contacted by a Belge friend. The Belgians were holding a meeting the following Sunday and asked if I could attend to tell them what the English were doing. Norman's and my expenses would be paid. I discussed matters with Norman and as our fares were to be paid we decided to take our ladies at our own expense. Norman and Alex gave us a lovely meal and we set off for the midnight boat, which had reclining seats as beds. I had never been to Bruxelles before. But it was no beautiful city at 6.00 a.m. on a Sunday for four hungry and tired visitors. The time passed and we arrived at our meeting place to a very nice welcome.

There were several Beige and French people whom I knew and I also met, for the first time, M. Cassens who was there as the French representative. I always thought M. Cassens had a lot of good about him and that he was a man with ideas. Unfortunately, he fell out of favour with those running the Domaine and never got as far as the Conseil. The Belge lawyer, M. Deltendre was also present. Sitting at the table it was not long before I realised that I was going to be of little use as I could not understand what was being said and nobody made any effort to help me. I did, however, come to the conclusion that the lawyer was not as informative as Ham and his sole contribution seemed to be that he should be given two cheques, one for the 25,000FF and the other for the charges.

I did get two important pieces of information from M. Cassens. The first was that the French were holding a meeting in Paris the following Saturday, the same day as we were having ours, and the second was that they had an avocat, a friend of M. Cassens who would be attending. This was indeed good news because when, at Ham's request I had rung France to ask the name of the notaire who was acting for them in the purchase, I was told they had not retained one as it was not necessary. Now I had the name, address and phone number of the avocat, a Madame de Combret.

As the meeting drew to a close I was asked what the English were going to do. Maybe they hoped we would go in with them. I told them as best I could that we had engaged a lawyer a week ago, that he had sent a French lawyer to Frejus, that 130 writs had been given to the liquidator and that the case would now have to go to court before the auction could take place. Not a single question was asked, on the contrary, it was dismissed out of hand with words like, "that may be the case in England, but it is not so in France" and their lawyer did not say a word. Then everybody (except Norman and I) started to go for their money pouches and out 'came notes of all denominations and I thought "this must be our fares, but glory be, it's too much". I need not have worried as I saw the lawyer scooping it all up into his briefcase. In fact we were never offered a single penny, and I for one was not going to humble myself by asking.

Now we had meetings taking place in London and Paris at the same time. I thought it was essential that we had a representative there in addition to our lawyer to look after our interests because I knew there were some British Owners who did not agree with Ham's course of action. They were in favour of joining the French ASSUC in buying at the auction

We had no community funds as we do today and so, after discussions with Bertram, we decided to make a direct approach to Martin Schenk who we knew had an office in Paris. I was perfectly honest saying that we could not pay his fare, but we had it in mind to call for funds at our meeting, as my own expenses were mounting up, as were others. Martin was trilingual so could easily cope; he was a man of considerable business experience and (bless him) he agreed without any hesitation and was briefed as to Ham's thoughts. We, in our turn, took a gamble and promised half his fare.

Ham had arranged to be in telephone contact with Paris throughout the meeting. This was vital because as things stood before the two meetings, ASSUC wanted to go to the auction and buy, whereas Bernard Grossin declared that such a course was not possible and a choice had to be made, and there was no point in starting our meeting until we knew the French decision. Bernard Grossin had gone to the Paris meeting to try to persuade them to follow his line of thinking. In London we had another partner from the Paris office of Theodore Goddard.

As the one who had started things in the UK I took the Chair and have to say that I made a number of boops. The first was to introduce the avocat as coming from Draguignan and he very quickly corrected this to Paris, the second was not reserving a place for Joy and the third was that I had not laid on an interpreter for the avocat and never gave him the opportunity to speak to the meeting. Not one of my best efforts. French time was an hour ahead of us and it was 2.15 p.m. when the telephone link worked and the news came through that the French meeting had decided to fight. Whilst we were waiting for the news there was a whip round for funds and people were very generous so Martin got half his fare.

Ham steered the meeting on the "fight" course and received solid backing. He had some other news and a bombshell. He was now our official lawyer and told us it was necessary to raise the call for the legal fee by a further £100. The bombshell was that he would not allow one penny to go out of the UK until ASSUC asked for it and he felt that the request was justified.

All the cheques and drafts in favour of the three Huissiers had to be changed to his firm as the payee. The funds would be put into a FF deposit account and drawn on as and when necessary. I had arranged with Ham that I would fly to Canebieres on 5th February to glean what information I could and to enrol as many British as possible, I was also to attend the court hearing at Frejus and phone him with the result immediately.

This put me in a difficult position as ASSUC was expecting me to take the cheques down with me. Throughout the "affaire" as it became known, Ham came in for a lot of criticism from certain Brits at Canebieres, but this turned out to be one of the wisest moves he made. As the French control regulations were very strict and if our money had gone to France and we had lost the Domaine, we would have had great difficulty in getting our money back to the UK. As it was, as I shall recall later, even ASSUC was glad Ham had taken this course. I would add as an ex-Bank of England member of staff, all glory to Maggie for having done away with Exchange Control. I just shudder to think how one could have persuaded the Bank of England to authorise over 100 people to send 25,000FF to France to buy property which was in liquidation, and with a strict time factor. That could have defeated even us. Back to the meeting.

Ham asked me to return all the drafts to be amended and then send them to him. The banks must have hated us for the changing of the payee was quite a task. However, they were all changed and in due course were sent to Ham. Ham kept us meticulously informed on all money matters and every payment sent to ASSUC was accompanied by a list of all those who had contributed and the sums involved, in a manner which was much appreciated by ASSUC. As M. Cassen remarked to me at an early stage, "les anglais sont tres, tres organise". The change of procedure for the cheques had to be given to those in Spain by means of a phone call to Harry. Their numbers had risen, and there were now the Pooles, the Lowthers, Diana Irving and the Lancasters. Some sent the 25,000FF to Ham; others gave it to Bernard to hold.

I went off to Canebieres on 5th February, and immediately set about trying to get the 25,000FF out of those who had not contributed and it was not an easy task, but I got most of it. Claude Moine was by now virtually running the affair and thank goodness he understood the problems and accepted why Ham was not sending the 25,000FF to France. He agreed to the terms after I had given him Ham's promise that he would send the cash as soon as it was required so long as he or I could specify the reason for which it was required.

I could now see what had been happening at Canebieres, albeit second-hand. When the fatal letter had been received the people there were quick to react. Led by Claude Moine and supported by Jo Hadler. They very quickly called a meeting and it was at that meeting that it was decided to go to the auction and buy the Domaine. The interesting thing is that somebody produced the magical figure of 25,000FF. Where it came from I do not know, but it was very near the figure we ultimately required.

As I understand it, the workforce was dismissed, and so residents manned the barrier in shifts. I was told that the liquidator turned up and the "Guard" on duty refused to allow him to enter. After a while I believe the workforce was contacted. They were told that only very limited funds were available.

In fact those Owners on the Domaine had all put 200FF into the kitty - but that ALL the Owners were being asked to put up 200FF and that would take time to come through. The workforce took a gamble and came back to work to act as the Guard and, what was more important, to keep the services going. I am told that Brown was very uncooperative in not giving ASSUC the addresses of all the Owners.

Certainly, M. Ott who had bought the debt from the Credit Lyonnais must have been kept informed as to what we were doing and how much we were going to have at the auction. He must have been very happy as he had 6 million franc starts on us and if he had to bid more than he had intended it just meant that the annual charges would be even higher.

On the morning of the court case I drew the curtains and saw that perfect Canebieres blue sky I loved so much. I had done all I could and so, acting on impulse, I packed a picnic and set off for the beach at Ste. Maxime. I can still recall sitting there and wondering if we would ever see the Domaine again.

However, today was not the big test. So far as I could understand we were asking for permission to remain on our plots until the big hearing some days hence. I cannot for the life of me remember who I went to court with, but whoever it was, we arrived and wandered around and took our seats. There seemed to be a great deal of argument going on in front of the bench. Moreover, as we looked around the room we found we did not recognise a single person and then the penny dropped. We were in the wrong court.

We quickly rectified matters and were in our seats before the case started. There were, I think, supposed to be three gentlemen presiding, but only one was present at the start, a second soon joined him, but the third was very late in arriving. By the look of him he had enjoyed a good and heavy lunch. However justice was given out and it was ruled that if we were to stay on the Domaine, 3 million francs were to be paid into court to cover some of the work imposed on us by the local authority, for items such as firebreaks. I left the court and went straight to a phone box to ring Ham. I can recall his exact words, "I'm not paying any money into any court" and he went on to say that he would have a discussion with Bernard Grossin and he would give me further news if I phoned later.

I flew back home to be greeted by a message to ring Ham who gave me the wonderful news that the auction had been postponed until 2nd April. The writs served on the liquidator, had caused the courts to hear the pleas before any auction took place. A major breakthrough by Bernard Grossin.

The days passed quickly and we had plenty to keep us occupied. I visited Ham's offices one day and was amazed at what I saw. The Canebieres section had grown as big as a legal office and I could not help wondering what all these costs would amount to. I was also struck by the enthusiasm with which the girls worked. Indeed it was as if their Domaine was at stake and not ours. A couple of years later I was very pleased to entertain one of them at Canebieres. She told me that in working on that section she had become so interested in the Domaine, that being in the area she just had to see what it was that drove people to fight for it. She added that she would return to tell the other girls that she had seen the Domaine and could at last understand why it was so important to us.

As March drew to a close I packed my bag once again and headed south. The difference was that this time it was make or break. The Owners all knew I was going down and had been told that I would try to phone the results of the hearing to Helen by 7.00 p.m. so they could all get the news quickly.

At Canebieres the tension could be felt everywhere. I handed Claude the up-to-date list of the Brits. This showed, in tabulated form the individual items, how much each person had put up, how much Ham had paid out and for what purpose, and, of course, the balance remaining. This meant that at any time you could state the exact position of any British Owner. It was a superb facility and one which was the envy of quite a few. The Domaine was being run by Claude and to me he already looked strained.

I explained the problems that the French Exchange Control regulations caused foreigners, in that once the money was in France, if we lost the fight we would have the utmost difficulty in getting the money back to the UK. With Ham's agreement I was again able to assure Claude that if money was required for a particular purpose it would be speedily forthcoming and this seemed to satisfy him. This is important to understand as it was the beginning of a long-standing trust and friendship between Claude and the British community and Ham never let him down so far as the money was concerned.

The few days before the court case passed slowly. People were kind and asked me to supper but the topic was always the same ... the Domaine. Most people's theory was that M. Ott, if he won the Domaine at the auction, would offer the plots back to all the Owners. On what terms nobody was able to say, but all were agreed that the price would be a high one. As for me, I had as good as been told that there would be no place for me in the new Canebieres. I have to say that I felt that my every move was noted. We had as the day guard a man who took a keen interest in the various comings and goings of Owners, and I felt sure that A was kept fully informed. As I sat alone in my caravan, my mind went back over the events of the last few weeks. One thing was certain, and few really appreciated this, if the Domaine went to auction, Ott would win. Of that there was no doubt at all. He had bought the six million dollar debt from the Credit Lyonnais and you can bet your bottom dollar that A was keeping him fully informed as to how high we could bid and it was not very high. Also, not everyone had chipped in. Some were sitting on the fence waiting to see how things went before they put up their money.

About five British Owners dithered and made excuses as to why they could not put up the cash and all that one could do was to put pressure on them saying that at some stage a line would be drawn and if the defaulters found themselves on the wrong side of that line, it could mean that they would lose their plot. The rest were superb. Two had even gone to Paris at their own expense to consult a Notaire, though the results did not help. Numerous people in the early days wanted to do something, anything, to help, and so we organised a campaign of protest. In reply to the question, "What can I do?", I would say, "Write a letter" It did not matter who they wrote to, so long as it was a letter, for the power of the pen can be quite remarkable.

We had as our chosen targets the French Ambassador in London, his English counterpart in Paris, the British Consuls in Toulon and Marseilles, the liquidator, and the prime target of them all, namely The President of France. Some said it was a useless exercise. But it must be remembered that we were fighting to the death, and if any of those people took any notice at all it was a bonus.



I recalled a discussion with Ham several years earlier when he said that he thought that Canebieres had such an international composition that if there was any trouble; it would turn into an international affair. Some said the letters were a waste of time, but I know they helped. People both wrote and telephoned the liquidator, and he was left in no doubt that we were going to fight in earnest to the extent of destroying our caravans *in situ* if necessary, or staging a lie-down at the Guard room with the BBC cameras filming. Cecil Lloyd thought he could arrange this through his son who was a news reporter for the BBC. If it was a waste of time, why did a secretary to the President of France ring up a certain Notaire in Frejus asking him to take on the case? I think that those letters may in a small way have helped to get us the excellent publicity we enjoyed.

Out of some 110 Owners, one would expect to find some who just could not put up the 25000FF, indeed one or two just had not got such funds available. At our meeting in London I had identified two such people and had persuaded the meeting that we should ask Ham to exclude those two from the legal charges and the rest of us would accept the responsibility. That was nice, but how about this?

Cecil Lloyd was a borderline case so far as funds were concerned. He had made it clear that he might well have to pull out and I had said that if that was the case he ought to let me know as there were people who would buy his plot, and there the matter rested. Imagine my surprise when I saw Ham's records and there was Cecil shown as a fully paid up member. I found out that Barry Chapman had heard of Cecil's problem. He contacted Cecil and lent him the whole 25,000FF free of all interest, on the promise of a monthly repayment. When in 1992 I asked Barry for his agreement to include this in my book, he asked me to add that every payment was made by Cecil on time. I always think of this action of Barry's as being typical of the spirit which existed at that time.

The day before the court case two things happened. I was by the Guard room when I saw an English couple I knew quite well coming towards me with their car loaded to capacity. I went over to talk to them and found that they were so fed up with all the hassle and uncertainty that they had decided to walk out and leave everything for whoever wanted it. I asked them if I had correctly understood their decision, and told them that if they cared to wait ten minutes I would bring someone who would, I thought, give them £1,000 for the plot. Luckily the person was in, so I quickly explained the position, took him to the plot and then went down to the Guard room where the couple were waiting. The deal was done, the "contract" being written on a scruffy piece of paper and the couple left £1,000 richer than they would have been.

Late that afternoon I had a message to ring Ham. I went over to Jo Hadler's and rang Ham asking him to ring back. The news was not good. He told me that Bernard Grossin would be in court and he asked me to get there early and make myself known to him. He went on to give me the real bombshell. It was on the cards that we might lose the case, but if that did happen we were not to be too upset because in that eventuality it had already been decided that an appeal would be lodged with a higher court. He finally asked me to collect all the English together and brief them. Jo, of course, had heard every word and now her feelings came out.

She told me that just before I had arrived Claude Moine had been on the phone and said that it had been a mistake to listen to our lawyers. They should have followed their first plan to buy the Domaine at the auction. That really put me in the dumps. I got a message to all the English and we assembled at the Poole's caravan and I gave them the grim news. There were grim faces too, when it was pointed out that if there had to be further action in another court then the legal bill would mount up. There was nothing to do but wait in 24 hours we would know our fate.

I think most people had a restless night, I for one did, and that's for sure. Dawn came, and as I opened the kitchen door and looked at those lovely mountains in the form of a pregnant woman, I could not help wondering if I would ever again see the sun rise behind them. The morning dragged on. I had no appetite, I just sat and thought and the more I did so the worse things seemed to get. Perhaps it was harder for me than for the others as I had no one to talk to.

Eventually it was time to go and as I left the Domaine I noticed a Gendarme at the entrance. He was there to stop us entering if M. Ott won the case, and was allowed to buy the Domaine. At Draguignan I found a parking space for the car, and located a phone box near the court. I phoned Ham and said I would phone again as soon as I knew anything and then phoned Helen as I knew she would get calls that night. Numerous Owners had come to Canebieres to hear our fate and although I entered the courtroom a good half hour before the case was due to be heard I found it was full, with only standing room available.

I looked around at the great battery of legal officials all preparing their briefs and then picked out the one I thought was Bernard Grossin. I approached him and praise is I had found the right man. It was, in some ways, a curious meeting and it made an immediate impact on me. From that moment I had such confidence in the man, I knew we were going to survive. How was not clear, but Bernard Grossin was going to save us. He repeated all Ham had told me the previous evening and then, feeling much happier, I found myself a place against the wall. I was lucky for I found myself next to a Belge and a French lady, both of whom spoke English. I spoke in French pointing out the various court players. I also had a good look around the room, and there at the back was our friend A with the young secretary. A had a smile all over his face and it was obvious that he thought that he was going to come out of this well.

At the appointed time all the justices trooped in, duly robed, as it was an assize in the UK. I think there were five of them. Then there was the auctioneer. He was seated just in front of me. He had a brief case and out of this he produced his array of "candles". As I understood it, when the judges gave the order for the auction to start, the auctioneer would light the candles and the bidding could continue for as long as they remained lit.

The French Defence opened; led by a Madame de Combret (I have been told that she was a personal friend of the President of France as well as a friend of M. Cassens). This striking lady must have been in her sixties but her petite stature made her age difficult to guess yet one thing was sure, she was a lady with a striking personality.

She also spoke very slowly, but very clearly and very softly. It was truly a lovely voice, and even with my limited knowledge of French, I felt that I could understand all she was saying. Also, and this was even more important, she was saying the very things which we, the Owners, felt in our hearts

She talked at great length about the dubious conduct of the failed company and made great play on the double posting of the letters. All the Owners latched on to every word she said, and they must have thought, as I did, that we had a cast iron case. There was complete silence in the court as this striking little woman presented our case with the lawyers, judges and public listening. You could have heard a pin drop, or as the French say, "a fly, fly".

After some fifteen minutes she put her final plea on our behalf and then sat down. For perhaps a second there was complete and utter silence, which was broken spontaneously and collectively by the 300 Owners who roared their cheers of approval. It was one of the most amazing scenes I have ever experienced when one considers that it was taking place in a senior court of law. The senior judge looked up and stared at his public, and then after a couple of second he raised his right hand for silence and, happily, the public obeyed his command. At that moment I was very grateful to that judge, had I been French, I would have been very proud.

I think it was then that our opponents saw for the very first time the strong opposition we presented. The French and Brits had in fact prepared a joint defence and Madame de Combret, as the ace orator, presented the case. Nevertheless, our avocat added his own comments, as did the lawyer acting for the Belgians and after that we had some lawyers who had been privately briefed by some Owners. Thus our case came to an end

It was now the turn of M. Ott's lawyers and as his lawyer rose, I glanced to the back of the hall where A was still standing with his secretary by his side. I could not help noticing that he was still looking very happy. The lawyer made great play on the fact that his client had taken great care in all his dealings with the Domaine and had never stepped outside the law. He seemed to speak for ages, but in reality it was for no longer than any of the others. I was lucky that I still had my neighbours who kept me up to date with a translation, but I have to confess that the more I heard, the more I began to worry, and the sight of A's happy face didn't help. Then it was all over and M. Ott's lawyers sat down

A silence fell upon the room and then there were some murmurings from the platform and a man in civilian clothes rose to introduce himself as being a representative from what we in the UK would call the office of the Director of Public Prosecutions. He said he had listened intently to both sides of the case. He was disturbed at some of the events and he was ordering a thorough investigation of the company's books. It was all over. We had won for we all knew what would be found in those books. I looked to the back of the room, and A had vanished, perhaps to get those books.

I cannot for the life of me describe what happened next. I could hear a dull buzz of whispers around the room. I think various court officials spoke, but for the most part I just felt numb. Numb with disbelief, but also with joy and I can assure you that there were many people with wet eyes. I pushed my way towards Madame de Combret.

She was standing up sorting some papers and looked so small. I introduced myself and said I would like to speak for all the English and thank her for all she had done. She looked at me and replied in English, "Thank you Monsieur. I am very happy for you all." I then made my way to Bernard Grossin who was as thrilled as I was. He told me we had crossed the first hurdle, it was now up to the lawyers to sort of the details

I found that the court had to all intents and purposes told M. Ott to leave us alone and told us, that given certain undertakings, our lawyers could negotiate to buy the freehold of the Domaine, something way beyond our wildest dreams. It was clear even at that stage that the conditions and undertakings were going to be very expensive but what the heck ... the Domaine was ours.

I found out two other things. The first was that it was Bernard Grossin who got the "DPP" interested enough to attend the hearing. It will be recalled that the Domaine had run up a debt of 6mFF with the Credit Lyonnais and the sale of the debt had been negotiated by their Toulon office without the knowledge of the Paris office. This was discovered by Bernard Grossin who took the necessary action. As I understand it, the President of that bank then rang up Madame de Combret and asked if he could come and see her. In taking that action the true gravity of the whole situation was revealed. After all, the Governor of the Bank of England summons people to his office; he doesn't go to them.

The second was that you will recall that immediately after we had briefed Bernard Grossin to act for us he went to Frejus to find out what was going on and had come back with the view that it was impossible for us to buy Canebieres for two reasons. First, we did not have the necessary constitution and secondly we did not stand a chance against M. Ott when it came to finance. Not only had he an advantage over us from the debt, but he also had some strong backers.

Our lawyer's fees were not cheap. I have heard of figures in excess of £30 per hour (1978 money) and there were people who were concerned that the cost of the Grossin visit would be carried by the Brits alone, particularly as the visit had lasted some 72 hours. The issue came up at the meeting in Paris and it was agreed that the cost of that research would be divided equally between the Owners. The happy ending to the court case must, to a great extent, have been due to that visit and I think that this is an appropriate moment to ask if the agreement to share the cost was honoured. The answer is simple ... no.

In the past I have been accused of overstating the part played by our lawyers. I do not think I have ever said that it was they who saved the Domaine. I do say, without hesitation, that without our lawyers the outcome could, not would, well have been different. What really riles me is the fact that our contribution has never been acknowledged. At a public meeting on the outcome, the French and Belgian lawyers were both applauded, whereas I did not hear a single word about the British contribution or about their lawyers, and that made me feel very cross. But this is something the Brits must grin and bear in France. The only tribute I ever heard came from M. Cassens, who was later ostracised by his own countrymen, who made the comment, "Les anglais. . . Ils sont tres, tres organise". I have always regarded the fight against M. Ott as a triumph of cooperation. Without doubt our lawyers had the brains and possibly the experience,

But the French had the finest of orators in the petite Madame and we were able to put our act together and win. I grabbed a large poster advertising the Domaine "For Sale", folded it and then made a hurried exit to the phone box to pass the news to the UK. Both Ham and Helen were thrilled. Ham's comment was "That's the start then". Helen had a busy night on the phone and dispensed, I think, a lot of happiness. Before I left the Domaine in September 1992 I gave the poster I had pinched from the court room to the bureau.

I arrived back at the Domaine quite late, so I was not the bearer of any sensational news, but I did notice two things. Firstly, the Gendarme was no longer on duty and secondly outside the Bureau I was sure that there was a van being loaded up and it crossed my mind that the DPF had been quick off the mark. I recall that as I drove up Avenue B I kept on humming the song, "Hello Dolly" playing with the words "Nice to be back where you belong". On my plot it was hard to believe that it was all over. Only that morning I had looked out at those lovely mountains and wondered if I would see them again. Now I had no time to waste as I had to leave the next morning. I just had time to go and see Claude Moine and indulge in a little rejoicing and discuss future payments from Ham. I also went to see the Pooles and we had a little more rejoicing, and we agreed to keep in very close touch, which we did over the next four years.

This became a necessity for soon after this Claude set about putting the Domaine on a proper footing by organising a Board of Members to run the place and Harry Poole was invited to represent the British which he did in an excellent way, and I don't think Claude could have made a better choice. Harry, of course, had a fantastic brain and would lie on the floor translating some legal document until he was satisfied that he had got it right. I have reason to believe that at least once he challenged lawyer's statements. At the first of our elections Harry was elected with a huge majority and became President of the Board of the SCI. I think that both he and Meriel enjoyed holding that position

One section of the community we must not forget is the workforce. When the bombshell of the liquidation fell upon us, Claude Moine called all the men to a meeting and explained that although there was no money to pay them at that time, cash was being raised from the Owners. The workforce all took the gamble and stayed and indeed some were still there some ten years later. Needless to say, nearly all the Owners did chip in 200FF as an initial contribution and gave the later, larger amounts, as requested by Claude.

One must also pay tribute to Claude. Whether he took it upon himself or was nominated I do not know. What I do know is that he spent his life in the office checking and counter checking his figures and so far as I can see he always had time for anyone with a query. Ham was still adamant that he would not release a penny until he was satisfied as to its use. Bertram Gallagher had joined Harry and me in attending to all the British affairs and we did at the beginning find it difficult to get cash here quickly once Claude asked for it. The three of us were most anxious that the British money should never be missing from any call from Claude. After the first delay the three of us discussed it over the phone with Ham and he saw our point. He agreed that in the future if any two of us phoned him giving all the facts and confirmed that we were happy with the request, he would release the cash at once.

When he made a payment it arrived at the Domaine with a list of all the British Owners showing the exact state of all the accounts with Ham. His lists were far in advance of anything done by the guardians of the other monies and they received high praise from Claude and the others. We, who tried to look after the British interests and Ham, came under intense criticism chiefly because of Ham's policy of keeping a tight rein on the money. It was through complete ignorance of both UK and French laws. When one tried to explain the voices just grew louder. The culprits were the English who had taken up residence outside the UK and I always thought that there was a little bit of anxiety tied up in their feelings.

They had all chosen to go "French" by putting up the 25000FF with the French officials and, of course, they had not got a clue as to what was going on in England. In contrast, Ham kept us fully informed with regular newsletters. Numerous outsiders would come to the Brits for up to date news. I know that still today (1993) there are some evil rumours around about Ham and the British money, started by one now dead, so let me just record something to destroy them once and for all.

The French laws (our Exchange Control) were so strict that the lawyers acting for the French actually got all their money blocked for a time. Some Brits living abroad had given their 25000FF to Bernard Grossin and he got his cash blocked for a time too. As for the Belgian Lawyer, well his was also blocked. The only cash which was never blocked were the funds controlled by Ham; one day Claude was talking to me and he told me that he did not know how he could run the Domaine at that particular moment as all the money except that held by Ham was blocked and it was only the English money which kept the bills paid. I thanked him for telling me this and I knew that Ham would be delighted to know of our contribution and I asked Claude if he would have it recorded in any minutes being kept. I must add that the French money was not blocked for very long. At least I have now recorded the facts

As we continued to revel in our newly owned Domaine, our lawyers were all engaged in negotiating for the purchase of the Domaine from M. Ott under the eye of the court. Then came the day in mid summer when we were told we were to become the Owners. All the lawyers, of course, would be present . . . with the money, and all the necessary papers would be signed in the offices of Madame Carrier, the French notaire. Quite a few Owners were on site and so we decided to make a real celebration of the event. There was to be a luncheon party at the Poole's caravan for all the English Principal Players. Then early evening, when the signing ceremony was all over, we arranged a cocktail party on the Morris's plot to be followed by a dinner at The Couloubrier Restaurant

This restaurant had been very popular in the past and had been heavily frequented. There was something rather striking about the aged Ada "rushing" around serving us, and at the end of a very enjoyable meal at a fair price, the rather stout cook would appear somewhat the worse for wear to enquire if we had enjoyed our meal. However, The Couloubrier had changed hands, so this time we just had to hope for the best. The day started badly as Ham, who was staying at the Belle Arore at Ste. Maxime was robbed in his hotel. However, he had enough cash left to buy really lovely bouquets for Meriel Poole, Jo Hadler, Marjorie Morris and Muriel Gallagher. To round off the guests Claude and Helene had been invited and Helene was presented with a bouquet.

After lunch Ham left to collect Bernard Grossin from the airport. The arrangements were that everybody was to be on the Morris's plot at a certain time. Harry and I were to wait on my plot for Ham and Bernard so that they could have a wash and brush up with a crafty snifter to revive themselves. I was then to drive them down to the Morris's where a celebration entry had been arranged for them. I quite forget the times, but I think dinner had been arranged for 7.30 p.m., with the party starting at 6.00 p.m., I must say that Marjorie Morris had put on a mouth watering array of goodies.

We sat on my plot waiting, and waiting . . . . I waited so long that I began to get worried about the meal. I made two visits to the party; the first to suggest that the goodies be eaten and the second to get someone to go to The Couloubrier to get them to put the meal back half an hour. I also arranged with Harry that if I was not back by 7.30 p.m. he would usher everyone down to the restaurant.

At about 7.45 p.m. Ham and Bernard turned up on my plot and one look at their faces told the story. It was nothing too serious, but had been enough to prevent the signing. So a lot of time and money had been wasted. As we entered The Couloubrier a silence fell on our long table. Ham gave a short talk and then we got on with the meal. This in itself was pretty ropey, whether it was their fault or ours for being late is hard to say, but so far as I was concerned the blame lay with the restaurant. It was not a happy meal and one or two people' one in particular, started to voice heavy and loud criticism at our efforts. Really one was lucky to escape some fisticuffs. The lawyers gave a speech and even this hit problems as there was another dinner in progress and they refused requests to moderate their voices. All in all a bad evening. When everybody had gone Ham, Bernard and I stayed behind and I am afraid we got rather drunk.

We had been ordered to cut down all shrubs 50m around every plot to cut a fire break all around the Domaine so I must say a word about the fire hazard. We knew we were sitting on a powder keg. M. Brown had planted hundreds of mimosas and we had all followed his example. The result was that the whole hillside was a mass of mimosas. In February the whole mountain was yellow and Owners would travel to see this fantastic sight. In moving around the Domaine they would find that the blossom was so heavy on the trees that the branches blocked the roadway. Unfortunately this mimosa contained eucalyptus oil and was highly inflammable, so much so that we had seen our workmen on a wet day set fire to a mound of mimosa with no more than a match and a piece of paper. We all knew that if a fire, had broken out undetected then heaven help us.

Only once during all those weeks we worked on the Canebieres case did we have a difference of opinion with Ham. At the very end of the affaire when everything had been paid for, we had over about 1200FF. The French lawyer had handed over this balance to the Domaine, but Ham wanted the usual confirmation as to what it would be used for. Claude called us to a meeting and asked for the cash. It seemed to Harry, Bertram and me that we stood to lose more in goodwill stakes by holding out than by losing the money, so we rang Ham and put in a very strong plea. But Ham stuck to his guns. No cash. We discussed the matter and then called a meeting (yes, another one and some said we were undemocratic!). It was decided that all present would write an individual letter to Ham asking for his balance to be returned, and Ham had no option but to comply with this request.

In fact, he then returned all the balances which were paid into our individual interest bearing accounts in the Bureau. I think Ham was 100% right in his original guardianship of the money, but at this late stage with so little at stake I think we were right to make a stand. We were more concerned at the prospect of the Brits being the only group not to have subscribed in full. With Ham's administration, our stock was high and we wanted it to remain that way. In this case I think we were right, for those accounts became the Reserve Accounts as we know them today and that being so, in some cases the balance has still not been used after ten years. True to character, at our next meeting with Ham, our difference of opinion was not even mentioned.

Little else happened and the season drew to a close and there was still no sign of the completion of the formalities. I left the Domaine and returned home in September. Not long after that Ham told me the moment we had all waited for was at hand. I had no real reason for going down to the final ceremony, but somehow I just had to be there at the end. So I hopped on a plane to Nice and on the appointed afternoon I walked into the office of Madame Carrier. I recalled the last time I was there . . . when A was threatening me with the Tribunal. I have to confess I was somewhat in the dark as to what was going on. At one stage I gathered that as some money was blocked, it was the British money which enabled the deal to go through. When all the signing had been completed M. Ott walked around the room shaking hands with everyone and wishing them luck. I think I was the only Owner there who was not on or connected with the Board and although something inside me told me not to shake hands, when it came to the crunch, my hand went out. I thought, what the heck, the Domaine really was ours.

As I often explained to prospective buyers our Domaine was as safe as it could be. Only two things could destroy us. One if we failed to carry out the orders of the local authority, and the other if we fought amongst ourselves.

And so ends my story, which runs until the birth of the SCI. One in which, although I say so myself, I played a major part on behalf of the English. One which took up an enormous amount of my time and considerable funds, but it was an experience I would not have missed for anything. Those who had openly and vehemently criticised our lawyers for the course they were adopting were now, of course, silenced by the success of gaining the freehold. However, up came another group, albeit tiny. As the Domaine was now safe, they seemed to take every opportunity of airing their objections to the balance of legal fees which would soon be demanded. In other words, they were objecting to fees of around £250 for saving their overseas property now worth some £20,000. The amazing thing was that these people were relatively rich. As one in the forefront of the British effort, I came in for a lot of stick from both groups of critics, but I must record that 98% of our Owners were very appreciative of our efforts. For me the most rewarding moment was when I was invited to join all those connected with the Board for a celebration lunch. A lovely gesture.



